

IN THE COURT OF APPEAL

(CRIMINAL DIVISION)

CAO REF: 201503661B2

REGINA

-v-

ALEX WILLIAM SMITH

**GROUNDS OF APPEAL AGAINST CONVICTION
AND APPLICATION FOR EXTENSION OF TIME
LIMIT WITHIN WHICH TO APPLY FOR LEAVE
TO APPEAL & FOR LEGAL AID**

INTRODUCTION

1. The applicant appeals against his convictions of 2 counts of delivery of counterfeit coins pursuant to Forgery and Counterfeiting Act 1981 s.16 (2)
2. The applicant applies for Legal Assistance given that he was granted Legal Aid at the time of the original proceedings and that his current financial situation is modest to say the least.
3. The applicant also applies for an extension of time within which to apply for leave given that when the application (which the single Judge His Hon Mr Justice William Davis turned down in a decision dated 9th

May 2016 with the **reference of 201503661 B2 JMC**) was first submitted around 29th July 2015, it was approximately 16 years after the date of conviction. It is now May 24th 2019 and thus a little over 20 years since date (1st March 1999) of conviction to which these grounds relate.

4. The applicant was informed of the Single Judges decision by his then Lawyer Siobhain Egan of Lewis Nedas Law by email on 17th May 2016. Within this same email he was informed that his case had that same day **(before he had been contacted and told the single judges decision)** been submitted on his behalf to the Criminal Cases Review Commission.

5. After his CCRC application (Ref: 01192/2016) being passed from one case worker to another, eventually on 25th May 2018 a provisional decision was made that the CCRC would not refer the applicant's case back to court.

6. The applicant submitted further information to the CCRC asking them to reconsider their decision, however on 11th June 2018 a final decision notice was issued again stating that the CCRC would not refer the applicant's case back to court.

7. Upon close examination it becomes clear that the CCRC overlooked many of the matters and evidence raised in the applicant's submissions and so it seems largely just copied and pasted what the single judge had said in his decision notice.

8. Around the 27th June 2018, the applicant was kindly given some free advice by The Secret Barrister of www.secretbarrister.com and also by Matt Stanbury of www.appealsbarrister.com. Both Barristers kindly advised the applicant that although the single judge had rejected his application, it should be quite possible for the applicant to renew his application to the full court.

9. The applicant informed his previous Lawyer that this should be possible

and was told that as she had been working pro-bono for several years she could no longer afford to spend any further time on the matter. Indeed in some emails she seems to give the impression that it is not possible to reapply to the full court despite other professionals advising otherwise.

10. The applicant searched high and low in an attempt to find a Solicitor to help him resubmit his application to the full court of appeal and on 10th July 2018 had a meeting with Mark Lake of Cartwright King.

11. Although extremely busy with other matters, Mr. Lake kindly agreed to help the applicant and the weeks since that meeting have been spent by the applicant obtaining what documents he could from various sources by way of GDPR subject access requests and in preparing these new grounds of appeal for submission.

11a. Ultimately during this time the applicant has obtained a reply from the Royal Mint confirming (in stark contradiction to claims made by the Crown Prosecution Service that the alleged Counterfeit Coins in this case were confirmed as fake by The Royal Mint) that in fact the Royal Mint has and does keep records from the time period in question but that there is absolutely nothing on file relating to the applicant's case and thus this indicates that the CPS never had the coins confirmed as “Fake” despite them proceeding against the applicant on the basis that the coins were they stated counterfeit, something it has now become clear was never proven or confirmed by the CPS.

11b. Given that the Journalist Mazher Mahmood who was the main Witness for the CPS case against the applicant back in 1999 has now been convicted for Conspiracy to Pervert the Course of Justice and proven to not be a witness of truth and someone prepared to tamper with and alter “evidence” in the course of fabricating his stories, it is the applicants belief that it would now be impossible for the Crown Prosecution Service to defend their former position and claims of this being a “Safe” conviction in light of all the new evidence that has come to light, not least of which was illustrated by the conviction of Mazher Mahmood whilst facing prosecution from Sarah Forshaw QC whose offices the applicant notes originally (prior to Mahmoods Conviction) considered his conviction

“safe” and also claimed that the coins had been verified by the Royal Mint as being “fake” which we also now know to be untrue and incorrect.

11c. It has now become blatantly clear that the Modus Operandi of deception, lies, deceit and manipulation of evidence used by Mazher Mahmood in the creation of his Stories was in the case of the applicant almost identical in structure to that used in the now famously collapsed Tulisa Contostavlos case and indeed in many other similar cases the safety of which has been questioned by many prominent figures since the collapse of the Tulisa trial.

11d. Investigation by the applicant has shown that not only did Tulisa Contostavlos and her friends/colleagues complain that they they believed their drinks had been drugged or spiked by Mahmood and/or his associates, but also that many other famous victims of Mahmood have made the same assertions including the applicant himself as is illustrated on his website at www.circusofthemind.net

11e. Advice obtained on the applicant's behalf by Solicitor Mark Lake led to the conclusions of which we quote here:

*The Applicants Conviction is Unsafe and he should be allowed to withdraw his (albeit tendered at the very last moment) guilty plea on the bases as laid out by R v Asidu [2015] EWCA Crim 714:

**The defendant tried and failed to get evidence excluded. Faced with the evidence, the defendant was forced to plead guilty despite truly believing and being innocent.

**The trial was an abuse of process, and never should of taken place. Per Lord Hughes “[i]f the trial process should never have taken place because it is an offense to justice, a conviction upon a plea of guilty is as unsafe as one following trial” - and as is now clear important evidence regarding Mahmood's Lack of credibility as a “witness of truth” was not disclosed to the defendant by the Police or CPS, at either time of trial or later at anytime up to this application being submitted.

11f. The advice sought on the applicant's behalf by Solicitor Mark Lake concluded that the following things are significant when considering these

grounds of appeal:

*Mr Coombs (Co-Defendant with Tulisa Contostavlos) pleaded guilty. His conviction was quashed once Mazher Mahmood was caught in a lie when giving evidence in Tulisa's trial, having interfered with the evidence of another witness.

*As a result the CPS dropped the other prosecutions it had in the works at the time which were based on Mazher Mahmoods Stings.

*Mazher Mahmood was then convicted of Conspiracy to Pervert the Course of Justice. During his trial for Conspiracy, Sarah Forshaw QC for the prosecution, referred to Mazher Mahmood as “the master of Subterfuge and deception”, inter alia. The prosecution knew all about his role as agent provocateur. The methods used against Tulisa by Mazher Mahmood reflect the modus operandi that was used against the applicant of these grounds.

*Accordingly, the CPS well knows that Mazher Mahmood's evidence is unreliable. Given that evidence exists indicating that the CPS and/or Police may have been aware of Mahmood's links to Southern Investigations and dishonest actions and/or dealings as far back as 1997, it should be possible to argue that the applicant's case should never have been brought to court in the first place.

