

# 2014

**REPORT**

***One Day Seminar on  
Criminal Justice Coordination  
Committee***



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In the name of Allah, the Most Gracious, the Ever Merciful

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## **Abstract**

*This report documents the proceedings of the one day Seminar on “Criminal Justice Coordination Committee [CJCC]”, which was held in KP Judicial Academy Peshawar, on November 15, 2014. The seminar aimed at sensitizing the newly promoted District & Sessions Judges, with the working of the CJCCs. As the participants also included some experienced District & Sessions Judges, the purpose was to take benefit of their expertise. On this occasion, the Chairman KPJA, Mr. Justice Mazhar Alam Khan Miankhel, Honourable the Chief Justice Peshawar High Court [PHC] was the Chief Guest in the concluding session.*

*This report is divided into three main parts i.e. Introduction, Proceedings and Annexure. The Introduction carries the concept note reflecting on the idea behind this activity. The Proceedings Part covers the Sessions, Final Recommendations and Wrap Up. The Annexure Part contains the list of the participants.*

## **Part One**

### **Introduction**

There is a general principle of criminal jurisprudence: *it is better to acquit ten guilty persons than to convict one innocent person*. To ensure that this principle is fully observed in a politically organized society, it is the obligation of the concerned state institutions to efficiently deliver justice services to all, including, most notably, the special groups of people such as children, women, the disabled, minorities and the extremely poor. In a developing economy like ours, an efficient administration of criminal justice has been a socio-political goal that is yet to be achieved in a way that is expected of the legal and judicial institutions. Earlier, under the auspices of the Access to Justice Program (AJP) funded by the Asian Development Bank (ADB), there had been solid efforts to revamp the entire gamut of our legal and judicial system—the criminal justice system being an essential part of it (ADB:2001).

Among others, one important component of the criminal justice system at the District level is the Criminal Justice Coordination Committee (CJCC) (Police Order: 2002; S.109). The basic objectives behind the establishment of such committees include, to

- Promote understanding, cooperation and coordination among the concerned criminal justice institutions;
- Formulate and coordinate priorities and plans to implement policies agreed at the local level;
- Promote the spread of good practices.
- Keep under review the operation of criminal justice system and the implementation of decisions taken by it.

A study of the record of the CJCCs shows that there had been visible efforts in the past for streamlining some of the crucial areas that needed cooperation and coordination. To name a few, those area include the timely submission of complete challans of criminal cases in courts, effective service of court processes and reports of forensic laboratories (PHC Annual Report: 2003;41-43). The current situation, however, is deplorable. The working of CJCCs in majority of the cases has become mechanical, except a few. The reasons for this situation are also numerous but mainly relate to inadequate comprehension of the basic concept of these committees.

Cognizant of its key role in the administration of criminal justice, the District Judiciary has held many regional conferences in the past in which the significance of the CJCC was duly appreciated. There are no efforts in the recent years to make these committees work with its required vision and vigour. The judiciary, however, does appreciate that there is a genuine need, not only to continue with such like activities, but to also to widen their scope to provincial level activities so as to explore, at a much deeper level, the problems and future prospects of the CJCC. It is in this backdrop that the KP Judicial Academy has proposed a daylong Seminar not only to rejuvenate the participants, who actually make the composition of these committees, with the basic idea of this vital forum in the administration of criminal justice system but also to provide them with an opportunity to share more experience and knowledge of the good practices.

## Part Two

### The Workshop: Proceedings

#### Session I: Inauguration & Presentation

The programme started with the recitation of some verses from the Holy Quran, by Qazi Ataullah. The participants were formally welcomed by Mr. Hayat Ali Shah, the Director General (DG) of the Academy. Mr. Muhammad Azim Khan Afirdi, District & Sessions Judge, Haripur made a comprehensive presentation on the need, composition and working of the Criminal Justice Coordination Committee.

