



Khyber Pakhtunkhwa Judicial Academy

02-DAY SPECIAL TRAINING ON PROFESSIONAL RESPONSIBILITIES AND LEGAL ETHICS FOR NEWLY INDUCTED LAWYERS (16TH TO 17TH FEBRUARY 2022)



KHYBER PAKHTUNKHWA JUDICIAL ACADEMY *02-Day Special Training on "Professional Responsibilities & Legal Ethics for Newly Inducted Lawyers" held from February 16 to 17, 2022.*



Sitting L to R Ms. Hasreena Bibi, Ms. Ayesha Tabassum, Ms. Shahana Begum, Ms. Shahnum Nasreen, Ms. Waseeya Mashtaq Malik(Dir-In-II), Syed Yasir Shabbir(Dir-In-I), Mr. Zia-ud-Din-Khattak(Director General), Ms. Farah Jamshed (Dean-Faculty), Ms. Farah Attanullah(SD(R&P)), Ms. Iqra Bibi, Ms. Kokab Ehsan, Ms. Iram Farid, Ms. Hina J. I. Khan,
Standing L to R Mr. Asfand Yar Khan, Mr. Faizan Khursid, Mr. Najaf Akram Khan, Mr. Tahir-ur-Rehman, Mr. Nizamsullah, Mr. Zahid Rehman, Mr. Usama Rafique, Mr. Osama - Obaid, Syed Kalimullah.

Prepared by:

Syed Yasir Shabbir (Director Instructions-I)

Finalized by:

Ms. Farah Jamshed (Dean Faculty)

Composed by:

Taimur Azam Khan (Assistant)

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1.0 INTRODUCTION

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

1.2 Capacity building in every field of judicial activity is a *sine qua non* for streamlining the system in its entirety. With this end in view, the Khyber Pakhtunkhwa Judicial Academy arranged special training on professional responsibilities and legal ethics for newly inducted lawyers.

2.0 PURPOSE OF THE REPORT

2.1 This report aims to assess the quality and impact of training conducted by the Academy from 16th to 17th February 2022.

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

3.0 BACKGROUND

3.1 A robust Bar helps establish the rule of law. Therefore, capacity-building of the lawyers is an integral part of the training programs of the Academy since its inception.

3.2 In June 2021, a delegation led by President District Bar Association Peshawar met with Hon'ble the Chief Justice, Peshawar High Court, Peshawar, and highlighted the need for training in specialized subjects such as legal ethics, etiquettes, and code of conduct. Hon'ble the Chief Justice, Peshawar High Court instructed,¹ the Khyber Pakhtunkhwa Judicial Academy to arrange a series of specialized training for the newly inducted lawyers.

¹ Directives of Hon'ble, the Chairman KPJA/ Chief Justice Peshawar High Court Peshawar vide Minutes of Meeting dated 6.6.2021.

3.3 With this end in view, KP Judicial Academy organized two-day training on professional responsibilities and legal ethics for newly inducted lawyers. Nomination of 25 Lawyers from District Abbottabad, Mansehra, Battagram, Haripur, and Peshawar was received by the Academy, however, lawyers from Peshawar district did not attend the subject training session.

3.4 Objectives

The training objectives are:

- To provide a clear understanding of the central role of conduct and ethics in the professional and personal life of lawyers;
- to explore and examine the intersection of criminal justice and mental health; and
- to refine their professional and inter-personal skills for effective and efficient delivery of services.

3.5 Learning Outcome

The trainees would be able: -

- to have a clear understanding of the central role of legal ethics, etiquette, code of conduct, and mannerism in their professional and personal lives;
- to have the required knowledge of the intersection of criminal justice and mental health;
- to perform their duties with clarity, consistency, and confidence; and
- to improve their soft skills.

