

LOW CRIME CONVICTION AND CAPACITY CHALLENGES OF POLICE IN PUNJAB: A MIXED METHOD STUDY

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ABSTRACT

Pakistani criminal justice system faces numerous challenges that undermine its effectiveness in delivering justice. Despite documented efforts to address these issues, solutions have not been fully successful. A significant indicator of CJS ineffectiveness is the crime conviction rate, which remains notably low in Pakistan (5-10%). This adds to the need of thorough exploration of the challenges within the system, focusing on the causes of low crime conviction rates and capacity challenges from stakeholders' perspectives. This study aimed to address these concerns using a mixed-method research design. Key findings from the statistical analysis of crime statistics reveal that conviction rate of murder remained below 30 % and robbery on average below 10% over the past decade. The analysis of case files helped in identification of several gaps including issues related to technical aspects such as gaps in case timelines and documentation, gaps in crucial investigation components such as undermined components of procedural justice, training of IOs and cooperation of stakeholders, lack of training of prosecutors, confused role of prosecutor and lack of fairness in procedures followed. Three FGDs were conducted with different ranks police personnel. The major themes emerged from FGDs with police personnel of different ranks include organizational challenges, procedural concerns, training and development concerns, investigative challenges, personal and workplace challenges and legal concerns. From interviews with stakeholders the major themes emerged include Issues in system, pressure on stakeholders, training issues, behavior of stakeholders, procedural challenges, resource constraints, technological gaps, public perception of CJS, delays in case processing, Investigation issues and issues related to witness. Based on these findings policy reforms were developed out of which a specific set of these reforms were pilot tested.

TABLE OF CONTENTS

ABSTRACT i

TABLE OF CONTENTS..... ii

LIST OF FIGURES iv

LIST OF TABLES iv

ABBREVIATIONS..... vi

INTRODUCTION 1

LITERATURE REVIEW 3

RESEARCH METHODOLGY 5

 3.1 Research Design..... 5

 3.2 Sampling A purposive sampling strategy was adopted to ensure representation across relevant stakeholders and data sources..... 5

 3.3 Data Collection..... 5

 3.4 Data Analysis..... 6

FINDINGS AND DISCUSSION..... 7

 4.1 Crime Rates Analyses 7

 4.2 Findings from Case Report Analyses..... 15

 4.3 Findings from FGDs..... 18

 4.4 Organizational Challenges 19

 4.5 Investigative Challenges..... 22

 4.6 Training and Development..... 23

 4.7 Personal and Workplace Challenges 25

 4.8 Procedural and Legal Concerns..... 26

 4.9 Findings from interviews of judicial stake holders of CJS (lawyers, judges, prosecutors) 27

 Capacity challenges 27

 Training issues..... 29

 Procedural challenges..... 30

 Investigation issues..... 31

 Resource Constraints 32

 4.10 Findings from interviews of key informants- Complainants & Witnesses 32

 Overall experience with CJS..... 33

Delays in Case Processing.....	35
Stakeholder Behaviour	36
Systemic Issues in CJ.....	37
Protection of Complainants and Witnesses	38
Technological Gaps.....	39
Public Perception of CJS	40
CONCLUSION.....	41
RECOMMENDATIONS/ POLICY IMPLICATIONS.....	42
PILOT TESTING OF POLICY REFORMS	44
Findings of Implementation.....	45
REFERENCES.....	49
APPENDICES.....	54

LIST OF FIGURES

Figure 1. Rates of Murder.....	8
Figure 2. Rate of Convicted Cases	8
Figure 3. Rate of Decided Cases	9
Figure 4. Rate of Pending Cases.....	10
Figure 5. Rate of Acquitted Cases.....	10
Figure 6. Rates of Robbery Cases.....	11
Figure 7. Rate of Convicted Cases	12
Figure 8. Rate ofDecided Cases	13
Figure 9. Rate ofPending Cases.....	13
Figure 10. Rate of Acquitted Cases.....	14
Figure 11. Economic Indicators.....	15
Figure 12. Major findings from Case Files.....	113
Figure 13. Issues in Case Timelines	16
Figure 14. Issues in Documentation	17
Figure 15. Issues of Judiciary.....	17
Figure 16. Major themes of FGDs.....	18
Figure 17. Organization Challenges subthemes and categories.....	20
Figure 18. Investigative challenges subthemes and categories	22
Figure 19. Training and Development subthemes and categories.....	24
Figure 20 . Personal and Workplace Challenges subthemes and categories.....	25
Figure 21. Procedural and legal concerns subthemes and categories.....	26
Figure 22. Themes from interviews of judicial stakeholders.....	27
Figure 23. Capacity Challenges subthemes.....	28
Figure 24. Training issues subthemes	29
Figure 25. Issues in system subthemes	29
Figure 26. Procedural challenges subthemes	30
Figure 27. Themes from interviews of key informants	32
Figure 28. Overall experience subthemes and categories.....	33
Figure 29. Resource constraints subthemes and categories	34
Figure 30. Delays in case processing subthemes and categories	35
Figure 31. Stakeholder’s behaviours subthemes and categories	36
Figure 32. Systematic issues subthemes and categories.....	37
Figure 33. Protection of key informants subthemes and categories.....	38
Figure 34. Technological gaps subthemes and categories	39
Figure 35. Public perception subthemes and categories	40
Figure 36. Recommendations.....	42
Figure 37. Themes from feedback of participants	48

LIST OF TABLES

Table 1. Percentage of convicted, acquitted, decided and pending cases of murder.	7
Table 2. Percentage of convicted, acquitted, decided and pending cases of robbery.	10
Table 3. Demographics of participants.....	45
Table 4. Descriptive statistics of critical thinking, perceived stress and self management.	46

Table 5. *Frequency and percentages of participants for critical thinking, perceived stress and self-management*47

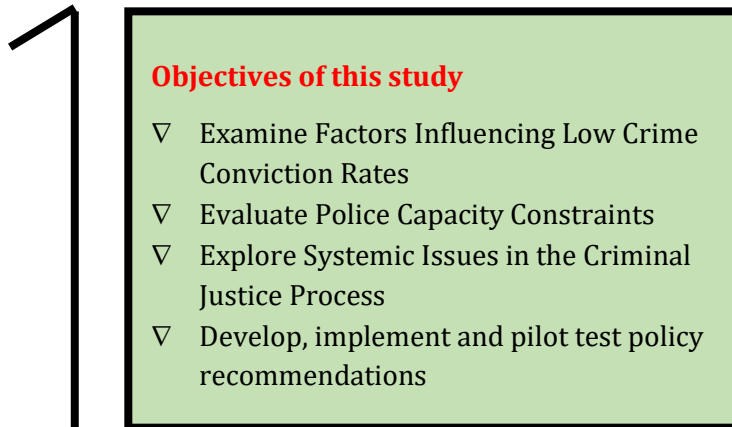
ABBREVIATIONS

%age	Percentage
FGDs	Focus Group Discussions
SPSS	Statistical Package for Social Sciences
GDP	Gross Domestic Product
CJS	Criminal Justice System
IOs	Investigating Officers
IP	Inspector
SI	Sub Inspector

INTRODUCTION

The Pakistani criminal justice system faces severe challenges, including alarmingly low crime conviction rates (5–10%) (Jamshed, 2018; Abbas et al., 2020; Tariq, 2020). Pakistan ranks 129th out of 140 on the Rule of Law Index (World Justice Project, 2022) and is in the 20th percentile for good governance indicators (UNDP, 2017). Despite being categorized as a functioning system globally (Asghar, 2023), systemic flaws persist, such as wrongful convictions, corruption, resource constraints, and poor cooperation between investigation and prosecution units (Khan et al., 2022; Somoro & Somoro, 2023). These shortcomings have created a slow, unjust system that compromises national security and governance (Asghar, 2023).

Numerous efforts, including judicial amendments, specialized investigations, and advanced forensic setups, have been made to enhance the system’s effectiveness (Iqbal, 2022). Yet, the crime conviction rate continues to decline, indicating deeper systemic issues. Overburdened police personnel, cultural practices, and ineffective resource utilization exacerbate capacity challenges (Pearson et al., 2018; Malik, 2020). Pakistan also faces high crime rates, with Punjab reporting significantly more cases of murder and robbery than other provinces, yet few result in convictions (Punjab Police Crime Statistics; VICTIMS OF CRIME IN PAKISTAN, n.d.).



Objectives of this study

- ▽ Examine Factors Influencing Low Crime Conviction Rates
- ▽ Evaluate Police Capacity Constraints
- ▽ Explore Systemic Issues in the Criminal Justice Process
- ▽ Develop, implement and pilot test policy recommendations

This study investigates the causes of low crime convictions for murder and robbery and the associated capacity challenges in Rawalpindi. Using a mixed-methods approach, it combines quantitative analysis of crime data with qualitative insights from interviews and focus groups involving key stakeholders, including police officers, judges, lawyers, and community members. The

research identifies systemic gaps and explores stakeholders' perspectives to propose an evidence-based Professional and Psychological Competency Enhancement Framework. This framework was implemented and assessed through pre- and post-intervention analyses at selected police stations, providing actionable recommendations to improve law enforcement effectiveness.

LITERATURE REVIEW

Crime is an ancient societal problem, with statistics showing a global increase in criminal activities (Mathew, 2003). Crime, defined as an act punishable by law, entails legal, social, or moral repercussions (Justice & Meares, 2013). Legal responses to crime are managed by the criminal justice system (CJS), an institution aimed at controlling problematic behaviors to maintain national security (Lee, 2016b). The CJS comprises key components such as police, courts, and corrections, with each having distinct yet interdependent roles (Crowder & Turvey, 2013b; Reid, 2003). These interconnected roles create systemic complexities and challenges worldwide (Roberts, 2015; Patterson, 2018).

In Asian countries, including Pakistan, CJS challenges are exacerbated by economic instability, political interference, and resource constraints. Pakistan's CJS, inherited from colonial frameworks, includes five components: police, prosecution, courts, prisons, and correctional services. Crimes are categorized as cognizable or non-cognizable under the Pakistan Penal Code (Mateen et al., 2019). Pakistan ranks among the lowest globally in justice delivery, with influential individuals often evading accountability while vulnerable populations face severe consequences (Baqir, 2023). Key issues include poor law enforcement, judicial delays, resource shortages, and systemic corruption (S. Khan, 2023).

A crucial indicator of CJS effectiveness is the conviction rate. Pakistan's conviction rate is 8.66%, significantly lower than India's 42% and developed nations like China (99%) and the US (91.4%) (Nation, 2024; CEIC, 2024; Feng, 2024; Beshay, 2024). Contributing factors include flawed investigations, weak prosecution, inadequate forensic resources, delays in trials, and lack of witness protection (Sager et al., 2022). Investigative deficiencies are particularly concerning, with officers often lacking training and diligence, allowing dangerous criminals to remain at large (Haake et al., 2017).

Prosecutors in Pakistan are underutilized and excluded from critical case proceedings, unlike in other countries where they play central roles (Choe, 2018; Rajput, 2020). Similarly, the judiciary faces issues such as case backlogs, political interference, resource deficits, and procedural complexities, further undermining the system's functionality (Imran et al., 2024; Salamat & Salamat, 2023). Addressing these systemic flaws is critical for improving CJS performance and ensuring justice delivery (Rahman et al., 2021).

While existing studies emphasize administrative and procedural shortcomings (Rehman, Usmani & Parveen, 2022; Azeem, Thaheem & Kasuri, 2023), there is a pressing need to explore the psychosocial

and cultural dimensions influencing these issues. This research investigates the pervasive challenges of low crime convictions and capacity constraints within Punjab's police, particularly in Rawalpindi. Employing a mixed-method design, the study integrates quantitative data on crime convictions and qualitative insights from stakeholders to uncover systemic gaps and enabling pathways. This approach enhances reliability through data triangulation, offering a holistic understanding of the challenges and practical solutions to strengthen the CJS.

RESEARCH METHODOLOGY

3.1 Research Design

This study employed a mixed-methods approach to comprehensively examine the factors contributing to low crime conviction rates. Quantitative data were derived from crime records of murder and robbery cases in Rawalpindi, coupled with longitudinal analysis of 20 cases to identify critical gaps in conviction. Concurrently, qualitative insights were gathered through focus group discussions (FGDs) and interviews with key stakeholders of the criminal justice system. This approach enabled a nuanced understanding of systemic issues and stakeholder perspectives, facilitating the development and pilot testing of policy reforms. The mixed-methods design was selected for its ability to combine quantitative precision with qualitative depth, enhancing the validity and reliability of findings through data triangulation (Creswell & Clark, 2017). Quantitative data provided statistical trends, while qualitative insights elucidated the intertwined pathways leading to gaps in conviction.

3.2 Sampling

A purposive sampling strategy was adopted to ensure representation across relevant stakeholders and data sources.

Quantitative Sample: Twenty completed case files from the last five years (2018–2023) in Rawalpindi were analyzed, including 13 murder cases and 7 robbery cases.

Qualitative Sample: Three FGDs were conducted, each involving 6–8 participants from various ranks of police officers, including Investigating Officers (IOs), Inspectors (IPs), and Sub-Inspectors (SIs). In addition, fifteen interviews were conducted with judges (3), lawyers (3), prosecutors (3), complainants (3), and witnesses (3) to capture diverse perspectives.

Pilot Testing: Policy reforms were tested in a single police station with 10 police personnel to evaluate feasibility and effectiveness.

3.3 Data Collection

Quantitative Data: Crime records for murder and robbery, including conviction, acquittal, decision, and pending case rates, were collected from official police records spanning the last 10 years (2014–2023). These records were analyzed to identify trends and inform qualitative tool development.

Qualitative Data: Case Analysis: Patterns and themes were identified by coding 13 murder cases (M1–M13) and 7 robbery cases (R1–R7).

FGDs and Interviews: Each FGD lasted approximately two hours, while interviews averaged 45 minutes. Sessions were audio-recorded for subsequent thematic analysis.

3.4 Data Analysis

Quantitative Analysis: Descriptive statistics and trend analysis were performed using SPSS (Version 21) and MS Excel to assess general crime statistics and conviction trends. Measures of central tendency and variability were used for the pilot test data.

Qualitative Analysis: Thematic analysis was employed for FGDs, interviews, and case file data. Audio recordings were transcribed, and concept-based coding was applied to extract themes and subthemes (Braun & Clarke, 2006). Case files were systematically analyzed to identify common gaps affecting convictions.

Pilot Testing Analysis: Pre- and post-test results were compared using descriptive statistics to evaluate changes in targeted aspects.

FINDINGS AND DISCUSSION

Results of crime rates and case report analyses, FGDs, and interviews are presented and discussed in this section of the report.

4.1 Crime Rates Analyses

Major findings from the stats of crime from the past 10 ten years (2014-2023) are summarized in the table given below along with the visual representation of the percentages of the stats reported.

Table 1. Percentage of convicted, acquitted, decided and pending cases of murder.

Sr. No	Year	Reported Cases	Convicted Cases (%)	Acquitted Cases (%)	Decided Cases (CC= AC)(%)	Pending Cases (%)
1.	2014	251	35.46	53.39	88.84	11.16
2.	2015	228	29.82	60.53	90.35	9.65
3.	2016	209	25.84	60.29	86.12	13.88
4.	2017	226	21.68	67.26	88.94	11.06
5.	2018	253	15.42	76.68	92.09	7.91
6.	2019	286	32.52	60.84	93.36	6.64
7.	2020	285	22.81	40.35	63.16	36.84
8.	2021	256	32.03	60.55	92.58	7.42
9.	2022	324	24.38	51.23	75.62	24.38
10.	2023	333	25.53	53.75	79.28	20.72
Average		265	26.55	58.49	85.03	14.97

Year= year of the crime reported, %= Percentage, Red= lowest percentage of conviction, Purple= highest rate of conviction , CC= Convicted cases, AC= Acquitted cases

Figure 1. Rates of Murder¹

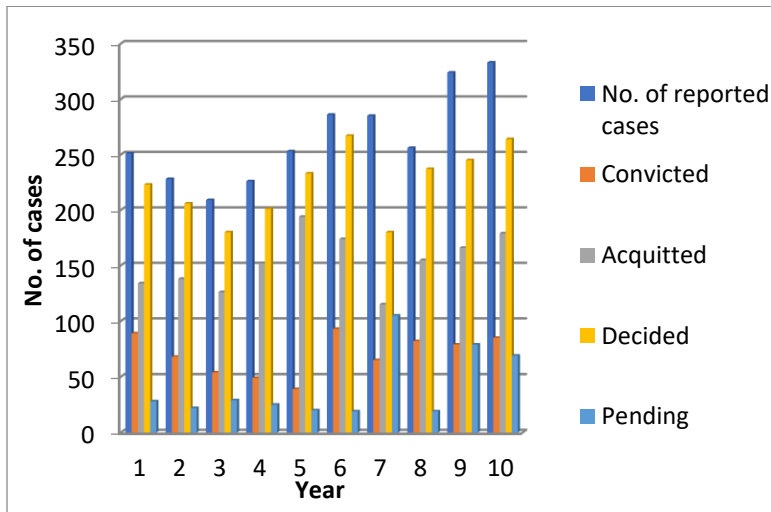


Figure 2. Rate of Convicted Cases²

¹ Based on the above data the murder rate increased in past ten years. On average 265 murder cases were reported in years which makes almost 5 murders in a week of seven days. During last 10 years on average 26% cases were convicted. The percentage of acquitted cases highlights the fact that large percentage of the cases of murder reported are based on false allegations as decided officially in court of law. Out of five years in four years the percentage of acquitted cases is equal to or above 50% of the cases reported. In comparison to the cases reported 14.97% cases remain pending in courts in previous ten years. The average of decided cases is 85.03% but the statistics of convicted and acquitted cases represents that most of the cases reported are acquitted instead of being convicted.

² The above table summarizes that the rates of convicted cases is highest in 2014 among ten years. It gradually decreases from 2015 to 2018 with highest decrease of almost 6% in 2018 compared to 2017. In 2019 the rate is high in comparison to previous four years and then it reduced by almost 10% in year 2020 which again increases in year 2021 by 10%. In year 2022 and 2023 the rate of convicted cases started to decline and there is only 1% difference between year 2022 and 2023 i.e. in year 2023 the rate of convicted cases increases by 1%.

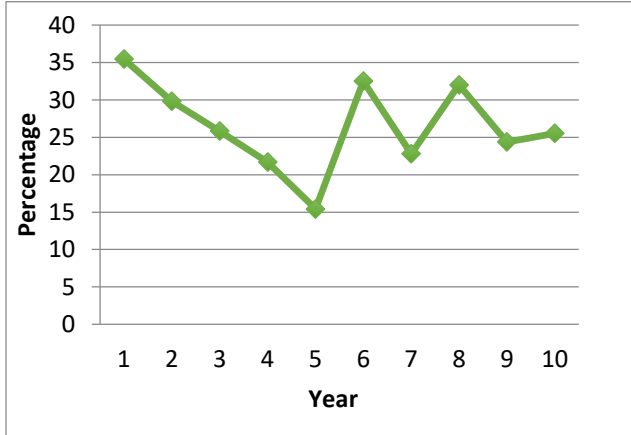
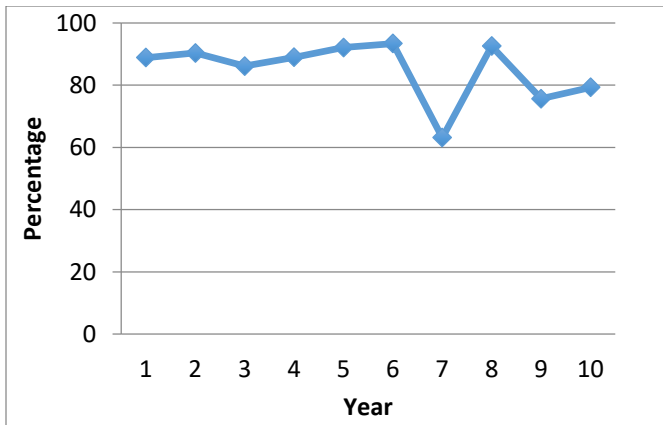


Figure 3. Rate of Decided Cases³



³ percentage statistics of decided cases indicated highest decided cases in 2019 and lowest in year 2020 with decline of almost 30%. In first five years (2014-2018) the highest rate of decided cases is in 2018. The lowest percentage is in year 2020 in comparison to both 2019 and 2022. In year 2023, the percentage of decided cases increased 4% in comparison to 2022.

Figure 4. Rate of Pending Cases⁴

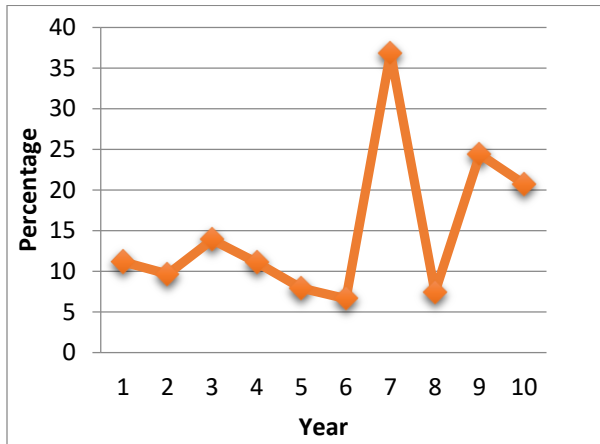


Figure 5. Rate of Acquitted Cases⁵

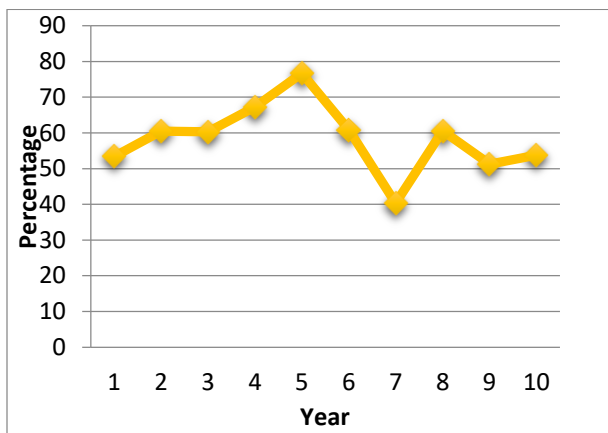


Table 2. Percentage of convicted, acquitted, decided and pending cases of robbery.

⁴ The rate of pending cases is highest in year 2020. In year 2021 the rate of pending cases decreases significantly in comparison to 2020 i.e. a decrease of almost 29%. The statistics of pending cases exhibit a pattern of decrease in rates at first and then increases.

