



CRIMINOLOGY

SECTION 1

DELIVERED BY : ASP RANA WAHAB

SYLLABUS

- **Section-I (25 Marks)**

- ***I. Introduction***

- Basic concepts used in understanding crime, criminality and criminal.

- ***II. Understanding Criminology***

- Definition, meaning and scope of criminology, Criminology and criminal law, Crime as social problem, Crime and social organization, related concepts: Deviance, Sin and Vice

- ***III. Crime and Criminals***

- Occasional criminals, Habitual criminals, Professional criminals, White-collar crime, Organized crime, corporate crimes.

- ***IV. Crime and Criminality: Theoretical Perspectives***

- Early explanation of criminal behavior
 - Classical School
 - Positivist School (Biological and Psychological Explanations)
 - Positivist School (Sociological Explanation)
 - Social Disorganization theory
 - Strain theory
 - Social Control theory
 - Learning theory
 - Labeling Theory
 - Islamic perspective

SYLLABUS

- **Section-II (25 Marks)**
- ***V. Juvenile Delinquency***
- Meaning, definitions (Behavioral Vs Legal), Juvenile delinquent Vs status offender, Official statistics of juvenile delinquency
- ***VI. Juvenile Justice System***
- Role of police
- Juvenile court process:
- Pretrial, trial and sentencing
- Role of prosecutor, defense counsel, juvenile judge, juvenile probation officer
- Juvenile correctional institutions, probation and non-punitive alternatives
- ***VII. The Criminal Justice System:***
- Police and its role
- Trial and Conviction of Offenders
- Agencies: formal and informal
- Criminal courts: procedures and problems
- Role of prosecutors
- Prisons, Probation and Parole
- ***VIII. Punitive and Reformative Treatment of Criminals***
- Corporal punishment, Imprisonment, Rehabilitation of criminals.

Syllabus

■ Section-III (25 Marks)

– *IX. Criminal Investigation*

- Principles of criminal investigation, Manual of preliminary investigation, Intelligence operations, Data base investigation, Electronic investigation, Forensic Investigation

– *X. Techniques of Investigations*

- Gathering information from persons, Interviewing and interrogation techniques, Criminal investigation analysis

– *XI. Legal and Ethical Guidelines for Investigators*

- Stop and frisk operations, Arrest procedures, Search and seizure.

– *XII. International Policing Criminal Justice Monitoring Organizations*

- UNAFEI, INTERPOL, EUROPOL, UNODC, UNICEF, IPA, etc.

Syllabus

■ Section-IV (25 Marks)

– *XIII. Modern Concepts in Contemporary Criminology*

- Terrorism, Radicalism and War on Terror
- Media's representation of Crime and the Criminal Justice System
- Modern Law Enforcement and Crime Prevention
- Intelligence-led Policing
- Community Policing
- Private Public Partnership
- Gender and Crime in Urban and Rural Pakistan
- Crime and Urbanization, Organized Crime and White-Collar Crime
- Human Rights Abuses and Protection, especially Children, Women and Minorities and the role of civil society and NGOs
- Money-laundering
- Cyber Crime
- Role of NAB, FIA, ANF

Crimnology CE-2016

■ SECTION I

QUESTION 2: Explain the nature and importance of Criminology in detail

QUESTION 3: Define the term Crime and Criminals. Explain the types of criminals in detail.

■ SECTION II

QUESTION 4: Write a note on Crime Control Agencies.

QUESTION 5: Define the term Probation. Discuss the conditions of probation.

■ SECTION III

■ QUESTION 6: Enlist and discuss the principles of criminal investigation.

QUESTION 7: Discuss in detail the "Interviewing and Interrogation Techniques" of investigation.

■ SECTION IV

QUESTION 8: Write a detailed not on Cyber Crime.

QUESTION 9: Write short notes on any two of the following:

a) Money Laundering

b) White-collar crimes

c) Criminal Law

Crimnology CE-2017

■ SECTION – I

Q.2. Write a critical note on the increasing importance of criminology in Pakistan. Also discuss the historical development of criminology as a scientific discipline.

Q.3. Enlist the criminological perspectives. Briefly describe the three criminological perspectives on the study of crime and criminal behaviour.

■ SECTION – II

Q.4. Write a comprehensive note on the juvenile justice system of Pakistan. Suggest measures for the improvement of Juvenile justice system of Pakistan.

Q.5. Write short notes on:

- a) Causes of juvenile delinquency in Pakistan
- b) Probation and parole

■ SECTION – III

Q.6. Write a comprehensive note on the principles of criminal investigation. Illustrate with examples from Pakistan.

Q.7. Elaborate importance of legal and ethical guidelines for the criminal investigation of gender based crimes. Support your answer with examples from Pakistani society.

■ SECTION – IV

Q.8. Write a critical note on the role of law enforcement agencies in the control of terrorism in Pakistan. Suggest measures to minimize radicalization in Pakistan.

Q.9. Write notes on:

- a) Money-laundering in Pakistan
- b) Gender and Crime

Crimnology CE-2018

■ SECTION-I

Q. No. 2. Define Criminology. Discuss the scope of criminology in Pakistan. (20)

Q. No. 3. What is the Islamic perspective on crime and punishment? Explain your answer with the help of proper examples. (20)

■ SECTION-II

Q. No. 4. What is juvenile delinquency? Explain the nature, extent and causes of juvenile delinquency in Pakistan. Suggest remedial measures for reducing juvenile delinquency in Pakistan. (20)

Q. No. 5. Trace back the history and development of police organization in Pakistan. (20)

■ SECTION-III

Q. No. 6. What is Criminal investigation? Explain the key principles of criminal investigation. (20)

Q. No. 7. To what extent Interpol has been successful in reducing organized crime at international level. Discuss (20)

■ SECTION-IV

Q. No. 8. Intelligence-led policing has become an effective model of policing in tackling organized crime. Discuss the background and key principles of intelligence-led policing. (20)

Q. No. 9. Discuss the laws and institutional arrangements for controlling money laundering in Pakistan. (20)

Crimnology CE-2019

PART — II

SECTION-I

Q. No.2 Travis Hirschi argued that crime results when an individual's bond to society is weak or broken. Discuss in detail what this theory of social bonding explains about crime.

Q. No. 3. Discuss the fundamental postulates of Edwin Sutherland's 'Differential Association theory' with examples.

SECTION-II

Q. No. 4. Discuss some of the functions and responsibilities of Juvenile Justice System. Do you believe that Juvenile Justice has played its role in prevention of juvenile crimes in Pakistan?

Q. No. 5, How far recidivism has been limited by the institution of prison? Explain some of the modern strategies used in prison for the restoration and reintegration of criminals.

SECTION-III

Q. No. 6. Define and differentiate interviewing and interrogation techniques. How far human rights of criminals are being violated during the interrogation process?

Q. No. 7. How the forensic science is a helpful tool in the modern day for determining and detection of violent crimes?

SECTION-IV

Q. No. 8. Cybercrime is increasing at national and international levels. Suggest some measures to control this kind of crime.

Q. No. 9. How do violent crimes affect social fabric of Pakistani society? Discuss some of the modern policing strategies for prevention and control of the violent crimes in Pakistan.

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INTRODUCTION & UNDERSTANDING CRIMINOLOGY



BASIC CONCEPT OF CRIME

- A crime occurs when someone breaks the law by an overt act, omission or neglect that can result in punishment
- Crime consists of conduct that is in violation of federal, state or local laws
- A normative definition views crime as deviant behavior that violates prevailing norms -cultural standards prescribing how humans ought to behave normally. This approach considers the complex realities surrounding the concept of crime and seeks to understand how changing social, political, psychological, and economic conditions may affect changing definitions of crime and the form of the legal, law-enforcement, and penal responses made by society.

BASIC CONCEPT OF CRIME

- Each state is different in how the law is written, how the behavior is regulated and the penalties that each crime potentially carries. Also, the list is far from complete because behavior may be prohibited in one state and not in others. For example, prostitution is legal in some parts of the world, but is a crime in every other state. Likewise, carrying a concealed firearm is only legal in certain states.
- Indeed, in those cases where no clear consensus exists on a given norm, the drafting of criminal law by the group in power to prohibit the behavior of another group may seem to some observers an improper limitation of the second group's freedom, and the ordinary members of society have less respect for the law or laws in general whether the authorities actually enforce the disputed law or not.

BASIC CONCEPT OF CRIME

■ THE DEFINITION OF CRIME

- The definition of crime affects how criminologists view the cause and control of illegal behavior and shapes their research orientation.

■ *Conflict View*

- *The law is a tool of the ruling class.*
- *Crime is a politically defined concept.*
- *“Real crimes” are not outlawed.*
- *The law is used to control the underclass.*

BASIC CONCEPT OF CRIME

■ ***Consensus View***

- *The law defines crime.*
- *The law reflects public opinion.*
- *Agreement exists on outlawed behavior.*
- *Laws apply to all citizens equally.*

■ ***Interactionist View***

- *Moral entrepreneurs define crime.*
- *Crimes are illegal because society defines them that way.*
- *The definition of crime evolves according to the moral standards of those in power.*

CRIMINAL LAW

- Social rules that come with a penalty for violating them are known as laws. Society dictates through the laws that they create the behaviors they consider to be deviant and worthy of punishment if undertaken by its members
- Violations of these laws are punishable, generally either by imprisonment or fines, or both.
- Every act or omission that violates a command, derives its force from legislature or from authority either political or religious that has absolute sway over the matters of state is considered to be a crime.
- The main intention of criminal law is to maintain the sway of state in all matters involving acts or omissions: no act or omission that challenges the sway of the state can be allowed by the criminal law of the state

CRIMINAL LAW

- Criminal law is the body of law that relates to crime. It proscribes conduct perceived as threatening, harmful, or otherwise endangering to the property, health, safety, and moral welfare of people inclusive of one's self
- The Criminal law deals with many aspects of crime from planning , actual happening/commission, arrest , investigation , prosecution and till decision on it by competent court.
- The aim of criminal law is to protect the community and impose a sanction on the offender if he or she is found guilty by a court of law.

CRIMINAL LAW

- Following are types of Criminal Law
- **Substantive criminal law** defines what types of conduct are criminal and prescribes the penalties to be imposed for engagement in that conduct e.g. Pakistan Penal Code 1860, The Pakistan Arms Ordinance 1965, Anti Terrorism Act 1997etc.
- **Procedural criminal law** involves the rules designed to implement the substantive law. It is concerned with the criminal process, the legal steps through which an accused offender passes e.g. Criminal Procedural Code 1898.

CRIMINAL LAW

- By outlawing these behaviors, the government expects to achieve a number of social goals:
 - ***Enforcing social control.*** *Those who hold political power rely on criminal law to formally prohibit behaviors believed to threaten societal well-being or to challenge their authority*
 - ***Discouraging revenge.*** *By punishing people who infringe on the rights, property, and freedom of others, the law shifts the burden of revenge from the individual to the state.*
 - ***Expressing public opinion and morality.*** *Criminal law reflects constantly changing public opinions and moral values. Mala in se crimes, such as murder and forcible rape, are almost universally prohibited; however, the prohibition of legislatively created mala prohibita crimes, such as traffic offenses and gambling violations, changes according to social conditions and attitudes. Criminal law is used to codify these changes.*

CRIMINAL LAW

- ***Detering criminal behavior.*** *Criminal law has a social control function. It can control, restrain, and direct human behavior through its sanctioning power. The threat of punishment associated with violating the law is designed to prevent crimes before they occur.*
- ***Punishing wrongdoing.*** *The deterrent power of criminal law is tied to the authority it gives the state to sanction or punish offenders. Those who violate criminal law are subject to physical coercion and punishment.*
- ***Maintaining social order.*** *All legal systems are designed to support and maintain the boundaries of the social system they serve.*

CIVIL LAW VS CRIMINAL LAW

| BASIS FOR COMPARISON | CIVIL LAW | CRIMINAL LAW |
|------------------------|---|---|
| Meaning | Civil law refers to a general law, which is concerned with disputes between individuals, organizations, or both wherein the wrongdoer compensates the affected one. | Criminal law implies the law related to the offenses or crimes committed against the society as a whole. |
| Filed by | Plaintiff | Government |
| Purpose | To sustain the rights of a person and to compensate him. | To maintain law and order, to protect society and to give punishment to the wrongdoers. |
| Starts with | Filing a petition to the respective court or tribunal, by the aggrieved party. | Firstly, a complaint is lodged with the police who investigate the crime, thereafter, a case is filed in the court. |
| Deals with | It deals with any harm or violation to individual rights. | It deals with the acts which law defines as offences. |
| Action | Sue | Prosecute |
| Outcome | Remedy | Punishment |
| Powers of court | Award for damages or injunction | Imprisonment, fine, discharge. |
| Consequence | Defendant is liable or not liable. | Defendant is guilty or not guilty. |

ELEMENTS OF CRIMINAL OFFENSES

- Elements must be present for criminal liability to attach
- Actus reus
- Mens rea
- Concurrence
- Causation
- Harm
- **Make up the corpus delicti** (crime must be proved to have occurred before a person can be convicted of committing that crime)

ACTUS REUS

- The guilty act; three forms:
- *Voluntary bodily movements*
- *An omission in the face of a duty to act*
- *failure to perform a legal duty*
- *failure to prevent serious harm when a special relationship exists*
- *Possession of something if the person has some knowledge that their possession is illegal*

actus reus

physical acts that make up elements of the crime



MENS REA (CRIMINAL INTENT)

- Guilty mind; inferred from circumstances surrounding the criminal act
- Four levels:
 - *Purposeful*
 - *Knowing*
 - *Reckless*
 - *Negligent*
- Doctrine of transferred intent

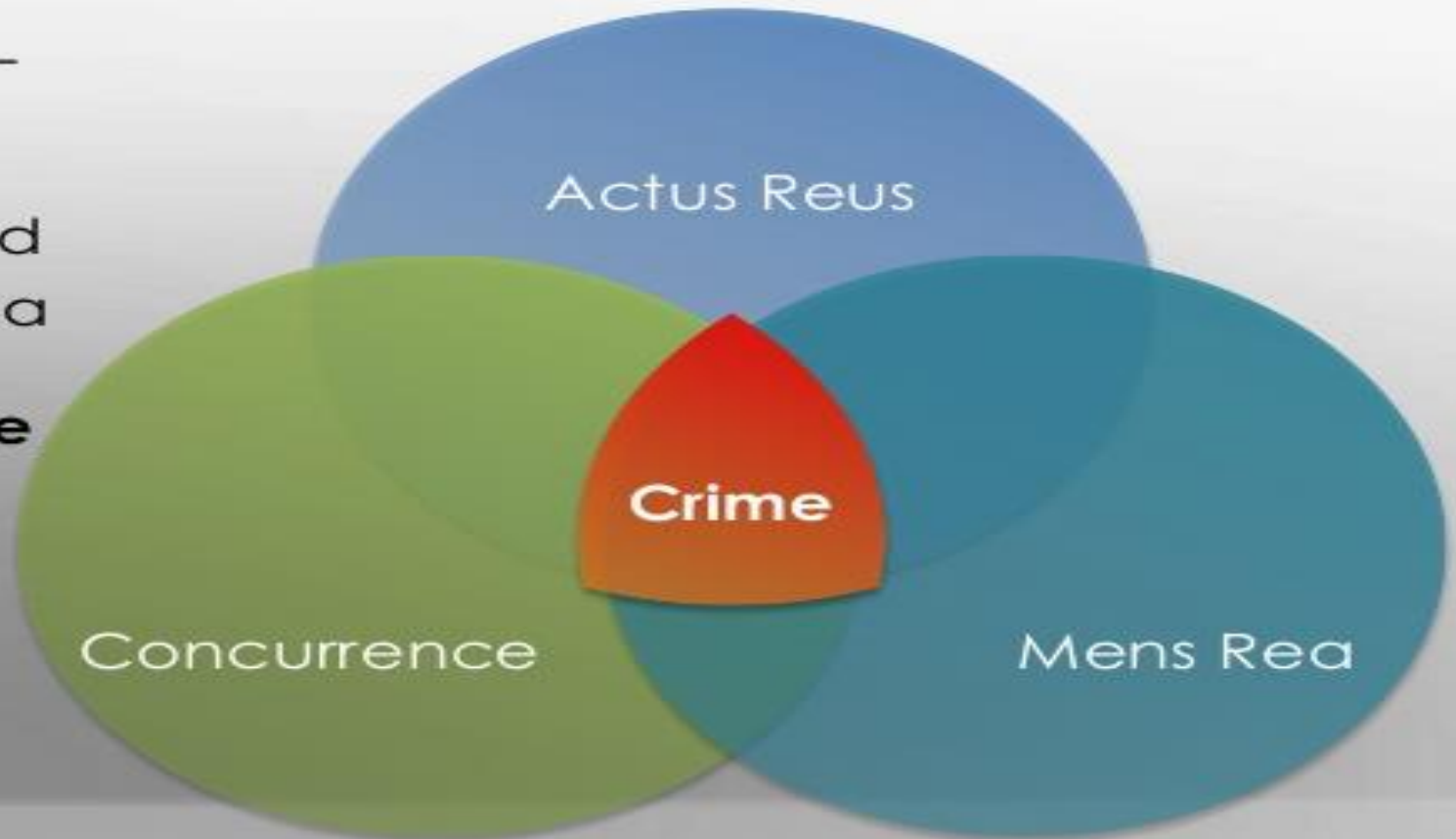


CONCURRENCE

3.5

Concurrence

- **Concurrence** – The **coexistence** (at the **same time**) of:
 1. **Actus reus** – an **act** in violation of the law; and
 2. **Mens rea** – a culpable **mental state**



CAUSATION AND HARM

- Prosecution must prove a causal link between the defendant's actions and the prohibited result
 - *First, the prosecution must prove **factual causation** – did the defendant's actions cause the harm as a matter of fact? The test is the 'but for' test: but for the defendant's criminal action or omission, would the victim have suffered harm? If the answer is no, the defendant is criminally liable. If something else is the cause of the damage, the defendant is not liable, as in the case of R v White (1910)*
 - *The test for **legal causation** is whether the defendant's conduct made a 'significant contribution' to the result*

COMMON CRIMES

The following is a list of some common crimes as defined in Pakistan Penal Code

- Murder
- Theft
- Cheating
- Kidnapping
- Robbery
- Dacoity
- House Trespass
- Rape
- Disturbing the Peace
- Drug Possession
- Embezzlement
- Extortion
- Forgery
- Fraud
- Harassment
- Hate Crime

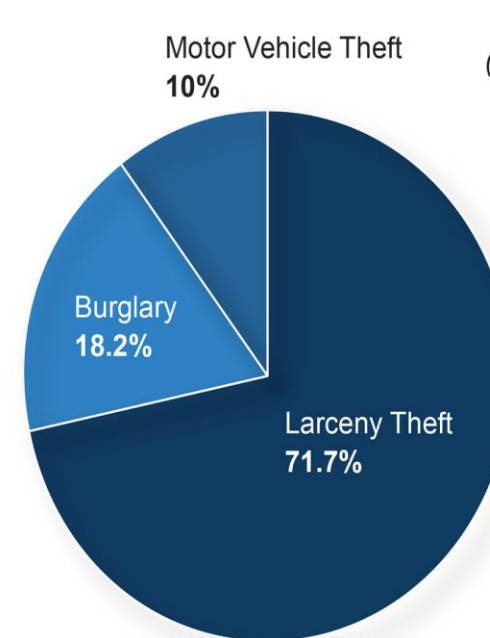


TYPES OF CRIMES

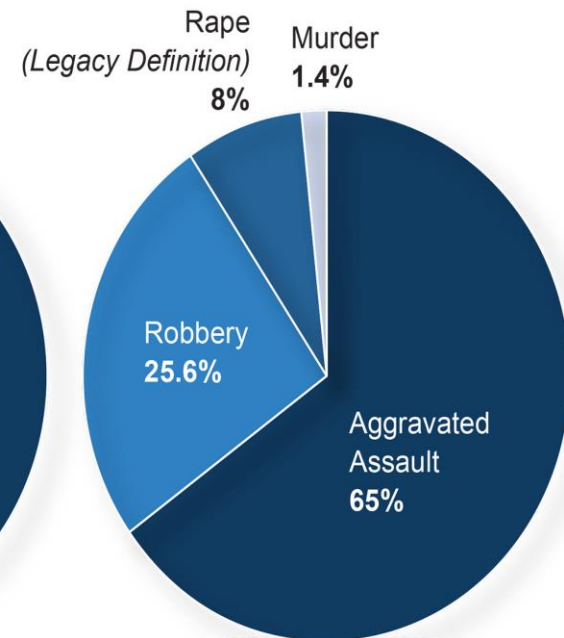
- There are many different types of crimes but, generally, crimes can be divided into following major categories
- **Personal Crimes** - "Offenses against the Person": These are crimes that result in physical or mental harm to another person. Personal crimes include:

- Assault (Threat of Physical Harm)
- Battery (actual Physical Harm)
- False Imprisonment
- Kidnapping
- Homicide
- Rape

Property Crime in 2017



Violent Crime in 2017



TYPES OF CRIMES

- **Property Crimes** - "Offenses against Property": These are crimes that do not necessarily involve harm to another person. Instead, they involve an interference with another person's right to use or enjoy their property. Property crimes include:
 - Burglary
 - Arson
 - Embezzlement
 - Forgery
 - False pretenses (Under false notion)
 - Receipt of stolen goods

TYPES OF CRIMES

■ White-Collar Crimes

- White-collar crimes are crimes that committed by people of high social status who commit their crimes in the context of their occupation
- White-collar crimes generally generate less concern in the public mind than other types of crime, however in terms of total dollars, white-collar crimes are even more consequential for society
- White Collar crimes are generally the least investigated and least prosecuted
- Panama Leaks is one of the main example of white collar crime



WHITE COLLAR CRIMES



money laundering



fraud



embezzlement



insider trading



bribery



Ponzi schemes



forgery



identity theft



cybercrime

WHITE COLLAR CRIMES

- White collar crimes involve criminal activities committed by people in the regular course of their business and involve bribery, extortion, fraud and embezzlement. These crimes usually end in financial gain for the perpetrator.
- White collar crimes are criminal acts that are performed by people in the course of business committed for financial gain. These types of crimes can cost citizens millions of dollars
- Government can prosecute both the individual committing the crime and the corporation for which he works

TYPES OF WHITE COLLAR CRIMES

The following are the main types of white collar crime

- Bank Fraud
- Blackmail
- Bribery
- Cellular Phone Fraud
- Computer fraud
- Credit Card Fraud
- Currency Schemes
- Embezzlement
- Counterfeiting

TYPES OF WHITE COLLAR CRIMES

- Extortion:
- Forgery:
- Health Care Fraud
- Insider Trading
- Investment Schemes:
- Kickback
- Insurance Fraud
- Telemarketing Fraud
- Money Laundering
- Tax Evasion

TYPES OF CRIMES

■ Organized Crime

- Organized crime is crime committed by structured groups typically involving the distribution of illegal goods and services to others
- Drug trade, illegal gambling, prostitution, weapons smuggling, or money laundering
- organized along the same lines as legitimate businesses and take on a corporate form
 - senior partners who control the business' profits
 - workers who manage and work for the business
 - clients who buy the goods and services that the organization provides
- Terrorism is the main form of organized crime

ORGANIZED CRIMES

- Organized crime is a category of transnational, national, or local groupings of highly centralized enterprises run by criminals who intend to engage in illegal activity, most commonly for money and profit.
- Some criminal organizations, such as terrorist groups, are politically motivated
- Sometimes criminal organizations force people to do business with them, such as when a gang extorts money from shopkeepers for so-called "protection".

ORGANIZED CRIMES

- Gangs may become disciplined enough to be considered organized
- A criminal organization or gang can also be referred to as a mafia, mob, or crime syndicate; the network, subculture and community of criminals may be referred to as the underworld.
- Some organized crime groups defraud national, state, or local governments by bid rigging public projects, counterfeiting money, smuggling or manufacturing untaxed alcohol (bootlegging) or cigarettes (buttlegging), and providing immigrant workers to avoid taxes.

ORGANIZED CRIMES

- Activities of organized crime include loan sharking of money at very high interest rates, assassination, blackmailing, bombings, bookmaking and illegal gambling, confidence tricks, copyright infringement, counterfeiting of intellectual property, fencing, kidnapping, prostitution, smuggling, drug trafficking, arms trafficking, oil smuggling, antiquities smuggling, organ trafficking, contract killing, identity document forgery, money laundering, point shaving, price fixing, illegal dumping of toxic waste, illegal trading of nuclear materials, military equipment smuggling, nuclear weapons smuggling, passport fraud, providing illegal immigration and cheap labor, people smuggling, trading in endangered species, and trafficking in human beings. Organized crime groups also do a range of business and labor racketeering activities, such as skimming casinos, insider trading,

TYPES OF CRIMES

- **Corporate crime**

- Corporate crime is a crime committed by a corporation or business entity or by individuals who are acting on behalf of a corporation or business entity
- However, a corporate crime can also be committed by someone who is employed by a corporation if the crime benefits the organization
 - *Over charging or hidden charges*
 - *Reporting wrong business statement sheets*
 - *Tax evasion*

CORPORATE CRIMES

- corporate crime refers to crimes committed either by a corporation (i.e., a business entity having a separate legal personality from the natural persons that manage its activities),
- or by individuals acting on behalf of a corporation or other business entity (see vicarious liability and corporate liability).
- Some negative behaviours by corporations may not actually be criminal; laws vary between jurisdictions. For example, some jurisdictions allow insider trading.

CORPORATE CRIMES

- Corporate crime overlaps with:
 - white-collar crime, because the majority of individuals who may act as or represent the interests of the corporation are white-collar professionals
 - organized crime, because criminals may set up corporations either for the purposes of crime or as vehicles for laundering the proceeds of crime. The world's gross criminal product has been estimated at 20 percent of world trade
 - state-corporate crime because, in many contexts, the opportunity to commit crime emerges from the relationship between the corporation and the state

TYPES OF CORPORATE CRIMES

■ Violence against workers:

6 million workers injured on the job in the US and 10,000 people die in the workplace from injuries and 10,000 from long term effects of occupational diseases. Corporate executives are responsible for the vast majority of deaths because they have violated occupational health and safety standards or have chosen not to create adequate standards. **Violence against consumers:** thousands of unsafe products injure or kill consumers every year. 100,000 people are permanently disabled each year and 30,000 die. Another important factor to take into account is dumping of products in the third world.

■ Corporate pollution:

The general public also experiences violence in the form of pollution and other green crimes. There are many different green crimes but they are all committed for the sake of profit and they all harm the environment.

TYPES OF CORPORATE CRIMES

■ Price fixing:

tacit price fixing occurs when a limited number of controlling companies in a particular market follow the lead of their competitors in price increases. Overt price fixing involves secret meetings and subtle communications between competitors in given industries. Most common forms:

(i) setting prices at predetermined, similar levels,

(ii) dividing the market into regions, with each firm agreeing to stay out of the other's territory,

(iii) agreeing to take turns submitting winning competitive bids for contracts, often from government agencies.

■ False advertising:

when companies use false advertisements to entice consumers to buy products or services that offer few, if any, of the publicized benefits. Two forms: (i) blatantly false and (ii) puffery, which is a legal, more subtle form of false advertising that typically involves making exaggerated claims for a product or service. It does not violate criminal or civil laws, but it is designed to mislead consumers. .

TYPES OF CRIMES

■ Inchoate Crimes

- “Inchoate” translates into “incomplete”, meaning crimes that were begun, but not completed
- Person take a substantial step to complete a crime, as opposed to just “intend” to commit a crime
- Attempt – any crime that is attempted like “attempted robbery”
- Solicitation
- Conspiracy

TYPES OF CRIMES

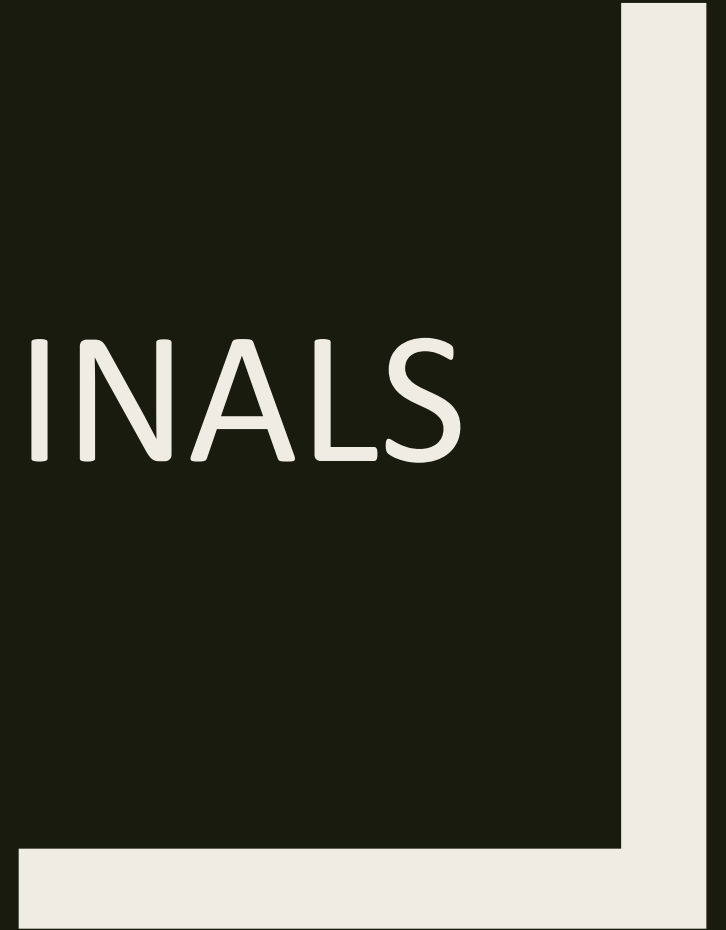
■ Statutory Crimes

- A violation of a specific state or federal statute and can involve either property offenses or personal offense.

Statutory crimes include:

- *Alcohol-related crimes such as drunk driving*
- *Selling alcohol to a minor*

CRIME AND CRIMINALS



CRIMINAL

CRIMINAL:

- A popular term for anyone who has committed a crime, whether convicted of the offense or not. More properly it should apply only to those actually convicted of a crime. Repeat offenders are sometimes called habitual criminals

TYPES OF CRIMINAL

Major types of criminal are

- Occasional criminals
- Habitual criminals
- Professional criminals

THE OCCASIONAL CRIMINALS

- The occasional criminal only performs the act if the opportunity occurs in his/her routine of daily life. For example someone is walking by a car & it happens to be unlocked & the person notices they might take their car stereo, etc.
- Those whose criminal acts were due to external circumstances and who were driven to commit crimes because of a special passion
- Most crime committed by amateurs whose acts are unskilled, and unplanned
- Occasional crime occurs when there is a situational inducement
- Frequency of occasional crime varies according to age, class, race, and gender
- Occasional criminals have little group support for the crimes

THE OCCASIONAL CRIMINALS

The broadest and most inclusive category of occasional criminals include four types by Lambroso

■ The Pseudocriminal

Individuals who become criminals by mere accident e.g. killing in self-defense. These criminals are also called Judicial Criminals.

■ Criminaloid

These are epileptoids who suffer from a milder form of the disease so that without adequate cause criminality is not manifested. These are individuals with weak natures who can be swayed by circumstances to commit crime. Often showing hesitation before committing crime. although they had innate traits and a touch of degeneracy, their organic tendency was much less than that of the born criminal

THE OCCASIONAL CRIMINALS

■ Habitual Criminals

Habitual criminal came closest to a “normal” criminal. “Poor education and training from parents, the school and community at an early age cause these individuals to fall into the primitive tendency towards evil” (Mannheim, 1972, p. 253). They become criminals because of circumstances and criminal peers.

■ Epileptoid Criminal

Individual suffering from epilepsy

HABITUAL CRIMINALS

- A habitual criminal is a person convicted of a new crime who was previously convicted of a crime(s). Various state and jurisdictions may have laws targeting habitual offenders, and specifically providing for enhanced or exemplary punishments or other sanctions. They are designed to counter criminal recidivism by physical incapacitation via imprisonment.
- Strict laws and stringent punishments for habitual offenders to discourage them

PROFESSIONAL CRIMINALS

- Crimes committed by persons for whom criminally punishable acts are a permanent occupation and the primary source of money. Persons who engage in professional crime have the skills and means necessary for criminal activity and specialize in some particular type of crime, such as theft or swindling.
- Professional crime has its own psychology and customs. Professional Criminals normally perform criminal activity because
 - *Professional criminals are skilled in their criminal activity*
 - *Professional criminals depend on crime as a main source of earning their livelihood*
 - *Professional criminals are habitual criminals*

PROFESSIONAL CRIMINALS

- Professional criminals not only regard themselves as criminals but are also known to others as criminals
- Professional criminals get status and recognition only in the underworld
- Professional criminals avoid other types of criminals and associate primarily with one another
- Professional criminals have their own philosophy of life
- Professional criminals tend to continue in crime for most part of their lives

CRIMINOLOGY

- An interdisciplinary profession built around the scientific study of crime and criminal behavior, including their forms, causes, legal aspects, and control.
- Criminology is the scientific study of crime, including its causes, responses by law enforcement and methods of prevention
- Criminology is branch of sociology and help is taken from different fields like biology , statistics, psychology , economics and and anthropology to study it

CRIMINOLOGY

- Criminology is the scientific approach to studying criminal behavior. In their classic definition, preeminent criminologists Edwin Sutherland and Donald Cressey state:
 - *“Criminology is the body of knowledge regarding crime as a social phenomenon. It includes within its scope the processes of making laws, of breaking laws, and of reacting toward the breaking of laws. . . . The objective of criminology is the development of a body of general and verified principles and of other types of knowledge regarding this process of law, crime, and treatment.”*

SCOPE OF CRIMINOLOGY

Criminology involves three different types of problems:

- i. The problem of explaining crime and criminal behavior, which is the problem of scientifically accounting for the presence of crime and criminals in a society.
- ii. The problem of detecting the law breaker, which is the work of the detective, the police officer, the medical specialist, the chemist.
- iii. The problem of the custody and treatment of the offender once he is detected and legally judged to be guilty, which is the work of the penologist.

SUB-GROUPS OF CRIMINOLOGY

- **Penology:**
 - *The study of prisons and prison systems*
- **Bio-criminology:**
 - *The study of the biological basis of criminal behavior*
- **Feminist criminology:**
 - *The study of women and crime*
- **Criminalistics:**
 - *The study of crime detection*
- **Victimology:**
 - *The study of the victims of crime, the relationships between victims and criminals, and the role of victims in the criminal events themselves.*

CRIMINOLOGISTS

- A criminologist is one who studies crime, criminals, and criminal behavior.
- Criminologists attempt to understand why some people are more or less likely to engage in criminal or delinquent behavior.
- Criminologists also examine and attempt to explain differences in crime rates and the criminal code between societies and changes in rates and laws over time
- Criminologists consider themselves to be neutral public policy experts, gathering facts for various governmental officials responsible for drawing policy conclusions

CRIMINOLOGISTS

Criminologists play an important **role** in the criminal justice system. ... They study the social and psychological factors that cause people to commit crimes and research which approaches to rehabilitation work and don't work. In essence, they work to develop a society that is less prone to or susceptible to criminal acts.

GREEN CRIMINOLOGY

- Green Criminology is the analysis of environmental harms from a criminological perspective, or the application of criminological thought to environmental issues.
- As elsewhere in criminology, this means thinking about:
 - *Offences (what crimes or harms are inflicted on the environment, and how),*
 - *Offenders (who commits crime against the environment, and why), and*
 - *Victims (who suffers as a result of environmental damage, and how), and also about responses to environmental crimes: policing, punishment and crime prevention.*
- On a more theoretical level, green criminology is interested in the social, economic and political conditions that lead to environmental crimes; on a philosophical level it is concerned with which types of harms should be considered as 'crimes' and therefore within the remit of a green criminology.

CRIMINAL BEHAVIOR

- Criminal behavior refers to conduct of an offender that leads to and including the commission of an unlawful act.
- One of the ways to attempt to understand criminal behavior is to gain comprehension and knowledge of criminogenic needs. These needs are traits associated with criminal thinking and behavior. It has also been dynamically defined as “crime producing factors that are strongly associated with risk”.

CRIMINAL BEHAVIOR

There are four general definitions of criminal behavior that will fit all the types of it. These four areas include the following types of act:

- Prohibited by law and are punished by the state
- Considered to be violation moral or religious code and is believed to be punishable by a Supreme Spiritual being such as God
- Violate norms of society or traditions and are believed to be punishable by community
- Acts causing serious psychological stress or mental damage to a victim, but is somewhat affordable for offender (referred as “Psychological criminal behavior”).

