



Khyber Pakhtunkhwa Judicial Academy

REPORT

Five-Day Pre-Service Training for Assistant Public Prosecutors

26-30 July 2021



KHYBER PAKHTUNKHWA JUDICIAL ACADEMY *05-Days Training of Newly Inducted Public Prosecutors held on 26th-30th July, 2021.*



Sitting L to R Ms. Shano, Ms. Ansa Mehtab, Ms. Nabila Gul, Ms. Huma Malik, Ms. Sidra, Syed Yasir Shabbir (Dir-Ins I), Mr. Sahibzada Sikandar, Mr. Azhar Ali (SDR&P), Mr. Zia-ud-Din-Khattak (Director General), Ms. Farah Jamshed (Dean Faculty), Ms. Wadeeya Mushtaq Malik (Dir-Ins II), Ms. Bushra Rasool, Ms. Komal Jan, Ms. Komal Aslam Khan, Ms. Ambreen, Ms. Shahzadi Noor.

Standing L to R Mr. Majid Khan, Mr. Shahid Adil, Mr. Manzoor Hussain, Mr. Waqar Ahmad, Mr. Aqib Aman, Mr. Abdul Malik, Syed Mudassir Shah, Mr. Adnan Khan, Mr. Mubassir Khan, Mr. Aziz ur Rehman, Mr. Muhammad Imran, Mr. Masroor Khan, Mr. Asim Khan Qadri, Mr. Imran Farooq, Mr. Fahad Ali Khan, Mr. Muhammad Haseeb, Mr. Zubair Khan, Mr. Shahzullah Khan, Mr. Abbas Ali, Mr. Dammis-Murad, Mr. Arif Akbar, Mr. Muhammad Farooq.

Prepared by:

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1.0 Introduction

1.1 KPJA is statutorily mandated to provide training to all justice sector stakeholders, to hold conferences, seminars, lectures, workshops and symposia in matters relating to court management, administration of justice, law and development of skills in legislative drafting and to establish liaison with research institutions, universities and other bodies including the Federal Judicial Academy, towards the cause of administration of justice. (Section 4 of the Academy Act)

1.2 Capacity building in every field of judicial activity is a *sine qua non* for streamlining the system in its entirety. With this end in view, KPJA arranged five-day training for newly inducted Assistant Public Prosecutors across KP Province.

2.0 Purpose of the report

2.1 This report aims to assess the quality and impact of the training delivered from 26th to 30th July 2021.

2.2 The report begins with a general layout of the training session including, information about the participants, schedule of activities, and proceedings, followed by recommendations for future improvements.

3.0 Participants

3.1 Participants of the training were the newly inducted Assistant Public Prosecutors across KP Province. Table below, describes in detail, the names of participants.

S#	Name	Designation
1.	Ms. Sidra	Assistant Public Prosecutor
2.	Ms. Shano	Assistant Public Prosecutor
3.	Mrs. Ansa Mehtab	Assistant Public Prosecutor
4.	Ms. Bushra Rasool	Assistant Public Prosecutor

S#	Name	Designation
5.	Ms. Ambreen	Assistant Public Prosecutor
6.	Ms. Komal Jan	Assistant Public Prosecutor
7.	Ms. Nabila Gul	Assistant Public Prosecutor
8.	Ms. Huma Malik	Assistant Public Prosecutor
9.	Ms. Komal Aslam Khan	Assistant Public Prosecutor
10.	Ms. Shehzadi Noor	Assistant Public Prosecutor
11.	Mr. Muhammad Farooq	Assistant Public Prosecutor
12.	Mr. Shahid Adil	Assistant Public Prosecutor
13.	Mr. Manzoor Hussain	Assistant Public Prosecutor
14.	Mr. Masroor Khan	Assistant Public Prosecutor
15.	Mr. Dannis Murad	Assistant Public Prosecutor
16.	Mr. Abbas Ali	Assistant Public Prosecutor
17.	Mr. Muhammad Haseeb	Assistant Public Prosecutor
18.	Mr. Abdul Malik	Assistant Public Prosecutor
19.	Mr. Aziz ur Rehman	Assistant Public Prosecutor
20.	Mr. Mubassir Khan	Assistant Public Prosecutor
21.	Mr. Waqar Ahmad	Assistant Public Prosecutor
22.	Mr. Imran Farooq	Assistant Public Prosecutor
23.	Mr. Shahzullah Khan	Assistant Public Prosecutor
24.	Mr. Adnan Khan	Assistant Public Prosecutor
25.	Mr. Muhammad Imran	Assistant Public Prosecutor
26.	Mr. Fahad Ali Khan	Assistant Public Prosecutor
27.	Mr. Asim Khan	Assistant Public Prosecutor
28.	Mr. Aqib Aman	Assistant Public Prosecutor
29.	Mr. Zubair Khan	Assistant Public Prosecutor
30.	Syed Mudassir Shah	Assistant Public Prosecutor
31.	Mr. Arif Akbar	Assistant Public Prosecutor

