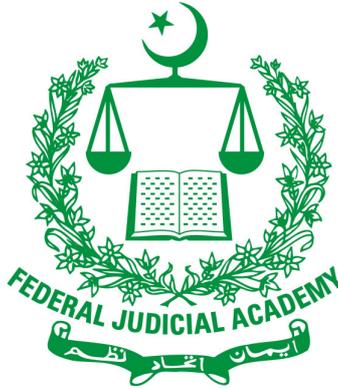


# FEDERAL JUDICIAL ACADEMY ISLAMABAD



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## Training Curriculum

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## TABLE OF CONTENTS

Preface	ii
Training curriculum for Newly Recruited Civil Judges	1
Training curriculum for Directly Recruited Additional District & Session Judges	8
Training curriculum for Newly Promoted Additional District & Session Judges	15
Training curriculum for Senior Civil Judges	18
Workshop Curriculum for District & Sessions Judges	22
Training Curriculum for superintendents Attached with the Sessions Courts	27
Training Curriculum for Law Officers – Attorneys	29
Continuing Judicial Education Seminars/Workshops	31
Computer Literacy	33
MIS Training Programmes	34
Training Programmes for each financial year	37
Principles of Policy	45

## **P R E F A C E**

### ***Planning and Methodology***

Curriculum design provides a framework to help judicial educators to plan what is to be taught, to whom and why, and implies that decisions have been made about the subject matter, the relationship between segments of knowledge, skills and abilities, and their organization and sequence. The value of curriculum development in continuing judicial education is that it offers a plan of the proposed learning outcomes and the means of reaching them. This enables educators to identify whether segments of the programme are missing or operating ineffectively.

### ***Topical Organization***

The services offered by any program of continuing judicial education is determined by need. Facilitating a programme of effective learning for judges depends in part on the quality of its planning. It follows that strengthening the capacity of the Federal Judicial Academy can be achieved only through methodical planning and development, to enable it to provide training services which are sufficient to meet the designated goals. This in turn can be possible with the application of a framework which matches the delivery of services against a process of designating priorities of educational need.

### ***Practical Skills***

As a part of capacity building of the Academy, we propose a change mainly in the method of judicial education and training. Hitherto, emphasis has been on dissemination of knowledge and information about substantive law, by way of lecturing. However, we are going to employ more useful and effective means of delivering educational services, with the introduction of a new professional approach to judicial training based on the theory and principles of adult education. In terms of content, this will focus not just on substantive law,

but on the skills and disposition of judging. In terms of method, lecturing will be heavily supplemented by the introduction of small group seminars and workshops which will build on the active participation of judges in techniques of active learning, such as problem solving case studies, scenarios and simulations, and also panel discussions to develop professional skills and judgment which will be supported by the foundation of information and knowledge. It is important to stress that this training approach will be considerably more practical rather than theoretical and active rather than passive.

### ***Training Services Matrix Approach***

Matrix planning provides a means to plan and structure training services to meet categories of educational need in a methodical way, by classifying those services in terms of the nature of the need, which they are planned to meet. This planning process can operate effectively through the formulation of a matrix of educational services. This matrix is defined by content (subject matter) and pitch (the level of application). While designing the curriculum, two aspects of judicial training process have been kept in view with reference to the subject matter and the level of application: First, the duration of the training programmes; and the second is the nature of functions of the trainee judges which determines the extent and character of relationship between the training needs and services offered by the Academy to address those needs.

### ***Needs Assessment***

A survey was conducted in March-April, 2002 for judicial education needs assessment, to be used as foundation for curriculum design. The needs assessment document was based on the one provided by Commonwealth Judicial Education Institute and modified by the Federal Judicial Academy to better suit the local conditions. The purpose of survey was to gather information to be taken into account in designing a curriculum which responds to the community perception of judicial weaknesses that could be removed through judicial education. The needs assessment survey report compiled by the CJEI, has been of immense help in guiding us to the preparation of a curriculum for judicial training.

The Academy's curriculum has been developed and built mainly on the existing experience of the Academy's Faculty, which consists of sitting and retired judges of the district judiciary, who have been directly concerned with the administration of justice and are, by virtue of that circumstance, fully conversant with the trial methods, substantive and procedural laws, the difficulties faced by the judges in expeditious disposal of cases and the challenge of growing public criticism about the quality of judicial work.

It will be worth its while to mention that Mr. Livingston Armytage of the Asia Foundation also worked with the Academy for the development of a curriculum. He conducted seven workshops in the Academy's campus during the months of October - November, 2002, each of the duration of three to four hours, with active participation of the members of the faculty to render assistance in evolving basic principles that could serve as conceptual foundation for the task. These workshops have helped us in planning the induction level training courses and those for continuing judicial education.

### ***Periodic Review Mechanism***

Another aspect of the matter should also find expression in this prelude. The curricula remain in the process of constant development. An Academic Council, consisting of the members of the Faculty and some of the resource persons, has therefore been set up for periodic review of the curricula. The Judge-Incharge of the Academy / Judge Supreme Court of Pakistan shall be the Chairman of the Council. The Director General shall be the Convener of the Council and it shall meet at least twice in a year for necessary deliberations. The Additional Director of the Academy shall, in addition to his duties, function as Secretary of the Council, with the assistance of other members of the staff. The Academy's campus will serve as secretariat of the Council.

This will ensure not only the Faculty's association with the development of curricula, but also its religious commitment to the study of new social relations, developing in the wake of behavioural changes and paradigm shifts in attitudes, outlook, environment, values and

culture. This aside, it will remain alive to constant changes in the philosophical prospective of law, caused by gigantic socio-economic and scientific development. At the same time, it will keep it in sight that this development, amongst other things, is bringing about basic conceptual changes in rights and corresponding obligations, there by causing the evolution of new legal phenomena.

### ***Continuing Judicial Education***

The expanded curriculum spells out the detail of fixed courses. This apart, we do have a programme of continuing judicial education to complement these courses. To achieve the avowed goal, we have appended with the curriculum, an account of the seminars and workshops in contemplation under the caption Continuing Judicial Education. These workshops and seminars will be held for the Judges of the Banking courts, special courts and tribunals concerned with judicial or quasi judicial functions and administered either by the Federal Government or the Provincial Governments. They will deal with intellectual property laws, trade laws, environmental laws, commercial laws, alternative dispute resolution techniques and delay reduction.