4.0 PARTICIPANTS

4.1 List of participants of the training along with their districts of practice, is detailed below.

S.NO	NAME	DESIGNATION	STATION
1	Ms. Shabana Begum	Advocate	Mansehra

2	Ms. Irum Farid	Advocate	Haripur
3	Ms. Iqra Bibi	Advocate	Haripur
4	Ms. Kokab Ehsan	Advocate	Haripur
5	Ms. Ayesha Tabassam	Advocate	Abbottabad
6	Ms. Haseena Bibi	Advocate	Abbottabad
7	Ms. Shabnam Naseem	Advocate	Mansehra
8	Mr. Osama Obaid	Advocate	Mansehra
9	Mr. Najaf Akram Khan	Advocate	Haripur
10	Mr. Faizan Khurshid	Advocate	Abbottabad
11	Mr. Asfand Yar Khan	Advocate	Abbottabad
12	Syed Kalimullah	Advocate	Battagram
13	Mr. Tahir- ur -Rehman	Advocate	Battagram
14	Mr. Zahir Rehman	Advocate	Battagram
15	Mr. Usama Rafique	Advocate	Mansehra
16	Mr. Nizamullah	Advocate	Battagram
17	Ms. Hina J.I Khan	Advocate	Abbottabad

5.0 SCHEDULE			
5.1 SCHEDULE OF ACTIVITIES IS AS DETAILED BELOW:			
Day – 1: Wednesday -16-02-2022			
S.#	Activities	Resource Person	Duration
1.1	Registration & Pre-Evaluation Recitation from the Holy Qur'an		08:30– 08:45
1.2	Welcome Address / Orientation	Director General, KPJA	08:45- 08:55
1.3	Group Photo	Mr. Abd-ur-Rahman, Photographer, KPJA	08:55- 09:00
1.4	Professional Conduct Duty to Court Conduct with regard to Client Conduct with regard to other Advocates Conduct with regard to Public Generally	Ms. Farah Jamshed, Dean Faculty, KPJA	09:00- 10:30
<i>Tea Break 10:30 – 11:00</i>			
1.5	Administration of Justice Criminal Trial with focus on mental illness including forensic health assessment.	Mr. Azhar Ali, Station Director, KPJA	11:00- 12:30
<i>Prayer & Lunch 12:30-01:30</i>			
1.6	Practical Exercise-I	Faculty, KPJA	01:30- 03:00
Day – 2: Thursday -17-02-2022			
2.1	Recitation from the Holy Qur'an Recap /Feedback Session		08:30 - 09:00

2.2	Administration of Justice Civil Trial / Case Management & Scheduling Conference	Syed Yasir Shabbir, Director Instructions-I, KPJA	09:00 - 10:30
<i>Tea Break 10:30 - 11:00</i>			
2.3	Production and Effect of Evidence Burden of Proof Examination of Witnesses	Ms. Wadeeya Mushatq Malik, Director Instructions-II, KPJA	11:00- 12:30
<i>Prayer & Lunch Break 12:30-01:30</i>			
2.4	Practical Exercise-II	Faculty, KPJA	01:30- 02:00
Post Evaluation			
Class Representative remarks			
Wrap-up/Certificate Distribution			

6.0 PROCEEDINGS

6.1 Registration and Pre-Evaluation: Registration of the participants and their pre-training evaluation were conducted.

6.2 Inaugural Ceremony: The training commenced with an inaugural ceremony chaired by Mr. Zia-ud-Din Khattak, Director General, Khyber Pakhtunkhwa Judicial Academy. The Dean Faculty and all Directors of the Academy attended the ceremony.

In his address, the Director-General extended a warm welcome to the participants. He reflected upon the aims and objectives of the training course. He highlighted the duties & responsibilities of an advocate towards the Courts, their clients, fellow lawyers, and the general public.

6.3 Lectures Synopsis

6.3.1 Ms. Farah Jamshed, Dean Faculty, delivered a lecture on Professional Ethics & Conduct of Advocates with a brief historical perspective in the light of the Legal Practitioners Bar & Councils Act 1965, the Legal Practitioners and Bar Councils Act, 1973, and Rules made thereunder. The speaker also sensitized the participants about the importance of upholding moral values in personal and professional life.

