



POLICE AND PROSECUTION'S PERSPECTIVE ON LOW CONVICTION RATES IN PAKISTAN

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Abstract

The CJS comprises several interconnected pillars, including forensic services, law enforcement agencies, the legal system, and penal facilities. The police conduct the necessary investigations and issue challans against the accused, leaving the legal battle to the prosecutors. The prosecution process is a necessary component of the CJS. Prosecutors are responsible for proving an accused person's guilt in court. The courts cannot punish someone unless facts and witnesses establish their offense per Qanoon-e-Shahadat (Law of Evidence). Thus, in criminal cases, this function is fulfilled by prosecutors, who attempt to prove the claims against the accused based on the police investigation and the use of circumstantial and visual evidence gathered primarily by the police. The criminal justice system in Pakistan is far from impregnable. At least within the department of police and prosecution, there appears to be an incentive to improve performance. However, without the unwavering devotion of CJ professionals, fundamental rights cannot be granted or protected.



Keywords: criminal justice system, investigation, low conviction, Pakistan, police, prosecution, trials

Introduction

The primary goal of those who founded the police organization in 1861 was to place an instrument in the imperial authority's hands to control indigenous people. It was far from an unbiased political entity charged with the job of enforcing the law fairly and justly. The police force was created to instill terror in the community, not serve it (Ali, 2021). This design was not meant for public consumption. It was conceived in response to present social and political conditions as seen through the lens of the British Empire (Khan & Khan, 2020).

The primary objectives were to gather property taxes and maintain order and tranquility (PILDAT, 2015). Another primary reason for prioritizing effective and robust management above justice system management was to safeguard the right of the Western middle class to trade and administration in India. Personnel responsible for criminal investigation and prosecution were functionally subordinate to the District Officer (Khan & Khan, 2020).

Regrettably, opponents have increasingly considered Pakistan's primary law enforcement agency incapable of handling expanding responsibilities, particularly in the fight against severe offenses and terrorism (Abbas, 2011; Adil, 2021; Dawn, 2021b). Pakistan's police force is frequently condemned for ineptitude and bad behavior in public (Abbas, 2012; Business Recorder, 2021) and is frequently accused of politics and corruption (Dawn, 2021a; Javed, 2021). On the other side, the Pakistani police's outstanding record during previous UN peacekeeping missions showed enormous potential. Numerous law enforcement agents have exemplified bravery during increased terrorism and extremism periods.

While non-governmental organizations' participation in police reform and stigma reduction has contributed to raising public knowledge of police processes and performance, it is done by exposing their misbehavior and advocating for police accountability and integrity (Tariq, 2020; World Justice Project, 2017).

Corruption, intimidation, and foreign influence in trials, most notably by military intelligence agencies, jeopardize prosecutions in many developing countries even before they reach the court (Lopez & Pasko, 2021; Patterson & Graham, 2018b; Siegel, 2017). Pakistan's judicial system suffers from a severe lack of information. Witnesses are called to testify on each day of the hearing. Finally, court appearances' trouble, price, and stress



dissuade most people from attending. Some are bullied or pressured into submission even if they genuinely believe it.

Pakistan's low conviction rate, believed to be between 5% and 10% at best, is appropriate in light of investigators' lack of essential data and investigation tools, as well as their lack of training (Tariq, 2020). These prosecutors are unable to participate in investigations on a proactive basis. Due to a dearth of scientific evidence-gathering techniques (Patterson & Graham, 2018a) and trustworthy witness protection programs, police and prosecutors may rely heavily on inadmissible comments from the accused (Gawrylowicz & Bartlett, 2021; Kantorowicz-Reznichenko & Faure, 2021).

Research Question

What are the causes of low conviction rates in Pakistan?

Focus of the Research

The low conviction rate is a multifaceted problem, and requires a comprehensive approach as the respective subject matter is far more complex to comprehend, especially in developing countries. This research assesses and analyzes the low conviction rate in the Pakistani context. It aims to assist legislators, law enforcement agencies, academicians, criminal justice officials, and other professionals.

Objectives of the Research

1. To highlight the personal problems of Investigators and Prosecutors in Pakistan.
2. To highlight the administrative and hierarchical problems of Investigators and Prosecutors in Pakistan.
3. To highlight the procedural problems of Investigators and Prosecutors in Pakistan.
4. To highlight the legal problems of Investigators and Prosecutors in Pakistan.
5. To highlight the induction and training of Investigators and Prosecutors in Pakistan.
6. To highlight the pressure and influences on Investigators, Prosecutors, and Judiciary in Pakistan.

Research Methodology

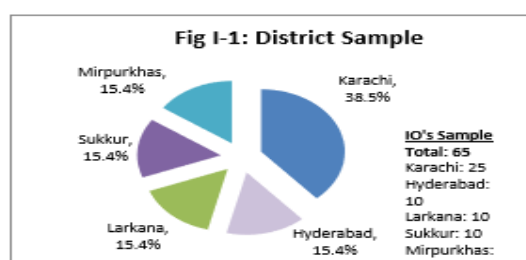
The survey research was performed in five divisional headquarters of Sindh with sixty-five Investigation Officers (IO) of different designations. One-to-one interviews were performed and convenience sampling was adopted for this purpose. The significant proportion of respective sample covered was from the Karachi city, i.e., 38.5%, whereas Hyderabad, Larkana, Sukkur, and Mirpurkhas were equally distributed with 15.4% from each respective divisional headquarter. The designation of sixty-five IOs who were included in the survey was 50.8% ASI, 40.0% Sub Inspector and 9.2% Inspector.



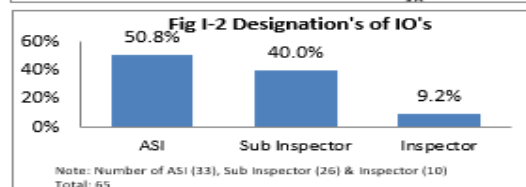
Further, fifty-two prosecutors were surveyed from the five divisional headquarters of Sindh, with the significant proportion of the sample covered being from Karachi city, i.e., 38.5%. In contrast, Hyderabad, Larkana, Sukkur, and Mirpurkhas were equally distributed with 15.4% from each divisional headquarter.

Investigation Officers

The survey research was performed in five divisional headquarters of Sindh with sixty-five Investigation Officers (IO) of different designations. The significant proportion of the sample covered was from Karachi city, i.e., 38.5%, whereas Hyderabad, Larkana, Sukkur, and Mirpurkhas were equally distributed with 15.4% from each respective divisional headquarter. (Ref Fig I-1)

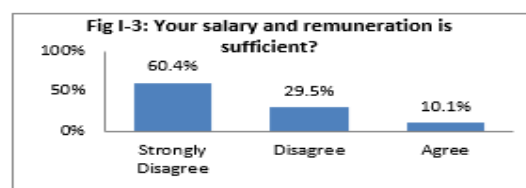


The designation of sixty-five IO's who were included in the survey, 50.8% ASI, 40.0% Sub Inspector and 9.2% Inspector. (Ref: Fig I-2)

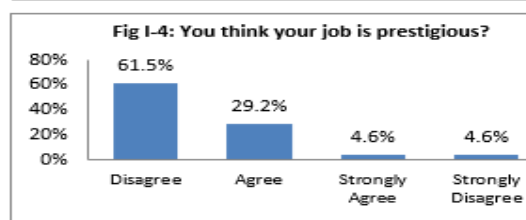


1. Personal Problems

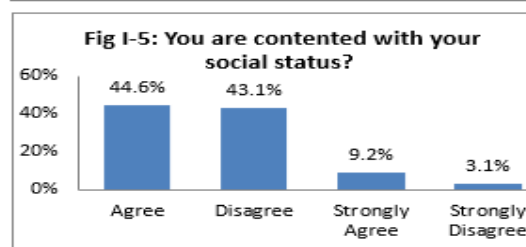
In the reported data, it was observed that 60.4% of the respondents strongly disagreed and 29.5% disagreed that their salary and remuneration was sufficient; whereas, 10.1% agreed with the respective statement. (Ref: Fig I-3)



The reported data reveals that 61.5% of the respondents disagreed and 4.6% strongly disagreed with the job prestige; whereas, 29.2% agreed and 4.6% strongly agreed concerning their job as being prestigious. (Ref: Fig I-4)



44.6% of the respondents agreed, and 9.2% strongly agreed about their social status; whereas, 43.1% disagreed and 3.1%





strongly disagreed with the given statement. (Ref: Fig I-5)

