



ISSUE: V2 OF V3

# LEMMY 4 THE ENFIELD COUNCIL INDEXED





**Simon Cordell's  
INJUNCTION I  
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# Simon Cordell's INJUNCTION I INDEX

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# Simon Cordell's INJUNCTION I INDEX

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# Simon Cordell's INJUNCTION I INDEX

[illegible]



10. What information will you be relying on, in support of your application?

- ☐ the attached witness statement  
☐ the statement of case  
☒ the evidence set out in the box below

If necessary, please continue on a separate sheet.

Please refer to the evidence attached on a separate sheet.

**Statement of Truth**

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed

  
Applicant's legal representative's (solicitor/friend)

Dated 19.04.2018

Full name Ludmilla Iyavoo

Name of applicant's legal representative's firm London Borough of Enfield, Legal Services

Position or office held Solicitor  
(If signing on behalf of firm or company)

**11. Signature and address details**

Signed

  
Applicant's legal representative's (solicitor/friend)

Dated 19.04.2018

Position or office held Solicitor  
(If signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield Legal Services PO BOX 50 Enfield  Postcode <table border="1"><tr><td>E</td><td>N</td><td>1</td><td></td><td>3</td><td>X</td><td>A</td><td></td></tr></table>	E	N	1		3	X	A		If applicable	
	E	N	1		3	X	A			
	Phone no.	0208 379 8323								
	Fax no.									
	DX no.	906015 Enfield 1								
Ref no.	LS/C/LI/157255									
E-mail address <u>Ludmilla.Iyavoo@enfield.gov.uk</u>										

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**Evidence in support of the application notice dated 20.04.2018 (part 10)**

1. On 09/01/2018 the Court made an interim injunction order against Mr Cordell (the Defendant), attaching a power of arrest. The main terms of the order are summarised as follows:

*The Defendant, Mr Cordell, be forbidden (whether by himself or by instructing or encouraging or permitting any other person:*

*Clause 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 to the block of flats at Burncroft Avenue, Enfield.*

*Clause 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.*

*Clause 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 of flats at Burncroft Avenue, Enfield.*

*Clause 7: A power of arrest is attached to the above paragraphs.*

2. The Defendants have committed several breaches by committing several acts of anti-social behaviour against his neighbours. Mr and Mrs Mathiyalagan have been the victim of several incidents of harassment, intimidation and a serious assault on 05/03/2018. Despite the matter being reported to the police, they have failed to take actions against the Defendant to enforce the terms of the injunction.
3. The incidents are supported by the affidavit of Mr and Mrs Mathiyalagan dated 20/04/2018.
4. The most recent incident took place on 05/03/2018; the Defendant assaulted Mr Mathiyalagan who then tried to defend himself. Mr Mathiyalagan sustained personal injuries to his face and had some of his teeth removed as a result of the assault. The injuries are supported by the ambulance officers' report, dentist records and letter from a GP which are exhibited in Mr Mathiyalagan affidavit dated 20/04/2018 and supporting this application.
5. The Police arrested the Defendant, interviewed him and released him.
6. On 01/03/2018, Mr Mathiyalagan stated that his wife was inside the bathroom giving their daughter a shower while his cousin was in the living room, he was at work. At about 11am, the Defendant came to their front door and started rattling the letterbox and knocking loudly on the door. His wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. His wife told



him that she was not shouting and that she was inside her bathroom giving her daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to his wife and daughter and made them scared for their safety. His daughter started crying because of the commotion and loud banging. The Defendant left after his wife asked his cousin to call the police. Mr Mathiyalagan stated that he telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. He stated that he did so in the morning of Tuesday 06 March 2018.

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.
8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:
  - (1) *This rule applies where a person is arrested pursuant to –*
    - (a) *a power of arrest attached to a provision of an injunction; or*
    - (b) *a warrant of arrest.*
  - (2) *The judge before whom a person is brought following his arrest may –*
    - (a) *deal with the matter; or*
    - (b) *adjourn the proceedings.*
9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.
10. The Claimant is therefore bringing an application for the Defendant's committal.

## Injunction Order

Between Mr Simon Cordell, Defendant  
and The London Borough Of Enfield, Claimant

Mr Simon Cordell  
109 Burncroft Avenue  
Enfield  
EN3 7JQ

In the County Court at  
Edmonton

<b>Claim Number</b>	E00ED049
<b>Claimant</b> (including ref.)	The London Borough Of Enfield LS/C/L1/155584
<b>Defendant</b> (including ref.)	Mr Simon Cordell



**If you, Mr Simon Cordell, do not obey this order you will be guilty of contempt of court and you may be sent to prison**

**If you, Mr Simon Cordell, disobey the order you will be guilty of contempt of court and you may be sent to prison or fined or have your asset seized. You should read this order carefully and are advised to consult a solicitor as soon as possible. You have the right to ask the court to vary or discharge this order.**

On 9th January 2018 at The County Court at Edmonton, Employment Judge Taylor, upon hearing the solicitor for the claimant and without notice to the defendant, considered an application for an injunction.

### AND IT WAS ORDERED THAT

The defendant, 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 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.

N16 General Form of injunction for interlocutory application or originating application

Produced by: Darren Civil  
CJR105

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**AND IT IS FURTHER ORDERED THAT**

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.
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.

**This order shall remain in force until 8th January 2019 at 11:59 PM unless before then it is revoked by further order of the court**

**NOTICE OF FURTHER HEARING.**

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Edmonton, 59 Fore Street, London, N18 2TN on 5th February 2018 at 2:00 PM

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

You are entitled to apply to the court to reconsider the order before the day.

*You may be able to get free legal aid advice. Go online at [www.gov.uk/legal-aid](http://www.gov.uk/legal-aid) for further information*

N110A

**Power of arrest**

Name of defendant

MR SIMON CORDELL

Defendant's address

109 BURNCROFT AVENUE  
ENFIELD  
EN3 7JQ

Name of court

THE COUNTY COURT AT  
EDMONTON

Claim No.

E00ED049

Claimant's name (including ref.)

THE LONDON BOROUGH OF ENFIELD

Defendant's name (including ref.)

MR SIMON CORDELL

Seal



Date order made 9/1/2018

Name of judge EMPLOYMENT JUDGE TAYLOR

Order made

(insert  
statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:

(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

Please see attached sheet

This power of arrest was ordered on 9/1/2018

and expires on the 9/1/2019

**Note to Arresting Officer**

Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:-

- the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;
- a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Name of Claimant

THE LONDON BOROUGH OF ENFIELD

Claimant's address

PO BOX 50  
CIVIC CENTRE  
SILVER STREET  
ENFIELD  
EN1 3XA

Claimant's phone number

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## **POWER OF ARREST ( CONT )**

1. 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.
2. 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.
3. 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.
4. 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.



1. Made on behalf of the Claimant
2. Witness Statement of Markantu Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

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AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

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I, Mr Markandu Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and a child I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11/09/2018. The Property was given to me as a temporary accommodation.

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09<sup>th</sup> January 2018.
3. The Defendant, Mr Simon Cordell was served personally on 10<sup>th</sup> January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.
4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:
  - a. *Clause 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 to the block of flats at Burncroft Avenue, Enfield.*
  - b. *Clause 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.*
  - c. *Clause 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 of flats at Burncroft Avenue, Enfield.*
  - d. *Clause 7: A power of arrest is attached to the above paragraphs.*
5. The following incidents/ breaches of the interim injunction order took place on the following days:

#### Incident of 15 March 2018

On Thursday, 15th March 2018, my wife and I took our 3-year-old daughter to school and as we came out of the block, we saw the Defendant standing outside the main entrance to Block 109-117 Burncroft Avenue. As we walked towards my car, the Defendant followed us swearing and shouting abuse at us. I could not remember the Defendant's exact words but there were lots of swearing words like 'fucking family, fucking bastards' and lots of 'bad words'. As we got in his car, the Defendant walked back towards the block. As I went to drive out, I saw the Defendant standing by the main door to the block and videoing me and my family with his mobile phone and swearing and shouting abuse at us. I got out of his car, brought out my mobile phone and started to video the Defendant who continued swearing. I stopped videoing Mr Cordell and turned to get back inside my car but the Defendant pushed me to the ground from behind. The Defendant sat on top of me and started to punch me on the face and repeatedly banged my head on the ground. After a while, I managed to push him off.

6. I then went to my car to get something to defend myself and picked a piece of metal from my boot but I decided against using it, the Defendant rushed at me again and punched me in the face and I fell backwards to the ground. The Defendant then sat on my chest and started to punch me repeatedly on the face. By this time, my wife and daughter were crying and my wife was screaming for neighbours to help but nobody came out. My wife tried to pull Mr Cordell off him as I was not able to defend myself but she could not. She then grabbed the piece of metal from my boot and hit the Defendant with it as self- defence to stop him. Some neighbours come out of their flat after a while and the Defendant got off me and went into his flat. By then I was bleeding profusely on my lips and forehead and both my wife and I called the police and ambulance service.

7. The Defendant's mother Lorraine Cordell turned up as I was being attended to inside the ambulance and started to shout abuse at my wife and accused her of attacking her son.
8. The police took my mobile phone and my daughter's scooter that was inside my boot. The ambulance officers advised me to go to the dentist immediately to have my teeth attended to as two of my front tooth was broken and another two were wobbly. The ambulance carried out an assessment of my injuries. A written report of my injuries can be seen in exhibit MM1.
9. The police phoned me as I was driving to the dentist and asked me to return to the estate. I was then arrested for assaulting the D even though I never assaulted him but all I kept on doing was to defend myself. I was held in a cell overnight and bailed the next day.
10. As a result of the assault, I had to have 3 teeth removed and replaced with dentures. A written report from my dentist can be seen in exhibit MM2.
11. The Defendant was also arrested, interviewed on the same day but released. I don't understand how this could have happened, while I being a victim of his assault was kept in a cell overnight. The Anti-social behaviour team made enquiries to find out why the D. was not charged with breaching the terms of the Injunction order and they were told that no charges were made on the basis that I had apparently provoked the Defendant. This is untrue as all I did on the day was to ignore him to take my daughter to school.

#### **Incident 01 March 2018**

12. My wife was inside the bathroom giving our daughter a shower while my cousin was in the living room, I was at work. At about 11am, the Defendant came to our front door and started rattling the letterbox and knocking loudly on the door. My wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. My wife told him that she was not shouting and that she was inside her bathroom giving our daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to my wife and daughter and made them scared for their safety. My daughter started crying because of the commotion and loud banging. The Defendant left after my wife asked his cousin to call the police.
13. We telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. I did so in the morning of Tuesday 06 March 2018.

#### **Incident 26/02/2018**

14. I returned from work at 11:30pm and went to the kitchen to get something to eat; my wife and daughter were already asleep. At about 11:45pm, while I was in the kitchen, I heard loud banging noises on his front door and rattling noises on his letterbox. I thought that my cousin had returned from work and was knocking on the door to be let in, I went to the door and spoke in my language but there was no response. I then opened the door and saw the Defendant standing outside of my front door. As soon as the

Defendant saw me, he ran away. The matter was referred to the police but no actions took place.

15. I requested to be moved out of the estate as that they and their 3-year-old are afraid to stay there. My wife and daughter have been left terrified, as confirmed by a written letter from my GP Dr Swedan as seen in exhibit MM3.

16. I contacted my local authority the London Borough of Waltham Forest and asked that I be rehoused somewhere else, they are trying to find me a suitable alternative temporary accommodation but the process is taking long.

17. I would therefore ask the Court to consider the application in light of the recent incidents and to commit the Defendant to an arrest.

