



## *Fifth Training on Judgment Writing*

Report Prepared By:  
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Dean Faculty

# 2013

*From:  
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## **Foreword**

It would not be an exaggeration to say that the Dean Faculty and his team are performing a wonderful job. After the completion of each training on Judgment Writing, they shoulder the responsibility of preparing its report. The task is indeed an exhaustive one but I am delighted that they have compiled a comprehensive report. Now, the report of fifth training is in your hands.

I am honored to forward this report, which has been prepared for members of legal fraternity and all those associated with the noble task of administration of justice. The contents of the report are self-explanatory and are readable as well. The response of the trainees is encouraging. It gives me an immense pleasure to see that the resource persons are putting their blood and sweat in their presentations.

I wish you pleasant reading and meaningful attainment.

**Hayat Ali Shah,**  
Director General,

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## Preface

As judicial training is gaining universal currency, judgment writing is increasingly becoming a popular subject of judicial education and research.<sup>1</sup> Even in countries, like the United Kingdom (UK), where judgments were traditionally used to be delivered orally (called speeches; dialogues between the bench and the bar),<sup>2</sup> there have been concerted efforts to formalize judicial decision making and penning it down.<sup>3</sup> The bulk of literature demonstrates that two countries—the United States (US) and Australia—have pioneering contributions to research and teaching on the art of judgment writing. In the US (where court judgments are called opinions), research on judgment writing could be traced back to 1960s. Robert A. Leflar, for example, conducted empirical research in 1961. Its focus was who the judges write judgments for.<sup>4</sup> Judge Ruggero Aldister has made significant contributions to the subject. His book *Opinion Writing*, commissioned by the West Publishing Company, published in 1990, was based on the Senior Judge Seminars sponsored by the Institute of Judicial Administration at New York University in 1970-71, 1973-1982 and 1985. The second edition of the book has appeared in 2009.<sup>5</sup> Joyce J. George's *Judicial Opinion Writing Handbook* first appeared in 1981; its fifth edition has appeared in 2007.<sup>6</sup> Other contributors, cited by Judge Aldister, include Charles G. Douglas, Richard A. Wasserstrom, George Rose Smith, Dwight W. Stevenson, B.E. Witkin, Elizabeth A. Francis and James D. Hopkins, to name but a few.<sup>7</sup> Most of these pieces appeared in the famous *Judges' Journal*. The Australian contributions date back to early 1970s; their publication commenced in early 1990s. The Rt Hon Sir Frank Kitto wrote an article: "Why Write a Judgment?" in 1973, which was published in 1992. Key contributors include Justice Kirby, Justice Mahoney, Justice Gibbs and Justice Alson.<sup>8</sup> It appears that the Australian Judges initially focused on judgment writing by the Judges of the superior courts. In other jurisdictions, too, the trend on judgment

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<sup>1</sup>See, generally, Justice Mahoney, "The Writing of a Judgment", 6(1) *Judicial Officers Bulletin* (1994), p61. See also an extended version of the article in the form of a paper Justice Mahoney presented at a Judicial Conference 18 July 1996, available in Papua New Guinea (2007), *Supreme Court, National Court & District Court Notes & Materials on Judgment Writing*, pp 9-224. It could be accessed at [http://www.pngjudiciary.gov.pg/jecpng/doc/pdf/4c\\_notes\\_for\\_new\\_judge.pdf](http://www.pngjudiciary.gov.pg/jecpng/doc/pdf/4c_notes_for_new_judge.pdf) (last accessed 10 Sep 12).

<sup>2</sup>Judge Gerald Lebovits, "Judgment Writing in Kenya and the Common-Law World", 1 *Kenya Law Review* (2008), p 3.

<sup>3</sup>The UK Judicial Studies Board issues an Equal Treatment Bench Book in May 2004. The Book has been updated up to 2010, which is available at [http://www.judiciary.gov.uk/publications-and-reports/judicial-college/Pre+2011/equal-treatment-bench-book.htm#wbc\\_purpose=Basic](http://www.judiciary.gov.uk/publications-and-reports/judicial-college/Pre+2011/equal-treatment-bench-book.htm#wbc_purpose=Basic) (last accessed 10 Sep 12).

<sup>4</sup>Robert A. Leflar, "Some Observations Concerning Judicial Opinions", 61 *Columbia Law Review*, 1961, pp 810--

<sup>5</sup>Honorable Ruggero J. Aldister, Meehan Rasch and Mathew P. Bartlett, "Opinion Writing and Opinion Readers", 31(1) *Cardozo Law Review* 2009, pp1-43, pp 3-4. Also See, Aldister, "Opinion Writers and Law Review Writers: A Commentary and Continuity of Approach",

<sup>6</sup>See Joyce J. George, *Judicial Opinion Writing Handbook*, Hein & Company, 2007; second, third and fourth editions were published in 1986, 1993 and 2000, respectively.

<sup>7</sup>Charles G. Douglas, "How to Write a Concise Opinion", 22 *Judges' Journal*, 1983, p4; Richard A. Wasserstrom, *The Judicial Decision: Towards a Theory of Legal Justification*, 1961; George Rose Smith, A Primer of Opinion Writing for Four New Judges", 21 *Arkansas Law Review*, 1967, p 197; Dwight W. Stevenson, "Writing Effective Opinions", 59 *Judicature*, 1975, p 134; B.E. Witkin, *Manual of Appellate Court Opinions*, West Publishing Co., 1977 (California Center for Judicial Education and Research); Elizabeth A. Francis, "Faster, Better Way to Write Opinions", 27 *Judges' Journal*, 1988, p 26; James D. Hopkins, "Notes on Style in Judicial Opinions" 8 *Judges' Journal*, 1969, p 49.

<sup>8</sup>Justice Kitto, "Why Write Judgments?", 66 *Australian Law Journal* 1992, p787; Justice Kirby, "On the Writing of Judgments", 64 *Australian Law Journal*, 1990, p 691; Justice Mahoney, "The Writing of a Judgment", 6(1) *Judicial Officers Bulletin*, 1994, p61.

writing training courses, workshops and seminars, guest lectures and conferences, is growing. Those worth citing are India, Kenya, Papua New Guinea and Thailand.<sup>9</sup>

This Academy realizes that it should become part of the global training and research community, in general and on judgment writing, in particular. The above brief literature review indicates that it is imperative for a judicial training institute like ours to appreciate the significance of the growing body of legal scholarship on the art of judgment writing. The Academy has a mandate for research. It will encourage research in judicial education. It may thus exploit the existing legal scholarship in this key area of judicial education. The existing literature also shows that despite differences in national legal systems, similarities do exist in the structure and organization of judgment writing, thus providing evidence of best practices. It is also gleaned from the growing body of literature that efforts are underway to systematize judgment writing skills of judges. One may argue that though an art, judgment writing is growing like a science. Judges are professional writers. Their judgments should not only be clear, precise and succinct, but also honest and respectful that will serve the ultimate purpose of justice.

As the Academy was established early this year, it was decided that a training course on judgment writing should be its foundational training activity. For this purpose, the Dean carried out a review of the current literature on judgment writing (cited herein). Alongside that, the Academy also launched an indigenous Training Needs Assessment (TNA) exercise. The purpose was to explore the needs of the judges of the District Judiciary. A questionnaire was circulated amongst all districts. For the sake of the objectivity, anonymity was ensured. Even then, unfortunately, the responses received reflected a perception bias. However, the responses clearly depicted that there was indeed a need for training on judgment writing. In light of the literature review and TNA findings, the training under report was designed. The concept note, annexed herewith, contains aims and objectives and key outcomes of the training and modules. As the training course was an in-service refresher course in nature, the main focus was on two-dimensional practical aspect of judgment writing—language and substance. Serious efforts were made to hire the services of experts of the highest profile. Each module was explained in two-ways. First, focus and second skills it will enhance. Details of the course are available in a separate document included in this report.

As compared to similar other trainings, the Academy successfully managed time. Two new lectures were added. They were: Procedural Provisions Pertaining to Judgment Writing and Judgment Writing and Research Skills. A new feedback form was devised with the help of Mr. Sher Shah Khan, Senior Governance Specialist, the World Bank. Feedback of the participants was sought on each resource person. The graphic results are annexed to this report. Mr. Khan also helped in providing support on how evaluation pertaining to learning (level 2) and on job application of skills (level 3). In the next course, the Academy will confine level 1 evaluation to feedback on the training as a whole, which will be sought on the last day of the training, leaving learning (level 2) to individual resource persons, who may prepare form to explore the learning level. The Academy will duly consider the level 3 evaluation in due course of time. I am personally thankful to Mr. Khan for his help in this regard.

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<sup>9</sup> See the West Zone Regional Workshop, 2008 and the Advanced Course on Management and Judicial Administration, 2006, of the Indian National Judicial Academy; the Judicial Colloquium of the Kenya Judicial Training Institute, 2009; Judgment Writing Workshop of Papua New Guinea, 2001; the Thailand-Australia Mature Administrative Law Program, 2007--at all these events papers were presented on Judgment Writing.

We made all possible efforts to design and deliver it in a befitting manner. This course will run for all judges of the District Judiciary in future, albeit with some modifications. We hope, it will not simply prove as a tool of judicial capacity building, but will engender critical thinking about sound judicial decision making in wider and diverse perspectives. We are attempting to lay a foundation in the key area of judgment writing. We will make further efforts to cement this foundation not for ourselves alone, but also to make it a trend setter for other judicial schools in the country and to enrich academic and practical knowledge about judicial decision making in the perspective of capacity building and the rule of law. My thanks are due to Dr. Niaz Shah, Senior Lecturer, the University of Hull, UK, for sending me some key articles on judgment writing, which proved greatly helpful.

**Dr Khurshid Iqbal,**  
PhD (Ulster/UK); LLM (Hull/UK)  
District & Sessions Judge  
Dean Faculty

## Concept Note

### Training Course on Judgment Writing

‘Judgment writing is the hardest of the legal arts to master’. While there is a significant body of literature on judgment writing skills, there is a near consensus among judicial pundits that good judgment writing depends more on practice than theory. Caseloads have a telling negative impact on a sustainable good judicial style in judgment writing.

Pakistan’s 2009 National Judicial Policy and its rigorous monitoring by the judicial leadership, has generated tremendous pressure on the judges of the District Judiciary. There is a growing perception in the legal fraternity that fighting delay on war footing has led to the delivery of hasty judgments. While the avalanche of the caseload has been visibly melting down, it is now time to divert attention to improvement in the quality of judgment writing.

A quality judgment, as commonly understood, requires that it should speak for itself, be concise, reflect good writing skills, appreciate the readers’ needs and litigants’ wants. Appreciating the fact that the essence of judgeship is the delivery of judgments, the Khyber Pakhtunkhwa Judicial Academy plans to conduct its first training course on judgment writing. The underlying objective of this course is the development of one word vocabulary linked with the writing skills of judges. The guiding principle is an Arabic idiom:

يمل خير الكلام ما قل ودل (Tr. Best speech is one which is precise, speaking and free from boring length.)

The training curriculum and module will be designed on the basis of the needs of the judges. The Academy, however, intends to follow a participatory approach by seeking the in-put of the targeted trainees. To this end, the Academy has prepared a questionnaire, which is sent herewith for your valuable responses and views. The prime objective being training needs assessment, the Academy intends to ensure anonymity of respondents. Please do not write your name, nor put your signature on the questionnaire, which may be sent on the address given in the attached letter, as soon as possible.

## Course Description

<i>Reference</i> <i>T-5/2013/JW/06 days</i>			
<b>Training</b>	<i>Judgment Writing</i>	<b>Duration</b>	<i>06 days</i>
<b>Participants</b>	<i>Civil Judges/Judicial Magistrates</i>	<b>No. of participants</b>	<i>Total 25; Male 20, Female 05</i>
<b>Method</b>	<i>Participatory, practical</i>		
<b>Designed by</b> <b>Dr Khurshid Iqbal, Dean Faculty</b>			

### ***Aims and Objectives***

While quality in judicial opinion writing has always been a top priority of the judiciary in all countries, in recent years there has been a growing concern about it in Pakistan. Arguably, one glaring reason is the mechanism of time bound disposal of cases proposed by the 2009 National Judicial Policy (Policy). The concern is that the mere disposal is and should not be enough. Another reason is a general need of capacity building as part of continuing judicial education. The main aim of this training is to build capacity of all judges of the District Judiciary, in the key area of judgment writing, both in regard to expression or language (effective communication) and substance or content (judicial aspects, such as appreciation of evidence). The principal duty of a judge is to deliver judgment after announcement of the decision in a case. Judgment writing is thus a vital part of judging or 'judge craft'. There is no worth while training on the linguistic mechanics of judgment writing. Hence, judgment contains lapses which potentially harm judges' credibility and efficiency as communicators of facts and legal analysis of law and evidence. It is for this reason that judgment writing has been selected as the first training at the Academy. The training has been designed in the backdrop of a questionnaire survey—an indigenous training needs assessment—of all judicial officers, including those working in the special courts and tribunals. The training will generate and encourage critical thinking about judicial opinion writing. A pluralist and diverse approach will be adopted to build professional capacity of the target participants. The participants are strongly advised to actively participate in the training, which will be firstly, graded at the Academy, and secondly, subjected to post-training impact assessment.

### ***Key outcomes***

The participants should be able to—

- Understand the basic concept and procedure of judgment/order writing.
- Learn necessary skills for appreciation of evidence and application of substantive and procedural laws and precedents.

- Explore and understand current global trends.
- Know and follow judicial opinion writing in the perspective of Islamic law.
- Strengthen theoretical foundations to know and understand the process, flow, models, mediums, types, barriers to and principles of effective communication.
- Be sensitized to the problem areas of English, and sharpen their skills for writing effective and self-contained judgments.

### ***Requirements***

- Send to the Director General (DG) a copy of two judgments: one civil, one criminal, which they rank as the best. The judgments will be examined through peer review.

### ***Evaluation***

- Feedback for each resource person (level 1).
- Feedback about the course on the last day (level 2).
- On job application of skills in due course of time (level 3).

## **MODULES**

### **LAGUAGE**

***Prof. Dr Ismail Wali, PhD in English, Professor Institute of Management Sciences, Peshawar***

#### **Style and structure of Judgment: Basics**

*Focus:* Structural aspects and style of a judgment. *Skills:* Structuring and writing a judgment.

#### **Judgment writing: Principles of effectiveness**

*Focus:* 4Cs of effective communication. *Skills:* Concise, clear, correct and complete.

#### **Judgment writing: Modern strategies**

*Focus:* Avoidance of verbal pitfalls. *Skills:* Words to avoid.

#### **Judgment writing: One word vocabulary**

*Focus:* Consistency. *Skills:* To develop consistency.

#### **Judgment writing: Practical-I**

*Focus:* Evaluation of a judgment. *Skill:* To evaluate a judgment.

**Judgment writing: Practical-II**

*Focus:* Writing a judgment.

*Skill:* To write a judgment, applying the skills learnt.

**S U B S T A N C E**

**Mr. Niaz Muhammad Khan, Registrar, Islamabad High Court**

**Elements of a court judgment**

*Focus:* Procedural and substantive elements of judgment. *Skill:* The Dos and donts.