TRAITS OF CRIMINAL BEHAVIOR

Different school of thoughts have given the following traits of criminal behavior

- **Anti-social values:** This is also known as criminal thinking. It includes criminal rationalization or the belief that their criminal behavior was justified. Individuals possessing this trait often blame others for their negative behavior, and show a lack of remorse.
- **Criminal Peers:** Individuals with this trait often have peers that are associated with criminal activities. Peer influence often persuades the individual to engage in criminal behavior.
- **Anti-social personality:** These traits often include atypical behavior conducted prior to the age of fifteen and can include, running away, skipping school, fighting, possessing weapons, lying, stealing and damage to either animals or property.

TRAITS OF CRIMINAL BEHAVIOR

- **Dysfunctional family:** One of the most common traits includes a lack of family support, both emotionally and otherwise. An individual's family lacks the ability to problem solve and often is unable to communicate effectively.
- **Low self-control:** This involves one's ability to control temperament and impulsivity. People that carry this trait often do things that they didn't plan, and will fail to think before acting. The mindset is of the here and now, and not on the consequences of the behavior.
- **Substance abuse:** The use of drugs or alcohol that significantly affect one's ability to engage in a successful and productive lifestyle. There is often an increased tolerance to substances, in addition to an inability to stop use.

CRIME AS SOCIAL PROBLEM

- A social problem is a condition that at least some people in a community view as being undesirable.
- Social problems directly or indirectly affect a person or many members of a society and are considered to be problems, controversies related to moral values or both.
- A few examples of social problems include murder, drug abuse etc.
- Different cultures have different perceptions and what may be "normal" behavior
- Social issues are distinguished from economic issues. Some issues have both social and economic aspects, such as immigration.
- There are also issues that don't fall into either category, such as wars.

CRIME AS SOCIAL PROBLEM

- Behaviors become crimes through a process of social construction
- The same behavior may be considered criminal in one society and an act of honor in another society or in the same society at a different time
- The legal status of a behavior whether it is defined as a crime lies not in the content of the behavior itself but in the social response to the behavior or to the persons who engage in it
- One of the serious problems of today's crimes is that in many cases the criminals are socially, politically and economically so powerful that they decide the course of punishment for others while they themselves manage to get escaped completely
- Poverty, education system, unemployment, injustice, political setup, social change, changes in values and inequality are the major social problems. These social problems construct the crime in different ways

DEVIANCE

- The word deviance connotes odd or unacceptable behavior, but in the sociological sense of the word, deviance is simply any violation of society's norms
- Deviance can range from something minor, such as a traffic violation, to something major, such as murder
- Each society defines what is deviant and what is not, and definitions of deviance differ widely between societies
- Deviance is any behavior that violates cultural norms

DEVIANCE

- Opposite of Deviance is conformity
- It is condemned because it is considered threat to the society
- Conformity means obedience to the norms whereas deviance is their violation
- All crimes are acts of deviance but not all acts of deviance are crimes.

DEVIANCE

- Deviance is often divided into two types of deviant activities:
 - The first, crime is the violation of formally enacted laws and is referred to as formal deviance, e.g. robbery, theft, rape, murder, and assault, just to name a few
 - The second type of deviant behavior refers to violations of informal social norms, norms that have not been codified into law, and is referred to as informal deviance. Examples of informal deviance might include: picking one's nose, belching loudly (in some cultures), or standing too close to another unnecessarily (again, in some cultures)

DEVIANCE AND RELATIVISM

- Deviance is a relative issue, and standards for deviance change based on a number of factors, including the following:
 - **Location:** A person speaking loudly during a church service would probably be considered deviant, whereas a person speaking loudly at a party would not.
 - **Age:** A five-year-old can cry in a supermarket without being considered deviant, but an older child or an adult cannot.
 - **Social status:** A famous actor can skip to the front of a long line of people waiting to get into a popular club, but a non-famous person would be considered deviant for trying to do the same.
 - **Individual societies:** In some countries, people understand that one should haggle over the price of an item; not to do so is considered deviant.

TYPES OF DEVIANCE

- **Primary deviance**

- *It is the behavior that people do not treat as deviant because either:*
 - They are unaware of it, or
 - They regard it trivial

- **Secondary deviance**

- *It occurs when*
 - People are labelled and treated as deviants, and
 - Deviance becomes an important part of their identity

FORMS OF DEVIANCE

- Drug Addiction
- Alcoholism
- Suicide
- Family conflicts
- Discrimination against minorities
- Sexual abuse
- Child abuse
- Delinquency
- Crime
- Violence

CAUSES OF DEVIANCE

- **INDIVIDUAL AS A CAUSE**

- **SOCIETY AS A CAUSE**

- **CULTURE AS A CAUSE**

INDIVIDUAL AS A CAUSE

- **Religious theory**

- Demonic possession

- **Biological theory**

- An extra chromosome (i.e. XYX, YXY)

- **Psychological theory**

- Morally depraved

SOCIETY AS A CAUSE

- **Transitional Neighborhood**
 - Those settling in slum areas
- **Labelling Approach**
 - Repeatedly calling deviants as deviants
- **Differential Association**
 - The company, the color
- **Class and Social Structure**
 - Particular class and social structure lead an individual to be a deviant

CULTURE AS A CAUSE

- Robert Merton (1957) presented Strain or Anomie theory
- deviance a means by which some people adopt to the dominant culture
- There are five types of Adaptations, four of which are types of deviance
 - **Conformity**
 - Agreement between an individual's behavior and a group's standards or expectations. A conformist is one who follows the majority's desires or standards.
 - **Innovation**
 - The act of introducing something new. Believes in society's standards or expectations but different mode of achieving them

CULTURE AS A CAUSE

- **Ritualism**
 - People obey norms outwardly by “going through the motions,” but they lack inner commitment to their roles and the underlying values of the social system
- **Retrealism**
 - The rejection of culturally prescribed goals and the conventional means for attaining them
- **Rebellion**
 - Rebellion, uprising, or insurrection is a refusal of obedience or order. It may, therefore, be seen as encompassing a range of behaviors aimed at destroying or taking over the position of an established authority such as a government, governor, president, political leader, financial institution, or person in charge.

STRAIN THEORY

- Strain theory is a sociology and criminology theory developed in 1957 by **Robert K. Merton**.
- The theory states that society puts pressure on individuals to achieve a socially accepted goals (such as the American dream) though they lack the means, this leads to strain which may lead the individuals to commit crimes.

STRAIN THEORY

- **Strain may either be:**

- **Structural:** this refers to the processes at the societal level which filter down and affect how the individual perceives his or her needs, i.e. if particular social structures are inherently inadequate or there is inadequate regulation, this may change the individual's perceptions as to means and opportunities
- **Individual:** this refers to the frictions and pains experienced by an individual as he or she looks for ways to satisfy his or her needs, i.e. if the goals of a society become significant to an individual, actually achieving them may become more important than the means adopted

STRAIN THEORY

- Strain theory has received several criticisms, such as:
 - Strain theory best applies only to the lower class as they struggle with limited resources to obtain their goals
 - Strain theory fails to explain white collar crime, the perpetrator of whom have many opportunities to achieve through legal and legitimate means
 - Strain theory fails to explain crimes based in gender inequality
 - Merton deals with individuals forms of responses instead of group activity which crime involves
 - Merton's theory is not very critical of the social structure that he says generate the strains
 - Strain theory neglects the inter- and intra-personal aspect of crime
 - Strain theory has weak empirical evidence supporting it

Robert K. Merton's Deviance Typology

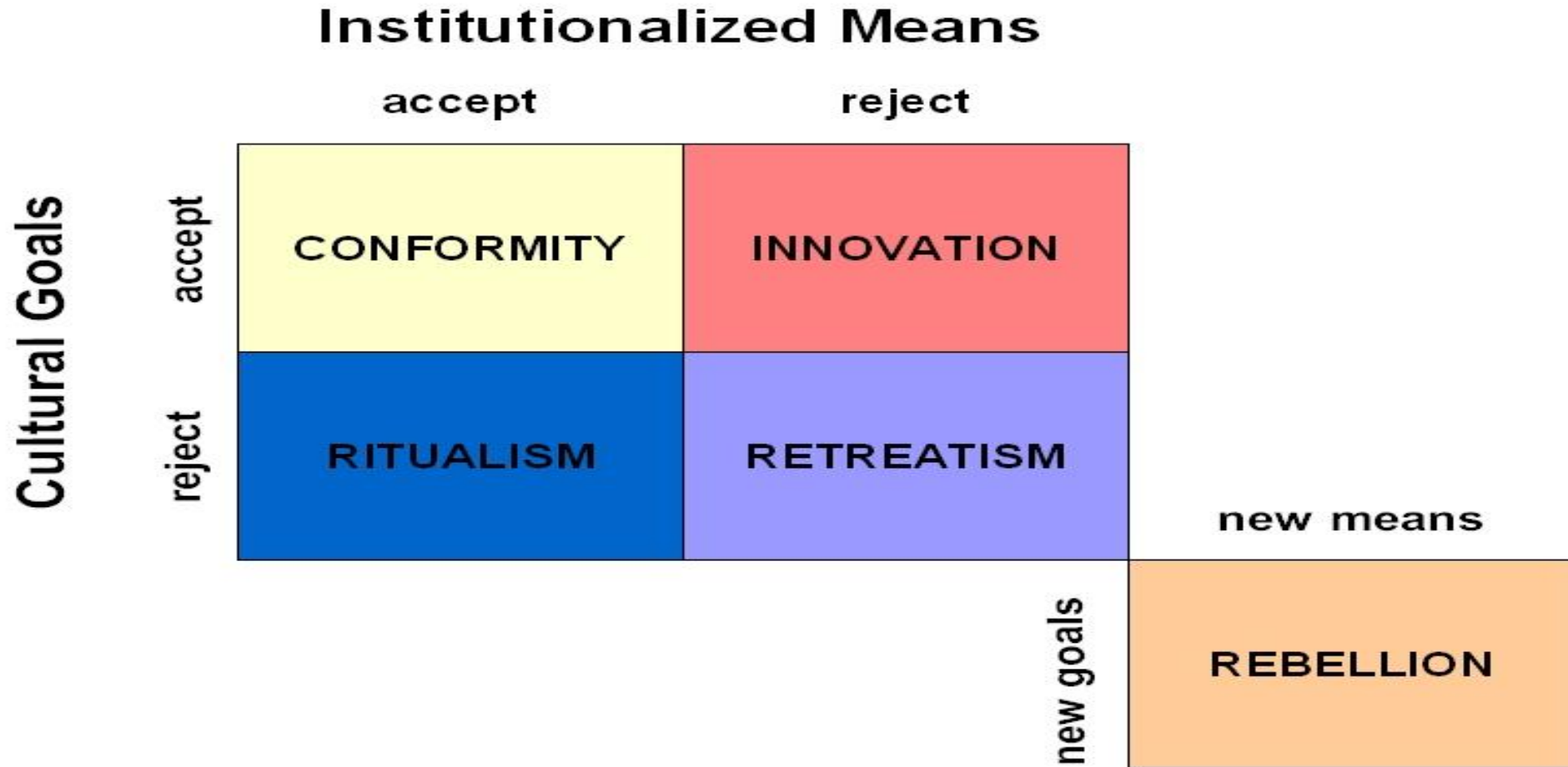
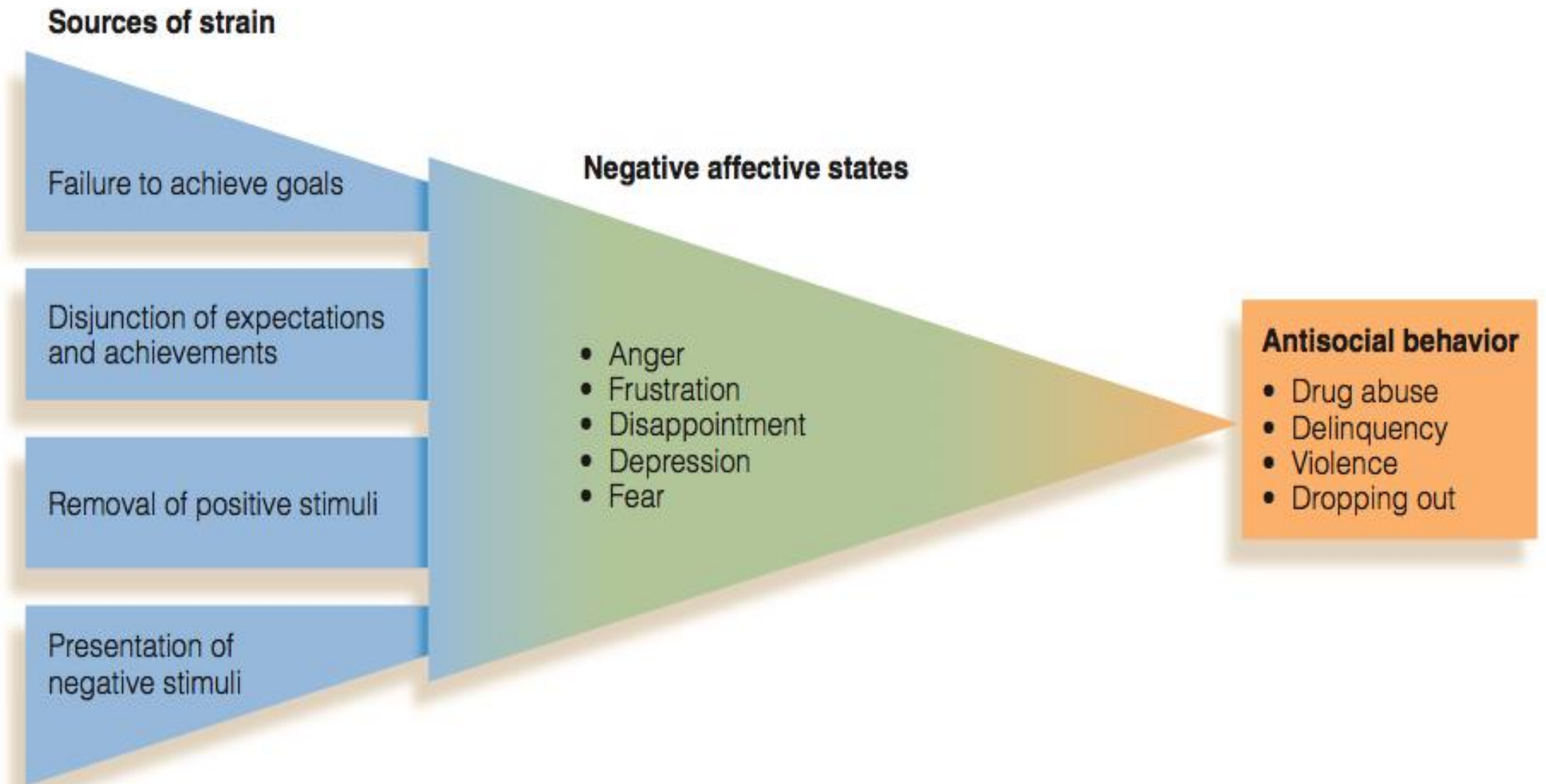


Figure 6.7 Elements of General Strain Theory (GST)



ROLE OF DEVIANCE IN SOCIETY

- “Deviance is even functional for Society” – Durkheim
- Contribution of deviance to social order
 - Durkheim emphasized the function of deviance for social order not in the deviant act but in the reaction by society
 - Such reaction serves as a “Boundary maintenance” function that reinforces the distinction between acceptable and unacceptable
 - Durkheim regarded reaction to deviance as an important source of social solidarity
 - Fear of punishment discourage divergent tendencies

ROLE OF DEVIANCE IN SOCIETY

- Contribution of Deviance to Social Change
 - Deviant acts are important sources of social change
 - Democratic movements were declared as deviant acts by martial law administrators
 - Deviant movements encourage reform and cause social change
 - Quaid-e-Azam, Nelson Mandela, Martin Luther King, etc.

ROLE OF DEVIANCE IN SOCIETY

- Deviance also acts as a threat to Social Order
 - “Deviants are rule-breakers who threaten order because their action is disruptive. They must be curbed, since as sickness threatens a human body, they threaten society” – Hobbes
 - Wide spread deviance causes violence and violence leads to fear in the society that disrupts interaction in the society

Overlapping Areas of Concern

- Criminal justice refers to the agencies of social control that handle criminal offenders. Criminal justice scholars engage in describing, analyzing, and explaining operations of the agencies of justice, specifically the police departments, courts, and correctional facilities. They seek more effective methods of crime control and offender rehabilitation.
- Criminal justice experts cannot begin to design effective programs of crime prevention or rehabilitation without understanding the nature and cause of crime. They require accurate criminal statistics and data to test the effectiveness of crime control and prevention programs.
- Under what circumstances do deviant behaviors become crimes? When does sexually oriented material cross the line from merely suggestive to obscene and therefore illegal? If an illegal act becomes a norm, should society reevaluate its criminal status? There is still debate over the legalization and/or decriminalization of abortion, recreational drug use, possession of handguns, and assisted suicide

SIN

- A definition of sin is doing what is wrong or not doing what is right according to God's rules.
- Two things are involved in a sin:
 - a voluntary act which the sinner intends in such-and-such matter, and
 - The act's disorderedness, which consists in its departure from God's law. The distinction among sins thus follows the distinction among voluntary acts, and such acts are distinct from one another according to their objects.
- **Falling in love is one example. Islam does not prohibit it, but the society treats it as sin.**
- **Second, not all sins are crimes, and it is not up to the police to interpret sins as crimes**

CLASSIFICATION OF SIN

- Sins can also be classified as sins against God, against oneself, and against one's neighbor, depending on their objects.
- Sins against God are opposed to the theological virtues;
- sins against oneself are opposed to the virtues of temperance and fortitude; and
- sins against one's neighbor are opposed to the virtue of justice

VICE

- A generic legal term for offenses involving immorality, including prostitution, lewdness (Crude and offensive in sexual way), lasciviousness (feeling or revealing an overt sexual desire), and obscenity.
- Vice is opposed to virtue directly insofar as a vice is a habit by which one is disposed to behave in a way inappropriate for perfecting his nature
- It is a practice, behaviour, or habit generally considered immoral, sinful, criminal, rude, taboo, depraved, or degrading in the associated society.
- In more minor usage, vice can refer to a fault, a negative character trait, a defect, an infirmity, or a bad or unhealthy habit (such as an addiction to smoking). Vices are usually associated with a transgression in a person's character or temperament rather than their morality. Synonyms for vice include fault, sin, depravity, iniquity, wickedness, and corruption.
- Vice crimes offend the sensibilities, yet are often victimless and harmless, other than harm done to the defendant or society in general.

SOCIAL NORMS

- The term "norms" covers an exceedingly wide range of behaviour. So that the whole range of that behaviour may be included
- Sociologists have offered the following definition.
 - *Social norms are rules developed by a group of people that specify how people must, should, may, should not, and must not behave in various situations*
- A norm is a guideline or an expectation for behavior
- Norms change constantly and may be different for different societies and groups

SOCIAL NORMS

- Social Norms are unwritten rules about how to behave at different occasion like in Church and celebration party
- The idea of norms provides a key to understanding social influence in general and conformity in particular. Social norms are the accepted standards of behavior of social groups
- These provide an order in the society

SOCIAL VALUES

- Social values form an important part of the culture of the society
- Values account for the stability of social order. They provide the general guidelines for social conduct
- Values such as fundamental rights, patriotism, respect for human dignity, rationality, sacrifice, individuality, equality, democracy etc. guide our behaviour in many ways.

SOCIAL VALUES

- Values are the criteria people use in assessing their daily lives; arrange their priorities and choosing between alternative course of action
- According to Peter Worsley, "Values are general conceptions of "the good", ideas about the kind of ends that people should pursue throughout their lives and throughout the many different activities in which they engage"
- In simple words, values may be defined as measure of goodness or desirability

RELATIONSHIP: NORMS VS VALUES

- Norms are specific, values are not
- Values are standard of desirability that are more nearly independent of specific situations e.g showing honesty in all your dealings
- The same value may be a point of reference for a great many specific norms;
- a particular norm may represent the simultaneous application of several separable values.
- Thus, the value premise "equality" may enter into norms for relationships between husband and wife, brother and brother, teacher and student and so on.
- On the other hand, the norm "a teacher must not show favouritism in grading" may in particular instance involve the value of equality, honesty, humanitarianism and several others. Values, as standards (criteria) for establishing what should be regarded as desirable, provide the grounds for accepting or rejecting particular norm

FUNCTIONS OF VALUES

- Values provide goals or ends for the members to aim for
- Values provide for stabilities and uniformities in group interaction. They hold the society together because they are shared in common
- Values bring legitimacy to the rules that govern specific activities. The rules are accepted as rules and followed mainly because they embody the values that most people accept
- Values help to bring about some kind of adjustment between different sets of rules. For example, if the Pakistan people cherish the value of "the principle of equality", then they will have to modify the rules governing the interpersonal relationship of husband and wife; and man and woman. As and when new activities emerge, people create rules in the light of their beliefs about what is 'good' and 'right'

CRIME AND CRIMINALITY: THEORETICAL PERSPECTIVES



THE DEMONIC ERA

Early explanations of evil (crime):

- Demonic possession
- Spiritual influences
- Divine punishment

Trephination intended to release evil spirits from the offender's head

EARLY SOURCES OF CRIMINAL LAW

- Code of Hammurabi
- Early Roman Law
- Common Law
- Magna Carta
- The Enlightenment

CODE OF HAMMURABI

- First known written body of law to survive. It is one of the oldest deciphered writings of significant length in the world
- Created in 1700s B.C. in Babylon
- Emphasized retribution and attempted to limit cruelty of punishment



Babylon is the most famous city from ancient Mesopotamia whose ruins lie in modern-day Iraq 59 miles (94 kilometres) southwest of Baghdad.



EARLY ROMAN LAW

- Derived from the Twelve Tables (450 B.C.)
- Regulated family, religious, economic life
- Based on generally accepted common and fair practices
- Justinian Code (Byzantine emperor **Justinian** I from 529 to 565)
- Distinguished between public and private laws
- The code contained the elements of modern civil and criminal law



COMMON LAW

- A traditional body of unwritten legal precedents
- Created through everyday practice in English society
- Supported by court decisions during the Middle Ages
- Declared the “law of the land” by King Edward the Confessor(1042 to 1066) and reaffirmed by William, the Conqueror(1066 to 1087).



THE MAGNA CARTA

- Signed on June 15, 1215 by King John of England.
- It bounded the king by law to respect traditional landowning rights of barons
- Guaranteed freedom of the church
- Guaranteed respect for customs of towns
- Prohibited the King from prosecuting barons without just cause (due process)



Magna Carta of King John, AD 1215

[The text of the Magna Carta is written in a dense, medieval Gothic script, arranged in approximately 28 horizontal lines across the page. The script is highly stylized and difficult to read without specialized knowledge of the language and script.]

THE ENLIGHTENMENT

Age of Reason:

- Movement away from superstition
- Important social movement in 17th and 18th centuries
- Emphasis on free will, rational thought as basis of human behavior

THE ENLIGHTENMENT

- Social contract concept expanded
- Governmental checks and balances
- Government required to guarantee certain inalienable rights to their citizens including the right to life, health, liberty and possessions.

CLASSICAL THEORY

A criminological perspective of the late 1700s and early 1800s that had its roots in the Enlightenment and that held that:

- humans are rational beings
- crime is the result of the exercise of free will, and
- punishment can be effective in reducing the incidence of crime, as it negates the pleasure to be derived from the commission of crime.

CLASSICAL THEORY

- It was one of the earliest approaches to explaining the causes of crime
- In 1764, criminologist Cesare Beccaria wrote “An Essay on Crimes and Punishments”, which set forth classical criminological theory
- He argued that offenders must be presumed innocent, that offences and punishments must be defined in a written code of law, and that the guilty must be held accountable and punished for their wrong-doings.

CLASSICAL THEORY

- It was based on the belief that people have free-will and must be held accountable for their deeds
- The theory presumes that individuals have equal rights and co-exist in a society held together by common goals and beliefs
- This theory is a product of the Enlightenment and based on the assumption that people exercise free will and are thus completely responsible for their actions

CLASSICAL THEORY

- In classical theory, human behavior, including criminal behavior, is motivated by a hedonistic rationality, in which actors weigh the potential pleasure of an action against the possible pain associated with it
- Beccaria argued that the only justified rationale for laws and punishments was the principle of utility. It is this principle that a policy should provide “the greatest happiness shared by the greatest number.”
- Beccaria believed the basis of society, as well as the origin of punishments and the right to punish, is the social contract. The only legitimate purpose of punishment is special deterrence and general deterrence

Classical Theory

- Beccaria's writings have been credited as the basis of the elimination of torture and severe punishment in the nineteenth century.
- In 1970 onwards Followers of Classical criminology began to suggest that it made more sense to frighten these cold calculators with severe punishments than to waste public funds by futilely trying to improve entrenched social conditions linked to crime, such as poverty.
- *In his book **Thinking about Crime***, political scientist James Q. Wilson debunked the positivist view that crime was a function of external forces, such as poverty, that could be altered by government programs. Instead, he argued, efforts should be made to reduce criminal opportunity by deterring would-be offenders and incarcerating known criminals

Classical Theory

- Wilson made this famous observation:

“Wicked people exist. Nothing avails except to set them apart from innocent people. And many people, neither wicked nor innocent, but watchful, dissembling, and calculating of their chances, ponder our reaction to wickedness as a clue to what they might profitably do.”

FORERUNNERS OF CLASSICAL THOUGHT

At the start of the 20TH century, William Graham Sumner described three basic forms of behavioral strictures imposed by social groups upon its members.

- **Mores:** proscriptions covering potentially serious violations of a group's values(Nikkah , wearing clothes,Respecting elders, Illicit relationship)
- **Folkways:** customs whose violation is less likely to threaten group survival(Correct manners, appropriate dress,shaking hands while meeting)
- **Laws:** codified into formal structures for enforcement purposes

HERITAGE OF THE CLASSICAL SCHOOL

Five principles – fundamental to modern day perspectives

- Rationality
- Hedonism
- Punishment
- Human rights
- Due process

PRINCIPLES OF THE CLASSICAL SCHOOL

- Humans are fundamentally rational; most human behavior results from free will and rational choice
- Pain and pleasure are the two central determinants of human behavior
- Punishment deters law violators and to serve as an example to others
- Root principles of right and wrong are inherent in the nature of things.

PRINCIPLES OF THE CLASSICAL SCHOOL

- Society provides benefits to individuals that they would not receive in isolation
- Certain human rights are inherent in the nature of things
- Crime is immoral because it disparages the quality of the bond that exists between individuals and society

- Classical principles still controlled the way police, courts, and correctional agencies operate, most criminologists rejected classical criminology as an explanation of criminal behavior

CESARE BECCARIA (1738-1794)



- Italian – in 1764 published – Essay on Crimes and Punishments
- Distilled the notion of the social contract into the idea that “laws are the conditions under which independent and isolated men unite to form a society.”
- Writings mainly consisted of a philosophy of punishment
- Purpose of punishment is deterrence rather than retribution. Therefore, punishments should be imposed to prevent offenders from committing additional crimes
- Adjudication and punishment should both be swift and certain

CESARE BECCARIA (1738-1794)

- The writings of Beccaria and his followers form the core of what today is referred to as **classical criminology**. As originally conceived in the eighteenth century, classical criminology theory had several basic elements:
 - *In every society people have free will to choose criminal or lawful solutions to meet their needs or settle their problems.*
 - *Criminal solutions can be very attractive because for little effort they hold the promise of a huge payoff.*
 - *A person will choose not to commit crime only if they believe that the pain of expected punishment is greater than the promise of reward. This is the principle of deterrence*
 - *In order to be an effective crime deterrent, punishment must be severe, certain, and swift enough to convince potential criminals that “crime does not pay*

CESARE BECCARIA (1738-1794)

- Punishment should fit the crime, declaring that:
 - *theft should be punished by fines,*
 - *personal injury through corporal punishment, and*
 - *serious crimes against the state (revolution) via application of the death penalty*
- He wrote that oaths were useless in a court of law because accused individuals will naturally deny their guilt even if they know themselves to be fully culpable
- Beccaria supports the contemporary belief that criminals have control over their behavior, that they choose to commit crimes, and that they can be deterred by the threat of punishment

JEREMY BENTHAM (1748-1832)



- Jeremy Bentham was an English philosopher, jurist, and social reformer regarded as the founder of modern utilitarianism.
- Bentham defined as the "fundamental axiom" of his philosophy the principle that "it is the greatest happiness of the greatest number that is the measure of right and wrong."
- Bentham's claim rested upon his belief, spawned by Enlightenment thought, that:
 - *Human beings are fundamentally rational*
 - *Criminals will weigh in their minds with the pain of punishment against any pleasures thought likely to be derived from commission of crime*

JEREMY BENTHAM (1748-1832)

- Distinguished between 11 different types of punishment
- Suggested tattooing name on wrists for police identification as a kind of punishment
- **Panopticon** –a prison designed by Jeremy Bentham that was to be circular building with a central cells along the circumference, each clearly visible from location staffed by guards
- Prisons should be managed by contractors.

IMPORTANT TERMS

- **Social contract**

An imaginary agreement to sacrifice the minimum amount of liberty to prevent anarchy and chaos

- **Special deterrence**

The prevention of individuals from committing crime again by punishing them.

- **General deterrence**

The prevention of people in general or society at large from engaging in crime by punishing specific individuals and making examples of them.

IMPORTANT TERMS

■ Hedonistic Calculus

The belief, first proposed by Jeremy Bentham, that behavior hold value to any individual undertaking it according to the amount of pleasure or pain that it can be expected to produce for that person

■ Utilitarianism –

Another term for Jeremy Bentham's concept of hedonistic calculus

NEOCLASSICAL CRIMINOLOGY

- **Positivism** – the application of scientific techniques to the study of crime and criminals
- **Hard determinism** – the belief that crime results from forces beyond the control of the individual
- Acceptance of the notion of determinism implied that offenders were not entirely responsible for their crimes and suggested that crime could be prevented by changing the conditions that produced criminality

NEOCLASSICAL CRIMINOLOGY

- A contemporary version of classical criminology that emphasizes deterrence and retribution, with reduced emphasis on rehabilitation
- Nothing Works Doctrine – the belief popularized by Robert Martinson in the 1970s that correctional treatment programs have little success in rehabilitating offenders

NEOCLASSICAL CRIMINOLOGY

- Classical theory was difficult to apply in practice. It was modified in the early 1800s and became known as neoclassical theory.
- A modification of classical theory in which it was conceded that certain factors, such as insanity, might inhibit the exercise of free will
- It also introduced the idea of premeditation as a measure of the degree of free will and mitigating circumstances as legitimate grounds for diminished responsibility

PUNISHMENT AND NEOCLASSICAL THOUGHT

- If a person is attracted to crime and chooses to violate the law, modern neoclassical thinkers argue, then he or she deserves to be punished because the consequences of crime were known to the offender before the crime was committed
- Notions of revenge and retribution are morally based. They build on a sense of indignation at criminal behavior and on the sense of righteousness inherent in Judeo-Christian notions of morality and propriety

RATIONAL CHOICE THEORY

- A perspective that holds that criminality is the result of conscious choice and that predicts that individuals choose to commit crime when the benefits outweigh the costs of disobeying the law.
- **Routine Activities Theory – (RAT)** a brand of rational choice theory that suggests that lifestyles contribute significantly to both the volume and the type of crime found in any society
- **Situational Choice Theory** – a brand of rational choice theory that views behavior “as a function of choices and decisions made within a context of situational constraints and opportunities”
- **Soft Determinism** – the belief that human behavior is the result of choices and decisions made within a context of situational constraints and opportunities

RATIONAL CHOICE THEORY

- Such a decision may be based on a variety of personal reasons, including greed, revenge, need, anger, lust, jealousy, thrill-seeking, or vanity. But the final decision to commit a crime is only made after the potential offender carefully weighs the benefits and consequences of their planned action and decides that the benefits of crime are greater than its consequences:
- ■ A jealous boyfriend concludes that the risk of punishment is worth the satisfaction of punching a rival in the nose.
- ■ The greedy shopper considers the chance of apprehension by store detectives so small that she takes a “five-finger discount” on a new sweater.
- ■ The drug dealer concludes that the huge profit from a single shipment of cocaine far outweighs the possible costs of apprehension.
- **marginal deterrence**—if petty offenses were subject to the same punishment as more serious crimes, offenders would choose the worse crime because the resulting punishment would be about the same

RATIONAL CHOICE THEORY

- Punishment, therefore, has four main objectives:
- 1. To prevent all criminal offenses
- 2. When it cannot prevent a crime, to convince the offender to commit a less serious crime
- To ensure that a criminal uses no more force than is necessary
- 4. To prevent crime as cheaply as possible

BIOLOGICAL ROOTS OF CRIMINAL BEHAVIOR



Positivism

- **positivism** has two main elements:
 - *All true knowledge is acquired through direct observation and not through conjecture or belief. Statements that cannot be backed up by direct observation—for instance, “all babies are born innocent”—are invalid and worthless.*
 - *The scientific method must be used if research findings are to be considered valid. This involves such steps as identifying problems, collecting data, forming hypotheses, conducting experiments, and interpreting results*
- People are neither born “good” nor “bad,” and are neither “saints” nor “sinners.” They are a product of their social and psychological traits, influenced by their upbringing and environment

POSITIVISM

- In the 19th century criminologists began to move away from the classical assumptions, especially the assumption of free will as it is commonly understood, and toward a more scientific view of human behavior.
- The increasingly popular view among criminologists of this period was that crime resulted from internal and/or external forces impinging on individuals, biasing, or even completely determining, their behavioral choices.

POSITIVISM

- This position became known as determinism (Positivism), and its adherents were known as positivists
- The term positivism is used to designate the extension of the scientific method to social life
- Positivistic criminologists were more concerned with discovering the biological , psychological or social determinants of criminal behavior than with the classical concerns of legal and penal reforms

THE POSITIVIST SCHOOL OF THOUGHT

The key assumptions of the positivist school of thought were:

- Human behavior is determined and not a matter of free will
- Criminals are fundamentally different from non-criminals
- Social scientists can be objective in their work
- Crime is frequently caused by multiple factors

POSITIVIST APPROACHES

- Most criminologists believe that criminal behavior is the product of a complex interactions between biology and environmental or social conditions.
- Biology or genetics gives an individual a predisposition to behave in a certain way.
- Whether a person actually behaves in that way and whether that behavior is defined as a crime depends on environmental or social conditions.

BIOLOGICAL THEORIES

- Biological theories of crime causation (biological positivism) are based on the belief that criminals are physiologically different from non-criminals.
- The cause of crime is biological inferiority
- According to biological theories, biological inferiority in a criminal's innate physiological makeup produces certain physical or genetic characteristics that distinguish criminals from non-criminals.

BIOLOGICAL POSITIVISM

- Biological and psychological approaches are based on the notion of individual pathologies.
- This means that certain individuals are pre-disposed to criminal behaviors due to either biological or psychological abnormalities.

MODERN BIO-CRIMINOLOGY

- Ongoing research has revealed numerous biological factors associated either directly or indirectly with criminal or delinquent behavior:
- Chemical , mineral, and vitamin deficiencies in the diet
- Diets high in sugar and carbohydrates
- Hypoglycemia
- Ingestion of food dyes and lead
- Exposure to radiation
- Brain dysfunction

CESARE LOMBROSO (1835 -1909)

- Argued that criminals could be identified by physical characteristics.
- Born Criminal
 - *These criminogenic traits can be acquired through indirect heredity, from a degenerate family whose members suffered from such ills as insanity, syphilis, and alcoholism, or direct heredity—being the offspring of criminal parents*
- He called this group “Atavistic man”
- He first argued that criminals were a throwback to a more primitive type of brain structure and behavior.
- He argued that the physical shape of the head and face determined the "born criminal".

