

CARTWRIGHT KING  
DERBY  
15 JAN 2013  
RECEIVED

**Musa Patels**  
Solicitors  
Commissioners for Oaths

OUR REF: AN/CP0648\Ishaq  
YOUR REF: Mr Arfaq Nabi  
WHEN CALLING ASK FOR:  
DATE: 14<sup>th</sup> January 2013

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Cartwright King Solicitors  
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**GRO**

Dear Mr Smith

**Re: Khayyam Ishaq, Trial at Bradford Crown Court 25th February 2013**

I write further to my letter dated the 4<sup>th</sup> of December 2013, in the absence of a response and with the trial date imminent I think it prudent to deal with the following matters and would be obliged for a response as soon as is practicably possible.

- Particularized case summary due to be served 2<sup>nd</sup> of January 2013.
- As per our defence case statement could we have details of “reprehensible behavior of all prosecution witness required to attend trial, including, previous convictions, previous acquittals, discontinued prosecutions, allegations leading to arrest and charge/no charge and allegations not leading to arrest, and any disciplinary proceedings recorded or pending. If none then could you please formally confirm there is no such bad character recorded against them.
- Updated Schedule of Unused Material in response to our defence case statement.
- Tapes of interviews so that we can suggest amendments and confirm accuracy.
- Confirmation of any others arrested and or interviewed in respect of this offences, if there are others then record of interview and outcome of investigation, insofar as they are relevant to issues in the case of Khayyam Ishaq.
- Any reference to any assertions of investigators or the prosecution in any investigatory interview and or case opening in relation to material that has not been served should be excluded at trial as inadmissible on the basis that such assertions are not proved in evidence. I say this because as is contained within our defence statement at points 5 and 11.i it is the defence contention there is more material that has been relied on in bringing this action which we have not been served with.



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**GRO**

- The defence requires sight of sensitive material in this case, if there is to be public interest immunity hearing, please provide the appropriate notification to us.
- Finally at this stage I raise once again the disclosure requests made at Paragraph 11 of the defence case statement, as you will recall I asked for your final position in my letter dated the 4<sup>th</sup> of December 2012, I made it clear that if such material is not served then a Section 8 application would be sought. However perhaps before reverting back to me it may be prudent for Counsel to liaise with each other as soon as practicably possible, for the sake of convenience Counsel for the defence is Counsel Mr Abdul Iqbal Of No 6 Park Square chambers Leeds, Park Square.

Suffice to say in light of our defence the material requested at Para 11 is clearly disclosable under your statutory duty.

Aside from the above our expert requires the following as a matter of extreme urgency:

From the Crown

- The disc provided and covering letter from Cartwright King states that it contains Horizon data for the duration of the indictment period. A password was provided. We have downloaded the files from the disc - to discover that the period concerned is only 11 January 2011 to 9 February 2011. This appears to be due to the Horizon data being filtered to restrict the data to those dates before the files were copied (see attached document "horizon data.pdf " showing the date restrictions applied by CK before copying the material). We therefore urgently require the Horizon data for the missing period - ie 02.11.10 to 10.01.11.
- Exhibit SB/23 contains copies of the Final Branch Trading Statements from 15.09.10 to 12.01.11. Copies for the remaining period of the indictment - i.e. 13.01.11 to 09.02.11 are therefore also required. It would also be helpful to have copies of the records from 1 July 2008 to 14 September 2010 (as it would appear that there were no discrepancies during this period and as such the data may prove useful for comparison purposes).
- From the computer records for the sub post office: How many terminal were there and are there any records held to show which terminals were used by which sign on details for each day during the indictment period. If there are three terminals and three users (KIS001 / KIS002 & ULI001), we would be interested to determine whether any of the 3 logs in changed between terminals (given the shared stock systems).
- Stock records in the same format as SB/5 and SB/6 during the indictment period (to try and establish, if possible, when the alleged stock discrepancies arose prior to the audit date).
- Stock received records, in the same format as SB/23, for the missing periods during the indictment - i.e. 02.11.10 to 17.11.10 and 17.12.10 to 08.02.11.

I should also put you on notice that if the aforementioned matters are not resolved then we will not be ready for trial come the 25<sup>th</sup> of February 2013 and we will seek an adjournment.

**GRO**  
Musa Patels Solicitors