



**LEGAL AID  
AND AWARENESS SESSIONS**

The Field Team conducted 51 Legal Aid and Awareness Sessions with different communities including religious minority groups to create awareness on the legal framework on sexual violence including rape and sodomy. These clinics covered 1632 community members including 1060 females and 15 transgender persons.

OCTOBER - DECEMBER 2019

[www.las.org.pk](http://www.las.org.pk)

# NEWSLETTER **LAS** LEGAL AID SOCIETY

ISSUE NO. 10

**MOU SIGNING CEREMONY WITH SINDH POLICE**



On 13th November, 2019 LAS and Sindh Police Signed a Memorandum of Understanding (MoU) at Police Head Quarters, I.I Chundigar Road, Karachi, for the purpose of conducting a Training Needs Assessment of Sindh Police. The project seeks to ensure that training of police is efficient, needs-based, diligently monitored, managed and goal oriented. Both Sindh Police and LAS will be working together in partnership to improve the quality of service delivery of the police in order to enhance the quality of life of citizens of Sindh is enhanced and law and order is maintained.

**QUARTERLY PERFORMANCE OF THE SINDH LEGAL ADVISORY CALL CENTRE:**



**2,362**  
Calls Received



From **147**  
Cities, town, villages  
across Pakistan

**CALL FOR FREE  
LEGAL ADVICE**

**0800-70806**



Law, Parliamentary Affairs  
& Criminal Prosecution  
Department  
**Government of Sindh**

24/7, Helpline 0800 70806

**SLACC**  
Sindh Legal Advisory Call Center

In Partnership with Law, Parliamentary Affairs & Criminal Prosecution Department, Government of Sindh

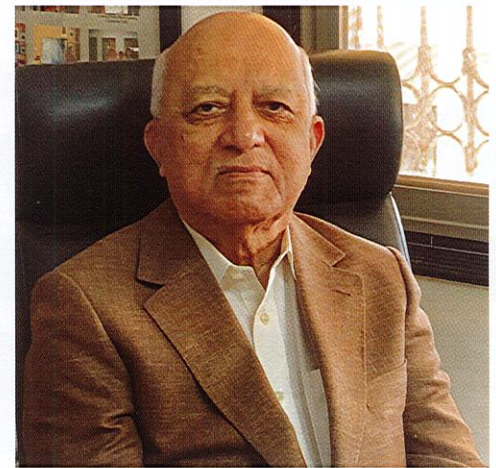
# EDITORIAL

BY **CHAIRPERSON**  
JUSTICE NASIR ASLAM ZAHID

As I enter the 9th decade of my life, I can share more pleasures than pains of what life has been like. But so much has changed. My generation looked upon our parents and grandparents for guidance, information and knowledge. Unfortunately, we were unable to pass that down to the next generations as our knowledge and experiences have been replaced by the technological revolution. It is in fact my 3 year old great granddaughter and 8 year old great grandson who relentlessly try to teach me how to operate what they call a "Smart" Tv. I have been privileged all my life, and continue to be fortunate to have aides and loved ones around to help me grapple with the nuts and bolts of modern life and other challenges. At the time of partition of India and Pakistan, the average life expectancy of a Pakistani male was a mere 40 years. According to WHO data from 2018, it stands today at 65.7 years for males and 67.4 years for females. Despite the growing numbers resulting from this extension in life expectancy, pint-sized attention has been paid to their requirements, whether in terms of old-age

homes / centres or health care. Understanding health care requires a proper diagnostic assessment of the geriatric care that is needed for our elderly population. The cultural presumption of the young always providing for the emotional, financial and social needs of the elderly stands displaced today. There is an evident shift in family structures towards more nuclear set ups of the household away from the edifice of the traditional joint family. Similarly, migration has also left many elderly people to fend for themselves. These factors require the state to play a larger role than it assumed after partition. In a recent public interest petition filed by the Legal Aid Society, the High Court of Sindh has expressed strong resentment with provincial authorities for the lack of implementation of the Sindh Senior Citizens Welfare Act of 2014. Officials provided that a new 80 bed shelter home was being established within 3 months in New Karachi and PKR 75 million had been approved for this. However the need of the hour is atleast one such publicly funded and managed shelter home for each district

across Sindh. The World Senior Citizen's Day is celebrated on 21 August each year to increase awareness of the issues that affect the elderly and to recognize the contributions of older people to society. We celebrate the memory of many deceased elderly champions but we can certainly do more to improve the lives of those who are present. I do not regret growing older and I only wish this privilege was extended to many other elderly Pakistanis through improvement in the quality of their lives.



