

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>  
**Sent:** 20 June 2018 17:46  
**To:** 'Kiran Johal'  
**Subject:** Re: Simon Cordell  
**Attachments:** Court Order made by the Edmonton County Court on 14.05.2018.pdf; Court-Letter-dated-09-02-2018.pdf; Court-Order-Date-Changed.pdf; Edmonton-Court-Letter-12-06-2018.pdf; legal-aid-crm14-signed.pdf; Lorraine Cordell's WS-001.pdf; ESA-Confirmed-Letter-08-03-2018.pdf

Dear Kiran

Please see attached documents for Simon Cordell, please let me know if you need anything else,

Could you write to the court and ask for an adjournment and let me know please he is next due in court on the 26/06/2018, I hope the crim 14 has been signed in the right place.

The last order is dated 12/06/2016 and I only got this yesterday from the court as the council has not sent me anything as of today's date.

What I will do is over the next few days I will try and write some form of write up so you can understand better what the council is doing to him.

Lorraine

**General Form of Judgment or Order**

<b>In the County Court at Edmonton</b>	
<b>Claim Number</b>	E00ED049
<b>Date</b>	14 May 2018



THE LONDON BOROUGH OF ENFIELD	<b>1<sup>st</sup> Claimant</b> <b>Ref LS/C/L1/155584</b>
MR SIMON CORDELL	<b>1<sup>st</sup> Defendant</b> <b>Ref</b>

Before Deputy District Judge Genn sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application

**IT IS ORDERED THAT**

1. Permission to Applicant to amend the application for committal.
2. Permission pursuant to CPR 81.10 (5)(b) to serve the amended application by email on Mrs Cordell, Defendant's mother because she has successfully brought previous proceedings to Defendant's notice having received previous applications by this means.

Dated 14 May 2018

**General Form of Judgment or Order**

<b>In the County Court at Edmonton</b>	
<b>Claim Number</b>	E00ED049
<b>Date</b>	9 February 2018



THE LONDON BOROUGH OF ENFIELD	<b>1<sup>st</sup> Claimant</b> Ref LS/C/L/155584
MR SIMON CORDELL	<b>1<sup>st</sup> Defendant</b> Ref

Before District Judge Cohen sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

Upon hearing Solicitor for the Claimant and the Defendant in person and there being no affidavit of service filed and the Defendant denying he has been personally served.

**IT IS ORDERED THAT**

1. The Claimant do by 4pm on 09/02/2018 file and serve an affidavit of service.
2. The Claimant do by 4pm on 09/02/2018 serve on the Defendant by first class post its application of 05/02/2018.
3. Matter be listed for further consideration of the order 09/01/2018 and the Claimant's application referred to above, on 30/05/2018 at 14:00pm (time estimate 1 hour).
4. The Defendant's address for service is 109 Buncroft Avenue, Enfield EN3 7JQ

Dated 5 February 2018



## Claim Form (CPR Part 8)

In the <b>Edmonton County Court</b>	
Claim no.	<b>E 0 0 E D 0 4 9</b>
Fee Account no.	007 9 006
Help with Fees - Ref no. (if applicable)	<b>H W F</b> - <input type="checkbox"/> - <input type="checkbox"/>

### Claimant

THE LONDON BOROUGH OF ENFIELD  
PO BOX 50  
CIVIC CENTRE  
SILVER STREET  
ENFIELD  
EN 1XA



### Defendant(s)

MR SIMON CORDELL  
109 BURNCROFT AVENUE  
ENFIELD  
EN3 7JQ

Does your claim include any issues under the Human Rights Act 1998?

Yes

No

Details of claim (*see also overleaf*)

The Claimant seeks an injunction against the Defendant on the following terms:

MR SIMON CORDELL must:

1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. Keep his dog on a lead in communal areas outside his property.

The Defendant MR SIMON CORDELL be forbidden (whether by himself or by instructing or encouraging or permitting any other person)

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

Defendant's  
name and  
address

	£
Court fee	
Legal representative's costs	
Issue date	<b>- 9 JAN 2018</b>

For further details of the courts [www.gov.uk/find-court-tribunal](http://www.gov.uk/find-court-tribunal).

When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

Claim no.

E 0 0 E D 0 4 9

Details of claim (continued)

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
6. From using his pet dog to frighten, intimidate or threaten violence to the Claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.
7. A power of arrest is attached to paragraphs 3 to 6 above.
8. Costs in the case

**Statement of Truth**

\*~~(I believe)~~ (The Claimant believes) that the facts stated in these particulars of claim are true.

\* I am duly authorised by the claimant to sign this statement.

Full name Ludmilla Iyavoo

Name of claimant's legal representative's firm Enfield Council, Legal Services

signed 

position or office held Solicitor

\*~~(Claimant)~~ ~~(Litigation friend)~~  
(Legal representative's solicitor)

(if signing on behalf of firm or company)

*\*delete as appropriate*

THE LONDON BOROUGH OF ENFIELD  
LEGAL SERVICES  
PO BOX 50  
CIVIC CENTRE  
SILVER STREET  
ENFIELD  
EN 1XA

Claimant's or claimant's legal representative's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

# Application for Injunction (General Form)

Name of court EDMONTON COURT	Claim No. E00ED049
Claimant's Name and Ref. THE LONDON BOROUGH OF ENFIELD (LS/C/LI/157255)	
Defendant's Name and Ref. MR SIMON CORDELL	
Fee Account no. 0079006	

### Notes on completion

Tick which boxes apply and specify the legislation where appropriate

(1) Enter the full name of the person making the application

(2) Enter the full name of the person the injunction is to be directed to

(3) Set out any proposed orders requiring acts to be done. Delete if no mandatory order is sought.

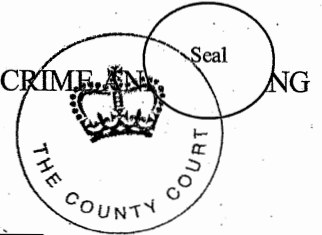
(4) Set out here the proposed terms of the injunction order (if the defendant is a limited company delete the wording in brackets and insert 'whether by its servants, agents, officers or otherwise').