⁵ In terms of acquitted cases the lowest rates are in year 2020 among all ten years. In this year there is almost 20 % less acquitted cases as compared to year 2019 and 2021. During first five years (2014-2018) there is increase in the rates of acquisition. The here is an increase of almost 2% in percentage of acquitted cases in year 2023

Sr. No	Year	Reported Cases (%)	Convicted Cases (%)	Acquitted Cases (%)	Decided Cases (%)	Pending Cases (%)
1.	2014	725	10.90	50.90	61.79	38.21
2.	2015	588	14.29	42.01	56.29	43.71
3.	2016	378	11.38	47.35	58.73	41.27
4.	2017	394	17.26	47.97	65.23	34.77
5.	2018	705	11.06	38.58	49.65	50.35
6.	2019	1562	.45	3.84	4.29	95.71
7.	2020	2560	.31	11.45	11.76	88.24
8.	2021	2521	.91	32.57	33.48	66.52
9.	2022	3273	.43	29.45	29.88	70.12
10.	2023	5550	.36	10.81	11.17	88.83
Average		1825	6.73	31.493	38.227	61.773
Year= year of the crime reported, %= Percentage, Red= lowest percentage of conviction, Purple= highest rate of conviction , CC= Convicted cases, AC= Acquitted cases						

Figure 6. Rates of Robbery Cases

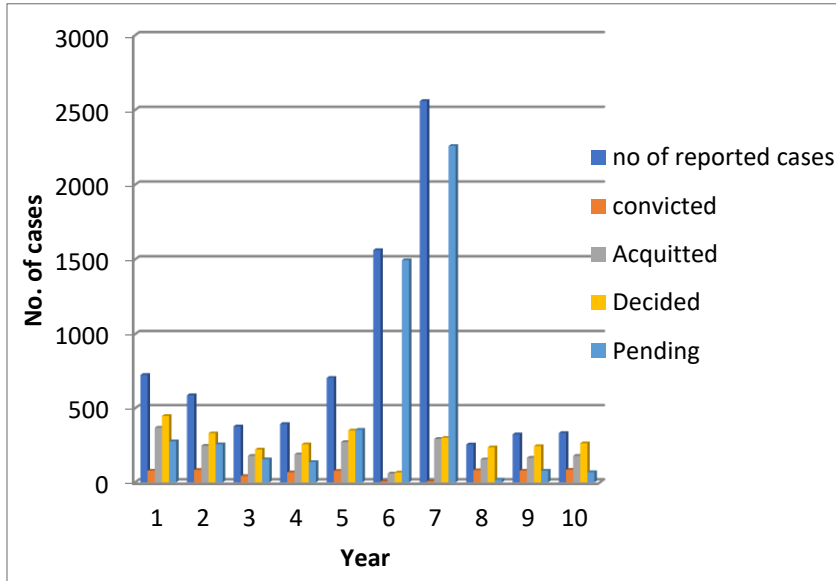
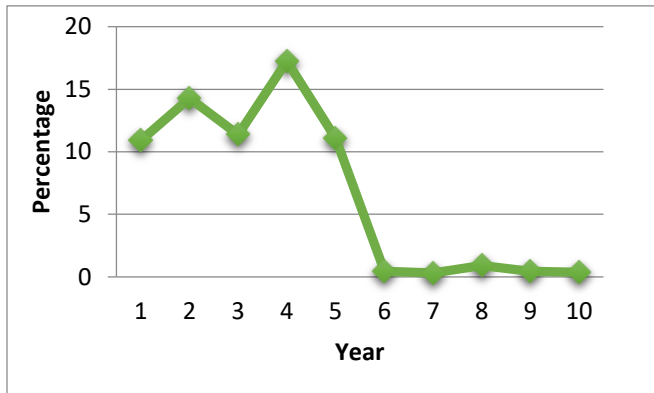


Figure 7. Rate of Convicted Cases⁶



⁶ The above table summarizes that the percentage of convicted cases is highest in year 2015 in comparison to all ten years (2014-2023). The percentage of convicted cases of robbery decreased significantly especially in last five year from 2019-2023

Figure 8. Rate of Decided Cases⁷

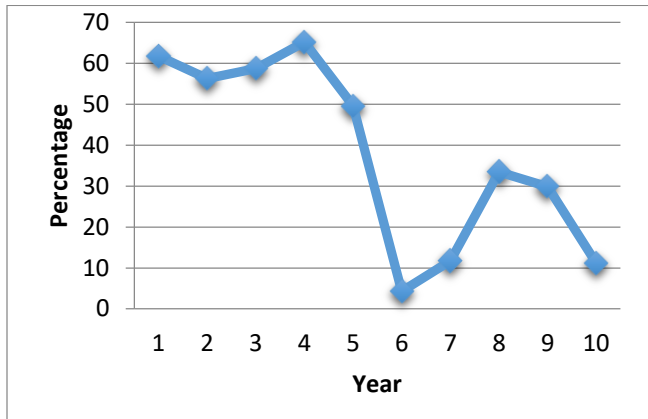
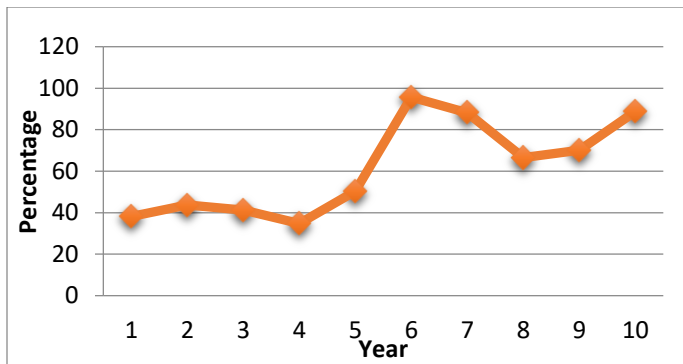


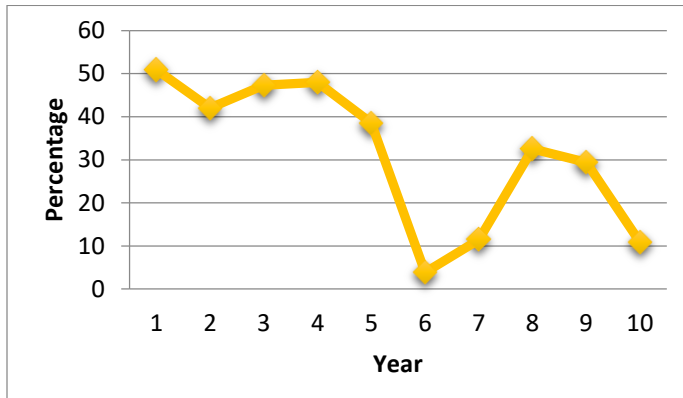
Figure 9. Rate of Pending Cases⁸



⁷ During year 2017 there is highest percentage of decided cases in comparison to ten years reported in year 2019 the percentage of decided cases is lowest. The percentage of decided cases increases almost 7% in year 2020 in comparison to 2019. There is also an increase of 22% in decision rate of year 2021 as compared to 2020. There is then again decrease in percentages of almost 4% in 2022 in comparison of 2021 and almost 18% decrease in 2023 compared to 2022

⁸ As the rate of conviction is low in cases of robbery the percentage of pending cases is high. The highest percentage is in 2019. It decreases in 2020 and 2021 with almost 7% and 22% respectively. In year 2022 there is increase in pending cases with almost 4% and there is almost 18% increase in 2023 compared to 2022. In comparison to years from 2014-2023 the pending cases increase in last five years

Figure 10. Rate of Acquitted Cases⁹



There pattern in findings¹⁰ of murder and robbery stats can be associated with various causes. Figure 14 outlines the major reasons associated with crime increase evident from existing evidences as well.

⁹ In terms of acquisition of cases the highest rates are in 2021 and lowest in 2019. The statistics above show huge variations in terms of percentage of acquitted cases.

¹⁰ Major Findings from the statistics of crime of murder and robbery

Continuous increase of crimes both robbery and murder

This can be linked to economic and political variables, also present in the existing literature.

Low conviction rates of both murder and robbery crime

On average below 30% in cases of murder

On average below 10% in cases of robbery

Large rate of acquitted cases in both murder and robbery

On average 58% cases are acquitted in murder

On average 31% cases of robbery are acquitted

Highest and lowest conviction rate according to years

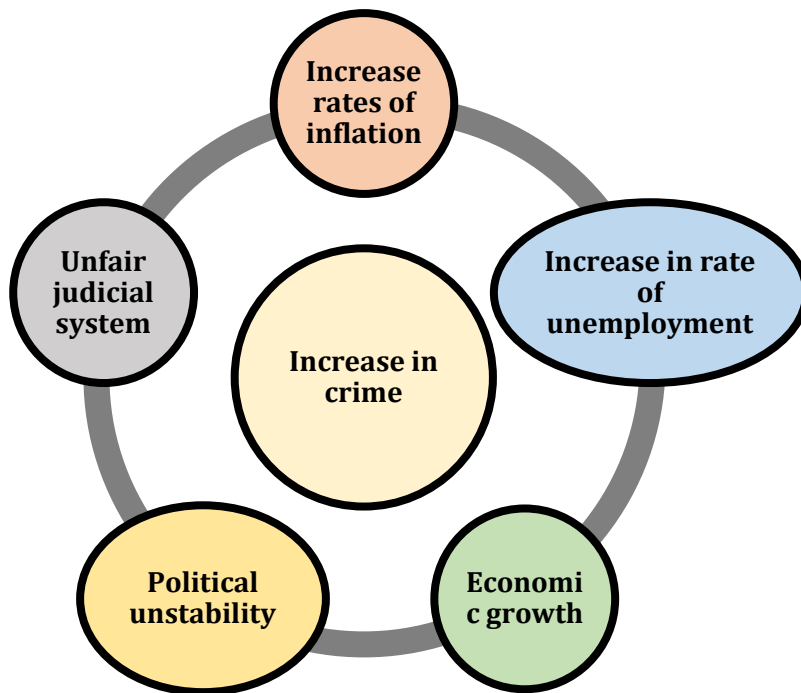
In Murder cases highest conviction is in year 2014 and lowest conviction is in year 2018

In Murder cases highest conviction is in year 2017 and lowest conviction is in year 2020

High rate of acquitted cases

The figure below relates the crime rates with economic indicators. (The detail of association of rates of crime with these economic indicators is attached as Appendix A).

Figure 11. Economic Indicators



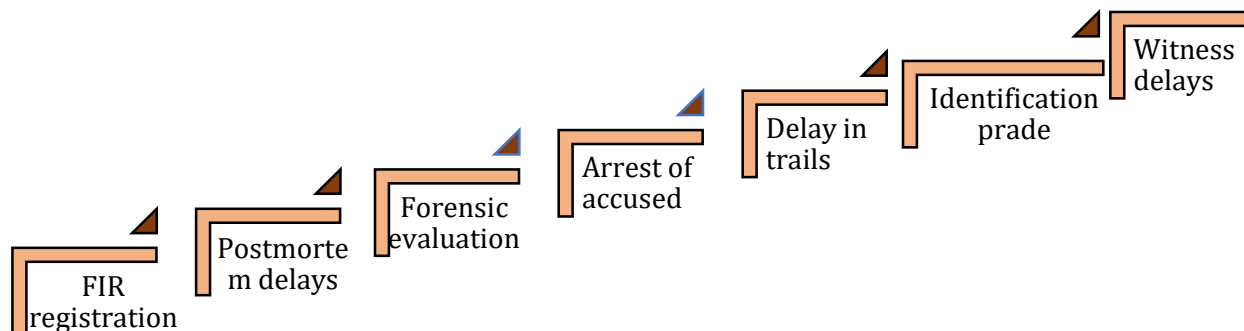
4.2 Findings from Case Report Analyses

The case reports of crimes of murder and robbery that have been convicted in previous five years were analyzed to identify the gaps existing in the cases which may be the contributors to the low rates of conviction in Pakistani criminal justice system. This also helped in the enhancement of the tool developed for collecting in-depth perceptions of the stakeholders of criminal justice system. For this purpose, a total of 20 cases were taken from different police stations of Rawalpindi¹¹. Major findings from these case files analyses are presented in the following Figure 12.

¹¹ These included police stations of Taxila, Gujarkhan, Kalar Sydian, Kotli Sattian, RA Bazar, Gujmandi, Westridge, Banni, Naseerabad, Ratta Amral, Rawat, Baroni and Cantt. These include 13 cases of murder and 7 cases of robbery. The time frame for the conviction of these cases

analyses of murder and robbery case reports have revealed several critical gaps. One of the primarily important gaps was found in **case timelines**¹².

Figure 12. Issues in Case Timelines



The analyses of murder and robbery case reports have revealed several critical gaps. One of the primarily important gaps was found in **case timelines**¹³.

Another gap identified was related to the **documentation defects**¹⁴ in case files. The documentation format of case files was very outdated. There were a lot of missing dates and time even at places that require time and date specifically.

was predetermined. The predetermined criteria were that firstly the convicted cases of previous five years were considered. If the number of cases were not completed then cases that are convicted from previous ten years will be included.

¹² In terms of this aspect, the major concern is the delays. These delays in case timelines were exhibited at different stages of case processing. These stages of case processing are attributed to different stakeholders so; the delays are caused by all the major stakeholders. There are multiple other delays identified in cases at different stages of case processing. The major delays identified included; the delays in forensic evaluation, delay in post mortem, delays in case processing and delays in trail. Some of these delays are from police department such as delay in case processing, delay in FIR registration others are due to other stakeholders of criminal justice system such as delays in trail is loophole from the judiciary end and delay in the forensic evaluation is concern of forensic department of criminal justice system.

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¹⁴ Certain **documents are also missing** in the files such as record of number of trails held for the case. Reporting format of cases is also vague. There is no systematic way to maintain case files and all the required documents of case. There is also absence of documentation of certain activities that happened during

Figure 13. Issues in Documentation

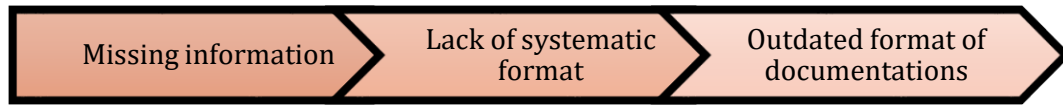
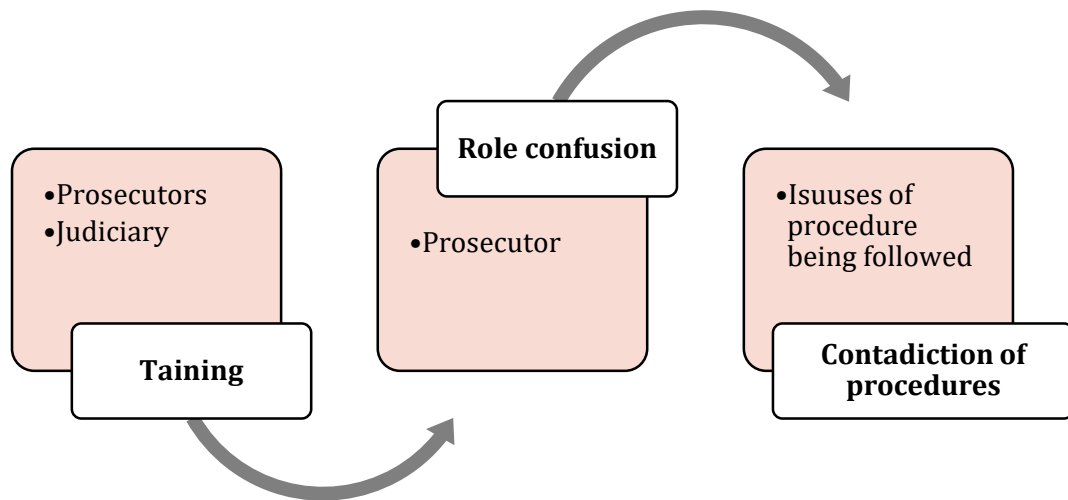


Figure 14. Issues of Judiciary



There were also **concerns related to prosecution and judiciary**¹⁵. A major concern highlighted was the training provided to prosecutors and judiciary.

Another major category of gap was related to **crucial component of investigation**. It was evident in case files that in terms of investigation¹⁶ there were various major gaps that contributed to faulty

the investigation of case such as when accused is firstly arrested what steps are taken to carry out this arrest. All these documentation loopholes add to the ineffectiveness of fair and accurate investigation and case processing thus adding to the evidence of low conviction rates.

¹⁵ The role of prosecution in cases of murder is very confusing. The role of prosecutor in the case processing is not accurately identifiable. The issues from judiciary include delays in trail and unavailability of judiciary in order to process the case.

¹⁶ . The investigation process reveals a significant disconnect between prescribed legal procedures and actual practices. Specifically, while the law mandates a maximum of 14 days for the investigation of murder and robbery cases following the arrest of the accused, analyzed case files indicate that police investigations often exceed this timeframe. This delay highlights systemic inefficiencies and a lack of adherence to procedural justice principles, including fairness, transparency, impartiality, and ensuring stakeholders have a voice in the

investigation procedures. This lack of cooperation also affects the impartial decision; component of procedural justice.

Another major issue identified was related to **training of IOs**¹⁷ to investigate the case is not sufficient in order to complete the task effectively.

All these gaps and issues identified from the cases of murder and robbery add to the fact that the low crime conviction of murder and robbery in Pakistan is a combination of issues that prevail in the criminal justice system. These issues are present at all levels of criminal justice system. These issues result in impression of system being slow, unjust, ineffective, corrupt and unfair. This identification of gaps from case reports of murder helped in modification of the tools (interview guide and focus group protocol) developed for qualitative insight. The major areas that are modified in tools included addition of questions related to various domains.

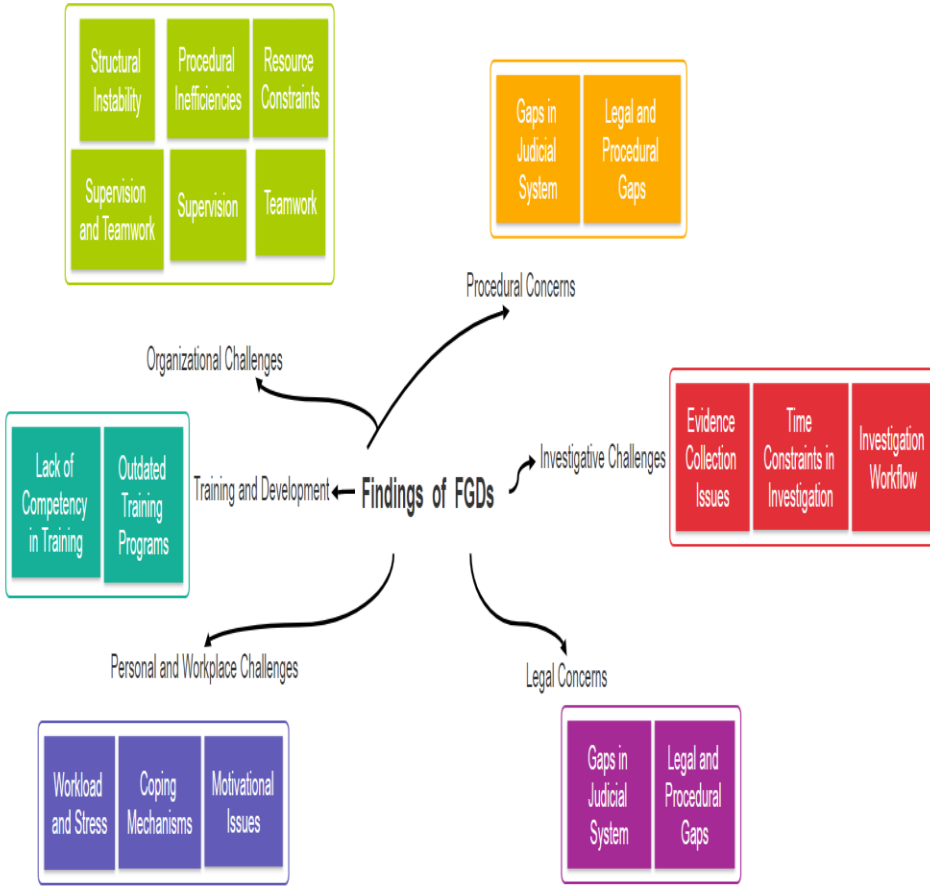
4.3 Findings from FGDs

A total of three FGDs with police personnel of different ranks including IOs, SHOs, Inspector and Sub inspector were conducted. The total number of participants in FGDs were 19 (FGD1: N=5, FGD 2: N=6, FGD 3: N=8). For these FGDs the participants were recruited from police department of Rawalpindi and Islamabad. The participants were invited to take part in FGDs through platform of National Police Bureau. Two FGDs were of almost 2 hours and one FGD was of 1 hour 30 minutes.

Figure 15. Major themes of FGDs

process. Such procedural lapses contribute to delays in incident reporting and undermine the effectiveness and credibility of the criminal justice system.

¹⁷ Court proceedings reveal significant delays and documentation gaps in case processing, with courts frequently issuing multiple reminders to the police to strengthen the evidence. These gaps highlight deficiencies in procedural compliance and investigative rigor. A critical issue is the inadequate training of Investigating Officers (IOs), whose skills and expertise directly influence the outcome of cases. Poorly conducted investigations, stemming from insufficient training, often lead to evidence gaps, procedural errors, and weak cases, resulting in acquittals. Since IOs are central to case processing, their lack of competency causes irreversible damage to the integrity of the investigation and the likelihood of conviction.



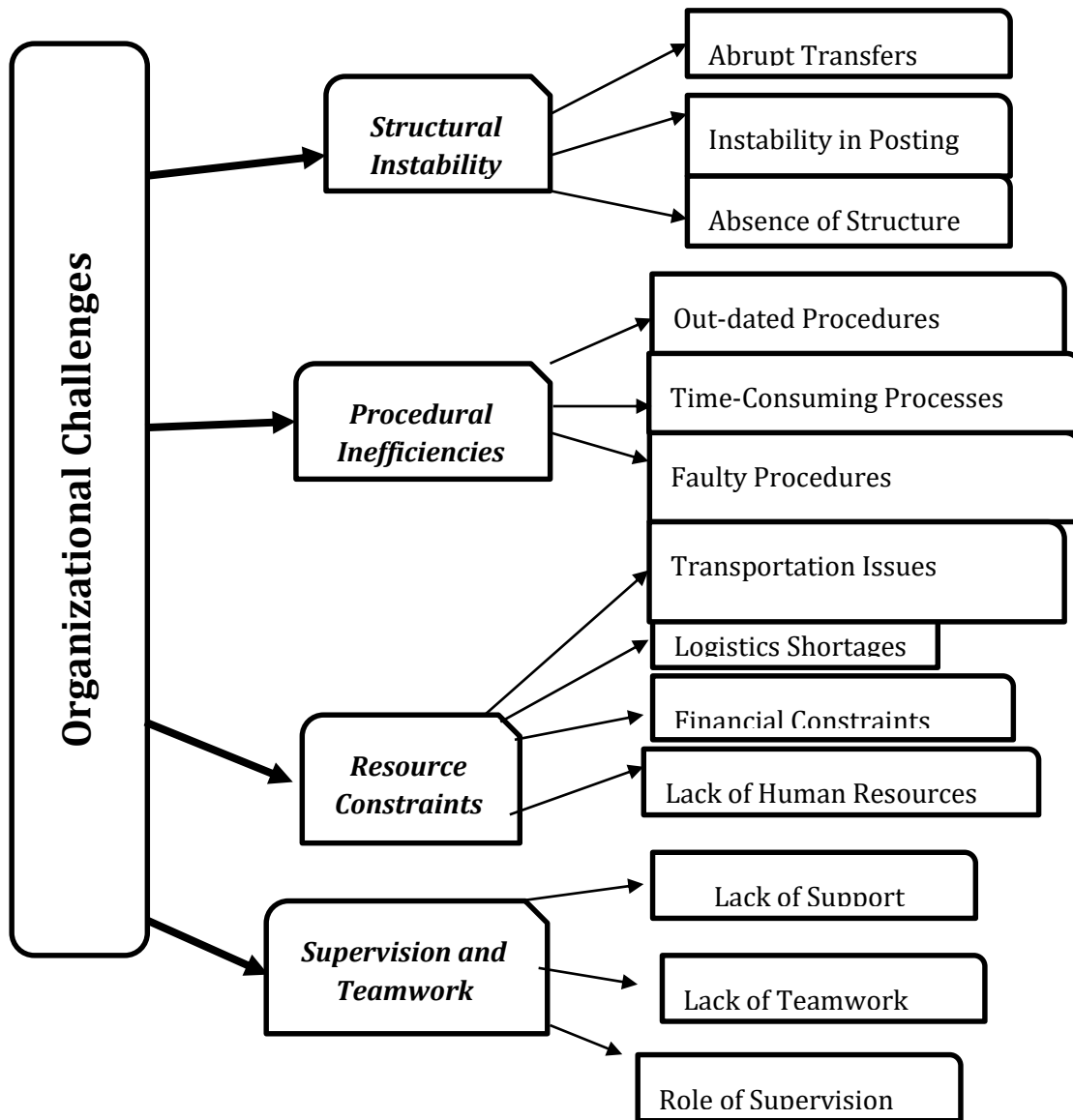
A brief overview of these themes, subthemes and categories is explained later in this section however the detail of these themes, subthemes and verbatim of the participants is attached as appendix B in appendices of this document.

4.4 Organizational Challenges

Organizational challenges faced by police personnel were the most prominent concern mentioned in FGDs. The major organizational challenges faced by police officers of Rawalpindi and Islamabad included: structural instability, procedural inefficiencies, resource constraints and issues of supervision and teamwork. The most highlighted concerns in terms of organizational challenges were resource constraints and structural instability. One of the prominent observations in terms of

organizational challenges was that the police personnel often focused on external locus of control instead of internal locus of control. Figure below presents the subthemes and categories of major theme of organizational challenges.

Figure 16. Organization Challenges subthemes and categories



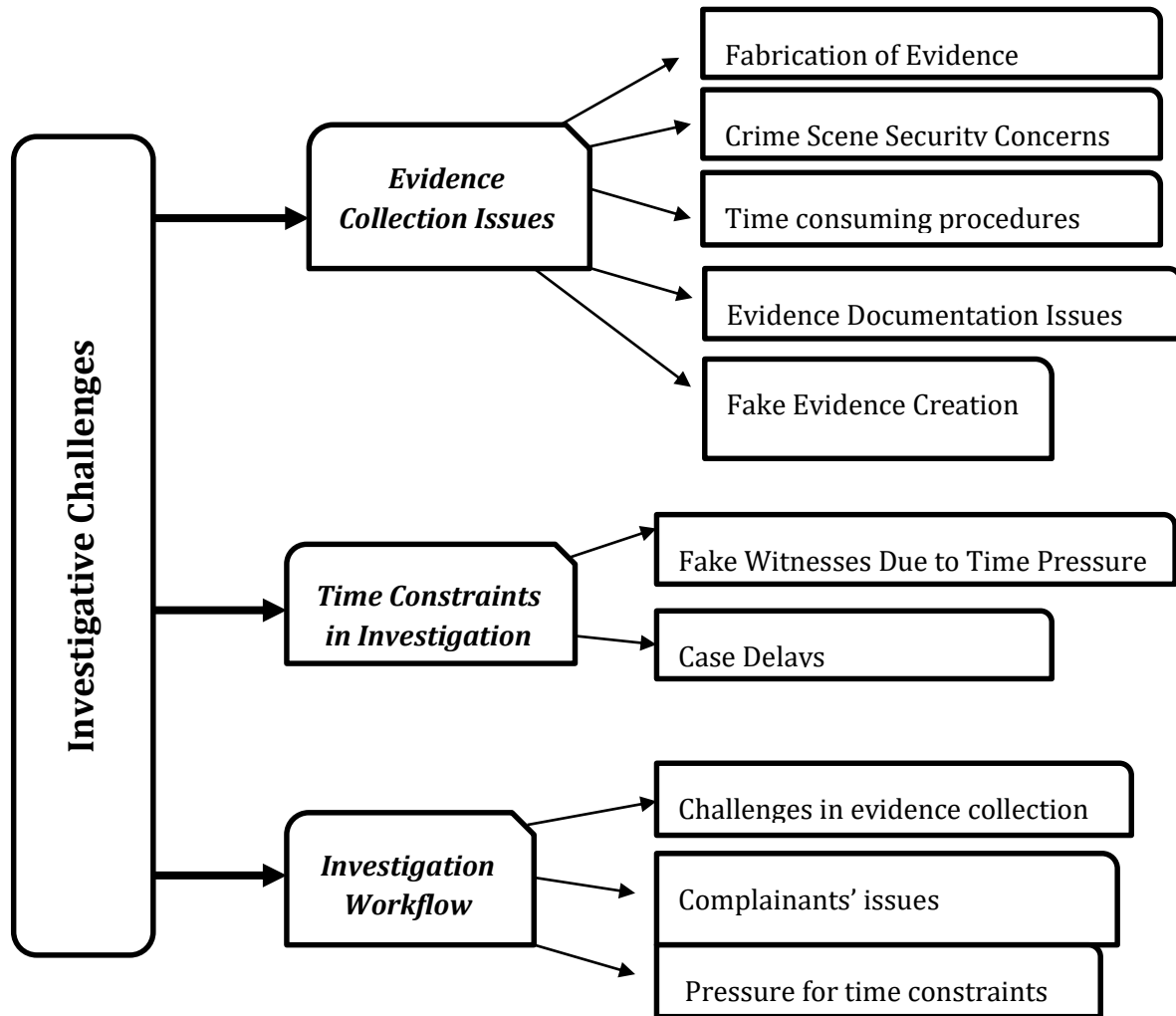
4.5 Investigative Challenges

Another major category of challenges reported by police personnel was the concerns in investigative parameters of case processing. The major challenges were related to evidence collection¹⁸, time constraints¹⁹ and investigation workflow. As “investigation” is most crucial step of case processing the challenges faced by police personnel at this stage result in severe consequences. The figure below presents the summary of this theme in terms of subthemes and categories of subthemes.

