

Extradition Requests 2004

INCOMING

Date of request	Name of Subject	File Ref	Country	Crime	Current Situation	Decision & Date	Appeals
February							√
May							√
June							√
August							√
December							
Date of request							Appeals
May							√

September	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		
September	Imran Shahid, Zeeshan Shahid & Mohammed Faisal Mushtaq	CJE/002/030	Pakistan	Murder	closed	all extradited on 5/10/05	N

[REDACTED]

[REDACTED]


[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



John Barrett MP
House of Commons
London SW1A 0AA

27th July 2007

Dear Mr. Barrett,

I read with mounting disbelief the article in
the Scotsman on Saturday 24th July entitled
Justice is held hostage by the law.
This article concerned the difficulties facing
Strathclyde Police as they attempt to arrest
those responsible for the torture and murder of
Glasgow school boy Kris Donald. The fact
that the Home Office has refused to bring any
pressure to bear on the Pakistan government to
enable the extradition of suspects beggars belief.
It was with great sorrow that I looked at the
photograph of Kris with his family and thought of
how his young life had ended. I felt that I had
to write in the hope that you can use your position

and influence to lobby the Home office to take
some action and assist the police in their
investigations. Kriss and his family do not
deserve being cast aside because of political
expediency. Please do what you can to help

Yours sincerely





HOUSE OF COMMONS

LONDON SW1A 0AA

John Barrett MP
Edinburgh West Constituency
www.johnbarrettmp.com

The Rt Hon David Blunkett
The Home Office
50 Queen Anne's Gate
London
SW1H 9AT

3rd August 2004



Dear Mr Blunkett

I enclose a letter I received from my constituent, [REDACTED]. I would be grateful for your comments.

I look forward to hearing from you.

Yours sincerely

John Barrett MP



Home Office

Ministerial Correspondence Service
Direct Communications Unit
7th Floor, 50 Queen Anne's Gate, London SW1H 9AT
Switchboard 020 7273 4000 Fax 020 7273 3596 Direct Line 020 7273 2522

16 SEP '04 14:23

Our Ref: M9581/4

Date 10 September 2004

John Barrett Esq, MP
House of Commons
London
SW1A 0AA

Thank you for your letter of 3 August 2004 addressed to David Blunkett,
written on behalf of [REDACTED] of [REDACTED].

The matters you raised are the responsibility of the Scottish Executive, and I
have therefore sent your letter to them. Their address is: Ministerial
Correspondence Suite, 5th Floor, St Andrews House, Edinburgh, EH1 3DN,
(Phone 0131 244 2773)

They will deal with the matter and reply to you in due course.

Please call me if you want any more information.

Yours sincerely

Special Response Team

[REDACTED]

Original Message
From: [REDACTED]@scotland.gsi.gov.uk [REDACTED]
Sent: 21 September 2004 18:11
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Extradition from Pakistan

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[REDACTED]

Can we have a quick word about this in my 5 spare minutes tomorrow? Do I understand you to be saying that we have no Ministerial authority for these assurances? Are they standard form assurances which go no further than stating the obvious in terms of normal extradition law? In terms of Ministerial responsibility, are we dealing here with the Lord Advocate's responsibility in terms of prosecuting criminals, or the Scottish Ministers' executively devolved collective responsibility for the administration of extradition – presumably the latter?

I just want to be sure that there is no risk that Ministers will turn round and say that such assurances should not have been given in their names. [REDACTED]



[REDACTED]

Criminal Procedure Division

Room 1R.04

SAH

Ext 44348

-----Original Message-----

From: [REDACTED]
Sent: 21 September 2004 17:12
To: [REDACTED]
Cc: [REDACTED]
Subject: Extradition from Pakistan
Importance: High

<< File: extra-Pakistan request.doc >> << File: extra-Pakistan request-2.doc >> << File: extra-Pakistan request-NV.doc >>

Dear [REDACTED]

I hope you received the copy of the Pakistan request OK.

I now attach a copy of what I propose to send to Islamabad (by the diplomatic bag rather than by courier for security reasons). It comprises a brief covering letter to Peter Waterworth, a formal letter requesting the extradition of the three fugitives and a draft Note Verbale basically to start the High Commission thinking about what they should say in the real thing given that they will have no recent experience of making extradition requests. I should welcome your comments on these.

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I have to say that I am a bit uneasy about the assurances/undertakings or rather the lack of Ministerial agreement to us giving them. I am not proposing that we should delay the request until we have Ministerial clearance for giving them but I wonder if there would be merit in running them past Ministers after the dust has settled a bit. What do you think?

If you let me have any comments before lunchtime tomorrow I can have the package sent off by close of play (with luck).

[REDACTED]

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(Relevant material redacted)

-----Original Message-----

From: [REDACTED]
Sent: 22 September 2004 09:41
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Extradition from Pakistan

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Wilma

The first assurance relates to what, in extradition parlance, is called "Speciality". It is designed to ensure that a fugitive can only be tried for the offence(s) for which extradition has been agreed by the requested state. In other words it is meant to prevent requesting states pulling a fast one and putting a fugitive on trial for offences for which his extradition has not be agreed.

In our new Extradition Act 2003, there are three sections dealing with Speciality. Section 17 says that we cannot extradite to a category 1 territory (EU countries essentially) unless there are speciality arrangements between us and the requesting EU state. Section 95 covers extradition to category 2 territories (other non-EU extradition partners) and section 146 is the mirror image of section 17. However the speciality provisions in the Act do not cover states such as Pakistan which are neither category 1 nor 2. There is therefore a gap and an important one as the Pakistani legislation states that no fugitive can be surrendered if there is no provision in the law of, or in the extradition treaty with, the state asking for surrender of a fugitive. The assurance we propose to offer should fill the gap. In my view what we are dealing with here is the right of the Lord Advocate to prosecute criminals.

So far as the second assurance is concerned this is simply stating the obvious. Once we get a fugitive back he is subject to our normal criminal procedure, human rights law etc. This is perhaps more for the Scottish Ministers than the LA.

On the third assurance, I think this amounts to no more than a combination of the first two assurances but Liz will no doubt correct me if I am wrong.

My view is that I think we should tell Ministers about the assurances but not necessarily before they are given.

-----Original Message-----

From: [REDACTED]
Sent: 21 September 2004 18:11
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Extradition from Pakistan

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<< OLE Object: Paintbrush Picture >>

[REDACTED]
Criminal Procedure Division

Room 1R.04

SAH

Ext 44348

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Sent: 21 September 2004 17:12
To: [REDACTED]
Cc: [REDACTED]; [REDACTED]
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[Redacted]

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[REDACTED]

F.C.O

Southeast Asia Dept

Room 203

Dennis Street Exit

London

SW1A 2AH

Tel: [REDACTED]

([REDACTED])

[REDACTED]

From: [REDACTED]
Sent: 22 September 2004 12:10
To: [REDACTED]
Subject: Extradition Request - Pakistan

This email has been received from an external party and
has been swept for the presence of computer viruses.

[REDACTED]

I refer to our telephone conversation. The areas (other than Lahore) where it is suspected that the fugitives may be are Gujranwala and Toba Tek Singh. I have checked the spellings on the Internet.

There is good information that they are using a mobile phone number [REDACTED]

etective Inspector [REDACTED] can be contacted on

+00 44 (0)141 532 [REDACTED] or
+00 44 (0)141 532 [REDACTED]

His official address is

Strathclyde Police
"E" Division
London Road Police Office
851 London Road,
Glasgow G40 3RX

[REDACTED]

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This footnote also confirms that this email message has been swept for
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Visit www.crownoffice.gov.uk for details of the work of the Department.

[REDACTED]

From: [REDACTED]
Sent: 22 September 2004 16:24
To: [REDACTED]
Cc: [REDACTED]
Subject: Extradition from Pakistan

[REDACTED]

This is just to keep you in the loop.

We have today sent off a letter to the High Commission in Islamabad with a bundle of supporting documentation asking them to submit a request for the three suspects wanted for the abduction and murder of Kriss Donald. I attach a copy of our letter for information.



extra-Pakistan
request-2.doc (...)

As you will see we would like the Pakistanis to apply their Extradition Act 1972 to the UK for the offences of abduction and murder so that they could deal with the extradition request for the three fugitives. We shall see what happens and I'll keep you informed of any developments.

Best wishes

[REDACTED]

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 [REDACTED]



SCOTTISH EXECUTIVE

Justice Department

St Andrew's House
Regent Road
Edinburgh EH1 3DG

Telephone: 0131-244 2103
Fax: 0131-244 2623
E mail: [REDACTED]
<http://www.scotland.gov.uk>

Your ref:

Our ref: CJE/002/0289

22 September 2004

[REDACTED]
British High Commission
Diplomatic Enclave
Ramna 5
P O Box 1122
ISLAMABAD
Pakistan

[REDACTED]

EXTRADITION OF IMRAN SHAHID, ZEESHAN SHAHID AND MOHAMMED FAISAL MUSHTAQ TO SCOTLAND

In recent months you have been in discussion with [REDACTED], by email and telephone, about the best means of seeking the extradition from Pakistan of these three fugitives from justice in Scotland. The High Commission has been good enough to obtain and provide us with a copy of the advice from Khan and Piracha about the procedure to be adopted when making a request for extradition under the Pakistani Extradition Act 1972. We have now reached the point where we can ask you to submit a request for the return of the Shahid brothers and Mohammed Mushtaq and a formal letter asking you to do so is enclosed together with the supporting documentation. We have also taken the liberty of drafting a Note Verbale to the Pakistani MFA to aid your consideration of what the Note should say. This is also enclosed. You will no doubt amend it as you think fit.

You will see from the formal letter that the location of the three suspects is given as the Lahore/Gujranwala or Toba Tek Singh areas of Pakistan. Strathclyde Police have good information that the suspects are using a mobile phone whose number is known to the police. They can therefore track the suspects to a given general area. You might wish to contact Detective Inspector [REDACTED], one of the main investigating officers in the case, for an update of their location from time to time and in turn advise the Pakistani authorities. His contact telephone number is +00 44 (0)141 532 [REDACTED] or + 00 44 (0)141 532 [REDACTED]. His official address is Strathclyde Police, "E" Division, London Road Police Office, 851 London Road, Glasgow G40 3RX. We would be reluctant to disclose to the Pakistani authorities how we can track the suspects' general movements in case that information was passed (inadvertently or otherwise) to the suspects. If however you judged that it was necessary to tell the Pakistani authorities we would be happy to leave such a decision to your discretion.



Justice Department

St Andrew's House
Regent Road
Edinburgh EH1 3DG

Telephone: 0131-244 2103

Fax: 0131-244 2623

E mail: [REDACTED]
<http://www.scotland.gov.uk>

Your ref:

Our ref: CJE/002/029

22 September 2004

[REDACTED]
British High Commission
Diplomatic Enclave
Ramna 5
P O Box 1122
ISLAMABAD
Pakistan

[REDACTED]
**REQUEST FOR THE EXTRADITION OF IMRAN SHAHID, ZEESHAN SHAHID AND
MOHAMMED FAISAL MUSHTAQ TO SCOTLAND**

I am directed by the Scottish Ministers to request the High Commission to submit to the Government of Pakistan an application for the extradition to Scotland of Imran Shahid, Zeeshan Shahid and Mohammed Faisal Mushtaq.

As you know, there are, at present, no extradition arrangements between the United Kingdom and the Government of Pakistan. Extradition from Pakistan is governed by the provisions of the Extradition Act 1972 and it is noted the Pakistani Government may, if it considers it expedient, extend the provisions of that Act to non-treaty states such as the UK in order that the Pakistani authorities may deal with a specific request for the extradition of a fugitive or fugitives.

The Scottish Ministers would, therefore, wish the High Commission to invite the Pakistani Government to extend the provisions of that Act to the UK and to request the extradition from Pakistan of Imran Shahid (date of birth: [REDACTED]), Zeeshan Shahid (date of birth: [REDACTED]) and Mohammed Faisal Mushtaq (date of birth: [REDACTED]). The three fugitives, all of whom have British nationality and who are believed to be in the Lahore/Gujranwala or Toba Tek Singh areas of Pakistan, are all charged with the abduction and murder of Kriss Donald in Glasgow, Scotland on 15/16 March 2004.

I enclose a package of documents to support this request together with one copy package. The package comprises a statement of the common law of Scotland in relation to the crimes of abduction and murder, a certified copy of the warrant of arrest for each fugitive, various depositions in support of the statement of facts, a statement of facts by Detective Inspector [REDACTED] of Strathclyde Police and finally evidence of identity in respect of each fugitive. We have assumed that it will not be necessary to have the package of documents translated into Urdu.

British High Commission
Islamabad

NOTE VERBALE

Her Britannic Majesty's High Commission present their compliments to the Ministry of Foreign Affairs and, on the instructions from Her Majesty's Principal Secretary of State for Foreign and Commonwealth Affairs, on behalf of the Scottish Ministers, have the honour to request the extradition to the United Kingdom of

IMRAN SHAHID

ZEESHAN SHAHID

MOHAMMED FAISAL MUSHTAQ

Her Majesty's Government notes that the United Kingdom is not a treaty State in terms of section 2 of the Extradition Act 1972. Her Majesty's Government also notes that under section 4 of the Extradition Act 1972, the Federal Government has the power to direct that the provisions of the Extradition Act 1972 shall apply to a foreign state in relation to specified offences where persons accused of such offences in the foreign state are suspected of being in Pakistan.

Imran SHAHID, Zeeshan SHAHID, and Mohammed Faisal MUSHTAQ are all charged in Scotland with the abduction and murder of Kriss Donald in Glasgow Scotland on 15/16 March 2004. All three accused are British nationals and are believed to be in the Faisalabad/Lahore area of Pakistan to where they fled following the abduction and murder of Kriss Donald.

Her Majesty's Government requests

that the provisions of the Extradition Act 1972 be applied to the United Kingdom in respect of the offences of abduction and murder, and following which

[REDACTED]

From: [REDACTED]
Sent: 30 September 2004 13:50
To: [REDACTED]
Subject: Extradition from Pakistan: Kriss Donald



F20040027596.DO
C (127 KB)

[REDACTED]

I am dealing with some Ministerial Correspondence from John Barrett, an Edinburgh MP writing on behalf of a constituent who read the Scotsman article of 24 July and is upset that the Home Office has refused to bring pressure on the Pakistani Government to have the 3 suspects there extradited.

I propose to offer my Minister the attached draft reply which draws heavily on Caroline Flint's recent response to Tony Worthington MP which raised the same issue. I would be glad to know if you are content with the terms of the draft.

An early response would be much appreciated. Barratt's original letter went to the Home Office but was redirected here. As a result the reply is overdue.

Thanks

[REDACTED]

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 [REDACTED]



Home Office

Crime Reduction and Community Safety Group

451, 50 Queen Anne's Gate, London SW1H 9AT
Switchboard 0870 0001585 Facsimile 020 7273 2496 Direct Line 020 7273 [REDACTED]
E-mail [REDACTED]@homeoffice.gsi.gov.uk www.homeoffice.gov.uk

FAX

To: [REDACTED]
From: [REDACTED]
Date: 30 September 2004
Time: 9:47:23
Fax number: 0131 244 2623
Number of pages: 3
(including this one)

If any part of this fax is unclear please telephone: 020 7273 2313

Message:

MINISTERIAL CORRESPONDENCE ABOUT PAKISTAN

[REDACTED]
Thanks for your e-mail about your Minister's Case on extradition relations with Pakistan and the murder of Kriss Donald.

As requested, I attach a copy of our recent response on the same subject, which was despatched on 14 September.

Please let me know if I can be of any further assistance.

Kind regards

[REDACTED]
[REDACTED]
Extradition Section

Tony Worthington Esq, MP
House of Commons
London
SW1A 0AA

Reference: M10171/4

Thank you for your letter dated 18 August 2004, addressed to the Home Secretary, on behalf of [REDACTED] of [REDACTED] about the UK's extradition relations with Pakistan and the murder of Kriss Donald. I am replying as Minister with responsibility for extradition policy.

With your letter, you enclosed articles from "the Scotsman" relating to the appalling kidnap, torture and murder of Kriss Donald in March of this year. As the articles pointed out, currently the UK has no general extradition relations with Pakistan. However our two governments are currently engaged in exploring the possibility of resolving this through the possibility of a bilateral extradition treaty.

Since 1 January 2004, the UK's extradition relations with non-EU Member States (those not operating the European Arrest Warrant) has been governed by the Extradition Act 2003 ("the 2003 Act") which gained Royal Assent on 20 November 2003 and replaced the Extradition Act 1989 ("the 1989 Act"). Under the 1989 Act, the UK could not have extradition relations with Pakistan, as Pakistan is not a signatory to the Commonwealth Scheme for the Rendition of Fugitive Offenders and the 1989 Act only allowed the UK to have extradition bilateral treaties with "foreign" (i.e. non-Commonwealth) countries. This loophole has been closed by the 2003 Act and Section 194 allows for one-off arrangements with territories with which the UK has no existing extradition treaty.

The remarks in "The Scotsman" about the response of the Home Office and Foreign and Commonwealth Office (FCO) to requests for assistance from Strathclyde Police are inaccurate and misleading. Throughout this case, the Home Office and FCO have worked closely with Strathclyde Police, the Crown Office and the Justice Department of the Scottish Executive, which are primarily responsible for seeking the extradition of fugitives from justice in Scotland.

The Home Office and FCO will continue to provide help and support for the efforts being made by the Scottish authorities to secure the return of the three suspects in the Kriss Donald case.

I trust this answers the points raised in your letter of 18 August and that you will find this information useful.

Caroline Flint

[Redacted]

From: [Redacted]
Sent: 01 October 2004 08:04
To: [Redacted]
Cc: [Redacted]
Subject: RE: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

I delivered the papers to the Europe Director at the MFA this morning. I warned him up a couple of weeks back so he was not taken by surprise. He recognised the gravity of the case and the possible repercussions for race relations in Glasgow and undertook to get it moving ASAP.

I will send copies of the note to the President's Legal Adviser and the AG, who are both onside, to ensure that we get a bit of clout behind us. But don't expect rapid developments!

Regards

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: Thursday, September 30, 2004 1:13 PM
To: [Redacted]
Subject: RE: Kriss Donald

This email and any files transmitted with it are intended solely for the use of the individual or
entity to whom they are addressed.

[Redacted]

Your acknowledgement is acknowledged!

I look forward to your report as to how the request is received.

Best wishes

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 30 September 2004 06:51
To: [Redacted]
Subject: FW: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Package received and Note V in preparation. I will deliver it myself and let you know how it is received.

Regards

[Redacted]

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Minister for Justice

CORRESPONDENCE FROM JOHN BARRATT MP ABOUT THE MURDER OF KRISS DONALD

Purpose

1. To provide you with a draft reply to John Barratt MP in response to his letter of 3 August to the Home Secretary about the murder of Kriss Donald, to provide background to the case and to advise you of the action being taken to seek the return from Pakistan of three individuals who are wanted for their involvement in the murder.

Priority


2. Routine.

Discussion

3. The annex to this minute explains the action that is in train to secure the extradition from Pakistan of the three suspects and in particular the assurances that have been offered to the Pakistani Government.

Conclusion and recommendation

4. That you
- note that a formal request has been made to the Pakistani Government for the extradition of Imran Shahid, Zeeshan Shahid and Mohammed Faisal Mushtaq for the abduction and murder of Kriss Donald;
 - note the assurances that have been offered to the Pakistani Government; and
 - reply to Mr Barratt in terms of the suggested reply.


JD/Criminal Procedure Division
Ext 42103

5 October 2004

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Lord Advocate Deputy Minister for Justice			X		X

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PS/JD
PS/COPFS

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**CORRESPONDENCE FROM JOHN BARRATT MP ABOUT THE MURDER OF
KRISS DONALD**

Background

1. On 15 March 2004, Kriss Donald aged 15 years was abducted by a group of 5 Asian males from Kenmure Street in the South side of Glasgow. He was bundled into a silver Mercedes vehicle by his assailants, which then drove off. The vehicle travelled to Strathclyde Country Park, about 10 miles south-east of Glasgow, then to Dundee before returning to Glasgow in the early evening. Kriss Donald's body was discovered at approximately 7 am the following morning in the East End of Glasgow. He had been repeatedly stabbed and an accelerant poured on him and set alight. A silver Mercedes vehicle was subsequently recovered, burnt out, in the West End of Glasgow.

The suspects

2. Police enquiries identified 5 individuals, all UK nationals, suspected of being involved in the abduction and murder of Kriss Donald. They are Daanish Zahid, Zahid Mohammed, Imran Shahid, Zeeshan Shahid and Mohammed Faisal Mushtaq.

3. Daanish Zahid and Zahid Mohammed are in custody in Scotland awaiting trial for the abduction and murder of Kriss Donald together with associated charges. Warrants were granted for the arrest of the 3 other suspects, Imran Shahid, Zeeshan Shahid and Mohammed Faisal Mushtaq, all of whom fled to Pakistan in the days following the murder. These warrants libel a charge of abduction and murder.

Extradition from Pakistan

4. There is currently no extradition treaty between the UK and Pakistan, although one is currently being negotiated, and initially it appeared that in the absence of such a treaty it would be impossible to get the three suspects back for trial. And, it seemed, that so long as they remained in Pakistan they were beyond our reach and could not be brought to justice. However, the Crown Office and the Justice Department began exploring with the Home Office and Foreign and Commonwealth Office (FCO) how we might achieve their extradition. A possible means to do so was identified and confirmed by advice from the legal adviser to the British High Commission in Pakistan.

5. Although there are no extradition arrangements at present between the two countries, the Pakistani Government may, if it considers it expedient, extend the provisions of their Extradition legislation to non-treaty states such as the UK in relation to specific offences where a person or persons accused of such offences in the non treaty state is suspected of being in Pakistan.

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6. A formal request for the extension of the Pakistani extradition legislation to the UK in respect of the offences of abduction and murder and for the extradition of the three fugitives has been prepared and sent to the British High Commission in Islamabad. It was presented to the Pakistani Ministry of Foreign Affairs on Friday 1 October 2004 under cover of a diplomatic note. A copy of the note has also been sent to the Pakistani President's Legal Adviser and to the Pakistani Attorney General, both of whom were previously been informed of the case, in an attempt to secure their support for the request.

The Assurances

7. Because of the lack of a bilateral treaty setting out the basis on which requests for extradition would be dealt with we were advised to offer the Pakistani authorities certain assurances about the treatment of the suspects should they be returned. I understand that the Lord Advocate was content for the assurances to be given. These assurances were that the three named suspects:-

- shall not, unless they have been restored or have had the opportunity of returning to Pakistan, be detained or tried in Scotland for any offence committed prior to their surrender, other than the offences for which their extradition is sought;
- shall not be treated any differently under the Scottish criminal justice system than any other accused who are subject to criminal proceedings in Scotland; and
- shall not be placed at a disadvantage in the absence of a permanent extradition treaty between the UK and the Government of Pakistan.

8. The first assurance relates to what is termed "Speciality". It is a standard provision in extradition conventions and treaties designed to ensure that a requesting state does not try a fugitive for an offence or offences for which his extradition was not agreed by the requested state, without first giving the fugitive the opportunity to leave the territory of the requesting state. The UK's Extradition Act 2003 expressly bars the extradition of a fugitive unless speciality arrangements exist between the UK and the state requesting extradition. There is a similar bar in the Pakistani extradition legislation. Without this assurance it is most unlikely that the Pakistani Government would contemplate extraditing the three suspects.

9. The second assurance is a statement of what would happen in any event. Once we receive a fugitive back from a foreign state he or she becomes subject to our normal laws on criminal procedure, human rights etc just like any other person in Scotland arrested and charged with a serious criminal offence. The third assurance has been offered on the basis that any treaty would be unlikely to provide any additional safeguards for an accused than already exist in Scots law.

Prospects of success

10. The Government of Pakistan is essentially a military dictatorship and the laws of that country are not always upheld by that Government. Corruption is also widespread even

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among the judiciary and the law enforcement agencies. Our request will not be dealt with in isolation but in the overall context of relations between Pakistan and the UK. As a *quid pro quo* the Pakistani's might want the return of one of their fugitives who is in the UK but such reciprocity cannot be guaranteed. Our request will also be dealt with at a pace convenient to the Pakistani authorities. On the other hand, the vast majority of the large Pakistani community in Glasgow would like to see the three suspects brought to justice in Scotland and senior figures of that community have made representations to that effect to the Pakistani Government directly and indirectly. In the circumstances however the outcome of the request is impossible to predict.

Mr Barratt's correspondence

11. The Scotsman article which Mr Barratt's constituent has seen is critical of the Home Office and FCO for their lack of support for efforts to secure the three fugitives' extradition. The article is inaccurate. We have no complaints about the assistance we have received from the UK Government: the FCO have in fact been particularly helpful. The suggested reply to Mr Barratt while attempting to put the record straight does not reveal the action we are taking. We do not normally disclose that an extradition request has been made as a fugitive might become aware of that and flee to another country. In this particular case the fugitives are in contact with associates in Scotland so that risk is very real.

Conclusion and recommendation

12. That you

- note that a formal request has been made to the Pakistani Government for the extradition of Imran Shahid, Zeeshan Shahid and Mohammed Faisal Mushtaq for the abduction and murder of Kriss Donald;
- note the assurances that have been offered to the Pakistani Government; and
- reply to Mr Barratt in the terms suggested.

JD/Criminal Procedure Division
5 October 2004

[REDACTED]

From: Lord Advocate
Sent: 06 October 2004 09:24
To: McNeil FTS (Fergus); Minister for Justice
Cc: Lord Advocate; Deputy Minister for Justice; [REDACTED]
Subject: PS/COPFS; Solicitor General
RE: Mr John Barratt MP: the murder of Kriss Donald: MCS Case no 2004/0027596

PS/Minister for Justice
[REDACTED]

CORRESPONDENCE FROM JOHN BARRATT MP ABOUT THE MURDER OF KRISS DONALD

The Lord Advocate has seen [REDACTED] minute of 5 October. He recalls the article specifically mentioning that he was upset and he has commented that we should perhaps say in the letter that this is untrue and that he had no complaints about the cooperation from the Home Office and the FCO.

[REDACTED]
S/Lord Advocate

-----Original Message-----

From: [REDACTED]
Sent: 05 October 2004 14:16
To: Minister for Justice
Cc: Lord Advocate; Deputy Minister for Justice; [REDACTED]
Subject: Mr John Barratt MP: the murder of Kriss Donald: MCS Case no 2004/0027596

<< File: extra-Pakistan-Barratt min 1004.doc >>

PS/Minister for Justice

Please associate the attached minute with the reply to MCS case no 204/0027596 which will be put forward shortly for the Minister's consideration.

Thank you.

[REDACTED]

JD/Criminal Procedure Division
1 W R
SAH

Ext 42103

[Redacted]

From: [Redacted]
Sent: 06 October 2004 09:42
To: [Redacted]
Cc: [Redacted]
Subject: RE: Kriss Donald

[Redacted]

Thanks for this. As you hint, Sarwar's involvement is a bit of a double edged sword. So far as I am aware he has been very discreet and hopefully he will continue to be so. Pity you could not accompany him on his visit to the Interior Minister but I trust you will enjoy your visit to Afghanistan.