2. Administrative & Hierarchical Problems

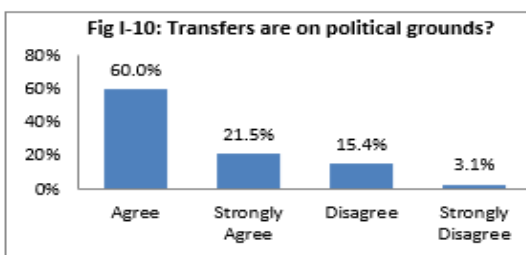
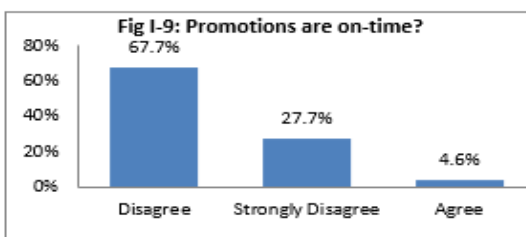
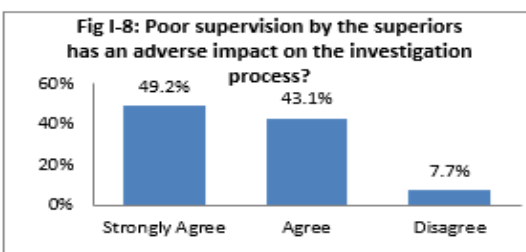
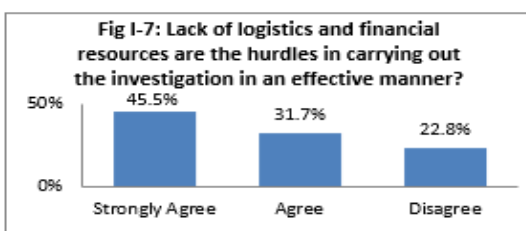
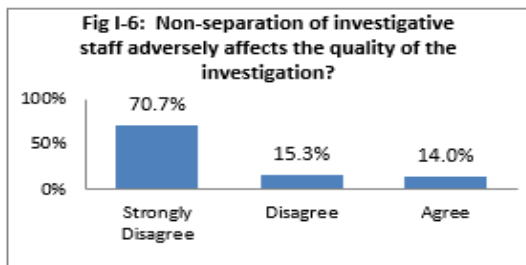
The data reveals that 70.7% of the respondents strongly disagreed, and 15.3% disagreed that the non-separation of the investigative staff adversely affects the quality of the investigation. However, 14.0% agreed with the same statement. (Ref: Fig I-6)

In the reported data, it was observed that 45.5% of the respondents strongly agreed, and 31.7% agreed upon the lack of logistics and financial resources as being the hurdles in investigating effectively; whereas, only 22.8% disagreed with this aspect. (Ref: Fig I-7)

The data illustrates that 49.2% of respondents strongly agreed, and 43.1% agreed that poor supervision by the superiors harms the investigation process; whereas, only 7.7% disagreed. (Ref: I-8)

Many respondents, i.e., 67.7%, disagreed, and 27.7% strongly disagreed with the on-time promotion. Just 4.6% of the proportion agreed to the on-time promotion. (Ref: Fig I-9)

In the reported data, it was observed that 60.0% of the respondents agreed, and 21.5% strongly agreed that transfers are on political





grounds; whereas, 15.4% disagreed and 3.1% strongly disagreed with the narrative. (Ref: Fig I-10)

The reported data reveals that 75.4% of the respondents agreed, and 21.5% strongly agreed with the excessive workload, and 3.1%

disagreed with the given statement. (Ref: Fig I-11)

The data illustrates that 3.1% of the IO's strongly agreed, and 32.3% agreed with the extra duties. However, 18.5% strongly disagreed, and 6.2% disagreed with extra duties being assigned to them. (Ref: Fig I-12)

Fig I-11: Your workload is excessive?

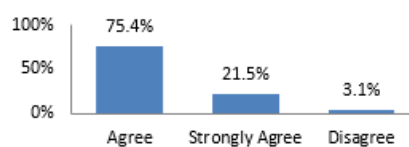
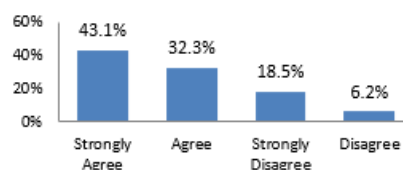


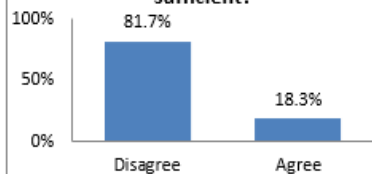
Fig I-12: Extra duties are assigned to you?



3. Procedural Problems

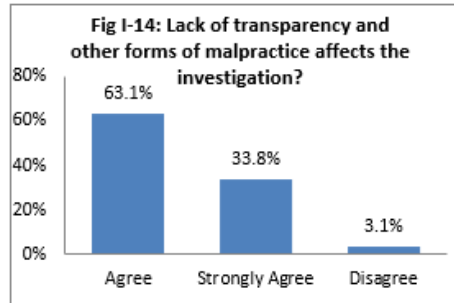
In the reported data, 81.7% of the respondents were dissatisfied with the duration of remand granted by the judiciary, while 18.3% were satisfied with remand's duration. (Ref: Fig I-13)

Fig I13: The duration of remand granted by the judiciary is sufficient?

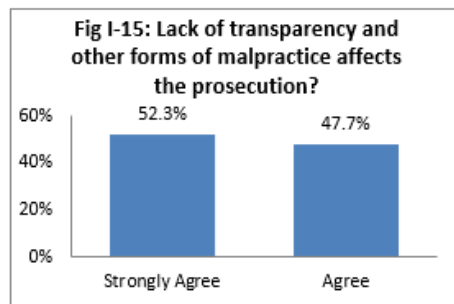




The data illustrates that 63.1% of the respondents agreed, and 33.8% strongly agreed that the lack of transparency and other forms of malpractice affects the investigation. However, 3.1% disagreed with the mentioned statement. (Ref: Fig I-14)

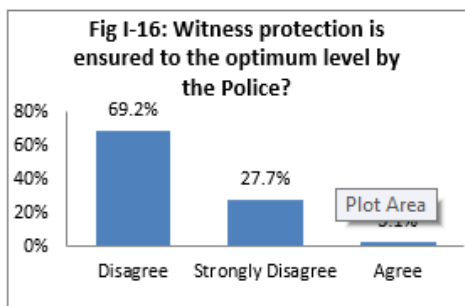


The data reveals that 52.3% of the respondents strongly agreed, and 47.7% agreed that the lack of transparency and other forms of malpractice affects the prosecution. (Ref: Fig I-15)



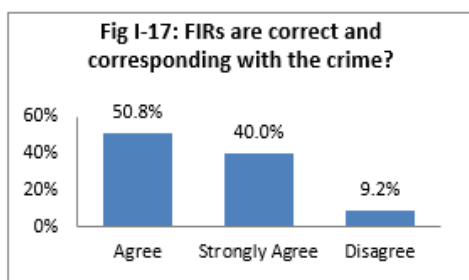


In the reported data, it was observed that 69.2% of the respondents disagreed, and 27.7% strongly disagreed that witness protection is ensured to the optimum level by the Police. However, 3.1% agreed with the mentioned statement. (Ref: Fig I-16)



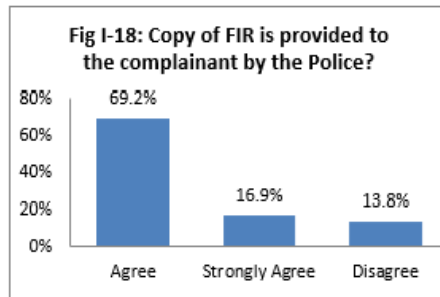
4. Legal Problems

The reported data reveals that 50.8% of the respondents agreed, and 40.0% strongly agreed that the FIRs are correct and correspond with the crime. However, 9.2% disagreed with the same statement. (Ref: Fig I-17)



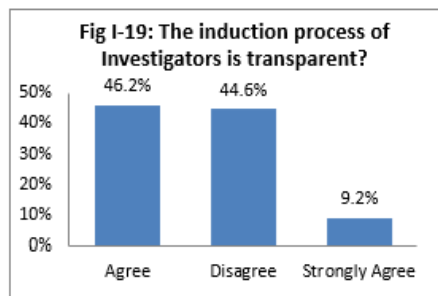


69.2% of the respondents agreed, and 16.9% strongly agreed that the copy of the FIR is provided to the complainant by the Police. While 13.8% disagreed with it. (Ref: Fig I-18)



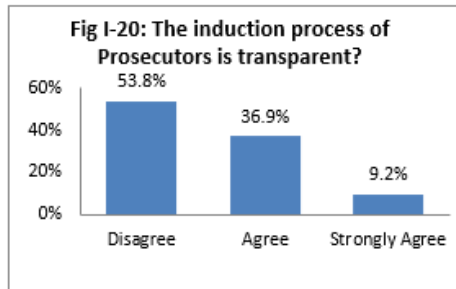
5. Induction and Training of Investigators

In the reported data, it was observed that 46.2% of the respondents agreed, and 9.2% strongly agreed with the transparency in the induction process of investigators. However, 44.6% strongly disagreed with the respective statement. (Ref: Fig I-19)





The data reveals that 53.9% of the respondents disagreed regarding the transparency in the induction process of Prosecutors; whereas, 36.9% agreed and 9.2% strongly agreed over the same statement. (Ref: Fig I-20).

