

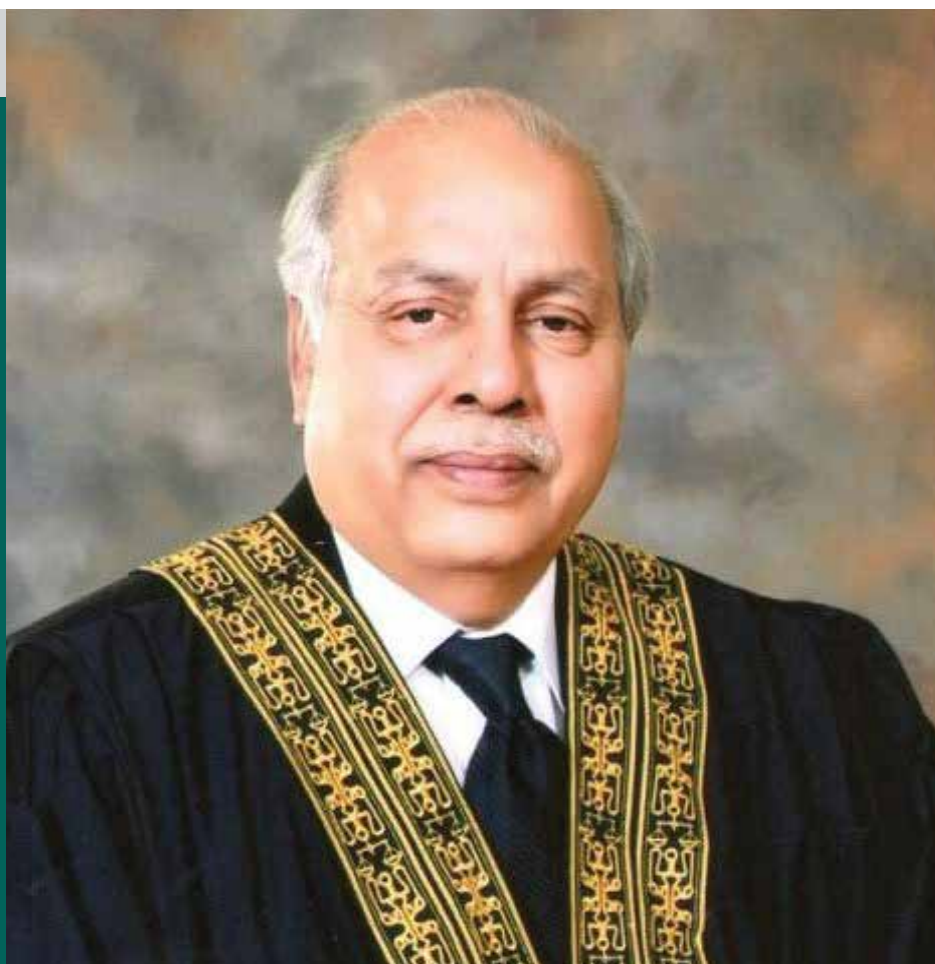
Federal Judicial Academy

News Bulletin

July – September 2020

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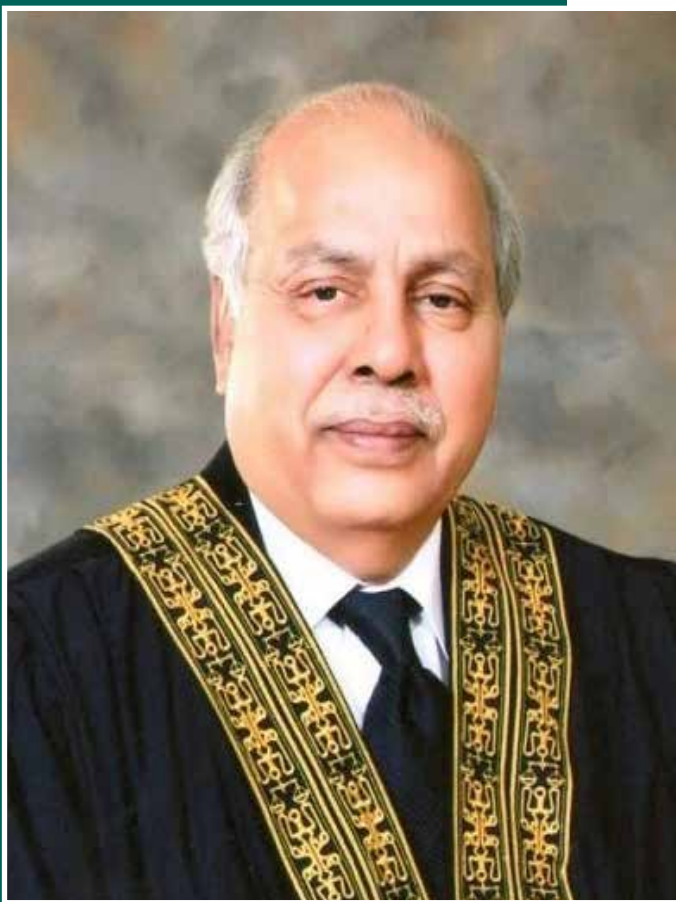


Trainee Assistant Directors Legal from Federal Investigation Agency in group photo with Honourable Chief Justice of Pakistan, Mr. Justice Gulzar Ahmed at the Supreme Court of Pakistan on September 17, 2020.

Prosecutors should ensure equality before the law, and make themselves aware of all relevant circumstances including those affecting the accused, irrespective of whether they are to the latter's advantage or disadvantage:

Mr. Justice Gulzar Ahmed, Hon'ble Chief Justice of Pakistan

Prosecution is an integral part of the criminal justice system.



**Mr. Justice Gulzar Ahmed,
Honourable Chief Justice of Pakistan**

Hon'ble Chief Justice of Pakistan Mr. Justice Gulzar Ahmed said on September 17, 2020 that there is a thin line between prosecution and persecution and conscientious prosecution must be observed to help administer the rule of law.

The Hon'ble Chief Justice of Pakistan was advising a group of prosecutors of the Federal Investigation Agency (FIA), under-training at Federal Judicial Academy (FJA), who called on him, in the Supreme Court.

"Prosecution is an integral part of the criminal justice system. You should carry out your functions fairly, impartially and objectively. You must respect and seek to protect human rights as laid down in the Constitution of Islamic Republic of Pakistan," Hon'ble Chief Justice of Pakistan said.

The Honourable Chief Justice emphasized that it is the duty of the prosecutors to prove the accused guilty in the courts.

"The police carries out investigation and submits challans against the accused and then leaves it to the prosecutors to fight the legal battle in the court," he said.

The Hon'ble Chief Justice of Pakistan further advised them that the prosecutors should abstain from discrimination on any ground such as sex, race, colour, language and religion, political or other opinions.

"Prosecutors should ensure equality before the law, and make themselves aware of all relevant circumstances including those affecting the accused, irrespective of whether they are to the latter's advantage or disadvantage," the Hon'ble Chief Justice of Pakistan said.

They should not initiate or continue prosecution when an impartial investigation shows the charge

to be unfounded, the Hon'ble Chief Justice added. They should also not present evidence against accused that is believed on reasonable grounds to be obtained through recourse to methods which are contrary to the law.

"In cases of any doubt, the prosecutors should ask the court to rule on the admissibility of such evidence," the Hon'ble Chief Justice of Pakistan advised.

A batch of twelve Assistant Directors (Legal) underwent a week-long training at the Federal Judicial Academy. It was the first batch of face to face learning at the Academy, and the administration has ensured observance of due protocols and necessary standard operating procedures (SOPs).