## ENGAGING LAW STUDENTS ON THE KASHMIR CONFLICT

On November 12, 2019, LAS in partnership with SZABIST held a panel discussion at SZABIST on the ongoing legal and humanitarian crisis in Jammu and Kashmir. The event was especially timeous, as it came on the heels of a controversial decision by India's Supreme Court on the bitterly contested holy site of Ayodhya. The purpose of the discussion was to contextualize the current crisis through a legal, historical, and political lens which is necessary to understand the many facets of the Kashmir conflict.

The four panelists, brought a diverse range of expertise to the discussion. Mr. Asad Butt, Vice Chairperson of the Human Rights Commission of Pakistan (HRCP) provided much-needed historical context about the status of Kashmir and the state of human rights on the ground in the past four months since India's annexation of the region. Mr. Rana Sanallah, judicial



magistrate and Szabist visiting faculty, brought his technical expertise to the discussion and explained the legal significance of Article 370 of the Indian Constitution, and the current legal challenges pending in the Indian Supreme Court regarding the revocation of Article 370. Mr. Shayan Ahmad, research fellow at the Research Society of International Law (RSIL) shed light on the international human rights and humanitarian law dimensions of the conflict, and assessed various enforcement mechanisms in the international legal framework. Ms. Sarah Zaman, an activist, researcher, and expert on gender-based human rights issues, highlighted the disproportionate cost of war borne by women, cross-border feminist alliances, and activism as a tool of resistance. The event was well attended by law students, teachers, social activists and amongst others,

generating rich discussions among the panelists and the audience. The panelists engaged in an honest assessment of the use and effectiveness of formal legal systems, and acknowledged the importance of political, economic, and social factors in coming to a peaceful resolution to the dispute. The role of civil society activism and cross-border movements was emphasized, as was the importance of center Kashmiri voices and experiences.



## PROGRAM HIGHLIGHTS

### DIALOGUE IN HYDERABAD ON POLICE TRAINING

LAS, with the support of the International Committee on the Red Cross, has commenced work on conducting a valuable and effective training needs assessment of the Sindh Police. Crucial performance requirements were identified along with important knowledge, skills, and abilities needed by the police to fulfil their responsibilities. The main areas of focus were excessive use of force, detention and health care facilities. To facilitate the project LAS conducted a dialogue in Hyderabad with various key stakeholders including Sindh Police officials, Human Right Commission of Pakistan members, Prosecutors and lawyers. The dialogue was held on 11th December, 2019 at the Hotel Indus.

Ms. Maliha Zia Lari, Associate

Director, LAS, led the dialogue wherefrom a plethora of important information was collected. The discussion on core values of the police led to a comprehensive discussion on principles, roles and jobs of the police with an indepth discourse on training institutes workings. Ethics, honesty and mannerism were key core values requiring training that were identified by non police officials.

Need for psychological training to tackle crisis situation, legal training to understand the role and responsibilities of police, use of force to manage crowds and during interrogation, medical and ambulance services requirements were areas identified by the Police officials requiring proper training. Another need requirement that was proposed was teaching of cultural norms and values of the posted

regions to the police stationed therein.

Most of the participants were forthcoming and open about their opinions and views. The general demeanour of the participants was informal which aided in a more candid and constructive discussion. The dialogue led to other interesting research questions and points for further consideration with other police officers and personnel at the training academies.



### ACCELERATED LEARNING PROGRAM FOR JUVENILES

A one of a kind Accelerated Learning Program was launched in the Juvenile Facility in Karachi for 80 Juveniles in collaboration with Sindh Prisons Department and Foundation Open Society Institute ('FOSI'). The aim of these classes was to build skills of critical thinking and empathy and help juvenile offenders in dealing with their own stereotypes. The classes were conducted by the History Project Pvt. Ltd (Beyond the classroom) and comprised of five classes each with a different learning objective. Sessions were designed to deal with juveniles' own stereotypes, diverse perspectives and thought processes for identity, and discrimination. Juveniles learnt the 5-Ws (What, Who, Where, Why, When) before reaching any conclusion and judgement. Trainers carried out interactive activities to make learning easier and enjoyable.

