

THE NEUTRAL INVESTIGATOR

A Global Systems Architecture for Justice Reform Derived from the FOX Governance Model

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Abstract

Justice systems differ dramatically in constitutional design, criminal procedure, prosecutorial structure and the relationship between police, prosecutors, investigating magistrates, judges and defence counsel. Yet many systems share a structural vulnerability: once an institution adopts a theory of culpability, the process can become progressively organized around preserving that theory rather than testing it. This paper treats that vulnerability as a systems-engineering problem. It proposes a globally adaptable architecture that separates evidence gathering, legal analysis, provisional authority, neutral enforcement, structured dissent, independent reassessment, adjudication and reintegration.

The model is derived in part from the governance architecture developed for the FOX Platform, but its claim is broader than any software implementation. It asks whether justice institutions can be designed so that authority remains strong while remaining evidentially reversible: capable of strengthening, weakening, modifying or abandoning an institutional hypothesis as the record changes. Comparative legal systems already contain important fragments of this idea. Article 54 of the Rome Statute requires the International Criminal Court Prosecutor to investigate incriminating and exonerating circumstances equally; German criminal procedure requires public prosecutors to ascertain both; the Crown Prosecution Service requires objective evidentiary review and continuing reconsideration; United Nations standards require prosecutorial objectivity and attention to the positions of suspect and victim; and international fair-trial norms protect independent and impartial adjudication. This paper assembles those principles into a functional architecture rather than a jurisdiction-specific reform proposal.

The central design principle is simple: the charge must follow the evidence; the evidence must never follow the charge.

Keywords: justice-system design; neutral investigation; prosecutorial objectivity; evidence neutrality; procedural justice; due process; independent review; police accountability; systems engineering; AI governance; FOX; institutional design

1. Justice as a Systems Problem

Justice reform is often debated through legal doctrine, institutional culture or political philosophy. Those approaches are indispensable, but they can leave a more basic problem underexamined: the architecture through which facts become institutional action. A justice system is also an information-processing and authority-allocation system. It receives uncertain signals, gathers evidence, constructs hypotheses, applies legal categories, authorizes coercive acts, receives challenge, revises conclusions and ultimately communicates consequences.

When those functions are combined inside a single institutional identity, error can become self-reinforcing. The investigator who originates a theory may become invested in it; the prosecutor may receive a record already filtered through that theory; the enforcing officer may experience disagreement as resistance; and the person affected by the process may be forced to fight backward through decisions that have already acquired institutional momentum.

The systems question is therefore not simply whether an actor is ethical. It is whether the architecture makes neutrality easier to preserve when actors are under time pressure, uncertainty, organizational incentives and cognitive bias. The design objective is to engineer neutrality into the process itself. International law already recognizes the importance of objectivity, equality of incriminating and exonerating inquiry, and independent adjudication. The proposal here treats those principles as interoperable system requirements rather than isolated legal rules.[1][2][4][7]

2. The Hero-Enforcer Paradox

The conventional public story of enforcement often oscillates between two moral images: the heroic enforcer who protects society and the coercive enforcer who threatens individual liberty. Both images can distort system design because they make the officer's identity central to a function that should be evidentially disciplined.

The Hero-Enforcer Paradox arises when the person charged with discovering a problem also becomes psychologically or institutionally identified with proving the problem. Success begins to mean confirmation. Contrary evidence can then feel like obstruction, embarrassment or defeat. Yet the justice function requires exactly the opposite orientation: evidence that weakens an allegation must be as operationally valuable as evidence that strengthens it.

A neutral investigative role therefore needs a different professional identity. It need not be glorified or despised. Its mandate is narrower and more exacting:

Find the evidence. Preserve the evidence. Test the evidence. Report the evidence.

The investigator succeeds when the record becomes more accurate, even if accuracy disproves the investigator's initial theory. That is not institutional weak-

ness. It is the condition that allows later authority to be legitimate.