This programme is obviously the result of awareness that we can deal with philosophical component of the law by continuing judicial education which focuses on these developments and environmental shifts. It is in the backdrop of these considerations that topics such as the Academy as a judicial policy research institute, legal research to improve judgement writing -- judicial decision making, paradigm shifts in law and changing philosophical perspectives, socio-economic impact of judicial decisions, the academy's role in ensuring transparency in judicial administration and the process of adjudication, have found place in the appendix. It was kept in mind that the design of this programme of continuing judicial education should be flexible and responsive to the circumstances and the participants' needs.

## **TRAINING CURRICULUM**

*FOR*

### **NEWLY RECRUITED CIVIL JUDGES-CUM-JUDICIAL MAGISTRATES**

Level of application (Pitch)	Induction
Subject matter (Content)	Orientation – Theory – Practice – Skills
Participants/Beneficiaries	Newly recruited Civil Judges-cum-Judicial Magistrates
Duration of the course	Eight weeks
Faculty	Members of the Faculty of Federal Judicial Academy, sitting and retired judges of the superior courts.

### **IMPARTIALITY - ATTITUDE - BEHAVIOUR**

- (1) Judicial ethics and conduct
- (2) Judicial independence
- (3) Judicial accountability
- (4) Recognition of the effect of bias
- (5) Awareness of contemporary social issues
- (6) Senior-junior relationship
- (7) Awareness of gender, ethnic and other disadvantaged groups
- (8) Etiquettes and mannerism
- (9) Self management
- (10) Character Building

**COMPETENCY****(A) GENERAL**

- (1) Judiciary as one of the three organs of State
- (2) Service Laws with special reference to Government Servants Conduct Rules and Performance Evaluation
- (3) Interpretation of Statutes
- (4) Judicial Review of Administrative Actions
- (5) Legal Maxims
- (6) Devolution of powers and concept of District Governments with reference to the role of District Judiciary
- (7) Discretion
- (8) Review, Revision and Appeal (Civil and Criminal)
- (9) Concept & philosophy of Islamic Law with reference to practical & procedural aspects
- (10) Islamic Law of Qisas & Diyat
- (11) Human Rights: Islamic and Western Concepts with reference to their practical application in the Courts of Law
- (12) Human Trafficking
- (13) Child Labour / Forced Labour issues
- (14) Legal Education
- (15) Legal Philosophy
- (16) Jurisprudence
- (17) Legal and Judicial Research and Writing

**(B) CIVIL LAW**

- (1) Code of Civil Procedure
  - (a) Some neglected but most important provisions of CPC like interrogatories,

notice to admit and deny and statements before issues.

- (b) Appealable orders.
- (c) Sections 10, 11 and 12 (2)
- (2) The following laws in theory, application and practice:
  - (i) Law of Evidence
  - (ii) Law of Pre-emption with particular reference to Talabs & Limitation
  - (iii) Family Laws
  - (a) UK-Pakistan Judicial Protocol, 2003
  - (iv) Specific Relief Act.
  - (v) Limitation Act
  - (vi) Court fee and Suits Valuation Act
  - (vii) Rent Laws
  - (viii) Transfer of Property Act
  - (ix) Contract Act
  - (x) Arbitration Act
  - (xi) Registration Act
  - (xii) Law of Inheritance
  - (xiii) Agrarian system - Land laws

### **(C) CRIMINAL LAW**

- (1) The Code of Criminal Procedure
- (2) The Pakistan Penal Code
- (3) Juvenile justice system

### **(D) SPECIAL LAWS**

- (1) Labour Laws with reference to Bonded Labour
- (2) Intellectual Property Laws
- (3) Cyber Laws

## **EFFICIENCY**

### **A. GENERAL**

- (1) Court Management:
  - a. Superintendence
  - b. Control
  - c. Inspection
- (2) Case flow management
- (3) Time and stress management
- (4) Communication skills - written and oral
- (5) Judicial skills
- (6) Delay Reduction
- (7) Computer skills - literacy
- (8) Bench & Bar relations
- (9) Financial management with emphasis on budget, account, revenue deposits and Sheriff's Petty Account.
- (10) Noting, drafting and correspondence
- (11) Devolution of powers and concept of District Governments with reference to the role of District Judiciary
- (12) Alternative Dispute Resolution
- (13) Mediation skills
- (14) Forms and Registers used in Civil and Criminal Courts and Police stations
- (15) Bench Book -- High Court Rules and Orders

### **B. CIVIL**

- (1) Scrutiny of Plaintiff
- (2) Cause of action
- (3) Misjoinder of parties and causes of action -- multifariousness
- (4) Jurisdiction

- (a) Pecuniary
- (b) Territorial
- (5) Framing of issues - theory and practice
- (6) Amendment of pleadings
- (7) Examination of parties – Order 10 C.P.C.
- (8) Injunctions -- theory and practice
- (9) Recording of evidence:
  - (a) Relevancy
  - (b) Admissibility
  - (c) Proof of documents
- (10) Exercise of discretionary powers in civil cases
- (11) Inherent powers
- (12) Appointment of receivers

### **C. CRIMINAL**

- (1) The Code of Criminal Procedure
- (2) Trail of a criminal case
- (3) Registration of a case -- Investigation
- (4) First Information Report
- (5) Cognizance
- (6) Procuring the attendance of accused/witnesses
- (7) Bails - theory and practice
- (8) Framing of charge - theory and practice
- (9) Recording of evidence:
  - (a) relevancy
  - (b) Admissibility
- (10) Medical Jurisprudence
- (11) Forensic Ballistics

- (12) Examination of accused and confessions
- (13) Sentencing skills
- (14) Vicarious Liability
- (15) Discharge of the Accused and acquittal - Distinction
- (16) Cancellation of a case
- (17) Cancellation and Discharge - Distinction
- (18) Inquests and dis-interment
- (19) Sending up of cases to sessions court
- (20) Remand
  - (a) Police custody
  - (b) Judicial lock up
- (21) Maintenance of case diaries
- (22) Submission of Report u/s 173 Cr.P.C.