12. Ultimately as further explained later, the applicant did not appeal his conviction or sentence back in 1999 due to bad legal advice wherein he was falsely given the impression he had no grounds for appeal and if he did it could result in a longer sentence being issued.

13. The delay from the single judges rejection to this resubmission & reapplication was caused again by the applicant following professional advice from his then lawyer. Indeed his case was sent to the CCRC to consider for appeal before he was even informed that the single judge had turned his application down.

14. The main thread to all matters raised in these grounds is the integrity

and character of former News of the World & Sun on Sunday investigative journalist Mazher Mahmood (MM) – (“The Fake Sheikh”) who was the sole progenitor in this matter.

15. In July 2014 the trial of British pop singer Tulisa Contostavlos relating to a Sun on Sunday published investigation into Tulisa and her alleged drug dealing activities collapsed when HH Judge McCreath uncovered dishonesty by Mazher Mahmood (MM) and his driver Alan Smith (AS). Miss Constantavlos was ultimately cleared of all charges.

16. In January 2015, as a result of the findings made by HH Judge McCreath, the CPS sent disclosure packs to 25 defendants (including the applicant) who had either pleaded guilty or who had been convicted as a result of evidence provided by Mazher Mahmood (MM). In nearly all cases complaint was made about the methods employed by him in the obtaining of 'evidence', the veracity of that evidence, the disclosure regime (lack of it) that he operated in, as well as his hiding of 'sources' from the court, police and the defence via journalistic privilege. There is now also evidence to show that he (MM) had been involved on a long term basis with associates whose activity can only be properly described as criminal.

17. Furthermore, as a result of research, investigation and witnesses coming forward, it is submitted that on the face of it, not only has MM lied in a staccato fashion to a number of courts over the years, it is clear that he misled the Leveson inquiry.

18. As of 16th June, 2015 the CPS were studying a file on the Sun on Sunday's investigative reporter Mazher Mahmood prepared by the Metropolitan Police which subsequently led to Mahmood and his driver Smith being charged with Conspiracy to Pervert the course of Justice.

19. MM was suspended on full pay by News UK although it continued to

fund all of his legal representation, including litigation in the High Court and his attempted defence of his 'Not Guilty' plea when he was brought to trial at the Old Bailey in 2016 leading to a unanimous decision of Guilty by the Jury and a sentence of 15 months imprisonment being handed to MM by HH Judge Gerald Gordon on 21st October 2016.

20. The central theme of these grounds is the overarching integrity of a man and his methods which have now been largely exposed and led to his conviction & incarceration for conspiracy to pervert the course of justice along with a string of MM related cases collapsing due to the CPS no longer being able to rely on MM as a witness of truth. It is therefore now crystal clear that whatever apparent merit a prosecution may have seemed to have had in the past, it is now obvious that no conviction should stand.

THE BACKGROUND FACTS

21. The applicant was born on 13th August 1975 into a circus family. He received early national notoriety at the age of 3 performing professionally as a clown. During his adolescence he would appear regularly in newspaper and magazine articles as well as on the radio and television. As his career progressed, he found himself performing as a psychic and stage hypnotist, the success of which was largely dependant on publicity.

22. In more recent years (Circa 1993 to 1998 approx) and of relevance, the applicant struck up a relationship with a man called Alan Breeze (AB), a freelance journalist, who was a close associate of MM. Between them they concocted media pranks which generated an enormous amount of publicity, airtime and tabloid copy, culminating in the applicant gaining the moniker, 'Britain's Biggest Media Prankster'

23. As is the nature of the media industry, the applicant and AB strove to come up with more and more outrageous stunts to fuel the oxygen of publicity that was mutually beneficial financially.

24. The corollary of this lifestyle brought MM into the equation. By now he had established himself as a 'shock journalist' uncovering sensational stories and acclaimed wrongdoing. Circa March 1998, AB suggested to the applicant that a story could be engineered whereby the News of the World Journalist MM would appear to expose the applicant as being a pimp, but that no laws would be broken as the applicant could just ring an Escort Service from the local newspaper and arrange for some girls to attend at the hotel room of MM when he himself was not there.

25. Following these discussions with AB, the applicant who had heard rumours that AB was 'ready to stitch him up and sell him out' as he had fulfilled his usefulness following a stunt on BBC Televisions Kilroy Chat Show, decided that he would send MM an anonymous letter claiming that the applicant was criminally connected, worked as a pimp and could supply guns. The end game was to 'play a prank' on the journalist who took the bait, pulling the plug at the last minute before anything illegal ever occurred and thereby generate further copy and publicity by being able to give details of his prank and the techniques used by MM in creating stories to a rival publication.

26. A week later MM contacted the applicant (on a number which only existed for the purposes of the prank thus meaning the applicant knew the nature of the caller when they rang) calling himself 'Perry Khan' (PK) – (a name he has used subsequently on other stings). It was claimed by the caller that he was a porn film producer and that he needed a supply of girls for some films. A meeting was arranged at Manchester's Piccadilly Hotel.

THE FACTS

27. Unfortunately, in this case, the CPS has destroyed the case papers, and any documentation which may have been held by the Police, Courts and the applicants own Solicitor and Barrister of the time also have been confirmed as destroyed. Consequently there is no independent recollection of the facts (except some quotes from a Manchester Evening News report of what was said in court published on 2nd March 1999 which quote

various parties & collaborate the applicants account of events) and therefore what there is comes purely from the applicant himself.

28. During the afternoon of Thursday 2nd April 1998, MM masquerading as Perry Khan met the applicant and AB (who had unexpectedly shown up under the excuse he was in the area to visit a relative) at the Piccadilly Hotel. Unusually in this case, the applicant claims that he knew that he was meeting an undercover journalist (because of the anonymous letter and previous discussions with AB which helped reveal the identity of MM) with both parties recording the conversations, although MM had video evidence as well as audio. It was the applicant's intention to 'expose' the methods of MM and hence generate publicity by potentially selling the story to a rival publication.

29. On this occasion, MM portrayed himself as a rich businessman making reference to a 'Rich Sheikh'. He claimed he needed girls, drugs, guns and counterfeit money. Playing along with the scenario, the applicant embellished the story, bragging that he could supply all of the above. As the afternoon drew to a close, and after having been heavily plied with Alcohol (which the applicant believes was drugged) the applicant agreed (in character) to supply everything that Perry Khan desired.

30. When counterfeit money was mentioned the applicant removed 3 genuine £1 coins from his pocket and gave these (Count 1 - 2nd April 1998) to PK pretending that they were fake (which was filmed) in order to appear 'connected' and to add an extra element to the story.

31. Before leaving the hotel room, the applicant upon the request of MM rang from the hotel room phone of MM a local massage parlour and escort service and arranged for 2 Ladies to visit MM later that night at his room in the Piccadilly Hotel. As the applicant would not be present when they arrived and had only made a phone call he knew that he had not committed any offence and indeed had absolutely no intentions of ever doing so.

