

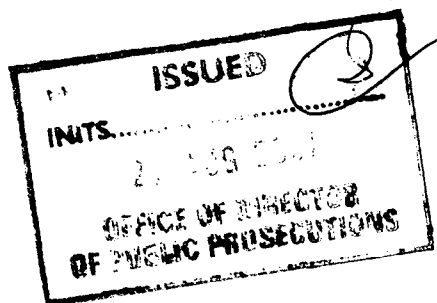
1. INSTRUCTIONS TO COUNSEL

R -v- JAMES MICHAEL MCKEE AND ANDREA LOUISE MCKEE

Counsel is instructed by the Director of Public Prosecutions for Northern Ireland to prosecute this case on behalf of the Crown at the Crown Court.

Counsel is sent the following:-

- A. Indictment
- B. Depositions
- C. Directions
- D. Notes to Counsel - Specific Instructions - Defence statement and associated correspondence
- E. Police Report
- F. Disclosure
- G. Information relating to accused eg Bail Reports, CROs, Complaint File/Confirmation of no complaint/correspondence



**DISCLOSURE UNDER THE CRIMINAL PROCEDURE AND INVESTIGATIONS ACT 1996**

The attention of Counsel is specifically drawn to the duties of the prosecution relating to matters which should be disclosed to the defence and to the current practice of the Director in regard to disclosure as set out in Departmental Instructions.

Counsel's attention is drawn to the disclosure letter sent to the defence following committal.

Counsel's attention is drawn to the marked non-sensitive disclosure schedule.

Counsel's attention is drawn to the material disclosed as per the aforementioned disclosure letter and marked non-sensitive schedule.

Counsel's attention is drawn to the unused evidence and information from the police investigation file not used in evidence or disclosed, as marked **DND** (Do Not Disclose) on the indices from the police file.

Counsel is also asked to advise whether any additional evidence or information contained in the papers or arising in consultation, not already disclosed, falls within the test for primary prosecution disclosure. In the case of sensitive material, if counsel so advises consideration will be given to whether the material should be disclosed or whether it is necessary to place the material before the court in accordance with the Act and Rules of Court.

In the event that a defence statement is served, counsel is asked to advise what, if any, additional material requires to be disclosed to the defence under secondary prosecution disclosure.

**3. PRIMARY PROSECUTION DISCLOSURE FOLLOWING COMMITTAL**

- F (i) Disclosure letter
- F (ii) Marked non-sensitive schedule
- F (iii) Material listed in the letter or marked on the schedule disclosed to the defence

**4. EVIDENCE AND INFORMATION CONTAINED IN THE POLICE INVESTIGATION FILE WHICH HAS NOT BEEN USED AS EVIDENCE OR DISCLOSED TO THE DEFENCE AS PER INDICES MARKED DND**

- F (iv) Marked indices from police file
- F (v) Sensitive Schedule and Disclosure Officer's Report
- F (vi) Material not disclosed