### **EFFECTIVENESS**

- (1) Marshalling of facts
- (2) Judgment writing
- (3) Decision making
- (4) Executions
- (5) Exercise of judicial discretion
- (6) Media-Bench relations
- (7) Judicial skills
- (8) Sentencing skills
- (9) Leadership
- (10) Chairpersonship of the proceedings
- (11) Maintenance of a dignified, orderly, efficient pace of proceedings, legal and litigant skills
- (12) Judicial decision making skills

- (13) Communications skills -- in the court room, with stake holders and the community at large
- (14) Adaptability to change
- (15) Economic impact of judicial decisions
- (16) Social impact of judicial decisions
- (17) Information technology
- (18) Attachment before judgment
- (19) Arrest and detention
- (20) Malicious prosecution
- (21) The Law of contempt
- (22) DNA Test: importance & relevance for judicial determinations
- (23) Legal English for Judges

### **APPLICATION AND PRACTICE**

The focus will be not just on substantive law, but also on the skills and disposition of trainee judges. Lecturing will be heavily supplemented by small group seminars and workshops to be structured on the participation of judges in techniques of active learning, such as problem solving case studies, scenarios and simulations and panel discussions to develop professional skills and judgment to be built on the foundation of their information and knowledge. This training approach will be considerably more practical rather than theoretical, and active rather than passive.

### **SYNDICATES**

In addition, syndicates and case studies will be conducted. Exercises for practice on maintenance of order sheets, framing of charge, issues, judgment writing, stay orders, bail orders, interlocutory orders and remand orders shall also be managed. The trainee judges will be made to do the things, for the acquisition of necessary skills, to improve the quality of their judicial work.

**EXPENDITURE**

**Cost of training per head per day  
to be borne by the Academy.**

Rs.700/- to 800/- approximately, depending upon  
when the training courses are held.

## II TRAINING CURRICULUM

*FOR*

### **DIRECTLY RECRUITED ADDITIONAL DISTRICT & SESSIONS JUDGES**

Level of application (Pitch)	Induction
Subject matter (Content)	Networking – Problem solving – Substantive law – Decision Making
Participants/Beneficiaries	Directly recruited Additional District & Sessions Judges
Duration of the course	Eight weeks
Faculty	Members of the Faculty of Federal Judicial Academy, sitting and retired judges of the superior courts.

### **IMPARTIALITY - ATTITUDE - BEHAVIOUR**

- (1) Judicial ethics and conduct
- (2) Judicial independence
- (3) Judicial accountability
- (4) Recognition of the effect of bias
- (5) Awareness of contemporary social issues
- (6) Senior-junior relationship
- (7) Awareness of gender, ethnic and other disadvantaged groups
- (8) Etiquettes and mannerism

- (9) Self management
- (10) Character Building

## **COMPETENCY**

### **(A) GENERAL**

- (1) Judiciary as one of the three organs of State
- (2) Service Laws with special reference to Government Servants Conduct Rules and Performance Evaluation
- (3) Interpretation of Statutes
- (4) Judicial Review of Administrative Actions
- (5) Legal Maxims
- (6) Devolution of powers and concept of District Governments with reference to the role of District Judiciary
- (7) Discretion
- (8) Review, Revision and Appeal (Civil and Criminal)
- (9) Concept & philosophy of Islamic Law with reference to practical & procedural aspects
- (10) Islamic Law of Qisas & Diyat
- (11) Human Rights: Islamic and Western Concepts with reference to their practical application in the Courts of Laws
- (12) Human Trafficking
- (13) Child Labour / Forced Labour issues
- (14) Legal Education
- (15) Legal Philosophy
- (16) Jurisprudence
- (17) Legal and Judicial Research and Writing

**(B) CIVIL LAW**

- (1) Code of Civil Procedure
  - (a) Some neglected but most important provisions of CPC like interrogatories, notice to admit and deny and statements before issues.
  - (b) Appealable orders.
- (2) The following laws in theory, application and practice:
  - (i) Law of Evidence
  - (ii) Law of Pre-emption with particular reference to Talabs & Limitation
  - (iii) Family Laws
    - (a) UK-Pakistan Judicial Protocol, 2003
  - (iv) Specific Relief Act.
  - (v) Limitation Act
  - (vi) Court fee and Suits Valuation Act
  - (vii) Rent Laws
  - (viii) Transfer of Property Act
  - (ix) Contract Act
  - (x) Arbitration Act
  - (xi) Registration Act
  - (xii) Law of Inheritance
  - (xiii) Agrarian system - Land laws

**(C) CRIMINAL LAW**

- (1) The Code of Criminal Procedure
- (2) The Pakistan Penal Code
- (3) Juvenile justice system

**(D) SPECIAL LAWS**

- (1) Labour Laws with reference to Bonded Labour
- (2) Intellectual Property Laws
- (3) Cyber Laws

**EFFICIENCY**

**A. GENERAL**

- (1) Court Management:
  - a. Superintendence
  - b. Control
  - c. Inspection
- (2) Case flow management
- (3) Time and stress management
- (4) Communication skills - written and oral
- (5) Judicial skills
- (6) Delay Reduction
- (7) Computer skills - literacy
- (8) Bench & Bar relations
- (9) Financial management with emphasis on budget, account, revenue deposits and Sheriff's Petty Account.
- (10) Noting, drafting and correspondence
- (11) Devolution of powers and concept of District Governments with reference to the role of District Judiciary
- (12) Alternative Dispute Resolution
- (13) Mediation skills
- (14) Forms and Registers used in Civil and Criminal Courts and Police stations
- (15) Bench Book -- High Court Rules and Orders

**B. CIVIL**

- (1) Scrutiny of Pleaint
- (2) Cause of action
- (3) Misjoinder of parties and causes of action --multifariousness
- (4) Jurisdiction
  - (a) Pecuniary
  - (b) Territorial
- (5) Framing of issues - theory and practice
- (6) Amendment of pleadings
- (7) Examination of parties - Order 10 C.P.C.
- (8) Injunctions -- theory and practice
- (9) Recording of evidence:
  - (a) Relevancy
  - (b) Admissibility
  - (c) Proof of documents
- (10) Exercise of discretionary powers in civil cases
- (11) Inherent powers
- (12) Appointment of Receiver

**C. CRIMINAL**

- (1) The Code of Criminal Procedure
- (2) Trail of a criminal case
- (3) Registration of a case -- Investigation
- (4) First Information Report
- (5) Cognizance
- (6) Procuring the attendance of accused/witnesses
- (7) Bails - theory and practice
- (8) Framing of charge - theory and practice
- (9) Recording of evidence:

- (a) relevancy
- (b) Admissibility
- (10) Medical Jurisprudence
- (11) Forensic Ballistics
- (12) Examination of accused and confessions
- (13) Sentencing skills
- (14) Vicarious Liability
- (15) Discharge of the Accused and acquittal - Distinction
- (16) Cancellation of a case
- (17) Cancellation and Discharge - Distinction
- (18) Inquests and dis-interment
- (19) Sending up of cases to sessions court
- (20) Remand
  - (a) Police custody
  - (b) Judicial lock up
- (21) Maintenance of case diaries
- (22) Submission of Report u/s 173 Cr.P.C.

