

*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

# The Function of Law Enforcement and Legal Prosecution in Investigations from Pakistan's Perspective

Muhammad Sohail Asghar  
Assistant Professor of Law, University of Okara.  
Email: muhammad.s.asghar@gmail.com

Humna Mushtaq  
LL. B (Hons.) Student, School of Law, University of Okara.  
Email: humnamushtaq903@gmail.com

Muhammad Kashif Sarfraz  
Assistant District Public Prosecutor, Government of Punjab.

Received on: 25-10-2023

Accepted on: 30-11-2023

## **Abstract**

This study explores the collaborative dynamics between law enforcement and prosecution in contemporary criminal justice systems. Focusing on the roles of police and prosecution, investigate synergies and challenges in their coordination, emphasizing impacts on case resolution and legal proceedings. The aim is to identify and understand the nuanced interactions between police and prosecution, evaluating how their collaboration influences investigation outcomes. Employing a mixed-methods approach, including case studies, interviews, and legal document analysis, it uncovers insights into the coordination dynamics and their consequences on investigative processes. Effective collaboration expedites case resolutions, while misalignments and communication hurdles lead to delays and challenges during trials. Shifting focus to the Pakistani context, this research delves into the indispensable role of investigation within the legal framework, emphasizing its significance in ensuring fair trials and upholding constitutional rights. This study underscores the critical importance of a well-coordinated partnership between police and prosecution, highlighting communication, role clarity, and mutual understanding as key factors in optimizing investigative efficiency and legal proceedings.

**Keywords:** Police and prosecution, Legal Proceedings, Criminal Justice system

## **1. INTRODUCTION:**

Quoting George F. Richards, the research emphasizes that "No man can hope to find out the truth without investigation." (F.Richards G. , 1947) It is crystal clear that, this research delves into the collaborative dynamics between law enforcement and prosecution in contemporary criminal justice systems specially focus on the roles of prosecution police and prosecution.

*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

This study aims to investigate synergies and challenges in their coordination, emphasizing impacts on case resolution and legal proceedings. Through a mixed-methods approach, including case studies, interviews, and legal document analysis, it uncovers insights into the nuanced interactions between police and prosecution, evaluating how their collaboration influences investigation outcomes. Effective collaboration is found to expedite case resolutions, while misalignments and communication hurdles lead to delays and challenges during trials. Shifting focus to the Pakistani context, the research highlights the indispensable role of investigation within the legal framework, emphasizing its significance in ensuring fair trials and upholding constitutional rights. The study underscores the critical importance of a well-coordinated partnership between police and prosecution, with communication, role clarity, and mutual understanding identified as key factors in optimizing investigative efficiency and legal proceedings.

The process of investigation is the main pillar criminal justice system, purpose of investigations to take culprits before court and comfort to victims, discourage further criminals, to enhance peace and stability in the society. Investigative is prerogative with Police. (Hussain, 2021)The paper then sheds light on the crucial role of investigation within the domain of the Cr.PC and the Police rules, as well as under prosecution laws. Investigation is highlighted as essential for collecting evidence, ensuring the ends of justice, and protecting against arbitrary detention, safeguarding personal liberty, and fair trial according to the constitution of Pakistan.

Role of prosecution involves scrutinizing reports under section 173 CRPC to assess the quality of evidence collected by the investigation agency. If the prosecution deems the investigation satisfactory, the report is forwarded to the competent court for trial. In case of any loopholes in the investigation or a failure to maintain the chain, the report u/s 173 Cr.PC is returned to investigation agency for rectification of evidentiary weaknesses. The police are tasked with investigating offenses, collecting evidence, and ensuring justice. Prosecution scrutinizes reports under section 173 CRPC, raising objections to evidentiary weaknesses. Police rectify objections and re-submit to the prosecutor, also handling addition of offenses. The collaborative partnership emphasizes effective communication, role clarity, and mutual understanding. Investigation, essential for justice, is governed by legal frameworks, contributing to fair trials and upholding constitutional rights. The research underscores the critical importance of coordination for optimal efficiency in criminal justice systems.

Both the police and prosecution share a common objective of serving the ends of justice, benefiting not only the complainant but also the accused. The research paper delves into the deep history of investigation and prosecution, exploring the right to fair trials, provisions of basic and advanced facilities for investigation agencies, the true implementation of the law, and legal operations in investigations. Citations of famous cases that have significantly influenced investigation practices are included. The paper emphasizes rule of law, the protection rights of individuals, and the right to a fair trial. The article concludes by presenting the results of investigations results in shape of conviction or acquittal of culprits. It addresses a lack of basic and modern facilities in investigation agencies, hindering their ability to conduct thorough investigations due to criminals employing modern techniques. The paper discusses anomalies and provides way forwarding solutions, focusing on proper evidence collection, protection against chain breaks, provisions of basic and modern facilities

*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

for investigation agencies, the right to fair trials, a focus on the ends of justice, the rule of law, and safeguarding the right to life and personal liberty of innocent accused persons.

It highlights that the finding of truth is possible through investigation, which is the only way to uncover the truth before the court of law by collecting evidence in different parameters provided in the law, including oral and documentary evidence. The pivotal roles played by prosecutors and investigation officers in completing investigation purposes are underscored, with the prosecution and police identified as the main pillars of the criminal justice coordination committee. The process of investigation is portrayed as the main pillar upon which the criminal justice system is established. The best results of investigations are seen as bringing criminals to account, providing comfort and conclusion to victims or their heirs, and discouraging future criminals. The main purpose is to enhance peace, justice and stability in society.

For the administration of justice, prosecutors and police officers are deemed to play crucial roles. The prime duty of the police is to investigate the offenses committed by the accused, while prosecutors conduct the prosecution to secure justice for the litigants. It is noted that, upon the registration of each criminal case, a copy of the FIR (First Information Report) is required to be delivered to the District Public Prosecutor (DPP) under rules. The concerned prosecutor applies a threshold test on the available material on the record when getting the remand of accused persons, issuing a line of inquiry or action to ensure the ends of justice. The duty of sending reports under section 173 Cr.PC to the Public Prosecutor is emphasized, and the prosecutor scrutinizes the reports, raising objections if found defective and returning reports to the investigating officer.