(5) Set out here any further terms asked for including provision for costs

By application in pending proceedings

Under Statutory provision Part 1 ANTI-SOCIAL BEHAVIOUR CRIME ACT 2014

This application is made under Part 8 of the Civil Procedure Rules



This application raises issues under the Human Rights Act 1998

Yes

No

**The Claimant** <sup>(1)</sup> **THE LONDON BOROUGH OF ENFIELD**  
**applies to the court for an injunction order in the following terms:**

**The Defendant** <sup>(2)</sup> **MR SIMON CORDELL**  
**must** <sup>(3)</sup>

**1. TO PERMIT THE CLAIMANT'S EMPLOYEES AND CONTRACTORS ACCESS INTO 109 BURNCROFT AVENUE, ENFIELD, EN3 7JQ TO CARRY OUT ROUTINE, MAINTENANCE INSPECTIONS AND NECESSARY REPAIRS WITHIN 48 HOURS OF WRITTEN NOTIFICATION.**

**2. TETHER HIS DOMESTIC DOG IN PUBLIC.**

**The Defendant MR SIMON CORDELL**  
**be forbidden (whether by himself or by instructing or encouraging or permitting any other person)** <sup>(4)</sup>

**2. FROM ENGAGING OR THREATENING TO ENGAGE IN CONDUCT THAT IS LIKELY TO CAUSE PHYSICAL VIOLENCE AND VERBAL ABUSE TO THE CLAIMANT'S EMPLOYEES, TENANTS AND VISITORS OF THE BLOCK OF FLATS AT BURNCROFT AVENUE, ENFIELD.**

**3. FROM ENGAGING OR THREATENING TO ENGAGE IN CONDUCT THAT IS LIKELY TO CAUSE HARASSMENT, ALARM AND DISTRESS TO THE CLAIMANT'S EMPLOYEES, TENANTS AND VISITORS OF THE BLOCK OF FLATS AT BURNCROFT AVENUE, ENFIELD.**

**4. FROM ENGAGING OR THREATENING TO ENGAGE IN CONDUCT THAT IS LIKELY TO CAUSE NUISANCE AND ANNOYANCE TO THE CLAIMANT'S EMPLOYEES, TENANTS AND VISITORS OF THE BLOCK OF FLATS AT BURNCROFT AVENUE, ENFIELD.**

**5. FROM PERMITTING HIS DOMESTIC DOG TO FRIGHTEN, INTIMIDATE OR THREATEN VIOLENCE TO THE CLAIMANT'S EMPLOYEES, TENANTS AND VISITORS OF THE**

The court office at

is open between 10am and 4pm Mon - Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.

N16A General form of application for injunction (05.14)

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**BLOCK OF FLATS AT BURNCROFT AVENUE, ENFIELD.**

**6. A POWER OF ARREST IS ATTACHED TO PARAGRAPHS 1 TO 5 ABOVE.**

**7. COSTS IN THE CASE**

And that <sup>(5)</sup>

**The grounds of this application are set out in the written evidence of <sup>(6)</sup> LEMMY NWABUISI, MARKANDU MATHIYALAGAN, sworn (signed) on 05<sup>th</sup> and 08<sup>th</sup> January 2018**

This written evidence is served with this application.

**This application is to be served upon <sup>(7)</sup> MR SIMON CORDELL**

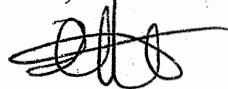
**This application is filed by <sup>(8)</sup> ENFIELD COUNCIL LEGAL SERVICES**

(the Solicitors for) the Claimant (Applicant/Petitioner)

whose address for service is

PO BOX 50, CIVIC CENTRE, SILVER STREET, ENFIELD, MIDDLESEX EN1 3XA

Signed



Dated 08 ~~AUGUST 2017~~ **JANUARY 2018**

(6) Enter the names of all persons who have sworn affidavits or signed statements in support of this application

(7) Enter the names and addresses of all persons upon whom it is intended to serve this application

(8) Enter the full name and address for service and delete as required

To\*  
of

\* Name and address of the person application is directed to

This section to be completed by the court

**This application will be heard by the (District) Judge**

**at**

**on**

**the**

**day of**

**20**

**at**

**o'clock**

**If you do not attend at the time shown the court may make an injunction order in your absence**

If you do not fully understand this application you should go to a Solicitor, Legal Advice Centre or a Citizens' Advice Bureau

**General Form of Judgment or Order**

<b>In the County Court at Edmonton</b>	
<b>Claim Number</b>	E00ED049
<b>Date</b>	12 June 2018



THE LONDON BOROUGH OF ENFIELD	<b>1<sup>st</sup> Claimant</b> <b>Ref LS/C/L1/155584</b>
MR SIMON CORDELL	<b>1<sup>st</sup> Defendant</b> <b>Ref</b>

Before District Judge Dias sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

**UPON** hearing Counsel for the Claimant and the Defendant not attending and upon hearing from the Defendant's mother and uncle

**AND UPON** the Defendant's mother and uncle informing the court that the Defendant has suffered historical mental health issues and was sectioned under the Mental Health Act 2005 in 2016

**AND UPON** the court having concerns regarding the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction

**AND UPON** the court being satisfied by reason of his attendance at the hearing on 05 February 2018 (subject to any issues regarding mental health) that the Defendant was aware of the terms of the interim injunction dated 09 January 2018 by at least 05 February 2018 and that it would be appropriate to dispense under CPR 81.8 with the need for personal service of the interim injunction from at 05 February 2018

**AND UPON** the interim injunction dated 9 January 2018 with attached Power of Arrest remaining in force

**AND UPON** the court being asked to address the safety of the witnesses pending the production of any report concerning mental health

**AND UPON** the court commenting that it would expect the police to arrest the Defendant under the power of arrest if there is reasonable cause to suspect that the Defendant has breached the interim injunction dated 09 January 2018

**AND UPON** the court not being satisfied that it is appropriate at present to exclude the Defendant from Burncroft Avenue, Enfield

**AND UPON** the court noting in respect of the committal proceedings that the Defendant may apply for criminal legal aid which is non means tested and is strongly advised to see independent legal advice

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The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to [www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk) to find out more.**



**AND UPON** the Defendant's mother confirming that she has evidence and will produce all relevant documentation (including documents from the occasion on which the Defendant was sectioned) and will file the same by 4pm 01 June 2018 by email [enquiries@edmonton.countycourt.gsi.gov.uk](mailto:enquiries@edmonton.countycourt.gsi.gov.uk)

**IT IS ORDERED THAT**

1. By 4pm on 13 June 2018 the Defendant shall undergo medical assessment by the community mental health team at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation.
2. If the report indicates that the defendant lacks capacity then the Official Solicitor shall be invited to represent the Defendant.
3. In the event that the Defendant fails to engage with the community mental health team and that the Defendant's mother takes no steps as the Defendant's nearest relative to have the Defendant's mental health assessed then the Defendant shall be presumed to have capacity.
4. The Claimant shall, if so advised, file and serve a witness statement appending any relevant documentation dealing with the question of the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction dated 09 January 2018 by 4pm on 13 June 2018.
5. The matter is re-listed urgently on 26th June 2018 at 10:00 a.m. with a time estimate of half a day with no other cases.
6. No earlier than seven and no later than three days prior to the relisted hearing the Claimant shall file and serve a paginated bundle of documents for use at the hearing.
7. This order will be deemed served on the Defendant if the Claimant emails a copy of the order to the Defendant's mother.
8. Costs reserved.

