

**DRAFT PREPARED BY THE SECRETARIATS OF THE
INTERNATIONAL ASSOCIATION OF PROSECUTORS AND THE
COALITION FOR THE INTERNATIONAL CRIMINAL COURT:**

FOR CONSULTATION AND PEER REVIEW

**THE CODE OF PROFESSIONAL CONDUCT FOR
PROSECUTORS OF THE
INTERNATIONAL CRIMINAL COURT**

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Draft Code of Conduct for Prosecutors at the International Criminal Court

1. Preamble

Recognizing the provisions of the Rome Statute of the International Criminal Court, and in particular Articles 15, 42 - 49 and 54, of which relate to the Prosecutor and Deputy Prosecutors at the International Criminal Court and the Office of the Prosecutor,

Mindful that the Court seeks justice for millions of children, women and men that have been victims of unimaginable atrocities this century that deeply shock the conscience of humanity, and threaten the inherent dignity of the human person,¹

Recalling that the *Universal Declaration of Human Rights* enshrines the principles of equality before the law, the presumption of innocence and right to a fair trial and a public hearing by a competent, independent and impartial tribunal,²

Affirming the Purposes and Principles of the *Charter of the United Nations*, and its determination to establish conditions under which justice can be maintained, and proclaim as one of its purposes the achievement of international co-operation in promoting and encouraging respect for human rights and fundamental freedoms without any discrimination,³

Conscious that adequate protection of human rights and fundamental freedoms to which all persons are entitled requires adherence by the OTP to a high standard of ethics and procedure to which no exceptions can be made,

Emphasizing that States Parties have pledged themselves to achieve, in cooperation with the Court, the promotion of universal respect for and observance of human rights and fundamental freedoms through a fair, impartial, independent, criminal court, with jurisdiction over the most serious crimes of concern to the international community as a whole,⁴

Mindful that all duties of the OTP should be inspired by those principles, and efforts undertaken to translate them fully into reality,⁵

Acknowledging that prosecutors play a crucial role in the administration of justice, and the rules concerning the performance of their important responsibilities should promote their respect for and compliance with the above-mentioned principles, thus contributing to fair and equitable criminal justice and the effective protection of citizens against crime,⁶

Considering the points of reference for the conduct of prosecutions nationally and internationally provided by the *Guidelines on the Role of Prosecutors*, adopted by the 8th United Nations Congress on the Prevention of Crime and the Treatment of Offenders and welcomed by the

¹ See *Rome Statute*, preamble

² See *Guidelines on the Role of Prosecutors*, Preamble

³ See *Id.*

⁴ See *Basic Principles on the Role of Lawyers*, Preamble; See also *Rome Statute*, preamble; *ICTY Standards of Professional Conduct for Prosecution Counsel*, Preamble

⁵ See *Guidelines on the Role of Prosecutors*, Preamble

⁶ See *Id.*

General Assembly in its resolution 45/166 of 18 December 1990; the *Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors* published by the International Association of Prosecutors (IAP) on 23 April 1999 and in particular Articles 1 – 4 of those Standards; and Recommendation Rec (2000) 19 of the Committee of Ministers of the Council of Europe on the Role of Public Prosecution in the Criminal Justice System; and the *Standards of Professional Conduct for Prosecution Counsel*, issued by the Registrar at the International Criminal Tribunal for the former Yugoslavia,⁷

Conscious of the need for the public to have confidence in the integrity of the Court and, in particular, the OTP,

Affirming that prosecutors, whose duties and responsibilities differ from and are broader than those of defence representatives, have a crucial role to play in the administration of justice and in the operation of the Court, are officers of the Court and are subject to its Statute and its Rules of Procedure and Evidence,⁸

Determining the need for counsel within the Office of the Prosecutor, or engaged by the OTP on an individual case basis, to have a set of clear and widely accepted guidelines on professional and ethical matters,⁹

The Presidency, in consultation with the Office of the Prosecutor, promulgates this Code of Professional Conduct for Prosecutors, as called for in article 44 of the Rome Statute and rule 9 of the Rules of Procedure and Evidence, as a common standard of achievement, to the end that the Prosecutor and Deputy Prosecutors, keeping this Declaration constantly in mind, shall uphold the following principles to seek to secure their effective recognition by the Member States and the peoples of territories under their jurisdiction.¹⁰

2. Preliminary

Article 1.