3. The Global System Already Contains Pieces of the Solution

The proposed architecture does not begin from the premise that existing justice systems lack neutrality. On the contrary, important components already exist across different legal traditions.

The Rome Statute provides perhaps the clearest international statement of symmetrical investigation: the ICC Prosecutor must extend an investigation to all relevant facts and evidence and investigate incriminating and exonerating circumstances equally.[1] German criminal procedure similarly requires the public prosecution office to ascertain both incriminating and exonerating circumstances.[2] England and Wales separates evidential sufficiency from public-interest judgment and requires prosecutors to assess the evidence objectively, including the likely defence case and material that may point away from the suspect.[3]

United Nations prosecutorial standards require prosecutors to act impartially and objectively and to consider the positions of both suspect and victim.[4] UNODC's police-accountability framework emphasizes integrated accountability, complaints mechanisms and independent oversight.[5] The United States Department of Justice frames federal prosecution as a reasoned exercise of authority directed toward fair and evenhanded administration and makes clear that probable cause is only a threshold, not an automatic command to prosecute.[6]

International fair-trial law then supplies the adjudicative end of the architecture. Article 14 of the International Covenant on Civil and Political Rights protects a fair hearing by a competent, independent and impartial tribunal, and the Human Rights Committee treats independence and impartiality as structural guarantees of proper administration of justice.[7][8] Article 6 of the European Convention on Human Rights carries a parallel requirement.[9][10]

The global insight is not that one jurisdiction has solved the problem. It is that multiple systems contain compatible fragments of a stronger architecture.

4. From Moral Roles to Functional Roles

A systems architecture should define justice roles by function rather than by moral identity. The proposed model uses the following functional sequence:

Neutral Investigator - gathers, preserves and tests evidence.

Analyst Lawyer - evaluates the complete record against legal elements, evidentiary quality, alternatives, proportionality and public-interest requirements.

Commander Authority - applies the governing threshold and, where necessary, authorizes a clearly identified provisional charge or restriction.

Captain - gives the decision practical effect without becoming the investigator, accuser or final adjudicator.

Affected Person - retains agency to understand, contest and supplement the record.

Procedural Advocate - ensures that legitimate dissent enters the system in an intelligible and evidentially useful form. In the model developed here, Captain can perform this function after delivering the provisional determination.

Independent Reassessment Authority - re-evaluates the record after challenge without being required to defend the original decision.

Court or Final Tribunal - determines liability under the governing law and standard of proof.

Compliance and Reintegration Function - communicates the final status, supports lawful compliance and prevents a withdrawn allegation or completed sanction from continuing as an undefined permanent accusation.

These names are functional placeholders. Different jurisdictions can map them to police, investigative judges, prosecutors, magistrates, reviewing prosecutors, tribunals, ombuds institutions or digitally supported processes without adopting FOX terminology.

5. Stage One - The Neutral Investigator

The Neutral Investigator begins with the question **What happened?**, not **Who did it?** The distinction matters because the latter question can prematurely convert uncertainty into a target.

The investigator must actively identify evidence that supports and contradicts each material hypothesis; alternative explanations; reliability problems; missing information; provenance and chain of custody; corroboration; disputed inference; and unresolved unknowns. The record should distinguish observed fact, documentary or physical evidence, inference, hypothesis and conclusion.

The architecture should reward investigative integrity rather than confirmation. An investigation that disproves an allegation is not a failed investigation. An investigation that ends with insufficient evidence can be successful if it accurately identifies what is known, what is not known and why a stronger conclusion is not justified.

This orientation is consistent with the truth-seeking duties expressed in the Rome Statute and German criminal procedure, and with international prosecutorial standards requiring objectivity toward all relevant circumstances.[1][2][4]

6. Stage Two - The Analyst Lawyer

The Analyst Lawyer is not assigned to convert an accusation into a winning case. The role is that of an **evidence-and-law integrity officer**.

