

# Digitalization of Judicial System will Provide Justice to Pakistan's Public

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The provision of speedy justice to public is cornerstone in nation's progress. Pakistan is lagging behind in assurance of rule of law due to multitude of factors. However, the digitalization of judicial system will surely provide justice to public of Pakistan.

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Date:

"Justice delayed is justice denied." This line of William Gladstone rings a stark reminder that speedy provision of justice to people in any state is cornerstone of nation's progress. The developed nations have functional and transparent judicial system. Pakistan, a developing country, has judicial system borrowed from its colonial master. It is three tier judicial system. Currently, Pakistan is lagging behind in implementing rule of law. ~~That~~ With the advent of 21<sup>st</sup> century, technology has incorporated into every sphere of lives. It has facilitated every arena of humans. The digitalization of judicial system in Pakistan will surely provide justice to Pakistan's public. The digitalization of judicial system involves establishment of e-courts, e-certification of applications and electronic case management. Moreover; online dispute resolution, e-filing of

Courts documents and consideration of audios and videos as witnesses lead to reduce time and ensure speedy justice.

The process of digitalization of judicial system will not be a smooth process in Pakistan.

The challenges in this way are accessibility of internet, lack of trained staff in judiciary, resistance of lawyers and insufficient structures.

However, these challenges can be mitigated by implementation of data security measures, training of staff, addressing structural issues of judiciary and ensure accessibility of internet. The provision of

speedy justice to public is cornerstone in nation's progress. Pakistan is lagging behind in assurance of

rule of law due to multitude of factors. However, the digitalization of judicial system will surely provide justice to public of Pakistan.

The judicial system of Pakistan is a three tier system. It consists of Supreme Court, Higher Courts and district courts. The case are file from litigants in district courts. Later, they referred refer to High courts and Supreme court as per requirement. It is a cumbersome and lengthy process as judicial system is operating on traditional methods of papers and typewriters.

Currently, Pakistan is lagging behind in provision of speedy justice to its public. According to Rule of Law Index 2023, Pakistan ~~rank~~ ranks 120 out of 140 nations. This report of Rule of Law Index depicts that currently Pakistan slow system of provision of justice. It needs to be improved as rule of law is mandatory for right direction of progress.

Following paragraphs will shed light on how digitalization of judicial system will ensure speedy justice to people.

Firstly, the establishment of e-courts lead to transparency in

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system. When the courts room become live to respective parties, it is accessible for people to see what is happening inside. In this way, live streaming from courts can ensure transparency in judicial system.

Secondly, the e-certification of applications reduce time of delays in court. The certification of applications take long time as it is time consuming to move physically here and there. According to report of Pakistan Peace of Institute 2023, it takes 1017 days in Pakistan to complete one legal case. If e-certification of applications are carried out, it can reduce time and avoid delays in procedure.

Thirdly, the electronic case management lessens burden of cases on judicial system of Pakistan. As per report of the Law and Justice Commission, there 50,000 pending cases in Supreme court, 3 Lacs case in high courts and 20 lac in subordinate courts. The digitalization

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of judiciary can reduce his burden. Electronic case management takes less time than traditional method of resolving of cases.

Online portal and information of litigants available online can lessen the time and burden.

So, electronic case management can also provide speedy justice to public.

Moreover, the establishment of online dispute resolution can be effective in provision of justice to people residing in far-flung areas, especially in remote and tribal areas. The online dispute resolution consists of lawyers and judges of high-courts who act as mediator in resolving disputes.

The purpose of online dispute resolution is resolving disputes



Regarding land, inheritance and family. In this way, online dispute resolution is aiding in provision of justice.

Apart from establishment of online dispute resolution, e-filing of documents of court during legal process can reduce costs of expense. Filing of applications online need no paper. A paperless judicial system will shorten the duration and cost of public's expense. So, e-filing of documents is helpful in ensuring justice.

Lastly, consideration of audios and videos as consideration of witnesses compensate delays in proceedings. There are many reasons that witnesses can not reach.

in the courts. In traditional method, in case of absence of witnesses, the courts adjourned or ~~fraudly witness~~ professionally fraud witness take to the court for testimonies.

This is derailment of justice.

The digitalization of judicial system involves audios and videos consideration as witness.

The digitalization of judicial system in Pakistan is not easy and it has challenges in its way. The challenges are as follows.

Firstly, proper access of internet to all courts in Pakistan is a challenge. The courts in far areas have no internet. Justice Ejaz-ul-Ahson, in 2019, was hearing proceeding of court in Sawabi, sitting

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in Islamabad. He faced inconvenience due to unavailability of internet there in Swabi. This incident showed that internet is requirement of digitalization of judicial system and it is not available for all.

Secondly, the lack of trained staff in judiciary is another hurdle in digitalization of judicial system. The judicial staff is untrained for technological revolution as it is working on typewriters and paper. For smooth working of digital justice system, the trained people are requirement.

Thirdly, the lawyers and chambers of lawyers are not accepting any modern change. The establishment of Islamabad modern court faced

resistance from lawyers as they striked and blocked the roads. In this way, the resistance from lawyers is another challenge.

Lastly, the digitalization of judicial system need infrastructure. There is a lack of modern infrastructure like computers, projectors and screens.

The insufficient infrastructure is challenge in digital judicial system.

The above mentioned challenges can be addressed. The recommendations are given below.

The first and foremost suggestion is implementation of data security measure. The risks of cyber theft, hacking and blackmailing need to addressed. It requires hiring of IT-experts in judiciary that can secure

Online information and data.

Secondly, there is a need of training of staff in judiciary who can run the digital judicial system. The establishing of training centers for staff should be priority of government in this regard.

Thirdly, there should be sufficient amount in annual budget to address structural issues of judicial system which are insufficient infrastructures, low number of judges and unavailability of modern surveillance system. These issues need attention of government.

Lastly, there should be effective availability of internet in all courts

for smooth digital judicial system. The authorities should ensure this as digitalization of judiciary needs all time strong and effective internet availability.

In a nutshell, it can be said that Pakistan has slow provision of justice to its people. The speedy justice to public strengthens trust of public on judicial system. The foundation of any nation is based on rule of law. Its technology is part of every sphere, its incorporation can lead to effective working and efficient working of judicial system by providing fast relief to people. The digitalization of traditional justice system is not smooth process as it has certain challenges and

by addressing these challenges, it  
can make sure in provision  
of justice. Stephen Hawking rightly  
said that;

"If technology can  
make us better chess  
player, it can surely  
make us better  
judges and doctors."