The delegation was accompanied by the FJA Director-General Mr. Hayat Ali Shah and Programs & Coordination Director Ms. Huma Chughtai



Trainee Assistant Directors Legal from Federal Investigation Agency in group photo with Mr. Justice Gulzar Ahmed, Honourable Chief Justice of Pakistan at the Supreme Court of Pakistan on September 17, 2020.

Orientation Training Course for Assistant Directors (Legal) of FIA.

Federal Judicial Academy plays its role in the capacity building of human resource of other key players of the justice system as a contribution towards strengthening accountability framework and the rule of law. A One Week Pre-Service Orientation Course of federal investigation team was conducted.

Areas of Training

- Critical thinking
- Syndicate discussion
- Syndicate presentation
- Evidence - The Judge's Perspective
- Cyber Law Regime Investigation
- Trial Procedure
- Effective Prosecution
- Brief writing skills
- Brief writing exercise
- Understanding Land Revenue Record
- Professional ethics
- Research Assignment Presentation



“Response of Criminal Justice System to Urban Violence” - Research Cycle-II Concludes.

Research Team made presentations to Mr. Justice Mushir Alam and Mr. Justice Umar Ata Bandial, Hon’ble Judges Supreme Court of Pakistan on September 25, 2020.



Mr. Justice Muhsir Alam



Mr. Justice Umar Ata Bandial

In line with the policy guidelines of Hon’ble the Chief Justice of Pakistan requiring research skills for judicial officers, Federal Judicial Academy in collaboration with International Committee of Red Cross (ICRC) had launched Research Cycle-II on “Response of Criminal Justice System to Urban Violence”.

The Research Cycle was launched with an aim to find out the answers to the questions whether the criminal justice system is efficacious enough to meet the ends of justice and combat the rising tendency of violence, particularly in the urban societies.

Nine Judicial Officers from Pakistan and three from Maldives underwent this program. The researchers were trained in research methodology and tools for one month, where after, they undertook indigenous legal research for the rest of four months of their research cycle.



Honourable Mr. Justice Muhsir Alam and Honourable Mr. Justice Umar Ata Bandial awarding certificates to the participants of Research Cycle -II at the Supreme Court of Pakistan.



Group Photo

Federal Judicial Academy imparted training to the Assistant Directors (Legal) FIA

A weeklong Pre-Service Orientation Course for Assistant Directors (Legal) FIA from September 14 to 19, 2020 was conducted at the Federal Judicial Academy in which twelve Assistant Directors Legal participated.



Assistant Directors (Legal), Federal Investigation Agency in group photo with faculty members on September 19, 2020.



Judicial Education through E-Learning Webinar

Online Judicial Education through E-Learning Webinar was conducted for Civil Judges/Magistrates of District Judiciary from August 18 & 19, 24 & 25, 2020 in which 250 judicial officers participated.

To meet the challenges of ongoing Global Issue of COVID-19 pandemic and related concerns, Federal Judicial Academy has developed a “Virtual Judicial Education 2020-21 Strategy” that has been duly approved by Hon’ble Chief Justice of Pakistan. To meet the emerging challenges and to ensure continuity in judicial education, the Federal Judicial Academy organized a series of webinars, during the month of August, for the judges across the country to enhance their knowledge threshold.

1. Role of a Magistrate in Criminal Justice System. (August 24,2020)

Resource Person: Mr. Hayat Ali Shah, Director General, Federal Judicial Academy, Islamabad.

Audience: Magistrates from across the country

Number of Participants: 250

Time: One and Half Hour



Objective

- To make a case for a more Pro-active & Responsive Magistracy.
- To highlight the areas in which a Magistrate, as the Protector of Rights of People, can make meaningful interventions during investigation, with a view to Protect Liberty and also to ensure Effective Investigation.



2. Remand (Female Accused) & Confession/ Statement U/S 164 Cr.PC. (August 18,2020)

Resource Person: Mr. Sohail Nasir, DG EJI/Judge Anti Narcotics Force, Rawalpindi.

