

**IN THE CROWN COURT AT BRADFORD**

**BETWEEN**

**REGINA**

**v**

**KHAYYAM ISHAQ**

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**BRIEF FOR THE PROSECUTION**

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**Counsel: Simon Clarke**  
**Cartwright King Solicitors**

**Dx 10032 Nottingham**

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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 23<sup>rd</sup> March 2012
5. Draft Order – S18 Proceeds of Crime Act 2002
6. Witness Availability

### **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 30<sup>th</sup> 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 25<sup>th</sup> July 2012. Mr. Ishaq was granted unconditional bail until 4<sup>th</sup> 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.

Before the hearing on 25<sup>th</sup> 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 6<sup>th</sup> 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 12<sup>th</sup> July 2012 to which the schedule had been attached were sent by DX on 8<sup>th</sup> 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**

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**BRIEF FOR THE  
PROSECUTION**

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Counsel:

Sarah Porter

Cartwright King  
Ref: MS2/2467624676

**17 August 2012**