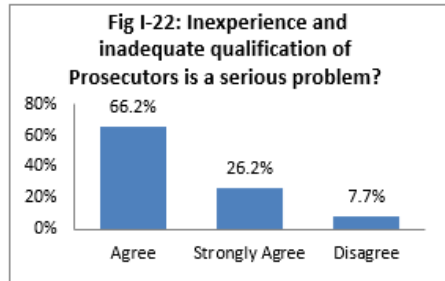


In the given data, 73.8% of the respondents agreed, and 15.4% strongly agreed that inexperience and inadequate qualification of investigation officers is serious problem. However, 10.8% disagreed over the same statement. (Ref: Fig: I-21)





The data illustrates that 66.2% of the respondent agreed, and 26.2% strongly agreed that inexperience and inadequate qualification of Prosecutors is serious problem. However, 7.7% disagreed over the same statement. (Ref: Fig: I-22)

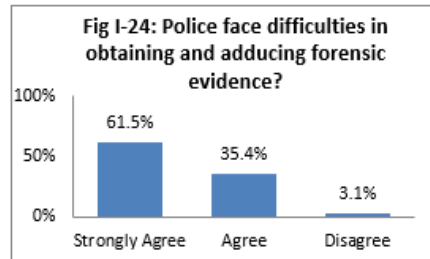


In the reported data, it was observed that 58.5% of the respondents strongly agreed, and 33.8% agreed that insufficiency of evidence leads to a poor investigation. On the other hand, 7.7% disagreed over the same statement. (Ref: Fig I-23)

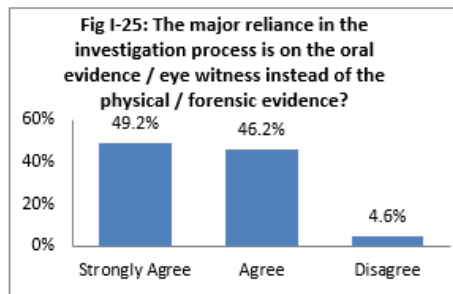




In the reported data, 61.5% of the respondents strongly agreed, and 35.4% agreed that Police face difficulties obtaining and adducing forensic evidence. On the contrary, 3.1% disagreed with it. (Ref: Fig I-24)



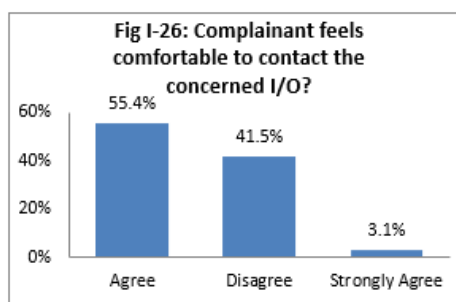
The data reveals that 49.2% of the respondents strongly agreed, and 46.2% agreed that the significant reliance in the investigation process is on the oral evidence/eye witness instead of the physical/forensic evidence. Whereas 4.6% of the respective respondents disagreed with it. (Ref: Fig I-25)



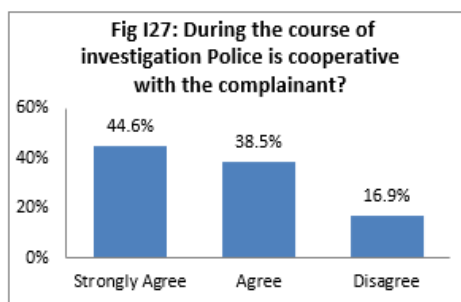


6. Interaction

In the reported data, it was observed that 55.4% of the respondents agreed, and 3.1% strongly agreed that the complainant feels comfortable contacting the concerned I/O. Whereas 41.5% of the respondents disagreed over the same statement. (Ref: Fig I-26)

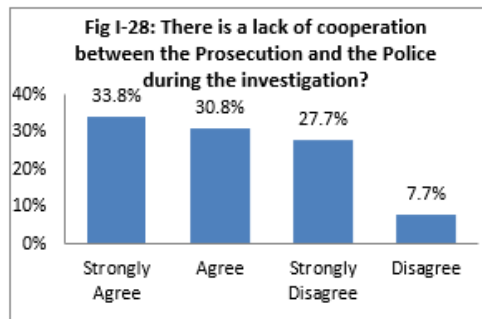


The data reveals that 44.6% of the respondents strongly agreed, and 38.5% agreed that during the investigation, Police were cooperative with the complainant. Conversely, 16.9% disagreed with it. (Ref: Fig I-27)

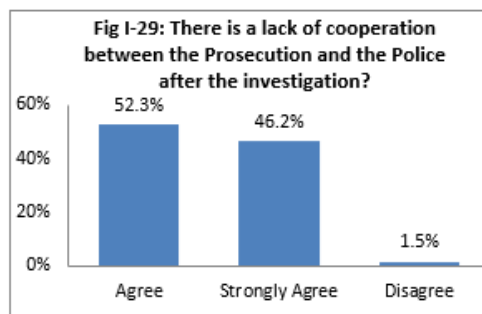




33.8% of the respondents strongly agreed and 30.8% agreed upon the lack of cooperation between the Prosecution and Police during the investigation. Whereas 27.7% of the respondents strongly disagreed and 7.7% disagreed with it. (Ref: Fig I-28)

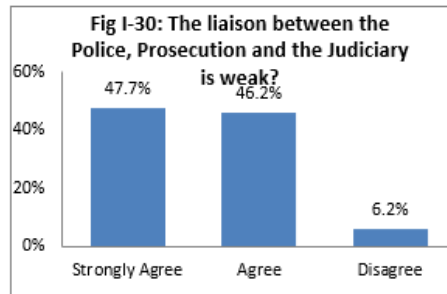


52.3% of the respondents agreed, and 46.2% strongly agreed upon the lack of cooperation between the prosecution and the Police after the investigation. However, just 1.5% of the respondents disagreed with the statement. (Ref: Fig I-29)

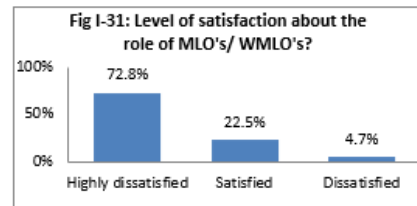




The data reveals that 47.7% of the respondents strongly agreed, and 46.2% agreed regarding the weak liaison between the Police, Prosecution, and the Judiciary. However, 6.2% of the respondents disagreed over the same issue. (Ref: Fig I-30)

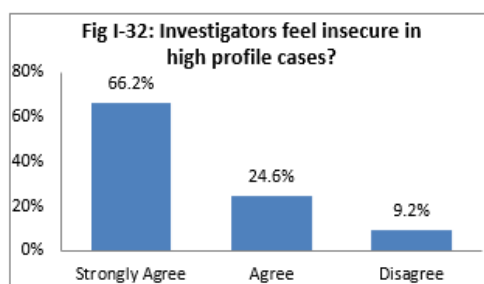


The data illustrates that 72.8% of the respondents were highly dissatisfied, and 4.7% were dissatisfied regarding the role of MLO's/ WMLO's. On the other hand, 22.5% of respondents were satisfied with the role of MLO's/ WMLO's. (Ref: Fig I-31)



