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The Impact of Model Courts on the Criminal Justice System of Khyber Pakhtunkhwa: A Case Study Based on Statistical Evaluation

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Abstract: *The provision of inexpensive and expeditious justice is one of the constitutional responsibilities of the state, which is fulfilled through the instrument of the judiciary. In pursuance of the Expeditious Justice Initiative, the government of Khyber Pakhtunkhwa (hereinafter KP) established Model Courts in the province in 2019 with the purpose of introducing a time-bound criminal trial regime. The study in hand intends to evaluate the impact of Model Courts on reducing the pendency of criminal cases in KP. To achieve this objective, a questionnaire-based survey was designed, and data was collected from legal professionals as well as litigants. The study findings indicated that both legal professionals and litigants are satisfied with the establishment of the Model Courts and their functions, helping to adjudicate and dispose of the cases in efficient ways in the province. The study suggests that in order to evaluate the efficiency of statistical data regarding the outcome of the Model Courts in terms of its decisions, pendency, rate of conviction and acquittal and the ratio of reversal of its decisions on appeal, it is required to be rigorously analysed. The Model Courts have been used as a case study to bring about some positive changes in the contemporary criminal justice system of the province.*

Introduction

This article intends to partly expound on the Expeditious Justice Initiative (hereinafter EJI), whereby the National Judicial Policy Making Committee (hereinafter NJPMC) decided to launch the project of Model Courts in the district judiciary of Pakistan in 2019. In addition, thereto this research paper intends to statistically evaluate the performance of the Model Criminal Trial Courts (hereinafter MCTC) at KP.

Administration of justice is the primary and one of the two most important functions of the state, rather than a justification of its creation and continual existence. Estrada, F., while reiterating Hobbes's conclusions on the responsibilities of the state, maintained that

“The king carries two swords, sword of war and sword of justice”. States hold the primary responsibility of protecting their citizens from internal as well as external threats and administering justice among their citizens (Estrada, 2012). An efficient judicial system is always a manifestation of an indicator for the development of any state. According to Brown, justice may broadly be divided into civil and criminal. The object of the civil justice system is the enforcement of rights, and the criminal justice system (hereinafter Cr. JS) is the punishment of the wrongdoer. Justice as the desired end is achieved by the state through the means of legislation (Brown. 1909). That is how various acts and omissions are prohibited by the

state and signified as crimes, and the state does this so that it can effectively perform its other functions and justify its existence.

All humans are born with an acute sense of justice. Things challenging individual interests are taken as instances of injustice and deprivation of natural entitlements. Justice is often misconceived and mostly construed as reparation only to the extent of one's legal entitlements; this, however, is a misleading construction (Ratanpala, 2009). Justice is a broad phenomenon incorporating all but not exclusively limited to recognised human interests. Various shades of justice may include social, moral, political, economic and legal justice. The human sense of justice is also an evolving and animate reality both with times and with places, therefore, making it hard for the world to agree on any consensus definition of justice. It rather has a lot to do with human civilization, and the more human is able to identify and recognise their interests, the more they are better placed to be served with justice, so the demand for justice is usually regulated by the collective ability to identify such interests. Justice not in consonance with the law is merely euphoric in reality. States with written constitutions and the black letter law strictly subject justice to the state legislature and no further. However, it restricts the reflection of justice through the prism of courts; however, such constriction in the negation of assumptive discretion is ordinarily considered in the interests of the cause. The courts, therefore, are strictly bound and more appreciated in adhering to the black letter law. The role of the courts, however, is significant in resolving disputes by administering justice according to the law and not according to the wrongly placed public aspirations. In other jurisdictions, courts are complemented by alternative dispute regulatory mechanisms, which considerably decrease their workload and allow them to invest most of their precious time more judiciously.