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 06 October 2004 09:00
To: [Redacted]
Cc: [Redacted]
Subject: RE: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Mohammad Sawar MP is in Pakistan. We spoke this morning, he had made arrangements for the return of the fugitives and just needed a warrant! I explained the realities of life to him, which he took with good grace. I stressed to him the importance of not talking freely about the case and certainly not to the Punjab Police or we would never catch the three. He rightly stressed the problems that failure to obtain extradition could cause in his constituency. (A point I said he could usefully make to the Interior Minister, see next para.)

The new Interior Minister is a friend of Sawar's and we left it that he would call on him to ask him to expedite the case and follow up in writing copied to me. I would have accompanied him, but I have to go to Baluchistan tomorrow to monitor the Afghan elections. I do not want anyone unfamiliar with the background to accompany him; lest we get into a real mess.

This might help and I could not have headed him off anyway.

Regards

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: Friday, October 01, 2004 3:02 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: Kriss Donald

This email and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed.

[REDACTED]

Many thanks for all your work thus far. Liz and I are very conscious that this matter will not be decided tomorrow and are resigned to a long wait.

-----Original Message-----

From: [REDACTED]
Sent: 01 October 2004 08:04
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Kriss Donald

This email has been received from an external party and has been swept for the presence of computer viruses.

[REDACTED]

I delivered the papers to the Europe Director at the MFA this morning. I warned him up a couple of weeks back so he was not taken by surprise. He recognised the gravity of the case and the possible repercussions for race relations in Glasgow and undertook to get it moving ASAP.

I will send copies of the note to the President's Legal Adviser and the AG, who are both onside, to ensure that we get a bit of clout behind us. But don't expect rapid developments!

Regards

-----Original Message-----

From: [REDACTED]
Sent: Thursday, September 30, 2004 1:13 PM
To: [REDACTED]
Subject: RE: Kriss Donald

This email and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed.

[REDACTED]

Your acknowledgement is acknowledged!

I look forward to your report as to how the request is received.

Best wishes

[REDACTED]

-----Original Message-----

From: [REDACTED]
[mailto: [REDACTED]
Sent: 30 September 2004 06:51
To: [REDACTED]
Subject: FW: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

[REDACTED]

Package received and Note V in preparation. I will deliver it myself and
let you know how it is received.

Regards

[REDACTED]



SCOTTISH EXECUTIVE

Minister for Justice
Cathy Jamieson MSP

St Andrew's House
Regent Road
Edinburgh EH1 3DG

John Barrett MP
1a Drum Brae Avenue
EDINBURGH
EH12 8TE

Telephone: 0845 774 [REDACTED]
scottish.ministers@scotland.gsi.gov.uk
<http://www.scotland.gov.uk>

Our ref: 2004/0027596

6 October 2004

Dear John

Thank you for your letter of 3 August to the Rt Hon David Blunkett, Home Secretary, on behalf of your constituent [REDACTED] of [REDACTED]. The letter refers to an article in the 24 July edition of "The Scotsman" which claimed that the Home Office was being uncooperative with the efforts being made to secure the return to the UK of three fugitives in Pakistan who are wanted by Strathclyde Police for the murder of Kriss Donald. Your letter has been passed by the Home Office to the Scottish Executive and I have been asked to reply.


The remarks in "The Scotsman" article about the response of the Home Office, and also the Foreign and Commonwealth Office (FCO), to requests for assistance from Strathclyde Police are inaccurate and misleading. In addition, the article's claim that tensions between Whitehall and Strathclyde Police led to the intervention of the Lord Advocate is also untrue. Since it came to light that three of those suspected of involvement in the murder of Kriss Donald had fled to Pakistan, the Home Office and FCO have worked closely with Strathclyde Police, the Crown Office and my Department, which is responsible for seeking the extradition from foreign states of fugitives from justice in Scotland, to explore how their return could be secured. The Lord Advocate has informed me that he had no complaints about the co-operation from the Home Office and FCO.

Until the beginning of this year it was not possible for the UK to have extradition relations with Pakistan. Pakistan is not a signatory to the multilateral Commonwealth Scheme for the Rendition of Fugitive Offenders and the legislation governing extradition then in force only provided for the UK to have bilateral treaties with "foreign", i.e. non-Commonwealth, states. This loophole has been closed by the enactment of the Extradition Act 2003. That Act also allows for one-off arrangements with states with which the UK has no extradition treaty. The UK Government and the Government of Pakistan are currently engaged in exploring the possibility of developing bilateral arrangements for extradition between them.

Notwithstanding the absence of any current extradition arrangements between the UK and Pakistan, we are endeavouring to bring about the return of the three fugitives to stand trial in Scotland for Kriss's murder. The Home Office, and the FCO, are continuing to provide help and support in this regard.

I hope your constituent finds this response reassuring.

Best wishes,


CATHY JAMIESON



Correspondence Unit

Room 1N.04
St Andrew's House
Regent Road
Edinburgh EH1 3DG

Helpline Telephone: 0131-244 3080
Fax: 0131-244 2780

- Please find attached the enclosures for MCS case 200 / _____
- This letter is not addressed to a Minister so can not be answered on the Ministerial Correspondence System. Please reply directly to the correspondent.
- The attached is a copy of MCS case 200 / _____
- The attached is further correspondence to MCS case 200 4/27596
- The attached has been answered as part of the MCS campaign _____
- The attached is part of a consultation exercise and for action outwith MCS
- The attached piece of correspondence has been copied to the Minister, for info only.
- This piece of correspondence does not require an answer and should be filed accordingly.

WITH COMPLIMENTS FROM:		Additional Information:

[Redacted]

From: [Redacted]
Sent: 12 October 2004 10:59
To: [Redacted]
Cc: [Redacted]
Subject: RE: Kriss Donald
Importance: High

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Sarwar stayed on which enabled us to join forces after all.

He saw the No2 in ISI (the intelligence agency which is more than usually influential) over the weekend and the PM this morning. I briefed him in advance and then accompanied him to see the Secretary Interior (PUS Equivalent).

We did a good double act and the Secretary signed off the instructions to issue the notice in our presence. He noted that the MFA had supported our request. He hoped the notice would issue in a few days. (Maybe, but this rate of progress is pretty amazing.)

Sarwar has done a good job. Certainly in my presence he stayed on message, even though he does not understand why we have to do it by the book! The High Commssioner is having Sarwar round for a drink this evening and will thank him for his support.

I will be in touch.

[Redacted]

PS [Redacted] Sarwar also lobbied for the Managed Migration MOU. He couched his message in terms of the interests of the migrant population and of Pakistanis who were being ripped off by criminals. The PM had been very supportive. The Secretary said the Cabinet Committee would meet on 18 October and he hoped Cabinet would give its final approval by the 2nd week in November. Again, maybe!

-----Original Message-----

From: [Redacted]
Sent: Wednesday, October 06, 2004 1:42 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: Kriss Donald

This email and any files transmitted with it are intended solely for the use of the individual or
entity to whom they are addressed.

[Redacted]

Thanks for this. As you hint, Sarwar's involvement is a bit of a double edged sword. So far as I am aware he has been very discreet and hopefully he will continue to be so. Pity you could not accompany him on his visit to the Interior Minister but I trust you will enjoy your

CC: [redacted]
Subject: RE: Kriss Donald

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[redacted]

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I will send copies of the note to the President's Legal Adviser and the AG, who are both onsite, to ensure that we get a bit of clout behind us. But don't expect rapid developments!

Regards

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, September 30, 2004 1:13 PM
To: [redacted]
Subject: RE: Kriss Donald

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[redacted]

Your acknowledgement is acknowledged!

I look forward to your report as to how the request is received.

Best wishes

[redacted]

-----Original Message-----
From: [redacted]
[mailto:[redacted]]
Sent: 30 September 2004 06:51
To: [redacted]
Subject: FW: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

Dear [REDACTED]

Package received and Note V in preparation. I will deliver it myself and let you know how it is received.

Regards

[REDACTED]

E/2/

[Redacted]

From: [Redacted]
Sent: 28 October 2004 18:17
To: [Redacted]
Cc: [Redacted]
Subject: RE: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Sorry to be a nuisance. Considering what you have achieved on our behalf thus far, I feel guilty even asking but...

The trial against the 2 accused in this case, who did not flee to Pakistan, is due to commence on Monday 1 November. The prosecutor has asked me to enquire of you whether you have by any chance heard anything more.

Regards,
[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 12 October 2004 10:59
To: [Redacted]
Cc: [Redacted]
Subject: RE: Kriss Donald
Importance: High

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Sarwar stayed on which enabled us to join forces after all.

He saw the No2 in ISI (the intelligence agency which is more than usually influential) over the weekend and the PM this morning. I briefed him in advance and then accompanied him to see the Secretary Interior (PUS Equivalent).

We did a good double act and the Secretary signed off the instructions to issue the notice in our presence. He noted that the MFA had supported our request. He hoped the notice would issue in a few days. (Maybe, but this rate of progress is pretty amazing.)

Sarwar has done a good job. Certainly in my presence he stayed on message, even though he does not understand why we have to do it by the book! The High Commissioner is having Sarwar round for a drink this evening and will thank him for his support.

I will be in touch.

PS [redacted], Sarwar also lobbied for the Managed Migration MOU. He couched his message in terms of the interests of the migrant population and of Pakistanis who were being ripped off by criminals. The PM had been very supportive. The Secretary said the Cabinet Committee would meet on 18 October and he hoped Cabinet would give its final approval by the 2nd week in November. Again, maybel

-----Original Message-----

From: [redacted]
Sent: Wednesday, October 06, 2004 1:42 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Kriss Donald

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[redacted]
Thanks for this. As you hint, Sarwar's involvement is a bit of a double edged sword. So far as I am aware he has been very discreet and hopefully he will continue to be so. Pity you could not accompany him on his visit to the Interior Minister but I trust you will enjoy your visit to Afghanistan.

-----Original Message-----

From: [redacted]
Sent: 06 October 2004 09:00
To: [redacted]
Cc: [redacted]
Subject: RE: Kriss Donald

This email has been received from an external party and has been swept for the presence of computer viruses.

[redacted]
Mohammad Sawar MP is in Pakistan. We spoke this morning, he had made arrangements for the return of the fugitives and just needed a warrant! I explained the realities of life to him, which he took with good grace. I stressed to him the importance of not talking freely about the case and certainly not to the Punjab Police or we would never catch the three. He rightly stressed the problems that failure to obtain extradition could cause in his constituency. (A point I said he could usefully make to the Interior

E/2 / ?

Kriss Donald file

From: [redacted]
Sent: 01 November 2004 16:35
To: [redacted]
Cc: [redacted]
Subject: RE: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

Thanks, [redacted] I was in only briefly on Friday morning so had time to pass on the information to the prosecutor [redacted], but not to respond to you. Your news not unexpected in the circumstances. I discussed with Mark and we agreed that we don't want to ask you to do anything that might rock the boat, so will be guided by you. I have asked [redacted] to keep me up to date with what happens in the trial - I think what's likely to happen is that the 2 accused will try and exonerate themselves by blaming their absent friends. [redacted] was intending to seek an order under the Contempt of Court Act which will prevent the proceedings being reported in the media - on the basis that this could prejudice the trial of the fugitives if we do get them back from Pakistan, but I haven't heard yet whether he was successful. I will let you know if there are any developments which might suggest that you should do some more pushing.

Regards,
Liz

-----Original Message-----

From: [redacted]
Sent: 29 October 2004 04:44
To: [redacted]
Cc: [redacted]
Subject: RE: Kriss Donald

Liz

I pressed the DUS at Interior on Wednesday and the High Commissioner chased the PUS-equivalent at Interior yesterday (and at Ministerial level the day before), it is not instantly good news. The High Commissioner's summary of the response was:

"Kriss Donald case unprecedented etc, legal hurdles to go through. Examining it, cant put a deadline etc. but is moving forward."

The Attorney General phoned me earlier in the week to say he had pushed informally and got a positive response. But as I've said before, quick here and quick in the UK mean two different things. And it is reported in this morning's press that the PUS is about to be changed which will not help.

Are there any specific angles arising from the trial that I can use to push again for an early notice?

[redacted]

E / 2 / 30

From: [REDACTED]
Sent: 05 November 2004 12:54
To: sadallstaff @fco.gov.uk
Cc: [REDACTED]

[REDACTED]

Subject: U

This email has been received from an external party and
has been swept for the presence of computer viruses.

[REDACTED], the substantive replacement for [REDACTED] will take up this job as Pakistan Internal desk officer from Monday 8 Nov. After a short handover, I will be moving on to my own substantive slot in CPD.

My thanks to all who have helped me cover the gap. I know Chris will appreciate your continued support and advice.

[REDACTED]

E/3/30.

[Redacted]

From: [Redacted]
Sent: 08 November 2004 06:25
To: SARWARM@parliament.uk
Cc: [Redacted]
Subject: RE: Glasgow Govan: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

Dear Mohammad,

We have continued to press, but the Ministry of Interior has gone into bureaucratic mode. On 29 October, I summarised the position to the Crown Office as follows:

"I pressed the DUS at Interior on Wednesday and the High Commissioner chased the Secretary (PUS-equivalent) Interior yesterday (and at Ministerial level the day before), it is not instantly good news. The High Commissioner's summary of the response was:

"Kriss Donald case unprecedented etc, legal hurdles to go through. Examining it, cant put a deadline etc. but is moving forward."

It seems an opportune time for you to follow up with the Secretary Interior, who gave you very clear assurances that the notice would issue in a matter of days.

Regards

[Redacted]

E / 2 / 30

[Redacted]

From: [Redacted]
Sent: 19 November 2004 04:11
To: [Redacted]
Subject: RE: BBC E-mail: Man guilty of Kriss race murder

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Congratulations. The news from here as follows:

I spoke to Mohammad Sawar yesterday. He has been phoning the Secretary Interior daily. The papers are now back with the MFA (odd as they were supposed to have been content weeks ago). Sawar had lost patience and raised the case (along with the FS - any record?) when they saw Shaukat (the Pakistani PM) at Arafat's funeral. Shaukat had assured them that there was no problem.

Mohammad was going to call Khokar (PUS equivalent Foreign Affairs) (and Gen Zaki) and I will ask MLG to press Kasuri (Jack Straw's oppo) when he next sees him.

Will this speed up the process? Who knows? It is not beyond Sawar to get the PM to raise this with Musharraf.

12/104.

100
Demost

Dear Sir

I wonder what progress if any is being made to exonerate the two Asian youths who fled to Pakistan to escape facing trial for the murder of the boy in Pollockshields in Glasgow. There has been no reporting of any progress in any newspaper since Mr Schwarz M.P. said he was determined to bring these people to Scotland to face justice

Yours sincerely
[Redacted Signature]
[Redacted Name]
11 DEC 2004



E/2/20

ANNE McGUIRE MP
Member of Parliament for Stirling
House of Commons
London
SW1A 0AA

- JCU 10
- extradition
Implementation
(f)

RECEIVED BY
DCU
05 DEC 2004

Rt Hon David Blunkett MP
Secretary of State
Home Office
50 Queen Anne's Gate
London, SW1H 9AT
Ref: AM/GF/RAMS004/040813

08 December 2004

Dear David,

**Re: Extradition of Suspects from Pakistan to Scotland for Abduction,
Torture and Murder of Kris Donald**

I have been contacted by my constituent [redacted] who has raised with me her concerns over the case of Kris Donald who was murdered in Glasgow.

I understand three suspects have fled to Pakistan and Strathclyde Police have been in contact with the Home Office and the Foreign Office seeking the extradition of these men. I am advised this request has been declined on the grounds the British Government are presently engaged in negotiations to establish formal arrangements for extradition of suspected terrorists. I believe the Lord Advocate for Scotland has made a direct representation to the Pakistan High Commission seeking the arrest and extradition of the suspects.

I would be grateful if you could update me on this case so I can best respond to my constituent.

Best wishes,
Anne

Anne McGuire MP

All Correspondence to:
Parliamentary Office
22 Viewfield Street, Stirling, FK8 1UA
Telephone: 01786 446515
Fax: 01786 446513

STIRLING CONSTITUENCY COVERS: Stirling, Bannockburn, Aberfoyle, Arnprior, Ashfield, Ardscoil, Balfour, Balquhider, Blanehead, Brig O'Turk, Buchlyvie, Balmaha, Callander, Carron Bridge, Crianlarich, Croftanie, Deanston, Doune, Dunblane, Drymen, Fintry, Gargunnoch, Inverarnald, Killearn, Killin, Kinbuck, Kinlochard, Kippen, Lochearnhead, Milton of Buchanan, Port of Menteith, Rowardeman, Strathblane, Strathyre, Stronschiechar, Thornhill, Tyndrum



Foreign and Commonwealth Office

Fax Cover Sheet

Pakistan Team
South Asia Group
King Charles Street
London
SW1A 2AH

Tel: 020 7008 2388
Fax: 020 7008 3258
E-mail: [REDACTED]

To..... : [REDACTED]
At..... : **Justice Dept, Scottish Executive**
Fax Number..... : 0131 244 2623
From..... : [REDACTED]
Date..... : 17 December 2004
Pages to follow..... : 1

Message:

Dear [REDACTED]

I am attaching a letter from a member of the public, [REDACTED] originally sent to the Home Office about the Kriss Donald case. I understand that the Scottish Executive is leading on this.

A holding reply has been issued from the FCO to [REDACTED] informing him that the letter has been forwarded to your department for reply.

Signed [REDACTED]

release with redaction

E/2/30?

Pakistan?



SCOTTISH EXECUTIVE

Minister for Justice
Cathy Jamieson MSP

St Andrew's House
Regent Road
Edinburgh EH1 3DG

Telephone: 0845 774 1741
scottish.ministers@scotland.gsi.gov.uk
<http://www.scotland.gov.uk>

Your ref: AM/GF/RAMS004/040913
Our ref: 2004/0037123

Anne McGuire MP
Parliamentary Office
22 Viewfield Street
STIRLING
FK8 1UA

21 December 2004

Dear Anne

Thank you for your letter of 8 December to the Rt Hon David Blunkett, the then Home Secretary, on behalf of your constituent, [REDACTED] about her concerns over the support of the United Kingdom Government for efforts being made to have several individuals wanted for the murder of Kriss Donald extradited from Pakistan. Your letter has been passed by the Home Office to the Scottish Executive and I have been asked to reply.

I understand that the individuals who are wanted by Strathclyde Police in connection with the murder have fled to Pakistan. It is not the case that the UK Government have declined to seek their extradition. It is the responsibility of the Scottish Executive Justice Department rather than the UK Government which is responsible for seeking the extradition from foreign states of fugitives from justice in Scotland.

Until the beginning of this year, it was not possible for the UK to have extradition relations with Pakistan. Pakistan is not a signatory to the multilateral Commonwealth Scheme for the Rendition of Fugitive Offenders and the legislation governing extradition then in force only provided for the UK to have bilateral treaties with "foreign", i.e. non-Commonwealth, states. This loophole has been closed by the enactment of the Extradition Act 2003. The UK Government and the Government of Pakistan are now currently engaged in exploring the possibility of developing bilateral arrangements for extradition between them.

Since it came to light that three of those suspected of involvement in the murder of Kriss Donald had fled to Pakistan, the Home Office and Foreign and Commonwealth Office (FCO) worked closely with Strathclyde Police, the Crown Office and my Department, to explore how their return could be secured. The Lord Advocate has no complaints about the co-operation from the Home Office and FCO.



Notwithstanding the absence of any current extradition arrangements between the UK and Pakistan, we are endeavouring to bring about the fugitives return to stand trial for Kriss's murder. The UK Government is continuing to provide help and support in this regard.

I hope your constituent finds this response reassuring.

Best wishes

Cathy

CATHY JAMIESON



E/2/30

From: [REDACTED]
Sent: 05 January 2005 13:10
To: [REDACTED]
Subject: RE: Murder of Kriss Donald - request for extradition from Pakistan

Sorry [REDACTED] but I've heard nothing from Sarwar. In fact we (the Justice Department) have had no contact with him whatsoever throughout this matter.

I would suggest that someone on your side might give him a ring at the House of Commons or at his constituency office. His constituency office telephone number is 0141 427 5250 (obtained from his website). The latter might be the best bet at this time of year.

We should ask [REDACTED] for the name of his successor so that we can pester him from time to time about progress.

-----Original Message-----

From: [REDACTED]
Sent: 05 January 2005 12:28
To: [REDACTED]
Subject: FW: Murder of Kriss Donald - request for extradition from Pakistan

This email has been received from an external party and
has been swept for the presence of computer viruses.

I see that [REDACTED] is moving on. Have you heard anything which would help us provide a response to the message below?

-----Original Message-----

From: [REDACTED]
Sent: 04 January 2005 11:43
To: [REDACTED]
Subject: RE: Murder of Kriss Donald - request for extradition from Pakistan

Dear [REDACTED]

I called on the AG about 10 days ago and prodded him, but he has done all he can.

It would be helpful to know if Mohammad Sarwar has had any further feedback. It is difficult for us to go higher than the Foreign Secretary raising the case with the PM, which Sarwar said he did at Arafat's funeral. Have you had any contact?

This is my last week before my handover and I will brief my successor, but it would be helpful to know what sarwar thinks before I leave so I can tee up the next move.

Regards



This email message is from the Crown Office and Procurator Fiscal Service. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify glwmail@copfs.gsi.gov.uk.
This footnote also confirms that this email message has been swept for the presence of computer viruses.
Visit www.crownoffice.gov.uk for details of the work of the Department.



SCOTTISH EXECUTIVE

Justice Department

St Andrew's House
Regent Road
Edinburgh EH1 3DG

Telephone: 0131-244 2103
Fax: 0131-244 2623
Email: [REDACTED]
<http://www.scotland.gov.uk>

Your ref:
Our ref: CJE/002/030

7 January 2005

[REDACTED]

Thank you for your letter of 5 December 2004 addressed to the Foreign and Commonwealth Office about the extradition from Pakistan of a number of suspects who are wanted for the murder of Kriss Donald.

Warrants are outstanding in respect of three suspects who are wanted by Strathclyde Police for their involvement in Kriss Donald's murder. It would appear that the three suspects have fled to Pakistan. Their return to the UK is a difficult issue because the UK does not have any extradition arrangements with the Government of Pakistan, although an extradition treaty between the two countries is currently being negotiated. It is not possible to say if and when these negotiations will be completed and whether or not any treaty will be signed and ratified.

In the absence of any extradition arrangements with Pakistan at the present time all possible steps which can be taken are being taken to secure the return of the three fugitives to stand trial here for Kriss Donald's murder.

I am sorry I cannot be more positive.

Yours sincerely

[REDACTED SIGNATURE]

[REDACTED]
Criminal Procedure Division

E/2/30

[Redacted]

From: [Redacted]
Sent: 10 January 2005 11:28
To: [Redacted]
Subject: RE: KRISS DONALD CASE

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

That would be fine.

FCO are organising the meeting and I assume that Richard will be there for both days as we're devoting one day to judicial co-operation and one to the immigration memorandum of understanding.

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 10 January 2005 11:22 AM
To: [Redacted]
Subject: RE: KRISS DONALD CASE

[Redacted]

Happy New Year to you.

I'll be happy to provide you with some briefing nearer the date of your meeting, say 1 week beforehand. Is that OK?

Will the FCO be attending the meeting and if so will Richard Lindsay be their representative?

Best wishes.

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 10 January 2005 11:18
To: [Redacted]
Subject: KRISS DONALD CASE

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

The UK/Pakistan Joint Judicial Co-operation Working Group will be meeting on the 3rd February. Could you please give me an update of your progress on the Kriss Donald case as

they are bound to mention it.

Thanks! Hope you had a good Christmas and a Happy New Year to you!

Regards,



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it came from telling them it is not for you and then delete it from
your system.

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E/2/30.

[REDACTED]
From: [REDACTED]
Sent: 27 January 2005 13:03
To: [REDACTED]
Subject: Extradition from Pakistan

[REDACTED]
I have now checked the file for the date on which the request was presented to the Pakistani authorities.

[REDACTED] delivered the request personally to the European Director of the Pakistani MFA on Friday 1 October 2004.

All the best
[REDACTED]

..... Ms Cathy Jamieson MSP
Minister for Justice
Scottish Executive
St. Andrew's House
Regent Road
EDINBURGH EH1 3DG

Dear Ms Jamieson

Kriss Donald

I was pleased to receive copy of your letter addressed to Mrs. Anne McGuire MP in response to my letter regarding the above person.

I was quite surprised to learn that the Scottish Executive Justice Department is responsible for the extradition from foreign states of fugitives from justice in Scotland and the responsibility did not lie with the UK Government.

It is good to know that UK and Pakistan Governments are working on bilateral arrangements for extradition between them and do hope it will not be long until we are able to see the extradition of the individuals wanted by Strathclyde Police returned to Scotland. The crime in this case has been of a very heinous nature and it is only right that those responsible should be tried in a court of law and duly punished if found to be guilty.

Thank you for any endeavours you can take to bring this about.

Yours sincerely

A large black rectangular redaction mark covering the signature of the sender.

[Redacted]

From: [Redacted]
Sent: 31 January 2005 13:13
To: [Redacted]
Subject: RE: Extradition from Pakistan-0105

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

I have no amendments to the submission, it seems to cover everything. Would you mind if I forwarded a copy to the DCA together with a brief minute from myself?

Thanks

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 31 January 2005 11:38
To: [Redacted]
Cc: [Redacted]@scotland.gsi.gov.uk; [Redacted]
Subject: Extradition from Pakistan-0105
Importance: High

This email and any files transmitted with it are intended solely for the use of the individual or
entity to whom they are addressed.

<<Extradition from Pakistan-0105.doc>>

[Redacted]

We spoke and I attach a submission I would like to put forward asap to the Minister for Justice and the LA about recent developments with our request.

I spoke to the FCO this morning and they are considering what line the Foreign Secretary should adopt when he goes out to Pakistan in two weeks time. The FCO said they would keep me in the loop.

Grateful for you comments on the submission.

Thanks

[Redacted]

6/2/30

From: [redacted] on behalf of Minister for Justice
Sent: 02 February 2005 12:38
To: [redacted] Lord Advocate
Cc: Deputy Minister for Justice; [redacted]
Subject: RE: Extradition from Pakistan

Copy as above

EXTRADITION FROM PAKISTAN

Ms Jamieson has seen your minute (but not the Lord Advocate's response). The Minister has noted the position and asked that we ensure that the Foreign Secretary has all the information he needs to raise this issue on his planned trip to Pakistan.

PS/Minister for Justice
SAH - Mon & Fri (0131 24) 45147
Holyrood: Tues - Thurs (0131 34) 85578
Mobile: 07880 786513

-----Original Message-----

From: [redacted]
Sent: 31 January 2005 13:29
To: Minister for Justice; Lord Advocate
Cc: Deputy Minister for Justice; [redacted]
Subject: Extradition from Pakistan
Importance: High

<< File: Extradition from Pakistan-0105.doc >>

PS/Minister for Justice
PS/Lord Advocate

Please print off the accompanying 3 page submission updating Ministers about the request for the extradition of 3 fugitives from Pakistan wanted in connection with the Kriss Donald murder.