**Appreciation of evidence in judgment writing**

*Focus:* Conscious understanding and application of rules of evidence. *Skill:* Avoiding irrelevant and selecting the cogent.

**Interpretation of laws in judgment writing**

*Focus:* Juristic understanding of text of laws. *Skill:* Translation into judgment writing.

**O T H E R S**

**Mr. Zia Ahmad Khan, Senior Instructor (retired), NIPA, Peshawar**

**Perception lock and its impact on judicial decision making**

*Focus:* Psychology of judicial decision-making. *Skill:* To break the psychological barriers in reaching a just conclusion.

**Mr. Amir Nazir, Senior Director Research, KP Judicial Academy**

**Procedural provisions pertaining to Judgment Writing**

*Focus:* Revisiting relevant procedural rules. *Skill:* Correct application of procedural rules.

**Dr Khurshid Iqbal, Dean Faculty, KP Judicial Academy**

**Contemporary trends in judgment writing**

*Focus:* Analysis of contemporary research. *Skill:* To know best practices.

**Qazi Attaullah, Director Instructions, KP Judicial Academy**

**Judgment writing in Islamic law**

*Focus*: The significance of judicial decision making. *Skill*: Knowledge and application of relevant rules.

**Dr Adnan Khan, Director Research, KP Judicial Academy**

**Research Skills** *Focus*: The need and importance of judicial research. *Skill*: Learning of research skills

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## Schedule

### DAY-1 Monday

Registration of the Participants  
8:30 AM

Recitation from the Holy Quran & Dua  
8:45 AM

Dua  
9:00 AM

Welcome Address by the Director General  
9:10 AM

Instruction  
09:20 AM (Dean)

Pre- Training Evaluation  
09:30 AM -- 10:00 AM  
Perception lock, impact on Leadership  
10:0 -- 11:30 (By Mr. Zia Ahmad Khan)

Tea break  
11:30 AM -- 12:00 AM

Perception lock, impact on Leadership  
12:00AM -- 02:00AM

Lunch + Prayer break  
02:00AM -- 03:00 AM

Study circle: Perception lock --  
Humaneering  
03:00 AM — 04:00AM

### DAY-2 Tuesday

Recitation and Dua  
09:00 AM -- 09:05 AM

Presentation Group (A)  
09:00 AM -- 09:15 AM

Judgment Writing: Modern Strategies  
09:15 AM -- 11:00 AM (By Dr. Ismail)

Tea Break  
11:00 AM -- 11:30 AM

Judgment Writing: One Word Vocabulary  
11:30 AM -- 01:00 AM

Lunch  
1:00 AM -- 02:00 AM

Peer Review  
02:00AM — 03:30 AM

**DAY-3 Wednesday**

Recitation & Dua

09:00 -- 09:05

Presentation Group(B)

09:05 -- 09:15

Judgment Writing: Principles of Effectiveness(By Dr. Ismail)

09:15 – 11:00

Tea Break

11:00 -- 11:30

Contemporary trends in Judgment Writing  
11:30-- 01:00 (By Dr. Khurshid Iqbal)

Lunch + Tea break

01:00---02:00

Practical-- One word vocabulary

02:00---03:30

**DAY-5 Friday**

Presentation & Dua

09:00 -- 09:05

Presentation Group(D)

09:05– 09:15

Post training evaluation

09:15–10:00

Procedural Provision of Judgment Writing(Mr. Muhammad Aamir Nazir)

10:00 – 12:30

**DAY-4 Thursday**

DUA

09:00 -- 09:05

Presentation Group(C)

09:05 -- 09:15

Appreciation of evidence in judgment writing  
09:15 -- 11:00(By Niaz Muhammad Khan)

Tea Break

11:00 -- 11:30

Elements of a Judgment

11:30 -- 01:00

Lunch + Prayer Break

01:00-- -02:00

Interpretation of laws in judgment writing

02:00 -- 03:30

**DAY- 6 Saturday**

Recitation & Dua

09:00 -- 09:05

Presentation Group(E).

09:05 -- 09:15

Judgment Writing---- Islamic Perspective  
(Mr. Qazi Atta Ullah)

09:15 -- 10:00

Break

11:00 -- 11:30

Arrival of the Hon'ble the Chairman

11:30 -- 12:00

Academy Night to be organized  
by the participants which shall include  
a dinner with a dignitary

Concluding ceremony  
Certificate distribution  
Concluding address by the DG  
Concluding address by the Chairman  
Dua

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## Welcome Address by the Director General

Let us pray—may Allah Almighty guide us to the right path. We are highly pleased to commence 5<sup>th</sup> six-day training course on judgment writing. With this we are able to shoot up our figure of trained judicial officers to 125. It is heartening to know your expectations from this course. We will do our best to come up to those expectations. However, I may inform you that we have designed this course in the background of an indigenous Training Needs Assessment. The responses, which we received, as part of the TNA, suggested that there is indeed a great need of such like training. In light of the scholarly literature on judgment writing, it appears that it is now a well established area of judicial capacity building. Interestingly, we found what I may call inconsistent responses from the judicial officer. The inconsistent responses themselves reflected the need of this training. No doubt, judges are learned people. They are supposed to be learned. They are time and again reminded that they are learned. That much is good. But the point is whether and how far judges weigh in the estimation of the justice service-users—the ultimate beneficiaries of the justice system. In this perspective, there is always a need. We believe that the need is not confined to mere *writing* of a judgment; rather the main focus is judicial decision-making. And, judicial decision making is a critical and diverse judicial process, involving mental rigour, at times, mental rigors of great magnitude, to hand down, a verdict on a cause.

Dr Khurshid Iqbal, the Dean of the Faculty will share with you the course description in detail. Let me welcome you all. I advise you to take great interest in this course. All that we expect of you, is that at the end of this course, you should feel significant change, particularly, in your attitude. I wish a very happy and enjoyable stay with us. If you have any query, please feel free to ask any of our staff members.

**Hayat Ali Shah**

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**Zia Ahmad Khan****Curriculum Vitae****Zia Ahmad Khan****Profile**

Addl Directing Staff, NIM, Pakistan Academy for Rural Development, University Town, Peshawar

Office: 091-9216003 **Mob: 0315-9067939** Res: 091-9216281**Education**1968 School Certificate O' Level  
1972 Graduation in Arts  
1975 Master in Public Admn-MPA**Cambridge University UK**  
**Karachi University**  
**Punjab University****In Country Training**1983 Local Planning & Mgt. UNICEF & UNCRD  
1986 Case Method Seminar: PASC Lahore  
1986 Foreign Travel Integration: Islamabad  
2004 Human Rights FD Training Institute**Japan**  
**World Bank**  
**USAID**  
**Islamabad****Training Abroad**1985 Designing Training Programs: ITI  
1986 Leadership & O.D: ITOD Pittsburgh  
1986 Recognition Certificate on Leadership  
2004 Self Employment: Eastham London**Australia**  
**USA**  
**USAID**  
**UK****Experience****Working at PARD & NIPA/NIM, Peshawar since 1977****Clientele**

Trained Thousands of Professionals such as Senior Government Officials, College Principals, University Professors, Staff of NGOs, Doctors, Bankers, Engineers, Local Councilors, Community Leaders, Teachers, Foreign Diplomats including groups from:

**Africa, Palestine, Central Asia and Afghanistan****Subjects****Management**Stress Management  
Crisis Management  
Good Governance  
Restructuring Orgs**Humaneering - HRD**Poverty Reduction  
Gender Mainstreaming  
Community Development  
Reprogramming Behavior**Leadership**Presentation Skills  
Health & Education  
Environmental Mgt.  
Reporting Writing**In addition to PARD, NIPA/NIM & PSA, also worked for the following:****National Orgs****PESHAWAR**Institute of Management Sc.  
Agriculture Training Institute  
Inst. Of Computers & Mgt. Sc.  
Peshawar Dev. Authority  
Coord. For Humanitarian Assstt.  
Sarhad Rural Support Corp.  
Institute of Edu. & Research  
Dev. Alternative Incorporation  
College of Home Economics  
Habib Bank Ltd.  
National Bank of Pakistan  
State Bank of Pakistan**N.W.F.P.**KIDP Kalam  
FVDB Mingora  
DDDD Dir  
SRSC Charsadda  
SRSC Abbottabad  
SRSC Kohat  
PTC Hangu  
TSC Haripur  
ISSB Kohat  
SIAP Swabi  
ADC Mardan  
LPAP Lachi**ISLAMABAD**NIBAF  
NCRD  
Academy for Edu. Plg. & Mgt.  
Foreign Service Academy  
WAPDA Staff College  
Trust for Voluntary Orgs.  
Women's Division, GOP  
**QUETTA**  
BCIAP World Bank  
**KARACHI**  
Karachi Metropolitan Corp.  
K. Water & Sewerage Board**Global Orgs****Member**, Provincial Trainers Team, Local Planning & Management, Chitral, 1983, **UNICEF**  
**Author**, Manual on Local Planning & Management, 1984, **UNICEF**  
**Coordinator**, Training Programs at NIPA FHP Health Deptt. 1984 **World Bank**  
**Author**, Training Manual on Health Planning & Management FHP, 1997 **World Bank**  
**Author**, Training Manual on TOT FHP Health Department, 1997 **World Bank**  
**Author**, Evaluation of SRSC, NGO Dev. in South Asia, Managing for Change, AKF **Oxford**  
**Coordinator**, Training Task Force, BCIAP, Balochistan, 1999 **World Bank**  
**Author**, Training Manual BCIAP, Irrigation Department, Balochistan, 1999 **World Bank**  
**Leader**, Core Group (Nucleus) Training Programs Local Govt. (**Devolution**) 2000 **NRB**  
**Trainer**, Mine Action Program for Afghanistan, Cranfield University, **UK UNDP**  
**Moderator**, NWFP Education Policy and Strategy, Education Deptt. 2003 **GTZ & DFID**  
**Author**, NWFP Education Policy and Strategy, Education Deptt. 2003 **GTZ & DFID**  
**Coordinator**, Training Programs, Gender Mainstreaming, 2006, P&D NWFP, **UNDP**Job Opportunity, **Leeds Metropolitan University, 2004, UK**  
Selected as Resource Person **London Corporate College, 2004, UK**  
Selected as **HRD Specialist EIROP Peshawar, 2005, UNDP**  
Work Permit Holder, **Highly Skilled Migrant Program, UK****Resource Person****Seminar for Vice Chancellors of all Universities in Pakistan, Islamabad, 1989****Publications****Scores of Internationally acclaimed Research Studies and Publications****Schooling: Lawrence College, Murree Hills**

www.humaneeringzia.com

**Zia Ahmad Khan : ADS, NIM-Pak Academy for Rural Dev. Peshawar**  
**Mob. 0315-9067939**

## International Credentials

### United Kingdom

01. Work Permit ,**Highly Skilled Migrant Programme** Home Office **UK**
02. School Certificate O'Level **Cambridge University** **UK**
03. **Oxford Word and Language Service: Humaneering** **UK**
04. Resource Person **Mine Action Prog. Cranfield University** **UK**
05. Employment Opportunity, **Leeds Metropolitan University** **UK**
06. Job Offer as Consultant **London Corporate College** **UK**
07. **National Insurance Number Card for Life** Glasgow **UK**
08. Training on **Self Employment**, Satsuma Consultancy, London **UK**
09. Check List of **British High Commission** for Award of Visa **UK**
10. Contribution of **Case Study to Book Managing for Change** **Oxford**

### USA and USAID

01. **Certificate of Recognition on Leadership & Org. Development** **USA**
02. **Leadership and Organizational Development** Pittsburgh **USA**
03. **Scholarship for Higher Studies** in Dev. Admin (2 years) **USA**
04. **Letter of Tom Rogers** Academy for Education Development **USAID**
05. **Assessment of International Training Programmes** by AED **USAID**
06. Workshop on **Foreign Travel Integration** Academy for Edu.Dev. **USAID**

### Australia & Austria

01. **Design & Development of Training Programmes** ITI Sydney **Australia**
02. Internship Program at **Sydney Trainer Training Centre** **Australia**
03. **Pak. Community Development Programme**, Austrian Relief Com **Austria**

### UN and Others

01. **Master Trainer Planning** Through Community Participation **UNICEF**
02. Job offer as **Human Resource Development Specialist** EIROP **UNDP**
03. **Training Course on MIS – Cabinet Secretariat Mgt.Services Div.** **UNDP**
04. **Case Study Seminar, PASC, Lahore, Ec. Dev. Institute** **W/ Bank**
05. Coordinator & Author **NWFP Education Policy & Strategy** **GTZ**

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Designed & Conducted Special Courses for Participants of  
**Central Asia, Africa, Palestine & Afghanistan**

## Zia Ahmad Khan : Research Studies & Publications

### Rural Development

- Impact of Daudzai Pilot Project IRDP Study of (86) Village Organizations** PARD, Peshawar 1977 (Unpublished)
- Report of Conference and Workshop on Non-Formal Education and the Rural Poor** Journal of Rural Dev. and Administration Vol XIII, No.2, PARD, Peshawar (1978) Book Review
- Rural Development – View from a Farmer’s Hamlet (A Case Study)** Basic Needs and Rural Development Part-I, International Seminar Papers, PARD, Peshawar (1980) p.436
- Conflict in Management Patterns as an Impediments to Rural Dev. in Pakistan**, Management for Rural Dev. in Pak (Report of an International Seminar) PARD, Peshawar, UNICEF – Pak UNCRD Nagoya, Japan (1983) p.77
- Possibilities and Prospects of Agro-Based Industries for Rural Women in NWFP**, Women’s Division, Government of Pakistan, Islamabad (1983)
- Drift and Dissipation in Rural Development – An SOS for Survival** papers of an International Conference on Challenge of Rural Development in the Eighties, PARD, Peshawar (1985)
- Problems and Prospects of Rainfed Agriculture in NWFP (An Overview) Evaluation of Phase-II** and Future Requirements, PARD, Peshawar (1988)
- Poverty Reduction Strategy** (Manual on Integrated and Participatory Approaches), PARD, Peshawar 2001
- Storey of PARD Part-II Golden Jubilee**, Pakistan Academy for Rural Development, Peshawar, 2010

### Planning and Management

- **Decision Making in a Tribal Social System** Journal of Rural Development and Administration, Vol. XV, No.1, PARD, Peshawar (1978)
- **Five Year Plan of District Chitral, (Based on House to House Survey with Community Participation)** PARD, Peshawar, UNICEF Pakistan & UNCRD Nagoya Japan (1983-84)
- **Manual for Local Level Planning and Management through Community Participation** UNICEF Pakistan, Islamabad (1984)
- **Organizational Aspects of Kalam Farmers**, KIDP (A Pak Swiss Joint Venture), PARD, Peshawar (1986-87)
- **Wafaqi Mohtasib (Ombudsman)’s Annual Report 1986 – A Critical Appreciation**, Journal of Rural Development and Administration Volume XX, No.3, PARD, Peshawar (1988) p.107
- **Interview – A Form of Human Engineering** Paper presented at the General Seminar Inter-Services Selection Board (ISSB) Kohat (1989)
- **Humaneering – A process for Preventing Crime**, International Seminar on Criminal Justice: Asia Crime Prevention Foundation and National Police Academy, Islamabad, 1992
- **Manual on Health Planning and Management** (World Bank) for Trainers of FHP, (1997) (unpublished)
- **Evaluation of Khyber Medical College and Postgraduate Medical Institute**, Peshawar by PARD, Peshawar (FHP/World Bank) 1988 unpublished
- **NWFP Education Policy and Strategy** Education Department, GTZ and DFID, Peshawar, 2003 (unpublished)
- **PRA Techniques for Agriculture Officers and Field Assistants** of FATA, ATI, Peshawar 2003 (unpublished)
- **Cruising in Turbulence, Case Study of SRSC** Peshawar **Managing for Change, Asian NGOs AKF Oxford**

