

In the Bradford Crown Court

Case Number:

Date of Hearing: 4th day of September 2012

Regina

Corum: Mrs Rose
Regina Coade.
W's expert's letter

- V -

- date served by
5th Oct.

KHAYYAM ISHAQ 13 Nov Det report.
2 Jan response

BRIEF FOR THE PROSECUTION

SRP
4/9/11

- open note 2/1/12

Counsel has herewith:-

1. Committal Papers (including Indictment, Witness Statements, Exhibits and Unused Material Disclosure Schedule)
2. Antecedents
3. Case Summary
4. Advice of Martin Smith of 23rd March 2012
5. Draft Order - S18 Proceeds of Crime Act 2002
6. Witness Availability

26th Jan FEB. 12

- 7 days libel
to apply,

1/v survey
by 11th Jan

particulars
details of
the offence
nots.

Engaged in conference

2 hours 10 mins.

Reached
23/1/13

Conf. MS 20 mins.

Reached
24/2/13.

Car: HTJ letter.

Trial

Reached
25/2/13.

Car: HTJ letter.

Trial PL.

Defense counsel unwell.

Jury discharged.

Trial re-fixed 6/3/13, Est 4 days.

Reached
26/2/13.

Telephone conf. (RP) 15 mins.

Reached
28/2/13.

Conference 6/3/13.

1/2 hour.

Reached

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Case History and Pleas

Those instructing act on behalf of the Post Office Ltd in connection with the Prosecution of Mr. Khayyam Ishaq.

Mr. Ishaq appeared before the Bradford Magistrates Court on 30th May 2012. He gave no indication of his plea and the magistrates deemed the case unsuitable for summary trial. The case was adjourned for the preparation of committal papers and the committal hearing took place on 25th July 2012. Mr. Ishaq was granted unconditional bail until 4th September 2012. The original witness statements were handed to the court clerk during the committal hearing.

Unusual Case Features

Counsel will find full details of the case in the papers herewith.

Cor: HTJ Potter.

Trial - Pth.

Reached ~~6/3/13~~

Cor: HTJ Potter.

Trial Pth.

Def. re-arranged - G. plea to Mgt
in sum of £17,863.82.

Def Rob pending 1st for sentence on 19/4/13.

POCA timetable:

Defence S-18 statement 4/4/13.

Proz. response 2/5/13

Defence reply 30/5/13

Hoary (Director) 5/7/13.

[exp. time limit 7/3/13]

Reached ~~7/3/13~~

Before the hearing on 25th July 2012 Mr. Ishaq's solicitor said that the case would be contested. His client had told them that there must have been an error in the accounting system and that the money would be in the accounts somewhere. Mr. Ishaq's solicitor also commented that everyone had heard about the problems with the Horizon system and that they would probably instruct a forensic expert.

By letter of 6th August 2012 the Defendant's solicitors asked for a copy of the unused schedule. Further copies of the Schedule of Non-Sensitive Unused Material and of the covering letter of 12th July 2012 to which the schedule had been attached were sent by DX on 8th August 2012. No Defence Statement has been received and nothing further has been heard from Mr. Ishaq's solicitors.

The officer in the case, Stephen Bradshaw, has been asked to consider whether the Overnight Cash Holdings Data and transaction data may also be used to show that the stamp sales reversals were not genuine.

Instructions

Counsel is instructed to represent the Post Office Ltd in connection with the prosecution of Khayyam Ishaq and in the event of a guilty plea being entered or upon Mr. Ishaq being found guilty, to seek compensation through confiscation proceedings and, of course, costs.

Should Counsel require any further information he should not hesitate to contact Martin J Smith of those instructing.

**Bradford Crown Court
4th day of September 2012**

Regina

- V -

Khayyam Ishaq

**BRIEF FOR THE
PROSECUTION**

Counsel:

Sarah Porter

Cartwright King
Ref: MS2/2467624676

17 August 2012