Sessions also covered empathy and aspects of one's social identity. The objective of this session was to develop an understanding of the juveniles own identity and individuality. Trainers asked juveniles to map major events of their life which impacted their personalities the most. Through this activity, juveniles were able to understand the different backgrounds of each other and their experiences, they were able to better empathize and bond with one another.

The purpose behind these classes was to open the doors of critical and analytical thinking so that these juveniles can take better and more informed decisions in their lives and be better law abiding citizens.



# SLACC REPORT AND RESEARCH LAUNCH

LAS in collaboration with the Law Department – Government of Sindh organized an event on 17th December 2019 to share the 1 year progress of 2018 - 2019 of the Sindh Legal Advisory Call Center and to share the findings of the research paper titled “De-Constructing Conjugal Rights in Pakistani Law”. This research paper is based on the calls received at the SLACC that relate to restitution of conjugal rights. LAS entered into a Public – Private partnership with the Law Department, Government of Sindh last year for enhancing the legal empowerment of the people of Sindh through the SLACC.

Barrister Haya Emaan Zahid, Executive Director of the LAS and Mr. Shariq Ahmed – Secretary Law and Parliamentary Affairs shared the progress of SLACC (0800-70806). A feedback survey showcased that 82.8% of callers found the services of the SLACC helpful. Mr. Muhammad Zubair Habib, CPLC Chief appreciated the SLACC services and the Public – Private partnership between of LAS and Sindh Government. He stated that efficient legal aid systems can significantly help improve

## 82.8%

Found the advice given by the SLACC helpful.



Access to Justice and Legal Empowerment since 2014.

Justice Arif Hussain Khilji – Director General of the Sindh Judicial Academy and the Senior Legal Advisor of the Legal Aid Society shared some interesting stories on human impact and success. A Primary teacher of the Sanghar, who was waiting for his promotion for the last 2 – years as his name was on the top of the merit list of his taluka had his issue resolved in 20 days after following the advice of the SLACC. Ms. Maliha Zia Lari and Ms. Naima Qamar presented the findings of their Research Paper “Deconstructing Conjugal Rights in Pakistani Law”. They presented the analysis and various scenarios in which men and women resort to filing RCR applications. The research paper highlighted that Restitution of Conjugal Rights (RCR) provision is gender neutral fulfilling requirement for formal equality but in reality it is being used primarily against women, thus not providing the substantive equality.



Women, unfortunately, cannot and are unable to successfully use RCR provision due to social constraints and legal bias. It is possible to use mediation and the Family Courts Act 1964 itself to affect reconciliation between spouses instead of proceeding a trial of conjugal rights. Ms. Mehnaz Rehman, Resident Director of the Aurat Foundation shared her thoughts on the paper and said, women are more vulnerable under the existing scheme. society in upholding the rule of law. He further said that: “The lawyers at the SLACC are trained to provide a whole spectrum of legal information and advice and will also connect you to referral services of different service providers, NGOs, and state organs. You will get customized advice within 24 hours. This is our commitment to you.”



Justice Nasir Aslam Zahid said that he founded the call centre in 2014 with a simple mission; to bridge the distance between the average, common person and state institutions providing justice. He shared that free legal advice has been provided to over **95,671** people since its inception in the year of 2014 and deeply appreciated the efforts of the Sindh Government to show their full support to upholding the rule of law and taking efforts towards the empowerment of the people.