Cases are listed in accordance with local hearing arrangements determined by the Judiciary and implemented by court staff. Every effort is made to ensure that hearings start either at the time specified or as soon as possible thereafter. However, listing practices or other factors may mean that delays are unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court or adjourned to another date. Please contact the court for further information on the listing arrangements that may apply to your hearing.

Your case has been listed at the same time as several other cases but you are required to attend Court at the time given in your notice, or earlier if you need to speak to your legal representative. When you arrive at Court you should report to an Usher who will tell you if the other party are in attendance. You may wish to consult with them before going into Court to attempt to clarify/resolve any outstanding issues.

The Judge will decide the order in which cases are called based on who is in attendance, the time estimate and other factors. Please ensure that the Usher is aware of your whereabouts at all times. If you are not in the court at the required time and your case is called it will be heard in your absence.

If your case does settle prior to the hearing date please notify the court in writing.

Dated 5 June 2018

# Application for Legal Aid in Criminal Proceedings

Form  
**CRM14**



Legal Aid  
Agency

## ⚠ Please use the Guidance

If you do not complete the form correctly, we will return it.

You will find Guidance to help you fill in the form correctly,

at: [www.justice.gov.uk/forms/legal-aid-agency/criminal-forms/applications](http://www.justice.gov.uk/forms/legal-aid-agency/criminal-forms/applications)

If you need more help or advice, please contact a solicitor.

MAAT Reference  
(for official use)

### For the Legal Representative's use

If the case is an **Appeal to the Crown Court** and there is no change in circumstances, answer **1** and then go to question **23**.

#### Case type

- Summary     Committal for sentence  
 Either way     Appeal to Crown Court  
 Indictable     Trial now in Crown Court  
 Appeal to Crown Court and no changes

### The court hearing the case

#### Priority case

- Custody     Vulnerable     Youth  
 Late application in the Crown Court for trial

Date of trial

### About you: 1

**1**

⚠ GUIDANCE

Mr Mrs Miss Ms Other title    Your forenames or other names (in BLOCK LETTERS)

Your surname or family name (in BLOCK LETTERS)

Your date of birth

National Insurance Number and ARC Number: give one of these only.

National Insurance Number

Application Registration Card (ARC) Number

- This is a new application.     This application relates to a change of financial circumstances.

### Contacting you

**2**

Do you have a usual home address?

- No     Yes → Your usual home address

Postcode

**3**

✓ 'Your solicitor's address only, if you are of 'No Fixed Abode', or not at your usual address because you are on bail or remand.

To what address should we write to you?

- Your usual home address (the address in 2)  
 Your solicitor's address (see the side note)  
 This address

Postcode

**4**

Your email address

**5** Your telephone number (landline)  Mobile phone number   
 Work phone number

**About you: 2**

**6**  one box and if it is 'someone else's home', give your relationship to that person

Your usual home address is:  
 a Tenancy (rented)  Temporary  Your parent's home (you live with them)  
 Someone else's home → Your relationship   
 Owned by:  You  Your partner  You and your partner, jointly

**7** Are you under 18 years old?  
 No  Yes → Are you charged with an adult?  
 No: Go to 23  Yes: Go to 23

**8** Do you have a partner?  
 No: Go to 9  Yes: Go to 10

**9**  one box

You are:  Single: Go to 14  Widowed: Go to 14  
 Divorced or have dissolved a civil partnership: Go to 14  
 Separated → Date of separation?  Go to 14

**10**  one box

You and your partner are:  
 Married or in a Civil Partnership  Cohabiting or living together

**About your partner**

**11**

Your partner's details  
 Mr Mrs Miss Ms Other title Your forenames or other names (in BLOCK LETTERS)  
        
 Surname or family name (in BLOCK LETTERS) Date of birth  
   
 National Insurance Number and ARC Number: give one of these only.  
 National Insurance Number            
 Application Registration Card (ARC) Number

**12** If you  Yes, and your partner is a victim, prosecution witness, or co-defendant with a conflict of interest, do not give your partner's details for questions 13 to 22.

Is your partner a victim, prosecution witness or a co-defendant in the case for which you require legal aid?  
 No  Yes →  Victim: Go to 14  
 Prosecution witness: Go to 14  
 Co-defendant → Does your partner have a conflict of interest?  
 No: Go to 13  Yes: Go to 14

**13** Is your partner's usual home address different from yours (the address at question 2)?

No  Yes —> Your partner's usual home address

Postcode

**Your income and your partner's income**

**14** Do you or your partner receive any of the benefits listed here?

**! GUIDANCE**  
In this form, if you answer Yes to any question which asks about you or your partner, and you can answer Yes for both of you, give details for you and your partner, not for one of you only.

<input type="checkbox"/> No	<input type="checkbox"/> Yes —>	<b>You</b>	<b>Your Partner</b>
	Income Support	<input type="checkbox"/> Go to <b>23</b>	<input type="checkbox"/> Go to <b>23</b>
	Income-Related Employment and Support Allowance (ESA)	<input type="checkbox"/> Go to <b>23</b>	<input type="checkbox"/> Go to <b>23</b>
	Income-Based Jobseeker's Allowance (JSA)	<input type="checkbox"/> When did you last sign on? <div style="border: 1px solid black; width: 100%; height: 20px; margin-top: 5px;"></div>	<input type="checkbox"/> When did you last sign on? <div style="border: 1px solid black; width: 100%; height: 20px; margin-top: 5px;"></div>
		Go to <b>23</b>	Go to <b>23</b>
	Guarantee State Pension Credit	<input type="checkbox"/> Go to <b>23</b>	<input type="checkbox"/> Go to <b>23</b>

**15** Do you or your partner, together, in a year have a total income from all sources before tax or any other deduction, of more than £12, 475 (£239.90 a week)?

**! GUIDANCE**  No: Go to **16**  Yes —> You will need to **complete form CRM15**: Go to **23**

**16** Sources of income for you and your partner. Please give details in the table:

**! EVIDENCE**  
**! GUIDANCE**  
about:  

- Employment
- Total of other benefits
- Other source of income

**For all parts of this question:**

- If you do not receive income from a source, put **NIL** after the '£'.
- After 'every' put either:  
 week,  
 2 weeks,  
 4 weeks,  
 month,  
 or year.