### Training

- **First Advanced Course** in Public Administration and Dev. Economics, NIPA Peshawar (1986)
- **Towards Andragogy – Second Advanced Course** NIPA, Peshawar (1987)
- **Thought of the Day – A Serendipitous Sojourn in Andragogy**, NIPA Peshawar (1988)
- **Experiential Learning – Third Advanced Course**, NIPA Peshawar (1989)
- **Career Awareness and Career Dev.** Workshop Papers on Vocational Guidance and Employment Awareness, Ministry of Manpower & Overseas Pakistanis, Government of Pakistan (1990)
- **Internal Assessment of Training Programs** PARD, NIPA, Peshawar (1990)
- **Semantic Equivalents of Learning “PRISMIRROR” Advanced Course** NIPA Peshawar (1992)
- **Milking Memories, First Re-Union** of NIPA, Peshawar (1994)
- **Manual on (TOT Course) Design and Dev. of Training Programs** NIPA & FHP (World Bank) for Trainers of FHP Peshawar (1997) (unpublished)
- **Training Manual on Community Irrigation Services**, Irrigation Department and BCIAP Quetta, Balochistan (World Bank) 1999 (unpublished).
- **Training Need Assessment Report for MCMC Courses** National Institute of Management, (2006) NSPP

## "HUMANEEERING"

This Package has been an integral component of the NIPA Advanced Course in Public Management, Peshawar designed for:  
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The author holds Certificates & Credentials from Cambridge University, OWLS: Oxford, Cranfield University, ITI Sydney, ITOD Pittsburgh, Pennsylvania University, USC California, World Bank, UNICEF, GTZ and **The Highly Skilled Migrant Program Work Permits UK**  
 e-mail: ziaahmad 2003@hotmail.com

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**Treat**  
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Anxiety  
Depression

**Cure**  
General  
Adaptability  
Syndrome

During and at the end of the Programme Your Team will be able to:  
Unfold the Greater Conscious,  
Tap the Trapped Potentials,  
Release Human Excellence and  
Develop Performance Standards

Discover Extra-Ordinary Talents  
Jettison SCOTOMAS/Blind Spots  
Furture Self Discipline and  
Treat Defence Mechanism Syndromes

Control Millions of Nerve Centres,  
Expand Comfort Zones Willingly,  
Foster Team Building and  
Manage Stress Situations Confidently

Synthesize East West Knowledge,  
Embrace Innovative Dimensions  
Accelerate Creative Decisions and  
Strengthen all Strategic Options:

Redefine motivational Techniques,  
Understand Non-Verbal Languages,  
Analyze Time Wasters Regularly and  
Practice, Free Process Consultancy

Promote Problem Sensing Approaches  
Upgrade Communication Abilities,  
Improve Decision Making Skills and  
Regulate Leadership Styles Effectively

**Avoid**  
Learning  
And  
Development

Elevate Managerial Excellence,  
Synchronize Group Energies,  
Achieve "SYNERGY" and  
Extend Organizational Image:

**Focus**  
De-Learning  
And  
Development

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From  
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To  
Problem Solving

Move Towards  
**PROFESSIONAL MANAGEMENT**  
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Of  
MICRO-SKILLS

**Adopt**

**Stress Management Techniques**

**Release**

**Extra Sensory Perception**

### CATCH THE CRUX OF

- Perception Lock
- Motivation
- Communication
- Decision Making
- Stress Management
- Group Dynamics
- Leadership and
- Team Building

### IN THE CONTEXT OF

MBO, Harsh Management, MBR,  
Good Governance, Gender Issues, Poverty Reduction  
Time Management, IT, Managerial Excellence  
EXISTENTIALISM, TRANSACCIONAL ANALYSIS, ERGONOMICS  
PSYCHO-KINESIS AND SYNECTICS

### THROUGH THE LATEST LEARNING TECHNIQUES

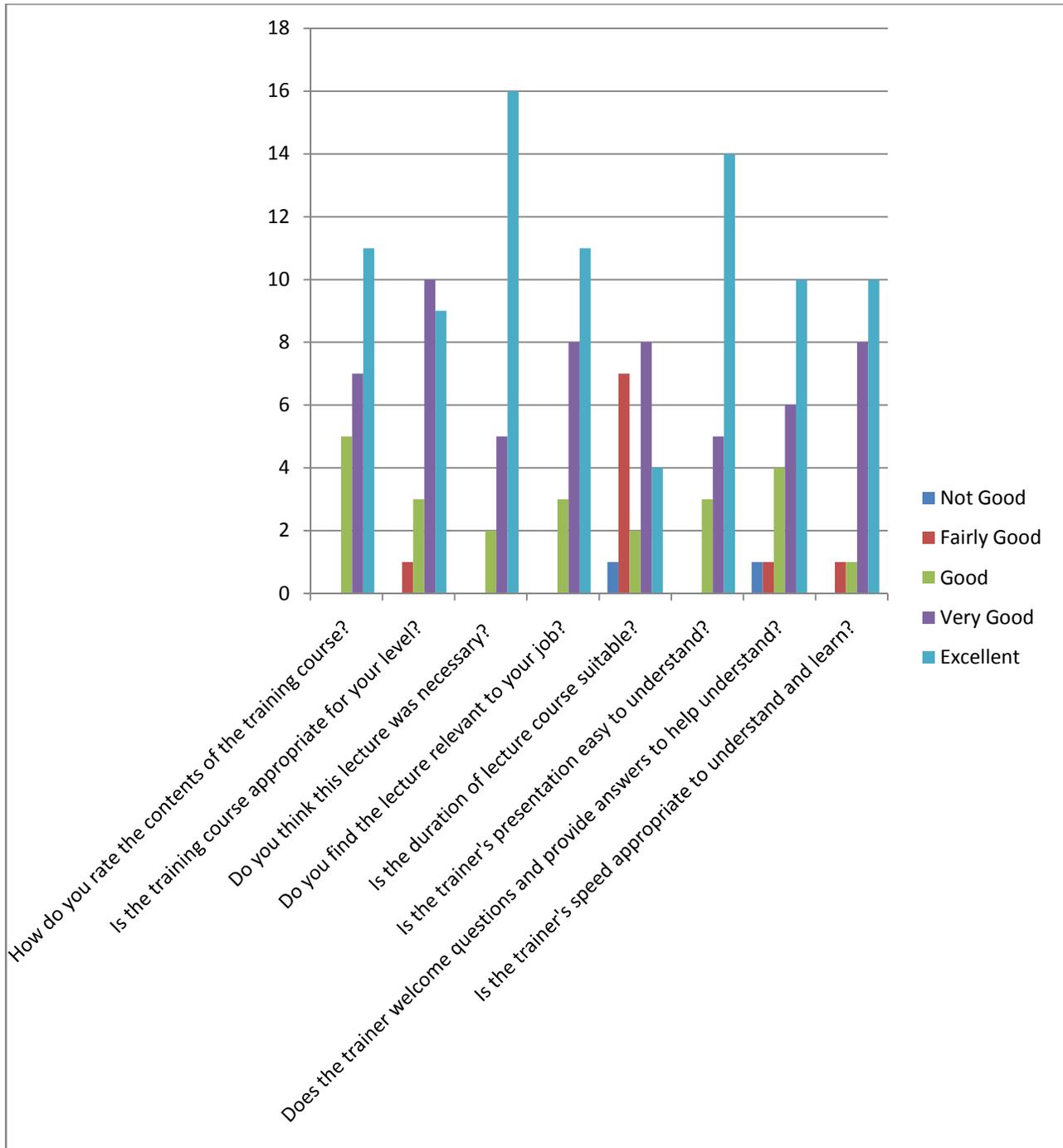
### DIS-EASES CAUSED BY (SCAN)?

<ul style="list-style-type: none"> <li>❖ Blindness</li> <li>❖ Narcissism</li> <li>❖ Sadism</li> <li>❖ Masochism</li> <li>❖ Sado-Masochism</li> <li>❖ Hysteria</li> <li>❖ Phobia</li> <li>❖ Paranoia</li> <li>❖ Epilepsy</li> <li>❖ Euphoria</li> <li>❖ Narcolepsy</li> </ul>	<p><b>Let's</b></p> <ul style="list-style-type: none"> <li>Review/Rediscover</li> <li>Redefine</li> <li>Restructure</li> <li>Reprogramme and Refine</li> <li><b>OURSELVES</b></li> <li>and our</li> <li><b>Institutions</b></li> </ul>	<ul style="list-style-type: none"> <li>❖ Hypnosis</li> <li>❖ Hypertension</li> <li>❖ Insomnia</li> <li>❖ Psywar</li> <li>❖ Aggression</li> <li>❖ Regression</li> <li>❖ Depression</li> <li>❖ Withdrawal</li> <li>❖ Conflict</li> <li>❖ Corruption</li> <li>❖ Deadlock</li> </ul>
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# P E A C E

Professional Excellence for Attitudinal Change and Effectiveness

## Feedback



*Prof. Dr. Ismail Wali***Curriculum Vitae****Name:** Muhammad Ismail Wali**Father's Name:** Mir AfzalWali**Date of Birth:** March 3, 1960**Domicile:** Chitral, KPK**Permanent Address:** PO & Village Mastuj, TehsialMastuj, District Chitral, Khyber Pakhtunkhwa**Mailing Address:** Institute of Management Sciences, Phase-7, Hayatabad, Peshawar**Email:** [ismwali@gmail.com](mailto:ismwali@gmail.com)**Mobile:** 03038330745**Academics:**

	<b>Year</b>	<b>School/College/University</b>	<b>Subject (s)</b>	<b>M O</b>	<b>Div/Gr</b>
Matric	1976	GHS Mastuj, Chitral	English, Math General Science Pak studies Persian I studies	541	1st
F A	1978	GDC, Chitral	English Urdu Economics Islamic History Persian	548	2nd
B A	1980	Private Capacity	English English Elective Islamic Ideology Islamic History Urdu	311	2nd
MA	1984	PG Jahanzeb College, UoP of Peshawar	English	2nd	
M Phil	1998	Department of English, UOP of Pesh	English		3.3 GPA
PhD	2009	Department of English, UoP of Peshawar	English		3.7 GPA

**Research Details:**

1. Awarded M Phil for research on Matthew Arnold's Poetry, *A Journey through Night: An Interpretative Study*. The study focuses on the symbolic aspects of the image of "night" in Arnold's poetry, backed by an extensive statistical analysis applied to a literary text for the first time in Pakistan.
2. Awarded PhD in English for research on a Shakespeare's comedy from a Jungian perspective: *A Midsummer Night's Dream: Shakespeare's Syzygy of Meaning*. The research work was supervised by Professor Nasir Jamal Khattak, PhD (Amherst), the Chair, Department of English and Applied Language, University of Peshawar. This is the first foreign-evaluated degree awarded to a scholar of the above department.

**Published and Prospective Papers:**

S No	Title of Paper	Year	Journal
1	Poetical Appeal in Charles Lamb's Essay "The Child Angel"	1993	Journal of English Literary Club
2	Bottom's Bottom's Dream	2003	Journal of Humanities and Social Sciences, Vol. IV, 1 & 2, 2003
3	Shakespeare's A Midsummer Night's Dream: Syzygy in Action	2005	Do Vol. XIII, 1 & 2, 2005
4	Seeing Through Shakespeare's a Midsummer Night's Dream, co-authored by Prof. Nasir Jamal Khattak, PhD	2008	Do Vol. XVI, 1, 2008
5	"Brave Night and Hideous Night:" A Jungian Reading of Shakespeare's Sonnets	Under process	
6	Shakespeare's Synergizing Potential: A Study of <i>A Midsummer Night's Dream</i> from Management Perspective	Under process	

**Track History:** Joined Education Department, NWFP, as lecturer in English in March 1986 on ad hoc basis, and worked in that capacity till regularization through NWFP Public Service Commission in 1987. I have been teaching English at FA and BA levels till my deputation to the Institute of Management Sciences, Peshawar, in November, 2009.

**Field Activities:**

Supervised a team of auditors for 3rd part validation of schools in KhyberPakhtunkhwa.

Designed a course on Language and Communication Skills for PMS Officers

Conducted a one day workshop on “psychology of Learning and Research” on 12-2-2010 in I/M Sciences

**Administrative Experience:** worked as Section Officer in Higher Education Department, Civil Secretariat, Peshawar, from Feb 2002 to Nov 2002. During this period I learned how

- to prepare briefs and summaries for Ministers/Chief Minister
- to put up cases of appointment, transfer, leave, and disciplinary action
- to work in an official environment
- deal with issues of public interest
- to put up a proposal for approval

**Social Activities:** worked as volunteer chairperson of QASADO, a local non-profit organization for human and natural resource development. In this capacity, I experienced how to

- work in a participatory environment
- formulate policies for sustainable development
- establish linkages with donors for partnership programs
- preside over meetings and lead a team

**Immediate Future Plan:**

**Vision:** to work for creating an academic environment and intellectual growth in such a way as to produce not “living copying machines” to follow a “cut and paste method” for promotion, but “creative individuals” for procreative activities in every field of human activity., and to work for living together as humans irrespective creed, caste, and culture.

## Style and Structure of Judgment: Basics

**Conceptual Background:** Besides legal knowledge and judicial wisdom, writing a judgment is a skill involving orthography (how thoughts are turned into symbolic patterns on paper/computer, grammar and punctuation (mechanics of English), idiomatic structures (which are governed by conventions) and semantics (study of meaning). The core objective of these lectures is to sensitize the participants to verbal strategies for writing legally effective and stylistically persuasive judgments.

### *Brainstorming*

*Question:* what psychic component governs all our activities as humans?

All human activities are governed by the ego, the regulator of our waking life. The process of judgment writing is no exception to it. If the ego malfunctions, semantic distortions occur in a judgment. Therefore a judge should empty his/her mind of all those contents which may negatively affect his/her judgment. The presence of such contents may impair their objectivity, impartiality, fairness and sense of justice. And without these values both the structure and style of a judgment lose their effectiveness.

This lecture focuses on the basics of structure and style of judgment before familiarizing the participants with the strategies of professional writing. Usually, the structure of a judgment comprises of 1) information on court, judge and his/her station; 2) case and its file No; 3) title of case; 4) introduction; 5) facts; 6) evidence analysis; 7) reasoning; 8) application of law; 9) order; 10) signature/seal/date. The style of a judgment depends upon diction, structure of sentences and paragraphing to organize ideas for an effective management of language. Words are the building blocks of a judgment; hence knowledge of words and their denotative aspect is essential for judgment writing. Collocations are fraught with difficulties for non-native users, and through this lecture participants will be sensitized to the usage of words in English. Words, phrases and clauses are combined to make sentences for generating extended units of meaning. Sentences may be simple, compound or complex, depending upon the ideas on the mind of a user. Sentences are combined to form paragraphs. A good writer organizes his/her ideas into easily graspable paragraphs, each having a thesis statement.

