

POST OFFICE LTD

-v-

KHAYYAM ISHAQ

ADVICE

1. Prosecution Case.

On 8th February 2011 a member of the Network Support Field Team attended the Birkenshaw Post Office branch in Bradford to undertake a check of the cash. A count of the cash took place and revealed a shortage of £536. The balance snapshot revealed a discrepancy shortage of £2569.19. A full audit was subsequently carried out which revealed a total shortage of £21168.64.

Mr. Ishaq was the sub postmaster at the Birkenshaw Post Office branch at the time and he was interviewed under caution on 7th April 2012. He denied inflating his stock on hand to cover the discrepancy, falsifying the branch accounts and stealing any funds belonging to the Post Office Ltd.

Mr. Ishaq's assistant, Mr. Umair Liaquat, was subsequently spoken to and provided a statement on 24th June 2011. Mr. Ishaq was further interviewed on 27th September 2011 and indicated that Mr. Liaquat's recollection and version of events was inaccurate and maintained that his version of events, which he provided in his first interview, was correct.

There was subsequently an investigation into the reversals of sales of large quantities of stamps. Horizon data for the period of 2nd November 2010 to 31st January 2011 was obtained and examined and a summary of stock sold and reversed was then prepared (SB/21). This shows that during the period:-

- £165.00 of sheets of 50 x 1st class large stamps were sold, but reversals amounting to £4290 were made;
- £535.50 of sheets of 50 x 2nd class large stamps were sold, but reversals amounting to £4,080.00 were made;
- £1,271.00 of sheets of 100 self adhesive first class stamps were sold, but reversals of £6,068.00 were made;
- £864.00 of sheets of 100 self adhesive second class stamps were sold, but reversals of £3,200 were made.

All of these transactions with the exception of the ones which took place on 24th November 2010 were conducted by user KIS001 or KIS002 i.e. Khayyam Ishaq. The transactions on 24th November were under the user ID ULI001. Mr. Liaquat has said in his statement of 24th June 2011 that he told Mr. Ishaq his new password whenever he was prompted to change it.

As a result of the inflated stock levels, less money would be needed to achieve a balance and discrepancies in the cash on hand hidden. However, had Mr. Liaquat been responsible for inflating the stock levels on 24th November, a Wednesday, Mr. Ishaq would have noticed a significant surplus of nearly £3000.00 effectively putting him on notice that something untoward had happened.

It is also of note that the Branch Trading Statements TP06 (SB7) to TP09 (SB10) show an increase in volume of self adhesive 2nd class x 100 stamps from 137 sheets to 407 sheets on hand.

2. Defence Case.

Mr. Ishaq has denied any wrongdoing in his interviews under caution and he has maintained that Mr. Liaquat's recollection was inaccurate. It must

therefore be assumed that Mr. Ishaq is unlikely to readily admit any wrongdoing or the full extent of his offending.

3. Statements.

I have seen a statement from Umair Liaquat of 24th June 2011.

Statements should be taken from:-

Denis Watson and Kath Smith – dealing with the visit to the Birkenshaw Post Office branch on 8th February 2011, their findings, the conversations with Mr. Ishaq and Julie Crampton at the Remittance Team at P&BA Chesterfield. According to the audit report Mr. Ishaq said that he had no knowledge of any sales being reversed.

Stephen Bradshaw – dealing with the interviews and exhibiting the transcripts.

Stephen Bradshaw should also exhibit to his statement and explain the documents shown in Mr. Ishaq's interviews and the summary of stock sold/reversed (SB/21). He should explain in layman's terms how the Horizon system works, that data can be examined on a read-only basis and how the information contained in the summary has been obtained. The statement should also explain that as a result of the transactions, less money would be required on hand in the branch to balance etc. Of course, any observations with regard to the sequential Branch Trading Statements should also be included and any records relating to holiday or sickness substitution exhibited. There may also be relevant ONCH records which will assist with the prosecution.

Finally, documentary evidence should be provided by way of confirmation that Mr. Ishaq had two user ID numbers, KIS001 or KIS002, and that Mr. Liaquat had only one ULI001.

4. Discussion.

Mr. Ishaq was the sub postmaster and he was responsible for safeguarding the assets of the Post Office. However there is strong evidence to suggest that he inflated the stock on hand to reduce the amount of cash required to achieve a balance, thereby concealing a deficit in the accounts. He must therefore have been aware of and responsible for the deficit and in those circumstances I am of the opinion that he should be charged with an offence of theft.

Courts generally do not like theft and false accounting charges to be charged in tandem for the same course of conduct. (R v Eden 55 Cr. App.R. 193 CA – Archbold 21-238)

5. Proposed charge.

After the requisite statements have been obtained Mr. Ishaq should be charged with an offence of theft between the 14th September 2010 and the 9th February 2011. Please check, however, that the dates in the charges are wide enough to cover his offending. The draft charge can be found herewith.

23rd March 2012

**Martin Smith,
Cartwright King,
Majority House,
Lodge Lane,
Derby.
DE1 3HB.**

POST OFFICE LTD

-v-

KHAYYAM ISHAQ

CHARGE

1. **Theft**, contrary to section 1(1) of the Theft Act 1968

Khayyam Ishaq, between 14th September 2010 and 9th February 2011 stole £21,168.64 belonging to the Post Office Ltd contrary to Section 1(1) of the Theft Act 1968.