Policy Research Journal
ISSN (E): 3006-7030 ISSN (P) : 3006-7022 Volume 3, Issue 12, 2025

THE RIGHT TO FAIR TRIAL AS A CONSTITUTIONAL HUMAN RIGHT: DOCTRINAL AND PRACTICAL DIMENSIONS

Dr. Muhammad Iqbal[*1], **Dr. Fatimah Qadir**[2], **Muhammad Shahid Ashraf**[3]

[*1]*PhD Law, District and Sessions Judge / Chairperson, Drug Court Multan, Punjab, Pakistan*
[2]*PhD Management, Assistant Professor (Adjunct Faculty), University of Chakwal, Punjab, Pakistan*
[3]*Advocate High Court, LLM, University of Lahore*

[*1]c.muhammadiqbal@gmail.com, [2]fatimah19.qadir@gmail.com, [3]shahidashraf4047@gmail.com

DOI: https://doi.org/10.5281/zenodo.22026609

Keywords
Fair Trial; Article 10A; Due Process; Constitution of Pakistan; Presumption of Innocence; Judicial Independence; International Covenant on Civil and Political Rights; Criminal Justice Reform.

Article History
Received: 03 November 2025
Accepted: 17 December 2025
Published: 31 December 2025

Copyright @Author
Corresponding Author: *
Dr. Muhammad Iqbal

Abstract
The right to a fair trial is an important one in constitutional democracies; it is indeed the procedural device that gives meaning to fundamental rights. The focus of the discussion is the doctrinal evolution of the concept of fair trial in Pakistan, through judicial perspective, presumption of innocence, effective legal representation, and procedural fairness into the concept of fair trial, and how Article 10A fits into the greater constitutional framework. The practical aspect of these constitutional guarantees is then discussed, noting how they relate to the investigation, prosecution and adjudication experience. As right to a fair trial is fundamental in its nature, and is a guarantee for all and sundry, the doctrinal and practical implications are discussed in this article. To place the situation in context, and to look for normative benchmarks, international standards of the ICCPR, and ECHR are taken into context. The article concludes that since 2010, the constitutional and judicial set-up in Pakistan has improved significantly in guaranteeing fair trials. It ends with proposals for pragmatic reforms to the capacity of prosecutors, legal aid, investigative skill, suggesting that the right to a fair trial is more than a textual right and needs to be guaranteed.

Introduction

The notion of fair trial is not only considered an accessory right that is linked to criminal procedures but has also been recognized as a constitutional right that is as fundamental as any other right. The idea of fair trial has been evolving over time, mainly as a list of separate procedural rights; the right to be heard, a right to counsel, the right against self-incrimination, and the right to an impartial tribunal. These rights have been consolidated over time, especially by international human rights documents and the case law of national and regional courts into a single constitutional principle, which has become a fundamental right in its own right, and has started to be recognized as such (Blount, 2021). This shift, from procedural protection to full-fledged constitutional rights, is key to the understanding of the current importance of the right to fair trial in constitutional democracies, like Pakistan (Munir, Khan, & Ahmed, 2020).

The changing of the status has become a constitutional reality in the Pakistani context with the 18th Constitutional Amendment 2010 which introduced Article 10A into the Islamic Republic's 1973 basic law. Before this revision, the assurance of fair hearings across Pakistan existed primarily by implication drawn from provisions including

Article 4 (citizen rights to legal compliance), Article 9 (physical security), and Article 10 (safeguarding against arbitrary seizure and imprisonment), Article 14 (inviolability of human dignity), and Article 25 (equality before law) (Turanjanin, 2021). The addition of Article 10A was a conscious decision on the part of the drafters to bring these fragmented protections together in the explicit, constitutionally based, and widely-reaching protections found in Article 10A, both in civil and criminal proceedings and in parallel to international human rights standards, especially Article 14 of International Covenant on Civil and Political Rights which Pakistan ratified in 2010 along with the introduction of Article 10A (Daly & Conway, 2021).