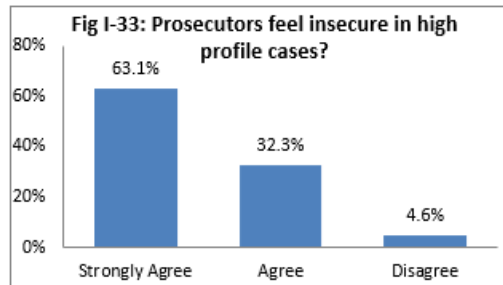
7. Pressure and Influences on Investigators, Prosecutors, and Judiciary

In the reported data, it was observed that 66.2% of the respondents strongly agreed and 24.6% agreed with the feeling of insecurity among the investigators during the high profile cases; whereas, 9.2% disagreed with the same statement. (Ref: Fig I-32)

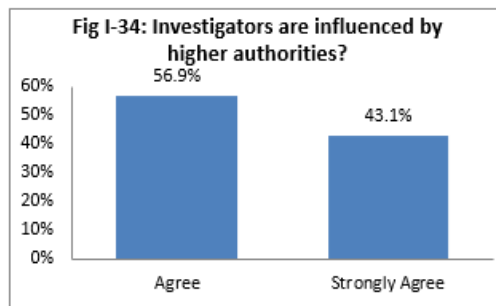




63.1% of the respondents strongly agreed, and 32.3% agreed with the feeling of insecurity among the Prosecutors during the high-profile cases. Meanwhile, 4.6% disagreed over the same case. (Ref: Fig I-33)

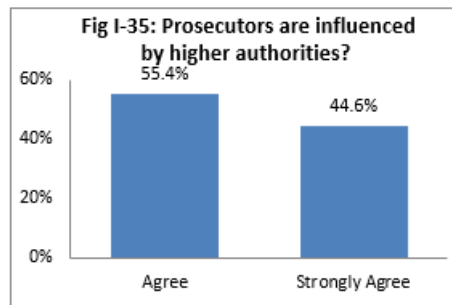


56.9% of the respondents agreed, and 43.1% strongly agreed that higher authorities influence the investigators. (Ref: Fig I-34)

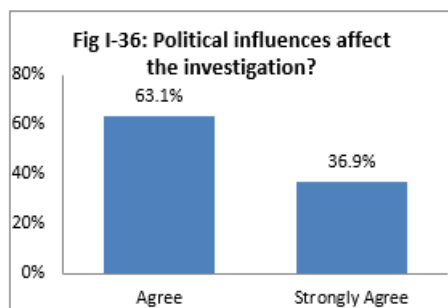




55.4% of the respondents agreed, and 44.6% strongly agreed that higher authorities influence the Prosecutors. (Ref: Fig I-35)

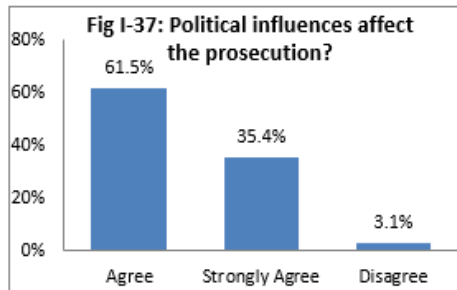


63.1% of the respondents agreed, and 36.9% strongly agreed that political influences affect the investigation. (Ref: Fig I-36)

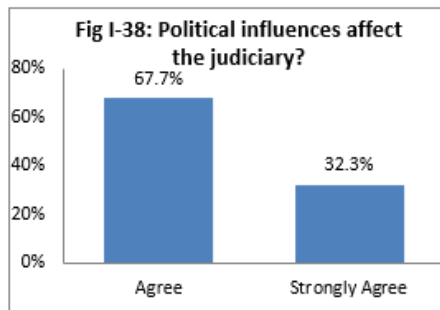




In the reported data, 61.5% of the respondents agreed, and 35.4% strongly agreed that the political influences affect the prosecution; whereas, 3.1% of the respondents disagreed over the same issue. (Ref: Fig I-37)

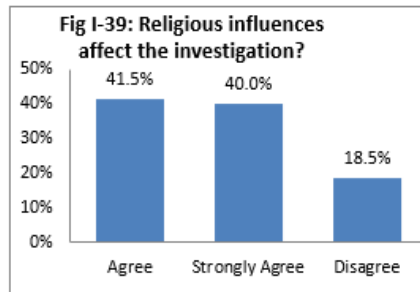


67.1% of the respondents agreed, and 32.3% strongly agreed that political influences affect the judiciary. (Ref: Fig I-38)

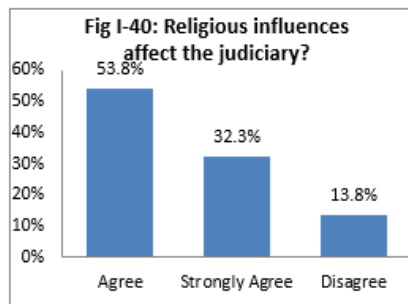




In the reported data, it was observed that 41.5% of the respondents agreed, and 40.0% strongly agreed with the effect of religious influence on the investigation. Contrary to this, 18.5% of the respondents disagreed. (Ref: Fig I-39)

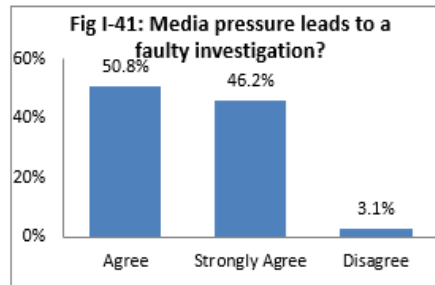


The data reveals that 53.8% of the respondents agreed, and 32.3% strongly agreed that religious influence affects the judiciary. However, 13.8% disagreed with it. (Ref: Fig I-40)

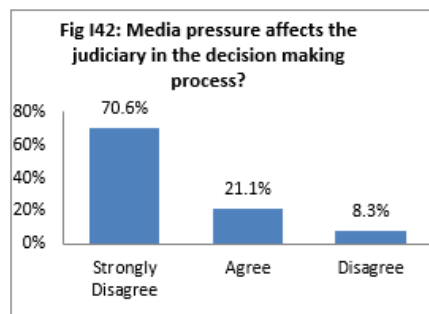




The reported data reveals that 50.8% of the respondents agreed, and 46.2% strongly agreed with the view that media pressure leads to a faulty investigation. However, 3.1% of respondents disagreed with the same statement. (Ref: Fig I-41)



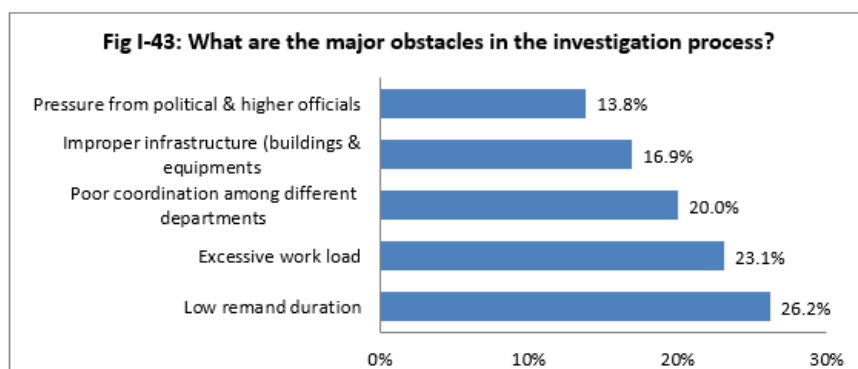
The data illustrates that 70.6% of the respondents strongly disagreed, and 8.3% disagreed that media pressure affects the judiciary in the decision-making process. However, 21.1% agreed with the statement. (Ref: Fig I-42)





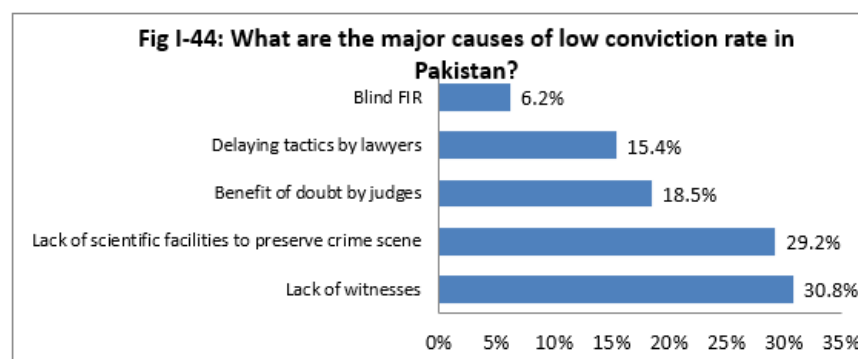
8. Significant Obstacles in the Investigation Process