Dated this 20 day of April 2018

OFFICER OF THE COURT  
APPOINTED BY THE JUDGE  
TO TAKE AFFIDAVITS

M. Malyutina 20 APR 2018

L. H. O. S.

EDMONTON COUNTY COURT  
59 FORD STREET, EDMONTON  
LONDON N18 2TN

LONDON BOROUGH  
OF ENFIELD

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

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EXHIBIT MM1

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[illegible]



IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

**BETWEEN:**

**THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD**

**Claimant**

**-And-**

**MR SIMON CORDELL**

**Defendant**

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**EXHIBIT MM2**

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## NHS DENTAL CARE

**Contractor's Name:** Handan Sabahlar

**Address:** Inspire Dental Walthamstow  
67-69 Palmerston Road  
Walthamstow  
London

**Telephone:** 0208 521 8558

**NHS Organisation:** NHS England London Lat

**Patient's Surname:** Merkandu

**Patient's Forename:** Mathiyalagan

**Date of Acceptance:** 22/03/18

**Treatment on Referral:** No

### TREATMENT PLAN & ESTIMATE

**Revision No.**

**1**

**What the NHS will provide**

The NHS provides all the treatment necessary to secure and maintain your oral health. There are some treatments (mainly cosmetic) that are not normally available under the NHS, and you may choose to have these provided privately. You may also choose to have some treatment provided privately as an alternative to NHS treatment. The dentist will discuss these options with you so that you can make an informed choice.

**Emergency Arrangements**

Whenever possible please contact us about urgent treatment during normal surgery hours. If you need to be seen the same day, please get in touch as early in the day as possible. If an emergency arises out of hours, please telephone the Primary Care Trust for advice.

**Replacements free of charge**

If you are 18 or over and a filling, root filling, veneer, inlay or crown provided by me under the NHS within the last 12 months has to be replaced, you will not be charged if you return to me, unless:-  
The treatment was temporary; or it was provided against my advice; or the replacement is necessary because of accident; or a different treatment is necessary because a satisfactory replacement is not possible.  
This NHS cover does not apply to any private treatment you may have.

**Dental treatment charges**

I want you to understand the treatment being offered and any charge which may apply. Below is a treatment plan and an estimate of the cost. Within 2 months of completion of the course of treatment below, should you require further NHS treatment in either the same or lower charge band, you will not normally need to pay again. Please ask if you do not understand this or need any further information.

**Treatment on referral**

With your agreement, it may be necessary to refer you to another dentist under NHS arrangements, for part of your course of NHS dental treatment. Where this happens you will not be asked to pay a further charge for your NHS dental treatment; only one charge will be made by your referring dentist, as outlined below.

**Paying for NHS treatment**

Patients aged 18 and over normally pay charges for NHS treatment. There is NO CHARGE if you are:

\* Pregnant or have had a child in the last 12 months

\* If you are aged 18 and in full time education

\* If you or your partner are named on a current HC2 NHS charges certificate

\* If you or your partner are named on a valid NHS tax credit exemption certificate

\* If you or your partner receive Income Support, Income-based Jobseeker's Allowance or Pension Credit Guarantee Credit

If you are not in any of these groups, but have a low income, you may still be able to get help with NHS charges. You can get a claim form HC1 from any Social Security office. Please Note: The following benefits, on their own, do not entitle you to help with health costs: Incapacity Benefit, Disability Living Allowance, Pension Credit Savings Credit and Contribution-based Jobseeker's Allowance.

**Cancelling Appointments**

If you have to cancel an appointment, please give as much notice as possible in order that it may be offered to someone else. If you miss appointments I may be unable to provide further treatment.

**Regular care**

Taking good care of your teeth is important. Come and see me regularly for checkups and advice. Some people need to see their dentist more than others and I shall advise you when to return next.

**NHS Treatment**

1	Examination	LR1
1	Extraction	LL1
1	Extraction	LL1
1	Extraction	LL2
1	Partial Denture Bearing	LR1-LL2
1	Primary Denture Impression(s)	
1	Note	

**Total £ 0.00**

**Additional Private Treatment**

1	30 min Hygienist Visit	£ 47.00
<b>Total £ 47.00</b>		

**PATIENT'S DECLARATION**

I understand the nature of the proposed NHS treatment services and accept those services and the associated fees as detailed.  
I understand the nature of the proposed private treatment services and accept those services and the associated fees as detailed.

<b>NHS Charge:</b>	£0.00	<b>Total Private Charge:</b>	£47.00	<b>Total Charge:</b>	£47.00
<b>Patient's signature</b>	M. Mathiyalagan			<b>Date</b>	22/03/2018

Should it become necessary to alter this treatment plan, you will be advised of the changes and any amendment to the cost.

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

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EXHIBIT MM3

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Dr H I Swedan  
Claremont Medical Centre  
27 Claremont Road  
Walthamstow  
LONDON  
E17 5RJ  
Tel No: 0208 527 1888  
Fax No: 0208 527 8111

9<sup>th</sup> April 2018

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971  
14 Netley Road, Walthamstow, E17 7QD →  
Mobile No: 07891740939

117 BURNCROFT AVE  
EN3 7JQ

I would be grateful for your urgent help and support for this family. The above named lady lives with her husband and 3-year-old girl and they have been subject to from problems from the next door neighbour and her husband was assaulted and had to call an ambulance. They are terrified and especially the young girl and she is crying. Mrs Mathiyalagan suffers from hypertension. She is on treatment. Her husband also suffers from high blood pressure and he is diabetic.

Yours sincerely



Dr H I Swedan

Dr H SWEDAN  
Claremont Medical Centre  
27 Claremont Road  
London E17 5RJ  
Tel 0208 527 1888

1. Made on behalf of the Claimant
2. Witness Statement of Revathy Mathiyelagan
3. Dated 20 April 2018

**IN THE EDMONTON COUNTY COURT**

**CLAIM NO: E00ED048**

**BETWEEN:**

**THE MAYOR AND BURGESSSES OF  
THE LONDON BOROUGH OF ENFIELD**

Claimant

**-And-**

**MR SIMON CORDELL**

Defendant

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**AFFIDAVIT OF MRS REVATHY MATHIYALAGAN**

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I, Mrs Revathy Mathiyelagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above Mr Cordell (hereafter 'the Defendant'). I live there with my husband Markandu and my child who is 3 years old. I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11 September 2016. The Property was given to me as a temporary accommodation.

2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the Interim Injunction order made by the Edmonton County Court on 09 January 2018.
3. I witnessed the terrible assault committed by the Defendant on my husband on 05 March 2018 and confirm the facts stated in my husband's affidavit dated 20 April 2018.
4. Mr Cordell harassed, abused and repeatedly punched my husband on his face, causing him to bleed and to break two of his teeth. I tried to stop him but he would not listen to me.
5. We contacted the police who arrested both Mr Cordell and my husband. My husband was kept by the police overnight while he was a victim of the assault. The police could see the facial injuries, bleedings and damages sustained to his face and teeth but decided to keep him at the police station while he was a victim of the assault. Surprisingly I heard that Mr Cordell was arrested, interviewed and released on the same day. The police decided not to charge him for some unknown reasons.
6. I believe that the Police decision was wrong, as there are clear evidence of assault, I was not interviewed while being a key witness to the incident. The Defendant should have been arrested and brought back to the Court following the breach of the Injunction order so it could decide on his arrest.
7. I fear for my family safety and feels that the Interim Injunction with the London Borough of Enfield obtained on 09 January 2018 is not providing me and my family protection as the police refuses to enforce the terms of the order despite clear evidence that Mr Cordell has breached the terms.

The situation has left me and my family terrified. There's a letter from my GP which confirm that, as seen under exhibit RM1.

8. There were further incidents on 11 November 2017, on 02-03 January 2018, 01 March 2018 and 28 February where Mr Cordell harassed me but the police did nothing despite evidence of him breaching the Injunction order. All they would do will be to attend the Property, speak to him and leave without investigating the incidents.
9. I feel let down by the system and constantly fear for my safety. I contacted my local authority (the London Borough of Waltham Forest) to be moved out of the estate as myself, husband and 3-year-old are afraid to stay there. However Waltham Forest is not taking any actions at the moment.
10. I feel that the existence of the Injunction has not provided the adequate protection to me and my family. As things stand the Defendant feels that the injunction is ineffective as the lack of actions from the police currently encourages him to act badly towards me and my family. We therefore hope that the Court will support us and take appropriate actions following the breaches.
11. I would therefore ask the Court to consider the application in light of the recent incidents, to commit the Defendant to an arrest and impose a sentence following his breaches of the Injunction.

Dated this 2<sup>nd</sup> day of April 2018

*M. Ramsey* 20 APR 2018  
.....

OFFICER OF THE COURT  
APPOINTED BY THE JUDGE  
TO TAKE AFFIDAVITS

*L. H. O'S*

LONDON BOROUGH OF  
OF ENFIELD

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-AND-

MR SIMON CORDELL

Defendant

---

EXHIBIT RM1

---



Dr H I Swedan  
Claremont Medical Centre  
27 Claremont Road  
Walthamstow  
LONDON  
E17 5RJ  
Tel No: 0208 527 1888  
Fax No: 0208 527 8111

9<sup>th</sup> April 2018

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971  
14 Netley Road, Walthamstow, E17 7QD →  
Mobile No: 07891740939

117 BURNCREFT AVE  
EN3 7JQ

I would be grateful for your urgent help and support for this family. The above named lady lives with her husband and 3-year-old girl and they have been subject to from problems from the next door neighbour and her husband was assaulted and had to call an ambulance. They are terrified and especially the young girl and she is crying. Mrs Mathiyalagan suffers from hypertension. She is on treatment. Her husband also suffers from high blood pressure and he is diabetic.

Yours sincerely



Dr H I Swedan

Dr H SWEDAN  
Claremont Medical Centre  
27 Claremont Road  
London E17 5RJ  
Tel: 0208 527 1888

**IN THE EDMONTON COUNTY COURT**

**CLAIM NO: E00ED049**

**BETWEEN:**

**THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD**

**Claimant**

**-and-**

**MR SIMON CORDELL**

**Defendant**

---

**DRAFT ORDER**

---

**Before District Judge sitting at the Edmonton County Court.**

**AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.**

**The Judge read the written evidence filed and the Order of District Judge Taylor dated 09 January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person):**

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

**AND UPON the Court noting that a power of arrest being attached on the above**

AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09 January 2018 [paragraphs 3-5] of the order dated 09 January 2018 by harassing, intimidating and assaulting one of his neighbours on 16 March 2018, 01 March 2018 and 26 February 2018.

**IT IS ORDERED**

(1) that for his contempt the Defendant stands committed to HM Prison (name of prison) for a period of (number of days or as may be) from the date of his apprehension.

(2) that for his contempt the Defendant pays to Her Majesty the Queen a fine of £ on or before (date payment due).

(5) that the costs of the Claimant [summarily assessed in the sum of £ 1,000] to be the subject of a detailed assessment be paid by the Defendant to the Claimant.

(6) that the contemnor has permission to apply to the Court to clear his contempt and ask for his release or discharge.

Dated

# Notice of Hearing of Application

In the County Court at  
Edmonton

Claim Number E00ED049

Date 24 April 2018

THE LONDON BOROUGH OF ENFIELD

1<sup>st</sup> Claimant  
Ref LS/C/L/1/155584

MR SIMON CORDELL

1<sup>st</sup> Defendant  
Ref



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

UPON HEARING Solicitor for the Claimant and the Defendant having no notice

AND UPON READING the Witness Statement of Mr Markandu Mathiyalagan dated 20th April 2018

## IT IS ORDERED THAT:

1. The hearing of the Claimant's application for (see copy attached) will take place at 10:00 am on the 1 May 2018 at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

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 delay is unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court. 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.

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.

N244A Notice of Hearing of Application

Produced by: S DEMETRIOU  
CJR027

~~323~~  
116A

Please reply to: Legal Services  
PO Box 50, Civic Centre  
Silver Street,  
Enfield EN1 3XA

**Mr Simon Cordell**  
**109 Burncroft Avenue**  
**Enfield**  
**EN3 7JQ**

E-mail: Ludmilla.Iyavoo@enfield.gov.uk  
Phone: 0208 379 8323  
DX: 90615 Enfield 1  
Fax: 0208 379 6492  
My Ref: LS/C/LI/155584  
Your Ref:  
Date: 11 May, 2018

By personal service via process server

Dear Mr Cordell,

**Re: The London Borough of Enfield v Cordell**  
**Claim number: E00ED049**

We are aware that at the hearing in the Edmonton County Court on 01 May 2018, an additional breach of the injunction took place as shouting; swearing and threats were directed to two of the Claimant's employees and one of your neighbours.

We therefore attach the following documents for your attention:

1. An application notice dated 11.05.2018 seeking permission from the Court to amend the committal application dated 20.04.2018 to add the recent incident.
2. Amended application notice dated 20.04.2018
3. Affidavit of Mr and Mrs Mathiyalagan dated 20.04.2018
4. An amended draft order dated 20.04.2018
5. Witness statements of Mr Lemmy Nwabuisi and Mrs Balbinder Kaur Geddes dated 10.05.2018.

