

(Legal Aid Office project)

NEWSLETTER
April - June
2021
8th edition

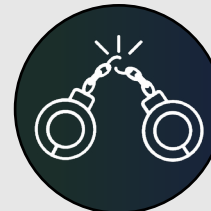
Supporting Sindh's Criminal Justice System through Legal Aid, Legal Empowerment and Speedier Trials.

KEY HIGHLIGHTS OF SUCCESS from this quarter



771

Underprivileged prisoners legally represented



332

Under trial prisoners were released on bail



552

Cases disposed / resolved through Judicial Orders



326

Under-privileged & innocent prisoners acquitted on merit

all made possible through the support of CWP-LAO



Ms. Sheeba Shah
Deputy Inspector
General Women & YOIS
Prisons and Corrections
Services

MESSAGE FROM the Deputy Inspector General Women & YOIS Prisons and Corrections Services

In the early days of the formation of the Committee for the Welfare of Prisoners (CWP), Justice Nasir Aslam Zahid would visit the Women Prison daily and hold meetings with prisoners who were unable to engage a lawyer. He interviewed each prisoner individually to assess her financial standing and the merits of her case. I recall that his arrival at the prison was seen as a source of insurmountable hope and encouragement for the women prisoners who

desperately sought legal aid. His wife, who is a retired doctor, would accompany him to screen and treat patients for scabies and other infectious diseases.

Such empathy and commitment towards protecting the rights of the vulnerable have become enshrined in the fabric of CWP since its inception, and it is because of these qualities that have enabled the committee to have such tremendous impact till date.

Through its 15 year journey, CWP has expanded to cover not just the provision of legal representation but also to ensure legal empowerment of prisoners through various programs. The latter includes measures such as setting up the Early Learning Centres in the Women Prisons in Karachi and Hyderabad. In these centres, the CWP strives to improve the rehabilitative standards of the women prisoners, or any child born to or accompanying any of them.

From the children being taught basic literacy for reintegration into society upon release, to improving the menstrual hygiene standards among the prisoners, there are quite a number of ambitious initiatives that have radically improved the provision of welfare for prisoners. In addition, the Prison Paralegal Program has created a sustainable system of legal empowerment of prisoners who no longer have to rely on external support to understand the nuances of

the justice system.

We are very thankful to Justice Nasir Aslam Zahid and his entire team for their efforts to support the Sindh Prisons Department. I sincerely hope that these efforts continue and, in the next few years, the prisons across Sindh are transformed into model centres of rehabilitation for other provinces in Pakistan to learn from.



INAUGURATION CEREMONY OF PARALEGAL ROOM in Central Prison Hyderabad

A paralegal room was inaugurated at the Central Prison, Hyderabad on June 25, 2021, by **Mr. Muzaffar Alam Siddiqui** (DIG Prisons Hyderabad). The prison now has a fully functional prison paralegal service that provides legal awareness to new prison admissions in a sustainable and supervised manner. It is a rare example of direct legal empowerment within prisons under which literate convicts are trained to be able to provide legal awareness and information to other prisoners in order to acquaint them with prison rules and with the nuances of the justice sector.

During the inauguration, Superintendent, Mr. Zia ul Hassan distributed appreciation certificates among the paralegals. The Sindh Prisons leadership in Hyderabad emphasized the role of Paralegals to sustain the concept of legal empowerment among the under-trial prisoners and also appreciated the efforts of CWP-LAO and thanked the organization for its support.



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ONE DAY TRAINING OF PRISON STAFF on Relevant Topics of Sindh Prisons and Corrections Services Rules

CWP-LAO believes that legal awareness and sensitization towards rule of law should be an integral part of the training curriculum for all law enforcement professionals. A greater need was realized to improve capacities and to reflect on the major changes in New Sindh Prisons Rules.

In this regard, the Committee of the Welfare of Prisoners-Legal Aid Office organized a one-day training session for Sindh Prison Officials on the 'Sindh Prisons and Corrections Services Rules, 2020' on June



12, 2021, at Pakistan Society for Training & Development (PSTD) in Karachi. Alongside the new mechanisms for prison administration, the training also shed light on several important topics such as rules for Admission of Prisoners, their authorized absence, early discharge from prison, prisoners' wellbeing, and rehabilitation, along with general rules relating to prison duty officers.

The day was graced with the presence of **Mr. Kazi Nazeer Ahmed** (IG Prisons Sindh), **Mr. Munawar Shah** (Senior Superintendent Central Prison Mirpurkhas), **Ms. Sheeba Shah** (DIG Women & Juvenile Prison, Karachi), with outstanding participation from 25 members of executive staff (Superintendent, Deputy Superintendent, and Assistant Superintendent) from the prisons across Sindh.