Audience: Magistrates from across the country

Number of Participants: 250

Time: One and Half Hour

- Important guidelines for remanding physical custody of female accused to the police were shared.
- Prerequisites and the protocol of recording a confession & a statement were discussed in the light of case law developed on the subject.



3. Identification Parade & Hostile Witness. (August 19,2020)

Resource Person: Mr. Sohail Nasir, DG EJI/Judge Anti Narcotics Force, Rawalpindi.

Audience: Magistrates from across the country

Number of Participants: 250

Time: One and Half Hour

- Mode and manner of conduct of identification parade as well as legal value of the statement of a witness declared hostile, during trial, were discussed.

4. Framing of Charge & Deciding a Case U/S 249 & 249A Cr.PC. (August 24,2020)

Resource Person: Mr. Sohail Nasir, DG EJI/Judge Anti Narcotics Force, Rawalpindi.

Audience: Magistrates from across the country

Number of Participants: 250

Time: One and Half Hour

- Charge of an accused forms the foundation of a trial. Judges were sensitized of importance of framing accurate charge while observing legal requirements.
- Distinction between deciding a case U/S 249 & 249A Cr.PC highlighted.



5. Judgment Writing, Sentencing, Disposal of Case Property & Statements U/S 340 & 342 Cr.PC. (August 25,2020)



Ms. Huma Akhtar Chughtai, Director

- Judgment is the spokesperson of a judge. Art of Judgment writing as well as legal formalities in sentencing were shared with the participants.
- Distinction as well as legal value of a statements U/S 340 & 342 Cr.PC. discussed.

Training Needs Assessment (TNA) conducted through Focused Group Discussions (FGDs) as well as interviews of participants of different batches of judges reflected that there is a dire need of capacity building on the law of Inheritance, procedure of exhumation and trials of the juvenile offenders.



Mr. Asim Hafeez, Deputy Director

Training Needs Assessment (TNA) - Distance Learning

Federal Judicial Academy responded to the need of the judges and arranged three webinars on the desired subjects in the month of September.

1. Webinar on Law of Inheritance

Resource Person: Mr. Abdul Matin, Director

Audience: Civil Judges from across the country

Number of Participants: 250

Time: One and Half Hour

Law of Inheritance has always been a complicated subject and there is a general lack of understanding of the relevant rules of succession. Property inheritance laws in Pakistan vary with religious affinities.

Federal Judicial Academy organized a webinar on Law of Inheritance for Civil Judges from all over Pakistan, on September 24, 2020.



2. Webinar on Exhumation U/S 176 Cr.PC. (September 28,2020)

Resource Person: Mr. Muhammad Hafeezullah Khan, Director

Audience: Magistrates from across the country

Number of Participants: 250

Time: One and Half Hour

Exhumation is the removal of remains from a grave. Exhumations are generally rare, but prove critical in deciding crimes. There is a certain set of procedures to be followed while observing legal formalities. Since the entire process of exhumation is to be supervised by a magistrate, so they need to know the relevant rules and procedure.

Federal Judicial Academy arranged a webinar on the topic of Exhumation U/S 176 Cr. PC for Magistrates from all over Pakistan.



3. Legal Protections to the Juvenile Offenders (Sep 29,2020)

Resource Person: Raja Jahanzaib Akhter , Additional Director

Audience: Magistrates from across the country

Number of Participants: 250

Time: One and Half Hour

Minimum standard of dignity juvenile offenders in Pakistan are entitled to can be found in Article 14 of the Constitution of Islamic Republic of Pakistan read together with Article 37 of The United Nation Convention on the Rights of the Child (UNCRC). The minimum threshold of dignity construed through the national and international conventions, treaties and laws is the right not to be sentenced to death, the right not to be subjected to torture, the right not to be arrested (except as a last resort), and the right to be separated from adults during all phases of criminal trial.

Federal Judicial Academy organized a webinar on the topic of “Protections to the Juvenile Offenders” for Magistrates from all over Pakistan.





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