A HANDBOOK OF THREE MONTHS PRE-SERVICE TRAINING PROGRAMME AND EVALUATION- BATCH 62 (2016).

For Newly Appointed Civil Judges and Judicial Magistrates

MAY 30, 2016

SINDH JUDICIAL ACADEMY

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Message From the Director General:

It gives me immense pleasure to welcome newly appointed Civil Judges/ Judicial Magistrates, in this training and evaluation programme. I pray for your successful carrier in the judiciary.

The role of judicial education in capacity building of a Judicial Officer is over whelming since its ultimate objective is to equip the Judicial Officers with knowledge skills and attitude which would obviously fill the gap surfaced from time to time due to the developments in the field of law, and the concerns of other stakeholders. The multifaceted and diversified sharing of experience through more experienced and time tested Resource Personnels in imparting judicial education would surely bring more refining of some old concepts and clarification in ideas. This would facilitate the Judicial Officers in performance of their judicial functions in more efficacious and beneficial manner which enhance the confidence of a common man in judiciary.

In the beginning of the year 1992, the then Chief Justice and Judges of the Honourable High Court of Sindh felt the importance of judicial education and training for the judges in the province of Sindh. Thus, the Sindh Judicial Academy was set up in May 1992 under a resolution of the High Court of Sindh. In 1993, the Sindh Judicial Academy Ordinance, 1993 (Ordinance No.XVIII of 1993) was promulgated to provide legal cover for its working and functions. When in next preceding year i.e. 1994, Sindh Assembly reaffirmed the Ordinance with the enactment of Sindh Judicial Academy Act, 1993 which came into force on 7th March, 1994 (Act IX/94).

To strengthen the relevancy of judicial education the Academy has imparted General Training Programmes as well as specialized subject trainings to different levels of Judicial Officers. The amendment in Sindh Civil Servant Rules has created a new era for the capacity building of Judicial Officers through judicial education.

The faculty of this Academy has carved out a comprehensive training schedule which capsulate refreshal of substantial and procedural laws as well as articulated mock trial sessions and regular exercises for judgement and order writing. Besides deliberation on substantive and procedural laws, the training programme has been

scheduled to meet present day challenges and to broaden the vision of Judicial Officers in respect of Court Management, Case Management, Alternate Dispute Resolution, awareness of social contemporary issues, social impacts of judicial decision etc.

I am confident that this training programme will improve the capacity of the learned trainee Judges and they shall prove their worth then evaluated on completion of this training programme. The Sindh Judicial Academy will welcome suggestions for further improvement in future.

I wish you all best of luck and bright future in the judiciary.

(Justice (R) Syed Ali Aslam Jafri)
Director General
Sindh Judicial Academy.

Introduction:

The Sindh Judicial Academy was established informally in May, 1992 under the resolution passed by the Hon'ble High Court of Sindh and at later stage Sindh Judicial Academy Ordinance of 1993 was promulgated which was assented by the Sindh Assembly through Sindh Judicial Academy Act. This Act came into force on 7th March, 1994. Section 4 of the Act enumerates the functions of the Academy which reads as under:

"**4. Functions of the Academy:-**

The functions of the Academy shall be—

a) legal orientation, training of members of the subordinate judiciary, law officers and members of the-bar.
b) continuing education of members of the subordinate judiciary:
c) holding of conferences, seminars, workshops and - symposia for improvement of judicial system and quality of judicial work;
d) providing information on legal and Constitutional research;
e) to conduct departmental examinations of members of establishment of subordinate Courts and the High Court;
f) publishing of journals, memories, research papers or reports; and
g) performing such other incidental functions as may be approved by the Board or as may be requisite to further its objectives."

Since its inception the Academy has successfully imparted training to 61 Batches of Judicial Officers of different levels i.e. Civil Judge & Judicial Magistrates, Senior Civil Judge, Additional District & Sessions Judges and District & Sessions Judges. These training programmes are primarily at induction level as well as for in-service judicial officers. Besides, the Academy has provided trainings to the Prosecutors and JAG Branch of the Armed Forces. Recently the Academy has hosted a comprehensive training to the Investigation Officers and Higher Officers of the Anti-Corruption Department, Sindh.