#### Session II: Group Activity

Session II started with the formation of groups. Participants were divided into five groups, assigned to work on the topics given below:

1. Collection of Agenda Items and formulation of Agenda
2. Checklist for Planning & Organizing Productive Meeting
3. Strategies for Implementation of Decisions of the Committee
4. Guidelines for Efficient & Congenial Conduct of the Meeting
5. (i) Methodologies for Adopting Best Practices of other Districts & (II) Strategies for Identifying Bottlenecks in the Functioning of the Committee & Removal thereof

#### Session III: Group Presentations:

After working in the groups to deliberate and dilate upon the topics given above, group leaders of each group appraised the house of their respective recommendations. The following lines provide the crux of those recommendations.

#### Group A's Recommendations

##### Topic: Collection of Agenda Items and Formulation of Agenda

Mr. Shamsheer Ali Khan, Judge Accountability Court Peshawar, represented Group A and made the following recommendations.

##### Collection of Agenda Items

1. The agenda should maintain a follow up of the decisions of previous meetings.

2. Timing of the meetings should ideally be with the consultation of the members.
3. Secretary should contact all the members for their feedback regarding the issues to be discussed in the meetings, including previous unresolved issues.
4. All unresolved agenda items should be kept on the agenda of coming meeting (s) till their resolution.
5. Secretary should maintain separate file for compiling all the issues raised by the members and others for bringing them on the agenda.
6. The instructions, directions and observations of the courts at all levels should be taken into consideration.
7. It should also include feedback from other forums headed by a District & Sessions Judge.

#### Formulation of Agenda

1. It must be with the consultation of the District & Sessions Judge.
2. Assessment of the available material for the relevancy.
3. Prioritize agenda items.
4. Comprehensive drafting.

#### **Group B's Recommendations**

##### **Topic: Checklist for Planning & Organizing Productive Meetings**

Group B was represented by Mr. Muhammad Asim Imam, Judge Anti Terrorism Court, Kohat. He submitted the following recommendations:

#### Model Checklist

1. Agenda/ goals.
2. Venue, date and time with duration.
3. Seating arrangements.
4. Sound system, if required.
5. List of participants, ensuring the presence of participants prior to the meetings.
6. Attendance sheet.
7. Files, information required for the meetings.
8. Previous decisions, follow up, implementation.
9. No cell phones during the meetings.

10. Goals/ agenda for the next meeting.
11. Recording of minutes.
12. Refreshments.

### **Group C's Recommendations**

#### **Topic: Strategies for Implementation of Decisions of the Committee.**

This group was represented by Mr. Ikhtiar Khan, Incharge NJPIC, Peshwar High Court. The group recommended the following:

1. Attendance of all members necessary for making effective decisions of the committee.
2. Minutes of the meeting be prepared in time and be circulated to the quarters concerned for implementation of the decisions.
3. Focal Persons for implementation and follow up of the decisions.
4. Time limits for implementation of decisions particularly for urgent matters.
5. Effective coordination and communication amongst the members of the committee.
6. Joint strategy and methodology for implementation of decisions.
7. Review of the previous meetings.
8. Feedback from the judicial officers in monthly meetings regarding the problems which create hurdles in the dispensation of justice.
9. Amendment in S.110 Police Order, 2002, meeting for special courts.
10. Chairperson be empowered to summon any person to attend the meeting as a special member.

### **Group D's Recommendations**

#### **Topic: Guidelines for Efficient & Congenial Conduct of the Meeting**

Mr. Sharif Ahmad, District & Sessions Judge Swat, as a group leader presented the following recommendations:

1. A specific agenda should be communicated to all the members in advance. This would enable the participants to come prepared and know about the points to be discussed in the meeting.
2. Timing must be observed.