S#	Name	Designation
32.	Mr. Majid Khan	Assistant Public Prosecutor

4.0 Schedule of Activities

4.1 Schedule of Activities is detailed as:-

Day – 1: Monday -26-07-2021			
S.#	Activities	Resource Person	Duration
	Registration & Pre-Evaluation Recitation from the Holy Quran		08:30 – 8:45
	Welcome Address / Orientation	Director General	08:45 – 9:00
1.1	Role of Prosecutors & Importance of Prosecution <ul style="list-style-type: none"> Professional conduct, ethics & mannerism Conduct with regard to Public Generally 	Sahibzada Sikandar, District Public Prosecutor (Rtd)	09:00-10:30
Tea Break (10:30-11:00)			
1.2	Scrutiny of Brief at pre-trial stage <ul style="list-style-type: none"> Guidelines for scrutiny of cases Insertion/deletion of sections of law in cases Safeguard of public interest 	Sahibzada Sikandar, District Public Prosecutor (Rtd)	11:00-12:45
Lunch Break 12:45 – 1:30			
1.3	Administration of Justice <ul style="list-style-type: none"> Criminal Trial with focus on mental illness including forensic health assessment 	Mr. Azhar Ali, Senior Director Research & Publications, KPJA	1:30 – 2:30
Day – 2 : Tuesday - 27-07-2021			
	Recitation from the Holy Quran		8:55-9:00
2.1	Opinion writing (Pre registration of case) <ul style="list-style-type: none"> Supervision of process of investigation Withholding of prosecution Challan and Final report 	Mr. Ateeq-ur-Rehman, Director Admn Directorate of Prosecution	09:00 -10:30
Tea Break (10:30 – 11:00)			
2.2	Practical Exercise Mock pre-trial <ul style="list-style-type: none"> Forwarding of :- 	Faculty Members	11:00-12:45

	<ul style="list-style-type: none"> • Application for police custody • Application for confessional statement • Warrants under u/s 204 Cr.PC • Proclamation u/s 87Cr.P.C • Transit custody • Transfer of Accused 		
Lunch Break 12:45 – 1:30			
2.3	Prosecution under special laws <ul style="list-style-type: none"> • JJSA,2018 • CPA,2010 	Mr. Sangeen Shah, Senior Public Prosecutor	1:30 – 2:30
Day – 3 : Wednesday - 28-07-2021			
	Recitation from the Holy Quran		8:55-9:00
3.1	Effective Prosecution of cases <ul style="list-style-type: none"> • Police- Prosecution coordination • Scrutiny of Calendar of witnesses • Briefing of Official witnesses with special focus on IOs. • Examination of witnesses including Defense and hostile witnesses 	Mr. Ateeq ur Rehman, Director Admn Directorate of Prosecution	09:00 -10:30
Tea Break (10:30 – 11:00)			
3.2	Practical Exercise Session -I <ul style="list-style-type: none"> • Mock Trial • Scrutiny of Formal Charge • Examination of witnesses including Defence and hostile witnesses • Exhibition of Documentary evidence • Criminal Appeals , Criminal Revisions & Miscellaneous applications 	Faculty Members	11:00-12:45
Lunch Break 12:45 – 1:30			
3.3	Practical Exercise Session -II Continued Visit to Forensic Sciences Laboratory(FSL)subject to availability of time	Faculty Members	1:30-2:30
Day4: Thursday 29-07-2021			
4.1	Case property <ul style="list-style-type: none"> • Production & exhibition of case property. • Ensuring safe custody & safe transit of case property 	Malik Amjid Inayat, Senior Advocate	09:00-10:30