### **EFFECTIVENESS**

- (1) Marshalling of facts
- (2) Judgment writing
- (3) Decision making
- (4) Executions
- (5) Exercise of judicial discretion
- (6) Media-Bench relations
- (7) Judicial skills
- (8) Sentencing skills
- (9) Leadership
- (10) Chairpersonship of the proceedings

- (11) Maintenance of a dignified, orderly, efficient pace of proceedings, legal and litigant skills
- (12) Judicial decision making skills
- (13) Communications skills -- in the court room, with stake holders and the community at large
- (14) Adaptability to change
- (15) Economic impact of judicial decisions
- (16) Social impact of judicial decisions
- (17) Information technology
- (18) Attachment before judgment
- (19) Arrest and detention
- (20) Malicious prosecution
- (21) The Law of contempt
- (22) DNA Test: importance & relevance for judicial determinations
- (23) Legal English for Judges

### **APPLICATION AND PRACTICE**

The focus will be not just on substantive law, but also on the skills and disposition of trainee judges. Lecturing will be heavily supplemented by small group seminars and workshops to be structured on the active participation of judges in techniques of learning, such as problem solving case studies, scenarios and simulations and panel discussions to develop professional skills and judgment to be built on the foundation of their information and knowledge. This training approach will be considerably more practical rather than theoretical, and active rather than passive.

### **SYNDICATES**

In addition, syndicates and case studies will be conducted. Exercises for practice on maintenance of order sheets, framing of charge, issues, judgment writing, stay orders, bail orders, interlocutory orders and remand orders shall also be managed. The trainee judges will

be made to do the things, for the acquisition of necessary skills, to improve the quality of their judicial work.

### **EXPENDITURE**

**Cost of training per head per day, to be borne by the Academy.** Rs. 700/- to 800/- approximately depending upon when the training courses are held.

**III****TRAINING CURRICULUM***FOR***NEWLY PROMOTED ADDITIONAL DISTRICT & SESSIONS JUDGES**

Level of application (Pitch)	Refresher course
Subject matter (Content)	Updating- Problem solving - Networking
Participants/Beneficiaries	Newly promoted Additional District & Sessions Judges
Duration of the course	Three weeks
Faculty	Members of the Faculty of Federal Judicial Academy, sitting and retired judges of the superior courts.

**IMPARTIALITY - ATTITUDE**

- (1) Judicial Ethics
- (2) Character Building
- (3) Judicial accountability
- (4) Judicial Independence
- (5) Self Management

**COMPETENCY**

- (1) Review, revision and appeal (civil & criminal)
- (2) Trial of cases amounting to culpable homicide

- (3) Juvenile Justice System
- (4) Law of bails
- (5) Framing of charge
- (6) Examination of the Accused - Confessions
- (7) Private complaints
- (8) Remand, Discharge of the Accused and cancellation of cases
- (9) Recording of Evidence
  - a. Relevancy
  - b. Admissibility
  - c. Proof of documents
- (10) Vicarious Liability
- (11) Forensic Ballistics
- (12) Sentencing skills
- (13) Sending up of cases to the Sessions Court
- (14) Cognizance
- (15) Medical Jurisprudence
- (16) Arrest and Detention
- (17) Exercise of discretionary powers in civil and criminal cases
- (18) Malicious Prosecution
- (19) Concept & philosophy of Islamic Law with reference to practical & procedural aspects
- (20) Islamic Law of Qisas & Diyat
- (21) Labour Laws with reference to Bonded Labour
- (22) Intellectual Property
- (23) Human Rights: Islamic and Western Concepts with reference to their practical application in the Courts of Laws
- (24) Labour Laws with reference to Bonded Labour
- (25) Intellectual Property
- (26) Human Trafficking
- (27) Child Labour / Forced Labour issues
- (28) Legal Education
- (29) Legal Philosophy

- (30) Jurisprudence
- (31) Legal and Judicial Research and Writing

### **EFFICIENCY**

- (1) Case Flow Management
- (2) Delay Reduction
- (3) Bench Bar Relations
- (4) Computer Literacy
- (5) Mediation and Alternative Dispute Resolution
- (6) Maintenance of case diaries

### **EFFECTIVENESS**

- (1) Marshalling of facts
- (2) Judgment writing
- (3) Exercise of judicial discretion
- (4) Media-Bench relations
- (5) Judicial skills
- (6) Sentencing skills
- (7) Judicial decision making skills
- (8) Adaptability to change
- (9) Economic impact of judicial decisions
- (10) Social impact of judicial decisions
- (11) Information technology & Cyber Laws
- (12) DNA Test: importance & relevance for judicial determinations
- (13) Legal English for Judges

### **APPLICATION AND PRACTICE**

The focus will be not just on substantive law, but also on the skills and disposition of

trainee judges. Lecturing will be heavily supplemented by small group seminars and workshops to be structured on the active participation of judges in techniques of learning, such as problem solving case studies, scenarios and simulations and panel discussions to develop professional skills and judgment to be structured on the foundation of their information and knowledge. This training approach will be considerably more practical rather than theoretical, and active rather than passive.

### **SYNDICATES**

In addition, syndicates and case studies will be conducted. Exercises for practice on maintenance of order sheets, framing of charge, issues, judgment writing, stay orders, bail orders, interlocutory orders and remand orders shall also be managed. The trainee judges will be made to do the things for the acquisition of necessary skills, to improve the quality of their judicial work.

### **EXPENDITURE**

**Cost of training per head per day, to be borne by the Academy.** Rs. 700/- to 800/- approximately, depending upon when the training courses are held.

**IV  
TRAINING CURRICULUM**

*FOR*

**SENIOR CIVIL JUDGES**

Level of application (Pitch)	Refresher course
Subject matter (Content)	Updating – Skills – Bails – Charge framing
Participants/Beneficiaries	Senior Civil Judges
Duration of the course	Three weeks
Faculty	Members of the Faculty of Federal Judicial Academy, sitting and retired judges of the superior courts.

