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R. v. SEEMA MISRA - DISCLOSURE

1. This Note revisits the issue of disclosure in the case of R. v. Seema Misra; a topic I last considered on the 22nd January 2014.
2. I have reconsidered my advice of the 22nd January 2014 and the R. v. Misra case papers. I note that the matter is now with the Criminal Convictions Review Commission (CCRC) by application of Mrs Misra and so have also considered the rules of disclosure as they relate to the work of the CCRC. Finally in this respect I note that POL is now the subject of a s.17 of the Criminal Appeal Act 1995 order in respect of Mrs Misra's case.
3. Given these circumstances I advise that all matters relating to issues of disclosure now fall to be determined by the CCRC and not by POL, whether on advice or not and POL must abide by the terms of the s.17 order.
4. Separately, POL holds material about which the CCRC do not have notice of, such as non case-specific Advice documents *etc.* To the extent that any such documents may fall to be disclosed to the CCRC or any other party, reference should be had to my separate advice on the topic.

Simon Clarke
Cartwright King Solicitors

7th December 2015