We will ask the Court to consider the attached application at the next court hearing listed in the Edmonton County Court on 30.05.2018.

You are entitled to seek independent legal advice.

Yours sincerely,



Jeremy Chambers  
Director of Law & Governance  
Enfield Council  
Civic Centre, Silver Street  
Enfield EN1 3XY  
[www.enfield.gov.uk](http://www.enfield.gov.uk)



116B

Ludmilla Iyavoo  
Lawyer  
For the Director of Law and Governance

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.

<b>Name of court</b> Edmonton County Court		<b>Claim no.</b> E00ED049	
<b>Fee account no.</b> (if applicable) 0079006		<b>Help with Fees – Ref. no.</b> (if applicable) H W F - [ ] [ ] [ ] - [ ] [ ] [ ]	
<b>Warrant no.</b> (if applicable)			
<b>Claimant's name</b> (including ref.) The London Borough of Enfield (LS/C/LI/157255)			
<b>Defendant's name</b> (including ref.) Mr Simon Cordell			
<b>Date</b>		11.05.2018	

1. What is your name or, if you are a legal representative, the name of your firm?

London Borough of Enfield, Legal Services

2. Are you a ☐ Claimant ☐ Defendant ☒ Legal Representative  
☐ Other (please specify) [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]

If you are a legal representative whom do you represent?

Claimant

3. What order are you asking the court to make and why?

The Claimant seeks leave from the Court to amend its committal application dated 20.04.2018 as further breaches of the injunction order took place on 01.05.2018. A copy of the amended application with the witness statements of Lemmy Nwabuisi and Balbinder Geddes are attached to this application in support.

4. Have you attached a draft of the order you are applying for? ☐ Yes ☒ No
5. How do you want to have this application dealt with? ☒ at a hearing ☐ without a hearing  
☐ at a telephone hearing
6. How long do you think the hearing will last? [ ] Hours [ 15 ] Minutes  
 Is this time estimate agreed by all parties? ☐ Yes ☐ No
7. Give details of any fixed trial date or period  
 30/05/2018, 2pm
8. What level of Judge does your hearing need?  
 District Judge
9. Who should be served with this application?  
 Defendant
- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

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10. What information will you be relying on, in support of your application?

- ☒ the attached witness statement  
☐ the statement of case  
☒ the evidence set out in the box below

If necessary, please continue on a separate sheet.

An interim injunction order was made against the Defendant on 09/01/2018.

The Defendant committed further breaches of the injunction on by shouting, swearing and abusing two employees of the Claimant and one of his neighbours while attending a hearing in the Edmonton County Court on 01/05/2018.

The Claimant would like the committal application issued at Court on 20/04/2018 to be amended to include the additional incident.

A copy of the amended committal application is provided in support (amendments are marked in red). The application notice is also supported by the witness statements of Mr Lemmy Nwabuisi and Ms Balbinder Kaur Geddes.

### Statement of Truth

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed



Dated 11/05/2018

Applicant's legal representative's (litigation friend)

Full name Ms Ludmilla Iyavoo

Name of applicant's legal representative's firm London Borough of Enfield, Legal Services

Position or office held Solicitor

(if signing on behalf of firm or company)

### 11. Signature and address details

Signed



Dated 11/05/2018

Applicant's legal representative's (litigation friend)

Position or office held Solicitor

(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield  
legal Services  
PO BOX 50  
Civic Centre  
Enfield

Postcode

EN 1

3 X A

If applicable

Phone no. 0208 379 8323

Fax no.

DX no. 90615 Enfield 1

Ref no. LS/C/LI/157255

E-mail address



N244

## Application notice

For help in completing this form please read the notes for guidance form N244Notes.

<b>Name of court</b> Edmonton County Court		<b>Claim no.</b> E00ED049	
<b>Fee account no.</b> (if applicable) 007 9 006		<b>Help with Fees – Ref. no.</b> (if applicable) HWF- - - - -	
<b>Warrant no.</b> (if applicable)			
<b>Claimant's name</b> (including ref.) The London Borough of Enfield (LS/C/LI/157255)			
<b>Defendant's name</b> (including ref.) Mr Simon Cordell			
<b>Date</b>		20.04.2018	

1. What is your name or, if you are a legal representative, the name of your firm?

London Borough of Enfield, Legal Services

2. Are you a ☒ Claimant ☐ Defendant ☐ Legal Representative  
☐ Other (please specify)

If you are a legal representative whom do you represent?

3. What order are you asking the court to make and why?

The Claimant is seeking an order for the Defendant's committal for breaching the terms of the interim injunction order dated 09.01.2018 with has a power of arrest, pursuant to CPR 23 and 81.

4. Have you attached a draft of the order you are applying for? ☒ Yes ☐ No
5. How do you want to have this application dealt with? ☒ at a hearing ☐ without a hearing  
☐ at a telephone hearing
6. How long do you think the hearing will last?  Hours  30 Minutes  
 Is this time estimate agreed by all parties? ☐ Yes ☒ No
7. Give details of any fixed trial date or period  Hearing on 30.05.2018, 2pm
8. What level of Judge does your hearing need?  District
9. Who should be served with this application?  Defendant
- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

- ☐ the attached witness statement  
☐ the statement of case  
☒ the evidence set out in the box below

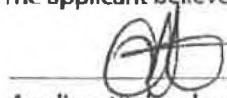
If necessary, please continue on a separate sheet.

Please refer to the evidence attached on a separate sheet.

### Statement of Truth

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed



Dated 19.04.2018

Applicant's legal representative's (solicitor friend)

Full name Ludmilla Iyavoo

Name of applicant's legal representative's firm London Borough of Enfield, Legal Services

Position or office held Solicitor

(if signing on behalf of firm or company)

### 11. Signature and address details

Signed



Dated 19.04.2018

Applicant's legal representative's (solicitor friend)

Position or office held Solicitor

(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield Legal Services PO BOX 50 Enfield		If applicable	
Postcode <u>E N 1</u> <u>3 X A</u>		Phone no.	0208 379 8323
		Fax no.	
		DX no.	906015 Enfield 1
		Ref no.	LS/C/LI/157255
E-mail address <u>Ludmilla.Iyavoo@enfield.gov.uk</u>			

**Evidence in support of the application notice dated 20.04.2018 (part 10)**

1. On 09/01/2018 the Court made an interim injunction order against Mr Cordell (the Defendant), attaching a power of arrest. The main terms of the order are summarised as follows:

*The Defendant, Mr Cordell, be forbidden (whether by himself or by instructing or encouraging or permitting any other person:*

*Clause 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 to the block of flats at Burncroft Avenue, Enfield.*

*Clause 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.*

*Clause 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 of flats at Burncroft Avenue, Enfield.*

*Clause 7: A power of arrest is attached to the above paragraphs.*

2. The Defendants have committed several breaches by committing several acts of anti-social behaviour against his neighbours. Mr and Mrs Mathiyalagan have been the victim of several incidents of harassment, intimidation and a serious assault on 15/03/2018. Despite the matter being reported to the police, they have failed to take actions against the Defendant to enforce the terms of the injunction.
3. The incidents are supported by the affidavit of Mr and Mrs Mathiyalagan dated 20/04/2018.
4. The most recent incident took place on 15/03/2018; the Defendant assaulted Mr Mathiyalagan who then tried to defend himself. Mr Mathiyalagan sustained personal injuries to his face and had to some of his teeth removed as a result of the assault. The injuries are supported by the ambulance officers' report, dentist records and letter from a GP which are exhibited in Mr Mathiyalagan affidavit dated 20/04/2018 and supporting this application.
5. The Police arrested the Defendant, interviewed him and released him.
6. On 01/03/2018, Mr Mathiyalagan stated that his wife was inside the bathroom giving their daughter a shower while his cousin was in the living room, he was at work. At about 11am, the Defendant came to their front door and started rattling the letterbox and knocking loudly on the door. His wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. His wife told

him that she was not shouting and that she was inside her bathroom giving her daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to his wife and daughter and made them scared for their safety. His daughter started crying because of the commotion and loud banging. The Defendant left after his wife asked his cousin to call the police. Mr Mathiyalagan stated that he telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. He stated that he did so in the morning of Tuesday 06 March 2018.

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.

8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:

*(1) This rule applies where a person is arrested pursuant to –*

*(a) a power of arrest attached to a provision of an injunction; or*

*(b) a warrant of arrest.*

*(2) The judge before whom a person is brought following his arrest may –*

*(a) deal with the matter; or*

*(b) adjourn the proceedings.*

9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.

10. The Claimant is therefore bringing an application for the Defendant's committal.

11. An additional breach of the injunction occurred within and outside the Edmonton County Court premises on 01/05/2018 from around 10.25 am onwards where the Defendant shouted abuse, swear and made threats to two employees of the Claimant and Mr Mathiyalagan. These threats were made in front of Employment Tribunal Tribunal, two security guards and other members of staff.

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1. Made on behalf of the Claimant
2. Witness Statement of Markantu Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

---

AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

---

I, Mr Markandu Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and a child I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11/09/2018. The Property was given to me as a temporary accommodation.

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09<sup>th</sup> January 2018.
3. The Defendant, Mr Simon Cordell was served personally on 10<sup>th</sup> January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.
4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:
  - a. *Clause 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 to the block of flats at Burncroft Avenue, Enfield.*
  - b. *Clause 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.*
  - c. *Clause 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 of flats at Burncroft Avenue, Enfield.*
  - d. *Clause 7: A power of arrest is attached to the above paragraphs.*
5. The following incidents/ breaches of the interim injunction order took place on the following days:

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### Incident of 15 March 2018

On Thursday, 15th March 2018, my wife and I took our 3-year-old daughter to school and as we came out of the block, we saw the Defendant standing outside the main entrance to Block 109-117 Burncroft Avenue. As we walked towards my car, the Defendant followed us swearing and shouting abuse at us. I could not remember the Defendant's exact words but there were lots of swearing words like 'fucking family, fucking bastards' and lots of 'bad words'. As we got in his car, the Defendant walked back towards the block. As I went to drive out, I saw the Defendant standing by the main door to the block and videoing me and my family with his mobile phone and swearing and shouting abuse at us. I got out of his car, brought out my mobile phone and started to video the Defendant who continued swearing. I stopped videoing Mr Cordell and turned to get back inside my car but the Defendant pushed me to the ground from behind. The Defendant sat on top of me and started to punch me on the face and repeatedly banged my head on the ground. After a while, I managed to push him off.

6. I then went to my car to get something to defend myself and picked a piece of metal from my boot but I decided against using it, the Defendant rushed at me again and ~~punched me in the face~~ and I fell backwards to the ground. The Defendant then sat on my chest and started to punch me repeatedly on the face. By this time, my wife and daughter were crying and my wife was screaming for neighbours to help but nobody came out. My wife tried to pull Mr Cordell off him as I was not able to defend myself but she could not. She then grabbed the piece of metal from my boot and hit the Defendant with it as self- defence to stop him. Some neighbours come out of their flat after a while and the Defendant got off me and went into his flat. By then I was bleeding profusely on my lips and forehead and both my wife and I called the police and ambulance service.

7. The Defendant's mother Lorraine Cordell turned up as I was being attended to inside the ambulance and started to shout abuse at my wife and accused her of attacking her son.
8. The police took my mobile phone and my daughter's scooter that was inside my boot. The ambulance officers advised me to go to the dentist immediately to have my teeth attended to as two of my front tooth was broken and another two were wobbly. The ambulance carried out an assessment of my injuries. A written report of my injuries can be seen in **exhibit MM1**.
9. The police phoned me as I was driving to the dentist and asked me to return to the estate. I was then arrested for assaulting the D even though I never assaulted him but all I kept on doing was to defend myself. I was held in a cell overnight and bailed the next day.
10. As a result of the assault, I had to have 3 teeth removed and replaced with dentures. A written report from my dentist can be seen in **exhibit MM2**.
11. The Defendant was also arrested, interviewed on the same day but released. I don't understand how this could have happened, while I being a victim of his assault was kept in a cell overnight. The Anti-social behaviour team made enquiries to find out why the D. was not charged with breaching the terms of the injunction order and they were told that no charges were made on the basis that I had apparently provoked the Defendant. This is untrue as all I did on the day was to ignore him to take my daughter to school.