JD/Criminal Procedure Division
1 W R
SAH

Ext 42103

E/2/30

From: [redacted]
Sent: 10 February 2005 12:03
To: [redacted]
Subject: RE: Extradition from Pakistan

This email has been received from an external party and
has been swept for the presence of computer viruses.

[redacted]
This might be the start of many press enquiries so the Lord Advocate may wish to make a statement.

I think the proposed lines from FCO are good, minimal information although still informative.

-----Original Message-----

From: [redacted]
Sent: 10 February 2005 11:54
To: [redacted]
Cc: [redacted]
Subject: FW: Extradition from Pakistan
Importance: High

This email and any files transmitted with it are intended solely for the use of the individual or
entity to whom they are addressed.

[redacted]
It seems to me that this development would tend to support the need for some sort of public
statement by the Lord Advocate.


However have you any views on the proposed FCO press line? It seems to me that it gives
the minimum of information while reinforcing the line that we have no extradition treaty with
the GoP.

-----Original Message-----

From: [redacted]
Sent: 10 February 2005 11:22
To: [redacted]
Cc: [redacted]

Subject: RE: Extradition from Pakistan

This email has been received from an external party and
has been swept for the presence of computer viruses.


Thanks. We are working along these lines for the FS' briefing. But we have recently been approached by the Scottish Sunday Times asking whether Douglas Alexander raised it during his visit in January (he did) and whether the Foreign Secretary will raise it with the Pakistanis when he visits next week (we hope he will)

I have discussed with our press office and we are inclined to use the line that:

- these are difficult and sensitive issues;
- Douglas Alexander did discuss them with the authorities when he was in Pakistan in January;
- the FS is expected to raise it next week;
- we are working with the Pakistanis to try to ensure that the suspects return to stand trial;
- but slow because we do not have an extradition treaty with Pakistan.

We would not of course mention any names or give more details.

Are you happy with these proposed lines.



E | 2 | 30

[Redacted]

From: [Redacted]

Sent: 10 February 2005 12:08

To: [Redacted] uk'

Cc: [Redacted]

Subject: RE: Extradition from Pakistan

[Redacted]

We think your proposed line are economical yet informative and reinforce the point that we have no extradition treaty with the GoP. We are content.

[Redacted]

-----Original Message-----

From: [Redacted]

Sent: 10 February 2005 11:22

To: [Redacted]

Cc: [Redacted]

Subject: RE: Extradition from Pakistan

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Thanks. We are working along these lines for the FS' briefing. But we have recently been approached by the Scottish Sunday Times asking whether Douglas Alexander raised it during his visit in January (he did) and whether the Foreign Secretary will raise it with the Pakistanis when he visits next week (we hope he will)

I have discussed with our press office and we are inclined to use the line that:

- these are difficult and sensitive issues;
- Douglas Alexander did discuss them with the authorities when he was in Pakistan in January;
- the FS is expected to raise it next week;
- we are working with the Pakistanis to try to ensure that the suspects return to stand trial;
- but slow because we do not have an extradition treaty with Pakistan.

We would not of course mention any names or give more details.

Are you happy with these proposed lines.

[Redacted]

E / 2 | 3 0

[Redacted]
From: [Redacted]
Sent: 14 February 2005 13:30
To: [Redacted]
Cc: [Redacted]
Subject: FW: Kriss Donald
Importance: High

[Redacted]
Would you please incorporate the additional point suggested by the Crown Office here in the lines your press office should take in responding to media enquiries about the Kriss Donald case.

Thanks.

[Redacted]
---Original Message---
From: [Redacted]
Sent: 10 February 2005 15:35
To: [Redacted]
Cc: [Redacted]
Subject: Kriss Donald
Importance: High

This email has been received from an external party and has been swept for the presence of computer viruses.

[Redacted]
have updated [Redacted] in relation to the Kriss Donald case and she has pointed out that it may be worthwhile adding the following line to any press releases.

Editors are asked to act responsibly and refrain from publishing material which could be prejudicial to any subsequent criminal investigation and prosecution.

Would you be able to forward this to FCO.

Thank you.

[Redacted]

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E/2/30

From: [REDACTED]
Sent: 14 February 2005 14:21
To: [REDACTED]
Subject: RE: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

Last week I sent a minute to the DCA re the press interest which he then forwarded to the LA. The LA responded today stating that he was content with the progress of the case, so it doesn't sound like he wants to make any statement just now.

Were you at the game on Saturday? Gordon got a ticket at the last minute, what a waste of money!

-----Original Message-----

From: [REDACTED]
Sent: 14 February 2005 14:10
To: [REDACTED]
Subject: RE: Kriss Donald

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[REDACTED]
All this publicity suggests that there might be no need for the LA to go public. The great unwashed will already know what the position is.

Didn't get the S Times but will get a copy from the Library.

Weekend was not enjoyable. Scotland got thrashed if you had not heard.

-----Original Message-----

From: [REDACTED]
Sent: 14 February 2005 14:01
To: [REDACTED]
Subject: RE: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

From: [Redacted]
Sent: 24 February 2005 11:20
To: [Redacted]
Cc: [Redacted]
Subject: RE: Kriss Donald and extradition from Pakistan

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Many apologies for not replying before now.

The Foreign Secretary did raise this with the Foreign Minister Kasuri in Pakistan on 14 February. Kasuri "took note" of our views.

I'm afraid that leaves us no further forward. But we will continue to push at official level in Pakistan and are forging ahead in trying to agree a bilateral Extradition Treaty (next negotiations in early March). I will keep you posted.

[Redacted]

[Redacted]
Team Leader
Pakistan, and India-Pakistan Relations Team
South Asia Group
Foreign and Commonwealth Office

Tel (44) 207 008 2385

-----Original Message-----

From: [Redacted]
Sent: 18 February 2005 08:54
To: [Redacted]
Cc: [Redacted]
Subject: Kriss Donald and extradition from Pakistan

This email and any files transmitted with it are intended solely for the use of the individual or
entity to whom they are addressed.

Good morning [Redacted]

I was just wondering whether or not you have received any feedback yet from the Foreign Secretary's visit to Pakistan regarding our extradition request.

Perhaps you could let me know.

Thanks

E(2/30

RESTRICTED: ADMINISTRATION OF JUSTICE

Minister for Justice
Lord Advocate

THE MURDER OF KRISS DONALD: EXTRADITION OF THREE SUSPECTS FROM PAKISTAN

Purpose

1. To advise you of the outcome of the Foreign Secretary's representations to the Government of Pakistan (GoP) during his recent visit.

Priority

2. Urgent.


Discussion

3. We have today received a very brief report from the Foreign and Commonwealth Office (FCO) about the Foreign Secretary's visit to Pakistan. Mr Straw raised the subject of our extradition request in the above case in discussion with the Pakistani Foreign Minister on 14 February but the Pakistani Foreign Minister simply "took note" of his representations. There was no flexibility evident on the Pakistani side. The FCO will, however, continue to push our request at official level in Pakistan and hope to press ahead in conjunction with the Home Office with the negotiation of an extradition treaty with the GoP. The negotiations resume next month.

4. You may be aware that prior to his trip to Pakistan the press reported that the Foreign Secretary was to intervene with the Government of an un-named country to try to secure the return of three suspects wanted for the Donald murder. Most of the articles also carried quotes from Mr Mohammed Sarwar MP. FCO have told us that Scotland on Sunday has been in touch with their press office which suggests that it may carry an article this weekend. The FCO used agreed press lines.

Conclusion

5. To note the outcome of the Foreign Secretary's representation to the GoP and the possibility of press coverage of Mr Straw's visit.


JD/Criminal Procedure Division
Ext 42103

24 February 2005.

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness

3/11/05

RESTRICTED: ADMINISTRATION OF JUSTICE

Deputy Minister for Justice					X
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PS/JD
PS/COPFS
[REDACTED]

[REDACTED]

E/2/30

[REDACTED]
From: [REDACTED] on behalf of Lord Advocate
Sent: 25 February 2005 09:24
To: [REDACTED]
Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; [REDACTED]
Subject: RE: Kriss Donald and extradition from Pakistan

[REDACTED]
The Lord Advocate has seen and noted your minute.

Regards
[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 24 February 2005 16:17
To: Minister for Justice; Lord Advocate
Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; [REDACTED]; [REDACTED]
Subject: Kriss Donald and extradition from Pakistan

<< File: extra-Pakistan-into m 0205.doc >>

PS/Minister for Justice
PS/Lord Advocate

Please print off accompanying minute.

Thanks
[REDACTED]

JD/Criminal Procedure Division
1 WR
SAH

Ext 42103

E/2/30

From: [REDACTED] on behalf of Minister for Justice
Sent: 28 February 2005 16:14
To: [REDACTED], Lord Advocate
Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; [REDACTED]
Subject: RE: Kriss Donald and extradition from Pakistan

Copy as above

MURDER OF KRISS DONALD: EXTRADITION OF THREE SUSPECTS FROM PAKISTAN

Ms Jamieson has seen and noted your minute of 24 February.

Thanks,
[REDACTED]

On behalf of the Minister for Justice's office

-----Original Message-----

From: [REDACTED]
Sent: 24 February 2005 16:17
To: Minister for Justice; Lord Advocate
Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; [REDACTED]
Subject: Kriss Donald and extradition from Pakistan

<< File: extra-Pakistan-mto m 0205.doc >>

PS/Minister for Justice
PS/Lord Advocate

Please print off accompanying minute.

Thanks
[REDACTED]

JD/Criminal Procedure Division
1 WR
SAH

Ext 42103

[REDACTED]

From: [REDACTED]
Sent: 23 March 2005 18:16
To: [REDACTED]
Cc: [REDACTED]
Subject: Kriss Donald extradition case

Importance: High
Sensitivity: Confidential

[REDACTED]

As discussed, I'm [REDACTED] Head of Division. I am generally aware of the Kriss Donald case issues, but haven't been terribly closely involved in the detail.

The goal we all seek is actually getting these three suspects back from Pakistan for a fair trial in Scotland. I share your view that at this point it is unlikely that an interview with an FCO Minister in the Sunday Mail which effectively blamed the Pakistan Government for shielding them would be likely to achieve that goal. It would, I think, be all too likely that the Pakistan Government would react in the opposite direction, possibly derailing negotiations on a bilateral treaty and/or insisting on reviving the two earlier cases where we had refused them an extradition. An interview which simply stuck to the facts and made clear that the Government was doing its absolute best to negotiate the suspects' return would in principle be fine, but there is always a question about what spin the paper would put on the facts.

The situation in the area of Glasgow (which has a large Asian population) in which the abduction of Kriss Donald occurred obviously remains somewhat tense, although attempts to exploit the situation by the BNP have hitherto been repulsed by all sides. It seems preferable to focus on low - key attempts to get the suspects back..

I note from my file that the Crown Office here wanted to add to our briefing lines on the case;

' Editors are asked to act responsibly and refrain from publishing material which could be prejudicial to any subsequent criminal investigation and prosecution'

I think that avoidance of anything which could prejudice the likelihood of a soundly based conviction should .so be a prime goal.

Happy to discuss further if that would be helpful. I have not been able to speak to the Crown Agent before e - mailing, given the timescale, but am copying to him for any comments.

[Handwritten signature]

[REDACTED]
Criminal Procedure Division
Room 1R.04
St Andrew's House
Ext 44348

I think you're on the phone about this just now? Can you feed that in?

[REDACTED]
Criminal Procedure Division
Room 1R.04
St Andrew's House
Ext 44348

-----Original Message-----

From: [REDACTED]
Sent: 23 March 2005 19:06
To: [REDACTED]
Cc: PS/CE-CA
Subject: Kriss Donald case

This email has been received from an external party and
has been swept for the presence of computer viruses.

[REDACTED]

With regard to the advice you have been asked to provide to the FCO, you should make them aware that, since some accused were arrested on 2/4/04, appeared 5/4/04 and warrant was granted for "4th accused" on 23/4/04, criminal proceedings are still active

This adds strength to the position that any proposed media coverage of attempts to return remaining accused to face trial is not advisable

I hope this assists

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 24 March 2005 14:28
To: [REDACTED]
Cc: PS/COPFS
Subject: RE: extra-Pakistan-SMail interview

[REDACTED]

My only concern about this is the constitutional point – who exactly is responsible for trying to get hold of these suspects? Extradition is formally reserved, but there is a considerable degree of executive devolution.

On balance, I think that because what we are talking about here is negotiations with a foreign government, the responsibility lies solely with the UK Government – so I would simply say that the **UK Government** is doing its best to get them back, and not mention the Executive.

[REDACTED]

Criminal Procedure Division
Room 1R.04
St Andrew's House
Ext 44348

-----Original Message-----

From: [REDACTED]
Sent: 24 March 2005 14:14
To: [REDACTED]
Subject: extra-Pakistan-SMail interview

<< File: extra-Pakistan-SMail interview.doc >>

[REDACTED]

Here is a rough draft of what I propose to say to Ministers about Mr Alexander's interview.

Fergus

RESTRICTED: ADMINISTRATION OF JUSTICE

Minister for Justice
Lord Advocate

MURDER OF KRISS DONALD; EXTRADITION OF THREE SUSPECTS FROM PAKISTAN

Purpose

1. To advise you that Mr Douglas Alexander MP, Minister of State at the Foreign and Commonwealth Office (FCO), intends to give an interview today to the Sunday Mail about this case.

Priority

2. Urgent.

Discussion

3. It appears that the Sunday Mail printed an article last Sunday (20 March) which claimed that the FCO had not been active in seeking the return of the three persons wanted for the murder of Kriss Donald and who had fled to Pakistan after the killing. This is of course quite untrue. We were approached last night by FCO officials for advice about an interview which Mr Douglas Alexander wanted to give to the Sunday Mail to correct the article's misrepresentations. We expressed our concern about the proposal and pointed out that criminal proceedings are still active in this case and that nothing should be done which could prejudice the prospects of securing the return of the fugitives from Pakistan or of them receiving a fair trial once returned.

4. Despite our advice (and similar advice from FCO officials) Mr Alexander's office has told us that he intends to go ahead with the interview. He is aware of our concerns and his intention is simply to correct the erroneous impression given by the Sunday Mail article and no more.

5. Should the Sunday Mail follow this up with enquiries to our Press Office we would suggest the following lines to take:-

- there is no extradition treaty between the UK and Pakistan although one is being negotiated;
- in the absence of a treaty the UK Government are doing all they can in the circumstances to secure the extradition of the three fugitives.

The latter point reflects the fact that constitutionally it is the UK Government which is seeking extradition rather than the Executive.

Conclusion

6. To note that Mr Alexander is giving an interview about this case to the Sunday Mail and to agree the line to take against any press enquiries as a consequence.

JD/Criminal Procedure Division
Ext 42103

24 March 2005

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Deputy Minister for Justice					X

PS/JD
PS/COPFS
[Redacted]

[Redacted]
[Redacted]
[Redacted]
Press Justice
Press COPFS

E/2/30

Note for the file.

The Pakistani delegation will be coming to the UK on 15 April to continue discussions with the UK government about a bi-lateral treaty on extradition among other things. FCO are keen to take the opportunity to raise the Kinn Donald case with them.

~~XXXXXXXXXX~~ in the Home Office Extradition Policy Unit wondered if we wanted to attend to raise the matter with the Pakistani delegation or would ^{we} be happy for Home Office/FCO to raise it on our behalf. ~~XXXXXX~~ was almost certain that none of the Pakistani delegation would have detailed knowledge of the case. The Pakistani delegation normally comprised senior officials ~~who would not have~~ rather than caseworkers.

I saw no reason why the Home Office/FCO would not make representations on our behalf. We would provide suitable briefing if that was necessary.

~~XXXXXX~~ 31-3-05



E 12 20

FOREIGN & COMMONWEALTH OFFICE

King Charles Street, London,

SW1A 2AH

DOUGLAS ALEXANDER'S OFFICE

Tel: 020 7008 2149

Fax: 020 7008 3539

To : **Correspondence Unit - SE**

6 APR '05 11:27

From : [REDACTED]

Date : 4/4/05

Number of Pages : 2

This letter was re-faxed to FCO on 31 March. Our officials have declined the case, and have advised that it is a Scottish Executive lead. I rang [REDACTED] on 4 April to check this, and he confirms that SE will reply.

Regards

[REDACTED]

ANDREW TYRIE MP



[Donald Kriss]

HOUSE OF COMMONS

LONDON SW1A 0AA

DA-SAG

The Rt Hon Jack Straw MP
Secretary of State
Foreign & Commonwealth Office
King Charles Street
London SW1A 2AH

188028/05

6th January 2005

Dear Sir,

I have received the enclosed from my constituent, [REDACTED].
[REDACTED] He would like to know what is being done to secure
the arrest of the suspected murderers of Donald Kriss who fled to Pakistan.

I should be grateful for your comments.

Yours sincerely,

ANDREW TYRIE

E/2/20

[REDACTED]

From: [REDACTED]
Sent: 13 April 2005 10:35
To: [REDACTED]
Cc: [REDACTED]
Subject: Kriss Donald: Extradition from Pakistan



Andrew Tyrie
ltr.doc (125 KB)

[REDACTED]

Andrew Tyrie MP wrote to Jack Straw in January about the Kriss Donald case. He was wanting to know what is being done to secure the return of the three accused who fled to Pakistan. I agreed with Douglas Alexander's office recently that we would reply.

I attach a copy of our proposed reply. It is essentially the same as we have used before when other MPs have enquired about what we are doing to get the three suspects back, with minor tweaking. I would be glad to know if you are happy with the reply or whether you want to strengthen what is said about FCO support and assistance.

An early response would be much appreciated.

Best wishes.

[REDACTED]

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

el: 01311 244 2103

[Redacted]

From: [Redacted]
Sent: 19 April 2005 11:33
To: [Redacted]
Cc: [Redacted]
Subject: FW: UK-Pakistan Joint Judicial Cooperation Working Group - 14-15 April 2005:Id=0299847

Here is a report of the recent meeting in London with representatives of the Government of Pakistan at which the Kriss Donald case was raised. See paragraph 9.

My view is that we should not expect any early movement in the Pakistani position.

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 19 April 2005 11:01
To: [Redacted]
Subject: UK-Pakistan Joint Judicial Cooperation Working Group - 14-15 April 2005:Id=0299847

This email has been received from an external party and has been swept for the presence of computer viruses.

[Redacted]

to note the outcome of this meeting and the final section on Kriss Donald

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 18 April 2005 14:52
To: [Redacted]
Cc: [Redacted]

Subject: UK-Pakistan Joint Judicial Cooperation Working Group - 14-15 April 2005:Id=0299847

-----Original Message-----

From: eGram Gateway
Sent: 18 April 2005 13:51
To: eD SOUTH ASIA GP
Subject: UK-Pakistan Joint Judicial Cooperation Working Group - 14-15 April 2005:Id=0299847

9. FCO raised our requests for the extradition of the three suspects in the Kriss Donald murder case, explaining that we had made the request with background papers in July 2004. Niazi implied that the case was not being considered as a result of our refusal in 2002 and 2003 of Pakistani requests for one off extradition. Home Office explained that we could now entertain such requests under the new 2003 Extradition Act, and offered to write to the Interior Ministry explaining the differences made by the 2003 Act. We invited Pakistan to make new requests, while explaining that these requests would be considered on their merits by our courts. The CPS offered to help Pakistan prepare such requests. On this basis Niazi agreed that he would look again at our request for the suspects in the Kriss Donald murder.

E/12/30

[Redacted]

From: [Redacted]
Sent: 05 May 2005 09:25
To: [Redacted]
Subject: FW: SHAHID, SHAHID and MUSHTAQ

This email has been received from an external party and has been swept for the presence of computer viruses.

-----Original Message-----

From: [Redacted]
Sent: 05 May 2005 09:15
To: [Redacted]
Cc: [Redacted]
Subject: FW: SHAHID, SHAHID and MUSHTAQ

[Redacted]

See message below and attachment from NCIS. Interpol Islamabad are seeking further information regarding the three fugitives. Would you like me to contact the police to request the details they are after?

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 05 May 2005 09:02
To: [Redacted]
Subject: FW: SHAHID, SHAHID and MUSHTAQ

[Redacted]

I sent the message below and the attached document a couple of days ago to [Redacted] as I had previously liaised with her regarding the above named subjects.

I have now also received the following message from IP Islamabad and was wondering whether you are able to provide any advice as to how to proceed with this matter in light of the issues that we were previously informed about.

Quote...
SUB:- IMRAN SHAHID, ZEESHAN SHAHAID AND MOHAMMED FAISAL MUSHTAQ.

PLEASE PROVIDE US THE RESIDENTIAL ADDRESS OF SUBJECT PERSON IN PAKISTAN OR ADDRESSES WHERE THEY HAVE BEEN STAYING. PLEASE ALSO PROVIDE THE PASSPORT DETAILS REGARDING MUHAMMAD FAISAL MUSHTAQ.
...Unquote

Thanks for your assistance with this matter.

Regards,

[Redacted]
Intelligence Officer
Fugitives Unit

Tel: 0207 238 3560 (24hrs - 8115)

Classification: Unclassified

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-----Original Message-----

From: [REDACTED]
Sent: 03 May 2005 12:15
To: [REDACTED]
Subject: SHAHID, SHAHID and MUSHTAQ
Importance: High

[REDACTED]

We have received the following request from IP Islamabad regarding the above named subjects and I was advised by my line manager to forward it to your office in the light of the issues surrounding this matter.

Please confirm receipt of this message and advise of the status of this matter and also whether there is any action that we will need to undertake.

Thanks for your assistance with this matter.

Regards,

[REDACTED]
Intelligence Officer
Fugitives Unit
NCIS, ILE

Tel: 0207 238 3560 (8115 - 24hrs)
Fax: 0207 238 8112
E-Mail: London@ncis.x.gsi.gov.uk

Classification: Unclassified

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|

Quote...

FROM IP ISLAMABAD

TO: IP LONDON

OUR REF: EA/136(H)NCB/2004

YOUR REF: NEW MATTER

SUBJECT:- **WHEREABOUTS OF ACCUSED IMRAN SHAHID ,
ZEESHAN SHAHAID AND MOHAMMED FAISAL
MUSHTAQ.**

British High Commission, Islamabad intimated that the subject persons Imran Shahid , Zeeshan Shahaid and Mohammed Faisal Mushtaq are wanted for the abduction and murder of Kriss Donald and requested for the return of the fugitives to UK.

In order to search the accused persons in Pakistan, following information in respect of each person is required:-

- i) Date of birth
- ii) National Identity Card number.
- iii) Passport number
- iv) Travel Event date with flight number
- v)

Please provide a/m information to this bureau at the earliest to proceed further.

WITH REGARDS

IP ISLAMABAD.

...Unquote

E/Z/30

From: [redacted]
Sent: 05 May 2005 09:39
To: [redacted]
Cc: [redacted]
Subject: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

I have received from NCIS a request which they have in turn received from Interpol Pakistan asking for information to assist them to search for the three suspects. They have asked for some specific details - which I suspect are already in the papers anyway - but I am arranging to respond to the request as fully as possible.

Difficult to know whether this is a positive sign or not - but it is the first proactive movement we have seen from Islamabad, so all in all, I am inclined to think it is a move in the right direction.

I will keep you posted.

Best wishes,

[redacted]
Head, International Co-Operation Unit
Crown Office
25 Chambers Street
EH1 1LA
Telephone: 0845 6066 [redacted]
Fax: 0131 226 6861

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THE MURDER OF KRISS DONALD: ARREST AND RETURN OF THREE REMAINING SUSPECTS

Lines to take

- Must bear in mind that warrants for the arrest of the 3 remaining suspects are outstanding and we should not say anything which may prejudice the criminal investigation and any subsequent prosecution;
- I can say that the 3 suspects wanted for Kriss Donald's murder fled to Pakistan shortly after the offence was committed;
- Difficult to secure their return for trial because Pakistan is not a country with which the UK has extradition arrangements;
- Nevertheless UK Government Ministers and officials have raised the extradition of the 3 suspects with Pakistani counterparts on our behalf and are working with them to try to secure their surrender. Involves difficult and sensitive issues.
- Meanwhile UK Government is currently negotiating an extradition treaty with Government of Pakistan.

RESTRICTED

Background note

1. Although the UK has no extradition treaty with the Government of Pakistan, the Pakistani Government has the discretion to extend the provisions of its Extradition Act to states with which it has no extradition treaty. A request for it to do so in relation to the 3 suspects in this case was submitted in early October 2004.

Redacted - irrelevant

3. Further representations were made by the UK Government at a meeting of the UK-Pakistan Joint Judicial Co-operation Working Group in the middle of April. Since then the Pakistani authorities have asked for information to assist in the search for the 3 fugitives. This may or may not be a sign of movement on their part.

E/2/30



SCOTTISH EXECUTIVE

Minister for Justice
Cathy Jamieson MSP

St Andrew's House
Regent Road
Edinburgh EH1 3DG

Telephone: 0845 774 1741
scottish.ministers@scotland.gsi.gov.uk
http://www.scotland.gov.uk

Andrew Tyrie Esq
House of Commons
LONDON
SW1A 0AA

Our ref: 2005/0010377

9 May 2005

Dear Mr Tyrie

Thank you for your letter of 6 January to the Rt Hon Jack Straw, the Foreign Secretary, on behalf of [redacted] about the return from Pakistan of three persons suspected of being involved in the murder in Glasgow of Kriss Donald. Your letter has been passed to the Scottish Executive and I have been asked to reply.

The extradition of fugitives from Pakistan to the UK is a difficult and sensitive issue. Until the beginning of 2004, it was not possible for the UK to have on-going extradition arrangements with Pakistan. This was because Pakistan was not a signatory to the multi-lateral Commonwealth Scheme for the Rendition of Fugitive Offenders, and the UK's legislation governing extradition only allowed for the UK to have bi-lateral extradition treaties with "foreign", i.e. non-Commonwealth, states. This loophole was closed by the enactment of the Extradition Act 2004. The UK Government and the Government of Pakistan are now currently engaged in the negotiation of bi-lateral arrangements for extradition.

Although no formal extradition arrangements exist at present between the UK and Pakistan, Strathclyde Police, the Crown Office and my Department are working closely with the Foreign and Commonwealth Office and the Home Office to explore how their return to Scotland to stand trial for Kriss Donald's murder could be secured. The Foreign and Commonwealth Office have raised their return with the Government of Pakistan on our behalf, and we are grateful for the assistance which the Foreign and Commonwealth Office has provided and is continuing to provide.

[redacted] asked why the three fugitives were able to flee the country. They were able to flee because at the time no warrants had then been issued for their arrest. He is also unhappy about the media reporting of Kriss Donald's murder and of the trial of two of those involved in his abduction and murder. As you will understand, this is not something over which the UK Government or the Scottish Executive have any control. However, at the request of the prosecution, the trial judge made a Contempt of Court Order banning the media from identifying the three fugitives and from reporting

their whereabouts, among other things, for a period of 6 months from the termination of the trial proceedings. This is to ensure that once returned to Scotland they will receive a fair trial.