The Cr.JS, which, as discussed above, aims to penalise wrongdoers carry considerable significance in the overall judicial spectrum of every state. A deviation from what is ordained and doing what is prohibited is not alien to humans both as individuals and in their social coexistence. Therefore an efficient Cr.JS will always remain at the centre of state attention and always a matter of grave concern, more specifically in case of its dilapidation. The significance of Cr.JS increases many folds when it comes to Third world Countries, mostly due to high crime ratios, poor governance and the absence of the rule of law. In such situations, pendency before courts, especially with limited resources, creates the biggest impediment in the administration of justice, which ultimately leads to disparity and disappointment in the general public and often against the judicial system. Pakistan, in a relatively constraint socio-political environment and with limited resources, both financial and human, is also faced with the grime issue of alarming case pendency in the courts. The Law and Justice Commission of Pakistan, National Judicial Policy Making Committee NJPMC performance statistics specify a total of 1,806,881 cases pending before all the courts of Pakistan and 197,301 in KP. Such numbers are discouraging and detrimental to the cause of justice in any state. Article 37 (d) of the constitution of Pakistan 1973 Chaudhry (2010, pp. 46-47) ensures the provision of inexpensive and expeditious justice to all the citizens (Pak. Const. Art. 37). Unfortunately, a common man's access to justice in Pakistan is neither expeditious nor inexpensive, the need for judicial reforms is long due in Pakistan, though attempts were made since independence to reform the colonial inherited judicial system, the efforts never went far enough to recommend any indigenous solutions for local complexities outside the drawn boundaries of long engraved judicial notions. The National Judicial Policy Making Committee was constituted through an ordinance in 2002. However, the matter got prominence after the lawyers' movement for the restoration

of the independence of the judiciary in 2009, besides the judiciary taking the responsibility of reforming its business within its available resources by employing self-reformation. National Judicial Policy, announced in 2009 and revised in 2012, laid the foundation of constructive, tangible and effective reforms in areas of independence of the judiciary, misconduct, eradication of corruption, and expeditious disposal of cases by specifying both short-term and long-term measures.

The recent attempt at judicial reforms include those initiated by Chief Justice (r) Asif Saeed Khosa that he did in the legacy of a judicial resurgence of which he happened to be a vital part. The concept of Model Courts, however, was first articulated by Chief Justice Lahore High Court Justice Syed Mansoor Ali Shah in the Case and Court Management Plan 2017 National Judicial Policy Making Committee (2017). Initially, Model Criminal Courts (MCCs) were established to take up selected jurisdictions that include murder, narcotics and other offences falling in the session's court-assigned mandate. This experiment was limited to the selected districts of Punjab. However, The results from this initiative were so encouraging that the idea was taken up on the agenda of the NJPMC and further transformed into Expeditious Justice Initiative-I (EJI-I). In order to improve service delivery in the justice sector in Pakistan, the NJPMC (2019) approved the expeditious justice initiative phase II & III in its meeting dated 11.03.2019. Whereas the earlier MCTCs were only supposed to operate at the session level and deal with specified jurisdiction, the EJI phases II & III approved the establishment of Model Civil Appellate Courts (MCAC) and Model Trial Magistrate Courts (MTMC) at the district level. MCACs were meant to expedite the disposal of the first civil appeal at the district level and reduce the shelf life of case pendency. MTMCs were to follow a time-bound criminal trial regime and introduce the plea of *nolo contendere* in order to avoid unnecessary and, at times, deliberate delays. It also conceptualises the idea of pre-trial

and trial magistrates. Detail account of their mechanism, proceedings, time-bound limitations and rules of business will be discussed later in the article.