#### **Incident 01 March 2018**

12. My wife was inside the bathroom giving our daughter a shower while my cousin was in the living room, I was at work. At about 11am, the Defendant came to our front door and started rattling the letterbox and knocking loudly on the door. My wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. My wife told him that she was not shouting and that she was inside her bathroom giving our daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to my wife and daughter and made them scared for their safety. My daughter started crying because of the commotion and loud banging. The Defendant left after my wife asked his cousin to call the police.

13. We telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. I did so in the morning of Tuesday 06 March 2018.

#### **Incident 26/02/2018**

14. I returned from work at 11:30pm and went to the kitchen to get something to eat; my wife and daughter were already asleep. At about 11:45pm, while I was in the kitchen, I heard loud banging noises on his front door and rattling noises on his letterbox. I thought that my cousin had returned from work and was knocking on the door to be let in, I went to the door and spoke in my language but there was no response. I then opened the door and saw the Defendant standing outside of my front door. As soon as the

Defendant saw me, he ran away. The matter was referred to the police but no actions took place.

15. I requested to be moved out of the estate as that they and their 3-year-old are afraid to stay there. My wife and daughter have been left terrified, as confirmed by a written letter from my GP Dr Swedan as seen in exhibit MM3.

16. I contacted my local authority the London Borough of Waltham Forest and asked that I be rehoused somewhere else, they are trying to find me a suitable alternative temporary accommodation but the process is taking long.

17. I would therefore ask the Court to consider the application in light of the recent incidents and to commit the Defendant to an arrest.

Dated this 20 day of April 2018

OFFICER OF THE COURT  
APPOINTED BY THE JUDGE  
TO TAKE AFFIDAVITS

M. Malyutina 20 APR 2018

L. H. Ows

EDUCATION - LONDON BOROUGH  
50 FIVE - FIVE FIVE FIVE FIVE FIVE  
2018 APR 20

LONDON BOROUGH  
OF ENFIELD

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

---

EXHIBIT MM1

---

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London  
Ambulance  
Service  
NHS Trust

# Patient Report Form (LA4)

NHS CONFIDENTIAL

CAD / Event number: [ ] Date: [ ] Cell sign: [ ] Fleet number: [ ] M.I. Patient No.: [ ]

Patient's details		Presenting complaint		Observations		Allergies		Known infectious		12 Lead ECG	
Last name: [ ] First name: [ ] Date of birth: [ ] Age: [ ] Male <input type="checkbox"/> Female <input type="checkbox"/> Race: [ ] NHS No.: [ ] Home address: [ ] Postcode: [ ] Telephone: [ ] Next of Kin: [ ] Relationship: [ ] GP Name: [ ] Address: [ ] Mental Health Team / CPN / AMHP: [ ] Contact details: [ ] Name of H.V. / Primary Carer: [ ] Name of School / Nursery: [ ] Patient accompanied by: [ ]		Incident time / onset of symptoms: [ ] Time: [ ] Date: [ ] Airway: Clear <input type="checkbox"/> Partially obstructed <input type="checkbox"/> Obstructed <input type="checkbox"/> Breathing: Present <input type="checkbox"/> Absent <input type="checkbox"/> Complete a sentence in one breath: [ ] Unable to assess: [ ] Circulation: B mucosa cyanosed: [ ] Peripheral cyanosis: [ ] Capillary refill > 2 sec: [ ] Distal pulse: [ ] Other: Sweating: [ ] Vomiting: [ ] Fitting: [ ] Number of fits: [ ] Burns: [ ] Estimated blood loss: [ ]		Time: [ ] AVPU: [ ] Resp rate: [ ] Resp depth: [ ] % O2 sats: [ ] Peak flow: [ ] CO2: [ ] Pulse rate: [ ] Pulse character: [ ] BP: [ ] Colour: [ ] BM: [ ] Temp: [ ] Pain 0-10: [ ] Pupils size: [ ] Pupils reactive: [ ] GCS: [ ] ECG rhythm: [ ]		Allergies: [ ] Past medical history: [ ] Medication: [ ] Medication brought in: [ ] List brought in: [ ] FAST: Facial weakness: [ ] Arm weakness: [ ] Speech: [ ] Cannulation: Line 1: [ ] Line 2: [ ] Fluid and drug administration: Code: [ ] Amount: [ ] Dose: [ ] Route: [ ] Time: [ ] By: [ ]		Normal ECG: [ ] Inferior MI: [ ] Anterior MI: [ ] Lateral MI: [ ] Posterior MI: [ ] LBBB: [ ] ST depression: [ ] T wave changes only: [ ] Other abnormality: [ ] Inconclusive ECG: [ ]			

Airway and Respiratory management			
Maintenance: [ ] Postural: [ ] Head tilt: [ ] Jaw thrust: [ ]	Clearance: [ ] Suction: [ ] Manual: [ ]	ET successful: [ ] ET tube: [ ] SGA successful: [ ] SGA tube: [ ]	NCI successful: [ ] NTH successful: [ ]

Cardiac arrest, CPR, Defib, & ROSC			
Arrest witnessed: [ ] Cause of cardiac arrest: [ ] Cardiac: [ ] Trauma: [ ] Respiratory: [ ] Other: [ ] Initial arrest rhythm: [ ] VF/VT: [ ] Asystole: [ ] PEA: [ ]	Pre-LAS CPR: [ ] Time started: [ ] By: [ ]	LAS CPR: [ ] Time started: [ ] By: [ ]	LAS Defib: [ ] Time of 1st LAS shock: [ ] Number of shocks: [ ] Facelistic electrodes used: [ ]

Recognition of Life Extinct	
Heart sounds absent: [ ] Apnoeic: [ ] Fixed dilated pupils: [ ]	Asystolic rhythm strip: [ ] Confirmed dead at Hospital: [ ]

Injury = X Burns = B Pain = P	
Transporting / Left score: [ ]	Pre-alert: [ ]

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

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EXHIBIT MM2

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## NHS DENTAL CARE

**Contractor's Name:** Handan Sabahlar  
**Address:** Inspire Dental Walthamstow  
 67-69 Palmerston Road  
 Walthamstow  
 London  
**Telephone:** 0208 521 6656  
**NHS Organisation:** NHS England London Lat

**Patient's Surname:** Markandu  
**Patient's Forename:** Mathiyalagan  
**Date of Acceptance:** 22/03/18  
**Treatment on Referral:** No

### TREATMENT PLAN & ESTIMATE

**Revision No.** 1

<b>What the NHS will provide</b>	The NHS provides all the treatment necessary to secure and maintain your oral health. There are some treatments (mainly cosmetic) that are not normally available under the NHS, and you may choose to have these provided privately. You may also choose to have some treatment provided privately as an alternative to NHS treatment. The dentist will discuss these options with you so that you can make an informed choice.
<b>Emergency Arrangements</b>	Whenever possible please contact us about urgent treatment during normal surgery hours. If you need to be seen the same day, please get in touch as early in the day as possible. If an emergency arises out of hours, please telephone the Primary Care Trust for advice.
<b>Replacements free of charge</b>	If you are 18 or over and a filling, root filling, veneer, inlay or crown provided by me under the NHS within the last 12 months has to be replaced, you will not be charged if you return to me, unless: The treatment was temporary; or it was provided against my advice; or the replacement is necessary because of accident; or a different treatment is necessary because a satisfactory replacement is not possible. This NHS cover does not apply to any private treatment you may have.
<b>Dental treatment charges</b>	I want you to understand the treatment being offered and any charge which may apply. Below is a treatment plan and an estimate of the cost. Within 2 months of completion of the course of treatment below, should you require further NHS treatment in either the same or lower charge band, you will not normally need to pay again. Please ask if you do not understand this or need any further information.
<b>Treatment on referral</b>	With your agreement, it may be necessary to refer you to another dentist under NHS arrangements, for part of your course of NHS dental treatment. Where this happens you will not be asked to pay a further charge for your NHS dental treatment; only one charge will be made by your referring dentist, as outlined below.
<b>ing for NHS treatment</b>	Patients aged 18 and over normally pay charges for NHS treatment. There is NO CHARGE if you are: * Pregnant or have had a child in the last 12 months * If you are aged 18 and in full time education * If you or your partner are named on a current HC2 NHS charges certificate * If you or your partner are named on a valid NHS tax credit exemption certificate * If you or your partner receive Income Support, Income-based Jobseeker's Allowance or Pension Credit Guarantee Credit If you are not in any of these groups, but have a low income, you may still be able to get help with NHS charges. You can get a claim form HC1 from any Social Security office. Please Note: The following benefits, on their own, do not entitle you to help with health costs: Incapacity Benefit, Disability Living Allowance, Pension Credit Savings Credit and Contribution-based Jobseeker's Allowance.
<b>Cancelling Appointments</b>	If you have to cancel an appointment, please give as much notice as possible in order that it may be offered to someone else. If you miss appointments I may be unable to provide further treatment.
<b>Regular care</b>	Taking good care of your teeth is important. Come and see me regularly for checkups and advice. Some people need to see their dentist more than others and I shall advise you when to return next.

#### NHS Treatment

1	Examination	LR1
1	Extraction	LL1
1	Extraction	LL2
1	Extraction	LR1-LL2
1	Partial Denture Bearing	
1	Primary Denture Impression(s)	
1	Note	

**Total £ 0.00**

#### Additional Private Treatment

1	30 min Hygienist Visit	£ 47.00
		<b>Total £ 47.00</b>

#### PATIENTS DECLARATION

I understand the nature of the proposed NHS treatment services and accept those services and the associated fees as detailed.  
 I understand the nature of the proposed private treatment services and accept those services and the associated fees as detailed.

<b>NHS Charge:</b>	£0.00	<b>Total Private Charge:</b>	£47.00	<b>Total Charge:</b>	£47.00
<b>Patient's signature</b>	M. Mathiyalagan			<b>Date</b>	22/03/2018

Should it become necessary to alter this treatment plan, you will be advised of the changes and any amendment to the cost.

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

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EXHIBIT MM3

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134

Dr H I Swedan  
Claremont Medical Centre  
27 Claremont Road  
Walthamstow  
LONDON  
E17 5RJ  
Tel No: 0208 527 1888  
Fax No: 0208 527 8111

9<sup>th</sup> April 2018

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971  
14 Netley Road, Walthamstow, E17 7QD →  
Mobile No: 07891740939

117 BURNCROFT AVE  
EN3 7JQ

I would be grateful for your urgent help and support for this family. The above named lady lives with her husband and 3-year-old girl and they have been subject to from problems from the next door neighbour and her husband was assaulted and had to call an ambulance. They are terrified and especially the young girl and she is crying. Mrs Mathiyalagan suffers from hypertension. She is on treatment. Her husband also suffers from high blood pressure and he is diabetic.

Yours sincerely



Dr H I Swedan

Dr H SWEDAN  
Claremont Medical Centre  
27 Claremont Road  
London E17 5RJ  
Tel 0208 527 1888

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1. Made on behalf of the Claimant
2. Witness Statement of Ravathy Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

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AFFIDAVIT OF MRS REVATHY MATHIYALAGAN

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I, Mrs Revathy Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above Mr Cordell (thereafter 'the Defendant'). I live there with my husband Markandu and my child who is 3 years old. I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11 September 2016. The Property was given to me as a temporary accommodation.

2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09 January 2018.
3. I witnessed the terrible assault committed by the Defendant on my husband on 05 March 2018 and confirm the facts stated in my husband's affidavit dated 20 April 2018.
4. Mr Cordell harassed, abused and repeatedly punched my husband on his face, causing him to bleed and to break two of his teeth. I tried to stop him but he would not listen to me.
5. We contacted the police who arrested both Mr Cordell and my husband. My husband was kept by the police overnight while he was a victim of the assault. The police could see the facial injuries, bleedings and damages sustained to his face and teeth but decided to keep him at the police station while he was a victim of the assault. Surprisingly I heard that Mr Cordell was arrested, interviewed and released on the same day. The police decided not to charge him for some unknown reasons.
6. I believe that the Police decision was wrong, as there are clear evidence of assault, I was not interviewed while being a key witness to the incident. The Defendant should have been arrested and brought back to the Court following the breach of the injunction order so it could decide on his arrest.
7. I fear for my family safety and feels that the interim injunction with the London Borough of Enfield obtained on 09 January 2018 is not providing me and my family protection as the police refuses to enforce the terms of the order despite clear evidence that Mr Cordell has breached the terms.