Figure 17. Investigative challenges subthemes and categories

¹⁸ The most important phase in investigation- the first step of case processing is evidence collection. The participants highlighted that they face various challenges at this stage such as delay from complainants end which lead to fabrication of evidence and creation of fake evidence and witness, presence of time consuming procedures, security concerns of crime scene and documentation of evidence.

¹⁹ The participants also reported that in investigation there is a lot of concern elated to time frame. The time frame provided for initial investigation to police department is 14 days as reported. The major concerns highlighted by police personnel are in terms of fake witness due to time constraints and case delays. They also mentioned that they are given timeframe while all other stakeholders lack timeframe for case processing. This causes a lot of delays which in turn create backlog of cases and add to the workload of all the stakeholders.

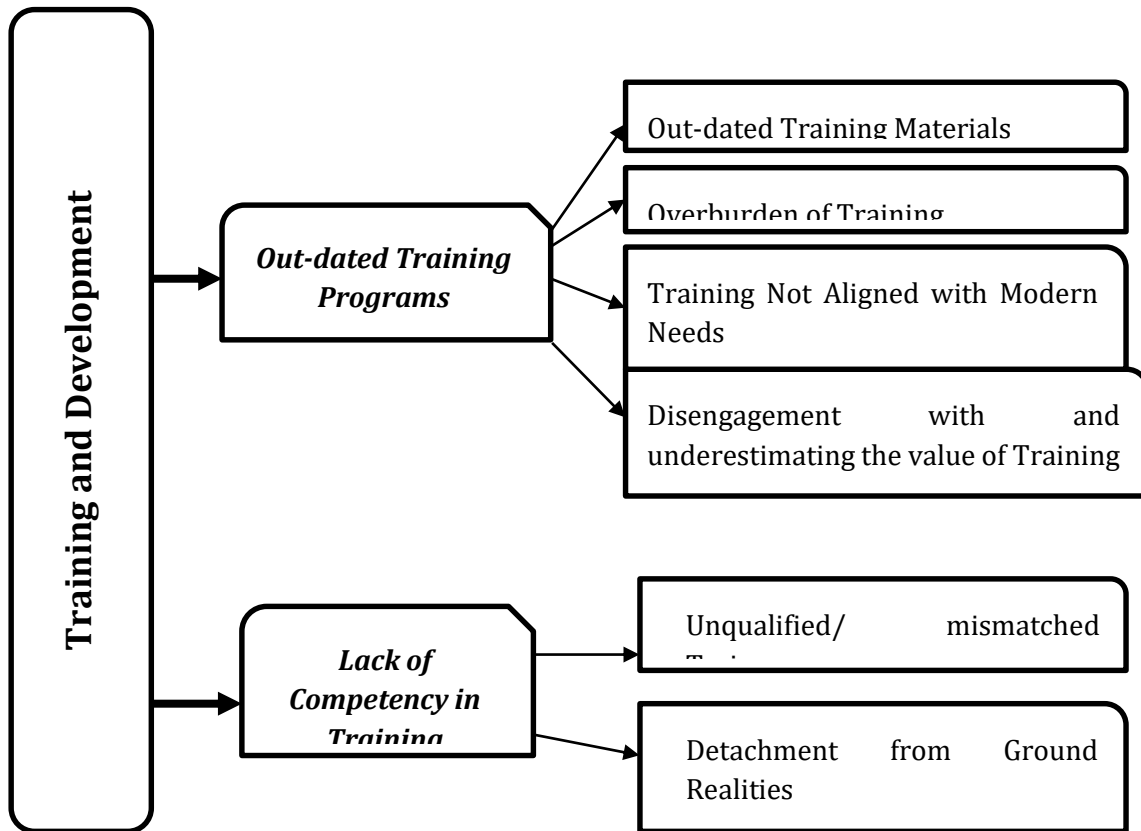


4.6 Training and Development

Training of the stakeholders is major attribute for enhancing and maintaining the affectivity of the system. This is a key capacity issue that impacts the system. The concerns highlighted in FGDs

included: out-dated training programs²⁰ and lack of competency in training²¹. Figure below presents the subthemes and categories of the major theme of training and development issues.

Figure 18. Training and Development subthemes and categories



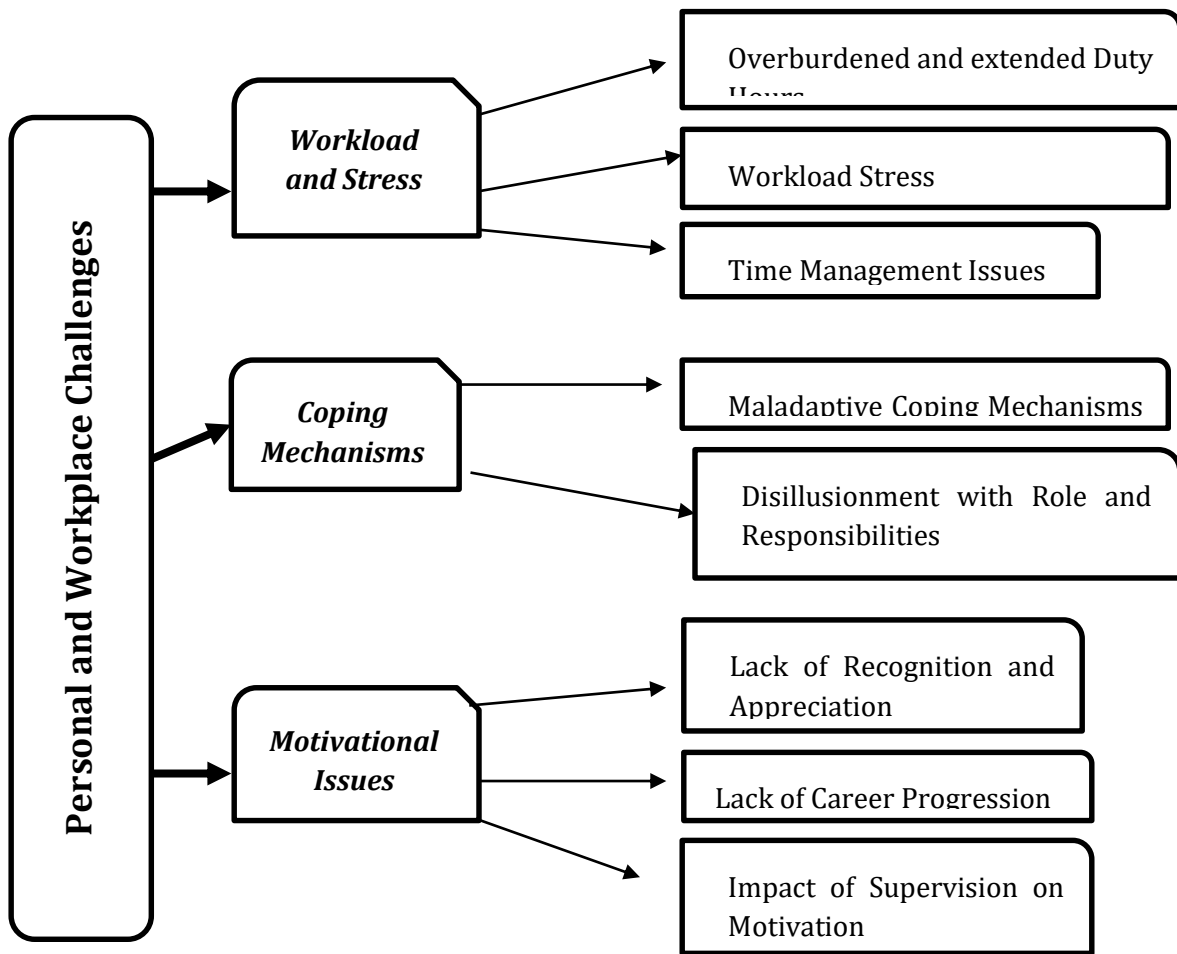
²⁰ The police personnel mentioned that the training programs provided to them is outdated and lack modern day need. The major issues highlighted by them in this aspect include: outdated training material, overburden of training, training not aligned with modern needs and disengagement with training programs from police personnel.

²¹ The police personnel also highlighted that in addition of being outdated training modules the modules lack competency and effectiveness. The major issues in this regard include having unqualified trainers and detachment from ground realities

4.7 Personal and Workplace Challenges

Findings from FGDs reported that in terms of workplace and personal challenges there were workload and stress concerns, issues of maladaptive coping mechanisms utilized by police personnel in stressful situations and issues of motivation within the department of police. Figure below presents the subthemes and categories for the theme of personal and workplace challenges.

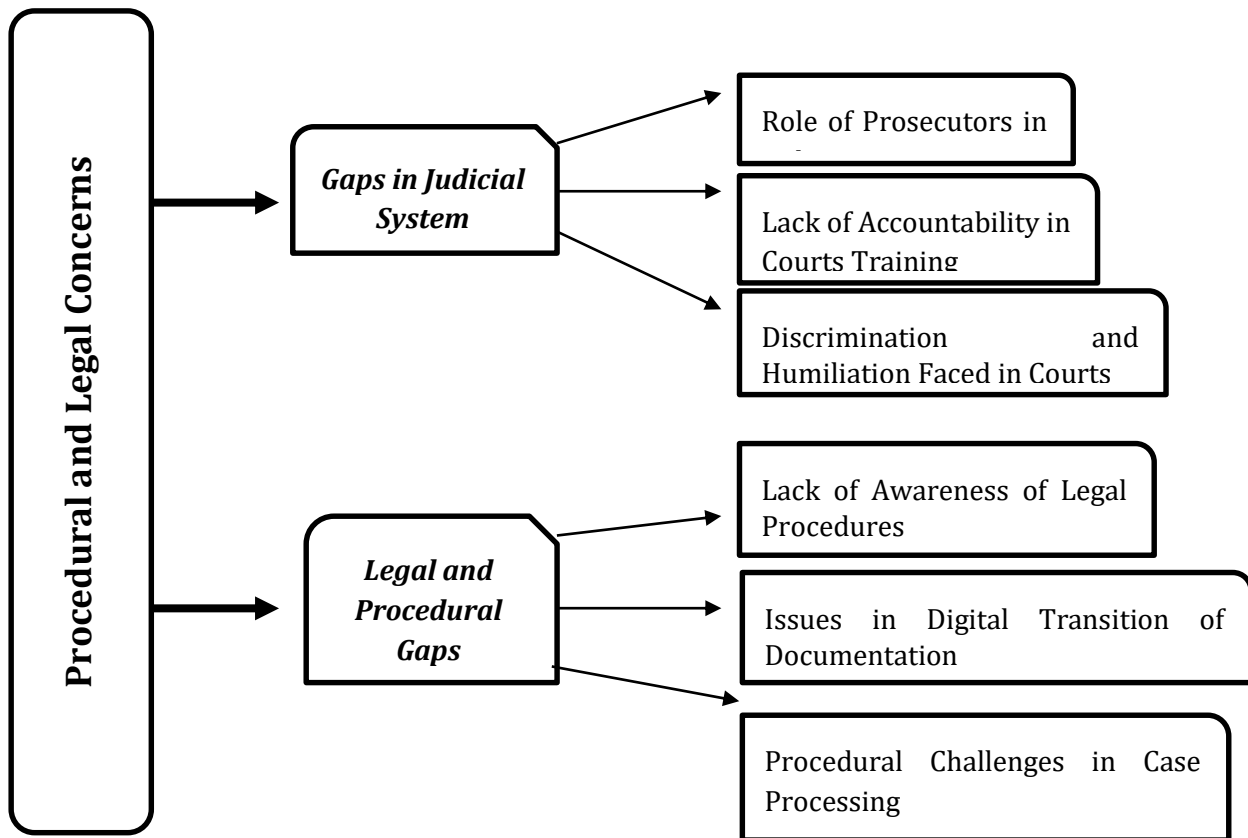
Figure 19 . Personal and Workplace Challenges subthemes and categories



4.8 Procedural and Legal Concerns

Another theme emerged from the findings of FGDs was the procedural and legal concerns. In this regard the issues included gaps in judicial system and legal and procedural breaches. In terms of gaps in judicial system the participants of FGDs reported that in Pakistani courts there is lack of accountability along with delays from the prosecutor's end. Figure below presents the subthemes and categories for the theme of procedural and legal concerns.

Figure 20. Procedural and legal concerns subthemes and categories



4.9 Findings from interviews of judicial stake holders of CJS (lawyers, judges, prosecutors)

A total of nine interviews from the judicial stakeholder (judges, lawyers, prosecutors) of criminal justice system were conducted. Three interviews from each category of stakeholders operating at different courts were conducted. Some interviews were conducted online. All interviews were of approximately 30 - 45 minutes. The interviews were audio recorded. For online interviews verbal consent was taken.

Figure 21. Themes from interviews of judicial stakeholders



A brief overview of these themes, subthemes and categories is explained later in this section however the detail of these themes, subthemes and verbatim of the participants is attached as appendix C in appendices of this document.

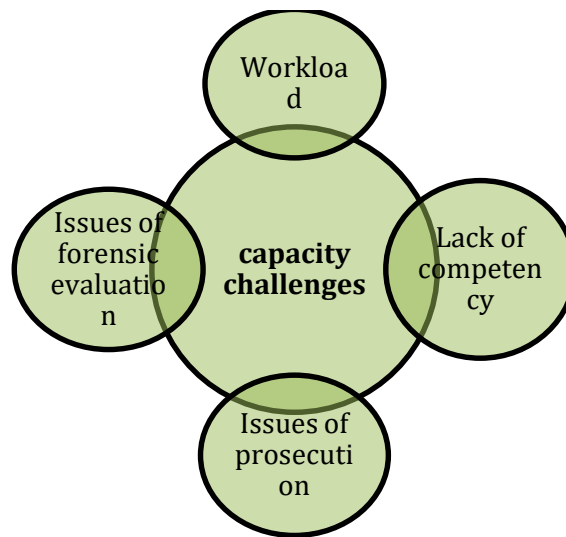
Capacity challenges

It is reported that Pakistani criminal justice system is facing **severe capacity challenges**. These capacity challenges were related to all major stakeholders, lack of skill at level of each stakeholder,

lack of regular training or up to date training of the stakeholders and issues at the academia level in the academic training of these stakeholders. The participants from judicial stakeholders also reported that the lack of personal, moral and ethical trainings is significantly contributing among the stakeholders of CJS.

Figure below briefly outline the subthemes of capacity challenges.

Figure 22. Capacity Challenges subthemes²²



²² **Workload:** In terms of workload it is mentioned that the Pakistani judicial system is overburdened as a whole. They also reported that Pakistani CJS is very slow system.

Lack of competency: The participants of interview from judicial stakeholders highlighted the issue of competency, skill and training among all major stakeholders of CJS.

Issues of prosecution: The prosecutors lack skills to handle their roles and responsibilities effectively. They also reported that the prosecutors lack control to stop weak evidence in cases. They also reported that there is lack of supervision and accountability for prosecutors.

Issues of forensic evaluation: While talking regarding capacity challenges in judicial system they mentioned that the major issue is the issues of forensic facilities present within the judicial system.

Quality of trainings: In training aspect it is highlighted that **training of stakeholder** is present but the quality and depth of this training is very low.

Lack of self-management training: The participants mentioned that one of the major areas that is often neglected in our criminal justice system is the self-management training for the stakeholders.

Lack of training: It was mentioned that there is lack of training for all stakeholders of Pakistani CJS. They also highlighted that training might be present up to some extent but it lack application in real world setting.

Training issues

judicial stakeholders highlighted that the cultural appropriate training of stakeholder is a foremost concern that is present in Pakistani CJS. They reported that in terms of training there are issues related to quality of training, lack of self-management training and lack of overall training. The Figure below outlines brief overview of the subthemes in this aspect.

Figure 23. Training issues subthemes



Issues in the system

Among the systemic issues, overall distortion in the operations of system was reported. The participants highlighted concerns such as high cost, lack of cooperation, lack of monitoring and evaluation, lack of innovation, lack of proper guidelines and lack of focus on prevention. The figure below highlighted the concerns reported by participant in this regard.

Figure 24. Issues in system subthemes²³

²³ **High cost:** It was mentioned that the Pakistan's criminal justice system is a high cost system. The financial burden among the complainants and all other parties is very high. This results in avoidance from the general public to be involved in our CJS.

Culture of fake witness : The participants reported the presence of **culture of fake witness** in Pakistani CJS. They reported that this culture raises severe concerns regarding the credibility of witness.

Lack of culture of oral testimony: The judicial stakeholders reported that one of the major reasons that make our conviction low is the **lack of culture of oral testimony** in our CJS.

Lack of focus on prevention: The participants reported that in our society/ country there is very **less focus towards the prevention of crime**.

Lack of cooperation: They also reported that there is **lack of cooperation** between different departments in CJS or different stakeholders.

Lack of monitoring and evaluation: It is also mentioned that there should be **monitoring of judiciary** as well but there is need to change the evaluation criteria for this accountability.

Lack of innovation: They also mentioned that there is need to have **innovative solutions** for the systemic issues present at the basis of the system.



Procedural challenges

There were a variety of procedural issues that were held responsible for impact on criminal justice system. The issues of procedures often resulted in haphazard and reactive (rather than proactive) management in the system as a whole. As a result, the performance of the system is masked/deteriorated. Some of the procedural challenges mentioned in interviews included out dated procedures, lack of standards, lack of cooperation, lack of time frame and unnecessary and unjustified case delays.

Figure 25. Procedural challenges subthemes²⁴

Lack of proper guidelines: The participants reported that there is need to have proper fundamental grounds for legislation. There should be proper written SOPs for every step of case processing.

Lack of accountability: They also reported that the evaluation criteria utilized in CJS needed to be transformed based on present day needs.

²⁴ ***Outdated procedures:*** The lawyers reported that one of the primary issues that lead to other issues in CJS is the out-dated procedures, protocol, laws and legislations. They said that the system of procedures we are following is almost 100 years old.

Complication of procedures: The judges reported that as the **procedures are complicated** and lengthy and the attitude of stakeholders of CJS is also not good. This results in out of court settlements.

- Lack of transparency
 - Lack of cooperation
 - Lack of time frame
-
- Outdated procedures
 - Complications of procedures
 - Lack of standard
 - Lack of authority
 - Lack of punctuality
 - Case delays
 - Appointment criteria

Investigation issues

Investigation is the most important step of case conviction. Any issue at this stage of the case processing results in damage which is nearly impossible to eradicate at any other step of case

Lack of standards: Judges reported that in Pakistani CJS there is **lack of standards**. This results in weakening of major important aspects of CJS. For instance, the forensic evaluation department is near to non-effective due to lack of utilization of proper procedures and set standards.

Lack of authority: One of the participants also reported that in Pakistani CJS judges face lack of authority issues. There is need that judges should have access to data and reports of evidences, forensic records etc.

Lack of punctuality: They also reported that complainants and witness also don't follow time and date of hearings of trails in courts.

Case delays: personnel often put wrong date and time on FIR. This affects the case processing negatively and results in further complications.

Appointment criteria: The judges also highlighted concerns regarding the appointment procedure of our Criminal justice system. They mentioned that the criteria for appointments in CJs needed to be modified.

Lack of transparency: They also mentioned that there is lack of transparency and accuracy in court reports due to the fact that court proceedings are held in Urdu language while reports are prepared in English language. Multiple times this process reduce the originality of the statements.

Lack of cooperation: They also reported that there is limited to no coordination between the stakeholders of CJS.

Lack of time frame: It is mentioned by lawyers that the time frame of procedures being conducted by police is mentioned in legislation however the police personnel do not perform their duties effectively thus resulting in delays.

processing. The interviews from judicial stakeholders highlighted issues such as quality of investigation, presence of bribery, lack of pre investigation, issues in evidence collection, distraction of evidence, fake recovery, and lack of trust, lack of skills and lack of advance procedures. This finding is reinforced by data from crime rate and case analyses and thus high lights the dire need for improvement.

Resource Constraints

The judicial stakeholders reported that there is lack of resources for every department. The major lack of resources is in terms of technical resources, financial resources. It was also mentioned that that there are issues of resources in terms of infrastructure, technology and lack of advancements in overall system. Triangulating all the findings it may be seen here that resource constraint might be more of a resource management issue where resources are either underutilized or over used resulting wastage and shortage.

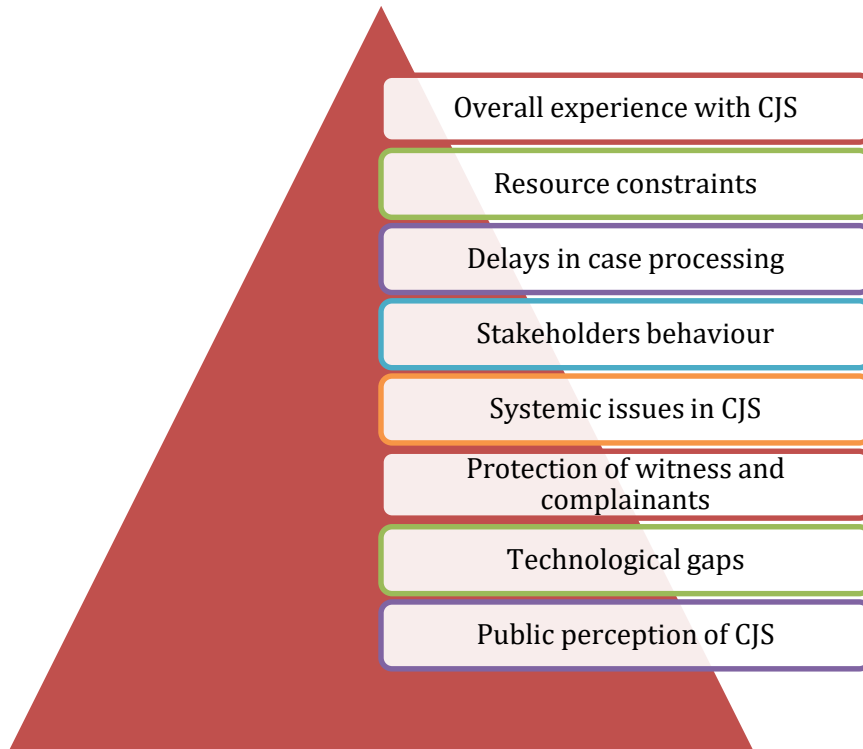
4.10 Findings from interviews of key informants- Complainants & Witnesses

A total of six interviews (3 from each) were conducted from key informants of cases of murder and robbery. Each interview took approximately 40 – 45 minutes.

During interviews one of the prominent observations was that the premises of police station influences participants reporting. However, due to technical constraints (approachability issue) all interviews were conducted with in premises of police station. To address these issue two different police stations were contacted for interviews of complainants.

The figure below highlights the major themes extracted from interviews of key informants.

Figure 26. Themes from interviews of key informants

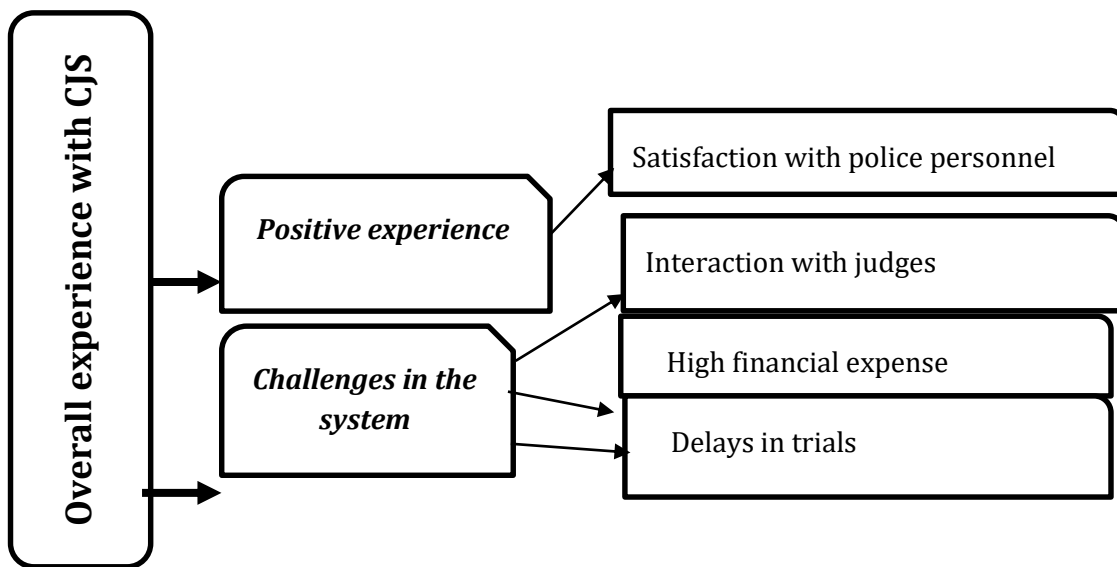


The themes emerged from the interviews of key informants highlighted various issues and concerns which resonate with other findings of this study. A brief overview of these themes, subthemes and categories is explained later in this section however, the detail of these themes, subthemes and verbatim of the participants is attached as appendix D in appendices of this document.

Overall experience with CJS

The findings from interviews with key informants indicated that general experience with the stakeholders of Pakistani CJS is considered positive and they are satisfied with their interaction with police personnel. However, they also reported certain challenges in the system such as high cost and delays in trials.

