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Menace of Hostile Witnesses and its impact on the Justice Delivery System of Pakistan

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Abstract

It is the constitutional responsibility of the State to deliver expeditious justice to the citizens of Pakistan. The adversarial system is currently adopted in Pakistan for the dispensation of Criminal Justice, which gives more importance to witnesses, and the burden of corroborating the case rests on the prosecution. The Court can decide the fate of the case based on the evidence given by the witnesses. In the justice delivery system of Pakistan, the quality of testimony given by the witnesses during the hearing affects the delivery of justice. The emphasis of this work is to explore the causes responsible for turning a witness "Hostile" and their impact on the justice delivery system. Data was gathered using structured questionnaires from 100 respondents from all districts of Karachi. Analysis showed that the hostility of witnesses is due to extended delay in Court hearings and the absence of witness protection measures. Based on the information gathered, it is concluded that to improve the efficacy of the justice delivery system, there is a dire need for the establishment and quick implementation of a Witness Protection Program.

Keywords: Criminal Justice System, Hostile Witness, Justice, Witness Protection, Fundamental Rights.

Introduction

The criminal justice system in Pakistan comprises multiple institutions, which include the judiciary, the police, and the prison system(Karim, 2020). Here is an overview of how the system works. Investigation: The police are responsible for investigating crimes and collecting evidence(Karim, 2010). Once they have enough evidence to suggest that a crime has been committed, they may arrest the suspect(Manzoor, 2021). Arrest and detention: A person can be arrested based on

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a warrant or without a warrant in certain circumstances. After the arrest, the police can detain the suspect for up to 24 hours without obtaining permission from a magistrate. After that, the police must present the suspect before a magistrate, who can authorize further detention for up to 14 days(M. Mahmood, 2013). Court proceedings: Pakistan's judicial system is structured into three levels: District Courts, High Courts, and the Supreme Court. (S. Mahmood, 2017). Cases are initially heard by the criminal courts at the district level, such as Judicial Magistrates, Sessions Courts and specialized Courts, depending upon the nature of the crime, which have the authority to try most criminal cases under the applicable laws. Appeals can be made to the High Courts, and the Supreme Court, which hears appeals from the High Courts. Sentencing: If an individual is found guilty of an offense, the court will determine an appropriate sentence(Ormerod, 2008). Sentences can range from fines to imprisonment to the death penalty. Corrections: The correctional system in Pakistan is responsible for managing prisons and ensuring that inmates receive adequate food, medical care, and other necessities. Rehabilitation programs are also designed to help inmates reintegrate into society after their release(Karim, 2010). A hostile witness also characterized as unfavorable witness or an adverse witness is a witness who is biased against the examining party or is unwilling to testify (Garner, 2019) In Pakistan, a hostile witness is a witness who refuses to give truthful or reliable testimony during a trial or hearing(Adil, 2017). This can happen for a range of reasons, including fear of retaliation, personal bias, or bribery. The issue of hostile witnesses in Pakistan is a significant problem that can undermine the justice system and result in wrongful convictions or acquittals(Bashir, 2019). In some cases, witnesses may be intimidated or threatened by the accused or their associates, leading them to provide false or misleading testimony (Sahu, 2014). Additionally, witnesses may be biased or have a personal interest in the outcome of the case, leading them to withhold information or provide false testimony(Agrawal, 2024). Sometimes there may not be enough witnesses, as exemplified in the maxim testis unus, testis null’s (one witness is no witness), especially if that witness turns hostile(Bajpai, 2009). The issue of hostile witnesses is endemic in Pakistan, and studies suggest that one of the leading reasons for this is not having adequate witness protection methods(Uddin & Ali, 2020). Witnesses who come forward to testify in criminal cases are often subject to threats, harassment, and intimidation, which can make them reluctant to testify or even turn hostile(Agrawal, 2024; Tanoli, 2015). The lack of witness protection measures in Pakistan is a major obstacle in securing the safety of witnesses(Fyfe & McKay, 2000). Witness protection programs, including safe houses, security, and anonymity, can help to address this issue by providing a safe and secure environment for witnesses to give evidence(ABDULLAH, 2012). Moreover, the legal framework for witness protection in Pakistan is weak and needs to be revamped and fortified from the ground up(Uddin & Ali, 2020). The government should consider introducing new laws or amending existing laws to provide better protection for witnesses. Without adequate protection, witnesses

may not feel safe enough to come forward and testify, which can impede the progress of criminal cases and result in a denial of justice(UNODC, 2018). Therefore, Pakistan needs to prioritize the development and implementation of robust witness protection measures in order to improve the justice delivery system and ensure that justice is served(UNODC, 2008). The study suggests that the higher the adjournment in the trial procedure, the more likely it is that the eyewitnesses will not be conceded. They can be approached by devious personnel to affect the situation. In a great number of cases, the eyewitnesses basically disremember the meticulous details of the case due to the significant time interval (Ullah, 2020).