CESARE LOMBROSO (1835 -1909)

- He never claimed that the born criminals make up more than 40% of the total criminal population.
- Lombroso studied and measured the bodies of executed and deceased offenders as well as examining living inmates to locate physical differences or abnormalities
 - *Claimed to have found a variety of bodily features predictive of criminal behavior i.e . Long arms , large teeth, ears lacking lobes, lots of body hair etc.*
 - *Also identified characteristics of particular types of offenders*

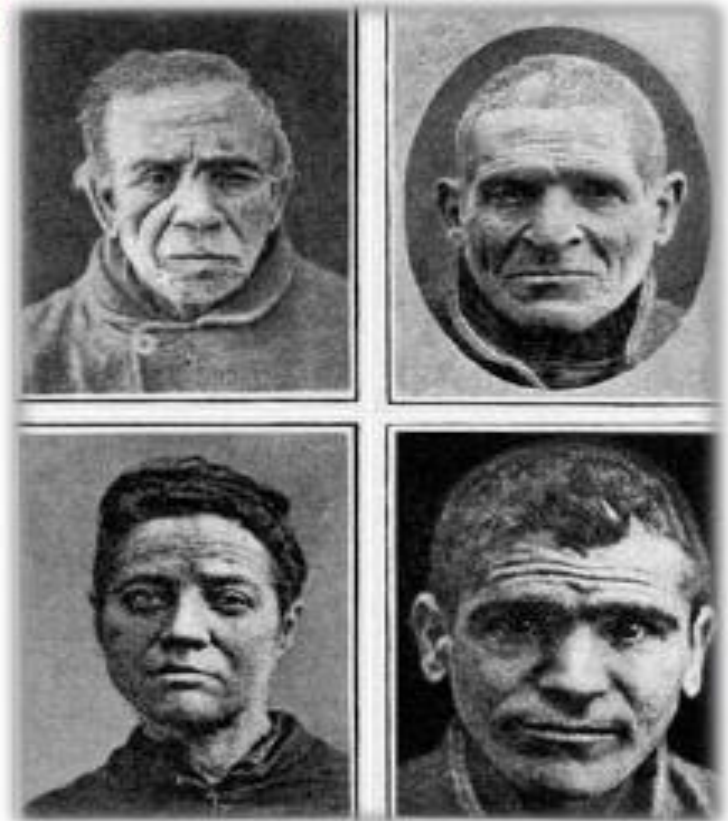
ATAVISITC MAN

- Asymmetry of face
- Eye defects and abnormalities
- Excessive dimensions of jaw and cheek bones
- Ears of unusual size or very small or ears that stuck out
- Lips fleshy , swollen and protruding
- Excessive length of arms
- Supernumerary fingers and toes
- Nose twisted , upturned or flattened or beak like
- Abnormal dentition

Cesare Lombroso (1835–1909)

Characteristics of Criminal:

- A twisted nose
- Excessive cheekbones
- Long arms
- Excessive wrinkles on the skin
- Large jaw
- Large chin



FEMALE OFFENDERS

- Lombroso also looked at the female offenders and argued that:
 - Most women are not criminal
 - Those that are , are usually occasional criminals
 - Some are atavistic criminals
 - Harder to detect than men
 - More cunning and more vicious

PRINCIPLES OF BIOLOGICAL THEORIES

- The brain is the organ of the mind and the locus of personality
- The basic determinants of human behavior are in genetics or constituting elements
- Gender and racial differences in rates and types of criminality may be at least partially the result of biological differences between the sexes and/or between racially distinct groups
- The basic determinants of human behavior may be passed on from generation to generation
- Much of human conduct is fundamentally rooted in instinctive behavioral responses characteristic of biological organisms everywhere
- The interplay between heredity, biology, and the social environment provides the nexus for any realistic consideration of crime

WILLIAM SHELDON

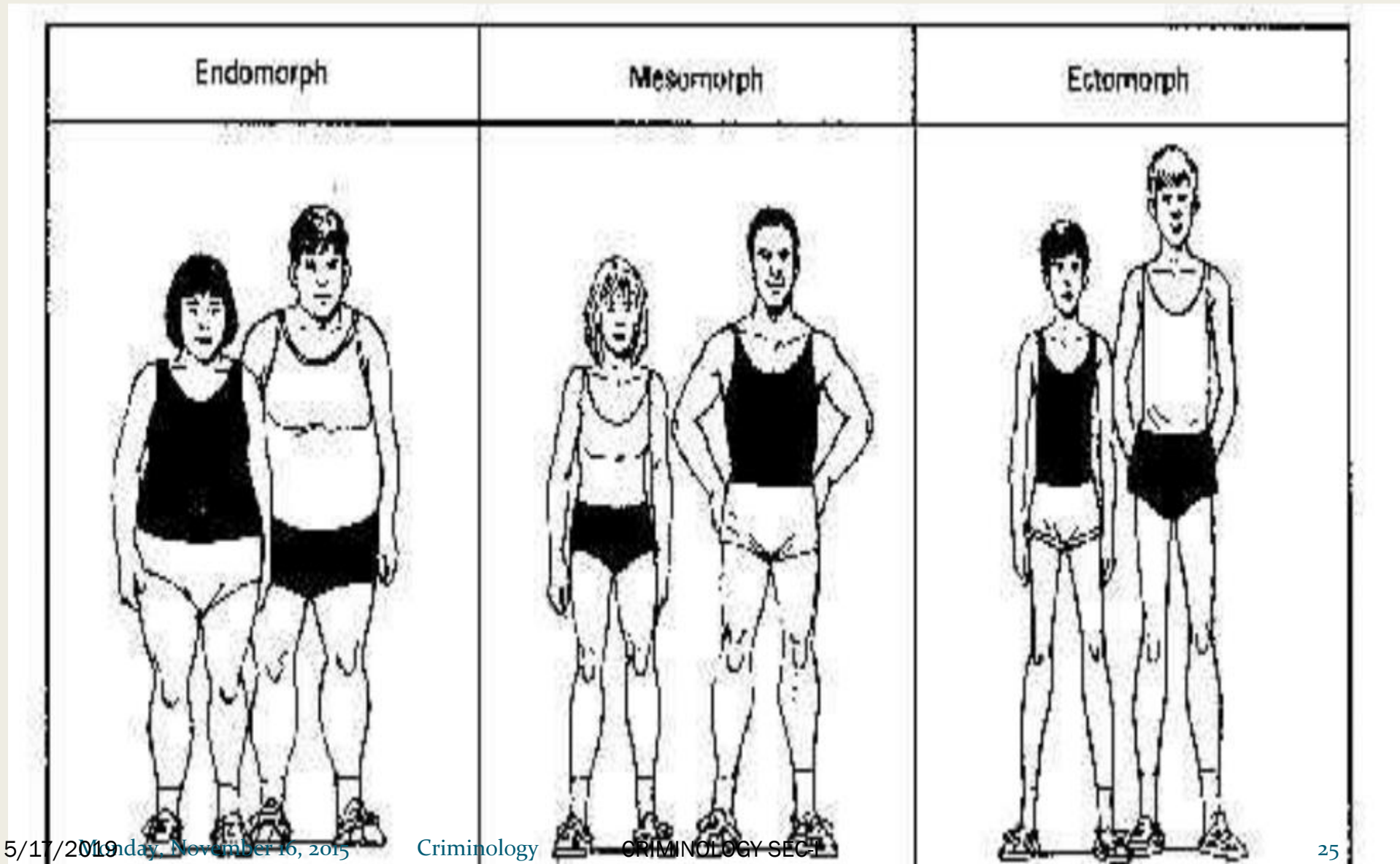
- Constitutional Theories
- Used body measurement techniques to connect body type with personality and outlined three basic body types and associated temperaments and personalities

WILLIAM SHELDON

- People could be classified into three body shapes, which correspond with three different personality types:
- **Endomorphic (fat and soft)** tend to be sociable and relaxed
- **Ectomorph (thin and fragile)** are introvert and restrained
- **Mesomorph (Muscular and Hard)** tend to be aggressive and adventurous

Sheldon, using a correlational study, found that many convicts were mesomorph and they were least likely to be ectomorph

ENDOMORPH, MESOMORPH, ECTOMORPH



MODERN BIOLOGICAL THEORIES

Hormones and criminality

- Testosterone

 - Male hormones linked to aggression

- Research has shown a relationship between high blood testosterone level and increase male aggression
- Low brain levels of serotonin

MODERN BIOLOGICAL THEORIES

Genetics and Crime :XYY Supermale

- Humans have 23 pairs of chromosomes .The last pair determines gender
- Male XY Pair
- Female XX pair
- A study of Scottish prisoners found that a small number had an XYY chromosome
- These were identified as potentially violent and labeled “Supermale”

MODERN BIOLOGICAL THEORIES

- Lombroso's version of strict biological determinism is no longer taken seriously (later in his career even he recognized that not all criminals were biological throwbacks).
- Today, those criminologists who suggest that crime has some biological basis also believe that environmental conditions influence human behavior.
- Hence, the term **biosocial theory** has been coined to reflect the assumed link between physical and mental traits, the social environment, and behavior

BIOSOCIAL THEORIES OF CRIME

Biochemical

- The major premise of the theory is that crime, especially violence, is a function of diet, vitamin intake, hormonal imbalance, or food allergies.
- The strengths of the theory are that it explains irrational violence; it shows how the environment interacts with personal traits to influence behavior.
- The research focuses of the theory are diet, hormones, enzymes, environmental contaminants, and lead intake.

Neurological

- The major premise of the theory is that criminals and delinquents often suffer brain impairment, as measured by the EEG. Attention deficit hyperactivity disorder and minimal brain dysfunction are related to antisocial behavior.
- The strengths of the theory are that it explains irrational violence; it shows how the environment interacts with personal traits to influence behavior.

- The research focuses of the theory are ADD, ADHD, learning disabilities, brain injuries, and brain chemistry.

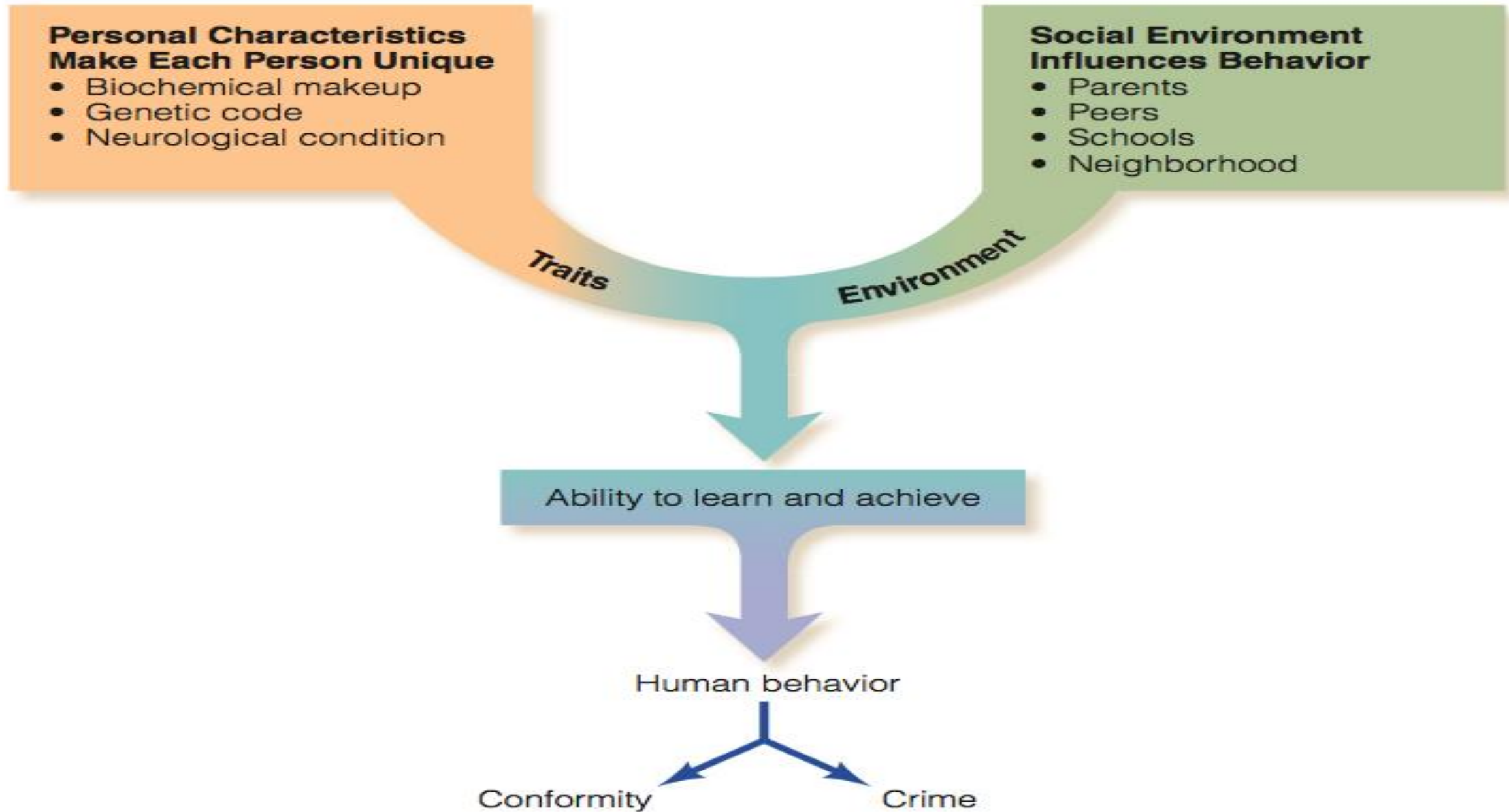
Genetic

- The major premise of the theory is that criminal traits and predispositions are inherited. The criminality of parents can predict the delinquency of children.
- The strengths of the theory are that it explains why only a small percentage of youth in high-crime areas become chronic offenders.
- The research focuses of the theory are twin behavior, sibling behavior, and parent–child similarities.

Evolutionary

- The major premise of the theory is that as the human race evolved, traits and characteristics have become ingrained. Some of these traits make people aggressive and predisposed to commit crime.
- The strengths of the theory are that it explains high violence rates and aggregate gender differences in the crime rate.
- The research focuses of the theory are gender differences and understanding human aggression.

Figure 5.1 **Biosocial Perspectives on Criminality**



ECOLOGICAL THEORIES

Weather and Crime

- Temperature is the only weather variable consistently and reliably related to crime
- Positive correlation between temperature and violent crime
- Moderated by factors such as time of day , day of week and season
- Cohn and Rotton have found temperature to be related to crimes such as assault , property offenses , domestic violence and disorderly conduct.

SOCIOLOGICAL POSITIVISM



SOCIAL PROCESS THEORIES

Theory

Major Premise

Strengths

Research Focus

SOCIAL LEARNING THEORIES

Differential Association Theory

People learn to commit crime from exposure to antisocial definitions.

Explains onset of criminality. Explains the presence of crime in all elements of social structure. Explains why some people in high-crime areas refrain from criminality. Can apply to adults and juveniles.

Measuring definitions toward crime; influence of deviant peers and parents.

Differential Reinforcement Theory

Criminal behavior depends on the person's experiences with rewards for conventional behaviors and punishment for deviant ones. Being rewarded for deviance leads to crime.

Adds psychological learning theory principles to differential association. Links sociological and psychological principles.

The cause of criminal activity; how the content of socialization conditions crime.

Neutralization Theory

Youths learn ways of neutralizing moral restraints and periodically drift in and out of criminal behavior patterns.

Explains why many delinquents do not become adult criminals. Explains why youthful law violators can participate in conventional behavior.

Identifying the neutralizations people use to commit crime without jeopardizing their cherished beliefs and values.

SOCIAL CONTROL THEORY

Hirschi's Control Theory

A person's bond to society prevents him or her from violating social rules. If the bond weakens, the person is free to commit crime.

Explains the onset of crime; can apply to both middle- and lower-class crime. Explains its theoretical constructs adequately so they can be measured. Has been empirically tested.

Measuring the association between commitment, attachment, involvement, belief, and crime.

SOCIAL REACTION THEORY

Labeling Theory

People enter into law-violating careers when they are labeled for their acts and organize their personalities around the labels.

Explains the role of society in creating deviance. Explains why some juvenile offenders do not become adult criminals. Develops concepts of criminal careers.

Determining whether self-concept is related to crime. Showing how the differential application of labels produces crime; measuring the effect of stigma.

SOCIOLOGICAL POSITIVISM

- **Quetelet and Durkheim** The application of sociological concepts to criminology can be traced to the works of pioneering sociologists Quetelet (1796–1874) and (David) Émile Durkheim (1858–1917).
- Quetelet instigated the use of data and statistics in performing criminological research.
 - *Statistical data provided important demographic information on the population, including density, gender, religious affiliations, and wealth.*
 - *In addition to finding a strong influence of age and sex on crime, Quetelet also uncovered evidence that season, climate also effect crime rates*
- *Quetelet findings that crime had a social basis were a direct challenge to Lombrosian biological determinism.*

SOCIOLOGICAL POSITIVISM

- Durkheim, considered one of the founders of sociology, defined crime as a normal and necessary social event.
 - *Population composition, and poverty were related to criminality*
 - *Crime rates were greatest in the summer, in southern areas, among heterogeneous populations, and among the poor and uneducated*
 - *Crime rates to be influenced by drinking habits.*
- According to Émile Durkheim's vision of social positivism, crime is part of human nature because it has existed during periods of both poverty and prosperity

SOCIOLOGICAL POSITIVISM

- Crime is *normal* because it is virtually impossible to imagine a society in which criminal behavior is totally absent.
- Even if “real” crimes were eliminated, human weaknesses and petty vices would be elevated to the status of crimes. As long as human differences exist, then, crime is inevitable and one of the fundamental conditions of social life
- Durkheim reasoned that another benefit of crime is that it calls attention to social ills
- Crime also provides basis for social change as in case of Socrates he was considered threat to society as he questioned the normal behavior of people and concepts

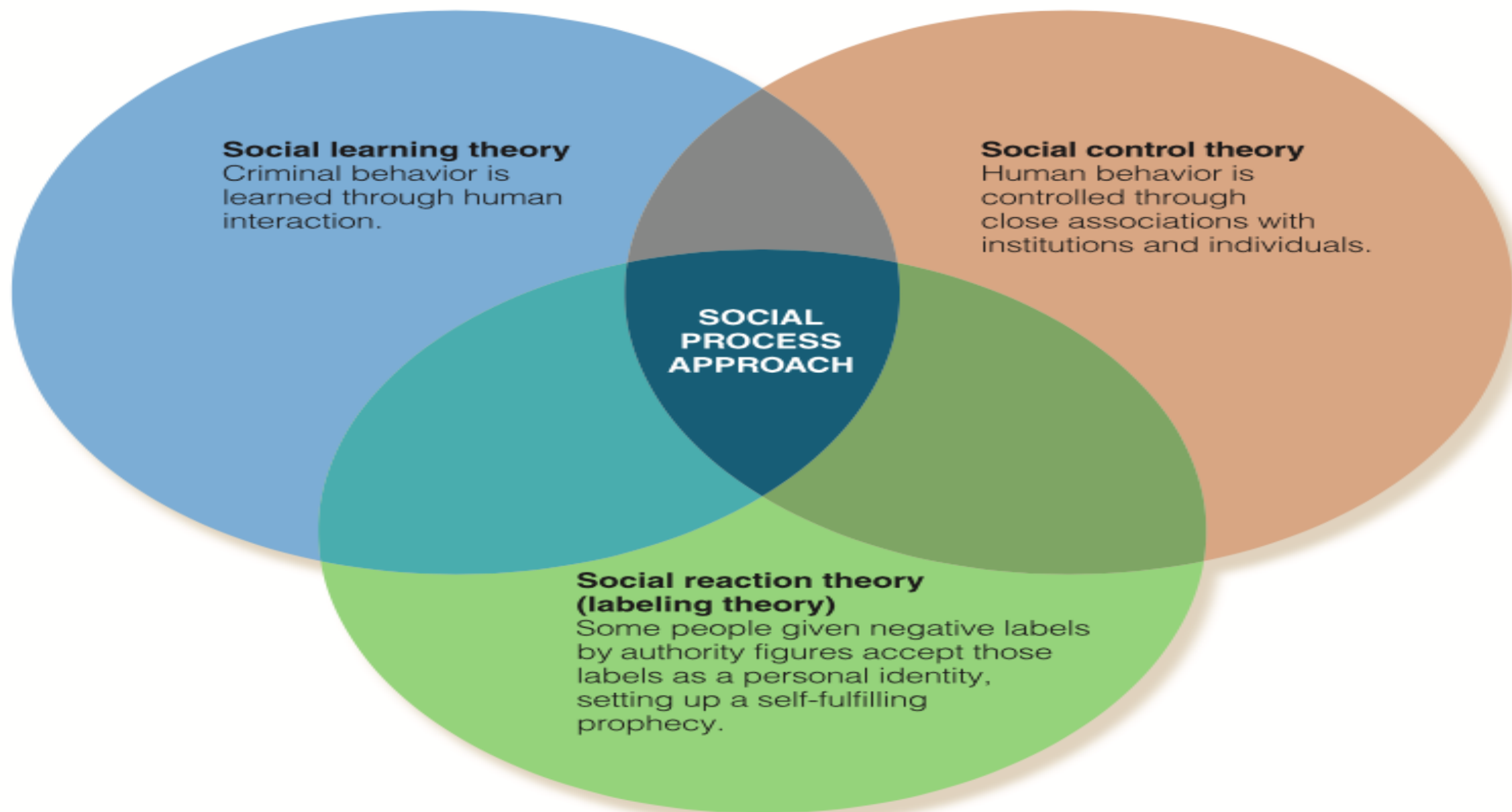
SOCIOLOGICAL THEORIES

- Sociologists emphasize that human beings live in social groups and that those groups and the social structure they create influence behavior.
- Most sociological theories of crime causation assume that a criminal's behavior is determined by his or her social environment and reject the notion of the born criminal.

SOCIOLOGICAL THEORIES

- Social Structure Theories (Socially disorganized places more crime, crime and social ecological conditions were linked. Neighborhood conditions, and not individual pathologies, influence and shape the direction of crime rates)
- Socialization perspective(all poors are not criminals, According to this school of thought, an individual's relationship to important social processes, such as education, family life, and peer relations, is the key to understanding human behavior)
- Conflict Perspective (What emerged from this intellectual ferment was a Marxist-based critical criminology that indicted the capitalist economic system as producing the conditions that support a high crime rate)

The Social Processes That Control Human Behavior



SOCIAL LEARNING THEORY

- • Associated with Albert Bandura (1970s)
- Suggests that aggressive behavior is learned (or modeled) from three sources and it is not innate:
 - Family
 - Social models and peers
 - Symbolic modeling- uses television violence as a model of aggression

SOCIAL LEARNING THEORY

- Aggression is learned
- Requires personal observation of aggression or rewards for aggression
- Involves behavior modelling of family members community members and mass media
- Types of learning
 - *Classical conditioning*
 - *Operant conditioning*
 - *Observational learning*

PRINCIPLES OF LEARNING

- **Positive** reinforcement: increases the target behavior by rewarding the individual
- **Negative** reinforcement: increases the target behavior by removing an unpleasant stimulus
- **Punishment**: reduces the odds of the target behavior being repeated

LEARNING THEORIES

- Edwin H. Sutherland (1947)—in his theory of differential association—was the first 20th-century criminologist to argue that criminal behavior was learned.
- This theory, modified, remains one of the most influential theories of crime causation.
- **differential association: Sutherland's theory that persons who become criminal do so because of contacts with criminal patterns and isolation from anti-criminal patterns**

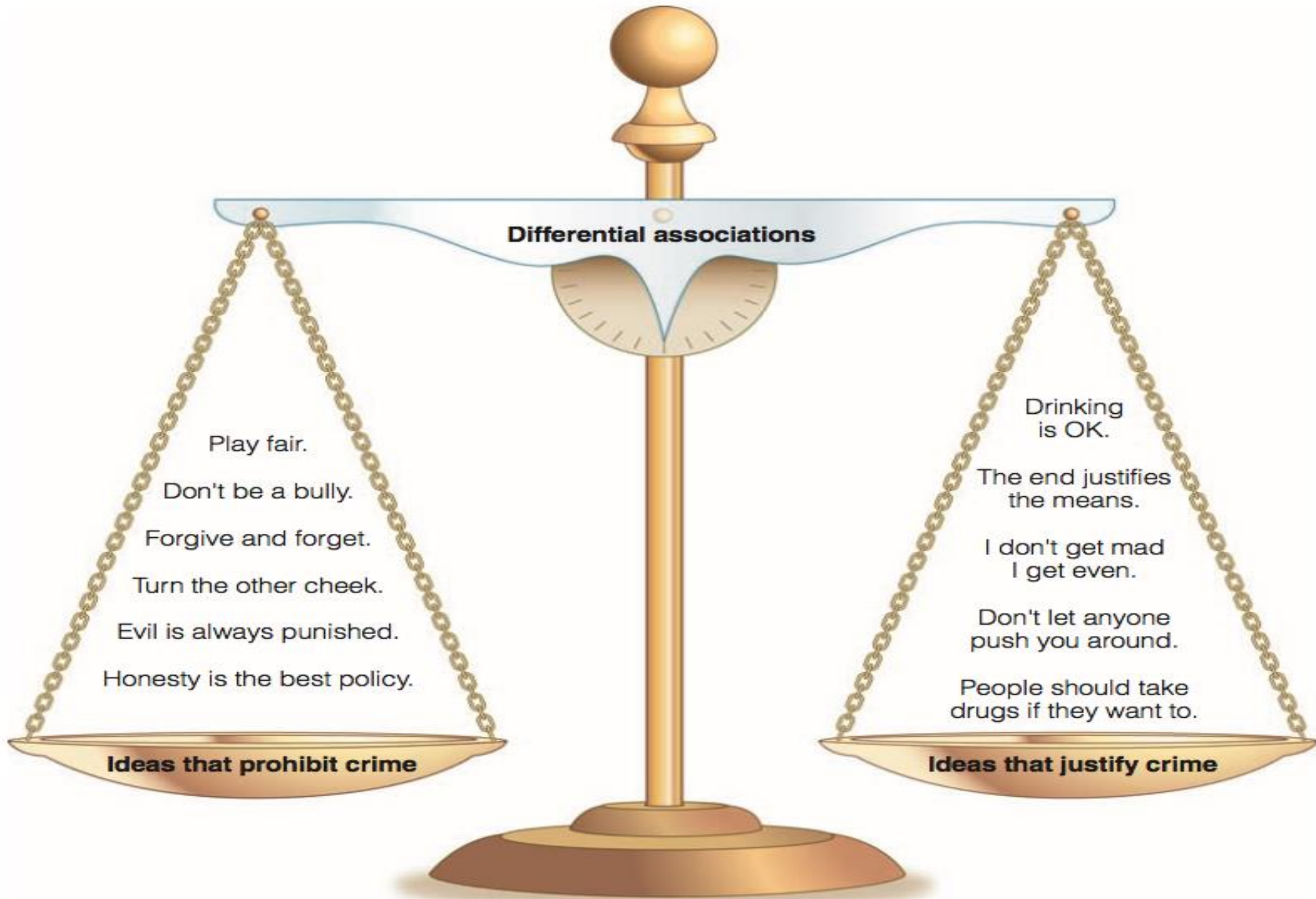
DIFFERENTIAL ASSOCIATION THEORY

- Its foundation is in the idea that criminal activity is learned.
- Argued that all behavior is learned through interactions with others in a communication process.
- Majority of learning happens in intimate groups and includes learning the motivations and rationalizations for engaging in certain behaviors.
- These behaviors may be socially acceptable or they may be deviant/criminal.
- Sutherland developed concepts to assist in understanding how differential associations vary in terms of quality and strength

DIFFERENTIAL ASSOCIATION THEORY

Focus is on the importance of:

- **Frequency** –the numbers of times one is exposed to ideas
- **Duration**- the length of time one is exposed to ideas
- **Priority**- the extent to which people are exposed to learning at early stages of their development
- **Intensity**- the importance to the potential delinquent of the individual from whom he/she is learning



DIFFERENTIAL ASSOCIATION THEORY

- Sutherland also argued that learning deviant behavior was like learning socially acceptable behavior and criminal behavior could not be explained in reference to the general needs and values of criminals as these appeared to be the same as non-criminal individuals.
- He also argued that association with criminals could lead to an individual learning criminal behaviors, then associating with pro-social, non-criminal groups or individuals could provide opportunities to learn acceptable, non-criminal behaviors.

DIFFERENTIAL ASSOCIATION THEORY

- This theory has been extremely influential in the study of crime.
- It has highlighted the role of learning and relationships with others in regards to criminal activities.
- **It has provided a way of exploring why, when facing similar situations (such as poverty or racism) some people engage in criminal behaviors while others do not.**

CRITICISM

- One of the most important criticism of this theory is based on the concept of causality. How do youth come to associate with 'a criminal element'? They may seek them out for social support and understanding.
- By focusing on how individuals learn criminal behavior, theorists ignore or deny the influence of social structure.
- Learning approaches need to incorporate an analysis of the influence of the social environment on the process of learning criminal behaviors.

LEARNING THEORIES

- Among the policy implications of learning theory is to punish criminal behavior effectively, according to learning theory principles.
- Probation does not function as an aversive stimulus
- Most offenders are not incarcerated
- Punishment is not consistent and immediate
- Offenders are generally returned to the environments in which their crimes were committed.
- There is no positive reinforcement of alternative, prosocial behaviors

BEHAVIORAL EXPLANATIONS OF CRIME

- **All behavior is learned** - deviant behavior is said to be learnt in much the same way as other behavior
- **Direct parental control:** theorists tie delinquency to parents' failure to effectively condition their children away from negative behaviors
- **Glueck and Glueck:** Inconsistent and harsh punishment correlates with delinquent children
- **Patterson:** Effective parenting (monitoring, punishing, and reinforcing behavior) correlates with non-delinquent children

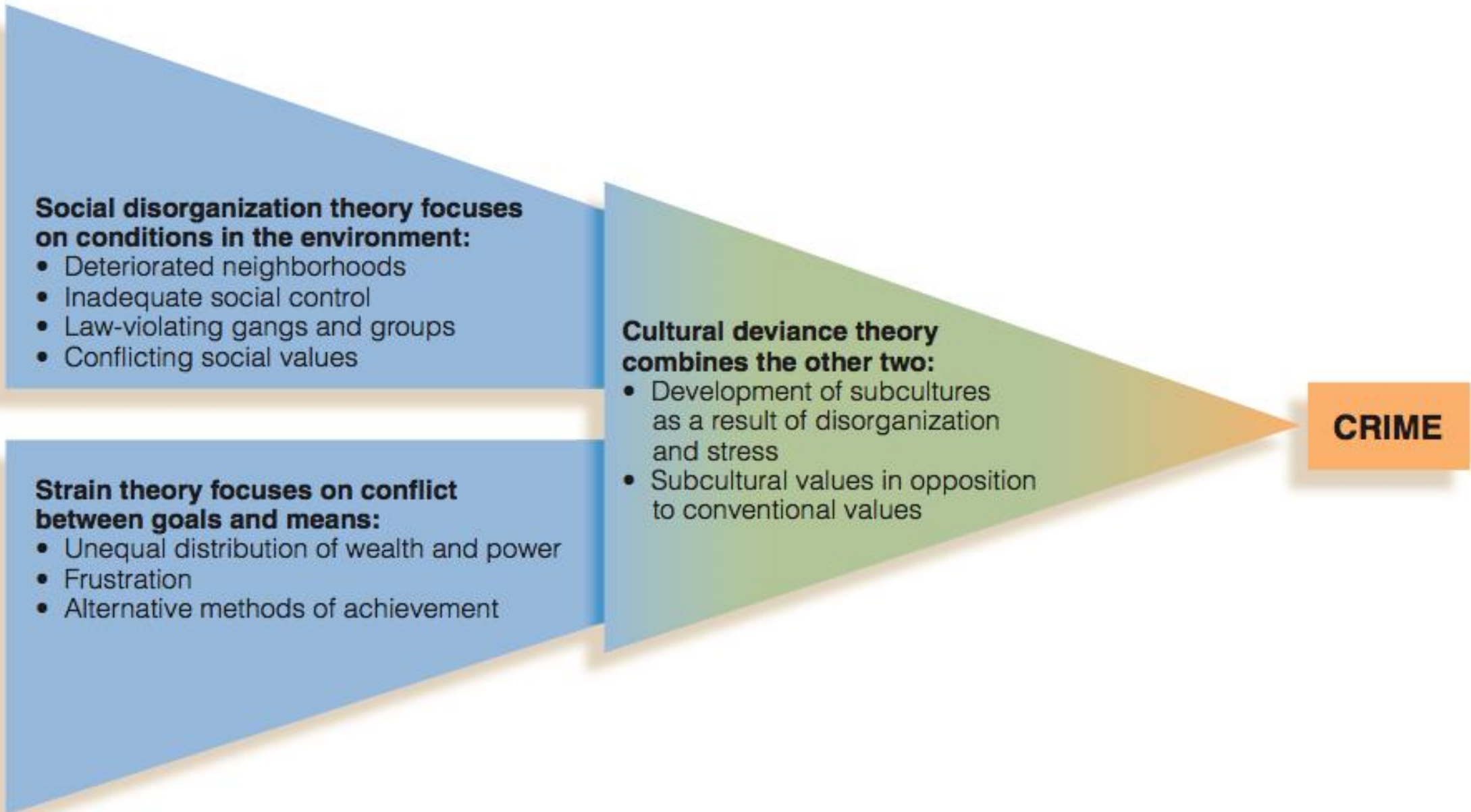
THE THEORY OF THE CHICAGO SCHOOL

- In the 1920s, a group of sociologists known as the Chicago School attempted to uncover the relationship between a neighborhood's crime rate and the characteristics of the neighborhood.
- Studies found that neighborhoods that experienced high delinquency rates also experienced social disorganization
- The Chicago School sociologists initiated the view that crime and social ecological conditions were linked. Neighborhood conditions, and not individual pathologies, influence and shape the direction of crime rates

SOCIAL DISORGANIZATION THEORY

- The condition in which the usual controls over delinquents are largely absent, delinquent behavior is often approved of by parents and neighbors
- There are many opportunities for delinquent behavior
- There is little encouragement, training or opportunity for legitimate employment

Figure 6.3 The Three Branches of Social Structure Theory



LABELLING THEORY

- The focus of labeling theory is the criminalization process rather than the positivist concern with the peculiarities of the criminal
- **Criminalization process:** The way people and actions are defined as criminal.
- **Labelling Theory:** A theory that emphasizes the criminalization process as the cause of some crime
- The labeling theory argues that once a person commits a first criminal act and gets processed in the system, they are labeled negatively as a criminal.
- The label becomes a self-fulfilling prophecy

Initial criminal act
People commit crimes for a number of reasons.

▼
Detection by the justice system
Arrest is influenced by racial, economic, and power relations.

▼
Decision to label
Some are labeled "official" criminals by police and court authorities.

▼
Creation of a new identity
Those labeled are known as troublemakers, criminals, and so on, and are shunned by conventional society.

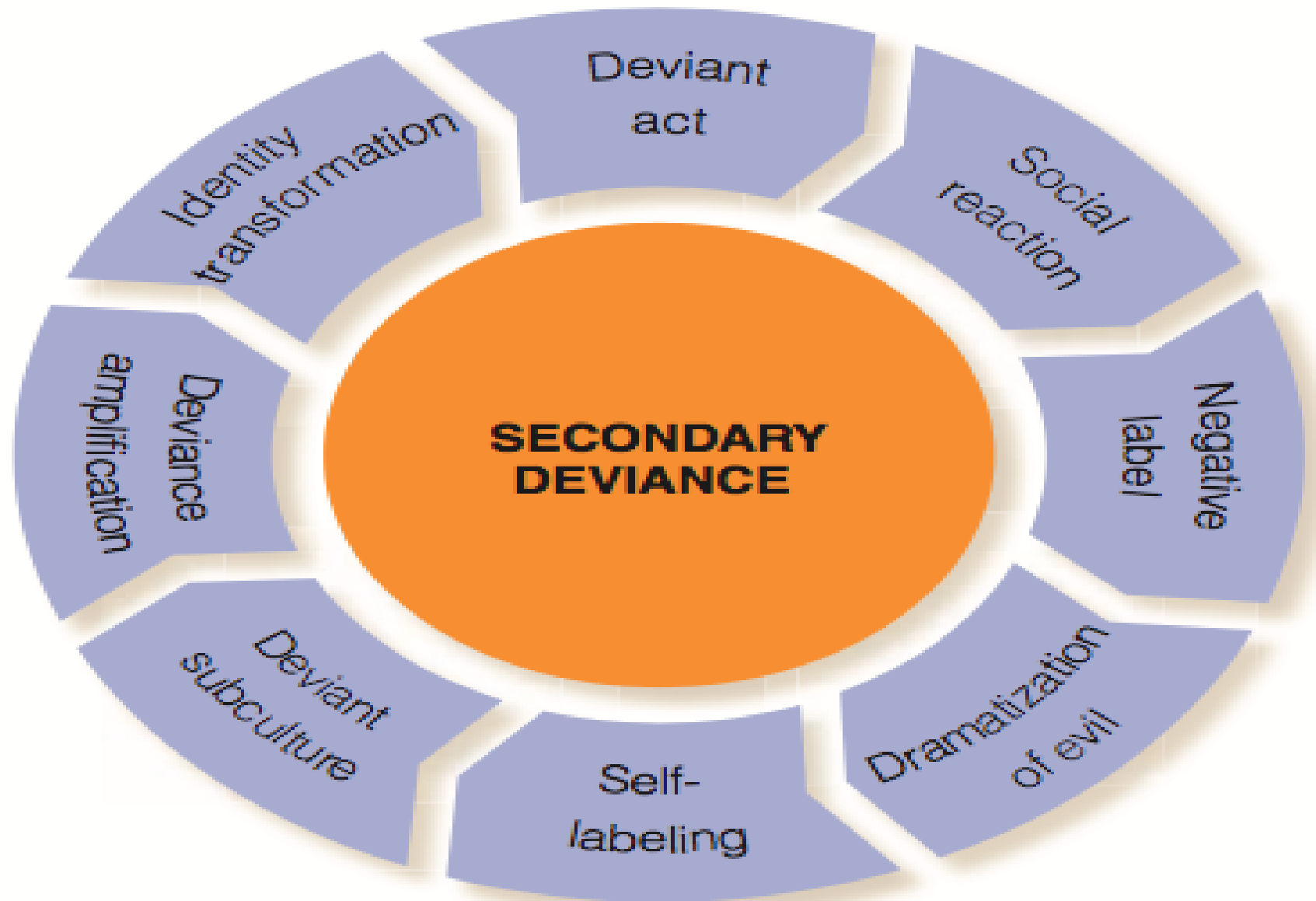
▼
Acceptance of labels
Labeled people begin to see themselves as outsiders (secondary deviance, self-labeling).