The situation has left me and my family terrified. There's a letter from my GP which confirm that, as seen under **exhibit RM1**.

8. There were further incidents on 11 November 2017, on 02-03 January 2018, 01 March 2018 and 26 February where Mr Cordell harassed me but the police did nothing despite evidence of him breaching the injunction order. All they would do will be to attend the Property, speak to him and leave without investigating the incidents.
9. I feel let down by the system and constantly fear for my safety. I contacted my local authority (the London Borough of Waltham Forest) to be moved out of the estate as myself, husband and 3-year-old are afraid to stay there. However Waltham Forest is not taking any actions at the moment.
10. I feel that the existence of the injunction has not provided the adequate protection to me and my family. As things stand the Defendant feels that he injunction is ineffective as the lack of actions from the police currently encourages him to act badly towards me and my family. We therefore hope that the Court will support us and take appropriate actions following the breaches.
11. I would therefore ask the Court to consider the application in light of the recent incidents, to commit the Defendant to an arrest and impose a sentence following his breaches of the injunction.

**Dated this    day of April    2018**

.....

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-AND-

MR SIMON CORDELL

Defendant

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EXHIBIT RM1

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Dr H I Swedan  
Claremont Medical Centre  
27 Claremont Road  
Walthamstow  
LONDON  
E17 5RJ  
Tel No: 0208 527 1888  
Fax No: 0208 527 8111

9<sup>th</sup> April 2018

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971  
14 Netley Road, Walthamstow, E17 7QD →  
Mobile No: 07891740939

117 BURNCROFT AVE  
EN3 7JQ

I would be grateful for your urgent help and support for this family. The above named lady lives with her husband and 3-year-old girl and they have been subject to from problems from the next door neighbour and her husband was assaulted and had to call an ambulance. They are terrified and especially the young girl and she is crying. Mrs Mathiyalagan suffers from hypertension. She is on treatment. Her husband also suffers from high blood pressure and he is diabetic.

Yours sincerely



Dr H I Swedan

Dr H I SWEDAN  
Claremont Medical Centre  
27 Claremont Road  
London E17 5RJ  
Tel: 0208 527 1888

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

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DRAFT ORDER

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Before District Judge sitting at the Edmonton County Court.

AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.

The Judge read the written evidence filed and the Order of District Judge Taylor dated 09 January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person):

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

AND UPON the Court noting that a power of arrest being attached on the above

AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09 January 2018 [paragraphs 3-5] of the order dated 09 January 2018 by harassing, intimidating and assaulting one of his neighbours on 15 March 2018, 01 March 2018 and 26 February 2018. But also by shouting abuse, swearing and making threats to two employees of the Claimant and one of his neighbours at the hearing dated 01 May

IT IS ORDERED

(1) that for his contempt the Defendant stands committed to HM Prison (name of prison) for a period of (number of days or as may be) from the date of his apprehension.

(2) that for his contempt the Defendant pays to Her Majesty the Queen a fine of £ on or before (date payment due).

(5) that the costs of the Claimant [summarily assessed in the sum of £ 1,000] to be the subject of a detailed assessment be paid by the Defendant to the Claimant.

(6) that the contemnor has permission to apply to the Court to clear his contempt and ask for his release or discharge.

Dated.

1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 2
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

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WITNESS STATEMENT OF MR LEMMY NWABUISI

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I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

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2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.
3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

#### **Backgrounds to the case**

4. The Claimant obtained an interim injunction against the Defendant on 09 January 2018. Two committal applications were made against the Defendant on 05 February and 20 April 2018 on the basis that he has breached the terms of the interim injunction by making threats to me and another employee of Enfield Council. There were also incidents where the Defendant have physically assaulted one of his neighbours and acted in a threatening and intimidating way towards them. The two committal applications were sent to the Defendant by the Court by post but the

Claimant failed to personally serve those two applications. A Court hearing took place on 01 May 2018 to consider the committal application dated 20 April 2018; however, District Judge Taylor adjourned the hearing of the application to 30 May 2018 to allow the Claimant time to personally serve the committal application.

**Attempted service of the two committal applications dated 05 February and 20 April 2018.**

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under exhibit 'LM1'.
6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

**Additional breach of the interim injunction order following an incident which occurred on 01 May 2018**

7. A Court hearing on this matter took place on 01 May 2018 and the Defendant displayed aggressive and threatening behaviour against me, one employee at Enfield Council Ms Balbinder Kaur Geddes and Mr

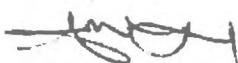
Mathiyalagan who is one of our witnesses in the committal applications. Such behaviour was also displayed towards District Judge Taylor and members of staff and security of the Edmonton County Court.

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'I'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.
9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.

10. While waiting in the corridor outside the Court room, the Defendant kept on shouting abuse at me, Mr Mathiyalagan and other people waiting in the Court corridor. I then decided to go to the other side of the Court waiting area with Ms Geddes Kaur and Mr Mathiyalagan to avoid further abusive behaviour from the Defendant; however, we could still hear him from the other end of the Court.
11. The Judge called the parties back in and directions were made including adjourning the hearing to 30 May 2018. As I left the Court building with Ms Kaur Geddes and Mr Mathiyalagan, the Defendant and his mother Lorraine Cordell were waiting outside of the Court entrance, on the other side of the road. The Defendant started shouting and abusing us. I then spoke to the Defendant and said to him that he was ruining people's life by his conduct. The Defendant tried to come after us but his mother held him back. Because of his threatening and aggressive conduct, I had to take a different direction to my car to avoid the Defendant and ensure that the persons who were with me were safe. Ms Kaur Geddes was a party to the incident and a separate witness statement in support of the application notice is being provided by her.
12. The above incident constitutes a clear breach of the injunction order and I would like this to be added to the committal application dated 20 April 2018 and that it be considered at the hearing on 30 May 2018.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD,

Claimant

-and-

MR SIMON CORDELL

Defendant

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EXHIBIT 'LM1'

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Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

STATE AS FOLLOWS :-

1. That I am over sixteen years of age.
2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that "he had difficulty reading" (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.
3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 05 February 2018
- c) An Application Notice dated 05 February 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) A Power of Arrest dated 09 January 2018
- f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
- g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
- h) A Draft Order

And

- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 24 April 2018
- c) An Application Notice dated 20 April 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
- f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
- g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. 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 in it anything which I know to be false or did not believe to be true.

Signed:



08/05/2018

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Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



08/05/2018

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1. Made on behalf of the Claimant
2. Witness Statement of Balbinder Kaur Geddes
3. Statement No. 1
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

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I, Ms Balbinder Kaur Geddes of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.
2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.

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3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.
4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.
5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.

6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.
7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.
8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.
9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

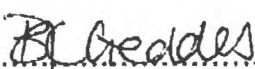
granted, the Claimant would like permission from the Court to effect service of the documents by Post and/ or through the Defendant's letter box.

10. While the hearing was taking place the Defendant was constantly shouting throughout the hearing in the waiting room, and had become much louder and his mother had to leave the court room to deal with him.

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr Nwabuisi; I did tell Mr Nwabuisi not to respond to him but the Defendant was trying to come to our directions but was held back by his mother. We proceeded to walk away in the opposite direction to avoid him so we could reach our car without any disruptions.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Ms Balbinder Kaur Geddes

Dated this 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

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EXHIBIT 'BKG1'

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Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

STATE AS FOLLOWS :-

1. That I am over sixteen years of age.
2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that "he had difficulty reading" (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.
3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 05 February 2018
- c) An Application Notice dated 05 February 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) A Power of Arrest dated 09 January 2018
- f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
- g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
- h) A Draft Order

And

- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 24 April 2018
- c) An Application Notice dated 20 April 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
- f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
- g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. 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 in it anything which I know to be false or did not believe to be true.

Signed:



08/05/2018

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Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



08/05/2018

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Please reply to: Legal Services  
PO Box 50, Civic Centre  
Silver Street,  
Enfield EN1 3XA

**Edmonton County Court**

E-mail: Ludmilla.Iyavoo@enfield.gov.uk  
Phone: 0208 379 8323  
DX: 90615 Enfield 1  
Fax: 0208 379 6492  
My Ref: LS/C/LI/157255  
Your Ref:  
Date: 14 May 2018

Dear Sirs

**Re: The London Borough of Enfield v Cordell**  
**Claim number: E00ED049**

Please find enclose the following documents:

1. Application notice (N244) seeking leave from the Court to dispense with personal service of the committal applications dated 05.02.2018, 20.04.2018 and application notice dated 11.05.2018, pursuant to CPR 81.10(5).
2. Witness statement of Mr Nwabuisi and Ms Kaur Geddes dated 10.05.2018
3. Witness statement of attempted service of Mr Andy Philippou, process server.

We authorise you to take away the relevant fee from our PBA Account, which details are as follows:

**PBA Account details: 0079006**  
**Reference: LS/LI/C/157255**  
**Fee: £255.00**

Yours faithfully,

  
Ludmilla Iyavoo

Lawyer

For the Director of Law and Governance

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.

<b>Name of court</b> Edmonton County Court		<b>Claim no.</b> E00ED049	
<b>Fee account no.</b> (if applicable) 0079006		<b>Help with Fees – Ref. no.</b> (if applicable) HWF- - - - -	
<b>Warrant no.</b> (if applicable)			
<b>Claimant's name</b> (including ref.) The London Borough of Enfield (LS/C/LI/157255)			
<b>Defendant's name</b> (including ref.) Mr Simon Cordell			
<b>Date</b>		14.05.2018	

1. What is your name or, if you are a legal representative, the name of your firm?

London Borough of Enfield, Legal Services

2. Are you a ☐ Claimant ☐ Defendant ☒ Legal Representative  
☐ Other (please specify)

If you are a legal representative whom do you represent?

Claimant

3. What order are you asking the court to make and why?

The Claimant seeks leave from the Court to: 1) Dispense with personal service of the committal applications dated 05.02.2018 and 20.04.2018 pursuant to CPR 81.10(5) and 2) Dispense with personal service of the application notice dated 11.05.18 seeking to amend the committal application of 20.04.18.

4. Have you attached a draft of the order you are applying for?

☐ Yes ☒ No

5. How do you want to have this application dealt with?

☒ at a hearing ☐ without a hearing  
☐ at a telephone hearing

6. How long do you think the hearing will last?

Hours  Minutes

Is this time estimate agreed by all parties?

☐ Yes ☐ No

7. Give details of any fixed trial date or period

30/05/2018, 2pm

8. What level of Judge does your hearing need?

District Judge

9. Who should be served with this application?

Defendant

- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

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10. What information will you be relying on, in support of your application?

- ☒ the attached witness statement  
☐ the statement of case  
☒ the evidence set out in the box below

If necessary, please continue on a separate sheet.

**Statement of Truth**

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed

Dated 11/05/2018

Applicant's legal representative's (~~s. litigation friend~~)

Full name Ms Ludmilla Iyavoo

Name of applicant's legal representative's firm London Borough of Enfield, Legal Services

Position or office held Solicitor

(if signing on behalf of firm or company)

11. Signature and address details

Signed

Dated 11/05/2018

Applicant's legal representative's (~~s. litigation friend~~)

Position or office held Solicitor

(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield  
legal Services  
PO BOX 50  
Civic Centre  
Enfield

Postcode E N 1 3 X A

If applicable

Phone no. 0208 379 8323

Fax no.