The respective responses, i.e., low remand duration (26.2%), excessive workload (23.1%), poor coordination among different departments (20.0%), improper infrastructure (buildings and equipment) (16.9%), pressure by political & higher officials (13.8%) were reported as the major obstacles in the investigation process. (Ref: Fig I-43)



9. Major Causes of Low Conviction Rate in Pakistan

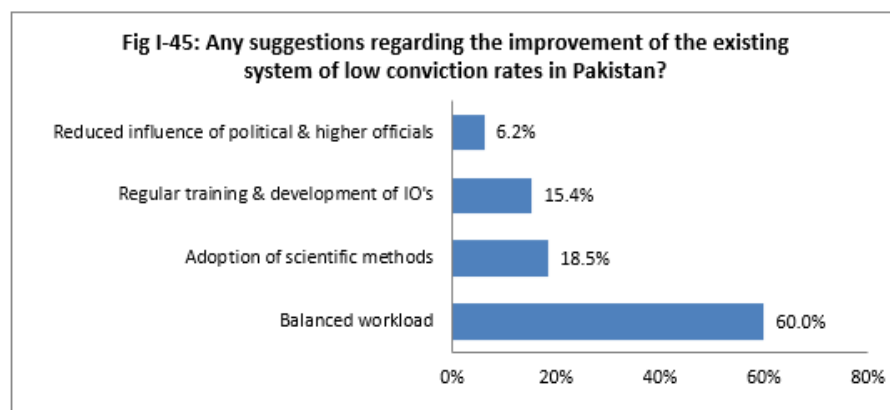
The respective responses, i.e., lack of witness (30.8%), lack of scientific facilities to preserve crime scene (29.2%), the benefit of the doubt by the judges (18.5%), delaying tactics by lawyers (15.4%), and blind FIR (6.2%) were reported as the major causes of low conviction rate in Pakistan. (Ref: Fig I-44)





10. Suggestions Regarding the Existing System

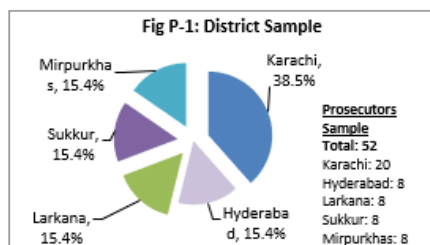
The respective responses, i.e., balanced workload (60.0%), adoption of scientific methods (18.5%), regular training & development of IO's (15.4%), and reduced influence of political and higher officials (6.2%) are the suggestions by the IO's for the improvement of the existing system of low conviction rate in Pakistan. (Ref: Fig I-45)





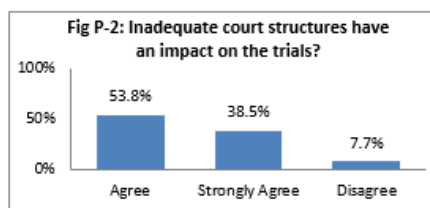
Prosecutors

The survey research was carried out in five divisional headquarters of Sindh with fifty-two prosecutors. The significant proportion of the sample covered was from Karachi city, i.e., 38.5%, whereas Hyderabad, Larkana, Sukkur, and Mirpurkhas were equally distributed with 15.4% from each respective divisional headquarter. (Ref: Fig P-1)

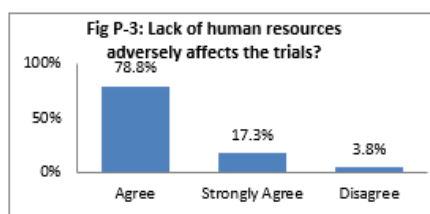


1. Administrative & Hierarchical Problems

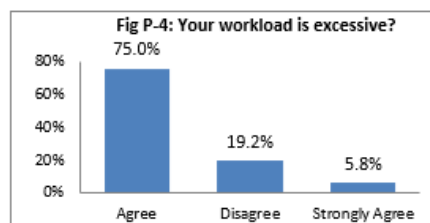
In the reported data, it was observed that 53.8% of the respondents agreed, and 38.5% of the respondents strongly agreed with the point that the inadequate court structures have an impact on the trials; whereas, 7.7% showed their disagreement. (Ref: Fig P-2)



The data illustrates that 78.8% of the respondents agree, and 17.3% strongly agree with the statement, i.e., lack of human resources adversely affects the trials. However, 3.8% disagreed with the statement. (Ref: Fig P-3)

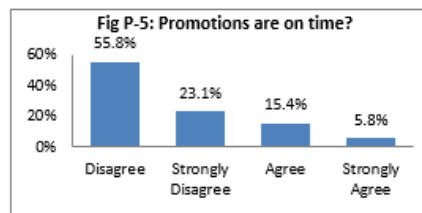


In the reported data, it was observed that 75.0% of the respondents agreed and 5.8% strongly agreed regarding the excessive workload; whereas, 19.2% disagreed with the same statement. (Ref: Fig P-4)

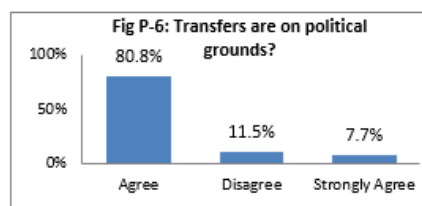




The data reveals that 55.8% of the respondents disagreed, and 23.1% strongly disagreed concerning the on-time promotions, whereas 15.4% agreed and 5.8% strongly agreed with the on-time promotions. (Ref: Fig P-5)

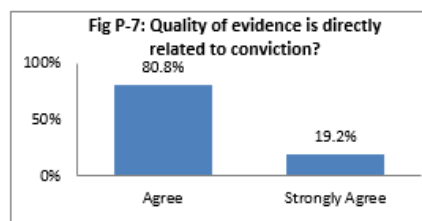


The data illustrates that 80.8% of the respondents agreed, and 7.7% strongly agreed with the opinion. However, 11.5% showed disagreement with the same case. (Ref: Fig P-6)

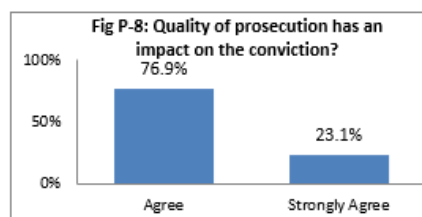


2. Procedural Problems

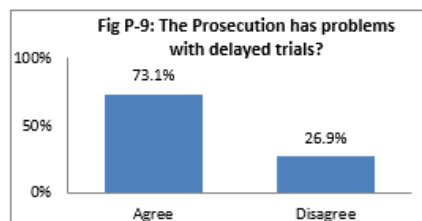
80.8% of the respondents agreed, and 19.2% strongly agreed that the quality of evidence is directly related to the conviction. (Ref: Fig P-7)



The data illustrates that 76.9% of the respondents agreed, and 23.1% strongly agreed regarding the impact of quality prosecution on the conviction. (Ref: Fig P-8)

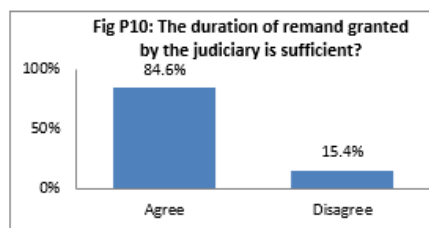


In the given data, 73.1% of the respondents agreed that the prosecution has problems with delayed trials; whereas, 26.9% disagreed with the same point. (Ref: Fig P-9)

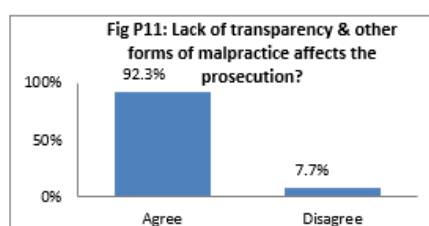




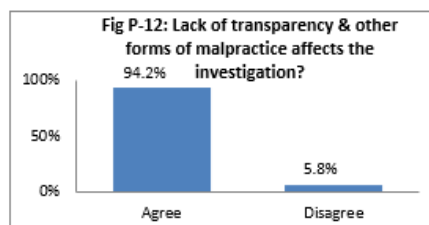
The data reveals that 84.6% of the respondents agreed that the duration of remand was sufficient. However, 15.4% of the respondents disagreed with the same statement. (Ref: Fig P-10)



