

NEWSLETTER

LAS
LEGAL AID SOCIETY

JULY - SEPTEMBER 2020



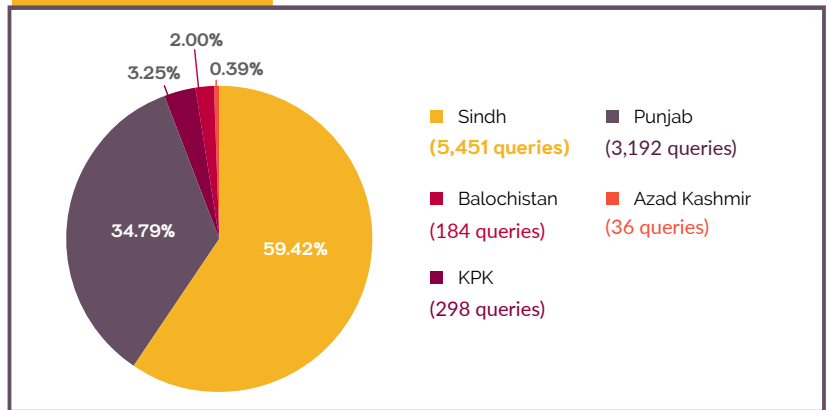
Quarterly Performance of the Sindh Legal Advisory Call Centre

24/7 Helpline 0800 70806

SLACC
Sindh Legal Advisory Call Center

The Sindh Legal Advisory Call Centre, running in partnership with the Law Department of the Government of Sindh, has received 13,908 calls during the period of July to September 2020 and has registered 9,173 queries. The calls originate from 249 cities, town, and villages across Pakistan and were attended by qualified and experienced high court enrolled lawyers.

Number of Queries



Gender Based Calls

Total Registered Queries received 9,173



سندھ لیگل ایڈوائزرز کال سینٹر

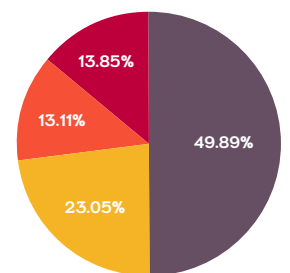
سے مفت قانونی مشورہ حاصل کریں۔

0800-70806



24/7 Helpline 0800 70806
SLACC
Sindh Legal Advisory Call Center

Call Categories



■ Civil Law (4,577 queries)
■ General Information (2,115 queries)
■ Criminal Law (1,271 queries)
■ Public Service (1,203 queries)

Advocacy for E-Trials

The outbreak and spread of COVID-19 across Pakistan has laid bare the weaknesses of the justice system which came to a near complete halt during the lockdown period. It is clear that innovative and digitized mediums are the need of the hour for enhancing the courts' abilities to dispense justice without interruptions. One key method is the digitization of trials to make virtual hearings a reality. The Legal Aid Society, in collaboration with the Women Development Department of Sindh and Sindh Commission on the Status of Women has launched an advocacy and awareness campaign to demand for such digitization in courts. As part of its efforts audio-visual material has been developed to pave pathways for the operationalization of e-trials and e-courts across Sindh and ensure efficiency in the justice system.



On the 29th of September, the LAS team comprising Hira Saleem, Nisa Hafeez and Wajiha Gilani, met with the secretary of the Women Development Department (WDD) of Sindh, Ms. Alia Shahid. The implementation of the Sexual Violence Response Framework of the Government of Sindh was discussed at length which would ensure the establishment of a fast-tracking litigation referral system between WDD and LAS, along with imperative action items necessitated for the research, advocacy and awareness around sexual violence cases in the province. The SVRF team remains grateful for the continued support provided by departments such as WDD.

Collaboration with the Sindh Commission on the Status of Women

On the 16th of September, Haya Zahid – Executive Directory LAS, Hira Saleem – Program Manager, Nisa Hafeez – Research Associate and Shallum Oscar David – Delivery Associate, met with the Chairperson of the Sindh Commission on the Status of Women (SCSW), Ms. Nuzhat Shirin. The agenda of the presentation and discussion revolved around data accumulated by LAS on the assessment of Gender-Based Violence (GBV) Courts across Sindh. The meeting remained productive and created avenues of collaborative partnerships between LAS and the SCSW on ways to mitigate the issues presented and ensure speedy access to justice within the special GBV Courts. LAS and SCSW have agreed to conduct joint observational visits in the future along with development of a legal aid directory for survivors and victims of SGBV.