## 46.8%

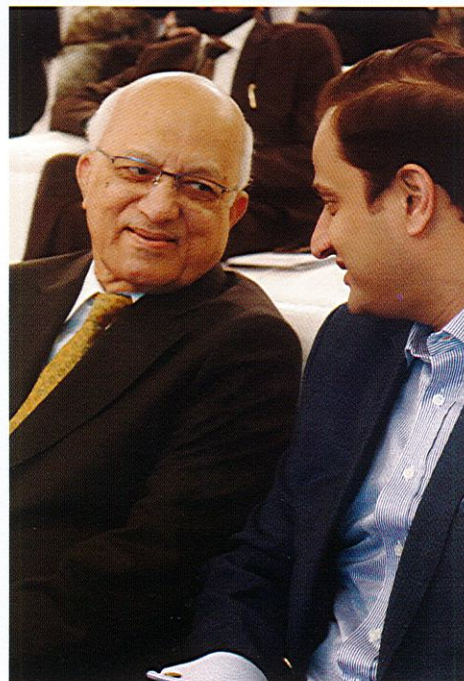


Followed the advice

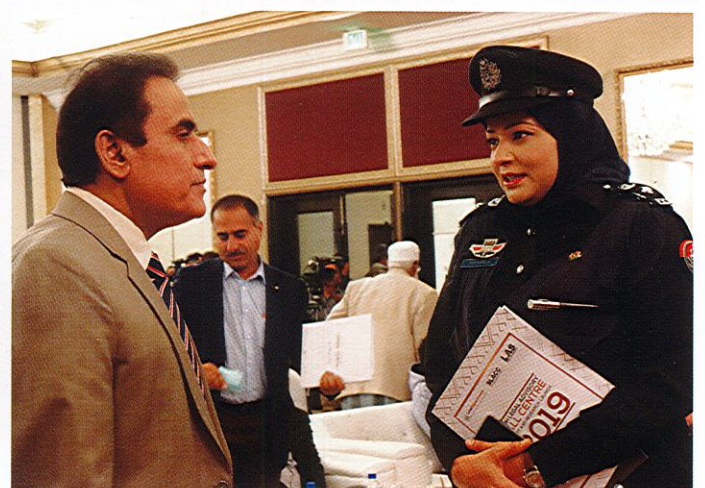
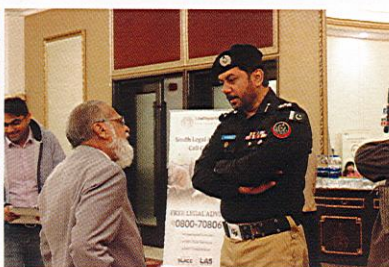
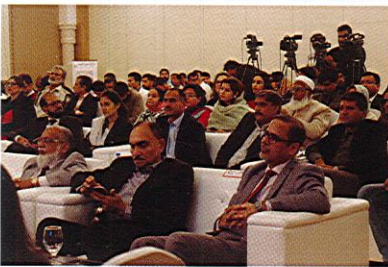
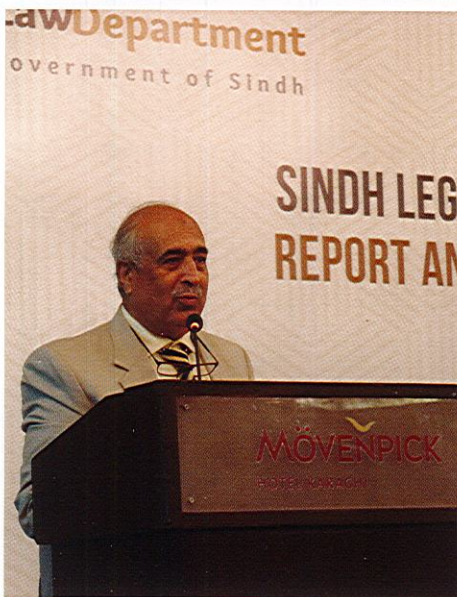


Experience of institutions

- Court = 59.1%  
Excellent = 4.9%; Good = 39.2%; Fair = 33.3%; Poor = 22.6%
- Other = 13%  
Excellent = 11.1%; Good = 22.2%; Fair = 33.3%; Poor = 33.4%
- Police = 11%  
Excellent = 13.3%; Good = 20%; Fair = 20%; Poor = 46.7%
- Ombudsman = 2.9%  
Excellent = 25%; Good = 50%; Fair = 0%; Poor = 25%
- ADR = 7.7%  
Excellent = 0%; Good = 73%; Fair = 18%; Poor = 9%
- FIA = 2.1%
- Union Council = 1.5%
- NADRA = 1.4%
- WAPDA = 1.4%



access of vulnerable sections to justice and reduce legal exclusion. He highlighted the collaboration between LAS and CPLC in working together for



## PUBLIC INTEREST LITIGATION FOR SAFEGUARDING THE RIGHTS OF THE ELDERLY

The daily needs of elderly persons are unique and include a higher standard of care and attention. In many countries, the rights of senior citizens are recognized through the establishment of homes with around-the-clock medical care along with the creation of special opportunities where elderly persons can participate in productive recreational activities.

In Sindh, the Senior Citizens Welfare Act was promulgated in 2014, which envisions numerous rights and benefits for elderly citizens. These include the establishment of old age homes across Sindh, the issuance of "Azadi Cards" to the elderly that allow them to have medical and other benefits, and the establishment of a Council for the Welfare of Senior Citizens to oversee all such activities pursuant to the Act, and to monitor compliance as needed.

