

SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

The Director of Public Prosecutions policy and guidelines

- **do ensure (that is, do require) adequate consultation with victims;**
- **do ensure (that is, do require) that the charges and agreed facts reflect the criminality of relevant offences;**
- **do not and should not allot any role to the sentencing judge in the charge bargaining process.**

RECOMMENDATIONS

- **The terms “charge bargaining” and “charge bargain” should be abandoned and the terms “charge negotiation” and “charge agreement” adopted instead.**

- **Policy 6 should be amended to constitute a complete and self-sufficient prescription for the prosecutor's conduct of charge negotiations.**
- **The need for prosecutors to observe the directions in Guideline 24 should be emphasised by a Director's memorandum.**
- **Guideline 28 should be amended to improve the flow of information to witnesses and victims of crime and to require appropriate consultation with victims.**
- **The relevant regulations of the Supreme, District and Local Courts should be amended to permit victims of crime to have access to and take copies without fee of judgments and written evidence in those cases in which they are concerned as victims.**