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Webinar on “Protection of witnesses and whistleblowers: Strengthening the Frameworks” organised by DSNLU Vishakhapatnam and Confederation of Alumni for National Law Universities (CAN Foundation) will begin shortly.

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Justice AKJ Nambiar of Kerala High Court, Justice Dr. PS Bhati of Rajasthan High Court and Senior Advocate Siddharth Bhatnagar will share their point of view.

Advocates Sriram Parakkat and Vishwajeet Singh will moderate and Prof. (Dr.) S. Surya Prakash will give welcome address.

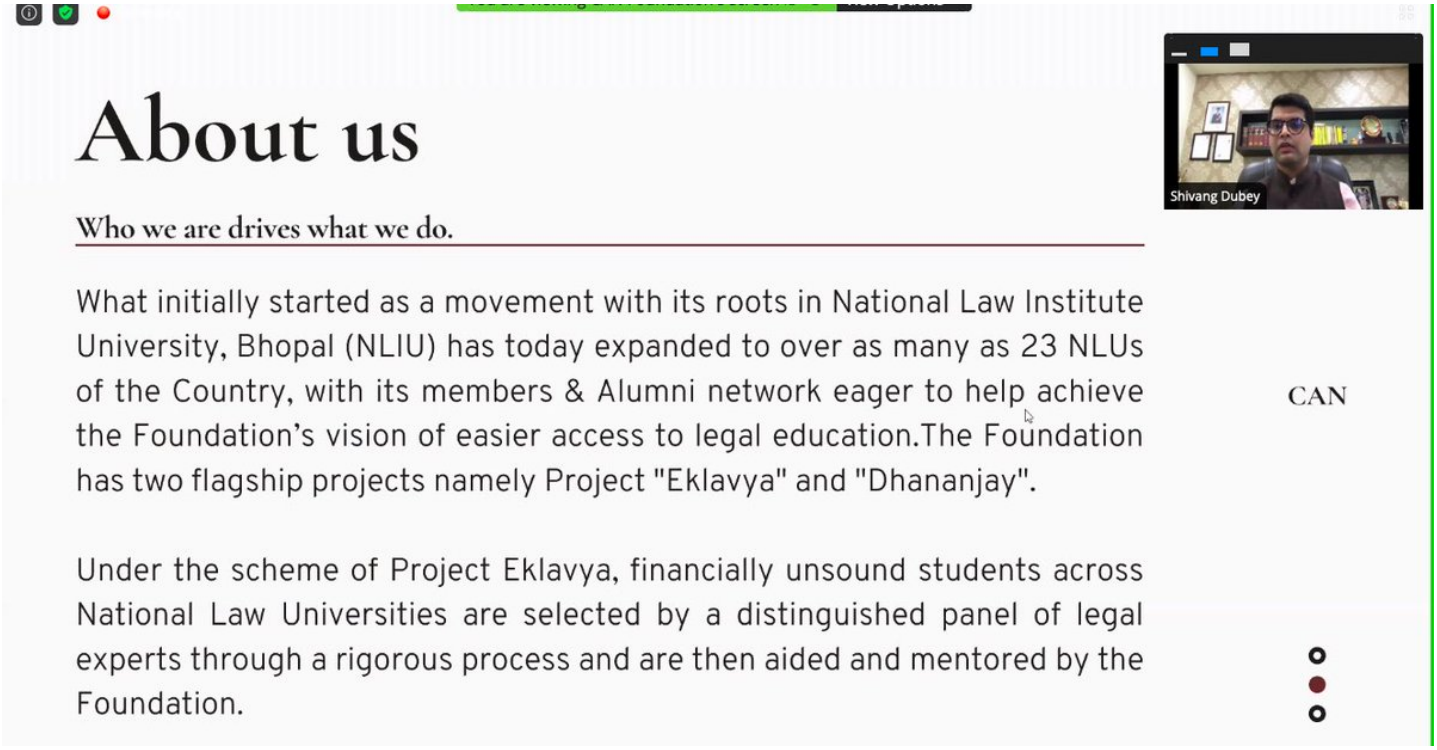
Session begins.

Shivang Dubey introduces the topic of the session and the panelists.



A presentation is being played to give a background on the CAN Foundation.

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Prof. (Dr.) S. Surya Prakash, Vice Chancellor of DSNLU begins his welcome address.



Dr. Prakash states that considering the volume of work that High Court judges have and the back breaking burden, states and the Central government have to do tackle the burden on administration of justice.

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He adds that there are a variety of judgments where depending upon the nature of the offences the judges have considered the cases before them.

Dr. Prakash: For instance, a public prosecutor who was charged u/S.307 IPC, his appointment as PP was cancelled.

There is no doubt that witnesses have to be protected. A classic case showcasing this is the Salman Khan case, says Dr. Prakash.

There were 27 prosecution witnesses, only 1 is by defence: Dr. Prakash.

Dr. Prakash: HC judgment running into 50,000 words acquitted him. Sessions Court convicted him under charges of IPC and Motor Vehicles Act.

His personal bodyguard was no more, the original FIR was missing and you see quite a number of lapses in the judgment of HC.

Dr. Prakash: His driver was introduced into the proceedings after 13 years.

This is a black face in the history of High Court of Bombay. Bombay Bar has given legal luminaries. The High Court has given luminaries.

This judgment however has disturbed me, says Dr. Prakash.

*This is a black phase

Dr. Prakash concludes his address.

Justice AKJ Nambiyar from Kerala High court begins his address.

He congratulates CAN Foundation for their work.

It will enable students, especially underprivileged to continue their law school education, Justice Nambiyar says.



Justice Nambiyar: What is a witness protection scheme? It is a programme where people are willing to speak against accused.

A witness coming forth is seen as an attribute of good citizenship.

It becomes obligatory on the state then to protect him in order to bring the offender to Justice, he adds.

Justice Nambiyar adds: Globally, I won't talk of countries which have them, because there are many.

But the framework is that there is a legislation in place keeping the objective of the act.

It is not in every criminal case, because the cost is borne by thestate.

Justice Nambiyar: Lets say there is a bomb thrown in the mob. Here there are many witnesses. There could also be a case where the witness may not know the accused and vice versa.

Justice Nambiyar: But then there are cases where the accused and the witnesses know each other.

So most witness programmes categorise the witness protection required.

Justice Nambiyar: You have to also consider the witness whom you are protecting. For instance in a terrorist group, one of the terrorist may be the witness.

Justice Nambiyar: Most programmes also talk of funds, because the public money goes in this, to improve the efficiency.

In India the additional problem comes due to the volume of the population.