32. The applicant was surprised when that Sunday no story appeared in the News of the World and instead he got another call from MM posing as Perry Khan.

33. During the next week there was another meeting with MM (where the applicant was once again plied with Alcohol) posing as Perry Khan and numerous telephone calls took place both from MM to the applicant and also from associates of MM all intended to encourage, manipulate and intimidate the applicant into supplying the illegal items that had been discussed and which on numerous occasions over the course of the week the applicant had kept on making excuses as to why he was unable to obtain such.

34. Indeed during the course of that week as it became blatantly clear that the applicant did not have access to guns, drugs, counterfeit money or girls to take part in porn films, the behind the scenes intimidation and manipulation increased with AB suggesting that it would be wise to take things to the next stage as well as suggesting where it would be possible to 'buy' some counterfeit money from an acquaintance in a pub prior to his next meeting with PK. This information of where to obtain coins was also supplied by another MM associate who was posing as his body guard along with the veiled threat that it would be best to keep his boss PK happy and give him what he wanted.

35. On the morning of Thursday 9th April 1998, the penultimate meeting with PK took place. The applicant again made various excuses as to why he had not been able to supply any of the items discussed in previous meetings and telephone conversations. It was then that PK ramped up the pressure even more and handed the applicant £400 in cash, the exact amount that the applicant had been told by AB & another MM associate it would cost to obtain 1,000 fake coins from the person they had mentioned in the pub they had suggested. In his role as PK Mahmood was also making lavish promises of fame & fortune stating that he would ensure that his rich "Sheikh" boss would employ the applicant as a highly paid Television Presenter and Entertainer if the applicant helped him get what he wanted.

36. Having been given the details of a supplier and a rendez-vous by both AB and another MM associate, the applicant sourced the 1,000 pound coins, which after incurring additional expense to himself (taxis etc) left the applicant out of pocket by approx £30. These 1,000 coins were supplied to PK later in the same day (Count 2) on 9th April 1998. Once again these events were filmed by MM.

37. Although the applicant had absolutely no intention of ever doing anything that could be deemed illegal in any manner, he did after much behind the scenes intimidation & manipulation obtain the 1,000 coins for MM. It should however be noted that the applicant was only able to afford to do such because MM provided the funds in advance (taken from a table stacked with wads of banknotes which was in the applicants eyeline but just out of camera view) and even then the applicant was left out of pocket. Further the applicant was of the belief that as MM would be (and was) afforded the 'Lawful Excuse' of his story being in the public interest to allow him to incite someone else to commit a crime and to allow him to purchase counterfeit coins, that as he could (and did) prove to the police, CPS and ultimately the courts that he himself (the applicant) was operating in the course of formulating an intended public interest story about MM and his methods that he too would (and should) have been afforded the same 'Lawful Excuse' and so called 'journalistic privilege' **and thus the applicant should never have been charged or brought to court in the first place.**

38. Three days later on Sunday 12th April 1998 the applicant appeared in the News of the World newspaper under the headline 'Kiddies TV Star is a drug dealing pimp and he also rakes in the cash with counterfeit coins and gun sales!'

39. The applicant voluntarily attended Rochdale police station on Sunday 12th April 1998, the day the article appeared in an attempt to explain what had occurred, only to be told that there was no complaint of a crime and that as such the police were not interested. However in a little over a week

after the article the police contacted him and again he surrendered himself to be interviewed under caution, making a full comment interview, explaining exactly what had happened.

40. It is of interest to note that it seems Mazher Mahmood did not hand his evidence or the pound coins he had bought to the Police until Sunday 19th April exactly one week after the story about the applicant appeared within the News of the World Newspaper. It should also be noted that the police were only ever given a total of 1,000 coins as opposed to 1,003 which should have been the number of coins given to them in total.

41. A video tape containing heavily edited “highlights” of the footage MM had filmed along with some audio tapes was given by him to the Police as evidence, however as has since become clear was standard practice in MM cases, these tapes were heavily edited and largely out of context in many sections to give a purposely false & misleading version of events to the police.

42. Fortunately the applicant himself had audio recordings of some of the meetings (tapes ran out during them) which in its unedited form helped the applicant to prove his real intentions, something that was indeed accepted by the Police, the Judge and all relevant parties and is confirmed by comments quoted in the Manchester Evening News report of 2nd March 1998.

43. The applicant recalls that after being interviewed at length by Constable 02058 Ian Elford & Constable 08608 Lee McCrory, that he was charged with delivery of 1,000 counterfeit coins to another, namely Mazher Mahmood. This is confirmed by records provided by Rochdale Police reference crime report 126962B/98 which states that on Thursday 9th April 1998 at 5pm at the Piccadilly Hotel in Manchester the applicant committed the stated offence.

44. Oddly when the applicant obtained a copy of his DBS/CRB it stated that he had been convicted of 2 Counts, both of which apparently are meant to have taken place on 9th April 1998 and that both of which resulted in a sentence of 6 months imprisonment (to run concurrently) along with the forfeiture/confiscation of the alleged counterfeit (**they were never forensically tested**) pound coins. How can coins possibly have been confiscated from the applicant when on the 9th April 1998 they became the property of Mazher Mahmood when they were handed to him?

45. Documents obtained from Arco, the Police National Computer show that their records state that the applicant was charged with 2 counts, both of which according to them happened at 5pm at the Piccadilly Hotel on 9th April 2018. How exactly is it possible for 2 identical offences to have taken place at exactly the same time and place, when only one bag containing 1,000 coins was ever handed over to Mazher Mahmood on that date?

46. As a result of a GDPR subject access request to the CCRC the applicant has obtained a copy of the documents submitted by the CPS to the single judge outlining why they at the time (Late 2015 to early 2016) argued that the applicant's conviction was safe. These raise several points as follows:

i. The CPS document states that according to them the applicant was indicted on the 2nd September 1998 (indictment number 06.A3.1393.98) to one charge of delivery of 1,000 coins on the 9th April 1998.

ii. It seems that on the 21st October 1998 (to which the applicant has no recollection) that a judge applied to have the indictment (indictment number 06.A3.1393.98) changed into two counts, one for delivery of 3 coins on 2nd April 1998 (these being the 3 genuine coins the applicant pulled from his pocket) and a second count for delivery according to the CPS document to CCRC of 996 coins (this conflicts with mention of 997 coins elsewhere & on the actual indictment document) on 9th April 1998.

iii. The CPS document however confirms that the applicant entered Not Guilty Pleas up until according to the CPS the 1st February 1999 when they state (incorrectly) that he changed his plea to Guilty.

iiii. The CPS's own documents sent to the CCRC include a section quoting a response from the applicants Barrister of the time Anthony Morris who confirms that it was not until the first day of trial after having been advised by him to change his plea to guilty (with mitigating circumstances) that the applicant did so following such (as we now know bad) advice. The first day of trial as confirmed and reported by Manchester Evening News article published on 2nd March 1999, was Monday 1st March 1999.