I hope this is helpful.

Best wishes

Cathy Jamieson

CATHY JAMIESON



[REDACTED]

From: [REDACTED]
Sent: 12 May 2005 09:39
To: [REDACTED]
Subject: RE: Request for Briefing - Serious Organised Crime Debate - Thursday 19 May

[REDACTED]

I attach a note on the Kriss Donald case. It has been cleared with Crown Office who are going to include a copy in the Lord Advocate's briefing.

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 10 May 2005 18:47
To: [REDACTED]
Cc: [REDACTED]
Subject: Request for Briefing - Serious Organised Crime Debate - Thursday 19 May

Dear all,

As you may well all be aware by now, there will be an Executive sponsored debate on serious organised crime in the Parliament on Thursday 19 May. The Minister for Justice will open the debate and the Deputy Minister will close. Discussions are I understand ongoing over the additional involvement of either the Lord Advocate or the Solicitor General.

Neil MacLennan is preparing the drafts of the opening and closing statements and has already contacted some of you for contributions.

I have been asked to pull together the briefing for the event therefore I'm also now coming to you for contributions. I'd be grateful if each of you could provide me with lines to take and succinct briefing on the following:

Anna - we discussed earlier but I'd be grateful for material on the SDEA (particularly its most recent success stories/stats); and drug trafficking

Susan/Daniel - I'd be grateful if you could provide me with material on EU Justice issues (particularly Eurojust and any other issues around European co-operation in the Justice arena - EU arrest warrants, etc, etc)

Ian - I'd be grateful for some material on the Private Security Industry (particularly on the new regulations relating to it)

Fergus - we discussed earlier and you were going to provide me with something on the international aspects of the Kriss Donald case

Morag - I'd be grateful for any material you can provide me on related Crown Office/Prosecution issues (e.g. proceeds of crime; international co-operation, etc)

I'll be providing material on SOCA, witness protection and general lines on serious organised crime myself. It would be extremely helpful if you could provide with your contributions by

no later than **12pm on Friday 13 May**. I realise that this is a very tight turnaround time and apologise for that - if this should prove to be an insurmountable difficulty, please let me know as soon as possible.

Many thanks in advance and apologies again for the tight deadline!

[REDACTED]

[REDACTED]
Police Division 1:2
Justice Department
Ext: 42145

E/2/30

[Redacted]

From: [Redacted]
Sent: 01 June 2005 15:06
To: [Redacted]
Cc: [Redacted]
Subject: FW: UBS: Kriss Donald
Importance: High

[Redacted]

To see and note possible developments in this case. Salwa must be a misprint for Mohammed Sarwar.

You will also see the request for any further info about the location of the 3 suspects. Could you respond direct to Chris Stimpson on this. Thanks.

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 01 June 2005 14:42
To: [Redacted]
Cc: [Redacted]
Subject: FW: UBS: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Hopefully some movement on the Kriss Donald suspects. Please note the final paragraph. Peter has not been able to get hold of Glasgow Police, so we would be grateful if you could get any other details about the suspects to help the Pakistani authorities.

Many thanks,

[Redacted]

[Redacted]
Desk Officer - Pakistan
South Asia Group
Foreign & Commonwealth Office

Telephone: +44 (0)20 7008 3545
Fax: +44 (0)20 7008 2358
Website: www.fco.gov.uk

-----Original Message-----

From: [REDACTED] *duplicate.*
Sent: 31 May 2005 14:31
To: [REDACTED]
Cc: [REDACTED]

Subject: UBS: Kriss Donald

[REDACTED]

1. As you know, I accompanied the two UK MPs, Muhammed Salwa and Shahid Malik on their call on Minister of the Interior Sherpao on 31 May. The meeting was in response to Salwa's meeting with Sherpao ("an old friend") in London last week. Sherpao had given Salwa assurances that he would do all he could on the Donald case.

2. At yesterday's meeting, Salwa took the Minister through the details of the murder itself, the effect it had had on the Pakistan community in Glasgow and the risks it posed if it remained unresolved. I then briefed Sherpao on our contacts with his Ministry so far, including the unhelpful linkage that his Joint Secretary Agral (present at the meeting) had made with the two that Pakistan wanted returned from the UK. Sherpao asked Agral to explain himself. Agral said that since the Minister's meeting with Salwa, the Ministry had gone all out to get this resolved. A draft "notification" (a request from the Federal government to the provincial government - in this case Punjab - to arrest suspects) had gone to the Ministry of Law for approval and should be in Lahore by the following day. Sherpao insisted that this happen within 24 hours and that there should be no linkage with the Pak cases. Agral asked me to provide any additional details of the suspects (which I have now done).

3. I thanked Sherpao. I said that once the Donald case had been satisfactorily resolved we would be happy to provide any technical advice to the GoP on the new legislation and any related procedures in the UK.

4. I spoke to Salwa this morning. He had dined with the Minister of Law the previous night who had told him that the notification had now been sent to the Punjab. Salwa had also spoken to the Dep IG Police Punjab who had told him that they were already on the look out for the suspects.

COMMENT

5. Let's not count our chickens, but we may have some movement here. The next few days will show.

6. **Grateful if SAG could forward to other interested parties** and see (with the CPS) whether there are additional details about the suspects that would be helpful in tracking them down. I am following up with the Glasgow police direct (Supt Elliot MacKenzie).

[REDACTED]
[REDACTED]
First Secretary (Political)
British High Commission, Islamabad

Tel: [REDACTED]
FTN: 8405 2107

E/2/30

[Redacted]

From: [Redacted]
Sent: 01 June 2005 15:13
To: [Redacted]
Cc: [Redacted]
Subject: RE: UBS: Kriss Donald

Many thanks for this email. Things appear to be moving in the right direction at last but as [Redacted] says let's not count the chickens just yet.

I have asked my colleague [Redacted] in the Crown Office (the equivalent of the CPS up here) to let you have direct any further info about the current location of the three suspects.

Kind regards

[Redacted]

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 2103

Fax: 0131 244 2623

-----Original Message-----

From: [Redacted]
Sent: 01 June 2005 14:42
To: [Redacted]
Cc: [Redacted]
Subject: FW: UBS: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Hopefully some movement on the Kriss Donald suspects. Please note the final paragraph. Peter has not been able to get hold of Glasgow Police, so we would be grateful if you could get any other details about the suspects to help the Pakistani authorities.

Many thanks,

[Redacted]

[Redacted]

Desk Officer - Pakistan

South Asia Group
Foreign & Commonwealth Office

Telephone: +44 (0)20 7008 3545
Fax: +44 (0)20 7008 2358
Website: www.fco.gov.uk

-----Original Message-----

From: [REDACTED]

Sent: 31 May 2005 14:31

To: [REDACTED]

Cc: [REDACTED]

Subject: UBS: Kriss Donald

[REDACTED]

1. As you know, I accompanied the two UK MPs, Muhammed Salwa and Shahid Malik on their call on Minister of the Interior Sherpao on 31 May. The meeting was in response to Salwa's meeting with Sherpao ("an old friend") in London last week. Sherpao had given Salwa assurances that he would do all he could on the Donald case.

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COMMENT

5. Let's not count our chickens, but we may have some movement here. The next few days will show.

6. **Grateful if SAG could forward to other interested parties** and see (with the CPS) whether there are additional details about the suspects that would be helpful in tracking them down. I am following up with the Glasgow police direct [REDACTED]

[REDACTED]

[REDACTED]

First Secretary (Political)

E/2/30

From: [redacted]
Sent: 01 June 2005 16:40
To: [redacted]
Cc: [redacted]
Subject: Kriss Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

I have a copy of your note to [redacted]

The senior investigating officer in Glasgow is as you know [redacted], whose telephone number is [redacted]

He is actively involved in this case. It is important that he does not exceed the bounds of what is proper for a police investigation here, and in particular, that he does not allow his enthusiasm for securing justice in this case to lead him into inappropriate activities. I do not for a moment doubt [redacted] good intentions, however.

He has currently a number of leads in Pakistan, and I think it would be best if you were to contact him directly. I think he is himself in contact with [redacted]

Obviously if you think we can help, we will be happy to do so, but we must be careful here not to do anything that might upset the delicate balance which appears to have been achieved with the Pakistani authorities.

[redacted]
Head, International Co-operation Unit
Crown Office
Telephone: 0044 8456 066212
Fax: 0131 226 6861

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[REDACTED]

From: [REDACTED]
Sent: 06 June 2005 14:21
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: REST: kriss donald: legal process
Importance: High

[REDACTED]

As we see it, the ball is firmly in the court of the Pakistani authorities (excuse the pun).

The HC obtained legal advice from a firm of solicitors in Islamabad in August 2004 and their advice was that a request for the surrender of the three fugitives should be made under section 4 of the Pakistani Extradition Act 1972. This particular section enables the Federal Government to apply the provisions of their extradition legislation, by means of a notification in the Official Gazette, to foreign states which do not have an extradition treaty with Pakistan, such as the UK, for fugitives who are suspected of being or are in Pakistan.

In 22 September 2004 I sent a letter to [REDACTED] at the HC asking him to submit a request on that basis. The letter was also accompanied with full supporting documentation in accordance with the requirements of the Pakistani extradition legislation. The formal request was I understand lodged with the Pakistani MFA at the beginning of October 2004. I assume that in doing so the advice of the Pakistani solicitors was followed. If and when the three suspects are arrested, it will be for the Pakistani authorities to deal with them according to the requirements of their domestic legislation. If they need any information in addition to what has already been provided we would be happy to supply it. We see no need for any additional protocols such as a MoU.

Once the suspects have been cleared for extradition in due course, the normal practice would be for the GoP to notify the HC. The HC would in turn notify this Department as the originator of the request. Strathclyde Police would then be informed and agree arrangements, either through Interpol or directly with the Pakistani authorities/police, for the collection of the suspects. However, it is not unknown for decisions to be relayed from police to police with arrangements for surrender being negotiated between the two. It would fall to Strathclyde Police to send a team of officers to Pakistan to bring the suspects back to the UK.

I hope this information clarifies matters but if anything remains unclear let me know.

Best wishes

[REDACTED]

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 2103

Fax: 0131 244 2623

06/06/2005

-----Original Message-----

From: [REDACTED]
Sent: 06 June 2005 10:55
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: REST: kriss donald: legal process

This email has been received from an external party and has been swept for the presence of computer viruses.

[REDACTED]

Please see the e-mails below regarding the possible extradition from Pakistan of the Kriss Donald suspects. I would be grateful if you could clarify what action we need to take and how things proceed from here. Please feel free to give me call if anything is unclear.

[REDACTED]: I would be grateful for a copy of the Kosovo MoU.

Many thanks,

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 06 June 2005 10:40
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: REST: kriss donald: legal process

[REDACTED]

You may wish to consult FCO lawyers on this point as I'm not entirely sure that we would wish to use the text of the draft treaty should they require a special arrangement before being able to proceed with an ad hoc extradition request under their domestic law. As you know, outgoing extradition requests from the UK fall under the Royal Prerogative so we do not require an arrangement but understand from the Scottish Exec that the Pakistanis do.

I've separately negotiated an ad hoc arrangement with UNMIK for Kosovo and one of the issues that was raised there was the legal status that a treaty would have. We were advised by FCO lawyers that any arrangement that took the format of a treaty would have to go through the usual process before it came into force which would include publication in the UN treaty series - something we'd clearly want to avoid in an ad hoc request as it would alert the suspects that they were about to be arrested. We got round this problem by drawing up a Memorandum of Understanding - we could let you have a copy but it would need redrafting to reflect evidential requirements etc. which are slightly different and to remove any provisions that had to be included to fit in with the Kosovan Criminal Procedure Law.

Alternatively, your lawyers could have a look at the draft Treaty and amend it to remove any "treaty wording".

Hope this helps, if you require anything further from me then please don't hesitate to get in touch.

Regards,

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 06 June 2005 10:23 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: REST: kriss donald: legal process

[REDACTED]

I realise that this case falls under the Scottish Executive rather than the Home Office, but I would be grateful if you could clarify what would be needed. A request for extradition (note verbale and supporting evidence) was passed from our High Commission in Islamabad in 2004 (unfortunately I do not have the exact date). This quoted Pakistan's 1972 Extradition Act.

Am I right in thinking that at the JJCWG it was agreed (in theory) that the text of the draft Extradition Treaty could be used in ad hoc cases? How would we go about using this?

I would be grateful if you could let me know your thoughts as soon as possible, so that things can start moving in Pakistan (especially as the agreement to assist the UK in this is in the Pakistani media).

[REDACTED]

[REDACTED]
Desk Officer - Pakistan
South Asia Group
Foreign & Commonwealth Office

Telephone: +44 (0)20 7008 3545
Fax: +44 (0)20 7008 2358
Website: www.fco.gov.uk

-----Original Message-----

From: [REDACTED]
Sent: 06 June 2005 09:58
To: [REDACTED]
Cc: [REDACTED]
Subject: REST: kriss donald: legal process

[REDACTED]

As you know, we currently have 2 officers here from the Strathclyde police following up on the progress on the Kriss Donald case. Peter W and I met them, with Muhammed Sarwar MP, this morning. The officers are here to establish a police-to-police conduit through which intelligence on the three suspects can be exchanged. On this trip, they will also be handing over intelligence that should help the Pak police track them down. You should also be aware that unhelpfully, the fact that we are co-operating on these cases is now out in public.

Nevertheless, the UK police believe that it will not take long to find the suspects. We are all a

little in the dark about what needs to happen if they are apprehended. The last thing we need is for them to be returned to the UK and for the defence lawyers to ground the trial through a technicality. Does there need to be an exchange of documents between the two sides? (MFA to MFA, or AG to AG etc), do we need to have an MoU in place for this *ad hoc* arrangement?

I would be grateful if you could revert to the CPS/Home office as a priority and seek a view from them. The police believe that it would be better to have whatever arrangements were necessary in place before the suspects are arrested.

Could you also ask your CPS/HO interlocutors if there are any other procedural aspects of which we need to be aware. The UK police suppose that they will have to bring officers out to Pakistan to escort the prisoners home, but how would this happen? Would the MFA tell BHC and then we tell the police? Does INTERPOL come into the equation? Or is it the fugitive unit of NCIS.

Grateful therefore for any advice.

[Redacted]

[Redacted]

First Secretary (Political)
British High Commission, Islamabad

Tel: [Redacted]

FTN: 8405 2107

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This email message has been swept for computer viruses.

E/2/30

[Redacted]

From: [Redacted]
Sent: 06 June 2005 16:10
To: [Redacted]
Cc: [Redacted]
Subject: FW: REST: kriss donald: legal process

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Further to the e-mails below, Fergus McNeil phoned me. Could you please confirm whether the Pakistani Government has issued instructions for the Extradition Act 1972 to apply to the UK? Fergus was wondering whether this was the "draft notification" you refer to in your e-mail of 31 May (attached).

Fergus also warned that under the 1972 Act, extradition is a fairly lengthy process which requires a judicial hearing, so we'll be looking at months rather than weeks before the suspects are sent back to the UK.

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 06 June 2005 14:31
To: [Redacted]
Cc: [Redacted]
Subject: FW: REST: kriss donald: legal process

[Redacted]

Please see the e-mails below from the Scottish Executive and the Home Office answering your questions about the extradition of the suspects in the Kriss Donald case.

If there is anything else I can do to help, please let me know.

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 06 June 2005 14:25
To: [Redacted]
Cc: [Redacted]
Subject: RE: REST: kriss donald: legal process

[Redacted]

Thanks for copying me in. Apologies for muddying the water slightly but I understand in the very early stages there was a suggestion that we may need to agree some sort of special arrangement with them. Clearly, if that is not a requirement in Pakistani domestic law we would want to keep it as simple as possible!

[Redacted]

[Redacted]

From: [Redacted]
Sent: 08 June 2005 16:00
To: [Redacted]
Cc: Dickson W (Wilma); [Redacted]
Subject: FW: REST: kriss donald: legal process
Importance: High

[Redacted]

It looks as if we are in business at last.

I will send a copy of the September 2004 material to Chris Stimpson in London.

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 08 June 2005 15:57
To: [Redacted]
Cc: [Redacted]
Subject: RE: REST: kriss donald: legal process

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Thanks for this. I took the liberty of checking this again with a local extradition expert and we seem in good shape.

An update: I misunderstood the "notification" and it is - as [Redacted] spotted - the entry in the Official Gazette as required under section 4 of the Extradition Act 1972. According to Agral of the Min of Interior, this has now been published (I will look for a copy tomorrow) and so the Act has been extended to the UK. So far so good. Agral told me that an enquiry officer has now been appointed who will prepare a report for the Min Interior (Agral told me that he already knew this would be +ve). On the basis of the recommendation in this report, the Min Interior will instruct the Punjab police to find and arrest the guys.

[Redacted] is now in Lahore after meetings with DG FIA and IG Police Islamabad. He will be seeing IG Police Punjab tomorrow. The latter has already appointed a liaison officer for the Strathclyde police.

On the time scale, the Act does allow a 15 day cooling off period but the speed with which the GoP has dealt with the Official Gazette angle suggests to me that once they find these guys they won't be hanging around.

Just in case, could we get hold of a copy of the Sept 2004 letter and supporting documentation by bag.

Thanks

[Redacted]

08/06/2005

E/2/30

RESTRICTED: ADMINISTRATION OF JUSTICE

Minister for Justice

EXTRADITION: UPDATE

Purpose

1. To update you on the current position in two important extradition cases. These are the incoming request for the extradition to [REDACTED] and [REDACTED] and the outgoing request for Imran Shahid, Zeeshan Shahid and Mohammed Faisal Mushtaq who are wanted for the abduction and murder of Kriss Donald.

Priority

2. Routine; no decision is required.

Update

3. The latest developments in these two cases are reported in Annex A attached.

Conclusion

4. To note recent developments in the cases of Wright and Brown and the three fugitives wanted for the abduction and murder of Kriss Donald.

[REDACTED]
JD/Criminal Procedure Division
Ext 42103

10 June 2005

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Deputy Minister for Justice					X

PS/JD
[REDACTED]

redacted - separate matter

The case of Imran Shahid, Zeeshan Shahid and Mohammed Faisal Mushtaq

7. A request for the return of the Shahid brothers and Mohammed Mushtaq, who are wanted for the abduction and murder of Kriss Donald, was submitted to the Government of Pakistan in October 2004. Although there was and still is no extradition treaty between the UK and Pakistan, the latter may, if it considers it expedient to do so, extend its Extradition Act to a non-treaty state such as the UK by means of a notification in the Official Gazette. The provisions of the Pakistani extradition legislation would then apply in respect of a particular request for extradition. The request for the extradition of the three fugitives was submitted on that basis

8. The Pakistanis have previously shown no willingness to act on our request despite representations in support of it by the Foreign Secretary, Mr Douglas Alexander, an FCO Minister of State, and FCO officials. Mr Mohammed Sarwar MP has also been visiting Pakistan regularly and actively pressing our case. But following one such visit at the end of May, when Mr Sarwar, accompanied by staff of the High Commission, met the Minister of the Interior, this pressure appears to have had an effect with the result that the Pakistanis have taken steps to extend their extradition legislation to the UK with a view to dealing with our request. They have also sought information from us about the whereabouts of the fugitives in Pakistan.

9. In addition two senior Strathclyde Police officers are in Pakistan at the moment meeting Pakistani police and the latter have appointed a liaison officer through whom Strathclyde Police should deal.

Conclusion

redacted - separate matter

11. It would also appear that the Pakistani Government has relented and is now taking steps to consider the extradition of the Shahid brothers and Mohammed Mushtaq. The Lord Advocate has been informed of these developments separately.

JD/Criminal Procedure Division.
10 June 2005

E/2/3a

[REDACTED]
From: [REDACTED] on behalf of Minister for Justice
Sent: 14 June 2005 09:56
To: [REDACTED]
Cc: Deputy Minister for Justice; PS/JD; [REDACTED]
Subject: RE: Extradition: Update

[REDACTED] thank you for your minute of 10th June on the above, Ms Jamieson has seen and noted.

Many thanks
[REDACTED]
Ext 45141

-----Original Message-----

From: [REDACTED]
Sent: 10 June 2005 14:24
To: Minister for Justice
Cc: Deputy Minister for Justice; PS/JD; [REDACTED]
Subject: Extradition: Update

<< File: extra-W&B update 05.doc >>

PS/Minister for Justice

Please see attached minute.

[REDACTED]
JD/Criminal Procedure Division
1 W R
SAH

Ext 42103

KRISS DONALD : Extradition from Pakistan.

Anything from the Foreign + Commonwealth Office
about this case and particularly about the arrest
of the fugitives, should be forwarded to
[REDACTED] and [REDACTED] at the Crown Office.

[REDACTED]

E/2/30

From: [redacted]
Sent: 12 July 2005 13:20
To: [redacted]
Cc: [redacted]
Subject: RE: Pakistani High Commission: briefing contribution

Thank you for looking after my interests. Content with your briefing except that in the last sentence of the background note the reference should be to three (3) suspects rather than four (4).

The FCO did not seek a contribution. They know the case inside out.

-----Original Message-----

From: [redacted]
Sent: 12 July 2005 12:58
To: [redacted]
Cc: [redacted]
Subject: RE: Pakistani High Commission: briefing contribution

This email has been received from an external party and has been swept for the presence of computer viruses.

Apologies if a bit rough and ready but all very manic here.

Suggest following lines to cover extradition:

- Greatly value the co-operation between our two countries. Very pleased by progress made by our officials at the recent meeting of the Joint Judicial Co-operation Working Group in London on 15th April this year.
- Particularly grateful of Pakistan's assistance in the Kriss Donald case, this is clear example of how well our two countries can work together in the area of judicial co-operation.

Background

1. Currently no formal extradition arrangements with Pakistan, however, extradition is possible for conduct covered by international conventions that we are both party to and we can make special one off ad hoc requests for individual cases. The Joint Judicial Co-operation Working Group was an initiative set up following the PM's visit to Pakistan in 2001 and meets bi-annually to discuss matters relating to judicial co-operation. It is within this forum that we have pursuing discussions with a view to securing a bi-lateral extradition treaty with Pakistan. A final text of the draft treaty was agreed by both sides at the last meeting on 15th April. We are in the process of obtaining ministerial approval of the text.
2. The Scottish Executive made an ad hoc request to Pakistan for those suspected of murdering

14502017

Glasgow teenager, Kriss Donald. This was a particularly high profile case and the Pakistani authorities eventually agreed to process this request following FCO pressure and the direct involvement of Mohamed Sarwar MP. Understand the request for these 4 persons is currently going through the Pakistani court process.

[REDACTED] - I have copied you in as I've taken the liberty to include a reference to the Kriss Donald request. I thought FCO had requested separate briefing from you on this but it appears not to be the case so I've decided to include a reference. If I've not got it quite right or you think there should be a more detail please feel free to contact Miranda with amendments (I'm on leave as of today until Monday).

[REDACTED] - Hope this is okay. If you need anything further then please get in touch with my colleague, [REDACTED]

Regards,

-----Original Message-----

From: [REDACTED]
Sent: 11 July 2005 10:34 AM
To: [REDACTED]
Subject: RE: Pakistani High Commission

Karen,

I would have thought that a contribution will be fine - A bit of background, anything they might raise or ask and some lines.

Thanks,

-----Original Message-----

From: [REDACTED]
Sent: 11 July 2005 10:25 AM
To: [REDACTED]
Subject: FW: Pakistani High Commission

Miranda,

What's the briefing format - do you just need a contribution from us or she would do something separate to cover extradition?

-----Original Message-----

From: Johnston Natasha
Sent: 08 July 2005 11:50 AM
To: [REDACTED]
Cc: Home Secretary (Submissions); Andy Burnham (Submissions); Gieve John (Submissions); Neale Mark (DG); Storr Peter; Sutton Ken (SCS); [REDACTED]; [REDACTED]; Special Advisors (Submissions); [REDACTED]
Subject: RE: Pakistani High Commission

[REDACTED]

Thanks for this. Tony McNulty has agreed to meet the Pakistani Minister of State for Interior next Thursday at 17:30. The pre-brief will take place at 17:15 – please would you let me know who will attend. I have written to Murad Ali as per your draft and you will receive a copy of this letter for your records shortly.

Please send up the necessary briefing by 12pm on Wednesday 13 July.

Many thanks

[REDACTED]
APS/Tony McNulty
020 7035 8805

-----Original Message-----

From: [REDACTED]
Sent: 07 July 2005 2:06 PM
To: [REDACTED]
Cc: Home Secretary (Submissions); Andy Burnham (Submissions); Gieve John (Submissions); Neale Mark (DG); Storr Peter; Sutton Ken (SCS); [REDACTED]; [REDACTED]; Special Advisors (Submissions); [REDACTED]
Subject: FW: Pakistani High Commission

[REDACTED]

We recommend that Tony McNulty does meet with [REDACTED] on 14 July. Despite the Pakistan Cabinet agreeing to sign the MOU on 29 June, they are currently seeking to revisit the text of the agreement and a meeting with a Pakistan Interior Minister next week could be important to secure the agreement and ensure co-operation on redocumentation.

I have spoken to Judicial Co-operation Unit re extradition. Preparations for the treaty are progressing, and ministerial discussions on this are not critical at this time, and a meeting on 14th should therefore focus on asylum and returns issues. The MOU continues to be a developing situation, and we will provide briefing ahead of the meeting on this and also extradition.

[REDACTED] and I will both be able to attend.

I attach a draft PS letter in response to the Pakistan High Commission proposing a meeting at 1730hrs on 14th July, and Colin Allars submission of 6th July for reference (this has been agreed by ministers).

Regards,

[REDACTED]
[REDACTED]
Country Action Plan Section
International Delivery Directorate
020 8603 5377

-----Original Message-----

From: [REDACTED]
Sent: 01 July 2005 10:37 AM
To: [REDACTED]
Cc: Home Secretary (Submissions); Andy Burnham (Submissions); Gieve John (Submissions); Neale Mark (DG); Storr Peter; Sutton Ken (SCS); [REDACTED] Special Advisors (Submissions); [REDACTED]
Subject: FW: Pakistani High Commission

[REDACTED]

PSA letter from the High Commission for Pakistan to Tony McNulty, requesting a meeting on asylum and extradition when he is in London on 14 July.

Unfortunately both Tony McNulty and Andy Burnham will be in Committee on that day for the ID cards bill so a meeting on 14 July will be tricky although not impossible if it is your strong recommendation that this meeting takes place. I don't know whether there would be any leeway on the date suggested by the High Commission.

Grateful for urgent advice and draft reply, to reach me by close on Wednesday 6 July please.

Many thanks
[REDACTED]
APS/Tony McNulty
020 7035 8805

This email and any files transmitted with it are private and intended solely for the use of the individual or entity to whom they are addressed.
If you have received this email in error please return it to the address it came from telling them it is not for you and then delete it from your system.

This email message has been swept for computer viruses.

[REDACTED]
From: [REDACTED]
Sent: 12 August 2005 08:49
To: [REDACTED]
Subject: RE: Kriss Donald case

Importance: High

[REDACTED]
I heard the news on Radio 4 and on BBC Breakfast News this morning. It came as a surprise to me. I will email the FCO seeking confirmation and timescales about return.