However important the right may be in the constitution, it is not a guarantee of its realization. Since 2010, the superior judiciary has progressively built up a body of highly developed jurisprudence regarding Article 10A, which covers issues of presumption of innocence, effective legal representation and procedural fairness. Yet some lapses include prolonged time for case disposition, poor access to legal assistance for the poor and marginalized accused, shortcomings in police investigation and forensic capacity, poor treatment of detainees and structural inequities which affect socio-economically disadvantaged litigants (Majeed et al., 2022).

Constitutional and Legal Foundations of the Right to Fair Trial in Pakistan

1.1 Article 10A and Its Constitutional Development

Under the constitution of Pakistan, each person has the right to fair trials and due process of law through section 10A of the Constitution relating to their civil rights and obligations and allegations of any crime committed. The introduction of article 10 A was a landmark development in recognition of fair trial rights in the judicial system in Pakistan in the Constitution of 1973, explicitly and distinctly under the 18th Amendment. The important aspect of this inclusion of 10 A is that, it removes the responsibility from the adjudicatory machinery of inferring equitable protective rules from agreements that are not designed to protect rights. Second, it explicitly establishes equitable process as a guarantee, both with regards to civil and criminal trials (Qayum & Ahmad, 2022)

It also offered a textual foundation for the litigant to establish fair trial as a fundamental right which could be enforced by constitutional means under Article 184(3) and 199 of the Constitution. This looks more like the doctrinal importance of Article 10A when juxtaposed with the constitutional heritage of Pakistan. The original Constitution of 1973 did not have a similar provision to fair trial in most other constitutions. It was therefore necessary for litigants and courts to resort to a composite reading of a number of provisions to build up the notion of fair trial (Waqar et al., 2022). An interpretive approach, although viable, created doctrinal problems because some provisions of the fair trial guarantees gave greater weight to some aspects of the concept than others. To remedy this situation, Article 10A was added to the Constitution to offer a cohesive textual basis for a body of constitutional law on fair trials.

1.2 Relationship with Articles 4, 9, 10, 14 and 25

Article 10A is not a standalone provision, but rather is part and parcel of a larger constitutional framework. Article 4: No one shall be subjected to acts of violence or detriment to their life, liberty, body, reputation or property except according to law, and everyone shall have the protection of the law. This is the principle of legality that is at the heart of fair trial as state action that impinges on individual's rights should be in accordance with laws properly enacted and applied, rather than upon the discretion of the executive or arbitrary decisions (Shahzad et al., 2022; Munir et al., 2021). Article 9 safeguards the security of person which means that no person shall be deprived of life or liberty save in accordance with law, and the requirements of law have been interpreted by courts as including requirements of due process in the context of detention and criminal proceedings (de Vocht, 2022).

Article 14 states that the dignity of man is not to be violated, and this is becoming an increasingly significant issue in the jurisprudence relating to fair trial, especially in connection with custodial treatment, torture and forced confessions.

Equality before law and equal protection of law enshrined in Article 25 is central to a fair trial, in that it bans discrimination in the use of criminal justice processes against people based on their wealth, status or social position. Together these provisions form a constitutional framework in which Article 10A can be interpreted, and courts in Pakistan have increasingly taken an 'integrated interpretive approach' to the concept of fair trial, as the connecting thread between dignity, liberty, equality and due process (Hohl et al., 2022)

1.3 Due Process, Dignity, Liberty and Equality

The judiciary has substantially developed the meaning of due process under Article 10A. In Pakistan, courts have consistently rejected a narrowly procedural view, instead giving due process a substantive meaning that requires not only compliance with prescribed procedures but also a minimum level of fairness and reasonableness (Grootelaar et al., 2022). This approach partly reflects the development of due process in other common-law jurisdictions, where review has moved from a formalistic model toward a more substantive assessment. In preventative detention cases, the Supreme Court has repeatedly emphasized that a statutory mechanism alone does not satisfy the constitutional requirement of due process unless the mechanism itself meets basic standards of fairness, including the right to be heard, the right to know the reasons for detention, and the right to meaningful judicial review. Fair trial and human dignity are also closely connected. Where fair trial concerns arise, judges have recognized that fairness depends on treating the accused with basic respect throughout the criminal justice process, as reflected in their reliance on Article 14 (Miller, 2023). This is particularly important in custodial interrogation, where allegations of coercion, threats, or physical mistreatment affect not only the admissibility of evidence but also the constitutional guarantee of dignity.