Various international instruments also acknowledge the essence of speedy trial for the judicial system of every state. The right to be tried within a reasonable time is guaranteed under Articles 5(3) and 6(1) of the European Convention on Human Rights (1950). Article 9(3), 14 and 16 of the International Covenant on Civil and Political Rights (1966) (hereinafter ICCPR) also provides for the prompt production before the court of the accused taken into custody and his entitlement to a fair and speedy trial. Article 10 of the Universal Declaration of Human Rights (1948) (hereinafter UDHR) and Article 7(5) and 8(1) of the American Convention on Human Rights (1969) further refers to the right to a fair and speedy trial. Article 7(1)(d) of the African convention on human and people's Rights, article 40(2)(b) iii of the Convention on Child Rights, article 64(2) & (3) of the International Criminal Court ICC or Rome Statutes 1998, and a number of other international instruments namely; Statute of the Special Court for Sierra Leone (2002), Statute of the Special Tribunal for Lebanon (2007), Canada Law of armed conflict Manual (2001) (hereinafter LOAC), New Zealand Military Manual (1992), Spain LOC Manual (1996), United Kingdom of Great Britain and Northern Ireland, Afghanistan's Criminal Procedure Code for Military Courts (2006) also lay emphasis on the significance of expeditious trial proceedings and presentation of the accused before the court within the reasonable time frame. In light of what has been narrated above, the significance of expeditious provision of justice will always remain at the centre of primary state concerns.

Categorization of Courts in Pakistan and the Significance of District Judiciary

The administration of justice in the Indian sub-continent is greatly influenced by the systems

devised by mostly Muslims during their long reign. They include those systems devised during the period of the Sultanate, Mughals and the British colonial regime (Ahmad, 1951). For administrative purposes and administration of justice, the state structure was divided into centres, Provinces, Districts, *Parghanas* and Villages. The *qazi-ul-quzat* was regarded as the head of the judiciary or chief justice in the central government. However, it is to be remembered that before the separation of the executive from the judiciary, the royal emperor was the ultimate authority and fountain of justice in the kingdom. The chief justice was represented by the *qazi-e-subah* in the province and so on by *qazi-e-zillah/district qazi* in the district, *qazi par ghana* in *parghana* and *panchayat* in the village. The qazi in all the aforementioned jurisdictions was also assisted by various officers and essential staff, including *muftis*, *pandatis*, *patwaris*/revenue staff and *faujadars/khotwal* for maintaining peace.

The judicial system of Pakistan is mostly inherited from medieval times (Husain, 2015). The final court of appeal and the highest seat of justice is the supreme court of Pakistan (Chaudhry, 2010). All the provinces and the federal capital territory have High Courts operating in their assigned jurisdictions. There is a district and session court in each district with as many judicial officers in assistance as the workload demand. The judiciary operating under the high courts is referred to as the lower judiciary or law courts. District judiciary is expected to provide expeditious & inexpensive justice besides formulating a sound foundation of the case for its righteous disposal by the higher judiciary.

The district judiciary in Pakistan is struggling to cope with the increasing number of new cases and the existing pendency. The spirit of expeditious and inexpensive justice enumerated in the constitution can only be achieved by regulating the lower rather than, the higher judiciary. Therefore the idea of the establishment

of Model Courts at the district level received considerable applause.

Model Courts (MCTC & MTMC) and its Rules of Business

The NJPMC, in its meeting held on March 11, 2019, approved the establishment of Model Courts in each district in Pakistan. The project expeditious justice initiative launched in three phases conceived the establishment, working and reporting mechanism of Model Courts. Exhibiting compliance to the aforementioned recommendations of the NJPMC, the Peshawar High Court (2019) notified the creation of Model Courts, both MCAC & MTMC vide notifications No. 160-J, 161-J dated: 02/07/2019 at district judiciary of Khyber Pakhtunkhwa. A total of 29 District & Session and Additional Judges (hereinafter DSJs/ADJs) & 34 Civil Judges & Judicial Magistrates (CJs/JMs) were appointed as model court judges in MCAC & MTMC, respectively in KP. So far as practicable, the dual capping in the shape of appropriating one court as both MCTC & MCAC was recommended to be avoided. The purpose and scope of this study are restricted to the theoretical and statistical analysis of the Model Courts dealing in criminal jurisdictions, i.e., MCTC & MTMC in KP.