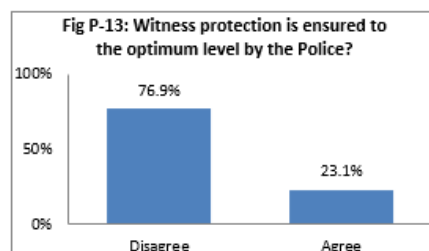
In the reported data, it was observed that 92.3% of the respondents agreed with the point that the lack of transparency and other forms of malpractice affects the prosecution. However, 7.7% of the respondents disagreed. (Ref: Fig P-11)



The reported data reveals that 94.2% of the respondents agreed that the lack of transparency and other malpractices affect the investigation. However, 5.8% of the respondents disagreed with the notion. (Ref: Fig P-12)

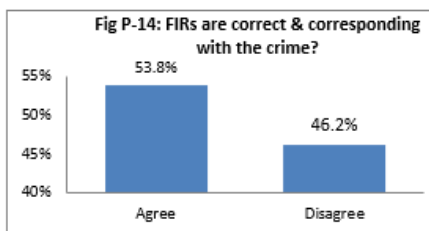


When the respondents were enquired that the Police ensure witness protection at maximum level, 76.9% of the respondents disagreed, whereas 23.1% agreed on the same point. (Ref: Fig P-13)



3. Legal Problems

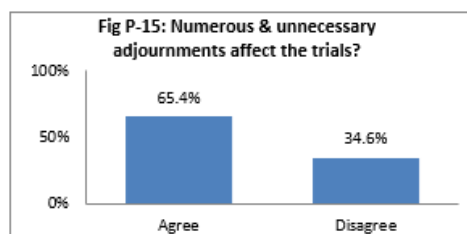
In the reported data, it was observed that 53.8% of the respondents agreed that the FIRs are correct and correspond with the crime. Contrary



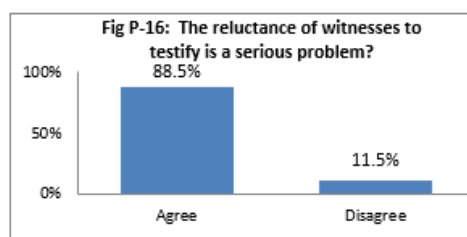


to this, 46.2% disagreed over the same case. (Ref: Fig P-14)

The data reveals that 65.4% of the respondents agreed that the numerous and unnecessary adjournments affect the trials; whereas, 34.6% of the respondents disagreed over the same statement. (Ref: Fig P-15)

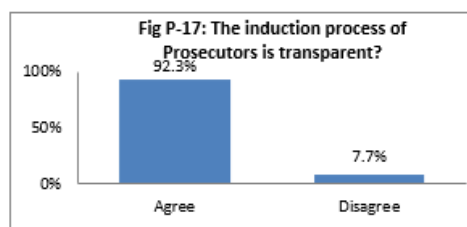


The data illustrates that a high percentage of respondents, i.e., 88.5% agreed that the reluctance of witnesses to testify is a severe problem; whereas, 11.5% disagreed over the same case. (Ref: Fig P-16)

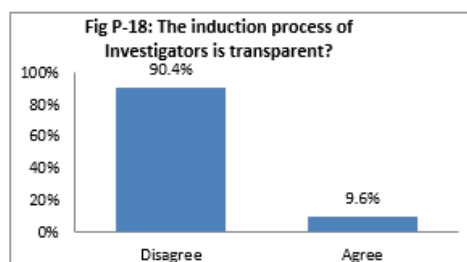


4. Induction and Training of Prosecutors

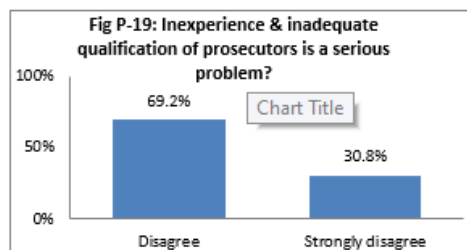
The data reveals that a high proportion of respondents, i.e., 92.3% agreed with the transparent induction process of Prosecutors. However, 7.7% disagreed with the same opinion. (Ref: Fig P-17)



In the reported data, it was observed that 90.4% of the respondents disagreed that the induction process of investigators is transparent. However, 9.6% of the respondent agreed. (Ref: Fig P-18)



69.2% of the respondents disagreed, and 30.8% of the respondents strongly disagreed





with the opinion that inexperience and inadequate qualification of Prosecutors is a severe problem. (Ref: Fig P-19)

The data illustrates that 73.1% of the respondents agreed, and 26.9% respondents strongly agreed that the inexperience and inadequate qualification of investigating officers is a serious problem. (Ref: Fig P-20)

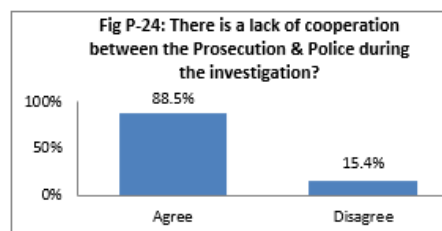
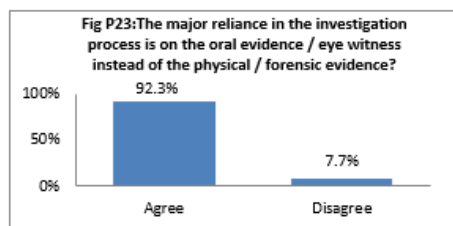
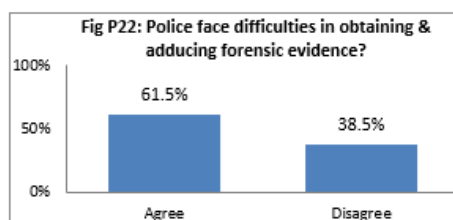
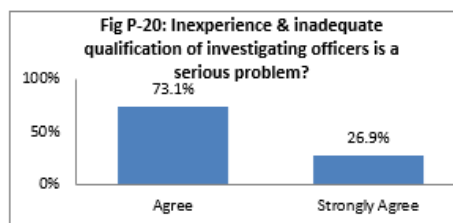
When the respondents were enquired that the insufficiency of evidence leads to poor investigation, 92.3% agreed with the opinion, whereas 7.7% disagreed. (Ref: Fig P-21)

The data reveals that 61.5% of the respondents agree that Police face difficulties obtaining and adducing forensic evidence. On the other hand, 38.5% disagreed. (Ref: Fig P-22)

When the respondents were enquired that the primary reliance in the investigation process is on the oral evidence/ eye witness instead of physical/ forensic evidence, 92.3% of the respondents agreed, and 7.7% disagreed with the statement. (Ref: Fig P-23)

5. Interaction

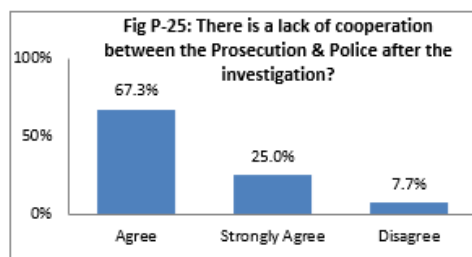
88.5% of the respondents agreed that there was a lack of cooperation between the prosecution



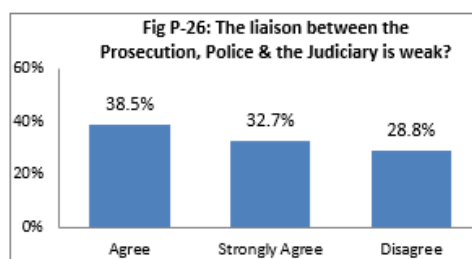


and the Police during the investigation. Whereas 15.4% of the respondents disagreed with the same statement. (Ref: Fig P-24)

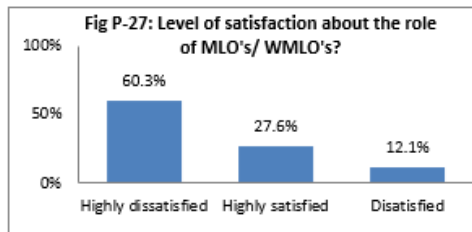
67.3% of the respondents agreed, and 25.0% strongly agreed that there is a lack of cooperation between the prosecution and the Police. Conversely, 7.7% disagreed with it. (Ref: Fig P-25)



In the given data, 38.5% of the respondents agreed, and 32.7% strongly agreed over the weak liaison between the Prosecution, Police, and the judiciary. However, 28.8% of the respondents disagreed with the statement. (Ref: Fig P-26)