Against this backdrop, this paper demonstrates the various effects of hostile witnesses on the justice delivery system in Pakistan so that government establishments can recognize the causes behind such instances. It will also be useful for upcoming research in this field. It is rightly said that fiat justitia, ruat caelum (Let justice be done, though the heavens fall)(Ullah, 2020)Serious initiatives are required to bring change.

Research Questions

1. Whether the victim and witnesses experience substantial problems during the trial, which affects their testimony.

2. Is low faith in the existing Criminal Justice System (CJS) one of the reasons that witnesses are discouraged from coming forward?

3. Whether the absence of facilities, including witness protection, in Pakistan, encourages the witness to turn hostile.

The probability of witness exploitation and subsequent hostility increases in cases where the trial is not concluded within a short period.

Study Objectives

The objectives of the present study are as follows:

- To evaluate the troubles faced by the witnesses during court cases.

- To discover the essential causes responsible for turning a witness “Hostile” and their influence on the justice delivery system.

- To survey to understand the attitudes and perceptions of witnesses facing trial.

- To make recommendations for the reduction of incidents of witnesses turning hostile.

Review of Literature

The phenomenon of hostile witnesses in Pakistan's judicial system often occurs but is rarely acknowledged or even understood in the local context. This literature review will illuminate the key themes of the subject in the international and local contexts and identify the gaps in the subject.

According to studies(Asif Saeed, 2019), A fair, efficient, and effective criminal justice system is sine qua noun for a healthy social environment that can foster national development in many ways(Ullah, 2020). Even otherwise, it is one of the crucial responsibilities of the State to secure its citizens and to deter, punish and rehabilitate offenders. (Tanoli, 2015; Uddin & Ali, 2020; UNODC, 2008). As per a research study conducted by Bajpai (2009) and Sharma (2019), criminal investigations and trials must be completed quickly and effectively to preserve as much time and financial resources as possible for witnesses, victims, and parties and to restore public belief in the justice delivery system.

The role of a witness cannot be overstated enough, as it is the cornerstone of the justice delivery system. As Bentham rightly said that witnesses are the "eyes and ears of justice" (Nyazee, 2005) and as per Justice Mr. Wadwa, "The Case on the Criminal side is hinged upon the structure of proof, proof that is admissible in applicable law". In support of that, witnesses are vital, whether it is express evidence or inferred evidence". The Supreme Court of Pakistan has held that it is the responsibility of the State to look after helpless witnesses to make certain that the flow of justice runs pure and spotless with scales rigorously held in balance (Imran Abbas Vs. The State, 2020). In another case, the Apex Court has observed that lack of a witness from the public, regardless of availability, is suggestive of a long-drawn lethargy depicting public unwillingness to come forward in aid of law, due to irksome legal measures and absence of witness safeguard (Shab-Bir Hussain Vs the State, 2020).

Every criminal case, whether it originates from a complaint or an information report, must be probed into by the investigating officer of the police (Malik, 2014). The evidence and witnesses that are gathered and identified during that process are presented to the court in the form of a challan(Manzoor, 2021). The evidence must be proved or corroborated in court, inter alia, by witness statements. The prosecution and defense are each entitled to bring witnesses to establish their case. The party that brings the witness has the right to examine him(Malik, 2014). This process is known as examination in chief, and the other party is entitled to cross-examine the witness. The process of examination of witnesses is covered under the Qanun-e-Shahadat Order, 1984(S. Mahmood, 2012). The witnesses are examined to give credence to the facts of the case. Section 342 of the Code of Criminal Procedure, 1898 (Cr.P.C). Provides for examination of the accused, and such examination is termed as Statement of Accused(S.

Mahmood & Shaukat, 2018). Moreover, the statement of the accused is recorded without oath at any stage during the trial(Karim, 2020). The prosecution has no right to cross-examine the accused on his statement under section 342 of Cr.P.C(S. Mahmood & Shaukat, 2018). Where a wrongdoer, during a statement u/s of the 342 Cr. P.C., opts to be examined on oath, then the court shall proceed under Section 340, Subsection 2 of Cr. P.C. and examine the accused on oath(M. Mahmood, 2013).