Doctrinal Dimensions of the Right to Fair Trial

1.4 Presumption of Innocence and Burden of Proof

The precept of blamelessness is among the most jurisprudentially nuanced tenets of the equitable hearings under Pakistan law and in any jurisdiction worldwide within human rights frameworks. By the presumption of blamelessness, an innocent under investigation to presumed blameworthy till proving it according at an procedure of the ordinance till state bodies by an state, or bodies (Anrango Narváez et al., 2023). The repeated reaffirmations of the requirement of adherence to the standard of proof required on civil trials of moral certainty, which by and large means the same thing as a positive affirmation of likelihood more than slight suspicion; have in their scope and application far transcends any mere problem of procedure; they prescribe the treatment of uncertain or in conflict evidence, explain the advantages of interpretation to defendants in situations the prosecution may offer unclear or contradiction evidence, they also account for an emphasis, that must be placed on not convicting when there may be a feeling that there must be an underlying reality, for where the feeling must be formed up to that point there can be no valid legal premise of guilt of beyond a reasonable doubt (Arat, 2023).

Presumption of innocence also extends beyond courtroom, as it has significant ramifications for pre-trial publicity and press comment by investigating agencies. Because criminal investigations are so well and widely publicized in the media, there is grave doctrinal tension with the presumption of innocence, especially when police officials make statements off-camera before a trial or on television that a suspect is guilty (Yardim, 2023).

1.5 Right to Legal Representation and Effective Defense

A second pillar of fair trial is that of the right to legal representation. The rights to a fair trial afforded by the supreme charter to all those arrested. The 10th article plainly confirms each arrested suspect with the right to meet and be advised by an attorney at law of his/her own selection, under the more general provision in

Article 10A of the due process, the adequacy of legal representation is included (Nazim, 2023). This line between formal and effective representation is doctrinally important because a legal system might allow an accused person to have legal counsel and yet not provide for meaningful, timely, or resourceful representation. In practice, the right to effective defense includes a range of inter-related rights: reasonable time and facilities for preparing a defense; access to relevant case materials and evidence that is in the possession of the prosecution; an opportunity to question and cross-examine prosecution witnesses; for those who are unable to afford private counsel, access to a state-funded defense (Mensah, 2023).

Practical Application of Fair Trial Rights in Pakistan

1.6 Fair Trial at the Investigation and Pre-Trial Stage

Practical implementation of fair trial is not limited to the trial, but starts at the investigative and pre-trial stages, where the constitutional guarantees often are most stressed. An arrested person must be brought before a magistrate within 24 hours (excluding travel time) and informed of the reason for his arrest, pursuant to article 10(Khan & Bilal, 2024). An additional practical issue of great importance is custodial treatment while in investigation. Descriptions of acts of coercive interrogation, such as mistreatment that sought confessions, persist despite the ban on self-incrimination, in the constitution (Article 13), and on dignity (Article 14), in judicial proceedings (Asif et al., 2024). The Qanun-e-Shahadat Order, which renders confessions made by police officers inadmissible as a deterrent against coerced confession, calls for the confessions be recorded before a magistrate (Imran & Makhdoom, 2024). Right to counsel is a right that is widely recognized in comparative fair trial jurisprudence as being crucial in preventing coerced confessions and protecting procedural rights. However, there is an important check on investigative misconduct through judiciary, particularly through the powers of remand magistrates and through the supervisory jurisdiction of superior courts, which will be dependent, in large part, on the diligence of individual magistrates, and the availability of accurate information on the circumstances of arrest and detention (Morgan et al., 2024)