▼
Deviance amplification
Stigmatized offenders are now locked into criminal careers.

STAGES IN THE LABELLING PROCESS

- **Primary deviance** is believed to be unorganized, inconsistent, and infrequent. Without social reaction, the deviance would most likely remain sporadic and unorganized
- **Secondary deviance** occurs when a person who has been labelled a deviant accepts the identity and continues the deviant behavior
- **Tertiary deviance** occurs when a person who has been labelled a deviant seeks to normalize the behavior by relabeling it as non-deviant

Figure 7.6 **Secondary Deviance**



SOCIAL CONFLICT THEORY

- Conflict theory focuses on the conflict in society between rich and poor, management and labor, whites and minorities.
- **Social Conflict theory:** A theory that assumes that society is based primarily on conflict between competing interest groups and that criminal law and the criminal justice system are used to control subordinate groups. Crime is caused by relative powerlessness

RADICAL THEORY

- Radical theories argue that capitalism requires people to compete against each other in the pursuit of material wealth
- The more unevenly wealth is distributed, the more likely people are to find persons weaker than themselves that they can take advantage of in their pursuit of wealth
- Radical theories are theories of crime causation that are generally based on a Marxist theory of class struggle

THE SOCIAL ORGANIZATION AND CRIME



THE SOCIAL ORGANIZATION AND CRIME

- A social organization is a pattern of relationships between and among individuals and groups.
- It is also defined as the formation of a stable structure of relationships inside a group, which provides a basis for order and patterns relationships for new members

THE SOCIAL DISORGANIZATION THEORY

- A central element of the theory is that communities can be characterized along a dimension of organization; at one end are socially organized communities and at the other are socially disorganized communities.
- This is fundamental to the theory because social organization is key to combating crime. Socially organized communities have solidarity (internal consensus on important norms and values such as a crime-free community), cohesion (strong bonds among neighbors), and integration (social interaction among residents), which collectively help to lower crime rates.
- Socially disorganized communities, however, lack these characteristics and thus have higher crime

THE SOCIAL DISORGANIZATION THEORY

Social disorganization:

- Sparse local networks, weak social ties
- Low organizational participation
- Lack of cohesion and trust among neighbors

Result:

- Inability to solve problems and pursue goals
- Parents less able to socialize and control youth
- Breakdown in surveillance
- Disorganized communities are the largest contributors to the prison population

THE SOCIAL DISORGANIZATION THEORY

Systemic model of crime control

- **Private controls** – friends, family, and neighbors – avoid disapproval
- **Parochial controls** – schools, churches, and voluntary associations – extends the reach of neighbors' awareness, also surveillance
- **Public controls** – ability to leverage government resources (get more police, change policing methods)

SOCIAL DISORGANIZATION THEORY

- The theory of social disorganization states a person's physical and social environments are primarily responsible for the behavioral choices that a person makes.
- Shaw and McKay noted that neighborhoods with the highest crime rates have at least three common problems, physical dilapidation, poverty, and higher level of ethnic and culture mixing.
- Shaw and McKay claimed that delinquency was not caused at the individual level, but is a normal response by normal individuals to abnormal conditions.
- Social disorganization theory is widely used as an important predictor of youth violence and crime.

SOCIAL DISORGANIZATION THEORY

Shaw and McKay discovered that there were four (4) specific assumption as an explanation of delinquency

- The first assumption is the collapse of community-based controls and people living in these disadvantaged neighborhoods are responding naturally to environmental conditions
- The second is the rapid growth of immigration in urban disadvantaged neighborhoods
- The third is business located closely to the disadvantaged neighborhoods that are influenced by the "ecological approach" of competition and dominance
- The fourth and last assumption is disadvantaged urban neighborhoods lead to the development of criminal values that replace normal society values

SOCIAL DISORGANIZATION THEORY

- Social disorganization theory suggest that a person's residential location is more significant than the person's characteristics when predicting criminal activity and the juveniles living in this areas acquire criminality by the cultures approval within the disadvantaged urban neighborhoods.

SOCIAL CONTROL THEORIES



SOCIAL CONTROL THEORIES

- Unlike theories that focus on why youth commit delinquent/criminal acts, social control theories focus on what stops youth from engaging in delinquent/criminal behaviors
- Under the social control theory, individuals break the law due to a breakdown with their societal bond. Moreover, Hirschi refers to four elements which constitute the societal bond
- It's based upon the idea that an individual's basic belief system, values, morals, commitments and relationships foster a lawful environment

SOCIAL CONTROL THEORIES

- The key question in the social control theory is not why people commit crime and delinquency, but rather why don't they? Why do people conform?
- The most detailed elaboration of modern social control theory is attributed to Travis Hirschi who wrote the book, *Causes of Delinquency*
- Hirschi argued that delinquency should be expected if a juvenile is not properly socialized by establishing a strong bond to society.

TRAVIS HIRSCHI (CIRCA 1969)

- Fundamental premise is that appropriate socialization will create a strong bond between the individual and society.
- This strong bond will prevent youth from engaging in criminal behaviors.
- Four elements of the bond:
 - ***Attachment*** : the degree of emotional regard and respect one has for other individuals.
 - ***Commitment*** : the degree to which an individual entertains and pursues ideas about conventional objectives such as a respectable career
 - ***Involvement***: the time and energy one invests participating in conventional activities
 - ***Belief***: the degree of respect held by individuals for the framework of moral order and law of conventional society

Elements of the Social Bond



TRAVIS HIRSCHI (CIRCA 1969)

- The lower the level of these bonds, the higher the likelihood of deviant or criminal behavior.
- Gottfredson and Hirschi (1990) argue that poor parental supervision or ineffective punishment when combined with situations that are conducive to delinquency lead to poor self-control for youth and are the main reasons youth engage in criminal behaviors.

CONTAINMENT THEORY

W. Reckless (1961)

- Containment Theory -a variation on social control theory.
- Individuals resist criminal behaviors for two main reasons.
 - ***Inner Containment*** : they resist because they have been socialised to resist temptations and to hold a strong belief in conventional goals
 - ***Outer Containment*** : Individuals resist criminal behaviors because of prohibitions created by laws.

TECHNIQUES OF NEUTRALIZATION

G. M. Sykes & D. Matza (1957)

- Yet another version of social control theory known as Techniques of Neutralization
- Youth lose self control and engage in criminal behavior because they are able to self-rationalize and justify their activities
- Most youth are fully aware and understand the moral implications of criminal behavior and they believe, for the most part, in the moral standards and laws of society
- The majority of these youth felt shame and remorse over their actions
- Later adds the concept of drift to the theory
- He suggests that youth 'drift' between conformity and deviance and do so because they are able to neutralize the impacts of their actions

TECHNIQUES OF NEUTRALIZATION

- They do so by verbalizing about their actions in four ways.
 - **Denial of responsibility** : The youth contends that his behavior is not his personal responsibility but that of another person or institution
 - **Denial of Injury**: The youth contends that no one was actually hurt by his or her actions
 - **Denial of the victim** : the youth argues that the victim has is coming to them or deserved it
 - **Condemnation of the condemners**: the Youth attempts to turn the table on his or her accusers with the statements like well you do it too or you are just as bad

Figure 7.3 Techniques of Neutralization



POWER CONTROL THEORY

J. Hagan, J. Simpson & A. R. Gillis (circa 1978)

- Power-control Theory – attempts to incorporate gender into social control theories of crime and deviance.
- Similar to other social control theories it assumes that delinquency and criminality are forms of risk-taking behaviors
- They argue that parental control and youth attitudes toward risk-taking are affected by family relations

POWER CONTROL THEORY

- Two ideal family types are explored:
- **Patriarchal** : Male employed outside the home in a position of authority and the wife is not employed outside home
 - Traditional division of labour
 - Fathers, but even more so mothers , are expected to control daughters
 - Daughters socialized to concentrate on domestic labor, sons to prepare for participation in outside workforce
- **Egalitarian** : Both husband and wife are employed in positions of authority outside home
 - More equal distribution of labor
 - More equal expectations of control between parents and children
 - Sons and daughters encouraged to prepare for participation in outside workforce

PUNISHMENT CRITERIA

- In order for punishment to succeed, it must meet three criteria:
 - *Certainty*
 - *Timeliness*
 - *Proportionality*
- Those that break the laws much know that they will be punished, the punishment should occur swiftly, and the punishment should be proportionate to the crime.
- If these three conditions are met, deterrence will succeed because the cost will outweigh the benefits

PSYCHOLOGICAL POSITIVISM



PSYCHOLOGICAL TRAIT THEORIES

Psychodynamic

- The major premise of the theory is that the development of the unconscious personality early in childhood influences behavior for the rest of the person's life. Criminals have weak egos and damaged personalities.
- The strengths of the theory are that it explains the onset of crime and why crime and drug abuse cut across class lines.
- The research focuses of the theory are on mental disorders, personality development, and unconscious motivations and drives.

Behavioral

- The major premise of the theory is that people commit crime when they model their behavior after others they see being rewarded for similar acts. Behavior is reinforced by rewards and extinguished by punishment.
- The strengths of the theory are that it explains the role of significant others in the crime process; it shows how the media can influence crime and violence.
- The research focuses of the theory are the media and violence, as well as the effects of child abuse.

Cognitive

- The major premise of the theory is that individual reasoning processes influence behavior. Reasoning is influenced by the way people perceive their environment.
- The strengths of the theory are that it shows why criminal behavior patterns change over time as people mature and develop their reasoning powers. It may explain the aging-out process.
- The research focuses of the theory are perception and cognition.

PSYCHOLOGICAL THEORIES

- There are many theories regarding psychological causes of crime, including:
 - Intelligence and crime
 - Psychoanalytic theories

INTELLIGENCE AND CRIME

- The idea that crime is the product primarily of people of low intelligence has been popular globally

PSYCHOANALYTIC THEORIES

- Psychoanalytic theories of crime causation are associated with the work of Sigmund Freud who believed that people who had unresolved deep seated problems
- Psychopaths are the persons characterized by no sense of guilt, no subjective conscience, and no sense of right and wrong. They have difficulty in forming relationships with other people; they cannot empathize with other people
- They are also called sociopaths or antisocial personalities

PSYCHOANALYTIC THEORY

- Sigmund Freud (1856–1939): One can understand human behavior best by examining early childhood experiences.
- Tend to approach the challenge of understanding and explaining criminality by focusing on theories of personality or learning that account for individual behavior in specific situations.
- Human nature is inherently antisocial:
 - *ID: Infants start life with antisocial drives*
 - *Ego: Helps to negotiate demands for instant gratification with acceptable behavior*
 - *Superego: Forms from experience*

PSYCHOANALYTIC THEORY

- The foundation of this theory is that individuals progress through overlapping stages of development.
- Personality is made up of three forces:
 - *The Id- Biological drives*
 - *The Ego- Which controls and directs Id*
 - *The Superego- or conscience*

PSYCHOANALYTIC THEORY

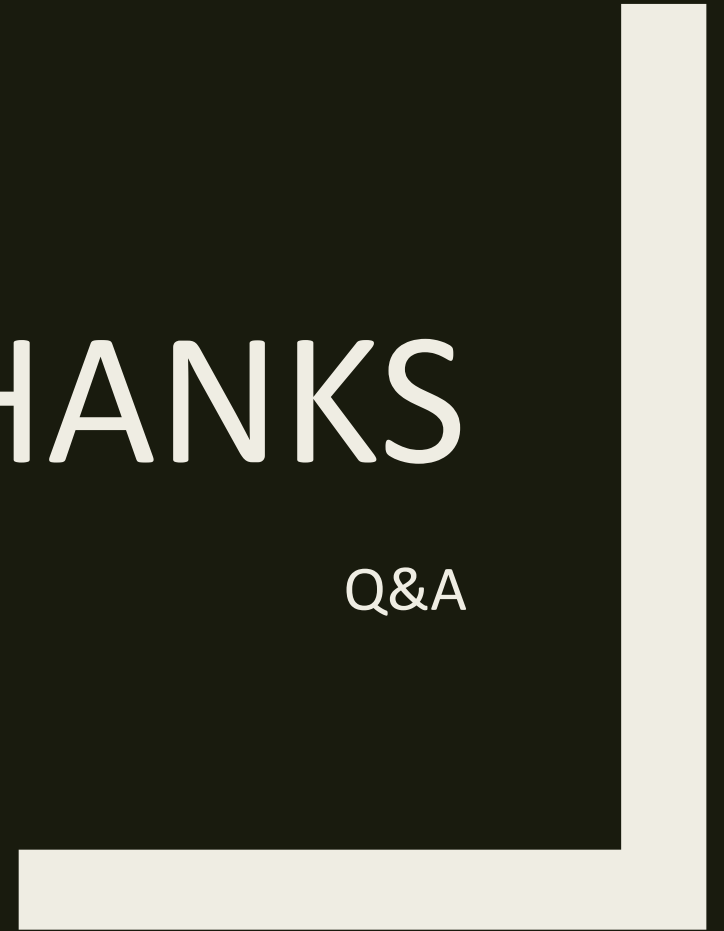
- The ego and super-ego are created when the individual successfully works through conflicts present at each stage of development.
- Criminal behavior results when the internal controls found in the ego and super-ego fail to restrain the primitive, aggressive urges of the id.
- If the ego and super-ego do not fully develop through the early stages of development, criminal behavior is more likely to develop

PSYCHOANALYTIC INTERPRETATIONS

- Three main principles of psychodynamic theory when applied to delinquents:
 - Criminal behavior are that delinquent behaviors that can be traced to faulty relationships in the family during the first years of life
 - These faulty relationships result in inadequate ego and superego developments
 - These inadequacies in turn make it impossible for the child to control later delinquent impulses
- Criminal behavior was more likely to occur in individuals who had not successfully completed all stages of moral development.

THANKS

Q&A





CRIMINOLOGY

SECTION II

DELIVERED BY : ASP RANA WAHAB



SYLLABUS

■ Section-II (25 Marks)

- *V. Juvenile Delinquency*

- Meaning, definitions (Behavioral Vs Legal), Juvenile delinquent Vs status offender, Official statistics of juvenile delinquency

- *VI. Juvenile Justice System*

- Role of police
- Juvenile court process:
- Pretrial, trial and sentencing
- Role of prosecutor, defense counsel, juvenile judge, juvenile probation officer
- Juvenile correctional institutions, probation and non-punitive alternatives

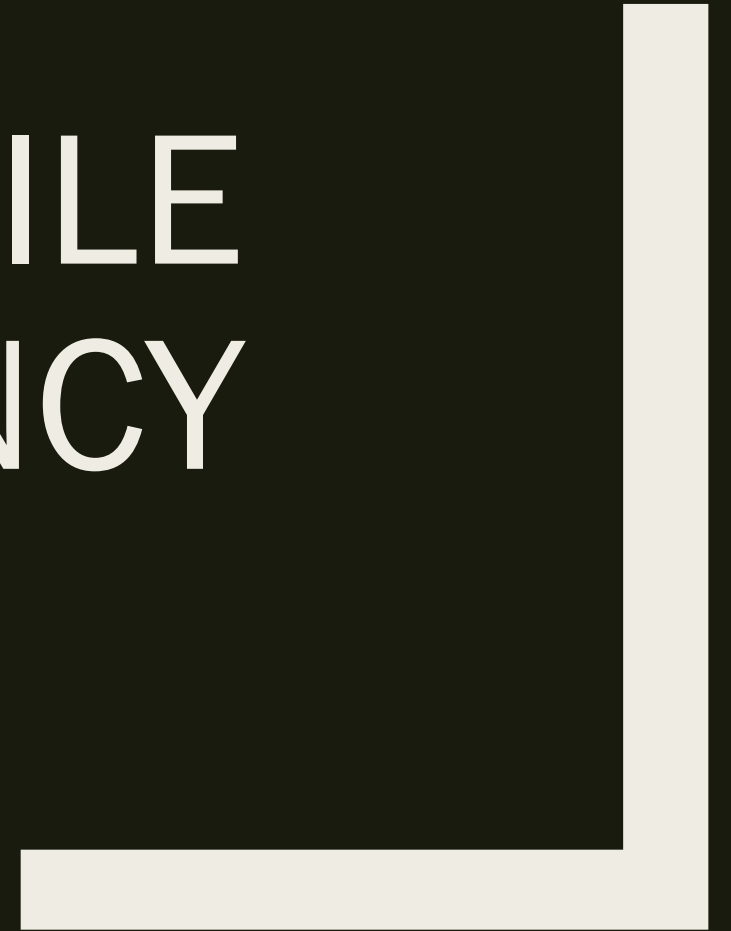
- *VII. The Criminal Justice System:*

- Police and its role
- Trial and Conviction of Offenders
- Agencies: formal and informal
- Criminal courts: procedures and problems
- Role of prosecutors
- Prisons, Probation and Parole

- *VIII. Punitive and Reformative Treatment of Criminals*

- Corporal punishment, Imprisonment, Rehabilitation of criminals.

JUVENILE DELINQUENCY



Arrest Criminal Laws Crime
Jail Youth Tolerance SMWS Behavior
Minors JUVENILE Depressed
Zero DELINQUENCY Adolescence
Detention Offense Antisocial Male Guilty
School Courts Police Misdemeanor
Punishment Non-Violent
Society Aggressive Legal



INTRODUCTION

- Delinquency: A legal term that distinguishes between youthful offenders and adult offenders that has its origins in the concept of culpability.
- Except in rare instances, juvenile offenders are not referred to as criminals. Acts that are forbidden by law are called delinquent acts when committed by juveniles.

JUVENILE DELINQUENT

- A juvenile delinquent is a person who has not yet reached the age of maturity, and whose behavior has been labelled delinquent by a court.
- In Pakistan, the individuals under the age of 18 are considered juvenile delinquents if they commit some crime.

Juvenile delinquency is the participation by a minor child, usually between the ages of 10 and 17, in illegal behavior or activities.



legaldictionary.net

JUVENILE DELINQUENT

- Adolescents who break the laws and engage in illegal acts are called as Juvenile delinquents.
- Adolescents become a juvenile delinquent after being judged guilty of a crime by a court of law. These delinquent behaviors may include; littering, theft robbery, dacoity, addiction, Car-lifting, pick-pocketing, cell phone snatching, stealing, drug selling and murder etc.
- Legally, a juvenile delinquent is one who commits an act defined by law as illegal and who is adjudicated “delinquent” by an appropriate court.
- The legal definition of is usually restricted to persons under 18, but states vary in their age distinction.



- Delinquency is not merely “juvenile crime”.
- Includes all deviations from normal youthful behaviour.
- Eg: Children who are habitually disobedient, who desert homes, mix with immoral people, those with behavioural problems, indulging in antisocial practices.



JUVENILE DELINQUENT

Repeat Offenders

- Repeat offenders are also known as "life-course persistent offenders." These juvenile delinquents begin offending or showing other signs of antisocial behavior during adolescence. Repeat offenders continue to engage in criminal activities or aggressive behaviors even after they enter adulthood.

Age-Specific Offenders

- This type of juvenile delinquent behavior begins during adolescence. Unlike the repeat offenders however, the behaviors of the age-specific offender ends before the minor becomes an adult. The behaviors that a juvenile shows during adolescence are often a good indicator of future course of action

STATUS OFFENDERS

- A status offender is someone charged with an offense that would not be a crime if committed by an adult.
- Common examples are running away from home, being truant from school, and being beyond parental control.
- Status offenders are virtually never incarcerated for their first offense

STATUS OFFENDERS

- Legally, people who break laws that are prohibited only to certain groups are said to have status offenses.
- Examples of these offenses — misbehaviors that are illegal for youth but not for adults — include breaking tobacco or alcohol consumption laws, not attending school, breaking curfew laws, running away from home, or being beyond the control of parents.
- Research studies on causes of status offenses have identified personal, family, and school problems as contributing factors.
- Noncriminal violations of the law by adults such as speeding or illegal parking are also sometimes called status or regulatory offenses

STATUS OFFENDERS

- Juvenile court systems handle status offenses, which are treated differently than criminal offenses.
- In 1961, the California legislature was the first to remove noncriminal conduct of youth from its delinquency definition.
- Under most state codes, juvenile status offenders break laws that cover how children or adolescents should behave.
- Status offense legislation does not cover those who commit criminal offenses such as theft or robbery.

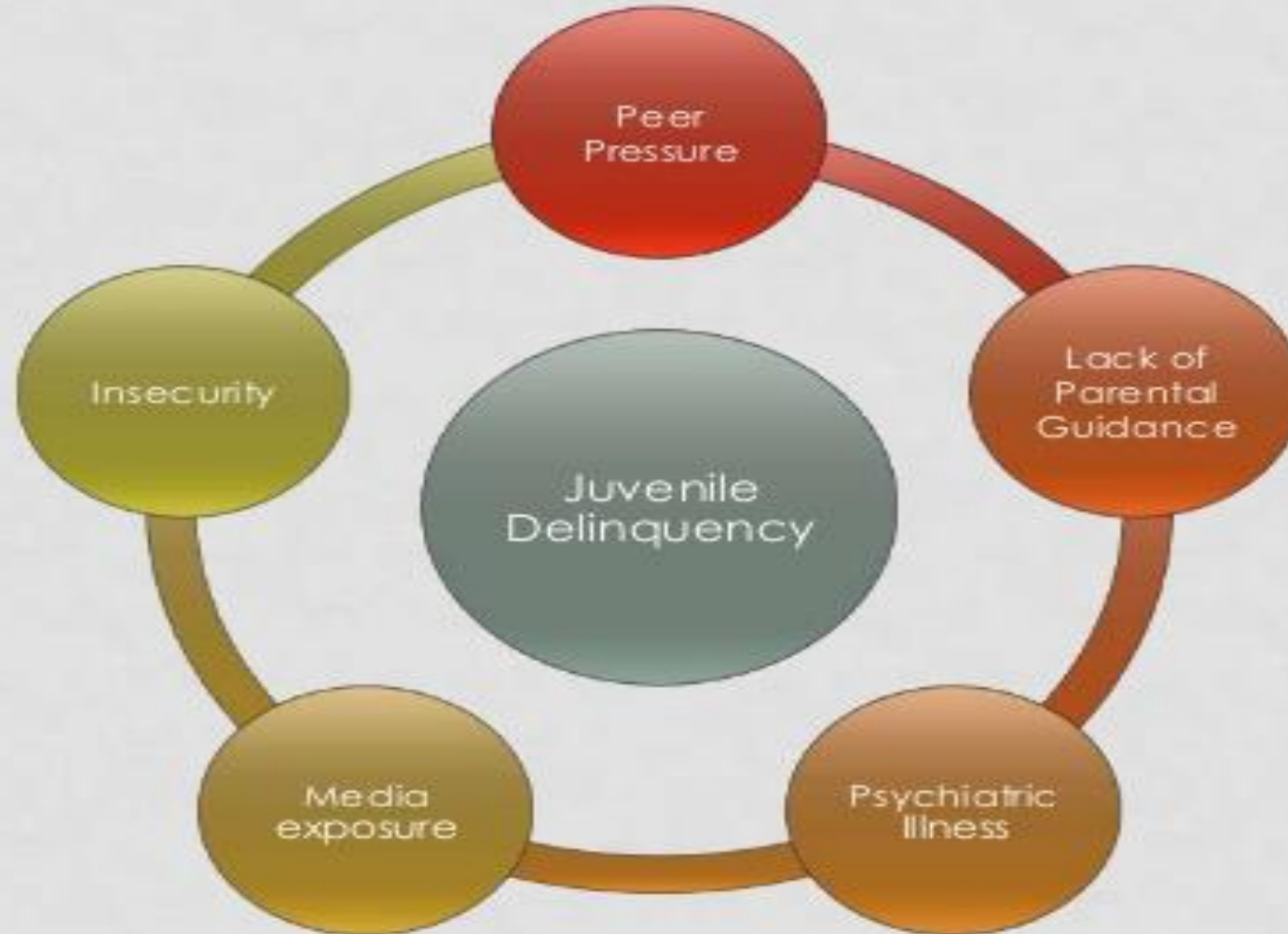
DIFFERENCE

- Juvenile Delinquents are juveniles who commit offenses that are violations of the law at any age . If a person of age less than 18 years commits a crime as defined in Pakistan Penal Code , he is a juvenile Delinquent.
- Status offender is a term used to describe an action which is an offence only because it has been committed by a juvenile and if it would have been done by an adult it would be no crime. E.g. If a juvenile smokes tobacco then he may be termed status offender as smoking otherwise is not a crime

JUVENILE DELINQUENCY STATISTICS

- Many organizations, including the OJJDP, study juvenile delinquency, and report compiled data in order to learn what contributes to the issue of juvenile delinquency. Some of the latest juvenile delinquency statistics include:
 - *In 2012, police arrested 182 violent juvenile offenders for every 100,000 juveniles.*
 - *The peak age for offending falls between 15 and 19 years of age*
 - *52% to 57% of juvenile offenders continue offending into their mid-20s*
 - *By age 30, only 16% to 19% of juvenile delinquents continue to offend*
 - *If a juvenile starts offending before the age of 12, he is more likely to continue offending into adulthood*
 - *The average onset of gang involvement is 16 years of age*
 - *The average onset of drug use is 16 to 17 years of age*

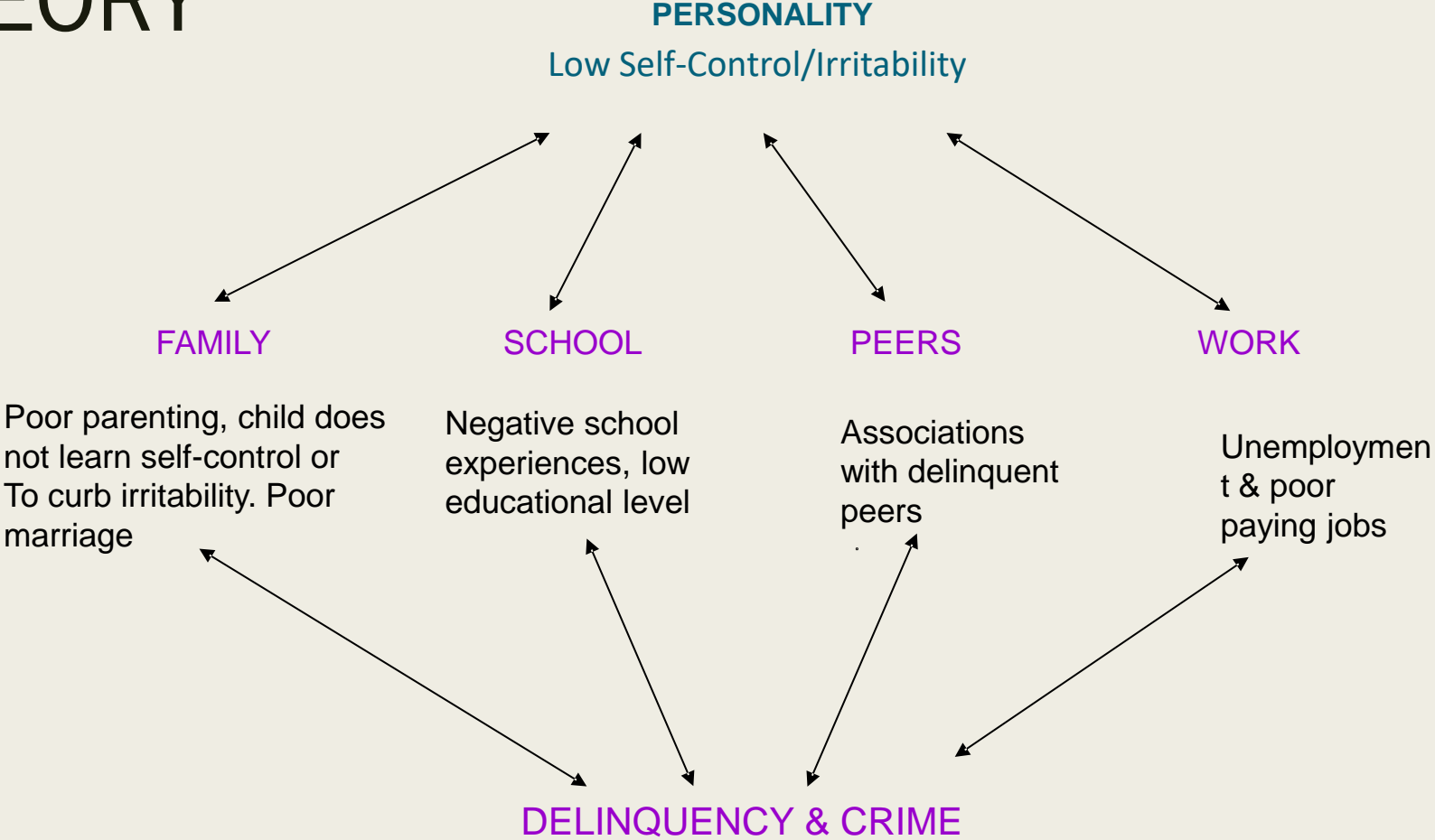
FACTORS INVOLVED



ROBERT AGNEW'S GENERAL THEORY OR SUPER TRAITS THEORY

- In the super traits theory, Agnew identifies five life domains that contain possible crime-generating factors:
 - Personality
 - Family
 - School
 - Peers
 - Work
- Agnew identifies the latent traits of low self-control and irritability as “super traits”
- The neurological and endocrine changes during adolescence temporarily increases irritability/low self control among adolescents who limit their offending to that period, while for those who continue to offend irritability/low self-control is a stable characteristic.

AGNEW'S GENERAL OR "SUPER TRAITS" THEORY



CAUSES OF JUVENILE DELINQUENCY

- There are different delinquency that includes:
 - Child's own personality characteristics or behavior pattern
 - Aggression , restlessness and concentration problems
 - Substance abuse
 - Association with antisocial peers/ negative identity
 - Inferiority/ superiority complex , intolerance and overconfidence
 - Family and community or neighbourhood effects like maltreatment , parenting errors(neglect or pampering)
 - High rate of crime in community
 - Family member's involvement in crime
 - Exposure of violence or poverty contributors of juvenile

PREVENTION

- Prevention is carrying out an activity systematically, full of planning and having the good direction in order to ensure that juvenile delinquency does not come up:
- It includes:
 - Education of parents and juvenile
 - Recreation instead of substance abuse
 - Community involvement
 - Creation of special programs
 - The parents make a harmonic family
 - Counselling of parents and juvenile
 - Teachers affection to the students and good knowledge of developmental psychology.

PREVENTION

- Curative effort is anticipation to the juvenile delinquency. It specializes to the symptom of delinquency. This action is usually done by the police and public attorney.
- Delinquency Prevention is the broad term for all efforts aimed at preventing youth from becoming involved in criminal, or other antisocial activity.
- Empowering the children, there are two kinds of empowering the juvenile. Empowering to the juvenile who does not do the delinquency. It can be in the family, school, and society. This effort is to prevent the juvenile to do the delinquency.
- Empowering to the juvenile who does the delinquency or who are in jail. This effort is important to make the juvenile not to repeat delinquent act.

JUVENILE JUSTICE SYSTEM



JUVENILE JUSTICE SYSTEM

- Juvenile justice is the area of criminal law applicable to persons who at the time of commission of an offense have not attained the age of 18 years
- The main goal of a juvenile justice system are:
 - *Rehabilitation rather than punishment for juvenile criminal behavior*
 - *Avoid the stigmatisation resulting from a criminal conviction and phenomenon of reoffending*

JUVENILE JUSTICE SYSTEM

- It is not possible to know the exact number of prisoners, including children, in jails at any given time simply because the number changes daily as some prisoners are released and new ones are brought in.
- Some juveniles are registered as adults
- Unavailability and lack of proper documentation for different categories of prisoners
- However, as of 2017, there were 1188 children in Pakistan's jails.
- Majority of them is under trial and only around 10% are convicted
- The report found that at least 10pc of the current death row population consists of juvenile offenders – around 800 Justice Project for Pakistan report published in 2015

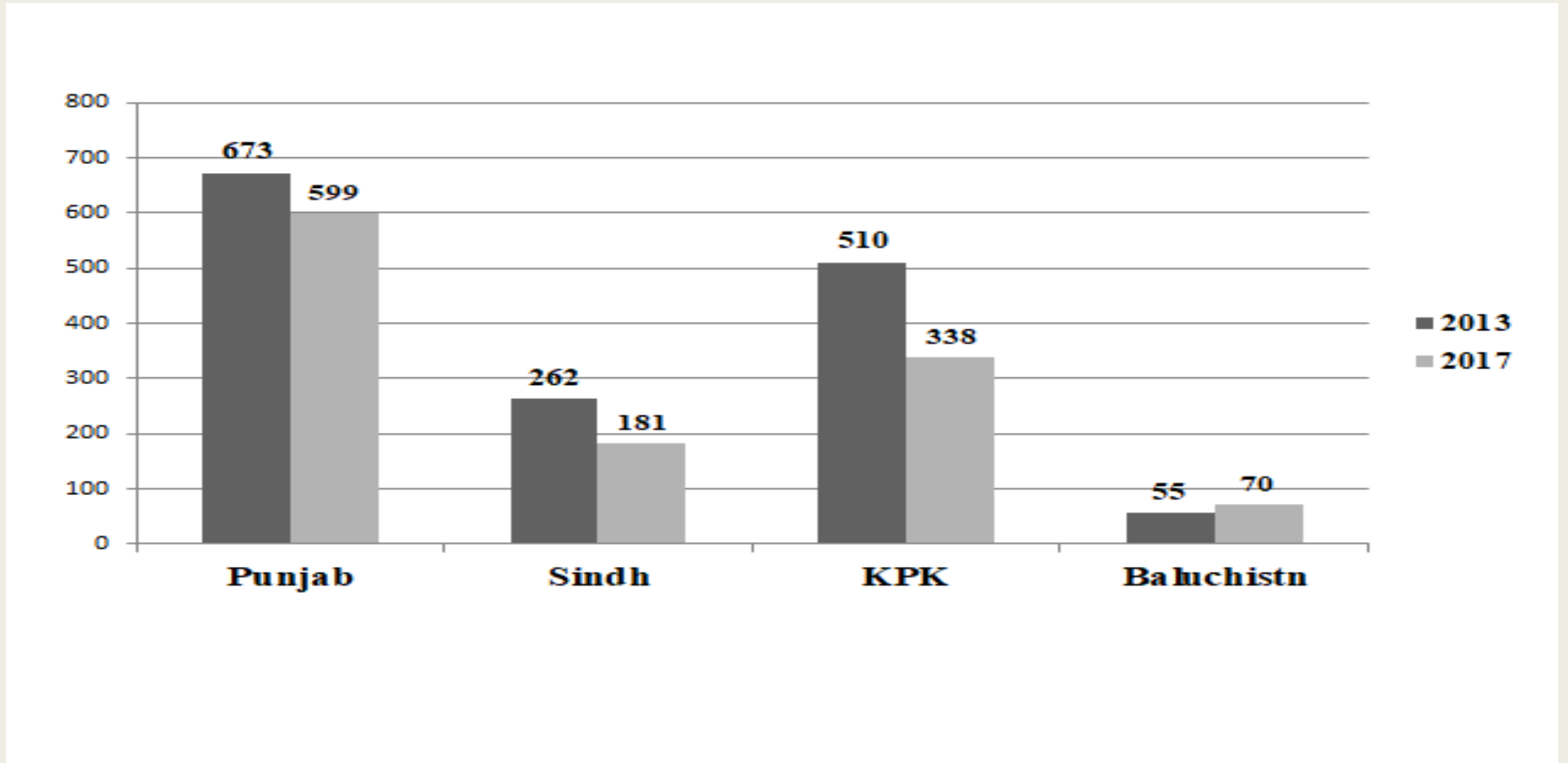
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<https://en.dailypakistan.com.pk/opinion/rotting-in-the-dark-the-forgotten-children-of-pakistan/>

JUVENILE POPULATION IN PAKISTAN PRISONS DECEMBER 2014

| Province | Under Trial | Convicted | Total |
|-------------|-------------|-----------|-------|
| Punjab | 529 | 70 | 599 |
| Sindh | 168 | 13 | 181 |
| KPK | 311 | 27 | 338 |
| Baluchistan | - | - | 70 |
| Pakistan | | | 1188 |
| | | | |
| | | | |

JUVENILE POPULATION IN PAKISTAN PRISONS 2017



JUVENILE JUSTICE SYSTEM

- Although there are a number of laws and constitutional guarantees for the protection of the rights of children
- accused or convicted of crimes, in reality they are seldom upheld.
- Juvenile prisoners, the majority of whom are under trial, are among the worst off in Pakistan.
- Immediately following arrest and during police remand, children suffer in police custody and are maltreated by the police authorities. They are denied access to legal aid, and their relatives.
- No separate lock-ups in police station for childrens

JUVENILE JUSTICE SYSTEM ORDINANCE 2000

Key features of JJSO 2000:

- Not to be handcuffed, given corporal punishments or made to do labor or awarded death sentence (Section 12)
- To be considered a child if under 18 years of age (Section 2(b))
- To be given legal aid at the expense of the state (Section 3(1))
- To be tried by a Juvenile court (Section 4)
- The case to be decided within four months of the court taking notice of the offense(Section 4)
- To be tried separate from adults – No joint trials (Section 5)
- To be given medical assistance at the expense of the state (Section 6(6))

JUVENILE JUSTICE SYSTEM ORDINANCE 2000

- To be produced before the medical board for the determination of age if a question arises as to the age (Section 7)
- Protection of identity (Section 8)
- To be released on bail in all bailable offenses by the SHO or by the Juvenile Court if the SHO has not released the child on bail (Section 10)
- To be placed under the custody of a probation officer a suitable person or institution dealing with the welfare of the children if a parent or guardian of the child is not present; under no circumstance to be kept in a police station or jail in such cases (Section 10 (3))
- To be released on probation under the custody of a probation officer or responsible guardian (Section 11) or to be sent to a Borstal Institute

JUVENILE JUSTICE SYSTEM ACT 2018

- On May 18 2018, the President of Pakistan approved the Juvenile Justice System Act (JJSA) 2018, which was passed by the Parliament in 2018
- JJSA 2018 overcomes the shortcomings which were present in Juvenile Justice System Ordinance 2000, and provides a much better system for criminal justice and social reintegration for juvenile offenders.
- The Act defines a child according to the definition of [UNCRC](#) as ‘a person who has not attained the age of eighteen years’.