The research concludes by highlighting the historical aspects of prosecution, setting the stage for a more in-depth discussion on this topic. This research contends that a well-coordinated partnership between police and prosecution, characterized by effective communication, role clarity, and mutual understanding, is crucial for optimizing investigative efficiency and ensuring fair legal proceedings. The study employs a mixed-methods approach to unravel the nuanced dynamics of collaboration, emphasizing the significant role of investigation within the legal framework.

## **2. RESEARCH QUESTIONS:**

1. How do the roles of police and prosecution intersect in contemporary criminal justice systems, and what challenges arise in their coordination?
2. What impact does the collaboration between law enforcement and prosecution have on case resolution and legal proceedings?

## **3. HISTORY OF PROSECUTION:**

In past, firstly the prosecution office of Royal prosecutor was established in 1437 by emperor Sigismund Luxembourg and appointed Vilém of Žlutice the head of the office for King's representation in legal matters later on in 16<sup>th</sup> century royal prosecutor added assistants with the duty to prosecute all criminal acts. (Zastupitelstvi, 2020) "The 18<sup>th</sup> century saw the introduction of the term of the royal fiscal office instead of the prosecution office. The year 1848 was a significant turning point in the development of public prosecution. In the middle of 1848 first provisional public prosecution offices were established to prosecute press cases

*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

judged by juries. In 1993 the official name of prosecution has been transform in the name of public prosecutor's office. It represents public prosecution in criminal proceedings, it performs other tasks as regulated by an Act of Parliament." (Zastupitelstvi, 2020)

In past, before commencement of PCPSA,2006, Inspector legal were working in the Magisterial court, whereas, in the courts of Session judge, Additional Session Judges the District Attorneys performed their duties with regard to prosecution acts. After commencement of PCPS Act 2006, prosecutors inducted for this purpose. In Pakistan these are the major points in the investigation and proceedings before the court and any other forum in which police and prosecution playing its role with regard to best investigation. For example; Initiation of an investigation, Safe custody, Strong chain of evidence, Coherence in evidence, Witness protection measures should be taken, Creation or production of believable evidence, best quality evidence, safe transmission data sample etc and Collection of evidence by using legal way.

Implementation of sec 103 Cr.Pc in its true spirit, or following rules provide in QSO regarding best evidence, best evidence, investigation on defense version, medical evidence, Statements of ocular account, Recovery proceedings must be in accordance with law, Recovery witnesses must be examined, Avoidance of joint recovery, Crime scene must examine carefully, Prosecutors and police investigators must visit places of occurrence, PFSA labs/ unit/ cell, must be established in the District headquarters level or only evidence receiving and result delivering unit, A Prosecutor must be attached with the team of crime scene unit, Management and evidence, Post-mortem, Identification parade, Analysis of evidence and final police report.

These are the points on which prosecutor works vigilantly during investigation and trial. Prosecution achieved different goals regarding betterment of investigation, ends of justice and fair trial. These are the achievements belongs with prosecution department. "For effective prosecution during trial through preparation of well-founded cases against culprits, the department has placed focus on Police-Prosecution co-ordination during course of investigation. In order to improve the standard of investigation in Serious Sexual Violence cases the department has introduced a checklist showing the essential elements to be covered during the process of preparation of reports u/s 173 CrPC, Successful prosecution of a case is dependent on cooperation of victim and witness of a case. Their role is crucial in securing conviction of culprits. In most of the cases, witnesses are reluctant to come forward and join investigation process and appear before the court to give testimony against offenders. As required by Witness Protection Act, two witness protection units have been established for the purpose of risk assessment and to suggest appropriate measures required for protection of witnesses and other persons connected with inquiry, investigation and trial. And Right to fair trial along with right of recourse to a counsel are provided by the Constitution of Pakistan. The state is under an obligation to provide legal assistance to those people who are facing a criminal charge and due to financial constraints are unable to engage a legal expert for their representation in the court." (Tareen , 2021).

**4. ROLES OF POLICE, PROSECUTION AND CHALLENGES IN CRIMINAL JUSTICE SYSTEMS IN THEIR COORDINATION:**

In contemporary criminal justice systems, the roles of law enforcement and prosecution

*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

intersect through a structured process. According to the PCPSA,2006, Section 9(4) "A police report under section 173 of the Code--shall be submitted to a Court through the Prosecutor appointed under this Act." (The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act., 2006) . In "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." (Kremens, 2022)

It is prime function of police while completion of investigation to submits reports u/s 173 Cr.P.C, before the court of law, "Every investigation as soon as it is completed, the officer Incharge of the police-station shall sent through the Public Prosecutor", (The Code of Criminal Procedure, 1898) as outlined in Section 173 (1) Cr.PC. Upon receipt, the designated Public Prosecutor scrutinized the report within three days. If defects are identified, the report is returned to the police for correction, in accordance to law. It is provided in under Section 9(5) PCPSA, 2006 as, "The Prosecutor shall scrutinize the report or the request and may return the same within three days to the officer incharge of police station or investigation officer, as the case may be, if he finds the same to be defective, for removal of such defects as may be identified by him, or if it is fit for submission, file it before the Court of competent jurisdiction." (The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act., 2006) Only when report is considered suitable for submission is it forwarded to the court. The court typically refrains from interfering with the observations made by the Public Prosecutor, as evidenced in legal precedents.

Similarly, police received report from prosecutor's office and rectify objections. It is held in judgment regarding not to interfere into the opinion made by the prosecutor, and, if any observation given by the Public Prosecutor regarding the offence addition, deletion court cannot interfere in the opinion of Public prosecutor. In specific instances, the Lahore High Court ruled against interfering with the Public Prosecutor's observations, highlighting the Prosecutor's authority to scrutinize and provide recommendations. The court rejected a petition, asserting no grounds for intervening with the Public Prosecutor's observations, "the prosecutor was authorized to scrutinize the report and to return the same within three days to the Officer Incharge of Police Station or Investigating Officer, if he would find the same to be defective, for removal of such defects as would be identified by him, Challan of the case had already been submitted in the Trial Court and charge had already been framed, Remarks of Public Prosecutor at that stage, itself were not a direction, No ground being available to interfere into the observation made by the Public Prosecutor."(AzizUlah Khan v. The State, 2013)This petition dismissed by the Lahore High court Lahore with the above observation.

