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**THE ROLE OF THE PROSECUTION IN EVIDENCE
DISCLOSURE: AN ANALYSIS OF THE ROLE OF THE
PROSECUTION IN EVIDENCE DISCLOSURE AND ITS
IMPLICATIONS FOR THE JUSTICE SYSTEM**

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ABSTRACT

A just justice system operates through disclosure of information to allow scrutiny and prosecution and defense teams disclosure of all the necessary information as to produce fair court trials. Due to this, the sort and extent of the evaluation of evidence disclosure practices by prosecutors occur concurrently with an assessment of their legal and ethical obligations, and reasonably anticipated repercussions of non-disclosure. This analysis uses Brady v. Maryland (1963) as well as other essential case law. This study explores Brady v. In Maryland (1963) the author undertakes both legal and scholarly research to establish that timely and relevant evidence disclosure serves to uphold the rights of the defense while at the same time maintaining the bond between society and justice. In this article, problems of disclosure associated with ineffective evaluation of candidates for prosecutors are studied simultaneously with the analysis of the challenges arising from the management of digital evidence. These approaches show up the differences in organizational structures between Civil law systems and Common law systems whereby this empirical research also bring out the methodologies of prosecutorial systems. Reform specifications synthesize common reporting specifications with better proof handling techniques and advanced prosecutor education specifications, with independent review apparatuses to monitor compliance. Disclosure practices of scientific evidence remain a work in progress to achieve and maintain justified proceedings with justice safeguarded without undermining the criminal justice system which is presupposed from this study. The reform process for addressing the present days prosecutorial issues should embody judicial justice and legal convictions.

Keywords: Prosecution, Evidence Disclosure, Justice System

Introduction

The role of judiciary system is too close to moderation between enforcement of law and rights of citizens which are equal for everyone and needs to be preserved in any criminal trial. Although the prosecution works as the part of the state that aims at achieving justice, its major role still serves as the core of the criminal justice system. That is



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because prosecutors defend the interests of society, offering proof of defendants' unlawful behaviours. But the conception of their mission does not end with conviction; they have many important functions that are critical to the functioning of the system. The fairness of the trial process is agreement of the prosecution with ethical standards especially the requirement of disclosure. It is comprehensive disclosure of the evidence in the course of trial as it requires the prosecutor and the defender to share with each other factors that can convincingly sway the decision in a given case. To ensure they meet the general duties of ethical deeds, the prosecutors have a mandate to disclose any material facts that are in support of both the prosecution's case as well as things that are in support of the defendant, and anything that would negate the position of the prosecution (Bibas, 2004 Kearney & McGowan, 2017).

However, evidence disclosure is always a problem when prosecutors conceal exculpatory evidence purposefully or right unknowingly. As noted by Heller (2015), failure to disclose such evidence results to wrongful convictions hence having negative implications to those affected, the legal system and justice as a whole. Considering that evidence is a weapon that is all the more in the hands of prosecutors, their main objective should always be to serve justice, and not to gains a win in the trial. The need for a conviction compromises the values of prosecution since the withholding of exculpatory evidence misproposes with the defendant's constitutional equitable right to the justice process (McCoy, 2015).

This study analyses the legal obligations and the ethical perspective of the prosecution's role in providing discoverable information. It focuses on three main objectives: First, the study looked at various analyses regarding the practices of prosecutors in disclosing evidence, second, an assessment of how the judiciary handles evidence that has been disclosed and finally, the comparison of the existing norms that guides the disclosure of evidence. These areas are reviewed to determine ways in which openness can be improved in criminal proceedings without compromising fairness (Kearney & McGowan, 2017).

Various studies show that the disclosure of evidence discloses more than transparency; it is required for the preservation of the justice system. In this way prosecutors respect the rights of defendants and give the judges all the necessary set of facts. On the other hand, when a prosecutor does not disclose such information, it has adverse effects such as producing wrongful convictions and undermining the trust in the justice system (Smith, 2019). The conclusion derived from the analysis is that if systematic changes must be made to mitigate the current problems with how prosecutors manage disclosure of evidence, Prejudice in legal system, and strengthen the case for the accused.

This study examines the practices relating to presentation of evidence by the prosecutors in criminal law with special reference to Brady v. Maryland (1963) decision and other relevant precedents (Heller, 2015). This paper considers other legal frameworks that govern the disclosure of evidence and its management of evidence, with reference to the efficiency of the prosecutorial responsibilities as seeks to propose them as per McCoy (2021). Thus, the research that compares the criminal trial transparency and fairness ultimately seeks for finding the solutions which would add to the current discussion on the necessary legal reforms to safeguard justice Bibas, (2004), Kearney & McGowan, (2017).