The operational setup for the execution of the EJI-III remained the same as already in place for MCTCs established in the first phase. It was conceived to be comprised of four tiers; (a) Implementation Coordination Committee (hereinafter ICC), (b) Monitoring and Evaluation Cell (hereinafter M&EC), (c) Provincial Lead Teams (hereinafter PLT) and (d) MTMC. The last tier, however, will accordingly change with each initiative herein discussed.

EJI-III, through which MTMCs were established, further conceptualizes the bifurcation of Pre-trial and Trial Magistrates and provides a strategy for the establishment of Model Trial Magistrate Courts (MTMC) in each district. One of the reasons for having pre-trial and trial courts could be the long pre-charge

detention duration and police excess or misuse of their authorities by defying the principle of promptness and fair trial. Wherein the pre-trial magistrate would be required to deal with all the ancillary initial pre-trial proceedings, and in the case of *contendere non-contestant*, the pre-trial magistrate would proceed with the announcement of the verdict after proceeding summarily in the case. The document further elaborates on the responsibilities and role of the pre-trial magistrate in the following terms, Federal Judicial Academy (2019).

- Two types of magistrates were recommended for each district, with a varying number to be decided by the D&S judge after considering the workload in the district under his jurisdiction.
- The “Pre-trial Magistrates” shall conduct all pre-trial proceedings, including preventive measures, proceedings for the removal of nuisance, proceedings pertaining to disputes as to immovable property and all proceedings during an investigation and before the commencement of trial.
- The “Trial Magistrates” shall conduct a trial of cases within their jurisdiction, which are assigned to them by D&SJ.

Only murder and narcotics cases were allocated to MCTC in the first initiative, and ‘hurt’ cases falling under chapter XVI of the Pakistan Penal Code, 1860 (PPC) were initially decided to be entrusted to MTMC. However, where the number of hurt cases is found to be less, the D&SJ may allocate any other category of cases to MTMC. It was also decided that in the first instance, only old cases would be selected for MTMC. The MTMC shall be exempt from all other assignments except matters which are ancillary and incidental to the cases already assigned. The trial management regime designed for EJI-I was decided to be followed by *mutatis mutandis* for MTMC. This trial management regime shall include trial scheduling, wherein the trial shall take place in day to day and continuous manner. After framing the charge, the complete trial

schedule shall be issued by the court. This schedule will explicate dates for each stage of a trial. Once commenced, the trial shall be continuous and without any breaks till its conclusion. It is also suggested in the scheme of affairs that both the counsels representing parties must be consulted in devising the referred trial schedule. Both counsels will also be required to specify any of their juniors who would proceed with the case in their absence. In the unrepresented cases, the MTMC will appoint counsels at the expense of the state for the accused who are unable to engage one. Keeping in view the schedule of busy lawyers, the court may reserve any mutually agreed day(s) in the week, ensuring their availability and convenience on such pre-decided days. The MTMC shall issue a trial scheduling certificate in a specified format to be supplied by Media and Electronic Cell (M&EC). While placing the original on the case file, copies of the trial scheduling certificate shall be supplied to the defence lawyer, the prosecutor and the M&EC at once. No adjournment would be allowed. Unlike the prevailing practice, if the council of any party in the case is to appear before the superior court on the same date, he can sort an adjournment by furnishing a certificate regarding his engagement in the model court on that date. There shall be no amendment or adjournment in the trial schedule in any case. In exceptional circumstances, however, a trial may be adjourned by MTMC on written application, with reasons thereof to be reported to M&EC at once.