Effectiveness of Public-Private Policing

In February 2019, the Legal Aid Society was commissioned by the International Committee of the Red Cross (ICRC) to conduct independent research study to assess the effectiveness of the Citizens Police Liaison Committee (CPLC). CPLC was formed in 1989, as a hybrid model to provide public service in areas where the Police department needed support through additional resources. LAS conducted this study to analyze the effectiveness and the efficiency of the CPLC by assessing outcomes that were related to crime and disorder, citizen satisfaction and citizen perceptions of police legitimacy. The research was conducted and authored by Haya Emaan Zahid, Executive Director at LAS and Dr. Daniel Waddington, Professor of Criminal Justice at the Utah Valley University. By deconstructing the CPLC model, the report makes comparisons between CPLC and the existing community policing models to see the extent to which CPLC has successfully managed local community issues. This report is important as an initial analysis, to assess whether the CPLC model can be replicated in similar contexts. Our findings indicate that the CPLC has been highly regarded for engaging with empathy, respect and professionalism. CPLC has kept itself largely unpoliticized and depends on volunteers and donor funds. It also provides a model of how financial investment from the community and resource mobilization can effectively facilitate the locals.



The report was officially launched at a small ceremony held on 7th September 2020 at the CPLC headquarters in Karachi. The ceremony was attended by Mr. Zubair Habib (Chief CPLC), Ms Haya Zahid (Executive Director LAS and co-author of the report), Ms Jawziya Zaman (LAS) and district chiefs of CPLC Mr. Abid Ozair, Mr. Adil Chapra, Mr. Abdul Hadi and Mr. Ali Haji.

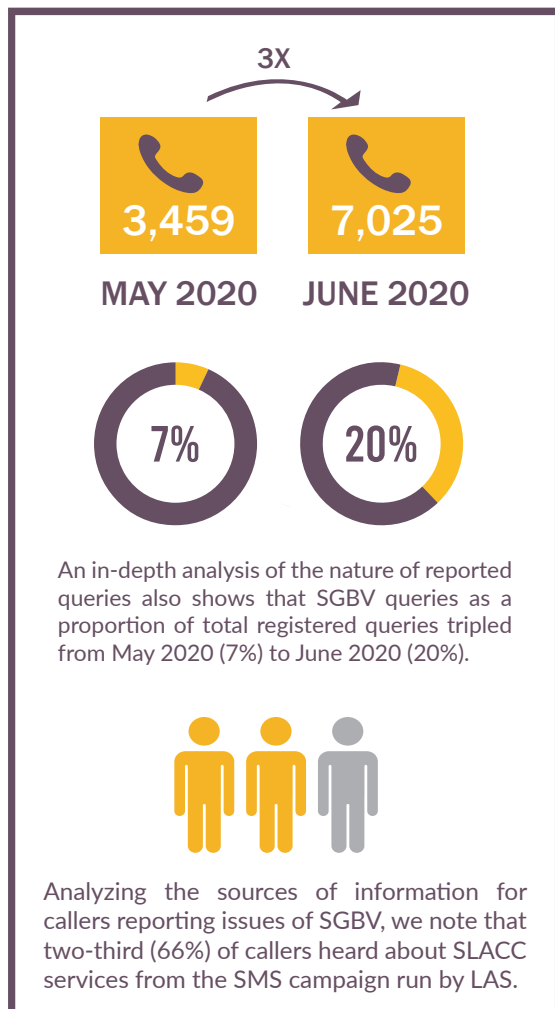
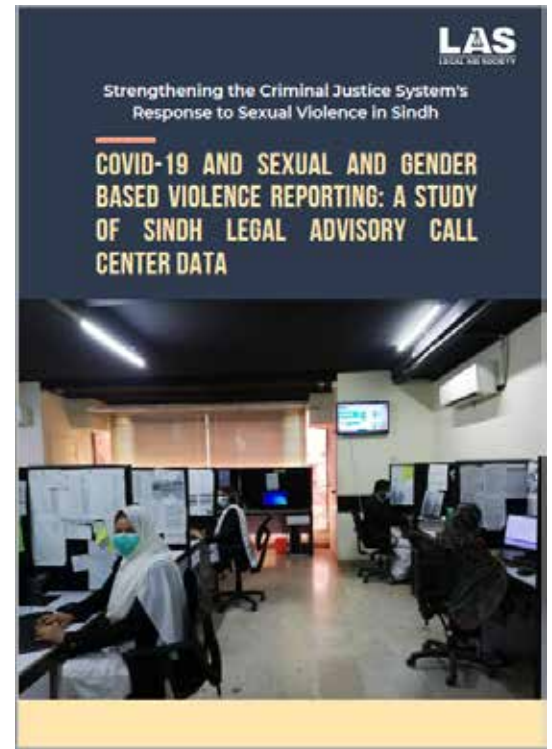