The General Duty of the Prosecutor and Deputy Prosecutors

This Code is made in the belief that prosecutors shall at all times, concerning all aspects of their work, including decisions whether to prosecute or withdraw charges, bring appeals, choose a charge, and conduct themselves in Court,¹¹

1. Respect the honour and dignity of their profession, maintain the highest professional standards and act honestly, fairly, skilfully, and diligently;
2. Themselves be of high moral character and be legally qualified and trained to carry out the work of prosecutors;
3. Uphold the rule of law, and the integrity of the international criminal justice system;¹²

⁷ See Barry Hancock, IAP, *Prosecutor Draft Code*

⁸ See *Id.*; See also Rome Statute article 51

⁹ See *Id.*

¹⁰ See *Guidelines on the Role of Prosecutors*, Preamble

¹¹ See Barry Hancock, IAP, *Prosecutor Draft Code*

4. Remain unaffected by individual or sectional interests and public or media pressures, and serve and protect the general public interest;¹³
5. Respect the fundamental rights of suspects and the right of accused persons to a fair trial;
6. Respect the rights, interests, and privacy of victims and witnesses;
7. Respect, protect and uphold the universal concepts of human dignity and human rights and, in particular, avoid political, social, religious, racial, cultural, sexual or any other kind of improper discrimination;¹⁴
8. Never seek or act on instructions from any external source;¹⁵
9. Be, and appear to be, consistent, objective, impartial and independent, and avoid all conflicts of interest which might undermine the independence of the Prosecutor or Deputy Prosecutors.¹⁶

Article 2. Definitions

1. In this Code, unless a different interpretation is required by the provisions of the Code or the context in which they appear, the following definitions apply:¹⁷
 - a. 'accused'
 - i. a person against whom a warrant of arrest or a summons to appear has been issued in accordance with Article 58 of the Statute.
 - b. 'Code'
 - i. the Code of Professional Conduct for Prosecutors.
 - c. 'Counsel'
 - i. defence counsel and the legal representatives of victims.
 - d. 'Court'
 - i. the International Criminal Court since 1998, established by the Rome Statute of the International Criminal Court, adopted at the United Nations Conference of Plenipotentiaries on the Establishment of an International Criminal Court.
 - e. 'Directive'
 - i. Directive on the Assignment of Defence Counsel
 - f. 'OTP'
 - i. the Office of the Prosecutor.
 - g. 'Presidency'

¹² See *Statement of General Guidelines for Prosecutors* at 7

¹³ *Id.*

¹⁴ *Id.*

¹⁵ See Statute article 42

¹⁶ See *Statement of General Guidelines for Prosecutors* at 7; See also *ABA Standards Relating to the Administration of Criminal Justice* 3-1.2; *ICTY Standards of Professional Conduct for Prosecution Counsel*, 2(c)

¹⁷ IBA draft, *The Code of Professional Conduct for Counsel Appearing Before the International Criminal Court*

- i. the organ of the Court composed of the President and the First and Second Vice-Presidents of the Court.
 - h. ‘Prosecutors’
 - i. the Prosecutor and Deputy Prosecutors of the Court appointed pursuant to Article 42 of the Rome Statute.
 - i. The Registrar
 - i. the Registrar elected pursuant to Article 43 of the Statute.
 - j. ‘Rules’
 - i. the Rules of Procedure and Evidence of the Court adopted on [], as amended.
 - k. ‘Statute’
 - i. the Rome Statute of the International Criminal Court adopted on 17 July 1998 in Rome, Italy, at the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court.
2. In the event of any inconsistency between this Code and the Directive or the Rules, the provisions of the Directive or Rules, as the case may be, prevail.¹⁸
 3. Any term not defined in this Code has the same meaning given to it by the Statute or by the Rules.¹⁹
 4. While the OTP is bound by this Code, it is not and should not be read as if it were a complete or detailed code of conduct for the Prosecutor. Additional standards and requirements may be imposed on the conduct of the Prosecutor by virtue of the Court’s inherent jurisdiction.²⁰
 5. This Code must be read and applied so as to attain most effectively the objects and uphold the values expressed in the Preamble and Article 1.²¹
 6. General provisions of this Code should not be read or applied in a restrictive way by reason of any particular or illustrative provisions.²²
 7. The singular includes the plural and vice versa.²³