	<ul style="list-style-type: none"> Ensuring availability of expert opinions /reports 		
Tea Break 10:30-11:00			
4.2	Bail (Concept, logic & procedure) <ul style="list-style-type: none"> Bail in Bailable cases(496) Non-bailable cases(497) Anticipatory/transit/Bail before arrest.(498) Bail cancellation[497(5)] Cr.PC 	Mr. Jalal-ud-Din Akbar Azam Ghara, Senior Advocate	11:00-12:45
Lunch Break 12:45 – 1:30			
4.3	Practical Exercise <ul style="list-style-type: none"> Full arguments on trial Criminal Appeal, Revision and Misc. Applications 	Faculty Members	1:30 -2:30
Day5: Friday 30 -07-2021			
5.1	Justice of Peace u/s 22-A Cr.P.C with focus on the latest law on the subject. <ul style="list-style-type: none"> Cross versions Change of investigation 	Mr. Aamir Javed, Senior Advocate	9:00-10:30
5.2	Tea Break 10:30 to 11:00		
5.3	Personal Opinion (One pager) / Feedback Session	Faculty Members	11:00-12:00
5.4	Concluding Ceremony <ul style="list-style-type: none"> Class Representative Remarks Concluding address of the Director General 		12:00 Onwards

5.0 Proceedings

5.1 Day 1

5.1.1 The Director General, KPJA, Mr. Zia-ud-Din Khattak chaired the orientation session. In his welcome address highlighted the pivotal role of Public Prosecutors in the criminal justice sector by briefly recollecting the relevant laws, rules and regulations on the subject.

5.1.2 Sahibzada Sikandar, District Public Prosecutor (Rtd), gave two exhaustive lectures on the Role of Prosecutors & Importance of Prosecution and the Scrutiny of Brief at pre-trial stage. His focus was on professionalism, ethics and mannerism in dealing with the general public. He also

sensitized the trainees about the guidelines for scrutiny of cases at pre-trial stage with reference to insertion/deletion of sections of law and about the safeguarding of public interest.

5.1.3 Mr. Azhar Ali, Station Director/Senior Director Research & Publication, delivered lecture on the Criminal Trial with special focus on mental illness including Forensic Health Assessment.

5.2 Day 2

5.2.1 Mr. Ateeq-ur-Rehman, Director Admin, Prosecution Department KPK, delivered lecture on Opinion Writing at Pre-Registration stage of a criminal case, supervision of process of investigation and opinion writing at the time of filing of *challan* and final report.

5.2.2 Lecture was followed by pre-trial mock activity. Trainees were divided into 4 groups and assigned task of forwarding of misc applications including all pre-trial stages of criminal case.

5.2.3 The mock trial was followed by second lecture by Mr. Ateeq ur Rehman on effective prosecution of cases. Areas highlighted by resource person were police-prosecution coordination, scrutiny of calendar of witnesses, briefing of official witnesses with special focus on IOs & examination of witnesses including defense and hostile witnesses.

5.3 Day 3

5.3.1 Mr. Sangeen Shah, Senior Public Prosecutor, Malakand, delivered a comprehensive lecture on prosecution of cases under special laws with focus on the Juvenile Justice System Act, 2018 and Child Protection and Welfare Act, 2010.

5.3.2 Lecture was followed by visit of the trainee Prosecutors to the Forensic Sciences Laboratory, Peshawar where they were briefed about the administrative set-up and FSL and were shown the various sections and labs including the chemical examination lab, the handwriting and fingerprints section and the ballistics and firearms section. The experts demonstrated a few techniques and protocols used for physical and chemical analysis of various samples.

5.3.3 The last activity of the day was a mock trial covering the stages of a criminal trial. Trainees were divided into 4 groups and assigned the tasks of scrutiny of formal charge, exhibition of documentary evidence, examination of witnesses including defense and hostile witnesses.

5.4 Day 4

5.4.1 Mr. Malik Amjad Inayat Advocate delivered an exhaustive discourse on Production & Exhibition of Case Property, ensuring safe custody and safe transit of case property and ensuring the availability of expert opinions and reports on the case files of criminal trials.

5.4.2 Mr. Jalal-ud -Din Akbar Azam Khan Ghara Advocate, delivered a detailed lecture on the concept, logic and procedure for grant and refusal of bails inailable and non-ailable cases. He also apprised the trainees about the procedure and requirements of anticipatory, transit and ad-interim pre-arrest bails.

5.4.3 The last activity of the day was again a mock trial covering the final stages of a criminal trial. Trainees were divided into 4 groups and assigned the tasks of examination of witnesses including defense and hostile witnesses, examination of accused u/s 342 CrPC, statement of accused on oath u/s 340(2) CrPC, advancing final arguments, filing of criminal misc applications, appeals and revisions.

