

FIVE-DAY SKILL BASED TRAINING PROGRAM FOR PROSECUTORS AND INVESTIGATORS (BATCH-01 FROM 15 – 19 MAY 2023)



Background Context

❖ M/s. United Nations Office on Drugs and Crime (UNODC) has been continuously working in collaboration with Sindh Judicial Academy (SJA) on several initiatives. Among others, one of the initiatives was to support the training and development of police and prosecution services to enhance core skills and capacities. In the criminal justice system, the need for cooperation between Police and Prosecutors was critical and UNODC has been working to build up the capacity of Police and Prosecutors around the area of Police Prosecutors Cooperation and planned five-day training programs on “Police Prosecutors Cooperation” at SJA. The training programs were scheduled to be held as per the following details:

| S. No. | Training Title | Scheduled |
|--------|--------------------------------|-------------------|
| 01 | Police Prosecutors Cooperation | 15 – 19 May 2023 |
| 02 | Police Prosecutors Cooperation | 05 – 09 June 2023 |
| 03 | Police Prosecutors Cooperation | 10 – 14 July 2023 |

Brief Introduction to Training

❖ In the context above, a Five-Day Skill Based Training Program for Prosecutors and Investigators was arranged from 15 – 19 May 2023 (**Batch-01**) at Sindh Judicial Academy. In this program, a total of 20 participants (07 Prosecutors and 13 Police Officials) attended this interactive/skill-based training session.

Salient Proceedings

❖ On Day-01, in the Inaugural Session, Mr. Qazi Muhammad Naeem Siddiqui (former Additional District & Sessions Judge) conducted the following activities:



- Registration
- Attendance of participants
- Recitation
- National anthem
- Online Pre-Assessment
- Brief on the Code of Conduct & SOPs of the training program.

❖ First session was conducted by **Syed Faiz Shah** (Prosecutor General Sindh) on the subject of the “Role of Prosecutor during investigation and trial”. In this subject, the following topics were taught:



- The role of a prosecutor in Pakistan during investigation and trial is crucial in ensuring justice and upholding the rule of law.
- During the investigation phase, the prosecutor works closely with law enforcement agencies to gather evidence, interview witnesses, and build a strong case against the accused.

- The prosecutor assesses the evidence collected by the investigation agency to determine its admissibility in court and its strength in supporting the charges against the accused.
- Prosecutors in Pakistan are responsible for ensuring that the accused's rights are protected during the investigation, such as ensuring fair treatment and adherence to legal procedures.
- Prosecutors also have the authority to request additional investigations or evidence collection if they believe it is necessary to strengthen the case or clarify any doubts.
- Once the investigation is complete, the prosecutor decides whether there is enough evidence to proceed with a trial and brings formal charges against the accused.
- During the trial, the prosecutor presents the case against the accused, calling witnesses, introducing evidence, and making legal arguments to prove the guilt of the defendant.
- The prosecutor must act impartially and ethically, presenting the evidence and arguments fairly and rationally.
- Prosecutors in Pakistan are responsible for ensuring that the trial process is conducted according to the law, protecting the rights of both the accused and the victims.
- They also must challenge the defense's arguments and cross-examine their witnesses to test the credibility of the evidence presented by the defense.
- In some cases, the prosecutor may negotiate plea bargains with the defense, offering reduced charges or sentences in exchange for the defendant's guilty plea.
- Throughout the trial, the prosecutor works closely with the judge, providing legal guidance and addressing any procedural issues that may arise.
- At the end of the trial, the prosecutor presents a closing argument summarizing the evidence and urging the judge or jury to find the defendant guilty based on the evidence presented.
- Ultimately, the role of a prosecutor in Pakistan is to ensure a fair and just trial, seeking the truth and protecting the interests of society by holding the guilty accountable for their actions.