The Prosecutor shall confirm to the MTMC the availability of all the witnesses, case property, and expert reports three days before the scheduled date of trial. The MTMC shall prioritise cases on the bases of their age and shelf life. Any case entrusted to MTMC shall not go beyond three months in any case. It is to be ensured that false testimony before MCTC and MTMC shall not be allowed to go unchecked. Any false witness shall invariably be tried for perjury as per law. The initiative strategy further emphasised the involvement and positive

engagement of all the stakeholders, more significantly of the bar council, in the successful achievements of the desired objectives.

Other relevant departments like police, prosecution, medical and forensics will be attached and in sync with the Model Courts to create a coordinated management approach. The Superintendent of Police Investigation of each district shall act as the focal person for the Police Department at the district level and shall liaise with the process cell. The In-charge of the investigation of each Police Station shall be responsible for the production of all witnesses (except medical witnesses) and case property. For the timely production of medical witnesses, the Secretaries of the relevant Health Departments would be approached. Modern electronic means would be resorted to and relied upon for recording statement(s), service of a summons and seeking urgent information from relevant departments.

Research Methodology

Interdisciplinary critique research methodology has been deployed to critique the contemporary criminal justice system of KP. Data has been collected for the in-depth study of the performance of the Model Courts in KP. The total number of respondents selected for the study was 20, each in both categories. To collect data, a structured questionnaire was developed and distributed among the respondents. Each questionnaire contained questions related to the objectives of the study. The study achieved a 100% response rate. Furthermore, periodical data was also obtained for statistical evaluation from the Research and Monitoring Wing of the Directorate of Prosecution Khyber Pakhtunkhwa.

Statistical Evaluation

Consolidated information regarding Model Courts (Model Criminal Trial Court MCTC and Model Trial Magistrate Courts MTMC) in Khyber Pakhtunkhwa for the months of April to December 2019 and January to September 2020

provide a detailed account of the total number of both the MCTC & MTMC operating in various districts of the province. There were a total of three hundred & eleven/311 Model Courts of various jurisdictions, including but not limited to magisterial and session courts, established in twenty-five 25 districts of the province of KP from April to December 2019. The cases decided by these courts were seven thousand seven hundred and eighty-four 7784, with four thousand and thirty-nine 4039 convictions and three thousand seven hundred and forty-five 3745 acquittals, constituting a conviction rate of fifty-two per cent 52% against forty-eight per cent 48% in the total cases decided by the Model Courts. From January to September 2020, a total of forty-three 43 Model Courts of various jurisdictions, both magisterial and session courts, were established in twenty-five 25 districts of KP. They decided a total of three thousand two hundred and two 3202 cases with thousand six hundred and eighty 1681 convictions and thousand five hundred and twenty 1521 acquittals, constituting a conviction rate of fifty-two per cent 52% against forty-eight per cent 48% of acquittals in the total cases decided by the Model Courts.

This data is obtained from the research and monitoring wing of the directorate of prosecution Khyber Pakhtunkhwa. The official correspondence in this connection with the directorate is placed on record. The aforesaid information is presented in the tabulated form given at the end of this paper as annexure A.

In order to further evaluate the general impression of the legal fraternity and litigants about the idea of the establishment of Model Courts and its proceedings, two questionnaires were designed for both lawyers and litigants dealing with and pleading before Model Courts. The questionnaire for lawyers comprising four sections, contained basic information about the respondent's area and years of practice in general and before the model court in particular. It further contained questions regarding the

proceedings of the Model Courts, the level of satisfaction over the outcome of Model Courts and the identification of reasons responsible for the dissatisfaction, if any. In the end, the questioner requires the respondents to share their suggestions, in light of their experience, on how to further enhance the efficacy of Model Courts by identifying lacunas in the existing scheme. The questionnaire designed for litigants also contained identical sections. A total of 20 questionnaires each for lawyers and litigants were designed, and targeted sample districts included Peshawar, Charsaddah and Nowshera.