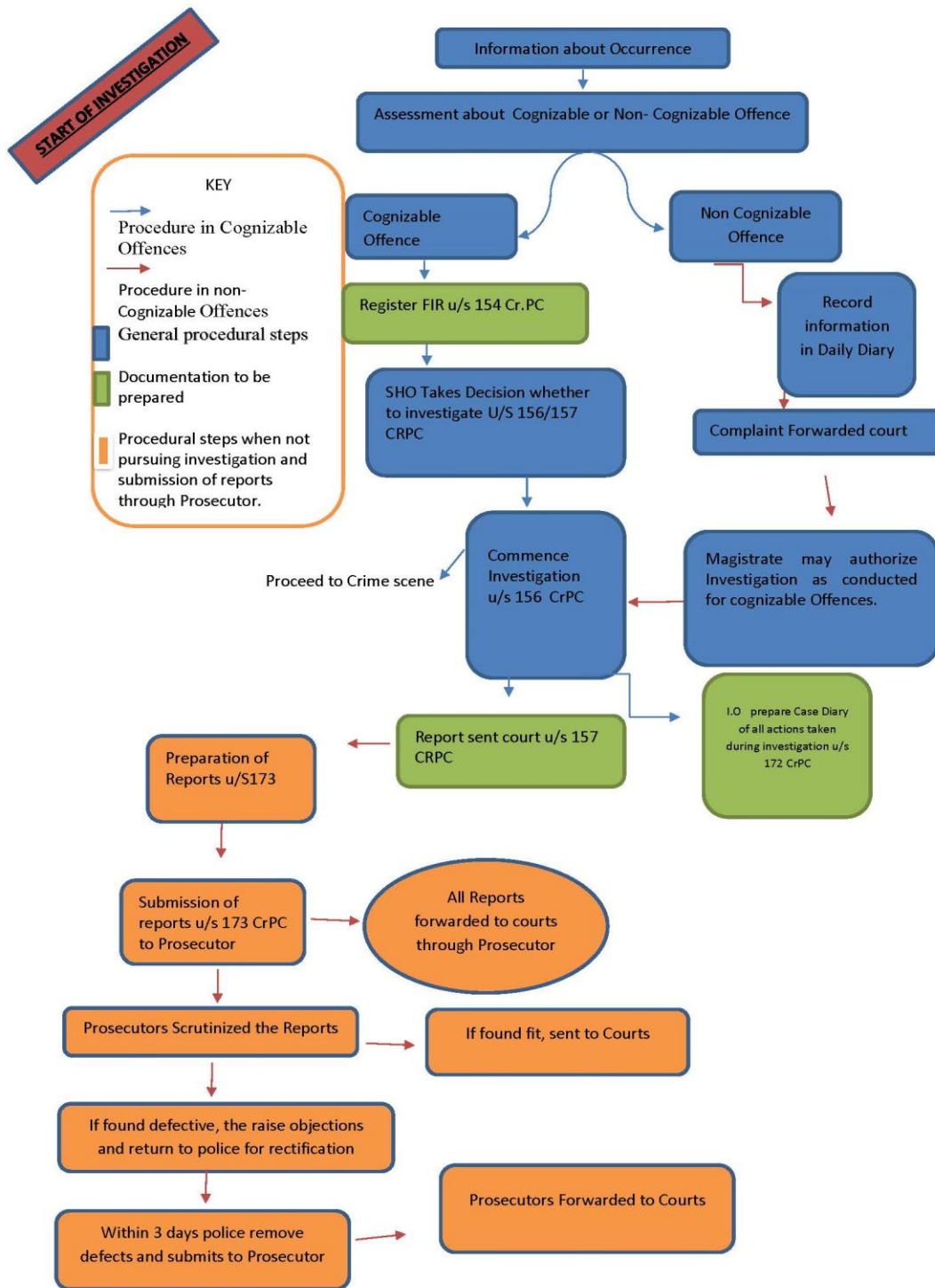
*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

Additionally, Prosecutor serves as a crucial link between police and court. The DPP's authority to guide investigating officer in amending offenses in reports u/S 173 Cr.PC is acknowledged by the judiciary. Courts have affirmed that such decisions fall within the specific purview of the Investigating Agency and the DPP, and external interference is impermissible. It was decided in a judgment given below as, "S. 9(5) & (7) Office of DPP was not only a post-office but it was a bridge between police and court to promote procedure of prosecution for better achievement of justice after making scrutiny of report under 173, Cr.P.C. So, this petition court has also been dismissed because not warranted by law or without merits. (Nadeem alise Deema v. The State , 2012)

It is necessary to discuss, the role of Prosecutor is to identify defects in the investigation and report, issuing directives for its correction. It is held "Function of Public Prosecutor was only to pin point the defects in investigation as well as in the report and to direct the Investigating Agency to remove the same, Trial Court, however, while passing orders even on the cancellation report could issue necessary direction to the Investigating Officer after examining and perusing the available material to submit challan against the accused." (Tanveer Hussain Qureshi v. The State,, 2009), Concerning the addition or deletion of offenses, the authority rests with the District Public Prosecutor and the police investigation agency, as reinforced by legal judgments. So, the power of addition or deletion also belongs to District Public Prosecutor, which is enumerated in this given below judgment, as, "Deletion or insertion of any offence, fell within the exclusive domain of the Investigating Police Agency and District Prosecutor- Such act by the Investigating Agency or the District Prosecutor, could not be challenged either under Ss.22-A & 22-B, Cr.P.C. or under constitutional jurisdiction of High Court, as that would amount to interference in the investigation." (Muhammad Sharif v. The State, 2015) , This emphasizes the main role of the DPP in reviewing available evidence and determining the applicability of offenses. Procedure of Start of Investigation till submission of reports to court, how to start an investigation against an accused in an offence, and what procedure provided in a law, how Investigation completed, and report u/s 173 Cr.PC prepared and sent to court. Investigation procedure is described through a chart given below.



