

IN THE CROWN COURT AT GUILDFORD

T20090070

BETWEEN:

REGINA

-V-

SEEMA MISRA

DEFENCE STATEMENT

This Defence Statement does not purport to set out every aspect of the defence put forward in this case but it is served in compliance with ss. 5(5), 6A, 6C and 6D of the CPIA 1996 as amended.

PREAMBLE

1. The Defendant makes no admissions as to the prosecution case or any part thereof save insofar as may be contained in any separate document (if one is served) pursuant to s.10 of the CJA 1967. This statement is served in accordance with the provisions of the CPIA 1996 as amended and for no other purpose. The contents of this statement do not constitute any admission by or on behalf of this Defendant.
2. This document is confidential and is served only for the purposes of the proceedings to which it relates. It may not be used for any other purpose or in any other proceedings, nor may it be disclosed to any person other than the court, the prosecuting authority and the Disclosure Officer without written consent of the Defendant given through defence solicitors.
3. If the Defendant is called upon to establish a defence, this statement sets out in general terms the nature of the defence case. It is served without prejudice to the Defendant's right to challenge the admissibility of any evidence.

4. Without prejudice to the specific details given herein the Defendant puts the prosecution to proof on all matters of fact on which the prosecution intend to rely.
5. The Defence Statement is served reserving the right to amend following further disclosure by the Crown and/or following any amendments to the Indictment or further particularisation of the allegations.

INDICTMENT

Theft: Not Guilty.

False accounting (x6): Guilty.

DEFENCE

The nature of the defence and any particular defence upon which it is intended to rely is as follows:-

The Defendant denies dishonestly appropriating monies belonging to the Post Office and will assert that the Theft was undertaken by other employees working at the Post Office at the time the monies went missing.

POINTS OF LAW

The following points of law arise: None.

ALIBI EVIDENCE

The particulars of alibi are: Not applicable.

NOTIFICATION OF INTENTION TO CALL DEFENCE WITNESSES

To be advised.

NOTIFICATION OF EXPERTS INSTRUCTED BY THE DEFENCE

Not applicable.

REQUESTS FOR DISCLOSURE

The defence requests disclosure of any prosecution material, which might reasonably be considered capable of undermining the case for the prosecution against the defendant or of assisting the case for the defendant and in particular the following items:

- (a) Previous convictions/cautions/disciplinary matters in relation to any prosecution witness.
- (b) All communications to or from prosecution witnesses in whatever format.
- (c) Draft statements/reports/pocket notebooks/notes where they differ from evidence served.
- (d) Any document, accounting record, memorandum or other material which shows or suggests that there were accounting irregularities at the Post Office between June 2006 and December 2007.

In addition replies are sought to these further questions:

- (a) Has the prosecution been informed of the existence of material deemed too sensitive to be included in such a schedule?
- (b) Is there any third party material that may be relevant to the case (and not already disclosed)? If so, what steps are being taken to obtain it, or copies of it?

I certify that the contents of this document accurately reflect those matters on which I rely in my defence. I dispute the prosecution case and assert my own as stated herein.

Signed:
(Defendant)

GRO

Solicitors for the defendant:
The Castle Partnership

Dated: 20th March 2009