Figure 27. Overall experience subthemes and categories

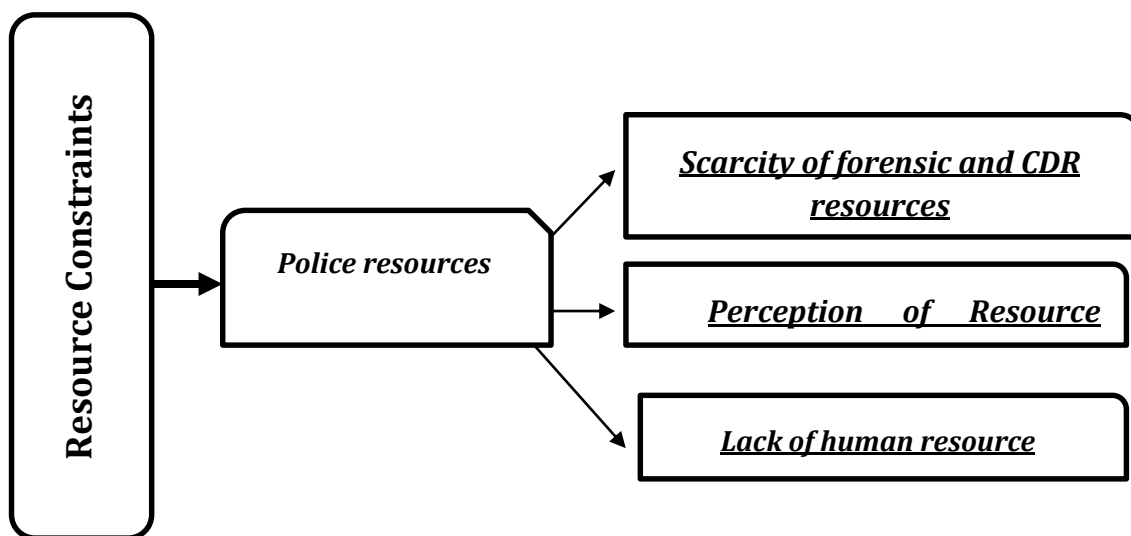


Resource Constraints

The key informants also mentioned the issues and challenges of resources within the criminal justice system. They mentioned that the most affected stakeholder is police²⁵. They also mentioned that available resources might be managed to gain maximum benefit but stakeholders are reluctant to manage the resources. These findings confirm previous themes.

Figure 28. Resource constraints subthemes and categories

²⁵ It is mentioned that in police department there is scarcity of resources such as human resource. They also mentioned that police lack forensic and CDR resources. However, there is general perception among public that they misuse the available resources.



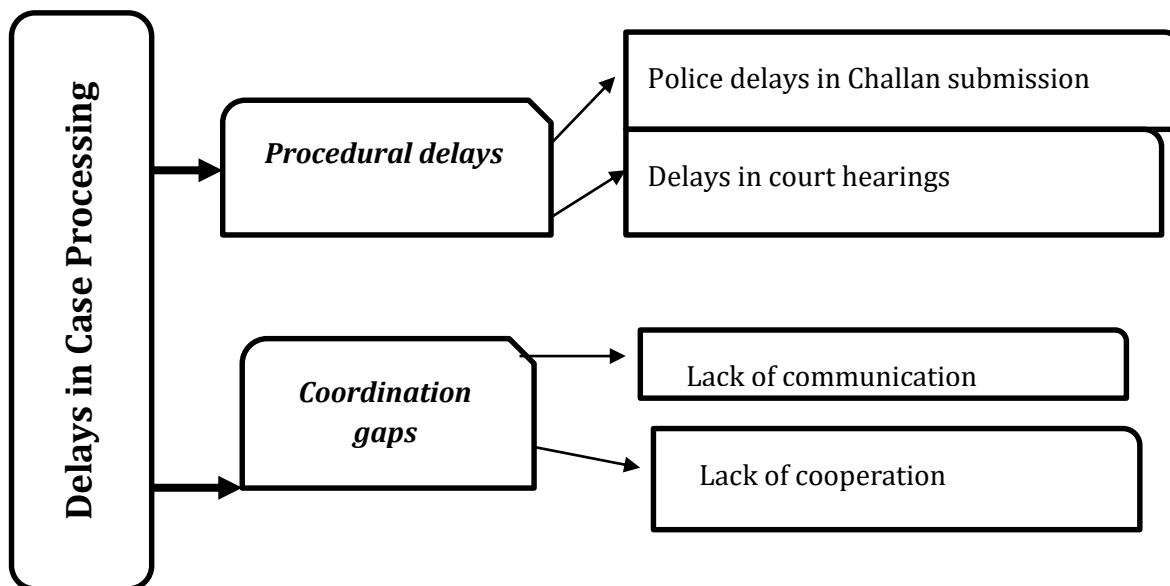
Delays in Case Processing

Delays in case processing are major reason that leads to low crime conviction. In terms of delays the participants mentioned that there were procedural delays²⁶ in Pakistani CJS. They also mentioned that there are prominent challenges of coordination²⁷ that lead to the delays in our CJS. The stakeholders also lack cooperation and coordination.

Figure 29. Delays in case processing subthemes and categories

²⁶ In terms of procedural delays the key informants mentioned that there are delays from police in challan submission. The court also delays the trails which not only influence the conviction and processing of cases but it also add to the frustration of the general public.

²⁷ There is lack of coordination, cooperation and communication among the stakeholders of CJS. All the stakeholders are working independently and perceive that they are the best



Stakeholder Behaviour

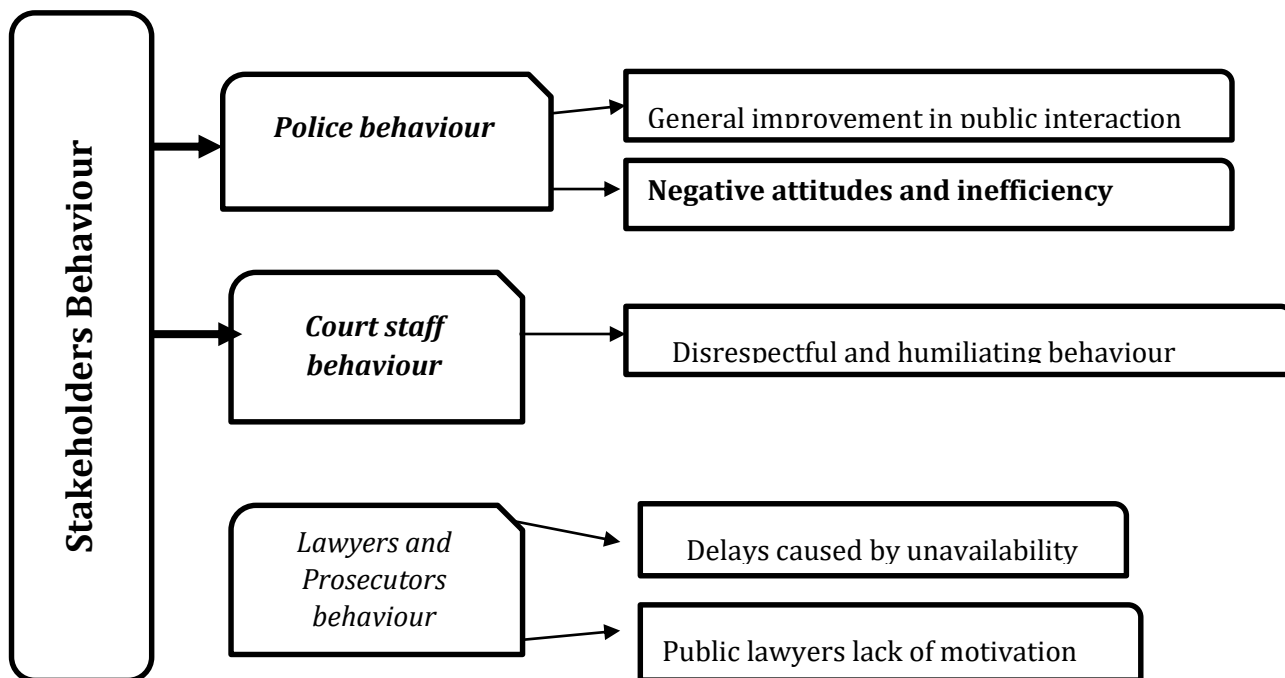
The issues of stakeholder behaviour are also highlighted by key informants. They mentioned regarding behaviour of police²⁸, judiciary²⁹ and court staff³⁰. In term of police they reported that in recent years there is little improvement in the behaviour of police personnel. They also mentioned that behaviour of court staff is worse than the judicial stakeholders of CJS.

Figure 30. Stakeholder's behaviours subthemes and categories

²⁸ The key informants mentioned that recently there is improvement in behaviours and attitudes of police personnel towards general public. The interaction of police personnel with key informants is much better as compared to past.

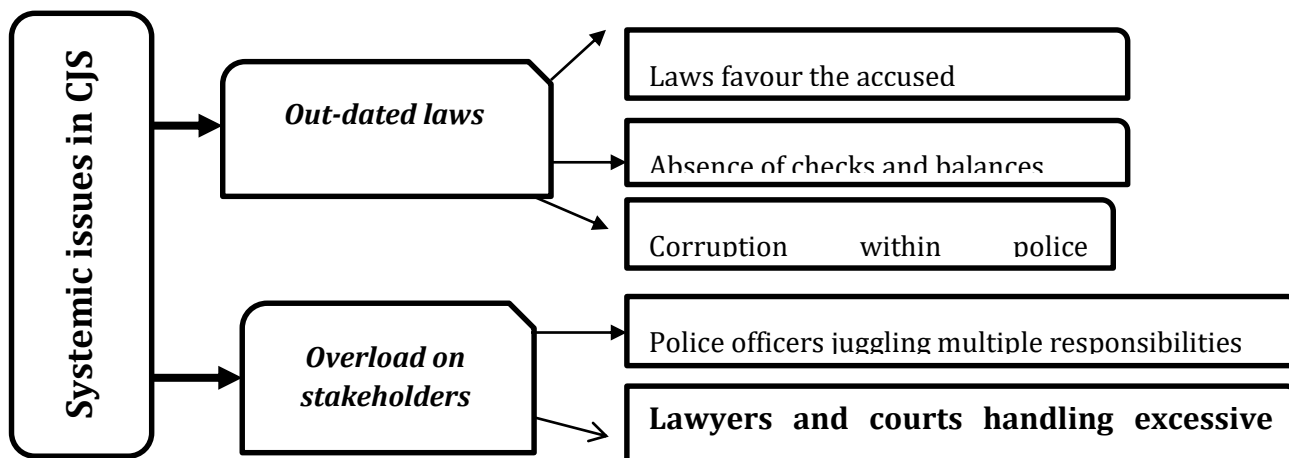
²⁹ In term of lawyers and prosecutors behaviours the key informants mentioned that they often cause delays due to their unavailability. The lack of motivation among public lawyers is also mentioned by participants

³⁰ Key informants mentioned regarding behaviour and attitudes of court staff. In this regard they reported that court staff often has negative attitudes and behaviours towards general public as well police and lawyers.



Systemic Issues in CJ

Figure 31. Systematic issues subthemes and categories



Systemic challenges results in collapsing of the overall structure. The key informants mentioned that Pakistani criminal justice system face systemic issues in terms of out-dated laws³¹, overload stakeholder³² and protection of witness and complainants.

Protection of Complainants and Witnesses

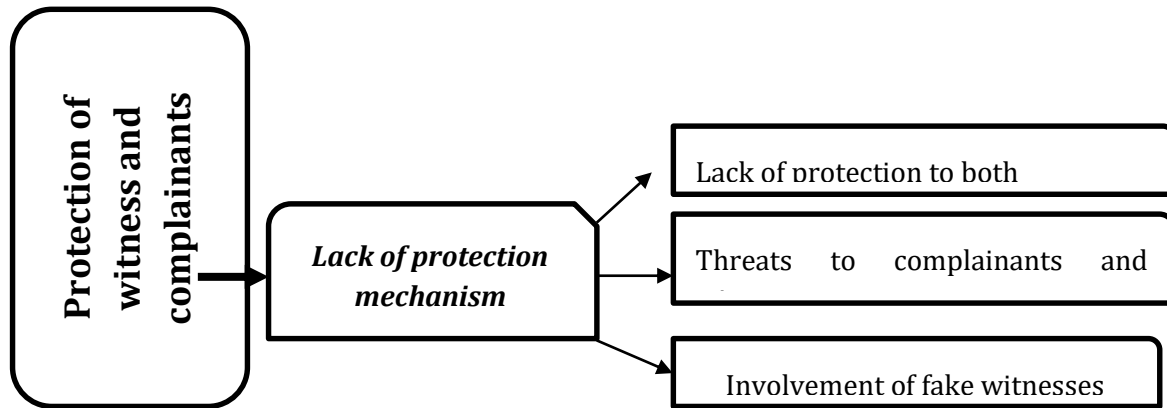
Protection from threat is a basic responsibility of CJS however; in Pakistani CJs it is compromised. The laws related to protection of witness and complainants are present but the applicability of these laws is very low. They mentioned that there is lack of protection mechanism³³ for both witness and complainants.

Figure 32. Protection of key informants subthemes and categories

³¹ The key informants mentioned that our system has laws that are more in favour of accused and there is also lack of accountability for all the stakeholders. They also mentioned that this lack of accountability results in issues such as corruption among police department.

³² The workload on the stakeholder is also an important concern mentioned by key informants. They mentioned that the stakeholders are either juggling with multiple roles and responsibilities or the judicial system is having backlog of cases.

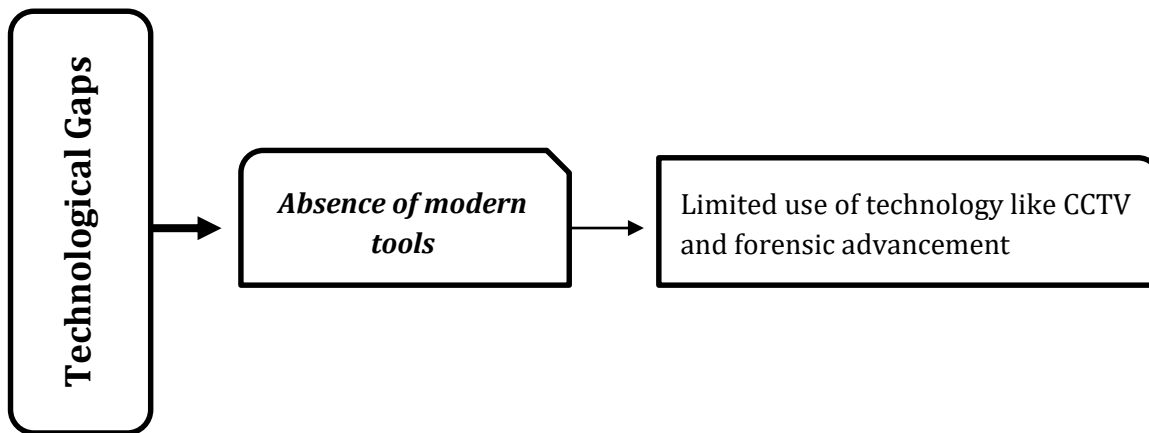
³³ In this regard they mentioned that there is lack of protection to witness and complainants along with continuous threat. As a result the witness denied being the part of case processing. This results in fabrication of evidence from police department in form of involvement of fake witness.



Technological Gaps

There are concerns highlighted in terms of absence of modern technology³⁴ in Pakistani criminal justice system.

Figure 33. Technological gaps subthemes and categories

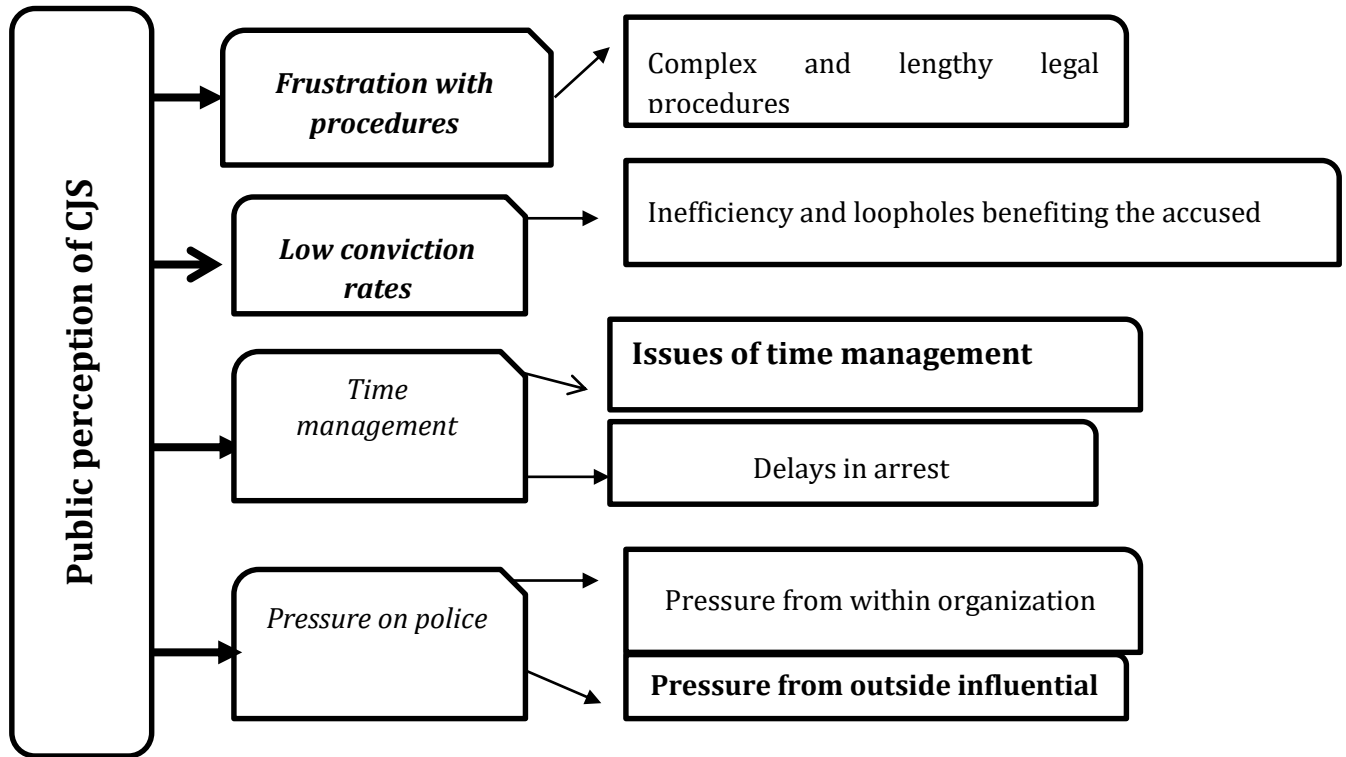


³⁴ Pakistani criminal justice system is lacking modern and up to date tools and technologies. This makes the handling of modern day crime difficult. It is also mentioned that the lack of *utilization and presence of technological advances* affect the conviction of cases a lot.

Public Perception of CJS

The public perception regarding Pakistani CJS is not positive. The key informants mentioned that this is due to frustrations from the procedures, low crime conviction rates, pressure on police and time management issues among police personnel.

Figure 34. Public perception subthemes and categories



CONCLUSION

The Pakistani criminal justice system faces critical challenges, particularly in areas where the crime rates are high but conviction rates nation wide remain alarmingly low—less than 30% for murder and under 10% for robbery over the past decade. High acquittal rates expose systemic inefficiencies, including delays in case progression, flawed documentation, investigative errors, procedural inconsistencies, and insufficient training for both investigators and prosecutors.

Case analyses revealed critical shortcomings, such as protracted investigation timelines, documentation lapses noted repeatedly by courts, and gaps in evidence collection. Investigative flaws, compounded by inadequate training of Investigating Officers (IOs) and resource constraints, exacerbate these issues, leading to irreversible damage to case outcomes.

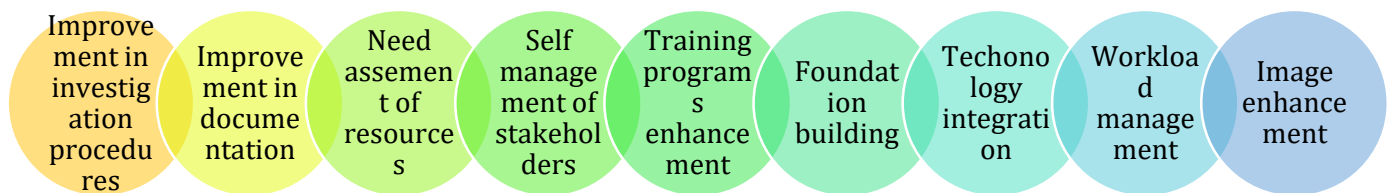
Focus group discussions identified challenges at organizational and procedural levels, as well as specific investigative and workplace issues, such as lack of accountability, outdated practices, and low morale among law enforcement personnel. Stakeholder interviews further emphasized resource limitations, gaps in technological capacity, challenges in public cooperation, and issues surrounding witness availability and protection.

The convergence of findings across multiple data sources bolsters the validity of the study through the principle of triangulation. The evidence underscores the urgent need for comprehensive reforms encompassing law enforcement, judicial processes, and correctional institutions. Insights from diverse stakeholders, including police, legal practitioners, policymakers, and community members, are critical to developing a coordinated, holistic approach to reform. Key areas of focus must include the enhanced resource allocation, modernized investigative technologies, and policy-level changes to address systemic inefficiencies at macrolevel. Strengthened training programs for Ios and prosecutors (Training in evidence collection, forensic analysis, modern investigative tools; understanding of relevant laws, case procedures, and courtroom presentation), streamlined procedures (adherence to procedural timelines, User friendly formats and simplified documentation, integration with digital technology), and measures to ensure adherence to procedural justice principles are required to be improved at micro level. Without addressing these foundational issues, the criminal justice system cannot effectively improve conviction rates or deliver justice, underscoring the need for urgent and profound reforms.

RECOMMENDATIONS/ POLICY IMPLICATIONS

The findings from case file analysis, FGDs with police personnel and interviews with all major stakeholders highlighted various aspects that needed to be modified within Pakistani criminal justice system. These recommendations not only help in improvement of crime conviction and resolving capacity constraints faced by Pakistani CJS but will also help in improving the overall effectiveness and public perception. One of the key findings was that the legislation of Pakistani criminal justice system requires amendments and modifications from gross root level. The amendments that were taken place already often focus on the macro level thus the issues at the micro level remain intact. The major recommendations extracted from the findings of case files, FGDs and interviews include:

Figure 35. Recommendations



Improvement in investigation procedures:

In terms of investigation there are a number of challenges and issues reported. These challenges are due to faulty procedures utilized by IOs and other investigation team members. Following are the major recommendations in this regard: Evidence collection method Submission of evidence for forensic evaluation Critical thinking

Gaps in documentations

To address the documentation gaps within the Pakistani CJS, it is essential to establish a standardized documentation pattern that clearly outlines the procedures and requirements for documenting various aspects of police work. This pattern should cover the recording of incidents, arrests, investigations, witness statements, evidence collection, and case progress in a systematic and organized manner.

Need assessment of resources

To strengthen the criminal justice system (CJS) in Pakistan, it is essential to address the gaps in resources that hinder its efficiency and effectiveness. The first step is to identify what resources are present and what resources are absent. It is also necessary to develop strategies to enhance the resources and their appropriate utilization.

Training of stakeholders

The training programs should cover essential skills such as systematic forensic investigation, crime scene techniques, interrogation techniques, investigation strategies, and the use of advanced investigative technologies. Specialized training should target specific departments or units such as Traffic, Police Stations, Patrolling, Counter Terrorism, and the Federal Investigation Agency, focusing on enhancing skills for handling complex cases and specialized duties. Prime importance must be given to ensuring the imparted training is effectively utilized rather than being used for promotional purposes only.

Foundation building for police personnel

It is essential to enhance the foundational skills of police officers in critical thinking, decision-making, and ethical practices, while establishing effective systems for time management, documentation, and ethics. A more indigenous approach must be employed in this regard to address the needs that would be in accordance with local policing culture.

Technology Integration

Police officers should be encouraged to use technology to stay updated on new challenges and solutions in law enforcement. By utilizing digital platforms to access real-time data, crime analysis tools, and updated strategies for legal purpose, officers can make more informed decisions when faced with complex situations. In this regard, capability of the officer needs to be expanded to use all available resources effectively.

Time management

During the focus group discussions, police officers repeatedly reported challenges related to time management. Learning to control their time and task determination would reduce the feeling of chaos. It will enable them to prioritize tasks and handle unpredictable situations without compromising their core responsibilities.

Modern Technology and Equipment

Investment in modern technology and equipment to enhance the operational capabilities of the police force is required. This may include the use of body cameras, GPS tracking systems, crime mapping tools, and other technologies to improve response times and investigative processes. Additionally, focused training programs must be designed to familiarize officers with updated policies, procedures, and technologies, emphasizing compliance and adherence to new standards.

Enhancement in the Police Image

To enhance the image of the police force in Pakistan, it is crucial to integrate the principles of procedural justice into everyday policing practices, focusing on fairness, transparency, and respect in all interactions with the public. Promote community-oriented policing approaches that emphasize building trust and collaboration between the police and the communities they serve. Encourage officers to engage with community members, address local concerns, and work together to prevent crime. (For detail on recommendations and policy implications refer to policy recommendations document attached as appendix E)

Based on the recommendations extracted from FGDs, interviews and case files a number of recommendation strategies were extracted to be implemented in a selected police station. Following is the brief overview of the strategies implemented. These include workshop on critical thinking & decision making, time management and prioritization, and self-management plan for police officers. A pretest - posttest was performed to see if the pilot tested recommendations had an impact.

PILOT TESTING OF POLICY REFORMS

A training work shop focusing on four areas of police cognitive abilities and functioning was delivered in one police station. These four aspects include critical thinking, decision making (cognitive aspects), time management and self-management (functioning aspects). The training is designed by utilizing multiple modules such as psychoeducation, case based learning, performing activities and discussion of participants. The training workshop comprises of three components: pretesting, training modules deliver and post testing. A total of 13 police personnel from different ranks and years of expertise were present during training. After pretesting 2 participants were not present during training as

there was some urgent departmental/ job duty they have to perform immediately. One participant was called during the training for an important task. Therefore, a total of 10 individuals were part of training and post testing.

Findings of Implementation

A brief overview of the ranks and years of expertise of the participants are presented in the table below.

