CONCEPT NOTE

Activity	ONE-WEEK TOT (TRAINING OF TRAINERS) IN COMPLIANCE WITH THE JUDGMENT OF THE PHC IN ASIF ULLAH V. GOVT. OF KP)
Duration	**One Week**
Number of Participants	**25-30**
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Venue:	**Khyber Pakhtunkwha Judicial Academy, Peshawar**

1. Background

The Honourable Peshawar High Court, in Asif Ullah v. Government of KPK (WP No. 5504-P/2025) has mentioned systemic deficiencies in criminal investigation and prosecution, and has issued directions aimed at reforming investigative practices, strengthening evidentiary standards, and ensuring fair trial guarantees.

In pursuance of these directions, the Khyber Pakhtunkhwa Judicial Academy has developed a Training of Trainers (ToT) program. The training is anchored in the principles laid down in the judgment.

The program is designed to create Master Trainers from the judiciary, who will subsequently conduct district-level trainings for Investigation Officers, Prosecutors, Medical Officers, and other stakeholders, ensuring that judicial directions are effectively translated into field-level practices.

2. Rationale

The quality of criminal investigation is the foundation of a fair and effective justice system. The Honourable High Court has identified recurring deficiencies, including:

- Improper crime scene management
- Weak documentation and case diaries
- Defective FIR practices
- Breakdowns in chain of custody
- Poor handling of digital and forensic evidence
- Lack of coordination between investigators and prosecutors

These deficiencies frequently result in acquittals, delayed trials, and erosion of public confidence in the justice system.

There is, therefore, a critical need to move beyond conventional training and adopt a multiplier approach, whereby trained judicial officers serve as Master Trainers to:

- Standardize understanding of legal requirements
- Address identified gaps in investigation practices
- Promote coordination among stakeholders
- Ensure sustainability of reforms through district-level training

The ToT model ensures institutional continuity and consistent dissemination of judicially mandated standards across the province.

3. Objectives

The training program aims to:

1. Develop Master Trainers capable of delivering structured training at the district level.
2. Strengthen understanding of judicial directions, legal standards, and evidentiary requirements in criminal investigation.

3. Equip trainers with the ability to identify deficiencies and guide corrective practices in investigation and prosecution.
4. Enhance coordination between judiciary, police, prosecutors, and medical professionals.
5. Promote standardization, accountability, and professionalism in investigation practices.
6. Build capacity for practical, skills-based training deliver , including facilitation, adult learning, and assessment techniques.

4. Program Structure (Thematic Modules)

A. Foundations of Criminal Investigation

Key Topics:

- Constitutional safeguards and fair trial principles
- Role of Investigating Officer as a truth-seeker
- Legal framework governing investigation
- Arrest, interrogation, and evidentiary standards

B. First Information Report (FIR)

Key Topics:

- Mandatory registration under Section 154 CrPC
- Legal status and evidentiary value
- Malpractices (false, exaggerated, “progress FIRs”)
- Judicial directives and reforms

C. Documentation of Investigation & Role of Prosecutors

Key Topics:

- Case diaries and documentation standards
- Prosecutorial supervision and challan scrutiny
- Timelines and accountability
- Coordination between IOs and prosecutors

D. Witnesses & Courtroom Preparedness

Key Topics:

- Witness reliability and protection
- Courtroom discipline and trial management
- Prosecutorial responsibilities in evidence presentation

E. Searches, Recoveries & Chain of Custody

Key Topics:

- Legal requirements for searches and recoveries
- Neutrality and role separation
- Handling of case property and Malkhana system
- Maintaining an unbroken chain of custody

F. Crime Scene Management

Key Topics:

- Preservation and documentation
- Forensic standards and sampling

- Use of technology (photography, videography, CCTV)
- Common lapses and corrective measures

G. Medical Evidence

Key Topics:

- Medico-legal documentation
- Injury reports and evidentiary value
- Coordination with medical officers
- Systemic deficiencies and reforms

H. Digital Forensics & Cybercrime

Key Topics:

- Admissibility and authenticity of digital evidence
- Handling of CCTV, audio/video, and electronic data
- Risks of manipulation and AI-based fabrication
- Role of forensic experts

I. Case Diaries & Investigation Documentation

Key Topics:

- Mandatory maintenance under Section 172 CrPC
- Legal status and evidentiary limitations
- Role in ensuring transparency and accountability

J. Training Methodology

Key Topics:

- Adult learning principles
- Training design and facilitation skills
- Use of case studies and simulations
- Feedback and assessment techniques
- Role and responsibilities of Master Trainers

K. Workshop

Key Activities:

- Case studies based on real investigation failures
- Group discussions and problem-solving exercises
- Participant presentations
- Reflection and synthesis

5. Implementation Framework

Following completion of the ToT programme:

- Master Trainers will conduct district-level trainings for relevant stakeholders.
- All trainings will be coordinated with the Academy to ensure standardization and quality control .
- Training materials and records will be maintained through the Learning Management System (LMS) .
- Assessments and post-training reports will be shared with the Academy.
- Periodic impact evaluations will be conducted to assess improvements in investigation practices.

6. Expected Outcomes

- Improved quality of criminal investigations
- Enhanced compliance with judicial directives
- Strengthened prosecution and trial outcomes
- Reduction in procedural lapses and acquittals
- Institutionalization of standardized training practices
- Sustainable capacity-building through Master Trainers

Conclusion

This Training of Trainers program represents a structured and strategic response to the directions of the Honourable Peshawar High Court. By focusing on both substantive law and practical training skills, the initiative seeks to ensure that judicial mandates are not confined to judgments but are translated into consistent, measurable improvements in investigation and prosecution practices.

The program is a significant step towards strengthening the criminal justice system in Khyber Pakhtunkhwa through capacity building, standardization, and institutional collaboration.