Writing is a difficult process, and all professional writers follow certain formal steps for producing an effective piece of writing. These steps are: 1) planning, 2) drafting/writing, 3) revising, 4) editing, and 5) making a fair copy. Like all other organized activities, judgment writing needs strategic planning for effective communication. Planning includes making an outline of paragraphing a judgment. The outline should be based on the notes of a judge which he/she has been taking for the final version. Keeping in view the contents of the outline, the writer should proceed to commit it to writing on paper/computer in detail. After writing/

dictating the first draft, the writer should let it “cool off” for some time. After the “cooling” process, comes the stage of revising. Revising is usually a process of searching for gaps in meaning and organization of ideas till the end. The third step is that of editing, which is conducted for grammatical and punctuation lapses. After editing, the writer makes a fair copy of the write-up. The fair copy should finally be read for complete satisfaction.

The outcome is that both attitude and aptitude are required for producing a legally effective and stylistically persuasive document.

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## Avoidance of Pitfalls

### Brainstorming

Guess the meaning of “judicial Heroism.”

This session is complementary to the previous session on principles of effective communication. The core objective of this session is to familiarize with the concept of avoiding verbosity, unnecessary repetitions, ambiguity, overuse of legalese, and judicial heroism. The term “judicial heroism” has been coined here to epitomize the intellectual environment of a judge to impose his/her legal knowledge on the reader, which breeds verbosity, unnecessary repetitions, ambiguity, overuse of legal jargons, unwise use of modifiers with the result that the reader is impressed by the big and difficult words without being clear on what the judgment says.

This session contains sample judgments and relevant portions from world constitutions how “judicial heroism” is practiced, which makes a legal writing open to different interpretations. Through this session, participants will be sensitized to the concept of clear thought and clear language, so that common readers should understand their rights and duties, which will prepare the way for good governance, development of civic sense leading to legal empowerment.

After doing this session, participants will be able to know the problem of “judicial heroism” and make their judgments reader-friendly as far as possible.

Practical: Participants will be engaged in re-writing the samples for learning how to avoid verbosity, unnecessary repetitions, ambiguity, and overuse of legalese.

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## Plain English

### Brainstorming

What do we mean by Plain English?

The seminal objective of this session is to introduce the concept of Plain English Movement in the world, especially in legal/judicial contexts. It is pertinent to mention here that billions of dollars are spent on drafting legal documents, and the followers of PEM have succeeded in entering into the judicial culture for working for making legal documents easily understandable. The followers of PEM recommend to 1) use words of Anglo-Saxon origin, 2) to avoid nominalization, 3) to prefer active voice, 4) to minimize legalese and Latin terminology. The followers of PEM argue that simple words are more effective than difficult words; simple sentences (one idea one sentence) are more easily graspable than compound and complex sentences.

Plain English Movement is active in Australia, Canada, England and America. PEM focuses on easily understandable language in legal contexts including judgments. To support their view, PEM activists usually refer the judgments of Lord Denning. In this session, judgments written by Lord Denning will be used as resource to introduce participants to the concept of Plain English as reference guide for learning simple verbal strategies, avoidance of nominalization, legalese, Latin terminology, and use of active voice.

The session will enable participants to learn how to apply the strategies propounded by the followers of PEM.

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## One-Word Vocabulary

Brainstorming Question: what do we mean by One Word Vocabulary?

Language is a very complex medium of communication. Language is an ever-evolving phenomenon. Language is the product of the environment in which it evolves. As non-native users of English, we have to learn its mechanics, which is a lifelong process. English has been evolving for the last fifteen centuries with three major shifts (Old English, Middle English, and Modern English) in its history. During its evolutionary history, English has absorbed words from Latin, Greek and French including Arabic, Persian, and many other languages of the world. An introduction to the basics of etymology will help participants understand how to guess the meaning of a word.

The term “One Word Dictionary” has been coined to conceptualize all those words which compresses many shades of meaning into one word, and this word makes our meaning concisely precise, saving both our time and space given the constraints of judicial officers. For example, an animal which feeds only on grass and grains is called herbivore; 10 words compressed into one word. An animal which lives both in water and on land is called (12 words) is called amphibian. The word for a person who pleads cases at courts on behalf of others is (15 words) a lawyer. In legal contexts, the term “murder” covers all shades of killing in an unlawful manner. The sentence “evidence is clear that he/she has committed murder” is enough to clarify other shades of meaning associated with the details of an individual case whose mechanics may be different from any other act of murder.

The participants will be motivated to think of and make a list of such words so that a database of “One Word Dictionary” will evolve with the passage of time for future references. This exercise will sharpen the verbal skills of the participants for saving their time and space.

Note: The participants were also given an opportunity to do reading and writing practice with a view to know and understand modern strategies.

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## Principles of Effectiveness

### Brainstorming

What is language? Come up with a working definition.

Judgment is a micro medium of communication, and communication is a process of sharing ideas with sender/writer at one end and reader/receiver at the other. The essential elements of communication are: 1) sender, 2) content, 3) medium, 4) audience, 5) context, 6) feedback. This chain completes the process of communication. The sender should have both knowledge and skill for framing his/her content according to the needs, knowledge level and cultural dynamics of the audience/receiver in the proper context. In a judicial context, the structure and style of a judgment, besides its legal and constitutional aspects, should also function as a public instrument of communication for knowledge management and research purposes. Experts in communication usually refer to certain principles for making a piece of communication effective. In this regard, conciseness, correctness, clarity, completeness, coherence, consistency and courtesy are thought to be essential for delivering a message effectively.

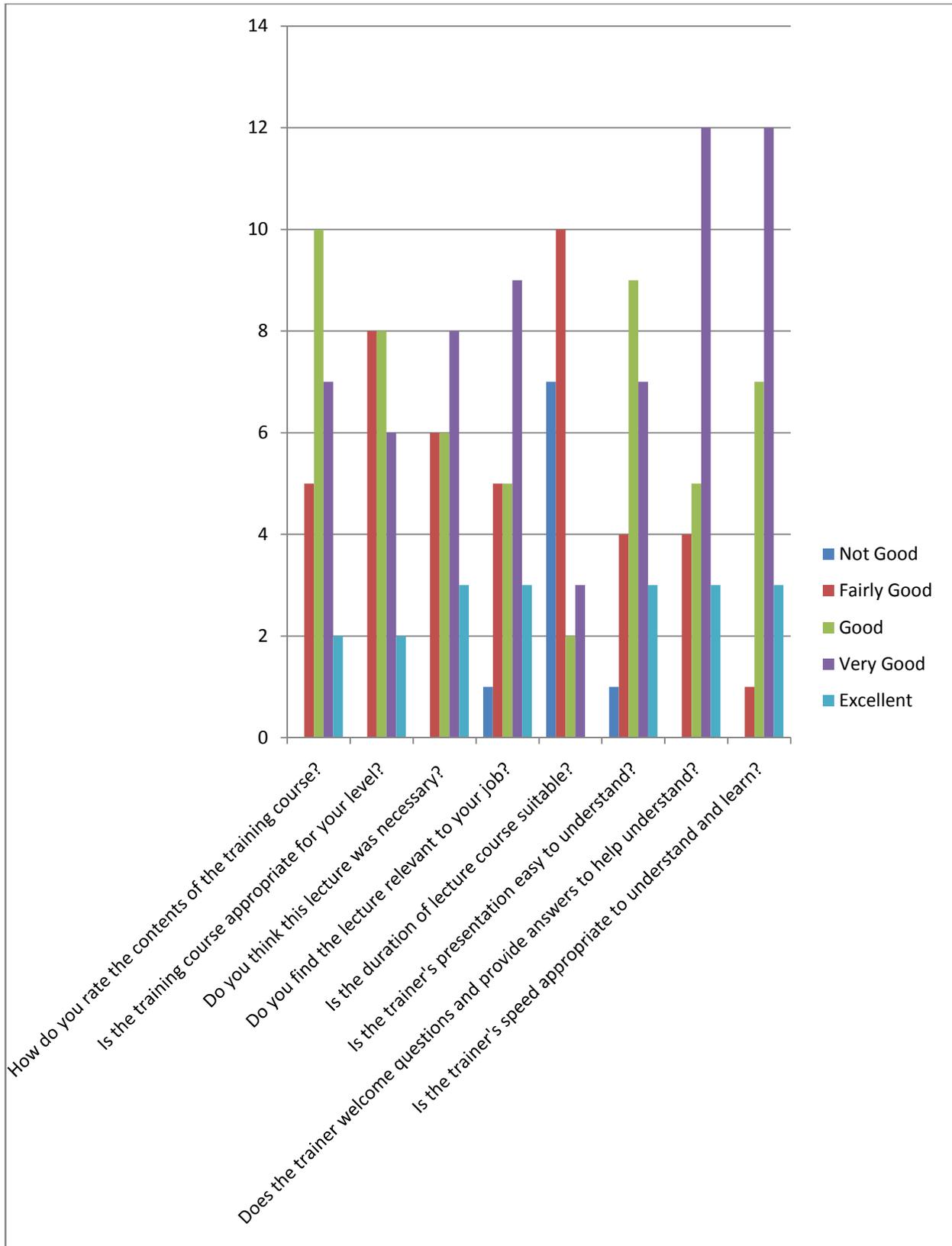
Conciseness refers to the economy words to make one's meaning easily understandable. Conciseness saves both our time and energy. Conciseness is attained by confining to the words for the intended meaning. Removal of redundant material and avoidance of repetitions makes a judgment concise. However, conciseness loses its value without correctness: grammar and punctuation. Conciseness and correctness refer to the verbal skills of a writer; however, clarity comes from analytical and critical thinking. Clear ideas turn into clear sentences. Completeness refers to the inclusion of all relevant facts and figures in the relevant portion of a judgment. Consistency involves both structure and style. Inconsistency in structure or in style breeds confusion, making our meaning blurred. Coherence refers to the organization of ideas in a judgment. Courtesy means that the wording of a judgment should not be discriminatory based on race, ethnicity, sex, color or creed.

This lecture also contains examples and exercises to clarify each principle. The theoretical framework as outlined above prepares the participants for peer-reviewing each other's judgments for practical purposes to internalize the principles of effective communication. After doing this session, the participants will learn skills how to apply the principles of conciseness, correctness, clarity, completeness, consistency, coherence and courtesy.

Practical: the participants will re-read rewrite their judgments to search for lapses (if any) keeping in view the principles of effective communication.

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## Feedback



*Dr. Khurshid Iqbal*

**Curriculum Vitae**

**DR KHURSHID IQBAL**

Dean Faculty

The Khyber Pakhtunkhwa Judicial Academy,

Peshawar, Pakistan

Phone: 0092-333 92 99 326

Email: [zwnakh@hotmail.com](mailto:zwnakh@hotmail.com)

Alternate: [gulalaikhattk@yahoo.com](mailto:gulalaikhattk@yahoo.com)

Official: [Khurshid@kpkjudicialacademy.gov.pk](mailto:Khurshid@kpkjudicialacademy.gov.pk)

**Education**

- Sep 2004—Nov 2007: University of Ulster, UK. PhD: International Human Rights Law
- Sep 2001—Sep 2002: University of Hull, UK. LLM: International Business Law
- Oct 1993—Oct 1995: University of Peshawar, Pakistan. M.A.: Political Science
- Mar 1988—Mar 1990: University of Peshawar, Pakistan. L.L.B.

**Professional Qualification**

- Feb 1991—Dec 1992: Advocate, District Courts (non-practising)

**Employment**

- Dec 1992—Present: Judge, District Judiciary, Government of Pakistan
- Jan 2008—Present: Visiting Lecturer, Law College, University of Peshawar, Pakistan
- June 2009—Present: Visiting Lecture, International Islamic University, Islamabad, Pakistan

**Career progression**

I joined Provincial Judicial Service of Pakistan's Khyber Pakhtunkhwa province, as a Civil Judge, in 1992, promoted as Senior Civil Judge (1997), Additional District & Sessions Judge (2003) and the current position of District & Sessions Judge (2011).

**Job description**

**Dean**

As Dean of the Khyber Pakhtunkhwa Judicial Academy, Peshawar, I am responsible for teaching various training courses for judges, lawyers, prosecutors and other personnel of the justice system. I also design training modules, organize seminars and workshops on legal and judicial topics and produce their detailed reports for publication. As Dean I am the editor of the Academy's quarterly newsletter. I have designed the Academy's brochure. I also head the Research Wing of the Academy. Currently, I am leading two research studies of the Academy, funded by the UNDP.

**Judge**

---

I am a trial Judge for offences carrying capital punishment and first appellate Judge for private disputes, such as, contracts, torts, family, guardianship, rent, mortgage, compensation. I also perform administrative duties such as recruitment and promotion of court staff, evaluation of performance of subordinate judges and court staff, budget and accounts.

### **Specialtasks (as a Judge)**

1. Jan 2008—March 2008: Course Coordinator for a pre-service training of newly recruited Civil Judges/Judicial Magistrates at the Federal Judicial Academy, Islamabad.
2. March 2008—August 2008: Founding Director of the Judicial Training Centre at the Peshawar High Court, Peshawar.
3. April 2008: A key member of the organizing team of the 5<sup>th</sup> Provincial Judicial Conference held at Peshawar on 7 & 8 April 2008; produced detail report of the Conference.
4. August 2009: Organized, conducted a District Judicial Conference at Dera Ismail Khan (Khyber Pakhtunkhwa, Pakistan); produced its detail report.
5. Jan 2010—June 2010: Additional Special Judge Anti-Corruption.
6. Oct 2010—May 2011: Additional Member Inspection Team; Acting Director General of the Khyber Pakhtunkhwa Judicial Academy.
7. Sep 2011—May 2012: Director Human Rights Cell, Peshawar High Court, Peshawar.
8. Sep 2011—Feb 2012: Director Human Rights Cell, Peshawar High Court, Peshawar.
9. Feb 2012—Present: Dean Faculty, the Khyber Pakhtunkhwa Judicial Academy, Peshawar

### **Supervision & administration (as a visiting Lecturer)**

- Currently, I am supervisor for three LLM and one PhD student
- I acted as an External Examiner for five LLM students.
- Member the Board of Studies of the Faculty of Law and Shari‘ah at the International Islamic University, Islamabad.
- I am also a member of the admission committee of PhD students.

### **Consultancy**

1. June 2012—I worked as Principal Facilitator at a one-day consultative of the UNDP, Islamabad and produced its detail report.
2. Dec 2009—Present. I am one of the trainers for the Society for the Protection of the Rights of the Child (SPARC), Peshawar (an Islamabad-based well known NGO). I conduct training sessions to an audience from Judges and Police Personnel.
3. Jan 2008—Present. I am one of the resource persons at the Federal Judicial Academy, Islamabad.
4. Oct 2011—Present. I am one of the resource persons at the Pakistan Provincial Services Academy, Islamabad.