	You	Your Partner
Employment (wage or salary)	£ every <input type="checkbox"/> Before tax <input type="checkbox"/> After tax	£ every <input type="checkbox"/> Before tax <input type="checkbox"/> After tax
Child Benefit	£ every	£ every
Working Tax Credits and Child Tax credits	£ every	£ every
Universal Credit	£ every	£ every
Total of other benefits	£ every	£ every
Maintenance income	£ every	£ every
Pensions	£ every	£ every
Any other source of income such as: <ul style="list-style-type: none"> <li>■ a student grant or loan</li> <li>■ board or rent from a family member, lodger or tenant, or rent from a property</li> <li>■ financial support from friends and family</li> </ul>	£ every Source:	£ every Source:

**17** Are you or your partner self-employed, in a business partnership, or either a company director or a shareholder in a private company?

No  Yes → You will need to **complete form CRM15: Go to 23**

**!** GUIDANCE

**18** Do you or your partner have any income, savings or assets which are under a restraint order or a freezing order?

No  Yes → You will need to **complete form CRM15: Go to 23**

**19** Are you charged with a Summary offence, only?

**!** GUIDANCE

No  Yes: Go to 22

**20** Do you or your partner own or part-own any land or property of any kind, including your own home, in the United Kingdom or overseas?

No  Yes → You will need to **complete form CRM15: Go to 23**

**21** Do you or your partner have any savings or investments, in the United Kingdom or overseas?

**!** GUIDANCE

No  Yes → You will need to **complete form CRM15: Go to 23**

**22** Do your answers to the previous questions tell us that you have no income from any of the sources which we have asked about?

No  Yes → How do you and your partner pay your bills and daily expenses?

**Information for the Interests of Justice test**

**23** What charges have been brought against you?

**!** GUIDANCE

Describe the charge briefly: for instance, 'Assault on a neighbour'.

Charge	Date of offence
<b>1</b>	
<b>2</b>	
<b>3</b>	
<b>4</b>	

**24** The type of offence with which you are charged

**!** GUIDANCE

✓one box only. If you are charged with two or more offences, ✓ the most serious.

- Class A: Homicide and related grave offences
- Class B: Offences involving serious violence or damage, and serious drugs offences
- Class C: Lesser offences involving violence or damage, and less serious drugs offences
- Class D: Sexual offences and offences against children →

- Class E: Burglary etc
- Class F: Other offences of dishonesty (specified offences and offences where the value is £30,000 or less)
- Class G: Other offences of dishonesty (specified offences and offences where the value involved exceeds £30,000 but does not exceed £100,000)
- Class H: Miscellaneous other offences
- Class I: Offences against public justice and similar offences
- Class J: Serious sexual offences
- Class K: Other offences of dishonesty (high value: if the value involved exceeds £100,000)

**25**

Do you have any co-defendants in this case?

- No: Go to 27     Yes → Their names

**26**

Is there any reason why you and your co-defendants cannot be represented by the same solicitor?

- No     Yes → The reason(s)

**27**

Are there any other criminal cases or charges against you or your partner which are still in progress?

- No     Yes → You

Your Partner

The charges

The Court hearing the case

Date of the next hearing

**28**

Which Court is hearing the case for which you need legal aid?

The Court hearing the case

Date of the hearing

**29**

**!** **GUIDANCE**

**1** to **9** are possible reasons.

**We suggest you choose one or more reasons with the help of a solicitor.**

For each reason you choose, say why you have chosen it.

Mention any evidence that supports your choice of a reason.

If you need more space to answer, please use a separate sheet of paper and put your full name, date of birth and 'Question 29' at the top of the sheet. Please make sure you show which part of the question (**1** to **10**) your writing refers to.

**Why do you want legal aid?**

**1** It is likely that I will lose my liberty if any matter in the proceedings is decided against me.

**2** I have been given a sentence that is suspended or non-custodial. If I break this, the court may be able to deal with me for the original offence.

**3** It is likely that I will lose my livelihood.

**4** It is likely that I will suffer serious damage to my reputation.

**5** A substantial question of law may be involved (whether arising from legislation, judicial authority or other source of law).

**6** I may not be able to understand the court proceedings or present my own case.

**7** Witnesses may need to be traced or interviewed on my behalf.

**8** The proceedings may involve expert cross-examination of a prosecution witness (whether an expert or not).

**9** It is in the interests of another person (such as the person making a complaint or other witness) that I am represented.

**10** Any other reason



## Legal representation

**30**

**!** GUIDANCE

You must tell the solicitor that you have said in this form that you want them to act for you.

### The solicitor who you want to act for you

Mr Mrs Miss Ms Other title Solicitor's initials, surname or family name (in BLOCK LETTERS)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
--------------------------	--------------------------	--------------------------	--------------------------	----------------------	----------------------

Name and address of the solicitor's firm

<input type="text"/>
Postcode

Telephone (land line)

Mobile phone

Document Exchange (DX)

Fax

email address

**31**

✓ **1** or **2**

If you choose **2**,  
✓ one of the two other options to show whether you have been instructed by a firm with an LAA contract, or by a solicitor employed by the LAA. Examples of an LAA contract are the 2010 Standard Crime Contract or an Individual Case Contract.

### Declaration by the legal representative

**1**  I represent the applicant. I confirm that I am authorised to provide representation under a contract issued by the Legal Aid Agency (LAA).

**2**  I represent the applicant. I confirm that I have been instructed to provide representation by:

- a firm which holds a contract issued by the Legal Aid Agency (LAA).
- a solicitor employed by the Legal Aid Agency (LAA) in the Public Defender Service who is authorised to provide representation.

Signed

Date

Provider's LAA Account Number

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Full name (in BLOCK LETTERS)

### About the information which you have provided and its protection

- The information which you give when you answer this question (which continues on page 8), will be treated in the strictest confidence and will not affect our decision on this application.
- We, or HM Courts and Tribunals Service, may use the information on this form and on forms CRM15 and CRM15C, for statistical monitoring or research. The information we publish will not identify you or anyone else. We will process the information according to the Data Protection Act 1998 and other legal requirements.

**1** Are you male or female?

Male  Female  I prefer not to say

**32**

**!** GUIDANCE

The guidance explains how we protect and use the information which you provide in our forms or in other ways.