During the process of examination, the witness is said to be hostile when he gives a statement that is against the interest of the party that calls him(Bajpai, 2009). Oftentimes, this occurs when a witness relies on his earlier statement or gives evidence that is contrary to the interest of the calling party(Asif Saeed, 2019). This becomes apparent during the cross-examination recording, which involves inquiring about the calling party's witness by the opposing party(Mahmood, 2013). It is usually done to extract some information or record a fact that could favour the accused person. If the witness displays such behavior, the calling party can request the court to declare the witness hostile under Article 150 of Qanun-e-Shahadat Order, 1984(S. Mahmood, 2012). The court will make such a declaration only if it is satisfied as to the hostility of the witness. It is not that if the witness is declared hostile, the testimony will not be considered. The statement of a hostile witness could be taken into consideration when other circumstances were supporting the case of the prosecution(Anwar Faheem Versus State, 2020) A hostile witness gives such a statement for a variety of reasons which include intimidation, fear or threat of reprisals, bribery or even personal bias(Fyfe & McKay, 2000). A hostile witness can give a false statement or withhold vital information critical to the case. Whatever the reason may be, the consequences are severe, as it can result in a grave miscarriage of justice (Agrawal, 2024).

A rather disturbing trend of witness intimidation has emerged, resulting in a high acquittal rate in the country. This has led to an erosion of public trust in the justice system and demands immediate action from all concerned. The Latin maxim "audi alteram partem" translates to "hear the other side." Witness testimony is the cornerstone of a fair and impartial trial. It allows the court to arrive at a just decision in the case when the rights of the parties are hanging in the balance (Baloch, 2024). To safeguard the sanctity of the justice system in Pakistan, the implementation of robust witness protection programs is essential. These programs should provide witnesses with security measures to shield them from harm, as well as provide psychological and financial assistance. Overall, the issue of hostile witnesses remains a significant challenge in Pakistan's justice system, and more work is needed to ensure that witnesses can testify truthfully and without fear of retribution.

Research Method

Using a non-probability purposive sampling approach, we used quantitative methodology.

Demographic description of the group

Primary data were gathered from all Districts of Karachi, i.e., East, South, West, and Central; Malir through structured questionnaires.

Population Size

The respondents were preferred among the victims and witnesses who were summoned by the Court to record their statements in the pending case fixed for adjudication.

Sample Size and Sampling Methodology

As noted earlier, the sample size was chosen based on the number of individuals expected to provide the necessary information. The non-probability purposive sampling method was applied. Within this method, respondents were selected using expert sampling. This technique facilitated picking participants as per the set criteria. This sampling technique was utilized to understand the phenomenon under investigation.

Data Collection Scheme

Primary data for the research was collected from key litigants who were among the witnesses summoned by the Court to testify. Throughout these meetings, the researchers sought to understand the participants' perspectives and interpretations on the proposition. Informants were asked closed-ended questions to share their experiences and knowledge. However, flexibility was adopted to probe further for deeper insights.

Research Instrument

A five-point Likert scale was formed, and a set of items was developed with the help of content. At the outset, an instrument with 15 items was tested, and data was collected and analyzed to assess its reliability. The reliability of the questionnaire was determined using Cronbach’s Alpha test. Due to low reliability, 5 items were removed after reviewing the data collected. The final reliability of the instrument was 0.7, and it comprised 10 items. The questionnaire was distributed personally and was deemed appropriate. To increase the response rate, participants were contacted and pursued via mobile calls and WhatsApp. A

response rate of 92% was achieved. The sample was selected using purposive sampling. After selecting the sample, the five-point Likert scale was distributed among participants either by mail or in person, where suitable. After data collection, the Statistical Package for Social Sciences (SPSS) was used to analyze the data.

Results

This data has been compiled through structured questionnaires collected from 100 respondents.

TABLE 1

Statement: Do you agree that the statements given by the eyewitnesses assist the court in deciding the criminal case?

Importance of Witnesses					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Indifferent	31	31.0	31.0	31.0
	Agree	41	41.0	41.0	72.0
	Strongly Agree	28	28.0	28.0	100.0
	Total	100	100.0	100.0	

Table 1 demonstrates that 69% of surveys agreed with the proposition (31%). None of the participants was undecided, and none held opposing views on the statement.

TABLE 2

Statement: Do you concur that the problem of hostile witnesses is rising, and one of the main reasons for this is the lack of witness protection measures in Pakistan?