DX no. 90615 Enfield 1

Ref no. LS/C/LI/157255

E-mail address

**10. What other information will you be relying on in support of the application?**

1. An interim injunction order was made against the Defendant on 09.01.2018.
2. The order was served personally on 10.01.2018 and the injunction has a power of arrest attached to it. The Defendant committed further breaches of the injunction and as a result two committal applications were issued by the Claimant respectively on 05.02.2018 and on 20.04.2018.
3. A hearing took place in the Edmonton County Court before Employment Tribunal Judge Taylor who ordered that the proceedings be adjourned to 30.5.2018 on the basis that personal service of the committal applications did not take place pursuant to CPR 81.10(4).
4. On 02.05.2018 the Claimant instructed a process server to effect personal service of the two committal applications. However the Defendant refused to accept service despite identifying himself to our process server. In view of the Defendant's refusal to accept personal service of the documents the Claimant is making the present application notice to seek the Court's permission to dispense with service pursuant to CPR 81.10 (5). The Court should also note that the Defendant's mother Ms Lorraine Cordell accepts that the two committal applications were received by Post in any event. There is a witness statement of attempted service from Mr Andy Philippou dated 08.05.2018 which is attached to this application dated 10.05.2018.
5. Further breaches of the injunction were also committed by the Defendant on 01.05.2018 inside and outside of the Edmonton County Court premises. The Defendant was shouting, swearing and made threats to two of the Claimant's employees and one neighbour who attend a Court hearing on the day. The incident is supported by the witness statements of Lemmy Nwabuisi and Ms Balbinder Kaur Geddes which are attached to this application.
6. As a result of the recent incident, the Claimant has decided to issue an application notice dated 11.05.2018 to include the incident in the committal application dated 20.04.2018. An amended committal application was prepared and personal service was attempted upon the Defendant by our process server on 11.05.2018 but this was refused by the Defendant. There is a witness statement of attempted service from Mr Andy Philippou dated 11.05.2018. In view of the Defendant's refusal to accept an amended committal application, the Claimant would ask permission from the Court to dispense with personal service of the amended committal application and to allow service to take place by other means.
7. This application is made ex parte on the basis that the next hearing to hear the committal application is listed on 30.05.2018 and the Defendant needs to be served with the two committal applications and application notice dated 11.05.2018 at least 14 days in advance of the next hearing.

1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 2
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

WITNESS STATEMENT OF MR LEMMY NWABUISI

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I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.
3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

#### **Backgrounds to the case**

4. The Claimant obtained an interim injunction against the Defendant on 09 January 2018. Two committal applications were made against the Defendant on 05 February and 20 April 2018 on the basis that he has breached the terms of the interim injunction by making threats to me and another employee of Enfield Council. There were also incidents where the Defendant have physically assaulted one of his neighbours and acted in a threatening and intimidating way towards them. The two committal applications were sent to the Defendant by the Court by post but the



Claimant failed to personally serve those two applications. A Court hearing took place on 01 May 2018 to consider the committal application dated 20 April 2018; however, District Judge Taylor adjourned the hearing of the application to 30 May 2018 to allow the Claimant time to personally serve the committal application.

**Attempted service of the two committal applications dated 05 February and 20 April 2018.**

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'LM1'**.
6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

**Additional breach of the Interim injunction order following an incident which occurred on 01 May 2018**

7. A Court hearing on this matter took place on 01 May 2018 and the Defendant displayed aggressive and threatening behaviour against me, one employee at Enfield Council Ms Balbinder Kaur Geddes and Mr

Mathiyalagan who is one of our witnesses in the committal applications. Such behaviour was also displayed towards District Judge Taylor and members of staff and security of the Edmonton County Court.

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'I'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.
9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.



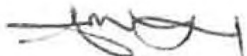
10. While waiting in the corridor outside the Court room, the Defendant kept on shouting abuse at me, Mr Mathiyalagan and other people waiting in the Court corridor. I then decided to go to the other side of the Court waiting area with Ms Geddes Kaur and Mr Mathiyalagan to avoid further abusive behaviour from the Defendant; however, we could still hear him from the other end of the Court.

11. The Judge called the parties back in and directions were made including adjourning the hearing to 30 May 2018. As I left the Court building with Ms Kaur Geddes and Mr Mathiyalagan, the Defendant and his mother Lorraine Cordell were waiting outside of the Court entrance, on the other side of the road. The Defendant started shouting and abusing us. I then spoke to the Defendant and said to him that he was ruining people's life by his conduct. The Defendant tried to come after us but his mother held him back. Because of his threatening and aggressive conduct, I had to take a different direction to my car to avoid the Defendant and ensure that the persons who were with me were safe. Ms Kaur Geddes was a party to the incident and a separate witness statement in support of the application notice is being provided by her.

12. The above incident constitutes a clear breach of the injunction order and I would like this to be added to the committal application dated 20 April 2018 and that it be considered at the hearing on 30 May 2018.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 10 May 2018



IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

EXHIBIT 'LM1'

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Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

STATE AS FOLLOWS :-

1. That I am over sixteen years of age.
2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.
3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 05 February 2018
- c) An Application Notice dated 05 February 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) A Power of Arrest dated 09 January 2018
- f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
- g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
- h) A Draft Order

And

- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 24 April 2018
- c) An Application Notice dated 20 April 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
- f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
- g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. 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 in it anything which I know to be false or did not believe to be true.

Signed:



08/05/2018

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Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO: E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



08/05/2018

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1. Made on behalf of the Claimant
2. Witness Statement of Balbinder Kaur Geddes
3. Statement No. 1
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

---

I, Ms Balbinder Kaur Geddes of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.
2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.

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3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.
4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.
5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.



6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.
7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.
8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.
9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

granted, the Claimant would like permission from the Court to effect service of the documents by Post and/ or through the Defendant's letter box.

10. While the hearing was taking place the Defendant was constantly shouting throughout the hearing in the waiting room, and had become much louder and his mother had to leave the court room to deal with him.

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr Nwabuisi; I did tell Mr Nwabuisi not to respond to him but the Defendant was trying to come to our directions but was held back by his mother. We proceeded to walk away in the opposite direction to avoid him so we could reach our car without any disruptions.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed... BL Geddes.....

Ms Balbinder Kaur Geddes

Dated this 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

EXHIBIT 'BKG1'

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Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

STATE AS FOLLOWS :-

1. That I am over sixteen years of age.
2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.
3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 05 February 2018
- c) An Application Notice dated 05 February 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) A Power of Arrest dated 09 January 2018
- f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
- g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
- h) A Draft Order

And

- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 24 April 2018
- c) An Application Notice dated 20 April 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
- f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
- g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. 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 in it anything which I know to be false or did not believe to be true.

Signed:



08/05/2018

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Statèment filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



08/05/2018

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Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

**WITNESS STATEMENT OF ATTEMPTED SERVICE**

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

2. That I did on Friday 11 May 2018 at approximately 9.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with a single envelope containing the following:

- a) A Letter from the Claimant Solicitor dated 11 May 2018
- b) An Application Notice dated 11 May 2018
- c) An Application Notice marked 'Amended Application Notice'
- d) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018 with Exhibits
- e) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018 with Exhibit
- f) An amended Draft Order
- g) A Witness Statement of Mr Lemmy Nwabusi dated 10 May 2018 with Exhibit
- h) A Witness Statement of Ms Balbinder Kaur Geddes dated 10 May 2018 with Exhibit

3. That I did at the time of attendance having being unable to gain access to the building initially attempt to gain the attention of the above named defendant by tapping at the glass of the downstairs window, with no response. At approximately 9.20.am after having gained access to the building as a resident was leaving the building, I did knock at the front door of the defendant of 109

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Burncroft Avenue, Enfield, Middlesex EN3 7JQ . With the above named defendant responded from behind the front door and as on my previous attendance at the address asked "who is it". After having identified myself as I had done so on my previous attendance and the nature of my attending and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelope containing the documents referred to in this my statement; I did ask on more than one occasion if the defendant would oblige by opening the front door. That I did after having being refused access to personal service at the address and with the letterbox to the address quite clearly being obstructed by what left like a 'wooden plate' proceed to find a fixing for the sealed envelope addressed to the above named defendant containing the aforementioned documentation. That I did continue to affix the envelope whilst the defendant continued to speak in what could be best described as in a nonsensical manner as the conversation bore no relevance to my attending the address or the nature of my attendance. The defendant continued to speak about the 'unlawful' act I was performing by affixing with a cable tie the sealed envelope in a plastic wallet to the external door hinge of 109 Burncroft Avenue, EN3 7JQ. That I did whilst performing this act explain to the defendant that by his refusing to open the door to me and by sealing access through the letterbox that by effecting 'lodgement' at the address in this manner was the only course of action left open to me. That I did having re-affirmed this to the defendant and his saying "what if someone takes this off in five minutes" state by virtue of our conversation and his knowledge of my action did not excuse his not wishing to be informed of the Claimant attempting to effect service upon the above named Defendant. That I did at approximately 9.35.am affix with a cable tie in a plastic wallet attached to the side hinge 'barrel' of the door frame of 109 Burncroft Avenue, EN3 7JQ a sealed envelope addressed to the defendant in order that its content would have come to the attention of the Defendant.

4. 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 in it anything which I know to be false or did not believe to be true.

Signed:



11/05/2018



Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

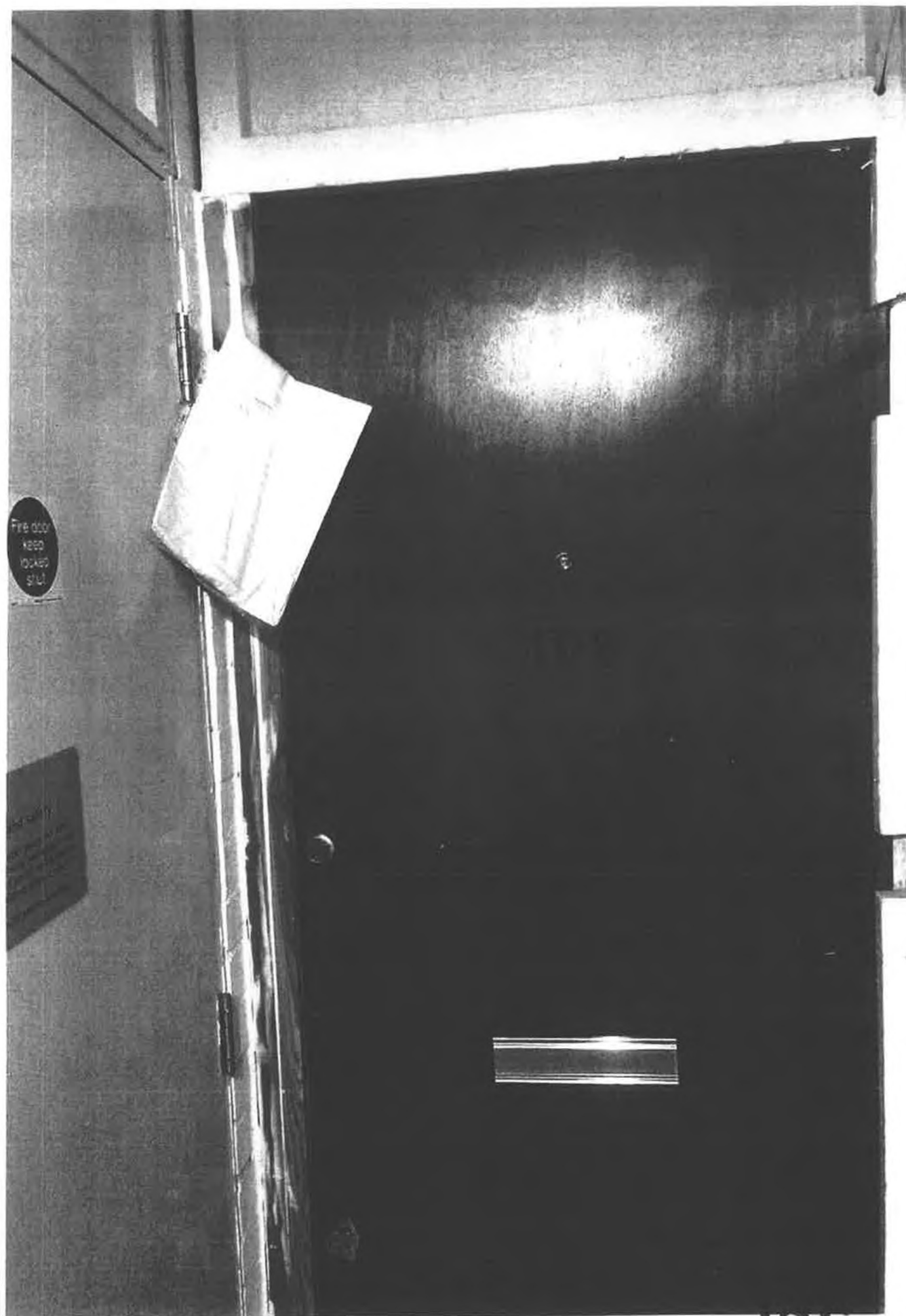
This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:

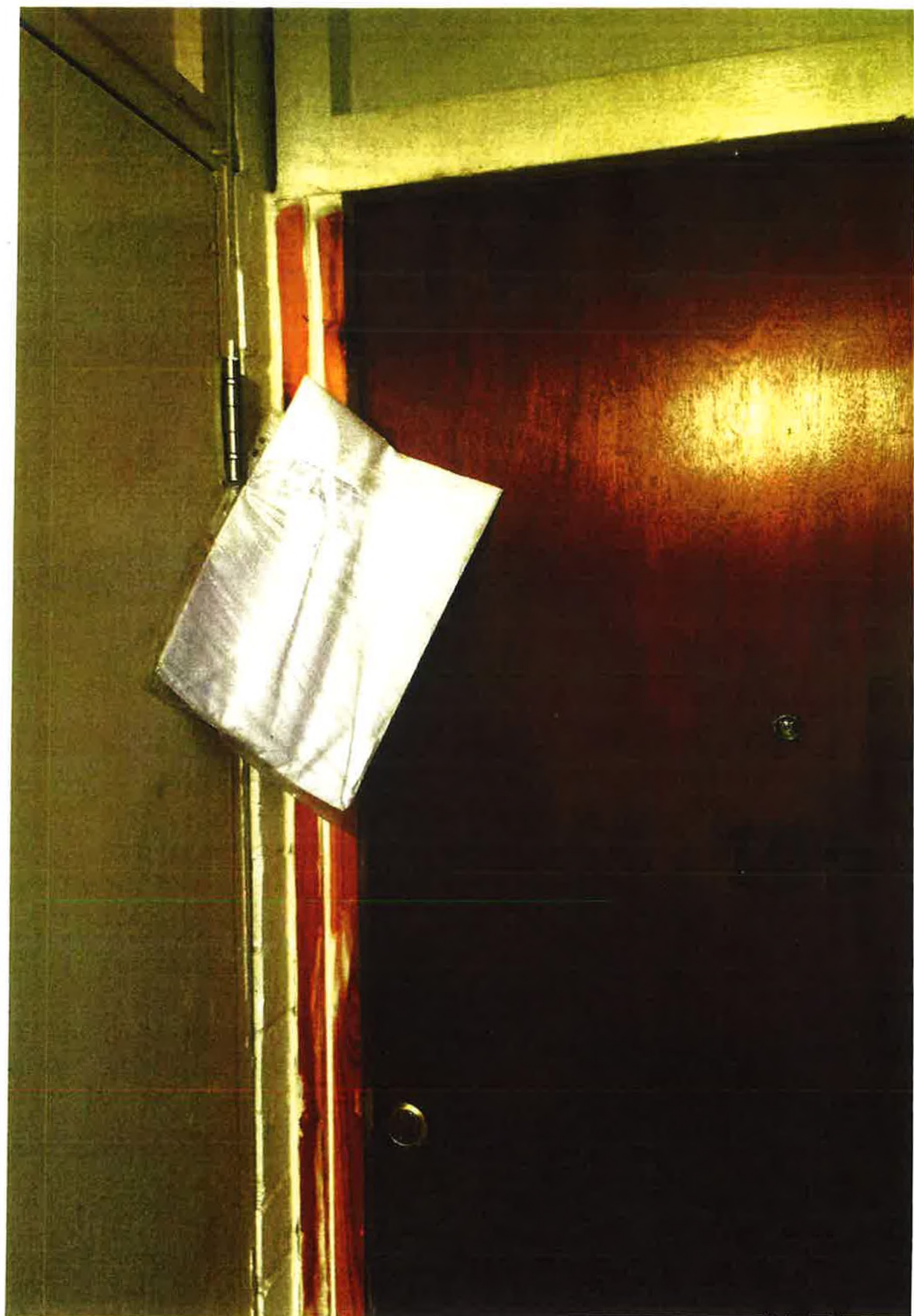


11/05/2018

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# General Form of Judgment or Order

In the County Court at  
Edmonton

Claim Number E00ED049

Date 14 May 2018



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

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

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## General Form of Judgment or Order

In the County Court at  
Edmonton

Claim Number E00ED049

Date 14 May 2018



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

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

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Please reply Legal Services  
to: PO Box 50, Civic Centre  
Silver Street,  
Enfield EN1 3XA

**Edmonton County Court**  
**DX: 136686 Edmonton 3**

E-mail: Ludmilla.lyavoo@enfield.gov.uk  
Phone: 0208 379 8323  
90615 Enfield 1

Fax: 0208 379 6492

My Ref: LS/C/LI/155584

Your Ref:

Date: 15 May, 2018

## URGENT

Dear Sirs

**Re: The London Borough of Enfield-v- Cordell- E00ED049**

We write further to the Claimant's ex parte application which was considered by Deputy District Judge Genn on 14 May 2018 in the Edmonton County Court.

The Claimant collected a copy of the Order which was drafted shortly after the hearing. However paragraph 2 of the order is slightly ambiguous and incomplete. It reads as follows:

*'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'.*

The Claimant's application notice issued on 14 May 2018 and considered by the Judge requested the following:

- 1) The Claimant seeks permission from the Court to dispense with personal service of the applications dated 05.02.2018 and 20.04.2018 pursuant to CPR 81.10 (5) and;
- 2) To dispense with personal service of the application notice dated 11.05.2016.

At the hearing it was explained to the judge that the Defendant has evaded personal service of the committal applications dated 05.02.2018 and 20.04.2018 and of the application notice dated 11.05.2018. The witness statements provided with the application also support the position. It was further explained that as a result of the

Jeremy Chambers  
Director of Law & Governance  
Enfield Council  
Civic Centre, Silver Street  
Enfield EN1 3XY  
[www.enfield.gov.uk](http://www.enfield.gov.uk)



? If you need this document in another language or format contact the service using the details above.

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Defendant's conduct we would seek permission to have service of the application dispensed with. .

The Judge read the application and the Claimant's witness statements and agreed that service could not be effected and as a result agreed to have all 3 applications served by email upon the Defendant's mother Ms Lorraine Cordell, pursuant to CPR 81.10(5)(b).

Therefore what is missing from the Court order is an additional paragraph which gives the Claimant permission to serve BOTH committal applications (05.02.2018 and 20.04.2018) by email on Mrs Cordell. Such position was accepted by the Judge at the hearing but unfortunately is not reflected in the Court Order. This was requested in the application notice and agreed by the Judge, We would therefore like the order to be amended accordingly.

We would be grateful if this letter could be passed on to the Judge to have the order amended accordingly. Please note that the next hearing on this case is listed on 30 May 2018, 2pm and we would be grateful if the order could be amended as a matter of urgency.

Yours faithfully,



L. Iyavoo

Lawyer

For the Director of Law and Governance

# General Form of Judgment or Order

In the County Court at  
Edmonton

Claim Number E00ED049

Date 14 May 2018



THE LONDON BOROUGH OF ENFIELD

1<sup>st</sup> Claimant  
Ref LS/C/L1/155584

MR SIMON CORDELL

1<sup>st</sup> Defendant  
Ref



Before Deputy District Judge Genn sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.  
**ORDER AMENDED UNDER THE 'SLIP RULE'**

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 the Applicant to amend the application for committal dated 20.04.2018.



2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 the amended application by email upon Mrs Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.



Dated 14 May 2018

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N24 General Form of Judgment or Order

Produced by: D. Humphreys  
CJR065C

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## General Form of Judgment or Order

In the County Court at  
Edmonton

Claim Number	E00ED049
Date	14 May 2018



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



Before Deputy District Judge Genn sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.  
**ORDER AMENDED UNDER THE 'SLIP RULE'**

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 the Applicant to amend the application for committal dated 20.04.2018.
2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 the amended application by email upon Mrs Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.

Dated 14 May 2018



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# General Form of Judgment or Order

In the County Court at  
Edmonton

Claim Number	E00ED049
Date	12 June 2018



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

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

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

The Court Manager  
Edmonton County Court

Please Legal Services  
reply to : PO Box 50, Civic Centre  
Silver Street,  
Enfield EN1 3XA

E-mail :  
Phone : 0208379 6470  
DX : 90615 ENFIELD 1  
Fax : 0208 379 6492  
My Ref : LS/C/LI/157255  
Your Ref :  
Date : 08 August 2017

**BY HAND**

Dear Sirs,

**Re: LONDON BOROUGH OF ENFIELD v SIMON CORDELL**  
**APPLICATION FOR WITHOUT NOTICE INJUNCTION**  
**ANTI-SOCIAL AND CRIME AND POLICING ACT 2014**

We write further to the above matter.

We enclose 3 copies of our application for an injunction..

Please deduct the issue fee of £308 from our PBA Account number 0079006.

Thank you for your assistance.

Yours faithfully,

  
Lugmilla Iyavoo  
for Assistant Director, Legal Services

James Rolfe  
Director of Finance, Resource  
and Customer Services  
Enfield Council  
Civic Centre, Silver Street  
Enfield EN1 3XY



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[enfield.council@enfield.gov.uk](mailto:enfield.council@enfield.gov.uk)



## Claim Form (CPR Part 8)

In the

Claim no.

Fee Account no.

Help with Fees -  
Ref no. (if applicable) **H W F -**

**Claimant**

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

SEAL

**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 £ 308.00

Legal representative's costs TBA

Issue date

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.**

**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



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

position or office held 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.

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# Application for Injunction (General Form)

Name of court EDMONTON COUNTY COURT	Claim No.
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. 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) <sup>(4)</sup>**

**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.**

**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.**

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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IN THE EDMONTON COUNTY COURT

CLAIM NUMBER:

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

(CLAIMANT)

-AND-

MR SIMON CORDELL

(DEFENDANT)

---

DRAFT ORDER

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**IMPORTANT PENAL NOTICE**

**If you do not obey this Order you will be guilty of contempt of court and you may be sent to prison**

If you, Mr Simon Cordell (the Defendant) disobey this Order you will be guilty of contempt of court and you may be sent to prison or fined or have your asset seized. You should read this Order carefully and are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.

Before Circuit/ District Judge .....

The Defendant 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)

1. Made on behalf of the Claimant
2. Witness Statement of John Irving
3. Statement No. 1
- 4.
5. Dated 28 July 2017

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

WITNESS STATEMENT OF MR JOHN IRVING

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I, Mr John Irving, of 117 Burncroft Avenue, Enfield, EN3 7JQ (Leaseholder) make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the landlord of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. The flat is located just above the Defendant's. The Property is currently let to Mr Mathiyalakan and it is being occupied by him, wife and his children.
2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment

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and alarm to me, my tenants and other residents on Burncroft Avenue, Enfield, EN3 7JQ. The application also seeks access to the Defendant's Property to enable the Claimant to carry out checks on the Defendant's water pipes which are possibly affecting my tenant's water pressure and supply.

### **Background**

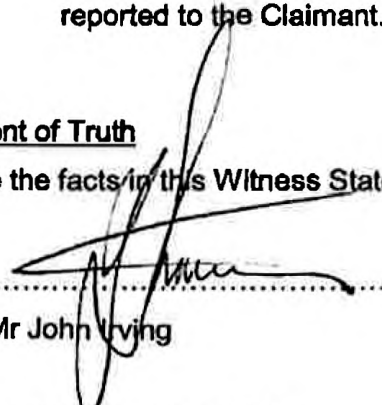
3. In the evening of 12 July 2017, I met with one of the Council's in house legal surveyors, Mr Neville Gray with regards to an ongoing low water pressure issue. Mr Gray attended my property (Flat 117) at 11am on the day and agreed that the water pressure was not adequate. An attempt was made to gain access to the two flats immediately below, including the Defendant's but this was unsuccessful.
4. At approximately 17.00 hrs the same day I was contacted by the managing agent informing me that there was now no water at the flat. I contacted Mr Gray and we both decided to attend the Property out of hours. I arrived at the flat to discover that water had been totally cut off for approx. 30 minutes, but surprisingly shortly after our arrival a supply was resumed and with good pressure. This despite the fact that low pressure had been a continual problem since 27 December 2016. Thames Water and plumbers have attended my property on at least 5 occasions but could not find a reason for the low pressure.
5. The Defendant lives in Flat 109 and in conjunction with his mother/mediator, was contacted by Mr Neville Gray with the intention of inspecting his flat. However, this was declined by the Defendant. Although I was inside the block, (on the landing), I watched the discussion from the open window. It was obvious the Defendant was becoming increasingly agitated by the raised voices and approaches towards Mr Gray. I could

see that he was not comfortable with the situation, and he backed off. He seemed to be very vocal with an aggressive manner, which was intimidating; at this point Mr Gray called for the police to attend.