1.7 Fair Trial During Criminal Proceedings

After proceedings begin in earnest fair trial principles struggle against challenges of presenting and scrutinizing evidence, examining witnesses, controlling pace of judgement etc. In practice the equality of arms requirement that both the prosecution and defense be given a genuinely equal opportunity to present their case is frequently undermined by substantial resource disparities between an under-resourced defense (and in some cases, legal aid defense counsel) and a defense backed by the institutional resources of the state, police investigative resources and, if relevant, specialist prosecutorial units (Chau et al., 2024). One of the most essential elements of testing the reliability of prosecution evidence in a trial, witness examination and cross-examination, is in fact practically hindered by the reluctance of witnesses, especially when it comes to organized crime. Therefore, witness protection mechanisms are formally laid out in the legislations on fair trial in Pakistan. Delaying is probably the most widespread and accepted practical issue. The case pendency of criminal and civil cases is a perennial problem in Pakistan's criminal and civil judicial system, that has been repeatedly highlighted by the Law and Justice Commission of Pakistan as well as by the successive National Judicial Policies with the objective of reducing the backlog (Sukrut Deo, 2025b). A significant number of the accused people who have been put in pre-trial detention (for which the number of detainees in prisons is considerable) suffer from the direct adverse effects of such delay as it directly conflicts with the presumption of innocence and the constitutional protection against arbitrary deprivation of liberty (Bansal & Motiyani, 2024).

1.8 Practical Barriers in Pakistan's Criminal Justice System

In addition to delay, there are several structural obstacles which remain to limit the availability of fair trial rights in practice. Notwithstanding the various efforts for judicial reform undertaken from time to time, ranging from introducing special benches to speed up certain types of cases,

under-trial prisoners' cases and cases pending beyond the statutory time limit, to establishing model courts, case backlogs are a continuing institutional problem due to procedural inefficiencies and frequent adjournments (Saleem, 2025). While the legal aid system is enshrined in law by the creation of legal aid committees and authorities at provincial level, a significant percentage of accused persons have no meaningful legal representation at trial. This imbalance has disproportionate impact on the poorest and more marginalized people in society, such as women, religious minorities and those living in remote areas or those who are not served by the service, posing a wider concern about the equal protection element of right to a fair trial (Aslam et al., 2025). Investigative and forensic capacity is another important restriction. Police investigative machinery in Pakistan, especially outside major metropolitan areas, require resource constraints to be addressed such as lack of access to modern forensic testing facilities, non-uniform application of scientific investigative techniques and sometimes an investigative methodology that is based on confessions, rather than evidence (Hussain et al., 2025). The limitations have fair trial consequences because prosecutions based on poorly investigated or poorly forensically supported evidence raise the likelihood of wrongful convictions and have a negative impact on the public's confidence in the credibility of the criminal justice process (Jan, 2025).

International and Comparative Perspectives on Fair Trial Rights

Challenges, Reform and Future Prospects

1.9 Persistent Challenges and Reforms

Although the concept of fair trial has evolved in its doctrine since the addition of Article 10A, there have been several enduring problems which continue to limit the practical implementation of fair trial in Pakistan (Mahmood et al., 2025). Institutionally, the criminal justice system has a long-standing issue of a large volume of cases for the judges compared with the capacity and resources available to the judiciary, which leads to the case backlogs and delays mentioned above; further, there is a lack of uniformity in judicial case handling, and in certain situations, there are judicial procedures which allow for repeated adjournments of cases without proper judicial oversight. From a procedural perspective, the continued use of colonial-era procedural and evidentiary laws, which have been extensively modified over time are a commendable effort to address this issue (Kasuri et al., 2024).

In terms of investigations, the constraints of police forensic facilities and investigation training continue to compromise the evidentiary basis of fair adjudication, and access to justice issues arising from poverty and geographical isolation and lack of legal literacy continue to result in differential practical benefits of constitutionally guaranteed access to justice (Mahmood et al., 2024). Furthermore, the increasing number of digital evidence and cybercrime prosecutions has raised practical and doctrinal challenges about how well the existing evidentiary and procedural rules and frameworks, which were not drafted with electronic evidence in mind, can meet those needs; and the phenomenon of extended pre-trial media coverage of criminal cases has introduced a real, and as yet unaddressed, problem for the presumption of innocence (World Justice, 2025). Such changes will not be possible without a multi-dimensional reform program which is more than just a constitutional or legislative change. Enhancing judicial and prosecutorial capacity by increasing the number of judges, providing training for prosecutors, and strengthening judicial case management systems is a needed institutional basis (United Nations Office on & Crime, 2023). It is crucial to increase the provision of legal aid, in particular funding for provincial legal aid. In order to prevent case backlogs, it is important that the digitization of the case management system and records keeping, and the continued expansion of the model courts for categories of cases that are especially prone to delays (Watamura et al., 2025).