Table 3. Demographics of participants

Sr. No.	Participant code	Rank	Years of expertise
1.	PR1	Assistant Sub inspector	18
2.	PR2	Assistant Sub inspector	22
3.	PR3	Assistant Sub inspector	18
4.	PR4	Assistant Sub inspector	10
5.	PR5	Assistant Sub Inspector	19
6.	PR6	Sub inspector	15
7.	PR7	Sub Inspector	28
8.	PR8	Sub inspector	13
9.	PR9	Sub inspector	2
10.	PR10	Head Constable	18

The participants were assessed using three quantitative assessment tools at both pretesting and post testing. These include: Critical thinking skills tool, self-management tool and perceived stress scale (PSS-10). Critical thinking skill tool consists of 10 items and is scored on 5 points Likert scale (1: lowest, 5: highest). Self-management tool is also a 10 item assessment tool and is scored on 5 points

Likert points (1: lowest, 5: highest). Perceived stress scale also consists of 10 items scored on 5 Likert points ranging from 0-4. Item 2,5,7, and 8 are reversed scored. Qualitative feedback was also taken from the participants. The qualitative feedback focuses on the participants understanding and perceived effectivity. The section below describes findings of quantitative and qualitative analysis.

Quantitative findings

The quantitative findings comprises of the descriptive findings and inferential findings. The descriptive findings comprises of measure of central tendencies (mean, median, mode, standard deviation and variance). The table below describes these for all the targeted cognitive and functional aspects in terms of critical thinking, self-management and perceived stress at both pretesting and post testing.

Table 4. Descriptive statistics of critical thinking, perceived stress and self management.

Aspect	Time of testing	Mean	Max	Min	Med	Mode	SD
Critical Thinking	T1	27.85	17	44	28.00	15	8.88
	T2	27.40	19	441	28.00	28	7.02
Perceived Stress	T1	13.85	4	32	11.00	4	8.85
	T2	13.30	1	34	11.50	10	10.43
Self-management	T1	34.00	40	15	38.00	34	9.40
	T2	33.00	12	37	34.50	36	8.28

This table indicated that the mean of critical thinking and perceived stress almost remain same at T2 in comparison to T1, however the mean of self-management decreases at T2 in comparison to T1.

The next phase of quantitative analysis is to examine the trend among participants in terms of enhancement or reduction in the targeted aspects. The table below describe the overall trend in term of frequency and percentages of participants for critical thinking, perceived stress and self-management in terms of their increase or decrease.

Table 5. Frequency and percentages of participants for critical thinking, perceived stress and self-management

Aspect	Trend	Frequency	Percentage
Critical thinking	Increase	4	40%
Perceived Stress	Decrease	4	40%
Self-Management	Increase	6	60%

This table indicated that self-management of participants is enhanced more in comparison to the critical thinking enhancement and reduction in perceived stress. The findings indicated that there is need to work on each training module independently in order to increase its affectivity. This is also indicated that the cognitive and function aspect of one of the major active ingredient of Pakistani CJS can be enhanced if proper training modules are added to the initial academic training as well as need specific training.

Qualitative Findings

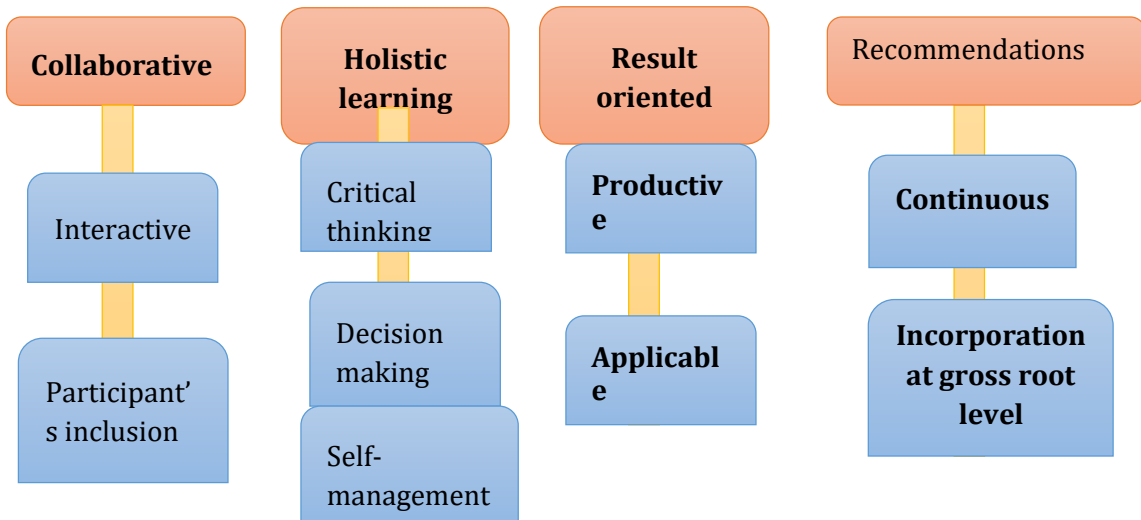
The figures below describe themes extracted from qualitative feedback of the participants. Brief detail is attached as appendix F.

Participants reported a highly positive experience with the training, which they found to be innovative, productive and engaging. Their active involvement in the activities was notable, as they expressed strong appreciation for the interactive delivery style of the session. The training successfully captured their attention and facilitated a shift in their perspectives towards key competencies, including self-management, time management, critical thinking, and decision-making. In terms of learning outcomes, participants identified marked advancements in their critical thinking, time management, self-management, and decision-making abilities. They indicated that the training empowered them to engage in thorough analysis and critical evaluation, improve time management practices, and acknowledge the significance of self-care and informed decision-making processes.

Despite the training's overall effectiveness, participants recommended extending the duration of the sessions to allow for a more in-depth exploration of the topics addressed. This extension would further enhance skill development and better equip them for their professional responsibilities. They also recommended regarding in cooperation of such training programs in their regular training

modules as well as. This all highlighted the need, applicability and affectivity of such training programs at gross root level.

Figure 36. Themes from feedback of participants



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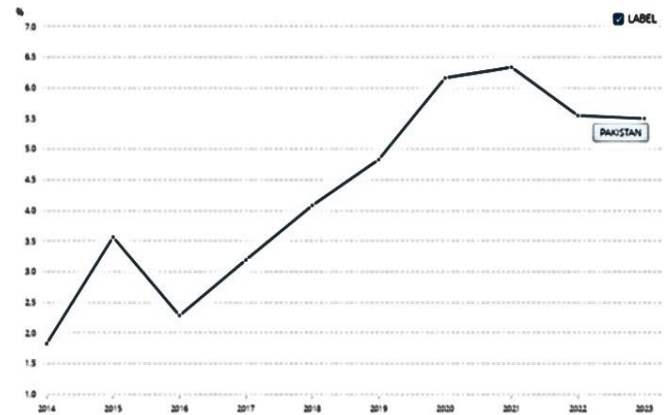
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APPENDICES

Appendix A

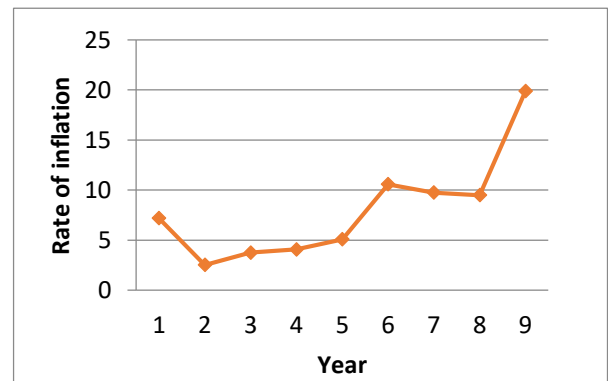
Trend analysis of crime statistics and economic indicators

One of the probable reasons of increase in crime rate is the **increase in rates of inflation**. This has been argued in a number of existing studies that the rate of inflation impacts the crime rates (Rosenfeld, 2014; Rosenfeld, 2018). Previous evidence also suggested that the economic indicators such as economic growth, unemployment rates, and business cycle plays role in crime trends (Arvanites & Defina, 2006; Bushway, 2011; Bushway et al., 2012; Chiricos, 1987; Rosenfeld & Fornango, 2007; Rosenfeld & Messner, 2013). In previous ten years

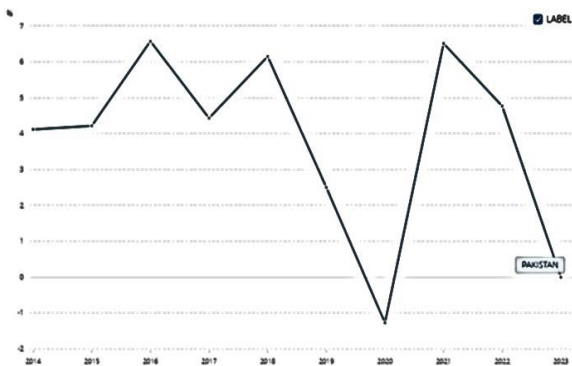


the rate of inflation in Pakistan also increased as indicated in the graph. This adds to the existing evidence that the rate of crime increases if there are disruptions in economic indicators. As one of the major economic indicators is the rate of inflation and the trends support that the increase in inflation and increase in crime are associated. Considering the evidence of relation between inflation and crime it can be concluded that increase in inflation is one of the indicator/ causes of high rates of crime in previous 10 years.

Another important economic indicator is the **rate of employment**. Existing research evidence also suggested link between unemployment and crime (Mali & Mathew, 2003). A number of different researches explored the mechanism that led from unemployment to crime. Some studies explained that employment decrease is a major contributor of crime (Todesco, 2022), others argued that the increase in all types of crimes, including offenses with no economic motivation, such as car traffic violations, suggests that psychological stress upon job loss also plays an important role (Britto et al., 2022). In Pakistan, the rates of unemployment were increasing from year



2014 to 2023. The highest percentage of unemployment is in year 2021 (6.3%). Considering the evidence from existing literature and support from the statistical data of crimes of murder and robbery and the rates of unemployment, it can be suggested that there is a link between unemployment and crime. So, it can be concluded based on the present and existing evidence that in Pakistan one reason that contributed to crime increase is the increase in the unemployment in previous decade.



Another important economic indicator is the **economic growth** of the country. A research study conducted in Pakistan concluded that crime has negative impact on economic growth in longer run. In previous decade the economic growth of the Pakistan's economy was highest in year 2021 and lowest in 2020. The economic growth of country follows the pattern of rise and fall. Considering the statistical indicators of previous decade in term of crime of murder and robbery reported and economic growth of the country in terms of GDP it can be concluded that economic growth has certain impact on the rates of crime.

Another factor that contributes to the crime rates is the **political stability**. Political unrest often results in disturbance in major institutes of a country thus affecting the social stability (Wallis & Dollery, 2001). Political disruptions impact the division of power and public resources. Breakdowns in government allows for criminal enterprises to use violence, corruption, and other means to challenge or influence state authority in the redistribution of public properties (Juska et al., 2004). Pakistan suffered from political instability from its inception and from 2014 it is aggravated. The political stability index ranges from -2.5 (weak) to 2.5 (strong). Pakistan's average value was -2.12 points. (Rauf et al., 2022). A research study conducted in Pakistan to explore the role of political instability along with other economic variables such as unemployment, inflation growth rate concluded that political stability (Shahid et al., 2023). The statistics of crimes of murder and robbery of previous decade and the political unrest in country adds to the existing evidence that political instability is one of the contributing factors of criminal activities.

Another reason highlighted in literature for crime increase is the **unfair judicial system**. When the judicial system of a country is unable to fulfill its duty effectively it results in delayed justice which has its own consequences. It was also argued that the delayed justice is one of the reasons behind

crime increase in Pakistan as impatient people took legal matters in local settings such as '*Jirgas*' and '*Panchyats*' which due to lack of evidence often make wrong decisions. These wrong decisions influence the victims negatively and they took matters in their hand and opt for revenge which led to increase in crimes (Tanvir, 2024). The rates of pending cases add up to the evidence that the judicial system of Pakistan is unable to provide justice effectively and there is a significant increase in the rates of crimes as well. Therefore, it can be concluded that the ineffectiveness of criminal justice system serves as one of the contributors to the increasing rates of crime.

The overall statistics of convicted and pending cases of robbery and murder outlines the ineffectiveness Pakistan's criminal justice system. The general statistics of crime of murder and robbery concluded that in Pakistan on average almost 15% of the reported cases of murder and almost 61% of the cases of robbery remain pending in the courts in previous decade. This adds to the fact that Pakistan's criminal justice system is put at 130th out of 139 countries by world justice project in terms of rule of law adherence in its assessment of 2021 (Sifarish & Liaqat, 2023). The high percentage of the pending cases in courts adds to the existing evidences of Pakistani justice system being slow and flawed (Asghar, 2023). These ranking and statistics not only highlight the issues in the fulfillment of purpose of criminal justice system but also contributed in development of negative public attitude towards the criminal justice system.

Another major finding from the stats of murder and robbery indicated that the rate of acquisition of cases is very high. Previous research also indicated that in Pakistani criminal justice system almost 91% of the accused were acquitted by the courts (Rajput and Rajput 2020). This high ratio of acquitted cases not only encourages the offender to become the habitual offender thus increasing the rate of crimes but also contributed to the loss of trust on justice system among general public. These high rates of acquisition indicated that there is presence of a lot of major loopholes at court which ultimately results in a low conviction rate and high acquitted cases. One of the most prominent factors that contributed to these high acquitted rates is ineffective investigation. This ineffective investigation results in damage to evidence and witness along with use of inappropriate means for case processing. The loopholes exhibited at all stakeholder level therefore it can be concluded that all major stakeholders of the criminal justice system is not working coherently and performing their roles ineffectively. As they are performing their roles ineffectively, the effectiveness of Pakistani CJS is questionable. The effectiveness of CJs also highlighted through rate of acquitted and convicted cases.

Appendix B

Detail of Findings from FGDs along with verbatim

Organizational Challenges

Organizational challenges faced by police personnel are the most prominent concern mentioned in FGDs. The major organizational challenges faced by police officers of Rawalpindi and Islamabad include: structural instability, procedural inefficiencies, resource constraints and issues of supervision and teamwork. The most highlighted concerns in terms of organizational challenges are resource constraints and structural instability. One of the prominent observations in terms of organizational challenges is that the police personnel often focused on external locus of control instead of internal locus of control. Figure below presents the major subthemes and categories of major theme of organizational challenges.

Structural Instability

In terms of structural instability, the police personnel mentioned two major concerns that contributed a lot to the conviction of crimes. These include abrupt transfers/ posting and instability in posting. The participants reported that these concerns result in structural instability with in the police department resulting in ineffectiveness of Pakistani CJS.

Abrupt Transfers: One of the major concerns highlighted is the *abrupt posting*. The police personnel reported that the major barrier towards progress of police force is *sudden or abrupt posting to another department*. Police personnel are unaware about their duration at specific department or police station. Sudden transfers affect their job performance as well as their own growth and of department. This affects the capability of an individual to maintain or run their initiative or project or any other positive change in the system. It compromises overall performance, organizational outcome, establishment and growth.

Instability in posting: Another structural issue that contributed to the overall ineffectiveness of CJS is instability of the posting procedures. There is no system or sequence in process of posting. There are no criteria for posting. They also mentioned that there is no set time period for posting. The other security organizations like military have set time period for posting. Due to that they have built themselves in 75 years. It is also highlighted that the abrupt changes and posting of IG or senior officer created a lot of hurdles and results in issues in conviction of cases. Every IG or senior officer bring and implement own policies and rule during their tenure. When the officer changes the policies

and rules will be change according to new officer. All the staff and under employed personnel will be disconnected and detracted.

Procedural inefficiencies

In addition to the structural instability the participant also highlighted concerns in terms of procedural inefficiencies. They mentioned that in terms of procedural inefficiencies the major concern is related to outdated, faulty and time-consuming procedures. They mentioned that these procedural issues affect the functioning of police officers and in turn affect the overall effectiveness of the system.

Outdated, Faulty and Time-Consuming Procedures: It is evident from the findings of FGDs that the rules and policies of Pakistani legal system are outdated and is not according to the need of time. The legal system of Pakistan lack advancement at policy making level which make the system highly ineffective. The participants said that:

“The major flaw is we are in 2024 and discussing rules and policies of 1861. We haven’t gotten out of that; we need to advance a lot of things”.

It is also highlighted that the amendments that are made in law, rules and procedures does not improve the condition of law. Police officer mentioned that:

“ہمارے افسران نے جو جدت لائی ہے، وہ 2001 یا 2002 میں وہ انہوں نے پرانے کا بھی بیرہ غرق کر دیا ہے”

Police personnel also mentioned that there are out dated procedures and method utilized by police personnel or criminal justice system as a whole. One of example of these out dated method is recovery of items or weapon. There is presence of fake recovery a lot in cases as the systems are out dated and type of evidence acceptable at court are also out dated so the police personnel create fake evidences to reduce their own workload to be able to process the case. They narrated that:

“چاہے ریکوری ڈکیتی کے کیس میں ہو یا سٹولن پراپرٹی ہو اس کی ریکوری ہو یا ہمارے ہاں قتل کے کیس میں قتل کا آلہ ہے اس کی ریکوری ہو۔۔۔۔ وہ ایک لکیر کے فقیر جو ایک طریقہ چلا آ رہا ہے نا وہ اُس ہی حساب سے ہم چل رہے ہیں - وہ یہ (ججز) کو بھی پتہ ہے کہ یہ فرضی ہے۔”

According to police officers, in current justice system, under PPC (foujdari muqadmaat) 80-90% punishment/**conviction is based on eye witness**. The court demands eye witness in most cases, specifically in murder cases. If there is no eyewitness present so in order to proceed case from their end police created fake witnesses.

Resource Constraints

The police personnel mentioned that one of the major issues in Pakistani police department is lack of resources. They are focused on this concern and mentioned issues of resources multiple times. They reported that all other issues can be managed and handled if there are enough resources in the department. According to them the lack of resources is the primary issue that led to other issues.

Logistics Shortages: The participants reported that there is **lack of logistic resources** which affect the conviction. They reported that there is huge lack of resources. They mentioned

"یہ تو ہم بڑی مشکل سے نظام چلا رہے ہیں"

The participants also reported that

"پولیس والا تو صرف اپنی نوکری بچا رہا ہے"

Transportation Issues: It is also reported that they cannot take accused through local transport due to security and safety concerns. In this aspect they have to consider the financial aspect as well. The police participants also reported that in terms of resources we don't have transport to travel for cases.

"ٹرانسپورٹ تو بالکل بھی نہیں ہے"

Lack of Human Resources: One of the major concerns highlighted in FGDs is **lack of human resources** in the department which affect the overall process of investigation and led to low rate of conviction. This affects the speed of case processing thus contributed in delays. This lack of human resources affects the confidentiality of the case. The participants mentioned that:

کچھ چیزیں ہمیں خفیہ رکھنی پڑنی ہیں ، جب نیا بندہ آتا ہے تو کیس کا بیڑہ غرق ہو جاتا ہے۔"

The police personnel also mentioned that this lack of human resource contributed to the ***lack of dedicated and experienced staff***. When due to lack of manpower the constable changes again and again it contributed to lack of security of information of case. All this contributed a lot in delays caused and case processing.

Financial Constraints: Police officers reported that, in order to fulfill cost of investigation, they took money from complainants for management. They have belief that nothing could happen without resources, improvement is not possible without resources. From the first step when a case is registered and FIR is filed there are multiple hindrances. One of the major hindrances that police officer start thinking about is how to manage the financial attributes attached to it. Police officers reported that, in order to fulfill cost of investigation, they took money from complainants for management, for which they use the word *manage*.

Lack of Support:

It is reported that there is ***lack of resources at every stage of case processing*** such as for raid, parcel submission, visits to crime scene, during investigation procedure, visits to court etc. Adequate resources are necessary to increase rate of convictions. The participants mentioned that these lack of resources results in negative alternative ways to fulfill the duties of case processing. In order to perform their responsibilities effectively the police took money from general public to fulfill their expenses. The participants mentioned

“How do you perform your duties with these resources?”

Supervision and Teamwork

Another organizational challenge in police department of Pakistan is related to supervision and teamwork. The participants mentioned regarding role of supervision and lack of team work in their department. This lack of teamwork rises concerns related to the power dynamics issue and lack of support at organizational level. This affects the police officers negatively which lead to their behavioral and functional concern. As major stakeholder of the CJS is affected and not functioning properly this rise concerns related to the effectivity of the entire CJS.

Role of Supervision: The police personnel also mentioned regarding ***role of supervision*** in case processing. Supervision is considered very helpful and effective. It brings positive changes in case. Supportive supervision affects case progress and outcome and vice versa. They reported that few officers are very supportive, helping and they appreciate others. But on the other hand, few officers detract. They stated that:

"اگر افسران اچھے ہوں تو آپکا رزلٹ 100% بہتر آ جائے گا."

They also reported that in our criminal justice system the judiciary including judges, lawyers and prosecutors have lack of supervisions regarding case processing. There is no supervision of courts regarding case convictions. They also mentioned that in judiciary there is lack of accountability as well.

Lack of Teamwork: The participants also highlighted the role of team work for effective outcome. They said that there is lack of team work and encouragement in police department. As the team works and circles are not present in police department now it results in fewer discussions between police officers. Discussion with others helps in case processing. The encouragement increases motivation, interest and dedication of police personnel.

In addition to the organizational concern that affect the system negatively along with negative impact on its agent another important area where issues can severely affect the crime conviction is criminal justice system is the investigation department. As investigation is the first step in case processing therefore issues and loopholes at this stage ca not be outdone. The participants of the FGDs also highlighted the challenges faced at the investigation level which in turn results in low rates of conviction within Pakistani CJS.

Investigative Challenges

Another major category of challenges reported by police personnel is the concerns in investigative parameters of case processing. The major challenges are related to evidence collection, time constraints and investigation workflow. As investigations is most crucial step of case processing the challenges faced by police personnel at this stage results in severe consequences. The figure below presents the summary of this theme in terms of subthemes and categories of subthemes.

Evidence Collection Issues

The most important phase in investigation- the first step of case processing is evidence collection. The participants highlighted that they face various challenges at this stage such as delay from complainants end which lead to fabrication of evidence and creation of fake evidence and witness, presence of time consuming procedures, security concerns of crime scene and documentation of evidence.

Fabrication of Evidence: The participants mentioned that delay from complainants in reporting of the incident often lead to *waste of evidence* present at the site of incident. The

police personnel also mentioned that sometime the *complainants don't cooperate* with police at all. This adds to the difficulties of police officer and also affects the case processing. They also mentioned that there are extensive delays at court level. These delays are due to lack of power of judges and lack of time frame for cases in court. They said that:

"منشی آ کے کہتا ہے کہ وکیل صاحب سپریم کورٹ گے ہوئے اس لئے آج نہیں سکتے
اور جج کی اتنی پاور نہیں ہے کے اسے بلا سکے۔"
"قتل کا چالان جمع ہو گیا ہے تو اس کی پہلی پیشی کے 3 مہینے بعد فیصلہ ہو جانا
چاہئے مگر ایسا کوئی وقت ہے ہی نہیں"

Fake Evidence Creation: The police personnel reported that even when the complainants remembered the scenario the next stage at which they face a lot of hurdle is ***the presence of witness and the availability and cooperation of the witness present***. In a lot of cases reported there is no human witness present therefore they have to create the fake witness. Although they also mentioned that the creation of fake witness affects the case very badly. Police personnel mentioned that

ہم فرضی گواہ بنا لیتے ہیں"

The police personnel also mentioned that one other reason to create ***fake witness*** is that people try to manipulate and blackmail eye witness those are present at the place of incident. It is also mentioned that most of the time their fake witness got caught in court due to contradiction of statements.

Time consuming procedures: The participants also reported that the delays in investigation are also due to ***time consuming procedure*** of asking for constable in every case. They said that as there is lack of human resource therefore requesting a new constable for investigation is required which is challenging and time consuming. During the initial time period of HIU the operational officers performed well. The cases were convicted through proper investigation. HIU officers gave quality progress due to sufficient resources provided by the IG. It is also mentioned that the end of units impacts the functioning of police department very badly. They also added that along with issues of

human resource the individuals that are present in criminal justice system do not cooperate with each other. They narrated that:

"ایڈمن ہمارا کانسٹیبل ہے وہ چاہے تو ہمیں وقت دے دے ، چاہے تو نہ دے"

Crime Scene Security Concerns: Police personnel also mentioned that there are **issues of manipulation and exaggeration** while reporting about place of incident. This exaggeration is either from the complainants or the witness. The motive behind their exaggeration is that they said their loss is huge so the opposite party also suffer from a lot whether it's only the mental pressure and lack of peace. The exaggeration and manipulation can also be added from the police officers in order to make the case more sound and valid.

Evidence Documentation Issues: As if the quality of documentation is not good the case will be delayed in court until the documentation is completed up to the mark. They said that the file cannot be submitted for trial if there are no **narrative diaries** (Zininian) are present. In order to complete these narrative dairies effectively time is required and due to workload and other factors these diaries are affected. This resulted in delays in case processing. They also mentioned that it is required to write the narrative diaries on daily basis as it is record of case processing. However, few police officers do not write zimni on daily basis, rather they write all the ziminiies at one time or at the end certain police officers. These narrative diaries are are not written properly or fake/not written at the place of incident. They also mentioned that recently the police department shifted towards the digital system. This provides the option of e- narrative diaries (e- zimnian).

Time Constraints in Investigation

The participants also reported that in investigation there is a lot of concern elated to time frame. The time frame provided for initial investigation to police department is 14 days as reported. The major concerns highlighted by police personnel are in terms of fake witness due to time constraints and case delays. They also mentioned that they are given timeframe while all other stakeholders lack timeframe for case processing. This causes a lot of delays which in turn create backlog of cases and add to the workload of all the stakeholders.