Digital Inclusion and Reporting of Sexual and Gender-Based Violence

Findings from the Sindh Legal Advisory Call Center

A rapid assessment of over 14,000 calls received at the Sindh Legal Aid Call Center between December 2019 and June 2020 paints a rather optimistic picture concerning increased media awareness and reporting of SGBV cases. By accounting for reporting of SGBV cases before and during the lockdown imposed because of the COVID-19 outbreak in the country, the rapid assessment findings have some important policy implications.

This study is a first of its kind in Pakistan, whereby, significant amounts of data from a Call Center has been used to draw trends and patterns on reporting of SGBV during a pandemic, and the consequent effect on this reporting of introducing a mass media campaign aimed at increasing awareness. This study, thus, allows us to not only draw conclusions on how the COVID-19 outbreak and the imposed lockdown affected SGBV reporting in the country; but also assess the potential impact of increased digital inclusion of women on reporting of SGBV by building awareness.



The analysis is divided into three main time periods: the baseline period (i.e. pre-lockdown); the passive period (during the lockdown but prior to LAS' mass media campaign); and the active period (during the lockdown and following a mass media campaign by LAS aimed at increasing awareness regarding SGBV and the legal aid hotline). The findings show a decrease in reporting of SGBV-related issues during the imposition of the lockdown (April 2020 onwards) and a marked increase in the proportion of SGBV reporting after the mass media campaign conducted by LAS (June 2020 onwards).

The success of the mass media campaign to increase awareness amongst citizens regarding both Sexual and Gender Based Violence as well as the Sindh Legal Advisory Call Center point towards the large potential of digital means as an advocacy tool in Pakistan. Additionally, these findings have highlighted meaningful trends, which point the way towards additional areas of research, inquiry, and advocacy- one of these being increased inclusion of women within the digital landscape of Pakistan.

Success Stories from the Sindh Legal Advisory Call Centre

The lockdown imposed because of the COVID - 19 pandemic has limited the access of litigants to justice institutions and legal aid providers. The augmented state of obstacles and challenges faced by justice seekers led one such citizen to approach the Sindh Legal Advisory Call Centre (080070806) concerning the issue of an eviction case. The caller, guided free of cost by the advisor of the Sindh Legal Advisory Call Centre was able to file an ejectment application on his own through the advice and had his legal need met.



Similarly, a caller facing difficulties in recovering his hard-earned savings due to an invalid/ bogus cheque approached the legal advisors for assistance. The caller was able to successfully institute criminal action against the opposing party and managed to get half of the payment back by September 2020. Further to this, he was able to enter into an agreement for payment of remaining amount.

SLACC believes that one call, effectively responded to by a qualified, trained and sensitised lawyer can make all the difference. This is also the reason advisors of the Sindh Legal Advisory Call Centre addressed why 369 queries relating to domestic and gender based violence during this period. In case of protection and relocation, the callers facing domestic and gender based violence were also referred to numerous Darul Amans and Women Protection Centres located in their districts.

**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**

Understanding Sexual Harassment at the Pakistani Workplace

A series of investigative articles in Dawn in 2018 reported that sexual harassment, abuse and discrimination in Pakistan’s workplaces are “pervasive, mostly unreported and ignored by senior managers.¹” In the same vein, the Sindh Legal Advisory Call Center (SLACC) helpline – publicly funded by the Sindh Government and privately managed by the Legal Aid Society (LAS) – frequently receives calls from women in the country seeking legal advice on how to deal with various forms of sexual harassment they face in the workplace. Given the rising urgency of this issue, LAS is pleased to announce the forthcoming publication of one of its most recent research reports on workplace sexual harassment laws in Pakistan.

The paper provides a historical and contextual analysis of sexual harassment, an examination of legal remedies and existing case law, and reflects on conversations had with lawyers who work with victims of sexual harassment in their quest for justice. It discusses how the definition of “sexual harassment” in the Protection Against Harassment of Women in the Workplace Act 2010 leaves out many behaviors and actions that prevent gender equality in the workplace. The author reflects on how avenues of complaint in the Act reveal a lack of legislative foresight, and critiques the lack of mechanisms to hold employers accountable for failure to comply with legal requirements, such as displaying Codes of Conduct in their workplaces or forming Inquiry Committees. Victims face many hurdles that force them into silence: gathering evidence of bad behavior from their male colleagues and bosses; fighting societal attitudes that distrust their claims, and the threat of retaliation in the form of defamation lawsuits. The paper concludes with recommendations for policymakers, lawyers, and other stakeholders on how to make the law more responsive to the needs of justice seekers.

