

From: JOSEPHINE WARD [josephinewardsolicitor@gmail.com]

Sent: 03 February 2014 23:51

To: Lorraine Cordell

Hi Josey

Lorraine as a matter of respect to you I have responded to the most recent email now that I have some time. My replies to Simon are in bold. I accept that Simon believes his comments before being arrested are not damaging to his case and he believes that his interview is well thought out and legally reasoned. Unfortunately I do not agree with Simon's belief that his comments and interview are not damaging to the case - they are what made the difference in this case.

Thank you for the reply to Simon's email, Simon has asked me to write this email for him.

The section of my email that was sent to you yesterday that address Jemi and the meeting we had come from my friend Katie who did attend the meeting with Jemi with me, so new what was said and I used her words as to what she heard at the meeting as to what Jemi said to me.

If needed Katie could confirm this so can my mum as she was the one writing the email for me that was sent yesterday.

Could you also please send me a copy as to what you have sent over to Jemi by email and his reply to your email?

(a) Simon / Lorraine I have emailed the email I sent to Jemi and his response. This was based on the conversation and accusations made by Simon on the telephone Sunday 2nd February 2014. With regards to Jemi's non-availability. Jemi was booked for Simon's case and his jury was out and at risk of over running. You were advised of this fact at the time. What does happen sometimes is that once speeches are done in a case the barrister can get an alternative barrister to baby sit the case. Also Simon's case was in the warned list, not given a fixture so there was no guarantee that the case would be listed. The case Jemi was dealing with at the time should have been a five day case but it over ran,

I agree the case is now listed for the warned list for the week commencing 30th June 2014.

As you are aware on the 19/12/2013 when my mum got the email from you about my case about the application that was put to the court that day, when my mum got the email she was very worried due to the date for the listing for the new trial date, so she herself called you before she had even showed me the email. She new the new trial date would cause a delay in my case by 6 months or more.

she asked you some things on the phone on the 19/01/2014 one being if we got the information from the crown could the date of the 30/06/2014 be taken sooner.

You replied once we get the information form the crown and Third Party Disclosure it could be listed back in court and there maybe was a chance to being the date forward for the hearing, this is the information she told me.

(b) Yes Simon I agree I did say this to your mother. I said there was a chance and I did not put it any higher than that.

It is this that is upsetting me so much as the longer it takes to put the applications into the court the longer it will take to get the information that is needed in my case.

As you know I am on bail conditions that have stopped me doing anything for my business that I have been setting up for many years now. In fact I have lost a lot of business due to the bail conditions I am on. I do not think it is right that a judge to say to me that I can sub contract my business out, I am not talking here a small amount of money for my sound system or any of my equipment, if it was lost or damaged it could take a long time in which to recover the costs. This is why when my equipment is hired I also go with it due to me being able to look after it and make sure they don't red line my equipment or it is damage or taken, I myself take care of it.

And I do feel my human rights are being violated by the court and crown not allowing me to do my work.

The longer it takes this case to go to court for trial is the longer my business cannot run this is why I am so upset that things are not being put in on time to the court. I have spent many years getting to where I am today

within my business and due to this case my business is has suffered.

(c) I have no control over Crown Court Judge's decisions re bail. They apply the Bail Act and the objections under this legislation in determining whether an individual should be given bail. You were originally refused bail due to fears that you would commit further offences and fail to surrender. I secured you bail and I made this application out of office hours so you did not spend any longer in custody than what was necessary. I have made all requested bail variations with the exception of the one for your birthday as you did not feel you needed to provide me with the specifics of the variation and instead chose to argue with me about the rights of the Crown Court to require this information.

Yes I agree my case is in the warned list for the week of the 30/06/2014 but would like the information well before this date so that maybe the trial can be taken forward.
I would also like it sooner than later so the facts as to how Mr Patel has done this can be shown to the crown.

(d) As stated to your mother when the information from the insurance company is disclosed whether voluntarily or by Third Party Disclosure the Crown Prosecution Service would have been invited to review the evidence. I do not have this information. I did request this information in my defence case statement as it is information in Mr Patel's possession and the prosecution could have asked him for this. Likewise the first burglary this should have been disclosed to us under normal disclosure rules but the court has insisted on a section 8 application for this.