Article 3. Competence and Diligence

Persons selected as prosecutors shall :²⁴

¹⁸ *See Id.*

¹⁹ *See Id.*

²⁰ *See Id.*

²¹ *See Id.*

²² *See Id.*

²³ *See Id.*

²⁴ *See Id.*

1. Be individuals of integrity and ability, with appropriate legal training and qualifications;²⁵
2. Be safeguarded against appointments based on partiality or prejudice, excluding any discrimination against a person on the grounds of race, colour, sex, language, religion, political or other opinion, national, social or ethnic origin, property, birth, economic or other status;²⁶
3. Have appropriate education and be made aware of the ideals and ethical duties of their office, of the protections for the rights of the suspect and the victim, and of human rights and fundamental freedoms recognized by international law;
4. Ensure the confidentiality, and security for victims and witnesses, of all documents in or passing through the possession of any staff member of the Office of the Prosecutor;²⁷
5. Respect the roles of the other organs of the Court, and not interfere with their functionings;
6. Not stray from the requirements of a proper investigation and procedure for seeking authorization thereof according to the Rules, and respond to requests on an expedited basis;²⁸
7. Adhere to the working languages of the Court, and be fluent in at least one of these working languages.²⁹

Article 4. Cooperation

In order to ensure the fairness, consistency and effectiveness of prosecutions, Prosecutors must make reasonable efforts to :³⁰

1. Consult regularly and co-ordinate with other OTP staff and co-operate with colleagues in other sections of the Court;
2. Know, understand and follow OTP policies, guidelines and procedures;³¹
3. Cooperate with the relevant law enforcement agencies, courts, legal profession and government agencies, whether nationally or internationally;
4. Render assistance to colleagues in other jurisdictions, in accordance with the law and with a spirit of mutual cooperation.

²⁵ See *Guidelines on the Role of Prosecutors*, Preamble

²⁶ See *Id.*

²⁷ See also RPE 43; *Rome Statute* article 44

²⁸ RPE 48-50, 52-62

²⁹ RPE 41-42

³⁰ See Barry Hancock, IAP, *Prosecutor Draft Code*

³¹ ICTY Standards of Professional Conduct for Prosecution Counsel 2(n)

**Article 5.
Entry into Force**

This Code enters into force on [] 200[].

**Article 6.
Solemn Undertaking**

The Prosecutor and every staff member in the OTP must pledge to perform their duties with impartiality and respect for confidentiality.³²

3. The Administration of the Court

**Article 7.
Role of Prosecutors in the Court**

Prosecutors shall :³³

1. Recall that the OTP is an independent organ within the Court, and avoid any activities that call into question, or are likely to affect, confidence in their independence by, inter alia, engaging in activities that are or seem to be incompatible with their prosecutorial functions, including having an external occupation or employment;
2. Ensure to the best of their abilities that a just verdict is reached at the end of the trial process and not strive for a conviction at all costs;³⁴
3. Always observe the rules of the Court and respect its impartiality;
4. Assist the Court to arrive at the truth and to do justice for the international community, the victims and the accused;
5. Never knowingly make a false or misleading statement of material fact to the Court or offer evidence which he or she knows to be incorrect;³⁵
6. Where such a false or misleading statement is made, take all necessary steps to correct it as soon as possible after the error has been discovered;
7. Call all credible, relevant and admissible evidence unless:³⁶
 - a. The defence consents to the evidence not being adduced;

³² RPE 5-6; *Rome Statute* article 45

³³ See Barry Hancock, IAP, *Prosecutor Draft Code*; See also *Rome Statute* article 42

³⁴ See *Statement of General Guidelines for Prosecutors* at 21

³⁵ See Code of Conduct for Lawyers in the European Community, adopted 28 October 1988 in Strasbourg, Rule 4.4; *ICTY Standards of Professional Conduct for Prosecution Counsel* 2(e)

³⁶ *Id.*

- b. A matter has been established by calling other evidence and there is no prejudice to the accused in not calling a particular witness;
 - c. A witness is unavailable.
8. Take all necessary steps to ensure that his or her actions do not bring proceedings before the Court into disrepute;
9. Avoid communicating with a Judge or Chamber of the Court about the merits of a particular case, except within the proper context of the proceedings;
10. Respect all decisions made by a Judge or Chamber of the Court.