**2**  
✓ one box in the table to show the best definition of your disability.

**The Equality Act 2010 defines disability as:**  
'A physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities'.

**3**  
✓ one box in the table of ethnic groups.

**2 Do you consider that you have a disability?**

No       Yes → The best definition is:

<input type="checkbox"/> Mental health condition	<input type="checkbox"/> Mobility impairment	<input type="checkbox"/> Other
<input type="checkbox"/> Learning disability or difficulty	<input type="checkbox"/> Long-standing physical illness or health condition	<input type="checkbox"/> I prefer not to say
<input type="checkbox"/> Hearing impaired	<input type="checkbox"/> Visually impaired	
<input type="checkbox"/> Deaf	<input type="checkbox"/> Blind	

**3 Which of the options in the table best describes you?**

White	Mixed	Asian or Asian British	Black or Black British	
<input type="checkbox"/> British	<input type="checkbox"/> White and Black Caribbean	<input type="checkbox"/> Indian	<input type="checkbox"/> Black Caribbean	<input type="checkbox"/> Chinese
<input type="checkbox"/> Irish	<input type="checkbox"/> White and Black African	<input type="checkbox"/> Pakistani	<input type="checkbox"/> Black African	<input type="checkbox"/> Gypsy or Traveller
<input type="checkbox"/> White other	<input type="checkbox"/> White and Asian	<input type="checkbox"/> Bangladeshi	<input type="checkbox"/> Black other	<input type="checkbox"/> Other
	<input type="checkbox"/> Mixed other	<input type="checkbox"/> Asian other		<input type="checkbox"/> I prefer not to say

**Evidence to support the information which you have given**

**33** Have you been directed to complete a form CRM15 (see questions 15, 17, 18, 20 and 21)?  
 No       Yes → If you have a partner, now go to **38**. If not, go to **39**.

**34** Has a court remanded you in custody?  
 No: Go to **36**       Yes: Go to **35**

**35** Will your case be heard in a magistrates' court?  
 No       Yes → If you have a partner, now go to **38**. If not, go to **39**.

**36** Are you employed?  
 No       Yes →

- **If your case will be heard in a magistrates' court, or it is a committal for sentence or appeal to the Crown Court**  
We need a copy of your wage slip or salary advice. You must provide it with this form: see the guidance about evidence.
- **If your case will be heard in the Crown Court**  
We need a copy of your wage slip or salary advice. You must provide it with this form or within 14 days of the date of your application: see the guidance about evidence.

**37** If you have a partner, now go to **38**. If you do not have a partner, go to **39**.

## Declaration by your partner

**38**

**!** **GUIDANCE**


If your partner is not able to sign this declaration, you must give the reason at the end of question 39.

**I declare that** this form and any form CRM15 and CRM15C is a true statement of all my financial circumstances to the best of my knowledge and belief. I agree to the Legal Aid Agency and HM Courts & Tribunals Service, or my partner's solicitor, checking the information I have given, with the Department for Work and Pensions, HM Revenue and Customs or other people and organisations. I authorise those people and organisations to provide the information for which the Legal Aid Agency, HM Courts and Tribunals Service or my partner's solicitor may ask.

I have read the **Notice of Fraud** at the end of question 39.

Signed

Date



Full name (in BLOCK LETTERS)

## Declaration by you

**39**

When you read this declaration, keep in mind that some parts of it may not apply to you because the declaration is designed to cover several types of court case.

**I apply for** the right to representation for the purposes of criminal proceedings under the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

**I declare that** this form and any form CRM15 and CRM15C is a true statement of my financial circumstances and those of my partner to the best of my knowledge and belief. I understand that this form must be fully completed before a Representation Order can be issued. I understand that if I tell you anything that is not true on this form or the documents I send with it, or leave anything out:

- I may be prosecuted for fraud. I understand that if I am convicted, I may be sent to prison or pay a fine.
- My legal aid may be stopped and I may be asked to pay back my costs in full to the Legal Aid Agency.
- If my case is in the Crown Court, the Legal Aid Agency may change the amount of the contribution which I must pay.

**Crown Court** I understand that in Crown Court proceedings the information I have given in this form will be used to determine whether I am eligible for legal aid and, if so, whether I am liable to contribute to the costs of my defence under an Income Contribution Order during my case, or if I am convicted, under a Final Contribution Order at the end of my case, or both.

I understand that if I am ordered to pay towards my legal aid under an Income Contribution Order, or if I am convicted and ordered to pay under a Final Contribution Order, but fail to pay as an Order instructs me, interest may be charged or enforcement proceedings may be brought against me, or both.

I understand that I may have to pay the costs of the enforcement proceedings in addition to the payments required under the Contribution Order, and that the enforcement proceedings could result in a charge being placed on my home.

**Evidence** I agree to provide, when asked, further details and evidence of my finances and those of my partner, to the Legal Aid Agency, its agents, or HM Courts & Tribunals Service to help them decide whether an Order should be made and its terms.

**Changes** I agree to tell the Legal Aid Agency or HM Courts & Tribunals Service if my income or capital or those of my partner, change. These changes include the sale of property, change of address, change in employment and change in capital. →

It is important that you understand that by signing this declaration you agree to the Legal Aid Agency, the courts, or your solicitor, contacting your partner to check the information that you have given in this form, and in forms CRM15 and CRM15C, if you complete them.

**Enquiries**

I authorise such enquiries as are considered necessary to enable the Legal Aid Agency, its agents, HM Courts & Tribunals Service, or my solicitor to find out my income and capital, and those of my partner. This includes my consent for parties such as my bank, building society, the Department for Work and Pensions, the Driver and Vehicle Licensing Agency or HM Revenue and Customs to provide information to assist the Legal Aid Agency, its agents or HM Courts & Tribunals Service with their enquiries.

I consent to the Legal Aid Agency or my solicitor contacting my partner for information and evidence about my partner's means. This includes circumstances where my partner is unable to sign or complete the form.

I understand that if the information which my partner provides is incorrect, or if my partner refuses to provide information, then: if my case is in the magistrates' court, my legal aid may be withdrawn or, if my case is in the Crown Court, I may be liable to sanctions. I understand that the sanctions may result in me paying towards the cost of my legal aid or, if I already pay, paying more towards the cost of my legal aid, or paying my legal aid costs in full.

**Ending legal aid**

I understand that I must tell my solicitor and write to the court if I no longer want public representation. I understand that if I decline representation I may be liable for costs incurred to the date when my solicitor and the court receive my letter.

**Data sharing**

I agree that, if I am convicted, the information in this form will be used by HMCTS or designated officer to determine the appropriate level of any financial penalty ordered against me, and for its collection and enforcement.