In accordance with the new rules applicable to judicial officers that a Judicial Officer will not be promoted unless he or she attends a promotion related training programme at the Academy and successfully gets through it, the Academy has also taken up the challenge and so far successfully completed three batches of Capacity Building training and Evaluation.

It is hoped that this training programme for the Civil Judges/Judicial Magistrates will provide them an insight into their day to day working as far as their leadership role is concerned at District Judiciary level.

The Sindh Judicial Academy (SJA) is an autonomous body with its own Board of Management headed by the Hon'ble Chief Justice of the Sindh High Court. Its present campus is at Judges Bungalow No.1 & 2, Ferozenana Road, Bath Island, Clifton, Karachi. The new building of the Academy will be constructed in the same vicinity in near future and thereafter at Education City on a piece of land allotted to the Academy by the Sindh Government. The purpose to build new campus will further facilitate the working of the Academy to impart quality judicial education.

The administration of the Academy is under general control of the Board of Management while the Director General is the Chief Executive Officer as well as Principle Accounting Officer, and is responsible for the affairs of the Academy before the Board.

At present, the faculty consists of a Director General, a Senior Faculty Member and one Faculty Member. The Director General, Sindh Judicial Academy, Mr. Justice (R) Syed Ali Aslam Jafri, has practiced law on Criminal and Civil side for more than 35 years and had been teaching Law at Khairpur Law College since 1970 till 09-10-2000. He remained Principal there for about 15 years when elevated as Judge of Hon'ble High Court of Sindh where he served for five years till his Superannuation. He has successfully served as First Federal Insurance Ombudsman of Pakistan for four years tenure. Thereafter he started teaching at Sindh Judicial Academy, at S.M. Law College, Karachi and Shaheed Zulfiqar Ali Bhutto Institute of Science & Technology (SZABIST) as a visiting faculty member. In January, 2016 he has been appointed as Director General Sindh Judicial Academy. Senior Faculty Member, Ms. Nuzhat Ara

Alvi is senior most serving District & Sessions Judge who is a symbol of integrity, discipline and legal acumen. Faculty Member, Dr. Ch. Wasim Iqbal has joined the Academy recently, who is a serving Additional District & Sessions Judge, and is Ph.D in Law. Few more retired and serving Judges of Sindh Judiciary are expected to join this Academy in near future much before completion of this training programme and the participants shall be benefited from their rich experience in the field of law.

Apart from the permanent faculty members the Academy has been inviting visiting Faculty Members who are renowned Scholars, learned (Retired) Judges of the Hon'ble Supreme Court, Hon'ble High Court, learned retired District & Sessions Judges, learned serving Judges of District Judiciary, Senior renowned Lawyers and Sr. Police Officers.

Training Techniques:

1. The training methodology and techniques include lectures, extensive lectures, seminars/ panel discussions, case studies, workshops, class presentations, syndicate work, book reviews, public speaking, study tour.
2. **Lectures** are one of the modes of imparting instructions. These are, however, not routine lectures but are in the form of discussions, encouraging greater participation by establishing an effective two-way communication between the resource persons and the trainees. Presentations by trainees on topics assigned by the Instructors form an integral part of class room sessions. The Academy believes that the lecture method has to be supplemented by other teaching tools also.
3. **Extensive Lectures** are delivered on selected topics by experienced judges, advocates, technical experts and members of the academia, distinguished speakers, who have achieved eminence in their respective fields of specialization.
4. **Seminars/Panel Discussions:** Distinguished scholars and professionals are invited, from time to time, to participate in seminars and panel discussions on different contemporary issues relating to the syllabi. Trainees who possess specialized knowledge or skills in any of the subjects are encouraged to participate in panel discussions with the participants.
5. **Case Studies:** It is one of the modern teaching tools. The Instructors at the Academy and also visiting faculty effectively use this important method of teaching. The trainees are given important cases decided by the Hon'ble Superior Courts, and then discussions are opened for critical thinking, and developing logic and reason about the conclusion so that same are applied in like situations which the trainees/participants may face in a real court room environment.
6. **Class Presentation** are important to develop effective communication skill and to impart whatever one has learnt during group discussions etc. This is a regular activity of every training programme in the Academy.

