



New Park Court

Elyas Patel

Leeds

16 Park Place
Leeds
LS1 2SJ

DX: 26401
Leeds Park Square
T: +44 (0)113 243 3277
E: clerks@newparkcourt.co.uk
F: +44 (0)113 242 1285

Newcastle

16 Park Place
Leeds
LS1 2SJ

DX: 61012
Newcastle-Upon-Tyne
T: +44 (0)191 232 1980
E: clerks@newparkcourt.co.uk
F: +44 (0)191 232 3730



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Year of call 1991

For enquiries please call +44 (0)113 243 3277 or email

Elyas Patel now practises exclusively in criminal law, after a broad common law practice (including Personal Injury, Family, Immigration and Employment).

From the foundation of a very well-established and mixed prosecution and defence criminal practice, Elyas now devotes himself exclusively to criminal defence work.

Elyas has particular interest and experience of dealing with cases bearing an Islamic perspective.

Elyas is multilingual and speaks both Urdu and Gujarati.

Elyas has a true understanding of today's multicultural society and is often praised for the empathy and understanding he shows to his clients.

Elyas is typically instructed in the most serious criminal cases; and has experience of dealing with the full spectrum of criminal offences including homicide, firearms offences, terrorism offences, operational conspiracies, sexual offences, serious fraud, drugs and violence offences and multi-handed public order offending.

Elyas was the Sweet & Maxwell Law Prize winner and also the winner of the Gooderson Memorial Award (St Catherine's College, University of Cambridge).

Elyas was born in West Yorkshire and continues to live there.

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Testimonial

Per: His Honour Judge Jameson QC. 24th June 2015 (Personal letter to Elyas from the learned Trial Judge, following the completion of the case of R v IG [S18 OAPA 1861, Wounding with Intent [Knife attack])

"I just wanted to say how very much I admired your conduct of the case of IG.

Proper presentation of any case requires a number of abilities.

First, to appreciate how to use the evidence to achieve one's objective; next, to plan what needs to be done so that it seems inevitable; then, the skill to carry out the plan, the flexibility to change position when faced with unexpected difficulties and finally the courage and good judgement to make the right choices when such difficulties arise.

You demonstrated all of those abilities to a high degree in this case and it was a real pleasure to see a case done so well.

May I also say that your overall court etiquette (a rather old-fashioned virtue, but immensely valuable) was impeccable. These things really matter to judges, and I am pretty sure to juries too."

Impending cases

Representative Cases

- *R v HY and 4 others (Bradford Crown Court, 2020)*

It is the prosecution's case that HY was one of five defendants who conspired (in a campaign or 'terror' against vulnerable retail outlets and workers!) together and with others unknown to rob or attempt to rob convenience stores and small supermarkets between the 17th of February and the 15th of May 2019. In the course of this offending alleged offences were committed by individuals, the prosecution say that there was a pattern of these robberies namely: there would be a group robbery; identities of those involved would be concealed with balaclavas and gloves; weapons such as knives, axes, and meat cleavers would be used; the cash tills including cash and stamps, cigarettes within convenience stores would be targeted. On occasion as in the last offences an imitation firearm, namely a BB gun which had the appearance of looking like a revolver, was used.

- *R v FG and 7 others (Leeds Crown Court, 2021)*

FG and 9 other Defendants are charged with conspiracy to murder between 1st October 2019 and 8th November 2019. On the 4th November 2019 2 men were shot whilst sitting in a stationary car in a retail carpark in Liversidge, West Yorkshire. Their attackers were in a dark coloured VW Golf (not identified or

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recovered) which was seen on CCTV to have tailed their vehicle in the minutes leading up to the shooting. Neither man was killed but each required hospital treatment. Under the victim's car was a GPS tracker of the type that can be remotely accessed. The Crown's case is that UD arranged for the tracker to be placed there in the early hours of 29 October 2019 by his associates KM, AH and MHH with the assistance of AzH. Although UD accessed the tracker himself through a downloaded application, the actual job of co-ordinating the shooting fell to AM who at the time was a serving prisoner. AM had been provided with a number of iCloud accounts by his girlfriend EG in late October and EG also allegedly smuggled and conveyed into HMP an i phone ultimately used to direct the shooting during the course of a prison visit with AM. Having downloaded the tracker app on the 3rd November with the use of the iCloud accounts provided by EG onto a mobile phone, AM used the phone to call and direct those responsible for carrying out the shooting on the 4th November.

- *R v KH and 7 others [Bradford Crown Court, 2021]*

KH is 1 of a number of Defendants charged with Sexual Grooming / offences (Rape etc). The complainant alleges historical sexual abuse and child sexual exploitation against her between the end of 2008 (when she was just 14) and 2010 when she turned 16 years. The alleged offences took place at the complainant's home and at various locations around Keighley, West Yorkshire, by a number of different males, some of these men are linked by association however other offences were committed by men acting alone and in isolation.