This paper is an important contribution to Pakistani legal scholarship, particularly in a time where complaints from women about harassment in all spheres of life abound, and where the consequences of reporting can often have retaliatory consequences. LAS hopes that the findings of this research report are helpful to lawyers, civil society, and victims alike.



¹<https://www.dawn.com/news/1395215>

Longing for Justice:

Stories from District Courts

As part of LAS's mission to strengthen the response of the State in cases of sexual and gender based violence, LAS team members comprising of Ms. Fatima Aamir (Senior Delivery Associate), Ms. Soha Randhawa (Delivery Associate), Ms. Tayba Khalid (Program Manager) and Mr. Shallum David (Delivery Associate) conducted a first of kind User Satisfaction Survey to assess and evaluate the experience of users of courts to understand what opinions justice seekers hold about the criminal justice system.

For the purpose of this research, 188 respondents were chosen using a random sample to conduct a survey in Karachi East (City Court) and Hyderabad District and Sessions Court. Survey respondents comprised of users related to any criminal case, which was the control group as well as court users belonging to the Gender Based Violence (GBV) courts in the two districts.

Besides the surface level information regarding respondents' observations about court infrastructure and facilities, a very common but salient feature that surfaced in these surveys was the extremely long time it took for judicial proceedings to end. This feature; which is perhaps common in the cases of all respondents; is the single biggest reason which makes their interaction with the Criminal Justice System more miserable. Be it a person accused of theft, or a victim of rape and sexual abuse, court users poignantly remarked how the court system and the huge time delays during trial were a constant source of trouble for them. Waiting for hours, days and months in a hall with scant seating, no fans holding on to the tiny hope that they would get justice, many of our respondents have spent their entire lives running around courts.

It is to remedy this very issue that such a survey was piloted in the two districts; it is intended that the findings which outline the systemic issues and problems faced by court users will be addressed and sustainable solutions will be proposed after consultation and feedback from key stakeholders. A post intervention User Satisfaction survey will be conducted to assess the positive impact of the intervention and to gauge how court users' experiences with the court changed between then and now.

Success Stories

Legal Aid Society commenced a project in July 2020 with the support of the Human Rights Commission of Pakistan (HRCP) to provide legal assistance to victims of human rights violations who belong to marginalized communities in Karachi, Nawabshah, Larkana, and Sanghar. LAS is focusing its legal interventions on socio-economically impoverished persons, vulnerable groups, women, children, aged persons, and transgender individuals. In the past three months, LAS lawyers have already filed cases for 20 beneficiaries, on legal issues ranging from domestic abuse, denial of maintenance, separation from husband, custody of minor kids and protection orders. In a short period of time, LAS has been able to vindicate the rights of two clients based in Karachi.

In one case, lawyer Romana Kausar represented a lady who came to LAS and was desperate for help because she did not have the money to hire a lawyer to fight her case. The lady had two young children who were 4 years old and 2 years old. Her husband was abusive and beating her badly. Almost two months ago, her husband beat her badly and threw her out of the house and forcibly snatched the minor children away from her. When she came to LAS to seek assistance, LAS lawyer Romana responded to her call for mother should obtain the custody. On 29th September, 2020 the court passed an order in favor of the lady and granted her custody of her children. LAS lawyer assured that the court orders were followed, and that the lady physically received custody of her children. She was extremely thankful for the free legal assistance without which she would not have been able to secure her legal rights.

In another case, lawyer Romana Kausar represented a Christian lady who came to LAS for help and protection from her abusive brother. The lady was very disturbed and felt unsafe in her home because her brother was physically and verbally abusive. She explained that he was an alcoholic and beat her very badly. She also said that he was abusive towards their parents. When she came to LAS to seek assistance, LAS advocate Romana responded to her call for help and filed a Protection Application under section 22 B of the Criminal Procedure Code on behalf of her to seek protection against her brother. On 7th October, 2020 the court passed an order in favor of the lady and granted her protection against her brother. She was thankful for the free legal assistance without which she would not have been able to secure her legal rights.



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