**IMPARTIALITY - ATTITUDE - BEHAVIOUR**

- (1) Judicial ethics and conduct
- (2) Judicial independence
- (3) Judicial accountability
- (4) Etiquettes and mannerism
- (5) Self management
- (6) Character Building

**COMPETENCY**

- (1) Service laws with special reference to Government Service Conduct Rules and performance evaluation

- (2) Financial management with emphasis on budget, account, revenue deposits and sheriff's petty account
- (3) Process serving agency
- (4) Superintendence, control and inspection of courts
- (5) Scrutiny of plaint
- (6) Guardianship cases
- (7) Exercise of discretionary powers in criminal matters i.e. Superdari, dispensing with attendance of accused, proceedings u/s 514 Cr.P.C.
- (8) Remand, discharge of accused and cancellation of cases
- (9) Sending up of cases to Sessions Court
- (10) Juvenile justice system
- (11) Law on Land Acquisition
- (12) Concept & philosophy of Islamic Law with reference to practical & procedural aspects
- (13) Islamic Law of Qisas & Diyat
- (14) Human Rights: Islamic and Western Concepts with reference to their practical application in the Courts of Laws
- (15) Human Trafficking
- (16) Child Labour / Forced Labour issues
- (17) Legal Education
- (18) Legal Philosophy
- (19) Jurisprudence
- (20) Legal and Judicial Research and Writing

### **EFFICIENCY**

- (1) Case flow management
- (2) Time management

- (3) Communication skills
- (4) Stress management
- (5) Maintenance of record
- (6) Bar and bench relations
- (7) Computer literacy
- (8) Noting, drafting and correspondence
- (9) Mediation and alternative dispute resolution

### **EFFECTIVENESS**

- (1) Marshalling of facts
- (2) Judgment writing
- (3) Decision making
- (4) Executions
- (5) Exercise of judicial discretion
- (6) Sentencing skills
- (7) Chairpersonship of the proceedings
- (8) Judicial decision making skills
- (9) Adaptability to change
- (10) Economic impact of judicial decisions
- (11) Social impact of judicial decisions
- (12) Information Technology
- (13) Legal English for Judges

### **APPLICATION AND PRACTICE**

The focus will be not just on substantive law, but also on the skills and disposition of trainee judges. Lecturing will be heavily supplemented by small group seminars and workshops to be structured on the participation of judges in techniques of active learning, such as problem solving case studies, scenarios and simulations and panel discussions to develop professional skills and judgment to be structured on the foundation of their

information and knowledge. This training approach will be considerably more practical rather than theoretical, and active rather than passive.

### **SYNDICATES**

In addition, syndicates and case studies will be conducted. Exercises for practice on maintenance of order sheets, framing of charge, issues, judgment writing, stay orders, bail orders, interlocutory orders and remand orders shall also be managed. The trainee judges will be made to do the things for the acquisition of necessary skills, to improve the quality of their judicial work.

### **EXPENDITURE**

**Cost of training per head per day,  
to be borne by the Academy.**      Rs. 700/- to 800/- approximately, depending upon  
when the training courses are held.

**V**

**WORKSHOP CURRICULUM**

*FOR*

**DISTRICT & SESSIONS JUDGES**

Level of application (Pitch)	Refresher
Subject matter (Content)	Specialist – Advanced – Problems solving- T.O.T.
Participants	District & Sessions Judges
Duration of the course	One week
Faculty	Members of the Academy's Faculty - Sitting and retired Judges of the superior courts. Judicial Educators and facilitators -- Consultants -- Computer Literacy Experts

**IMPARTIALITY - ATTITUDE**

- (1) Judicial ethics and conduct
- (2) Judicial independence
- (3) Judicial accountability
- (4) Recognition of the effect of bias
- (5) Awareness of contemporary social issues
- (6) Senior-junior relationship
- (7) Awareness of gender, ethnic and other disadvantaged groups
- (8) Etiquettes and mannerism
- (9) Self management
- (10) District & Sessions Judge as a role model

**COMPETENCY****GENERAL**

- (1) Legal maxims developed by Muslim Jurists
- (2) Principles and interpretation of Quran and Hadith
- (3) Laws on Human Rights
- (4) Effect of Repeal of Laws - section 6 of the General Clauses Act and Art 264 of the Constitution of Pakistan
- (5) Law of Succession
- (6) Narcotics Laws
- (7) Social Security laws
- (8) Hadood Laws
- (9) Anti Terrorist laws
- (10) Self directed learning - Research - Bibliography
- (11) Devolution of powers and concept of District Governments with reference to the role of judiciary
- (12) The Constitution of the Islamic Republic of Pakistan
- (13) Concept & philosophy of Islamic Law with reference to practical & procedural aspects
- (14) Islamic Law of Qisas & Diyat
- (15) Human Rights: Islamic and Western Concepts with reference to their practical application in the Courts of Laws
- (16) Human Trafficking
- (17) Child Labour / Forced Labour issues
- (18) Legal Education
- (19) Legal Philosophy
- (20) Jurisprudence
- (21) Legal and Judicial Research and Writing

**SPECIFIC**

- (1) Civil and Criminal Procedure Codes
- (2) Lunacy Act
- (3) Christian Marriages Act
- (4) Waqaf Act
- (5) Foreign Exchange Laws
- (6) Anti Corruption Laws
- (7) Service Laws with special reference to Government Servants Conduct Rules and Performance Evaluation
- (8) Administrative Law -- Natural Justice
  - a. The doctrine of ultra vires
  - b. Delegated legislation
  - c. Judicial Review of Administrative Actions
- (9) Appellate and Revisional Jurisdiction (Civil & Criminal)
- (10) Guardian and Wards Act

**ECONOMIC/COMMERCIAL LAWS**

- (1) Banking Laws
- (2) Labour Laws
  - (a) General Labour Laws
  - (b) Bonded Labour Issues
- (3) Modern Corporate Laws
- (4) Bankruptcy laws/Insolvency laws
- (5) Income Tax Laws
- (6) Intellectual Property Laws
- (7) Communication Laws
- (8) Environmental Laws
- (9) Cyber Laws

**EFFICIENCY**

- (1) Delay Reduction
- (2) Judicial Leadership
- (3) Bar and Bench Relations
- (4) Financial Management and Discipline
- (5) Communication skills
- (6) Case flow management
- (7) Time management
- (8) Stress management
- (9) Mediation
- (10) Alternative Dispute Resolution
- (11) General management of District judiciary - Equal Pendency
- (12) Supervision and control
- (13) Computer orientation
- (14) Bench Book - Rules and Orders of the High Court
- (15) Interpretation of Statutes
- (16) Legal English for Judges

**EFFECTIVENESS**

- (1) Financial Rules, including preparation of Budget, Sheriff's Petty Account and Revenue Deposits
- (2) Reports and Returns
- (3) Noting, Drafting and Correspondence
- (4) Legal Analytical Skills
- (5) Media Bench Relations
- (6) Adaptability to change
- (7) Social Impact of Judicial Decisions

- (8) Economic Impact of Judicial Decisions
- (9) Judicial Techniques to bridge gap between law and justice
- (10) Judicial skills
- (11) Judgment writing
- (12) Execution
- (13) Communication skills - in the Court Room, with stakeholders and the community at large
- (14) Constitutional Rights and their Interpretation
- (15) Exercise of Judicial Discretion.