7. **Syndicate Research:** The participants/trainees will be assigned topics in smaller groups wherein they will be writing their paper on the topic assigned to them and then will present the syndicate research report at the end of the programme.
8. **Public Speaking/ In-House Panel Discussion:** The Trainees are provided ample opportunities for public speaking at public speaking sessions.

Assessment and Evaluating Policy:

The conduct, behavior, etiquettes, disciple and seriousness of the trainee judges shall be observed through out the training session and shall be assessed in terms of Marks. In order to ensure objectives of the training programme, the Trainee Judges will take a written exam in the last two weeks of the training schedule which shall form a substantial part of the evaluation process. Results of the assessment will be shared with the Hon'ble Sindh High Court. Assessment criteria will be as under:

Sr.	Subjects	Marks
1	MCQs	100
2	Descriptive Test- Judgement writing/Order writing (Criminal)	100
3.	Descriptive Test- Judgement writing/Order writing (Civil)	100
4.	Descriptive Test- Judgement writing/Order writing (Family)	100
5.	Attendance	20
6.	Code of Conduct/Etiquettes	20
7.	IT Skills	60
	Total:	500

Gradification:

A+	80 percent and above
A	70 to 79 percent
B	60 to 69 percent
C	50 to 59 percent
D	40 to 49 percent
E	Below 40 percent

Instructions for the Trainees:

1. Accommodation:

High Court of Sindh has provided the list of trainee judges who shall be provided accommodation accordingly. Furnished lodging will be provided by the Academy. The participants will have to make their own arrangement for towels & soap etc. They will themselves be responsible for the safety of their valuable belongings. Allocation of Room will be made by the Academy. Families and guests are not allowed in the Hostel.

2. Arrangement of meals:

The Academy will provide breakfast and dinner at Academy's Cafeteria to the Hostellers while to all trainee Judges lunch shall be provided at the campus.

3. Dress Code:

The participants are required to wear the dress, prescribed for the Judicial Officers.

4. Daily Schedule:

The training hours shall be from 09:00 AM to 03:30 PM. The trainees who will enjoy the facility of hostels are not allowed to leave the hostel after 10:00 PM.

5. Leave:

No leave will be allowed except in extreme emergency. Leave of any kind including station leave or short leave, shall be availed of by the participants only after it has been sanctioned in writing by the competent authority. Mere submission of an application for leave would not justify the presumption that it is bound to be granted, in any case. Absence without leave may entail disciplinary action.

6. Discipline and Conduct:

a) The participant shall abide by the instruction issued in this regard from time to time by the Academy.

b) The participant's presence will be required in all academic and social activities scheduled even during the course at any later stage. Absence from any of these activities without cogent reasons may entail disciplinary action.

c) The Participants are expected to co-operate with and show respect to the permanent and the visiting Faculty, their colleagues and the staff serving at the Academy.

d) Participants must be present in the Lecture room before the commencement of each session. Late comers in the class will be marked late in the Attendance Register and will be reported to the Hon'ble High Court of Sindh.

e) Courteous behaviour is expected during all the training activities both inside and outside the class room. Participants are expected to show tolerance to different views and are also expected to be respectful in the expression of their opinion.

f) Smoking is not permitted in the Academic Campus and Academy.

g) Prompt and punctual completion of assignment, if any, is essential.

h) The Participants are not allowed to receive visitors or messages, or to receive or make telephone calls in the academic sessions. A lecture shall not be missed on any ground except in an emergency.

i) Staying of guests in Hostel Rooms is not allowed.

j) The participants will be required to follow and abide by the allocation of rooms made by the management, which may, if considered expedient, be changed with the permission of the Hon'ble Director General.