6.3.2 Ms. Farah Attaullah, Senior Director Research & Publications delivered a lecture on the Criminal Trial with a special focus on mental illness including Forensic Health Assessment. She explained that the Supreme Court of Pakistan in its judgment directed the Federal Government to establish modern and scientific forensic mental health services to ensure that prosecutors and trial judges are provided with training to assess the mental health issues of mentally ill prisoners to regulate their trials. The learned resource person also deliberated upon the concept and features of mental health and illnesses.

6.3.3 Mr. Syed Yasir Shabbir, Director Instructions-I, delivered a lecture on Administration of Justice with a focus on Civil Case Management Rules. The resource person gave a brief overview of amendments in the Code of Civil Procedure, 1908, made in the year 2018 till date. He highlighted the background, intent, and purpose of insertion of Order IX-A and Order XIV-A in the Code for trial scheduling, case management, and court management.

6.3.4 Ms. Wadeeya Mushtaq Malik, Director Instructions-II, delivered a lecture on the Production and Effect of Evidence. The speaker explained the burden of proof in the light of Article 119-128 of Qanoon-e-Shahadat Order, 1984, Presumptions of Fact under Article 96-98, Art.129, and Legal Presumptions under Article 90-95 of Qanoon-e-Shahadat Order, 1984. Manner and sequence of examination of witnesses under Article 130-161 of the Ibid Order were also explained in detail.

6.3.5 Practical Activity

Practical activities/exercises were conducted at the end of each day with a focus on drafting of pleadings including applications for an injunction, replications, bail application u/s 497 Cr.P.C and pro & contra arguments thereon. Mock trial activities covering the different stages of the civil and criminal trial were held under the supervision of Faculty members. Participants were assigned the tasks of scrutiny of pleadings and of criminal

records, the examination of witnesses, exhibition of documentary evidence, and final arguments on the main trial.

6.4 Post- Training Evaluation:

At the end of the training, the post-training evaluation was conducted.

6.5 Concluding Ceremony:

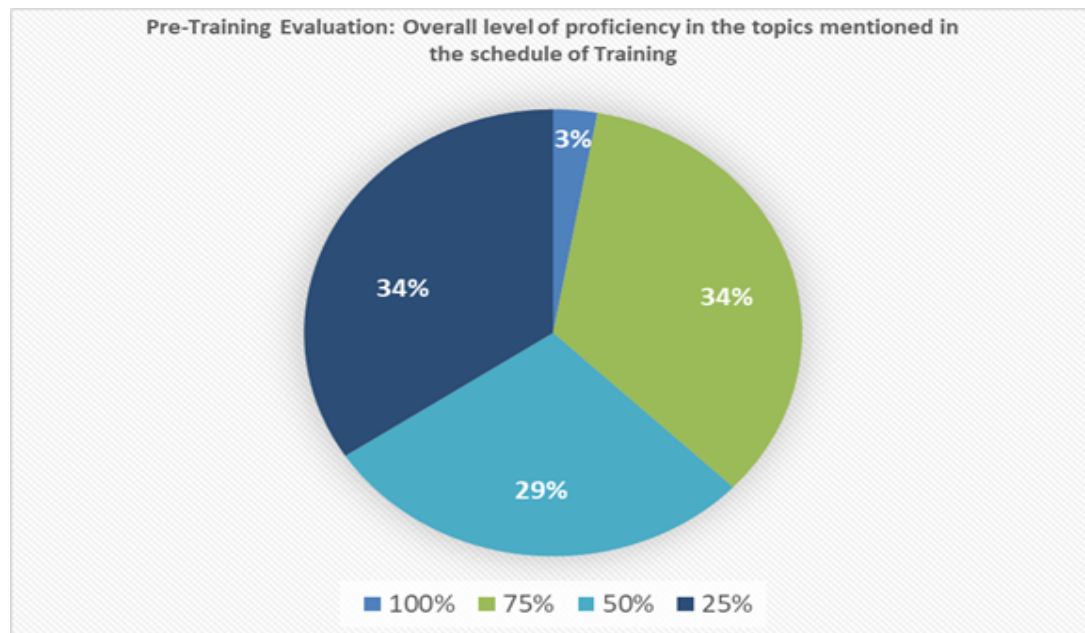
The training concluded with the ceremony presided over by the Dean Faculty. The class representative shared his views and appreciated the efforts made by the Academy in organizing a comprehensive training program. In the end, certificates were awarded to the participants.