Conclusion

The right to a fair trial has been explored both as a constitutional doctrine and a workable right, and the two aspects of the right are essentially related, without one being separable from the other when it comes to the practical impact of the right. The addition of Article 10A in 2010 was a historic

development in the Pakistani constitution, which bundled diverse protections under a single constitutional amendment, provided them in an explicit and justiciable manner in both civil and criminal proceedings and allowed for greater integration with international standards as set out by the ICCPR. The doctrine of this guarantee has been further developed by judicial interpretation and has been significantly enriched in terms of its doctrinal content, including the concept of judicial independence, presumption of innocence, and the right to fair representation by counsel. Institutional, procedural and resource obstacles persist in the way to the realization of fair trial rights as they relate to investigation, legal aid, case management, and access to justice, especially for the less economically and socially well-off litigants. The disconnect between the obligations and their implementation is not just a coincidence or challenging; it is an instance of capacity, resourcing and institutional deficits which can be addressed. Sustained efforts to develop the doctrine, mediated by judicial interpretation, must be complemented by attention to the institutional framework prosecutorial, investigative, and administrative that ultimately underlies delivery of fair trial as envisioned by Article 10A.

IEER
Institute for Excellence in Education & Research

REFERENCES

Angel, O. E. M., Mercedes, C. F. Y. M., Elisa, Q. L. A., Joaquin, D. P. J., Giovanna, C. d. O. D. D., & Beatriz, G. Q. G. (2024). Digital Evidence as a Means of Proof in Criminal Proceedings. *Revista de Gestão Social e Ambiental*, *18*(4), e04585. https://doi.org/10.24857/rgsa.v18n4-028

Anrango Narváez, D., Medina Sarmiento, J. E., & Del-Real, C. (2023). Why do people legitimize and cooperate with the police? Results of a randomized control trial on the effects of procedural justice in Quito, Ecuador. *Crime Science*, *12*, 9. https://doi.org/10.1186/s40163-023-00188-1

Ansems, L. F. M., van den Bos, K., & Mak, E. (2021). The Importance of Perceived Procedural Justice Among Defendants With a Non-Western Background Involved in Dutch Criminal Cases. *Frontiers in Psychology*, *12*, 746364. https://doi.org/10.3389/fpsyg.2021.746364

Arat, N. (2023). Legal Aid Under Turkish Administrative Judicial Procedural Law. *Annales de la Faculté de Droit d'Istanbul*, *72*, 71-95. https://doi.org/10.26650/annales.2023.72.0005

Asif, M., Fazal, H., & Akbar, M. S. (2024). Legitimacy of the courts: evidence from a survey in Punjab, Pakistan. *International Journal of Comparative and Applied Criminal Justice*, *49*(2), 143-156. https://doi.org/10.1080/01924036.2024.2310174

Aslam, S., Ashraf, M. A., Mukhtar, M. A., & Ashraf, M. R. (2025). A Critical Evaluation of Fair Trial Guarantees in Pakistan's Criminal Justice System. *Policy Journal of Social Science Review*, *3*(5), 441-451.

