

From: Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
Sent: 20 August 2018 14:35
To: 'Lorraine Cordell'
Subject: RE: LBE v Simon Cordell-E00ED049 amended Order 09082018
Attachments: SM Court att note---August 9th 18 CORDELL S.DOC

Hi Lorraine,

I will try to rewrite the order by tonight and send it over to you.

Please find attached last attendance note from David Greville who attended the last hearing.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department

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From: Lorraine Cordell [<mailto:lorraine32@blueyonder.co.uk>]
Sent: 20 August 2018 12:48
To: Trishna Kerai
Subject: RE: LBE v Simon Cordell-E00ED049 amended Order 09082018

Dear Trishna

I was wondering if you had time as yet to rewrite the order as it need to go to the court so that the order is sealed.

I have made edited it not sure if it can be worded this way but please see attached.

The reason I do not believe they can put

"And UPON the Defendant's mother agreeing to engage with the Enfield Mental Health Unit team so the Defendant could receive assistance with his mental health conditions and housing. "

Is due to Simon rights I can give input but there is little I can do if Simon does not agree to take help and this is where I run into issues and have for a while now. If it is ordered that I will do it and cant then I am breaking the order. so I have just removed this from the order as I do what I can anyways I do not need the council telling me I have to do it.

Also is there any notes from the barrister who was there for simon or any documents I have not got as Simon likes to keep all documents from all his cases.

Regards

Lorraine

From: Trishna Kerai [mailto:Trishna@stuartmillersolicitors.co.uk]
Sent: 13 August 2018 15:14
To: 'Lorraine Cordell'
Subject: FW: LBE v Simon Cordell-E00ED049 amended Order 09082018
Importance: High

Trishna Kerai | Caseworker | Magistrates Court Department

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From: Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
Sent: 10 August 2018 14:42
To: Trishna Kerai
Subject: LBE v Simon Cordell-E00ED049 amended Order 09082018
Importance: High

Dear Trishna,

I write further to my email to you and Mrs Lorraine Cordell. Our allocation manager has advised us that as Mr Cordell is an existing council tenant, he is entitled to apply for a transfer of tenancy and cannot make a rehousing application.

I am advised that the application needs to be done via Mr Cordell's neighbourhood officer. I have emailed the officer and asked him to contact Mrs Cordell as soon as possible. Mrs Cordell is also encouraged to contact the Mental Health Team so they can support him with his MH issues and rehousing. I have amended the order to reflect the above and look forward to hearing from you.

Kind regards,
Ludmilla Iyavoo
Solicitor
Corporate Team
Legal Services
Enfield Council
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Enfield EN1 3XY

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MAGISTRATES COURT HEARING FORM

POLICE STATION?

FEE EARNER	DG	HEARING DATE	Thursday 09/08/18
CLIENT NAME	Simon CORDELL	FILE REF:	N/K
IF NEW MATTER - SOURCE	DUTY	OTHER	
	OWN CLIENT (Introduced By)	Y	REFERRAL (Referred By)
APPARENT CONFLICT OF INTERESTS ?	YES	NO	N

COURT	Edmonton County Court	LISTED FOR	Directions
LISTED TIME	10.00	ARRIVAL TIME	09.10
PROSECUTOR	Contra: Enfield Borough Council	JUDGE / CHAIR / BENCH	DJ DIAS
CO-D SOLICITOR		CO-D SOLICITOR	
LEGAL AID POSITION	Granted	OVERTIME CLAIMED?	£

TIMES

ATTENDANCE – CLIENT	(not present)	ATTENDANCE – CPS (Council)	15 mins
ATTENDANCE – COURT	5 mins	ATTENDANCE - PROBATION	: hrs
ATTENDANCE – OTHERS	30 mins	Who? Def's mother	
	10 mins	Who? Def's Uncle	
	: hrs	Who?	
PREPARATION	3 hours 15 mins	TRAVEL TIME	1 hour 55 mins
WAITING	2 hours 10 mins	MILEAGE	
ADVOCACY	30 mins	TRAVEL COSTS	£9.20
NOTES ON TIMES CLAIMED	Substantial bundles of papers to consider, to understand the case properly. Multiple breaches of an injunction, by someone who is deemed unfit to engage in the court process, or understand the injunction, or give instructions to his solicitors!		