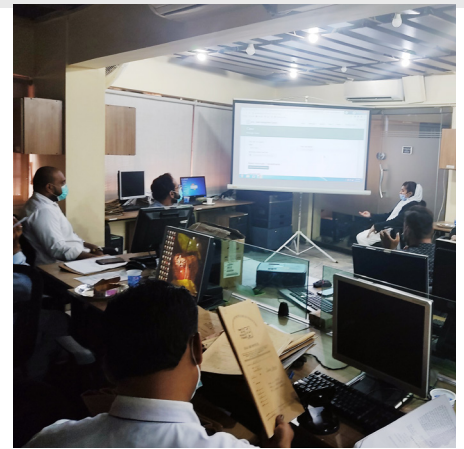


At the end of the training session, The Chairman CWP-LAO Justice (R) Nasir Aslam Zahid distributed certificates among participants. This training would help participants to be better equipped with the new Prison laws & regulations.

ORIENTATION SESSION ON CASE MANAGEMENT SYSTEM for all CWP-LAO Advocates

CWP-LAO launched its very own web-based Case Management System (CMS) in March of 2015. CMS is an automatic system that reduces the day-to-day operations of an advocate to create, maintain and update their cases as well as their hearings manually. It is completely operated by the advocates within the organization and helps them manage their cases more efficiently and more productively. One of the key components of CMS is its user-friendly online platform, which our advocates are able to access anywhere with the help of an internet connection using a smart phone or laptop among other electronics.

Since it was launched, CMS is being utilized by CWP-LAO advocates, which covers 24 prisons of Sindh province where free legal aid is provided to Under Trial Prisoners. In May 2021, CWP-LAO CMS phase II was rolled out. This phase covers the new system features along with upgraded reporting mechanisms that will help advocates perform better. To operationalize the updated system, online zoom training sessions have been conducted in which all advocates including those in regional offices have been trained to use it with the new features for better management and execution.



WELFARE ACTIVITIES

During the special month of Ramzan, the CWP held an event in which they distributed clothes nearing Eid and food items among the underprivileged women prisoners in Women Prison, Hyderabad. This event was attended by **Ms. Syeda Quratul Ain Shah** (In-charge at Women Complaint Cell),

Ms. Abida Sami Abbasi (Superintendent of Women Prison, Hyderabad) and the representatives from the Women Development Department (WDD), Sindh. All of whom gave special notice and thanks to **Justice Nasir Aslam Zahid** and CWP-LAO, regarding their welfare and legal services for inmates.

ACKNOWLEDGMENT OF CWP-LAO SERVICES across 18 Prisons in Sindh

In order to create greater awareness of the vast work being done by CWP-LAO and to ensure transparency and accountability, a visibility board was designed to display CWP-LAO's Annual progress and free legal aid clinics schedule within prisons.

The CWP-LAO installed visibility boards across 18 Prisons of Sindh, the majority of which are installed in the entrance/main area of the prisons. These will allow prisoners to be aware of the services being provided by CWP-LAO for their benefit.



APPRECIATION CERTIFICATE Distribution Ceremony

At CWP-LAO, we strive to ensure that efforts directed towards the betterment of our organization are celebrated and acknowledged in meaningful ways. The passion and dedication shown by employees at CWP-LAO are rewarded in the form of an appreciation certificate that is distributed by our chairperson

during a ceremony. Justice (R) Nasir Aslam Zahid generously recognized the efforts of employees and awarded cash prizes & certificates to high achievers within CWP-LAO. He advised the team to keep working with the same zeal and dedication to ensure that meaningful impact is created.



FREE LEGAL AID and Advisory Camps

CWP-LAO plays a critical role in disseminating information on rights, access to justice services, and access to benefits on COVID-19 response. During the second & third waves of the Covid-19 pandemic, these camps were conducted with the safety guidelines/SOPs since the CWP- LAO team



During this quarter
626 UTPs and
convicts benefited from
these camps

took the necessary measures in prisons to effectively control risks of a possible spread.

legal aid provided is helpful at multiple stages of this process.

The objective of these camps is to provide basic legal aid to prisoners in conflict with the law at multiple stages of their interaction with the justice system. From entry into the justice system at the police station through the prosecution department, through the trial process in court, all the way to prison if a person is remanded or is serving a sentence, the

The advisory camps are also used to spread awareness about the rights and responsibilities of users of the justice system. Multi-format IEC materials were distributed among prisoners to inform them about the newly notified Prison rules 2020 and the availability of mechanisms for access to justice



JUSTICE SUCCESS **STORIES**

Mohammad Ashraf, gets acquitted from false attempt-to-murder charges

Mohammad Ashraf is a 36 years old laborer, is the sole provider of three sons and one daughter (all minors) as well as his ailing parents, and was implicated in multiple offenses such as carrying an illegal weapon, and charges owing to a fabricated case of a murderous attack on the police. As his socio-political and economic background is working-class and he is someone who must provide for those dependent on him, Ashraf struggles to make ends meet.