Increase in Hostile Witness Problem					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Disagree	2	2.0	2.0	2.0
	Indifferent	27	27.0	27.0	29.0
	Agree	41	41.0	41.0	70.0
	Strongly Agree	30	30.0	30.0	100.0
	Total	100	100.0	100.0	

Table B shows that 71% of surveys agreed with the proposition. (27%) of the participants were indifferent, and (2%) of the surveys differed with the proposition.

TABLE 3

Statement: Do you agree that one factor responsible for turning hostile is the protracted delay in trials?

HW and Protracted Delays in Trials					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Disagree	6	6.0	6.0	6.0
	Indifferent	21	21.0	21.0	27.0
	Agree	47	47.0	47.0	74.0
	Strongly Agree	26	26.0	26.0	100.0
	Total	100	100.0	100.0	

Table 3 shows that 73 % of the surveys agreed with the statement. (21%) Of the participants were unsure, and (6%) of the surveys refuted the statement.

TABLE 4

Statement: Do you agree that one factor responsible for witnesses turning hostile is the easy availability of bail to the accused involved in heinous crimes?

HW and Easy Bail					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Disagree	5	5.0	5.0	5.0
	Indifferent	6	6.0	6.0	11.0
	Agree	58	58.0	58.0	69.0
	Strongly Agree	31	31.0	31.0	100.0
	Total	100	100.0	100.0	

Table 4 demonstrates that 89 % of participants agreed with the description. (6%) Of the answerers were uninterested, and (5%) of the respondents dissented from the description.

TABLE 5

Statement: Do you agree that every party calling witnesses to testify on his or her behalf should pay a proper allowance to their witnesses who are coming from far away?

Witnesses and Allowances					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Disagree	11	11.0	11.0	11.0
	Indifferent	22	22.0	22.0	33.0
	Agree	49	49.0	49.0	82.0
	Strongly Agree	18	18.0	18.0	100.0
	Total	100	100.0	100.0	

Table 5 exemplifies that (67 %) of the respondents agree with the proposition. (22%) Of the answerers were unsure, and (11%) of the respondents differed with the proposition.

TABLE 6

Statement: Do you agree that one factor responsible for turning hostile is the lack of adequate facilities in the Courts?

HW and Lack of Facilities					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Disagree	7	7.0	7.0	7.0
	Indifferent	17	17.0	17.0	24.0
	Agree	49	49.0	49.0	73.0
	Strongly Agree	27	27.0	27.0	100.0
	Total	100	100.0	100.0	

Table 6 shows that 76% of the people surveyed agreed with the statement. (17%) The respondents were indifferent, and 7% of the participants did not agree with the proposition.

TABLE 7

Statement: Do you agree that one factor responsible for witnesses turning hostile is intimidation used by the accused to force the witness to turn hostile?

Intimidation by the Accused					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Disagree	6	6.0	6.0	6.0
	Indifferent	17	17.0	17.0	23.0
	Agree	46	46.0	46.0	69.0
	Strongly Agree	31	31.0	31.0	100.0
	Total	100	100.0	100.0	

Table 7 exhibits that 88% of surveys agreed with the proposition. (10.5%) of the surveys were unsure, and (1.5%) of the surveys disagreed with the proposition.

TABLE 8

Statement: Do you agree that witnesses and victims are influenced by the money or power used by influential accused to escape their criminal liability?

Money and Power					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Disagree	5	5.0	5.0	5.0
	Indifferent	18	18.0	18.0	23.0
	Agree	51	51.0	51.0	74.0
	Strongly Agree	26	26.0	26.0	100.0
	Total	100	100.0	100.0	

Table 8 indicates that 77 % of participants agreed with the submission. (18%) Of the respondents were unconcerned, and (5 %) of the participants were undecided about the statement.

TABLE 9

Statement: Do you agree that the Government should provide psychological support to the witnesses or victims?

Government and Psychological Support					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Disagree	3	3.0	3.0	3.0
	Indifferent	20	20.0	20.0	23.0
	Agree	47	47.0	47.0	70.0
	Strongly Agree	30	30.0	30.0	100.0
	Total	100	100.0	100.0	

Table 10 demonstrates that 77 % of participants approved of the proposition. Twenty percent (20%) of the respondents were unclear, and three percent (3 %) defied the statement.

TABLE 11

Statement: Do you agree that a Witness Protection Program should be established to protect the safety, welfare and interests of the witnesses?