6. I wish to add that on a previous visit to the property on 26 January 2017, to resolve the low water pressure, the Defendant had informed me that he was restricting the supply and stated: 'you will not solve the problem as I am restricting their water supply'. This was mentioned to me in front of an independent witness, a plumber who was attending with me. As I was leaving my Property, I saw the Defendant in the communal hallway and asked whether he could reinstate the water pressure to my tenant's property, however he responded by saying 'I cannot do anything at the moment I will sort it out later'. This information has previously been reported to the Claimant.

**Statement of Truth**

I believe the facts in this Witness Statement are true.

Signed.....

Name: Mr John Irving

Dated this 28 day of July 2017

1. Made on behalf of the Claimant
2. Witness Statement of Neville Gray
3. Statement No. 1
4. Dated 01 August 2017

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

WITNESS STATEMENT OF MR NEVILLE GRAY

---

I, Mr Neville Gray, of PO BOX 50, Civic Centre, Silver Street, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an in-house legal disrepair surveyor and have been so employed since February 2014. My role consists of carrying out property inspections, diagnosis and the management of repairs to the councils entire housing stock along with dealing with and overseeing all disrepair claims.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment and alarm to me, other Council Officers and residents near his property on Burncroft Avenue, Enfield, EN3 7JQ. The application also seeks access to the Defendant's Property to enable the Claimant to carry out routine and maintenance inspections.

### **Background**

3. The Defendant is a secure tenant of Flat 109 Burncroft Avenue, Enfield EN3 7QJ.
4. I first visited this property in the morning of 12 July 2017 at 11.00 am after complaints were made from the tenants at Flat 117 regarding the low pressure of their water supply. I knocked on the Defendant's flat at 109 but there was initially no answer, I had noticed that the front entrance door to the property was unlocked and slightly open; I could also hear a dog barking which appeared very aggressive. I shouted through the open door and explained that I needed to come to his property and check the water tap but he refused to come to the door. The Defendant was shouting and swearing at me to go away. At that time I had immediately backed off and called the Claimant's call centre who then called his mother Ms Lorraine Cordell, on my behalf who then attended the Defendant's Property with her brother. The Defendant's still refused access and was extremely vocal and so that visit did not proceed but was re-scheduled for Thursday 13 July and then changed to Monday 17 July as his mother was not available.
5. On 12 July 2017 at 5.39pm, I received calls from both the Leaseholder and the Managing Agents of Flat 117 advising that their tenants' (Mr and Mrs Mathiyalakan) water supply had stopped completely. I also called the tenant of 113 (Mr Quinton) and he had agreed to meet me at his property. I then called Ms Cordell and expressed urgency of accessing his property

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also this evening to check his stop cock. It was agreed for her to meet me at the property along with the tenant of 113 and the Leaseholder of 117. I contacted one of the Claimant's housing managers, Mr Clive Green who expressed his concern of me attending out of hours but it was then agreed that I could attend but call him as soon as I arrived and at ten minute intervals.

6. On route to the property the Leaseholder of Flat 117 Mr John Irving called and said that their pressure was on and normal and was off for approximately 30 minutes. The pressure was poor that morning and became non-existent the same evening for 30 minutes without explanation and then returned to normal better than it had been since December 2016. This caused me concern as there was a strong suggestion that the Defendant was restricting pressure to the tenants of Flats 113 and 117 who have both confirmed the problems they have had and that the Defendant had said to them that he was controlling the water pressure previously.
7. Mr Quinton of Flat 113 said that he has not been at his property for 6 months as he is scared of the Defendant's violent conduct who had also banged and kicked on his front door previously.
8. The leaseholder of Flat 117 Mr John Irving also reported to me that the Defendant has been demanding money off of his tenant at 117 to the value of £500.
9. The Defendant refused access again in the evening on 12 July 2017 but when I was about to return to my car he came out and although he was initially reasonable, he then started shouting and swearing at me outside the main communal front entrance. I backed away and made my way to my car but he started following me continually showing aggression and using vile language, this must have been around 19.30pm. At that point I called

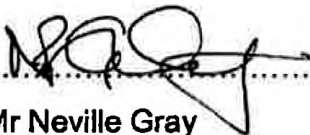
one of my managers and advised that I required assistance. The Defendant's behaviour continued to worsen against me and so I called the Police as he would not allow me to approach my car. A police reference number was provided to me on the day 775912072017 CAD.

10. I awaited the Police and they spoke to the Defendant's mother Lorraine Cordell. The Defendant refused to come out or allow access. He wanted me to return on Monday of which I have now refused to do because of his threats and violence.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....



Name: Mr Neville Gray

Dated this 04 day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Markandu Mathiyalakan
3. Statement No. 1
4. Exhibits
5. Dated 02.08.2017

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

WITNESS STATEMENT OF MR MARKANDU MATHIYALAGAN

---

I, Mr Markandu Mathiyalagan, of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and children. I have been house to this Property with my family on 11<sup>th</sup> September 2014 by Waltham Forest District Council. The Property was given to me as a temporary accommodation.

2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment to me and other residents.

### **BACKGROUND**

3. The problem with the Defendant started a few months after we moved into the property, after the Defendant approached me asking me to write a letter of support in relation to a problem he was having with the lady that used to live at Flat 113 Burncroft Avenue. I refused to write the letter and told the Defendant that I do not want to get involved as I did not have any problems with the lady. Since then the Defendant has made living in this block difficult for me and my family. He has been very aggressive to my family and I and has continuously intimidated, threatened and harassed my wife, cousin and me.
4. The Defendant have repeatedly accused us of making noise inside our flat even though our flat is situated two floors above his and the person living directly below us have never complained to us about noise. He has shouted abuse at us, damaged our properties and aggressively demanded money from me. My family and I are constantly living in fear and my wife is frightened to stay at home and has had to accompany me to work on several occasions and stayed in the car with our young daughter until I finish work.
5. The Defendant has slashed my car tyres, damaged my fuse box and has physically threatened to hit me with a piece of wood. He has a big dog that he brings out with him without a lead when he approaches us and he has used the dog to intimidate us. He also allows the dog to bark and run freely inside the communal hallway and staircase without a lead. I have reported

all the issues to the police and Waltham Forest, the local authority that placed me in the property but each time the police attends, the Defendant will lock himself inside his flat and will refuse to answer his door.

6. On 6<sup>th</sup> August 2016 at 6pm, the Defendant threatened and shouted abuse at me and my wife, he aggressively demanded money from me and threatened to beat me up. He repeatedly swore at my wife, called her a 'witch' and tried to stop me from going up the stairs to my flat by standing in front of me and placing his hands on the railings.
7. On 8<sup>th</sup> August 2016, the Defendant aggressively banged on my front door, shouted abuse at me and my wife and accused us of making noise. He then used a screw driver to damage the lock on my electric meter cupboard and removed the fuse box thereby cutting off our electricity supply. I reported the incident to the police and was given reference number CAD 7934/August 2016.
8. On 27<sup>th</sup> September 2016 at 11:45pm, I was confronted by the Defendant as I returned to my flat with my wife and young daughter and he threatened and swore at me and demanded money from me.
9. On 28<sup>th</sup> September 2016 at 5:30pm, the Defendant aggressively banged on my front door and threatened and shouted verbal abuse and swear words at me and my wife. He also aggressively demanded money from me.
10. On 8<sup>th</sup> December 2016, the Defendant aggressively banged on my front door while my wife was alone in our flat with our young daughter and accused her of making noise. He also shouted abuse and threats at her. The incident was reported to the police and I was given reference number 5227336/16.

11. On 11<sup>th</sup> December 2016, the Defendant aggressively banged on my front door and accused us of making noise, he also shouted abuse and threats at me and my wife.
12. On 23<sup>rd</sup> December 2016 at 3:43pm, the Defendant banged on my front door while my wife was alone at home with our young daughter, he shouted abuse at her and asked her to go to the bathroom and turn off the taps. He also removed our electricity fuse thereby cutting off our power supply. I reported the incident to the police and was given reference number 5753/23<sup>rd</sup> December 2016.
13. On 26<sup>th</sup> December 2016 at about 12:30pm, my family and I was going out and as we got to the first floor, the Defendant came running up the stairs towards us with a towel round his waist and started to shout abuse at us and accused us of tampering with water and stopping the water supply to his flat. I tried to explain to him that we also have restricted water supply to our flat but he will not listen and continued to shout abuse at us and followed us until we left the block.
14. On 3<sup>rd</sup> January 2017 at 10:47pm, the Defendant confronted me, my wife and our two-year-old daughter as we returned from a family outing and followed us up the stairs and started to shout that we were deliberately banging on the water pipes and making noise. The Defendant also talked about saving me from being beaten up by some unknown persons, he stated that he caught my wife and I making noise inside my bathroom, called me a 'lying cunt' and asked me to swear on my baby's life that we were not banging. He continued to shout abuse and threats at us for about 15 minutes.

15. On 21<sup>st</sup> January 2017 at 6:21pm, the Defendant aggressively banged on my front door, swore and shouted abuse and threats at us and accused us of making noise.
16. On 31<sup>st</sup> January 2017 at 6:10pm, the Defendant aggressively banged on my front door, shouted abuse and threats at us and accused us of banging on the floor. Later in the evening of the same day I discovered that all four tyres of my car which was parked outside the block have been slashed with a sharp object.
17. On 5<sup>th</sup> May 2017, I was walking out of the block when I saw the Defendant talking to two council officials and as I walked past them, the Defendant said to me that he will ruin my life and that he was going to present evidence to the police about my illegal activities. I did not respond or say anything to him.
18. On 12<sup>th</sup> May 2017 at about 12pm, my wife, was at home with my daughter and my cousin when the Defendant came up to my front door and started to bang and push aggressively on the door, shouting for my wife to open the door saying that he wanted to talk to her. The Defendant knew that I had gone to work and that my wife may be alone with our young daughter but he insisted on my wife opening the door for him while shouting abuse at her.
19. On 1<sup>st</sup> June 2017, I was at work when my wife telephoned me to complain that the Defendant and two other males came and banged on my front door for about two minutes. My wife was alone with our young daughter at the time and she was very frightened because of the loud banging on our front door.

20. On 9<sup>th</sup> June 2017, my cousin returned from work late at night and as he opened the main communal door, the Defendant came out of his flat and started to shout abuse at him. As my cousin brought out his mobile phone to record the incident, the Defendant snatched the phone from him. A struggle ensued as my cousin tried to get his phone back from the Defendant. The Defendant then physically attacked my cousin; he grabbed my cousin round his arm and neck and injured his arm thereby causing it to bleed. My cousin managed to get his phone back and called the police. The police attended within 10 minutes and my cousin explained to them what happened and they went to speak to the Defendant but he refused to let them in.
21. On 16<sup>th</sup> June 2017 at 11:55am, the Defendant confronted my wife outside the main entrance door as she was going to pick our daughter from school and accused her of making noise. The Defendant also said to my wife that he has our bank account and personal details and that she should tell me to pay him money.
22. On 18<sup>th</sup> June 2017 at 11:55am, the Defendant confronted my wife outside the communal entrance door as she was going to pick our daughter from school and said to her that he knows what time she goes out and when she returns and to tell her husband that he wants to speak to him.
23. On 23<sup>rd</sup> June 2017, my cousin returned from work at 11:35pm and as he entered the block, the Defendant came out of his flat with his dog barking and without a lead and started to swear and shout abuse at my cousin. The Defendant then attacked my cousin by punching him twice on the chest and tried to push my cousin out of the block. The Defendant snatched my cousin's mobile phone as he tried to record the incident but he managed to get the phone back. My wife heard the commotion and woke me up and as we came out of my flat shouting at my cousin and wanting to know what