### **Expertise by region: Pakistan**

I am a recognized expert on the legal system of and human rights conditions in Pakistan. I am regularly invited by the Society for the Protection for Rights of the Child (SPARC) and the Pakistan Provincial Services Academy (PPSA), Peshawar.

**Research interests**

- Public International Law: human rights law, child rights, women's rights, security and development
- Application of Islamic law in Muslim states especially in Pakistan.
- Judicial education

**Current research project**

- Currently, I am working as a Subject Specialist with a UNDP support project: Strengthening the Khyber Pakhtunkhwa (Pakistan) Judicial Academy. Part of that project is writing a research article for a peer reviewed journal of international repute.
- My other current long term research projects are:
  - Countering Terrorism in a Post Colonial Society: the Case of Pakistan;
  - The Right to Development of the Vulnerable Poor: the Case of Pakistan's Forced Labourers.

**Publications: monograph**

1. K. Iqbal, (2009) *The Right to Development in International Law: the Case of Pakistan*, London: Routledge.

**Peer reviewed articles**

2. Iqbal, K. (2011), 'The Right to Development at the National Level: the Case of Pakistan's Judiciary', *The Asia-Pacific Journal on Human Rights and the Law*, pp 1-26.
3. Iqbal, K. (2010) 'Re-conceptualizing the Right to Development in Islamic Law', *International Journal of Human Rights*, Vol. 14, Issue 7, pp 1013-1041 (2010).
4. Iqbal, K. (2009) 'Judging Juvenility: Determination of Age of Juvenile Offenders under Pakistan's Juvenile Justice System', *Pakistan Journal of Criminology*, Vol. 1(3) October 2009, pp 105-118.
5. Iqbal, K. (2007) 'The Declaration on the Right to Development and its Implementation', *Political Perspective*. Vol. 1(1), pp 1-39.
6. Iqbal, K. (2005) 'The "War on Terror" and the Rights-Based Approach to Development', *Journal of Islamic States Practices in International Law (JISPIL)* Vol. 1(1), pp 23-36.
7. Iqbal, K. (2003) 'The Role of NGOs in the Dispute Settlement of the World Trade Organization', *Journal of Law and Society* (Faculty of Law, University of Peshawar), pp 11-28. Vol. XXVIII (41), pp 11-28.
8. Iqbal, K. (2004) 'Environment as a Human Right', *International Human Right Perspective*, Vol. III (1), pp 139-167. (Human Rights Centre, Faculty of Law, University of Peshawar).

**Book review**

- Iqbal, K (2007) 'Women, the Koran and International Human Rights Law' (by Niaz A Shah, 2006, Martinus Nijhoff Publishers), *Religion & Human Rights*. Vol. 2. pp 189-193.

**Expert papers (unpublished)**

1. K. Iqbal (Jan 2011), ‘Comments’ on Research Project-I (“Streamlining the Overlapping Mandates of Judicial Academies in Pakistan” ) and Research Project-II (“Some Observations on the Problems Facing Judicial Education in Pakistan”) by Sultan Babar Mirza and Syed Ehsanullah Shah), submitted on the instruction of the Peshawar High Court, for onward discussion in Pakistan’s National Judicial Policy Making Committee.
2. K. Iqbal (June 2011), ‘Report on implementation of the Principles of Policy’, produced on the instruction of the Peshawar High Court, for onward submission to the Khyber Pakhtunkhwa Provincial Assembly.
3. K. Iqbal (Sep 2009), ‘A Review of the Juvenile Justice System Ordinance (JJSO), 2000 in Pakistan: Problems, Issues and Recommendations’, commissioned by Pakistan Society of Criminology as a background paper for reviewing the JJSO.

### **Presentations/Conference Papers since 2009**

1. ‘Judicial Education in Pakistan: Challenges to and Prospects of the Khyber Pakhtunkhwa Judicial Academy’, International Judicial Conference, Islamabad, 13—15 April 2012, organized by the Law and Justice Commission of Pakistan.
2. ‘Consultation on the draft Borstal Law and Borstal Institution’, as part of law making for the protection of the rights of the child, Peshawar, 31 December 2011, arranged by Regional Directorate of the Ministry of Human Rights, Peshawar.
3. ‘Judiciary and Judicial System in PATA’, as a Thematic Expert at a two-day workshop on the implementation of Strengthening the Rule of Law in Malakand (SRLM), Peshawar, 15-16 December 2011, arranged by UNDP, European Union and USAID.
4. ‘Determination of age of Juvenile Offenders’ at one-day Consultation on the Juvenile Justice System Ordinance, 2000, for Judicial Magistrates of Malakand Division, Swat, 3 December 2011, arranged by Society for the Protection of the Rights of the Child (SPARC) in collaboration with the Khyber Pakhtunkhwa Judicial Academy.
5. ‘The Concept, Evolution and Ideology of Human Rights’, Guest Lecture, the University of Peshawar, 20 May 2011, arranged by the Departments of Gender Studies, Sociology and Social Work at the University of Peshawar.
6. ‘The Women’s Protection Act, 2006’, Guest Lecture, the University of Peshawar, 9 April 2010, arranged by the Departments of Gender Studies, Sociology and Social Work at the University of Peshawar.
7. ‘The Right to Development in International Law’, Guest Lecture arranged by the Faculty of Law and Shari‘ah, the International Islamic University, Islamabad, 10 May 2010.
8. ‘Protection of Child Rights by the Police Personnel’, two-day training of Police Investigators, District Battagram, 17-18 December, 2009.
9. ‘Protection of Child Rights by the Police Personnel’, one-day training of Police Investigators, District Peshawar, 5 April, 2010, arranged by an NGO Shehri Best Citizen for Environment.

### **General Editor**

I am acting as one of the general editors of the Pakistan Journal of Criminology.

I acted as a sub editor of the Journal of Islamic States Practices in International Law, UK

### **Funding**

1. In 2008, I won an Australian Endeavour Research Fellowship for my postdoctoral research project at the University of Melbourne, but could not avail because of refusal of leave by my employer.
2. In 2009, I won an Erasmus Mundus Research Fellowship for my postdoctoral studies at the University of Brussels, Belgium, but could not avail because of personal reasons.
3. In 2004, I won a Vice Chancellor Research studentship for my PhD at the University of Ulster, UK.
4. In 2001, I won a prestigious Britannia Chevening award for my LLM at the University of Hull, UK.

### **Membership of societies**

1. I am a member of the Pakistan Society of Criminology (2009).
2. I am a member of the Society of Legal Scholars, UK (2011).

### **Teaching and developing new courses Jan 2008—present**

Since joining the Law College, the University of Peshawar and International Islamic University, Islamabad in June 2009, I have designed and developed courses on international and national protection of human rights. I have developed two new postgraduate courses on Islamic law and human rights, development and human rights and international humanitarian law.

### **Postgraduate**

International Human Rights Law: Convenor  
Islamic Law and Human Rights: Convenor  
Human Rights and International Humanitarian: Convenor  
Dispute Settlement in the WTO: Convenor

### **Undergraduate**

International Human Rights Law: Convenor  
Islamic Law and Human Rights: Convenor  
Human Rights and International Humanitarian: Convenor  
Dispute Settlement in the WTO: Convenor

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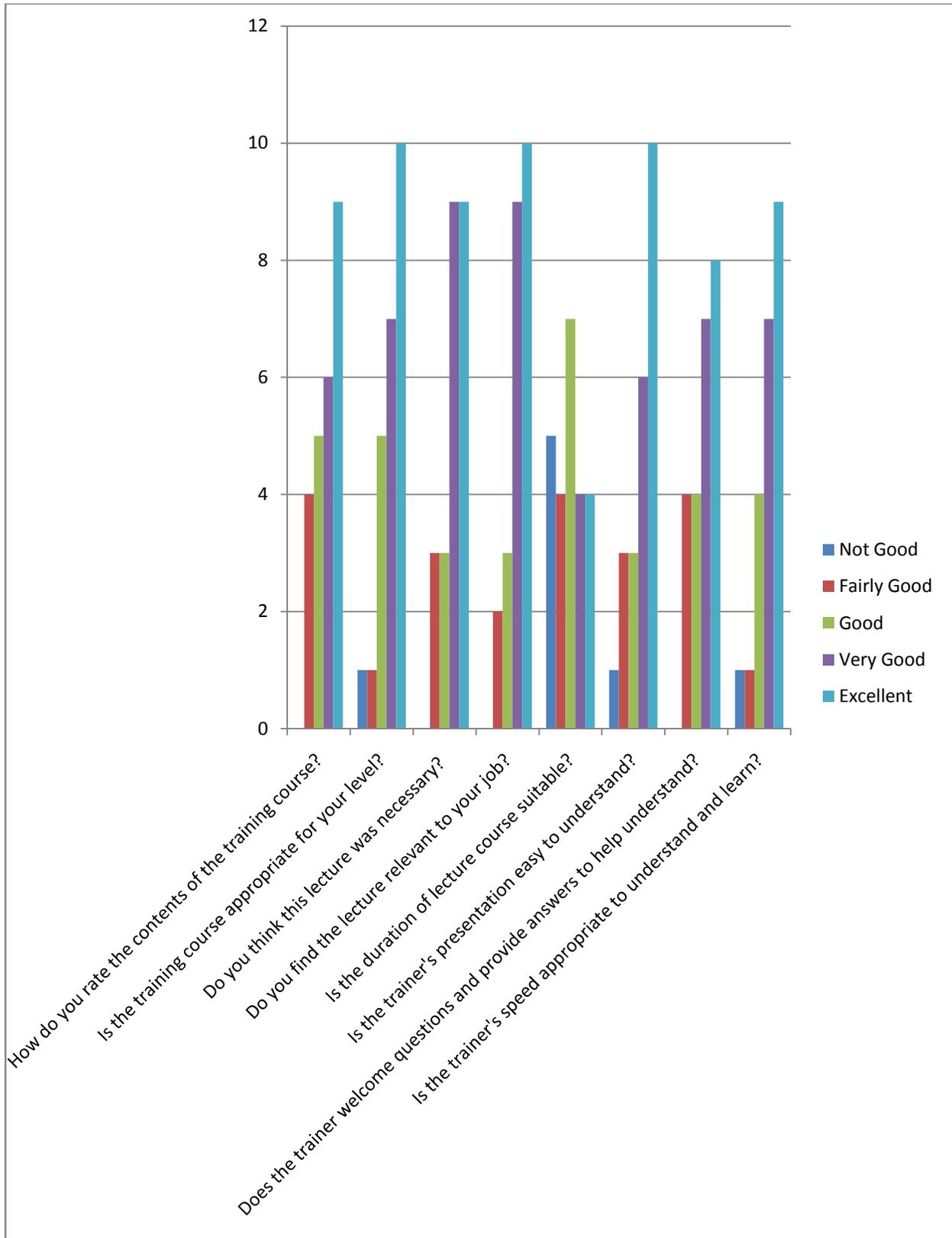
## Contemporary Trends in Judgment Writing: A Literature Review

The session aims at reviewing existing legal scholarship on the subject of judgment writing. It also seeks to inculcate a spirit of research-based reading and exploration of best practices in other jurisdictions. It argues that while the existing literature reflects that judgment writing is an art, the trend in judgment writing trainings seems to be heading in the direction of developing an inventory of skills and attributes of judgment writing. This systemization of knowledge and skills may be seen as if the art of judgment writing is being developed like a science.

The session reviews a range of key research articles under different themes: definition, reasons for writing judgments, readers of court judgments, writing style and its kinds and reasoning. It critically examines the definition of judgment given by judicial pundits in their research. It discusses various definitions of judgment from Australian, American, Indian, British and Pakistani perspectives. It then examines the reasons why judges write judgments. The bulk of literature shows that judges write judgment because judgment writing is a statutory requirement, judges are professional writers, judges write for publication, judgment writing is no less important than deciding a matter, judges must have potential readers in their mind and being a serviceable product, judgment creates respect for judiciary and inspires confidence of the public.

There are two kinds of readers of judgments: primary and secondary. Primary include parties and their lawyers and appellate judges. Secondary include all others, such as, lawyers, law teachers and students, political and social scientists, researcher, to name but a few. In any case, a judgment must be clear, concise, logical, unambiguous and free of lingua franca (the jabberwocky of legal profession). The session then discusses the style of judicial writing. They are rhetorical, literary, low or exploratory and high or declaratory. Some judges are known for their thoughts: for example, Justice V. Krishna Ayer is known as a philosopher; Justice Bagwati as a social scientist. The participants are advised to read Pakistani judgments and explore who falls in which category. The contemporary literature also contains much about the role and significance of judicial reasoning. The session highlights different methods of reasoning. They are inferential—reliance on evidence; intuitive—psychological process; neutral—non-aligned and impartiality—uncontaminated thinking. It also discusses deductive and inductive method of reasoning in the process of judicial decision making. At the end, the session shares a list of bibliography with the participants.

## Feedback



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*Mr. Niaz Muhammad Khan*

**Curriculum Vitae**

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**CURRICULUM VITAE OF NIAZ MUHAMMAD KHAN**

**Personal Information**

- Name: Niaz Muhammad Khan
- Father's Name: Paristan Khan
- Postal Address: Niaz Muhammad Khan, Registrar, Islamabad High Court  
Peshawar High Court, Pakistan
- Permanent Address: Niaz Muhammad Khan s/o Paristan Khan village  
Ahl Tehsil & District Mansehra
- Telephone # (Office): +92-51-9108038
- Telephone # (Res): +92-51-9108030
- Mobile # +92-3009367810
- Email: niazphc@hotmail.com
- Fax# +92-51-9108039

**Educational Qualification**

- Matric/SSC in First Division obtaining 65.1% marks
- Intermediate/HSSC in 2nd Division obtaining 55.8% marks
- B.A/Graduation in 2nd Division obtaining 58.6% marks

**Professional Qualification**

- FEL (First Examination in Law) in 1<sup>st</sup> Division obtaining 74% marks
- LLB (Bachelor of Laws) in 1<sup>st</sup> Division obtaining 60.7% marks
- 1 year Post Graduate Diploma in Islamic Laws from Sharia Academy  
International Islamic University, Islamabad, Pakistan obtaining 62.37% marks
- 3 months course from Pakistan Provincial Services Academy
- One week course of Financial Management from National Institute of  
Public Administration

**Academic Achievement**

- Got merit scholarship in Intermediate.
- Got merit scholarship in LLB.

**Professional and Service Career**

- Remained as practicing lawyer of District Courts from 1983 to 1988.
  - Remained as practicing lawyer of High Court in 1988.
  - Joined Judicial Service as Civil Judge in 1988 by securing 1<sup>st</sup> position in the  
exam of Provincial Civil Services (Judicial).
  - Promoted to as Senior Civil Judge in 1994.
  - Promoted to as Additional District & Sessions Judge in 2002.
-

- Promoted to as District and Sessions Judge on first of July 2010.
- Remained as Additional Member Inspection Team, Peshawar High Court for a period of 06 years.
- Remained as Additional Registrar (Admin), Peshawar High Court in 2010&2011..