**Notice on fraud**

If false or inaccurate information is provided and fraud is identified, details will be passed to fraud prevention agencies to prevent fraud and money laundering.

Further details explaining how the information held by fraud prevention agencies may be used can be found in the 'Fair Processing Notice', available on the Legal Aid Agency website at: [www.justice.gov.uk/legal-aid/make-an-application](http://www.justice.gov.uk/legal-aid/make-an-application)

Signed

Date



Full name (in BLOCK LETTERS)

If your partner has not signed the declaration at **38**, please explain:

**Official use**

**Interests of Justice test**

*Consider all the available details of all the charges, against the Interests of Justice criteria.*

*Mention issues here which you considered when you decided the application. Include information given orally.*

I have performed the Interests of Justice test for case number:

The application is **passed**       The application is **refused**. My reason(s):

Signed

Name of the appropriate officer

Date

**Financial eligibility for**

Magistrates' Court  Passed       Refused

Crown Court  Refused: Ineligible

Granted: No income contribution

Granted: Contribution of £

Signed

Name of the appropriate officer

Date

**IN THE COUNTY COURT AT EDMONTON**

**CASE REF.: E00ED049**

**BETWEEN:**

**LONDON BOROUGH OF ENFIELD**

**(Claimant)**

**and**

**SIMON CORDELL**

**(Defendant)**

**HEARING DATE: 1 MAY 2018 at 10.00 am**

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**WITNESS STATEMENT OF LORRAINE CORDELL**

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I am Lorraine Cordell and am the mother of the Defendant, Simon Cordell. I make this statement on behalf of Simon, due to his current state of health and what is contained in this statement is drawn from facts known to me and facts alluded to me by Simon and others named within the statement:

1. I am making this statement due to confusion concerning the case number E00ED049.
2. On 9 August 2017, the Claimant was granted an interim injunction order ("the interim order") under case reference D02ED073 against Simon Cordell. The interim order was disputed, due to the fact the Claimant did not comply with the court's directions. The interim order was subsequently discharged and struck out by the court on 17 November 2017.
3. On 9 January 2018, the Claimant attempted to get the interim order reinstated under case reference D02ED073, but this was refused by the judge hearing the attempt to reinstate the interim order. On that same day, the Claimant filed a new application for the issue of the same interim order which had been discharged and struck-out previously and whose reinstatement had been refused earlier in the day. This new application was allocated the case reference E00ED049.
4. The Claimant has stated the interim order of 9 January 2018 was served on Simon on 10 January 2018 and was served on him personally. This is disputed.
5. On 5 February 2018, Simon and I attended the court where a judge voiced concerns as to whether the interim order had, in fact, been served correctly, the fact the Claimant had failed to file an Affidavit of Service with the court and, also, that

the application made by the Claimant and supporting evidence and other documents had not been seen by Simon. This resulted in an order being made that:-

1. The Claimant filed and served an Affidavit of Service by 4pm on 9 February 2018;
  2. The Claimant serve on Simon Cordell its application of 5 February 2018, by First Class Post, by 4pm on 9 February 2018;
  3. The matter be listed for further consideration of the interim order of 9 January 2018 and the Claimant's application of 5 February 2018 on 30 May 2018 at 2pm with a time estimate of one hour;
  4. The Defendant's address for service is 109, Burncroft Avenue, Enfield EN3 7JQ.
6. Simon has received the new application and within the bundle of documents is a Statement of Affidavit of Service, which is disputed as to whether the order was served correctly.
7. Within the statement of Affidavit of Service, which is made by Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB, it is stated, by Andy Philippou:-

“1. That I am over sixteen years of age.

2. That I did on Wednesday 10 January 2018 at approximately 10.20am attend the offices of VLS Solicitors, Gibson House, 800, High Street, Tottenham, London N17 0DH in order to meet with the Defendant's solicitor. That I did at approximately 10.30am meet and personally serve Suzanne Ozdemir (Receptionist) of VLS Solicitors with the following:

An Injunction Order date 9 January 2018 with Notice of Hearing on OS/02no18 at 2pm

A General Form of Judgement or Order dated 9 January 2018

A Power of Arrest dated 9 January 2018

An N244 Application Notice

A Statement of Lemmy Nwabusi dated 8 January 2018, with exhibits

A Court Order

A Statement of Ludmilla Iyavoo dated 3 January 2018, with exhibits

3. That I did on the same date at approximately 11.30am and in the absence of a response from the Defendant's address of 109, Burncroft Avenue, Enfield, Middlesex EN3 7JQ post through the letterbox of 109, Burncroft Avenue, Enfield, Middlesex EN3 7JQ copies of the aforementioned documents in a sealed plastic wallet for the attention of the Defendant.

4. That I did on the same date having had notification from the Claimant's Solicitor of the Defendant's arrest the previous evening

attend at Wood Green Police Station in order to meet and personally serve the Defendant with the aforementioned documents. That I did after having had to wait post interview and having the matter referred to the Duty Sergeant by Officer Tahir Razzaq; meet and serve the above-named defendant with the aforementioned documentation in the presence of five officers in the doorway of holding cell 9.

5. That at the time of service the aforementioned defendant admitted his identity as Simon Cordell, namely, an adult male of mixed race, possibly in his mid 20s, approximately 5'10" tall and slim build.
6. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated anything which I know to be false or did not believe to be true"
8. As stated, this is a new interim order dated 9 January 2018. The question arises as to why the Claimant has served the order to a solicitor who, in fact, was not dealing with and knew nothing about the Claimant's application and are not, in fact, representing Simon in this new case.
9. It is averred that posting an order through someone's door, knowing it is required, by law, to be personally served on a defendant, does not constitute proper service and that the order has not been correctly or properly served.
10. It is also averred that the police allowing Andy Philippou into the custody suite at the police station where Simon was being held in a cell and then allowing him to attempt to personally serve the order on him whilst he was in police custody was unlawful. Andy Philippou has also stated he has personally served Simon with the documents, listed in Item 7, in the cell and that Simon gave his name.
11. Andy Philippou is mistaken. As Simon stated to the judge at the hearing on 5 February 2018, he would not allow Andy Philippou to serve the documents on him whilst he was in police custody, even though five police officers came into the cell with him. Simon stood by the CCTV camera within the cell with his hands over his ears and started shouting so he could not hear what was being said. Due to Simon doing this, the police officers were forced to close the cell door and ask Andy Philippou to leave the police station. The documents were not served on Simon at the police station on that day which will be confirmed by the CCTV within the cell and the footage has been requested from the police.
12. There is also the fact the police had told Simon they were going to allow Andy Philippou to try and serve the documents on him at the police station. Simon's mother and solicitor were also told this. Simon told the police he would not allow them to let it happen. His solicitor also informed the police Simon would not let it happen. Simon's mother spoke to the officer in charge of the police station at that time and told him that she was of the understanding it was unlawful for the police to allow a process server involved in a civil matter into the police station for the purposes of serving civil process on someone in custody. As such, the police were getting involved in a civil matter over which Simon would have no control as he was classed as a person in custody and the police, effectively, had total control over him. As such, the interim order should only be served on him, personally, at his home



address or place of business or work. The officer in charge said he would talk to the Custody Officer and let her know what he said. When he asked the Custody Officer, he told the officer in charge he was going to allow this. This was passed to myself and Simon's solicitor. We both pointed out the actions of the police in this respect were unlawful and that Simon had the right to refuse service of the documents personally.