❖ Second session was conducted by **Mr. Muhammad Shahid Shafiq** (District & Sessions Judge/Senior Faculty Member, SJA) on the subject of the “Role of Prosecutor during the trial”. In this subject, the following topics were taught:



- The role of a prosecutor during a trial in Pakistan is to present the case against the accused and seek a conviction based on the evidence presented.
- The prosecutor is responsible for organizing and presenting the evidence, including witness testimonies, expert opinions, and documentary proof, to prove the guilt of the defendant.
- The prosecutor must establish a clear narrative of the case and provide a coherent and logical argument to convince the judge or jury of the defendant's guilt beyond a reasonable doubt.
- The prosecutor must examine and cross-examine witnesses, including the accused, to elicit relevant information and challenge the credibility of the defense's case.
- The prosecutor must adhere to the principles of fairness and objectivity, presenting the evidence in an unbiased manner and refraining from any misconduct that could jeopardize the integrity of the trial.
- The prosecutor is responsible for addressing any legal objections raised by the defense and presenting counter-arguments to defend the admissibility and relevance of the evidence.
- During the trial, the prosecutor may make opening statements, which provide an overview of the case and highlight the evidence that will be presented to support the charges against the accused.
- The prosecutor presents the evidence systematically, organizing it logically to create a persuasive narrative supporting the prosecution's case.
- In addition to presenting evidence, the prosecutor may call witnesses, including experts or victims, to testify and provide further insights into the case.
- The prosecutor can deliver a closing argument at the end of the trial, summarizing the evidence and highlighting

key points that support the prosecution's case and refuting the defense's arguments.

- It is the prosecutor's responsibility to ensure that the trial proceeds by the law, and they may raise objections or seek clarification from the judge on legal matters that arise during the proceedings.
- The prosecutor works in collaboration with the judge, providing legal guidance and addressing any procedural issues that may arise during the trial.
- Ultimately, the role of a prosecutor during a trial in Pakistan is to represent the state's interests, seek justice, and strive for a fair and just outcome based on the evidence presented.

❖ Third and fourth sessions were conducted by **Mr. Javed Ahmed Keerio** (District & Sessions Judge) on the subject of "Scrutiny of Challan and submission of the report to Magistrate". In this subject, the following topics were taught:



- Scrutiny of challan involves a detailed examination of the case file, ensuring its completeness and adherence to legal requirements.
- The prosecutor reviews the evidence, statements, and documents to assess the strength of the case against the accused.
- The prosecutor prepares a report summarizing the findings and recommendations based on the scrutiny of the challan.
- The report serves as a crucial document submitted to the magistrate, providing an overview of the case and supporting evidence.
- It assists the magistrate in understanding the nature of the charges and making informed decisions regarding the case.
- The report may include details about the evidence, witness statements, and any additional investigative steps required.
- It plays a vital role in initiating further actions, such as issuing summons or arrest warrants.
- The prosecutor's role is to ensure the accuracy and comprehensiveness of the

report for a fair and efficient judicial process.

- The report helps facilitate a transparent and accountable system of justice in Pakistan.
- The scrutiny of the challan and submission of the report to the magistrate are integral steps in the legal process, ensuring that cases proceed by the law.

❖ On Day-02, the First, Second, and Third sessions were conducted by **Mr. Zafar Abbas Mirza** (Additional Prosecutor, Peshawar High Court, Peshawar) on the subject of "Sharing good practices followed in leading cases". In this subject, the following topics were taught:

- Mechanism for the success of cases
- Case Management System
- Management Structure Sequence
- Criminal Justice System Pakistan
- Role of various Departments in the dispensation of justice
- Management of a criminal case
- Best international practice during the investigation
- Improving preliminary investigation
- Firm understanding
- Best international practices investigation phase
- Fundamentals of crime scene management
- Mechanism of supervising the process of investigation
- Selection of witnesses
- Tender a prosecutorial advice
- What to do
- Collection of forensic evidence in different crimes (international best practices)
- Burglary
- Digital evidence in the terrorism case
- Computer crimes/volatile data collection
- Collection of evidence from vehicle hit by bullets
- Evidentiary issue during the trial
- Contaminated evidence
- Scrutiny of cases
- Case study
- Police prosecution coordination results
- Gaps in the investigation
- Case management during trial
- Evidence in the trial