### **TRAINING OF TRAINERS**

- (1) Understanding the Principles of Adult Learning
- (2) Presentation skills
- (3) Lecturing techniques
- (4) Workshop techniques - The use of teaching aids
- (5) Participatory Learning and Questioning
- (6) Workshop session planning
  - (a) Brain storming
  - (b) Group discussion
  - (c) Problem solving case studies
  - (d) Solo/Duet Exercises
- (7) Designing skill training curricula
- (8) Legal Research skills - Bibliography

### **EXPENDITURE**

**Cost of training per head per day, to be borne by the Academy.** Rs. 700/- to 800/- approximately, depending upon when the training courses are held.

**VI**  
**TRAINING CURRICULUM**

*OF*

**SUPERINTENDENTS ATTACHED WITH THE SESSIONS COURTS**

Level of application (Pitch)	Induction - Refresher
Subject matter (Content)	Management – Theory - Superintendent
Participants/Beneficiaries	Superintendents attached with the Sessions Courts
Duration of the course	Two weeks
Faculty	Members of the Faculty of Federal Judicial Academy

- (1) Computer orientation
- (2) Basic knowledge on civil service laws including Government Servant Conduct Rules
- (3) Recording of ACRs and maintenance of dossiers thereof
- (4) Financial rules including preparation of budget, sheriffs petty account and revenue deposits
- (5) Bench Book - Introduction to High Court Rules and Orders
- (6) Noting, drafting and correspondence
- (7) Maintenance of Record Rooms, Copying Agency Process Serving Agency and Library
- (8) General superintendence, control and inspection of courts
- (9) Senior subordinate relations and personnel administration

- (10) Time management - self management - stress management
- (11) Reports and Returns
- (12) Selected provisions of certain laws like Limitation, Court Fee and Suit Valuation and Stamp Act etc.
- (13) Scrutiny of plaint, memorandum of appeal and petitions
- (14) Duties of PA

### **EXPENDITURE**

**Cost of training per head per day, to be borne by the Academy.** Rs. 700/- to 800/- approximately, depending upon when the training courses are held.

## **VII TRAINING CURRICULUM**

*FOR*

### **LAW OFFICERS - ATTORNEYS**

Level of application (Pitch)	Induction - Orientation
Subject matter (Content)	Alternative Dispute Resolution – Pleadings – Conduct – Continuing Legal Education
Participants/Beneficiaries	Public Prosecutors Attorneys/Law Officers
Duration of the course	Two weeks
Faculty	Members of the Faculty of Federal Judicial Academy, sitting and retired judges of the superior courts.

### **ATTITUDE - BEHAVIOUR**

- (1) Conduct
- (2) Awareness of contemporary social issues
- (3) Etiquettes and mannerism
- (4) Awareness of gender, ethnic and other disadvantaged groups

### **COMPETENCY**

- (1) The Code of Criminal Procedure
- (2) Scrutiny of challans/final reports in cases triable by magistrates and special courts
- (3) Scrutiny of challans/final reports in cases tried by Sessions Court and the Additional District & Sessions Judges
- (4) Medical jurisprudence
- (5) Forensic Ballistics
- (6) Agrarian system
- (7) Review, Revision and Appeal
- (8) Investigation

### **EFFICIENCY**

- (1) Role of law officers as Government pleaders
- (2) Role of law officers as prosecutors
- (3) Sentencing
- (4) Presentations
- (5) Interpretation of Statutes
- (6) Settlement of Issues

### **EFFECTIVENESS**

- (1) Preparation of arguments
- (2) Presentation
- (3) Sentencing
- (4) Study of case law

### **EXPENDITURE**

**Cost of training per head per day, to be borne by the Academy.** Rs. 700/- to 800/- approximately, depending upon when the training courses are held.

## **CONTINUING JUDICIAL EDUCATION**

### **SEMINARS/WORKSHOPS**

Seminars and workshops of one week's duration in each case will also be held for judges of banking courts, special courts and tribunals administered either by the provincial governments or the federal Government. These seminars/workshops will deal with intellectual property laws, trade laws, environmental laws, commercial laws, Alternative Dispute Resolution techniques and delay reduction. In addition, similar workshops and training courses will be held to encourage research work.

2. Depending upon the availability or otherwise of the judicial officers, workshop/seminars of one day's duration in each case will also be planned on the following topics/subjects:

- (i) The Academy as Judicial Policy Research Institute
- (ii) Poverty Reduction Strategy and the Judiciary
- (iii) Delay Reduction
- (iv) Commitment to Good Judicial Governance
- (v) Support for the Legal and Judicial Reforms, including T.A. to the Legal Profession
- (vi) Legal Empowerment of the Poor and Vulnerable
- (vii) Improvement in the Human Resource Development
- (viii) Legal Empowerment of Females
- (ix) Legal Innovations
- (x) Establishment of a Judicial Mentoring Programme
- (xi) Legal Research to:
  - a. Improve Judgment Writing-Judicial Decision Making
  - b. Develop the use of support material like Bench Books
  - c. Encourage the use of Trial Practice Manuals
- (xii) Strengthening Administrative Justice
- (xiii) Academy's Role in Ensuring Transparency in Judicial Administration and the process of Adjudication

- (xiv) Advantages of Automation and Computerization for the Judicial System
- (xv) National Training Programmes on Court Administration
- (xvi) Education for Females-New Avenues-Change in the policy for recruitment of females.
- (xvii) Legal and Judicial Implications arising from Local Government Plan
- (xviii) Evolution of new Relationship between the District Governments and the Provincial Governments.
- (xix) Conferment of original jurisdiction on the District Governments.
- (xx) Paradigm Shifts in Law and Changing Philosophical Perspectives
- (xxi) Socio-economic Impact of Judicial Decisions.

3. The subjects/topics to be dealt with in these seminars/workshops will address and be oriented to the needs of the trainee judges.

