

Crown Court Digital Case System: changes to disclosure



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From Monday 16 November 2020, the Crown Court Digital Case System (DCS) will introduce new functionality that permits the Crown Prosecution Service, and in future other prosecutors, to upload unused disclosed material to two new sections within DCS.

The two new sections will be located between section J (exhibits) and K (transcripts) and are as follows:

unused material – disclosed – notices and schedules – this will contain the disclosure notice, unused material disclosure schedule and disclosure management documents. The documents in this section will be visible to all users within the roles allowed on the sections, so will be visible to judges

unused material – disclosed – this will contain the unused material disclosure schedule and any material being disclosed. The documents in this section will not be visible to judges but will be visible to the prosecution and defence. In multi-defendant cases the section will be partitioned like other sections and defence access will be granted by the uploading party (which in this section will exclusively be the prosecution)

Only the prosecutor will be able to upload material to these sections and an email notification will be sent informing the parties what material has been uploaded.

Please note that judges will not have access to the section containing the disclosed material. This is necessary for data protection reasons, and because, under the Criminal Procedure and Investigations Act, it is not the job of the judge to review that material. If you wish to show an item to a judge

that requires access to material contained within the restricted section, you can download the document from the disclosure section and upload it to the 'trial documents' section.

The standard file structure will be amended to reflect the unused disclosed material sections on DCS. Both internal and external guidance pages will also be updated with the new version.

Where information to be disclosed is highly sensitive the prosecutor may choose to make the disclosure in another way.

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