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of breach of the licensing Act 2003 which is a requirement for proving, that an indoor rave was illegal.
the Deputy District Judge ruled that the respondent did not need to prove illegality, - all the needed to prove was he had acted in an anti social manner.
In the view of the barrister this was a very questionable decision: firstly, the respondent based their case on the illegality of the raves rather than the fact of the raves themselves and secondly, without proof of illegality the presumption of innocence leads to the conclusion that the raves were legal, and thus, Simon being prohibited from engaging in an ostensibly lawful activity requires more careful consideration on issues of proportionality.
It should be agreed with the barrister statement as when dealing with this case Mr Simon Cordell was addressing the respondent's case to prove that he had not been involved in organizing illegal raves, as this is what the application against him was.
In total to date 19/04/2016 the Asbo application has been brought before the courts inclusive of magistrates and crown a total of 9 times the 10th to be in September 2016 to which I still do not understand how any person could stand a fair trial with such questions as has been referred to
regarding article 5.2 of my continental human rights as for the fact of the supported application being that of my self Mr. Simon Cordell being legally deprived of such rights as Article 5(2) requires that anyone arrested must be promptly informed as to why he or she has been arrested and what the charge against them is.
This must be conveyed to them in a language which he or she understands.
The defendant questions the facts that of him self not being arrested for allegations of a criminal offence that do clearly state that they are of an illegal nature such as "the organisation of illegal raves" and that of how a court can be sitting in its civil capacity sitting a criminal case under section 63 of the crime and pubic disorder act 1998 as a standalone Asbo dated 00//00/2014 and associated to the laws of this date as for a Cbo Asbo application existed and still does and states.
The criminal behaviour order (CBO) will replace the ASBO on conviction and the DBO on conviction and will be available in the Crown Court, magistrates' courts, or the youth court.
The CBO will be available for the most seriously anti-social individuals and could be applied for on conviction for any criminal offence in any criminal court.
The CBO can only be made on the application of the prosecutor (in most cases the Crown Prosecution Service, either at their own initiative or at the request of the police or local authority).