

Study of law The legal nature of the Palestinian Public Prosecution

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Abstract.

In this study I have dealt with a very important topic: (The legal nature of the Public Prosecution - a comparative study). The legal nature of the Public Prosecution requires great attention on the various legal systems not only in theory but also in practical terms. The nature of this nature of serious effects in the case of ambiguous or unclear on the one hand, and on the other, in the event that this nature permeated by a defect and deviation from what it must be to achieve the purpose of the existence of the Public Prosecution in the exercise of its function to act as required by justice

We then dealt with the determinants of the legal nature of the Public Prosecution starting with defining the criteria that help clarify this nature in terms of the formal criterion by clarifying its relationship with the three authorities whether under the principle of the unity of powers or the principle of separation between them and the objective criterion by clarifying the nature of its work and its function (Mixed), and then we discussed the elements that determine the nature of the Public Prosecution where it may be of a dual nature or of an individual nature or belonging to the executive or procedural organization belong to the state, so that we can know what nature can be classified

After that, it was necessary to clarify the effects of the legal nature of the prosecution service after determining the nature of this nature and its implications, so that there are effects that arise in the formality of any structural, and there are effects determined from the substantive side ie the career down to determine the implications of the nature of this apparatus During the determination of the theoretical shortcomings of the legislation and the practical implications of the interference of the executive branch with the jurisdiction of the public prosecution, which is supposed to be an independent judiciary.