



**Media statement on behalf of Solicitor-General**

**REDACTED REPORT BY NICOLETTE LEVY KC RELEASED**

**EMBARGOED TO 6 AM FRIDAY MAY 26 2023**

The Solicitor-General, Una Jagose KC, has released parts of the report she commissioned concerning the miscarriage of justice relating to Mr Alan Hall, to answer questions about Crown Law's actions.

Nicolette Levy KC was instructed last year by the Solicitor-General to inquire into the role of any Crown lawyers from 1985 to June 2022 (the date the Supreme Court quashed Mr Hall's convictions) in Mr Hall's case. In December last year Ms Jagose referred aspects of Ms Levy's report to the Police for their consideration.

Ms Levy's report was not publicly released at that time. Today the Solicitor-General is releasing a redacted copy, following further review of the contents. The Solicitor-General says:

*"It is important the public has a good understanding of the matters that Crown lawyers, over the years, could influence in this case or where they played a role. I decided last year that there were aspects of Ms Levy's report that Police should consider. To avoid jeopardising any Police processes, we have redacted some parts of the Levy report."*

Despite the redactions the Solicitor-General says it provides important information:

*"The parts of the report we published today set out the background to the case, the main evidence at trial, and the key legal steps taken by the Hall family over the years to challenge the convictions. Importantly, in terms of our own accountability, it addresses the question of whether Crown Law had information earlier than 2022 that it should have acted on. Ms Levy KC has found that lawyers at Crown Law did not fail in their responsibilities when they received information about this case between 2018 and 2020."*

The Levy report finds that by the time Crown Law received detailed information about the alleged miscarriage from journalist Mike Wesley-Smith in 2018, lawyers at Crown Law knew Mr Hall was represented by a lawyer and that he was looking to file another appeal.

*"The Levy report considers Crown Law's legal role, the way we manage media requests, and the fact that we did not have an appeal to respond to or a file for the Hall case at that time. Given this, and the history of the case – Mr Hall had already been to the Court of Appeal, and had been unsuccessful in three applications for the Royal Prerogative of Mercy – Ms Levy does not consider Crown Law was in a position at that point to have seen the miscarriage or taken other action."*

The establishment of the Criminal Cases Review Commission in 2020 provides a dedicated and accessible channel for applicants who are concerned a miscarriage of justice has occurred. Crown Law, by contrast, represents the Solicitor-General on criminal appeals, and has no investigative role in the criminal justice system. Despite that, Ms Jagose also agrees with the report's observation that, if the facts had been different, there may well be a responsibility on Crown lawyers to grapple with the legal implications of material received from a journalist or received outside official Court processes.

*“Crown lawyers, working in the civil or criminal area, must be officers of justice as well as officers of the Court. When they recognise a problem they need the authority and the support to be able to raise it and act on it. Ms Levy’s report is an important reminder of that well-accepted principle. I will continue to reinforce the principle to Crown lawyers, so that we can take a pro-active approach where that is appropriate.”*

End.