As for what I said at my home and at police station is not the issue here I know what I said and was being honest as I did not think I had done anything wrong. I did buy the items from Mohammed in good faith. **(I asked you for details of Mohammed with a view to taking a witness statement. I also advised you that he would have to be advised to seek independent legal representation to avoid self-incrimination. Never provided)**

For it to have been a job lot of 5 of each or just 1 gazebo, and 1 chair which was found at my address I think the police would have taken the same said outcome to this case. They wanted someone for this case and I was that person.

This can be shown by any information we have asked for not being given they still have not even given the CAD reports for that day in truth that there was other police at the scene and let me in the building knowing I was there to hire my sound system for a private party that night as I explained this to them when I got there. Let alone how many times they attended the building on that evening even down to the council attending with the police due to noise.

There is also the case as to when I turned up at the building and the police was already there, how is it when they did their checks they did not see that a Burglary had happened on that building on the 16/02/2013 and let us enter the building knowing this as really they would have got that report back on their checks that evening

Which in my eyes does show a cover up as where are their reports as it is to do directly with my case.

The DC dealing with my case also dealt with the other case on 16/02/2013 so would also have been aware of the condition of the building after the 16/02/2013 pictures were taken for the case of the 16/02/2013, so he would have been well aware the pictures taken for my case were the same so how could he then charge me with all the damage to the building?

Where is the information that the police should have asked Mr Patel as to him securing the building after the 16/02/2013?

(e) This is a matter for cross examination and the officer in witness box where he does not have any room to manoeuvre.

Yes I am upset as I do feel I have been setup by the police and they by doing this have allowed Mr Patel to use my case to make his claim to the insurance company go ahead was this planned from the start and yes I have asked this to myself many times and others I have spoken to have said the same said thing.

(f) Simon based on the forensic evidence recovered at the scene the police had reasonable grounds to arrest you for this offence.

So yes I want my trial sooner than later as I want to get on with my life and my business and yes I do understand I could be found guilty for this case but until I do I should be able to run my business. And I don't think I am asking too much here.

I believe also that it could be taken to the high court for a judicial review about my bail condition but I was never made aware of this. Seeing as the crown court attitude in this case has never been good as you have put it. And that the court is unwilling to see that I need to work or face losing my business.

(g)The bail conditions imposed by the Court are not unreasonable. They are imposed to prevent the commission of further offences and failure to surrender.

I have never tried to blame other people for the position I find myself in, what I am saying is I don't feel as if things are being done in a timely manner.

If you just look at the Third Party Disclosure, if you new that you had to write to Nikki Diamond and get her to say in writing her unwillingness to disclose the file before you could then apply for the Third Party Disclosure, why did you not write the letter back in Dec 2013 after the application was put into the court on the 19/12/2013 or after you come back from annual leave, due to knowing that you needed this before the 16/01/2014 that the judge had said.

(h)The information that forms part of Third Party Disclosure was originally requested in your defence case statement. Your trial is now scheduled for June 2014 and yes in an ideal world I should have sent a letter to Nikki Diamond and the insurance company. Nikkii Diamond has to refuse to give the information first of all before the Court will even entertain an application for Third Party Disclosure and then the Court could direct the information to be brought to court for the trial. This is what happens in Social Services cases by way of example. We would request paper copies, failing that then a statement from Nikki Diamond. If the insurance file is served then Nikki Diamond is not required as a witness as the insurance claims and reports can be introduced under the hearsay rules.

I do understand you were waiting for Jemi to do the write up for the section 8 and that was out of your control. But the Third Party Disclosure was not.

Also why was it when we told you about getting a statement from Nikki Diamond did you not say then you had to wait until the Third Party Disclosure was given as she would not be able to do a statement without client confidentiality arising which would have caused issues.

You told me on the phone that if you got the statement from Nikki Diamond then the bail condition change I wanted for my birthday should not be a problem.

(i) I said it was worth a try. I did not put it any higher than this. I do not recall saying it would not be a problem but words to the effect that it would be worth a try. We are covering old ground here as I was also reliant on specific information that you refused to give as you felt the court had no right to know your movements.

Can you also keep me updated as to the date for court so I can attend?

(j) No problem I am hoping to resolve this matter once I speak to Michael Carroll tomorrow in the afternoon so I will be asking for a hearing on either Thursday or Friday of this week.

Simon