The analyst receives the complete record and asks: What conduct is supported? Which facts remain uncertain or disputed? What contrary evidence exists? What alternative explanations remain viable? Which legal elements are supported and which are not? What evidentiary weaknesses affect reliability or admissibility? What additional investigation could materially change the assessment? What public-interest or proportionality threshold applies?

The governing question is:

What does this record legitimately permit the justice system to do?

That is different from asking, *How can we win?* The distinction is compatible with prosecutorial standards that require objective assessment, attention to defences, individualized decision making and the possibility of declining prosecution even after a threshold of suspicion has been crossed.[3][4][6]

7. Stage Three - Commander and Provisional Authority

The Analyst Lawyer reports to an authority that is functionally independent from the investigative narrative. In FOX that authority is called Commander. In a public justice system it might be a prosecutor, magistrate, investigating judge, charging authority or another institution established by law.

The label is less important than the separation of functions. The authority receives the evidentiary record, legal analysis, contrary evidence, unresolved uncertainty, alternative explanations and the applicable threshold. It may authorize a provisional charge, restriction or other legally available measure where the record justifies it.

The word **provisional** is essential. The charge expresses a present institutional determination that a defined allegation is sufficiently supported to proceed. It does not convert the allegation into a fact, and it does not transform the authority into an owner of the allegation.

A charge that survives later structured evidentiary challenge may become a **verified charge** for purposes of proceeding to adjudication. Verification is still not guilt. Criminal liability remains for the independent tribunal applying the governing burden of proof.

8. Why “Provisional” Matters

Accusation has social and institutional force before adjudication. Employers, families, platforms, regulators, media, communities and public authorities can begin treating an allegation as fact merely because a formal system has acted

on it. The architecture should therefore preserve distinct states rather than allowing them to collapse into a single stigmatizing category.

A disciplined state model might distinguish:

Suspected -> Investigated -> Provisionally charged -> Challenged -> Reassessed -> Charge verified or withdrawn -> Adjudicated -> Convicted or acquitted.

These distinctions reinforce the presumption of innocence, the prosecution burden, defence and legal-assistance rights, and the independence of the adjudicator.[7][8][9]

They also support what this paper calls the **Evidentiary Reversibility Principle**: a legitimate system must be capable of strengthening, weakening, modifying or abandoning its institutional hypothesis as evidence changes. A charge cannot become an epistemic anchor merely because the state has already acted upon it.

The charge must follow the evidence. The evidence must never follow the charge.

9. Stage Four - Captain and Neutral Enforcement

Captain did not investigate the allegation, formulate the legal theory or authorize the provisional charge. Captain's function is to execute whatever provisional measures have lawfully been authorized and to communicate the practical reality of the decision without converting enforcement into moral condemnation.

Captain should be able to explain the allegation, the authority for the present measure, the broad evidentiary basis that may lawfully be disclosed, what remains disputed, the restrictions presently in force, the affected person's rights, the available challenge route and the next procedural step.

The tone is neither punitive nor apologetic. Captain states:

This is the provisional determination presently governing the system.

That sentence conveys authority without pretending finality. It allows enforcement to be clear while leaving the evidentiary system open to correction.

10. Stage Five - The Immediate Challenge

A legitimate system should provide a meaningful challenge mechanism while the provisional determination is still operationally relevant. The affected person may assert factual error, mistaken identification, unreliable or contradictory evidence, missing context, alternative explanation, improper inference, legal error, proportionality concerns, procedural irregularity or newly available evidence.

The challenge should not require sophisticated legal drafting merely to become intelligible to the institution. A system that recognizes only professionally for-

matted dissent can systematically disadvantage people who are unrepresented, distressed, linguistically disadvantaged or unfamiliar with legal procedure.

The challenge is not a private negotiation with the original authority. It is a structured evidentiary event. Its purpose is to improve the record before further institutional commitment makes correction more difficult.

11. Stage Six - Captain Becomes Procedural Advocate

Once a challenge is invoked, Captain's role changes in a carefully bounded way. Captain remains responsible for compliance with valid restrictions, but also becomes the procedural advocate for the integrity of the challenge.