*The Function of Law Enforcement and Legal Prosecution in Investigations from Pakistan's Perspective*



*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

It is decided, "U/S.9(7) of PCPS Act, 2006, District Prosecutor had the powers to scrutinize the available evidence and applicability of offences against all or any of accused as per facts and circumstances of the case, deletion or insertion of any offence fell within the exclusive domain of the District Prosecutor." (The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act., 2006) When an interim report under Section 173 Cr.PC is submitted, the Prosecutor, following Section 9(6) PCPSA, 2006, assesses reasons for any investigation delay. If compelling, the Prosecutor may request trial postponement; otherwise, the court may proceed based on available evidence. Section 9(6) PCPSA, 2006, as "On receipt of an interim police report under section 173 of the Code, the Prosecutor shall examine the reasons assigned for the delay in the completion of investigation and if he considers the reasons compelling, request the Court for the postponement of trial and in case investigation is not completed within reasonable time, request the Court for commencement of trial, and in cases where reasons assigned for delay in the completion of investigation are not compelling, request the Court for commencement of trial on the basis of the evidence available on record." (The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act., 2006)

Under Section 9(7) PCPSA, 2006, the Prosecutor submits in writing to the court his evaluation of available evidence and applicable offenses. The court considers this submission in guiding subsequent proceedings. Additionally, under Section 9(8) PCPSA, 2006, if the accused pleads guilty, the Prosecutor proposes the punishment to the court based on his opinion. Furthermore, the PG or DPP may refer cases for disciplinary action against investigation officers, as permitted by Section 10(2) PCPSA, 2006, "The PG or DPP may, refer to the authority, competent to initiate disciplinary proceedings under any law for the time being in force, to take disciplinary action against any public servant working in connection with investigation or prosecution, for any act committed by him." (The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act., 2006).

Challenges may arise in coordinating these roles, but legal frameworks and established procedures guide their collaboration. Challenges in the Intersection of Police and Prosecution Roles, Lack of Communication flow of critical information, affecting the overall coordination of their roles, Police and prosecutors may have different priorities and objectives, Evidence Quality and admissibility of evidence can be challenging, especially if there are discrepancies in the standards followed by the police and prosecutors. Legal Interpretation, Case Backlog can strain coordination efforts, Witness Protection efforts poses challenges, Accountability Issues, Training Disparities between police and prosecutors may lead to misunderstandings or differing expectations in terms of case handling, overload investigation officers and prosecution work, New technological Integration into investigative and prosecutorial processes can be challenging, especially if there are disparities in technological capabilities or resistance to change, Police and Prosecutors are performing different duties, simultaneous.

Challenges in the Coordination of Police and Prosecution, Scrutiny of reports by prosecutors disliked by police, Addition or deletion of offences presumed as an interference with investigation by prosecutor, delay of submission reports, delay of again submission of reports by police after rectification of objections, Decision making Delays, improper evidence or Chain of Custody Issues, Legal Compliance, imbalanced Resource Allocation Disputes,



*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

Incomplete Information Sharing can create challenges, Prejudicial Public Statements, Changing Legal rapid changes in laws, and Ethical Dilemmas.

**5. COLLABORATION'S IMPACT ON CASE RESOLUTION AND LEGAL PROCEEDINGS.**

“Many of the new measures introduced to speed up prosecution have not led to the efficiency gains expected and are depriving the accused of proper safeguards.” (Hodgson, 2010 ) The collaboration between law enforcement and prosecution, as outlined in the responsibilities defined by law, plays a crucial role in shaping the outcome of legal proceedings. Immediate Reporting officers in charge are mandated to promptly report each criminal case to the District Public Prosecutor, fostering transparency and initiating the collaboration process, Timely Information Sharing, Sending police reports within prescribed periods ensures that prosecutors receive essential details promptly, facilitating a swift and coordinated response. Reasonable Periods for Investigations, in cases of delays, law enforcement is obligated to record reasons and inform prosecutors, emphasizing transparency and maintaining a clear line of communication. Compliance with Prosecutor's Directions, Law enforcement must adhere to the specified timeframes for addressing any deficiencies pointed out by the Prosecutor in police reports, ensuring a collaborative effort in case preparation.

Cooperation Mandate for Prosecutors, The code of conduct directs prosecutors to actively cooperate and coordinate with the police, fostering a collaborative environment for fair and just prosecutions. Guidance for Effective Collaboration, Coordination and cooperation involve providing advice and guidance to the police on investigative procedures, evidential requirements, and pre-charge procedures. Prosecutorial Decision-Making, Prosecutors are responsible for decisions on prosecution, withdrawal, or modification of charges, ensuring that cases presented are fit for trial based on a thorough review of evidence. Ensuring Evidential Strength, Prosecutors may direct police officers to rectify objections and ensure forensic analysis, maintaining the integrity of the case.

Application of Threshold and Full Code Tests, Prosecutors are mandated to apply threshold tests during remand seeking stages and full code tests when investigations are complete, balancing evidentiary and public interest considerations. “Occasionally seek advice at an early stage about how to investigate a crime that had been committed or it was suspected was about to be; or sometimes present files of evidence for advice on what additional evidence might be obtained to strengthen the case against an individual; or regularly present files on complicated investigations for advice on what charge or charges should be brought. (Of course, in those cases the prosecutors might in submitting their advice suggest further enquiries be made in a certain direction).”(Boeuf, 2014) Enhancing Public Confidence, through effective collaboration, the criminal justice system builds public trust by presenting a united front, ultimately boosting confidence in the fairness and credibility of legal proceedings. This Act is also elaborate the duties or responsibilities of Police towards Prosecutors, u/s 12, “Responsibilities of Police towards Prosecutors. An officer incharge of a police station or the investigation officer shall immediately report to the District Public Prosecutor, the registration of each criminal case by sending a copy of the first information report, send the police report under section 173 of the Code, to the concerned Prosecutor within the period prescribed by law, and if an investigation is not completed or cannot be completed within the time provided under the law, record reasons for the delay and inform

*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

the Prosecutor. An officer in charge of the police station or investigation officer shall, within the time specified by the Prosecutor, comply with the directions and remedy the defects pointed out by the Prosecutor in a police report under section 173 of the Code including report for cancellation of the first information report or request for discharge of an accused or suspect." (The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act., 2006) It is duty of Investigation officer to comply with directions of Prosecutors.