Baig, K., & Hameed, M. S. (2025). An Analysis of the Role of Forensic Evidence from the Commission of Offence to the Trial. *Pakistan Journal of Criminal Justice*, *5*(1), 27-45. https://doi.org/10.62585/pjcj.v4i2.98

Bansal, S., & Motiyani, P. V. (2024). Exploring the Role of Legal Aid in Reducing Recidivism: The Effect of Access to Legal Representation on Repeat Offences. *Library Progress International*, *44*(2). https://doi.org/10.48165/bapas.2024.44.2.1

Blount, K. (2021). Seeking Compatibility in Preventing Crime with Artificial Intelligence and Ensuring a Fair Trial. *Masaryk University Journal of Law and Technology*, *15*(1), 31. https://doi.org/10.5817/MUJLT2021-1-2

Chau, B., Clarke, B., & Sugiharto, B. (2024). Access to Legal Aid and Its Impact on Fair Trials in District Courts. *Indonesian Court and Justice Review*, *1*(3). https://doi.org/10.65815/q1ydm528

Daly, Y., & Conway, V. (2021). Selecting a lawyer: the practical arrangement of police station legal assistance. *Journal of Law and Society*, *48*, 618-644. https://doi.org/10.1111/jols.12317

de Vocht, D. L. F. (2022). Trials by video link after the pandemic: the pros and cons of the expansion of virtual justice. *China-EU Law Journal*, *8*(1-2), 33-44. https://doi.org/10.1007/s12689-022-00095-9

Degenshein, A. (2024). Finding the criminal within: the use and meaning of digital evidence at trial. *Information, Communication & Society*, *27*(14), 2514-2529. https://doi.org/10.1080/1369118X.2024.2352627

Grootelaar, H. A. M., Ansems, L. F. M., van den Bos, K., & Ybema, J. F. (2022). Judicial and Litigant Perceptions in Dutch Court Cases: Perceptions of Outcome Importance Overlap, Perceptions of Procedural Justice Diverge. *Social Justice Research*, *35*, 243-274. https://doi.org/10.1007/s11211-022-00394-3

Gul, S., Ahmad, F., & Ahmad, R. (2025). Digital Evidence and Procedural Fairness: Reforming Cybercrime Prosecution in Pakistan. *Journal for Social Science Archives*, *3*(2), 544-554. https://doi.org/10.59075/jssa.v3i2.260

Gupta, G., & Husain, A. (2023). Digital Evidence in Police Investigation: A Comparative Analysis of Challenges Faced in India, the UK and the United States. *Journal of Police and Criminal Psychology*, *38*(2). https://doi.org/10.1177/25166069231184977

Hohl, K., Johnson, K., & Molisso, S. (2022). A Procedural Justice Theory Approach to Police Engagement with Victim-Survivors of Rape and Sexual Assault: Initial Findings of the 'Project Bluestone' Pilot Study. *International Criminology*, *2*, 253-261. https://doi.org/10.1007/s43576-022-00056-z

Hussain, T., Afzal, M. M. A., Ali, H. A., & Rana, M. S. (2025). Media Trials in Pakistan: Fair Trial Rights and Media Influence—A Doctrinal and Thematic Case Analysis. *Journal of Law, Justice and Human Rights*, *1*(1), 26-34.

Imran, M. M., & Makhdoom, F. M. (2024). The Military Trial of the Civilians: The Limits of Interpretation and Unwritten Judicial Policy in Pakistan. *Journal of Development and Social Sciences*. https://doi.org/10.47205/jdss.2024(5-IV)37

Jan, A. (2025). Digital Evidence in Pakistan: A Doctrinal Assessment of Admissibility and Reliability in Criminal Trials. *Advance Social Science Archive Journal*, *4*(2), 914-920.

Kasuri, M. R., Mahmood, T., & Rasool, F. G. (2024). Enhancing the Scope of Investigation in Pakistan's Criminal Justice System: A Comprehensive Case Study. *Pakistan JL Analysis & Wisdom*, *3*, 164.

Khan, M. J., & Bilal, M. (2024). Justice Delayed, Justice Denied: Examining The Causes Of Delays In Pakistan's Criminal Justice System. *Migration Letters*, *21*(3), 1473-1483.

Mahmood, T., Rasool, F. G., & Samee, H. (2025). Technological innovations in criminal justice: The role of cybersecurity in crime detection, investigation and prevention. *Journal of Asian Development Studies*, *14*(1), 1579-1593.

Mahmood, T., Rasool, F. G., & Ullah, E. (2024). Advancing Justice Through Technology: A Comparative Analysis of Data-Driven Approaches to The Burden of Proof in Criminal Cases in The USA and Pakistan. *Journal of Asian Development Studies*, *13*(3).