5.5 Day 5

5.5.1 On the last day of training Mr. Aamir Javed, Advocate Supreme Court, delivered a comprehensive lecture on Justice of Peace (powers, functions and responsibilities u/s 22-A Cr.P.C). He sensitized the trainees about cross versions and procedure for change of investigation with focus on the latest case law.

5.5.2 Trainees were tasked to write Personal Opinion Paper in respect of their views/thoughts before and after training, Practical aspect of the training, and their Take Home Segment of the entire training activity.

5.2.3 The training activity was concluded by the closing ceremony. Class Representative in his remarks thanked the Academy for arranging the subject training and appreciated the practical approach adopted in devising the training modules. The worthy Director General congratulated the trainees on the successful completion of the training and wished them best of luck for their future. The ceremony ended with distribution of certificates amongst the participants.

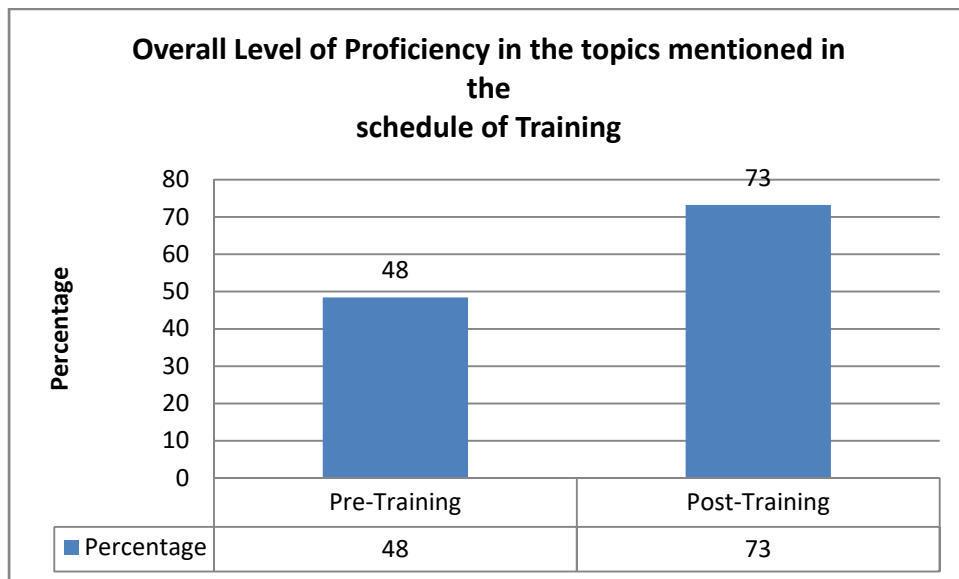
6.0 Impact of the training

6.1 Significant indicators of the training impact are:

6.1.1 Whether the training contributed to an increase in the knowledge of the participants?

6.1.2 Whether that will translate itself into a practical utility?

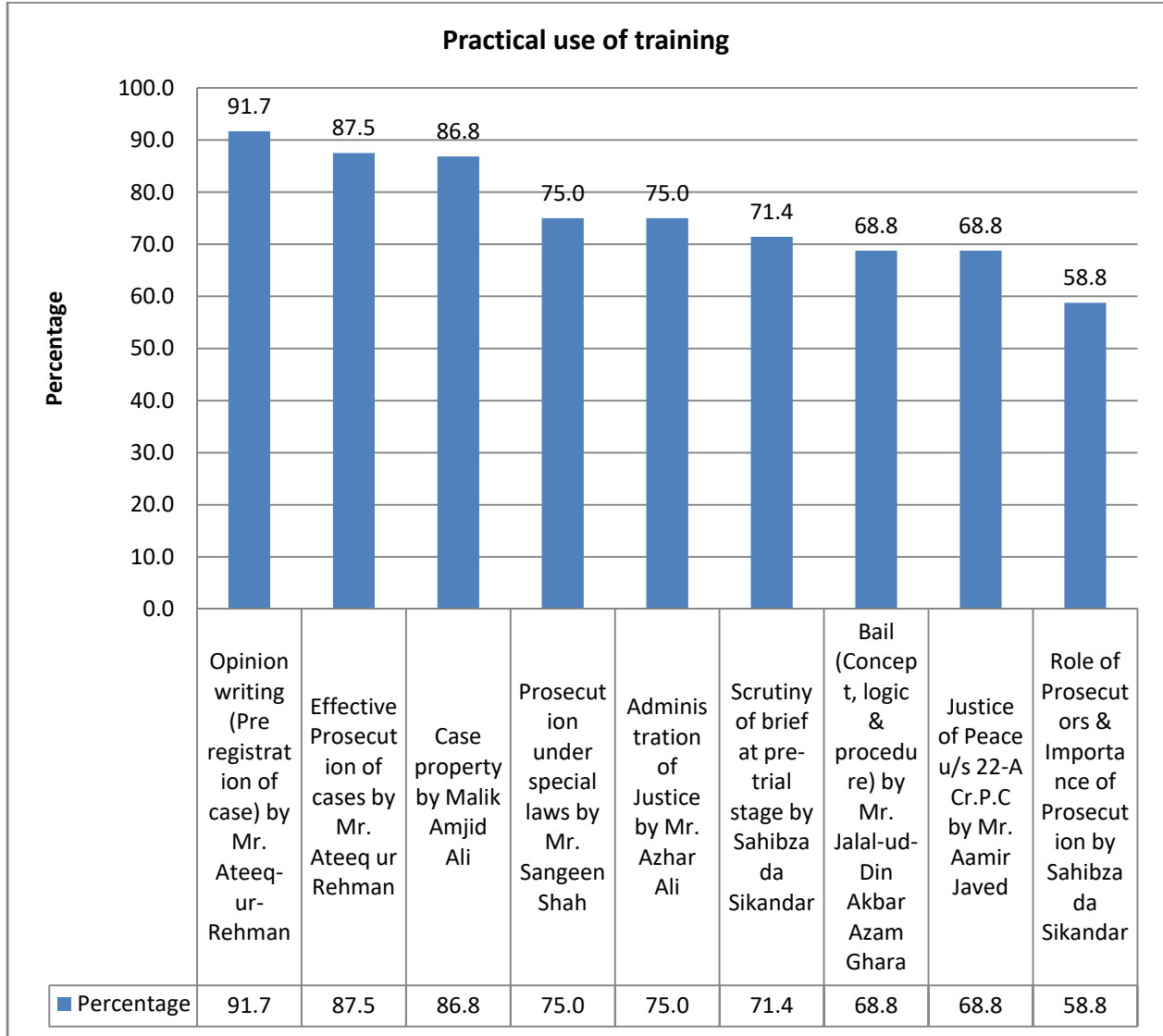
The evaluation questionnaire was designed to deal with this aspect. The relevant feedback obtained from the participants is reflected below:



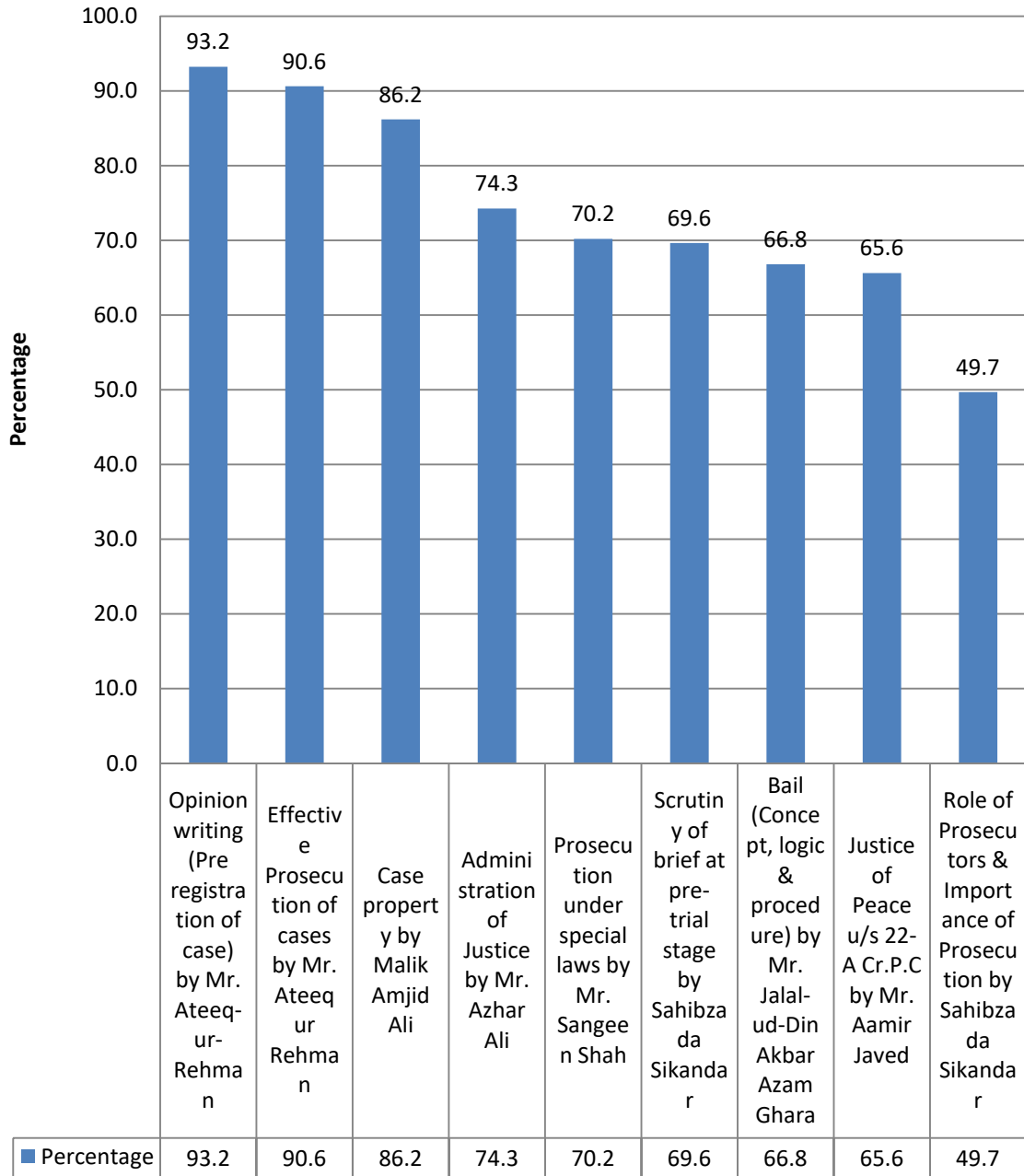
7.0 Quality of the training

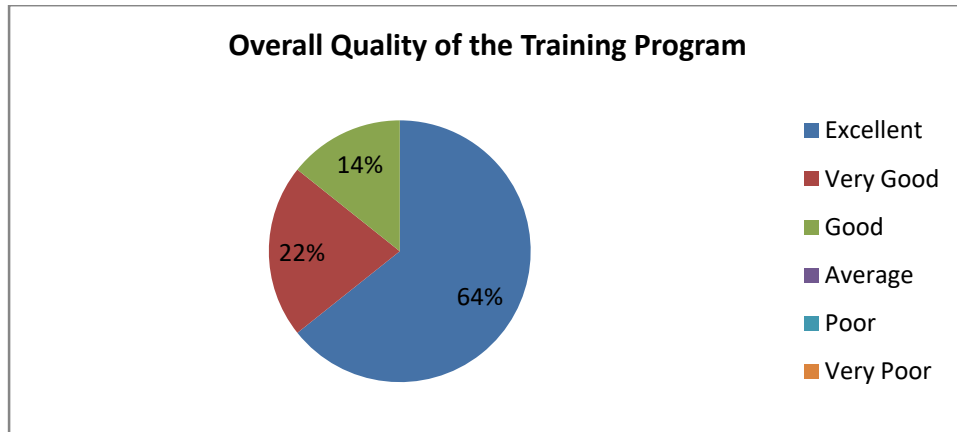
7.1 As regards the quality of the training, it can be easily gleaned from the resource person's evaluation by the participants. Moreover, the participants were asked to comment on

the overall quality of the training program. Their response and the feedback, both on the assessment of the resource persons and the overall quality of the training program are shown in graphic form below:



Resource Person Evaluation





7.2 Participants also furnished their general comments on the training. The same are reproduced verbatim:

1. The course was good don't change it but there is always room for improvement, so further addition of some other relevant topics and jail visits will be highly appreciated if agreed.
2. It's all fine.
3. Extend duration of time.
4. The foremost suggestion would be that the time period for such heavy number of topics should be enhanced.
5. Enlarging scope of course module.
6. The duration for training of prosecution shall be enhanced, one or two working day visits to FSL and hospital for postmortem observation, more practical activities.
7. A session should be only for any type of question in course work.
8. Duration must be increased. Mistakes must be noted.
9. The time should at least be of seven days for the training.
10. The duration shall be increased.

8.0 Conclusion

8.1 Participants' graphic feedback indicates that the training's performance and effect have been rated good.

8.2 Based on the participants' feedback, training modules can be further improved.

8.3 The trainees review reflects the achievement of training objectives.