Literature Review

In this regard, there are substantial changes in the evidence disclosure practice over time. However, in other early common law systems that existed, there were few procedures that governed the flow of evidence between the party propelled by the state or king and the opposite party. At that time the prosecution was under no legal requirement to provide information that could aid the defendant. This kind of approach was adopted because of the adversarial operation of the court system in which two parties to a suit presented their respective cases without assistance from the court (Packer, 1968).

But, change was gradually observed in the justice system and especially in the 20th century when the justice system aimed at identifying and avoiding bias in the criminal trials. The Brady v. confused lawyering of dython scenario signaled that change was inevitable. Malloy v. Board of Education (1964), and the later Gideon v. Wainwright (1963) decision which shifted the responsibilities of the prosecution. The ruling demanded that the prosecution shared favorable information with the defense, which altered the duties of the prosecutors when dealing with the evidence. This ruling was christened as the Brady Rule and sought to define justice not only as a process that seeks to convict the guilty but also as a process that must ensure that the accused receives all evidence that may be useful in defending him/her against the charges laid down against her/him (Kearney & McGowan, 2017; Bibas, 2004).

The continued development of statutes and procedural rules beginning with the Jencks Act (1957) has established organized guidelines for what materials prosecutors must share with defense attorneys. The legal system is moving toward increased trial transparency as part of its goal to achieve greater fairness and justice. Evidence disclosure laws face ongoing operational challenges even though they have experienced recent improvements.

Both law and ethics require prosecution disclosure of evidence which functions to protect trial fairness. The Brady v. The 1963 Maryland decision by the court stands as the foundation for prosecutorial evidence disclosure duties when it requires prosecutors to share favorable evidence material to a defendant's defense and their case's foundation (Heller, 2015). The decision serves as the basis to understand how the prosecution must notify defense teams about information which disproves defendant guilt. The running legal foundation assures both equality and openness through an adversarial trial because both parties obtain equal access to essential evidence and important information (Smith, 2019).

In addition to securing convictions prosecutors possess an ethical obligation to establish justice (Bowers, 2010). Everyone involved in the briefing should receive every vital piece of evidence regardless of their impact on the prosecution's case. The ethical standard of transparency paired with accountability exists in prosecution while the failure to disclose evidence leads to wrongful convictions and legal miscarriages and decreases community trust in the justice system (McCoy, 2015). When appointed to serve by the American Bar Association's Model Rules of Professional Conduct (2018) prosecutors must perform with the goal of justice first and penal convictions second.

The omission of evidence creates severe consequences for the justice system mainly because it undermines trial equity. The denial of access to evidence disrupts both the defendant's chance to defend themselves adequately and distorts the jury's capacity to render knowledgeable verdicts (Hagan & Palloni, 1990). Kearney and McGowan (2017) highlight that evidence concealment from courts raises both misleading conviction rates and attacks the core fairness of justice platforms.



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Public trust within the judicial system hinges specifically on how well evidence gets disclosed. Selective evidence withholding by prosecutors damages both the fairness of ongoing trials and creates doubts regarding legal system integrity (Smith, 2019). The trust that citizens place in the justice system takes a long time to recover when public confidence is betrayed which reduces overall system legitimacy.

The disclosure of evidence maintains essential connections with concrete rights available to defendants in the criminal justice system. Under the Sixth Amendment someone accused of a crime possesses the constitutional right to fair trial proceedings including relevant evidence needed for defense purposes. A defendant's constitutional right will remain denied when prosecutors fail to produce evidentiary material which would support defense efforts thus fostering the risk of mistakes in court verdicts (Fradella & McCoy, 2010). According to McCoy (2021) evidence disclosure serves as a primary safeguard to protect the accused from conviction abuses during trial.

The current legal system requires evidence disclosure yet multiple implementation obstacles stand in the way of fair and complete execution. Selective disclosure represents a crucial problem in modern criminal justice systems because it involves prosecutors sharing limited evidence with defense teams while keeping beneficial information hidden. When prosecutors conceal useful evidence to achieve convictions they compromise the trial's fairness while ultimately damaging its credibility according to Dwyer (2018). Heller (2015) explains throughout his study that evidence disclosure misconduct done by prosecutors leads to both serious legal system credibility issues and major risks to defendants as explained by him.