Majeed, N., Khan, A. N., & Asif, A. (2022). The Requirements of a Fair Trial in International and Pakistani Legal Framework: A Critical Analysis. *Pakistan Languages and Humanities Review*, *6*(1), 193-203. https://doi.org/10.47205/plhr.2022(6-I)17

Matijašević, J., Bingulac, N., & Marinković, D. (2024). Digital Evidence in Criminal Proceedings – Challenges and Solutions. *Law - Theory and Practice*, *41*(4), 18-33. https://doi.org/10.5937/ptp2404018M

McCannon, B. C., & Porreca, Z. (2025). The right to counsel: criminal prosecution in 19th century London. *Economica*, *92*(365), 285-321. https://doi.org/10.1111/ecca.12560

Mehmood, K., Sultan, M. S., & Azeem, H. M. (2024). An Analysis of Pre-Trial Fair Trial Rights and International Standards. *Annals of Human and Social Sciences*, *5*(2), 627-637. https://doi.org/10.35484/ahss.2024(5-II-S)59

Munir, B., Khan, A. N., & Ahmed, N. (2021). Judicial activism, selectivism, and executive's functional space: A critical appreciation in the context of Pakistan. *Journal of Research Society of Pakistan, 58*(1), 28–35.

Mensah, N. (2023). "Can You Hear Me Now?": The Right to Counsel Prior to Execution of a Cell Phone Search Warrant. *Minnesota Law Review*, *107*(3), 1129. https://doi.org/10.24926/265535.4315

Mentovich, A., Prescott, J. J., & Rabinovich-Einy, O. (2023). Legitimacy and online proceedings: Procedural justice, access to justice, and the role of income. *Law & Society Review*, *57*(2), 189-213. https://doi.org/10.1111/lasr.12653

Miller, C. M. (2023). A survey of prosecutors and investigators using digital evidence: A starting point. *Forensic Science International: Synergy*, *6*, 100296. https://doi.org/10.1016/j.fsisyn.2022.100296

Morgan, L. A., Shamserad, F., & Huebner, B. M. (2024). Right to counsel? A mixed-methods evaluation of the St. Louis County initial appearance program. *Criminology & Public Policy*, *23*(2), 431-457. https://doi.org/10.1111/1745-9133.12660

Munir, B., Khan, A. N., & Ahmed, N. (2020). An assessment of right to fair trial under the Constitution of Pakistan, 1973: A comparative study of the US and Pakistan. *Global Strategic & Security Studies Review, 5*(4), 31–39.

Nazim, M. (2023). Legal Aid with regard to Right to Fair Trial in Pakistani and International Law: A Comparative Approach. *Scandic Journal of Advanced Research and Reviews*, *4*(2), 46-60. https://doi.org/10.55966/sjarr.2023.4.2.0066

Nazir, S., Asif, M., & Khan, A. U. A. (2025). Digital Evidence in Pakistan: A Doctrinal Assessment of Admissibility and Reliability in Criminal Trials. *Advance Social Science Archive Journal*, *4*(1), 1941-1951. https://doi.org/10.55966/assaj.2025.4.1.0107

Ng, M., Medhurst, R., Dando, C. J., & Bull, R. (2025). "A Ronin Without a Master": Exploring Police Perspectives on Digital Evidence in England and Wales. *Behavioral Sciences*, *15*(10), 1416. https://doi.org/10.3390/bs15101416

Poghoretsky, M. A. (2025). Admissibility of Evidence in Criminal Procedure and Procedural Integrity: Doctrines and Practice (Comparative Legal Study). *Bulletin of Criminal Justice*(1-2), 22-59. https://doi.org/10.17721/2413-5372.2025.1-2/22-59

Qayum, S., & Ahmad, H. (2022). The Right of an Accused to a Fair Trial in Criminal Administration of Justice: Testing the Fairness of a Murder Trial in Sessions Court in District Shangla of Khyber Pakhtunkhwa. *Pakistan Journal of Criminology*, *14*(3), 101-114.