JUVENILE JUSTICE SYSTEM ACT 2018

- JJS Act 2018 classifies the criminal offences into following three different categories:
- **Minor**, which means an offence for which maximum punishment under the Pakistan Penal Code, 1860 is imprisonment for up to three years with or without fine. A juvenile is entitled to bail in minor offences, with or without surety bonds by Juvenile court.
- **Major**, which means an offence for which punishment under the Pakistan Penal Code, 1860 is imprisonment of more than three years and up to seven years with or without fine. Bail shall also be granted in major offences with or without surety bonds by juvenile court.
- **Heinous**, which means an offence which is serious, brutal, or shocking to public morality and which is punishable under the Pakistan Penal Code, 1860 with death or imprisonment for life or imprisonment for more than seven years with or without fine. A juvenile of less than sixteen years of age is entitled to bail in heinous offences, but a bail is on discretion of court if juvenile is more than sixteen years of age.

JUVENILE JUSTICE SYSTEM ACT 2018

- The JJSA 2018 is very different from JJSO 2000, and the following are some of its salient new features.
- **Right of legal assistance:** every juvenile or child victim of an offence shall have the right of legal assistance at the expense of the State. **A juvenile shall be informed about his right of legal assistance within 24 hours of taking him into custody. Lawyer shall have more than 7 years practice increased from 5 in JJSO2000**
- **Observation home:** this means a place where a juvenile is kept temporarily after being apprehended by police as well as after obtaining remand from juvenile court or otherwise for conducting inquiry or investigation. Observation Homes shall be made separately from police stations.
- **Juvenile rehabilitation centres:** this is a special kind of prison established exclusively for keeping juvenile offenders. The convicted juvenile, shall be confined to the premises till the completion of period of imprisonment or until they turn 18 years of age. Here convicts can receive an education as well as vocational or technical training for their development and includes certified institutions including women crises centres.

JUVENILE JUSTICE SYSTEM ACT 2018

- **Determination of age mechanism:** JJS Act 2018 makes it compulsory upon the ranking officer-in-charge, or the investigation officer, to make an enquiry to determine the age of any such alleged offender, who physically appears or claims to be a juvenile.
- Age shall be determined on basis of accused person's birth certificate, educational certificates or any other pertinent documents. In absence of such documents, age of such accused person may be determined on the basis of a medical examination report by a medical officer.
- **Disposal of Cases through Diversion:** This is an alternative process of determining the responsibility and treatment of a juveniles on the basis of their social, cultural, economic, psychological and educational background, without resorting to formal judicial proceedings

JUVENILE JUSTICE SYSTEM ACT 2018

- **Disposal of cases through diversion:** this is an alternative process of determining the responsibility and treatment of a juvenile on the basis of his social, cultural, economic, psychological and educational background, without resorting to formal judicial proceedings.
- The complaint against a juvenile shall be referred to the Juvenile Justice Committee for disposal through diversion.
- All offences, either minor or major, shall be compoundable for purpose of diversion. For major offences, diversion can only be exercised if the age of the juvenile is not more than 16 years.

JUVENILE JUSTICE SYSTEM ACT 2018

- **Juvenile Justice Committee:** this shall dispose of cases through diversion within a period of one month from the date of the referral.
- The Committee shall dispose of a case with consent of the complainant by resorting to different options, including restitution of movable property, reparation of the damage caused, written or oral apology, participation in community service, payments of fine and costs of the proceedings, placement in juvenile [rehabilitation centre](#); and written and oral reprimand.
- If the offence has been committed against a State and not against an individual; the Committee may dispose of the case through diversion with consent of the concerned public prosecutor.
- The Committee shall also perform inspection of Observation Homes and Juvenile Rehabilitation Centres and may give directions to concerned persons for welfare and social re-integration of juveniles kept in these places.

JUVENILE JUSTICE SYSTEM ACT 2018

- The J.J. Committee is set to consist of four members, including a serving Judicial Magistrate with powers under section 30 of CrPC (Head of Committee); District Public Prosecutor; Member of local Bar having at least 7 years experience, appointed by the concerned Sessions Judge for a period of 2 years; and serving probation officer or social welfare officer not below BPS-17.
- One thing that is missing is the presence of a qualified child rights activist that understands the plight of the underage victims, and is equipped to deal with their issues.
- **Separate challan and trial of juvenile offenders:** a juvenile shall not be charged with and tried for an offence together with an adult person. But if it is in the interests of justice to hold a joint trial of a juvenile and an adult, the juvenile court may dispense with the physical presence of the juvenile and they may be allowed to join the Court proceedings through audio-visual technology link.

JUVENILE JUSTICE SYSTEM ACT 2018

- Imposition of penalty for disclosure of identity of juvenile or to publish proceedings of juvenile court: JJS Act 2018 exclusively bars revealing the identity of an accused juvenile to the public without the authorisation in writing of the juvenile or their next-of-kin.
- The S.H.O, investigating officer or the juvenile court can also grant permission in this regard.
- Special provisions for female juveniles: Female juveniles shall not in any circumstances be apprehended or investigated by a male police officer or released on probation under supervision of a male officer.
- A female juvenile shall only be kept in a Juvenile Rehabilitation Centre established or certified exclusively for female inmates.

JUVENILE JUSTICE SYSTEM ACT 2018

- **Removal of disqualification attached with conviction:** A juvenile offender convicted under the provisions of JJS Act 2018 shall not suffer a disqualification, if any attaching to a conviction of an offence under such law.
- **Preventive Detention:** No child shall be arrested under any of the laws dealing with preventive detention or under the provisions of chapter VIII of the Code of criminal procedure.

WHY JUVENILE JUSTICE SYSTEM?

- Different levels of culpability (i.e., responsibility) of adolescents compared to adults served as the basis of the JJS
- Key factors are
 - *Adolescents were less culpable than adults*
 - *Adolescents were more amenable to change than adults*
 - *Research suggests that “Adolescents are not little adults”*
- Adolescence is a period of intense physical, emotional, and cognitive development
- Forced to make choices under worst conditions
- Often adolescent overestimate their understanding of things
- Often underestimate the consequences of their actions

JJS VS CJS

| | Juvenile System | Adult System |
|----------------|-------------------------|---------------------------|
| Basis | Civil (no due process) | Criminal (due process) |
| Goal(s) | Rehabilitation | Punishment |
| Style | Non-Adversarial | Adversarial |
| Terminology | Medical Model | Legal/Constitutional |
| Role of Family | Very Significant | Little to No Significance |
| Functioning | Private, confidential | Open |
| Process | Adjudication/Delinquent | Trial/Guilty or Innocent |
| Sentencing | Indeterminate-Broad | Determinate-Focused |

DIVERSION

- The goal of juvenile diversion programs is to respond to youths in ways that avoid formal juvenile justice processing.
- Diversion usually occurs before adjudication
- Diversion programs are based on the understanding that formal responses to youths who violate the law do not always protect the best interests of children or the community

DIVERSION

- The basis of the diversion argument is that courts may inadvertently stigmatize some youth for having committed relatively petty acts that might best be handled outside the formal system
- In part, diversion programs are also designed to ameliorate the problem of overburdened juvenile courts and overcrowded corrections institutions(including detention facilities), so that courts and institutions can focus on more serious offenders

TRANSFORMING YOUTH JUSTICE

PREVENT youth from entering the justice system by:

ADDRESSING DISPARATE TREATMENT AND REDUCING ARRESTS



70% of students arrested or referred to police at school are Black or Latino.

50% of school-based arrests are for "disturbance of the peace," or "disruptive conduct."

75% of youth are incarcerated on charges that pose little to no threat to public safety, such as probation violations, status offenses (e.g. running away, skipping school), and property, public order, and drug offenses.

IMPROVING CROSS-SYSTEM COLLABORATION



EDUCATION

30% of justice-involved youth have a diagnosed learning disability

CHILD WELFARE

67% of justice-involved youth have been in the child welfare system

MENTAL HEALTH

65% of justice-involved youth have at least one mental health diagnosis

DISMANTLE policies and practices that are:

DANGEROUS



Youth in confinement, particularly in adult jails and prisons, are at greater risk of physical violence, sexual assault, solitary confinement and suicide

EXPENSIVE



Most states spend **\$100,000+** every year to incarcerate a single young person

INEFFECTIVE



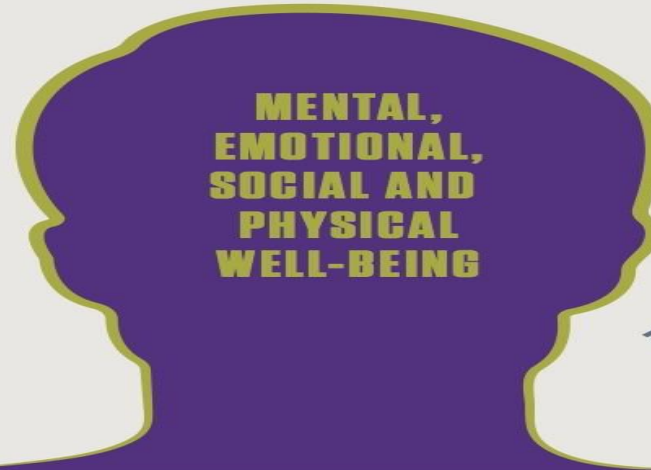
75% of youth released from juvenile correctional facilities are rearrested within 3 years

HARMFUL



Justice-involved youth have a greater risk of homelessness, low educational attainment, poor health, unemployment, and adult incarceration

INVEST in community-based solutions that are age-appropriate and promote well-being.

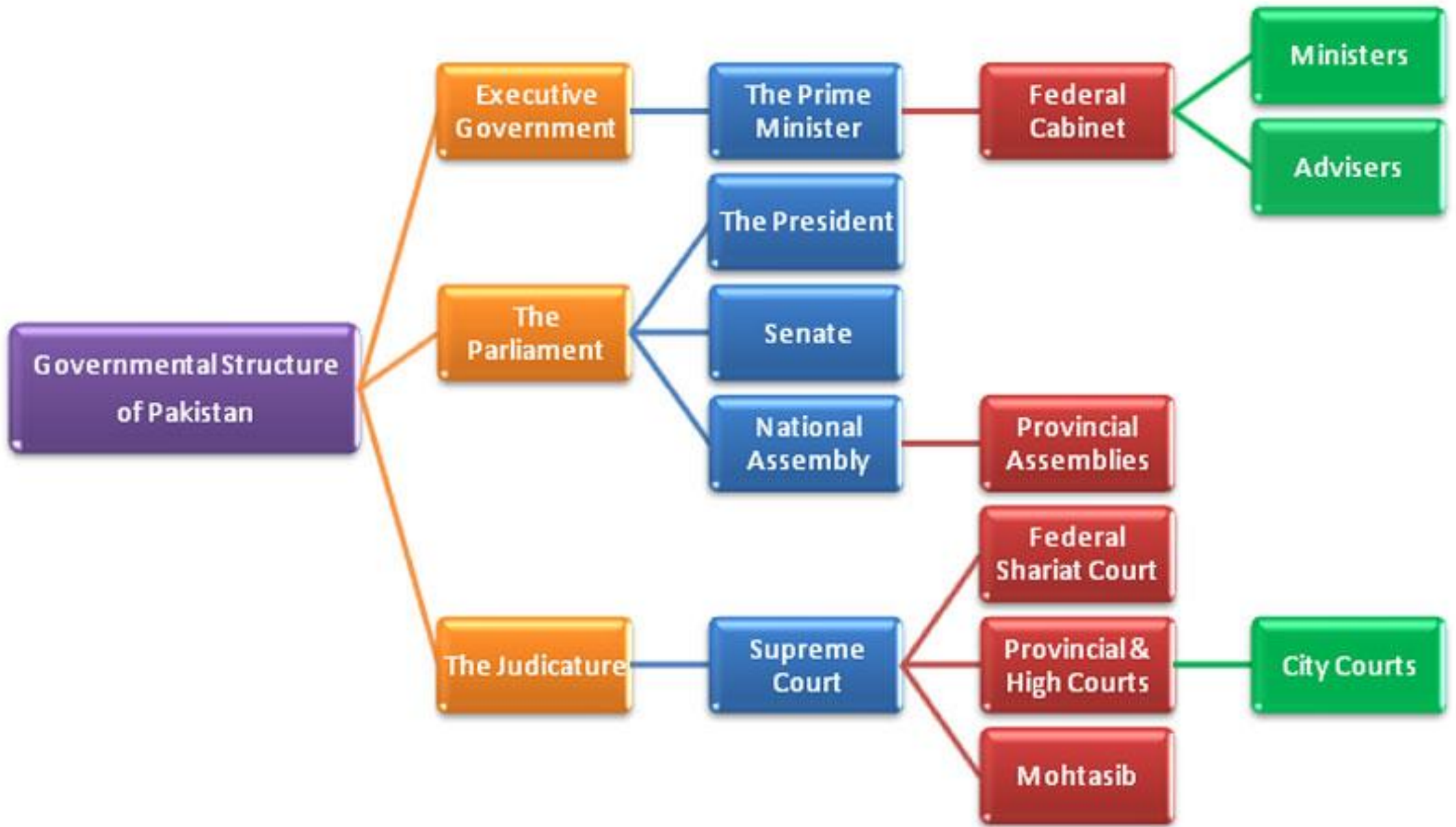


- DIVERSION
- YOUTH DEVELOPMENT
- TRAUMA-INFORMED CARE
- RESTORATIVE JUSTICE
- PUBLIC HEALTH APPROACH
- FAMILY ENGAGEMENT
- RACIAL EQUITY

ACHIEVE community safety and positive outcomes for youth, including educational success, gainful employment, positive relationships, preparation for parenthood, and civic engagement.

CRIMINAL JUSTICE SYSTEM





CRIMINAL JUSTICE SYSTEM

- The term criminal justice refers to the agencies of government charged with enforcing law, adjudicating criminals, and correcting criminal conduct
- A criminal justice system is a set of legal and social institutions for enforcing the criminal law in accordance with a defined set of procedural rules and limitations.
- The phrase **criminal justice system** refers to a collection of federal, state, and local public agencies that deal with the crime problem

OBJECTIVES OF CJS

- To prevent the occurrence of crime (Deterrence)
- To punish the criminals (Retributive)
- To rehabilitate the criminals(Reformative)
- To compensate the victims as far as possible (Retributive)
- To maintain law and order in society (Deterrence)
- To deter the offencers from committing any criminal act in the future (All)

CHARACTERISTIC OF A GOOD CJS

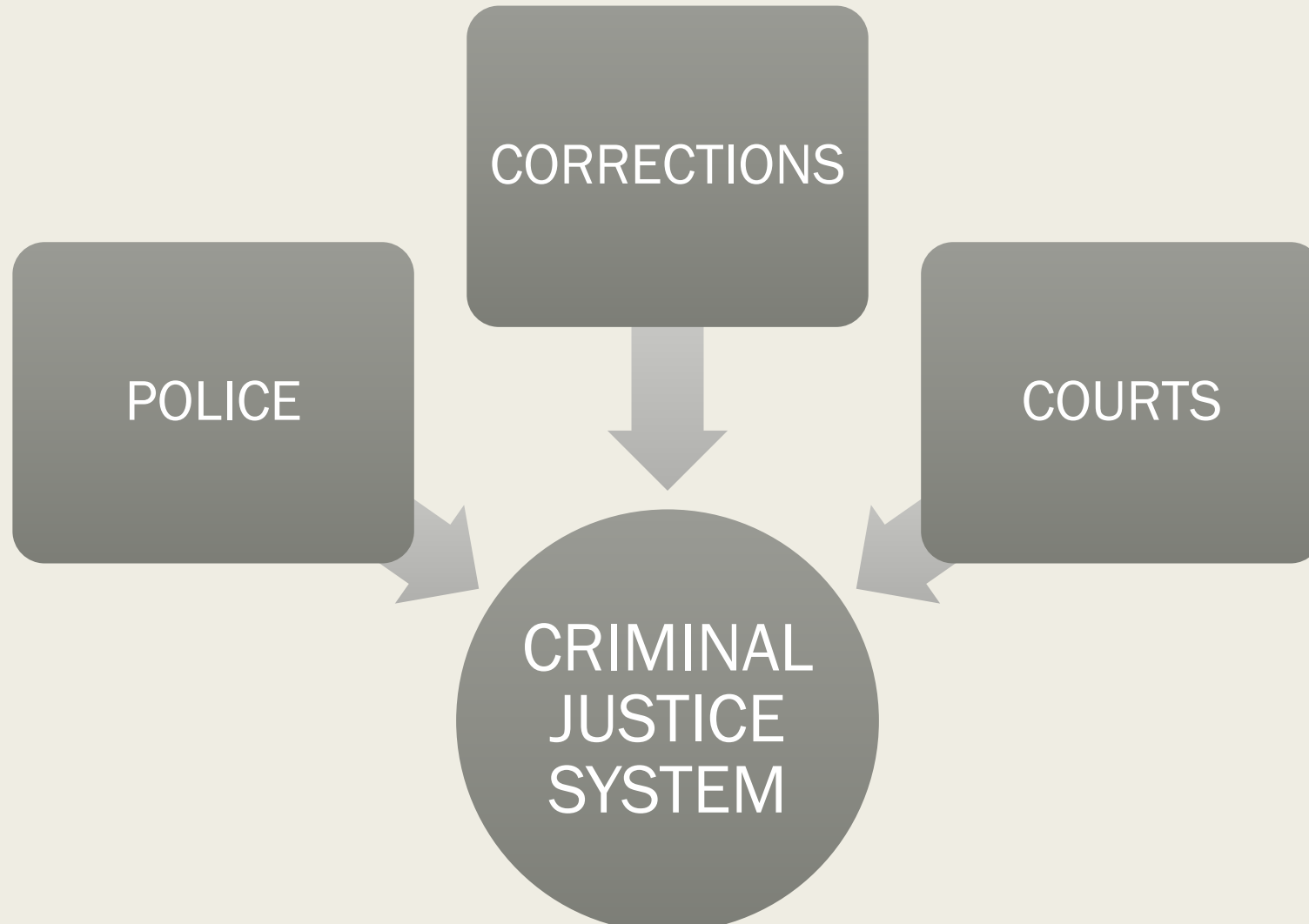
In order to be influential, criminal justice system must have following characteristics.

- **Institutionalism** requires the competent functioning of each level of government and court of law in order for the proper administration of justice
- **Specificity** requires clear interpretation of laws in such a way that it removes obstacles to their understanding
- **Uniformity** requires consistent and uniform application of the laws to all individuals
- **Penal sanctions** must be swift, certain and applied consistently so that it is clear that no one is above the law and so individuals are aware of the consequences of their actions.

AGENCIES OF CJS IN PAKISTAN

- Article 109 of Police Order 2002 establishes a Criminal Justice Coordination Committee. The committee is responsible for ensuring effective administration of criminal justice in Pakistan. In the light of the said Article, following are the members of the committee
 - *Head of District Police*
 - *District Prosecution Officer*
 - *District Probation officer*
 - *District Parole officer*
 - *District Jail Superintendent*
 - *District Investigation Officer*
 - *District and Sessions Judge*

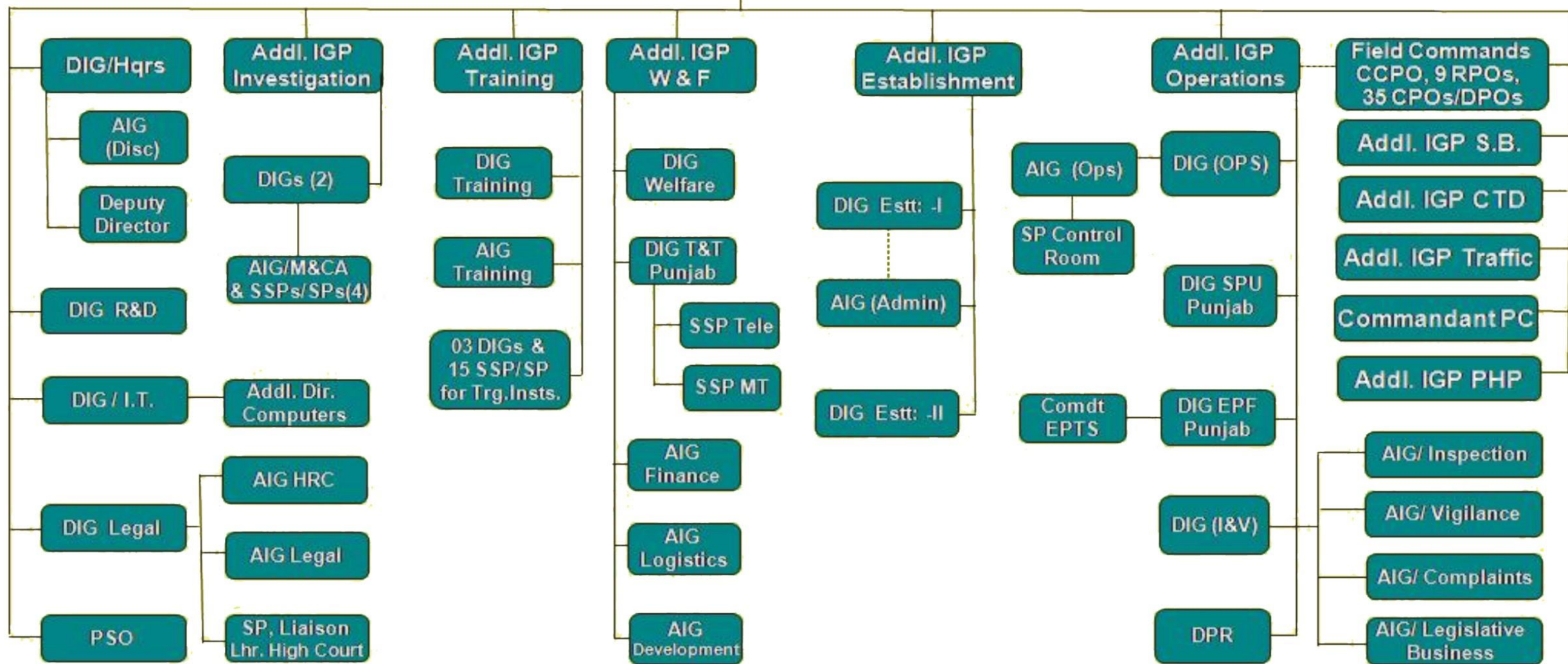
ORGANS OF CRIMINAL JUSTICE SYSTEM

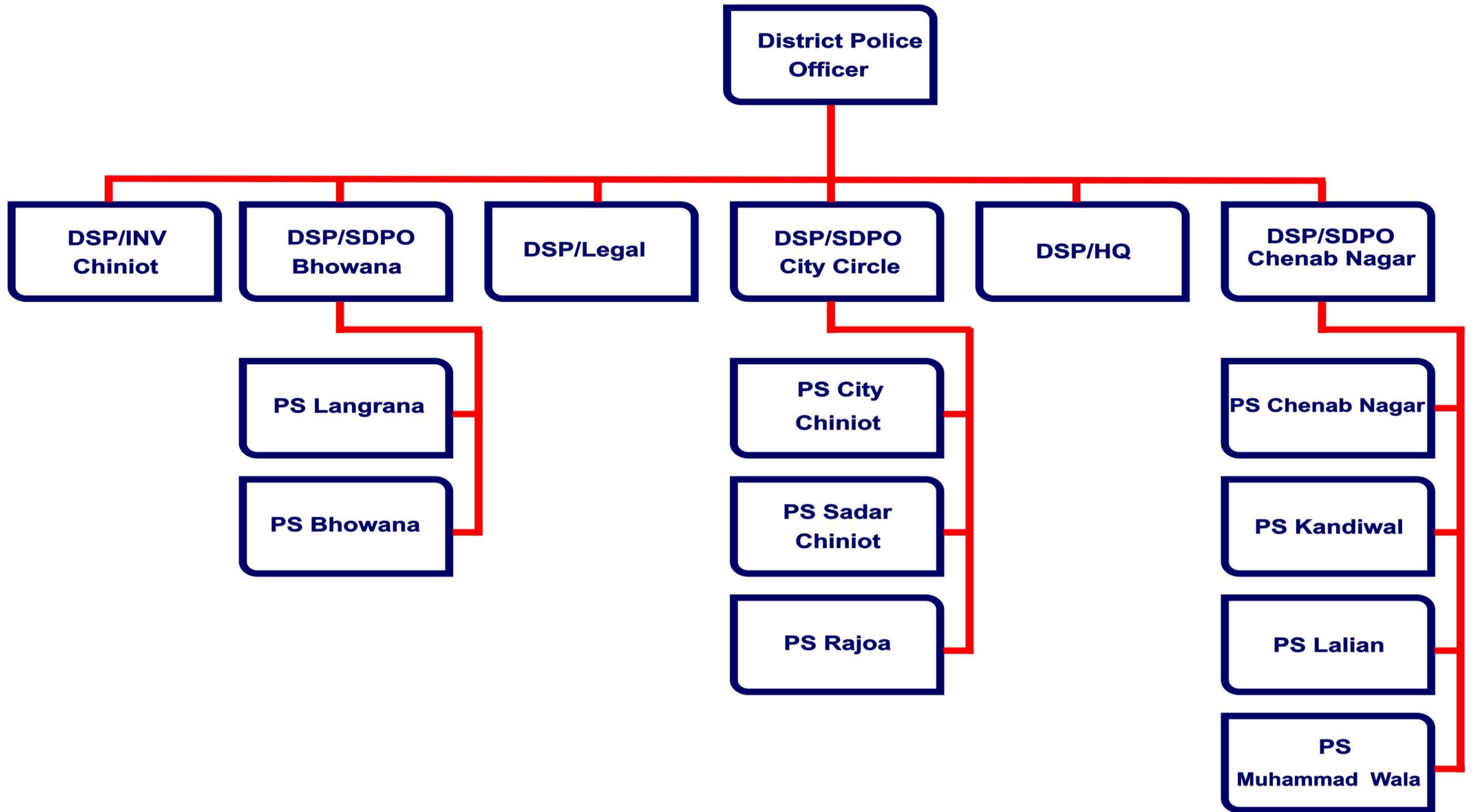


POLICE

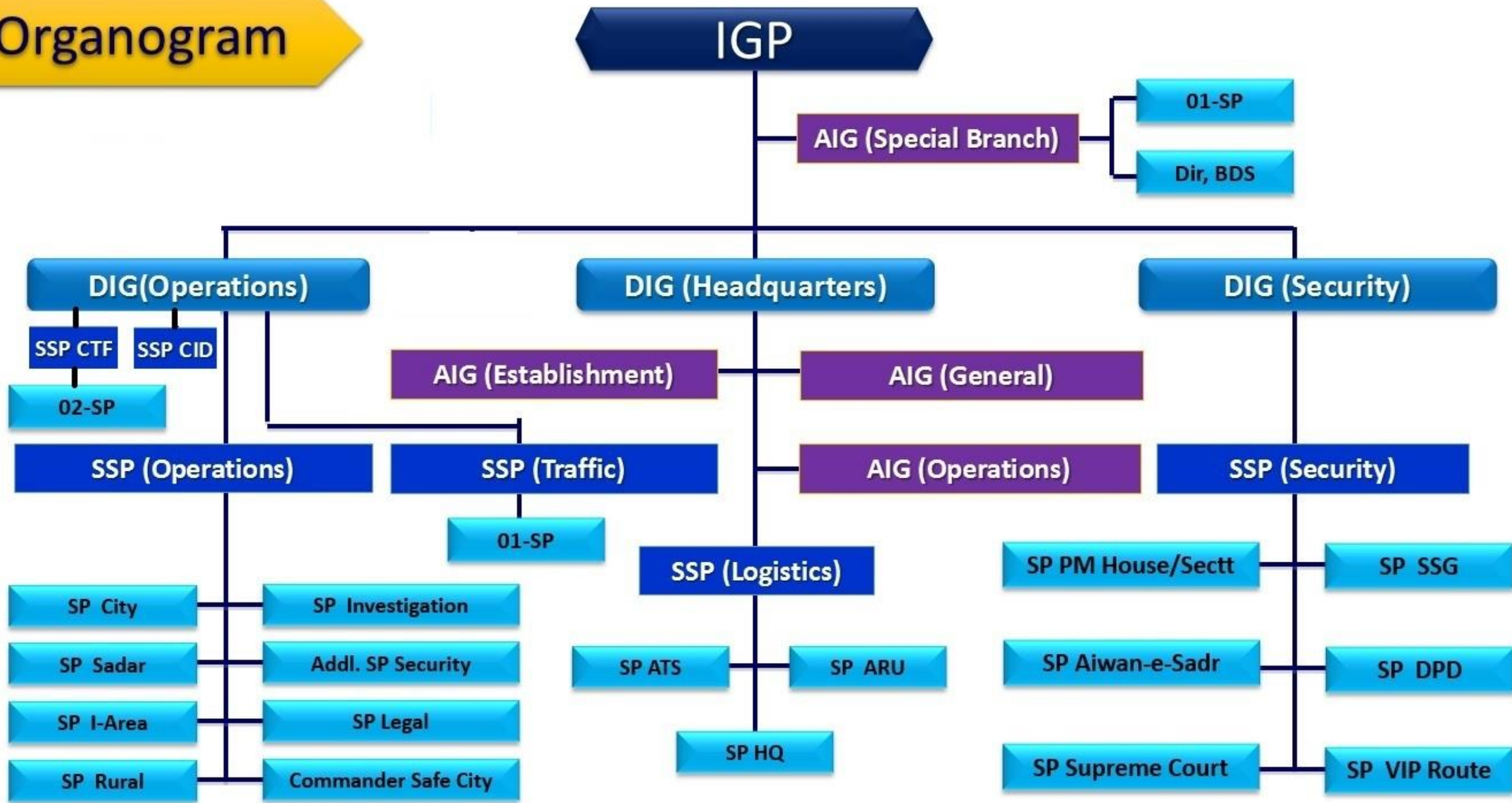
- Enforce laws
- Investigate Crimes
- Apprehend offenders
- Maintain public order
- Protect rights/ freedom of individuals

IGP/PPO Punjab



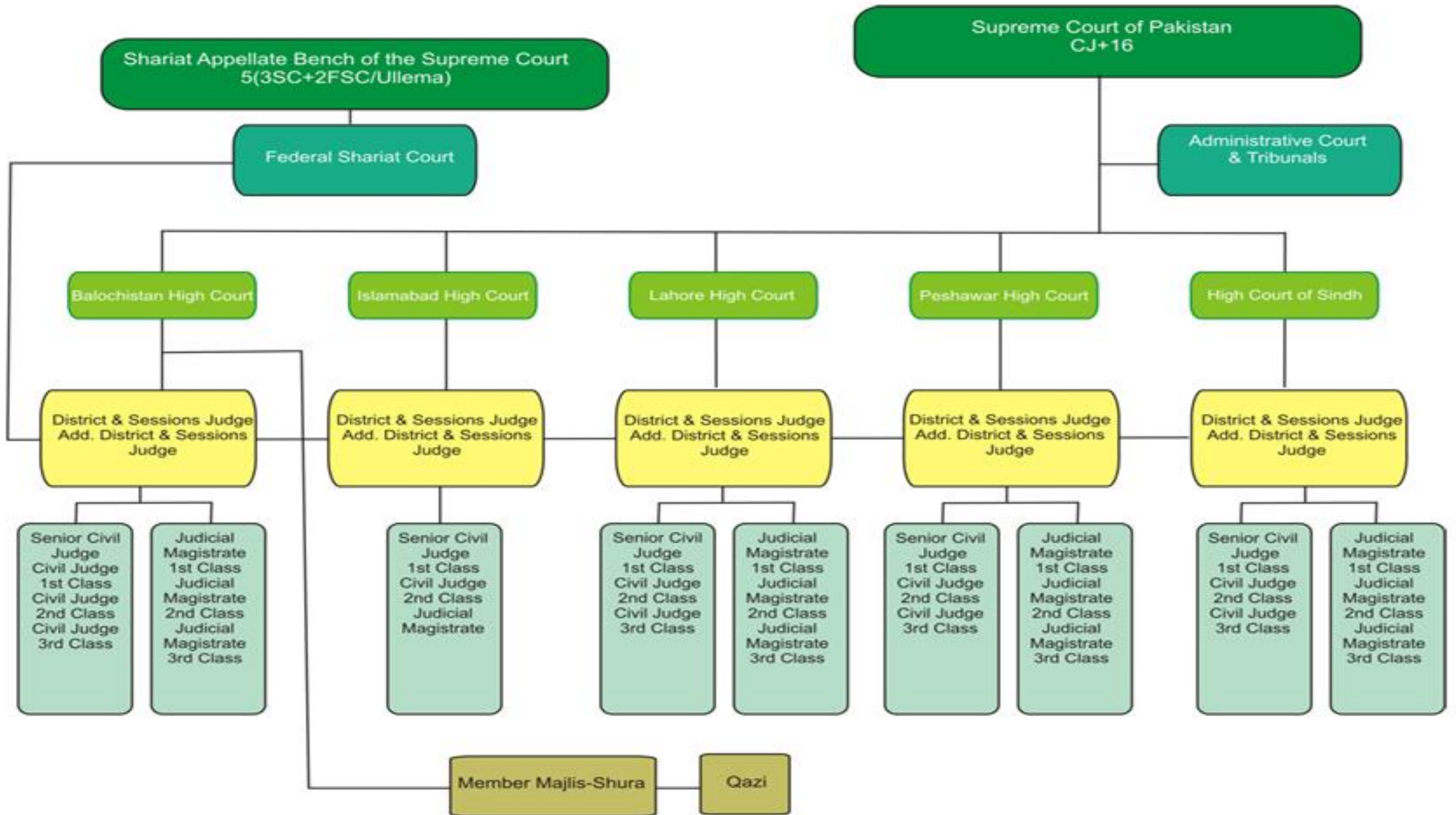


Organogram



COURTS

- Place where arguments get settled
- Court applies the law to the argument at hand
- Court gives the punishment
- In pakistan following are types of courts
 - *District Court*
 - *High Court*
 - *Supreme Court*
 - *Special Courts*



COURTS

■ Functions of Courts

– *Arbitration, negotiation*

- a legal system adjudicates disputes, issuing a decision as to how the disagreement should be settled

– *Legislation*

- The purpose of the legislative function is to determine the rules that will govern the process of adjudication

COURTS

– *Execution*

- Executive function is to ensure, first, that the disputing parties submit to adjudication in the first place, and second, that they actually comply with the settlement eventually reached through the judicial process.
- In its executive function the legal system may rely on coercive force, voluntary social sanctions, or some combination of the two
- The executive function gives a legal system its “teeth”; providing incentives for peaceful behavior; both domestic law enforcement and national defense fall under the executive function.