#### **Achievements in Service**

- Awarded certificate of merit by the Chief Justice of Peshawar High Court Peshawar High Court in 1993 for outstanding performance as Civil Judge
- Awarded cash prize and certificate of merit for obtaining the first position in first Incentive & Reward Policy by the Peshawar High Court
- Received appreciation certificate from the Chief Election Commission of Pakistan in 1988 for conducting fair, and impartial General Election in 1988 as Returning Officer.
- Awarded Certificate of Commendation by the Chief Justice of Peshawar High Court in 2006 for rendering Services in the compilation of first ever Judicial Estacode 2006 in Pakistan and probably in the world.
- Awarded Certificate of Commendation by the Chief Justice of Peshawar High Court in 2011 for rendering Services in the compilation of second revised, and enlarged edition of Judicial Estacode 2011.

#### **Capacity Building**

- As a resources person delivered many lectures on various topics in Federal Judicial Academy Islamabad, Khyber Pakhtunkhawa Judicial Academy, Peshawar, and in other foras in connection with pre-service Orientation Training Programmes of newly appointed judges and also in service judges.

#### **Conferences, Workshops, Seminars etc.**

- Attended many conferences, workshops and seminars on legal subjects as resource person.
- Attended many conferences, workshops and seminars as facilitator, coordinator or research associate.
- Attended 2 days seminar on 24<sup>th</sup> and 25<sup>th</sup> of November 2004 at Peshawar as Research Associate on “Commercial Dispute Resolution (CDR)” in which Justice Branson of Federal Court Australia was the guest speaker.

- Attended 2 days UK Pakistan Judicial Conference as research Associate on a Protocol on “Children and Family Laws” on 22 and 23<sup>rd</sup> September 2003 at Islamabad.
- Attended seminar on “Protocol on Child Protection” jointly organized by UK Judges of Family Division, Lawyer of UK and Pakistani Judges in Jan 2005 at Peshawar as Research Associate.
- Three days training of trainers from British Council in 2004.
- One day training of trainers from British Council in 2007.

In the High Court besides Administration, the following special assignments have been given:

- Rule Making
- Litigation
- Resource person in capacity building of the Judges of District Judiciary
- Opinion
- Establishment

In the field of monitoring of District Judiciary has contributed a lot in pinpointing the deficiencies in the fields of Court & Case Management, Quick Disposal etc. and suggested some concrete proposals for improvement in Court & Case Management and Expeditious Disposal of cases. These deficiencies and proposals have been compiled in a booklet form to be known as “Consolidated Inspection Note of Inspections of Subordinate Courts, 2003”.

Computer skill- can operate computer as per requirement.

#### **Books / Compilations**

- Consolidated Inspection Note for 2003 (a book consisting of 63 pages)
- Judicial Estacode 2006 (A book consisting of 554 pages)
- Judicial Estacode 2011 (A book consisting of 679 pages)

## Elements of Judgment Writing

This topic covers the following five main areas of judgment writing:-

- i) Linkage of Judgment Writing with Law;
- ii) Linkage of Judgment Writing with Code of Conduct;
- iii) Neutrality of Judgment Writer;
- iv) Grasp of facts;
- v) Application of Law.

**i) Linkage of Judgment Writing with Law:** The participants are made aware of the different provisions of law enjoining upon a decision maker to deliver a judgment. The various legal aspects of law are discussed focusing on necessity of delivering a reasoned judgment.

**ii) Linkage of Judgment Writing with Code of Conduct:** This area covers the responsibilities of a judge who is to deliver a judgment which qualifies all the elements as reflected by the Code of Conduct for Judges. For instance, the trait of impartiality of a Judge requires a judgment to be impartial and an unbiased Judge shall deliver unbiased judgment.

**iii) Neutrality of Judgment Writer:** The participants are made conscious of the importance of the neutrality of the decision maker. The emphasis is not only on partisan tilt on material considerations such as extra judicial but also on psychological inclinations, mostly the product of unconscious evolutionary indoctrination, which leads to cognitive and implicit biases ranging from cognitive dissonance to anchoring bias and the like. The discussion also includes the techniques for reducing these biases to the minimum which include psychological catharsis, openness and impeachment of personal perceptions.

**iv) Grasp of Facts:** No Judgment can be called good judgment unless the decision maker has full grasp of the facts. The focus is on contextual understanding of the pleadings leading to understanding of core differences and then translating the same into real issues.

**v) Application of Law:** The participants are made aware of the importance of understanding the law in the decision making. The emphasis is on the understanding of both substantive and procedural laws and their application to the facts before them. A good judgment is one which makes proper nexus of law with the facts of the case. The understanding of law in factual context is an important feature of the talk.

## **Appreciation of Evidence**

The Judgment Writing in judicial matters is based upon the correct appreciation of evidence. No Judicial Officer can deliver a good judgment unless he has the ability to appreciate the evidence holistically and in its true perspective. The focus is on sifting of relevancies from irrelevancies in order to avoid decision on the basis of irrelevant facts. The participants are made known the different categories of relevancies and their due weightage. They are also sensitized about the admissibility of the facts depending upon the cogency of the same. They are empowered to differentiate between rebuttable and irrebuttable presumptions about facts and also the conclusive evidence. The focus is on practical aspect of the matter enabling a Judicial officer to decide these issues at the moment when they crop up at the time of recording of evidence. They are also made conscious of the fact that how judgment is affected when an inadmissible fact is given weightage and how it goes to the root of judgment when relevancy is not appreciated.

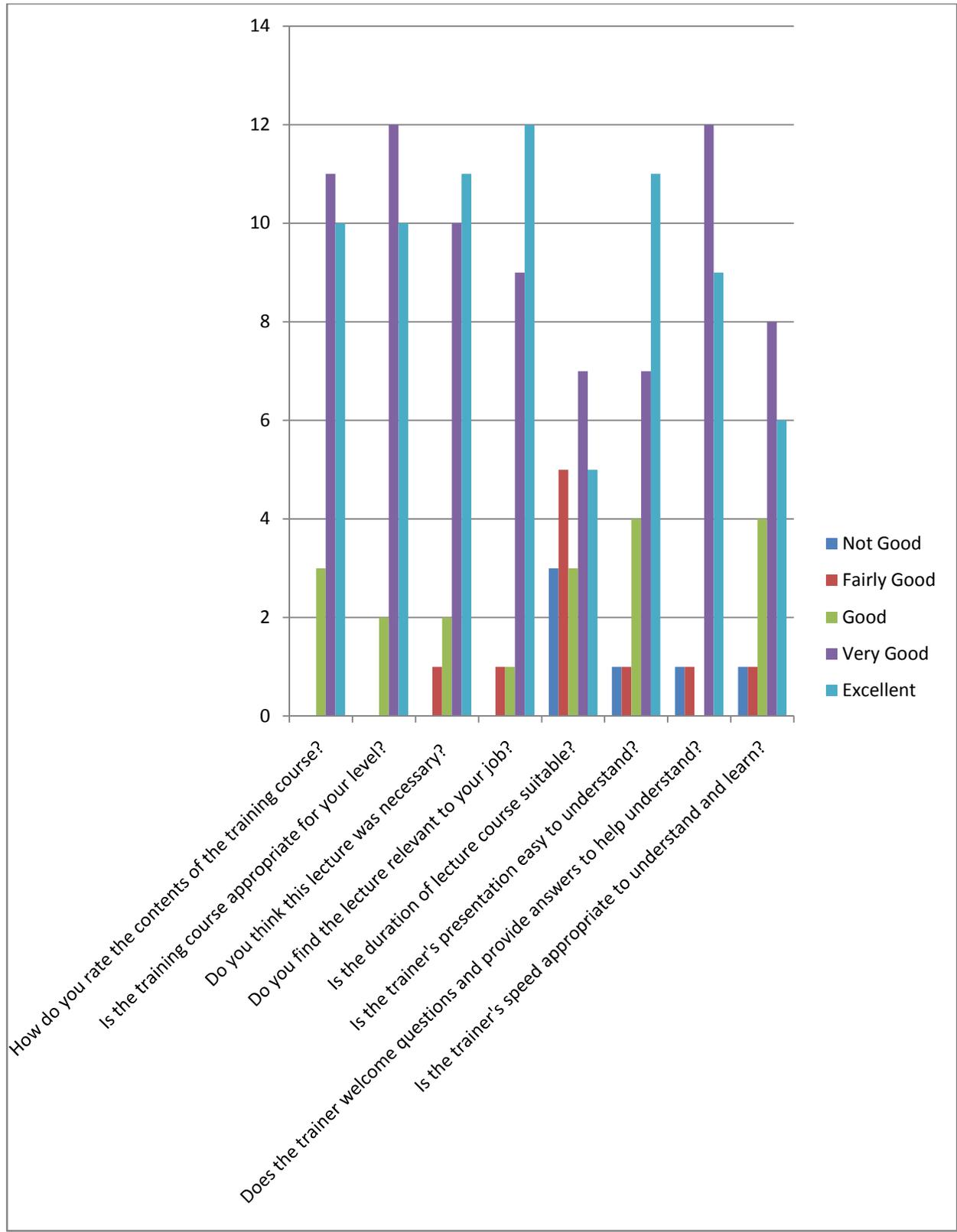
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## Interpretation of Law

The topic focuses on a good judgment in the context of interpreting the laws. A good judgment is one which is based on correct interpretation of laws as applicable to the facts of the case. The difference between the juristic and journalistic approaches is highlighted and it is emphasized that how the rules of interpretation can better be understood and applied while interpreting the laws. The discussion extends to different types of laws including Constitutional Law, Ordinary Law, Delegated Legislation and the like. The participants are also empowered to differentiate between superiority and subjection of laws, the effects of laws in retrospect and prospect; the effect of repeal of laws qua the substantive and procedural laws; the importance of words in the legislative instruments; the holistic approach in interpretation of laws and different approaches towards interpretation like purposive interpretation, contextual interpretation and the like. The participants are also made known the limitation of the courts in interpretation of laws and judicial review.

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## Feedback





and also successfully achieved all the targets set from time to time.

**(02). Served as Senior Civil Judge From August 2003 to November 2004.**

Besides Judicial Functions, performed administration functions including recruitment of subordinate staff, imparting training to the court officials, monitoring their work and conduct and evaluation of their performance.

Being drawing and disbursing Officer participate in budgetary planning.

**(03). Served as Additional District & Sessions Judge.**

Performed Judicial functions as appellate court at district level.

*Presently serving as District & Sessions Judge/Senior Director Research & Publication at KP Judicial Academy Pakistan in BPS - 21.*

**(04). Journalist:**

Served as sub-editor in daily The Frontier Post, Pakistan Observer and staff reporter in PPI News Agency from 1995 till 1997.

**(05). Lawyer:**

As lawyer all the cases were successfully handled to the satisfaction of courts and clients during the period 1997 to 1998.

**(06). Visiting Lecturer:**

As visiting lecturer the undersigned taught Constitutional Law, Civil Law, and Criminal Law at the post graduates level from 1997 to 1998.

**SEMINARS/WORKSHOPS/CONFERENCES ATTENDED**

- 01.** Pre-services training course of Civil Judge-cum-Judicial Magistrate from September, 5<sup>th</sup>, 1998 to October, 31st 1998.
  - 02.** Provincial Judicial Conference held for Establishment of the Office of District Courts Administrator in N.W.F.P held on 17<sup>th</sup> August, 2003.
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- 03.** Management Orientation Workshop held at Peshawar High Court, Peshawar from 4<sup>th</sup> to 10<sup>th</sup> August 2004.
- 04.** Provincial Judicial Conference held at Peshawar on 3<sup>rd</sup> July 2004.
- 05.** Workshop for N.W.F.P Environmental Magistrates on the Pakistan Environmental Protection Act, 1997” held on May 9<sup>th</sup> 2004.
- 06.** Workshop on “Delay Reduction” organized in collaboration with Canadian International Development Agency, held on 18<sup>th</sup> September 2004.
- 07.** Workshop on "Strengthening Justice Delivery To The Poor: Options & Priorities" organized by UNOPS

## **Procedural Provisions of Judgment Writing**

*Abstract of the lecture delivered by Muhammad Aamir Nazir, Senior Director Research & Publication.*

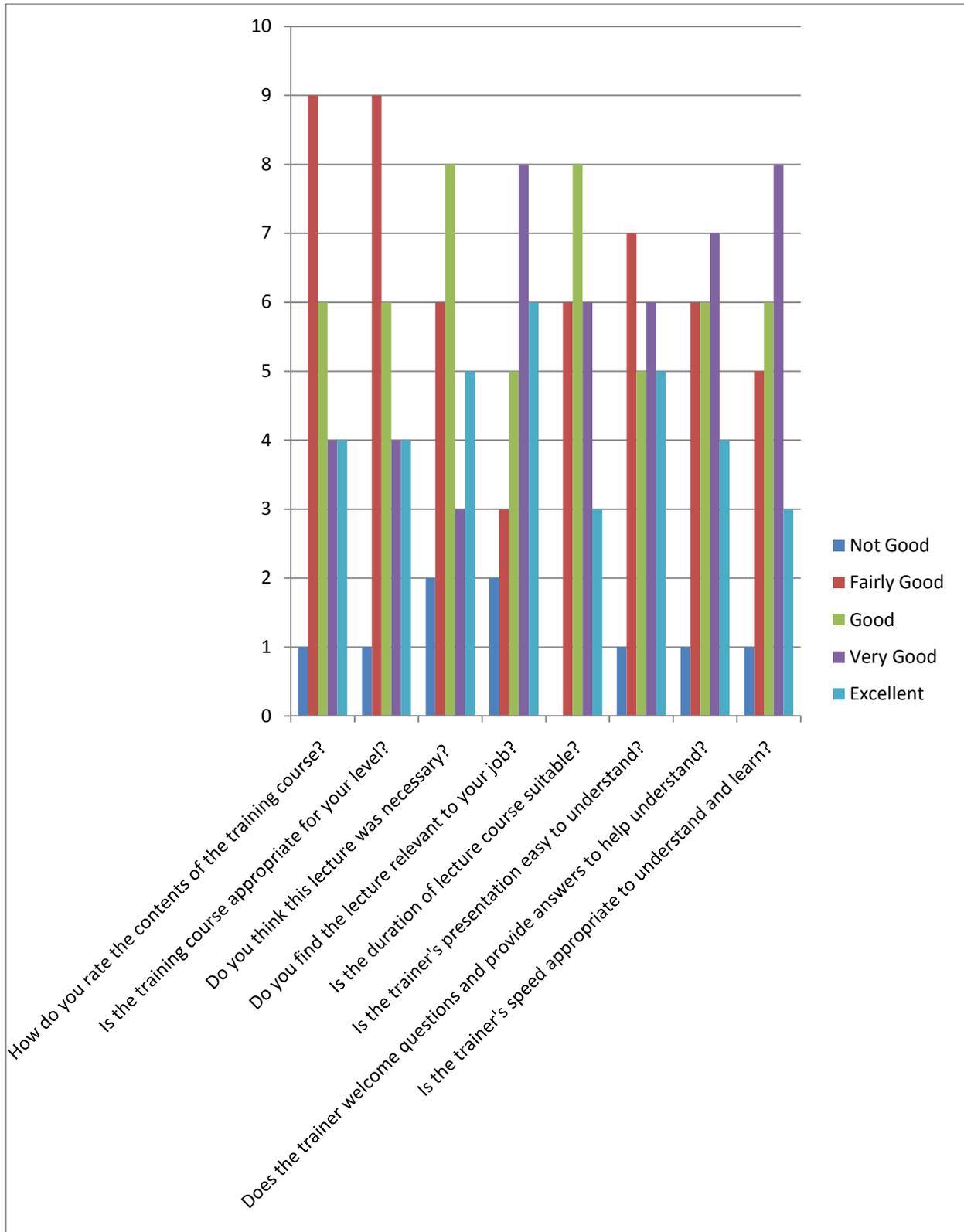
A judgment is the expression of the opinion of a Judge arrived at after due consideration of the evidence and of arguments, if any, advanced before him. In civil cases it is the final order passed in a suit instituted in a court, while in criminal cases it is the final order in the trial terminating either in the conviction or the acquittal of the accused as also in the appeal or revision.