Fake Witnesses Due to Time Pressure: The police personnel mentioned that the **time duration** they are allocated for investigation of case after accused is arrested is 14-17 days. This time duration

needed to be modified as in cases of murder the lack of time results in ***fake witness and fake evidences*** more. The lack of time to investigate the case influences the quality of investigation along with the quality of documentation of cases. This influences the trail of case and results in ***delay at trail stage***. However, police officers try to fabricate the evidence related to cases of robbery more as compared to murder cases

Case Delays: In terms of **delays** the police mentioned that at first step of case processing which is once the police department is being informed about incident, there is now no delay from police department once they got call on 15. They immediately leave for the place of incident. After that the next step is FIR registration, there is no delay at end of police department. However, some of them also mentioned that the delay is present in FIR registration but it is not shown by police personnel in documents. They reported that in terms of delay a major delay occur in evidence submission for forensic evaluation which also impacts the case very badly. They said that as there is lack of financial resources in order to submit the evidence to Lahore laboratory. The first thing an IO has to figure out is who will bear the financial cost of all this. They said that sometime the delay shown on documents is less in terms of forensic evaluation of evidence however in reality the submission of evidence parcels delayed until the required amount is arranged for the visit to Lahore. It is reported that this lack of resources for evidence evaluation impact the overall quality of investigation. They said that the evidence needed to be submitting to PFSA Lahore within 72 hours of incident. Police personnel also mentioned that delays are also caused by complaints. There is lack of application from the complainants. As application is basic requirement of FIR registration therefore as they don't have application and FIR will not register. So, the police could not initiate investigation until there is an application or reporting from complainant. Police took quick action as they get informed about murder incident. Sometimes, the delay in FIR is from the complainant's end. The police personnel also reported that during investigation police officer face various issues related to accessibility of data during investigation, specifically related to technology (e.g., call records or reports). They reported that they are not having any advantage of technology. They said:

"کہنے کو تو سب کچھ ہے مگر کچھ ہے بھی نہیں۔"

Investigation Workflow

Police personnel mentioned that there are certain issues related to workflow of investigation. These include challenges in evidence collection, complainant delays and pressure for time constraints.

Challenges in Evidence Collection: They also said that the *procedures are difficult* and majority of the individual don't know the actual procedures to take assistance from technology. They narrated:

" 9 ہزار لوگوں کو تو پتہ ہی نہیں ہے طریقہ کار کیا ہے، اس لئے 3، 4 لوگوں کا ہی طریقہ کار سہی ہوتا ہے۔"

Complainant Delays: They also mentioned that *from complainants end* another issue faced by police is that due to sudden shock people could not remember the scenarios. This adds to the difficulty of police to carry out investigation. In order to build case and to carry out investigation due to time constraints they *create fake scenario*. These fake scenarios are the typical scenarios that might not cause a lot of harm according to them. Police officer said that

"ساری جیل کی کہانیاں نکل جائیں تو ہمارے ہاں قانون ٹھیک نہ ہو جائے، مگر ہمارے ہاتھ بھی تو بندھیں ہوتے ہیں۔"

Pressure for time constraints: Police personnel also mentioned regarding the pressure which affect their functioning and behavior. This impact the general image of police department among general public. They narrated:

"بہت پریشور ہوتا ہے... آپ یہ سمجھ لیں ہمارا دماغ پریشور کر رہے ہے"

Training and Development

Training of the stakeholders is major attribute to enhance and maintain the effectivity of the system. The participants from FGDs highlighted that there are variety of issues related to the training and development that affect the stakeholders. This results in lack of competence of the stakeholders thus results in low crime conviction. This is the major capacity issue that impacts the system. The major concern highlighted in FGDs include: outdated training programs and lack of competency in training. Figure below presents the major subthemes and categories of major theme of training and development issues.

Outdated Training Programs

The police personnel mentioned that the training programs provided to them is outdated and lack modern day need. The major issues highlighted by them in this aspect include: outdated training

material, overburden of training, training not aligned with modern needs and disengagement with training programs from police personnel.

Outdated Training Materials: In training aspect, they further added that those providing trainings also ***lack practical experience and exposure***. This also affects the quality and effectiveness of these training programs. There is a huge gap existed in trainings provided and reality existed in our criminal justice system. The trainers are unaware of the ground realities that exist in our CJS. They narrated

"ٹریننگ سنٹر میں جو پڑھاتے ہیں وہ اصل سے بہت مختلف ہے۔"

They also mentioned that the training modules are out dated. There is a need to enhance these training modules in order to meet the need of modern day. The up-to-date training is required because there are new and unique cases every day.

Overburden of Training: They also mentioned that due to ***problematic procedures*** police personnel don't attend training. The trainings are being conducted such as training for conducting proper investigation and how to write daily narrative diaries. However, the police personnel do not attend such trainings as their salary got deducted during courses, so it's difficult to manage.

Police officer reported that courses are helpful. In addition to that the mentioned that refresher courses, need to be meant for refreshing the police officers. Officers should be relaxed from pending work and other tasks and responsibilities that they left behind. Purpose of refresher courses is to refresh mind, learn new things and observe new knowledge. However, these are just adding to the frustration of police officer and affect their functioning. This also adds to the existing long list of tasks that police officer needed to be performed.

Disengagement with Training Programs: In ***terms of training***, it is highlighted that basic training is provided to all police personnel. In addition to this basic training there are some specific courses as well. It is also mentioned that there are workshops and training like 1 day or 2 days workshops. Most of officer doesn't attend willingly due to resources. They narrated that

"کدھر پٹرول لگا کے جائیں گے، یا گاڑی نہیں ہو گی۔"

In general police officers are offered two types of courses including beneficiary courses and routine courses. These **training are only considered as a step for incentives**. They don't take it seriously and don't work on their development. They narrated:

"ہمارے افسران اس لئے کورسز کرتے ہیں، انہیں TAT ملتا ہے۔"

Training Not Aligned with Modern Needs: Another aspect that they mentioned regarding training is that these **trainings are out dated** and is not according to present day need. Trainings should be upgraded and meet the modern world challenges. There should be computerized courses as well. Similarly, finalized cases or completed cases should be used in training and courses for learning purpose. Other than training the evaluation of already completed cases are very helpful for learning and critical thinking in resolving new cases.

While discussing about trainings of police officers, a participant said that

"ٹریننگ کا فائدہ نہ ہمیں ہو رہا نہ عوام کو، شارٹ سی بات ہے۔"

Lack of Competency in Training

The police personnel also highlighted that in addition of being outdated training modules the modules lack competency and effectiveness. The major issues in this regard include having unqualified trainers and detachment from ground realities.

Unqualified Trainers: They said that there is **need that experienced and skilful trainer should train** the police personnel. The trainers are often hired for training on basis of personal preferences and contacts. They narrated:

"جب تک میرٹ نہیں ہو گا تب تک کچھ اچھا نہیں ہو گا۔"

Detachment from Ground Realities: They also highlighted the need to have training programs related to self-management and enhancement of their overall wellbeing. They said that

"اپنا دن بہتر بنانے کے لئے بس ذہنی طور پر خود کو بہتر بنانے کی کوشش کرنا ضروری ہے۔"

They also mentioned that there is a *huge gap in term of training* at gross rote level such as training of constable and training of first respondent. This lack of training is evident in their inability to preserve the crime scene and evidence collection. They said:

"! نہیں پتہ ہی نہیں ہے مجھے کیا چیزیں اٹھانی ہیں"

They said that it is necessary to have *capacity building trainings* at level of constable and sub constable. The police officers also mentioned that the incompetence of police officers also play an important role. They said that even with experience of 10 years they cannot say a certain police officer is competent. One of the reasons is that the nature of job is uncertain but this incompetency is increasing and creating huge disaster due to the reason is that department is not providing refresher courses. There is high need of refresher courses. They further mentioned that the issues of competency are more prevalent at higher level They said:

"جن کو انوسٹیگیشن کی الف ب بھی نہیں آتی وہ بھی لگے ہوئے ہیں"

The police personnel focus on need of improvement in department by focusing on aspects that does not require financial resources. They said that the workload needed to be managed so they are able to work more effectively. As a result, the conviction of cases can be enhanced.

Personal and Workplace Challenges

As police officer is the main ingredient of the police organization there are certain personal and workplace issues that impact the capacity of the police department along with the rates of crime conviction in criminal justice system of Pakistan. The findings from FGDs reported that in terms of workplace and personal challenges there are workload and stress concerns, issues of coping mechanism utilized by police personnel in stressful situations and issues of motivation within the department of police. Figure below presents the major subthemes and categories of major theme of personal and workplace challenges.

Workload and Stress

The participants mentioned a lot in FGDs regarding the workload and the stress caused by the workload among police personnel. The findings from FGDs highlighted concerns related to overburdened duty hours, workload stress and time management issues.

Overburdened Duty Hours: The police personnel also reported that along with workload the *duty hours* of police officer are very hectic. The workload of police officer and IO is very huge. This impact their functioning and effectively. As a result, cases are affected. This is major contributor to the outcome of cases and their conviction. They narrated that

"ایک بندے کے پاس اتنے کیسز ہیں کہ بکسہ بڑھا پڑا ہے، روزانہ بھی اگر ایک کیس کو دیکھیں تو 3 مہینے لگ جاتے ہیں اگلے کیس کی باری آنے میں "

Workload Stress: The police personnel reported that at *personal level there are difficulties* that impact their work and behaviour. The workload is extensive which not only affect their functioning but also their health. One of police personnel narrated

"میں 3-4 دن سے نہیں سویا ، گھنٹہ آدھا گھنٹہ اسی طرح سوتا ہوں ۔ "

Time Management Issues: There is *large number of cases* under one IO. Along with large number of cases there is large number of random tasks. These tasks came haphazardly and thus police officers are unable to have proper day scheduling. This also adds to the faulty time management and results in delay from police officers. They mentioned that unexpected task from senior officer's results in delay of day-to-day tasks and also add to the frustration of police officers. They narrated that

"سب چیزیں اور لوڈ لے کر پھر بھی ہم چل رہے ہوتے ہیں"

Coping Mechanisms

The participants mentioned negative coping mechanism such as negative behaviours with the general public along with the disillusionment of their roles and responsibilities.

Negative Coping Mechanisms: They also reported that their **behaviour with general public** also impact them. The reported that the way they treat other people influence their mood and functioning. They also reported that it is not applied to all police personnel that they have bad behaviour with general public. The way of treating people varies individual to individual. But there is general perception about police officer that results in their negative image. They said that:

"جس لمحے ہم کسی سے صلح رحمی ، پیار، حسن سلوک، اخلاق سے بات کرتے ہیں۔۔۔
اپنے اطمینان کی بات ہے ۔ وہ لمحہ کیا پورا دن اطمینان میں گزرتا ہے۔"

Disillusionment with Role and Responsibilities: The police personnel added that one other reason of ineffectiveness of police department in conviction of cases is due to power dynamics that exist in the department. They narrated that:

"سب کو یہی ہے کہ ہمارے اختیارات ختم ہو گئے ہیں۔"

They also mentioned that there is lack of independence in police department as well. They also mentioned that the judges have lack of power in front of lawyers. They narrated that:

"ملزم کے وکیل کو پابند کرنے نہیں ہے"

The police personnel also added that previously the document of recovery was made at police station instead of the place of recovery. However, according to law this document needed to be prepared at the place of recovery. Now days there are monitoring regarding this and police personnel are questioned regarding this. As a result, they are present and prepared the draft at place of recovery rather than at police station.

Police personnel also said that there are certain other factors that influence police personnel work. Sometime the public perception about police department affects the behavior of public and results in delays at various stages of case processing. The perception of public regarding police and criminal justice system as whole influence the cooperation of complaints, witness and accused with all stakeholders at various stages. This lack of cooperation results in a lot of issues. They narrated:

مسائل کی انتہا ہے

Motivational Issues

The police personnel being the active ingredient of criminal justice system have personal concerns in terms of motivational issues. The motivational issues among police personnel are due to lack of recognition and appreciation, impact of supervision and lack of career progression as reported by the participants of FGDs.

Lack of Recognition and Appreciation: The police personnel also mentioned that there is ***lack of appreciation and encouragement*** a lot in department of police that also affect the functioning of officers. When police officers are not appreciated, they cause delays in case processing and thus the conviction of cases got affected. They reported that there is no appreciation in police department.

Impact of Supervision on Motivation: The participants also reported that ***support from IG*** also plays an important role in convictions. The participants mentioned that convictions increases when the IG support his team. They also mentioned that continuous and repetitive changes of leadership also influence the effectiveness of those working under their supervision. They said that it is needed that new policies from senior police officers often implemented after coordination with other departments (including judges and prosecution), those are implemented and monitored by bureau.

Lack of Career Progression: In terms of ***being motivated in this job*** for long duration of time the participants mentioned that there are certain positive aspects of this job such as the purpose of this job. The purpose to serve for humanity and protect society makes the police personnel dedicated, responsible and passionate. In mentioning the negative side of police job, they highlighted that the problems faced by police personnel and their needs often remain unaddressed. They narrated:

"ہم پر توجہ ہی نہیں دیتے"

The police personnel mentioned that in police department the major issue that results in ineffectiveness of police department is ***lack of competency*** among police officers. The police officers are inexperienced and incompetent and they are given promotions on important ranks. These promotions are just based on favouritism. This resulted in allocation of incompetent and inexperienced individual on important position. For example, currently most of the HIU officers

are not course qualified for HIU, because they haven't gotten the training for HIU. They narrated that

"There should be right man for the right job".

There is also lack of **competency in forensic department** as well. They also mentioned that in order to have competency experience is the key.

Procedural and Legal Concerns

Another theme that emerged from the findings of FGDs is the procedural and legal concerns. In this regard the issues include gaps in judicial system and legal and procedural gaps.

Gaps in Judicial System

In terms of gaps in judicial system the participants of FGDs reported that in Pakistani courts there is lack of accountability along with delays from the prosecutor's end. They also reported that police personnel often face discrimination and humiliation in courts.

Lack of Accountability in Courts: They also reported that police department have less accountability of resources as well. For example, the locaters are present but there is no use of these locaters as there is no skilled individual to utilized these locaters.

Role of Prosecutors in Delays: The participants mentioned regarding **role of prosecutors** in crime conviction. They reported that prosecutors are not fulfilling their responsibilities effectively. They mentioned that

"پراسیکیوٹر شہادت خراب کر دیتے ہیں"

They are mostly absent on trails and they don't provide guidance to the police during the whole process of case investigation. They also reported that if they are present in trails they are just there to show their presence and do not perform the activities that are needed to be perform by them. The participant reported

"پراسیکیوٹر کھڑے بھی ہو تو بولتے نہیں ہیں"

The participants also reported that the prosecutor doesn't provide guidance and there is extensive lack of cooperation from prosecutors. The participants mentioned

"جب شہادت کے لئے جاتے ہیں تو وہاں پراسیکیوٹر کا کام ہماری امداد ہوتا ہے جب کہ وہ وکیلوں کے ساتھ مل جاتی ہے"

The participants also reported that instead of being cooperative with police officers the prosecutors are just present and make things difficult for us. It is also reported by the participants that before development of separate prosecution department things are better. The police personnel mentioned

"پراسیکیوٹر اصل میں ہمارے مخالف ہوتے ہیں۔ اصل میں پہلے ہمارے پاس لیگل ڈپارٹمنٹ ہوتا تھا وہ اب ہم سے لے کر پراسیکیوشن ڈپارٹمنٹ الگ بنا دیا گیا ہے۔۔۔ اور اس کا بھی ہمیں نقصان ہو رہا ہے"

They said that our criminal justice system has very weak prosecution. They said:

"ہماری پراسیکیوشن بہت کمزور ہے۔"

They also mentioned that prosecutors also don't play role in witness handling and protection. They narrated:

"گواہ کو تیار نہیں کرتے۔۔۔ یہ اُن کا کام ہے مگر نہیں کرتے"

Discrimination and Humiliation Faced in Courts: The police personnel also mentioned regarding the issues faced by them at courts which affect their functioning and case. One of the major issues they mentioned is that police officers face extreme humiliating behavior from judiciary system. The reported that they are treated with humiliation in courts. They narrated

"بغیر ثبوت کے کہتے ہیں۔۔۔ اس نے پیسے لئے ہیں۔"

They also reported that lawyers deal them with humiliation and don't respect police officers at all. They stated that

"ہم اگر ایک لفظ بھی آگے سے بولیں تو 50 ہزار وکیل وہاں پر اکھٹے ہو جاتے ہیں کہ بدتمیزی کی ہے مارنے کے لئے آجاتے ہیں"

The police personnel also mentioned that judges also deal with police personnel in bad way. They humiliate the police officers whenever they visited court. They narrated that

"یہ بے عزتی مائینس کر دیں تو نوکری بہتر ہو جائے گی، بہت بہتر ہو جائے گی۔"

They mentioned that this humiliation affects their behaviour specifically with the general public. Their behaviours with general public become this negative due to facing extreme humiliation from senior officers and in the court. They narrated that

"ہم جج سے بے عزت ہو کر یا کسی سنئیر آفیسر سے بے عزت ہو کے آئینگے تو آپ کیا سمجھتے ہیں کسی بندے کے ساتھ خوش اخلاقی سے پیش آئینگے۔"

They also reported that police personnel face **discrimination in court**. The mentioned that when police officers visit to court they they have to wait for so long for the file work. The mentioned that in courts police officers are the last one to be entertained. The police personnel reported that for instance their visit time is 8'0 clock in the morning and they have to wait till 4'0 clock in the evening³. This all affect the time management of case processing as well. If this issue of discrimination is addressed the time management of cases and workload of police personnel will be enhanced. They said that the judiciary don't value the time of police officers. They also highlighted that this inappropriate behavior with police officers is due to weakness and loopholes with in the police department. They stated that the judiciary as major stakeholder of criminal justice system does not support other stakeholders. They also mentioned that they face discrimination within police department as well. They mentioned that government or department is not fairly treating them. The department is taking funds, payments etc. but they provide adequate resources.

Legal and Procedural Gaps

In terms of legal and procedural gaps the police personnel who took part in FGDs highlighted that there is a lot of procedural challenges in case processing, lack of awareness of legal procedures and issues in digitalization of documents.

Procedural Challenges in Case Processing: The police personnel also mentioned that our police department is utilizing faulty procedure and method to carry out investigation. The methods utilized by our police department to investigate cases are not effective. There is lack of updating in methods of investigation with time. Police personnel are using out dated methods. In contradiction another police officer said that the quality of investigation is good but the problem arises due to lack

of resources. Such as during investigation access to data is difficult. The said that now a days there is more delays during investigation of cases. They said that previously when police department is provided with sufficient resources there is less delay in investigation and cases. They stated that

"2015 میں ہمارے کیسز لیٹ نہیں ہوتے تھے کیونکہ ہمیں وسائل ملتے تھے"

Lack of Awareness of Legal Procedures: While discussing about the major causes of low crime conviction they highlighted various major aspects. This includes agreement between both parties either by giving or taking money. In such cases people don't file and precede their case². They narrated:

"قتل کے کیس میں زیادہ مک مکاؤ ہوتا ہے"

They also mentioned that when accused don't get punished from court, people take revenge on their own, which ultimately increase murder rate³. Moreover, it has been reported that the justice system is very expensive³. People can't afford justice system. They narrated:

"امیر بندہ ہے تو وہ کیس کے لئے وکیل بھی اچھا کرے گا، وہ خود بھی آتا رہے گا، تاریخوں پر بھی آتا رہے گا، وہ پولیس کو بھہ پیسے دے گا، وہ عدالتوں کو بھی پیسے دے گا، جج کو بھی خریدے گا، وہ وکیل کو بھی مینج کر لے گا اور دوسری پارٹی کو راضی نامہ کے لئے بھی پیسے دے گا"

"لوگ کیس کی پیروی کرنا اس لئے بھی چھوڑ دیتے ہیں کہ غریب ہوتے ہیں، اُن کے لئے پیسے مینج کرنا بھی۔۔۔ تو وہ پیسے لے کر راضی نامہ کر لیتے ہیں"

So, if the complainants don't proceed case and the police and prosecution cannot do anything. In serious cases such as rape and murder the conviction is very low. Most of times cases goes pending for so many years.

They further mentioned that most of people do not proceed their case due to financial expenses³ and injustice in system. They narrated:

"یہاں قانون نام کی کوئی چیز نہیں ہے"

Issues in Digital Transition of Documentation: They also reported that the documentation of case also have a lot of gaps which results in delays. One of the reasons of these gaps is the incompetency of police officers. Another important reason is the hustle due to lesser time duration. A police officer shared his opinion by saying that, older system was good. Now computerized system is used to save the data, which not well. They department initialized online system but that lack detailed record.

The police personnel also reported that there is lack of standardized procedure for documentation or maintain the case files. They also mentioned that the arrangement of case file disturbed in court. They also reported that in courts the files or document got misplaced. The misplaced document affects the entire case processing

Appendix C

Findings from interviews of judicial stakeholders along with verbatim

Capacity challenges

It is reported that Pakistani criminal justice system is facing **severe capacity challenges**. These capacity challenges include a smaller number of all the major stakeholders, lack of skill at level of each stakeholder, lack of regular training or up to date training of the stakeholders and issues at the academia level in the academic training of these stakeholders. The participants from judicial stakeholders also reported that the lack of personal, moral and ethical trainings is also present among the stakeholders of CJS. There is need to have effective education system with proper training for ethical values. They said that:

"سرکاری ملازمین میں **ethical values** اور **moral** کی بہت کمی ہے"

"ہماری بہت ہو گئی ہیں"

Workload: In terms of workload it is mentioned that the Pakistani judicial system is overburdened as a whole. This affects the effectiveness and functioning of CJS resulting in delayed or no justice for

the victims. They also reported that Pakistani CJS is very slow system. This also affects the trust of general public on CJS along with the issues of conviction in country. It is said that:

"گواہ اکتا جاتا ہے ---- گواہ اور مدعی لمبے عرصے کے ساتھ exit لے جاتے ہیں"

The members of interviews from judiciary also mentioned that the judges and courts are also **overburdened**. They reported that in Pakistan there are huge gaps between judges to case ration. As a result there is delay of justice for general public.

"لوگوں کو انصاف ٹائم پر نہیں ملتا"

"Barrier to justice is courts are overburdened"

They also reported that one factor that majorly affects the functioning of CJS is the **workload of IO**. They said that in our CJS the IO is much overburdened due to the variety of task assigned to him. This variety of task is due to the lack of proper departments within the police. It is said that:

"ہر چیز تو اس نے ہی کرنی ہے"

In addition to deal with the cases the IOs also have multiple other tasks and duties to fulfill. The role and responsibilities of IOs are so dispersed and scattered that they are not able to fulfill their basic responsibility. They said that various duties and responsibilities of police officer make them so occupied. This comprise of various law and order duties such as duties during cricket matches, protest and religious sermons. It is narrated that:

" IO کے پاس سینکڑوں کی تعداد میں مٹل جو ہیں ، ریکارڈ جو ہیں زیر التواء ہیں۔۔۔ آخر وہ انسان ہیں "

The participants also mentioned that one thing that contributed a lot to the workload is that there is lack of evaluation system for cases as well. It is narrated that:

" Case بنتا ہے یا نہیں بنتا ہم ہر چیز عدالت میں بھیجتے ہیں "

Lack of competency: The participants of interview from judicial stakeholders highlighted the issue of competency, skill and training among all major stakeholders of CJS. They reported that the stakeholders are not trained enough to handle the case processing. They reported that in term of training there is need for constant efforts and improvements. They also reported that there is a lack

of accountability as well. It is also mentioned that there is need to have collaborative trainings for police and prosecutors especially because their cooperation is necessary. It is said that:

“Training is required where police and prosecutors got collaborative training

Issues of prosecution: They participants reported that in our system we have an independent running prosecution branch but they are unable to take cases effectively. They lack skills to handle their roles and responsibilities effectively. They also reported that the prosecutors lack control to stop weak evidence in cases and also those cases having poor investigation. The prosecutors needed to hold the cases effectively and reduce the involvement of third part in case processing.

They also reported that there is lack of supervision and accountability for prosecutors. There is no proper check and balance when it comes to prosecutors.

It is reported that there is presence of unnecessary adjustment request from the prosecutor side. As the prosecutor don't do their responsibilities and are not fully prepared for the case they took the request of complainants and accused as way of escaping. They said that:

”یہ کہتے ہیں کبھی پارٹی ڈیٹ مانگ رہی ہے، کبھی وکیل ڈیٹ مانگ رہے ہیں، اگر یہ ٹائم پر آئیں کورٹ میں تو کیس چلے نا“

They mentioned that the original model on which the department of prosecution was developed is actually not implementing in our system. In the basic model the role of prosecutors starts at the very initial stage and should facilitate the IOs at every stage of case processing. However in reality the prosecutors got involve after challan submission. It is said that:

”میں سمجھتا ہوں کہ جو *from the very first day* پروسیکیوشن کو involve ہونا چاہیے اور *accordingly* جو *evidence* بنتی ہے وہ اپنی نگرانی میں اُس کو *collect* کروانی چاہیے --- اس سے بہتری آئی گی *cases* میں“

The participants mentioned that the prosecution department is facing a lot of difficulties which results in ineffectiveness of the CJS. There is lack of resources such as the prosecutors lack offices, books, lack of access to website and lack of practical training. They prosecutors reported that the prosecution department of Pakistani CJS lack power to discard and dismissed any necessary, inappropriate and failed case.

Issues of forensic evaluation: While talking regarding capacity challenges in judicial system they mentioned that the major issue is the issues of forensic facilities present within the judicial system. Another issue is the workload that leads to lack of interest. This is also attributed due to the issues in salaries.

Training issues

The judicial stakeholders highlighted that the training of stakeholder is a major concern that is present in Pakistani CJS. They reported that in terms of training there are issues related to quality of training, lack of self-management training and lack of overall training. Figure below outline brief overview of the major subthemes in this aspect.

Quality of trainings: In training aspect it is highlighted that **training of stakeholder** is present but the quality and depth of this training is very low. There is a lot more training required by stakeholders which needed to be add in the training modules of stakeholders of CJS.

جتنی ہے اس سے بہت بہت تھوڑی ٹریننگ ہوتی ہے "

Lack of self-management training: The participants mentioned that one of the major areas that is often neglected in our criminal justice system is the self-management training for the stakeholders. This area is not given importance at policy level therefore nobody is putting any effort for this. It is said that:

"بہت کم ایسی ٹریننگ کو اہمیت دی جاتی ہے"

Lack of training: It was mentioned that there is lack of training for all stakeholders of Pakistani CJS. They also highlighted that training might be present up to some extent but it lack application in real world setting. It is narrated that:

"Training کی ہمارے پاس کافی کمی ہے "

In terms of training they also mentioned that even the induction training of prosecutors is delayed. It is narrate that:

"2011, 2012 کے induction training ابھی ہو رہی ہے "

In term of training it is also mentioned that there is hug lack of training for all the stakeholders. None of the stakeholder is having accurate and effective training. It is said that:

"Training ہوتی ہے صرف دو seminar کرا کے"

They also said that judiciary training is needed to be enhanced at both academic and practical level. It also included educating judiciary regarding utilization of present day advancements such as AI.