COURTS

■ Supreme Court of Pakistan

- *Chief justice + 16 permanent judges+2 ad-hoc judges*
- *Chief Justice of Pakistan is appointed by the President. Other Judges are also appointed by the President after consultation with the Chief Justice*
- *It is the Court of ultimate appeal and therefore final arbiter of law and the Constitution. Its decisions are binding on all other courts*
- *Under Article 58, the President may dismiss the National Assembly (triggering new elections) but the dismissal is subject to Supreme Court approval*



COURTS

- Court also has the power to overturn presidential orders and parliamentary legislation by declaring such orders or laws to be unconstitutional.*
- The Supreme Court is also a custodian and upholder of citizens' rights, liberties and freedoms. The Court has been given a very significant role of protecting the Fundamental Rights of citizens. For this purpose under article 184(3), the Supreme Court is empowered to take action, if it considers that a question of public importance with reference to enforcement of any of the Fundamental Rights conferred by the Constitution is involved.*

COURTS

■ Federal Shariyat Court

- *Court consists of 8 Muslim Judges including the Chief Justice.*
- *Judges are appointed by the President from amongst the serving or retired Judges of the Supreme Court or a High Court or from amongst persons possessing the qualifications of a Judge of the High Court*
- *Of the 8 Judges, 3 are required to be Ulema who are well versed in Islamic law.*
- *Judges hold office for a period of 3 years and the President may further extend such period.*



COURTS

- *Court, on its own motion or through petition by a citizen or a government (Federal or provincial), may examine and determine as to whether or not a certain provision of law is repugnant to the Injunctions of Islam.*
- *Appeal against its decision lies to the Shariat Appellate Bench of the Supreme Court, consisting of 3 Muslim Judges of the Supreme Court and not more than 2 Ulema, appointed by the President*

COURTS

■ High Court

- *There is a High Court in each province. Each High Court consists of a Chief Justice and other judges.*
- *Appointment: The Chief Justice is appointed by the President in consultation with the Chief Justice of Pakistan and other judges, in consultation with the Chief Justice of Pakistan, Governor of the Province and the Chief Justice of the concerned High Court.*
- *Court exercises original jurisdiction in the enforcement of Fundamental Rights and appellate jurisdiction in judgments/orders of the subordinate courts in civil and criminal matters.*



COURTS



- A High Court has, under the Constitution, original jurisdiction to make an order:
 - *Directing a person within the territorial jurisdiction of the Court to refrain from doing anything he is not permitted by law or to do anything he is required by law.*
 - *Declaring that any act done by a person without lawful authority is of no legal effect*
 - *Directing that a person in custody be brought before it, so that the court may satisfy itself that he is not being held unlawfully*
 - *Giving such directions to any person or authority, for the enforcement of any of the*

COURTS



- *A High Court has the power to withdraw any civil or criminal case from a trial court and try it itself*
- *Appellate Jurisdiction.- A High Court has extensive appellate jurisdiction against the judgments, decisions, decrees and sentences passed by the civil and criminal courts.*
- *General.- A High Court has the power to make rules regulating its practice and procedure and of courts subordinate to it.*
- *Each High Court supervises and controls all courts subordinate to it and any decision of a High Court binds all courts subordinate to it.*

COURTS

- Islamabad High Court (2010)
 - *1 Chief Justice + 6 Judges*
- Sindh High Court
 - *1 Chief Justice+27 Judges*
- Punjab High Court
 - *1 Chief Justice+ 49 Judges*
- Balochistan High Court
 - *1 Chief Justice+ 8 Judges*
- KhyberPakhtunkhawa High Court
 - *1 Chief Justice+ 49 Judges*



COURTS

- Gilgit-Baltistan Supreme Appellate Court(In 2009 equal to SC of Pakistan powers given)
 - *1 Chief Justice + 2 Judges*
- Supreme Court of AJK
 - *1Chief Justice+2 Judge*
- High Court of AJK
 - *1 Chief Justice+ 8 Judge*



COURTS

■ Subordinate Judiciary CIVIL COURT:

- *They are present all the district of a province. It deals civil material only. The civil courts consist of District Judge, Additional District Judge and Civil Judge Class I, II & III.*

■ CRIMINAL COURT:

- *This court is located in the district of each province. This court has power to change criminal to death punishment. , the criminal courts comprise of Session Judge, Additional Session Judge and Judicial Magistrate Class I, II & III.*

MAIN COMPONENTS OF COURT

- Judge
- Public Prosecutor
- Defence Lawyer

ROLE OF JUDGE

- Acts like an umpire in the Court
- Hears all the parties, witnesses and evaluates the evidence presented to the court
- Decides whether accused is guilty or innocent
- Pronouncement of punishment
- Imposition of punishment as per penal section

PUBLIC PROSECUTOR

- Prosecution was separated from police in Police Order 2002 and placed under Law department
- A Prosecutor General heads each provincial service appointed by the provincial government
 - *Additional Prosecutors General*
 - *Deputy Prosecutors General*
 - *Assistant Prosecutors General*
 - *District Public Prosecutors*
 - *Deputy District Public Prosecutors*
 - *Assistant District Public Prosecutors*

PUBLIC PROSECUTOR

- Lawyer who represents the state and conducts criminal cases against accused
- The role of the prosecutor begins once the police files the charge sheet in the court
- The prosecutor must conduct the prosecution on behalf of the police investigation
- It's his duty to present all the facts , witnesses and evidence before the court
- He/She has the right to speedy trial

DEFENCE LAWYER

- Represents the accused after arrest to give advice
- Investigate details of the offence on behalf of the accused
- Discusses the case with the prosecutor and test the strength of the state case
- Represents the accused at bail hearings
- Represents the accused at trial
- Present an appeal

CORRECTIONS/JAIL

- Rehabilitate and reform the offenders
- Protect the community
- Humane custody

CORRECTIONS

- Following the criminal trial resulting in conclusion and sentencing, the offender enters the correctional system. The correction involves probation, jails and parole programs for both juvenile and adult offenders.
- Jails are overcrowded with minimum attention towards rehabilitation
- Jail system suffers from an extremely poor performance record, many offenders return to crimes shortly after spending their period of sentence.
- lack of effective treatment and training programs, poor physical environment and health conditions and the fact that offenders in many institution/jails are subjected to violence from other inmates and guards.

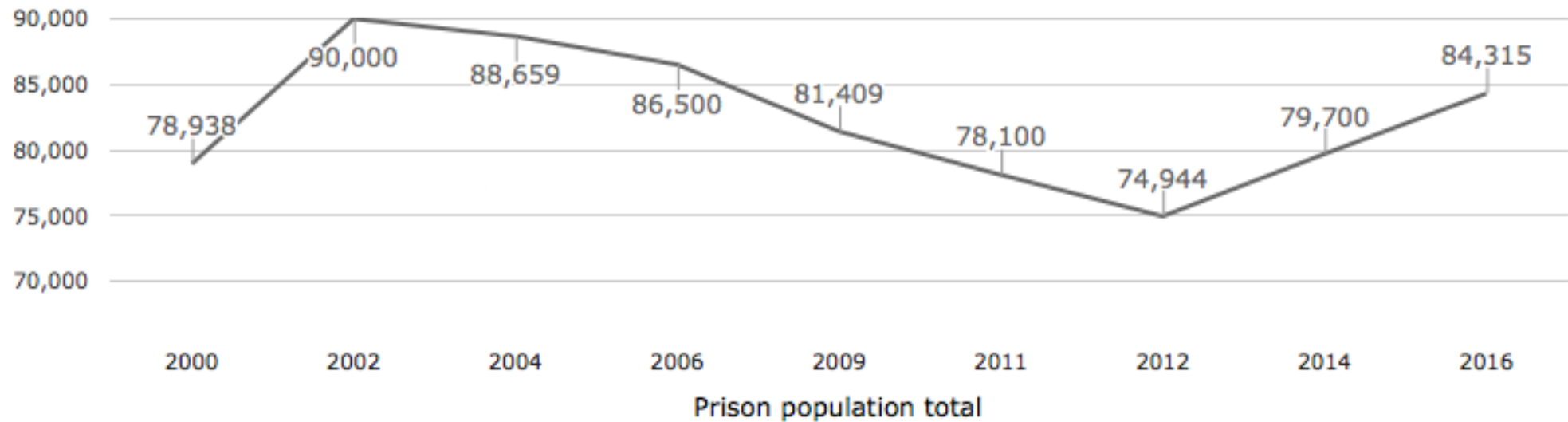
| Country | Pakistan |
|--|--|
| Ministry responsible | Ministry of Law, Justice and Human Rights |
| Prison administration | Governments of Provinces |
| Prison population total (including pre-trial detainees / remand prisoners) | 83 718 <i>at 2018 (Report by International Committee of the Red Cross)</i> |
| Prison population rate (per 100,000 of national population) | 43 <i>based on an estimated national population of 196.51 million at March 2018 (from United Nations figures)</i> |
| Pre-trial detainees / remand prisoners (percentage of prison population) | 69.1% <i>(April 2015)</i> Further Information |
| Female prisoners (percentage of prison population) | 1.8% <i>(2018)</i> Further Information |
| Juveniles / minors / young prisoners incl. definition (percentage of prison population) | 1.7% <i>(31.12.2012 - juveniles)</i> |
| Foreign prisoners (percentage of prison population) | 1.2% <i>(30.6.2007)</i> |
| Number of establishments / institutions | 106 <i>(2018)</i> |
| Official capacity of prison system | 53 231 <i>(2018)</i> |
| Occupancy level (based on official capacity) | 157.3% <i>(2018)</i> |

<http://www.prisonstudies.org/country/pakistan>

**Prison population trend
(year, prison population total, prison
population rate)**

| | | |
|------|----------|------|
| 2000 | 78,938 | 56 |
| 2002 | c 90,000 | c 60 |
| 2004 | 88,659 | 57 |
| 2006 | 86,500 | 54 |
| 2009 | 81,409 | 48 |
| 2011 | c 78,100 | c 44 |
| 2012 | 74,944 | 39 |
| 2014 | c 79,700 | c 43 |
| 2016 | 84,315 | 44 |

[Further information](#)



<http://www.prisonstudies.org/country/pakistan>

PAROLE

- Parole refers to the conditional release of prisoners or offenders in certain cases before the completion of the term of imprisonment to which they have been sentenced. With parole the prisoners serve the last portion of their sentence in the community after completing a mandatory period of substantive sentence in prison as required under the **good conduct Prisoner's Probational release Act, 1926 and Rules 1927**
- Executive (Home Secretary) of the province is empowered to release certain offenders on parole
- The parolees, under the supervision of a parole officer, are employed on fixed wages and under specific terms and conditions with the approved employers of the respective provincial R&P Directorates
- Prisoners may be selected for parole on an application by themselves or their family members; or on the recommendation of the Superintendent of Jail

PAROLE

- In most of the districts, the probation officers have been assigned additional duties of a parole officer to cover the issue of under-staffing
- The Assistant Director and parole officer are also authorised to visit the jails to select suitable prisoners for release on parole
- National Judicial Policy Making Committee (NJPMC) in June 2009 recommendation , all the four provinces have established Parole Committees comprising the Additional Secretary Home (chairman), Director R&P, District Police officer of the concerned district, Additional Inspector General Prison, Superintendent of the concerned prison, Director Prosecution, Representative of civil society organization, prominent academic and any other member co-opted by the chairman.
- The role of the committee is advisory and on its recommendations the Home Secretary approves the cases for parole.

PAROLE

- Parolees must be employed a minimum of 45 miles away from their immediate families and can meet their families by taking casual leave with the approval of the relevant parole officer.
- The parolee becomes eligible for casual leave after completion of the first six months of the parole period
- Though this 6 months restriction is self contradictory to the rule to help the person to reintegrate into the society. Generalisation must not be done in the name of security of the parolee or the community. Each case must be considered on its own merit

PAROLE

- In our country the parole system is not that much established, but in other advanced countries the convicted are selected for early release on the condition that they obey a set of restrictive behavioral rules under the supervision of a parole officer.
- The main purpose of early release parole is to help the ex-inmate bridge the gap between institutional confinement and a positive adjustment within the community.
- After their release offenders are supervised by parole authorities who help them find employment, deal with family and social difficulties and gain treatment for emotional or substance abuse problems.
- If the offender violate condition of community supervision, parole may be revoked and the parole may be sent back to jail for completion of his confinement period. In countries like USA about 40% of all inmates receive mandatory supervised release.

PROBATION

- Probation is a judicial action that allows the offender to remain in the community, subject to condition imposed by Court order, under the supervision of probation officer. It enables the offender to continue working while avoiding the pains of imprisonment.
- In advance countries, social services are provided to help the offender adjust in the community; counseling, assistance from social workers and group treatment, as well as the use of community resources to obtain employment, welfare and housing etc. are offered to the offender while on probation.
- In same countries community based correctional centers have been established for first time offenders where they live while holding a job or obtaining education.

PROBATION

- Legal Frame Work
 - *Probation of Offenders Ordinance 1960/Rules 1961*
 - *The Good Conduct Prisoners' Probational Release Act, 1926; and the Good Conduct Prisoners' Probational Rules, 1927*
 - *Juvenile Justice Act 2018 and its Rules for Implementation*
- Directorates of Reclamation and Probation working as departments attached to the provincial Home Departments in Punjab, Sindh, Balochistan and Khyber Pakhtunkhwa.
- Each Provincial Directorate is headed by a Director of Reclamation and Probation (R&P) supported by Deputy Directors and Assistant Directors, probation and parole officers, office superintendents and other administrative and support staff.

PROBATION

- The overall mandate of the Directorates of Reclamation and Probation include:
 - *To 'kill the crime not the criminal';*
 - *To reduce overcrowding in prisons; to cut down government expenditure on prisons;*
 - *To rehabilitate and re-integrate offenders as law-abiding citizens.*
- However, a lack of political will, inadequate human/skilled resources and weak infrastructure are hindering their potential to play an effective role in the criminal justice system of Pakistan.

PROBATION

- The Probation of Offenders Ordinance 1960 now contains 15 sections (after omission of two of its sections⁷). According to section 3, the following courts are empowered to exercise the power under the said ordinance:
 - *High Court*
 - *Court of Session*
 - *Judicial Magistrate*
 - *Any other magistrate specially empowered.*
- According to the Ordinance, the Trial Court may, keeping in view the age, character, health & background of the offender, and the nature & circumstances leading to the offence, discharge any offender after due admonishment, who has committed an offence punishable with imprisonment not more than two years

PROBATION

- The probation officer has been assigned an important role in the whole process of preparing and submitting the “social investigation report” (SIR) to the court but practically it is not being done and orders are passed without this SIR

PROBATION VS PAROLE

- Probation and parole both serve the purpose of community rehabilitation and reintegration of offenders. The main structural and procedural differences between the two non custodial sanctions are:
 - *probation is given by the judiciary while parole is authorised by the Executives;*
 - *probation refers to suspending the sentence or postponement of decision while parole is given in the last portion of the sentence after a prisoner's has completed mandatory imprisonment; and*
 - *the judiciary is responsible for probation revocation while parole revocation is made by the Executive.*

PROBATION&PAROLE AN ALTERNATIVE

- 2015 Punjab: Capacity 21,527 inmates, there were 51,133 prison inmates, including 745 juveniles,
- A staggering 34,860 or 70 per cent of these inmates were under trial.
- The staff strength of the Prisons Department is around 17,795, with a total sanctioned budget of Rs7.5 billion for the financial year 2014-15.
- In addition, there were 23,395 probationers in the province, including 22,974 male, 300 female and 105 juvenile, as well as 575 male and one female parolee.
- The Probation and Reclamation Department in Punjab has 95 officers, including one director, five deputy directors, 14 assistant directors, 55 male probation officers, two female probation officers, 15 male parole officers and five female parole officers.
- The sanctioned budget for the department was Rs116.078 million for financial year 2015-16.
- This shows that with only 1.54 per cent budget as compared to the Prisons Department, the Probation Department is taking care of 45.75 per cent of the prison population of the province.

PROBATION&PAROLE AN ALTERNATIVE

- KPK 10,000 prison inmates occupy the space for 8,285 prisoners with almost 70 per cent under trial, including 274 women and 395 juveniles.
- The staff strength of the Prisons Department in K-P is 4,049, with an annual budget of Rs1,268 million for 2014.
- There are approximately 2,000 probationers and 25 parolees at the K-P Probation and Reclamation Department, which had an annual budget of only Rs31.67 million for 2013-14.
- Sindh, the prison population in December 2015 was 19,372 with 3,276 convicted, including 40 females and 10 juveniles.
- Around 465 were under the death sentence, including two females, while under-trials numbered 15,351, including 150 females and 211 juveniles.
- With 25 male and one female probation officer, Sindh has 645 probationers.

PROBATION&PAROLE AN ALTERNATIVE

- Probation is particularly useful in cases of offenders who are not yet committed to a life of crime. The relevant laws have existed for decades in Pakistan, where over 70 per cent of the prison population consists of offenders whose sentence terms range from one month to a year.
- Generally, most have landed behind bars as a result of petty disputes, such as fights over land or water, or due to family feuds. Most are devoid of any criminal characteristics. Their interaction with confirmed criminals and professionals in jail only harms them rather than doing them any good.
- There were 10,362 probationers in Pakistan in 2005, while today there are approximately 26,000, mostly in Punjab and K-P.
- This was made possible as the NJPMC advised the courts and government to maximally use the Probation of Offenders Ordinance 1960 and the Good Conduct Prisoners Probation Release Act 1926, by releasing deserving convicts on probation and parole as prescribed by the law.
- The Committee also recommended that alleged child offenders' cases be given higher preference.
- Increase the budgetary allocation for R&P Directorate as it provides much cheaper solution to the governments

CONFINEMENT

- The State reserves the right through the criminal law to hold the criminals in jails. There the jail authorities classify the prisoners. The inmates are assigned to minimum, medium or maximum security classes. Maximum security cells have high walls, barred cells, and careful security measures and have the most dangerous prisoners
- Medium class may physically reasonable, more guarded cells but their inmates require less control and therefore can receive more intensive treatment
- Minimum security may have separate rooms and offer inmates much freedom and good correctional programs.

Supreme Court observed that

“...people are losing faith in the dispensation of criminal justice by ordinary criminal courts for the reason that they either acquit the accused persons on technical grounds or take a lenient view in awarding sentences .”

CJS:CHALLENGES AND SOLUTIONS

- Non Registration of FIR
 - *Police must be encouraged to register all reported crime and evaluation must be done not on number of FIR's but on quality of investigation and detection*
- Misuse of powers of Justice of Peace under Sec. 22A and 22B of CrPC for false registration of cases
 - *Close liaison and strict punishment for misuse of this facility*
- Non availability of Credible data on Number of crimes, prison inmates, Probation and Parole
 - *An extensive and integrated data base must be implemented for all organs of CJS to ensure transparency and smooth functioning of CJS*

CJS:CHALLENGES AND SOLUTIONS

- Weak performance of Prosecution department even after separation from police
 - *Need to make more independent and capacity building programs to work as source of guidance and check on police investigation*
- Adversarial nature of Criminal Justice in which parties have control on speed of Trial to prove their case beyond reasonable doubt in order to ensure that rights of accused are also protected
 - *Checks must be added like time limits for different categories of cases and to avoid unnecessary adjournments*
- Delayed submission of Challans (17 Days now for police report U/S 173)
 - *For different categories of crimes this time frame must be changed according to complexity of the crime in order to ensure quality and fairness of the investigation*

CJS:CHALLENGES AND SOLUTIONS

- Overcrowding of Jail (156% overcrowded in 2014 , 50709 capacity vs 80089)
 - *Improvement in Probation and Parole system to lessen the burden on existing prisons*
 - *Also 80% are under Trial, speedy disposal and bail can help in reducing numbers of prisoners in jails*
- Political interference and Corruption
 - *Strong and independent Internal accountability mechanism must be put in place to strongly discourage these practices. Also political leadership must encourage local MPA/MNA's to stop meddling in affairs of Criminal Justice system*
- Mandatory presentation of Arrested person to Judicial Magistrate in 24 Hrs
 - *Judicial magistrate must closely evaluate each case on its merit and only give physical remand if merit of the case requires so and where possible must release the person on bail*

<http://courtingthelaw.com/2017/02/15/commentary/criminal-justice-system-in-pakistan-a-critical-analysis/>

CJS:CHALLENGES AND SOLUTIONS

- Torture of accused in Police custody to get confession
 - *Police must be trained and equipped with latest interrogation techniques and tools necessary for successful investigation of the cases*
- Non application of Sec.169 of CrPC which allows police officer to release anyone who is not guilty of offence
 - *Judiciary must encourage application of this section in free and transparent manner instead of demanding to send the case to court for evaluation*
- Power of SHO to release a person on bail and its poor application
 - *SHO must use his power to release a person on bail as a matter of right and judiciary must support his action instead of opposing it*

CJS:CHALLENGES AND SOLUTIONS

- Inadequate allocation of funds to police especially police station for operational needs
 - *One of the reasons for corruption and interference by multiple people.State must provide sufficient resources for smooth functioning*
- Overburdened Judiciary (Pending 138296 in SC and HC, 2.6 Million lower courts as per 2014 statistics)
 - *Minimum requirement is to double the number of Judges and allied support staff*
- Failure to present on Trial prisoners to courts
 - *Need to improve logistics and necessary facilities to transport prisoners to and from the prison to courts*

CJS:CHALLENGES AND SOLUTIONS

- Prolonged trial of offences and many appellate forums
 - *Time based decision of the cases for different categories and also reduction in number of appellate forums where possible*
- Too much reliance on eye witnesses and direct evidence
 - *Giving more importance to circumstantial evidence where possible and incorporation of latest technologies in evidence collection and presentation*
- FIR registration and Arrest procedure abuse
 - *Delinking both and only arrest on issue of warrant after presentation of evidence before magistrate to avoid injustice*
- Incompetence and Miscarriage of Justice by Courts
 - *Third party evaluation of the performance of all judges and incompetent must be held accountable without compromising independence of Judiciary*

CJS:CHALLENGES AND SOLUTIONS

- Poor infrastructure and cost of investigation
 - *Sufficient budgetary allocation for improvement of infrastructure and also provision of cost of investigation on realistic basis*
- Incompetence at Investigation , prosecution and judiciary level
 - *Capacity building programs and constant evaluation . Linking career growth with performance instead of time based promotion*
- Rehabilitation of Criminals and role of correctional facilities
 - *Juvenile , Females and under Trial prisoners setup must be separated from convicted prisoners. Separte skill development programs for each section*

CRIMINAL JUSTICE SYSTEM PROCESS

- Investigation
- Arrest
- Prosecution
- Filing of an information by a prosecutor
- Arraignment by a judge
- Pretrial detention or bail
- Plea bargaining
- Trial/ adjudication of guilt
- Sentencing by a judge
- Appeal
- Punishment

TYPES OF CRIMINAL JUSTICE SYSTEM

- Inquisitorial process
- Adversary process

INQUISITORIAL PROCESS

- This system relates basically to Romano Germanic System of Law
- This is also known as civil law system
- The judge can play active role
- The accused must help to the prosecutor and the court

ADVANTAGES TO INQUISITORIAL PROCESS

- The court plays substantive role in the trial to secure justice
- All the components of criminal justice system must help to secure justice
- Any distortion can be easily detected with the effort of the court

DISADVANTAGES

- Equal treatment of the law for all segments of the society is not entertained

ADVERSARY PROCESS

- Adversary mode of justice is close to Anglo American system
- It advocates supermacy of law
- The judge play role like a football umpire
- The accused need not cooperate with the police and he can remain silent in the court throughout the trial
- The prosecutor must prove the accused guilt beyond the reasonable doubt

ADVANTAGES

- It insists upon the strict observance of procedural law
- The representation of lawyer from both sides indispensable
- The accused has right to remain silent
- He need not to give evidence from his side
- Prosecution must prove the guilt beyond reasonable doubt
- The accused may claim benefit of doubt

DISADVANTAGES

- The accused doesn't help the police
- The police must work on his own strength against the accused
- Contest on technical error in the court is possible
- The court is helpless to correct it
- The police sometimes may not be able to find sufficient evidence against the accused
- This leads to dropping out of the case

PUNITIVE AND REFORMATIVE TREATMENT OF CRIMINALS

- The human society is a cooperative endeavor secured by coercion.
- By coercion we mean a state where a recognized authority is compelled to punish individual who contravenes the rules and regulation of the commonwealth.
- There are various theories of punishment which are **retributive, deterrent, reformative and preventive.**
- One of the most controversial aspects of legal philosophy concerns the justification of specific punishments for particular criminal violations.
- Punishment is a recognized function of all the states
- With the passage of time the systems of punishment have met with different types of changes and modifications

PUNITIVE AND REFORMATIVE TREATMENT OF CRIMINALS

- Purpose Is not only retribution but also to provide a peaceful environment for healthy society
- Most widely believed concept that punishment must be given to delinquents
- Concept of punishment is dominated by two main approaches
 - *Deterrence theories*
 - *Retributive theories*
- Contemporary writers advocate to adopt some compromise between these two approaches
- Deterrence theories work on a ‘consequential’ model, explaining and justifying punishment on the basis of its contribution to some other independent good, such as the greatest happiness for the greatest number, or autonomy, welfare or crime prevention

REHABILITATION OF CRIMINALS

- The concept of rehabilitation rests on the assumption that criminal behavior is caused by some factor.
- This perspective does not deny that people make choices to break the law, but it does assert that these choices are not a matter of pure "free will."
- Instead, the decision to commit a crime is held to be determined, or at least heavily influenced, by a person's social surroundings, psychological development, or biological makeup.
- The rehabilitation model "makes sense" only if criminal behavior is caused and not merely a freely willed, rational choice.
- Correctional rehabilitation shares the same logic: Causes are to be uncovered and treatments are to be individualized. This is why rehabilitation is also referred to as "treatment."

THANKS

Q&A





CRIMINOLOGY

SECTION III

DELIVERED BY : ASP RANA WAHAB



Syllabus

- **Section-III (25 Marks)**

- ***IX. Criminal Investigation***

- Principles of criminal investigation, Manual of preliminary investigation, Intelligence operations, Data base investigation, Electronic investigation, Forensic Investigation

- ***X. Techniques of Investigations***

- Gathering information from persons, Interviewing and interrogation techniques, Criminal investigation analysis

- ***XI. Legal and Ethical Guidelines for Investigators***

- Stop and frisk operations, Arrest procedures, Search and seizure.

- ***XII. International Policing Criminal Justice Monitoring Organizations***

- UNAFEI, INTERPOL, EUROPOL, UNODC, UNICEF, IPA, etc.

CRIMINAL INVESTIGATIONS



CRIMINAL INVESTIGATION

- "A lawful search for people and things to reconstruct the circumstances of an illegal act, apprehend or determine the guilty party, and aid in the states prosecution of the offender ”
- The collection of information and evidence for identifying, apprehending, and convicting suspected offenders.”
- Now if criminal investigation is being concluded the result would come out to ask the questions as given below:
- Who, What, Where, When, Why & How

CRIMINAL INVESTIGATION

- The purpose is to find out the guilt or make legal efforts to search out the truth through various sources adopted by law enforcement agency/police to produce and prove in the court of law
- Essential for police to bring criminals/ law breakers to the court of law for justice through investigation of facts
- Without proper criminal investigation it is impossible to prove the crime in Court

CRIMINAL INVESTIGATION

- When a FIR is lodged the police is required to conduct the investigation by following procedure:
 - *Proceeding to the spot*
 - *Ascertainment of facts and circumstances of the case*
 - *Discovery and arrest of suspected offender*
 - *Collection of evidence and only an officer incharge of police station has jurisdiction to investigate a cognizable offence*

CRIMINAL INVESTIGATION

- For criminal investigation it is also necessary to provide the following support and facilities:
 - *Cooperation from the public i.e witnesses mandatory*
 - *Well trained and equipped investigators*
 - *Logistical support like vehicle , financial resources , etc.*
 - *Evidence collection kit and allied support of other government agencies to collect and preserve evidence from crime scene*

CRIMINAL INVESTIGATION

- *Availability of modern devices like computer, audio video players etc for preservation and presentation of evidence in courts*
- *Well equipped Forensic science laboratories for processing of evidence like finger print analysis, DNA analysis, voice matching, ballistics, chemical processing etc*
- *Comprehensive cooperation mechanism between different law enforcement agencies and necessary legal cover*

PRINCIPLES OF CRIMINAL INVESTIGATION

- The circumstances that investigators encounter at the scene will largely dictate the approach used to process the scene.
- A homicide will likely require different treatment and processing than a burglary.
- To ensure a thorough process , the seven steps outlined below are often followed.
- These steps can be conducted in a different order, combined or even skipped altogether to meet the needs of the situation.

PRINCIPLES OF CRIMINAL INVESTIGATION

- **Establish the crime scene dimensions and identify potential safety and health hazards**
 - *Locate the focal point and main area of disturbance*
 - *Establish a sizeable parameter to cover all physical evidence, it can be a small room to several Km in case of plan explosion etc*
 - *Identify Potential paths of perpetrator entry/exit*
 - *Safety is of paramount importance during the initial approach to the scene. Weapons, biohazards, chemical hazards and even intentional traps could be waiting for responders*
 - *If medical, fire or coroners will be on scene, they will need to be advised regarding evidentiary issues as well*

PRINCIPLES OF CRIMINAL INVESTIGATION

■ Ensure Security of Crime Scene

- *Locard's Principle of Exchange* :Every person who enters or exits the scene will add or subtract material from the crime scene, so it's crucial to quickly secure the area.
- *Cordon off the area and document every one entering and exiting the area*
- *Establishment of standard entry/exit path*
- *Additional areas for consultation and evidence storage may also be established if necessary*

PRINCIPLES OF CRIMINAL INVESTIGATION

■ Plan, communicate and coordinate:

- *Before collecting evidence, develop a theory regarding the type of offense that occurred.*
- *This will help investigators anticipate the evidence that could be present*
- *This may require gathering information from witnesses or persons of interest*
- *Based on this information, the crime scene team will develop an evidence-collection strategy taking into consideration weather conditions, time of day and other factors.*
- *Additional forensic resources may also be requested to handle special situations.*

PRINCIPLES OF CRIMINAL INVESTIGATION

■ Conduct a primary survey/walkthrough:

- *An initial survey of the scene is then conducted to prioritize evidence collection.*
- *During this walkthrough, the lead investigator will identify potentially valuable evidence, take notes and capture initial photographs of the scene and the evidence.*
- *Every possible detail is documented like temperature, equipment, smell, position of evidence etc*
- *To facilitate this process, crime scene specialists may create an evidence-free pathway leading to the primary area of interest by conducting a thorough sweep for evidence in that area*

PRINCIPLES OF CRIMINAL INVESTIGATION

■ Document and process the Scene

- *With a plan in place the crime scene team conducts a thorough, coordinated investigation of the scene, collecting all probative evidence.*
- *This entails detailed documentation with digital and video cameras or, if available, a 3-D scanner.*
- *For some situations, sketches and diagrams are also created.*
- *Follow proper procedure for collecting, packaging and preserving the evidence, especially if it is of a biological nature.*
- *Biological evidence can be destroyed or damaged by weather conditions, individuals can temper it etc.*

PRINCIPLES OF CRIMINAL INVESTIGATION

■ Conduct a secondary survey/review:

- To ensure that the scene has been thoroughly searched, a second survey of the area is conducted as a quality control step
 - *To check any evidence collection missing as identified in first step*
 - *To look for additional evidence if possible*
 - *To certify all necessary evidence has been collected and crime scene may be opened to other persons*

PRINCIPLES OF CRIMINAL INVESTIGATION

■ Record and preserve evidence:

- To make certain that all evidence is accounted for, an inventory log is created.
 - *The descriptions recorded into the log must match the photo of the evidence taken at the scene and the description included in the crime scene report.*
 - *For instance, if a gun is collected, the serial number of the firearm in the evidence log must match the serial number shown in the photo that was taken at the scene.*
 - *This paper trail establishes the chain of custody that will follow the evidence throughout the lifecycle of the case.*

MANUAL OF PRELIMINARY INVESTIGATION

- The preliminary investigation is the first response of law enforcement agency to a report that a crime has occurred.
- The preliminary investigation collects evidence which supports that a crime has occurred, the identification of the offender, and the arrest and subsequent conviction of the offender.

MANUAL OF PRELIMINARY INVESTIGATION

- The framework of the preliminary investigation is based on the following major tasks:
 - *Verification that an offence has occurred*
 - *Identification of the victim, the place of crime and time of crime*
 - *Identification of solvability factors*
 - *Communication of the circumstances of crime*
 - *Identification of those investigative tasks completed /not completed*

MANUAL OF PRELIMINARY INVESTIGATION

Following points may help in initial investigation

- Witnesses to the crime
- A suspect's name
- Probable places where a suspect can be located
- Description of a suspect
- Identification of a suspect
- Property with identifiable characteristics
- Existence of a significant method of operation
- A description of transport used by suspect
- Positive results from a crime scene evidence search
- Belief that the crime may be solved with publicity
- Reasonable additional investigative effort
- An opportunity for but one person to have committed crime

INTELLIGENCE OPERATIONS



INTELLIGENCE OPERATIONS

- An intelligence operation is the process by which governments, military groups, businesses, and other organizations systematically collect and evaluate information for the purpose of discovering the capabilities and intentions of their rivals.
- Intelligence should accomplish the following actions to achieve this objective:
 - *Identify and evaluate existing conditions and capabilities*
 - *Estimate possible enemy course of action based on capabilities*
 - *Aid and identify critical vulnerabilities that the threat may exploit*
 - *Assist in developing and evaluating counter course of actions*

INTELLIGENCE OPERATIONS

- Tradecraft is a term used within the intelligence community to describe the methods, practices, and techniques used in spying and underground investigations.
- Strategic or national intelligence is information about foreign nations that is collected by governmental intelligence agencies. Strategic intelligence commonly encompasses national security, political, economic, and social trends in the target nation.

INTELLIGENCE OPERATIONS

- Military intelligence is produced by specially trained military or civilian analysts and usually includes the strengths, weapons technology, and estimated military capabilities of actual or potential enemies.

INTELLIGENCE OPERATIONS

- Industrial intelligence is information gathered by a business firm concerning its rivals in the marketplace.
- Political intelligence, as practiced in the United States, is usually concerned with ascertaining the campaign strategy of a political opponent. Political intelligence can also apply to the efforts of a ruler to uncover conspiracies.
- Counterintelligence embraces the wide variety of activities undertaken to forestall an adversary's intelligence efforts.

INTELLIGENCE OPERATIONS

- Intelligence derived from clandestine collection generally falls into three categories:
- *Human intelligence is simply information gathered by and from human agents. Espionage, or spying, is one time-honored method of obtaining human intelligence. Whereas other forms of clandestine collection often provide a greater volume of information, especially data of a technical nature, human intelligence is essential for uncovering the thinking, as opposed to the activity, of the adversary.*

INTELLIGENCE OPERATIONS

- **Signals intelligence** – the interception of electronic communications and other emissions. Signals are intercepted by a variety of methods, including the tapping of telephone lines and the monitoring of radio transmissions.
- **Photographic intelligence** conducted from aircraft. Reconnaissance aircraft can also utilize thermography and advanced radars to reveal details indiscernible in visible light. Photo intelligence from aircraft is especially valuable for monitoring the movement of military forces on the ground and for spotting the construction of military facilities.