7.0 IMPACT OF THE TRAINING

7.1 Significant indicator of the training impact is:

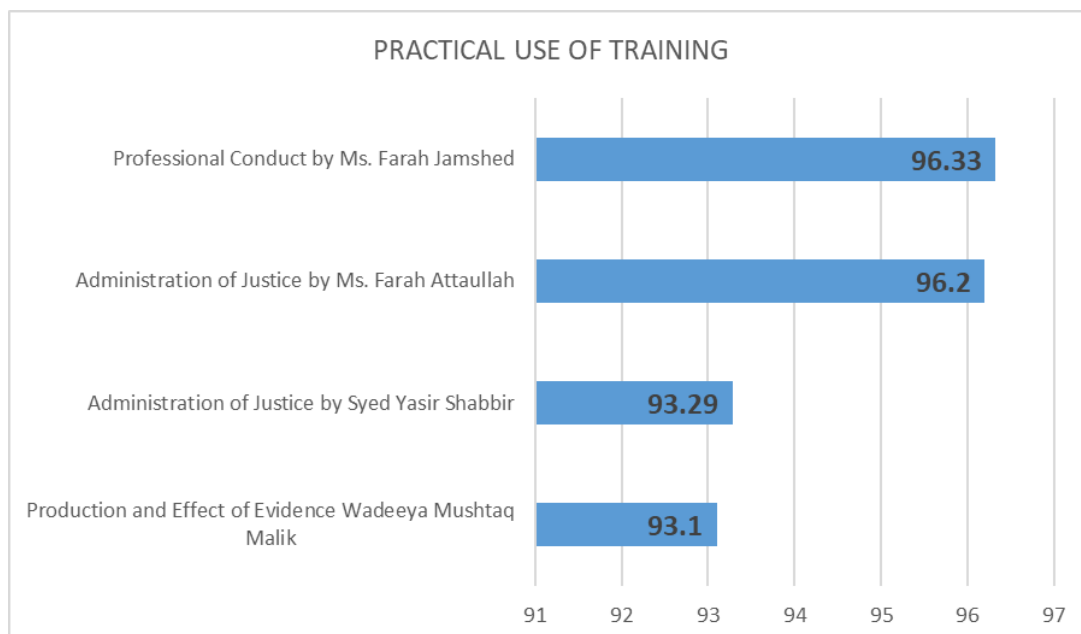
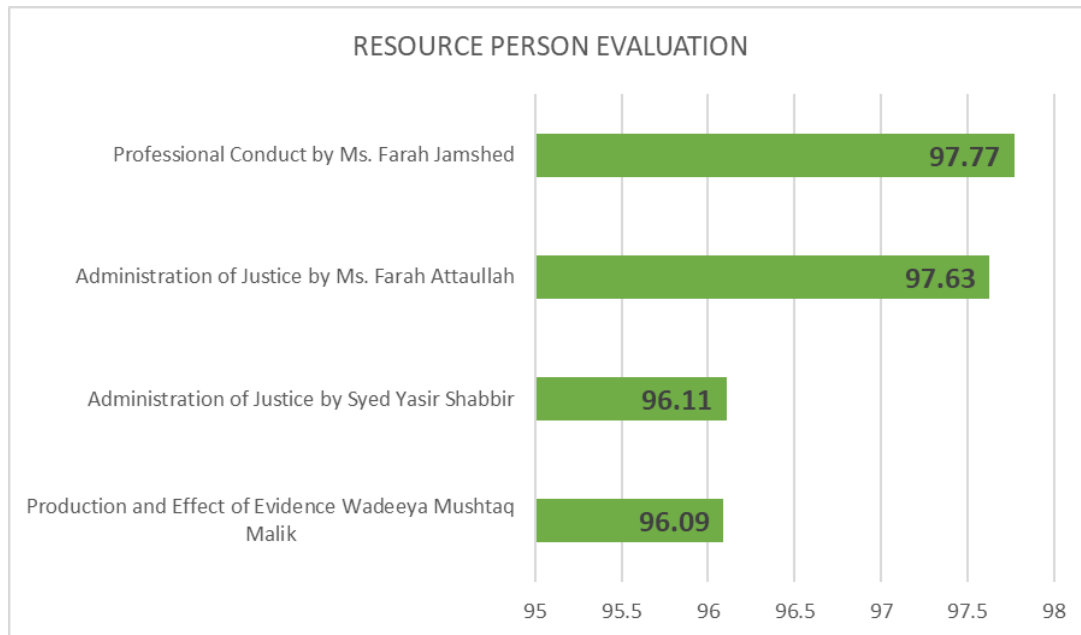
7.1.1 Whether the training contributed to an increase in the practical knowledge of the participants?