13. At this point in time, I have made a Subject Access Request (SAR) to the police for CCTV footage of Simon whilst he was in custody on 9 January 2018 and 10 January 2018. Simon's mother sent the SAR to the police under the ambit of Section 7, Data Protection Act 1998 on 14 February 2018 after Simon received the documents the judge at Edmonton County Court ordered the Claimant to serve by post on 5 February 2018. The police have 40 calendar days from their receipt of the SAR in which to comply with it. The statutory 40-day time-limit expired on 25 March 2018, in time for the hearing listed for 30 May 2018. All emails sent to the police are included with this letter. As of today's date, 30 April 2018, no documents, CCTV footage, etc., requested in the SAR have been received from the police and Simon's mother has been forced to contact the Information Commissioner's Office (ICO) regarding the police's non-compliance and further emails have been sent to the police as a result.
14. Simon disputes the interim order was served on him personally at the police station. The statement of Andy Philippou contains claims which are not borne out by what he says happened. His statement is, at best, unreliable. Its tendering as evidence, by the Claimant, at the hearing is objected to and the court is asked to take note of this and, if the court sees fits, not admit Andy Philippou's statement into evidence.
15. The claims made by the Claimant in the interim order are disputed. Since 2014, Simon has been left in his home with no help from the Claimant, even though the Claimant is aware Simon is a vulnerable adult, and despite many telephone calls and emails, as well as complaints to the Claimant, by Simon, the Claimant has, apparently, seen fit not to address Simon's concerns and to ignore him, preferring to take notice of his neighbours. Due to vexatious allegations and complaints being made to the Claimant by Simon's neighbours, he has been forced to install CCTV in every room in his home in order that his movements are recorded and which are then available to rebut the vexatious allegations and complaints being made by neighbours. To say Simon's life has been made difficult by his neighbours' actions and the actions and inaction of the Claimant, he is, effectively, a prisoner in his own home and it is apparent he is being used as a scapegoat for everything which goes wrong within the block of flats his home is located within.
16. There are many emails which evidence Simon asked the Claimant for help with regard to the treatment he is being subjected to and, despite inviting the Claimant to attend his home and view the CCTV footage obtained by the system installed in his home, the Claimant has refused to do so and has refused to receive complaints from Simon. Not only this, the Claimant has told Simon to attend their offices to report his concerns to them, but the Claimant is aware of the fact Simon does not cope well when outside and has been told to bring the police with them to view CCTV footage if they are that concerned about Simon's general actions, but the Claimant has no hesitation in attending neighbours' homes at the block of flats when they make complaints or allegations against Simon.

17. It is apparent Simon has made many pleas for help to the Claimant, including telephone calls and emails, before the complaints and allegations started to be made against him. He has, effectively, had to cope with this on his own, despite asking the Claimant for help. However, as soon as a complaint is made by a neighbour, the Claimant acts upon it. There appears to be no logical or lawful reason for this behaviour by the Claimant.
18. Simon has made many calls to the police for which he holds all CAD numbers, begging them for help, only to be told they won't get involved, but as soon as the neighbours put a complaint in, the police are there to arrest Simon. However, when the police are shown CCTV footage which shows them Simon has not left his home and what neighbours have alleged is untrue, they withdraw and say they will "talk to the neighbours".
19. The abuse to which Simon is being subjected is ongoing and the Claimant will not take details of reports of abuse from Simon or do anything to help him, despite them knowing he is vulnerable. The Claimant has told him he can only have contact with the acting solicitors. Until 20 April 2018, calls were made to myself and Lemmy Nwasbuisi of London Borough of Enfield ("the Claimant") by the police in an attempt to resolve issues. Police Constable YE310 Anthony ("PC Anthony") has spent a lot of time speaking to me about the issues involved and what will be included in the statement I am writing for the court. PC Anthony has alluded to me the police have received over 200 calls for help from Simon relating to abuse from neighbours. However, PC Anthony has disclosed that Lemmy Nwabuisi has alluded to him the Claimant is involved in this in order they can justify seeking possession of Simon's home. Not only is it clear the Claimant is taking what can be described as a one-sided view of the matter with many untruths being alluded to them by Simon's neighbours, the Claimant has apparently chosen not to listen to anything Simon or Lorraine has to say. PC Anthony has voiced concerns about this and made no secret of the fact he considers what the Claimant is doing in respect of Simon to be wrong.
20. The abuse by neighbours towards Simon and failure by the Claimant to address this has had a significant and negative impact on Simon's health. So much so, that he has had to ask me to write this statement for the court.
21. It is not certain whether the order dated 9 January 2018 is effective or not. However, when a call was made to the police in the course of the last few days, the police stated they do not believe the order has been served correctly and, consequently, it is not effective, but it will be for the court to decide whether or not the order is effective.
22. On 25 April 2018, Simon received some documents from the court regarding an application for committal proceedings dated 24 April 2018. This is to commit Simon to prison for allegedly breaching the interim order dated 9 January 2018. A hearing is listed for 1 May 2018 at 10am. It is not clear how the Claimant has been able to make this application for committal proceedings when there is a question as to whether the interim order was served correctly, if at all, with a date set for hearing of 30 May 2018 of which the Claimant would be aware.
23. The alleged facts contained in the application by the Claimant for committal, dated 24 April 2018, are disputed. What Mr and Mrs Mathiyalagan have claimed in their

witness statements and the veracity of what they say in those statements is in question as it was they who assaulted Simon with a metal pole, not what they claim in the statements.

