

**From:** Josephine Ward <josie@michaelcarrollandco.com>  
**Sent time:** 20/02/2016 02:29:47 PM  
**To:** lorraine32@blueyonder.co.uk; re\_wired@ymail.com  
**Subject:** Appellant response to respondent's  
**Attachments:** "SIMON CORDELL APPELLANT RESPONSE TO RESPONDENT SKELETON ARGUMENT"

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Lorraine / Simon

I am attaching the response to the Respondent's skeleton argument.

Can you please sign if you are happy with the content and email straight back to me as I need this to be forwarded to the Public Defender.

Thanks

Josephine

IN THE WOOD GREEN CROWN COURT

CASE NUMBER: A21050064

IN THE MATTER OF AN APPEAL AGAINST AN ANTI-SOCIAL BEHAVIOUR ORDER

BETWEEN:

SIMON CORDELL

**Appellant**

-and-

THE COMMISSIONER OF POLICE FOR THE METROPOLIS

**Respondent**

Listing: For appeal hearing 22.02.2016 for 3 days

Issues: (i) whether the Appellant has acted in an anti-social manner  
(ii) whether an ASBO is necessary

1. The Appellant's case is that he has not acted in an anti-social manner on any occasion.
2. The Appellant has not organised or supplied any equipment for any the events cited in the Respondent's original application.
3. The Appellant challenges and disputes the evidence presented that he was an organiser. The Appellant will deal with each event, chronologically.
4. In response to paragraph 13 of the Respondent's skeleton argument the Appellant will state that he did not organise this rave on 7<sup>th</sup> / 8<sup>th</sup> June 2014. The Appellant will state that this event

commenced on 6<sup>th</sup> June 2014 and not 7<sup>th</sup> June 2014. The Appellant will state that the Respondent has wrongly specified that this event started on 7<sup>th</sup> June 2014. The statements on PC Donald Mc Millian dated 19<sup>th</sup> August 2014 confirms the date the event started.

The Appellant will state that he did not provide any sound recording equipment, speakers, generators etc to this event. The Appellant will state that both him and his brother Tyrone Benjamin have been wrongly accused of organising this event. The Appellant will state that his brother Tyrone Benjamin was incapacitated due to a major traffic accident that resulted in both his legs being broken and also his pelvis. He was immobile. The Appellant relies on the account he gave in his initial statement dated 24<sup>th</sup> February 2015.

- (i) The Appellant disputes that he was inside the premises. The Appellant will state that he was not the male identified by security at the gate. The Appellant takes issue with the evidence of Inspector Hamill and APS Miles. The Appellant will state that he was approaching the premises to drop off keys to a friend. The Appellant will state that he had left his cousin's leaving party, Dwayne Edward's to do this. The Appellant was approached by police and Environmental officers who tried to serve an noise abatement notice. The Appellant refused to accept the notice and he did not engage in any conversation with the police. The Appellant was not asked whether he had organised the party, had he been asked this then the Appellant would have denied this.
- (ii) The Appellant disputes that admitted to Inspector Skinner that he organised the vent on 7<sup>th</sup> / 8<sup>th</sup> June 2014.
- (iii) The Appellant disputes that he admitted to Inspector Skinner that he organised the rave that was stopped by police on 19<sup>th</sup> July 2014. The Appellant will state that he never entered the premises. The Appellant will state that he never provided any equipments or generators etc to any persons inside the premises. The Appellant will state that none of his vehicles were inside these premises. CAD 10635 19THJULY2014 (R 303-313). The Appellant will state that he is mixed race and not white and therefore he could not have been one of the males inside the premises. The Appellant will also state that CAD980419JUL14 entry 22.12:53 police did not see any (PG 301 R bundle) audio equipment inside the building.
- (iv) The Appellant accepts that he had a conversation with PC Edgoose concerning his efforts to establish a mini festival or the community within the Enfield Borough. He accepts that he discussed equipment. He totally disputes any conversations about Occupy London, Black Block, anarchist groups of Nottinghill carnival. The Appellant disputes that he was driving in the manner alleged and believes that had he been driving like this then he would have been arrested.

- (v) The Appellant does not accept that he had any sound recording equipment at this incident. He attended this incident in his car. He had no sound system, speakers, generators etc. The Appellant specifically requests the CAD 9717 referred to in the statement of PC Ames as he believes that this will reveal the true identify of the organisers.

The Appellant will state that he has no connection with Every Decible matter. The Appellant will state that he met Moses Howe in 2011. Moses Howe was a sound engineer. The Appellant will state that he was offered a three month trial at Club Juice, 1 Jute Lane, Enfield, EN3 7PJ to see if he could increase numbers to the Club. Moses Howe was going to be the Appellant's sound engineer. The Appellant will state that Liam Philip was an MC who was going to inspect Club Jute. The Appellant provided entertainment at the Club previous to this. See attached promotional flier for an event, "Rewired" organised on 23<sup>rd</sup> July 2011 at Club Jute featuring DJ Substance and DJ Calous. This was licensed. The Appellant however had to stop due to police persistently stopping and searching him.

5. The Appellant will state in response to paragraph 17 that he had nothing to do with the organisation of the event at Progress Way that gave rise to the complaints of anti-social behaviour and noise nuisance.
6. The Appellant will state that this ASBO is disproportionate and it prevents him from engaging in lawful business. The ASBO will prevent the Appellant from applying for licences to hold events. The Appellant will state that whilst he is subject to an ASBO he will be prohibited from applying for any entertainment licence and any licence application will automatically fail and therefore this is disproportionate.
7. The Appellant has designed a business plan, a festival plan and community event that sets out clearly the plans for events including marketing, safety, stalls etc and also specifically refers to co-operating with the police. The ASBO prevents any applications from being successful.
8. The Appellant will state that he has never been involved in the organisation of an illegal rave as defined under section 63 of the CJPOA 1994.
9. The Appellant will state that he has never had any equipment seized during an illegal rave as defined by section 63 of the CJPOA 1994. The Appellant will state that there has only been one occasion when his sound system was seized and he had hired this out to he believed to be a genuine customer. The Appellant will state that
10. The Appellant will also state that the current terms of the ASBO are too broad.

Signed: .....

Dated: .....