In UK the role and responsibility of prosecutors as "The CPS was initially granted a limited scope of authority in the face of self-interested resistance by the police and private bar. But over the past decade or so, the CPS has taken on additional functions and powers, including the exclusive authority over charging. Among other things, the CPS has sought to improve the treatment of witnesses; reached interagency agreements on the forfeiture of criminal assets; coordinated the decision making among government agencies with concurrent enforcement jurisdiction; increased efforts in cases of sexual and domestic violence; and developed community prosecutors to interact with local citizens to address problems within their neighborhoods" (Lewis, 2012) it is also discussed regarding duties of prosecutors as "Responsibilities of public prosecutors in ensuring due process and protection of human rights in the criminal justice systems of the participating states. And the importance of the relationship between public prosecutors and the executive powers in upholding the rule of law.: Responsibilities of public prosecutors in ensuring due process and protection of human rights in the criminal justice systems of the participating states." (The Role of the Public Prosecutor in Upholding the Rule of Law, 2019)

Moreover, it is directed in the code of conduct of Prosecutors to Prosecutors regarding coordination and cooperation with the police, it is provided u/provision 2 of code of conduct, as, "Prosecutors must cooperate and coordinate with the police to ensure fair and just prosecutions." (Code of Conduct for Prosecutors., 2016) Coordination and cooperation means to issue advice and guidance through possible lines of enquiry, which is also enumerated in u/s 2 of code, as, "Coordination and cooperation means and entails advice and guidance to the police regarding possible lines of enquiry, evidential requirements and pre-charge procedures. It is meant to assist the police and other investigators to complete the investigation within a reasonable period of time and to build the most effective prosecution case. However prosecutors cannot direct the police or other investigators except in accordance with section 4." (Code of Conduct for Prosecutors., 2016) A prosecutor while forwarding report u/s 173 Cr.PC must considers facts related fitness of case of recommended for trial with his case review , which is enumerated in provision 4 of code, as, "Prosecutorial Decisions, A decision to prosecute is taken when a prosecutor finds a case is fit for trial.-A decision not to prosecute is taken when prosecutor finds that a case is not fit for trial."(Code of Conduct for Prosecutors., 2016)

A Prosecutor must take these decisions and direct to police to comply these instructions which are necessary as per law, as, "A decision to withdraw a prosecution must be taken when a case in court fails to continue to fulfill the requirements of the Full Code Test. Prosecutors should identify and where possible seek to rectify evidential weaknesses- Although prosecutors primarily consider the evidence and information supplied by the police and other investigators the suspect or those acting on his or her behalf may also submit evidence or information to the prosecutor via the police or other investigators prior to charge to help

*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

inform the prosecutor's decision. Prosecutors review every case they receive from the police or other investigators. -Wherever possible they should talk to the investigator when thinking about changing the charges or declining a prosecution. Prosecutors and investigators work closely together but the final responsibility for the decision whether to prosecute or not rest with the CPS. -If prosecutors do not have sufficient information to take such a decision the investigation should proceed and a decision taken later in accordance with the Full Code Test. Enquiries and Directions, A prosecutor may lawfully direct a police officer to rectify evidential weaknesses at any stage of the investigation. A prosecutor must direct the police to ensure forensic analysis of items collected. A prosecutor may direct the police to collect additional evidence, to follow a line of enquiry, to provide additional information about the collection of evidence, to provide additional information about the circumstances of a witness, to explain why a key witness was not examined to explain why testimony of a key witness was not recorded early on. In accordance with the law or the requirements of fair trial, the Prosecutor shall seek to ensure that all necessary and reasonable enquiries are made and the responses taken into account while taking prosecution decisions. A prosecutor must never direct the police to alter evidence- alter a finding although the Police may do so if as a result of the clarifications sought they find differently." (Code of Conduct for Prosecutors., 2016)

A prosecutor must apply threshold test at the remand seeking stage and should apply full code test on complete report u/s 173 Cr.PC when no further evidence is required alongwith evidentiary as well as public interest test for evaluation the position of the in hand case . "The Full Code Evidential test must be applied when the investigation is complete and no key evidence remains to be collected. The Public Interest test should be applied when a case clears the Full Code Evidential Test." (Code of Conduct for Prosecutors., 2016) And threshold test applied when custody of accused required or investigation yet to be completed, as, "The Threshold Test may only be applied where all the evidence is not available and a decision is required to be made regarding detention or the start of a prosecution." (Code of Conduct for Prosecutors., 2016)

Police according to the police Rules, 1934 different duties performing for completion of investigation and other duties toward legal branch (now prosecution), Police prepared report u/s 173 Cr.PC by following rules incorporated in Chapter 25 of The Police Rules, 1934. Under chapter 27 rule 2 the report u/s 173 CrPC and charge sheets slips must be sent to Incharge District prosecution Agency. (The police rules, 1934) The police is bond in important cases to prepare police brief and annexed with record. (The police rules, 1934)It is also prime duty of police to Maintenance of order and watch over prisoners in courts. (The police rules, 1934) Legal branch is to act as co-ordinator between the District Prosecution Agency and police department. (The police rules, 1934) It is also responsibility to maintain registered, like case property, summonses and warrants, and other registers. (The police rules, 1934) Similarly, assurance of safe custody of property which produced before and returning to Malkhana. (The police rules, 1934) Moreover, production of police records as evidence before court. (The police rules, 1934) The conviction record also maintained by the police officials attached with prosecution. (The police rules, 1934)

Anomalies on the rule of prosecutors and police, FIRs did not lodge timely as legally required, delayed FIR is fatal for prosecution. Secondly, Reports u/s 173 Cr.PC not prepared within stipulated period 14 days. Thirdly, Procedure of investigation become lengthy it is just

*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

because of illegal nomination of persons as accused. Fourthly, if three days' time allowed to Investigation officer for removal of defects from report u/s 173 Cr.PC, but the I.O did not submit it again within time. "In offering three reasons why prosecutors may fail to take the proper decisions at case review stage, shared value system with police, inexperience, lack of self-confidence." (Ashworth, 2000)

It is wrong practice on the part of police non submission of report u/s 173 within time specified by the concerned prosecutor. But in the PCPSA 2006 the returning report u/s 173 Cr.PC, time has not been specified for Investigation officer. It is also anomaly on the part of police defects raised by prosecutors are only rectified to the extent of answer, Investigation officer nothing do with file. Furthermore, a restriction is imposed on the state for withdrawal from prosecution/ charges against any accused with the permission of court, it is stigma on the independence of state prosecutor.