3. Proper seating arrangements and other necessary facilities should be provided in the Conference Hall, where meeting is taking place.
4. Seating should be in order of protocol.
5. The participants should be received properly by a responsible official and should be lead to the meeting venue.
6. When all the members have taken their seats, then the Chairman should join in.
7. The Chairman should either meet each participant individually or say a common salam [welcome greeting] to all.
8. Participants should be provided with necessary stationery.
9. The opening remarks by the Chair should be in the shape of short welcome address.
10. The Secretary should read out the agenda items at the start of the meeting.
11. The Chairman should have a list of participants in front of him.
12. Proper opportunity should be given to each participant to share his/ her view on a point under discussion.
13. A conducive environment should be ensured by the Chair.
14. All the proceedings should be properly minuted.
15. No negative or adverse remarks should be passed against a member in the meeting.
16. The Chair should ensure that despite a friendly environment, all the agenda items are covered in the meeting.
17. The Chair should resolve complaints persuasively and not aggressively.
18. Any irrelevant discussion should be avoided and left to the tea break.
19. The meeting should be ended with a formal vote of thanks.

### **Group E's Recommendations**

#### **Topic: (i) Methodologies for Adopting Best Practices of other Districts & (ii) Strategies for Identifying Bottlenecks in the Functioning of the Committee & Removal thereof**

Group leader Mr. Zafar Iqbal, District & Sessions Judge Kohat, presented the following recommendations:

1. A separate cell should be established in the august PHC for evaluation of the good practices adopted by a district.
2. It should be shared with the other districts for adoption.



3. The PHC should approve such good practices and may make it part of its policy for District Judiciary.
4. The other stakeholders like police and prosecution should adopt measure to receive good practices, communicated through the PHC.
5. As the Anti-terrorism Courts [ATC] and National Accountability Bureau [NAB] Courts are outside the domain of the Criminal Justice Coordination Committees, necessary directions of the High Court are needed for adoption of measures to enable ATC and NAB to discuss and resolve their issues in similar meetings.
6. There is a lack of interest so far as the decisions of the CJCC are concerned. Steps should be taken to actively involve these stakeholders in the implementation of these decisions.
7. For giving boost to the decisions of the CJCC, the bar should have representation in its meetings.
8. An Additional District & Sessions Judge and a Judicial Magistrate should be members of the CJCC, as the decisions are mainly concerning their courts.

### **Consolidated Recommendations**

1. There should be consultation with all members in collecting and formulating agenda.
2. Unresolved issues of previous meeting(s) should also be made part of the agenda for the coming meeting(s).
3. The agenda shall reflect the instructions/decisions of other courts, including superior courts.
4. The Law regarding the CJCC should be amended to empower the Committee to implement its decisions.
5. The Committee should meet after all other committees headed by the DSJ, have met.
6. There must be a checklist of a standard format containing all requisites of a productive and organized meeting.
7. The decisions taken by the Committee must be clear and unambiguous and same should be timely communicated to the relevant authorities concerned.
8. Methodology for implementation of the decisions must be devised during the meeting after consulting the relevant stakeholders.

9. Each decision taken is to be assigned to the concerned authority for implementation and follow up and the said authority should be held responsible for its implementation.
10. Due to peculiar and changed circumstances, Deputy Commissioners may be made member of the Committee.
11. The capacity of Secretary may be enhanced for running the secretarial work of the Committee.
12. The chair must be impressive, well dressed and cordial during the meeting.
13. The good practices of a district should be approved by the PHC and should be shared with all other districts for adoption.

#### **Session IV:**

#### **Wrap up**

The workshop was wrapped up by Mr. Hayat Ali Shah, DG Academy. In his concluding remarks, the DG thanked all the participants for their commitment to the betterment of the system of administration of justice. He ensured the participants that their valuable recommendations would be shared with the authorities concerned.

#### **Certificate Distribution and Concluding Address by the Chief Guest**

The Chief Guest Mr. Justice Mazhar Alam Khan Miankhel, Honourable the Chief Justice PHC distributed certificates amongst the participants. In his address to the gathering, shed light on the importance of Criminal Justice Coordination Committees vis-à-vis its objectives. The Chief Justice deplored over the situation that the purposes for which the Committees were created, could not be achieved. He reiterated the need to revert the CJCC position to what it was originally meant for.

