

owing may also avail of the Witness Protection Program under R.A. No. 6981:

a) Any person who has witnessed or has knowledge of or information on the commission of a crime and has testified or is testifying or is about to testify before any judicial or quasi-judicial body, or before any investigating authority, Provided, that:

- i. the offense in which his testimony will be used is a grave felony as defined under the Revised Penal Code or its equivalent under special laws;
- ii. his testimony can be substantially corroborated on its material points;
- iii. he or any member of his family within the second civil degree of consanguinity or affinity is subjected to threats to his life or bodily injury or there is a likelihood that he will be killed, forced, intimidated, harassed or corrupted to prevent him from testifying, or to testify falsely or evasively, because of or on account of his testimony; and
- iv. he is not a law enforcement officer, even if he would be testifying against other law enforcement officers. In such a case, only the immediate members of his family may avail themselves of the protection provided for under the Act.

b) Any person who has participated in the commission of a crime and desires to be a witness for the State, whenever the following circumstances are present:

- i. the offense in which testimony will be used is a grave felony as defined under the Revised Penal Code or its equivalent under special laws;
- ii. there is absolute necessity for his testimony;
- iii. there is no other direct evidence available for the proper prosecution of the offense committed;
- iv. his testimony can be substantially corroborated on its material points;
- v. he does not appear to be the most guilty; and
- vi. he has not at any time been convicted of any crime involving moral turpitude.

SEC. 10. Motions for postponement of accused. - Motions for postponement that are initiated by the accused should be vigorously opposed by the Trial Prosecutor and he should make of record his objections thereto, leaving to the court's discretion the disposition of the subject motions.*3

SEC. 11. Discontinuance of proceedings. - During the presentation of the prosecution's evidence, the Trial Prosecutor shall not cause or allow the discontinuance of the proceedings except for other similarly compelling reasons not attributable to him.14

SEC. 12. Presentation of evidence. - Each party is bound to complete the presentation of his evidence within the trial dates assigned to him. After the lapse of said dates, the party is deemed to have completed his evidence presentation. However, upon verified motion based on serious reasons, the judge may allow the party additional trial dates in the afternoon; provided that said extension will not go beyond the three-month limit computed from the first trial date. *5

Where a Trial Prosecutor, without good cause, secures postponements of the trial over the objections of a defendant beyond a reasonable period of time, the accused is entitled to relief by a proceeding in mandamus to compel a dismissal of the information, or if he be restrained of his liberty, by habeas corpus to obtain his freedom16.

SEC. 13. Order of trial.- Upon receipt of the notice of trial, the prosecutor shall review the record of the case for trial and complete his preparation therefor

National Prosecution Service Manual

AW Rasmussen



National Prosecution Service Manual:

Major and Serious Crime Investigations Richard Carr, Colin Davies, 2025-02-28 This text explores the concept of major and serious crime investigations as it takes the reader through the fundamental elements of investigative theory and practice that are relevant to this area of criminality Unlike other texts that concentrate on either bespoke areas of criminality such as homicide terrorism or trends in concepts such as county lines this book recognises that the reader will be new to investigative study with little practitioner experience to anchor their learning By using the latest evidence based policing knowledge and critical thinking it explores the concepts of major and serious crime detailing key areas of legislation and how investigative strategies and decision making can influence successful outcomes Other topics examined in this text is the key areas of risk for major and serious crime investigations the impact on investigators the concept of disclosure investigative interviewing and how civil orders designed to tackle this type of criminality can provide a successful alternative to prosecution Both students and practitioners can find this book useful with this book s contemporary approach of using case studies and contemporary investigative examples relevant to the topic This book brings together academic theory and operational understanding of major and serious crime that provides learners with an easy to follow guide that they can keep returning to throughout their career

National Audit Office - Criminal Justice System: Confiscation Orders - HC 738 Great Britain: National Audit Office, 2013-12-17 Government has no overall coherent strategy for confiscation orders and this fundamentally undermines the process for confiscating assets In 2012 13 673 000 offenders were convicted of a crime many of which had a financial element yet only 6 400 confiscation orders were set The annual amount of fraud perpetrated by criminals in England and Wales has been estimated by the National Fraud Authority as some 52 billion On this basis it has been further estimated that out of every 100 generated by the criminal economy 99 65 was kept by the perpetrators Without the government knowing what constitutes the overall success of its policy the bodies involved have no way of knowing which criminals or court cases should be prioritized for confiscation activity Action was not taken early enough in many cases and this together with out of date ICT systems data errors and poor joint working hampers the efficiency and effectiveness of enforcing confiscation orders Throughout the criminal justice system there is insufficient awareness of the proceeds of crime and its potential impact Confiscation orders have a low profile within law enforcement agencies with low awareness of financial legislation outside specialist teams This results in many cases not being considered for confiscation Owing to a lack of data and agreed success criteria it is impossible to make meaningful cost benefit assessments of the enforcement of different orders Where confiscation orders are made and not paid the main sanctions do not work The Courts and Tribunals Service found that in 2012 only two per cent of offenders paid in full once the sentence was imposed