The questionnaire was answered by both senior and junior lawyers having standing legal practice from four to twenty-eight years in the aforementioned districts. All the respondent lawyers had particular experience in dealing with cases before the Model Courts since its establishment. The number of cases pleaded before the Model Courts range from a minimum of six to fifty cases. The total duration of the proceeding before the Model Courts in criminal cases, in the opinion of lawyers, varied from two weeks to two months. Nine out of ten respondents were associated with criminal practice in the refereed jurisdictions. Eight out of ten lawyers responded in affirmative when they were asked about their observations on any considerable change in the speed of the proceedings before the Model Courts. In response to the question on the speedy proceeding adversely affecting the cause of dispensation of justice, nine out of ten lawyers answered negatively. However, a clear divide among the respondents was noticed on the question regarding the emphasis of Model Courts, where half of the respondents reckoned it to be more on the dispensation of justice, whereas the remaining half on merely the disposal of cases. The rate of reversal on appeal in the judgments issued by Model Courts is seen as less than 25%, according to the majority of the respondent lawyers. All the respondent lawyers unanimously expressed their satisfaction with the speed and outcome of proceedings in the Model Courts.

When asked whether lawyers feel any noticeable difference between model and ordinary courts, the unanimous answer among the given choices that all lawyers agreed upon was that it is expeditious. Though almost all the respondent lawyers expressed their satisfaction over the proceedings and decisions of the Model Courts however, three out of ten lawyers narrated some of the reasons for their dissatisfaction which include the introduction of a statutory time-bound trial schedule for all the cases, increasing the number and enhancing the capacity of presiding officers on conducting expeditious proceedings in Model Courts. Some lawyers also opined as to why they can't all courts be declared as Model Courts. Eight out of ten respondent lawyers suggested an increase in the number and capacity of Model Courts and its presiding officers. Others suggested imparting uniformity of time and duration in dealing with appeals from ordinary and Model Courts.

Nine out of ten respondent litigants had their cases pending before Model Criminal Trial Courts MCTC. All the litigants expressed their satisfaction over the speed of proceedings taking place before Model Courts. With the exception of one, all the respondent litigants expressed their satisfaction and exhibited their trust in receiving justice from the Model Courts. When asked how long has it taken the model court to decide their case? The response recorded varied from two weeks to two months, depending on the nature of the pendency. All the litigants responded in the affirmative when asked whether they got justice from the model court in their cases; however, some litigants wanted to avail their right of appeal. When litigants were asked to explain their experience in dealing with both model and ordinary courts, they unanimously agreed that Model Courts are much more expeditious. They further held that witnesses are produced on time with no unnecessary adjournments and with daily hearings. All the litigants were also of the view, when asked about their suggestions for improvement in the scheme of Model Courts, that

the number of Model Courts may be increased in densely populated areas and cities.

The aforementioned data is explained further in figure 1, annexed herewith as B.

Conclusion

The experimental introduction of the Expeditious Justice Initiative program has received appreciation from the litigants and the legal fraternity, though some lawyers still maintain a firm position against the unnecessary rush in disposing of cases, and at times they believe even at the cost of justice; however, this stance is not much supported by any empirical data. Lawyers associated with Model Courts were mostly found satisfied by the establishment and working of Model Courts. All of them agreed to have noticed a considerable change in the speed of proceedings taking place before Model Courts. An overwhelming majority of respondent lawyers dispelled the impression of a miscarriage of justice occurring in the Model Courts. They also maintained that cases which would ordinarily take years to decide are now disposed of in months. The conduction of investigations, production of evidence, appearance of counsels and appreciation of scientific and electronic tools initially identified with reasons responsible for causing unwarranted delays in judicial determinations has now been addressed by expeditious justice initiative program with the introduction of a time-bound case trial and management schedule.

To them (as disclosed during the interviews), speed in deciding cases is no doubt significant, but reaching a just conclusion is somewhat more important. Therefore in order to enhance the efficacy of Model Courts, some common suggestions recorded during data collection may be considered.