They also mentioned that trainings that are present on different other aspects are not effective. There is need to develop effective training modules. They also mentioned that there is need to take smaller steps to effectively enhance the system. It is said that:

"چھوٹے چھوٹے چیلینجز پر کام کرنا ضروری ہے"

It is reported that IOs are lacking in term of training. They said that the training needed to be enhanced especially in terms of forensic sciences/ aspects of case processing. The police should also be aware regarding laws and legal procedures as mentioned in the book. It is highlighted that there is dire need to educate the IOs and investigation staff regarding effective evidence collection methods. They also highlighted that the individuals involved in evidence collection and securing the evidence. The police is not utilizing the advanced tools for securing the sample. It is said that:

"وہ sample جمع ہی نہیں کراتے... دو دو تین تین مہینے پڑا رہتا ہے sample --- یہ properly collect ہی نہیں کرتے"

Issues in system

The judicial stakeholder's highlighted concerns related to **loopholes in system**. They mentioned that these loopholes might not be creating a lot of issues and struggles for stakeholders however the wrong use and interpretation of these loopholes is major concern. No system in the world is perfect; every system has its own loopholes. The wrong interpretation of these loopholes in our culture results in major issues. In terms of systemic issues the participants highlighted concerns such as high cost, lack of cooperation, lack of monitoring and evaluation, lack of innovation, lack of proper guidelines and lack of focus on prevention. The figure below highlighted the major concerns reported by participant in this regard.

High cost: It was mentioned that the Pakistan's criminal justice system is a high cost system. The financial burden among the complainants and all other parties is very high. This results in avoidance from the general public to be involved in our CJS. It is said that:

“People avoid or do not take initiatives due to high cost”

Culture of fake witness : The participants reported the presence of **culture of fake witness** in Pakistani CJS. They reported that this culture raises severe concerns regarding the credibility of witness. They said that:

“There are huge concerns of quality of the witness and in our system there is huge lack of independent witness”

Lack of culture of oral testimony: The judicial stakeholders reported that one of the major reasons that make our conviction low is the **lack of culture of oral testimony** in our CJS. They said that our system should increase other mean of testimony as well.

Lack of focus on prevention: The participants reported that in our society/ country there is very **less focus towards the prevention of crime**. The more focus is on bringing every matter in police stations and courts. However, there is need to introduce the concept prevention and conflict resolution outside of the court. It is said that there is need to introduce alternative dispute resolution. The laws of probation and parole need to be exercised in our country with its core. This help in reducing the burden on criminal justice system as whole. They also said that there is need to divert the resources available in different direction. It is said that:

“Petrol of police require more resources as compared to use of camera”

They said that if Pakistani CJS **utilize the probation and parole rules** and regulations help in reducing burden on jails. They said that our jails are crowded with accused and criminals.

“جیلوں میں بہت رش ہے”

They also reported that there is need to **develop dispute resolution departments** in our CHJS. The judges also reported that there is need to have proper system that identify or evaluate that which cases are required or needed to be trail in court.

Lack of cooperation: They also reported that there is **lack of cooperation** between different departments in CJS or different stakeholders. It is reported that especially police and prosecutors needed to understand the importance of cooperation between the stakeholders of CJS. They said that this cooperation can be enhanced through utilization of technology. They reported that different

stakeholders of CJS work independently and avoid cooperation, which results in undermined affectivity of CJs. It is said that:

"پولیس آفیسر اپنے اندر یہ احساس رکھتا ہے کہ وہ طاقت ور ہے، پراسیکیوٹر اپنی اہمیت جتاتے، جج کہتا ہے میں تو سب ہی سے بڑا ہوں۔۔۔ تینوں آپس میں بیٹھتے نہیں ہیں"

"IO, انوسٹیگیشن ایجنسی، پراسیکیوشن اور جج بھی یہ تینوں اپنے آپ کو بادشاہ تصور کرتے ہیں"

One other participant mentioned that:

"جو COOPERATION ہونی چاہیے وہ نہیں ہے"

It is also mentioned that there is need to add this in policy that the stakeholders must meet after certain time duration. This help in enhancing the cooperation between stakeholders. They can also discuss the progress of different stakeholders. It is said that:

"They should have a meet up to share the issues, problems and hurdles during on-going cases"

It is also mentioned that there is lack of cooperation between the stakeholders. They also mentioned that in Pakistani CJS there is lack of flexibility in the system. The system imposes a lot of restrictions to its stakeholders. It is said that:

"ہماری force کہیں جگیوں پر فیصلہ لینا بھی چاہتی ہے تو سسٹم کی وجہ سے نہیں لیتے"

Lack of monitoring and evaluation: It is also mentioned that there should be **monitoring of judiciary** as well but there is need to change the evaluation criteria for this accountability. They also mentioned that in Pakistani CJS the role of monitoring bodies is not very effective. It is said that:

"Focus on quality not quantity in terms of cases"

"They further mentioned that there is need to have an effective monitoring system. It is said that:
جب کسی کی شکایت آتی ہے تو اُس سے پوچھا جاتا ہے۔ **otherwise** ایک
regular system ہونا چاہیئے۔ وہ سسٹم کے تحت **monitoring** ہونی
چاہیئے وہ نہیں ہے"

They highlighted concerns related to monitoring and evaluation in CJS. They said that the evaluation criteria for prosecutors needed to be enhanced. One way to enhance its efficiency is to have assessment based promotions. It is said that:

Prosecution "evaluation present but not very good"

It is mentioned that there is lack of cooperation from investigation officers with lawyers and prosecutors. They also reported that in Pakistani CJS there is huge trend of presence of fake witness. This effects the overall quality of the other evidence as well. They also mentioned that in our CJS the safety of victim is hanging with a thread. The prosecution and police both failed their responsibility of providing safety to the victim.

Lack of innovation: They also mentioned that there is need to have **innovative solutions** for the systemic issues present at the basis of the system. There is need to revise whole justice system not only adding the amendments.

They said that it is needed to decriminalization of system. They said that the amendments of the system are not effective because there is lack of comprehensive system for these. They said that:

"Funnel وہی ہے تو وہ صرف chok ہوتی ہے، بہتر نہیں ہوتی"

It is also said that:

"کرمینل ٹرانلز کے لئے legislation کے پورے نظام کو redo کریں"

Lack of proper guidelines: The participants reported that there is need to have proper fundamental grounds for legislation. There should be proper written SOPs for every step of case processing. It is narrated that these SPOs should be taught to all the stakeholders and especially judiciary. It is said that:

"ہمارے سسٹم میں بہت زیادہ ہیں اس کو کرنا چاہیے"

"There should be manual for judges"

They further added that there is need to modify the already available guidelines and SPOs and make them more specific. There is need to develop specific guidelines for each stakeholder at every step and stage.

Lack of accountability: They also reported that the evaluation criteria utilized in CJS needed to be transformed based on present day needs. They also said that judiciary needed to increase the cooperation level with other stakeholders and also the general public.

Legal procedure amendments: They also mentioned that there is need to elaborate the clauses present in law. The clauses present in law are often vague and unclear. It is narrated that:

"تم نے prosecution کی مدد کرنی ہے ، اب یہ پتہ نہیں مدد کیا چیز ، مدد کیسے ،
کس stage پر مدد کیسے ہوں گی "

This article needed to be modified---

They also mentioned that there should be checklists specified to each type of the crime. This checklist is comprised of the different type of document and evidence required for the case. This help in self-evaluation of police personnel regarding the quality of documentation present.

They also mentioned that the amendments and changes done in the policy often lack the basis from the original data of our Pakistani CJS. They said that there is need to reform the policies based on the data of our own criminal justice system. It is said that:

**گورنمنٹ sector میں data کو analyse کرنے والے ہی نہیں ہیں -- تو وہ data جمع
ہو کر تھیلیوں سے الماری اور الماری سے کمروں میں بند ہو جاتا ہے -- but nobody
has expertise to analyse the dat.. When data were analysed than
policy will be reformulated"**

They also mentioned that there is need to develop proper format for legal documentation . It is said that:

"مثال کے طور پر اگر کسی پولیس آفیسر کو ریمانڈ حاصل کرنا تو application لکھنے کا طریقہ کار وہ کہی لکھا ہوا ہونا چاہیئے"۔

Pressure on stakeholders

In a collectivistic culture like Pakistan society have major influence on its member. In an organization like criminal justice system there is huge societal pressure on its stakeholders. The participants also reported that there is pressure on stakeholders and the most important is the societal pressure on stakeholders.

Societal pressure: Judges reported that in cases of murder and robbery the challenges are due to the **societal impact**. They reported that our society influence the procedures of CJS negatively. They also reported that they also influence the quality of case by affecting the major steps of case processing. For instance, the witness is the major evidence in such cases but the witnesses are often non cooperative and are very restricted. They also reported that the evidence are often restarted by the general public.

They also mentioned that there is presence of a lot of pressure on all stake holder but it is more evident among police personnel. It is said that:

"پولیس پر اپنا boss بھی influence ڈالتا ہے ، سیاستدان بھی influence کرتا ہے ، اس کو اس کے معاشی حالات بھی influence کرتے ... اس کا تو بہت ہی بُرا حال ہے"

After police department this pressure is more prevalent among prosecutors.

Issues related to witness

Witness is an important component of case processing therefore issues related to witness affects the overall case processing. In terms issues related to witness there are concerns such as independence of witness, protection of witness and lack of protection.

Independence of witness: While mentioning regarding independence of witness it is reported that in our CJS the witness independence is very limited. This also affects the case processing.

Protection of witness: It is reported that the **protection of witness** act is present in our CJS however its implication is very low. This made the availability and cooperation of witness not very easy. It is said that:

“Being witness is not an easy choice here”

Lack of protection: They also reported that there is severe lack of witness protection in Pakistani CJs. They have life threat along with the fact that large time duration and delays of CJs is considered as waste of time by witness.

“گواہوں کو اپنا خطرہ پڑا ہوتا ہے۔۔۔ اور وہ سمجھتے ہم اپنا وقت کیوں ضائع کریں”

They also mentioned that witness protection acts are present in law but none of the stakeholder is implementing these or exercising their power to implement witness protection laws. It is said that:

“IO should know about witness protection act, actually all stakeholders should effectively implement or use witness protection act”

Procedural challenges

There is variety of procedural issues that impact criminal justice system. The issues of procedures often result in haphazard in the system as a whole. As a result the impact of the system is masked. Some of the procedural challenges mentioned in interviews include out dated procedure, lack of standards, and lack of cooperation, lack of time frame and case delays.

Outdated procedures: The lawyers reported that one of the primary issues that lead to other issues in CJS is the out-dated procedures, protocol, laws and legislations. They said that the system of procedures we are following is almost 100 years old. We only try to polish the upper stones of our CJs but neglect the basis and still utilizing the systems without any profound changes in the basis. They said that we are utilizing the system developed by British government almost 100 years back even the developer of this system have completely change the system in their countries but we are still stuck at the old system.

“اگر یہ اتنا اچھا ہوتا جن انگریزوں نے ہمارے لئے بنایا وہ اپنے لئے بھی utilize کرتے”

Complication of procedures: The judges reported that as the **procedures are complicated** and lengthy and the attitude of stakeholders of CJS is also not good. This results in out of court settlements. They narrated that:

"لیگل ایشو سے نکلنے کے لئے وہ باہر ہی **settlement** کر لیتے"

They also reported that in most of the robbery cases people try to settle cases outside of the court as there is lengthy trails and procedures present. It is narrated that:

"Complainants change their statements and settle with giving and taking money

Lack of standards: Judges reported that in Pakistani CJS there is **lack of standards**. This results in weakening of major important aspects of CJS. For instance, the forensic evaluation department is near to non-effective due to lack of utilization of proper procedures and set standards. This lead to the weakness of evidence especially in cases of murder and robbery.

They also said that there is need to develop standard writing procedures in terms of court report writing. For instance there is need to develop proper analysis of reason with specific court orders.

Lack of authority: One of the participants also reported that in Pakistani CJS judges face lack of authority issues. There is need that judges should have access to data and reports of evidences, forensic records etc.

Lack of punctuality: They also reported that complainants and witness also don't follow time and date of hearings of trails in courts. They said:

"سب ڈیٹ پر نہیں آتے ، کبھی کوئی نہیں آ رہا کبھی کوئی"

Case delays: personnel often put wrong date and time on FIR. This affects the case processing negatively and results in further complications. It is said that:

"Police put wrong date and time on FIR"

The participants also mentioned that the delays at different stages by police personnel affect the overall case very badly.

Appointment criteria: The judges also highlighted concerns regarding the appointment procedure of our Criminal justice system. They mentioned that the criteria for appointments in CJs needed to be modified. The lack of solid criteria for appointment of judiciary is major concern that affects the CJS severely. It is said that:

" ہم competent, efficient بندے کو ڈھونڈ ہی نہیں پا رہے۔۔ ہم اُس آدمی کے حوالے پورا سسٹم کر دیتے ہیں جس کی memory اچھی ہوتی ہے۔ جس کو 11 section یاد ہیں، 5 قوانین یاد ہیں، سپریم کورٹ نے کس کیس میں کونسا فیصلہ کیا ہے یاد ہے۔۔ وہ جج بن جاتا ہے۔"

Lack of transparency: They also mentioned that there is lack of transparency and accuracy in court reports due to the fact that court proceedings are held in Urdu language while reports are prepared in English language. Multiple times this process reduce the originality of the statements. It is said that:

"ٹائم بہت زیادہ خرچ ہوتا ہے۔۔ اور بولنے والا کچھ بولتا۔۔ سننے والے نے کیا translate کیا۔۔ translator کو کیا سمجھ میں آیا اور جج صاحب نے کیا لکھوایا۔۔ بولا کچھ تھا لکھوا کچھ دیا۔۔ جب بات صحیح نہیں آئے گی تو فیصلہ کیا ہو گا"

Lack of cooperation: They also reported that there is limited to no coordination between the stakeholders of CJS. They said that:

"دیکھیں coordination کے نظام سے بھی مطمئن نہیں ہوں۔۔ ہم نے online system start کیا پروسیکیوشن میں FIR کو دیکھنے کا چالان کو scrutinize کرنے کا اور sent to court کا۔۔ اسی طرح judiciary نے اپنا ایک system start کیا، اسی طرح پولیس نے بھی online FIR درج کرنی شروع کی، لیکن ہر ایک اپنے اپنے level پر ہے۔"

Lack of time frame It is mentioned by lawyers that the time frame of procedures being conducted by police is mentioned in legislation however the police personnel do not perform their duties effectively thus resulting in delays. They also mentioned that these delays from police are due to number of different factors including the presence of corruption, pressure and burden of work on police personnel. It affects the case conviction and processing.

Investigation issues

Investigation is the most important step of case conviction. Any issue at this stage of the case processing results in damage which is nearly impossible to eradicate at any other step of case processing. The interviews from judicial stakeholders highlighted issues such as quality of investigation, presence of bribery, lack of pre investigation, issues in evidence collection, distraction of evidence, fake recovery, and lack of trust, lack of skills and lack of advance procedures.

Lack of pre investigation: The participants also mentioned that in our system of investigation there is lack of pre investigation. The presence of pre investigation procedures before the FIR registration help in evaluating the cases thus control the burden of cases in our criminal justice system. This enhances the affectivity of the CJS. One other advantage of this is that it helps to build trust regarding CJS in general public. It is narrated that:

"FIA کے اندر جیسے pre investigation کرتے تاکہ نہ بی بی بے گناہ پھنسے نہ بی سسٹم کا نقصان ہو"

Quality of investigation: The judges also reported that the quality of investigation is very poor. The investigation quality in our system is very compromised. They said that it is needed that the investigation quality of both the police and prosecutor needed to be improved.

Presence of bribery: The lawyers reported that the major reasons of issues in investigation include bribery on top, lack of sharpness and smartness or disinterest and accessibility to resources and technology. They also added that the criminal justice system as whole require betterment. It is said that:

"بہتری کی تو گنجائش ہے"

The participants also reported that the presence of bribery is the major issue. This is not the issue that is hidden but is present very openly in the criminal justice system. It is stated that:

Openly کہتی ہیں کورٹ کا عملہ کہ ہمیں چائے پانی پلا دیں

Evidence collection challenges: The judges reported that the **evidence collection techniques** utilized by Pakistani CJS stakeholder is out dated. They reported that the evidence collection in Pakistani CJs is beyond any reasonable doubt very week. With the passage and need of time the

techniques are not updated. This affects the case and results in low crime conviction. It is reported that:

" Evidence ضائع ہو جاتا ہے "

Lower down of the evidence: In term of evidence it is mentioned that there is need to highlight the understanding of stake holders regarding **lower down of the evidence**. The dimensions of lowering down of evidence do not mean to lower the quality of evidence. For example, if eye witness is not present or not available there are alternative methods on which any case processing depends in term of evidence such as CCTV footage, forensic evidences in terms of foot prints, finger print impression.

Distraction of evidence: It is mentioned that in Pakistani CJs there is **distraction of evidence** as well. This is more prominent in term of witness. They narrated that in many cases it is mentioned that witness after one or two hearings in court is now having contradictory remarks regarding case. It is said that:

"بہت دفعہ یہ کہتے ہیں کہ گواہ بیٹھ گیا ہے"

Fake recovery: They reported that one other issue from police personnel is the **presence of fake recovery** especially in cases of robbery and murder. In term of robbery, it is often the recovery of robbed accessories and in murder cases this is recovery of weapons. They also mentioned that sometime the recovery is genuine but the delay in recovery or delay in the evaluation of recovered material affect the case negatively. It is said that:

"بے شک وہ ریکوری صحیح ہو، لیکن delay کی وجہ سے ... ملزم فائدہ اٹھا جاتے ہیں"

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Lack of trust: The participants mentioned that one of the biggest issues that is present in our CJs is compromise between the parties due to lack of trust on the system. They also mentioned that one of the reasons of this is the attitude of the stakeholders of CJS with general public. It is said that:

IO, prosecution -- صاحب لوگ ہیں --

Lack of crime scene protection: The participants also reported that crime scene protection procedures quality is very weak in Pakistani CJS. There is lack of protection of crime scenes in our country. It is said that:

"بہت دفعہ کرائم سین تباہ ہو جاتا ہے"

"کرائم سین پروٹیکشن میں ہم بہت weak ہیں، انتہائی درجے کے weak ہیں"

Lack of skills: The participants reported that the investigation officers in Pakistani CJS lack skills and accurate knowledge regarding investigation and its accurate procedures. They reported that this lack of knowledge and skill is also due to the loopholes in the training. They are not provided with the accurate training. The training modules lack enhancement and practicality according to present day needs. It is said that:

"ہمارے investigation officer جو بھرتی ہوئے ہیں ان کی education میں law نہیں ہے -- BS, CS میں کہاں investigation procedure سکھائے جاتے ہیں"

One participant said that:

" investigation کی الف ، ب نہیں آتی انہیں"

Lack of advance procedures: They mentioned that that our investigation department lack advanced procedures of evidence collection. It is narrated that:

"ہماری پولیس بس روایتی انداز سے investigation کرتی ہے"

Resource Constraints

The judicial stakeholders reported that there is lack of resources for every department. The major lack of resources is in terms of technical resources, financial resources. The prosecutors also mentioned that there are issues of resources in terms of infrastructure, technology and lack of advancements in overall system. It is stated that:

"complainants کیوں نہیں link نہیں ہو رہا nadra سے"

"عدالت ہماری بہت پیچھے ہے"

"Infrastructure بہت weak ہے"

"IT میں بہت پیچھے ہیں"

The participants of interviews reported issues in management of resources, availability of human resource and availability of technological resource.

Management of resources: They mentioned that resources are somehow present however the utilization of these resources in right direction is not present. It is said that:

"resources ٹھیک ہیں۔۔۔ priorities تبدیل کرنی ہیں"

In terms of mentioning regarding the resources available in criminal justice system they said that there is enough resources present. However different stakeholders of CJS do not know how to utilize these resources in right direction. The issue is lack of funds and resources management. It is said that:

"ٹیم کو budget preparation نہیں آتی ، اُس کو بجٹ management نہیں آتی"

Lack of technological resource: They also reported that there is need to bridge the gaps present in our system. One of the ways to bridge this gap is to **utilize technology** at various stages of the case processing. There is need to educate the stakeholder regarding utilization of technological tools in case processing. There is need to develop software's necessary for case processing. They also reported that this gap is also due to the lack of resources. They also mentioned that even if the technological resources are present, they don't utilize the available resources well. For instance, the use of camera at crime scene. It is said that:

"ہمارے ہاں resources ہی نہیں ہوتے"

"Budget is very low"

Lack of human resource: In terms of lack of human resource the judicial stakeholders said that one of the major capacity issues is the lack of human resources among stakeholders of CJS. They also reported that there **is lack of availability of lawyers** especially for criminal cases.

They said that the ineffectiveness of Pakistani CJS is due to issues and flaws in all major stakeholders. In police department there is lack of human resource. This results in excessive workload of IOs. They said that the recent separation of the investigation department is not very effective. It is said that:

"صرف کاغذوں کی حد تک investigation الگ ہے"

Reasons of low crime conviction

While mentioning regarding the reasons of low crime conviction specifically the participants highlighted following major Concern:

- Ineffective investigation of cases from IO
- Lack of proper procedures
- Lack in witness protection act implementation
- Lack of joint training on cooperation between stakeholders
- Lack of proper written specific procedures for various stages of case processing
- Lengthy and time consuming procedures
- Lack of utilization of technological advancement

In terms of mentioning regarding causes of low crime conviction they mentioned that one of the biggest reasons of is compromise from complainants. It is said that:

"صلح ہو جاتی ہے"

The reason for this compromise is that there is a lot of systemic issues present in Pakistani CJS. It is said that:

"سسٹم کے اندر distraction بہت زیادہ ہے، اس کو کم ہونا چاہیے"

The prosecutors mentioned that one of the biggest reasons of low crime conviction in our country is that the police which are the first pillar of case processing is politicized. There is

presence of a lot of corruption and bribery in investigation units of police department. They also mentioned that there is a lot complexity of the system as well. It is said that:

“We are only stick to the frame and is not concerned – regarding the outcome of that frame that is the conviction of cases”

Recommendation

It is recommended that there is need to develop specific guidelines for each department. There is also need to keep the complexity of these guidelines needed to be kept in accordance to understanding level of the agent of that department. They narrated that:

”مجھے ایسا لگتا ہے کہ قانون کے sections میں لکھا ہوا ہے تو وہ بالکل درست بات ہے لیکن ہمارا جو سردار type کا افسر ہوتا ہے وہ تو افسر ہوتا ہے اور وہ جب appoint ہوتا ہے تو perception سے ہوتا ہے کہ اب مجھے سب کچھ آتا ہے اور وہ کتاب کو بار بار نہیں پڑھتا، میرے خیال میں جو بھی کسی department کا IO, prosecutor ہو یا magistrate ہو تو ان department کے جو immediate heads ان کو simplified language میں guideline بنانے کی ضرورت ہے۔ کس stage پر کیا کس کام کو کیسے کرنا ہے۔ جو کہ ہمارے ہاں lack کرتا ہے

Behaviour of stakeholders

Behaviour of police: The lawyers reported that the attitude and behaviour of police with general public and even with other stakeholder is very bad and negative. It is said that:

”پولیس کا رویہ ٹھیک نہیں ہے۔۔۔ oye کہہ کر بلاتے ہیں۔۔۔ پولیس کا رویہ انتہائی خراب ہے، انتہائی خراب ہے میں تیسری دفعہ کہتا ہو انتہائی خراب ہے“

Appendix D

Findings from interviews of key informants along with verbatim

Overall experience with CJS

The findings from interviews with key informants indicated that general experience with the stakeholders of Pakistani CJS is considered positive and they are satisfied with their interaction with police personnel. However, they also reported certain challenges in the system such as high cost and delays in trails.

Positive experiences

Both complainants and witness narrated positive overall experience with the criminal justice system of Pakistan. There is reluctance to talk about police interaction in comparison to other stakeholders of CJS.

Satisfaction with police personnel: The key informants consistently reported a positive ***overall experience with criminal justice system***. Specifically, they highlighted favourable interactions with police personnel, with all participants expressing satisfaction regarding their engagement with police personnel. They narrated that:

"کوئی پریشراز نہیں کیا ، کوئی سختی نہیں کی"

Interaction with judges: The participants mentioned a general positive experience ***with judges***. They reported that judges are typically cooperative with the general public, emphasizing a favorable level of interaction and support during case proceedings. They narrated that:

"جج نے بڑا کوپرٹ کیا ہے"

Challenges in the system

The complainants and witnesses narrated that there are certain challenges in the system that results in ineffectiveness of the system. This also contributed to low trust among the general public. The two major challenges they mentioned are related to high financial cost and delays in trails of courts.

High financial expense: In terms of financial cost, key informants narrated that financial expense in our CJs is very high. They reported that even the lawyers' fees are very high and they demand quite

handsome amount of money to carry out a case. This is also a major hurdle for general public of a developing country like Pakistan. It is mentioned that:

"میں نے وکیلوں کو 5 لاکھ فیس دی ہے"

Delays in trails: In this regard participants mentioned minor issues within Pakistani CJS. It is mentioned that there are some **issues in the system of court**. They noted that addressing these systemic issues would improve the effectiveness of criminal justice system for general public as well as police personnel. One of the primary concerns highlighted was frequent delays in trail, attributed to the substantial workload faced by judges. These delays were reported to affect the overall case processing by causing procedural inefficiencies within the system. They narrated:

"ویسے تو کسی قسم کا پریشر نہیں، ہیومن ہیں تو تھوڑا بہت مسئلہ ہو ہی جاتا ہے"

Resource Constraints

The key informants also mentioned regarding the issues and challenges of resources within the criminal justice system. They mentioned that the most affected stakeholder is police. They also mentioned that available resources might be managed to gain maximum benefit but stakeholders are reluctant to manage the resources.

