

Memo



5 July 2011

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c.c: Stephen Bradshaw

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POST OFFICE LTD –v- KHAYYAM ISHAQ CASE POLTD/1011/0186

In my opinion the evidence is sufficient to afford a realistic prospect of conviction of the above named on the charge set out on the attached Schedule. You will note that I have not inserted the first date into the charge and will be grateful for some guidance in relation to when we say that date must have been.

I appreciate the obtaining of the statement from Mr Liaquat. It appears that Mr Liaquat refutes a number of the assertions made by the Defendant during the course of his interview. Clearly therefore this man will be an important witness to the Prosecution.

In view of the serious nature of the alleged offence involving a large amount of money and the length of time over which the offences were committed, this case is not in my opinion suitable for a caution.

This case is, in my opinion, more suitable for trial in the Crown Court.

In the event that the prosecution is authorised, please obtain summonses.

The matters which follow are for the Investigation Manager to deal with.

The following statements should be obtained:

- 1 Statement from the auditors producing the audit shortage discovered in the audit report.
- 2 Evidence of the interviews producing the tapes and the transcripts of interviews.
- 3 Evidence of Limair Liaquat (already obtained).
- 4 Branch trading statements that were put to the Defendant during the course of the interview.
- 5 Any evidence that can refute the story that he proffered during the interview in relation to the sheets of stamps. Have we any records in relation to this office being supplied with high volumes of stamps as compared to sales to establish whether or not in fact the stamps were there in the first place and whether or not he simply inflated his figures?

M02-M Moors-Ishaq-RGW

© Royal Mail 2002 – Page 1 of 2

Memo

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6 Any other statements the Officer considers appropriate.

In this event, please prepare one set of typed copies of those statements and exhibits. Please also prepare typed draft lists of statements and exhibits (statements to appear in chronological order and exhibits in the same order in which they are produced by the witnesses). A separate typed list of witnesses, showing their addresses, should also be supplied.

You will be aware of the provisions of the Criminal Procedure and Investigations Act 1996 concerning disclosure. Please confirm whether there is any material which might reasonably be considered capable of undermining the Prosecution case or assisting the Defence case and which has not already been disclosed. Please also let me have Forms GS006C, D and E in any event.

The papers must be sent to this Office at least 14 days before the proposed committal proceedings or summary trial date.

It is intended to make application for compensation in the sum of £21,168.64. If any monies are repaid, please let me know.

Please advise whether a financial investigation has been commenced in this case and confirm whether or not in the event of a conviction confiscation proceedings will be pursued.

The prosecution will be conducted by my Agents, Messrs O'Garra's, Solicitors, 32 Park Square, LEEDS, LS1 2PF (Tel.No: GRO) (Fax No: GRO) Please liaise with Agents before fixing a hearing date.

The papers should be returned to this Office at least four weeks before the hearing date in order that I may send the instructions to Agents.

Rob G Wilson
Head of Criminal Law
Criminal Law Division

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