Intelligence-led Policing Craig Hughes, 2025-02-28 Intelligence led Policing clearly explains the distinction between information and intelligence and discusses how to gather analyse and utilise intelligence to inform decision making in practice It relates all

areas of intelligence within the investigative process and contextualises its use in line with the National Intelligence Model NIM as part of routine working practice It develops a knowledge base by identifying six tiers of policing intelligence architecture exploring the concept of intelligence as it applies to strategic tactical and practice levels of operational policing A great mix of theory and practice to help students explore how information can become useful intelligence including the process through which it goes and the importance of intervention points The Professional Policing Curriculum in Practice is a new series of books that match the requirements of the new pre join policing qualifications The texts reflect modern policing are up to date and relevant and grounded in practice They reflect the challenges faced by new students linking theory to real life operational practice while addressing critical thinking and other academic skills needed for degree level study

Powers of the Prosecutor in Criminal Investigation Karolina Kremens,2021-03-26 This comparative analysis examines the scope of prosecutorial powers at different phases of criminal investigation in four countries the United States Italy Poland and Germany Since in all four the number of criminal cases decided without trial is constantly increasing criminal investigation has become central in the criminal process The work asks who should be in charge of this stage of the process Prosecutors have gained tremendous powers to influence the outcome of the criminal cases including powers once reserved for judges In a system in which the role of the trial is diminishing and the significance of criminal investigation is growing this book questions whether the prosecutor s powers at the early stage of the process should be enhanced Using a problem oriented approach the book provides a parallel analysis of each country along five possible spheres of prosecutorial engagement commencing criminal investigation conducting criminal investigation undertaking initial charging decisions imposing coercive measures and discontinuing criminal investigation Using the competing adversarial inquisitorial models as a framework the focus is on the prosecutor as a crucial figure in the criminal process and investigation The insights of this book will be of interest and relevance to students and academics in criminal justice criminology law and public policy as well as policymakers government officials and others interested in legal reform

Development and trade Great Britain: Parliament: House of Commons: International Development Committee,2007-12-04 The changes in the machinery of government announced in June 2007 led to this assessment of the place of the Department for International Development DFID in trade policy structures and how this area could be best managed across government The inquiry also followed up on the report Conflict and development peacebuilding and post conflict reconstruction HC 923 I 2005 06 and the responsibility of the former Department of Trade and Industry in relation to the regulation of activities of UK companies operating in developing countries Although the reaction to the changes in the machinery of government are broadly positive there are reservations about complexity unclear lines of accountability and new layers of bureaucracy The increase in the number of DFID ministers is welcomed but there are concerns that the brief of the Trade Policy Minister might be too wide

The Prosecutor ,1987 *A New Review Mechanism for the RCMP's National Security Activities* Commission of Inquiry into the

Actions of Canadian Officials in Relation to Maher Arar,2006 **Law Enforcement on National Forests** United States. Forest Service,1919 **3rd Conference of Prosecutors General of Europe** Council of Europe,2002-01-01 This publication presents the proceedings of the third conference of Prosecutors General and other senior prosecutors throughout Europe which was held in Slovenia in May 2002 The conference discussed the role of public prosecution in the criminal justice system in the light of Recommendation Rec 2000 19 of the Committee of Ministers of the Council of Europe In particular it examines the relations between public prosecutors and the judiciary as well as the issue of ethics of individual prosecutors *Subject Catalog of the Institute of Governmental Studies Library, University of California, Berkeley* University of California, Berkeley. Institute of Governmental Studies. Library,1978 Proceedings of the Department of Superintendence of the National Educational Association ... National Education Association of the United States. Department of Superintendence,1909 **The National Underwriter Fire and Casualty Edition** ,1924 Resolving the Tension Between Crime and Human Rights Jeremy Sarkin,Yves Haeck,Johan vande Lanotte,2001 Security in South Africa National Underwriter ,1924 Research Bulletin ,1993 District and County Reports Pennsylvania. Courts,1927 Associations' Publications in Print ,1984 1981 in 2 v v 1 Subject index v 2 Title index Publisher title index Association name index Acronym index Key to publishers and distributors abbreviations **Ten Years' Digest, 1911 to 1920, of All the Cases Reported in the Law Reports, Weekly Notes and All Other Contemporaneous Reports, Together with a List of the Statutes Passed During the Same Period** ,1922 *The Law Reports Under the Superintendence and Control of the Incorporated Council of Law Reporting for England and Wales* ,1922 **Protective National Insurance Company of Omaha v. City of Woodhaven, 438 MICH 154 (1991); Polkow v. Citizens Insurance Company of America, 438 MICH 174 (1991); The Upjohn Company v. New Hampshire Insurance Company, 438 MICH 197 (1991)** ,1991 86906 86908 85180 87617

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