

Application by Person with Legal Aid to Change Solicitor

Legal Services Act 2007; Criminal Legal Aid (Determinations by a Court and Choice of Legal Representative) Regulations 2013 and Criminal Procedure Rules 46.4



When to Use this Form:

You must use this form if you have solicitors on Legal Aid and you want to make an application to the court to change to new solicitors¹.

You must apply as soon as practicable after you become aware of the reasons for making an application.

How to Use this Form:

1. Give the information asked for in PART 1 and then send the form to the NEW solicitors you want to represent you. You can attach extra pages if there is not enough room but make sure you write your name and case number on the attached sheets. If you fill out the form on a computer, the boxes will expand to fit your content. If you wish to email the form you can sign it electronically.
2. The new solicitors have to give the information in PART 2 and then send copies to the court AND to your present solicitors.
3. Your present solicitors have to respond to the application by providing the information in PART 3 and send a copy to you AND to the court.
4. The court will make a decision and inform the Legal Aid Agency. SOLICITORS PLEASE NOTE: it is essential that the solicitor's account number and MAAT number are on the form, or a new representation order cannot be produced.

PART 1 - The information you must give

- | | |
|--|---|
| 1 Your name | Mr. Simon Paul Cordell |
| 2 Give the name of the court and the case number. | Courts Name: Highbury Corner Magistrates' Court
Case Number: 01YE1300125 & Highbury Corner Magistrates Court 01YE1267925 |
| 3 Your address for post
If you are in prison give your prison number as well. | Home Address: 109 Burncroft Avenue Enfield, London EN3 5HZ
<i>(Note: I have been unable to access this address since 02-08-25 due to bail restrictions)</i>
Bail Address: 280 Durants Rd Enfield London EN3 |

¹ The same form is used for all criminal courts. It must be used to make application to change Legal Representatives (Provider) under Regulation 14. It must not be used to make application to the Court to withdraw a determination under Regulation 9.

	7AZ
4 Your telephone number (if you have one.)	07864217519
5 Your email address (if you have one.)	Re_wired@ymail.com
6 Give the name of the solicitors who are representing you at the moment. They are the solicitors named in the Legal Aid Representation Order.	London Enfield tuckers@tuckerssolicitors.com Enfield Business Centre, 201 Hertford Road, Enfield, EN3 5JH Tel: 020 8805 9735 Fax: 0845 3307268
7 How and why did you choose those solicitors in the first place?	I was assigned Tuckers Criminal Solicitors through the Legal Aid system. At the time, I accepted the appointment due to urgency and lack of alternatives, trusting the process would ensure fair representation but this did not happen.
8 What are you accused of? Summarise the charges.	01YE1300125 Alleged breach of bail conditions and related public order matters. The charges are disputed and form part of a wider pattern of procedural failures and misrepresentation and state the following: - Between 26/08/2025 and 26/08/2025 at ENFIELD in the Borough of Enfield Simon CORDELL assaulted PC DECHAMP with intent to resist or prevent the lawful apprehension or detainer of yourself for an offence Contrary to section 38 of the Offences Against the Person Act 1861. & 01YE1267925 - On 2/08/2025 at Enfield in the Borough of Enfield without lawful excuse, threatened Rebecca O'Hare that he would blow up the vehicle belonging to her intending that she would fear that threat would be carried out contrary to sections 2(a) and 4 of the Criminal Damage Act 1971.
9 Provide the dates of the hearings that have already taken place and the date of	Case Number 01YE1300125 <u>Previous hearings:</u> – 26 August 2025 (initial bail breach and assault charge listed; bail breach later

your next hearing

dropped) at court on the 27 August 2025 – Other preliminary hearings ^ Trial date set for charges are as follows.

Upcoming Trial date: – 11 November 2025 at 9:30 AM (Trial – previously listed) but I received a email as exhibited: “On Thursday 2 October 2025 at 12:51:28 BST, Neil Allan <allann@tuckerssolicitors.com> wrote: Dear Simon, The prosecution have made an application to change your trial date (currently 11/11/25) as a witness, PC Sudoollah, is not available due to a clashing commitment in the Crown Court. Do have any objection to the application (it is likely to be granted)? It will meant that the trial will be later in the year, and possibly early 2026.

Kind regards,
Neil Allan
Magistrates Court
London Supervisor
T: 07983430259 M: 07983430259.

I objected and have not since received a new response!

Case Number 01YE1267925

13 October 2025 Trial date vacated.
16 December 2025 at 2.00 p.m. new trial date.

- 10 Provide the name and address of the new solicitors you want to change to

McLarty's Solicitors,
Address: 30-38 Hatherley Mews, Walthamstow,
London, E17 4QP

Tel: 020 8223 9890
Fax: 020 8521 6206

- 11 How and why did you choose the new solicitors?

I selected the new solicitors based on their known track record in handling law that involves complex cases and procedural breaches. They were willing to engage with my defence and understood my innocence, once explained and they also grasped the emotional and evidential depth of my case as of so far and are prepared to defend me while collaborating with full transparency, amongst each other.

- 12 Tell the court why you are asking to change solicitors

Your application can only succeed if the court is satisfied that effective representation can no longer be provided by your present solicitors because:

- a) there has been a breakdown in the relationship between you and the present solicitors; OR
- b) there is some other compelling reason.

You must set out which of these reasons applies in your case and explain why, giving full, precise details so that the court has full information to consider your application. **It is important that you include relevant dates and full details.**

Write your reasons here – or attach a sheet of paper with your reasons

There has been a breakdown in the relationship with Tuckers Solicitors. Despite repeated efforts, they have failed to engage with critical defence materials, including my written defence statement and supporting exhibits. They did not take witness statements under Section 9 for court use, nor did they request disclosure of key evidence—such as BWV footage, officer logs, and metadata—that would support my innocence.

They failed to define the law fairly in relation to the **Section 38 charge**, which was applied only to the “**threats to cause criminal damage**” allegation—an offence for which I was **never arrested**, and **no solicitor was granted until I was already at court**.

On **26-08-25**, I was **wrongfully arrested for an alleged breach of bail**, which was later dropped. However, due to that arrest, an **assault charge was fabricated**, and I was also listed for another trial date on **11-11-25**. Before court, I was held in a police cell from arrival—**not taken out for interview and denied access to a solicitor**.

At court, once brought there in a secure Serco van, a solicitor named **David from Tuckers** came downstairs to the cells, handed me a piece of paper to sign, and once signed, he left saying he had other commitments. I was not allowed to explain what had happened, and **no one from Tuckers represented me in the courtroom**.

I did not commit the offence of assault or breach of bail, and I need to be fairly defended.

I have been left isolated and unsupported, with no meaningful forensic integration of my exhibits or contradiction mapping. The new solicitors are prepared to collaborate transparently, validate my lived experience, and embed the evidential contradictions into a coherent legal strategy.

If there has been a problem with a particular person working for your present solicitors, is there any reason why another person working for your present solicitors could not take over the case? If so, tell the court here.

The breakdown is systemic, not individual. The firm has not demonstrated the capacity or willingness to engage with the evidential complexity and emotional gravity of my case.

If you have used and attached a separate sheet of paper mark ☒ the box ☐

solicitor to be your advocate in court give the name of the advocate and mark ☒ a box to tell the court whether you wish to replace that advocate as well.

Name of Advocate:

I want to replace that advocate as well

☒
Yes

Or

I want that advocate to continue to represent me.

☐

Explain here (or on an attached sheet of paper) why you do or do not want the independent barrister or solicitor to continue to represent you.

In the interest of justice, I am requesting that my legal rights be upheld—including the right to a fair and speedy trial. I have faced repeated procedural delays, misrepresentation, and denial of access to legal support at critical moments, including during my detention on 26-08-25. These failures have obstructed my ability to defend myself and compounded the emotional and legal harm caused by fabricated charges and mishandled proceedings. I am asking the court to ensure that my case is heard promptly, fairly, and with full recognition of the breaches I have endured.

- 14 **Legal Professional Privilege:** Normally, anything that you tell your solicitor or write to them is private and stays private even after your case finishes. Your solicitor is not allowed to tell anyone else about it, not even the court. The advice that your solicitor gives you is private, too. Your solicitor's duty to keep your information private is called your "legal professional privilege".

If you give your solicitor permission to tell someone else about what you have told your solicitor, or permission to tell someone else about your solicitor's advice to you, then that permission is called "waiver of your privilege".

The court needs to know about your reasons for wanting to change solicitor. It needs to ask your present solicitor the questions in Part 3 of this form. If you give your present solicitor permission to answer those questions ("waive your privilege") then it means that they can give the court that information. You do not have to waive your privilege but if you do not do so then the court may not have enough information about what has happened to make the decision for which you have applied.

If you waive your legal professional privilege in this form then that is for the purposes of this application only. It does not give your present solicitor permission to give your private information to anyone else for any other purpose.

If you waive your Legal Professional Privilege for the purpose of this application so that your present solicitors may give a full response to your reasons for wanting to change solicitor mark the box ☒.

☒ yes

- 15 Have you made an application to transfer Legal Aid to new solicitors before in this case? If so, give:

- the dates of any applications
- what you said then to support your application
- the decisions and details of what the decisions were.

None.

- 16 The court will normally decide whether to allow a change of lawyer by looking at the paperwork. If you want your application to be decided at a hearing give your reasons. The court will decide if it is necessary.