**6. RECOMANDATIONS:**

Addressing these challenges requires a multifaceted approach, The process of investigation by police and prosecution is required necessary changes or by adopting these ways for initiation of an investigation, assurance safe custody, Strong chain of evidence, Coherence in evidence ,Best quality of evidence, Witness protection measures should be taken, Creation or taken believable evidence before the court, Quality evidence which is generally compiling to mind of court, Safe transmission of case property and other things, Procure of evidence by using legal way, Implementation of sec 103 Cr.Pc in its true spirit, or following rules provide in QSO regarding best evidence, For the interest of justice accused/defense version should be interrogated minutely for just decision, Carefully obtain medical evidence, Statements of ocular account must be examined carefully, Recovery proceedings and recovery memos must be prepared in accordance with law, Recovery witnesses must be examined on spot, Avoidance of joint recovery, carefully inspection of place of occurrence, Police supposed to be vigilant and careful while following the instructions of Prosecutors for best quality of investigation, For communication with Prosecutors by police 24 hours legal advice helpline must be created, As per polices of foreign countries Prosecutors and police must collectively visit places of occurrence and all proceedings in investigation conducted in the presence and instructions of Prosecutors, which is necessary to minimize the defects or evidence weaknesses in investigation, Powers of Prosecutors must be increased, Necessary Facilities must be provided to prosecutors for effective results and smooth working, Stoppage and droppage power must be given to Prosecutors which is necessary to minimize the extra expense of state and save precious time of courts, Courts are indulging futile exercises on the cases of no evidence, Police must be equipped with modern facilities, and latest investigation techniques must be teaches through training to Investigation officers.

In future vision these reforms should be observed as, the prosecution should empowered for stoppage and dropping of proceedings before submission of reports u/s 173 Cr.PC it would be beneficial on Government exchequer and saving precious time of courts of law. "In determining whether or not a case meets the requirements in order to enter the criminal justice system and if, consequently an investigation should take place, the French and the Swedish legal systems demonstrate some specificities that turn out to be similarities. Under French provisions, although the police hold discretionary powers including powers of

*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

coercion, they must always refer to the prosecutor who is the only authority that can decide whether or not a case should enter the criminal justice process. On the other hand, under the Swedish law, the power to initiate and lead a preliminary investigation is shared between the police and the prosecution service. In case of minor offences the police will be competent to conduct the preliminary investigation from beginning to end whereas in case of more serious offences, the prosecution service and if, at this stage, a suspect has been identified, will take over the preliminary investigation work." (Taleb, 2011) In each district a help line 24/7 hours should be established in prosecution department for help of Investigation officer at any time while they required any guide line for purpose of completion their investigation. A prosecutor should be assigned the duty of visit the crime scene at first day of occurrence for preservation of evidence in accordance with law in special / heinous cases, because 90 percent case established on first visit at place of concurrence. The Prosecution and police with consultation should issue the MOU's must do list regarding to each offence.

Furthermore, for achievement of these goals properly mechanism and staff must be provided to prosecutors, PFSA labs/ unit/ cell, must be established in the District headquarters level or only evidence receiving and result delivering unit, , Establish clear and effective communication channels and protocols between police and prosecutors, Align Priorities through regular collaboration, Standardize Evidence Procedures for evidence collection, ensuring quality and admissibility are consistent, Provide Joint Legal Training Programs for interpretation and ensure both police and prosecutors have a common understanding, implement efficient case management systems to address backlogs and streamline the progression of cases through the criminal justice system, Establish accountability mechanisms to uphold ethical and legal standards, Ensure consistent training standards for both police and prosecutors, Implement transparency initiatives to address public relations challenges, Develop and implement plans for the seamless integration of new technologies, Establish clear guidelines for resource allocation, Balanced Approach to Plea Bargaining is avoiding overreliance to maintain fairness and justice, Provide media relations training, a Prosecutor must be attached with the team of crime scene unit, crime scene visit, crime scene management, gathering evidence from crime scene, medical examinations, Postmortem, recording witness's statements, Conducting searches, Making arrests, Applying for remand of suspects, Interrogating suspects, Recording confessions, Undertaking identification parades, Analyzing all types of evidence, Preparing final police report, Among numerous other issues for the gross root level of investigation and for dig out the truth, evaluation of evidence by applying different tests provided in Code of conduct, 2016 issued by Prosecutor General, Punjab.

## **7. CONCLUSION:**

In summary, the research underscores the pivotal role of a well-coordinated partnership between law enforcement and prosecution in contemporary criminal justice systems. Rooted in the wisdom of George F. Richards, the study emphasizes the necessity of investigation as the cornerstone of fair legal proceedings. The intricate dynamics between police and prosecution are examined through case studies, interviews, and legal document analysis, revealing that effective communication and role clarity are crucial for optimizing investigative efficiency. The study, focusing on the Pakistani context, highlights the



*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

indispensable role of investigation within the legal framework, contributing to upholding constitutional rights, ensuring fair trials, and promoting societal stability and justice.

Tracing the historical evolution of prosecution from the 15th century to the present day provides a backdrop for understanding the collaboration between police and prosecution in contemporary criminal justice systems. The analysis explores how their roles intersect and the impact of their collaboration on case resolution and legal proceedings. Challenges in coordination between law enforcement and prosecution are identified, with the research emphasizing the importance of a streamlined partnership characterized by effective communication and role clarity. The study offers insightful recommendations to address anomalies, improve evidence collection, and enhance the overall investigative process.

In the context of Pakistan, the paper commends the achievements of the Public Prosecution Department, including its success in securing convictions and efforts toward digitalization. Proactive measures, such as the establishment of witness protection units, demonstrate a commitment to fair trials and protecting the rights. Ultimately, the research concludes by reinforcing the foundational importance of investigation in the criminal justice system. A collaborative and well-coordinated partnership between police and prosecution is deemed essential not only for efficient investigations but also for upholding the principles of justice, the rule of law, and the protection of individual rights. The study serves as a comprehensive exploration of the intertwined roles of police and prosecution, providing valuable insights for scholars, legal practitioners, and policymakers alike.

Shifting focus to The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act, 2006, the collaboration outlined in the Act is highlighted as integral to shaping the outcome of legal proceedings. Clear responsibilities for both entities, emphasizing transparency and timely information sharing, contribute to ensuring that cases are fit for trial. However, challenges in the intersection of police and prosecution roles are acknowledged, including issues such as lack of communication, differing priorities, evidence quality, and legal interpretation disparities. The complexities of the criminal justice system, such as case backlog, witness protection, accountability, and training disparities, further contribute to potential coordination difficulties.