iiiii. This document from the CPS which was submitted to the single judge as their argument of why (at the time) they considered the applicants conviction to be safe (this being before MM was convicted and other evidence coming to light) originated from the chambers of Sarah Forshaw QC & Mark Heywood QC on behalf of the CPS. This is of note as Sarah Forshaw QC later in 2016 led the prosecution case for the CPS against Mazher Mahmood in the Old Bailey leading to his conviction and during the course of preparing her case and based on what the applicant heard discussed in court both with and without the jury present (as he attended each day of the Old Bailey trial against MM) it is clear that Sarah Forshaw and the CPS must now be fully aware of Mahmood's long term dishonesty and arguably illegal actions. It is also submitted that they no longer have any excuse for not disclosing important facts about previous investigations into Mahmood and others in which he was implicated.

iiiii. In short it is argued that it would now be impossible for the CPS given Mahmood's Conviction together with the new evidence that has come to light and the exposure of MM's long term dishonesty and arguably illegal activities to conclude anything other than the applicants conviction as being unsafe. Numerous trials relying on MM's evidence have now collapsed and the CPS themselves have been quoted as stating that MM can no longer be relied upon as a witness of truth in any matter.

47. To the dismay of the applicant, he was charged with delivery of counterfeit coins pursuant to the Forgery and Counterfeiting Act 1981 s.16 (2). At Bury Magistrates Court he pleaded Not Guilty and the case was committed to Manchester Crown Court for trial.

48. It was the applicant's contention that MM had lied profusely in his witness statement. He further accused MM of editing the recordings, failing to disclose all of the conversations which took place as well as refusing to disclose other evidence on the grounds of 'journalistic privilege' including whether or not he (MM) knew the man in the pub who handed the coins over to the applicant. **(It is now known that Southern Investigations with whom MM was regularly working at the time had the ability to obtain drugs & counterfeit currency)**

49. It was also noted by the applicant that at each and every meeting MM and his associates would ply him heavily with drinks, and that after such meetings the applicant would feel far drunker than he normally would or indeed should have and then awoke the next day with a very hazy recollection of the previous days events, indeed with some bits seemingly gone from his memory altogether. With what has now come to light it is suggested that MM or one of his associates acting on his behalf at best spiked the applicants pints of beer with stronger alcohol or as is increasingly looking likely drugged his drinks with something akin to the date rape drug GHB to make him more suggestible and compliant.

50. The applicant also to this day fails to understand how Mahmood could possibly justify his actions and/or the subsequent resulting story as being in any manner in the public interest, something it would have to be to give him lawful excuse to act in the manner he did.

51. On the first day of trial, 1st March 1999, the applicant changed his plea to guilty (with mitigating circumstances) and was sentenced to an immediate custodial sentence of 6 months imprisonment, concurrent on

both counts by His Honour Judge David Owen, on the basis that he knew that the coins were counterfeit and that he had no reasonable excuse.

52. One of the key factors for his change of plea was that he was given, what he now knows to be 'bad advice' by his Barrister of the time who advised him on the first day of trial that he did not feel confident that an entrapment or similar defence would work (although as we now know it did work for others who were and have been acquitted after almost identical modus operandi was undertaken by MM) and also that AB had by now, provided a statement strongly supporting MM's version of events. It was now clear that MM and AB had been working together on this sting but was unprovable given MM's protection under journalistic privilege.

WAIVER OF PRIVILEGE

53. For the purpose of this application, Alex Smith gives his full permission for any legal professional privilege to be waived. A signed document is on file with those instructing me should it be required.

EVENTS AFTER TRIAL

54. The applicant decided at the time not to appeal either conviction or sentence after having been told in the holding cells (straight after being handed his sentence by the Judge) at Manchester Crown Court by his Solicitor of the time that he had no defence and that his sentence could be increased.

55. The applicant, who was previously (and since) of good character and without any Criminal charges or convictions of any kind, was unsurprisingly a ruined man after he came out of prison. Those doors which were wide open to him prior to April 1998 were clearly shut and it was impossible for him to find work on television or in the media at large.

56. As per the Court's guidance in R v McCook (2014) EWCA Crim 734, those who represented the applicant when his appeal was submitted (Siobhain Egan of Lewis Nedas Law) who did not act for him in 1998, have tried to contact his previous solicitor (David Feingold) who says that he remembers very little of this case and retains no paperwork. His counsel Anthony Morris has, regrettably, not responded at all to requests of assistance by Lewis Nedas Law.

SUBMISSIONS

57. For the purpose of the indictment against the applicant, **Counterfeit and Forgery Act 1981 s.15 (2) deems:**

“It is an offence for a person to deliver to another, without lawful authority or excuse, anything which is, and which he knows or believes to be, a counterfeit of a currency note or a protected coin.”

58. It is submitted that the convictions against the applicant are unsafe. The one glaring evidential omission in this case was any actual proof that the coins supplied were indeed counterfeit in that:

i. The Crown proceeded against the applicant on the basis that he **knew** (as opposed to believed) that the 1,000 coins were counterfeit. The likelihood, in hindsight, was that the coins were most likely real.

ii. The applicant received erroneous advice from his lawyers in the absence of such proof.

iii. The 3 coins supplied in Count 1 were in fact always known by the applicant to be genuine as they were genuine coins that he removed from his pocket.

iiii. A document has now been obtained in late 2018 by the applicant from

the Royal Mint within which they state they do keep and have records from the time period of 1998/1999, but that they have nothing in their records relating to the clients name or case.

APPLICATION FOR AN EXTENSION OF LEAVE PERIOD

59. Having been contacted and given a disclosure pack by the CPS in January 2015, the applicant sought fresh legal advice from Siobhain Egan of Lewis Nedas Law who had appeared on the BBC Panorama documentary “The Fake Sheikh” Exposed which was broadcast on BBC One on Wednesday 12th November 2014. Following this contact it transpired that:

i. Original trial counsel advised the applicant that there were no grounds of appeal, nor were there any grounds to launch an application to stay proceedings at the time. It is submitted that such advice was not correct. Having been told that his sentence may have been increased if he tried to appeal and failed, the applicant decided to do nothing further.

ii. The applicant's Solicitor (from Jan 2015 to June 2018) Siobhain Egan of Lewis Nedas Law was also engaged by several other Mazher Mahmood victims including London's Burning Actor John Alford, Champion Boxer Herbie Hides, Cricket Agent Mazhar Majeed, The Earle of Hardewicke Joseph Yorke & his business partner Stefan Thwaites and the modus operandi used by MM was, it became clear, in all cases practically identical. Further the numerous similarities between the Modus Operandi used by MM in these cases (including the applicants) and what happened to Tulisa Contostavlos is glaringly obvious.

60. In all of the above mentioned cases which were being handled by the applicants former Solicitor, Siobhain Egan at Lewis Nedas Law, complaint has been made that MM manipulated the evidence and on occasions the witnesses in a patterned manner of non-state entrapment as now defined by

Goldring J in Saluja. (Council of Healthcare Professionals v Gurbinder Saluja [2006] EWHC 2784 [admin] 1 WLR 3094). It is submitted that all of those who have been subject to this style of investigation (including the applicant) were entrapped by an agent provocateur with a highly questionable track record – where crimes occurred, these were crimes created purely and simply by an investigator, in this case MM.