24. At this point in time, on 25 April 2018, I have changed the SAR to the police of 14 February 2018 to a request under Section 35, Data Protection Act 1998, requesting full details of the service of the interim order (including CCTV footage of the cell in which Andy Philippou claims he served the interim order and accompanying documents on Simon personally) and full information regarding the assault on Simon has been requested. I have also sent emails to the officer in charge of the case and am awaiting a reply. I refer the court to the emails to the police and emails specifically dealing with the request under Section 35, Data Protection Act 1998.
25. The reason the court has not been contacted sooner regarding the requests for data is that I am awaiting notification as to whether the request in time for the hearing on 30 May 2018 and if the request did not arrive by the beginning of May 2018, to seek an order from the court to require the police to release the requested data to me. The request under Section 35, Data Protection Act 1998 was submitted to the police on 25 April 2018 when I received the documents for the application for committal proceedings dated 24 April 2018. The police have confirmed, by email, they are processing the request.
26. It is averred that the information from the police will confirm the veracity and reliability of what Mr and Mrs Mathiyalagan say in their witness statements is in question and, accordingly, should not be admitted into evidence.
27. I have also asked, in my email to the police officer in charge of the assault case, to make time so the police can study the witness statements Mr and Mrs Mathiyalagan have made in support of the application for committal proceedings, dated 24 April 2018 and laid before the court. It is averred the veracity and reliability of the claims made by Mr and Mrs Mathiyalagan in their witness statements that Simon breached the interim order is in question and, accordingly, no credence or weight should be placed on their claims.
28. It is averred the Claimant's applications for the interim order and committal proceedings are both vexatious and totally without merit. The Claimant has failed to properly investigate and address Simon's concerns, if at all, knowing he is a vulnerable adult and has been informed by Simon of the abuse he is being subjected to by his neighbours on many occasions, but has chosen to accept the unsubstantiated and questionable claims of Simon's neighbours to the exclusion of Simon's right to have his concerns heard and addressed.
29. The conditions of the interim order are draconian by their very nature and any reasonable person in possession of all relevant information would consider them to be not only totally lacking in any logic and fairness whatsoever, but a direct attack on Simon's human rights under the European Convention on Human Rights (ECHR) and the Human Rights Act 1998 (HRA).
30. It is averred Simon's Convention rights have been breached as follows:-
  - a. Article 3 – Prohibition of Torture, Inhuman or Degrading Treatment

The fact Simon is, effectively, a prisoner in his own home, due to the fact he is subjected to abuse by neighbours and the Claimant has repeatedly failed to properly investigate and address, if at all, Simon's concerns, given he is a vulnerable adult, it is averred the Claimant's actions in causing this situation to develop through its inaction amounts to degrading treatment;

b. Article 8 – Respect for Family and Private Life

Simon has a right to respect for his privacy, to peaceful enjoyment of his home, to play and take an active part in the community and be able to freely come and go from his home. By effectively making him a prisoner in his own home through its failure to investigate and address the abuse Simon is being subjected to by his neighbours, the Claimant has breached its obligations to respect his Convention right to family and private life;

c. Article 14 – Prohibition of Discrimination

Simon is a single man of mixed race and has a number of health issues which affect his ability to lead a normal everyday life. The Claimant has demonstrated no lawful reason or justification for treating Simon differently from his neighbours when he complains about abuse to which he is subjected, namely, the Claimant ignores his concerns, and acts on what are vexatious complaints against Simon from his neighbours. It is averred the Claimant's behaviour towards Simon in this respect is discriminatory and breaches his Convention rights under Article 14.

31. It should be noted that the Claimant is a public authority for the purposes of the Human Rights Act 1998. Section 6(1) of the Act states:-

“it is unlawful for a public authority to act in a way which is incompatible with a person's Convention rights.”

It is averred the Claimant's behaviour towards Simon is incompatible with his Convention rights under the Articles referred to above.

32. Simon has made no secret of the fact he is fearful of his neighbours making vexatious complaints against him to the Claimant when he ventures out of his flat to place domestic refuse in the bins provided by the Claimant.

33. Simon has been a tenant of the Claimant since 2006, meaning he is a secure tenant, and is entitled to peaceful enjoyment of his tenancy without interference from the Claimant. However, the manner in which the Claimant has treated him indicates the Claimant is breaching its landlord covenants by allowing other tenants to harass Simon, in that they are making vexatious allegations and complaints against him to the police and the Claimant. However, it is Lemmy Nwasbuisi's disclosure to PC Anthony which is of concern and indicates the Claimant is attempting to evict Simon from his home without lawful reason and at all costs without consideration for Simon's legal and statutory rights under Housing Law. Any reasonable person in possession of all relevant information would consider the Claimant's actions in this respect to be unlawful, if not, illegal. Section 1, Protection from Eviction Act 1977, in particular, falls to mind.

34. The situation that currently exists where Simon is concerned is that he is now afraid to come out of his flat in case a neighbour makes a vexatious complaint against him and the police turn up on his doorstep to arrest him, only to leave having viewed CCTV footage showing they have been called out on the basis of what is, effectively, a hoax call.
35. On 15 March 2018, after being assaulted by Mr and Mrs Mathiyalagan, Simon was taken to the police station. During an interview at the police station, one of the police officers conducting the interview spoke to me about the interim order and commented the conditions of the interim order are a breach of Simon's human rights. I told them I was aware of this. However, the same police officer then explained to me that under the conditions within the interim order, Simon was effectively prevented from defending himself against physical attack. The police officer expressed they were shocked a court had allowed such conditions to be granted. This was stated, by the police officer, in my presence and hearing and also that of Simon's solicitor and another police officer who was present in the interview room.
36. It is my genuinely-held belief the information requested from the police under the terms of Section 35, Data Protection Act 1998 will confirm the Claimant's application for the interim order and committal to prison are vexatious and totally without merit.

#### STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed:..... Date:.....

MR SIMON PAUL CORDELL  
109 BURNCROFT AVENUE  
ENFIELD  
EN3 7JQ



Department for  
Work and Pensions

ESA Merthyr Tydfil Post Handling  
Site B Wolverhampton WV99 2FN

[www.gov.uk](http://www.gov.uk)

Telephone: 0800 169 0310 Text  
phone: 0800 169 0314  
Date: 08/03/2018

If you get in touch with us, tell us  
this reference number:  
JH653811D

Dear MR SIMON PAUL CORDELL,

Thank you for your request for information.

The details are as follows:-

You were awarded Employment Support Allowance Contributory; Employment  
Support Allowance Income Related

Claim start date 19/09/17

Claim termination date LIVE CLAIM  
At a weekly rate of £125.55

Paid up to:

Any other information: IN SUPPORT GROUP ON ESA

For any further enquiries please contact us on the above number.

Benefit Centre Manager

Part of the Department for Work and Pensions