Addressing these challenges demands a multifaceted approach, including changes in the investigation process, coherence in evidence, and witness protection measures. The role of prosecutors in directing police officers, applying tests, and ensuring compliance with the law is crucial, leading to a united front presented by the criminal justice system. Anomalies in the rules governing prosecutors and police, such as delayed FIRs and restrictions on state prosecutors, need careful consideration. Recommendations extend to empowering prosecutors, providing necessary facilities, and establishing a 24/7 legal advice helpline for communication between police and prosecutors. Looking toward the future, envisioned reforms include empowering prosecutors for stoppage and dropping of proceedings, establishing a 24/7 helpline for guidance, and assigning prosecutors to visit crime scenes in special cases. Joint MOUs between prosecution and police, the establishment of PFSA labs, and clear communication channels are emphasized.

In conclusion, achieving these goals requires a concerted effort to align priorities, standardize procedures, provide joint training, implement efficient case management systems, establish accountability mechanisms, ensure consistent training standards, and transparently

*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

integrate new technologies. A balanced approach to plea bargaining, media relations training, and the involvement of prosecutors in crime scene units are essential components for the grassroots level of investigation. Ultimately, the success of the criminal justice system hinges on the effective collaboration and coordination between law enforcement and prosecution, guided by clear legal frameworks, ethical considerations, and a commitment to fairness and justice. The recommendations presented in both research efforts offer valuable insights for shaping policies and practices to enhance the synergy between these crucial components of the criminal justice system.

## REFERENCES

1. Ejaz, H.S.(2021, January 1). *Handbook of Criminal Investigation in Pakistan*. Ed.first.(PP.12-12). Lords Law Book House.: [https://rsilpak.org/wp-content/uploads/2021/02/criminal-investigation-handbook\\_pakistan\\_rsil.pdf](https://rsilpak.org/wp-content/uploads/2021/02/criminal-investigation-handbook_pakistan_rsil.pdf)
2. Richards,G.F.(1945, May 25). *Richards Quotes, President of the Quorum of the Twelve from*. [https://www.azquotes.com/author/44314-George\\_F\\_Richards#:~:text=Richards%20Quotes&text=No%20man%20can%20hope%20to%20find%20out%20the%20truth%20without%20investigation.&text=We%20are%20His%20children%20in,very%20attributes%20which%20he%20possesses.](https://www.azquotes.com/author/44314-George_F_Richards#:~:text=Richards%20Quotes&text=No%20man%20can%20hope%20to%20find%20out%20the%20truth%20without%20investigation.&text=We%20are%20His%20children%20in,very%20attributes%20which%20he%20possesses.)
3. Tareen, S. (2021, September 24). *Public Prosecution Department Achievements*. (Eds). Public Prosecution Department, Punjab. <https://pakobserver.net/public-prosecution-department-achievements-by-shahida-tareen/>
4. Kremens, K.(september, 26,2022).Powers of the Prosecutor in Criminal Investigation A Comparative Perspective. Edd.1st.publisher Routledge.<https://www.routledge.com/Powers-of-the-Prosecutor-in-Criminal-Investigation-A-Comparative-Perspective/Kremens/p/book>
5. Zastupitelstvi, S. (2020).*History of Public Prosecution*.:<https://verejnazaloba.cz/en/more-about-public-prosecution/history-of-public-prosecution/>.
6. Ejaz, H.S.(2021, January 1). *Handbook of Criminal Investigation in Pakistan*. Ed.first.(PP.09-09). Lords Law Book House.: [https://rsilpak.org/wp-content/uploads/2021/02/criminal-investigation-handbook\\_pakistan\\_rsil.pdf](https://rsilpak.org/wp-content/uploads/2021/02/criminal-investigation-handbook_pakistan_rsil.pdf)
7. Ejaz, H.S.(2021, January 1). *Handbook of Criminal Investigation in Pakistan*. Ed.first.(PP.14-14). Lords Law Book House.: [https://rsilpak.org/wp-content/uploads/2021/02/criminal-investigation-handbook\\_pakistan\\_rsil.pdf](https://rsilpak.org/wp-content/uploads/2021/02/criminal-investigation-handbook_pakistan_rsil.pdf)
8. Section 9(4). (2006, April 8<sup>th</sup> ).*The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act. Ed.First.(PP.4)*.Punjab Law & Parliament affair department.: [https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn\\_search](https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn_search)
9. Section 173(1). (1898, July 1).The Code of Criminal Procedure. National Legislative Bodies / National Authorities.: <https://pakistancode.gov.pk/english/UY2FqaJw1-apaUY2Fqa-apaUY2Npa5lp-sg-jjjjjjjjjjjj>
10. Section 9(5). (2006, April 8<sup>th</sup> ).*The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act. Ed.First.(PP.4)*.Punjab Law & Parliament affair department.: [https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn\\_search](https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn_search)
11. *AzizUlah Khan v. The State*,2013 PCrLJ 1141,[2013], Lahore High Court, Lahore of Pakistan. <http://www.plsbeta.com/LawOnline/law/main.asp>
12. *Nadeem alise Deema v. The State*,2012 PCrLJ 1823,[2012], Lahore High Court, Lahore of Pakistan. <http://www.plsbeta.com/LawOnline/law/main.asp>
13. *Muhammad Sharif v. The State*,2015 PLD 84,[2015], Lahore High Court, Lahore of Pakistan. <http://www.plsbeta.com/LawOnline/law/main.asp>
14. *Tanveer Hussain Qureshi v. The State*,2009 Pcr.LJ 1043,[2009], Lahore High Court, Lahore of