61. It is clear that on occasions those representing the defendants mentioned earlier in point 59 did apply to stay the proceedings but often it was difficult to demonstrate evidentially that MM had behaved (in that isolated case) in such an offensive manner that was provable, so as the court to intervene in the prosecution.

62. On each and every occasion, as in the applicant's case, MM would invoke his journalistic privilege to hide the identities of others at the heart of the sting to shield any further scrutiny (even from the judge). Unfortunately for MM His Honour Judge McCreath uncovered the dishonesty of MM in the July 2014 Tulisa Contostavlos trial which collapsed and ultimately led to MM being convicted and jailed for 15 months on 21st October 2016 for Conspiracy to Pervert the Course of Justice.

63. An appeal was submitted by the applicant in 2015, but was rejected by single judge His Hon Mr Justice William Davis in a decision dated 9th May 2016 with the reference of 201503661 B2 JMC.

64. The applicant was advised of the Single Judges decision in an email from his then lawyer Siobhain Egan of Lewis Nedas Law dated 17th May 2016. Within this same email he was informed that his case had that same day (**before he had been contacted and told the single judges decision**) been submitted on his behalf to the Criminal Cases Review Commission.

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70. The applicant searched high and low in an attempt to find a Solicitor to help him resubmit his application to the full court of appeal and on 10th July 2018 had a meeting with Mark Lake of Cartwright King.

71. Although extremely busy with other matters, Mr. Lake kindly agreed to help the applicant and the weeks since that meeting have been spent by

the applicant obtaining what documents he could from various sources by way of GDPR subject access requests and in preparing these new grounds of appeal for submission. As the applicant has been unable to raise funding, Mr. Lake has been unable to advise any further, other than obtaining this professional advice on the applicants behalf:

*The Applicants Conviction is Unsafe and he should be allowed to withdraw his (albeit tendered at the very last moment) guilty plea on the bases as laid out by R v Asidu [2015] EWCA Crim 714:

**The defendant tried and failed to get evidence excluded. Faced with the evidence, the defendant was forced to plead guilty despite truly believing himself to be (and being) innocent.

**The trial was an abuse of process, and never should of taken place. Per Lord Hughes “[i]f the trial process should never have taken place because it is an offense to justice, a conviction upon a plea of guilty is as unsafe as one following trial” - and as is now clear, important evidence regarding Mahmood's Lack of credibility as a “witness of truth” was not disclosed to the defendant by the Police or CPS, at either at time of trial or later at anytime up to this application being placed in June 2019.

11f. The advice sought on the applicant's behalf by Solicitor Mark Lake concluded that the following things are significant when considering these grounds of appeal:

*Mr Coombs (Co-Defendant with Tulisa Contostavlos) pleaded guilty. His conviction was quashed once Mazher Mahmood was caught in a lie when giving evidence in Tulisa's trial, having interfered with the evidence of a another witness.

*As a result the CPS dropped the other prosecutions it had in the works at the time which were based on Mazher Mahmoods Stings.

*Mazher Mahmood was then convicted of Conspiracy to Pervert the Course of Justice. During his trial for Conspiracy, Sarah Forshaw QC for the prosecution, referred to Mazher Mahmood as “the master of Subterfuge and deception”, inter alia. The prosecution knew all about his role as agent provocateur. The methods used against Tulisa by Mazher

Mahmood reflect the modus operandi that was used against the applicant of these grounds.

*Accordingly, the CPS well knows that Mazher Mahmood's evidence is unreliable. Given that evidence exists indicating that the CPS and/or Police may have been aware of Mahmood's links to Southern Investigations and dishonest actions and/or dealings as far back as 1997, it should be possible to argue that the applicant's case should never have been brought to court in the first place.

71. b – On 26th April 2019 the applicant rang the Courts of Appeal for advice after someone had mentioned it might not cost him anything to submit his reapplication. He spoke to someone who confirmed that what he had been told was true.

71. c – The applicant waited until 10pm on Thursday 23rd May when his Crowd Justice Fund Raising Page campaign ended with him unfortunately not having managed to raise the full £10K target which would have enabled him to pay a Professional Adviser to help in this appeal.

71. d – Due to lack of funding on Morning of Friday 24th May 2019 this reapplication was sent by First Class Signed for delivery along with the completed Form SJ to the Courts of Appeal by the applicant himself.

AREAS OF POTENTIAL INVESTIGATION

72. Since the ruling by HH Judge McCreath in the Tulisa case, the spotlight has been shone into a number of areas that have either been known about by the prosecution and not been disclosed, or not known about them concerning MM. More pertinently, there have been a stream of witnesses that have contacted the applicant's original appeal Lawyer that have indicated that they are in possession of documents and information undermining the credibility of MM. Some have expressed a genuine belief that their livelihoods may be adversely affected by the 'Murdoch Machine' without the buffer of the CCRC investigating under the Court of Appeals direction, something which the applicant's original appeal lawyer asked to have occur. This list of potential witnesses includes journalists and former police officers.

73. Furthermore despite the 2014 Attorney General's request of the BBC not to screen it and MM making several unsuccessful attempts in the High Court to prevent it, a Panorama documentary in November 2014 reported into the nefarious practices employed by MM, some of which were illegal. In the documentary, people who worked with MM gave interviews implicating him in illegality so much so that Lord Goldsmith, the former Attorney General commented on the programme that, **“the fact that somebody who has been accused by a judge of apparently not telling the truth may be instrumental in those convictions would certainly be a reason to look at those convictions again and to examine whether they are safe.”**

74. The programme also featured interviews from reporters who worked with MM including one who confessed that, “the only real criminal was Mazher Mahmood. He gave me the money to buy the Cocaine.” Another describes him as 'Pinocchio on speed.' It is respectfully submitted that there are several lines of enquiry that deserve to be investigated by the CPS, Court of Appeal & CCRC, questioning the truth of previous testimony that MM has given in various courts and in various statements (including the applicant's) over the years.

75. It is not the first time that MM's integrity has been questioned in individual cases leading to the collapse of cases at first instance. In recent years, the trials of Dr Majeed Ridha and pharmacist Murtaza Gulamhusein (illegal supply of abortion drugs), Leon Anderson (drug dealing), DJ Campbell, Ian Goodison, Akpo Sodje, Christian Montano, Sam Sodje, Stephen Sodje and another 7 footballers (football match fixing) have all been terminated when the veracity of MM's evidence was called into question. In the case of Anderson, the Crown abandoned any reliance on MM as a witness of truth post Tulisa Contostavlos.