This does not mean advocating for acquittal, withdrawal or any preferred result. It means ensuring that contrary evidence, alternative explanations, missing evidence, overlooked material and relevant dissent actually reach the reassessment function in a form that can be tested.

Captain therefore protects objectivity from both directions. Captain does not permit an affected person to bypass lawful process, but also does not permit the process to dismiss legitimate dissent merely because it is inconvenient to the original institutional narrative.

The enforcement function becomes compatible with fairness because its loyalty is to lawful process, not to accusation.

12. Stage Seven - Independent Reassessment

Independent reassessment considers the complete record: the original evidence, the Neutral Investigator's findings, the Analyst Lawyer's assessment, the provisional determination, the affected person's response, rebuttal evidence, alternative explanations, identified uncertainty, procedural objections and any additional investigation triggered by the challenge.

The reassessment authority must have genuine decisional options. It may withdraw the charge; modify the charge; return the matter for further investigation; maintain a provisional measure where uncertainty remains but lawful necessity requires it; or verify the charge for adjudication.

A review architecture that can only confirm the original result is not meaningful review. Reversibility must be operational, not ceremonial.

This stage also establishes the **Post-Charge Evidentiary Continuity Principle**: the duty to respond to material evidence does not end when a charge is filed. Evidence that materially weakens or changes the institutional case must continue to affect the institutional position. The CPS requirement to keep threshold-based charging decisions under review provides a concrete example of this continuing logic.[3]

13. Verified Charge Is Not Conviction

A verified charge means that the allegation has survived a structured internal evidentiary challenge and remains sufficiently supported to proceed. It does not mean that guilt has been established.

The distinction is especially important in public communication. A justice institution should not describe a verified charge in language that collapses accusation into adjudicated fact. The court or final tribunal remains the institution responsible for determining criminal liability under the applicable burden of proof and fair-trial guarantees.[7][8][9]

The proposed architecture therefore strengthens pre-adjudicative integrity without attempting to replace the trial. It aims to ensure that the case arriving at adjudication has already survived meaningful internal testing, including testing generated by the affected person's own account and evidence.

14. Stage Eight - Captain, Dissemination and Reintegration

After reassessment or adjudication, Captain communicates the operative result with its correct legal and evidentiary status. A withdrawn allegation should be communicated as withdrawn. A modified allegation should not continue to circulate in its earlier form. An acquittal should not be institutionally narrated as a conviction avoided on a technicality unless the law actually supports that characterization.

The same discipline applies after a sanction has been completed. Reintegration is part of system integrity because indefinite informal punishment can arise when databases, institutional memory and public narratives preserve an obsolete status after the lawful process has moved on.

Dissemination should therefore be provenance-aware, status-aware and proportionate. A justice system should know not only what information it possesses, but what procedural state that information currently represents.

The architecture is thus a closed loop: evidence produces a provisional institutional state; challenge can change the evidence model; adjudication produces a final state; dissemination reflects the correct state; and reintegration prevents outdated accusation from becoming a permanent shadow.

15. The Lawyer Is Repositioned, Not Abolished

The model does not eliminate lawyers. It changes where legal skill creates the greatest systemic value.

The Analyst Lawyer performs rigorous pre-charge analysis: elements, evidence, admissibility, contrary material, alternative explanations, proportionality and public interest. Defence counsel remains indispensable where liberty, reputation

or legal rights are at stake, particularly during adjudication and where coercive powers are exercised.

The architectural reform is to resist treating every early-stage factual uncertainty as a contest between opposing legal teams. Legal expertise should sharpen evidentiary integrity, not substitute adversarial momentum for factual clarity.

This functional repositioning is compatible with both prosecutorial and judicial independence. It asks each legal role to operate within a defined authority boundary rather than accumulating investigation, advocacy, adjudication and enforcement in a single channel.

16. Procedural Justice as Systems Engineering

Procedural justice can be described in engineering terms without reducing human dignity to machinery. The analogy is useful because reliable systems depend on explicit states, defined authority, provenance, error correction, separation of duties, auditability and controlled escalation.