## COMPUTER LITERACY

The Academy can now boast of a state of the art computer laboratory, equipped with thirty three P-IV computers, alongwith twenty laser printers, as many scanners, two multimedia projectors, a digital web camera, multimedia devices, and network appliances. The official website of the Academy has also been developed that can be accessed at [www.fja.gov.pk](http://www.fja.gov.pk).

2. The computers have been connected with one another through Local Area Network to share different resources like printer, scanner and internet connection. The result is that by dint of this connection, every trainee in use of one computer can have access even to remote peripherals. This, it should be said, is the latest computer equipment, to be pressed into service for substantial, purposeful and effective computer literacy of the local staff, court personnel, judicial officers and the law officers. The latest developments in Computer Technology underscore its relevance for efficient and expeditious dispatch of judicial business. In the context of these considerations, it hardly requires an emphasis that everybody concerned with the administration of justice should be conversant with Information Technology to be able to make use of the resources it makes available, for overall improvement in the judicial system and the quality of judicial dispensation.

3. The two computer laboratories can accommodate about twenty five participants in one session along with internet facility. For achievement of the ultimate goal of improvement in the quality and volume of judicial work, the following accosted MIS training courses have been designed for the judicial officers, court personnel and the law officers. These courses will be a part of the Academy's curriculum, to be offered to all the institutions concerned with the administration of justice.

## MIS TRAINING PROGRAMMES

### A. JUDICIAL OFFICERS

#### 1. ELEMENTARY COMPUTER TRAINING COURSE FOR JUDICIAL OFFICERS.

<b>DURATION</b>	THREE WEEKS
<b>TIMING</b>	9:00 a.m. TO 1:00 p.m. - 2:00. p.m. TO 3:00 p.m.
<b>PARTICIPANTS (12-15)</b>	NEWLY RECRUITED JUDICIAL OFFICERS, NOMINATED BY THE CHIEF JUSTICES OF HIGH COURTS.
<b>COURSE CONTENTS</b>	INTRODUCTION, OPERATING SYSTEMS, MULTIMEDIA, MS-OFFICE, INTERNET & COMMUNICATION, APPLIED COMPUTER SYSTEMS.
<b>FACULTY</b>	FEDERAL JUDICIAL ACADEMY
<b>TYPE</b>	RESIDENT
<b>BUDGET</b>	Rs.100,000/- (Tentative)
<b>OBJECTIVE</b>	To make the participants conversant with the essentials of Information Technology, Office Packages, Internet & Communications, and Application of IT in Law/Judiciary.

#### 2. INTERMEDIATE COMPUTER TRAINING COURSE FOR JUDICIAL OFFICERS.

<b>DURATION</b>	TWO WEEKS
<b>TIMING</b>	9:00 a.m. TO 1:00 p.m. - 2:00. p.m. TO 3:00 p.m.
<b>PARTICIPANTS (12-15)</b>	JUDICIAL OFFICERS HAVING RUDIMENTARY CREDENTIALS IN COMPUTER USAGE.
<b>COURSE CONTENTS</b>	OPERATING SYSTEMS, MULTIMEDIA, MS-OFFICE, INTERNET & COMMUNICATION, INTRODUCTION TO COURT SOFTWARE, JUDICIAL INFORMATION SYSTEM, COURT MANAGEMENT SYSTEM, LEGAL INFORMATION SYSTEM.
<b>FACULTY</b>	FEDERAL JUDICIAL ACADEMY
<b>TYPE</b>	RESIDENT
<b>BUDGET</b>	Rs. 80,000/- (Tentative)
<b>OBJECTIVE</b>	To make the participants acquaint with the applications of IT, Internet & Communications and its Application in Law/Judiciary.

3. **ADVANCE COMPUTER TRAINING COURSE FOR JUDICIAL OFFICERS**

<b>DURATION</b>	ONE WEEK
<b>TIMING</b>	9:00 a.m. TO 1:00 p.m. - 2:00. p.m. TO 3:00 p.m.
<b>PARTICIPANTS (12-15)</b>	JUDICIAL OFFICERS HAVING GOOD CREDENTIALS IN COMPUTER APPLICATIONS.
<b>COURSE CONTENTS</b>	LEGAL RESEARCH ON INTERNET, INTRODUCTION TO COURT SOFTWARE, JUDICIAL INFORMATION SYSTEM, COURT MANAGEMENT SYSTEM.
<b>FACULTY</b>	FEDERAL JUDICIAL ACADEMY/VISITING
<b>TYPE</b>	RESIDENT
<b>BUDGET</b>	Rs.50,000/- (Tentative)
<b>OBJECTIVE</b>	To make the participants acquaint with the Applied Legal and Judicial Resources, using Internet & CBT Resources.

**A. COURT PERSONNEL/JUDICIAL STAFF**4. **ELEMENTARY COMPUTER TRAINING COURSE FOR JUDICIAL STAFF/COURT PERSONNEL.**

<b>DURATION</b>	THREE WEEKS
<b>TIMING</b>	9:00 a.m. TO 1:00 p.m. - 2:00. p.m. TO 3:00 p.m.
<b>PARTICIPANTS (12-15)</b>	COURT PERSONNEL AND STAFF OF OTHER JUDICIAL INSTITUTIONS.
<b>COURSE CONTENTS</b>	INTRODUCTION, OPERATING SYSTEMS, MULTIMEDIA, MS-WORD WITH JUDGMENT TYPING AND RETRIEVAL TECHNIQUES, MS-EXCEL, MS- POWERPOINT, USE OF INTERNET & COMMUNICATION.
<b>FACULTY</b>	FEDERAL JUDICIAL ACADEMY
<b>TYPE</b>	NON-RESIDENT
<b>BUDGET</b>	Rs. 25,000/- (Tentative)
<b>OBJECTIVE</b>	To equip the trainees with effective and efficient use of computer in their offices, using office applications, and Internet & Communications, so that they can adequately contribute in the stimulation of Judicial Institutions.

### C. LAW OFFICERS

#### 5. ELEMENTARY COMPUTER TRAINING COURSE FOR JUDICIAL LAW OFFICERS.

<b>DURATION</b>	TWO WEEKS
<b>TIMING</b>	9:00 a.m. TO 1:00 p.m. - 2:00. p.m. TO 3:00 p.m.
<b>PARTICIPANTS (12-15)</b>	LAW OFFICERS, WORKING WITH FEDERAL OR PROVINCIAL GOVERNMENT, AND NOMINATED BY THEIR HEAD OF DEPARTMENT/INSTITUTION.
<b>COURSE CONTENTS</b>	INTRODUCTION, OPERATING SYSTEMS, MULTIMEDIA, MS-WORD, MS-EXCEL, MS- POWERPOINT, INTERNET & COMMUNICATION, APPLIED LEGAL SYTEMS.
<b>FACULTY</b>	FEDERAL JUDICIAL ACADEMY/VISITING
<b>TYPE</b>	NON-RESIDENT
<b>BUDGET</b>	Rs. 30,000/- (Tentative)
<b>OBJECTIVE</b>	To make the participants conversant with the essentials of Information Technology, Office Packages, Internet & Communications and Application of IT in Law/Judiciary.