76. Perhaps of more concern to the applicant and all who have been prosecuted as a result of MM's investigations, is the Crown's 'case by case' approach to his over-arching integrity. By adopting that approach it is

apparent that any disclosure touching MM has been by-passed. One of the most glaring examples can be found in Besnik Qema who was an Albanian immigrant with British Citizenship. He was arrested in February 2005 following a News of the World sting operation masterminded by MM. It is linked to several other Mahmood stories that relied on “assistance” from Florim Gashi, a Kosovan asylum-seeker whose initial evidence in several trials in the past years has been discredited. Mr Gashi admitted that he had been used by MM frequently in his sting operations. He admitted playing key roles in a number of sting operations ranging from intermediary to inciter/organiser of offences including that of Mr Qema.

77. Mr Gashi was first associated with MM as a result of information that he supplied leading to the prosecution of Shalin Begoli for offences of forged passports in January 2002. In August 2002, protected by Journalistic privilege, Gashi was the same source of information that a private management traffic enforcement agency was supplying drugs in their network of traffic wardens. This ultimately led to Gashi providing further information to MM about a group of Eastern European men who were looking to sell stolen goods at Sotheby's auction house. MM did not consider this newsworthy enough so Mr Gashi claimed that he encouraged him to entrap these men (statement of Gashi from *Turcu v News Group Newspapers Ltd* [2005] EWHC 799 [QB]) in order that he could publish a story about infiltrating and foiling a plot to kidnap Mrs Victoria Beckham, the wife of the England soccer captain (The Beckham Kidnapping Trial).

78. According to Gashi, MM believed that since these men were criminals anyhow, they could be pursued and entrapped by persuasion to adopt this idea. To this end Gashi recorded various conversations with the men, with his leading the conversations and MM photographing them carrying out 'reconnaissance' to lend the story credibility. Two days prior to their arrest, MM informed the police of the plot. Having been charged and remanded in custody for 7 months, the men were acquitted when Brian Altman QC, prosecuting counsel, concluded that it was quite impossible to have a realistic prospect of conviction following differences between Gashi's testimony and MM's. It became apparent that MM had misled the court regarding a payment of £10,000 that he had made to Gashi for the story, which he denied.

79. The Crown were also by this stage cognisant of the 'traffic warden' back-story, which the police ceased investigating. The Police interviewed Mr Gashi and in those interviews he made various allegations against MM acting illegally and in an underhanded manner. His disclosures led to Operation Canopus, which sought to establish if there was a case to answer against MM for perverting the course of justice. It was ultimately concluded by the police that there was insufficient evidence to proceed further.

80. In September 2005, Gashi contacted the police to express his surprise that his information had not been acted upon, offering more information to them. MM was due at that stage to appear as the main witness at the CCC in R v Martins and others (Operation Allegra), having allegedly exposed a plot to purchase a substance called 'Red Mercury', which he claimed was going to be used in London, designed to scatter radioactive material and cause mayhem. Given the sensitivities of the '7/7' London bombings, this was a major news story.

81. Mr Gashi's further contact led to Operation Canopus II. Part of the documentation provided to the applicant **includes allegations against MM of obtaining and the distribution of counterfeit currency for self-gain**, possession of a handgun, corrupting prison officers, blackmail, false accounting and the possession of drugs. He also alleged that Operation Allegra was a 'set up.'

82. MM was interviewed under caution. Broadly he denied all the allegations made by Gashi and claimed that there were people in the industry who wanted to bring him down. He defended his methods claiming that the CA had upheld convictions (See Shannon et al). He maintained that he 'never ever named informants and throughout when apparently faced by difficulty questioning retorted to the same monologue.' He said that Gashi helped him on 20 or 30 stories but denied that he did not really pay him other than for expenses.

83. When asked about his method of not handing over all tapes of evidence or selective disclosure he denied this yet later is vague as to the whereabouts of other tapes, suggesting the NOTW retained them or possibly his technician.

84. Crucially he reveals his approach to his sources when he says, 'So I've got bent police officers that are witnesses that are informants. What does that mean. Who's credibility do you take. As I said to you it doesn't matter if it's Saddam Hussein I don't care. (sic) He went on to say that ' ..It's exactly with me. It doesn't matter if it's a villain or what, I mean some of the best stories come from villains.' Interestingly, he admits that ' ...No I'm just giving you an example or a drug dealer. I will sell him some drugs get a bit of fame in the paper...' Ultimately, charges against MM were not levied in the absence of independent evidence.

85. During the trial of the 'dirty bomb' trial, a protracted Abuse of Process argument was launched by the defence centring on MM's integrity. Counsel for the defence alleged that he routinely distorted the truth, concealed pertinent facts from the police and was primarily concerned not with justice, but with sales and viewed his engagement with the criminal justice process as simply a necessity to give his articles a moral tone. Despite his Honour Judge Beaumont allowing the case to go to jury he was critical of MM upon the jury acquitting all defendants.

86. In January 2011, following revelations from Canopus I, II and other cases MM had been criticised from all quarters, the CCRC took the 'exceptional circumstances' step and referred the guilty plea by Mr Qema to this court. It is of interest to note that the Crown did not contest the reference.

87. The Panorama documentary also outlines as far back as 1992 or 1993 MM's association with a private investigation firm that featured in the Leveson Inquiry, Southern Investigations ('SI').

88. The murder of private investigator Daniel Morgan remains one of London's most notorious unsolved cases. On March 10, 1987, the 37 year old father of two was hacked to death with an axe outside the Golden Lion pub in Sydenham. It had been suggested that Daniel was close to exposing a group of corrupt police officers, but five investigations have failed to provide an answer or bring his killers to justice. Daniel Morgan ran the detective agency SI. The night he was killed he had a 90 minute meeting with his business partner Jonathan Rees at the Golden Lion. At 9pm he left by a back entrance to get to the car park, a Rolex watch on his wrist and £1,100 in his pocket. He was later found lying on the ground near his car with an axe embedded in the side of his head. The Rolex was missing but the cash remained.

89. The following month Rees, his brother in laws Garry and Glenn Vian and Sid Fillery, one of the Catford Police station detectives initially assigned to the case, were arrested, only to be released without charge.

90. At the inquest in 1988, the bookkeeper at SI alleged that Rees and Fillery planned the contract killing. By this time Fillery had retired and joined the agency as Rees new partner. The pair went on to carry out work for a number of tabloid newspapers including the News of the World and are said to have provided the information for exposes of celebrities, politicians and royalty, It is here where they first came into contact with MM.

91. A second inquiry by Hampshire Police began on 24 June 1988 following a complaint by the Morgan family to the Home Secretary Douglas Herd. Rees was again arrested, but the charges were dropped. Between June 1988 and May 1999 Police monitored the offices of SI as part of a third investigation. Although it did not assist the murder inquiry, it did provide evidence that Rees was in a plot to frame model Kim James with drugs to help her husband win custody of their son. In December 2000 he was jailed for six years at the Old bailey for conspiracy to pervert the course of justice.