Article 8. Investigation and Prosecution

Prosecutors shall .³⁷

1. Take appropriate measures to ensure the effective investigation of crimes within the jurisdiction of the Court, and in doing so, respect the rights, interests and personal circumstances of victims and witnesses, including age, gender and health, and take into account the nature of the crime, in particular where it involves sexual violence or violence against children;
2. Carry out their duties with due competence and diligence and ensure that investigators respect legal precepts and fundamental human rights;
3. Deal expeditiously with all matters, including issues of pre-trial detention;
4. Conduct his or her investigations with the goal of establishing truth, ensuring confidentiality, fully respecting the rights of all persons under the Statute, and serving the interests of justice;³⁸
5. Consider all relevant circumstances when assessing evidence, irrespective of whether they are to the advantage or disadvantage of the prosecution;
6. Ensure that all necessary and reasonable enquiries are made and the result disclosed in accordance with the requirements of a fair trial, whether they point to the guilt or innocence of the suspect;
7. Act with competence and diligence, make impartial judgments based on the evidence and consider foremost the public interest, and not proceed if the evidence does not create a reasonable basis for a charge;³⁹

³⁷ *Id.* See also *Rome Statute* article 69-70

³⁸ See *Rome Statute* article 54

³⁹ See *Statement of General Guidelines for Prosecutors* at 10; See also *Rome Statute* article 53

8. At all times maintain the integrity of evidence, whether in written, oral or any other form, which may be submitted to the Court;
9. Examine proposed evidence to ascertain if it has been lawfully obtained;
10. Refuse to use evidence reasonably believed to have been obtained through recourse to unlawful methods which constitute a violation of the suspect's human rights and particularly methods which constitute torture or cruel treatment;
11. Ensure that appropriate action is taken against those responsible for using such improper methods.

Article 9. Disclosure

Prosecutors shall :

1. Provide the defence with the names and prior statements of witnesses and means to inspect collected evidence, and promote a cooperative and honourable pre-trial atmosphere;⁴⁰
2. Defer to the judgment of the Pre-Trial Chamber on all issues of disclosure;⁴¹
3. Protect the confidentiality of all information and evidence retained, stored, and secured through investigation by the Prosecutor, or others representing the Prosecutor in the exercise of his or her functions.⁴²

Article 10. Admissibility

Prosecutors shall defer to the judgment of the Chambers in assessing the admissibility of any submitted evidence.⁴³

Article 11. Victims and Witnesses

Prosecutors shall :

1. Preserve professional confidentiality and not improperly disclose information which may jeopardise the safety of victims and witnesses;⁴⁴

⁴⁰ RPE 76-77, 81-82

⁴¹ RPE 84

⁴² RPE 9-11

⁴³ RPE 47, 63-64, 67-68, 72

⁴⁴ RPE 73; *See also Rome Statute* article 68

2. Take all reasonable measures to protect the privacy and ensure the safety of victims, witnesses and their families, to treat victims with appropriate compassion, and to make reasonable efforts to minimise inconvenience to witnesses;⁴⁵
3. Consider the views, legitimate interests and possible concerns of victims and witnesses, in accordance with the requirements of a fair trial, when their personal interests are, or might be, affected, and seek to ensure that victims and witnesses are informed of their rights and of the progress of the case;
4. Be sensitive to the need not to re-victimise victims;
5. Obtain consent of victims prior to seeking protective measures, testimony facilitation, or other special measures to protect the mental or physical well-being of victims or witnesses;⁴⁶
6. Not require any witness to make any statement that might incriminate himself or herself, or the accused person, nor offer the witness any monetary or other incentive for his or her testimony;⁴⁷
7. Provide the witness with the opportunity to obtain legal advice if he or she requests.⁴⁸

Article 12. The Accused

Prosecutors shall :⁴⁹

1. Ensure that evidence favourable to the accused is disclosed in accordance with the Rules and the requirements of a fair trial;
2. Ensure that cross examination of an accused is fairly conducted, and material put to an accused is considered on reasonable grounds to be accurate and its use justified in the circumstances of the trial;⁵⁰
3. Refrain from giving legal advice to an unrepresented defendant;
4. Advise any unrepresented person to secure legal representation, and inform the unrepresented person of the role counsel plays in the matter, the person's right to counsel under the Rules and the nature of legal representation in general;

