More reforms, less impact: Lessons from Pakistan’s experience of a decade of criminal justice sector reforms

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For many years, especially after 9/11, the performance of the criminal justice system in Pakistan has been under wide criticism for its inability to bring offenders to justice, not only in cases of terrorism and organized crime, but even petty criminals. Police suffered from chronic underinvestment in infrastructure, equipment and training. The courts were often overburdened with hundreds of thousands of cases each year inevitably leading to inordinate delays and an overwhelming backlog of cases. Prisons were vastly overcrowded predominantly with under trial prisoners and with little capacity for correction. Poor governance, population explosion, unplanned urban growth, breakdown of informal system of dispute settlement further strained the capacity of criminal justice System to deliver. Criminal justice system was widely perceived as non responsive, incompetent and inefficient. Under pressure to reform and revamp a dysfunctional criminal justice system and offset the impacts of historical neglect and malfunctioning; the federal and provincial governments (with assistance from international donors including ADB, UN, DFID, NORAD, GTZ and ICITAP) have undertaken a series of reforms, during last one decade. The main focus of the reform efforts has been changes in legal, policy and procedural frame work; infrastructural development; process reengineering; strengthening institutional capacity; functional specialization; improved oversight; adoption of IT and establishment of digital databases. The stated objectives of reforms included improved access to justice, better service delivery and movement towards scientific evidence. These also aimed to promote gender and juvenile justice, human rights and rule of law. However, despite a decade of reform effort, the citizens’ satisfaction and trust level with almost all components of criminal justice system remain, generally, low. It is evident from Pakistan’s ranking at 106 out of 113 countries in 2016 in World Justice Project’s Rule of Law Index. In this backdrop, with the help of secondary data, this paper maps Pakistan’s experiment with criminal justice reforms, evaluates its impact, identifies gaps that continues to exist, examines the lessons learned, and suggests a way forward to improve efficiency, efficacy, accountability and service delivery of all components of criminal justice system. The study has relevance and utility for other countries of South and South East Asia and Africa; who being ex-British colonies with similar legal and justice system, are facing similar issues and challenge, as well as international organizations working in the justice sector.