92. It was expected the trial would take place in April 2009. Two years of Legal wrangling over disclosure of evidence and police handling of witnesses followed. In February 2010 a judge stopped the case against Sidney Fillery after excluding the evidence of a key witness. The charges against Cook were dropped in November. The entire case collapsed in March 2011 after prosecutors accepted they could no longer guarantee that full disclosure of evidence could be made to the defence. The Metropolitan Police have since admitted that the original investigation in 1987 was tainted by police corruption.

93. On 10th May 2013 the Home Secretary Theresa May announced an independent judge led inquiry would look into the circumstances of the case. The remit of the panel involves addressing questions related to “police involvement in the murder, the role played by police corruption in protecting those responsible for the murder from being brought to justice and the failure to confront that corruption, the incidence of connections between private investigators, police officers and journalists at the News of the World and other parts of the media and alleged corruption involved in the linkages between them.” Presently Baroness O’Loan is chairing the inquiry.

94. During the course of the Leveson inquiry, MM provided several witness statements and was allowed to give screened evidence, albeit on oath. He admitted that he worked with SI 20 or 30 times and was provided protection by them, yet he told the inquiry that he never paid for the services of a private investigator. In the Panorama documentary, a member of that company, a police officer says that they worked with him on at least one sting. Furthermore, the applicant is in receipt information proving that he (MM) misled the inquiry on this.

95. It is submitted that, prima facie, this was not the only topic that MM misled the inquiry on. It is clear from the statements from Professor Roy Greenslade and Paddy French that he lied (under oath) to the Leveson Inquiry on various matters.

96. During the course of his evidence MM contended that he had been responsible for 261 prosecutions. Issue was taken of this claim by Paddy French who invited MM and News International to assist (silent) with documented proof. He endeavoured to painstakingly research all archives of prosecutions and concluded that the figure could only have amassed to 80 at the most. Linklaters were tasked to assist the inquiry with the figure and concluded that there were 134 criminal offences by 94 individuals.

97. Similarly, Professor Roy Greenslade testified that the evidence given by MM of his leaving the Sunday Times in 1988 was at best, gravely misleading. Junior counsel to the inquiry had asked MM if he had left under a cloud, to which the answer was a disagreement. Incredulous about this, Professor Greenslade set the record straight evidencing that MM had jumped before he was sacked for lying to the editorial staff and then attempting to further lie by altering computer records. When confronted by this evidence, MM conceded that he had lied but claimed that he was a very junior reporter and was keen to impress.

FINAL SUBMISSIONS

98. As is illustrated on the applicants website of www.circusofthemind.net numerous victims of MM's activities have stated that they believe that at the very least their drinks (with which they were just like the applicant heavily plied by MM & his associates) were spiked with even stronger alcohol or as many have (including the applicant) some hazy and/or missing memories of events that a date rape drug such as GHB may have been used in order to make them more suggestible and compliant. Other people who have stated such include London's Burning Actor John Alford, Model Emma Morgan, The Directors of Newcastle United, Snooker Player John Higgins, The Earle of Hardewicke & Stefan Thwaites, former England Rugby Captain Lawrence Dallaglio, Tulisa Constantavlos & also Jeremy Dein QC (defending Tulisa) accused MM of such as indeed has Civil Lawyer Mark Lewis on Television. It is suggested that such drugs may have been obtained through MM's contacts at Southern Investigations.

99. The applicant certainly can't think of any other logical reason for why MM would not have just picked up the hotel room phone and rang room service to deliver drinks, but instead sent one of his staff to go down to the bar and get drinks (thus giving time to possibly tamper with them) especially when your not in a normal hotel room, but rather are in one of the expensive Suites and thus far more likely to get speedy VIP Service.

100. It has recently come to the applicant's attention that evidence has come to light to illustrate that the telephones of some Fake Sheikh victims, were illegally hacked before & around the time of their trials. It has been suggested that it is highly likely that this was MM's standard Modus Operandi and that the applicants mobile phone was also likely hacked so that he (MM) could monitor what state of mind his targets were in and if need be have more pressure and intimidation applied behind the scenes to help ensure his story resulted in a conviction at court.

101. Had the applicant known about MM's links to SI and his suspected dishonesty etc, which it seems the Police did prior to him being charged and yet never disclosed such to him, then the applicant feels it is highly likely that his case would never have reached court in the first place, but had it done so that he would have been far more likely to continue pleading Not Guilty and feels given what has now come to light that he would have been acquitted in such circumstance.

102. At the very least the level of MM's dishonesty, criminal connections and criminal activities that did become known by both the Police and CPS since the applicants conviction in 1999 should surely have been disclosed to both him and others in the same position in the same manner that the Tulisa Constantavlos related disclosure packs were issued in January 2015. Had this been done it is highly likely the applicant would have submitted an appeal against his convictions many, many years earlier than occurred.

103. Evidence galore of the allegations made about MM, SI & their associates which is now heavily in the public domain after years of being repressed and hidden can be seen online at the links that can be found on the applicants web page of www.circusofthemind.net

104. The applicant wishes to draw your attention to these quotes from various people which have appeared in the media and which further illustrate how unsafe his conviction is. The sources of all of these quotes in various National Media Publications along with links to the original articles and/or official statements/letters can be seen on the applicant's website of www.circusofthemind.net

It is as we have long suspected that the Met knew and repressed information about corrupt relationships between their officers, employees of The News of the World and Southern Investigations. This information was deliberately repressed by the Metropolitan police and should have been disclosed to those representing defendants in the so called “stings” orchestrated by Mazher Mahmood. It is information which should be immediately disclosed to those lawyers advising relevant convicted individuals whose cases are now before the CCRC, and the Daniel Morgan Investigation Panel. - **Siobhain Egan – Lewis Nedas Law**

“People who have been locked up in the past are now able to say there is compelling evidence that this man was prepared to lie on oath in order to secure a wrongful conviction, so there’s now a platform for others to come forward and say ‘the same thing happened to us.’” - **Jeremy Dein QC**

There were “strong grounds for believing that the underlying purpose of these lies was to conceal the fact that he (Mazher Mahmood) had been manipulating the evidence in this case” by getting another witness to change his account” **Judge Alistair McCreath** told the jury.

“Mahmood has now been exposed by my lawyers openly lying to the judge and jury. These lies were told to stop crucial evidence going before

the jury.” **She added:** “Thankfully, the lies have been uncovered and justice has been done.” - **Tulisa Constantavlos**

Judge Stuart Fish formally acquitted Mr Giggs, then asked whether charges of inciting to supply drugs and illegal possession had been considered against the reporter, Mazher Mahmood.

Mr Quinn Hawkins prosecuting said: “The position is that the Crown can no longer rely on Mr Mahmood as a witness of truth in this case, and for that reason, I offer no evidence against Mr Gordon on behalf of the Crown.”

“Curiously, he’s (Mazher Mahmood) never been charged with the illegal purchase of cocaine, although there are no legal grounds on which he can do this to perpetrate a sting.” – **Peter Burden – Author of Fake Sheikhs & Royal Trappings.**

“I am responsible for innocent people going to jail. I tricked them, (to help Mazher Mahmood) and I’m ashamed. It’s time to tell the truth.”