[REDACTED]
-----Original Message-----

From: [REDACTED]
Sent: 12 August 2005 08:41
To: [REDACTED]
Cc: [REDACTED]
Subject: Kriss Donald case
Importance: High

This email has been received from an external party and
has been swept for the presence of computer viruses.

[REDACTED]
I saw on the late news last night that the three have agreed to be extradited from Pakistan.
Do you have any information to confirm this? We have received nothing at Crown Office.

[REDACTED]
Principal Procurator Fiscal Depute,
International Co-operation Unit,
Crown Office,
25 Chambers Street,
Edinburgh
EH1 1LA
0044 131 247 2757

This email message is from the Crown Office and Procurator Fiscal Service. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify glwmail@copfs.gsi.gov.uk.
This footnote also confirms that this email message has been swept for the presence of computer viruses.
Visit www.crownoffice.gov.uk for details of the work of the Department.

[REDACTED]
From: [REDACTED]

Sent: 12 August 2005 11:36

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Kriss Donald and extradition from Pakistan

This email has been received from an external party and has been swept for the presence of computer viruses.

[REDACTED]

Sorry not to have got back to you before.

I can confirm that the 3 suspects appeared in court on 11 August. One of my staff was present. They were asked questions by the judge about the case in the presence of their lawyer. This was done in written form and we did not have access to the answers. "Baldy" told my colleague that he wanted to go back to the UK (this chimes with what they told our Consul the previous day). The judge ordered them to reappear on 26 August. In the meantime, the judge said he would be meeting the prosecutor on 16 August to go over any details and would be making his recommendation to the Ministry of the Interior.

The judge did say before concluding the proceedings that without prejudging the final recommendation, the Court had noted the request of the 3 to be returned to the UK and not oppose extradition.

We expect that once the Ministry of the Interior has received his recommendation, they could take up to a week to issue the order for the extradition to take place. Once they have done this, there is a 15 day period (to allow for any appeals - unlikely in this case as they are not opposing - but the 15 days are statutory in the Extradition Act 1972). Then the suspects will be handed over to our custody.


We are currently following this up with the FIA and the Ministry of the Interior to see whether the 15 day period can be shortened, but will probably not have an answer before Tuesday.

I have been in touch with [REDACTED] and briefed him. He is looking into the practical arrangements for getting the 3 home. He is likely to come out to advance once we have confirmation of the Ministry's decision. I will stay in touch with him as this progresses.

There are further details of the case in previous emails that I have sent to SAG FCO. I hope you have seen them.

[REDACTED]

This email and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed.



It was reported on the late night news last night and again on both radio and TV this morning that the three suspects in Pakistan wanted for the murder of Kriss Donald had consented to their extradition to the UK and that they are expected to be returned next month.

I should be grateful if you could obtain confirmation that the three have indeed consented to their return. Consent to extradition usually means that the fugitive or fugitives are returned within days rather than weeks as it short-circuits much of the judicial processes. Could you also find out when the fugitives will be available for uplifting so to speak.

I should be grateful if you could let me have this information today if possible. I need to advise our Ministers.

Many thanks.

Kindest regards


Scottish Executive Justice Department

Criminal Procedure Division

St Andrew's House

Edinburgh

Tel: 0131 244 2103

Fax: 0131 244 2623

[REDACTED]

From: [REDACTED]
Sent: 12 August 2005 11:54
To: [REDACTED]
Subject: FW: KRIS DONALD

This email has been received from an external party and
has been swept for the presence of computer viruses.

[REDACTED]

I have just noticed Peters e-mail of 9 August was not copied to you. Apologies.

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 09 August 2005 13:55
To: [REDACTED]
Cc: [REDACTED]

Subject: RE: KRIS DONALD

[REDACTED]

On 8 August, I called on Umer H Gondal and Shaukat Ali Khan, both Dep Directors of the FIA to discuss further details of the case. Shaukat Ali Khan will be the prosecutor. They basically confirmed the details in my emails below. Just a couple of points to add:

- The suspects have engaged a lawyer (Abid Ali). Gondal and Ali Khan assumed that this meant they would oppose the extradition. But they had no firm evidence to back this up. This does not tally with what Supt MacKenzie told me on 9 August, namely that the suspects have managed to make a phone call to his office and left a message saying that they wanted him to come out and bring them home as soon as possible.
- The judge would be Ahmed Ehmadi - who is Additional Deputy Commissioner who also holds the status of magistrate.
- At the next hearing, the lawyers would put a series of questions to the suspects the last of which would be "do you oppose extradition" (for what happens in each eventuality, see my mail below).
- The magistrate would not be judging the innocence or guilt of the suspects - just whether there was a case for them to answer in the UK. Gondal and Ali Khan both believe the case was solid. They had one of two questions of detail. I have passed Gondal's number to Supt MacKenzie to get in touch direct about these.
- The two postponements so far have been at the request of the defence. If they ask for another, the prosecutor will "resist vigorously".

I am sending [REDACTED] to the hearing on 11 August to get us a quick read-out.

[REDACTED]

-----Original Message-----

From: [REDACTED] of

Sent: 04 August 2005 18:20

To: [REDACTED] * Islamabad Conf

Cc: [REDACTED]

Subject: KRIS DONALD

Redacted: not relevant

-----Original Message-----

From: [REDACTED]

Sent: 05 July 2005 12:23

To: [REDACTED] ss

Cc: [REDACTED]

Subject: FW: sundaymail - KRIS MURDER SUSPECTS ARRESTED

12/08/2005

[REDACTED]

I have spoken to the officer in charge of the Special Investigation Unit - Mr Omer Hayat Gondal (tel 9290 952/957) - who is running the inquiry into this case. I now have a clearer view of where we are and the next stage.

The three accused have now been transferred to the custody of the FIA (as the agency with federal remit). They are being housed in Rawalpindi jail (Helen to note - should we be offering consular assistance?). Gondal explained to me that the procedures laid down in Pakistan's Extradition Act 1972 mean that the 3 will be brought before an Inquiry Magistrate - in this case the Additional Deputy Commissioner General Islamabad - one Ahmet Ali Emet (sp?). The Federal Government represented by the Ministry of the Interior will act as prosecutor and the three suspects will appoint a lawyer or have one appointed for them. The initial hearing before the magistrate is set for 18 July. In the meantime they will remain in custody.

The Inquiry Magistrate will hear the evidence against the 3 and will make a recommendation as to their guilt or innocence to the Federal Government. If the recommendation is "guilty", the GoP will start procedures to hand them over to the UK will start. The length of the hearing is difficult to assess, but other recent cases have taken 3-6 months. The 3 also have the right to appeal the decision to the High Court and thence to the Supreme Court.

I asked Gondal whether the 3 could choose to be returned to the UK. Gondal said that this was academic: he had already spoken to them and they had professed their innocence and said that one of those already accused and sentenced in the UK was responsible. They said that they were afraid to be returned to the UK because they feared they would face inhumane treatment (sic).

I told Gondal that we stood ready to help in any way necessary.

I will be on leave from Wednesday am, but Will Gelling has agreed to keep a watching brief on this.

Grateful if you could pass this on to those who need to know.

[REDACTED]

[REDACTED]

First Secretary (Political)
British High Commission, Islamabad

Tel: + [REDACTED]
FTN: 8405 2107

-----Original Message-----

From: [REDACTED]
Sent: Monday, July 04, 2005 1:30 PM
To: [REDACTED]
Subject: sundaymail - KRIS MURDER SUSPECTS ARRESTED

[REDACTED]

coverage of the arrest in the Scottish Sunday papers (BBC website also made mention of it over the weekend). I also see in the Karachi Press Summary there appears to have been local coverage there too.

Any news over the weekend on this?

[REDACTED] and I were talking on Friday about your suggestion in regard to making some mention of those who have been of value at your end on this. Do you have the names of the people who you think deserve special recognition for their efforts?

[REDACTED]

<< File: sundaymail - KRISS MURDER SUSPECTS ARRESTED.htm >>

From: [REDACTED]
JD/Criminal Procedure Division
12 August 2005

Minister for Justice
Lord Advocate

**THE MURDER OF KRISS DONALD: EXTRADITION OF THREE SUSPECTS
FROM PAKISTAN**

Purpose

1. To advise you of the latest developments with the request for the extradition from Pakistan of Imran Shahid, Zeeshan Shahid and Mohammed Faisal Mushtaq who are all wanted for their part in the murder of Kriss Donald.

Priority

2. Immediate.

Recent developments

3. It has been reported by UK news media last night and today that the Shahid brothers and Mohammed Mushtaq have consented to their extradition to the UK and that they may be returned to the UK next month. As a result of these reports we contacted the Foreign and Commonwealth Office (FCO) this morning for confirmation.


4. The High Commission in Islamabad has advised that the three suspects appeared in court on 11 August before the Inquiry Magistrate appointed to deal with the case. A High Commission representative attended the hearing. The function of the Inquiry Magistrate is to decide whether the suspects have a case to answer in the UK and to make a recommendation to the Minister of the Interior as to their extradition.

5. The suspects were questioned by the Inquiry Magistrate about the case in the presence of their lawyer. This was done in written form and the High Commission's representative had no access to the answers. The Inquiry Magistrate ordered them to appear again on 26 August but did state prior to the conclusion of the proceedings that without prejudice to his final recommendation the court had noted the request of the three suspects to be returned to the UK and not oppose extradition. The High Commission anticipate that once the Ministry of the Interior has received his recommendation it could take up to a week to issue the order for their extradition. Once this has been done there is a 15 day period to allow for any appeals which apparently is a statutory requirement. Thereafter the suspects could be surrendered.

6. The High Commission is currently pursuing with the Ministry of the Interior whether the 15 day period can be foreshortened but will not have an answer until the middle of next week.


Conclusion

7. It appears that the Shahid brothers and Mohammed Mushtaq have consented to their surrender and if they do not appeal against any decision to order their extradition they could be returned to the UK next month.


JD/Criminal Procedure Division
Ext 42103

12 August 2005

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit ⁿ Interest	General Awareness
Deputy Minister for Justice					X

PS/ID
PS/COPFS
Crown Agent



ce


[REDACTED]
From: [REDACTED]
Sent: 15 August 2005 09:23
To: [REDACTED]
Subject: RE: The murder of Kriss Donald and extradition of suspects from Pakistan.

[REDACTED]

That is my understanding of the Pakistani extradition procedure gleaned from emails from Islamabad. We must not forget that the three have a right of appeal against the decision that there is a case to answer but they have told the consular staff and apparently the senior investigating office in Strathclyde Police Superintendent [REDACTED] that they wish to return as soon as possible. Their position is that they are innocent and one of those already accused and sentenced in the UK was responsible for the killing.

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 15 August 2005 08:57
To: [REDACTED]
Subject: RE: The murder of Kriss Donald and extradition of suspects from Pakistan.

[REDACTED]

I take it that the only remaining barrier is, in practice, a decision from the Inquiry Magistrate that there is a prima facie case to answer?

[REDACTED]

[REDACTED]

Criminal Procedure Division
Room 1R.04
St Andrew's House
Ext 44348

-----Original Message-----

From: [REDACTED]
Sent: 12 August 2005 14:05
To: Minister for Justice; Lord Advocate
Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; McFadyen N (Norman); Macniven VM (Valerie); Dickson W (Wilma); [REDACTED]
Subject: The murder of Kriss Donald and extradition of suspects from Pakistan.
Importance: High

<< File: extra-Pakistan-consent.doc >>

PS/Minister of Justice

Please see immediate priority submission attached.

E/2/30

[REDACTED]
From: [REDACTED] behalf of Lord Advocate
Sent: 15 August 2005 15:04
To: [REDACTED]
Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; [REDACTED]
(Wilma); [REDACTED]; Minister for Justice; Solicitor General
Subject: RE: The murder of Kriss Donald and extradition of suspects from Pakistan.

[REDACTED]
Copy as above

The Lord Advocate has seen and noted your minute.

Many thanks

[REDACTED]
S/Lord Advocate
0131 247 2690

-----Original Message-----

From: [REDACTED]
Sent: 12 August 2005 14:05
To: Minister for Justice; Lord Advocate
Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; [REDACTED]
(Wilma); [REDACTED]
Subject: The murder of Kriss Donald and extradition of suspects from Pakistan.
Importance: High

<< File: extra-Pakistan-consent.doc >>

PS/Minister of Justice

Please see immediate priority submission attached.

[REDACTED]
JD/Criminal Procedure Division
1 W R
SAH

Ext 42103

[REDACTED]

From: [REDACTED]
Sent: 16 August 2005 09:30
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Kriss Donald and extradition from Pakistan

[REDACTED]

I note from your email below that a further hearing is scheduled for 26 August. I am not clear about the purpose of this further hearing but presume it is to enable the Inquiry Magistrate to inform the three suspects of the results of his inquiry and to invite them to submit any written statements which they may wish to make for the consideration of the Federal Government.

Whether or not the High Commission is represented at the 26 August hearing I would be very grateful if you could advise me of its outcome.

Many thanks

[REDACTED]

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 2103
Fax: 0131 244 2623

-----Original Message-----

From: [REDACTED]
Sent: 12 August 2005 11:46
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Kriss Donald and extradition from Pakistan

[REDACTED]

Many thanks for this update. Most helpful. I have not however seen any emails since the arrest of the three fugitives.

[REDACTED]

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 2103
Fax: 0131 244 2623

-----Original Message-----

From: [Redacted]
Sent: 12 August 2005 11:36
To: [Redacted]
Cc: [Redacted]

Subject: RE: Kriss Donald and extradition from Pakistan

This email has been received from an external party and has been swept for the presence of computer viruses.

Fergus
Sorry not to have got back to you before.

I can confirm that the 3 suspects appeared in court on 11 August. One of my staff was present. They were asked questions by the judge about the case in the presence of their lawyer. This was done in written form and we did not have access to the answers. "Baldy" told my colleague that he wanted to go back to the UK (this chimes with what they told our Consul the previous day). The judge ordered them to reappear on 26 August. In the meantime, the judge said he would be meeting the prosecutor on 16 August to go over any details and would be making his recommendation to the Ministry of the Interior.

The judge did say before concluding the proceedings that without prejudging the final recommendation, the Court had noted the request of the 3 to be returned to the UK and not oppose extradition.

We expect that once the Ministry of the Interior has received his recommendation, they could take up to a week to issue the order for the extradition to take place. Once they have done this, there is a 15 day period (to allow for any appeals - unlikely in this case as they are not opposing - but the 15 days are statutory in the Extradition Act 1972). Then the suspects will be handed over to our custody.

We are currently following this up with the FIA and the Ministry of the Interior to see whether the 15 day period can be shortened, but will probably not have an answer before Tuesday.

I have been in touch with [Redacted] and briefed him. He is looking into the practical arrangements for getting the 3 home. He is likely to come out to advance once we have confirmation of the Ministry's decision. I will stay in touch with him as this progresses.

There are further details of the case in previous emails that I have sent to SAG FCO. I hope you have seen them.

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 12 August 2005 13:10
To: [Redacted]
Cc: [Redacted]

Subject: Kriss Donald and extradition from Pakistan
Importance: High

This email and any files transmitted with it are intended solely for the use of the

*about hearing,
or extradition?*

E/2/30

[Redacted]

From: [Redacted]
Sent: 16 August 2005 09:40
To: [Redacted]
Cc: [Redacted]
Subject: RE: Kriss Donald and extradition from Pakistan

This email has been received from an external party and
has been swept for the presence of computer viruses.

Of course. We shall have someone there and will give you a readout ASAP.

I am seeking some clarification, but that is certainly our understanding of the purpose of the 26 August hearing.

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 16 August 2005 13:30
To: [Redacted]
Cc: [Redacted]
Subject: FW: Kriss Donald and extradition from Pakistan

This email and any files transmitted with it are intended solely for the use of the individual or
entity to whom they are addressed.

[Redacted]

I note from your email below that a further hearing is scheduled for 26 August. I am not clear about the purpose of this further hearing but presume it is to enable the Inquiry Magistrate to inform the three suspects of the results of his inquiry and to invite them to submit any written statements which they may wish to make for the consideration of the Federal Government.

Whether or not the High Commission is represented at the 26 August hearing I would be very grateful if you could advise me of its outcome.

Many thanks

[Redacted]

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 2103



Foreign and Commonwealth Office

Fax Cover Sheet

Indo/Pakistan relations
E203 South Asia Group
King Charles Street
London
SW1A 2AH

Tel: 020 7008 2387

Fax: + 3258

E-mail: [REDACTED]

To..... : [REDACTED]

At..... : **Scottish Executive Justice Department
Criminal Procedure Division**

Fax Number..... : **0131 244 2623**

From..... : [REDACTED]

Date..... : 16 August 2005

Pages to follow : 5

Message:

Please find attached the Kriss Donald MP letters for your attention and let us know of your draft reply.

Signed:..... [REDACTED]

THE RT. HON. SIR MENZIES CAMPBELL C.B.E. QC, M.P. *sos reply.*



FS
No country
mentioned.

HOUSE OF COMMONS

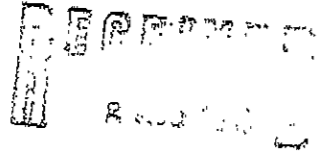
LONDON SW1A 0AA

Please reply to: Rt Hon Sir Menzies Campbell MP NE Fife Lib Dems 16 Millgate Cupar Fife KY15 5EG

Rt Hon Jack Straw MP
The Secretary of State
Foreign and Commonwealth Office
Whitehall
London SW1A 2AH

SAC *the*

29th June 2005



Doc - 17/8/05
Ref - 15671

[Handwritten signature]
~~_____~~

I refer to my letter of 4th April 2005 a copy of which I enclose for ease of reference. I do not appear to have had a reply and would be grateful for your attention to this.

Yours sincerely

[Handwritten signature]
Menzies Campbell

Enc

Data Protection Information

Menzies Campbell MP will treat as confidential any personal information which you pass to him. Mr Campbell will normally allow his staff and volunteers to see this information, so that they can find help and advice for you. In some cases Mr Campbell may need to give all or some of this information to agencies such as Fife Council, the Child Support Agency or the Department for Work & Pensions in order to obtain further information about your case. Should it be deemed useful to involve the media, your express permission will be sought before any details are given out.

Ref: *d1050629.wmc/27*

Constituency Assistant: Cllr Donald Lothian

☎ 01334 656361 Fax: 01334 654045

THE RT. HON. SIR MENZIES CAMPBELL C.B.E. QC. M.P.



HOUSE OF COMMONS
LONDON SW1A 0AA

The Rt. Hon Jack Straw MP
Secretary of State for Foreign and Commonwealth Affairs
Foreign and Commonwealth Office
Whitehall
London SW1A 2AH

4th April 2005

I have recently received representations concerning the extradition of three suspects allegedly involved in the murder of Kriss Donald. As you may be aware the Daily Mail on the 16th March reported that the state minister for the interior of the country in question has received no official request from his superiors to find the suspects. For ease of reference I have enclosed a copy of the letter dated 16 March 2005 from my constituent [REDACTED], together with a copy of the Daily Mail article.

I should be grateful if you could tell me what efforts the Government has made to bring these suspects to justice. Has a request for extradition of the suspects has been made?

Yours sincerely

MENZIES CAMPBELL

Events have moved on
since

There has been
significant
developments

[REDACTED]

16th March 2005

Rt Hon Sir Menzies Campbell MP
The House of Commons
LONDON
SW1A 0AA

Dear Sir Menzies Campbell,

I am writing to you as my MP and as the Liberal Democrat Secretary of State for Foreign affairs, to raise concerns regarding the lack of progress being made in bringing to justice those suspected of involvement in the murder of Kriss Donald.

I was incensed to read in the 16th March copy of the Scottish Daily Mail that next to nothing has been done by either the Foreign Office or the Scottish Executive to put any pressure on the country where the suspects are believed to be hiding. Whilst I appreciate that you cannot believe everything you read in the Daily Mail (especially when an election is looming) there does appear to have been very little said about the chances of extraditing the suspects in the year since the murder.

This is absolutely outrageous. It gives out the message that any suspects in a murder or any other serious crime simply have to leave the country to escape justice. We need to remember that these are suspects in a child murder case, a case that was mediaeval in its barbarity. Why is there so little being done to pressure this foreign country into hunting down and extraditing these individuals? Is this country so powerful that we cannot risk offending it? The actions of both our governments seem to be totally inexplicable.

I read recently that Jack Straw had put his considerable influence behind the campaign to bring the suspects back to Britain. I actually wrote to Mr Straw to say how pleased I was to hear that something positive was being done but it appears that this something is very little, if anything. My sense of justice is totally offended.

I do realise that this is a sensitive matter and that extradition processes are often very lengthy but can you please let me know if anything meaningful is being done and if the Foreign Office has any confidence in a positive outcome in this matter? As Shadow Liberal Democrat Secretary of State for Foreign Affairs, and a prominent Scottish MP can you bring any pressure to bear on this matter?

Yours faithfully,

[REDACTED]

[REDACTED]

E/2/30

From: [REDACTED]

Sent: 17 August 2005 12:13

To: [REDACTED]

Subject: FW: Kris Donald - update 17 August

This email has been received from an external party and
has been swept for the presence of computer viruses.

All

Peter asked me to forward this message onto you all as he was not fully confident it was delivered safely from his end to any addresses outside the FCO.

[REDACTED]
Assistant Desk officer for Pakistan and Nepal
FCO

-----Original Message-----

From: [REDACTED]

Sent: 17 August 2005 07:54

To: [REDACTED]

Cc: [REDACTED]

Subject: Kris Donald - update 17 August

[REDACTED]
I have just (after some days effort) tracked down Shaukat Ali Khan, the prosecutor for the FIA. He has now confirmed how the next few days are likely (underlined!) to proceed. Apologies if previous emails have been a little contradictory, but I think now we have the story straight.

The judge is now due to produce his recommendation for the Ministry of the Interior. He has not yet done this, but Shaukat assured me that he would be seeking to get this moving "today or failing that tomorrow".

This will then proceed through the Min of Interior from the bottom up - this can typically take 4 days. The High Commissioner has spoken to the Secretary Interior to ask him to assure that there are no hold-ups within the Ministry. From recent experience in this case, they should play ball and we should see it move quickly. Once the Secretary has signed this off, a warrant for "custody and removal" is issued. **It is then we have the mandatory 15 day period** where nothing can happen. Even if the suspects ask to go back before, this cannot happen according to the law.



Once the 15 days are up, the suspects will be handed over to us at the airport.


The 26 August hearing will confirm the judge's decision to the suspects but we do not have wait for that before the Min of Interior does the paperwork.

I think for the purposes of planning, we should aim to have a Strathclyde LO here from maybe 2 September to

work with the FIA on logistics. We can refine the date when we know the warrant has been issued, but we should be ready to move on removal as early as 5 September (although this is a little optimistic).

All this of course hinges on the recommendation of the judge, but no-one here envisages any problems with that.



First Secretary (Political)
British High Commission, Islamabad

Tel: +
FTN: 8405 2107

E/2/30.

From: [redacted]
Sent: 17 August 2005 16:29
To: [redacted]
Subject: RE: Kriss Donald- letter to Foreign Secretary from Sir M Campbell MP

This email has been received from an external party and
has been swept for the presence of computer viruses.

[redacted]
As discussed, I am content with this letter. here is nothing prejudicial as far as I am concerned.
[redacted]

-----Original Message-----

From: [redacted]
Sent: 17 August 2005 16:18
To: [redacted]
Subject: RE: Kriss Donald- letter to Foreign Secretary from Sir M Campbell MP

This email and any files transmitted with it are intended solely for the use of the individual or
entity to whom they are addressed.

Here is the suggested draft reply. I faxed over a copy of Sir M C's letter

[redacted]
Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 2103
Fax: 0131 244 2623

-----Original Message-----

From: [redacted]
Sent: 17 August 2005 16:15
To: [redacted]
Subject: RE: Kriss Donald- letter to Foreign Secretary from Sir M Campbell MP

This email has been received from an external party and
has been swept for the presence of computer viruses.

[redacted]

I could not open the letter from Mr Campbell. Could you let me have a copy?

-----Original Message-----

From: [REDACTED]
Sent: 17 August 2005 15:12
To: [REDACTED]
Subject: Kriss Donald- letter to Foreign Secretary from Sir M Campbell MP

This email and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed.

<<extra-pakistan-MCampbell reply.doc>>

[REDACTED]

FCO has sent me a copy of a letter which Ming Campbell sent to the Foreign secretary about the Kriss Donald case. They asked if we could draft the reply and I agreed to do so. It is attached. I should be grateful if you could cast your eyes over it to make sure that it contains nothing prejudicial to the prosecution of the suspects on their return. In that respect it is hopefully upbeat and a bit self congratulatory. But fairs fair, the FCO deserve it.

I am faxing over a copy of the correspondence.

A reply by return (or earlier) would be appreciated.

[REDACTED]

This email message is from the Crown Office and Procurator Fiscal Service. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify glwmail@copfs.gsi.gov.uk.

This footnote also confirms that this email message has been swept for the presence of computer viruses.

Visit www.crownoffice.gov.uk for details of the work of the Department.

This email message is from the Crown Office and Procurator Fiscal Service. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify

E/2/30

From: [REDACTED]
Sent: 17 August 2005 16:33
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Kriss Donald letter

Here is a draft reply to Sir Menzies Campbell's letter. Feel free to edit as you think fit. Would it be possible to have a copy of the final reply in due course?

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 2103
Fax: 0131 244 2623

-----Original Message-----

From: [REDACTED]
Sent: 16 August 2005 10:35
To: [REDACTED]
Subject: FW: Kriss Donald letter
Importance: High

This email has been received from an external party and
has been swept for the presence of computer viruses.

I would be grateful for your help with this attached letter from Sir Menzies Campbell MP (see the link below). As you can see it refers to the Kriss Donald case and what has been done by the FCO and Scottish Executive etc to get those accused returned to the UK (we have no trace of his earlier letter dated 4/4). Recent events on this have overtaken the position when the letter was originality written.

Given the sensitivity of the case and the need to tread carefully regarding the legal proceedings, I am a tad nervous about putting any draft together. Would it be possible for your more expert bodies dealing with this to provide a draft which we can then issue informing the MP of what the current position is.

[REDACTED]
Pakistan Section
South Asia Group
FCO

-----Original Message-----

Thank you for your letter of 29 June on behalf of your constituent [REDACTED], about the extradition from Pakistan of three suspects allegedly involved in the murder in Glasgow of Kriss Donald. I apologise for the delay in replying to your letter; I did not in fact receive your earlier letter of 4 April.

As you may be aware from reports in the media in Scotland, there have been significant developments in the case since you wrote. The three suspects have been arrested and have appeared in court in Pakistan with a view to their extradition to the UK. The matter is being taken forward in accordance with the law governing extradition in Pakistan and I am hopeful that the Government of Pakistan will agree to their return to the UK shortly.