⁴⁵ See *Rome Statute* article 68

⁴⁶ RPE 87-88; See also *Rome Statute* article 68

⁴⁷ RPE 74-75; See also *ABA Standards Relating to the Administration of Criminal Justice* 3-3.2

⁴⁸ RPE 74-75

⁴⁹ See Barry Hancock, IAP, *Prosecutor Draft Code*; See also *Rome Statute* articles 54-61

⁵⁰ See *Statement of General Guidelines for Prosecutors* at 22

5. Recall article 66 of the Statute, affirming that everyone shall be presumed innocent until proved guilty before the Court in accordance with the applicable law and establishing that the burden of proof is on the Prosecutor;
6. Recognize the role of the Prosecutor in representing the interests of the public community while protecting the rights of the accused by ensuring trials are conducted in a diligent, competent and fair manner;⁵¹
7. Never compel an accused person to incriminate himself or herself, or to confess guilt, nor subject him or her to coercion, duress, threat, or any form of degrading treatment;⁵²
8. Ensure that all opinions offered by Prosecutors to the Pre-Trial Chamber or Registry by the Prosecutor are thorough, honest and genuine;⁵³
9. Ensure that the rights of the accused are protected, including a fair and public hearing, a detailed explanation of the cause and content of the charge in a language best understood by the accused, an expedited trial to the extent possible, an entitlement to cross-examine any witnesses and declare defences, permission to remain silent without any presumption of guilt therefrom, permission to be present during his or her trial or at least observe the trial, and receipt of adequate facilities, choice of counsel, and translators;⁵⁴
10. Respect the need for impartial hearings, fair evaluations of testimony, and the requirement that the probative value of any evidence outweigh any prejudicial effect of disclosing that evidence.⁵⁵

Article 13. Defence Counsel

Prosecutors shall :

1. Recognise all legal representatives appearing or acting in proceedings before the Court as professional colleagues and act fairly, honestly and courteously towards them and their clients;⁵⁶
2. Not communicate with a represented defendant except through or with the permission of that person's legal representative;⁵⁷
3. Respect the rules of evidence and disclosure with regard to privileged information;⁵⁸

⁵¹ *Rome Statute*, article 53 and Preamble; RPE 165

⁵² *See Rome Statute*, article 55

⁵³ RPE 8, 13, 17, 29, 50, 72, 74, 104-106, 114, 214, 221

⁵⁴ *See Rome Statute* article 63, 67

⁵⁵ *See Rome Statute*, article 69

⁵⁶ *See Barry Hancock, IAP, Prosecutor Draft Code*

⁵⁷ *Id.*

⁵⁸ RPE 73

4. Cooperate with the Defence Counsel as reasonably as possible when considering the admissibility of evidence, or other matters that require sensible cooperation and professionalism as outlined in the Rules;⁵⁹
5. Acknowledge the equal nature of the relationship between the Prosecutor and the Court, and the Defence Counsel and the Court, and not benefit from any greater right than the Defence Counsel to be heard, present a case, or access a judge;⁶⁰
6. Disclose to the defence, as soon as practicable, all evidence in their possession or control that may demonstrate the innocence or mitigate the guilt of the accused.⁶¹

4. Offences and Misconduct Against the Court

Article 14.

Offences Against the Administration of Justice

Prosecutors shall :

1. Not commit offences likely to cause harm to the proper administration of justice or internal functioning of the Court, violate the dignity of the Court, or interfere with the procedures necessary to guarantee its independence, objectivity, and effectiveness;⁶²
2. Not harm the functioning of the Court by engaging in serious misconduct or serious breach of duty, including, inter alia, concealing information, disclosing information in a manner seriously prejudicial to the judicial proceedings or any person, failing to comply with duties, or adversely affecting the credibility of an official in a manner that can not be subsequently remedied;⁶³
3. Not engage in misconduct of a less serious nature, that may cause harm to the proper administration of justice;⁶⁴
4. Not abuse the official duties of Prosecutors by harming the standing of the Court or hampering the goal of securing a fair trial;
5. Accept the Rules as a guideline for ethics and professional responsibility, and exercise integrity, thoroughness, sensitivity, cooperation, and professionalism to the highest degree in all functions.⁶⁵
6. Not engage in any activity which would undermine his or her integrity and independence in his or her official capacity.⁶⁶