Police Resources

It is mentioned that in police department there is scarcity of resources. They also mentioned that police lack forensic and CDR resources. However, there is general perception among public that they misuse the available resources. They also highlighted concerns regarding lack of human resource in police department.

Scarcity of forensic and CDR resources: The key informants mentioned that there is need to **enhance the resources** especially for police department. They mentioned that the police struggle a lot due to **non-availability of resources**. They mentioned that police department have very scarce resources in terms of **forensic and call detail record (CDR)**. It is also reported that the delay in forensic evaluation is major issue in most of murder cases. This issue is also result of capacity constraints within the police department as well as the forensic department. They mentioned that the advances in technologies benefit the police department less. For example they have to wait long for CDRs from the telecommunication authorities even when they have done their part well and on time. They narrated that:

"اگر پولیس ڈپارٹمنٹ کو CDR's اور forensic دے دیں تو زیادہ بہتر ہے"

"ان کو access دینی چاہیے"

"نہ ان کو پٹرول ملتا ، نہ لاہور آئے جانے کا کرایہ ملتا ان کے بقول"

Perception of Resource Misuse: The perception regarding the availability of resources among key informants varies. One participant said that the issue is not with the availability of resources. There are resources present. However the stakeholders of criminal justice system are not utilizing these resources for desired purpose. The participant narrated:

"سب کے پاس ہر چیز ہے ، پولیس کے پاس بھی عدالتوں کے پاس بھی"

Lack of human resource: There is *lack of human resource* with in various teams of police department. The different teams assigned to different type of crimes face significant human resource constraints that negatively affect their functioning, efficiency and performance. This results in delays in case handling and also affects the processing and conviction of cases. They explained:

"ان کی ٹیم میں کتنے ہی لوگ ہیں"

Delays in Case Processing

Delays in case processing are major reason that leads to low crime conviction. In terms of delays the participants mentioned that there are procedural delays in Pakistani CJS. They also mentioned that there are prominent challenges of coordination that lead to the delays in our CJS. The key informants mentioned that police do not submit challan in given time frame and court also delay trails. The stakeholders also lack cooperation and coordination.

Procedural Delays

In terms of procedural delays the key informants mentioned that there are delays from police in challan submission. The court also delays the trails which not only influence the conviction and processing of cases but it also add to the frustration of the general public. This frustration led to the negative image of police in society.

Police delays in challan submissions: The key informant reported that there are delays and laziness from police end as well. Police presented challan in courts after a long duration which impact

the duration of trial and also the quality of the trial. The conviction of cases is largely impacted by such significant delays at important stages of case processing such as challan submission. They said that:

"4 ماہ چالان پیش کرنے میں لگ کئے ادھر جو تفتیشی تھے"

Delays in court hearings: In terms of court it is also mentioned that even at the day of trial there is *a lot of delays and laziness from court staff and even judges*. They often summon the complainants and witness for trial and there is long time gaps between their time of summon and trial / hearing timings. They also mentioned that in some cases the trial even don't happen at the same day. One of the complainants narrated that:

"مجھے صبح آٹھ بجے کال کر کے بلا لیتے تھے مگر میں شام تک باہر تھلے پر بیٹھا رہتا تھا"

Coordination Gaps

There is lack of coordination, cooperation and communication among the stakeholders of CJS. All the stakeholders are working independently and perceive that they are the best. However, in order to increase the effectively of the system there is need that the stakeholders cooperate and coordinate.

Lack of communication among stakeholders (police, lawyers, courts): There is lack of cooperation between stakeholders and their cooperation with key informants (complainants and witness) as well. The participants said that:

"کورٹ اپنا کام الگ کر رہی ، وکیل اپنا اور پولیس اپنا"

Lack of cooperation: The *lack of coordination* among stakeholders of criminal justice system especially police department and lawyers or prosecutors is highlighted by key informants. They mentioned that there is little to no coordination among these two major stakeholders resulting in negative impact to overall case processing. It is also stated that different stakeholders especially police and lawyers which have to handle most of the case processing lack coordination. They don't even try to discuss the major aspects of case. They narrated:

"آگے سارا کام وکیل کا ہوتا ہے اور یہ لوگ کبھی کبھار loop میں لیتے ہیں"

"نہیں کرتے یہ بات چیت آپس میں کیس کے متعلق، میرے سامنے تو کبھی نہیں کی،
اکیلے میں ہوتی ہو تو پتہ نہیں"

Stakeholder Behaviour

The issues of stakeholder behaviour are also highlighted by key informants. They mentioned regarding behaviour of police, judiciary and court staff. In term of police they reported that in recent years there is little improvement in the behaviour of police personnel. They also mentioned that behaviour of court staff is more complicated than the judicial stakeholders of CJS.

Police Behaviour

The key informants mentioned that recently there is improvement in behaviours and attitudes of police personnel towards general public. The interaction of police personnel with key informants is much better as compared to past.

General improvement in public interaction: The participants noted that ***police personnel behaviour*** is generally positive. Police personnel interact with the general public in respectful and professional manner. They reported that in recent times police personnel demonstrated improved handling of general public interaction. They narrated:

"بلا وجہ تنگ نہیں کرتے"

Negative attitudes and inefficiency: The participants reported that there is need to modify the attitude of police personnel especially in term of their workload. They said that their attitudes towards work are not positive. It is reported that even when the workload is not high their attitude towards general public is negative. It is said that:

"پولیس بزی اتنی ہوتی ہے باقی کاموں میں اگر بزی نہ بھی ہوں تو اپنے آپ کو بنا لیتے
ہیں"

Court Staff Behaviour

Key informants mentioned regarding behaviour and attitudes of court staff. In this regard they reported that court staff often has negative attitudes and behaviours towards general public as well police and lawyers.

Disrespectful and humiliating treatment: The participants reported that the *behaviour of court employees* towards general public, complainants, witness and even with police officer is often unsatisfactory. They often treat individuals in disrespectful manner, with instances of humiliation being mentioned. It is expressed:

"صبح بلا لیتے تھے اور بس ذلیل کرتے تھے بٹھا بٹھا کر"

Lawyers' and Prosecutors' Behaviour

In term of lawyers and prosecutors behaviours the key informants mentioned that they often cause delays due to their unavailability. As the financial cost of lawyers is very high so if someone wanted to hire public lawyer lack of motivation present mostly among public lawyers. They don't show for trails and affect the case processing.

Delays caused by unavailability: The participants expressed that they think that the performance of lawyers and prosecutors is generally adequate however there are significant *delays* attributed to their actions. They ask the key informants of case to visit and meet in order to carry out case processing effectively. However they are often unavailable for the meetings at scheduled time asking them to return at later date. They reported that their behaviour results in delays and also add to the frustration of the key informants. This frustration is often depicted as their withdrawal from the courts. The key informants often consider this as failure of criminal justice system and opt for other illegal alternatives to resolve their cases. They narrated that:

"کہتے ہیں شام کو آجائیں جب جاتے ہیں تو کہتے ہیں صبح آ جائیں"

Public lawyers' lack of motivation: It is mentioned that there is lack of competency and skills in public lawyers. The expenses in criminal justice system of Pakistan are very high. A major expense is the fee of private lawyers. If complainants tried to have public lawyer instead of private lawyer, the public lawyers are not skilled enough to handle the case processing effectively. Even when they have skill and competency to handle cases the lack of monetary benefit results in their low interest and motivation to handle the case. As a result they avoid trails and meeting the complainants. This results in frustration, anger and hopelessness in complainants. Therefore they often move towards withdrawal of case and solving conflict by other mean. This is also a major contributor in case convictions. It is said that:

"سرکاری وکیل فارغ ہیں ، شروع میں فرستہ بنتے اور بعد میں بھاگ جاتے"

Systemic Issues in CJS

Systematic challenges results in collapsing of the overall structure. The key informants mentioned that Pakistani criminal justice system face systemic issues in terms of out-dated laws, overload stakeholder and protection of witness and complainants.

Outdated Laws

The key informants mentioned that our system has laws that are more in favour of accused and there is also lack of accountability for all the stakeholders. They also mentioned that this lack of accountability results in issues such as corruption among police department.

Laws favour the accused: It is also mentioned that there are issues in systemic level of our court system . The laws that are present are either outdated or in favour of accused more. It is mentioned by participants that:

"ملزم کو بی زیادہ فائدہ ہوتا، 70% فائدے ہمارے قانون میں ملزم کے حق میں ہیں"

Absence of checks and balances: The participants also reported regarding lack of accountability among stakeholders of Pakistani CJS. They said that most of the issues that are prevalent in our system is due to lack of check and balance. The loopholes from the stakeholders are due to the fact that they are not held accountable. The participant mentioned that:

"ہماری کورٹ میں سب دو نمبر رجسٹری دے رہے ، جج نے سب ریڈر پر چھوڑا ہوتا،
کوئی پوچھنے والا نہیں ہے"

Corruption within police departments: The participants mentioned that this lack of accountability results in corruption among stakeholders. They reported that the highest affected stakeholder is police personnel. It is said by participant that:

"پولیس کو تو اللہ پاک ہی ٹھیک کرے، یہاں تو پورا پورا تھانہ بکتا ہے"

Overload on Stakeholders

The workload on the stakeholder is also an important concern mentioned by key informants. They mentioned that the stakeholders are either juggling with multiple roles and responsibilities or the judicial system is having backlog of cases.

Police officers juggling multiple responsibilities: The complaints mentioned that there is *extensive workload* of almost every stakeholder of criminal justice system. They mentioned that for a police officer in addition to investigation of cases there are various other responsibilities as well. They said that:

"بہت ورک لوڈ ہے ، میں نے دیکھا ہے کہ یہ صبح آتے ہیں اور رات دہر تک ادھر ہی رہتے ہیں ، اور یہ ساتھ ساتھ دوسرے علاقوں میں جا کر بھی چھاپے مارتے ہیں"

Lawyers and courts handling excessive cases: *The* complainants also mentioned that other stakeholders like *lawyers also have extensive workload*. The number of cases which a lawyer is handling is beyond the capability of the lawyers. The said that:

"وکیلوں کے پاس بھی بہت کیسز ہیں"

Protection of Complainants and Witnesses

Protection from threat is basic responsibility of CJS however in Pakistani CJs it is matter of concern. The laws related to protection of witness and complainants are present but the applicability of these laws is very low. They mentioned that there is lack of protection mechanism for both witness and complainants

Lack of Protection Mechanisms

In this regard they mentioned that there is lack of protection to witness and complainants along with continuous threat. As a result the witness denied being the part of case processing. This results in fabrication of evidence from police department in form of involvement of fake witness.

Lack of protection to witness and complainants: Key informants mentioned regarding *lack of complainants protection* in Pakistani criminal justice system. The complainant is not protected by any mean thus resulting in back off of complainants from cases. When the complainants face threat of harm to them and their other family members they usually back off from the cases and settled with accused. This settlement is due to inability of criminal justice system to provide safe and secure environment to the complainants for providing justice.

In terms of **protection the witness** there is not any kind of protection provided to witness in our CJS. The witness in our CJS is very unsafe and lack any security. They said that it come under the responsibility of complainants to keep their witness safe.

"میں گواہ کو لے کے چلا ہوں مجھے بی پتا ہے"

Threats to complainants and witnesses: The accused threat witness a lot. This results in back off of witness from case thus causing a severe damage to the credibility and authenticity of case. The complainants also mentioned that even when they reported the threat given to witness to police and court , there is no action taken. They narrate:

"گواہوں کو حفاظت کیا بس انہیں کہا جاتا کہ خیال رکھیں، صرف آگاہ کیا جاتا ہے آپ
احتیاط کریں ان سے دور رہیں"

Involvement of fake witnesses: The participants mentioned that in our criminal justice system there is a lot concept of creating fake witness. They reported that police or even the lawyers encourage the presence of fake witness instead of no witness at all. In order to enhance the quality of case the police department and lawyers try to develop and maintain the fake witness in cases. However, most of the time this fake witness does not last long. It is said that:

"فرضی گواہ بنتے ہیں بھی تو کورٹ میں پکڑے جاتے ہیں"

Technological Gaps

There are concerns highlighted in terms of absence of modern technology in Pakistani criminal justice system.

Absence of Modern Tools

Pakistani criminal justice system is lacking modern and up to date tools and technologies. This makes the handling of modern day crime difficult.

Limited use of technology like CCTV and forensic advancements: It is also mentioned that the lack of **utilization and presence of technological advances** affect the conviction of cases a lot. In Pakistani CJS the lack of modern technology results in low rates of conviction especially in cases was presence of technology like CCTV footage may play the most crucial role.

Public Perception of CJS

The public perception regarding Pakistani CJS is not positive. The key informant's mentioned that this is due to frustrations from the procedures low crime conviction rates, pressure on police and time management issues among police personnel.

Frustration with Procedures

They reported that the frustration with procedure is due to their complex and lengthy nature.

Complex and lengthy legal procedures: The complainants also mentioned regarding the ***difficulty of procedure***. This difficulty of procedure results in frustration and lack of motivation and cooperation among the various stake holders of criminal justice system. The procedures are also difficult for general public or the complainants and witness. Along with difficulty of procedures another issue related to procedures in our criminal justice system is the ***length of these procedures***. These lengthy procedures add to the delays at various stages of case processing. They reported that the technicalities of these procedures are very time consuming. They narrated that:

"مشکل طریقہ کار ہے اس پیشلی اُن کے لئے جن کا پالا کبھی پہلے پڑا ہی نہ ہو"

Low Conviction Rates

The key informants reported that low crime conviction is another reasons that add to the public perception of the criminal justice system. They mentioned regarding various reason that contributed to low crime conviction such as Inefficiency and loopholes benefiting the accused, Pressure on police and time management.

Inefficiency and loopholes benefiting the accused: It is also mentioned that one of the major reason that cause disappointment in people and their negative perspective about criminal justice system ***is unsatisfactory punishment*** to accused. It is reported that our law has various loopholes which benefit the accused resulting in low conviction and also loss of trust on CJS. It is narrated that:

"اُس (مجرم) نے اپنے منہ سے اعتراف کیا ہے دو بچوں کے قتل اور غلط کام کا اور اُسے سزا ہوئی صرف 25 سال"

Pressure on police

Pressure from within organization: The key informants mentioned regarding presence of pressure on police. The pressure mostly comes from their supervisors. There is also presence of political

pressure on police. Sometime the delays from police end are result of this kind of pressure on police. It is said that:

"سفارشیں آتی ہیں ، کسی کا باپ، بھائی پولیس میں ہوتا تو کسی کی بہن"

Another major aspect reported by one of the participants is **that pressure of higher authorities** play role at every stage. From FIR registration till conviction if there is involvement of any higher authority it changes the whole dynamics of case. This happen mostly if the case is sensitive or it got highlighted in media and among general public. One of the narrations of participant is that:

"CPO صاحب نے مجھے ڈائریکٹ نمبر دیا ہوا تھا کیونکہ میرے ساتھ عوام اور میڈیا
تھا"

Pressure from societal influential persons: The role of power is also reported very high among police department. The status of complainants and accused in term of power affect the overall judgement and in turn affect the case processing and crime conviction. The participants also reported that:

"جب بندہ پاورفل ہوتا ہے تو پیسہ دکھا کر ہر چیز چینیج کر لیتا ہے اور غریب چیختا رہتا
ہے"

Time management

Issues of time management: key informants mentioned that there are issues of **time management** among police department. They also mentioned that one of the reason that lead to issues of time management among police personnel is lack of human resource. The lack of human resource results in delays and also leads to the problems of time management. These factors play an important role in case processing and thus affect the effectiveness of the police department as well as effectiveness of criminal justice system. They narrated that:

"ان کے ٹائم کا کافی issue ہے"

Delays in arrest: They highlighted that lack of human resource contributes to **delays in arrest of accused individual**. They emphasized that arrest of accused requires resources and coordinated efforts. The lack of resources often results in undermining of efforts. As a result, the effectiveness of efforts regarding arrest of accused is diminished. One participant shared:

"دس دن بعد بھی مجرم صرف اس لئے گرفتار ہوا کہ ایک لڑکے کی گواہی کسی طرح مل گئی ورنہ یہ کبھی نہ ہو پاتا"

Another issue highlighted by participants is that in courts there is *lack of proper system* or inefficacy of judicial system for case trails. They often summoned a lot of cases complainants and witness; however most of them got delayed. The main reason for this is extensive load of cases and less time. Also they often summoned client multiple times in week but case processing is still slow as most of times there is no trail or hearing of that case. One of the participants shared that:

"مجھے ہفتے میں چار دن بلا لیتے تھا اور میں بس انتظار کرتا تھا"

Appendix E

Policy reforms

INTRODUCTION

This study explored and generated evidence for understanding the pervasive challenges contributing to low crime convictions and the capacity constraints faced by the police in Punjab, specifically in Rawalpindi through case file analyses, FGDs with police personnel and interviews with all major stakeholders highlighted various aspects that needed to be modified with in Pakistani criminal justice system. These aspects are related to all major stakeholders including police personnel, judiciary (judges, lawyers, and prosecutors), court staff, key informants (complainants and witness) and general public. The recommendations extracted in present study not only focus on improvement of crime conviction and resolving capacity constraints faced by Pakistani CJS but also points to a need of improving the overall effectiveness and public perception of CJS.

METHODOLOGY

A mixed method approach was used. The policy reforms are extracted both from the quantitative and qualitative data. This involved robbery and murder crime data (2013 – 2023) 20 case files of murder and robbery, 3 FGDs with police personnel and 15 interviews from all other major stakeholders (judges, lawyers, prosecutors, complainants and witness).

FINDINGS

The findings of this study are organized into three major categories; improvement in investigation procedures, gaps in documentation, need assessment of resources, continuous professional development and monitoring, and enhancement in police image. One of the key findings related to policy recommendations and reforms is that the legislation of Pakistani criminal justice system requires amendments and modifications from grassroot level. The amendments that have taken place already often focus on the macro level thus the issues at the micro level remain intact. The major policy reforms/ recommendations extracted from the findings of case files, FGDs and interviews are presented in the following sections:

Improvement in investigation procedures

In order to enhance the investigation procedures in Pakistani criminal justice system the major areas that need immediate and comprehensive reforms include methods of evidence collection and its submission and enhancing critical thinking among police personnel and prosecutors.

1. Evidence collection method

The methods utilized by investigative staff to collect the evidence especially in cases of murder needed following major considerations:

- ***Need Assessment of evidence collection:*** Conduct a thorough assessment to identify current strengths and areas needing improvement in evidence collection methods among investigative staff including police officers, evidence collection teams and prosecutors.
- ***Training Delivery:*** Roll out training sessions in various formats, such as workshops, seminars, online courses, and practical exercises, tailored to different levels of experience for collection of evidence.
- ***Integration into Practice:*** Encourage the application of learned skills through regular practice exercises, case studies, and ongoing mentorship and support from experienced peers.
- ***Evaluation and Feedback:*** Continuously evaluate the effectiveness of the training program through feedback from participants, performance metrics, and observed improvements in case outcomes. Make necessary adjustments to the program based on these evaluations.

2. Submission of evidence for forensic evaluation

In terms of forensic evaluation of evidence, it is essential to enhance the availability and accessibility of forensic resources. Establishing small-scale forensic evaluation cells or units within police departments could significantly improve the current situation. These units should be equipped with

fundamental tools and techniques necessary for the initial evaluation and preservation of evidence. Proper evidence preservation at this preliminary stage is critical, as it ensures that the evidence remains intact and uncontaminated before being sent for comprehensive analysis.

3. Critical thinking

In police investigations, critical thinking is a vital skill that enables officers to effectively analyze information, evaluate evidence, and make informed decisions. To enhance their critical thinking skills, police officers should receive training that emphasizes the importance of objective analysis, effective communication, autonomy, time management and open-mindedness.

Gaps in documentations

To address the documentation gaps within the Pakistani CJS, it is essential to establish a standardized documentation pattern that clearly outlines the procedures and requirements for documenting various aspects of police work. This pattern should cover the recording of incidents, arrests, investigations, witness statements, evidence collection, and case progress in a systematic and organized manner. Most importantly, training and monitoring programs on proper documentation practices should be provided to all personnel to ensure that they understand the importance of thorough and timely documentation in facilitating effective communication, decision-making, and legal proceedings. Moreover, the stakeholder's transition from out-dated documentation methods to modern and technological solutions needed to be monitored regularly to ensure that the updated methods are effectively integrated into the system by all members of the police force.

Need assessment of resources

The first step to enhance the availability and proper utilization of resources is to identify what resources are present and what resources are absent. It is also necessary to develop strategies to enhance the resources and their utilization such as in terms of human resource strategies including recruitment drive, incentivization, and workforce optimization in a systematic and documented manner. In term of technological integration, strategies such as forensic evaluation units, digital case management, access to modern tool can be utilized. For infrastructure enhancement strategies such as court expansion, secure storage facilities, witness and complainant protection can be utilized. For training and capacity building strategies such as regular training programs, specialized training, collaboration with institutions may be employed.

Training of stakeholders

In order to address training gaps of all major stakeholders comprehensive training programs need to be developed for all stakeholders not only police personnel. These programs should cover essential skills such as systematic forensic investigation, crime scene techniques, interrogation techniques, investigation strategies, and the use of advanced investigative technologies. Specialized training embedded in the local organizational structure should target specific departments or units such as Traffic police, Police Stations, Patrolling, Counter Terrorism, and the Federal Investigation Agency, focusing on enhancing skills for handling complex cases and specialized duties.

Improving current programs through collaboration with institutes, legal experts, and trainers will enhance understanding of investigative processes, evidence handling, and case formulation.

The major modifications that may help the betterment of training among stakeholders include:

- **Standardization of Reporting Formats:** Introduce standardized templates and guidelines for police reports and court documents. Conduct training sessions for officers and legal staff on the use of standardized formats, emphasizing clarity, consistency, and adherence to legal requirements.
- **Enhanced Training Programs:** Develop specialized training modules for investigation officers, report writers, prosecutors, and other relevant personnel. Collaborate with academic institutions and international experts to design comprehensive training curricula covering modern investigative techniques, digital forensics, ethical standards, and effective report writing.
- **Improvement in Time Management:** Implement protocols and tools to streamline case timelines and reduce delays. Introduce case management plan or software to track and manage case progress, establish clear deadlines for evidence submission and court hearings, and conduct further steps towards completion.
- **Upgrade of Equipment and Methods:** Invest in modern equipment and update methods for crime scene investigation, evidence collection, and forensic analysis. Allocate funds for the procurement of advanced forensic technology, ensure regular maintenance of equipment, and establish partnerships with technology providers for ongoing updates and training.
- **Ethical Guidelines and Record Keeping Practices:** Develop and enforce ethical guidelines for record-keeping practices. Conduct workshops on ethical considerations in data management and record-keeping, create secure digital repositories for case documents, and establish audit mechanisms to ensure compliance with ethical standards.

- **Continuous Evaluation and Feedback:** Establish a system for ongoing evaluation of procedural improvements and feedback mechanisms. Conduct regular surveys and feedback sessions with stakeholders, including officers, legal professionals, and community representatives, to identify areas for improvement and measure the impact of implemented changes.

Continuous professional development and monitoring

Foundation building for police personnel is of utmost importance as they are the tools for reducing low crime conviction. The enhancement of the foundational skills of police officers in critical thinking, decision-making, and ethical practices, while establishing effective systems for time management, documentation, and ethics is necessary.

To ensure continuous learning and system enhancement case-based learning and problem-solving exercises relevant to local law enforcement challenges may be used. Worksheets or practice sheets based on critical thinking, problem solving and decision making will help in implementation of learning knowledge. In addition to that e-learning and utilization of mobile phone will be encouraged to resolve new challenges related to technology.

Enhancement in Police Image

To enhance the image of the police force in Pakistan, it is crucial to integrate the principles of procedural justice into everyday policing practices, focusing on fairness, transparency, and respect in all interactions with the public. Implementing comprehensive training programs that emphasize effective communication, neutrality, and cultural sensitivity will foster positive public-police interactions. Developing policies that prioritize transparency and accountability, along with community outreach initiatives, can build trust and encourage cooperation from the community. Establishing feedback mechanisms will allow for continuous improvement based on public input. These measures will not only improve the public perception of the police but also lead to increased case reporting, as community members will be more likely to report crimes and cooperate with law enforcement, thereby enhancing overall public safety and trust in the police force. Promote community-oriented policing approaches that emphasize building trust and collaboration between the police and the communities they serve. Encourage officers to engage with community members, address local concerns, and work together to prevent crime.

CONCLUSION

By implementing these practical steps, the police force and legal system can effectively address the identified gaps, improve operational efficiency, enhance transparency, and accelerate justice delivery. Continuous monitoring and adoption of these strategies will be essential to sustain improvements over time and meet evolving challenges in law enforcement and legal proceedings.

Appendix F

Post-testing Feedback

Participant's Interest

Almost all the participants enjoyed the training and had a new and positive experience. They showed positive feelings towards the training session and were engaged in the activities, finding them interesting. The interactive nature of the training and the delivery style captured the participants' attention.

Participant's learning:

Critical Thinking:

According to police officers, this training enabled them to analyze and think critically, focusing on aspects that are often overlooked but crucial in daily life. They were able to effectively utilize cognitive abilities for decision-making.

Time Management:

Participants mentioned that they gained basic time management skills and learned how to manage their hectic routines effectively through the training.

Self-Management:

Participants reported that they were educated about self-reflection, self-care, and caring for others.

Decision Making:

Participants gained insights into decision-making abilities and its significance. They learned to maintain focus while making decisions in their job roles and the importance of gathering sufficient information before deciding.

Effectiveness of Training:

A participant noted that the training content was well absorbed during the sessions. They appreciated the delivery style and interactive activities, stating, "Mukhtalif ideas peesh kr ky raaye li gai aur sawaloon kay jawab diye gaye." Participants found the training effective with a sufficient amount of information given in a limited time frame.

Addition of Information:

Participants found the information to be effectively delivered and retained in a short period. They reported learning valuable insights during the training, finding it informative.

Recommendations:

- This type of training session should be conducted at the course level.
- Participants felt that the time allotted for training was insufficient. One participant expressed, "Training ko mukamal time nahi diya jaa saka."
- Consider extending the duration of the training sessions.

Figure 37. Major findings from Case Files