A justice architecture should therefore make visible: who may observe; who may infer; who may recommend; who may charge; who may enforce; who may review; who may adjudicate; and who may communicate the result. Each transition should be based on an identified evidentiary and legal state rather than on informal institutional momentum.

This design can also reduce single-point failures. A mistaken investigator should not automatically produce a mistaken charge. A mistaken charge should not automatically become a defended institutional identity. A legitimate challenge should have a defined route capable of changing the result.

In systems terms, due process is not delay added to authority. It is the feedback and correction architecture that makes authority reliable.

17. Beyond Adversarial and Inquisitorial Labels

The proposal is not an argument that adversarial systems should become inquisitorial, or that inquisitorial systems should become adversarial. Both traditions contain mechanisms that can support or undermine evidentiary neutrality.

Adversarial systems can generate powerful testing through opposing advocacy but may delay neutral reconsideration until after a prosecutorial theory has hardened. Inquisitorial systems can assign truth-seeking responsibilities to official investigators and magistrates but may still suffer from institutional anchoring or insufficiently independent review. Hybrid systems combine features of both and inherit strengths and vulnerabilities from each.

The proposed architecture is therefore functional rather than taxonomic. Any system can ask whether its investigation is evidentially symmetrical; whether legal analysis is independent enough to resist narrative inheritance; whether

charges remain reversible; whether dissent enters through a legitimate gate; whether reassessment can genuinely alter the institutional position; and whether adjudication is independent and impartial.

The international sources cited here demonstrate that these questions are already recognized across legal traditions even when the institutional answers differ.[1][2][3][4]

18. The No-Lobby Principle

The decision authority should be protected not only from political interference but also from informal personal influence by the parties whose cases it decides. International standards of judicial independence already emphasize freedom from improper influence, inducement, pressure and interference.[8][11]

The **No-Lobby Principle** generalizes that insight to the architecture of provisional authority. The affected person must have a meaningful route to challenge a decision, but that route should be procedural rather than relational. Evidence, argument and lawful advocacy enter through defined channels. Private access, personal cultivation, intimidation, flattery, exhaustion and social pressure do not.

This principle does not require secrecy. Reasons should be intelligible, review should be available, and the authority should remain accountable. The distinction is between **contestability** and **personal accessibility**. Legitimate authority can be highly contestable while remaining insulated from private lobbying.

19. Why Police May Benefit From the Model

Police are often placed in an institutionally difficult position. They must act quickly under uncertainty, protect the public, use coercive powers lawfully, gather evidence and then defend their conduct under intense scrutiny. A system that equates professional success with arrest, charge or confirmation can unintentionally intensify tunnel vision.

The Neutral Investigator model offers a different professional success condition: the officer succeeds by producing the most accurate and reliable record reasonably obtainable. Exonerating evidence is therefore not a defeat. A corrected identification is not a failed case. A conclusion that the evidence is insufficient is not necessarily institutional weakness.

Independent review and clear role separation may also reduce the moral and reputational burden placed on individual officers by moving charging authority, legal classification and final adjudication away from the investigative identity. International police-accountability frameworks already recognize the importance of oversight, complaints systems, integrity and external review.[5][13]

The model is therefore not anti-police. It is an attempt to design a role in which professional integrity and evidentiary neutrality point in the same direction.

20. Justice Without Institutional Enemies

A justice system requires coercive authority, but it does not require institutional enemies.

The affected person may have committed serious wrongdoing and may ultimately be convicted. Yet before adjudication, the system's task is not to construct a moral identity for that person. It is to determine what the evidence and law justify at each stage.

Likewise, the victim need not be treated as the institutional owner of a charge in order for the system to respect dignity, safety and participation. United Nations prosecutorial standards expressly contemplate both the position of the suspect and the victim within an objective public-interest function.[4]

Removing enemy identities from the architecture can improve legitimacy because it allows correction without requiring an institution to betray a tribe. The system can change its conclusion because evidence changed, not because one side defeated another.