OUTCOME

WHAT IS THE OUTCOME	Injunction dismissed. All allegations of breaching it dismissed.
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DATE OF NEXT APPEARANCE	
NEXT HEARING LOCATION	
NATURE OF HEARING	

INSTRUCTIONS

Client not present, as he is ill.

Def's mother and Uncle attend.

Mother has a large correspondence file, which proves that emails were sent by her to the Council telling them about Def's mental illness.

(Mother is of the belief that the Council already knew what is contained in the latest Report).

Probably the most helpful thing mother tells me is that the construction of the flats where Def lives means that Def hears a lot of noise from the flat above. This causes tensions. If Def were moved to a more suitable flat, the current problems are less likely to recur.

Mother does not want to be a Litigation Friend as---Def might agree to this today, but 2 days later he could be accusing mother of being in league with the Council.....Mother does not want this case to drive a wedge between her and Def.

Mother says that the statements that the complainants made in this case are different to the statements they made against Def in the criminal case (no charge yet), which proves that they are lying in this case, and mother wants to take them to court for lying.

Spoke to representative from Enfield B.C. They appear to have no great plan, following the Report that says Def doesn't understand the injunction, and is not fit to take part in proceedings. They will suggest that the Court should make some Directions, to protect other residents, but they cannot suggest any particular Directions, and appear to want to leave that to the Judge.

There is the possibility of the Official Solicitor acting as Litigation Friend, but this would take some time to set up.

CLIENT'S OBJECTIVES

(Client not here).

ANALYSIS OF STRENGTHS & WEAKNESSES:

The injunction is now totally unworkable, and should be discharged.
All of the alleged breaches of injunction should be discharged too, as there can't be a trial.

ADVICE GIVEN:

Offence Explained

MOT Explained:

Advice on plea:

Credit Explained:

Procedure Explained:

Costs, Victim Surcharge & Compensation Explained:

Bail explained:

SENTENCE ADVICE: - Tick the relevant options

Conditional Discharge

Financial Penalty Deemed Served?

Community Order

Unpaid Work RAR Curfew Other

Suspended Sentence

Custody Length

Disqualification Length
Points Amount

Justification:

(Client not here).

PROPOSED REPRESENTATIONS

Discharge the injunction and all the allegations of breaching it.

HEARING NOTES

Cov: DJ DIAS

**After argument, the injunction was discharged, and all allegations of breaching it dismissed.
Prosn application for Def’s mother to be a Litigation friend dismissed (they can’t make the application---Def’s mother would have to do that, and she doesn’t want to).**

**Defence costs awarded, subject to detailed costing.
No costs for the Plaintiff.**

The Judgement, which will be emailed to us by the court, contains what Def’s mother and the Council agreed about Def applying to get new accommodation. She will be sent a copy of this.

Case concluded.

BAIL POSITION

	YES		NO		
REMANDED IN CUSTODY? IF YES, GIVE REASONS FOR REMAND					
RELEASED ON BAIL?	YES		NO		
ARE THERE ANY BAIL CONDITIONS?	YES		NO		
LIVE & SLEEP AT					
CURFEW BETWEEN	HRS AND		HRS		
REPORT TO	POLICE STATION				
REPORT ON					
REPORT BETWEEN	HRS AND		HRS		
NOT TO CONTACT	WITNESSES			CO-DS	
NAMES OF WITNESSES / CODS					
OTHER CONDITIONS					

POST HEARING CONFERENCE NOTES

ADDITIONAL NOTES