Florim Gashi – Former Colleague of the Fake Sheikh

“We’ve had the case of Mazher Mahmood, the ‘fake sheikh’ who perverted the course of justice to secure his ‘scoops’ and left scores of previous convictions unsafe.” - **Tom Watson – Labour MP**

“One is mindful about the fact there is little regulation on undercover newspaper work and citizen investigators which perhaps needs to be looked into.” - **Nazir Afzal – Former Chief of CPS in Northwest.**

The other thing you might want to look at though is the PCC code:

“Clandestine devices and subterfuge. The press must not seek to obtain or publish material acquired by using hidden cameras or clandestine listening

devices or by intercepting private or mobile calls, messages or emails...”
etcetera, etcetera. And of course it goes on to say: “... unless there’s a clear
public interest.” - **Alistair Campbell – MP**

“The fact that somebody who has been accused by a judge of apparently
not telling the truth may be instrumental in those convictions would
certainly be a reason to look at those convictions again and to examine
them to see whether they are safe,”

(Goldsmith told the Fake Sheikh Exposed Panorama Documentary)

Lord Peter Henry Goldsmith – Former Attorney General

“I will first deal with unlawful and improper conduct within News
International and other newspaper organisations. The Conviction of
Mazher Mahmood also raises issues of an entirely different species of
unlawful and improper conduct” - **Sir Brian Leveson QC**

Steve Grayson, who worked with Mahmood on numerous stories in the
1990’s including this one, said of the takedown: “He is a drug dealer,
we’re drug dealers, we have paid this guy to supply the drugs to give to
her.” - **Steve Grayson – Former Mazher Mahmood Associate.**

“The CPS special prosecution team, as it was then, dealt exclusively with
these prosecutions and in my view did not seek to test the weight or the
veracity of the evidence.” “As I say, there was a certain MO Mahmood
would employ. The same assertions were made by reputable defence teams
time and again to the CPS, which were ignored.” “You also have the Met
Police. We now know there were internal investigations by the anti-
corruption team at New Scotland Yard into Mahmood’s relationships with
serving police officers.” - **Siobhain Egan – Lewis Nedas Law**

“Over the last 25 years, innumerable lives have been ruined by the
dishonest actions of Mazher Mahmood. People have lost their livelihoods,
their homes and relationships, with some spending time in prison.”

“When the public used to read “Fake Sheikh” articles in British newspapers, they would know there was a criminal at the heart of the story. Until now, readers didn’t realise that the criminal was the “Fake Sheikh” himself.” - **MARK LEWIS – Lawyer**

“The real scandal in this case is that Mahmood was allowed to operate as a wholly unregulated police force, ‘investigating’ crimes without the safeguards which apply to the police. As a journalist, he was able to rely on unnamed ‘sources’ and was not required to give full disclosure of his investigation to the defence. As Tulisa’s defence lawyers, we were prevented from properly testing the strength of his evidence.”

“It was obvious from the outset that Tulisa should never have had to go to court. If Mahmood’s evidence had been properly stress tested instead of accepted wholesale by the CPS, we are confident it would have come to the same conclusion.” - **Ben Rose – Hickman & Rose**

“Red flags were raised about the reliability of Mazher Mahmood’s stings over decades but the police ignored them.” – **Dr. Evan Harris**

“It appears perverse that, while the law protects against the state causing citizens to commit illegal acts, it does not protect against private parties doing the same thing, where often the participation of the private ‘entraper’ goes beyond that which would be deemed appropriate by law enforcement officers. Many newspapers stings involve an expensive and targeted campaign on one individual, based on limited or no intelligence, where the inducement is persistent and the primary incentive is to sell newspapers, not to prevent crime.”

David Sleight – Kingsley Napsley Solicitors

“Mahmood’s methods debase journalism. They often amount to entrapment and, on occasion, appear to involve the use of agents provocateurs. People have been encouraged to commit crimes they would not otherwise have conceived. As if that wasn’t enough, the public interest justification advanced for such activities by the NoW is almost always highly debatable.” – **Professor Roy Greenslade – Journalist**

“Panorama increases the strength of the case considerably for a new inquiry... There is a severe question mark over over the tactics he [Mahmood] used... We are dealing with convictions which may not have been properly obtained.” – **John Whittingdale MP**

“There is a huge danger of accepting Mr Mahmood’s word in respect of any matter.” **Stephen Solley QC**

“I am minded to refer the whole of this matter to the Attorney General to consider the temptations to which money being offered in return for stories, in particular about celebrities, gives rise to – and the way in which newspaper investigations may have a detrimental effect on – the ultimate court proceedings.” - **Judge Simon Smith**

“There must also be a review of Mazher Mahmood’s previous work. There is a long rap sheet of complaints from Mahmood’s previous targets. All those claims previously dismissed as ‘special pleading’ now sound eerily similar to Contostavlos’ reports, namely that either:-

- Mahmood offered inducements to ‘create’ the commission of a crime that would never otherwise have been anticipated,
- Mahmood manipulated or ‘spliced’ audio recordings, thus providing police with inaccurate impressions about what was said, or the context of it,
- Mahmood misled law enforcement about the ‘originator’ or ‘instigator’ of a criminal enterprise when in fact the origin was either Mahmood, or someone in his pay.

Alistair Parker of Brett Wilson Solicitors

105. It is respectfully suggested that extremely strong grounds of appeal

exist in the applicants case and that the prosecution may now in light of MM's conviction and other dishonesty that has recently come to light, take the view that they can no longer oppose the applicant's appeal on the grounds of public interest and that relying on his (MM's) evidence in any way to secure a conviction, particularly given their recent stance post Tulisa that MM can no longer be relied on as a witness of truth is no longer possible and itself brings the safety of the applicants convictions into question.

106. Further to the above the applicant further feels his conviction is unsafe given that documentary proof now exists that the CPS never had the alleged counterfeit coins tested or verified by the Royal Mint despite having made claims which indicated otherwise and therefore proceeded against him in 1998/1999 on the basis that he knew the coins to be fake when they had zero proof that the coins were anything but real.

107. Given the evidence outlined on the website located at this link: <http://www.meccsa.org.uk/news/three-d-issue-27-leveson-part-two-outstanding-issues-and-unheard-evidence/> which indicates that proof of Mahmood's Dishonesty was arguably known about by the Police and CPS as far back as 1997, it could be argued that the matter of non disclosure in these matters further makes the applicant's convictions unsafe.

Enclosures/Attachments:

*Printed copies of any new documents obtained since the original Grounds of Appeal and supporting bundle were submitted on 29th July 2015.

*DVD-ROM containing copies of all the documents referred to in these grounds of appeal, together with a PDF copy of the applicant's website where he lays out the evidence that his conviction is unsafe which is located online at www.circusofthemind.net

*DVD-ROM containing a copy of the BBC Panorama Documentary “The