Failure to disclose evidence can result from either a mistake or neglect of legal obligations. The disclosure process can fail due to prosecutorial uncertainty regarding evidence significance in situations where case evidence or legal standards show advanced development (Bowers, 2010). Modern digital evidence growth combined with budget restrictions sometimes leads to undocumented disclosures of necessary case materials according to McCoy (2015).

The way evidence disclosure systems operate demonstrates substantial variety between various legal frameworks. The evidence disclosure framework in common law jurisdictions, specifically the United States and United Kingdom operates through prior rulings established by judges alongside mandates of the Criminal Procedure and Investigations Act 1996 (UK) and *Brady v. Maryland* (1963). The Criminal Procedure and Investigations Act 1996 (UK) functions together with *Brady v. Maryland* (1963) under *Maryland* (1963) disclosure rules. These systems put major emphasis on criminal trials showing an adversarial framework because the prosecution and defense need to provide full evidence disclosures to their opposition. Data from Dervan & Edkins (2013) shows that criminal disclosure systems exhibit notable differences between jurisdictions with respect to both the timing of provided materials and the quantity of information released to parties.

Judges in civil law systems that adopt German and French procedural models lead active functions to get evidence while making certain each party obtains necessary material. According to Van Duizend (2016) civil law systems enforce strict disclosure criteria through judicial monitoring that maintains fairness in the process. Within civil law systems the disclosure processes typically deliver more effective and time-sensitive disclosure than common law jurisdictions which depend significantly on compliance from both defense and prosecution.



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Methodology

Research Design: Qualitative Analysis

The research adopts a qualitative method to study evidence disclosure through legal documents and case law and scholarly articles. This research analyzes evidential responsibilities and their effect on justice using both law texts and court decisions together with academic papers (Smith, 2019).

Data Collection

The research data is obtained through judicial opinions along with statutory laws and legal practice examinations. Landmark cases like *Brady v. The analysis of Maryland* (1963) helps explain judicial influences on prosecutorial evidence disclosure requirements (Heller 2015). This research examines both prosecutorial disclosure requirements set by statutes including the Jencks Act along with other relevant regulations (Kearney & McGowan, 2017).

Approach: Comparative Legal Analysis

Through comparative legal research the study analyzes evidence disclosure practices between common law jurisdiction and civil law jurisdictions. The analysis will reveal prosecutorial responsibilities as well as legal systems in order to identify best practices for better evidence presentation (Dervan & Edkins, 2013; Van Duizend, 2016).

Results

According to the available literature the prosecution must uphold its important responsibility to disclose all relevant evidence to defense counsel to include materials supporting or disproving the defendant's innocence. The requirement stands as essential for guaranteeing justice alongside fair trials (Smith, 2019). The impact of evidence disclosure is profound: Metric disclosure ordered properly safeguards accused rights while producing accurate judicial results. Lapses in evidence disclosure through incomplete information or delayed distribution to defense attorneys creates an unfair judicial process leading to invalid convictions (Kearney & McGowan, 2017).

The literature places several key issues around evidence disclosure. The main problem is staying on the razor's edge — the line between balancing prosecutorial duty and the rights of the defense. That is also when prosecutors are both seeking a conviction but also seeking justice, therefore creating conflicts of interest. For example, there are select disclosures, when prosecution will disclose evidence in favor of its case only, rather than presenting all the relevant evidence, making the trial unfair (McCoy, 2015). Additionally, prosecutorial misconduct, for example, by withholding evidence, is a persistent concern that could lead to miscarriages of justice (Heller, 2015).

The comparative analysis uncovers substantial variations in the way jurisdictions prosecute. In common law systems (e.g. the US and UK), the prosecution has a strong legal obligation to provide evidence (or, as modern law is sometimes expressed, to be in *Brady*) as decided in *Brady v. Maryland* (1963) and statutory provisions (Dervan & Edkins, 2013). But not all jurisdictions take the rules so strictly, and some see more frequent violations. In civil law systems (e.g. France and Germany), however, judges play a more inquisitorial role, assuming a greater role in ensuring the fairness of evidence disclosure than the prosecutorial discretion is, at the expense of judicial impartiality (van Duizend, 2016).



