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Activity: Research

Plea bargaining

Learning objective

At the end of this activity you should be able to:

- evaluate the impact of plea bargaining
- assess the problems of plea bargaining for BAME defendants.

Using the article, answer questions 1 to 14 that follow.

<https://www.theweek.co.uk/88453/plea-bargaining-a-threat-to-basic-human-rights>

1. What percentage of convictions are the result of 'guilty' pleas?
2. Why are Black, Asian and minority ethnic (BAME) defendants less likely than White defendants to plead guilty?
3. According to the article, what is the solution? Why is this solution a problem?
4. What happens to those who plead guilty?
5. What are 'deferred prosecutions' and who are they recommended for?
6. What would be the impact of pleading guilty for BAME defendants?
7. According to Jago Russell, what is the potentially bigger problem for BAME defendants pleading guilty?
8. According to Russell, what is the 'global epidemic' of plea bargaining?
9. According to the Fair Trials report, what has been the worldwide percentage increase in plea bargaining?
10. Why does plea bargaining lead to over-criminalisation and what is the impact on public trust in the justice system?
11. What are the benefits of trial waivers?
12. What is meant by a contract of adhesion?
13. What other flaw is there in the plea bargaining system in the UK?
14. According to Fair Trials, what is one possible solution to the flaw?