In December 2019, the Community Justice Project run by the Legal Aid Society (CJP-LAS) took notice of the fact that there was negligible awareness of these statutory provisions amongst the masses and the state institutions themselves. The Act was essentially dormant and the LAS paired up with the Darul Sukoon and Sahara Trust to file a Constitutional Petition before the Sindh High Court. The petition was filed with the assistance of LAS' outstanding pro bono partners, Mr. Jaffer Raza and Mr. Yahya Iqbal and sought directions against the Sindh Government and Social Welfare Department for the effective enforcement and implementation of the Act.

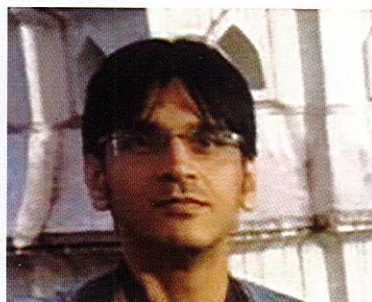
A two-judge bench headed by Justice Mohammad Ali Mazhar observed that the provisions of law were beneficial and meaningful, but it was also a ground reality that the legislation was made in 2014 and notified in 2016, and despite the lapse of a considerable period, its proper implementation was still in limbo as only a council had been constituted with members and chairperson, and they were not taking any swift actions.

Within 12 days of filing the petition, the Sindh High Court on 12th December, 2019 ordered the Government of Sindh to comply with the provisions of the Act. This includes: allocating funds for establishing Senior Citizens Welfare Fund; constituting a Complaint Redressal Committee; establishing The Sindh Government to establish and maintain Old Age Homes at accessible places with at least one in each district; and notifying the Rules within 45 days in accordance with the Act.

LAS is deeply thankful to its pro bono warriors, Mr. Jaffer Raza and Mr. Yahya Iqbal without whom this success would not have been possible. LAS is hopeful that the rights of the elderly will be better safeguarded throughout Sindh as a result of this judgment.



MR. YAHYA IQBAL



MR. JAFFER RAZA

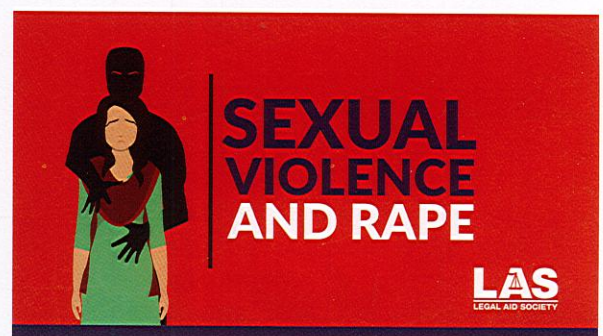
### LEGAL ASSISTANCE TO MARGINALIZED AND POOR DIS-EMPOWERED PEOPLE:

LAS provided free legal assistance to **51 community members (Male = 06; Female = 45)** and filed their cases before the concerned courts. These cases were related to Rape, Attempt to Rape, Gang Rape, Sodomy, Dissolution of Marriage, Maintenance, Recovery of Dower Amount, Guardian & Ward, Criminal, Civil/ NADRA, Release Applications and Constitution Petition.

### 16 DAYS OF ACTIVISM

The 16 Days of Activism against Gender-Based Violence is an international campaign that starts on 25 November and runs until 10 December each year. This year (2019) the campaign marks the 16 Days of Activism under the theme "Orange the World: Generation Equality Stands against Rape". On the occasion of this International Campaign, Legal Aid Society developed and made a video-log of its work on "Improving Government of Sindh's Response to Sexual Violence and Rape". It can be accessed via

<https://www.youtube.com/watch?v=gLmFr-oZhk0>



**CALL FOR FREE LEGAL ADVICE**

**0800-70806**

# SECOND PHASE OF 3-DAY JUDICIAL TRAINING ON HUMAN RIGHTS, GENDER AND LAW.

The LAS in collaboration with the Ministry of Human Rights, Sindh Judicial Academy and the European Union, conducted a threeday training on Human Rights, Gender and Law from 18th to 20th October, 2019 at the Sindh Judicial Academy, Karachi. The purpose of the training was to enhance judges' understanding and knowledge on both national and international human rights laws. The training was attended by 30 members of the judiciary from across Sindh (15 Senior Civil Judges and 15 Additional and District Judges).

