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Telephone : (676) 23 599 or 22 380  
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Email : [ffonua@justice.gov.to](mailto:ffonua@justice.gov.to)  
Our Ref : P-5-262/2017  
Date : 10 July 2017

Supreme Court,  
P.O. Box 11,  
Nuku'alofa,  
KINGDOM OF TONGA

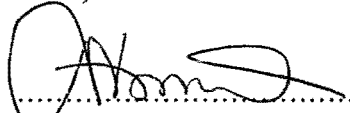
**Hon. Acting Attorney General & Director of Public Prosecutions**  
**Solicitor General**  
**Chief Magistrate**  
**All Magistrates**  
**Law Practitioners**  
**Police Commissioner**  
**O.I.C Police Prosecutions**  
**Probation Office**

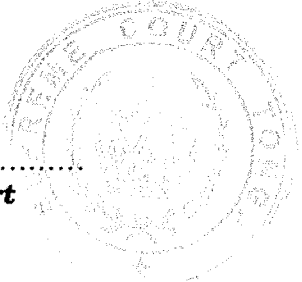
Dear all,

**RE: PRACTICE DIRECTIONS NO. 1 OF 2017**

Attached is the Practice Directions No. 1 of 2017 for your information please.

Malo,

  
.....  
**Registrar, Supreme Court**



## PRACTICE DIRECTION NO.1 OF 2017

### ROLE OF PROSECUTING COUNSEL AFTER VERDICT

- [1] Practice Direction No.1 of 1999 is hereby revoked, and replaced with this Practice Direction.
- [2] It is the duty of prosecuting counsel to provide assistance to the Court in matters of sentencing, which include:
- a. Informing the Court as to whether the accused has any (relevant) previous convictions;
  - b. Presenting the Crown's views on what are the aggravating features of the case, and what the Crown accepts as mitigating factors;
  - c. To inform the Court of any relevant legislation on the appropriate sentence;
  - d. Bringing to the attention of the Court any guideline or comparable sentencing cases, with copies made available to the Court, and also to the accused or defence counsel, if required;
  - e. To correct any error on fact or law made by the accused or defence counsel in his/her address to the Court in mitigation of sentencing;
  - f. To inform the Court of the Crown's view on whether a custodial or non-custodial sentence is appropriate, and also the Crown's view on a proper range of penalty by reference to relevant authorities;
  - g. To bring before the Court any appropriate compensation, forfeiture and restitution matters that may arise; and
  - h. Any other matters that are relevant to sentence in order to assist the Court in imposing an appropriate sentence.

**Dated: 10 July 2017.**



A handwritten signature in black ink, appearing to be 'O.G. Paulsen'.

O.G. Paulsen  
**LORD CHIEF JUSTICE**