The request for the extradition of the three suspects was submitted to the Government of Pakistan in October last year and, as your constituent readily appreciates, the process can often take some time irrespective of the country to which the request is made. But at the outset the UK Government, on behalf of the Scottish Executive, also made its views known to the Government of Pakistan about the importance which we attach to the successful conclusion of this request. I raised the matter with the Pakistani Foreign Minister in February this year, Douglas Alexander also raised the matter on several occasions with Ministers in the Pakistani Government and my officials in the High Commission in Islamabad have taken every opportunity to argue the case for extradition of the suspects with Ministers and senior officials in the Pakistani Government.

The considerable efforts which we have made to secure the suspects' return, and which, more often than not, are not publicised, now appear to be bearing fruit and I am optimistic that the matter will be brought to a successful conclusion soon.

From: [REDACTED]
JD/Criminal Procedure Division
18 August 2005

Minister for Justice
Lord Advocate

**THE MURDER OF KRISS DONALD: EXTRADITION OF THREE SUSPECTS
FROM PAKISTAN**

Purpose

1. To advise you of the assessment of the British High Commission in Pakistan of the earliest date when the Shahid brother and Mohammed Faisal Mushtaq could be available for extradition to the UK.

Priority

2. Urgent

Assessment

3. Senior officials in the High Commission in Islamabad have discussed with the prosecutor the next steps in the case. Following the hearing on 11 August, the Inquiry Magistrate is due to produce his recommendation for the Ministry of the Interior. He has not done so yet but the prosecutor has undertaken to see if he could expedite matters.

4. Once the Inquiry Magistrate's recommendation has been received in the Ministry of the Interior it may take up to 4 days to process. The High Commissioner himself has spoken to the Secretary of the Interior Ministry and requested that delays within the Ministry be avoided. From recent experience with the case, the High Commission think that Pakistani officials will co-operate and expect matters to progress quickly.


5. Once the Interior Secretary has agreed the Inquiry Magistrate's recommendation and assuming it is to the effect that the three suspects have a case to answer and should be surrendered to the UK, then a warrant for custody and removal would be issued. It is at this stage that there is a statutory 15 day period to allow for any appeal. This is unlikely as the three suspects have indicated a wish to return to the UK. Even if the suspects request to be returned early this cannot be effected until the 15 day period has expired. Once the 15 day has elapsed the suspects will be available for extradition.

6. The further court hearing arranged for 26 August, to which I referred in my minute of 12 August, is simply to enable the Inquiry Magistrate to inform the suspect of his recommendation and should not hold up the Interior Ministry's processing of that recommendation. Accordingly, in the High Commission's assessment the three suspects may **at the earliest** be available for extradition during the week beginning 5 September.

7. The High Commission have shared their assessment with Strathclyde Police and have suggested that they aim to have a liaison officer present in Islamabad from 2 September to work with the Pakistani Federal Police on logistics for the suspects' return.

Conclusion


8. Subject to the recommendations of the Inquiry Magistrate, officials in the High Commission in Pakistan consider that the Shahid Brother and Mohammed Faisal Mushtaq could be available for extradition to the UK from the week beginning 5 September.


JD/Criminal Procedure Division
Ext 42103

18 August 2005

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit. Interest	General Awareness
Deputy Minister for Justice					X

PS/JD
PS/COPFS
Crown Agent


Press COPFS
Press Justice

E/2/30

[REDACTED]
[REDACTED]
[REDACTED] of Minister for Justice

Sent: 18 August 2005 11:30

To: [REDACTED]; Lord Advocate
Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; McFadyen N (Norman); Macniven VM (Valerie); Dickson W (Wilma); [REDACTED]
Subject: RE: The murder of Kriss Donald and extradition of suspects from Pakistan.

[REDACTED]
Apologies if you have already received a note from us on this, but Ms Jamieson has seen this minute and has noted the position. I will put the follow up minute of earlier today into the Minister as soon as possible.

Richard

[REDACTED]
S/Minister for Justice
SAH - Mon & Fri (0131 24) 45147
Holyrood: Tues - Thurs (0131 34) 85578
Mobile: 07880 786513

-----Original Message-----

From: [REDACTED]
Sent: 12 August 2005 14:05
To: Minister for Justice; Lord Advocate
Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; [REDACTED] (Wilma); [REDACTED]
Subject: The murder of Kriss Donald and extradition of suspects from Pakistan.
Importance: High

<< File: extra-Pakistan-consent.doc >>

PS/Minister of Justice

Please see immediate priority submission attached.

[REDACTED]
JD/Criminal Procedure Division
1 WR
SAH

Ext 42103

E / 2 / 20

[Redacted]

From: [Redacted]
Sent: 24 August 2005 09:19
To: [Redacted]
Subject: RE: Kris Donald - update 24 August

I do not intend to do a minute. I do not think the position is such that I need to alert Ministers. I was careful to report that the **earliest** the fugitives could be returned was the week beginning 5 Sept. But no doubt your colleagues would appreciate being kept in the picture about this slight delay.

-----Original Message-----

From: [Redacted]
Sent: 24 August 2005 09:15
To: [Redacted]
Subject: RE: Kris Donald - update 24 August

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]
Are you going to do a minute or shall I just drop an e-mail around to our side letting them know the possible dates?

-----Original Message-----

From: [Redacted]
Sent: 24 August 2005 06:34
To: [Redacted].uk
Cc: [Redacted]
Subject: Kris Donald - update 24 August

[Redacted]
Following on from my last email, I have (after some day's effort) tracked down Shaukat Ali Khan.

He told me that the report has not(not) been sent to the Min Interior yet (despite the fact that Khan had given the judge a suggested draft report). Khan opined that the judge may hand the report to the Ministry post the hearing on 26 August. If this happens, even if the Min Interior then issue the warrent pronto, we would only be looking at having the suspects handed over in w/c 12 September at the earliest. So our timing has slipped.

Simon B: do you think you could you seek a telecon with the Ministry of Interior asking them to persue with added vigour? They (the Secretary) have given us previous commitments that they would move this as quickly as possible.

E/2/30

From: [redacted] d) on behalf of Minister for Justice
Sent: 24 August 2005 15:54
To: [redacted]
Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; [redacted]
Subject: ([redacted]; Press Crown Office; Press Justice
RE: The murder of Kriss Donald and extradition from Pakistan

[redacted]

Ms Jamieson has seen and noted this submission.

[redacted]

[redacted]

PS/Minister for Justice
SAH - Mon & Fri (0131 24) 45147
olyrood: Tues - Thurs (0131 34) 85578
Mobile: 07880 786513

-----Original Message-----

From: [redacted]
Sent: 18 August 2005 10:41
To: Minister for Justice; Lord Advocate
Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; [redacted]
Subject: The murder of Kriss Donald and extradition from Pakistan
Importance: High

<< File: extra-Pakistan-HC assessment.doc >>

PS/Minister for Justice
PS/Lord Advocate

Please see attached minute.

[redacted]

JD/Criminal Procedure Division
1 W R
SAH

Ext 42103

R/2/30

Sent: 26 August 2005 11:32
To: [redacted]
Cc: [redacted] (ps) [redacted]
Subject: FW: Kris Donald - update 26 August
Importance: High

To see this from Islamabad. Further progress but slower than Peter originally envisaged. I wonder what the logistical problems are.

I do not intend to report this to Ministers but if the Pakistani Ministry of the Interior issues a warrant for the return of the 3 I would report that to our Ministers.

I will do some short lines to take for our press people which I will clear with you.

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 2103
Fax: 0131 244 2623

-----Original Message-----

From: [redacted]
Sent: 26 August 2005 11:17
To: [redacted] uk
Cc: D [redacted] uk
ell [redacted]
Subject: Kris Donald - update 26 August
Importance: High

This email has been received from an external party and
has been swept for the presence of computer viruses.

Just to let you know that the suspects appeared in court today. One of our local staff was there to observe.

The whole thing was pretty uneventful. The judge told the 3 that he had finalised his report and would be sending it to the Ministry of the Interior. He did not (not) disclose the recommendation in the report to the 3. We asked for a copy of the recommendation but were told this was for internal consumption only and could not be handed over. The prosecutor did tell us however that the report did recommend extra [redacted]

Subject: RE: Kris Donald - update 26 August

This email has been received from an external party and
has been swept for the presence of computer viruses.

I spoke to Kamal Shah, Secretary Interior, to ask that the Interior Ministry issue the warrant immediately on receipt of the judge's report. He undertook to do so.

-----Original Message-----

From: [Redacted]
Sent: Friday, August 26, 2005 3:34 PM

[Redacted]

individual or entity to whom they were intended solely for the use of the

Many thanks for keeping us informed of developments. We will also prepare some lines to take for our press office against enquiries from the Scotsman and other newspapers.

[Redacted]
Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 2103
Fax: 0131 244 2623

-----Original Message-----

From: [Redacted]
Sent: 26 August 2005 11:17

[Redacted]

E/2/30

From: [REDACTED]

Sent: 26 August 2005 11:34

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Kris Donald - update 26 August

Peter

Many thanks for keeping us informed of developments. We will also prepare some lines to take for our press office against enquiries from the Scotsman and other newspapers.

[REDACTED]

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 2103
Fax: 0131 244 2623

-----Original Message-----

From: [REDACTED]

Sent: 26 August 2005 11:17

To: [REDACTED];

Cc: [REDACTED];

ell [REDACTED] v.uk

Subject: Kris Donald - update 26 August

Importance: High

This email has been received from an external party and
has been swept for the presence of computer viruses.

[REDACTED]

Just to let you know that the suspects appeared in court today. One of our local staff was there to observe.

The whole thing was pretty uneventful. The judge told the 3 that he had finalised his report and would be sending it to the Ministry of the Interior. He did not (not) disclose the recommendation in the report to the 3. We asked for a copy of the recommendation but were told this was for internal consumption only and could not be handed over. The prosecutor did tell us however that the report did recommend extradition.

The judge told us that he would be sending the report either today (Friday) or tomorrow (GoP does work on Saturday morning). Our understanding of the next steps remains the same: once the Ministry receives the report, and if they agree with the recommendation, they will issue a warrant.

The judge told us that he would be sending the report either today (Friday) or tomorrow (GoP does work on Saturday morning). Our understanding of the next steps remains the same: once the Ministry receives the report, and if they agree with the recommendation, they will issue a warrant. Once the warrant has been served on the 3 the 15-day clock will start ticking. After the 15 days they will be handed over to us (Strathclyde Police). We will be onto the Ministry to get their part expedited. Our revised best guess on the day of release to us is therefore a window of 14-20 Sept. I will try to speak to Supt [REDACTED] and have copied this mail to him. I know the logistic are proving problematic, but we need to get it all lined up before long.

There was only one journalist present at the court (although she was not allowed in the chamber during proceedings). She will be looking to place an article in tomorrow's Scotsman. She does also represent Sky News here but at the moment does not plan to do anything for them. We shall need to consider lines to take on this.

The 3 appeared in good health and were allowed time to speak to family members who were present.

[REDACTED]
[REDACTED]
First Secretary (Political)
British High Commission, Islamabad

Tel: [REDACTED]
FTN: 8405 2107

-----Original Message-----

From: [REDACTED] - Conf

Sent: 24 August 2005 10:34

To: [REDACTED]

Cc: [REDACTED]

Subject: Kris Donald - update 24 August

[REDACTED]
Following on from my last email, I have (after some day's effort) tracked down Shaukat Ali Khan.

He told me that the report has not(not) been sent to the Min Interior yet (despite the fact that Khan had given the judge a suggested draft report). Khan opined that the judge may hand the report to the Ministry post the hearing on 26 August. If this happens, even if the Min Interior then issue the warrent pronto, we would only be looking at having the suspects handed over in w/c 12 September at the earliest. So our timing has slipped.

Simon B: do you think you could you seek a telecon with the Ministry of Interior asking them to persue with added vigour? They (the Secretary) have given us previous commitments that they would move this as quickly as possible.

[REDACTED]

From: [REDACTED]
Sent: 26 August 2005 13:16
To: Press Justice; Press Crown Office
Cc: [REDACTED]; [REDACTED]
Subject: The murder of Kriss Donald: Extradition from Pakistan
Importance: High

Press colleagues

I copied you into my submission of 18 August about the British High Commission in Pakistan's assessment of the earliest date when the three suspects were likely to be extradited.

The submission mentioned a court hearing to be held on 26 August. We have now had a read out from the FCO about that hearing.

Apparently it was uneventful with the Investigating Magistrate informing the suspects that he had finalised his report containing his recommendation about the case and which he would be sending to the Ministry of the Interior. He did not disclose his recommendation. Once the Ministry receives the report, and if they agree with the recommendation, they will issue an extradition warrant. Once the warrant is served on the suspects there will be a 15 day period in which they may appeal but this is not thought likely. Thereafter they will be available for extradition.

There was one journalist present at the hearing and it appears that she will be looking to place an article in tomorrow's Scotsman. Against the possibility of press enquiries the following lines to take have been agreed with the Crown Office.

- Welcome the further progress being made in the request for the extradition of the three suspects wanted for their *alleged* involvement in the murder of Kriss Donald;
- Look forward to a final decision being made on the matter in the near future.

Please note that no reference should be made to the country in which the suspects are currently being held.

Happy to discuss.

[REDACTED]

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 2103
Fax: 0131 244 2623

From: [REDACTED]
Sent: 07 September 2005 16:47
To: [REDACTED]
Subject: Extradition Debrief

The visit was first class and it will happen. After lengthy debate and discussion we were assured that the prisoners would be available for deporting on or after the 23 September 2005. We provisionally booked everything for extradition on Friday 31 September with a fall back date of Sunday 2 October 2005.

No commitment was given but all parties were happy to block out the dates chosen. Escorts were arranged, warrants drafted for those days, the prison notified as were airport security. We had the agreement of the British Airways Operations Manager for Afganistan and Pakistan to carry all three on board a single flight. He agreed to sell us totally flexible tickets for the cost of fixed tickets, a saving of at least £15K. We can get all flights fully flexible for less than £20K on World Traveller Plus. That is ten full returns Glasgow to Pakistan and three singles. Negotiated a special deal at the hotel of \$140 a night....the High Commission rate, which is about a 40% discount. Cheapest Portman Travel could get was about the same in pounds 160 pounds not dollars. All looked great.

Got hit with a bomb shell on Saturday when BA London refused to permit any more than one on each flight. We again made new provisional arrangements and we are now looking at all our options.

Cheapest charter we could get was £80,000 so that fell off the menu of options. We are still looking at the RAF and we have two more names at BA to launch an appeal against their decision. One is the Company Director for Corporate World Wide Security. We can speak to him tomorrow.

[REDACTED] will send you our final arrangements or if possible an options paper for consideration and authorisation.

Day One

Travel 15 hours

Day two

Meeting at British High Commission - issue of warrants, wording of warrants, emergency passports.

Meeting with the Chief of Police for Islamabad - details of escort and hand over.

Meeting with Superintendent Punjab Jail, Rawalpindi - Discuss security issues, health, welfare of prisoners. Arranged to have prisoners medically examined and decontaminated.

Day three

Meetings at Federal Investigations Agency (FIA) HQ in Rawalpindi

Met Deputy Director to discuss their involvement in extradition and escort/ security of prisoners.

Met Legal Director, who acted as Public Prosecutor for the Extradition. Discussed in detail the

extradition processes. He discussed in detail the judges report to the Ministry of Interior. Despite all going well and warrants being issued by the Secretary of the Interior the prisoners can still appeal to the High Court at any time up to the extradition date (23 September 2005).

Met with the Deputy Director Criminal Investigation to cover the detail of their arrest and the possibility of having to evidence the arrests.

Further meeting with British High Commission to discuss the security and transport of our escort teams.

Day four

Meetings with the Managers of the Marriot Hotel Islamabad and the Safina Hotel Islamabad. Negotiated best deal and provisionally blocked off appropriate dates and rooms.

Meeting with the British Airways station manager Islamabad Airport. Discussed availability of flights, flight costs, flight flexibility.

Meeting with the British Airways Operations Manager for Afganistan and Pakistan to discuss prisoner escort criteria.

Meeting with Senior Immigration Officers and the Drugs Liaison Officer (NCIS) re prisoner repatriation/extradition.

Day Five

Meetings with British Airways and High Commission to revamp arrangements should it prove necessary to bring them back seperately.

If forced the new schedule would be

25 September 2005	Team A	arrive in Pakistan
28 September 2005	Team A Team B	depart with prisoner Zeeshan SHAHID (Crazee) arrive.
30 September 2005 (Beck)	Team B Team C	depart with prisoner Mohammed Faisal MOUSHTAQ arrive
2 October 2005	Team C	depart with prisoner Imran SHAHID (Baldy)

I will oversee all the extraditions, deal with the media, security and transport.


We can hire a minibus and armed guard from the High Commission for all the teams transport. Exact price TBA but I am told it will be a token sum.

Day Six

Travel Back to UK
Cheers



[REDACTED]
From: [REDACTED]
Sent: 09 September 2005 14:16
To: [REDACTED]
Subject: FW: Kriss Donald Abduction and Murder


Extradition
Debrief.rtf (12 KB... *****

This email has been received from an external party and
has been swept for the presence of computer viruses.

As discussed....
[REDACTED]
Procurator Fiscal Depute
International Co-operation Unit
Crown Office
Edinburgh
0131 247 3411

-----Original Message-----
From: [REDACTED]
Sent: 09 September 2005 13:34
To: [REDACTED]
Subject: RE: Kriss Donald Abduction and Murder

[REDACTED] a further update on the Kriss Donald Murder.
Re extradition - I was out there last week making final arrangements as per the attached debrief.
I have now heard that the Interior Minister Pakistan has signed the extradition warrants and sent copies
yesterday to [REDACTED] at the British High Commission. This now leaves a mandatory 15 days for tghem to
appeal to the High Court, thereafter they can be deported under escort to Scotland. British Airways are
currently insisting that they are brought back on seperate flights which is not ideal but vit can be done and
plans are being put in place. Proposed schedule is on atatched briefing note.

I am on leave just now. Any questions or problems please contact [REDACTED]
[REDACTED] will progress the extradition through our FIB [REDACTED] m.
Cheers
[REDACTED]

-----Original Message-----
From: [REDACTED]
Sent: 23 June 2005 15:27
To: [REDACTED]
Subject: RE: Kriss Donald Abduction and Murder

Thank you for the briefing note. I have passed it on to [REDACTED], Head of the International Co-operation Unit and she will brief the Deputy Crown Agent in relation to what has been happening.

Considering there is a population of 7 million, excellent progress appears to have been made. Fingers crossed this continues.

Kind regards,

[REDACTED]
Procurator Fiscal Depute
International Co-operation Unit
Crown Office.
Edinburgh
0131 247 3411

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]]
Sent: 23 June 2005 13:24
To: [REDACTED]
Subject: Kriss Donald Abduction and Murder

[REDACTED] attached, as promised, is a briefing on my visit to Pakistan. It is addressed to my Chief Constable do you wish me to top and tail it as a briefing for the Deputy Crown Agent, or will that do ?

<<Visit to Pakistan CC Briefing Note.doc>> <<Briefing Paper for Deputy Crown Agent.doc>>

PS I am in daily contact with my counter part in Pakistan Det Supt Jawad DOGAR we can confirm that the two brothers are in Lahore. It has a population of 7 million but we have good intelligence and he is confident they can be traced. All the paper work is in place for their arrest.


[REDACTED]

The information in this e-mail and any attachment(s) is private and may also be LEGALLY PRIVILEGED. It is intended only for the addressee. If you are not the intended recipient or responsible for delivering it to the intended recipient, you are hereby notified that any use, disclosure, review, dissemination, distribution or reproduction of this e-mail is strictly prohibited. If you have received this e-mail in error please advise the sender immediately by using the reply facility in your e-mail software or contact STRATHCLYDE POLICE FORCE CONTROL on (+44)141 532 2000 and delete the e-mail. (Out P)

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This email has been received from an external party and
has been swept for the presence of computer viruses.


Our High Commission in Islamabad informed me last week that the three are due to be extradited on 2 .
October. I shall try to get more details today for you.
Apologies for not informing you before - things have been pretty hectic here over the last week or so!

-----Original Message-----

From:  [k]
Sent: 13 September 2005 08:59

This email and any files transmitted with it are intended solely for the use of the individual or
entity to whom they are addressed.


I have heard that Strathclyde Police have been told (don't know by whom) that the Interior
Minister has signed the order for the extradition of the three suspects.

Could you confirm please that this is so and advise of the date when the order was signed. The
suspects have 15 days thereafter to appeal but given that they have indicated that they wish to
come back to the UK, hopefully they will not do so.

Many thanks

Regards



Scottish Executive Justice Department
Criminal Procedure Division

E/2/30

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: UBS: kris donald: last stages

Thanks for this but could you find out exactly when the Interior Minister signed the extradition order for the three suspects.

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 2103
Fax: 0131 244 2623

-----C
From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Subj: [REDACTED]

This email has been received from an external party and
has been swept for the presence of computer viruses.

Please see below for further details on the Kris Donald case.

-----Original Message-----

From: [REDACTED]
Sent: 14 September 2005 07:07
To: [REDACTED]
Cc: [REDACTED]
Subject: UBS: kris donald: last stages

All

We are hopefully approaching the end of this important case, and the 3 guys suspected of a heinous

murder should soon be back in the UK to face justice there. The end game will be crucial to get right, and that is where I need your help.

We have 10 police officers coming out to escort the 3 back on the BA flight on 2 Oct. **This date is very sensitive and should not be disclosed to anyone that doesn't need to know.**

They have made the necessary bookings at the [REDACTED]. In order that they get our rate, could you send a fax to the Sereena confirming that the 10 police officers staying from 28 Sept to 2 Oct are here on official UK govt business etc etc.

[REDACTED]: can I book transport as follows

28 Sept - from BA flight - 2 pax
30 Sept - from BA flight - 8 pax
2 Oct - to get to the BA flight in very good time - 10 pax

I don't want people to know too much about this so grateful if you could make the booking for me without names

[REDACTED] grateful to know if they in fact have ppts. If not, could you please start the ball rolling to get them what they need to leave the country on 2 Oct.

[REDACTED] we need to consider the press handling of all this.

[REDACTED]

[REDACTED]
First Secretary (Political)
British High Commission, Islamabad

Tel: + [REDACTED]
FTN: 8405 2107

.gov.uk

Subject: RE: Kris Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

We spoke. I talked to all the relevant people last night. If Tariq Parvez (DG FIA) gets the warrant by 0900 today, he will get it served today. Incidentally, he was unaware of the 15 day period, and wasn't inclined to take it seriously, so even if we miss the Saturday deadline, we might be able to stick to 2 Oct.

-----Orig
From:
Sent:
To: (imabad - Conf
Cc:
Subject: Kris Donald

I think we have got to the bottom of this. It seems that the Sec Interior had signed the paperwork as he told MLG. But it had not left the MoI for the FIA. The MoI needed to get the name of the police officer to whom the 3 would be officially handed over. This needed to come from us here at the BHC. So instead of phoning me, the MoI wrote to the MFA to ask them to write to BHC requesting the name. The MFA told me that they had no idea about this and had received nothing.

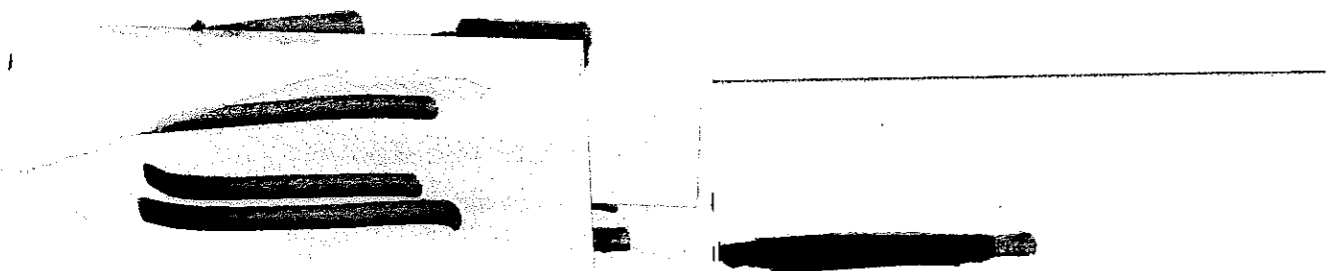
Anyway, I have now given the name to the MFA who promise to unblock this and get the papers ASAP to the FIA so that the warrent can be served on the boys ASAP.

We are still ok for the moment as long as it is done by Saturday to allow for the 15 statutory days before removal and still meet the target date of 2 Oct. I will keep on their backs tomorrow about this.

Since the door re-opened on this, this is the first bureaucratic mess up. Let's hope we can iron it out tomorrow.

First Secretary (Political)
British High Commission, Islamabad

Tel: [Redacted]
FTN: 8405 2107



Subject: Kris Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

I think we have got to the bottom of this. It seems that the Sec Interior had signed the paperwork as he told MLG. But it had not left the MoI for the FIA. The MoI needed to get the name of the police officer to whom the 3 would be officially handed over. This needed to come from us here at the BHC. So instead of phoning me, the MoI wrote to the MFA to ask them to write to BHC requesting the name. The MFA told me that they had no idea about this and had received nothing.

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Since the door re-opened on this, this is the first bureaucratic mess up. Let's hope we can iron it out tomorrow.

[Redacted]
[Redacted]
British High Commission, Islamabad

Tel: + [Redacted]
FTN: 8405 2107

RESTRICTED: ADMINISTRATION OF JUSTICE

Minister for Justice
Lord Advocate

THE MURDER OF KRISS DONALD: EXTRADITION OF THREE SUSPECTS FROM PAKISTAN

Purpose

1. To provide you with an update on progress with this extradition request.

Priority


2. Urgent.

Sub-heading

3. The High Commission in Islamabad has confirmed that the Pakistani Minister of the Interior has signed a warrant for the extradition of the three fugitives. It was hoped that a copy of the warrant would be served on each of the three suspects on Saturday 17 September from which date the 15 day period in which they could appeal against the decision to extradite them would begin. Subject to any appeal, arrangements are being made to return the suspects to the UK as soon as possible after the 15 day period has expired. All going well the earliest they could be surrendered to Strathclyde Police and brought back to the UK is the first week of October.

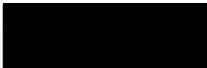
Conclusion


4. To note that a warrant for the return of the three suspects has been signed and, subject to any appeal, their extradition is imminent.


JD/Criminal Procedure Division
Ext 42103

20 September 2005

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit. Interest	General Awareness
Deputy Minister for Justice					X

PS/JD
PS/COPFS
Crown Agent



Press COPFS
Press Justice

E 12/30

From: [redacted] Justice
Sent: [redacted]
To: [redacted]
Cc: [redacted] Press Crown Office;
[redacted] Minister General
Subject: RE: Murder of Kriss Donald: extradition from Pakistan

[redacted]
Ms Jamieson has seen your minute and noted the update.

[redacted]
PS/Minister for Justice
0131 24) 45147
Mobile: 07880 786513

-----Original Message-----

From: [redacted] On Behalf Of Lord Advocate
Sent: 21 September 2005 14:39
To: [redacted]
Cc: Minister for Justice; Deputy Minister for Justice; PS/JD; PS/COPFS; [redacted]; [redacted] Press Crown Office; Press Justice; Solicitor General
Subject: RE: Murder of Kriss Donald: extradition from Pakistan

Copy as above

THE MURDER OF KRISS DONALD: EXTRADITION OF THREE SUSPECTS FROM PAKISTAN

The Lord Advocate has seen and noted your minute of 20th September.