⁵⁹ RPE 69, 81, 115-119, 76-77

⁶⁰ See *The Role of Public Prosecutions in the Justice System*

⁶¹ See *Rome Statute* article 67

⁶² *Rome Statute* article 70-71, RPE 162-172

⁶³ RPE 24

⁶⁴ RPE 25

⁶⁵ See Crown Office and Procurator Fiscal Service of Scotland, *Standards of Professional Responsibility and Statement of Essential Duties and Rights of Prosecutors*

⁶⁶ See *Rome Statute* article 42

7. Abstain from obstructing the trial by, inter alia, giving false testimony, knowingly presenting false evidence, interfering with the testimony or attendance of a witness, retaliating against a witness for giving testimony or hindering the collection of evidence, disrupting court proceedings, refusing to comply with a direction by the Court, and soliciting or accepting a bribe as an official of the Court in connection with his or her official duties;⁶⁷

Article 15. Discipline

Prosecutors shall .⁶⁸

1. Respect these standards of ethical conduct and, to the best of their ability, prevent and actively oppose any departure therefrom;⁶⁹
2. Report to the Prosecutor any believed past or imminent departure from the precepts of this Code;⁷⁰
3. Observe the provisions of this Code or be dealt with by the Prosecutor, in the exercise of his or her discretion, and subject to the staff rules of the United Nations, in addition to any sanctions that may exceptionally be imposed upon prosecutors pursuant to the Rules;⁷¹
4. Respect the procedures of discipline that may impose sanctions of, inter alia, a fine, reprimand, or possible term of imprisonment;⁷²
5. Respect the procedure of removal for serious misconduct, and the necessary suspension of duty pending investigation.⁷³

Article 16. Disqualification

1. Prosecutors shall be disqualified in the event of personal interest in the case, including, inter alia, a relationship with any of the parties, involvement in any prior related legal proceedings, and expression of opinions in public that could adversely affect the required appearance of impartiality.⁷⁴

⁶⁷ See *Rome Statute* article 70; RPE 170-172

⁶⁸ See also *Rome Statute* article 46-47

⁶⁹ See Barry Hancock, IAP, *Prosecutor Draft Code*

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² RPE 28, 30, 32; See also *Rome Statute* article 71

⁷³ RPE 29, 31, 166; See also *Rome Statute* article 71

⁷⁴ RPE 33 to 35; *Rome Statute* Article 41

2. Where the Prosecutor or a Deputy Prosecutor has reason to believe that a ground for disqualification exists in relation to him or her, he or she shall make a request to be excused prior to proceedings for disqualification.⁷⁵

Article 17. Publicity and the Media

Prosecutors shall :⁷⁶

1. Avoid making public comments outside the courtroom, including, inter alia, speaking to the media about the merits of particular cases or the guilt or innocence of certain accused before judgment by the Court, and making any public statements regarding the character, credibility, reputation, or record of an accused;
2. Make it clear, particularly when undertaking official speaking engagements, that he or she is representing the OTP and not the Court as a whole.

5. Status of the Code

Article 18. Understanding

1. If there is any inconsistency between the standards of professional conduct set out in this Code and any other code which Prosecutors are bound to honour, the former shall prevail with respect to their conduct before the Court;⁷⁷
2. To the extent that there are existing rules of law embodied in the Rules of Procedure and Evidence and the Rome Statute, the Code is intended to reflect those rules.⁷⁸
3. This Code will be subject to ongoing review and may be amended at any time, pursuant to the applicable provisions of the Rules of Procedure and Evidence.⁷⁹

Article 19. Amendment

This Code may be amended by the Registrar, after consultation with the Judges and the Prosecutor and in accordance with the Rules. Any amendments made shall not apply retroactively.⁸⁰

⁷⁵ *Id.*

⁷⁶ See Barry Hancock, IAP, *Prosecutor Draft Code*; RPE 87; ICTY Standards of Professional Conduct for Prosecution Counsel 2(k)-(l)

⁷⁷ See Barry Hancock, IAP, *Prosecutor Draft Code*

⁷⁸ See *Statement of General Guidelines for Prosecutors* at 1

⁷⁹ See Barry Hancock, IAP, *Prosecutor Draft Code*

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