In the lecture, participants were apprised at length about the procedural provisions related to judgment writing both in Civil Procedure Code as well as in the Criminal Procedure Code. The lecture also disseminated on informing the participants about the judgment in general, essential requirements of judgment including its language, important components of a good judgment and common pitfalls in the judgment.

Though judgment writing is an art, however, arriving at a just and proper decision is the primary responsibility of a Judge. A judgment may be well carved, yet if it does not coincide with the merits of the case; it is nullity in the eyes of law. A precise, concise and a balanced judgment based on evidence depend upon the knowledge, proficiency and aptitude of a Judge. For writing a good judgment, a Judge must have the knowledge of all the relevant provisions related to judgment writing. By overlooking the relevant provisions while penning down judgment, the same will lose its legal worth and would be of no legal effect.

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## Feedback



*Dr. Adnan Khan*  
**Curriculum Vitae**

**Adnan Khan**

Kamarbagh, College Colony, Saidu Sharif, Swat

**Email:** [akhan@lincoln.ac.uk](mailto:akhan@lincoln.ac.uk) **Tel:** 03469415233

**DOB:** 10/01/1980

**Academic Qualification**

2012 **Bar Transfer Test**, Kaplan, UK

2012 **Qualified Lawyer's Transfer Test**, Kaplan, UK

2011 **PhD Law**, University of Lincoln, UK

2004 **LLM International Law**, University of Hull, UK

2003 **LLB (Hons) Shariah and Law**, International Islamic University Islamabad, Pakistan

2002 **MA Politics**, University of Peshawar, Pakistan

2001 **BA Law and Politics**, University of Peshawar, Pakistan

**Present Position**

Director Research & Publication, KP Judicial Academy

**Work Experience**

- Lecturer Business Law, National College of Business & Management Sciences Islamabad from Feb 2004 to Jan 2005.
- Advocate High Court registered with KPK Bar Council since 02/12/2004.
- Civil Judge-cum-Judicial Magistrate KPK Judiciary from March 2006 to Feb 2012
- Public Service Interpreter at police stations registered with Cintra Ltd. Cambridge since April 2009.
- Legal Executive, SABZ Solicitors Manchester since April 2012.

**Membership of Professional Body**

- Law Society of England and Wales as Solicitor of the Superme Court.
- KPK Bar Council as Advocate of the High Courts.

- In the process of registering as a Practicing Barrister with Bar Standard Board.

### **Research work**

- Successfully completed PhD dissertation on Blasphemy laws.
- Successfully completed LLM dissertation on Corporate Laws.
- Passed all the module essays each of approx. 5000 words on Comparative Company Law, International Law of Trade and Development, Multinational Corporations and the Law, International Environmental Law, Public International Law Human Rights Law during LLM at Hull University.

### **Publications**

- **“The Extent of Sovereign Immunity under our Legal Edifice”** in the process of publication.
- **2008“Movement for Restoration of Judiciary in Pakistan”** Conference Publication in annual research conference, University of Lincoln, Dec 2008.
- **2007 “Role of the Bench Bar Liaison Committee in the Administration of Justice”** Conference Publication at the annual conference of judges from NWFP Judiciary, Swat, Nov 2007.
- **2003“Climate Change Conventions: How effectively do they address the Issues?”** Conference Publication, University of Hull, Feb 2003.
- **2003“The Concept of Corporate Personality in Islamic Law”** Conference Publication, University of Hull, June 2003.
- Recently compiled Annual Report for the Peshawar High Court Peshawar.

### **Computer Skills:**

Have a sound knowledge of MS Word, Excel, Power Point, Internet Programs, Search Engines, Windows and other software installations, Adobe etc.

### **Language Skills:**

Proficiency in English, Arabic, Urdu and Pashto

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## Essay Writing & Basic Terms in Research

*Abstract of lecture presented by Dr. Adnan Khan, Director Research.*

Essay refers to a piece of writing reflecting author's views about a certain thing. Generally, all essays start with an introductory part; they have a main body, and end with a conclusion. The easiest and most convenient way of writing an essay is to start with mind mapping, a technique also known as brain storming. In the process, different aspects of the subject matter of essay are noted down in the shape of mind mapping tree. Subsequently, each point is elaborated in modest sentences. One point, preferably of a generic nature is left for the conclusion.

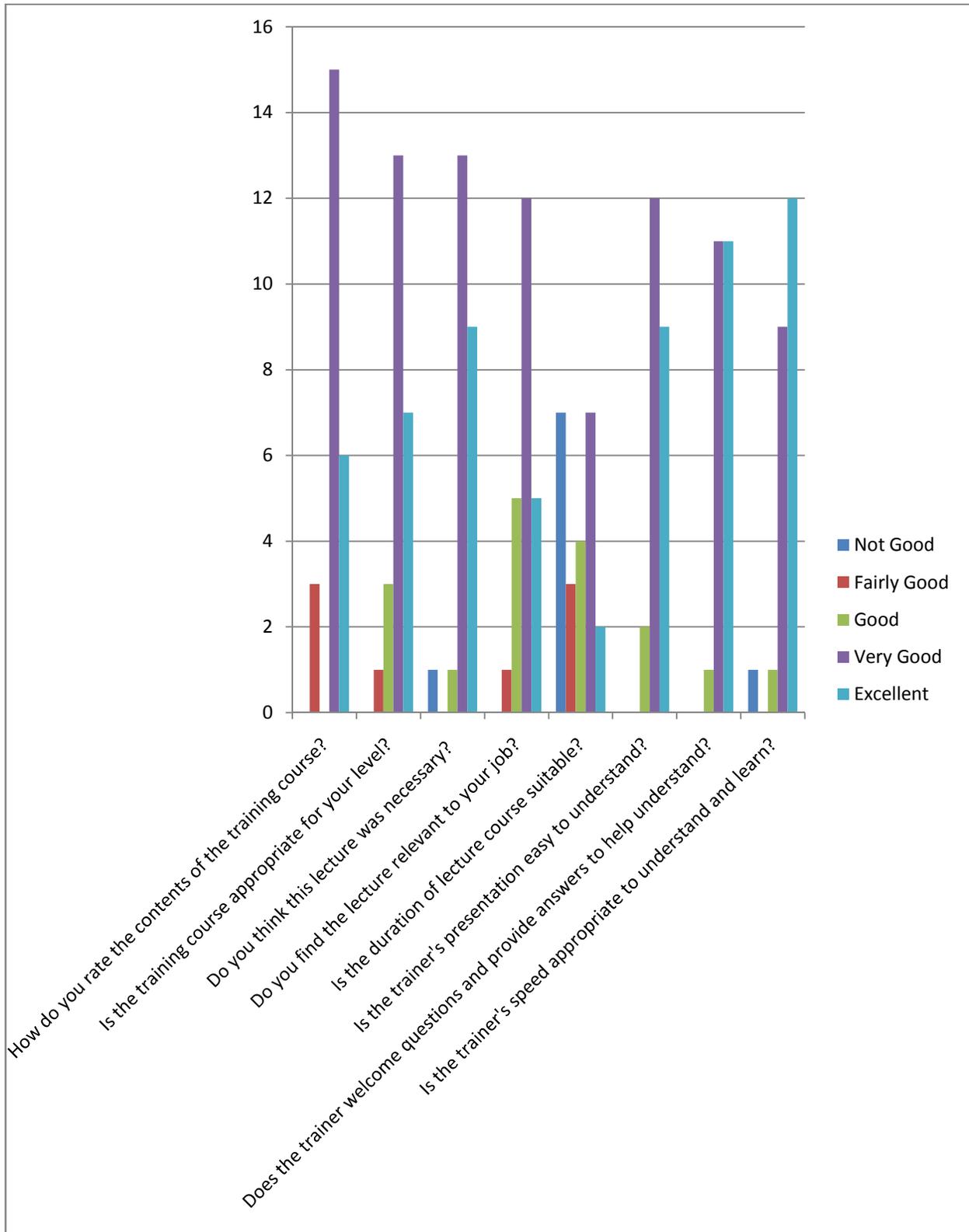
While writing academic essays, care should always be taken to avoid plagiarism. Material quoted or referred to should be referenced properly. References may be given in the shape of footnotes or endnotes. There are different styles of putting references in a paper, and it is for the researcher to adapt a certain style; however, there must be constituency in adapting a certain pattern.

Primarily, there are two types of researches: theoretical research (also known as doctoral research) and empirical research or applied research. In the former research, secondary sources are utilized and the study takes place in a library or laboratory. In the latter type of research, the researcher has to obtain data from the field. It may be obtained in the form of questionnaires, interviews and many other modes. These two types of researches are also known as qualitative research and quantitative research.

Sources of research are divided into primary sources and secondary sources. Statistical data collected from the field, interviews, public record, statutes and courts' judgments come under the category of primary sources. Published work in the form of books, articles and other material come under the category of secondary sources. Tools of research differ from sources of research.

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### Feedback



*Qazi Attaullah*  
**Curriculum Vitae**

**Qazi Attaullah**

Shah Dehrai Tehsil Kabal, District Swat

**Email:** qaziofmalakand@gmail.com. **Tel:** 03005740081

**DOB:** 4 Feb 1968

**Academic Qualification (Post Hifz of Quran al Kareem)**

2012 **PhD Islamic Law & Jurisprudence** International Islamic University Islamabad (Thesis Writer)

1996 **LLM Shariah & Law** (*Gold Medalist*) International Islamic University Islamabad

1992 **LLB (Hons) Shariah & Law** (*Distinction*) International Islamic University Islamabad

1990 **BA** University of Peshawar

1988 **Shahadat al Ala'mia** (*MA Islamiyat-cum-Arabic*) Wifaaq al Madaris Multan

1988 **Dars e Nizami** (*Graduation in Islamic Sciences*) Mazhar al Uloom, Mingora Swat

**Present Position**

AlaqaQazi/Civil Judge-cum-Judicial Magistrate KPK Judiciary

**Work Experience**

- Lecturer Islamic Studies, Army Public College Peshawar from April 1994 to June 1995.
- Extra Assistant Commissioner/AlaqaQazi (Criminal) Government of NWFP From July 1995 to May 2004
- Civil Judge-cum-Judicial Magistrate KPK Judiciary from June 2004 till date
- Visiting Resource Person at Various Institutions including Federal Judicial Academy Islamabad.

**Professional & Vocational Trainings**

- Thirty Seventh Shariah Orientation Course (In Country and abroad) July 1997 to October 1997, Shariah Academy IIU Islamabad

- Pre Service Training (Attachment) at different Session Divisions of KPK June 2004 to August 2004
- Four Weeks Training for Newly Appointed Judicial Officers at Federal Judicial Academy Islamabad, April 2005

**Research work**

- PhD dissertation on Alternative Dispute Resolution in progress
- Successfully completed LLM dissertation on the concept of Trial in Absentia

**Computer Skills:**

Have knowledge of MS Word, Power Point, Internet Programs, Search Engines, Windows and other software installations, Adobe etc.

**Language Skills:**

Proficiency in:

1. English
2. Arabic
3. Urdu
4. Persian
5. Pashto

**Countries Visited:**

1. Saudi Arabia
  2. Sudan
  3. Egypt
  4. Jordan
-

## Judgment Writing In Islamic Perspective

### Priliminaries

- 1- Shariah, meaning and definition.
- 2- Branches of Shariah (a) Acts (b) Faiths.
- 3- Fiqh, meaning and definition.
- 4- Branches of Fiqh (a) Worships (b) Transactions.
- 5- UsululFiqh meaning of.
- 6- Shariah, Fiqh, and UsululFiqh, distinction of.
- 7- Division of Fiqh on the basis of its subjects.

### Details of Topic

1. Judgment, meaning of.
2. Basic requirements.
3. Utilization and accommodation of Precedents.
4. Considering the material available on the record only.
5. Anger and other discomforting and irritating factors.
6. Avoiding contemptuous language.
7. Review of judgment.
8. The concept of judicial review.
9. Incorporation and non-incorporation of personal knowledge
10. Coherence and proper sequence.
11. Reasons based opinion.
12. Writing of judgment is *wajib* but it may be oral as well.
13. No value for unnecessary statements.
14. No room for retrospectivity.
15. Unnecessary delay in writing of judgment.
16. Trial in absentia and ex-party decree.
17. No room for personal ambitions in a judgment.
18. Every discretion which may lead to unjust results must be avoided and the voice versa must be exercised.
19. Judgment is act of the *qazi* however his every act shall not amount to judgment.

### Conditions

1. It must be in a case.
2. Operative part must be imperative in nature.
3. Clear and unequivocal.
4. In the presence of the litigating parties.
5. Stating of reasons to parties of the case.
6. Providing an opportunity for objections.
7. Not repugnant to primary sources of Islamic Law.

### **Kinds**

1. Express and Implied judgments.
2. Oral and act-based judgments.
3. Judgment for entitlement and preventive judgment (*qazaistihqaqand qazatark*).
4. Mere declaratory judgment and judgment granting consequential issues.