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Discussion

Research shows that evidence disclosure protects the fairness of the legal process. By not sharing evidence that proves innocence or by sending partial results slowly the prosecution reduces an accused person's rights and ruins the true conclusion of the trial. Brady v shows in court cases what happens when prosecutors withhold evidence from the defense. According to Kearney and McGowan (2017) wrongful convictions can happen when prosecutors fail to share evidence in the Maryland v. Brady (1963) case. When information is shared correctly both parties can show their facts and the justice system works better for everyone involved.

Prosecutorial actions to selectively share only helpful evidence continue to be a frequent source of errors in the justice system. Through this specific evidence selection method prosecutors disregard the requirement to share all relevant information including defense unfavorable evidence (McCoy, 2015). Prosecutorial misconduct by hiding evidence increases defense readiness problems and hurts the fairness of court proceedings according to Heller 2015.

In criminal court every party needs to follow evidence disclosure rules to keep the trial balanced. When the prosecution and defense see all evidence at the same time it allows them to balance their positions in the court system. A lack of correct evidence sharing breaks down court protection when defense lawyers need essential details to fight the charges. When prosecutors fail to share evidence they produce it can result in innocent people being sentenced to prison because of Brady v. Maryland (2013). A man became innocent in Maryland once prosecutors withheld evidence but failed to prove his guilt (Dervan & Edkins, 2013). The failure by authorities to properly share evidence shows why strict rules about disclosing information must stay in place to protect the accused.

Digitization affects how evidence needs to be shared and changes available digital discovery solutions. Digital files such as emails digital records and social media updates have made evidence disclosure harder to handle. Digital case processing tools support law enforcement professionals by handling large electronic proof sets and making them available to prosecutors in modern court proceedings. Many e-discovery systems create problems with digital data protection while making sure prosecutors can manage their tasks effectively (Van Duizend, 2016). Digital evidence cannot be disclosed on time when technical barriers such as stored data encryption or cloud storage systems create problems.

As technology continues to reshape how evidence is handled, prosecutors and defense attorneys must adapt to ensure that the principles of transparency and fairness remain intact in the digital age.

Proposals for Reform

To address the challenges of evidence disclosure, several reforms are recommended:

Standardized Procedures: Every area of law needs to use the same system for sharing evidence records. Party organizations nationwide must adopt standard practices that help prosecutors deliver full and orderly evidence on time according to Smith (2019).

Enhanced Training: Prosecutors need ongoing training to explain their ethical requirements for showing all evidence to defense lawyers. When prosecutors receive better training about their evidence disclosure obligations they are less likely to miss them unintentionally and perform misconduct according to Heller (2015).

Independent Oversight: An independent group of monitors needs to be established for evidence disclosure law compliance of prosecutors. External oversight organizations



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conduct inspections of the office to ensure prosecutors maintain evidence disclosure law compliance when examining cases.

Leveraging Technology: The system of established digital data guidelines helps both protect information integrity and improve digital evidence handling for prosecutors. Scientists who preserve digital evidence in its original state create public confidence in our justice system according to Van Duizend (2016).

Conclusion

Success of the justice system depends on prosecutions because they create access to evidence for everyone involved. According to legal standards prosecutors must share each piece of evidence they discover including defense-supporting evidence to maintain fair criminal trials. Prosecutorial compliance with their disclosure obligations contributes to justice system trust as well as preserves accurate defendant hearings that prevent wrongful conviction outcomes (Smith, 2019). Recent scholarship by Heller (2015) and McCoy (2015) has identified two major problems in evidence handling: the excessive power of prosecutors to determine how much data to provide to defendants and their difficulty in managing digital evidence effectively.

To achieve effective justice system operations the development of dependable evidence sharing approaches holds essential importance. To sustain public trust in justice processes legal frameworks need implementation alongside evidence disclosure regulations and prosecutor duties training systems and professional training. Higher-level digital evidence technologies boost evidence management systems by cutting human-generated mistakes and producing improved accuracy during processing (Van Duizend, 2016). The improvements will serve to defend innocent people and build public trust in our justice system (Kearney & McGowan, 2017).

For justice to maintain its integrity people need to distribute evidence with complete accuracy. While the landmark case *Brady v. Further improvement in evidence disclosure practices is needed despite the monumental advances achieved in Maryland (1963)*. Time demands the advancement of disclosure rules since legal systems develop alongside technology's advancements. The enforcement of fair justice demands that prosecutors maintain consistent adherence to their evidence sharing responsibilities under legal principles and ethical guidelines. To protect fair trials and transparent justice future initiatives must include collective work from lawyers alongside policymakers and legal experts.

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