

REGINA

-v-

SEEMA MISRA

Response to s.8 Disclosure Application

1. Prosecution Counsel has viewed the papers held by the Royal Mail legal departments which relate to the “case studies” which are set out in the Computer Weekly article (SM1).
2. In deciding whether any material should be disclosed Prosecution Counsel has kept the following test in mind: is there any material that is capable of casting an objective doubt on the reliability of Horizon? Prosecution Counsel discussed the suitability of this test with the Defendant’s legal representatives at the visit to the West Byfleet office on 6/11/09. It was agreed then that a mere assertion by a sub-postmaster, that a loss should be attributed to computer error, would not be not capable of amounting to the sort of objective material that ought to be disclosed.
3. Prosecution Counsel has advised that the only material that should be disclosed from the material he has viewed is the Judgment in the Castleton case. A copy was sent to Mrs Hogg in the DX on 28/1/10.
4. The other material consists of nothing more than unsubstantiated claims by sub-postmasters who have been confronted with deficiencies for which they do not want to accept responsibility. When those claims have been investigated no supporting evidence has been found.

5. In the case of Alan Bates, the loss was written off because it was a small figure and because some of the paper exhibits required to support a civil action had not been preserved.
6. Further enquiries are being made about the “problem” at Callender Square, Falkirk, which is discussed at paragraph 23 of the Castleton Judgment. Further more general enquiries are being made with Fujitsu.