The trainers, namely Barrister Ravi Pinjani, Ms Maliha Zia, Advocate Asiya Munir, Ms. Nazo Pirzada and Mr. Shehneel Gill engaged the judges in various group discussions, exercises and role play activities in order to make the sessions collaborative and interactive amongst the judges. The Chief Guest, Ms. Rabiya Javeri Agha, Secretary Ministry of Human Rights stated that "the partnership between, judiciary, executive and civil society are instrumental for pushing the agenda of promoting human rights in the country" and congratulated LAS successful efforts in conducting such trainings.



## MEETINGS OF PROJECT ADVISORY COMMITTEE (PAC)

Two Project Advisory Committee (PAC) meetings were held at LAS office. This PAC is formed under an ongoing project of LAS on "Improving Government of Sindh's Response to Sexual Violence". The Committee made a critical overview of on Sexual Violence cases LAS currently pursues and extended its input. The Committee also made an overview of the community engagement component of the project.





## DIALOGUE ON RESPONDING TO CASES OF SEXUAL VIOLENCE

Women Development Department of the Government of Sindh ('WDD') together with LAS organized a dialogue on 'Responding to Cases of Sexual Violence' on December 5th, 2019 at Hotel Mövenpick in Karachi. The speakers in the dialogue included Justice Nasir Aslam Zahid, Chairperson Legal Aid Society, Ms. Alia Shahid Secretary, WDD, Dr. Saba Gul Khattak, Country Head of Foundation Open Society Institute (FOSI); Mr. Faizullah Korejo Additional Director FIA; Ms. Nazish Brohi, Activist; Mr. Sheeraz Ahmed, War Against Rape; Ms. Asiya Munir, War Against Rape; Ms. Maliha Zia Lari Associate Director, LAS and Dr. Shabnam, Chief Technical Advisor, Health Department, GoS.

Justice Nasir Aslam stated sexual violence is endemic across Pakistan. In year 2018 alone 3,832 cases of child abuse were reported out of which 27 % were from Sindh. As for legislation, he added several efforts have been made to respond to issues of sexual abuse and rape in Pakistan. Two recent crucial legal amendments; The Criminal Law (Amendment) (Offences Relating to Rape) Act, 2016 which has expanded the law by laying detailed procedures, and secondly the Code of Criminal Procedure (Sindh Amendment) Act, 2017 which mandates DNA testing in cases of

rape should expectantly bring around much needed positive changes in case outcomes. Speaking on the occasion Dr. Chachar, Secretary Home, reiterated the commitment of the Government of Sindh to curb sexual violence in the society. He stated that the Home Department has designated a committee to exclusively train police, prison, prosecution and judiciary officials regarding the sensitivities of sexual violence case. Ms. Alia Shahid, Secretary WDD, stated that her department jointly developed a Sexual Violence Response Framework with LAS to provide multiple levels of care and relief to the victims and take the culprits to task. A one-window facility is being activated so the victims are provided legal, medico-legal and psychological support at one place. A summary has been moved to the provincial Chief Minister for setting up such centers at the district level.

Ms. Maliha Zia Lari gave a presentation regarding performances of the court in dispensing sexual violence cases in Sindh. She stated that in 2018, 266 cases of rape were registered and courts announced conviction in only 4 cases, whereas 47 accused were set free and 154 cases are in pending. A consensus was reached in the end that we as a society need to make a conscience effort to work towards eliminating this evil, overcoming issues of taboo and bridging the trust deficit.



آپ کے ہر قانونی مسئلے میں رہنمائی صرف ایک فون کال کی دوری پر، فون اٹھائیے، اور نمبر ملائیے

**0800-70806**

اور سندھ لیگل ایڈوائزری کال سینٹر سے مفت قانونی مشورہ حاصل کریں۔

■ ہمارے 08 ہائی کورٹ سے رجسٹرڈ ماہر وکیل، آپ کی کال کے منتظر، اور آپ کی خدمت میں موجود ہیں  
صبح 9 بجے سے شام 5 بجے تک۔

■ اب تک سندھ لیگل ایڈوائزری کال سینٹر کو پاکستان کے 450 گاؤں، دیہاتوں، اور شہروں سے 30,000 سے زائد کالز  
پچھلے ایک سال میں موصول ہو چکی ہیں۔

**0800-70806**

محکمہ قانون حکومت سندھ اور لیگل ایڈوائزری کی مشترکہ کاوش ہے۔  
قانونی نئی نئی دلی سے مفت، اور موبائل فون سے کال کرنے پر رہائی نرغ لاگو ہوگا۔

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