On the analogy of Model Courts, why can't all the other courts observe a time-bound criminal trial schedule? The respondents further contended in favour of increasing the number of Model Courts and presiding officers in each

district. The presiding officers are normally trained and psychologically attuned to deal with cases in ordinary courts in a generally prevalent manner. Dealing with Model Courts often requires a different set of skills where the presiding officers are expected by law to enforce a time-bound trial schedule. Presiding officers, therefore, need to undergo separately designed training in order to equip them with new skills that can help them not only dispose of the case but dispense with justice.

Only selected jurisdictions may be attributed to Model Courts. Not every matter requires expeditious disposal; therefore, prioritization of those relatively more essential jurisdictions to Model Courts will save them from any unwanted distraction.

Though the Model Courts are comparatively more inclined towards the use of technology in causing expeditious disposal. However, further reliance on such modern tools will enhance their working even more. Declaring an already working general court as a model court may not effectively serve the actual purpose. Therefore Model Courts need to be equipped with modern electronic and communications tools, which will help them save precious time. Admissibility of scientific evidence can also expedite the proceedings. Therefore relevant provisions from the *Qanoon-e-Shahadat* Order 1984 need to be amended to accommodate its judicial acceptance.

Training presiding officers on the working of Model Courts is imperative but of not much consequence in the absence of lawyers' training and sensitization. Therefore a crash course or some sort of general training on the significance and working of Model Courts is therefore recommended for those dealing with Model Courts in various capacities, more specifically lawyers.

Statistical data regarding the outcome of the Model Courts in terms of its decisions, pendency, rate of conviction and acquittal and the ratio of reversal of its decisions on appeal is also required

to be regularly analysed. Access to such information, therefore, needs to be made public so that it can be subjected to scrutiny for further improvement.

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Annexure A**Table 1**

MCTC April to December 2019

Districts	No. of Model Courts	Cases decided	Convicted	Acquitted	Total No. of cases pending trial
Abbottabad	9	395	24	371	724
Bannu	9	240	88	152	621
Battagram	9	167	36	131	362
Buner	9	174	65	109	557
Charsadda	0	0	0	0	0
Chitral	6	83	48	35	170
D.I.Khan	9	555	231	324	363
Dir-Lower	9	123	81	42	344
Dir-Upper	3	52	21	31	201
Hangu	9	245	176	69	1203
Haripur	9	214	45	169	383
Karak	7	104	55	49	107
Kohat	8	176	76	100	299
Kohistan	6	69	38	31	100
Lakki Marwat	9	0	58	67	249
Malakand	8	145	39	106	334
Manshera	6	171	40	131	537
Mardan	9	268	60	208	380
Nowshera	8	139	40	99	110
Peshawar	9	106	63	43	365
Shangla	4	29	14	15	120
Swabi	9	350	142	208	472
Swat	9	555	463	92	498
Tank	0	0	0	0	0
Torghar	0	0	0	0	0
Grand Total	13	364	136	228	788
			37%	63%	

Table 2

MTMC April to December-2019

Districts	No. of Model Courts	Cases Decided	Convicted	Acquitted	Total No. of Cases Pending Trial
Abbottabad	5	45	0	45	121
Bannu	6	88	17	71	472
Battagram	6	130	16	114	165
Buner	6	39	23	16	137

Charsadda	6	35	6	29	871
Chitral	6	83	34	49	120
D.I.Khan	6	34	0	34	447
Dir-Lower	6	51	13	38	235
Dir-Upper	6	39	23	16	209
Hangu	7	124	78	46	310
Haripur	5	47	15	32	1424
Karak	0	0	0	0	0
Kohat	0	0	0	0	0
Kohistan	6	127	93	34	112
Lakki Marwat	6	76	1	75	515
Malakand	6	71	41	30	209
Manshera	12	114	22	92	510
Mardan	6	16	9	7	362
Nowshera	5	6	6	0	83
Peshawar	8	1645	1629	16	2440
Shangla	4	69	59	10	144
Swabi	6	180	2	178	585
Swat	4	235	25	210	215
Tank	4	33	23	10	420
Torghar	6	12	1	11	52
Grand Total	138	3299	2136 65%	1163 35%	10158