PRINCIPLES OF INTELLIGENCE OPERATIONS

- **Intelligence activities require centralized management**
 - *Good intelligence is the result of the integration of many separate and specialized collection, processing, and analytical resources.*

PRINCIPLES OF INTELLIGENCE OPERATIONS

■ Good evaluation and dissemination

- *The intelligence officer enables effective use of intelligence throughout the command. As the principal disseminator of intelligence, the intelligence officer ensures that the Full implication of the intelligence understood. To do this, the intelligence officer must be a full and continuous participant in the planning process.*

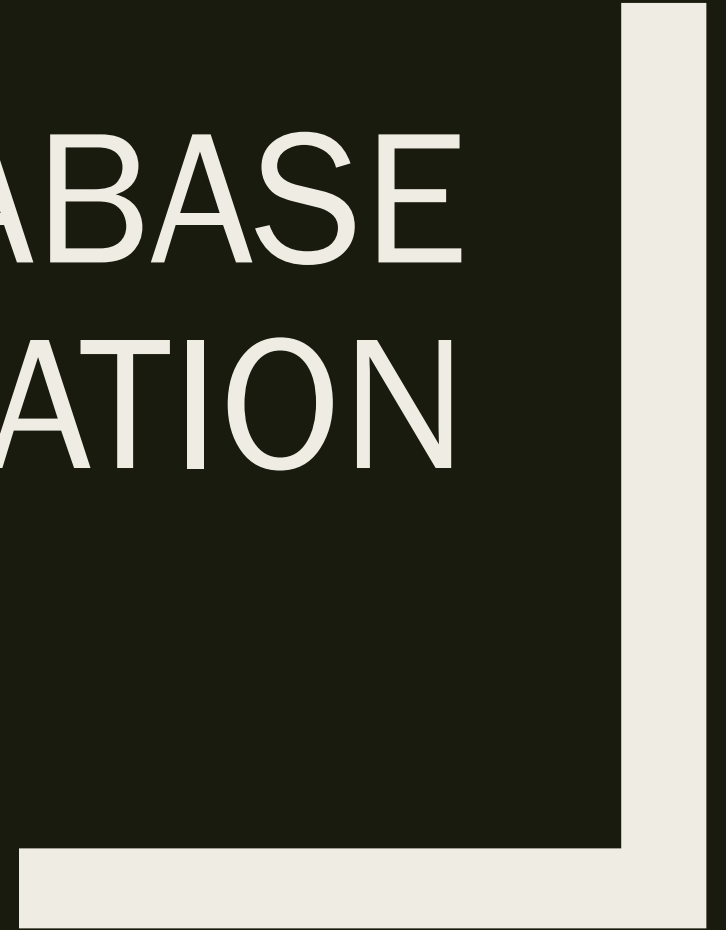
PRINCIPLES OF INTELLIGENCE OPERATIONS

- **Intelligence must be tailored and timely.**
 - *Intelligence must be tailored to the requirements of the user, provided in a useful format, and received in time to affect the decision making process.*
 - *Delivery of the right intelligence—not simply data or information—to the right place at the right time must be the guiding principle of all dissemination efforts.*

PRINCIPLES OF INTELLIGENCE OPERATIONS

- **Utilization is the final step of the intelligence cycle.**
 - *Intelligence has no inherent value; its value is derived from its support of decision making. The intelligence cycle is not complete until the intelligence that has been developed is used to plan and/or execute operations.*

DATABASE INVESTIGATION



DATA BASE INVESTIGATION

- A database is a collection of data or information which is represented in the form of files or a collection of files.
- Retrieving the data from the database can be done with a set of queries.
- A forensic investigation needs to be done on the databases, because a database has sensitive data where there is a high chance of a security breach by the intruders to get this personal information.

DATA BASE INVESTIGATION

- Database investigation normally belongs to computers and databases.
- Computer technology is the major integral part of everyday human life, and it is growing rapidly, as are computer crimes such as financial fraud, unauthorized intrusion, identity theft and intellectual theft

DATA BASE INVESTIGATION

- For special agents and intelligence analysts, finding specific pieces of missing information in an investigation can be very complicated.
- The process involves searching through hundreds of databases with individual passwords, manually compiling information from each source, and then trying to sift through the collected information for the missing link.
- It is like trying to find a needle in a haystack.

DATA BASE INVESTIGATION

- Recently, the FBI deployed a new tool which encompasses the Bureau's most-used databases while providing a single-source search capability that pulls information directly from hundreds of databases and datasets called the Data Integration and Visualization System (DIVS).
- DIVS provides the capability to search some of the most-used databases, accessing hundreds of millions of documents, all from one location.

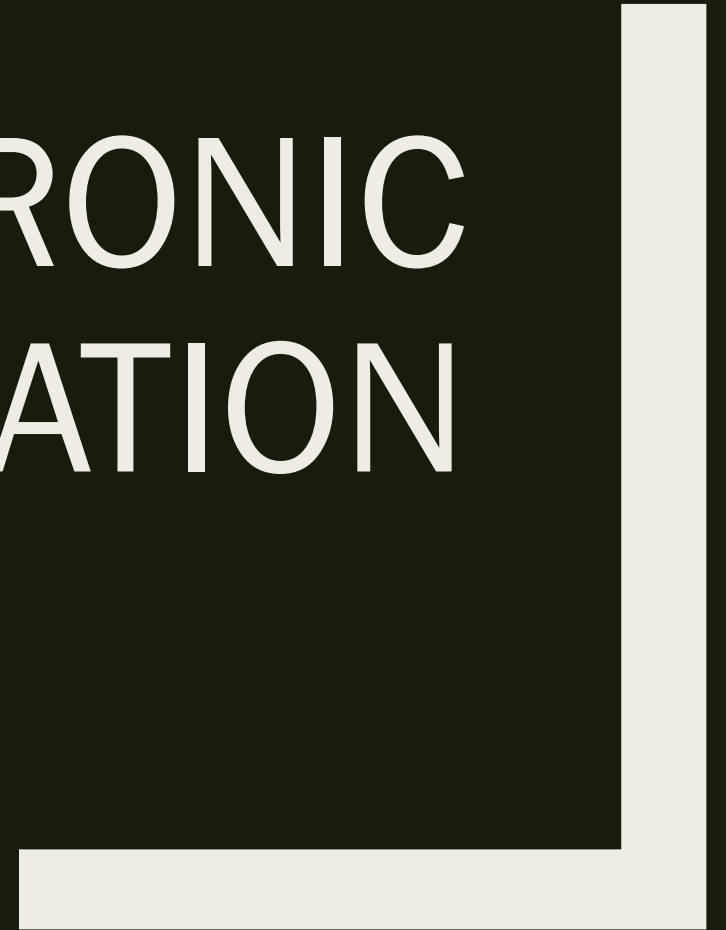
PRINCIPLES DATA BASE INVESTIGATION

- Data stored in a computer or storage media must not be altered or changed, as those data may be later presented in the court.
- A person must be competent enough in handling the original data held on a computer or storage media if it is necessary, and he/she also shall be able to give the evidence explaining the relevance and course of their actions.

PRINCIPLES DATA BASE INVESTIGATION

- An audit trail or other documentation of all processes applied to computer-based electronic evidence should be created and preserved. An independent third party should be able to examine those processes and achieve the same result.
- A person who is responsible for the investigation must have overall responsibility for accounting that the law and principles are adhered to.

ELECTRONIC INVESTIGATION



ELECTRONIC INVESTIGATION

- Electronic evidence is information and data of investigative value that is stored on or transmitted by an electronic device. Such evidence is acquired when data or physical items are collected and stored for examination purposes
- Electronic evidence
 - *Is often latent in the same sense as fingerprints and DNA evidence*
 - *Can transcend borders with ease and speed*
 - *Is fragile and can be easily altered, damaged, or destroyed*
 - *Is something time sensitive*

ELECTRONIC INVESTIGATION

- When dealing with electronic evidence, general forensic and procedural principles should be applied:
 - *Actions taken to secure and collect electronic evidence should not change the evidence*
 - *Persons conducting examination of electronic evidence should be trained for the purpose*
 - *Activity relating to the seizure , examination, storage or transfer of electronic evidence should be fully documented, preserved, and available for review*

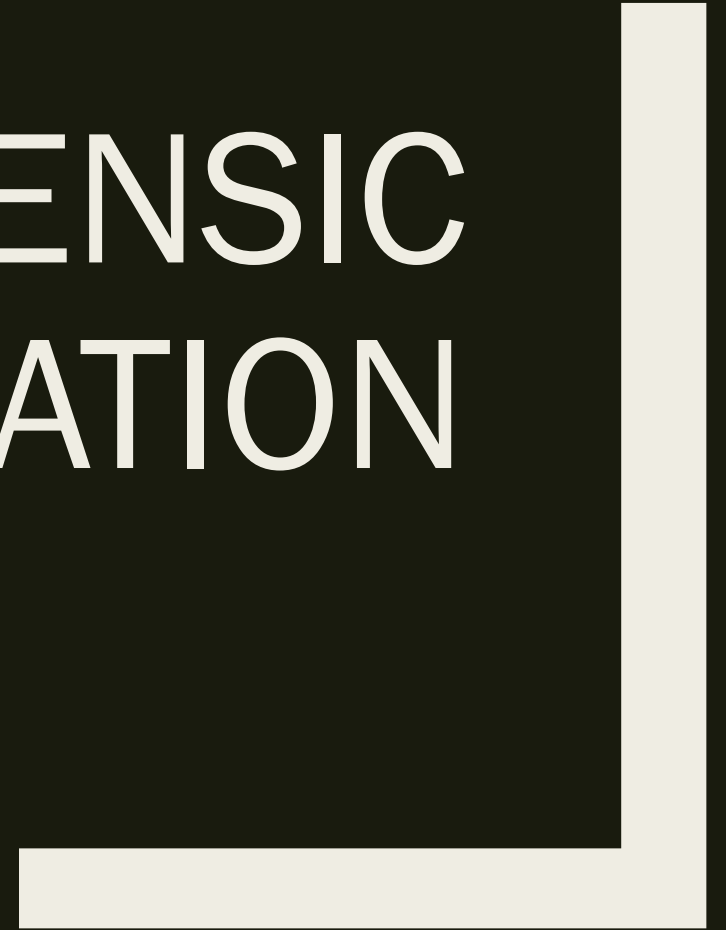
ELECTRONIC INVESTIGATION

- Precautions must be taken in the collection, preservation, and examination of electronic evidence.
- Handling electronic evidence at the crime scene normally consists of the following steps:
 - *Recognition and identification of the evidence*
 - *Documentation of the crime*
 - *Collection and preservation of the evidence*
 - *Packaging and transportation of the evidence*

ELECTRONIC INVESTIGATION

- Electronic evidence can be found in many of the new types of electronic devices available to today's consumers
- Internally attached computer hard drives, external drives, and other electronic devices at a crime scene may contain information that can be useful as evidence in a criminal investigation or prosecution
- The devices themselves and the information they contain may be used as digital evidence

FORENSIC INVESTIGATION



The Forensics Lifecycle



Media → Data → Information → Evidence

FORENSIC INVESTIGATION

- The word forensic comes from the Latin term *forēnsis*, meaning "of or before the forum."
- The history of the term originates from Roman times, during which a criminal charge meant presenting the case before a group of public individuals in the forum.
- Both the person accused of the crime and the accuser would give speeches based on their sides of the story. The case would be decided in favor of the individual with the best argument and delivery.

FORENSIC INVESTIGATION

- This origin is the source of the two modern usages of the word
- Forensic – as a form of legal evidence and as a category of public presentation.
- In modern use, the term forensics in the place of forensic science can be considered correct, as the term forensic is effectively a synonym for legal or related to courts.
- However, the term is now so closely associated with the scientific field that many dictionaries include the meaning that equates the word forensics with forensic science.

FORENSIC INVESTIGATION

- A forensic investigation is the practice of lawfully establishing evidence and facts that are to be presented in a court of law.
- The term is used for nearly all investigations, ranging from cases of financial fraud to murder.
- Chemical examination, ballistics, DNA analysis, Fingerprint, trace evidence ,soil, blood comparison, electronic evidence etc.

FORENSIC INVESTIGATION

- When most people think about forensics, they think about crime scene investigation, in which physical evidence is gathered.
- Different types of investigations are needed in different cases. For example, investigators use different techniques to solve arson, murder and kidnapping.
- In various cases, investigators must be able to find and analyze evidence, locate suspects and identify victims.

FORENSIC INVESTIGATION

- Forensic science is any scientific field that is applied to the field of law. Forensic scientists are tasked with the collection, preservation, and analysis of scientific evidence during the course of an investigation.
- While some forensic scientists travel to the scene to collect the evidence themselves, others occupy a purely laboratory role, performing analysis on objects brought to them by other individuals.

FORENSIC INVESTIGATION

- Forensic scientists testify as expert witnesses in both criminal and civil cases and can work for either the prosecution or the defense.
- While any field could technically be forensic, certain sections have developed over time to encompass the majority of forensically related cases.
- Due to the nature of their position, forensic scientists are expected to uphold a high level of integrity and maintain strict ethical guidelines regarding their work.

FORENSIC INVESTIGATION

- Forensic investigation is increasingly playing an important role in the pursuit of justice. But the use of forensic investigation is not the straightforward endeavor that is portrayed in many television programs and other mass media sources.

TECHNIQUES OF INVESTIGATIONS



TECHNIQUES OF INVESTIGATIONS

- The techniques of investigation are myriad and almost limitless.
Surveillance of certain subjects may be employed by the investigative agency, informants may be utilized, and records may be summoned.
- Law enforcement officers should not be overwhelmed by technology as both conventional techniques and technology aid each other.
- The utilization of all such techniques will be employed for the same purpose: to discover the truth and to prosecute those who violate laws.

TECHNIQUES OF INVESTIGATIONS

- Some of the more common techniques of investigation are discussed below:

:

- **Investigative Assistance**

- *Due to the nature of technology, particularly in crimes committed on the Internet, criminal behavior often occurs across jurisdictional boundaries.*
- *It is important, therefore, for law enforcement officers to collaborate with other agencies at the Federal, State, and local levels to successfully investigate these types of crimes and apprehend the offenders.*

TECHNIQUES OF INVESTIGATIONS

■ Surveillance

- *This technique is usually employed where photographic evidence may greatly assist in the investigation of the case.*
- *Where there is information of some wrongdoing and it may be verified through planting of a person , audio-video recording , photographs which may be used both as confirmation as well as evidence at later stage*
- *Drug selling pictures, associates of an organized crime etc.*

TECHNIQUES OF INVESTIGATIONS

■ Wiretaps

- *It can only be used under legal limitations.*
- *Only used with approval of the court and in circumstances where their use outweighs their potential for invading personal freedom*

TECHNIQUES OF INVESTIGATIONS

■ Search Warrants

- *probable cause to believe that evidence of a crime or a suspect may be found at a particular location where legitimate expectations of privacy exist*
- *Law enforcement officer will apply for a search warrant to authorize seizure of the suspected evidence or arrest of a suspect*

TECHNIQUES OF INVESTIGATIONS

■ Interviews

- *The information can be collected through interviews*
- *While conducting interviews, it is important to determine the victim's , suspect's or witnesses's skill level as it relates to technology*

TECHNIQUES OF INVESTIGATIONS

■ Crime Scene and location search

- *Whether responding to a crime scene or preparing to execute a search warrant, a consideration in the search process is identifying the possible location(s) of information with investigative value.*
- *Information may be found in various locations or may be associated with various devices.*

TECHNIQUES OF INVESTIGATIONS

- **Publicly Available information**
- Information may be obtained from following sources
 - *Publically available government records*
 - *Internet searches*
 - *Internet registries overview*
 - *Commercially available databases of personal corporate records*

TECHNIQUES OF INVESTIGATIONS

■ Legal Process

- *Legal process may be required to compel the production of certain type of records*
- *State laws may impose additional statutory requirements in various forms of compulsory legal process*

TECHNIQUES OF INVESTIGATIONS

■ Encryption

- *Encryption may be used to protect or hide important or incriminating data or communications.*
- *The best methods for obtaining passwords to decrypt this data are interviews and crime scene searches.*
- *With the number of passwords that users are required to remember, a possibility exists that passwords may be stored on paper or other electronic devices.*

TECHNIQUES OF INVESTIGATIONS

■ Digital Evidence

- *Almost any activity performed on a device, whether inadvertent or intentional (e.g., powering up or shutting down), magnetic field, light etc. can alter or destroy potential digital evidence. data.*
- *Due to these factors, steps should be taken in a timely manner to preserve data. Special precautions should be taken when documenting, Collecting, preserving and examining digital evidence.*

TECHNIQUES OF INVESTIGATIONS

■ Electronic communications

- *Electronic communications (e.g., e-mail, text messaging, picture messaging) may be available from Internet service providers (ISPs), pager companies, cellular or wireless phone service providers, public access (e.g., wireless hotspots, Internet cafes, public libraries, academic institutions), and suspect or victim computers.*
- *These communications may involve text, voice, video, and file transfers and may reveal important investigative material.*

TECHNIQUES OF INVESTIGATIONS

■ Website Records

- *Web sites often track the Internet Protocol (IP) address, time, date of access of the user, and other information. For example, PayPal® and FedEx® have transaction records related to the sale and purchase of a product or service.*
- *Investigators should request these records be preserved or obtain these records in a timely manner because they may only be maintained for a short period of time.*

TECHNIQUES OF INVESTIGATIONS

■ Telecommunication

- *Public telephone networks provide telecommunication services through a variety of computer and consumer electronic devices like PDAs, cell phones, and others.*
- *Cellular telephone tower data are available to law enforcement and may provide vulnerable information regarding the specific location of the phone of a particular subscriber being investigated. These records are stored with the provider of phone service and generally exist through one billing cycle.*

TECHNIQUES OF INVESTIGATIONS

- *Portable communication devices e.g wireless phones , PDAs, pagers) can store address books, phone lists, e-mail, addresses, message content, pictures, audio files, most recent incoming and outgoing calls, and appointment books and journals, and can perform almost any other function found on a home computer.*
- *Anwsering machines, answering services and voice mail can provide valuable information. The legal procedure for obtaining the data from these sources differs depending on the location of the information and the people who have access to it.*

TECHNIQUES OF INVESTIGATIONS

■ Video Surveillance

- *With the increasingly likelihood that public conduct will be captured on video surveillance systems, Video security systems have been put in place by businesses, government entities, and private citizens.*
- *To discover these systems, law enforcement officers should carefully look for cameras and inquire of the businesses if they have surveillance equipment.*
- *safe cities, CCTV systems at homes, banks etc or special cameras with permission of appropriate authorities*

TECHNIQUES OF INVESTIGATIONS

■ Consensual Monitoring

- *Consensual monitoring is the monitoring of wire, oral, or electronic communication with the knowledge and consent of at least one involved party. Some States, however, are more restrictive in that they require the consent of all parties to the communication.*
- *Intercepts that may be considered consensual monitoring in some States may require legal process elsewhere. Consult with a prosecutor in the relevant jurisdiction for guidance.*

TECHNIQUES OF INVESTIGATIONS

■ Tracking

- *Tracking systems provide law enforcement the ability to track the movement or identify the location of persons or objects.*
- *Examples of tracking systems include the following:*
- *GPS: GPS satellites can establish the location of the item being tracked.*
- *Credit or membership cards. Use of these cards creates a record, which may provide information related to the geographic location and travel history for the use of the card (e.g., hotel, gas, airline), as well as date/time/location of the item purchased.*

GATHERING INFORMATION FROM PERSONS

- Elicitation is a technique used to discreetly gather information. It is a conversation with a specific purpose:
 - *collect information that is not readily available and do so without raising suspicion that specific facts are being sought. It is usually non-threatening, easy to disguise, deniable, and effective. The conversation can be in person, over the phone, or in writing.*
 - *Conducted by a skilled collector, elicitation will appear to be normal social or professional conversation. A person may never realize she was the target of elicitation or that she provided meaningful information.*

GATHERING INFORMATION FROM PERSONS

- The strategic use of conversation to extract information from people without giving them the feeling they are being interrogated.
- Elicitation attempts can be simple, and sometimes are obvious. If they are obvious, it is easier to detect and deflect. On the other hand, elicitation may be imaginative, persistent, involve extensive planning, and may employ a co-conspirator.

GATHERING INFORMATION FROM PERSONS

- Elicitors may use a cover story to account for the conversation topic and why they ask certain questions.
- Elicitors may collect information about you or your colleagues that could facilitate future targeting attempts.
- Elicitation can occur anywhere—at social gatherings, at conferences, over the phone, on the street, on the Internet, or in someone's home.

ELICITATION TECHNIQUES

- There are many elicitation techniques, and multiple techniques may be used in an elicitation attempt. The following are descriptions of some of those techniques.
 - **ASSUMED KNOWLEDGE:** *pretend to have knowledge or associations in common with a person. “According to the computer network guys I used to work with...”*
 - **BRACKETING :** *Provide a high and low estimate in order to entice a more specific number. “I assume rates will have to go up soon. I’d guess between five and 15 dollars.” Response: “Probably around seven dollars.”*

ELICITATION TECHNIQUES

- **CAN YOU TOP THIS ?** Tell an extreme story in hopes the person will want to top it. “I heard Company M is developing an amazing new product that is capable of ...”
- **CONFIDENTIAL BAIT:** Pretend to divulge confidential information in hopes of receiving confidential information in return. “Just between you and me...” “Off the record...”
- **CRITICISM :** Criticize an individual or organization in which the person has an interest in hopes the person will disclose information during a defense. “How did your company get that contract? Everybody knows Company B has better engineers for that type of work.”

ELICITATION TECHNIQUES

- **DELIBERATE FALSE STATEMENT:** Says something wrong in the hopes that the person will correct your statement with true information. “Everybody knows that process won’t work—it’s just a dream project that will never get off the ground.”
- **FEIGNED IGNORANCE:** Pretend to be ignorant of a topic in order to exploit the person’s tendency to educate. “I’m new to this field and could use all the help I can get.” “How does this thing work?”
- **FLATTERY:** Use praise to coax a person into providing information. “I bet you were the key person in designing this new product.”

ELICITATION TECHNIQUES

- **GOOD LISTENER** : *Exploit the instinct to complain or brag , by listening patiently and validating the person's feelings (whether positive or negative). If a person feels they have someone to confide in, he/she may share more information.*
- **THE LEADING QUESTION**: *Ask a question to which the answer is "yes" or "no," but which contains at least one presumption. "Did you work with integrated systems testing before you left that company?" (As opposed to: "What were your responsibilities at your prior job?")*

ELICITATION TECHNIQUES

- **MACRO TO MICRO:** *Start a conversation on the macro level and then gradually guide the person toward the topic of actual interest. Start talking about the economy, then government spending, then potential defense budget cuts, then “what will happen to your X program if there are budget cuts?” A good elicitor will then reverse the process taking the conversation back to macro topics.*
- **MUTUAL INTEREST :** *Suggest you are similar to a person based on shared interests, hobbies, or experiences, as a way to obtain information or build a rapport before soliciting information. “Your brother served in the Iraq war? So did mine. Which unit was your brother with?”*

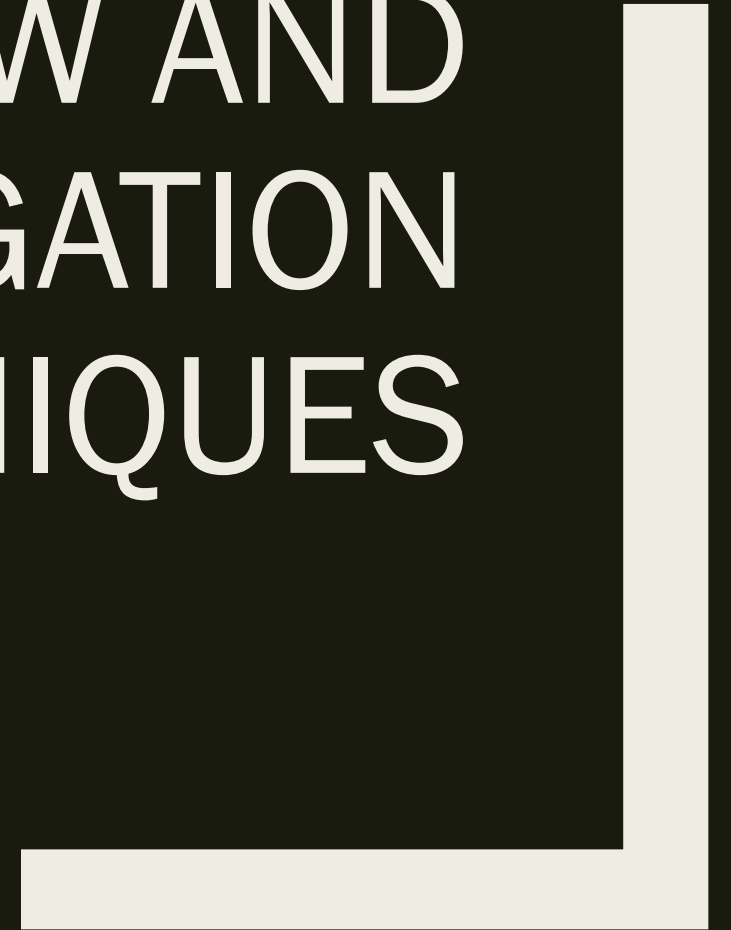
ELICITATION TECHNIQUES

- **OBLIQUE REFERENCE:** *Discuss one topic that may provide insight into a different topic. A question about the catering of a work party may actually be an attempt to understand the type of access outside vendors have to the facility.*
- **OPPOSITION/FEIGNED INCREDULITY:** *Indicate disbelief or opposition in order to prompt a person to offer information in defense of their position. “There’s no way you could design and produce this that fast!” “That’s good in theory, but...”*

ELICITATION TECHNIQUES

- **PROVOCATIVE STATEMENT:** *Entice the person to direct a question towards you, in order to set up the rest of the conversation. “I could kick myself for not taking the job offer” . Response: “Why didn’t you?” Since the other person is asking the question, it makes your part in the subsequent conversation more innocuous.*

INTERVIEW AND INTERROGATION TECHNIQUES



INTERVIEW AND INTERROGATION TECHNIQUES

- Investigative interviewing is an essential aspect of the investigative process for patrol officers, loss prevention agents, detectives or other investigators.
- An interview is a conversation intended to elicit information.
- Interviews are generally non-accusatory. During the course of an investigation, the investigator will conduct interviews with all available witnesses and potential suspects.

INTERVIEW AND INTERROGATION TECHNIQUES

- The investigator should ask open-ended questions in an attempt to elicit as much information as possible. The interview subject should do most (75%) of the talking during the conversation (Reid & Associates, 2001).
- If, during the interview it is found that the subject has lied, the investigator should generally not confront the subject. In most cases it is best to challenge a lie during a follow-up interview or once the interviewer has transitioned into an interrogation.

INTERVIEWS

- Victims and Witnesses
- Goal is to find out as much info as possible
- Put the victim or witness at ease
- Friendly, loosely structured, and non-confrontational
- Focus is to get person to tell you what happened

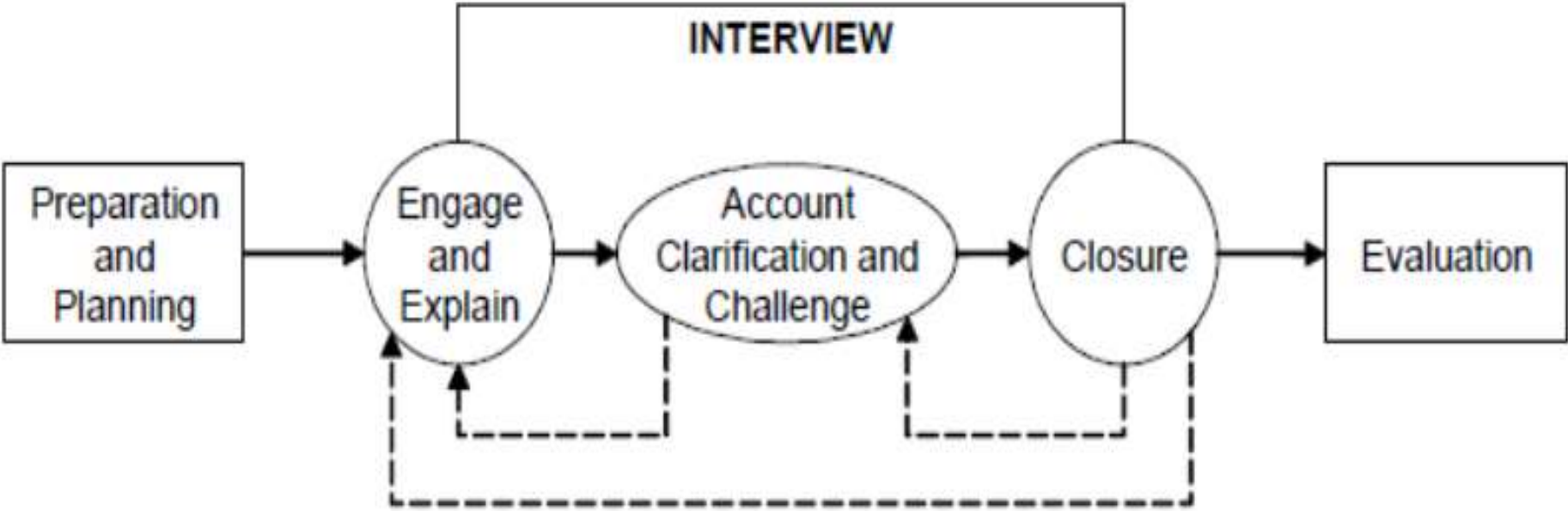
CHARACTERISTICS OF GOOD INTERVIEWER

- Inquisitive
- Observant
- Energetic
- Good Communicators
- Patient

INTERVIEWS

- Process begins when you arrive at the scene
- ID victims and witnesses and separate them
- Interview them
- Goal is to get information about crime
- Corroborate information with evidence
- **How you interview is important**

SEQUENCE OF INTERVIEWS



PREPARATION AND PLANNING

- **Planning** – the mental process of getting ready to interview someone
- **Preparation** – considering what needs to be made ready prior to conducting the interview (location, environment, administration of interview)

QUESTIONS

- Use open-ended questions
- Avoid leading questions
- Attempt to put a time-frame around event
- Do not ask if willing to testify in court
- Do not expect person to have same observation skills as officers

QUESTIONS

- WHO?
- WHAT?
- WHERE?
- WHEN?
- WHY?
- HOW?
- HOW MUCH?

INTERVIEW TECHNIQUES

- Most interviews conducted by investigators will be non-accusatory in nature. The investigator uses these interviews to establish as much information as possible about the event under investigation.
- Even when a suspect has been identified and an interrogation is planned the investigator will interview the suspect prior to the interrogation
- This pre-interview may occur on the telephone, in person, immediately prior to the interrogation or as a witness interview early in the investigation.

INTERVIEW TECHNIQUES

- Cognitive interviewing techniques have been used by investigators for years. However, the National Institute of Justice quantified the techniques in a study demonstrating their effectiveness.
- Cognitive interviews should be held in a quiet, secluded location. Interview subjects should be encouraged to speak slowly. The techniques in cognitive interviewing are used to enhance the recollection of victims and witnesses.
- The basic idea behind cognitive interviewing is to reconstruct the details of an event in a witness' mind, in different ways to improve their overall recall of the event.

INTERVIEW TECHNIQUES

- **Reconstruct the circumstances of the event:** The witness is asked to reconstruct how the incident began and the circumstances surrounding it. The witness is asked to think about details in the environment like weather and lighting and the condition of the area. The interviewer also asks the witness to recall their emotional state at the time of the incident.
- **Instruct the witness to report everything :** The witness is asked not to leave out any details regardless of how small they may seem.

INTERVIEW TECHNIQUES

- **Recall the events in a different order** : The witness is asked to describe the event backward or from a point in the middle and describe the event either forward or backward from that point. This technique can also be useful in determining a suspect's truthfulness. If a person is creating a story it is almost impossible to tell the story out of sequence.
- **Change Perspective** : The witness is asked to change roles with another person in the incident and consider what he or she might have seen. The witness is also asked to describe the incident as if they saw it from a different location.

WITNESS INTERVIEWS

- Interviews conducted with witnesses should be non-accusatory. Investigators must make a systematic effort to interview all witnesses so that a thorough investigation is completed.
- Some witnesses to a crime may eventually become suspects but they should not be treated as such until the investigator feels that there is adequate evidence to infer this and is prepared to proceed with an interrogation.

WITNESS INTERVIEWS

- During a witness interview the investigator should ask open ended questions allowing the witness as much time to answer in as much detail as he or she wants.
- If the witness' answers are too short or lack description the investigator should ask follow up questions to elicit further detail.

WITNESS INTERVIEWS

- The questions asked of witnesses will vary depending on the investigation. In general, the witness should be asked to describe what they observed in as much detail as possible, what involvement, if any, they had in the event; their knowledge of, or relationship with, any of the participants, and personal information (name, age, phone number, address).

VICTIM INTERVIEWS

- When interviewing a victim the investigator must keep in mind that the person they are speaking with has just been through a bad experience.
- The victim's health and personal safety must be the investigator's primary concern. This may cause the interview with the victim to be postponed.
- The victim may be angry, afraid or even traumatized. These intense emotions may be projected onto the investigator.

VICTIM INTERVIEWS

- The investigator will have to use all of his or her communication skills to obtain the valuable information that the victim possesses.
- The victim should be asked to provide a description of what happened to them in as much detail as possible.

INTERROGATIONS



INTERROGATIONS

- Suspect
- Goal is to establish the suspect's guilt
- Controlled and Directed
- May involve the suspect at a psychological disadvantage
- You must advise suspect of legal rights

ACCUSATORY INTERVIEWS (INTERROGATIONS)

- An interrogation is the process by which suspects are questioned in regards to their involvement in the activity that is under investigation.
- The interrogation will involve the interviewer accusing the suspect. Interrogations may be scheduled at the conclusion of the investigation, after all of the evidence has been considered.

ACCUSATORY INTERVIEWS (INTERROGATIONS)

- There are also times when, depending on the suspect's behavior, an interview will change into an interrogation. This step should not be taken lightly.
- Once the tone of the conversation has moved to accusatory it is virtually impossible to stop and go back to interviewing.
- In the interrogation the investigator will do most of the talking. The questions asked of the suspect will be more direct and less open ended.

ACCUSATORY INTERVIEWS (INTERROGATIONS)

- During the process the interviewer covers several specific topics:
- **WHO WE ARE AND WHAT WE DO :** The interviewer describes his role values and goals of the organization. The interviewer stresses how within the organization or agency and briefly explains their core job is to protect the citizens or employees.

ACCUSATORY INTERVIEWS (INTERROGATIONS)

- **DIFFERENT TYPES OF CRIME:** The interviewer explains that part of his or her job is to investigate different types of crime or violations. The interviewer lists several types of offenses, including the one the subject is suspected of involvement in.
- **HOW WE INVESTIGATE:** The investigator goes on to describe the variety of investigative tools at their disposal. Specifically, several investigative techniques that could have lead to the identification of the subject are discussed.

DIRECT ACCUSATION

- The direct accusation is best used when there is substantial evidence of the suspect's guilt of one crime. In this style the interviewer begins the interrogation by informing the subject that the conversation is to discuss his/her involvement in the incident.
- The investigator informs the subject that the evidence clearly indicates the subject committed the crime. Normally the subject will deny the accusation.
- The interviewer immediately re-accuses the subject, using the same wording as before, and then begins offering rationalizations for the crime.

THE REID TECHNIQUE

- The Reid technique is useful as a general interview format or when there are several people suspected of the same crime. The core of the Reid technique is the Reid Interview Tabulation Sheet. This consists of a warning of rights, a medical data sheet and 15 numbered questions.
- Each question has a space next to it where the interviewer uses an abbreviation to note his opinion on whether the subject answered truthfully, deceitfully or that the interviewer is uncertain about the truthfulness of the response.

THE REID TECHNIQUE

- The interviewer also writes down the subject's answer to each question.
- The questions deal with the issue under investigation. The interviewer asks questions concerning what the subject knows about the crime, if the subject is involved, who the subject thinks is involved, what should happen to the person who did it, did the subject ever think about doing it, the subject's alibi, etc.
- If the interviewer feels that the subject has shown signs of guilt he or she would make an accusation and continue on with the interrogation.

THE REID TECHNIQUE

- The Reid Technique involves three components –
- **FACTUAL ANALYSIS**
 - *factual analysis relies not only on crime scene analysis, but also on information learned about each suspect.*
 - *Applying factual analysis results in establishing an estimate of a particular suspect's probable guilt or innocence based on such things as the suspect's bio-social status (gender, race, occupation, marital status, etc.), opportunity and access to commit the crime, their behavior before and after the crime, their motivations and propensity to commit the crime, and evaluation of physical and circumstantial evidence.*
 - *This factual analysis is also intended to "identify characteristics about the suspect and the crime which will be helpful during an interrogation of the suspect believed to be guilty" such as motive or the suspect's personality type.*

THE REID TECHNIQUE

■ BEHAVIOR ANALYSIS INTERVIEW

- *The Reid describes the Behavior Analysis Interview (BAI) as a non accusatory question and answer session, involving both standard investigative questions and "structured" behavior provoking' questions to elicit behavior symptoms of truth or deception from the person being interviewed."*
- *The investigator first asks background questions, to establish personal information about the suspect and allow the investigator to evaluate the suspect's "normal" verbal and nonverbal behavior.*
- *The investigator then asks "behavior-provoking" questions intended "to elicit different verbal and nonverbal responses from truthful and deceptive suspects."*

THE REID TECHNIQUE

■ INTERVIEW

- There are nine steps to the Reid interrogation technique, briefly described below.
 - *The positive confrontation.* The investigator tells the suspect that the evidence demonstrates the person's guilt. If the person's guilt seems clear to the investigator, the statement should be unequivocal.
 - *Theme development.* The investigator then presents a moral justification (theme) for the offense, such as placing the moral blame on someone else or outside circumstances. The investigator presents the theme in a monologue and in sympathetic manner.
 - *Handling denials.* When the suspect asks for permission to speak at this stage (likely to deny the accusations), the investigator should discourage allowing the suspect to do so. The Reid website asserts that innocent suspects are less likely to ask for permission and more likely to "promptly and unequivocally" deny the accusation. The website states that "it is very rare for an innocent suspect to move past this denial state."