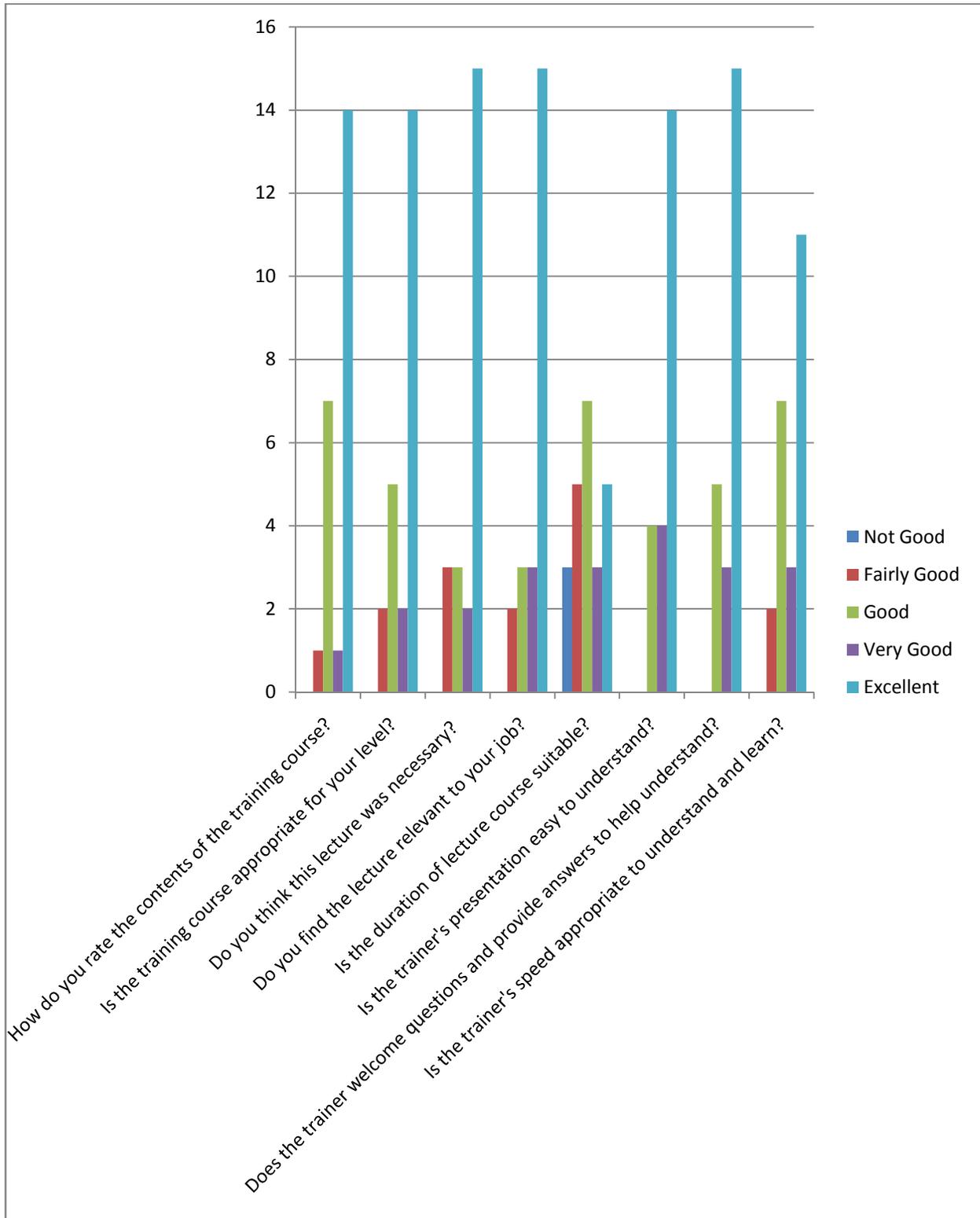
### Judgment after pronouncement

1. Compulsorily enforceable, not open to any sort of judicial review.
2. Unenforceable at all, compulsorily revisable by judicial review.

### **Extent of judgment**

1. Covering the disputed and litigated issue only.
  2. Cannot change the Command of Shariah.
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## Feedback



## Annexure (A)

### Address of the Chairman / Hon'ble Chief Justice

*The Director General K.P.K Judicial Academy & his team; The Resource persons; The Registrar and my team from High Court; Course participants; Media persons; Ladies and Gentlemen.*

*Assalam-O-Alaikum!*

Being amongst you on your graduation, made this day pleasurable for me. I extend my warmest greetings on eve of your successful completion of training.

My dears, you are really blessed Judicial Officers having opportunity to discover your potential and refine your skills by undergoing training process. Your resource person must have introduced to you the term "Perception lock". I hope during this short period of one week, you must have succeeded in breaking up your perception lock. Process of learning knows no limits. Even age matters not. It goes on from cradle to grave.

Ladies and Gentlemen!

Need of establishing a Provincial Judicial Academy had been felt since long, with grace of ALLAH (SWT) and with concerted efforts of my team, I succeeded to achieve this goal. Role of academies cannot be ignored in any service structure; nevertheless Judicial Academy is of utmost importance. Judicial Officers are confronted with different and divergent situations, almost on each date of hearing. They are also supposed to keep abreast of new laws and amendments. Litigant public has lot of expectations and courts are their ultimate hope to get justice. In this perspective training imparted at Judicial Academy would matter a lot.

Ladies and Gentlemen!

An independent, accessible and efficient justice delivery system is pre-requisite for maintaining healthy democratic traditions and pursuing equitable development policies. During last few years, we noticed a flood of cases, which is manifest of confidence, reposed on this Institution. I am deeply gratified by the trust and confidence of the people of country. Our Superior Judiciary has played a leading role in protecting constitutional values and upholding rule of law in our country. The vital social role of the Courts has been strengthened by the creative reading of ideas such as "equality before law" and personal liability especially with the evolution of (P.I.L) Public Interest Litigation, the understanding of rights has expended in many directions. From conferring guarantees of a civil political nature, the fundamental rights have been interpreted to include positive Socio-economic obligations on the state. The means that the Courts of law are unique spaces where just solutions are devised in spite of socio economic inequalities between the litigants.

Ladies and Gentlemen!

A significant consequence of the severe shortage of Judges is that substantial numbers of poor people are unable to obtain the protection of Courts to preserve and strengthen their rights. In many cases, the undue delay in disposal is a consequence of hurdles placed in the procedural steps involved in litigation. In the course of legal proceeding there is likelihood of delay at various stages. If the party apprehends an adverse result, there is tendency on part of litigants to place obstacles in these proceedings. The logical response to this endemic problem is that Judges need to be more proactive in managing the flow of proceedings before them. Nevertheless, desire to improve procedural efficiency should not compromise the quality of justice.

Dear participants, our courses and modules are specially designed to enhance and improve your capability to deliver a balanced, logical, fair, dispassionate and speaking judgment. If you are able to deliver in this manner, I assure you, it will curb at-least 30% of further litigation. People satisfied of verdict of court neither prefer impugning same at higher level nor are so advised by lawyers.

Ladies and Gentlemen!

Through conclusion of this training program, we will be crossing century by imparting training to about 125-judicial officer. However, we are not satisfied.

Being Chairman of Khyber Pakhtunkhwa Judicial Academy, I have advised exploring new ideas and new horizons. Here in Judicial Academy very soon we will start evaluation of on job application of skills and knowledge having learnt in training course. An evaluation form is being devised, which will seek evaluation of course in the following area:

1. Measuring change in knowledge, skills and attitude both qualitatively and quantitatively;
2. Measuring productivity gains/results of the Training;
3. Reasons for not being able to do the things you were taught at the training;
4. The District & Sessions Judge of the concerned District will also provide feedback in these three areas.

Here I must also emphasize that when you are back to your courts, you must generously share this knowledge and experience.

Ladies and Gentlemen, we are working on distant learning program through FM station which will see light of the day very soon. In this regard we are thankful to different donor agencies who stepped ahead to help materialize our efforts.

Thank you.

*Pakistan Zinda Bad*

**Dost Muhammad Khan**  
Hon'ble Chief Justice,  
Peshawar High Court, Peshawar

## Annexure (B)

### Address of the Director General

Hon'ble the Chief Justice; hon'ble Mr. Justice Mifahudin Khan, distinguished guests, ladies and gentlemen-

Last night I was thinking who could be the luckiest people on earth. There are people who dream for themselves. There are those who dream for others. Those who dream for others are really great people. The reason is obvious: they dream of the well being of others. When their dreams come true, they feel satisfaction. They are indeed lucky. The dream that Hon'ble Chief Justice saw for the judiciary, is coming true day in and day out. Let me cite a few examples to prove how it is happening.

Sir,

We have conducted five trainings on the core area of judgment writing. In the present one we introduced two additions: one, a lecture on procedural provisions pertaining to judgment writing, and second, research skills. One was delivered by Mr. Aamir Nazir, Senior Director Research and the other by Dr. Adnan Khan, Director Research. Both are good. We have also changed our feedback form, with the help of the World Bank. Per your instructions, we have also developed a form for post training evaluation. The World Bank, which funds this and six other similar trainings, has helped the Academy in this regard, for Dr. Khurshid Iqbal, Dean of the Faculty held a meeting with Mr. Sher Shah Khan, a Senior Governance Specialist. Our post training evaluation will comprise of a feedback form to be filled by those who were imparted training and the District & Sessions Judges under whose control they are working. Besides, we will also evaluate their judgments at the Academy. Dr. Khurshid Iqbal and his team have prepared reports of the trainings and seminars, which were presented to your good self a while ago. Dr. Khurshid Iqbal deserves appreciation for preparing those reports. We hope you will find the reports worth reading.

The civil work is also inching forward: the mosque is under construction; the hostel's PC-I is in its final stage. We have recruited some staff members: a librarian, a web developer and web administrator. They are sitting with us. I am thankful to Justice Miftahuddin Khan, the Vice-Chairman of the Board of Governors, for being highly cooperative with us. The Registrar and the Member Inspection Team of the PHC also deserve my appreciation for their cooperation. It will be injustice if I do not mention the names of our resource persons, particularly, Mr. Zia Ahmad Khan, Dr Ismail Wali and Mr. Niaz Muhammad Khan; they are the real contributors to our trainings. I am also highly thankful to the learned Advocate General for honoring us with his

presence. Last but not the least; I must appreciate Professor Abdul Manan, Principal Law College, the University of Peshawar, for his participation on this occasion.

Thank you very much.

**Hayat Ali Shah**

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## Annexure (C)

### Remarks of CR

Hon'ble the Chief Justice, Peshawar High Court, worthy DG, KPK Judicial Academy, worthy Dean Faculty, respectable directors of KPKjudicial academy, distinguished guests and my dear colleagues

Assalam o Alaikum

I am grateful to my fellow participants for providing me the opportunity to express my views on their behalf.

Hon'ble Sir, our other colleagues who earlier completed their trainings were talking high of the Academy, but it had little effect on most of us. There is a saying that seeing is believing. This saying came true when we participated in the present training. Earlier we had only heard that Judicial Academy has been established. We thought that we will be seated in the century old, dusty and dirty building but we were astonished to see that the glory of hundred years has been transformed into a blend of old and modern architecture. We must congratulate your lordship and your team on conversion of a century old building into such a splendid seat of learning equipped with ultra modern technology.

Sir! Before participating in this training program we thought ourselves as the experienced judicial officers having skills of perfect opinion writing. But after this training we have realized that there is wide room for improvement. The perception lock of being master has been unlocked.

Sir.. Due to rush of work and other allied problems, judges always remain under stress and pressure. This core issue was successfully addressed by Mr. Zia Ahmad khan. He described a number of tools and techniques for minimizing stress and pressure at workplace. He also introduced the process of de-learning. This process will greatly help us in developing patience and avoiding anger. Dr. Ismail Wali dilated upon the linguistic side of the judgment. He sensitized us about the proper usage of punctuation and grammar in writing clear, concise and correct judgments. He also addressed a number of other important areas that will greatly help us in future. Mr. Niaz Muhammad Khan talked in detail about the contents of a judgment purely from legal perspective. He linked the code of conduct of Judicial Officers with the subject of judgment writing and concluded that judges are bound to write good judgments. Earlier we were not cognizant of a number of areas that were addressed by Niaz Muhammad Khan. His lecture would be useful in writing good judgments. Dr.Khurshid Iqbal discussed in detail the contemporary trends in judgment writing. His research oriented lecture highlighted the current world-wide literature on the subject. He explained the international standards and opinions in judgment writing and developed our curiosity for searching modern trends while writing judgments. Mr. Aamir Nazir discussed the procedural provisions for writing judgments in different nature of cases. Dr Adnan dilated upon the research methodology and developed our basic understanding in writing a research paper. Qazi Atta Ullah discussed the Islamic perspective of judgment writing. Overall the training course was designed wisely.

The atmosphere and the entire team of the Academy remained very friendly and cooperative. We were provided with an excellent learning atmosphere, comfortable lodging and delicious food.

On behalf of all my colleagues, I assure you Sir that the skills learnt in this training will be practically implemented for improving quality of our judgments and strengthening of the confidence of litigants and public in the institution.

Thank you.

**Dost Muhammad Khan**  
Civil Judge/ Illaqa Qazi, Matta,  
Swat

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**Annexure (D)****List of participants**

<b>S.No</b>	<b>Name</b>	<b>Posting At</b>
1	Mr. Rashid Rauf	Batagram
2	Mr. Shoukat Ahmad Khan	Peshawar
3	Mr. Dost Muhammad Khan	Matta (Swat)
4	Miss Farzana Shahid	Nowshera
5	Ms. Shabana Mehsood	Lakki Marwat
6	Miss Sadia Andaleeb	Karak
7	Miss Hina Mehwish	Swat
8	Mr. Alamgir Shah	Chakdara (Dir Lower)
9	Syed Shoukat Ullah Shah	Khawazakhela (Swat)
10	Mr. Muhammad Tayyib Jan	Swat
11	Mr. Nasir Khan	Buner
12	Mr. Muhammad Faisal	Charsadda
13	Mr. Umer Al Farooq	Mansehra
14	Mr. Fazal Gul	Behrain (Swat)
15	Mr. Tayyab Ali	Drosh (Chitral)
16	Mr. Muhammad Iqbal	Kohat
17	Mr. Naseer Ahmad	Wari (Upper Dir)
18	Miss Farhana Tabassum	Mansehra
19	Syed Hassan Raza	Takht Nusrati (Karak)
20	Mr. Ihsan Ul Haq	Swabi
21	Mr. Muhammad Ilyas Khan	Peshawar
22	Mr. Shakeel-Ur-Rehman	Paharpur (DI Khan)
23	Mr. Ishtiaq Ahmad	Bannu
24	Mr. Sheraz Tariq	Charsadda
25	Mr. Adil Zaib	Takht Nusrati (Karak)



**KHYBER PAKHTUNKHWA JUDICIAL ACADEMY**  
5th One-Week Training Course on Judgment Writing for 25 Civil Judges / Judicial Magistrates  
(21-26 January 2013)



Sitting Row 1 to 6 R:

Ms. Shahana Mehsood, Miss Farzana Shahid, Dr. Fouzia Wali, Mr. Muhammad Aamir Nazki, Dr. Khورشید Iqbal, Mr. Hayat Ali Shah(Director General),  
Mr. Justice Dost Muhammad Khan(Chairman), Mr. Muhammad Saleem Khan, Mrs. Safia Waqar Khattak, Mrs. Rifat Aamir, Miss Farhana Tabassum,  
Miss Sadia Andaleeb, Miss Hina Mehwish.

Standing Row-1 to R:

Mr. Rashid Razi, Mr. Shoukat Ahmad Khan, Mr. Shakeel Iqbal, Mr. Fayyaz Ali, Mr. Umar Al Farooq, Mr. Dost Muhammad Khan, Syed Hassan Raza,  
Mr. Fozal Ghal, Mr. Adil Zaib, Mr. Nasir Khan, Mr. Muhammad Tayyib Jan, Mr. Ishtiaq Ahmad, Mr. Nasser Ahmad, Mr. Sheraz Tariq, Mr. Muhammad Iqbal.

Standing Row-2 L to R:

Mr. Muhammad Faisal, Mr. Ihsan Ul Haq, Mr. Muhammad Ilyas Khan, Syed Shoukat Ulah Shah.