Table 3

MCTC JANUARY TO SEPTEMBER-2020

Districts	No. of Model Courts	Cases Decided	Convicted	Acquitted	Total No. of Cases Pending Trial
Abbottabad	1	254	7	46	1420
Bannu	1	343	31	48	669
Battagram	1	212	3	45	228
Buner	1	496	11	100	605
Charsadda	0	0	0	0	0
Chitral	0	5	0	1	31
D.I.Khan	1	84	9	12	88
Dir-Lower	1	353	48	35	500
Dir-Upper	1	131	10	21	589
Hangu	1	534	90	30	766
Haripur	1	618	65	77	434
Karak	1	56	5	9	867
Kohat	1	244	17	37	429

Kohistan	1	66	0	14	194
Lakki Marwat	1	163	21	15	627
Malakand	1	530	71	51	625
Manshera	1	753	49	117	505
Mardan	1	418	11	79	1732
Nowshera	1	471	20	87	313
Peshawar	1	254	35	21	168
Shangla	0	50	4	6	19
Swabi	1	637	87	52	612
Swat	1	335	66	6	993
Tank	1	256	20	44	564
Torghar	0	0	0	0	0
Grand Total	21	7263	680	953	12978
			9%	13%	

Table 4

MTMC JANUARY TO SEPTEMBER-2020

Districts	No. of Model Courts	Cases Decided	Convicted	Acquitted	Total No. of Cases Pending Trial
Abbottabad	1	118	2	22	335
Bannu	1	97	1	21	533
Battagram	1	177	4	33	110
Buner	1	504	86	34	280
Charsadda	1	335	68	12	1110
Chitral	1	108	18	8	150
D.I.Khan	1	122	1	24	501
Dir-Lower	1	104	8	14	297
Dir-Upper	1	133	4	26	578
Hangu	1	547	100	29	450
Haripur	1	1217	264	10	2407
Karak	0	0	0	0	0
Kohat	1	192	7	35	878
Kohistan	1	913	184	12	270
Lakki Marwat	1	158	0	36	662
Malakand	1	501	51	60	554
Manshera	2	91	2	19	607
Mardan	1	37	2	6	1144
Nowshera	1	428	78	25	507
Peshawar	1	154	17	19	221
Shangla	1	424	80	16	371
Swabi	1	302	4	61	677
Swat	1	65	1	13	1021

Tank	1	149	18	14	1171
Torghar	1	86	1	19	71
Grand Total	25	6962	1001	568	14905
	Percentage		14%	8%	

Annexure B

		<u>Min</u>	<u>Max</u>			
1	Average Practice in years	04	28			
2	The number of cases pleaded before Model Courts.	06	50			
3	Age of the respondent lawyers	29	50			
4	Age of the respondent Litigants	22	60			
5	Nature/area of Practice and Station (Multiple practice stations)	<u>Civil</u>	<u>Criminal</u>	<u>Peshawar</u>	<u>Charsadda</u>	<u>Nowshera</u>
		01	09	06	09	05
6	Progress	Response				
	<u>Questions</u>	<u>Yes (%)</u>	<u>No (%)</u>	<u>Duration/Value</u>	<u>Total (%)</u>	
7	2. a			2 to 6 Months		
8	2. b	8	2		10	
		80	20		100	
9	2. c	9	1		10	
		90	10		100	
10	2.d			Agree 5 Disagree 4		
11	2. e			Neutral 1 Less than 25%		
12	3. a	10	0		10	
		100	0		100	
13	3. b	10	0		10	
		100	0		100	
14	3. c	10	0		10	
		100	0		100	
15	3.d			Expeditious 100		