Thanks

[redacted]
APS/Law Officers
Tel: 0131 247 2871

-----Original Message-----

From: [redacted]
Sent: 20 September 2005 10:10
To: Minister for Justice; Lord Advocate; [redacted]; [redacted]
Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; [redacted]; [redacted] Press Crown Office; Press Justice
Subject: Murder of Kriss Donald: extradition from Pakistan

<< File: extra-Pakistan-mtom 0905.doc >>

E/2/30

From: [redacted]
Sent: [redacted]
To: [redacted]
Cc:
Subject: kriss donald

Importance: High

This email has been received from an external party and
has been swept for the presence of computer viruses.

I understand that the three fugitives may be returned from Pakistan next week.
I should be grateful if you could confirm the strategy for press coverage on their return.
This is a significant case where there has been close engagement with Strathclyde Police, SE and ICU.
It is also significant in that there was a special extradition arrangement put in place in absence of a substantive extradition treaty with Pakistan. It is a first for Scotland.

This email message is from the Crown Office and Procurator Fiscal Service. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify glwmail@copfs.gsi.gov.uk.
This footnote also confirms that this email message has been swept for the presence of computer viruses.
Visit www.crownoffice.gov.uk for details of the work of the Department.

F
|

S
T
Cc: [redacted]
Subject: FW: Kris Donald: home straight
Importance: High

[redacted]
To see the final three points of Peter Boxer's email. This is turning into a bit of a circus but I don't know if anything can be done about it.

[redacted]
From: [redacted] r@fco.gsi.gov.uk
Sent: [redacted]
To: [redacted]
Cc: [redacted];
Subject: Kris Donald: home straight

This email has been received from an external party and has been swept for the presence of computer viruses.

[redacted]
We spoke. We are now in the last stages of this. Just to record:

- the Strathclyde police advance team is here tomorrow morning. They will have meetings with the FIA to discuss logistics and then BA to talk through arrangements for the flight.
- The rest of the team arrives Sunday.
- We are still aiming for the Wednesday am BA flight.
- The 3 will be issued emergency passports for the journey - the police have agreed to pay.
- the date of the tranfer has now been blown. Certainly by the FIA and probably also by Muhammed Sarwar MP. BA are getting a little agitated by this, but there is no suggestion yet that they are going to pull co-operation (if you remember they had not wanted to carry 3 on the same flight and are doing this as a favour).
- Sarwar is in town. We have heard that he is travelling with a TV crew - we think from BBC Scotland - filming the story. There is every possibility that Sarwar will be on the same flight as the 3 and we have to assume that the journalists will seek to accompany him. This of course is very unwelcome, BA are considering how to deal with this.
- There is also a team from the Daily Record out here, they have not been in touch with us yet.

elz/30

From: [redacted]
Sent: [redacted]
To: [redacted] (is)
Subject: Kris Donald: follow up

This email has been received from an external party and
has been swept for the presence of computer viruses.

If things being equal, the 3 will be on the BA flight tomorrow morning. I just wanted to get you
thinking about a couple of items of follow up.

Thank you messages

We can do as many of these from here as you wish, but you may wish to consider whether there is
an appetite in London to do them.

Erpao: The Ministry of Interior was key in taking this forward, getting the law changed and they
are the ministry *de tutelle* for both the police and the FIA. It would be good if J Straw could do this.
There are important messages relating to diffusing of racial tension and the important we attach to
this. If the SoS cannot do this then I think HC would be the best bet.

FIA: Something from the Chief Constable Strathclyde would be the most appropriate.

Police Punjab: these were the guys that hunted down the 3 and worked very closely with
Strathclyde to find them and arrest them. I would suggest something again from Chief Constable
Strathclyde. Any letter should mention DIG Tariq Salim Dogar who led the investigation and kept
very much in the loop at all times.

They have been absolute stars here and have taken on some major disruption and risk in order
to get these guys back. I think something from [redacted] who is the Area
General Manager CAFAMEA (which stands for something like Caribbean, Africa, Asia etc...). We
would need to mention [redacted] or the captain (who I understand could have
blown the whole thing out of the sky, but I met yesterday and he was excellent and flexible), and
the security guys in London who went against their own standing security instructions to help us
out.

isc

I think we also need to think about how we can take some of the glory on this. We need to be
proactive with the press tomorrow and try to get senior quotes (why not D Alexander as a Scottish
MP) into the press.

Separately, I also wonder whether we should consider trying to get someone to put down an
inspired PQ. This might be a way to thank "the hard work of colleagues at the High Commission".

Mr. Donald: follow up

These are just thoughts off the top of my head - you guys may have others.

[REDACTED]
[REDACTED]
First Secretary (Political)
British High Commission, Islamabad

tel: [REDACTED]
FN: 8405 2107

E/2/30

[Redacted]

From: [Redacted]
Sent: 05 October 2005 06:45
To: [Redacted]
Cc: [Redacted]
Subject: Kris Donald

This email has been received from an external party and
has been swept for the presence of computer viruses.

Just to let you know that the 3 suspects left this morning on the BA flight.

[Redacted]

[Redacted]
[Redacted]
[Redacted] Secretary (Political)
[Redacted] British High Commission, Islamabad

[Redacted]
Tel: + [Redacted]
N: 8405 2107

[Redacted]

.uk

Subject: FW: Kris Donald: follow up

Follow Up Flag: Follow up

Flag Status: Flagged

This email has been received from an external party and has been swept for the presence of computer viruses.

Fergus,

Would you be happy to take forward Peter's suggestion of messages to DG FIA and IG Police Punjab with the Strathclyde Police Constable?

Many thanks,

Chris

-----Original Message-----

From: [Redacted]
Sent: 04 October 2005 08:07
To: [Redacted]
Cc: [Redacted]
Subject: Kris Donald: follow up

[Redacted]

All things being equal, the 3 will be on the BA flight tomorrow morning. I just wanted to get you thinking about a couple of items of follow up.

Thank you messages

We can do as many of these from here as you wish, but you may wish to consider whether there is any appetite in London to do them.

Sherpao: The Ministry of Interior was key in taking this forward, getting the law changed and they are the ministry *de tutelle* for both the police and the FIA. It would be good if J Straw could do this. There are important messages relating to diffusing of racial tension and the important we attach to all of this. If the SoS cannot do this then I think HC would be the best bet.

DG FIA: Something from the Chief Constable Strathclyde would be the most appropriate.

IG Police Punjab: these were the guys that hunted down the 3 and worked v closely with Strathclyde to find them and arrest them. I would suggest something again from Chief Constable Strathclyde. Any letter should mention DIG Tariq Salim Dogar who led the investigation and kept us very much in the loop at all times.

BA: They have been absolute stars here and have taken on some major disruption and risk in order to get these guys back. I think something from [Redacted] to [Redacted] who is the Area General Manager

CAFAMEA (which stands for something like Caribbean, Africa, Asia etc...). We would need to mention [REDACTED], the captain (who I understand could have blown the whole thing out of the sky, but I met yesterday and he was excellent and flexible), and the security guys in London who went against their own standing security instructions to help us out.

Misc

I think we also need to think about how we can take some of the glory on this. We need to be proactive with the press tomorrow and try to get senior quotes (why not D Alexander as a Scottish MP) into the press.

Separately, I also wonder whether we should consider trying to get someone to put down an inspired PQ. This might be a way to thank "the hard work of colleagues at the High Commission".

These are just thoughts off the top of my head - you guys may have others.

[REDACTED]
[REDACTED]
First Secretary (Political)
British High Commission, Islamabad

Tel: [REDACTED]
FTN: 8405 2107

[Redacted]

From: [Redacted]

Sent: 07 October 2005 13:55

To: SOSFA-Action_99@fco.gov.uk

Cc: [Redacted];
McNeil FTS (Fergus)

Subject: RESTR: Submission: Thanking Pakistan for Extradition of Kriss Donald Suspects

This email has been received from an external party and
has been swept for the presence of computer viruses.

Please find attached a submission and flag (draft letter) recommending that the Foreign Secretary
write to Pakistani Interior Minister Sherpao to thank him for Pakistan's co-operation in securing the
arrest and extradition of the suspects in the Kriss Donald murder case. I am not submitting a
hard copy as there is only one flag. Please let me know if you require a paper version.

Fergus

Draft Kriss Donald Letter to Sherpao.doc>> <<EXCHANGE(SE).RA-ATT>>

[Redacted]
Desk Officer - Pakistan
South Asia Group
Foreign & Commonwealth Office

Telephone: [Redacted]
Fax: [Redacted]
Website: www.fco.gov.uk

RESTRICTED

Reference: //2005

From: [REDACTED]
Date: 07 October 2005

cc: [REDACTED]

Foreign Secretary

THANKING PAKISTAN FOR EXTRADITION OF KRISS DONALD SUSPECTS

ISSUE

1. Whether you should write to Pakistani Interior Minister Sherpao to thank him and Pakistan for co-operation in securing the arrest and agreeing the extradition of the suspects in the Kriss Donald case.

TIMING

2. Routine. The suspects returned to the UK on Wednesday 5 October.

PREFERRED OPTIONS

3. That you write to Pakistani Interior Minister Sherpao along the lines of the attached draft (Flag A). This will also be an ideal opportunity to raise the bilateral extradition treaty, which is waiting approval by Pakistan's cabinet.

ARGUMENT & BACKGROUND

4. Teenager Kriss Donald was brutally murdered in Glasgow in March 2004. Two of the suspects were arrested, but three others fled to Pakistan. We do not currently have an extradition treaty with Pakistan, but an *ad hoc* request for extradition was originally handed over to the Government of Pakistan in September 2004. However, little progress was made. Following discussion at the UK-Pakistan Joint Judicial Co-operation Working Group in London in April 2005, the Pakistanis have been much more co-operative. The police arrested the suspects and the Interior Ministry was instrumental in changing Pakistani legislation to allow extradition of suspects to the UK for a specific offence. The

Page 1

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Interior Ministry also covers both the police and the Federal Investigation Agency which both played key roles in the arrest and extradition of the suspects.

5. Bringing suspects to justice will have extra significance in this case, as it will help to diffuse community tensions in the Glasgow area.
6. We have concluded negotiations over a bilateral extradition treaty with Pakistan, and UK Ministers have approved the text. There has been a delay in securing signature as the treaty needs to be approved by Pakistan's cabinet first. Once the treaty is signed, it will need to be ratified by both countries.

PARLIAMENTARY AND MEDIA

7. There has been widespread media coverage of the Kriss Donald case, particularly in the Scottish press. We expect this to continue as the case goes to court.
8. Mohammed Sarwar is the MP for Glasgow Central and has played a critical role in this case, liaising with the police and frequently travelling to Pakistan to lobby the authorities to secure the suspects' extradition.

RISKS

9. There are no risks involved in writing to Interior Minister Sherpao. Following this case, Pakistan is likely to reciprocate by handing over *ad hoc* extradition requests to the UK. The Crown Prosecution Service is happy to consider these and has offered Pakistan assistance in this regard. But we already know that the two most high profile cases are unlikely to stand up in UK courts.

Comment: Remove this Paragraph Heading if 'Risk' is specified elsewhere in the Submission

RESOURCE IMPLICATIONS

10. None.

[REDACTED]
SAG E203

+ [REDACTED]

Mr Aftab Ahmed Kahan Sherpao
Interior Minister of Pakistan

I would like to express my gratitude to you and your Ministry in securing the extradition of Imran Shahid, Zeeshan Shahid and Mohammad Faisal Mushtaq, suspects in the investigation into the murder of teenager Kriss Donald in Glasgow in March 2004. As you know this racial crime has had a very high profile in the UK, particularly Glasgow, and it has been important that we bring the suspects to justice, not least to help diffuse racial tensions.

Your co-operation in this matter has again demonstrated the close links between the UK and Pakistan, and I am personally grateful to you for having ensured that bureaucracy to move forward in our relationship and on matters of mutual interest. The signature and ratification of the bilateral Extradition Treaty that our officials negotiated earlier this year would be an excellent demonstration of this. If my officials can be of any help in this process, please do not hesitate to contact [REDACTED]
[REDACTED]

JACK STRAW

[Redacted]

From: [Redacted]
Sent: 18 October 2005 11:35
To: [Redacted]
Subject: RE: Kris Donald: follow up
Importance: High

We would be more than happy to write to both the DG FIA and IG Police Punjab. Rather than asking the Chief Constable of Strathclyde Police to do so (he could tell me to push off and there would be nothing I could do about it) I was wondering that it might be better for one of our Ministers to write. My options are the Minister for Justice or the Lord Advocate who is the political head of the Scottish system of public prosecutions and who has, under our system, the power of direction over the Scottish Police. I will give the matter some thought but would be grateful if you could let me have the names, titles and addresses for the letters as a starter.

Could you also confirm that it was Peter Waterworth who was responsible for spotting that the Pakistani extradition legislation could be extended to non treaty states such as the UK for one off extradition requests where the Pakistani Government deemed it appropriate to do so.

Many thanks and look forward to hearing from you soon.

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 06 October 2005 14:06
To: [Redacted]
Subject: FW: Kris Donald: follow up

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Would you be happy to take forward Peter's suggestion of messages to DG FIA and IG Police Punjab with the Strathclyde Police Constable?

Many thanks,

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 04 October 2005 08:07
To: [Redacted]
Cc: [Redacted]
Subject: Kris Donald: follow up

[Redacted]

.itimpson@fco.gov.uk

Subject: RE: Kris Donald: follow up

Thanks for this info. As well as writing to the police in Pakistan I am also thinking of suggesting to my political masters that they should also thank Mohammed Sarwar MP who it seems to me played an important role in seeking to influence his pals in the Government of Pakistan.

-----Ori
From: [Redacted] @fco.gsi.gov.uk]
Sent: [Redacted]
To: [Redacted]
Subject: RE: Kris Donald: follow up

This email has been received from an external party and
has been swept for the presence of computer viruses.

I think [Redacted]'s idea of getting the Lord Advocate to write is the right one. Better than my idea of getting the head of the Strathclyde Police to do so (although I understand the police are doing their own letters).

The details you need:

Tariq Parvez, DG FIA, FIA Headquarters, G9/4, Islamabad

Maj (Retd) Zia-ul-Hassan, Inspector General of Police: Punjab, IG Complex, Lahore

I have asked here and we are pretty sure it was [Redacted] of course) who spotted the fact that we could use the Extradition Act 1972. He is now in Lagos as DHC.

-----Original Message-----
From: [Redacted]

Sent: 19 October 2005 20:05
To: [REDACTED]
Cc: [REDACTED] - Conf
Subject: RE: Kris Donald: follow up

[REDACTED]

Getting a Minister to write sounds sensible. Peter B: Could you please provide contact details for DG FIA and IG Police Punjab?

We are not 100% certain, but think that it probably was Peter Waterworth who spotted the possibility of using existing legislation. As I'm sure you are aware, Peter W is no longer in Islamabad.

The Foreign Secretary has not yet written to his counterpart - a draft letter went to his private office the week before last, but was put on hold after the earthquake. We will be submitting a new draft later this week.

-----Original Message-----

From: [REDACTED]
Sent: 18 October 2005 11:35
To: [REDACTED]
Subject: RE: Kris Donald: follow up
Importance: High

This email and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed.

[REDACTED]

We would be more than happy to write to both the DG FIA and IG Police Punjab. Rather than asking the Chief Constable of Strathclyde Police to do so (he could tell me to push off and there would be nothing I could do about it) I was wondering that it might be better for one of our Ministers to write. My options are the Minister for Justice or the Lord Advocate who is the political head of the Scottish system of public prosecutions and who has, under our system, the power of direction over the Scottish Police. I will give the matter some thought but would be grateful if you could let me have the names, titles and addresses for the letters as a starter.

Could you also confirm that it was [REDACTED] who was responsible for spotting that the Pakistani extradition legislation could be extended to non treaty states such as the UK for one off extradition requests where the Pakistani Government deemed it appropriate to do so.

Many thanks and look forward to hearing from you soon.

-----Original Message-----

From: [REDACTED] uk [mailto:[REDACTED].uk]
Sent: 06 October 2005 14:06
To: [REDACTED]
Subject: FW: Kris Donald: follow up

This email has been received from an external party and
has been swept for the presence of computer viruses.

[REDACTED]
Would you be happy to take forward Peter's suggestion of messages to DG FIA
and IG Police Punjab with the Strathclyde Police Constable?

Many thanks,

[REDACTED]
-----Original Message-----

From: [REDACTED]
Sent: 04 October 2005 08:07
To: [REDACTED]
Cc: [REDACTED]
Subject: Kris Donald; follow up

[REDACTED]
All things being equal, the 3 will be on the BA flight tomorrow morning. I just
wanted to get you thinking about a couple of items of follow up.

Thank you messages

We can do as many of these from here as you wish, but you may wish to consider
whether there is any appetite in London to do them.

Sherpa0: The Ministry of Interior was key in taking this forward, getting the law
changed and they are the ministry *de tutelle* for both the police and the FIA. It
would be good if J Straw could do this. There are important messages relating to
diffusing of racial tension and the important we attach to all of this. If the SoS
cannot do this then I think HC would be the best bet.

DG FIA: Something from the Chief Constable Strathclyde would be the most
appropriate.

IG Police Punjab: these were the guys that hunted down the 3 and worked v
closely with Strathclyde to find them and arrest them. I would suggest
something again from Chief Constable Strathclyde. Any letter should mention
DIG Tariq Salim Dogar who led the investigation and kept us very much in the
loop at all times.

BA: They have been absolute stars here and have taken on some major
disruption and risk in order to get these guys back. I think something from
[REDACTED] to [REDACTED] who is the Area General Manager CAFAMEA (which
stands for something like Caribbean, Africa, Asia etc...). We would need to
mention [REDACTED] the captain (who I understand could have
blown the whole thing out of the sky, but I met yesterday and he was excellent
and flexible), and the security guys in London who went against their own
standing security instructions to help us out.

Misc

I think we also need to think about how we can take some of the glory on this. We need to be proactive with the press tomorrow and try to get senior quotes (why not D Alexander as a Scottish MP) into the press.

Separately, I also wonder whether we should consider trying to get someone to put down an inspired PQ. This might be a way to thank "the hard work of colleagues at the High Commission".

These are just thoughts off the top of my head - you guys may have others.



Peter Boxer
First Secretary (Political)
British High Commission, Islamabad

Tel: +92 51 201 2107
FTN: 8405 2107

E/2/30

[Redacted]

Subject: RE: Kris Donald: follow up

This email has been received from an external party and
has been swept for the presence of computer viruses.

sounds great - thanks

-----Original Message-----

From: [Redacted]
Sent: 20 October 2005 14:34
To: [Redacted] uk
Subject: RE: Kris Donald: follow up

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entity to whom they are addressed.

[Redacted]

My intention is to invite Cathy Jamieson, the Minister for Justice here, to write to the Foreign Secretary thanking him and FCO staff in London and particularly Islamabad for the quite outstanding work done in this case. I think she would be more than willing to do that.

-----Original Message-----

From: [Redacted]
Sent: 20 October 2005 10:37
To: [Redacted]
Subject: RE: Kris Donald: follow up

This email has been received from an external party and
has been swept for the presence of computer viruses.

Yes why not. We did think that he was poised to mess it all up with his media circus towards the time of the extradition itself but he was quite savvy. But I do think Sarwar opened the doors that allowed us (BHC) to get a foot in and do the deal. I don't think you would have the 3 lads back in scotland anything like as soon as we did without Sarwar's intervention. I am sure we would have got there in the end but...

Is the High Commissioner going to get a letter? I think it would go down well here.

-----Original Message-----

From: [REDACTED]
Sent: 20 October 2005 12:58
To: [REDACTED]
Subject: RE: Kris Donald: follow up

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[REDACTED]

Thanks for this info. As well as writing to the police in Pakistan I am also thinking of suggesting to my political masters that they should also thank Mohammed Sarwar MP who it seems to me played an important role in seeking to influence his pals in the Government of Pakistan.

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 20 October 2005 06:48
To: [REDACTED]
Subject: RE: Kris Donald: follow up

This email has been received from an external party and has been swept for the presence of computer viruses.

[REDACTED]

I think [REDACTED]'s idea of getting the Lord Advocate to write is the right one. Better than my idea of getting the head of the Strathclyde Police to do so (although I understand the police are doing their own letters).

The details you need:

Tariq Parvez, DG FIA, FIA Headquarters, G9/4, Islamabad

Maj (Retd) Zia-ul-Hassan, Inspector General of Police: Punjab, IG Complex, Lahore

I have asked here and we are pretty sure it was Peter Waterworth (ex FCO legal adviser of course) who spotted the fact that we could use the Extradition Act 1972. He is now in Lagos as DHC.

[REDACTED]

-----Original Message-----

From: [redacted]
Sent: 19 October 2005 20:05
To: 'F [redacted] gov.uk'
Cc: P [redacted] - Conf
Subject: RE: Kris Donald: follow up

[redacted]
Getting a Minister to write sounds sensible. [redacted] Could you please provide contact details for DG FIA and IG Police Punjab?

We are not 100% certain, but think that it probably was [redacted] who spotted the possibility of using existing legislation. As I'm sure you are aware, [redacted] is no longer in Islamabad.

The Foreign Secretary has not yet written to his counterpart - a draft letter went to his private office the week before last, but was put on hold after the earthquake. We will be submitting a new draft later this week.

-----Original Message-----

From: [redacted]
[mailto:[redacted]]
Sent: 18 October 2005 11:35
To: [redacted]
Subject: RE: Kris Donald: follow up
Importance: High

This email and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed.

[redacted]
We would be more than happy to write to both the DG FIA and IG Police Punjab. Rather than asking the Chief Constable of Strathclyde Police to do so (he could tell me to push off and there would be nothing I could do about it) I was wondering that it might be better for one of our Ministers to write. My options are the Minister for Justice or the Lord Advocate who is the political head of the Scottish system of public prosecutions and who has, under our system, the power of direction over the Scottish Police. I will give the matter some thought but would be grateful if you could let me have the names, titles and addresses for the letters as a starter.

Could you also confirm that it was [redacted] who was responsible for spotting that the Pakistani extradition legislation could be extended to non treaty states such as the UK for one off extradition requests where the Pakistani Government deemed it appropriate to do so.

Many thanks and look forward to hearing from you soon.

Fergus

-----Original Message-----

From: [redacted]
Sent: 06 October 2005 14:06
To: [redacted]
Subject: FW: Kris Donald: follow up

This email has been received from an external party
and
has been swept for the presence of computer viruses.

[redacted]

Would you be happy to take forward [redacted] suggestion of
messages to DG FIA and IG Police Punjab with the
Strathclyde Police Constable?

Many thanks,

[redacted]

-----Original Message-----

From: [redacted]@onf
Sent: 04 October 2005 08:07
To: [redacted]
Cc: [redacted]@uk
Subject: Kris Donald: follow up

[redacted]

All things being equal, the 3 will be on the BA flight
tomorrow morning. I just wanted to get you thinking
about a couple of items of follow up.

Thank you messages

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HC would be the best bet.

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These are just thoughts off the top of my head - you guys may have others.





First Secretary (Political)
British High Commission, Islamabad

Tel: +92 51 201 2107
FTN: 8405 2107

[Redacted]

Subject: RE: Kris Donald: follow up

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Is the High Commissioner going to get a letter? I think it would go down well here.

From: [Redacted]
Sent: [Redacted]
To: I
Subject: RE: Kris Donald: follow up

This email and any files transmitted with it are intended solely for the use of the individual or
entity to whom they are addressed.

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-----Original Message-----

From: P [Redacted] [mailto:[Redacted]]
Sent: 20 October 2005 06:48
To: [Redacted]
Subject: RE: Kris Donald: follow up

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has been swept for the presence of computer viruses.

[Redacted]

I think [redacted] idea of getting the Lord Advocate to write is the right one. Better than my idea of getting the head of the Strathclyde Police to do so (although I understand the police are doing their own letters).

The details you need:

Tariq Parvez, DG FIA, FIA Headquarters, G9/4, Islamabad

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[redacted]

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)
:55

istan



extra-Pakistan-lts
of thanks.d...

[REDACTED]

Now that the fugitives are back from Pakistan, the FCO and I have been giving some thought to appropriate letters of thanks.

I think that the FCO itself should receive a big pat on the back for all their sterling work. I think they were quite magnificent. In addition it would be petty not to thank M Sarwar MP (although his involvement was self inspired) and the FCO agree. The FCO have suggested that letters should also go to the heads of the Federal Investigation Agency (a national police force) and the Punjabi Police. I suggest that the Minister for Justice should sign all four letters on behalf of the Lord Advocate and herself. The FCO will write to the Pakistani Minister of the Interior and to British Airways who were incredibly helpful.

I attach a draft submission to the LA and Min for Justice together with the first of the draft letters. I am awaiting information from [REDACTED]'s sidekick, so that I can finalise the letters to M Sarwar and the Pakistani police.

I would welcome any comments which you have on the submission and letter to the Foreign Sec. I will let you see the other letters shortly. I am pressing [REDACTED] for the information.

[REDACTED]

E/2/3.

[redacted] pfs.gsi.gov.uk]

Subject: RE: Extradition from Pakistan

This email has been received from an external party and
has been swept for the presence of computer viruses.

As we discussed, I think this is fine. I will try to find the letter that the LA sent to Sarwar and send it on to you,
for completeness.

L

-----Or
From:
Sent:
To: H:
Subject: FW: Extradition from Pakistan

This email and any files transmitted with it are intended solely for the use of the individual or
entity to whom they are addressed.

<<extra-Pakistan-ltr to FS.doc>>

Here's the letter to Jack Straw.

[redacted]

Scottish Executive Justice Department

Criminal Procedure Division

St Andrew's House

Edinburgh

Tel: 0131 244 2103

Fax: 0131 244 2623

-----Original Message-----

From: [redacted]
Sent: 25 October 2005 14:55
To: [redacted]
Subject: Extradition from Pakistan

<<extra-Pakistan-ltr of thanks.doc>>

[REDACTED]

Now that the fugitives are back from Pakistan, the FCO and I have been giving some thought to appropriate letters of thanks.

I think that the FCO itself should receive a big pat on the back for all their sterling work. I think they were quite magnificent. In addition it would be petty not to thank M Sarwar MP (although his involvement was self inspired) and the FCO agree. The FCO have suggested that letters should also go to the heads of the Federal Investigation Agency (a national police force) and the Punjabi Police. I suggest that the Minister for Justice should sign all four letters on behalf of the Lord Advocate and herself. The FCO will write to the Pakistani Minister of the Interior and to British Airways who were incredibly helpful.

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[REDACTED]

This email message is from the Crown Office and Procurator Fiscal Service. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify glwmail@copfs.gsi.gov.uk.
This footnote also confirms that this email message has been swept for the presence of computer viruses.
Visit www.crownoffice.gov.uk for details of the work of the Department.

sl,

si.gov.uk]

Subject: FW: Letter to Mohammed Sarwar MP

This email has been received from an external party and
has been swept for the presence of computer viruses.

letter as issued.

