**[Waiting to practise](https://www.dawn.com/news/1832620/waiting-to-practise)**

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ONCE upon a time, the president of the Supreme Court Bar Association wrote a letter to Justice Qazi Faez Isa, before he became chief justice of Pakistan, with regard to the enrolment of advocates to the Supreme Court.

In that letter, the president observed that advocates have to generally wait two to five years before being interviewed for enrolment at the Supreme Court, despite having obtained a fitness certificate from their respective high court.

These were years in which lawyers were losing briefs and were unable to gain valuable experience at the Supreme Court. They could not appear and improve their skills, nor could they be certain about when to expect any progress on their applications.

To be fair, this problem persisted much before Justice Isa assumed the position of chairman of the enrolment committee, and, to his credit, he was able to eliminate much of the backlog, if not all, during his tenure. However, this did not mean that the enrolment process was functioning as it should. What it highlighted, instead, was that the system was so reliant on the availability, efficiency and commitment of one person that his or her interest or disinterest could enfranchise or disenfranchise a number of aspiring advocates.

The process of enrolment at the apex court is tedious, and is made more cumbersome by procedural bottlenecks along the way.

Enrolment in the Supreme Court, amongst other things, entails obtaining a fitness certificate from senior judges of the high court in which you are practising; applying to the Pakistan Bar Council for admission to practise, along with submitting a copy of the fitness certificate obtained; waiting for an interview conducted by a three-member committee of the Pakistan Bar Council chaired by a sitting justice of the Supreme Court with two other members of the Pakistan Bar Council; and, upon passing, filing another application to the Supreme Court registrar for the signing of the roll.

The process is tedious, and is made more cumbersome by procedural bottlenecks along the way. First, it may take months to be called for a fitness interview. Second, a single three-member committee conducts interviews of hundreds of candidates across the length and breadth of the country, and that too in person, travelling from city to city. Third, and most important, enrolment interviews are subject to the availability of the members, who may have scheduling difficulties, or may not be particularly interested in the first place.

In my case, for example, it took more than two and a half years from the time of applying for enrolment to the Pakistan Bar Council to get an actual interview date, while others who had applied relatively later were called within months. The reason was not favouritism, but rather the fact that the then chair of the committee tried to clear the backlog, and as such, conducted interviews at quick speed. It was commendable, but also placed in poor light some before him who had chosen, for reasons best known to them, not to conduct those interviews, let alone clear the backlog.

This situation epitomises exactly what the underlying problem is. For any process or procedure to pass muster, it must not be held hostage to the demands or schedule of any one member. It must be open, transparent, predictable, and uniform. And for that to happen, a few things, amongst others, will need to change.

Most importantly, the need and necessity of the interview process itself is something that may need to be reconsidered. Rule 108 of the Pakistan Legal Practitioners and Bar Council Rules, 1976, does not mandate an interview process. It is an exercise that may be conducted by the enrolment committee, and not one that must be. And perhaps one of the reasons why the interview process is not mandatory is because of the practical implications of having to conduct them. In essence, it is an issue not of utility, but of practicality.

If it is still felt that there is a need for the process so as to ensure quality admissions to the bar, then the enrolment committees would be better off pre-assigning and fixing specific dates and periods in which interviews would take place each year, irrespective of who the chairman of the committee is or who its other members are. The interview dates and locations need to be standardised, streamlined, and publicly notified. The members of the committee may change, but those dates and locations should not.

Furthermore, rather than attempting to go from province to province as per a haphazard schedule agreed upon late in the day, the committee should make use of modern technology to lessen the distances involved and save time. In fact, in order to simplify the process, candidates could be given the option to either appear in person in Islamabad, or through a video link facility offered at the Supreme Court premises in the province in question, or in the event of non-availability, at their respective high court.

The systemic issues in the process, if left unaddressed, will only ensure that future aspirants will not fare any better than those who, as per the president of the Supreme Court Bar Association, are forced to wait two to five years to be interviewed and ultimately gain permission to practise at the Supreme Court. It will be a waste of time, energy, and resources, and will deprive the apex court of a reservoir of resources which could serve to better assist it in the matters before it.

As such, unless the process is simplified and streamlined, I fear that, despite the best efforts of some well-intentioned stakeholders from time to time, subsequent batches of aspirants shall be resigned to wait for years on end to grace the Supreme Court with their presence and their skillset.

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