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Nota di contenuto	Cover; Title page; Copyright page; Contents; PREFACE; ACKNOWLEDGEMENTS; 1. INTRODUCTION TO THE NAMIBIAN CRIMINAL JUSTICE SYSTEM; 1.1 INTRODUCTION; 1.2 FOUNDATIONS OF THE NAMIBIAN CRIMINAL JUSTICE SYSTEM; 1.3 THE CONSTITUTIONAL STRUCTURE; 1.3.1 The Executive; 1.3.1.1 The President; 1.3.1.2 Cabinet; 1.3.2 The Legislature; 1.3.2.1 National Assembly; 1.3.2.2 National Council; 1.3.2.3 Overview of the law-making process; 1.3.3 The Judiciary; 1.3.3.1 Namibian courts; 1.3.3.1.1 Supreme Court; 1.3.3.1.2 High Court; 1.3.3.1.3 Magistrates' courts; 1.3.3.1.4 Community courts 2. THE PROSECUTORIAL AUTHORITY AND CONCOMITANT MATTERS2.1 INTRODUCTION; 2.2 THE PROSECUTOR-GENERAL; 2.2.1 History and General Reflections; 2.2.2 Cases Concerning the Appointment and Role of the Prosecutor-General in Namibia; 2.2.2.1 Ex parte Attorney-General In re: the Constitutional Relationship between the Attorney-General and the Prosecutor-General; 2.2.2.2 Ekandjo-Imalwa v The Law Society of Namibia and Another; The Law Society of Namibia and Another v The Attorney-General of the Republic of Namibia and Others; 2.2.3 The Prosecution as Dominus Litis; 2.2.4 Discretion to Prosecute

2.2.5 Delegation of Prosecutorial Authority 2.2.6 The Appointment of an Acting Prosecutor-General; 2.3 THE ROLE OF A PUBLIC PROSECUTOR; 2.3.1 General Reflections; 2.3.2 The Prosecution and the Police; 2.3.3 The Prosecution and the Accused; 2.3.4 Guidelines on the Role of Prosecutors; 2.4 WITHDRAWAL AND STOPPING OF PROSECUTION; 2.5 TRIAL WITHIN REASONABLE TIME AND RELEASE FROM THE TRIAL; 2.5.1 General; 2.5.2 Length of Delay; 2.5.3 Reasons Given by the State to Justify the Delay; 2.5.4 Responsibility of the Accused for Asserting his Rights; 2.5.5 Prejudice to the Accused 2.6 TRIAL "WITHIN A REASONABLE TIME" 2.6.1 Meaning and Elucidation of Concept; 2.6.2 Interpretation of "Reasonable Time"; 2.7 PERMANENT STAY OF CRIMINAL PROCEEDINGS; 2.7.1 The Constitutional Basis; 2.8 PRIVATE PROSECUTION; 2.8.1 General Reflections; 2.8.2 Private Prosecution on Certificate of Nolle Prosequi (Refusal to Prosecute); 2.9 PRESCRIPTION OF THE RIGHT TO PROSECUTE; 3. INTRODUCTION TO THE CRIMINAL PROCESSES; 3.1 INTRODUCTION; 3.2 THE RELATIONSHIP BETWEEN CRIMINAL LAW AND CRIMINAL PROCEDURE; 3.3 RELATIONSHIP BETWEEN CRIMINAL AND CIVIL PROCEDURE 3.4 SOURCES OF CRIMINAL PROCEDURE IN NAMIBIA 3.4.1 The Namibian Constitution; 3.4.2 Legislation; 3.4.3 International Treaties and Conventions; 3.4.4 Case Law; 3.4.5 Common Law; 3.4.6 Scholarly Authorities; 3.5 ADVERSARIAL AND INQUISITORIAL CRIMINAL PROCEDURE; 3.5.1 Distinguishing Adversarial and Inquisitorial Systems; 3.5.1.1 The adversarial system; 3.5.1.2 The inquisitorial system; 3.5.1.3 General assessment; 3.5.2 Commonality and Convergence between Adversarial and Inquisitorial Systems; 3.5.3 Decoding the Merits and Demerits of the Adversarial and Inquisitorial Systems 3.5.3.1 The contrast between the adversarial and inquisitorial systems