He requested CWP-LAO to represent him in court for his defense. LAO **Advocate Mohammad Toseef** speedily took up the case and filed it

on March 22, 2021. He took extra time to ensure that the challan submitted was done so properly and did well to coordinate with the prosecution on this matter.

Once the evidence and statements had been recorded and played out, the proceedings concluded having exonerated Ashraf of all charges, as the court determined that there were many contradictions in the prosecutions' witness statement. Ashraf was thus acquitted from all charges on April 1, 2021, by extending the benefit of the doubt. He is very thankful to CWP for their support and aid that reunited him with his family and allowed

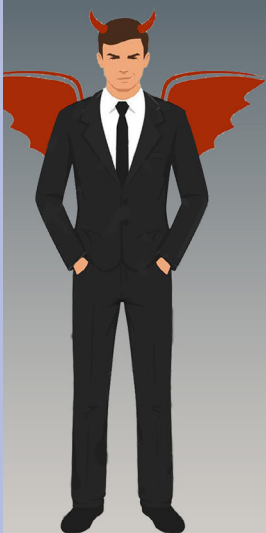


Advocate Mohammad Toseef

him another opportunity to provide for them. Had he not been able to get LAO on board with his case, he would have faced imprisonment for a term that may extend to 14 years plus a fine.



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Government of Sindh



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JUSTICE SUCCESS **STORIES**

Muhammad Mithal Samito, gets justice after being involved in a false Narcotics case

Muhammad Mithal Samito was a 45 year old resident of Dadu, and a family man with ten to twelve dependents on him when he was arrested for possession of hashish (or charas) as part of a routine police patrol. Belonging to a working-class background, Mithal found himself in a very alarming situation on account of being behind bars, and not being able to provide for his family.

He finally got in touch with LAO Advocate **Mr. Naveed Khan Ujjan** who came to visit him in jail and went on to represent him. His case was filed on the 12th of January 2021, and the

proceedings began. Mithal plead not guilty, and the case went ahead with witness statements and arguments.

The court concluded that the prosecution was not able to prove their charges against Mithal, who was acquitted on the 9th of April 2021. If he did not have LAO representing him, he could have faced a sentence of up to 7 years with a fine. Upon being released, he thanked his advocate, CWP-LAO, and the efforts of Justice Nasir Aslam Zahid with the Sindh Government in improving the state of prisoner's rights in Pakistan.



Advocate Naveed Khan
Ujjan

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JUSTICE SUCCESS **STORIES**

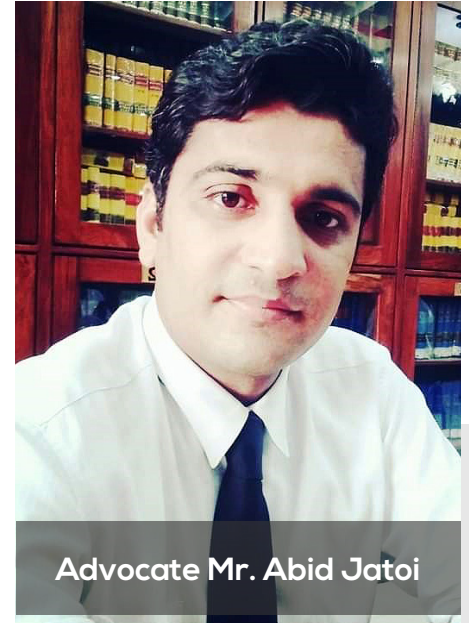
Joein Ilyas, gets reunited with his family after being falsely accused in a robbery case

Joein Ilyas was 18 years old when he was accused of trespassing within and theft of items taken from a school in Gulistan-e-Johar, Karachi. He hails from a working-class background, is the sole provider in his family, and also belongs to a minority community. Given the financial and social background of the accused, he was vulnerable to issues emerging in poverty-stricken circumstances, and thus required free legal representation.

Ilyas approached LAO advocate **Mr. Abid Jatoi** to represent him, who filed the case on April 6, 2021. Once the case proceeded, Ilyas plead not guilty after which a total

of four prosecution witnesses (PWs) were examined. Once all the evidence and final arguments were examined, the court declared that the complainant has initiated false, fabricated, and vexatious litigation against the accused and is liable to issue showcase notice to the investigation officer (I.O) and to submit a compliance report to the court within 15 days. Ilyas on the other hand was acquitted on merit from the false charges on April 15, 2021.