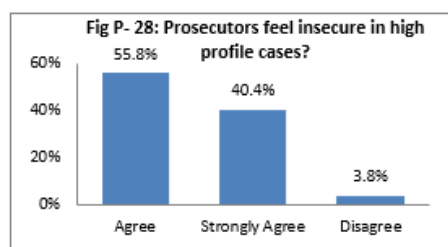


The data reveals that 60.3% of the respondents were highly dissatisfied, and 12.1% of respondents were dissatisfied regarding the role of MLO's/ WMLO's. However, 27.6% of the respondents were delighted with the role of MLO's/ WMLO's. (Ref: Fig P-27)



6. Pressure & Influences on Investigators, Prosecutors & Judiciary

55.8% of the respondents agreed, and 40.4% strongly agreed with the feeling of insecurity among the Prosecutors during the high-profile cases. Whereas 3.8% disagreed with the same





statement. (Ref: Fig P-28)

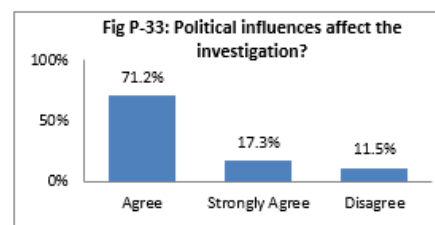
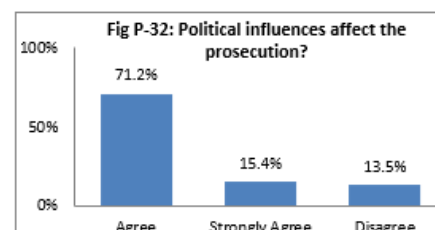
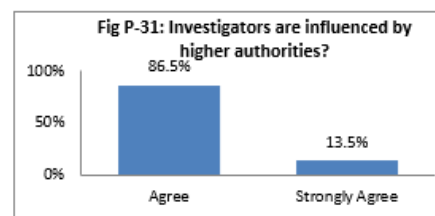
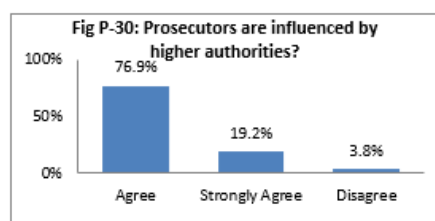
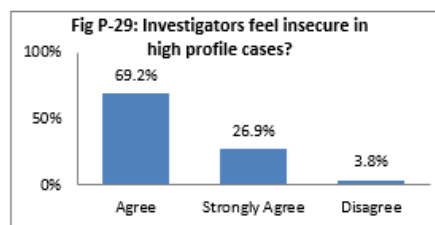
The reported data reveals that 69.2% of the respondents agreed, and 26.9% strongly agreed with the insecurity among the Investigators during the high-profile cases. Meanwhile, 3.8% disagreed over the same case. (Ref: Fig P-29)

76.9% of the respondents agreed, and 19.2% strongly agreed that higher authorities influence the Prosecutors. On the other hand, 3.8% disagreed with it. (Ref: Fig P-30)

86.5% of the respondents agreed, and 13.5% strongly agreed that higher authorities influence the Investigators. (Ref: Fig P-31)

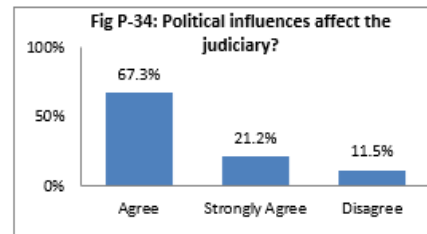
The data reveals that 71.2% of the respondents agreed, and 15.4% strongly agreed that political influences affect the prosecution. In the meantime, 13.5% disagreed over it. (Ref: Fig P-32)

In the reported data, it was observed that 71.2% of the respondents agreed, and 17.3% strongly agreed that political influences affect the investigation. Conversely, 11.5% disagreed over it. (Ref: Fig P-33)

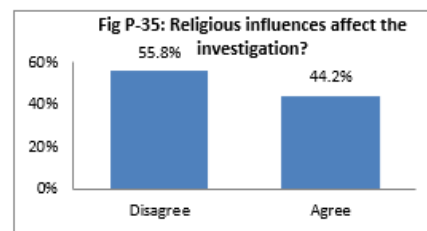




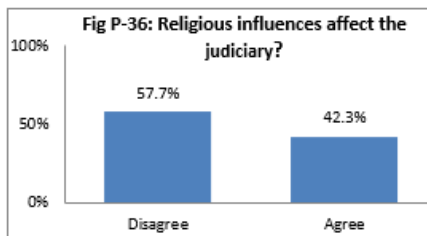
67.3% of the respondents agreed, and 21.2% strongly agreed that political influences affect the judiciary. Contrary to this, 11.5% disagreed with it. (Ref: Fig P-34)



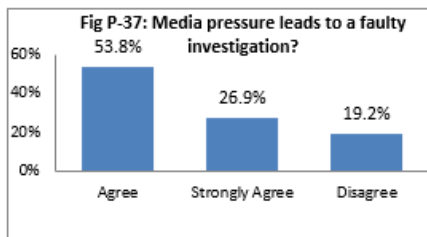
The data reveals that 55.8% of the respondents disagreed with religious influence on the investigation. Meanwhile, 44.2% of the respondents agreed. (Ref: Fig P-35)



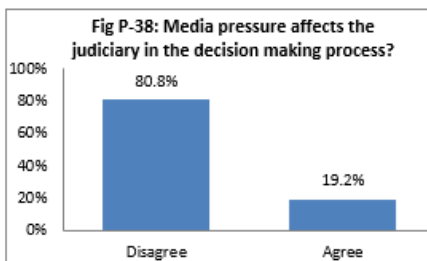
In the given data, 57.7% of the respondents disagreed that religious influences affect the judiciary. However, 42.3% agreed with it. (Ref: Fig P-36)



The data reveals that 53.8% of the respondents agreed, and 26.9% strongly agreed with the view that media pressure leads to a faulty investigation. However, 19.2% of respondents disagreed with the same statement. (Ref: Fig P-37)



In the reported data, it was observed that 80.8% of the respondents disagreed with the view that media pressure affects the judiciary

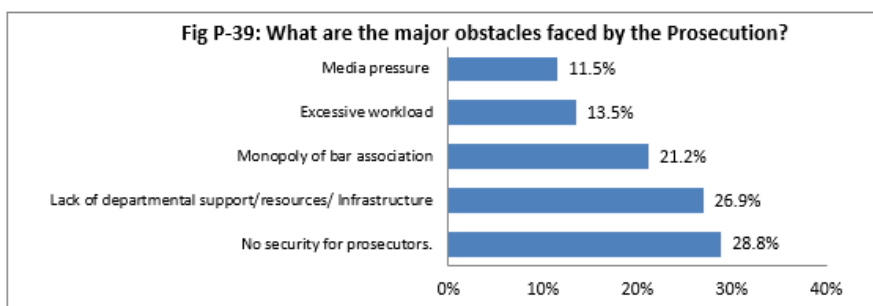




in the decision-making process. However, 19.2% agreed with the statement. (Ref: Fig P-38)

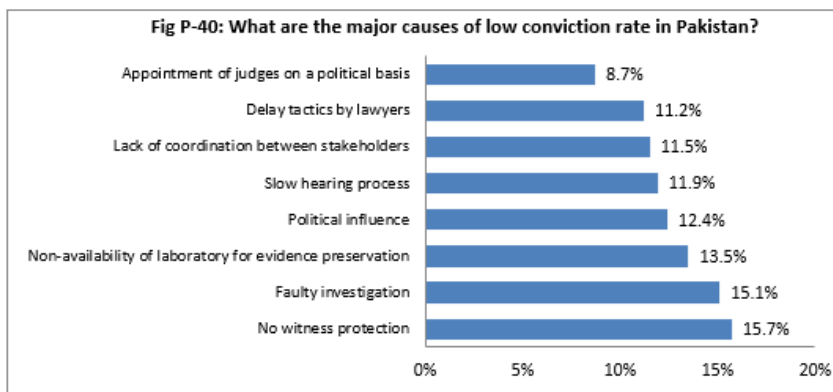
7. Major Obstacles during the prosecution process

