

**SUPREME COURT OF BERMUDA**  
**PRE-TRIAL AND CASE MANAGEMENT HEARINGS**  
**CRIMINAL PROCEDURE RULES 2013**  
**CRIMINAL JURISDICTION AND PROCEDURE ACT 2015**  
**DISCLOSURE AND CRIMINAL REFORM ACT 2015**  
**CRIMINAL CODE ACT 1907**



**PRACTICE DIRECTION **FORM 1**** *(issued by the Registrar 27 January 2017)*  
**PROSECUTION DISCLOSURE NOTICE**  
GUIDANCE NOTES UNDER PRACTICE DIRECTION No. 3 of 2017  
**MUST BE READ THOROUGHLY PRIOR TO COMPLETION OF THIS FORM**

**THE QUEEN** v

Indictment No. \_\_\_\_\_ of 20\_\_\_\_

DATE SENT FROM THE MAGISTRATES' COURT  
TO THE SUPREME COURT:

\_\_\_\_\_ DAY \_\_\_\_\_ OF \_\_\_\_\_ 20\_\_\_\_\_

DATE OF FIRST APPEARANCE  
IN THE SUPREME COURT:

\_\_\_\_\_ DAY \_\_\_\_\_ OF \_\_\_\_\_ 20\_\_\_\_\_

DATE ARRAIGNED (if plea(s) entered):

\_\_\_\_\_ DAY \_\_\_\_\_ OF \_\_\_\_\_ 20\_\_\_\_\_

PROSECUTION COUNSEL:

DEFENCE COUNSEL:

**SECTION 3 DISCLOSURE AND CRIMINAL REFORM ACT 2015**

**USED MATERIAL**

<p><b>1</b> Was the Defence served with a <b>written summary</b> of the Prosecution's case?</p> <p>YES <span style="float: right;">NO</span></p>	<p><b>2</b> Was the Defence served with a copy of the <b>Information</b>?</p> <p>YES <span style="float: right;">NO</span></p>
<p><b>3</b> Was the Defence served with copies of all <b>witness statements</b>?</p> <p>YES <span style="float: right;">NO</span></p>	<p><b>4</b> Was the Defence served with copies of all video and audio <b>recordings of witness interviews</b>?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>
<p><b>5</b> Was the Defence served with all <b>expert reports</b>?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>	<p><b>6</b> Was the Defence served with copies of all maps, charts or other <b>visual aids</b> for trial?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>
<p><b>7</b> Was the Defence served with copies of all recordings of inculpatory or mixed <b>statements of the Accused</b>?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>	<p><b>8</b> Was the Defence served with copies of all <b>transcripts</b> for statements described in <b>7</b>?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>

**WHERE THE REPLY TO ANY OF THE ABOVE QUESTIONS IS 'NO', THE PROSECUTOR MUST APPLY TO THE COURT UNDER SECTION 30 OF THE CRIMINAL JURISDICTION AND PROCEDURE ACT 2015 FOR AN ORDER ALLOWING AN EXTENSION OF TIME.**

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<b>SECTION 4 DISCLOSURE AND CRIMINAL REFORM ACT 2015</b>	
<b>RELEVANT UNUSED MATERIAL</b>	
<p><b>9</b> Was the Defence served with <b>all relevant unused material</b> in possession of the Bermuda Police Service and the Director of Public Prosecution's office?</p> <p>YES <span style="float: right;">NO</span></p>	<p><b>10</b> Does the Prosecutor assert there is <b>no unused material in existence</b>?</p> <p>YES <span style="float: right;">NO</span></p>
<p><b>11</b> Was the Defence served with all written, video and audio recorded <b>witness statements</b> obtained by the Crown?</p> <p>YES <span style="float: right;">NO</span></p>	<p><b>12</b> Was the Defence served with copies of all <b>Accused statements</b> (including exculpatory and no comment)?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>
<p><b>13</b> Was the Defence served with all unused <b>expert reports and related notes</b>?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>	<p><b>14</b> Was the Defence served with all <b>police notes</b>?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>
<p><b>15</b> Was the Defence served with all <b>custody records</b> in in this case or in connection to this case?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>	<p><b>16</b> Was the Defence served with all <b>search reports</b> in this case or in connection to this case?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>
<p><b>17</b> Was the Defence served with all <b>warrants</b> obtained in this case or in connection to this case?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>	<p><b>18</b> Was the Defence served with all <b>underlying warrant documents</b> in this case or in connection to this case?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>
<p><b>19</b> Was the Defence served with copies of any and all existing <b>police disciplinary records</b> for police officers involved or connected to the case?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>	<p><b>20</b> Was the Defence served with copies of any and all existing <b>antecedent records</b> for <b>civilian witnesses</b> involved or connected to the case?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>
<p><b>21</b> Has the Crown been made aware of any history of <b>mental illnesses or psychological disorders</b> in respect of all the Crown witnesses involved or connected to the case?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>	<p><b>21A</b> If YES to <b>21</b>, has the Prosecutor made the Defence aware of any such known history of <b>mental illnesses or psychological disorders</b>?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>
<p><b>22</b> Did the Prosecution contact the Defence to <b>explain the non-disclosure</b> of any outstanding items and <b>state a timeframe</b> within which disclosure would be made?</p> <p style="text-align: center;">YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>	
<b>NOTICE OF PUBLIC INTEREST APPLICATION</b>	
<p><b>23</b> Has the Prosecutor filed a Public Interest application under section 8 of DCRA?</p> <p>YES <span style="float: right;">N/A</span></p>	<p><b>23A</b> If YES to <b>23</b>, has the Prosecutor given notice of the application to the Defence?</p> <p>YES <span style="float: right;">N/A</span></p>
<p><b>24</b> Does the Prosecutor intend to file a Public Interest application under section 8 of DCRA?</p> <p>YES <span style="float: right;">N/A</span></p>	<p><b>24A</b> If YES to <b>24</b>, what is the nature of the undisclosed evidence?</p>



**NOTICE OF JOINDER OF CHARGES APPLICATION**

<p><b>30</b> Does the Prosecutor intend to make an application to join the charges on this Indictment to any other charges already before the Court (or not yet before the Court?)</p> <p>YES <span style="float: right;">NO</span></p>	<p><b>31</b> If YES to <b>30</b>, has the Prosecutor made the Defence aware of the intended joinder application?</p> <p>YES <span style="float: right;">N/A</span> <span style="float: right;">NO</span></p>
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**32**  
If YES to **30**, state the names of any other persons (and case numbers where applicable) who would be joined as Defendants to this Indictment if the joinder application is granted:

N/A

**33**  
If YES to **30**, state the names of any witnesses whose evidence will be relied on to support the joinder application:

N/A

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**THIS FORM MUST BE FILED AND SERVED NO LATER THAN WITHIN 70 DAYS OF THE DATE ON WHICH THE ACCUSED WAS SENT BY THE MAGISTRATES' COURT.**

PROSECUTOR'S CALCULATION OF 70 DAYS FROM DATE ACCUSED SENT FROM MAGISTRATES' COURT:

\_\_\_\_\_ DAY \_\_\_\_\_ OF \_\_\_\_\_ 20\_\_\_\_\_

**PROSECUTOR'S NAME PRINTED:**

**PROSECUTOR'S SIGNATURE:**

REGISTRY DATE FILING STAMP SHOULD BE PLACED HERE: