

IN THE SUPREME COURT OF THE UNITED KINGDOM
UKSC/2025/0070

ON APPEAL FROM HIS MAJESTY’S COURT OF APPEAL OF ENGLAND
AND
WALES [CRIMINAL DIVISION]

MACUR L.J., GARNHAM J., HIS HONOUR JUDGE MENARY K.C.
[2025] EWCA Crim 38; [2025] 1 W.L.R. 2924

BETWEEN:

DIRECTOR OF PUBLIC PROSECUTIONS
(ON BEHALF OF HIS MAJESTY)
Appellant
-and-

SHAGUFA SHEIKH

First Respondent

KHALID SHEIKH

Second Respondent

SHABNAM SHEIKH

Third Respondent

ASGAR SHEIKH

Fourth Respondent

FOURTH RESPONDENT’S WRITTEN CASE

Primary Submission

1. The Fourth Respondent has had sight of the written case of the First Respondent and adopts the primary submission therein.

2. The force of that submission is in the contention that s.5(1)(d)(iii) of the Act would be rendered otiose by the submissions of the Appellant.

The Correct Interpretation of Section 5(1)

3. The submissions of the First Respondent are adopted.
4. It is submitted that the Court of Appeal's interpretation of section 5(1) is the correct one.

The Judgement of the Court of Appeal

5. The submissions of the First Respondent are adopted.
6. The Court of Appeal applied a correct interpretation of section 5(1) to the particular circumstances of this case and arrived at a sound conclusion.

Conclusion

7. The Court of Appeal in quashing the convictions applied a correct interpretation of section 5(1)(d)(iii) of the Act, to the facts of the instant case. It is clear in the Court of Appeal's ruling that their interpretation did

not widen the ambit of the section nor re-interpret it; it did however clarify it.

8. In seeking to widen the ambit of subsection 5(1)(d)(iii), the Appellant is in effect contending for the removal of the safeguard to a Defendant that the subsection provides.

10th May 2026.

Michelle Colborne KC

Simeon Evans