The case took ten days to conclude. Had CWP- LAO not taken his case, he would have faced imprisonment for a term which may extend to 7



Advocate Mr. Abid Jatoi

years plus a fine. After being released, Ilyas and his family were incredibly happy to be reunited and very grateful to the work done by Justice Nasir Aslam Zahid to protect the rights of prisoners in Sindh.

Financial Assistance for Khadija

Khadija was around 30 years old at the time she was arrested for kidnapping. Her family background is working-class, and she is the second eldest sibling among her brothers and sisters. She was married off young but divorced not long after due to the domestic violence she faced at the hands of her husband and her

in-laws. Her second marriage bore her 5 children, whom she took care of as a housewife.

Khadija was charged with kidnapping by complainant Rabia, who had some familial enmity with Khadija as was later discovered. Once the complainant's FIR had been filed, Khadija opted for private counsel which she could only

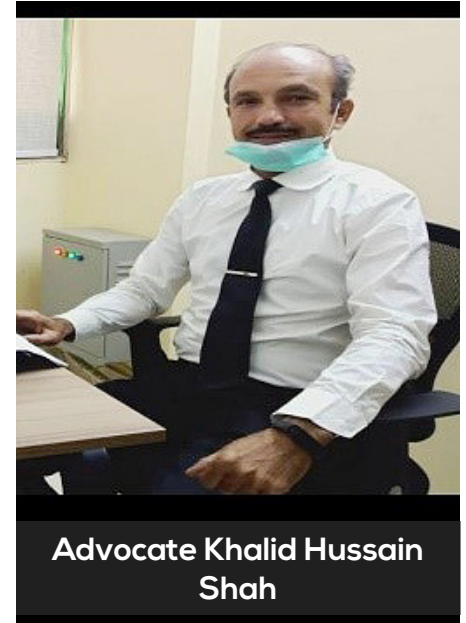
afford for a short while. It was at this stage that she approached LAO for legal representation. Her case was then assigned to **Mr. Habib-ur-Rehman Jiskani**, an advocate of the Legal Aid Office, who filed a petition before the Honorable High Court of Sindh on her behalf. As a result of the petition, Khadija was granted bail in the

JUSTICE SUCCESS **STORIES**

Shazia, gets timely help from CWP-LAO after being accused with a false kidnapping charge

A 43 year old Shazia had been incarcerated in prison for two years due to false charges of kidnapping. Before she got arrested, she was working in a garment factory as a laborer where she earned 10,000/- rupees per month. She belonged to a small village in Lahore where she lived with her husband, two daughters, and one son. Prior to his demise, her deceased husband had been working as a laborer and was dependent on daily wages which hardly covered their day-to-day expenses. Shazia's working-class background thus made it extremely challenging to seek justice until LAO came into the picture.

Shazia was accused of kidnapping a woman named Saima, who was running away from an arranged marriage with her cousin and from the threats of an Adeel Amjad. These false charges were filed after a chain of events involving Saima, her mother, and the man mentioned above. During her trial Shazia was not satisfied with the performance of her lawyer, so she reached out to CWP-LAO and met with lawyer Mr. **Khalid Hussain Shah**, who took her case on October 19, 2019. He was successfully able to get all charges leveled against her to be dismissed due to the fractures he highlighted in the prosecution witness statements. Shazia was finally



Advocate Khalid Hussain Shah

acquitted on June 15, 2021, and could have faced up to life imprisonment for a crime she did not commit if not for the right legal aid. She is thus grateful to her lawyer Mr. Shah, CWP-LAO, and their legal team for their support to get her out of prison.

sum of Rs. 50,000/-, which was also arranged by LAO as Khadija and her family could not afford it.

On June 10, 2021, Khadija was granted bail. She was very happy to have been reunited with her loved ones and thanked the efforts of her lawyer, Justice Nasir Aslam Zahid, and LAO for the

work they are doing for the rights of minorities and those vulnerable in society.



Advocate Habib-ur-Rehman Jiskani

CWP-LAO

Pro Bono Partnerships



The CWP-LAO has also been a leading voice in the struggle for speedy justice to marginalized prisoners of Sindh since 2004. We provide free legal aid assistance in petty offense cases and engage in legal literacy and empowerment, as well as advocacy work around reforming the prison system of Sindh.

In addition, we also provide legal services through pro bono partners for convicted prisoners who have been long waiting for their cases to be dismissed or appealed in the Supreme Court. **Mr. Hasan Mandviwala**, our pro-bono partner, visited Central Prison Karachi to interview and assess the legal documents and cases of prisoners whose appeals lie pending before the Supreme Court. He will be providing legal aid in such cases as well.



To expand these efforts further, we are creating referral linkages with individuals and organizations that strive to work for the rights of prisoners and we sincerely thank our pro-bono partners for their dedication and passion towards public service.

GET IN TOUCH!

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