Reported by  
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## Part Three

## Annex A

## LIST OF PARTICIPANTS

S.No	Judicial Officer	Designation	Place of Posting
1	Mr. Shamsheer Ali Khan	Judge, Accountability Court-I	Peshawar
2	Mr. Muhammad Bashir	Chairperson, , Environmental Protection Tribunal	Peshawar
3	Mr. Muhammad Ayub Khan	Judge, Anti Terrorism Court –III	Peshawar
4	Mr. Muhmmad Tariq Wali	Judge, Banking Court – I	Peshawar
5	Mr. Tariq Yousafzai	Judge, Accountability Court	Peshawar
6	Mr. Aymon Zia	District & Sessions Judge	Swabi
7	Mr. Khalid Badshah	District & Sessions Judge	Malakand
8	Mr. Anwar Ali Khan	District & Sessions Judge	Peshawar
9	Mr. Sharif Ahmad	District & Sessions Judge	Swat
10	Mr. Saleem Jan	Judge, Anti Terrorism Court	Peshawar
11	Mr. Zafar Iqbal khan	District & Sessions Judge	Kohat
12	Mr. Shaiber Khan	OSD, Peshawar High Court	Peshawar
13	Mr. Muhammad Asim Imam	Judge, Anti Terrorism Court	Kohat
14	Mr. Ishtiaq Ahmad	Judge, Special Court (Central )	Peshawar
15	Ms. Zarqaish Sani	Judge, Accountability Court-II	Peshawar
16	Mr. Tariq Pervez Bloch	District & Sessions Judge	Tank
17	Mr. Muhammad Jamal khan	District & Sessions Judge	Charsadda
18	Mr. Abdul Ghafoor Qureshi	Judge, Anti-Terrorism Court	Swat (Matta)
19	Mr. Muhammad Younas Khan	Judge, Anti-Terrorism Court	Mardan
20	Mr. Mohammad Tariq	District & Sessions Judge	Lakki
21	Mr. Mohammad Sabir	Additional Registrar,Peshawar High Court Bench	D.I. Khan
22	Syed Ihtesham Ali	Director-I, HRD, Peshawar High Court	Peshawar
23	Mr. Muhammad Asif Khan	Judge, Anti-Terrorism Court	Swat
24	Mr. Rajab Ali Khan	District & Sessions Judge	Battagram
25	Mr. Muhammad Iqbal Khan	Additional Registrar,Peshawar High Court Bench	Abbottabad
26	Mr. Nasrullah Khan Gandapur	Additional Registrar,Peshawar High Court Bench	Bannu
27	Mr. Ikhtiar Khan	Incharge, NJPIC, Peshawar High Court	Peshawar
28	Mr. Naveed Ahmad Khan	District & Sessions Judge	Shangla
29	Mr. Madad Khan	Judge, Anti-Terrorism Court	Swat
30	Mr. Ahmed Sultan Tareen	District & Sessions Judge	Chitral
31	Mr. Gohar Rehman	Draftsman, Peshawar High Court	Peshawar
32	Mr. Muhammad Hussain	District & Sessions Judge	Bannu

33	Mr. Mahmood ul Hassan	Judge, Anti-Terrorism Court	Bannu
34	Mr. Muhammad Zubair Khan	District & Sessions Judge	Dir Lower
35	Mr. Sajjad Ahmad Jan	District & Sessions Judge	Mardan
36	Mr. Muzzamil Shah Khattak	District & Sessions Judge	Buner
37	Mr. Liaqat Ali Khan Marwat	District & Sessions Judge	Karak
38	Mr. Rafiullah Khan	District & Sessions Judge	Dir Upper
39	Mr. Salahuddin	District & Sessions Judge	Mansehra

# Group Photos

Annex B