*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

- Pakistan. <http://www.plsbeta.com/LawOnline/law/main.asp>
15. *Rasoolan bibi v. ASJ and others*, PLD 2009 Lahore 135,[2009], Lahore High Court, Lahore of Pakistan. <http://www.plsbeta.com/LawOnline/law/main.asp>
  16. Section 9(6).(2006, April 8<sup>th</sup>).*The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act. Ed.First.(PP.6)*.Punjab Law & Parliament affair department.: [https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn\\_search](https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn_search)
  17. Section 9(7).(2006, April 8<sup>th</sup>).*The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act. Ed.First.(PP.6)*.Punjab Law & Parliament affair department.: [https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn\\_search](https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn_search)
  18. Section 9(7).(2006, April 8<sup>th</sup>).*The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act. Ed.First.(PP.6)*.Punjab Law & Parliament affair department.: [https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn\\_search](https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn_search)
  19. Section 10(2).(2006, April 8<sup>th</sup>).*The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act. Ed.First.(PP.7)*.Punjab Law & Parliament affair department.: [https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn\\_search](https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn_search)
  20. Section 10(3).(A,B). (2006, April 8<sup>th</sup>).*The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act. Ed.First.(PP.8)*.Punjab Law & Parliament affair department.: [https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn\\_search](https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn_search)
  21. Hodgson. J.(March.2010). *The changing role of the Crown Prosecutor*. (PP.1). Centre for Crime and Justice Studies.<https://www.crimeandjustice.org.uk/publications/cjm/article/changing-role-crown-prosecutor>
  22. Boeuf, P. (2014). effective administration of police and prosecution in the criminal justice system. (PP.2-12). 12th International senior seminar visiting experts' Papers:[https://www.unafei.or.jp/publications/pdf/RS\\_No60/No60\\_14VE\\_Boeuf.pdf](https://www.unafei.or.jp/publications/pdf/RS_No60/No60_14VE_Boeuf.pdf)
  23. Section 12. (2006, April 8<sup>th</sup>).*The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act. Ed.First.(PP.8)*.Punjab Law & Parliament affair department.: [https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn\\_search](https://punjabcode.punjab.gov.pk/en/search?srch=punjab+criminal&btn_search)
  24. Lewis, C. (2012). *The Evolving Role of the English Crown Prosecution Service*. (PP.214-234). The Prosecutor in Transnational Perspective. Oxford University Press. <https://academic.oup.com/book/11823/chapter-abstract/160911700?redirectedFrom=fulltext>
  25. Hamilton, J.(2019). *The Role of the Public Prosecutor in Upholding the Rule of Law*. (PP.2-13) Director of Public Prosecutions, Ireland.: [https://www.dppireland.ie/app/uploads/2019/03/THE\\_ROLE\\_OF\\_PUBLIC\\_PROSECUTORS\\_IN\\_UPHOLDING\\_THE\\_RULE\\_OF\\_LAW\\_-\\_May\\_2006.pdf](https://www.dppireland.ie/app/uploads/2019/03/THE_ROLE_OF_PUBLIC_PROSECUTORS_IN_UPHOLDING_THE_RULE_OF_LAW_-_May_2006.pdf)
  26. Section 2. (2016).Code of Conduct for Prosecutors. Ed.First.(PP.2).Office of Prosecutor general Punjab.: [https://pg.punjab.gov.pk/system/files/CODE%20OF%20CONDUCT%20FOR%20PROSECUTORS%20\(FINAL\).pdf](https://pg.punjab.gov.pk/system/files/CODE%20OF%20CONDUCT%20FOR%20PROSECUTORS%20(FINAL).pdf)
  27. Section 4. (2016).Code of Conduct for Prosecutors. Ed.First.(PP.3).Office of Prosecutor general Punjab.: [https://pg.punjab.gov.pk/system/files/CODE%20OF%20CONDUCT%20FOR%20PROSECUTORS%20\(FINAL\).pdf](https://pg.punjab.gov.pk/system/files/CODE%20OF%20CONDUCT%20FOR%20PROSECUTORS%20(FINAL).pdf)
  28. Section 4. (2016).Code of Conduct for Prosecutors. Ed.First.(PP.3).Office of Prosecutor general Punjab.: [https://pg.punjab.gov.pk/system/files/CODE%20OF%20CONDUCT%20FOR%20PROSECUTORS%20\(FINAL\).pdf](https://pg.punjab.gov.pk/system/files/CODE%20OF%20CONDUCT%20FOR%20PROSECUTORS%20(FINAL).pdf)
  29. Section 5. (2016).Code of Conduct for Prosecutors. Ed.First.(PP.6).Office of Prosecutor general Punjab.: <https://pg.punjab.gov.pk/system/files/CODE%20OF%20CONDUCT%20FOR%20PROSECUTORS>

*The Function of Law Enforcement and Legal Prosecution in Investigations from  
Pakistan's Perspective*

- %20(FINAL).pdf
30. Section 6. (2016).Code of Conduct for Prosecutors. Ed.First.(PP.10).Office of Prosecutor general Punjab:  
[https://pg.punjab.gov.pk/system/files/CODE%20OF%20CONDUCT%20FOR%20PROSECUTORS%20\(FINAL\).pdf](https://pg.punjab.gov.pk/system/files/CODE%20OF%20CONDUCT%20FOR%20PROSECUTORS%20(FINAL).pdf)
  31. Rule 27(2). (1934). The police rules.Ed.First. Volume III. Chapter 27.  
:<https://punjabconstabulary.gov.pk/punjab-police-rules-1934/>
  32. Rule 27(4). (1934).The police rules.Ed.First. Volume III. Chapter 27.  
:<https://punjabconstabulary.gov.pk/punjab-police-rules-1934/>
  33. Rule 27(7). (1934).The police rules.Ed.First. Volume III. Chapter 27.  
:<https://punjabconstabulary.gov.pk/punjab-police-rules-1934/>
  34. Rule 27(10). (1934).The police rules.Ed.First. Volume III. Chapter 27.  
:<https://punjabconstabulary.gov.pk/punjab-police-rules-1934/>
  35. Rule 27(11). (1934).The police rules.Ed.First. Volume III. Chapter 27.  
:<https://punjabconstabulary.gov.pk/punjab-police-rules-1934/>
  36. Rule 27(13) . (1934).The police rules.Ed.First. Volume III. Chapter 27.  
:<https://punjabconstabulary.gov.pk/punjab-police-rules-1934/>
  37. Rule 27(16). (1934).The police rules.Ed.First. Volume III. Chapter 27.  
:<https://punjabconstabulary.gov.pk/punjab-police-rules-1934/>
  38. Ashworth, A. (2000). *Developments in the Public Prosecutor's Office in England and Wales.*(PP 275-282) European Journal of Crime, Criminal Law and Criminal Justice. Vol. 8/3. Kluwer Law International. Printed in the Netherlands.: <https://www.legal-tools.org/doc/1bfbbf/pdf/>
  39. Taleb, A. and Ahlstrand, T. (2011). \_The public prosecutor, its role, duties and powers in the pre-trial stage of the criminal justice process – a comparative study of the French and the Swedish legal systems. Vol. 82(PP. 523 - 540).: <https://www.cairn.info/revue-internationale-de-droit-penal-2011-3-page-523.htm>