Establishment of Witness Protection Program					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Indifferent	19	19.0	19.0	19.0
	Agree	50	50.0	50.0	69.0
	Strongly Agree	31	31.0	31.0	100.0
	Total	100	100.0	100.0	

Table 11 illustrates that 81% of respondents agreed with the proposition. Twenty-nine percent (19%) of the participants were undecided, and none held opposing views on the statement.

Discussion

The notion has become endemic to the region that the existing justice delivery system has been established to defend the rights of wrongdoers; nonetheless, the rights of eyewitnesses have been entirely overlooked. The Court can decide the fate of the case based on the evidence given by the witnesses. In the justice delivery system of Pakistan, the quality of testimony given by the witnesses during trial affects the delivery of justice. The emphasis of this work is to explore the causes responsible for turning a witness “Hostile” and their impact

on the justice delivery system. Data was gathered using a structured questionnaire from 100 respondents from all districts of Karachi.

Keeping in view the subject matter of study, we have examined many individuals from diverse backgrounds and their experiences regarding hostile witnesses in Pakistan's criminal justice system. The sample contained 83 men and 17 women. 21, ranging between the ages of 18 and 30. 25 were between 31 and 40, 28 belonged to the 41 to 50 age group, and 26 participants were 51 and above. Out of the, 7 were illiterate, 18 had completed middle-level education, 36 were matriculated, and 39 had other qualifications. 46 were employed and 54 were unemployed. Regarding the types of criminal offences studied, 28 were instances of theft, 19 cases of dacoity, 19 murders or attempted murders, and 34 were other offences. To the extent of geographic distribution, 20 cases each from districts East, West, Central, South and Malir were studied. The following replies were revealed because of the examination of the information gathered:

1. Most of the participants(69%) observed that the statements given by the eye-witnesses assist the court in deciding the criminal case.

2. A majority of the participants (71%) believed that the crisis of hostile witnesses is growing, and one of the most significant reasons for this is the lack of witness safety measures in Pakistan.

3. Most of the respondents (73%) agreed that one factor liable for witness hostility is the extended delay in Court hearings.

4. The bulk of the surveyed (89%) said that one of the factors liable for the hostility of witnesses is the ease of accessibility of bail to the criminal implicated in a terrible and heinous offence.

5. The majority of the surveyed (67%) said that each party summoning witnesses to testify on their behalf should provide an appropriate stipend to those witnesses who travel from distant locations.

6. Most of the contributors (76%) believed one of the factors liable for the hostility of witnesses is the lack of adequate facilities in the Courts.

7. Most of the participants (88%) believed that one factor responsible for witness hostility is intimidation used by the wrongdoer to pressurize witnesses to turn adverse.

8. A massive majority of the respondents (77%) believed that the victims and witnesses were influenced by the cash or influence used by powerful criminals to escape criminal charges.

9. The Majority of the surveyed (77%) said that the Government should provide psychological support for witnesses and victims.

10. A vast Majority of the surveyed (81%) decided that a Witness Protection Program should be established to protect the safety, welfare and interests of the witnesses.

It is of paramount substance that the criminal trial should begin as soon as practicable and without any delay. This is important because the most important purpose of a trial is to determine the culpability or blamelessness of the wrongdoer through the presentation of evidence and witness testimony. The larger the delay in the process of trial, the more likely it is that the witnesses will be compromised. Unscrupulous people can approach them to influence the case, and in most cases, the witnesses forget the detailed facts of the case because of the lapse of considerable time.

The witnesses are the most crucial people to the entire trial, as their statements are essential in determining the facts of the case. Therefore, the witnesses must be accorded due courtesy and respect to ensure their cooperation and willingness to participate in the judicial process. Further, it is vital to grant compensation to witnesses to attend the Court for recording of evidence, so that poor witnesses do not become hostile after being irritated to lose much money. Moreover, it is necessary to compensate the witnesses for the time they give to present testimony in court. It is also essential to remember that the witnesses are not being compensated for giving evidence. The witnesses need to be reimbursed for reasonable expenses incurred in the process. This can include expenses for travel, etc. This is a good incentive to encourage the witnesses to come to court. There is a great need to implement the laws relating to the protection of witnesses. It is the government's responsibility to ensure the integrity of the trials and encourage witnesses to come to court. Further, the witness must feel that he is important to the system. There should be a clear communication process informing the witnesses about the court process and addressing any issues that they may have. Transportation facilities should be provided. There should also be special security measures for the protection of the witnesses. They should feel secure in separate waiting rooms away from the parties involved. These small steps will all contribute to the improvement of the system and will reduce instances of witnesses turning hostile.