#### 6. ADVANCE COMPUTER TRAINING COURSE FOR JUDICIAL LAW OFFICERS.

<b>DURATION</b>	ONE WEEK
<b>TIMING</b>	9:00 a.m. TO 1:00 p.m. - 2:00. p.m. TO 3:00 p.m.
<b>PARTICIPANTS (12-15)</b>	LAW OFFICERS, WORKING WITH FEDERAL OR PROVINCIAL GOVERNMENT, AND NOMINATED BY THEIR HEAD OF DEPARTMENT/INSTITUTION.
<b>COURSE CONTENTS</b>	WEB BASED LEGAL RESEARCH, LEGAL INFORMATION SYSTEMS, AND USE OF OTHER RESOURCES.
<b>FACULTY</b>	FEDERAL JUDICIAL ACADEMY/VISITING
<b>TYPE</b>	NON-RESIDENT
<b>BUDGET</b>	Rs. 20,000/- (Tentative)
<b>OBJECTIVE</b>	To acquaint the trainees with Applied Information Systems besides the latest innovations.

**FEDERAL JUDICIAL ACADEMY**  
**ISLAMABAD**  
**TRAINING PROGRAMES FOR EACH FINANCIAL YEAR**

As we have it from the Federal Judicial Academy Act 1997, the Academy's Charter is to provide for the proper training of judicial officers and Court personnel in order to improve the professional competence of judges and the quality of justice administered in the Courts. The improvement of judicial system is also one of the aims and objects of the Academy which is sought to be achieved by holding of conferences, seminars, workshops, symposia and publishing of journals, memoirs, research papers and reports.

2. We are of the considered view that training programmes should be preplanned for each financial year for achievement of the Academy's aims and objects and the accomplishment of its charter. This planning will not only fix the targets to be kept in sight, but also the assessment of approximate expenditure involved. It will incidentally raise the level of Academy's commitment to the performance of its functions, which is in addition to the consideration that we will be in a position to offer these training courses well in time to the Hon'ble Chief Justices of the High Courts. More importantly the High Courts concerned will have sufficient time to make deliberate and planned nomination of judicial officers for the training programmes, in a manner as would cause the least possible disturbance to the judicial work.

3. These training programmes will be offered to High Courts for every ensuing financial year. However, they will be subject to adjustments or necessary changes on the availability or other wise of the judicial officers.

4. In case, there are no newly recruited judicial officers for training, the Academy shall continue to implement its charter and perform its statutory obligations by holding conferences, seminars, and symposia on topics such as delay reduction, awareness of contemporary social

issues, judicial accountability and independence, social and economic impact of judicial decisions and information technology. Efforts will also be made to publish journals, memoirs, research papers and reports.

5. The cost of training per head per day for the Civil Judges cum Judicial Magistrates and Senior Civil Judges will be Rs. 700/- to 800/- approximately and for the Additional District & Sessions Judges and the District and Sessions Judges will be Rs.900 to 1000/- and the expenditure involved in the training programmes, except that incurred on traveling, shall be borne by the Academy.

## **PRINCIPLES OF POLICY**

The development of curriculum apart, it is necessary for all educational institutions concerned with the dissemination of knowledge and information, to determine with precision, the scope and dimensions of their activities. The curriculum prescribes the subjects to be taught to the students and the programme of activities. It is laid down as a matter of policy what information is to be conveyed and what is to be withheld from the student. These principles clearly lay down and define the direction which can be taken by an educational institution as a matter of policy. These are a set of rules to prescribe the limits and the extent of the role and attitude of the teachers. For illustration of the point, it may be observed that apart from ensuring conversance of students with the subject, they have to emphasise, as a matter of principle, the need for character building and that too in accordance with the Islamic culture, values and the demands of the society they have to deal with, and preside over in the performance of their functions.

2. This is more so in the case of Federal Judicial Academy which imparts pre-service and in-service training to the judges, magistrates, law officers and the court personnel, for the achievement of ultimate goal of improving the judicial system and quality of judicial dispensation. The distinction lies, amongst others, in the fact that there is a need for distinctive approach to the continuing education of judges. This approach should build on the foundation of adult and professional learning theory. More importantly, we as members of the Faculty, must know what are the specific learning needs and practices of the judges and how the preservice of judicial independence can be ensured. Furthermore, another distinctive feature is the effect and impact of training provided to the judges, on the socio-economic development of the country, and its role in shaping the parameters of a civilized society.

3. The following principles of policy are, therefore, set out to define and prescribe the limits, to be observed by the Faculty in particular and the staff in general, and the extent of their authority, in the performance of their functions, for the promotion and fulfillment of its charter:

4. The Academy shall:
- \* bring home the message that judicial power is a sacred trust and that the judges are accountable to God Almighty Himself;
  - \* ensure and promote the observance of Islamic values in the continuing education of the judges;
  - \* ensure the observance of high ethical standards in the performance of their functions;
  - \* help the judges, law officers and court personnel to adhere to the highest standards of personal and official conduct.
  - \* establish an internal organisational structure, administration and programme development system which supports effective judicial education;
  - \* establish and promote a comprehensive judicial education process to help judges meet the expectations of the society over which they have been called upon to preside.
  - \* endeavour to preserve the judicial system's fairness, integrity and impartiality by eliminating bias and prejudice;
  - \* improve the administration of justice and the quality of judicial decisions to strengthen the moral authority of the Courts;
  - \* promote the concept of accountability to ensure independence of the judiciary;
  - \* endeavour to make the trainee judges believe that they are not employees in the sense of 'employment' and that they exercise the authority of the State as one of its three Organs;

- \* endeavour to cause a conviction in the trainee judges that they have to perform special functions in the society and that they are a special class;
- \* address itself to public perception of judicial weaknesses which can be removed through Continuing judicial education.

5. The principles set out above shall be known as the principles of policy and it shall be the responsibility of each member of the Faculty and that of the staff to act in accordance with these principles in so far as they relate to their functions.