

Who is the AG?

An AG is an individual who has qualified for appointment as a Judge of the High Court.

His main functions are:

- a) Being the principal legal adviser to the government
- b) To represent the government in civil and constitutional proceedings
- c) Prosecuting criminal offenses
- d)

What are the AG's other powers and duties?

- The AG may attend Cabinet meetings (but has no vote)
- He can speak in the senate and national Assembly (but has no vote)
- With the leave of the court concerned ,appear as the friend of the court in any civil proceedings to which the government is not a party

How is the AG appointed ?

According to section 114(1) of the Constitution the AG is appointed by the President of Zimbabwe

How is the AG dismissed or terminated?

The President of Zimbabwe has the power to remove the AG from office (according to section 115 of the Constitution)

Do I need a lawyer in criminal trial or proceedings?

In criminal proceedings state prosecutors who are representatives of the AG are automatically assigned to represent the state/complainant, so there is no need unless the complainant wants to hire a private practitioner for private prosecution.

Can the AG be prosecuted himself?

The Constitution which clearly outlines how the AG can be arraigned when he commits a criminal offence which is not linked to his job. These are offences like domestic violence, murder and rape. The AG should be treated similarly to a Judge and thus there are certain steps that are to be taken before his arrest or prosecution.

What is the relationship between the AG's and the Judicial Service Commission, Prisons, Zimbabwe Anti-Corruption Commission and the Police?

The above stakeholders are supposed to work together to ensure that justice is upheld and that the courts operate smoothly. They are very key and important actors in the anti-corruption fight because they can investigate and prosecute.

How does one become a state prosecutor?

To become a prosecutor one must respond to adverts from the National Prosecuting Authority usually flighted in circular newspapers. Applicant must be holders of a Law degree or some other application acceptable by the National Prosecuting Authority.

How does Transparency International Zimbabwe work with the AG's?

The AG's department is a key stakeholder in the anti-corruption fight. TI Z thus seeks to build networks of anti-corruption at a national level. TI Z can partner with the AGs through various advocacy, policy and research mechanisms.

For more information and Legal Advice



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