



THE LAW SOCIETY OF ZIMBABWE

THE LAW SOCIETY OF ZIMBABWE RESPONSE TO THE HERALD ARTICLE ENTITLED PG TARGETS CORRUPT LAWYERS, OFFICERS.

The Law Society of Zimbabwe (LSZ) wishes to note the recent appointment of Mr Kumbirai Hodzi as Prosecutor General and immediately expresses its concern remarks attributed to the newly sworn Prosecutor General in a story which appeared in The Herald of the 25st of January 2019 entitled **PG targets corrupt lawyers, officers**. The story comes from an interview the recently appointed Prosecutor General had with the Herald doubtless as he laid out his roadmap in his new appointment.

In this interview the Prosecutor General categorically stated that...***but the most heinous corruption is emanating from the Legal Practitioners. Legal Practitioners are dominating the list.*** The Law Society is utterly shocked to learn of the existence of such a list of corrupt individuals wherein the lawyers allegedly dominate. Corruption is a grave crime which requires serious attention and effective strategies to deal with. Not only is it a criminal offence, it is also a serious act of misconduct for lawyers. Thus the Law Society is perplexed to learn of such gross allegations against its members, which are not only exaggerated but disparaging in nature. It is unexpected for the Prosecutor General to conclude that most ***heinous corruption is emanating from the legal practitioners***, yet in the same interview he indicates that investigations against such lawyers are underway. Is the PG not convicting these lawyers before investigations are concluded? It is disconcerting that Mr Hodzi having been in this office for six months in an acting capacity never saw the wisdom in bringing such serious allegations to the attention of the Law Society Council. One would wonder why these lawyers who are alleged to be corrupt, are not being prosecuted, especially when the Prosecutor General seemingly suggests that he is armed with incriminating evidence against these lawyers.

While the Law Society respects the rights of the public to be informed of issues that affect it, we however, hold the view that these rights should be exercised responsibly. Thus Law Society decries this megaphone approach to prosecution and justice adopted by the Prosecutor General. Such utterances by the Prosecutor

General contained serious misrepresentations, which may lead to any reasonable man or woman believing that the legal profession is highly unethical. This is very dangerous as it taints the confidence of the public in the justice system, to which the Prosecutor General belongs and is expected to promote.

The office of the Prosecutor General is one of the public offices country which call for exceptional professional and personal qualities. It requires a person who is balanced, and not given to spontaneity. We believe Mr Hodzi's acceptance of this responsibility is a demonstration of his appreciation and willingness to serve the public and the justice system professionally and impartially. It is thus a legitimate expectation of the Law Society and the legal profession to see the Prosecutor General exhibiting propriety that demonstrates an appreciation of his constitutional mandate. We accordingly call upon him to execute his duties diligently, independently, professionally and with integrity. More specifically we call upon him to have a dispassionate approach to justice.

The Law Society calls upon the Prosecutor General and the National Prosecuting Authority to exercise a high degree of probity in instituting and undertaking criminal proceedings. Criminal prosecutions should be an end to justice and never used to satisfy personal egos as this can easily turn to abuse of office. The legal profession remains an important stakeholder in the administration of justice and expects to be treated professionally and accorded due respect. The Law Society pledges its support to the Prosecutor General in the fight against corruption in general and in the justice sector in particular.

The LSZ wishes to reassure members of the public that it remains an effective regulator of the legal profession. The profession is full of many honest and diligent lawyers. Every now and then some bad apples may find their way into the profession. In those cases, the LSZ has swiftly moved in to suspend or to seek de-registration of those who would have transgressed. The Law Society Council deals effectively with substantiated complaints of misconduct against lawyers, which are formally placed before it. This is our legacy. Members of the public are therefore advised that the legal profession remains a noble profession.

The Law Society of Zimbabwe remains committed to Justice and the Rule of Law.

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