- *R v KK and 7 others [Leeds Crown Court, 2021]*

KK and his co accused are charged with conspiracy to supply cocaine, cannabis and amphetamine between 4/10/2017 and 4/2/2019. Operation Bakesea is a West Yorkshire Police investigation into a conspiracy to supply Class A and Class B drugs in the Leeds District area. The building blocks of the conspiracy are eleven events over a period of approximately a year. The focal point of the conspiracy is a dealer phone line which forms the basis of this alleged criminal enterprise. KK is alleged to have been a significant player and consequently involved in a number of the events relied upon. In addition to the recovery of significant weights of drug, paraphernalia, large quantities of cash and the disruption of individual supply activity, the case will revolve around the consideration of complex and voluminous telephone evidence.

- *R v ZH and 2 others [Leeds Crown Court, 2021]*

ZH is the lead defendant in a case involving offences of Kidnap, Robbery, Wounding with intent and possession of offensive weapons. The victim is a drug user and the defendants are his alleged suppliers. Following a fall out the victim is abducted and kidnapped from near his home address, driven around in a vehicle for a significant period of time during which threats are made to his life before he is taken to a remote location and attacked by his assailants one of whom wields a knife in a joint enterprise enterprise attack resulting in a (life threatening) deep 4cm wound approximately 2 cm above the level of the top of the pelvic bones. The wound was bleeding heavily...A CT scan showed a large blood clot around the track of the wound and next to the left kidney...there was also a very small amount of blood in the pelvis confirming the knife had passed into the abdominal cavity narrowly missing significant arteries and the spinal network.

Recent criminal cases

Representative Cases

- *R v MR and 4 others (Birmingham Crown Court 2019)*

In *R v MR and others*, Elyas Patel instructed by Shuaib Khalil of Knightsbridge Solicitors secured acquittals for his client MR who was one of a number of Defendants charged with Attempted Murder, Kidnapping and Wounding With Intent. Rival factions had fought in the Balsall Heath area of the city in what detectives described as a 'mini war' linked to the drugs trade. The Prosecution case against MR was that he had been a participant in the group kidnap of a rival gang member who was dragged off the street and into a vehicle before he was driven to a secluded location and stabbed in the back and collar bone – the knife penetrating fully through his body. In a 7 weeks Trial before HH Judge Wall KC at Birmingham Crown Court, the Jury returned unanimous verdicts of 'not guilty' against Elyas's client MR.

- *R v DO and others (York Crown Court 2019)*

Elyas Patel was instructed by Usama Patel, of Good & Co Solicitors, to represent a young family man of good character alleged to have been a co-conspirator within a 'county lines' drugs team from Leeds, operating a lucrative Class A (Heroin and Cocaine) street dealing business within the Scarborough area. The Prosecution alleged that the Defendant was one of a team of six supplying heroin and cocaine to users in Scarborough during a 4 months period in 2017.

The targeted Police operation uncovered the teams: Scarborough accommodation base; motor vehicles; significant quantities of Class A drugs; drugs paraphernalia and hub mobile phones used to send out block messages to thousands of recipients. A number of the Defendants were caught on CCTV making street supplies during the period of the conspiracy. Bank accounts in the name of the partner of the alleged ringleader also revealed thousands of pounds in cash being deposited in and around banks in Scarborough before the money was systematically and shortly thereafter, withdrawn from Cash Machines in the Leeds area.

The Defendant himself had been arrested in Scarborough with the alleged 'kingpin' of the operation whilst allegedly, carrying out mobile drug deliveries. The car in which the 2 men had travelled to Scarborough from Leeds was found to contain hundreds of wraps of class A drugs including scales, cling film and bank deposit receipts.

3 of the team pleaded guilty prior to the start of the Trial. The remaining 3 had their Trial at York Crown Court and after a Trial lasting 8 days, Elyas's client was the only Defendant acquitted (unanimously) of all involvement.

- *R v ZA and others (Leeds Crown Court 2018)*

Following the lifting of reporting restrictions by the Recorder of Leeds, we are now able to report that Elyas Patel was instructed (Qamar Solicitors, Dewsbury) to represent one of 28 defendants involved in the recent series of Huddersfield sexual grooming / rape trials before HHJ Marson KC at Leeds Crown Court.

The case concerned what the Prosecution alleged was the cynical exploitation of a large number of young

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girls who were deliberately targeted by older men who wanted to use those girls for their own sexual purposes. The girls targeted by these men were children and the defendants allegedly viewed these girls as objects to be used and abused at will.

The events centred in the Huddersfield area of West Yorkshire and spanned a period in time between approximately 2004 and 2011 and involved direct evidence of the alleged abuse collectively suffered at the hands of multiple groups of men by a total of 16 girls in the Huddersfield area over that period of time. The Prosecution alleged that the girls were being exploited by these older men who bent them to submit to their will. Some felt that they were in genuine and loving relationships such was the extent to which they had been groomed by these men. Others were plied with drink and drugs to the point of being utterly unable to resist the sexual advances that were made against them.

Elyas's client was the only defendant (in his section of the multiple Trials) to be acquitted of all charges, including rape.

- *R v AJ and others (Leeds Crown Court 2018)*

Elyas Patel [instructed by Nadeem Zaman of Kamrans in Leeds] secured the acquittal of AJ, a defendant charged with offences of Kidnap, False Imprisonment and Causing GBH.

The defendant was one of four defendants who faced Trial upon these grave charges alleged to have occurred against a background of what the Prosecution described as drug dealing on an industrial scale. In short, at approximately midday on Saturday 27 January 2018 a man called MD walked into the Accident and Emergency Department of Dewsbury District Hospital. When doctors saw him, they found that the bones in his nose, both cheeks, and both his upper and lower jaws had been broken. His face and arms were bruised and swollen. He had blisters, skin loss and reddening on his legs, his buttocks and his genitals. He told staff that he had been tied to a chair, whipped, hit with weapons and had scalding water poured over him.

Elyas's client AJ was unanimously acquitted of all charges after a six weeks trial at Leeds Crown Court.

- *R v FPM (Sheffield Crown Court 2017)*

On 16th February 2017 the Defendant aged 22, a woman of previous good character, pleaded Guilty to a single count of distributing a terrorist publication on the accepted basis of recklessness.

The Crown's case was, in short, that the Defendant was one of those responsible for running an extremist jihadist website and its associated Facebook page.

The website provided links to various jihadist publications, speeches of charismatic jihadist rhetoricians and a number of books and articles linked to terrorist organisations.

The Defendant had an executive role in relation to the website. Chat logs recovered from her computer demonstrated that she was involved in discussions regarding timing web items, how funding could be obtained to purchase additional media storage, of storage data, training others to complete the notes and maintaining quality control of the material posted.

She also took notes of live talks and edited the notes of others. She also assisted with editing audio of those talks.

Following a sentencing hearing before the Recorder of Sheffield, FPM was sentenced to a term of 20 months imprisonment.



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Barnaby Jameson KC (representing the Prosecution) kindly described Elyas's plea in mitigation made on behalf of FPM as: '*one of the best pleas in mitigation that he had ever heard!*'

Archive cases

Representative Cases

- *R v JA (May 2006) [Prosecution Junior led by leading counsel (QC)]*

D charged with attempted murder plus an array of serious firearms offences following an incident in the Leeds area during which JA discharged his considerable arsenal of weaponry directly at Police Officers. Both uniformed as well as firearms officers had been fired at. The incident came to an end when one of the firearms officers shot at and injured the Defendant's shooting arm. The case raised obvious and sensitive issues of great public and police moment. The case was tried in Leeds by a high court Judge.

- *R v SK (January 2007) (Prosecution Junior led by leading counsel (QC))*

SK faced a charge of murder. His wife (his first cousin) arrived in the UK in December 2005 following a traditional arranged marriage. By May 2006 she had been found dead at the family home. The initial post-mortem and subsequent medical evidence had confirmed that the deceased had been the victim of repeated episodes of serious violence. At the time of her death almost every rib in her body was or had been recently fractured. In short, she had died because her body and vital organs could not take any more! At his trial SK denied responsibility for the injuries inflicted upon his wife claiming she had been possessed by evil spirits and he was forced to defend himself against her spirit fuelled attacks.

- *R v ZS (August 2006)*

Operation Talon involved the theft & subsequent "quick" sale of high value prestige motor cars (value in excess of a million pounds) stolen in Hanoi Burglaries within the West Yorkshire area. Elyas, acted as sole counsel for the lead Defendant ZS in circumstances where the prosecution team was led by leading counsel and all other 13 Defendants were represented by 2 Counsel. Elyas therefore carried and discharged a heavy burden in relation to ZK who was the prime mover in a serious and complex investigation which also featured within it significant supplies made and or facilitated by ZK of Class A Drugs and Firearms to undercover police officers. During the course of the proceedings, the learned trial judge HH Judge Kershaw KC applauded what she described as the "considerable effort and hard-work" on the part of Sheikh's counsel which had gone into preparing his basis of plea document.

- *R v AH & others (September 2006)*

Bradford case targeting wholesale suppliers of class A drugs into the Bradford, Keighley & Oldham areas. Acted as leading junior counsel for a Defendant who was just 15 at the time of the offences and who had repeatedly been used by others to travel from Keighley to Bradford for the purposes of transporting sizeable consignments of illicit drugs. When AH was arrested on one such mission, he was dressed in his

school uniform which was being used by the others as an essential part of his cover.

- *R v BF & others (December 2004/January 2005)*

Junior counsel representing a defendant who was charged with 13 others from following serious street disorder and violence (knives/baseball bats deployed against one another and 1 victim deliberately run over causing life-long brain damage and serious physical disability) between the Kurdish and indigenous white communities in the Ravensthorpe area of Dewsbury. The entire case against BF turned upon the correctness of one or more witness identifications of him. After a six weeks trial presided over by HH Judge McCallum a defence submission of no case to answer against BF was upheld by the learned Judge at the close of the prosecution case.

- *R v AA & others (June 2005) (Defence Junior led by Leading Counsel (QC))*

Charges of conspiracy to murder stemming from an execution style shooting in the Leeds area and subsequent serious attempts by those involved “to pervert the course of justice” by preventing key witnesses from coming to court to give evidence against them.

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