The respective responses, i.e., no security for Prosecutors (28.8%), lack of departmental support/resources/ Infrastructure (26.9%), monopoly of bar association (21.2%), excessive workload (13.5%), and media pressure (11.5%) were reported as the major obstacles in the prosecution process. (Ref: Fig P-39)



8. Major Causes of Low Conviction Rate in Pakistan

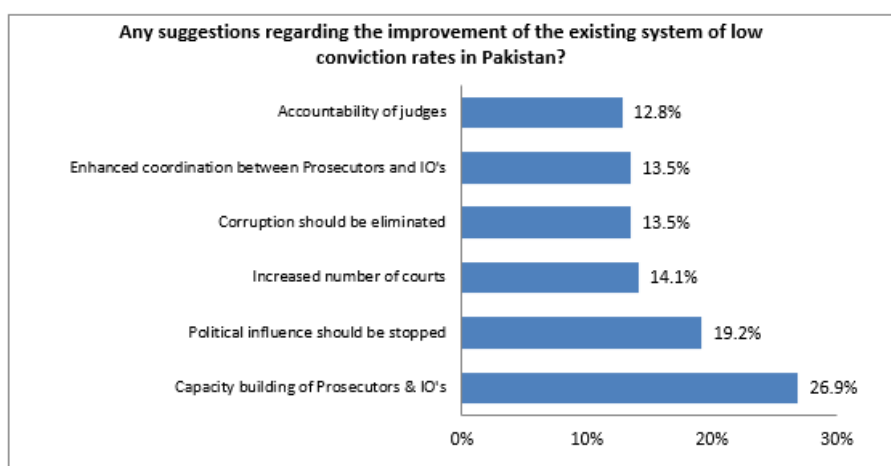
The respective responses, i.e., no witness protection (15.7%), faulty investigation (15.1%), non-availability of laboratory for evidence preservation (13.5%), political influence (12.4%), slow hearing process (11.9%), lack of coordination between stakeholders (11.5%), delay tactics by lawyers (11.2%), and appointment of judges on a political basis (8.7%) were reported as the major causes of low conviction rate in Pakistan. (Ref: Fig P-40)





9. Suggestions Regarding the existing system

The respective responses, i.e., capacity building of Prosecutors & IO's (26.9%), political influence should be stopped (19.2%), increased number of courts (14.1%), corruption should be eliminated (13.5%), enhanced coordination between Prosecutors and IO's (13.5%) and accountability of judges (12.8%) were reported as the suggestions for the improvement of the existing system of low conviction rate in Pakistan. (Ref: Fig P-41)



Police Service in Pakistan

The 1898 Code of Criminal Procedure outlines the police authority that serves as the foundation for all law enforcement agencies. By providing a legal foundation for investigations and enforcement, the legal framework of policing bolsters the detection model of policing; it also endows police organizations with specific preventative capacities. Each province in Pakistan has its police force, including the Sindh Police, Punjab Police, Balochistan Police, and KPK Police. Pakistan has around 500,000 police personnel in total.

Each province has its own set of laws governing its administration. The Police Order, 2002 govern Punjab Police; Sindh Police is governed by the Sindh (Repeal of the Police Act, 1861 and Revival of the Police Order, 2002) (Amendment) Act, 2019; Khyber Pakhtunkhwa Police is governed by the Khyber Pakhtunkhwa Police Act, 2017; and The Balochistan Police Act, 2011 govern Balochistan Police.



Prosecution Service in Pakistan

The prosecution's role is to evaluate police evidence and make cases manageable in number and quality. It was formerly affiliated with police groups after the United Kingdom's 1986 establishment of the Crown Prosecution Service. In 1986, the prosecution and police divisions were separated; this division was restored in 1991. Each province of Pakistan has had its own prosecutor's office since 2003. Provincial legislation regulates the establishment and operation of these departments.

Prosecution services are established in Khyber Pakhtunkhwa and Balochistan by the Khyber Pakhtunkhwa Prosecution Service (Constitution, Functions, and Powers) Act 2005 and the Balochistan Prosecution Service (Constitution, Functions, and Powers) Act 2003. The Punjab Criminal Prosecution Service (Constitution, Functions, and Powers) Act, 2006 established the Punjab Prosecution Department in 2006. Sindh Public Prosecution Service is a subordinate arm of the Sindh Law Department. It is governed by the Sindh Criminal Prosecution Service (Constitution, Functions, and Powers) Act, 2010.

Objectives of Prosecution Service in Pakistan

According to the Government of Balochistan (2021), the objectives of prosecution service in Pakistan are:

1. Enhancing individuals' capacity to seek redress by formal and informal channels.
2. Protection of human rights, particularly those of the impoverished and marginalized.
3. To pursue a lawbreaker before the judiciary and guarantee the administration of justice by giving legal support during the trials.
4. Enhancing institutional capacity to deliver remedies in arbitration, due process, enforcement mechanisms (police and prisons), and civil society activities promote accountability.
5. Ensure that no actual criminal goes unpunished and that no innocent individual is harassed or subjected to unwarranted inquiry or trial.
6. To guarantee the efficient administration of justice.
7. To diminish crime and fear of crime.

Role of Prosecution during Investigation, Trials, and Appeals

Prosecution plays a crucial role in criminal justice administration. Without a successful prosecution, the specified objectives cannot be accomplished. Prosecutors' duties begin with registering a case and continue through the criminal court's final decisions. The First Information Report (FIR) is a vital document that catalyzes the legal



procedure. If it is founded on an unstable basis, it has a detrimental effect on the administration of criminal justice since reviving a dead horse becomes a Herculean task for prosecutors. Thus, in preparing an FIR, the requirements outlined in the Code of Criminal Procedure should have been strictly followed.

The prosecution is required to have access to recent superior court judgments in order to offer practical legal assistance to the IO, who frequently relies on stereotypes and blinks when confronted with the most current recommendations issued by higher judicial forums. While the prosecutor advises the IO throughout the investigation, he also fills in critical legal gaps, ensuring that the case is presented in the best possible light before a court of competent jurisdiction. Following the submission of the challan, the prosecutor's position becomes critical because he is responsible for concluding the trial after the prosecution witnesses have been interviewed and cross-examined by the defense counsel and after he has cross-examined the defense witnesses adduced by the accused (Farooqi, n.d.).

Office of the Prosecutor General Sindh

According to the Government of Sindh (2021), Sindh Criminal Prosecution Service (Constitution, Functions, and Powers) Act, 2009 governs the Prosecution Service. The Prosecution Service's primary responsibility is to prosecute criminal matters on behalf of the state. The Prosecution Service is led by the Prosecutor General Sindh (BS-20), representing the state in the High Court and Supreme Court. Additional Prosecutors General (BS-19), Deputy Prosecutors General (BS-18), and Assistant Prosecutors General support him (BS-17). The Prosecution Service in the Districts is headed by District Public Prosecutors (BS-19). They are aided by Assistant District Public Prosecutors (BS-18) and Deputy District Public Prosecutors (BS-18) (BS-17). The Law Department appoints prosecutors with the permission of the Law Secretary and in collaboration with the Prosecutor General in the Anti-Terrorism Courts, Anti-Corruption Courts, and Anti-Encroachment Courts. The Prosecutor General exercises ultimate authority over the Provincial Prosecutors. Transfers and postings of Law Officers are also subject to the Law Secretary's permission after consultation with the Prosecutor General. Appeals against an accused person's acquittal must be filed on the prosecutor's proposal in charge of the case and on the recommendation of the Prosecutor General through the Law Secretary with the permission of the Law Minister.

Conclusion

By addressing the multiple causes of crime, prevention aims to reduce the chance of crimes occurring and the accompanying negative repercussions for individuals and communities, most prominently violence and crime. It is done by establishing and



implementing a valid professional code of ethics that demonstrates competence, responsibility, and general reliability. Prosecutors and police personnel should adhere to the ethical requirements of the legal system and maintain a consistent level of character integrity. Pakistan's criminal and civil regulations may be amended promptly. While ensuring justice is vital, it is also critical to emphasize outcomes above onerous procedural details to modernize, a fundamental component of the National Action Plan.

At the time, there were not any scientifically supported productivity norms or suitable metrics for quantifying substantial labor activities. The promotion policy is not meant to choose the absolute best based on seniority and aggregate fitness. Measures of accountability for unsatisfactory performance are virtually non-existent. The issue necessitated fundamentally altering police operations, building a professional subculture, hiring qualified and trained professionals committed to obeying the law, and transitioning away from repressive policing practices in favor of community policing in the modern day.



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