Although a penalty for a hostile witness will vary and depend on the particular facts of each case, the courts can take steps to discourage hostile witnesses. They should not be eligible for witness protection programs and may face contempt proceedings resulting in fines or imprisonment. Further, there should be support services and even counseling to help the witnesses better manage the stress of the entire process. The Witness Protection Program is critical

in this respect, especially in the cases of violent and traumatic events that are upsetting and stressful for the witnesses. Psychological support can also help witnesses recall the facts of the case better.

Conclusions

A witness is a cornerstone of the justice system in Pakistan, as every case depends upon the testimony of witnesses and the facts that they present in favor of the party that calls them. As eyewitness testimony is vital for Pakistan's courts, it is easy to see how a hostile witness can adversely affect a case. A growing number of witnesses are becoming hostile during trials. This hostility stems from factors like lengthy court delays, easy access to bail for criminals, and inadequate witness compensation. Additionally, some witnesses are intimidated by powerful defendants or the stressful court environment. To address these challenges, Pakistan needs a comprehensive approach. Establishing a witness protection program and providing psychological support are crucial. Streamlining court processes, offering fair compensation, and improving court facilities would also motivate witness cooperation and ultimately lead to stronger convictions and fewer cases of witnesses turning hostile. It is said that salespeople suprema lex (The welfare of the people is the supreme law); it is essential to protect the witnesses and ensure their cooperation.

Recommendations

The role of witnesses from the start to the end of the trial in supporting police investigations and furnishing testimony is essential to the achievement of successful criminal prosecutions. The following are the recommendations:

1. The trial should be held as soon as possible with as little delay as possible so that the witness is less likely to be approached and to forget the facts and circumstances of the case.

2. Victims and witnesses who are attending the Court shall be treated like guests.

3. It is vital to compensate witnesses for attending Court to record evidence so that poor witnesses do not become hostile after being irritated by losing much money.

4. The government should implement the law relating to the protection of witnesses in letter and spirit.

5. Confidence-building measures: Unless and until the witness finds out that a system has been devised for him and is comfortable with it, the issue of hostile witness may not be resolved.

6. The court of law shall inflict a penalty on the witness who turns hostile.

7. The state should offer psychological support to witnesses and victims through the Witness Protection Program.

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ANNEXURE-A----INSTRUMENT

1. Preamble

The Criminal Justice System **("CJS")** consists of police; prosecution; lawyers; witnesses; criminal courts; and, prisons. This research aims at identifying where the weakness is and what can be done to improve the system. It will be a great help from your side if you answer the following questions, as frankly as possible. If you are not familiar with any situation posed in a question, please do not answer it. Your response shall be used in collective manner, and your identity shall be kept highly confidential.

2. Respondent Biographic Profile

Name (Optional)

Gender: **Male Female** Age: **18-30 31-4041-50 51 and above**

Education: **Illiterate Middle Matriculation others** Employment-Status: **Employed Unemployed**

Type of Criminal Offence: **Theft Dacoity Murder/ Attempted Murder Others**

District **East West Central South Malir**

Rate items on the following scale:
Strongly Disagree=1, Disagree=2, Indifferent/Neutral=3, Agree=4, Strongly Agree=5

Sr #	Criminal Justice System--- Hostile Witness	5	4	3	2	1
	Menace of Hostile Witnesses and its impact on Justice Delivery System of Pakistan					
1	Do you agree that the witnesses are as important as the lawyers and judges because it would be difficult to impart justice without them?					
2	Do you agree that in the problem of hostile witnesses is increasing and one of the main reasons for the same is lack of witness protection measures in Pakistan.					
3	Do you agree that one of the factors responsible for hostility of witnesses is protracted delay in trials.					
4	Do you agree that one of the factors responsible for hostility of witnesses is easy availability of bail to the accused involved in heinous crime.					
5	Do you agree that every party who is calling the witnesses to give testimony on his or her behalf, should pay a proper allowances to their witnesses who are coming from far distance.					
6	Do you agree that one of the factors responsible for hostility of witnesses is lack of Adequate Facilities in the Court.					
7	Do you agree that one of the factors responsible for hostility of witnesses is intimidation used by the accused to force witness to turn hostile.					
8	Do you agree that the witnesses as well as the victim get influenced by the money Or power used by influential accused in order to escape his criminal liability.					
9	Do you agree that a Government should function for psychological support to the witnesses or victims?					
10	Do you agree that a Witness Protection Program should be established to protect the safety, welfare and interests of the witnesses?					