Quezada-Tavárez, K., Vogiatzoglou, P., & Royer, S. (2021). Legal challenges in bringing AI evidence to the criminal courtroom. *New Journal of European Criminal Law*, *12*(4), 531-551. https://doi.org/10.1177/20322844211057019

Ryberg, J. (2024). Criminal Justice and Artificial Intelligence: How Should we Assess the Performance of Sentencing Algorithms? *Philosophy & Technology*. https://doi.org/10.1007/s13347-024-00694-3

Saleem, M. M. (2025). Right to Fair Trail under Article 10A: Practical Implementation in the Criminal Justice System of Pakistan. *ACADEMIA International Journal for Social Sciences*, *4*(2), 2491-2500. https://doi.org/10.63056/ACAD.004.02.1199

Shahzad, J. A., Ahmad, M., & Qasim, M. (2022). Effectiveness of Criminal Trial in Pakistan. *International Research Journal of Management and Social Sciences*, *3*(1), 58-66. https://doi.org/10.53575/irjmss.v3.1(22)7.58-66

Smith, T. (2021). 'Rushing Remand'? Pretrial Detention and Bail Decision Making in England and Wales. *The Howard Journal of Crime and Justice*, 60, 46-74. https://doi.org/10.1111/hojo.12392

Stoykova, A. (2021). Digital evidence: Unaddressed threats to fairness and the presumption of innocence. *Computer Law & Security Review*, *42*, 105575. https://doi.org/10.1016/j.clsr.2021.105575

Stoykova, R. (2023). The right to a fair trial as a conceptual framework for digital evidence rules in criminal investigations. *Computer Law & Security Review*, *49*, 105801. https://doi.org/10.1016/j.clsr.2023.105801

Sukrut Deo, S. (2025a). Legal Aid for Marginalized Communities. *National Journal of Criminal Law*, *8*(2), 24-31.

Sukrut Deo, S. (2025b). Legal Aid in Criminal Justice. *Journal of Human Rights Law and Practice*, *8*(2), 30-36.

Susilo, E., Din, M., Suhaimi, & Mansur, T. M. (2025). An Effective Pretrial Model to Guarantee the Right to Defense for Suspects in Indonesia. *Jurnal Hukum dan Peradilan*, *14*(2), 317-350. https://doi.org/10.25216/jhp.14.2.2025.317-350

Turanjanin, V. (2021). The Principle of Immediacy Versus the Efficiency of Criminal Proceedings: Do Changes in the Composition of the Trial Panel Violate the Right to a Fair Trial? *Nordic Journal of Human Rights*, *39*(1), 73-87. https://doi.org/10.1080/18918131.2021.1923242

United Nations Office on, D., & Crime. (2023). *Global Study on Homicide 2023*.

van Hall, M., Dirkzwager, A. J. E., van der Laan, P. H., & Nieuwbeerta, P. (2023). Procedural Justice, Perceived Legitimacy, and Reoffending Behavior: In Police and Court Setting. *Criminal Justice and Behavior*, *50*(12), 1874-1892. https://doi.org/10.1177/00938548231206833

Waqar, M., Iqbal, A., & Abbas Kazmi, S. S. (2022). Criminal Justice System and its Impacts on Criminal Trial Law, Practice and Procedure in Pakistan: An Analytical Study. *Pakistan Languages and Humanities Review*, *6*(3), 289-297. https://doi.org/10.47205/plhr.2022(6-III)24

Watamura, E., Liu, Y., & Ioku, T. (2025). Judges versus artificial intelligence in juror decision-making in criminal trials: Evidence from two pre-registered experiments. *Plos one*, *20*(1), e0318486. https://doi.org/10.1371/journal.pone.0318486

World Justice, P. (2025). *WJP Rule of Law Index 2025*.

Yardim, M. E. (2023). Concept of Legal Aid in Civil Litigation in Accordance with the Decisions of the European Court of Human Rights. *Annales de la Faculté de Droit d'Istanbul*, *72*, 53-70. https://doi.org/10.26650/annales.2023.72.0004

IEER
Institute for Excellence in Education & Research