- Corresponding duties of the prosecution and the investigation
- Let's prepare and argue the case
- Accused charged
- Forensic evidence
- Progress in the investigation
- Recovery and pointation
- Confession
- FSL report
- Identification parade
- Statement through video link (first time in Pakistan)
- Trial
- Discharge
- Crime scene inspection
- Ocular evidence
- Resile witness
- Conviction
- Trend of abusing the child

❖ At the end of Day-02, the participants attended a "Library Period" and conducted the following activities under the guidance and supervision of **Mr. Muhammad Shahid Shafiq** (DSJ/SFM, SJA) and **Mr. Nizamuddin** (Librarian, SJA):

- Study and research various cases
- Perused filled and unfilled format used for monitoring
- Preparing trainees' presentations

❖ On Day-03, the First session was conducted by **Syed Waqas Shah** (representative of UNODC) on the following topics:

- Police and Prosecution cooperation during the investigation
- Police and Prosecution cooperation during trial
- Communication skills

❖ Second session was conducted by **Mr. Anwar** (Representative of Forensic Lab, Garden East) on the subject of "Collection of forensic evidence and procedure to produce expert's report". In this subject, the following topics were taught:



- Forensic Science
- Forensic Evidence
- Importance of Evidence
- Type of Evidence
- Existing Facility of Forensic
- Available Facility in Pakistan

❖ Third session was jointly conducted by **Mr. Qazi Muhammad Naeem Siddiqui** (former ADJ) and **Mr. Aftab Shoab** (representative of UNODC) on the subject of "Human Rights available to accused and victim in the Constitution of Pakistan (Article 8 – 28)". In this subject, the following topics were taught:

- Fair Trial
- Legal Aid
- Liberty of Person (Bail)
- Diversion

❖ Fourth session was jointly conducted by **Mr. Muhammad Shahid Shafiq** (DSJ/SFM, SJA) and **Mr. Qazi Muhammad Naeem Siddiqui** (former ADJ) on the subject of "How to argue pre and post-bail application".

❖ Fifth session was also jointly conducted by **Mr. Muhammad Shahid Shafiq** (DSJ/SFM, SJA) and **Mr. Qazi Muhammad Naeem Siddiqui** (former ADJ) on the subjects of "Exploring and analyzing Internet crimes and their behavior" and "Use of electronic devices during the investigation: Its Legal aspects".

❖ On Day-04, the First and Second sessions were conducted by **Mr. Abu Bakar Nauman** (Deputy Prosecutor, Government of Punjab, Lahore) on the subject of "Role of Prosecutor during the investigation".



❖ Third and Fourth sessions were conducted by **Ch. Muhammad Jahangir** (Director, CPD Punjab, Lahore) on the subject of



“Defective prosecution and its effect on final verdicts”.

❖ (Award Ceremony Day), participants were awarded certificates.

❖ Fifth session was also conducted by **Mr. Abu Bakar Nauman** (Deputy Prosecutor, Government of Punjab, Lahore) on the subjects of “Role of Investigator and Prosecutor while dealing Gender-based violence” and “How to prepare case file and submit a final report?”.

❖ On Day-05, the First session was conducted by **Mr. Malik Tariq** (DSP/Principal, School of Finance at Central Police Office, Karachi) on the subject of “Role of Investigation officer for collecting forensic evidence in gender-based violence cases”.

❖ Second session was conducted by **Mr. Muhammad Shahid Shafiq** (DSJ/SFM, SJA) on the subject of “Juvenile Justice System Act, 2018”.

❖ Third session was conducted by **Syed Faiz Shah** (Prosecutor General Sindh) on the subject of “Role of I.O. and Prosecutor to Protect Witnesses under the Sindh Witness Protection Act, 2013”.

❖ Fourth session was also conducted by **Mr. Muhammad Shahid Shafiq** (DSJ/SFM, SJA) on the subject of “Role and responsibility of prosecutor during the trial”.

Conclusion

