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IN THE COURT OF APPEAL  
CRIMINAL DIVISION



CASE NOS 202101482/B1 & 202101524/B1

NCN: [2022] EWCA Crim 1576  
Royal Courts of Justice  
Strand  
London  
WC2A 2LL

Tuesday 11 October 2022

Before:

LADY JUSTICE WHIPPLE DBE  
MRS JUSTICE McGOWAN DBE  
MRS JUSTICE HILL DBE

REX  
V  
TAHIR ZAMAN

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MR A ROSE appeared on behalf of the Applicant

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**J U D G M E N T**

LADY JUSTICE WHIPPLE: Having heard submissions from Mr Rose this morning, we have decided to adjourn this application for permission to appeal against both conviction and sentence. We are grateful to Mr Rose who has appeared before us pro bono.

Mr Rose was in contact with the Criminal Appeals Office last night to tell us of late instructions he had received not to pursue the application for permission to appeal against conviction. He tells us this morning, based on the little information he has been able to garner since that communication, that the instructions originated from a third party family member and not directly from the applicant himself, Tahir Zaman.

In light of that, Mr Rose has asked for and we have indicated that we are willing to grant a short adjournment. The reason for that is that he has not seen his client in person. His client is serving a life sentence and is detained at HMP Full Sutton. Mr Rose, and possibly leading counsel also, wish to discuss matters with Mr Zaman in order to confirm the instructions which have been communicated.

In the particular circumstances of this case we consider that to be a reasonable request to which we accede. We adjourn this matter for 28 days in order to permit the applicant either to file a Notice of Abandonment under Criminal Procedure Rules 36.13 or otherwise to indicate to the court the intention to progress these applications, one or both.

Although the application for the adjournment was made in relation only to the conviction appeal and it would in one sense be possible to go forward and deal with the application for permission to appeal against sentence today, because that application raises discrete issues, it is our considered view, which Mr Rose supports, that it is better to adjourn both conviction and sentence matters. We consider the sentence appeal (should it proceed) to be straightforward so that it can be dealt with relatively efficiently by the court at a future occasion if it is persisted in, but there is now the opportunity for Mr Rose to take

instructions on sentence as well as conviction and in the circumstances we consider it to be more appropriate to keep the conviction appeal and sentence appeal applications together as part of a single case and prospectively part of a single hearing.

In reaching the conclusion that we should adjourn, we are acutely aware that there may be others concerned in the outcome of this appeal. On any view this is a very serious case. It involves the murder of Murtaza Nazir on 28 August 2020. But given that this is the applicant's last chance of obtaining permission to appeal, and in light of the wider interests of justice, we consider a short adjournment is appropriate.

We direct that a transcript of these remarks be available for the next court that deals with this matter. The matter is not reserved to any member of the current constitution.

**Epiq Europe Ltd** hereby certify that the above is an accurate and complete record of the proceedings or part thereof.

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