L

-----Original Message-----

From: [REDACTED]
Sent: 13 October 2005 18:16
To: [REDACTED]
Cc: [REDACTED]
(DCA); [REDACTED]
Subject: Letter to Mohammed Sarwar MP

David

Copy as above

Thank you for your draft letter. Please find attached copy of the letter as issued today for your records

Chris

This email message is from the Crown Office and Procurator Fiscal Service. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify glwmail@copfs.gsi.gov.uk.
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Visit www.crownoffice.gov.uk for details of the work of the Department.

E/2/30

gov.uk;

Subject: REST: Submission: Thanking Pakistan For Extradition of Kriss Donald Suspects

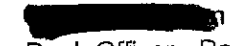
This email has been received from an external party and has been swept for the presence of computer viruses.

Please find attached submission and flag on whether the Foreign Secretary should write to the Pakistani Interior Minister to thank him for his help in securing the extradition of three suspects in the Kriss Donald murder case.

A hard copy is on its way to Private Office.



<<THANKING PAKISTAN FOR EXTRADITION OF KRISS DONALD SUSPECTS2.doc>> <<Draft Kriss Donald Letter to Sherpao2.doc>>



Desk Officer - Pakistan
South Asia Group
Foreign & Commonwealth Office

Telephone: +44 (0)20 7008 3545
Fax: +44 (0)20 7008 2358
Website: www.fco.gov.uk

RESTRICTED

F/2/30

Reference: //2005

From: [REDACTED]
Date: 28 October 2005

Date

cc: [REDACTED]

Foreign Secretary

THANKING PAKISTAN FOR EXTRADITION OF KRISS DONALD SUSPECTS

ISSUE

1. Whether you should write to Pakistani Interior Minister Sherpao to thank him and Pakistan for co-operation in securing the arrest and agreeing the extradition of the suspects in the Kriss Donald case.

TIMING

2. Routine. The suspects returned to the UK on Wednesday 5 October.

PREFERRED OPTIONS

3. That you write to Pakistani Interior Minister Sherpao along the lines of the attached draft (Flag A). This will also be an opportunity to raise the bilateral extradition treaty, which is waiting approval by Pakistan's cabinet. Any letter should also express condolences for the earthquake victims.

ARGUMENT & BACKGROUND

4. Teenager Kriss Donald was brutally murdered in Glasgow in March 2004. Two of the suspects were arrested, but three others fled to Pakistan. We do not currently have an extradition treaty with Pakistan, but an *ad hoc* request for extradition was originally handed over to the Government of Pakistan in September 2004. However, little progress was made. Following discussion at the UK-Pakistan Joint Judicial Co-operation Working Group in London in April 2005, the Pakistanis have been much more co-operative. The police arrested the suspects and the Interior Ministry was instrumental in changing Pakistani legislation to allow extradition of suspects to the UK for a specific offence. The

Page 1

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Interior Ministry also covers the police and the Federal Investigation Agency which both played key roles in the arrest and extradition of the suspects.

5. Bringing suspects to justice will have extra significance in this case, as it will help to diffuse community tensions in the Glasgow area.
6. We have concluded negotiations over a bilateral extradition treaty with Pakistan, and UK Ministers have approved the text. There has been a delay in securing signature as the treaty needs to be approved by Pakistan's cabinet first. Once the treaty is signed, it will need to be ratified by both countries. Islamabad judge that the earthquake could indirectly delay the signing of the treaty.
7. You already spoke to Foreign Minister Kasuri, and the Prime Minister spoke to President Musharraf following the earthquake. Hilary Benn also met President Musharraf and Prime Minister Shaukat Azaz in Pakistan last week. So far no British Minister has written to Interior Minister Sherpao to express condolences.

PARLIAMENTARY AND MEDIA

8. There has been widespread media coverage of the Kriss Donald case, particularly in the Scottish press. We expect this to continue as the case goes to court.
9. Mohammed Sarwar is the MP for Glasgow Central and has played a critical role in this case, liaising with the police and frequently travelling to Pakistan to lobby the authorities to secure the suspects' extradition.

RISKS

10. There are no risks involved in writing to Interior Minister Sherpao. Following this case, Pakistan is likely to reciprocate by handing over *ad hoc* extradition requests to the UK. The Crown Prosecution Service is happy to consider these and has offered Pakistan assistance in this regard. But we already know that the two most high profile cases are unlikely to stand up in UK courts.

Comment: Remove this Paragraph Heading if 'Risk' is specified elsewhere in the Submission

RESOURCE IMPLICATIONS

11. None.

[REDACTED]
SAG E203

+44 (0)20 7008 3545

Mr Aftab Ahmed Kahan Sherpao
Interior Minister of Pakistan
Room 404, 4th Floor, R Block
Pakistan Secretariat
Islamabad
Pakistan

Please accept my most sincere condolences following the earthquake of 8 October which caused such severe destruction in northern Pakistan and Pakistani administered Kashmir. I am pleased that the UK has been able to offer assistance so far and would like to underline our continued commitment to helping in whatever ways we can.

On another matter, I would like to express my gratitude to you and your Ministry in securing the extradition of Imran Shahid, Zeeshan Shahid and Mohammad Faisal Mushtaq, suspects in the investigation into the murder of teenager Kriss Donald in Glasgow in March 2004. As you know this racial crime has had a very high profile in the UK, particularly Glasgow, and it has been important that we bring the suspects to justice, not least to help diffuse racial tensions.

Your co-operation in this matter has again demonstrated the close links between the UK and Pakistan, and I am personally grateful to you for having ensured that bureaucracy did not get in the way of justice. I hope, therefore, that we can continue to move forward in our relationship and on matters of mutual interest. The signature and ratification of the bilateral Extradition Treaty that our officials negotiated earlier this year would be an excellent demonstration of this. If my officials can be of any help in this process, please do not hesitate to contact [REDACTED]

JACK STRAW

[REDACTED]

From: [REDACTED] [k]
Sent: 28 October 2005 16:59
To: [REDACTED]
Subject: Letters of appreciation.

This email has been received from an external party and
has been swept for the presence of computer viruses.

[REDACTED] I have been to Pakistan 3 times and have had a series of meetings in London with various personalities. I would like the following to receive letters of appreciation.

In the very early days of the extradition process Her Excellency the Pakistan High Commissioner to the UK was wonderful. She heard my briefing on the case and I stressed the importance, in terms of Community Relations, of getting the three accused back to face trial. She pledged her support and agreed that a one off extradition could be achieved without any reciprocal demands from Pakistan. She did lobby the Pakistan Government on our behalf.

Muhammad Shoaib SUDDLE, Director General, National Police Bureau, Pakistan Ministry of Interior was another pioneer on our behalf. He attended a meeting with Home Office and the FCO in London on 20 July 2004 where he promised to lobby on our behalf from within the Ministry of Interior. I spoke to him a number of times on the phone and he did a lot in the margins to help our cause. His support is greatly appreciated.

My first trip, 6 -9 June 2004 was very much a covert visit to establish police to police liaison and to try to secure the support and assistance of all the law enforcement and intelligence agencies. I also took with me a very comprehensive profile of the accused and of their activities in Pakistan. I gleaned this intelligence from an amalgam of sources some secret, so I had to establish a two way trust regarding the provision and handling of delicate intelligence. The outstanding personalities who helped me make it work were as follows.

Farid PERVEZ the Director General of the FIA in Islamabad. He was outstanding and vowed to support the investigation with his considerable resources.

his assistant

Dep Director, Head of Operations Asif A SYED is the Interpol single door of contact. He showed me the photos sent to him by British Interpol (NCIS Fugitive Unit) which were a disgrace. He also showed an instruction from the UK not to continue with any investigations re Kriss Donald Murder dated 3 May 2004. He and I sorted out these nightmares and he offered his full support to the Punjab police in tracing the accused.

I then travelled to Lahore where I met with the Director of Intelligence for the Punjab Police he listened to my plea for assistance and agreed to help at this stage I cannot confirm to what level he assisted. I will leave him out for now.

I then met the Additional Inspector General (AIG) - Investigations at the Punjab Police HQ in Lahore. Irfan Mahmood KHAN known as Irfan was undoubtedly going to be the key to success. We met over two days discussing the case, the accused and the intelligence profiles. He embraced the cause and we set out a strategy to affect their arrest. Part of that strategy at my behest for him to appoint an investigating officer

to work with me daily exchanging intelligence, information and developing tactics. He introduced me to

Supt Jawad DOGAR known as Jawad. He is a senior investigator with the Punjab Police under Irfan's command. He talked for a couple of days, bonded brilliantly and established a means of regular if not daily contact. That relationship culminated with the arrest of all three suspects in time for Kriss Donald's 16 birthday on 2 July 2005.

Jawad should be congratulated for his professionalism and his commitment to this case.

My next two visits covered extradition processes, planning and the logistics of returning the three accused to Scotland, safely and securely, to face trial. Many people were seen and advice sought from many corners. However certain individuals stood out for their efforts.

Second Visit was from 31 August 2005 to 4 September 2005

The Final visit was from 29 September 2005 to 5 October 2005 when their extradition was completed safely and without serious incident.

The first individual who was magnificent from the day he took over the case was Peter BOXER. He was a breath of fresh air compared to his previous incumbent. He was professional, approachable, contactable and reacted to requests with a degree of urgency not previously experienced. He often gave up his own to speak to me or to meet me when I was in Islamabad. I did give him a litre of rather nice malt for his efforts!! He deserves a warm letter of appreciation

His boss [REDACTED] in the [REDACTED] supportive. I met the Deputy High Commissioner Peter DANIELS, another Scot, in Karachi. He listened to my pleas for assistance and offered his full support.

Shaukat Ali KHAN of the FIA. He is the FIA Deputy Director (LAW). He adopted the role of public prosecutor and he kept Peter BOXER and me right on the processes and on the granting of the extradition warrants. He also appeared in court and led the case for the prosecution. Another real star who battled away for our cause

Umar H GONDAL known as Gondal who is the FIA Deputy Director covering the Islamabad and Rawalpindi area. The jail was in Rawalpindi. We met often to plan the logistics. His officers served the warrants and arranged the prisoner escorts and handover

Finally to British Airways

My initial negotiations/ discussions with British Airways in Islamabad were with the

Regional Manager for Pakistan and Afghanistan [REDACTED]

Islamabad Airport Station Manager [REDACTED]

both agreed to take all three on same flight and all plans made. Later told London had declined the request and all three had to travel separately. [REDACTED] suggested we call the head of Worldwide Corporate Security

Job [REDACTED]
[REDACTED] section

[REDACTED] by

[REDACTED]

who was a gent and agreed to accommodate us all on one flight. He and his assistant

[REDACTED]
British Airways Corporate Security

met all my requests and made all the arrangements on my behalf. Both worthy of a letter.

Previously mentioned [REDACTED] was a real star in terms of 10 cops and 3 accused getting through the airport and safely onto the plane. He was professional, paid attention to detail and was extremely supportive. Richly deserves a letter.

Finally to [REDACTED] and his crew. (Islamabad to London) Richard is yet another Scot who has the last say on how the prisoners are escorted. I intended to dominate the three accused throughout the flight so that other passengers felt comfortable and there was no opportunity for any of the prisoners to jeopardise safety. I met the Captain twice and we discussed my plans in detail. I made many requests of him and his crew all of which met no resistance in fact total cooperation in the most pleasant manner. He even held all the passengers in their seats so we could disembark first, making an announcement as we left thanking Glasgow's finest and wishing us luck. He and his crew were brilliant and incredibly supportive.

That is it [REDACTED], I hope you find this useful.

Thursday is good but 1100 hours perhaps not. [REDACTED] will confirm new time on Monday.

The extradition process was frustrating but extremely rewarding in the end, especially when many were sceptical. In policing terms it was an incredible journey. To be able to maintain the level of intelligence that traced and facilitated the arrest of three fugitives from Glasgow in a country as vast, as remote in parts and most significantly a country which houses a population of 150 Million people is as incredible as the success of the historical extradition process.

Cheers
[REDACTED]

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RESTRICTED: ADVICE TO MINISTERS

From: [REDACTED]
JD/Criminal Procedure Division
01 November 2005

1. Lord Advocate
2. Minister for Justice

THE MURDER OF KRISS DONALD: EXTRADITION OF SUSPECTS FROM PAKISTAN

Purpose

1. To suggest that the Minister for Justice issues letters of thanks to the Foreign Secretary, and also to the heads of the Pakistani Federal Investigation Agency and the Punjabi Police for the part which they played in securing the extradition of the three suspects in this case.

Priority

2. Urgent. The suspects were returned on 5 October.

Discussion

3. Following the return of the Shahid brothers and Mohammed Mushtaq, it would in my view be impolite not to acknowledge the significant contribution made by the FCO to the successful outcome of this extradition case.
4. The help and assistance which the Executive received from the FCO was outstanding, particularly from senior staff at the British High Commission in Islamabad. Staff at the High Commission were responsible for identifying a possible solution to the problem caused by the absence of any extradition treaty between the UK and Pakistan. The potential solution was that the Pakistani extradition legislation could be extended non-treaty states such as the UK to enable an ad hoc extradition request from such a state to be dealt with. However any extension would be at the discretion of the Pakistani Government.
5. Following the submission of such a request in October 2004, FCO Ministers and officials in both Islamabad and London took every opportunity to lobby Ministers and senior officials in the Pakistani Government to extend their extradition legislation to the UK and to extradite the three suspects. And once extradition had been agreed, the High Commission staff ensured that all the necessary organisational arrangements for the smooth return of the suspects from Pakistan were in place, from the issue of temporary passports to persuading British Airways to accept all three suspects on the one flight.
6. The FCO intend to send letters of thanks to the Pakistani Minister of the Interior, Mr Aftab Ahmed Khan Sherpao, whose role was crucial in taking forward the extradition request. They also propose to write to British Airways. The FCO have also suggested that the Executive sends messages of thanks to the Pakistani Federal Investigation Agency (the national police force) and the Punjabi Police. Both come under the oversight of the Ministry of the Interior, and played important roles in the arrest and extradition of the suspects. In

RESTRICTED: ADVICE TO MINISTERS


particular the Punjabi police were responsible for working closely with Strathclyde Police to trace and locate the three suspects and arrest them.

7. Because requests for extradition directed to non-EU states such as Pakistan are made on behalf of the Scottish Ministers rather than COPFS it would in my view be appropriate for the Minister for Justice to write to the two Pakistani police forces expressing gratitude for their assistance in this case.

8. I understand that the Lord Advocate has already written to Mr Mohammed Sarwar, MP to thank him for the important and influential role he played in the successful outcome of this case. The FCO have acknowledged that it is unlikely that the suspects would have been returned to Scotland as soon as they were without Mr Sarwar's intervention.


Recommendation

9. I recommend that you send letters of thanks to the Foreign Secretary, and the heads of the two Pakistani Police Forces in terms of the attached drafts.


 JD/Criminal Procedure Division
 Ext 42103

01 November 2005

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Minister for Justice Deputy Minister for Justice	X				X

PS/JD
 PS/COPFS






SCOTTISH EXECUTIVE

Minister for Justice
Cathy Jamieson MSP

St Andrew's House
Regent Road
Edinburgh EH1 3DG

Mr Tariq Parvez
Director General
Federal Investigation Agency
FIA Headquarters
G9/4
ISLAMABAD
Pakistan

Telephone: 0845 774 1741
scottish.ministers@scotland.gsi.gov.uk
<http://www.scotland.gov.uk>

Our ref: CJE/002/030

/ November 2005

Dear Mr Parvez

I am writing on behalf of Colin Boyd QC, the Lord Advocate of Scotland, and myself to express our gratitude to you and officers of the Federal Investigation Agency for the co-operation and assistance we received from your Agency at various levels in securing the extradition to Scotland of Imran Shahid, Zeeshan Shahid and Mohammed Faisal Mushtaq, all three of whom are suspects in the murder of Kriss Donald in Glasgow in March 2004.

This was a brutal crime and it was important for a number of reasons that the three accused, who had fled to Pakistan shortly after the murder, be returned to Scotland to stand trial. We have no doubt that the Federal Investigation Agency made a significant contribution to the successful outcome of the request for their extradition to Scotland.

I should be grateful if you would pass on our thanks to those officers of the Agency who were involved in this case.

Best wishes

Cathy Jamieson

CATHY JAMIESON



SCOTTISH EXECUTIVE

Minister for Justice
Cathy Jamieson MSP

St Andrew's House
Regent Road
Edinburgh EH1 3DG

Major Zia-ul-Hassan
Inspector General of Police: Punjab
IG Complex
LAHORE
PAKISTAN

Telephone: 0845 774 1741
scottish.ministers@scotland.gsi.gov.uk
<http://www.scotland.gov.uk>

Our ref: CJE/002/030

1
November 2005

Dear Major Zia-ul-Hassan

I am writing on behalf of Colin Boyd QC, the Lord Advocate of Scotland, and myself to express our gratitude to you for the co-operation and assistance we received from the Punjabi Police in securing the extradition to Scotland of Imran Shahid, Zeeshan Shahid and Mohammed Faisal Mushtaq, all three of whom are suspects in the murder of Kriss Donald in Glasgow in March 2004.

This was a brutal crime and it was important for a number of reasons that the three accused, who had fled to Pakistan shortly after the murder, be returned to Scotland to stand trial. We have no doubt that the Punjabi Police, who worked very closely with Strathclyde Police to trace, locate and arrest the three suspects, made a significant contribution to the successful outcome of the request for their extradition to Scotland. I would single out for special mention AIG Mahmood Khan and DIG Tariq Salim Dogar who led the investigation and liaised closely with the relevant staff in the British High Commission and Strathclyde Police. Both officers demonstrated the utmost professionalism and their particular contributions are very much appreciated.

I should be grateful if you would pass on our thanks to all the officers of the Agency who were involved in this case.

Best wishes

Cathy Jamieson

CATHY JAMIESON



SCOTTISH EXECUTIVE

Minister for Justice
Cathy Jamieson MSP

St Andrew's House
Regent Road
Edinburgh EH1 3DG

Rt Hon Jack Straw MP
Secretary of State for Foreign and
Commonwealth Affairs
King Charles Street
LONDON
SW1A 2AH

Telephone: 0845 774 1741
scottish.ministers@scotland.gsi.gov.uk
<http://www.scotland.gov.uk>

Our ref: CJE/002/030

/ November 2005

Dear Jack

I am writing on behalf of the Colin Boyd, the Lord Advocate, and myself to express our grateful thanks for the excellent support, co-operation and assistance which the Foreign and Commonwealth Office provided to the Scottish Executive in securing the successful extradition from Pakistan of three suspects wanted for the murder of Kriss Donald in Glasgow in March 2004.

We are grateful to both you and Douglas Alexander for your interventions with Ministers in the Government of Pakistan on our behalf. And we much appreciate the very hard work carried out by your officials in London and Islamabad to secure a most satisfactory outcome to this case.

Without doubt this was a difficult extradition request because of the absence of any extradition arrangements between the UK and Pakistan. It was also sensitive because of the particular circumstances of the crime. It presented a unique challenge to the Scottish Executive and the Foreign and Commonwealth Office and we are most grateful to the way in which your officials, and in particular Mark Lyall Grant, the High Commissioner, and his staff, responded so well to that challenge.

I feel I must make special mention of the contribution of Peter Waterworth, who identified a solution to the difficulties caused by the absence of an extradition treaty between the UK and Pakistan and the willingness of senior diplomatic staff, mainly in Islamabad but also in London, to take every opportunity to argue the case for extradition with Ministers and officials of the Government of Pakistan.

I should also single out Peter Boxer at the High Commission for special mention. He was the main point of contact both for our officials and for Strathclyde Police. He was professional, approachable and reacted to all our requests with a high degree of urgency. His help was invaluable.

We do not believe that the three suspects would have been returned to the UK so relatively quickly, if at all, without your and Douglas's intervention and the considerable amount of work undertaken so willingly by your officials in both London and Islamabad on our behalf. We are profoundly grateful as no doubt is the family of the late Kriss Donald.

We would much appreciate it if our sincere thanks and gratitude could be passed on to those who were involved with this case.

Best wishes

Cathy

CATHY JAMIESON

[redacted]
[redacted] gsi.gov.uk]

[redacted], Lord Advocate

Subject: RE: Extradition from Pakistan: Letters of thanks

This email has been received from an external party and
has been swept for the presence of computer viruses.

Fergus - these look great, and I would be delighted if they went out. Perhaps you could let me have electronic copies of whatever eventually issues, for our file here please.

Thanks

[redacted]

-----Original Message-----

From: [redacted]
Sent: [redacted]
To: [redacted]
Cc: [redacted]
Wilma: [redacted]
From: [redacted]
Subj: [redacted]

This email and any files transmitted solely for the use of the
individual or entity to whom they are addressed.

<<extra-Pakistan-ltr of thanks.doc>> <<extra-Pakistan-ltr to police Punjab.doc>> <<extra-Pakistan-ltr to FS.doc>> <<extra-Pakistan-ltr to FIA.doc>>

1 PS/Lord Advocate
2PS/Minister for Justice

I attach a submission covering three letters expressing thanks for assistance with the extradition of the Kriss Donald murder suspects from Pakistan.

The two letters to the FIA and Punjabi Police might best be sent by international registered post. I would happy to arrange this.

[redacted]

JD/Criminal procedure Division
GW 14
SAH

Ext 42103

From:
Sent:
To:
Cc:
Subject:

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; Dickson W (Wilma); 'H
neral
ks

PS/Minister for Justice

Copy as above

The Lord Advocate is content for Ms Jamieson to write as proposed. He apologises if he jumped the gun with the letter to Mohammed Sarwar.

Regards

PS/Lord Advocate
0131 247 2690

-----Original Message-----

From:
Sent: ()
To: Lor
Cc: Dej
Drysdal
Subjec

son W (Wilma); 'H

<< File: extra-Pakistan-ltr of thanks.doc >> << File: extra-Pakistan-ltr to police Punjab.doc >> << File: extra-Pakistan-ltr to FS.doc >> << File: extra-Pakistan-ltr to FIA.doc >>

1 PS/Lord Advocate
2PS/Minister for Justice

I attach a submission covering three letters expressing thanks for assistance with the extradition of the Kriss Donald murder suspects from Pakistan.

The two letters to the FIA and Punjabi Police might best be sent by international registered post. I would be happy to arrange this.

JD/Criminal procedure Division
GW 14
SAH

Ext 42103

[REDACTED]

From: [REDACTED]
Sent: 02 November 2005 10:06
To: [REDACTED]
Subject: Letters of appreciation

[REDACTED]

Many thanks for your email of 28 October.

I have now put forward letters for the Minister for Justice to send to the Foreign Secretary and the heads of the FIA and Punjabi Police. The Lord Advocate has of course already written to Mohammed Sarwar, the Foreign Secretary has written or is writing to The Pakistani Minister of the Interior and his officials are I believe also writing to British Airways.

I do not propose that either the Lord Advocate or the Minister for Justice write to anyone else. If you feel that say the Pakistani High Commissioner or Muhammed Subble or anyone else should receive a letter then I will leave it to you to do the needful.

Thanks again for the information.

[REDACTED]

Scottish Executive Justice Department
Criminal Procedure Division
St Andrew's House
Edinburgh

Tel: 0131 244 2103
Fax: 0131 244 2623

E / 2 / 30.

[Redacted]

[Redacted]

From: [Redacted]
Sent: 02 November 2005 12:01
To: [Redacted]
Subject: RE: Extradition from Pakistan: Letters of thanks

[Redacted]
[Redacted]

This email has been received from an external party and
has been swept for the presence of computer viruses.

many thanks. I am flattered. I have forwarded the Jack Straw letter to [Redacted] in Lagos.

Nice doing business with you!

[Redacted]

[Redacted]

-----Original Message-----

From: [Redacted] [Redacted] k]
Sent: 02 November 2005 16:34
To: [Redacted]
Subject: FW: Extradition from Pakistan: Letters of thanks

This email and any files transmitted with it are intended solely for the use of the
individual or entity to whom they are addressed.

[Redacted]

Here are copies of letters of thanks which the Minister of Justice has now issued, for
info. The letter to the Foreign Secretary will no doubt come down through official
departmental channels in due course.

May I also add my sincere personal thanks to all colleagues in the FCO who helped out
with this particular case. You made my work so much easier.

Thanks again and best wishes,

[Redacted]

Scottish Executive Justice Department

Criminal Procedure Division

St Andrew's House

Edinburgh

Tel: 0131 244 2103

Fax: 0131 244 2623

[Redacted]

-----Original Message-----

From: [REDACTED] **On Behalf Of** Minister for Justice

Sent: 02 November 2005 11:06

To: [REDACTED]

Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; Dickson W (Wilma); [REDACTED]

Subject: FW: Extradition from Pakistan: Letters of thanks

<<1 November 2005 Kriss Donald murder to Pakistan and commonweath affairs.tif>>

[REDACTED]
Please see the attached for your records

Many thanks

[REDACTED]
Minister for Justice's Office
ex 42553

All emails and attachments sent by a Ministerial Private Office to another official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting must be filed appropriately by the primary recipient. Private Offices do not keep official records of such emails or attachments.

-----Original Message-----

From: [REDACTED]

Sent: 01 November 2005 14:29

To: Lord Advocate; Minister for Justice

Cc: Deputy Minister for Justice; PS/JD; PS/COPFS; Dickson W (Wilma); [REDACTED]
(Charles); [REDACTED]

Subject: Extradition from Pakistan: Letters of thanks

1 PS/Lord Advocate

2PS/Minister for Justice

I attach a submission covering three letters expressing thanks for assistance with the extradition of the Kriss Donald murder suspects from Pakistan.

The two letters to the FIA and Punjabi Police might best be sent by international registered post. I would happy to arrange this.

[REDACTED]
JD/Criminal procedure Division

GW 14

SAH

[Redacted]

From: [Redacted]
Sent: 09 November 2006 10:06
To: [Redacted]
Subject: RE: BBC E-mail: Three men guilty of Kriss murder

Peter

The media coverage of the trial here in Scotland and particularly the verdict has been extensive. There has also been bits and pieces on the extradition with Mohammed Sarwar getting a very large chunk of the credit for securing the fugitives' return. Sadly all the hard work of the FCO does not feature at all. This is an injustice which should be put right. There might be some follow up work on the case by the BBC and if my Ministers are involved in any way I will endeavour to ensure that the FCO receives the credit that it undoubtedly due to you.

Regards

Fergus

-----Original Message-----

From: [Redacted]
Sent: 09 November 2006 04:16
To: [Redacted]
Cc: [Redacted]
Subject: RE: BBC E-mail: Three men guilty of Kriss murder

This email has been received from an external party and
has been swept for the presence of computer viruses.

[Redacted]

Yes - what wonderful news. Great that those evil men got what they deserved. I didn't know that the verdict was expected so soon so it came as a wonderful surprise. Well done to everyone at your end. Glad we could play our part.

-----Original Message-----

From: [Redacted] [mailto:[Redacted]]
Sent: 08 November 2006 18:30
To: [Redacted]
Subject: BBC E-mail: Three men guilty of Kriss murder