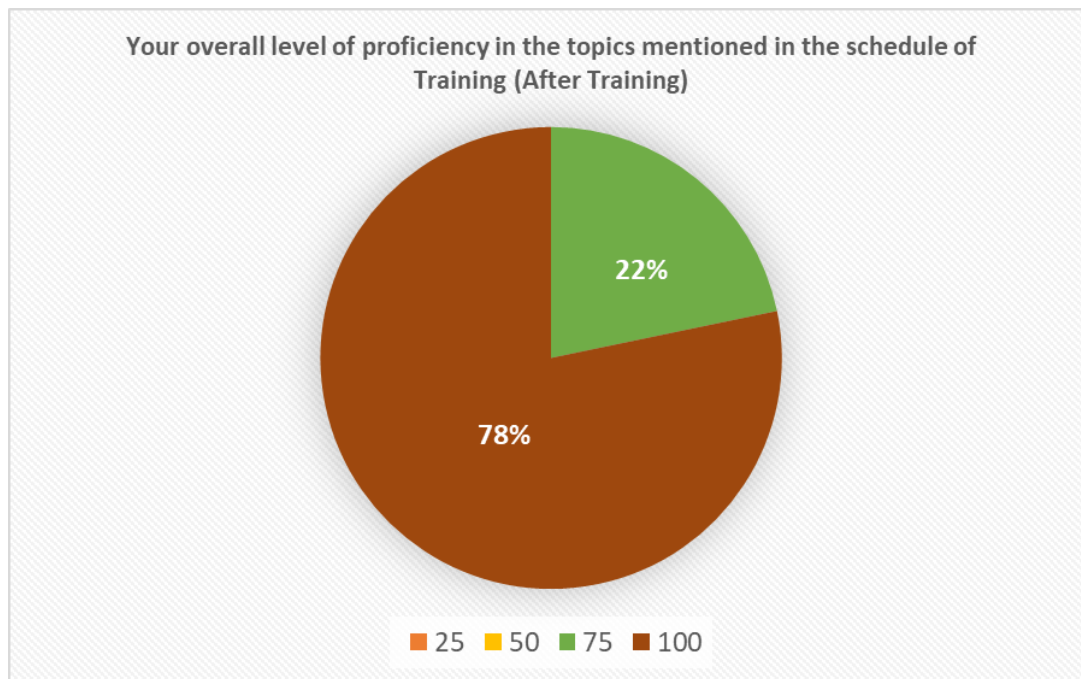
The pre-& post training evaluation questionnaires were designed to deal with this aspect. The relevant feedback obtained from the participants is reflected below:



8.0 QUALITY OF THE TRAINING

8.1 The quality of the training can be assessed by the participants' evaluation of the resource persons. Moreover, the participants were asked to comment on the overall quality of the training program. Their response and the feedback are shown in graphic form below:





8.4 Participants also furnished their general comments on the training and the same are reproduced as follows:

1. The trainees suggested that future training should span over a week.
2. The trainees requested for inclusion of additional specialized subjects in the training course.

9.0 CONCLUSION

- 9.1 Participants' graphical feedback indicates the positive impact of the training.
- 9.2. Based on the participants' feedback, training modules can be further improved.
- 9.3. The trainees' review reflects the achievement of training objectives.