Yes. Given the complexity of the breakdown and the evidential contradictions involved, I request a hearing to ensure the court fully understands the context and urgency of this transfer.

Sign your name here:



Date: 15/10/2025

 **You must now send this form to the NEW SOLICITORS you want to represent you so that they can give the information in PART 2.**

PART 2 – To be completed by the proposed new Legal Representatives.

17 Name of legal representatives: McLartys

Postal Address: 30-38 Hatherley Mews
Walthamstow
London E17 4QP

Telephone Number: 020 8223 9890

Email: Clairegodfrey@mclartyssolicitors.com

Legal Aid a/c number: 2e381m

Contact: Ian McLarty

18 Explain what, if any, dealings you have had with the applicant before the present case. Contact to request whether McLartys would take over both his cases. He explained this to the Court and we understand Tuckers were rung and indicated they had withdrawn from both matters and have later stated in correspondence they will not object to the transfer of both matters.

Please tick to answer the following questions:

19 The applicant has asked the court to order the transfer a Legal Representation Order to you. You must not accept such a transfer unless you have the resources to deal with the applicant's case. Are you willing to accept such a transfer?

Yes ☒

No ☐

20 Can you confirm that if a transfer were granted you will be able to meet the current case timetable? If not why not?

Yes ☒

No ☐

20A Can you confirm that you have informed the applicant's present legal representatives of the applicant's wish to select new representatives? If not, why not?

Yes ☒

No ☐

20B Can you confirm that you have discussed the applicant's grounds for this application with the applicant's present legal representatives? If not, why not?

Yes ☒

No ☐

20C Can you confirm that you have explained to the applicant what it means to waive the legal professional privilege attaching to their communications with their current legal representatives and the potential consequences of not doing so? If not, why not?

Yes ☒

No ☐

Signed: Ian McLarty

Date: 16/10/2025

 **Send copies of the form (and any attached pages) to the court AND to the present legal representatives. If this application is granted you must, as soon as practicable, serve notice of appointment on each other party to the case. You can get information about the progress of the application from the court office.**

PART 3 – Response to be completed by the present Legal Representatives

21	Name of present legal representatives:	Tuckers Solicitors LLP
	Postal address:	39 Warren Street, London, W1T 6AF
	Telephone number:	020 7388 8333
	Email:	tuckers@tuckerssolicitors.com.cjsm.net
	Legal Aid a/c number:	0M058V
	MAAT number for this case:	NA – Legal Aid on both matters granted by firm under devolved powers (due to LAA Portal being unavailable)
	Contact:	Neil Allan

Please tick to answer the following questions:

- 22 I acknowledge that for the purposes of this application:

Legal Professional Privilege has been waived: ☒

Legal Professional Privilege has **not** been waived ☐

- 23 Your response to the application must comply with CrimPR 46.4(3).

You must:

- a) identify any matters set out in the application with which you disagree, and
- b) include any comments that you think may assist the court.

OR

You must explain why:

- a) you consider there to be a duty to withdraw from the case in accordance with professional rules of conduct, giving details of the nature of that duty, or
- b) you no longer can represent the defendant through circumstances outside your control, giving details of the particular circumstances that render you unable to do so

If there has been a problem with a particular individual working for your firm is there any reason why another individual working for your firm could not take over the case?

You may give your response here or on attached sheets.

We have a professional duty to withdraw from acting for Mr Cordell and we cannot represent him.

There is no objection to the proposed legal aid transfers

- 24 **Independent Advocate:** If your firm has instructed an independent barrister or solicitor to be the applicant's advocate in court give the name of the advocate and mark a box ☒ to tell the Judge whether you are aware of any reason why that advocate could not continue to act.

Name of Advocate:

That advocate can continue to act ☐

Or

That advocate could not continue to act for the reasons set out below ☐

- 25 The court will normally decide the application without an oral hearing. If you request an oral hearing set out the reasons here.

Please mark the box if you are attaching sheets ☐

Signed: NEIL ALLAN

Date: 16/10/25

 **Send copies of the form (and any attached pages) to the court AND to the applicant.**

PART 4 – Court Decision

26 LISTING:

HHJ/DJ/JP

Date:

This application can be decided without a hearing ☐

Or

List for an oral hearing to be attended by applicant and present and
proposed new legal representatives ☐

Time Estimate

Hearing to be in private ☐

Or

Hearing to be in the presence of other parties ☐

Hearing reserved to: HHJ/DJ/JP

27 DECISION:

HHJ/DJ/JP

Date:

The application for transfer is granted ☐

Or

The application for transfer is refused ☐

Or

Legal aid is withdrawn with effect from (date) ☐

Reasons:

If the court grants the application, the court staff must inform the Legal Aid Agency. The Agency then will issue a transfer of representation order which will be sent to the new legal representatives.

END