21. A Global Research Programme

The proposal is a research architecture, not a claim that one institutional blueprint should be transplanted unchanged across jurisdictions. Its value should be tested empirically.

A comparative research programme could measure: rates of mistaken identification corrected before charge; time between receipt of material exculpatory evidence and institutional reconsideration; frequency with which charges are modified or withdrawn after structured challenge; user comprehension of provisional versus final status; police and prosecutor perceptions of professional pressure; victim confidence; rates of unnecessary detention or restriction; disclosure quality; review independence; and downstream trial outcomes.

Experimental or pilot implementations could also compare different forms of procedural advocacy, including human advocates, duty counsel, independent review officers and carefully bounded digital systems. The relevant question is not whether technology can replace human justice. It is whether process architecture can make evidence, authority and dissent more legible and auditable.

Cross-jurisdictional study is especially important because legal systems distribute investigative and prosecutorial power differently. A global research programme should therefore compare functions rather than assume identical institutional titles.

22. FOX as a Systems Prototype

FOX is relevant to this paper as a systems prototype, not as proof that a public justice system should operate like software.

The FOX governance model separates an evidence-assessment layer from execution authority, distinguishes provisional safety decisions from final conclusions, routes user dissent through a defined advocate rather than through direct lobbying of Commander, permits independent re-review, and keeps the original execution closed even when a later appeal succeeds. The architecture was developed to govern consequential AI agency, where decisions may be executed immediately and at scale.

The transferable insight is structural. An authority system can be designed so that: evidence has provenance; roles have bounded powers; enforcement does not own the accusation; dissent has an authorized gate; review can reverse a prior decision; and the final authority is insulated from informal influence.

Those principles are not uniquely digital. The comparative sources discussed in this paper show that analogous requirements already exist in mature legal systems. FOX simply makes the relationships explicit enough to examine as a systems model.

23. The Deeper Principle: Authority Must Contain Its Own Dissent Mechanism

A system that depends on authority but contains no legitimate mechanism for challenging authority eventually forces dissent outside the system. At that point the institution faces an unnecessary choice between suppressing dissent and losing control of the process.

The better architecture contains dissent within authority itself. Challenge becomes a defined system input. It can be received, organized, tested and either accepted or rejected through reasons and evidence. This preserves both order and correction.

The principle can be expressed as a general systems rule:

Authority is most stable when it contains a legitimate internal mechanism capable of proving the authority wrong.

That mechanism is not weakness. It is fault tolerance for institutions that exercise power over human beings.

24. Conclusion

The Neutral Investigator model reframes justice reform as the architecture of evidentiary loyalty. Investigation should not be loyal to accusation. Legal analysis should not be loyal to institutional victory. Enforcement should not acquire

ownership of the charge. Review should not be ceremonial. Adjudication should remain independent. Dissemination should reflect the true procedural state.

Existing international and domestic systems already contain many elements of this architecture: symmetrical investigation at the ICC and in Germany; objective and revisable prosecutorial assessment in England and Wales; impartial and public-interest duties in United Nations standards; reasoned and evenhanded prosecution in the United States; police accountability and external oversight in international guidance; and independent, impartial adjudication under the ICCPR and ECHR.^{[1][2][3][4][5][6][7][9]}

The contribution of the model is to connect those fragments into a continuous functional loop:

neutral investigation -> independent legal analysis -> provisional authority -> neutral enforcement -> immediate challenge -> procedural advocacy -> independent reassessment -> verified, modified or withdrawn charge -> adjudication -> accurate dissemination and reintegration.

The governing principles are equally concise:

The charge must follow the evidence. The evidence must never follow the charge.

And:

Authority must contain a legitimate mechanism capable of proving the authority wrong.

A justice system designed around those principles does not surrender authority. It gives authority a stronger foundation: evidence, reversibility, procedural legitimacy and the capacity to correct itself before error becomes identity.

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