THE REID TECHNIQUE

- **Overcoming objections.** *When attempts at denial do not succeed, a guilty suspect often makes objections to support a claim of innocence (e.g., I would never do that because I love my job.) The investigator should generally accept these objections as if they were truthful, rather than arguing with the suspect, and use the objections to further develop the theme.*
- **Procurement and retention of suspect's attention.** *The investigator must procure the suspect's attention so that the suspect focuses on the investigator's theme rather than on punishment. One way the investigator can do this is to close the physical distance between himself or herself and the suspect. The investigator should also "channel the theme down to the probable alternative components."*

THE REID TECHNIQUE

- **Handling the suspect's passive mood.** *The investigator "should intensify the theme presentation and concentrate on the central reasons he [or she] is offering as psychological justification . . . [and] continue to display an understanding and sympathetic demeanor in urging the suspect to tell the truth."*
- **Presenting an alternative question.** *The investigator should present two choices, assuming the suspect's guilt and developed as a "logical extension from the theme," with one alternative offering a better justification for the crime (e.g., "Did you plan this thing out or did it just happen on the spur of the moment?"). The investigator may follow the question with a supporting statement "which encourages the suspect to choose the more understandable side of the alternative."*

THE REID TECHNIQUE

- *Having the suspect orally relate various details of the offense. After the suspect accepts one side of the alternative (thus admitting guilt), the investigator should immediately respond with a statement of reinforcement acknowledging that admission. The investigator then seeks to obtain a brief oral review of the basic events, before asking more detailed questions.*
- *Converting an oral confession to a written confession. The investigator must convert the oral confession into a written or recorded confession. The website provides some guidelines, such as repeating Miranda warnings, avoiding leading questions, and using the suspect's own language.*

KINESIC INTERVIEWING

- Kinesic interviewing uses techniques to interpret subject's truthfulness by evaluating verbal and non-verbal cues. Like most of the methods, Kinesic interviewing can be divided into two phases; detection and interrogation.
- The interviewer has the option to stop the interview before making an accusation. Kinesic interviewing differs from some of the techniques discussed earlier in that it places greater reliance on verbal communication with the subject.

KINESIC INTERVIEWING

- The interviewer observes behaviors associated with the subject's responses to questions. The interviewer looks for disconnects between the subject's words and actions.
- The interviewer also evaluates the wording chosen by the subject looking for signs of deception. Because Kinesic interviewing places more reliance on the subject's word choice and phrasing, it is the best suited of the methods mentioned here for telephonic interviewing.

LEGAL AND ETHICAL GUIDELINES FOR INVESTIGATORS

■ Legality of Employment:

- *Do not accept investigative assignments from two different individuals who have a direct conflict of interests of some sort, without violating the investigative code of ethics.*
- *The investigator is also ethically barred from accepting an investigative assignment that presents a conflict of interest with an investigative assignment he has already accepted; or has reason to believe he will be accepting in the future.*
- *The investigator may not ethically accept any employment or an assignment of an investigative nature when the object of the employment or investigation is, per se, illegal, or will contribute to the furthering of an illegal act.*

LEGAL AND ETHICAL GUIDELINES FOR INVESTIGATORS

- *Examples of this would be an investigation to remove or to conceal or destroy evidence of a criminal act; or to deprive any individual of any of the rights guaranteed by the Constitution.*
- *The investigator is also ethically bound to accept only that investigative assignment, the results of which are to be or may be employed for a just and lawful purpose.*
- *The ethical investigator may not accept employment from any organization of a subversive nature, or any other organization which aims or is attempting to overthrow the government of the Pakistan.*

LEGAL AND ETHICAL GUIDELINES FOR INVESTIGATORS

- Confidential nature of work.
 - *Investigator shall not disclose any confidential information to anyone other than people legally entitled to know it.*
 - *The investigator is ethically bound to adhere to both the letter and the spirit of these limitations. The investigator is also ethically bound to observe all of the well known aspects concerning the protection of the identity of confidential informants, and the other general investigative procedures and techniques involved in dealing with confidential informants.*

LEGAL AND ETHICAL GUIDELINES FOR INVESTIGATORS

■ Soundness of Character

- *The investigator is ethically bound to adhere to the highest possible standards of personal character in all of his dealings involving investigative activity; and generally in all other public and private aspects of daily life and activity.*
- *Any and all aspects of investigative work, particularly reports, memoranda, and other media through which information is transferred, will be strictly factual, completely honest, and as accurate and complete as the expenditure of time and effort can make it.*
- *select the most economical means consistent with the securing of the best possible results.*
- *An ethical investigator will avoid the use of any and all illegal means in conducting an investigation or any aspect of an investigation.*
- *Any and all procedures which violate the rights of the individual will be strictly abhorred*

LEGAL AND ETHICAL GUIDELINES FOR INVESTIGATORS

- Everyday activities.
 - *The ethical investigator will live up to the highest standards of personal conduct at all times, and not only while he is engaged in the performance of investigative duties.*
 - *He will live in accordance with the requirements of society that he be at all times a decent, honest, reliable, and completely trustworthy individual; and that each and every one of his actions reflect nothing but the very highest credit upon his own actions in particular, and the profession he represents in general.*

LEGAL AND ETHICAL GUIDELINES FOR INVESTIGATORS

- *The ethical investigator will maintain at all times a completely objective attitude and impersonal approach towards his investigative duties and responsibilities; he will concentrate all of his skills and energies towards securing the truth of the matter under investigation; and he will never be satisfied with any results he secures unless he can honestly tell himself that they are the very best possible in any particular investigative situation; and until he can assure himself that every positive lead has been run down to its ultimate and logical conclusion.*
- *The ethical investigator will, at all times, strive to the very best of his ability to increase his knowledge of his profession, and to improve his technical skills and competence in the various procedures and techniques germane to the 'profession.*

STOP

- A "stop" is the temporary detention of a person for investigation. A "stop" occurs whenever an officer uses his/her authority to make a person halt, or to keep a person in a certain place, or to compel a person to perform some act. If a person is under a reasonable impression that they are not free to leave or ignore the officer's presence, a "stop" has occurred.

- **Basis for a Stop**
 - *An officer may stop a person in a public place, after having identified him/herself as a law enforcement officer, if s/he reasonably suspects that a person has committed, is committing, or is about to a criminal offense or ordinance violation. Both pedestrians and persons in vehicles may be stopped.*

- **Reasonable Suspicion**
 - *The term "Reasonable Suspicion" is not capable of precise definition; however, it is more than a hunch or mere speculation on the part of an officer, but less than the probable cause necessary for an arrest. Every officer conducting a stop must be prepared to cite the existence of specific facts in support of that officer's determination that a "reasonable suspicion" was present.*

STOP

■ Police Conduct During a Stop

- *Proper justification for a stop does not permit unreasonable conduct during the stop. Every phase of the detention must be reasonable,*

■ Identification

- *Officers conducting a stop, if not in uniform, shall clearly identify themselves as police officers by announcing identity and displaying MPD badge/ID.*

STOP

■ Duration of Stop

- *A person stopped pursuant to these rules may be detained at or near the scene of the stop for a reasonable period of time to ascertain particulars and then decide to arrest or release*
- ***Explanation to Detained Person***
- *Officers shall act with courtesy towards the person stopped. At some point during the stop the officer shall, in every case, give the person stopped an explanation of the purpose of the stop.*

STOP

- The officer may direct questions to the detained person for the purpose of obtaining their name, address and an explanation of the conduct.
- **Effect of Refusal to Cooperate**
 - *Refusal to answer questions or to produce identification does not by itself yield probable cause to arrest, but such refusal may be considered along with other facts as an element adding to probable cause.*

STOP

■ Use of Force

- *An officer may use only the amount of non-deadly force that is reasonably necessary to stop and detain a person pursuant to these guidelines. If an officer is attacked, or circumstances exist that create probable cause to arrest, the officer may use that amount of force necessary for defense or to effect a full-custody arrest.*

FRISKS

- A frisk is a limited protective search for concealed weapons or dangerous instruments.
- A police officer may frisk any person whom that officer has stopped when the officer reasonably suspects that the person is carrying a concealed weapon or dangerous instrument. The frisk may be conducted at any time during the stop if reasonable suspicion develops.
- **Reasonable Suspicion for Frisk**
 - *“Reasonable suspicion” for a valid frisk is more than a vague hunch and less than probable cause. If a reasonably prudent police officer under the circumstances would be warranted in believing anyone in the vicinity was in danger, a frisk is justified. Every officer conducting a frisk must be prepared to cite the existence of such factors in support of the determination that “reasonable suspicion” for a frisk was present.*

FRISKS

- General Procedure of Frisk

- *The officer should begin the frisk at the area of the person's clothing most likely to contain a concealed weapon or dangerous instrument.*
- *If the outer clothing is too bulky to allow the officer to determine if a weapon or dangerous instrument is concealed underneath, then the outer clothing may be opened to allow a pat-down directly on the inner clothing.*
- *If the officer has a reasonable belief, based on reliable information or personal knowledge and observations, that a weapon or dangerous instrument is concealed at a particular location on the person, such as a pocket, waistband, or sleeve, then the officer may reach directly into the suspected area.*
- *This is an unusual procedure, and any officer so proceeding must be prepared to cite the precise factors which led the officer to forego the normal pat-down procedure.*

FRISKS

- If an officer possesses reasonable suspicion that a vehicle driver or passenger is armed, the "frisk" may be extended to the vehicle. This "frisk" is a protective search, and is limited to places in the vehicle's passenger compartment that could contain a weapon.
- If during the course of a frisk, the officer discovers an object which is a container capable of holding a weapon or dangerous instrument and if the officer reasonably believes that it does contain such an item, the officer may look inside the object and briefly examine the contents.

FRISKS

- An officer may use only the amount of non-deadly force that is reasonably necessary to effect a frisk pursuant to these guidelines.
- Discovery of Weapon, Instrument, or other Property
- If a frisk or search discloses a weapon or instrument, or any other property, possession of which the officer reasonably believes may constitute the commission of a crime, or which may constitute a threat to personal safety, the officer may take it and keep it until the completion of the questioning, at which time it shall either be returned, if lawfully possessed, or seized by the officer.

ARREST

- "A persona can be said to be arrested when he is actually touched or confined by police officer or other person in accordance with law provided".
- Procedure of Arrest/How to made arrest Under section 46 of Criminal Procedure Code, "in making the arrest police officer or any other person making the arrest shall actually touch or confine the body of persona to be arrested unless there be submission to the custody by words or action".

ARREST

- When may an officer arrest someone?
 - *The officer personally observed a crime;*
 - *The officer has probable cause to believe that person arrested committed a crime;*
 - *The officer has an arrest warrant issued by a judge.*
- An officer cannot arrest someone just because she feels like it or has a vague hunch that someone might be a criminal. Police officers have to be able to justify their arrest usually by showing some tangible evidence that led them to probable cause.

ARREST

- Essentials of Arrest Procedure
 - *A police officer or another person authorized by law can arrest*
 - *Actual touch and confine*
 - *Submission to the custody by words or actions*
 - *When there is resistance to arrest The police officer or any other person authorized to arrest may use all means necessary to effect the arrest if;*
 - *Such persona forcibly resists the Endeavour to arrest*
 - *Attempt of evade arrest*
 - *But he cannot cause death of such persona during arrest (except in case when person accused of an offence punishable with death or imprisonment of life).*

ARREST

- Search for arrest
 - *Search of place entered by person sought to be arrested*
 - *Procedure where ingress not obtainable*
 - *When there are chances that accused will escape, police officer can break open any door or window of house*
 - *Notice to ladies of house in case of ladies in-house is necessary*
 - *Power to break open doors and windows for purpose of liberation*
 - *No unnecessary restraint to prevent this escape*
 - *Search of arrested person*
 - *Mode of searching women*
 - *Power to seize offensive weapons*

ARREST

- CrPC47. Search of place entered by person sought to be arrested.
- CrPC46-53 deal with different search powers

SEARCH AND SEIZURE

- Search and seizure is a procedure used in many civil law and common law legal systems by which police or other authorities and their agents, who suspect that a crime has been committed, do a search of a person's property and confiscate any relevant evidence to the crime.
- Search and seizure, practices engaged in by law enforcement officers in order to gain sufficient evidence to ensure the arrest and conviction of an offender.
- The latitude allowed police and other law enforcement agents in carrying out searches and seizures varies considerably from country to country.
- There is considerable variance in the amount of protection given to the individual rights of the accused person.

SEARCH AND SEIZURE

- A hunt by law enforcement officials for property or communications believed to be evidence of crime and the act of taking possession of this property.
- Search and seizure is necessary exercise in the ongoing pursuit of criminals. Searches and seizure used to produce evidence for the prosecution of alleged criminals. The police have the power to search and seize but subject to legal limits that individuals are protected against arbitrary, unreasonable police intrusions.
- CrPC 102. Persons incharge of closed place to allow search.
- CrPC103. Search to be made in presence of witness. Occupant of place searched may attend and a list of all things taken possession of shall be prepared, and a copy thereof shall be delivered to such person at his request.

SEARCH AND SEIZURE

- In certain situations a warrant is not required for search and seizure by administrative agencies. In these situations, obtaining a warrant may not be reasonable. Such situations include:
 - Emergencies
 - Pervasively regulated activities
 - Consent searches
 - searches of open fields

INTERPOL

- INTERPOL is the world's largest international police organization, with 187 member countries.
- It facilitates cross-border police co-operation, and supports and assists all organizations, authorities and services whose mission is to prevent or combat crime.
- The General Secretariat is located in Lyon, France.
- INTERPOL operates seven regional offices - in Argentina, Cameroon, Cote d'Ivoire, El Salvador, Kenya, Thailand and Zimbabwe - and a representative office at the United Nations in New York.
- Each member country maintains a National Central Bureau (NCB) staffed by highly trained law enforcement officers.

INTERPOL

- INTERPOL is the International Criminal Police Organization. INTERPOL is a national network of police agencies, founded in 1923. The idea behind INTERPOL was first discussed during a 1914 international police conference in Monaco. There were 24 countries present. Today, there are 190 different nations linked together through INTERPOL.
- The idea of INTERPOL was born in 1914 at the first International Criminal Police Congress, held in Monaco. Officially created in 1923 as the International Criminal Police Commission, the Organization became known as INTERPOL in 1956.
- Each of those 190 nations houses a National Central Bureau, which serves as the nation's INTERPOL office and houses a police force. The bureaus are connected to one another through technology and other forms of communication, so that the police forces can work together.

INTERPOL: CORE FUNCTIONS

- **Secure global police communications services -**

- *INTERPOL manages a global police communications system known as I-24/7 which enables police in all of its member countries to request, submit and access vital police data instantly in a secure environment.*

- **Operational data services and databases for police -**

- *INTERPOL manages a range of databases with information on names and photographs of known criminals, wanted persons, fingerprints, DNA profiles, stolen or lost travel documents, stolen motor vehicles, child sex abuse images and stolen works of art.*
- *INTERPOL also disseminates critical crime-related data through its system of international notices. There are seven kinds of notices, of which the most well-known is the Red Notice, an international request for the provisional arrest of an individual.*

INTERPOL: CORE FUNCTIONS

■ Operational police support services -

- *INTERPOL has six priority crime areas; corruption, drugs and organized crime, financial and high-tech crime, fugitives, public safety and terrorism, and trafficking in human beings.*
- *INTERPOL also operates a 24-hour Command and Coordination Centre to assist any member country faced with a crisis situation, co-ordinate the exchange of information and assume a crisis-management role during serious incidents.*

■ Police training and development -

- *INTERPOL provides focused police training initiatives for national police forces, and also offers on-demand advice, guidance and support in building dedicated crime-fighting components. The aim is to enhance the capacity of member countries to effectively combat serious transnational crime and terrorism. This includes sharing knowledge, skills and best practices in policing and the establishment of global standards for combating specific crimes.*

INTERPOL: RULES AND GOVERNANCE

- INTERPOL's Constitution prohibits 'any intervention or activities of a political, military, religious or racial character.' The intention is to assist international police co-operation even where diplomatic relations do not exist between particular countries. Action is taken within the limits of existing laws in different countries and in the spirit of the Universal Declaration of Human Rights.
- It's supreme governing body is the General Assembly, which meets once a year to take all major decisions affecting general policy and comprises delegates appointed by member countries. Each country represented has one vote and all votes carry equal weight.

INTERPOL: RULES AND GOVERNANCE

- The Executive Committee oversees the execution of the decisions of the General Assembly and the work of the Secretary General. It has 13 members, elected by the General Assembly, who represent all regions of the world. The president, who chairs the committee, serves a four-year term; three vice-presidents and nine delegates serve for three years each.
- The secretary general, the organization's chief executive and senior full-time official, is responsible for overseeing INTERPOL's day-to-day work of international police cooperation and for implementing the decisions of the General Assembly and Executive Committee.

INTERPOL:WORKING

■ Crisis response

- *Incident response team in major crimes to help a member country such as rioting*
- *Incident response team in major natural or manmade disaster like bombings etc*

■ Event security

- *Major events support team sent to member country to provide security like Olympics or world cup to help in security planning and policing etc*

■ Crime prevention

- *Together, the INTERPOL bureaus use intelligence to investigate incidents and apprehend suspects. INTERPOL forces work together to find known criminals and bring them to justice*

INTERPOL:WORKING

- Drug trafficking, organized crime, financial and high-tech crimes including counterfeiting and money laundering, public safety and terrorism, human trafficking, corruption, environmental crimes and crimes against humanity.
- In addition, INTERPOL's Fugitive Investigation Service keeps an eye out for suspects globally with its Red Notice alerts that notify member states when one nation has issued an arrest warrant for a suspect.
- Financial resources are provided by member countries as per agreement
- INTERPOL also disseminates critical crime-related data through a system of international notices. Based on the requests from member countries, the INTERPOL General Secretariat (IPSG) produces notices in all of the organisation's four official languages: Arabic, English, French and Spanish.

INTERPOL:NOTICES

- The seven types of notices and their objectives are:
- Red Notice
 - *To seek the arrest or provisional arrest of wanted persons, with a view to extradition.*
- Yellow Notice
 - *To help locate missing persons, often minors, or to help identify persons who are unable to identify themselves.*
- Blue Notice
 - *To collect additional information about a person's identity or activities in relation to a crime.*
- 4. Black Notice
 - *To seek information on unidentified bodies.*

INTERPOL:NOTICES

- Green Notice

- *To provide warnings and criminal intelligence about persons who have committed criminal offences and are likely to repeat these crimes in other countries.*

- Orange Notice

- *To warn police, public entities and other international organisations about potential threats from disguised weapons, parcel bombs and other dangerous materials.*

- Purple Notice

- *To provide information on modi operandi, procedures, objects, devices or hiding places used by criminals*

EUROPOL

- Europol is the European Union law enforcement agency that handles criminal intelligence.
- Its aim is to improve the effectiveness and co-operation between the competent authorities of the Member States in preventing and combating all forms of serious international organised crime and terrorism.
- The first move towards informal cooperation was taken in the 1970s, with the setting up of the Trevi group by European Communities' interior and justice ministers.
- Trevi's initial concern was to address international terrorism, but it soon extended its focus of attention to cover other areas of cross-border crime within the European Community.

EUROPOL

- The establishment of Europol was agreed in the Treaty on European Union of 7 February 1992. Based in The Hague, Netherlands, Europol started limited operations on 3 January 1994 in the form of the Europol Drugs Unit (EDU) fighting against drug-related crimes.
- The Europol Convention was ratified by all EU member states and came into force on 1 October 1998. Following a number of legal acts related to the Convention, Europol commenced its full activities on 1 July 1999.
- On 1 January 2002, the mandate of Europol was extended to deal with all serious forms of international crime as listed in the annex to the Europol Convention.

EUROPOL:WORKING

- Europol headquarters in The Hague, the Netherlands
- working closely with law enforcement agencies in the 28 EU Member States and in other non-EU partner states and organisations
- more than 900 staff
- 185 Europol Liaison Officers (ELOs)
- around 100 criminal analysts
- over 18 000 cross-border investigations each year

EUROPOL: CORE FUNCTIONS

- Europol supports the law enforcement activities of the member states mainly against:
- Illicit drug trafficking;
- Illicit immigration networks;
- Terrorism;
- Forgery of money (counterfeiting of the euro) and other means of payment;
- Trafficking in human beings (including child pornography);
- Illicit vehicle trafficking;
- Money laundering.

EUROPOL:FUTURE

- To function as the principal EU support centre for law enforcement operations
- To become the criminal information hub of the European Union
- To develop further as an EU centre for law enforcement expertise
- Using and developing State-of-the-Art Technology

EUROPOL VS INTERPOL

- Interpol and Europol are structured differently and therefore provide different possibilities for international law enforcement co-operation.
- Interpol is a network of police agencies in countries worldwide, whereas Europol mainly supports the EU Member States.
- Interpol and Europol have different but related roles in the fight against organised crime and therefore there is no competition between the organisations.
- To enhance international law enforcement co-operation a co-operation agreement was signed between the two organisations in 2001.

UNODC

- The United Nations Office on Drugs and Crime (UNODC) is a United Nations office that was established in 1997 as the Office for Drug Control and Crime Prevention by combining the
 - *United Nations International Drug Control Program (UNDCP) and the Crime Prevention*
 - *Criminal Justice Division in the United Nations Office at Vienna.*
- It is a member of the United Nations Development Group and was renamed the United Nations Office on Drugs and Crime in 2002
- In 2016 - 2017 it has an estimated biannual budget of US\$700 million
- UNODC relies on voluntary contributions, mainly from Governments, for 90 per cent of its budget.
- UNODC is a global leader in the fight against illicit drugs and international crime. UNODC Operates in all regions of the world through an extensive network of field offices.

UNODC

- UNODC is mandated to assist Member States in their struggle against illicit drugs, crime and terrorism.
- UNODC work is guided by a broad range of international legally binding instruments, such as the UN Convention against Transnational Organized Crime and the UN Convention against Corruption, and a set of UN standards and norms on crime prevention and criminal justice.
- UNODC covers about 150 countries through its Field office network (i.e. regional, country and programme offices).
- Besides operating at the national level, the Office is developing a new generation of regional programmes (i.e. East Asia and Pacific, Eastern Africa, West Africa, North Africa/Middle East, Central America/Caribbean, and the Balkans) to promote the rule of law and human security.

UNODC:OBJECTIVES

- UNODC was established to assist the UN in better addressing a coordinated, comprehensive response to the interrelated issues of illicit trafficking in and abuse of drugs, crime prevention and criminal justice, international terrorism, and political corruption.
- These goals are pursued through three primary functions: research, guidance and support to governments in the adoption and implementation of various crime-, drug-, terrorism-, and corruption-related conventions, treaties and protocols, as well as technical/financial assistance to said governments to face their respective situations and challenges in these fields.

UNODC:OBJECTIVES

- These are the main themes that UNODC deals with:
- Alternative Development,
- Corruption,
- Criminal Justice,
- Prison Reform and Crime Prevention,
- Drug Prevention,
- Treatment and Care,
- HIV and AIDS,
- Human Trafficking and Migrant Smuggling,
- Money Laundering,
- Organized Crime,
- Piracy,
- Terrorism Prevention.

UNODC WORKING

- The three pillars of the UNODC work programme are:
 - *Field-based technical cooperation projects to enhance the capacity of Member States to counteract illicit drugs, crime and terrorism*
 - *Research and analytical work to increase knowledge and understanding of drugs and crime issues and expand the evidence base for policy and operational decisions*
 - *Normative work to assist States in the ratification and implementation of the relevant international treaties, the development of domestic legislation on drugs, crime and terrorism, and the provision of secretariat and substantive services to the treaty-based and governing bodies*

UNODC ORGANIZATION

- The Commission is composed of 40 Member States elected by the Economic and Social Council, with the following distribution of seats among the regional groups:
- Twelve for African States;
- Nine for Asian States;
- Eight for Latin American and Caribbean States;
- Four for Eastern European States;
- Seven for Western European and other States.

UNAFEI

- The United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) is a United Nations regional institute, established in 1962 by agreement between the United Nations and the Government of Japan, with the aim of promoting the sound development of criminal justice systems and mutual cooperation in Asia and the Pacific Region.
- **The main objective of UNAFEI is to**
 - *“Promote regional cooperation in the field of crime prevention and the treatment of offenders through training and research programs.”*
- During its 40 years of activity, approximately 2,000 overseas officials and 1,000 Japanese officials have participated in UNAFEI trainings.

UNAFEI

- Current UNAFEI trainings are held seven times a year, including three major international courses and a corruption prevention course.
- The goal is to stimulate cooperation, share knowledge, and strengthen the UNAFEI network.
- One hundred and twenty-five participating countries and the United Nations are included.
- UNAFEI holds two international training courses and one international senior seminar annually.
- The international training course that is held in spring deals mainly with the treatment of offenders, while the one held in autumn concentrates on crime prevention and countermeasures against various crimes.

UNAFEI

- The Japanese government has been funding UNAFEI since 1970. Training is financed by the ODA (Official Development Assistance), which is a corporation assisting developing countries
- UNAFEI contributes to the planning and implementation of United Nations policies concerning worldwide crime prevention and offender treatment,
- UNAFEI is operated under the joint auspices of the Government of Japan and the United Nations, based on the exchange of official documents between these two governing bodies.

UNICEF

- The United Nations International Children's Emergency Fund (UNICEF) was created by the United Nations in 1946 to provide food, clothing, and healthcare to the children of post-World War II Europe.
- In 1953, UNICEF became a permanent part of the United Nations.
- While its name was shortened to United Nations Children Fund at that time, it is still referred to as UNICEF.
- UNICEF expanded the scope of its activities in the 1960s to include advocating for and advancing children's rights to education, healthcare, and nutrition.
- UNICEF won the Nobel Peace Prize in 1965.
- UNICEF eventually expanded its scope to the struggle of women, especially mothers, in the developing world. For example, it launched its 'Women in Development Programme' in 1980. In 1982, UNICEF commenced a new children's health program that focused on monitoring growth, oral rehydration therapy, advocating breastfeeding, and immunization.

UNICEF

- The Executive Board is made up of 36 Member States, elected to three-year terms by the Economic and Social Council, with the following regional allocation: Africa (8 seats), Asia (7), Eastern Europe (4), Latin America and Caribbean (5) and Western Europe and Others (12).

UNICEF

- UNICEF has a long history of working in emergencies and humanitarian contexts, both natural and man-made.
- Originally called the United Nations International Children's Emergency Fund, the organization was created to provide humanitarian assistance to children living in a world shattered by the Second World War. Much has changed since then, but UNICEF's fundamental mission has not.
- UNICEF responds to more than two hundred emergencies every year, informing and shaping these interventions as a global leader for children.
- UNICEF adapted and simplified its emergency response procedures based on learning from its experience in recent large-scale emergencies, including systems to trigger early action.

UNICEF: OBJECTIVES

- In 1989, the UN General Assembly adopted the Convention on the Rights of the Child, which UNICEF uses as guidance for its programs.
- Mandate and Objectives
 - *UNICEF believes that nurturing and caring for children are the cornerstones of human progress.*
 - *UNICEF was created with this purpose in mind to work with others to overcome the obstacles that poverty, violence, disease and discrimination place in a child's path.*
 - *We believe that we can, together, advance the cause of humanity.*

UNICEF: CORE FUNCTIONS

- Providing Basic Education Infrastructure to the world
- Increasing Child Survival rate in the developing world.
- Gender equality through education for girls.
- Protection of children from any form of violence and abuse
- Protecting and advocating the rights of children.
- Immunization of infants from different diseases.
- Provision of adequate nutrition and safe drinking water to children

IPA

- The International Police Association(IPA) is the largest organisation for police officers in the world, founded by British sergeant Arthur Troop(1914-2000).
- The Association has 64 national Sections and over 420,000 members and associate members.
- The IPA - the largest police organisation in the World - was founded on 1 January 1950.
- In 1955, at the first International Executive Committee meeting in Paris, he became the first International Secretary General, a post he held until 1966.
- Motto of the Association “**Servo per Amikeco**” - meaning “Service through Friendship”

IPA: AIMS AND OBJECTIVES

- The Aims of the IPA include the development of cultural relations amongst its members, a broadening of their general knowledge and an exchange of professional experience.
- It seeks to foster mutual help in the social sphere and to contribute, within the limits of its possibilities, to the peaceful co-existence of different peoples and to the preservation of world peace.
- To promote among the police services of all the member Sections respect for law and order
- To develop social and cultural activities and to encourage the exchange of professional experiences

IPA: AIMS AND OBJECTIVES

- To enhance the image of the police in the countries of its member Sections and to help improve relations between the police and the general public
- To encourage personal contacts by organising exchange visits of individuals and groups, arranging group holidays and initiating pen-friendships;
- To foster youth exchanges and international youth meetings with a view to promoting greater tolerance and understanding between people, and understanding for the work of the police;
- To facilitate a regular exchange of publications between the National Sections and to provide an information service for the National IPA publications containing news on all subjects of relevance to the Association

IPA: AIMS AND OBJECTIVES

- To promote international publications, and to help with the preparation of a bibliography of police works and, wherever possible, of all works connected with the law or legal matters;
- To facilitate international co-operation through friendly contacts between police officers of all continents and to contribute to a mutual understanding of professional problems.
- Friendship Weeks, Sports Events and Anniversary Celebrations with social and cultural flavours are held regularly, both nationally and internationally.

IPA: AIMS AND OBJECTIVES

- Professional Study, Exchange or Travel Scholarships are encouraged in many Sections and are available to those seeking professional exchanges.
- Hobby Groups, allow members to share their interests with other like-minded people. For example, Radio Amateurs, Computer Enthusiasts, Stamp Collectors, Pen-friends, etc.
- Participation of Members' families: The Association welcomes and encourages involvement of spouses, partners and children.
- Social Events are enjoyed at local (Branch) level to establish and maintain bonds of friendship and camaraderie.

THANKS

Q&A





CRIMINOLOGY

SECTION IV

DELIVERED BY : ASP RANA WAHAB



Syllabus

■ Section-IV (25 Marks)

– *XIII. Modern Concepts in Contemporary Criminology*

- Terrorism, Radicalism and War on Terror
- Media's representation of Crime and the Criminal Justice System
- Modern Law Enforcement and Crime Prevention
- Intelligence-led Policing
- Community Policing
- Private Public Partnership
- Gender and Crime in Urban and Rural Pakistan
- Crime and Urbanization, Organized Crime and White-Collar Crime
- Human Rights Abuses and Protection, especially Children, Women and Minorities and the role of civil society and NGOs
- Money-laundering
- Cyber Crime
- Role of NAB, FIA, ANF

TERRORISM, RADICALISM AND WAR ON TERROR



TERRORISM

- Terrorism is the unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.
- The most common definition of terrorism is used, which includes the following:
 - *It is the use of violence or threat of violence in order to purport a political, religious, or ideological change.*
 - *It can only be committed by non-state actors or undercover personnel serving on the behalf of their respective governments.*
 - *It reaches more than the immediate target victims and is also directed at targets consisting of a larger spectrum of society.*
 - *It is both mala prohibita (i.e., crime that is made illegal by legislation) and mala in se (i.e., crime that is inherently immoral or wrong).*

TYPES OF TERRORISM

- **State-Sponsored terrorism**, which consists of terrorist acts on a state or government by a state or government.
- **Dissent terrorism**, which are terrorist groups which have rebelled against their government.
- **Terrorists and the Left and Right**, which are groups rooted in political ideology.
- **Religious terrorism**, which are terrorist groups which are extremely religiously motivated
- **Criminal Terrorism**, which are terrorists acts used to aid in crime and criminal profit.

CAUSES OF TERRORISM

- The reasons are complex and plentiful. The factors that motivate people to join and remain in terrorist groups can be religious, economic, social, psychological, retaliatory, and so forth.
- **Religion Extremism:**
 - *Religious fanaticism is an extreme sense of ideological zeal complemented by a focused and unrelenting set of activities that express the high dedication of one or more people to their own belief system(s). Radical religious Islamism has been identified as a root cause of terrorism.*
- **Oppression:**
 - *Terrorism can be the result of groups' portrayal of governments (and their actors) as oppressive. Terrorism, then, feeds on the desire to reduce the power of opponents.*

CAUSES OF TERRORISM

■ Historical grievances:

- *Terrorists target governments and groups they view as responsible for historical injustices. Chechen terrorists have defended their terrorist attacks by alluding to Russia's long-lasting rejections of Chechen desire for independence, and the old and cruel history of Russian invasion of Chechnya dating back to the 17th century.*

■ Violations of international law:

- *In the terrorist's mind, a wrong can be the violation of some basic right treasured by the terrorist. The right may have been infringed on by a historical incident, such as a war or multiple violations of international law (e.g., genocide and unlawful dispossession of local inhabitants). The international rule of law is the standard by which all nations are subject to and bound by supranational legal covenants.*

CAUSES OF TERRORISM

- **Relative deprivation:**

- *Multiple scholars have found a strong link between poverty and terrorism. In our country one of the narratives behind Baluchistan Terrorism incidents is relative political and economic deprivation.*

- **Hatred toward the global economic hegemony:**

- *Countries that express hatred toward the global economic hegemony will produce more terrorist groups. The background that gave birth to Al Qaeda, namely Afghanistan and Pakistan, symbolizes this notion.⁹¹ Many terrorists abhor the World Trade Organization (WTO).*

CAUSES OF TERRORISM

■ Financial gain:

- *Terrorism can be used for sheer financial gain. Generally, corporate hostage taking in Central and South America, and hostage taking by the Abu Sayyaf group in the Philippines, happens more out of a desire to earn a ransom than achieving political goals.*

■ Racism:

- *Racism can be a powerful method for dehumanizing adversaries and accomplishing moral disengagement. Gottschalk and Gottschalk (2004) found that both Palestinian and Israeli terrorists draw on stereotypes and racism to dehumanize the other group.*

CAUSES OF TERRORISM

■ Guilt by association:

- *For terrorists, you are the company that you keep. For example, the 2004 Madrid train bombings were executed by an Al Qaeda-inspired terrorist cell. One of the motives was Spain's involvement in the Iraq War, where the country had troops.*

■ Supporting sympathizers:

- *Because terrorism is the weapon of the oppressed, an important goal is to push the stronger power (e.g., U.S.) into unleashing against the terrorists' perceived support base. a chief Al Qaeda objective would have been to trigger U.S. retaliation so that the U.S. was seen as violently repressive.*

■ Mortality salience:

- *Mortality salience refers to anxiety over one's own death. It is examined the effect of mortality salience on Iranian and U.S. students and their respective espousal of martyrdom (terrorism) or extreme military intervention (counterterrorism). When Iranian students answered questions about their own demise, they rated the student who advocated martyrdom as higher than the student who opposed it. However, among politically conservative U.S. students, mortality salience increased advocacy for extreme military interventions by U.S. forces*

CAUSES OF TERRORISM

■ Narcissism:

- *A common characteristic among many of these terrorists is a propensity to externalize to look for outside sources to blame for personal inadequacies. Without being bluntly paranoid, terrorists over-rely on the ego defense of projection.*

■ Sensation-seeking:

- *Another variable suggested as a reason for being drawn to the path of terrorism is sensationseeking. Here, sensation-seeking denotes the inherent risk and excitement that a terrorist career may provide. Researchers contend that it is highly plausible that sensation-seekers are more likely to join an organization that uses violent tactics.*

CAUSES OF TERRORISM

- **Failure of conventional channels of expression:**

- *In democratic civilizations, the use or threat of using terrorist violence is seen by some scholars, like Chomsky (2006), as the definitive failure of conventional channels of political expression and legitimate systems of authority. A related concept is the Death of Statecraft, whereby diplomats fail to negotiate with their counterparts or nation-states do not attempt at engaging in communicative action. As a result, people deploy more lethal actions. Terrorism, then, becomes a by-product of violations of diplomacy and other forms of political expression.*

- **Communication and publicity:**

- *In essence, by killing adversaries or innocent civilians, terrorists seek to publicize their cause, communicate demands, air grievances to bulldoze authorities, sway the public policy agenda, or gain concessions.*

RADICALISM AND WAR ON TERROR

- Radicalism means political orientation of those favoring revolutionary change.
- In political science, the term radicalism is the belief that society needs to be changed, and that these changes are only possible through revolutionary means.
- No matter how diverse the causes, motivations, and ideologies behind terrorism, all attempts at premeditated violence against civilians share the traits of violent radicalism.

RADICALISM AND WAR ON TERROR

- Terrorism is a deadly security challenge, radicalism is primarily a political threat against which non-coercive measures should be given a chance.
- There is nothing preordained in the possible transition from radicalism to terrorism.
- All terrorists, by definition, are radicals. Yet all radicals do not end up as terrorists.

RADICALISM AND WAR ON TERROR

- There are radicalized societies where acts of terrorism find some sympathy and degree of support
- It is impossible to talk about terrorism as a social phenomenon, however. There are no 'terrorist' societies.
- The relative popularity of certain terrorist networks in the Islamic world can only be explained within the framework of such radicalized societies where extremist violence finds a climate of legitimacy and implicit support.

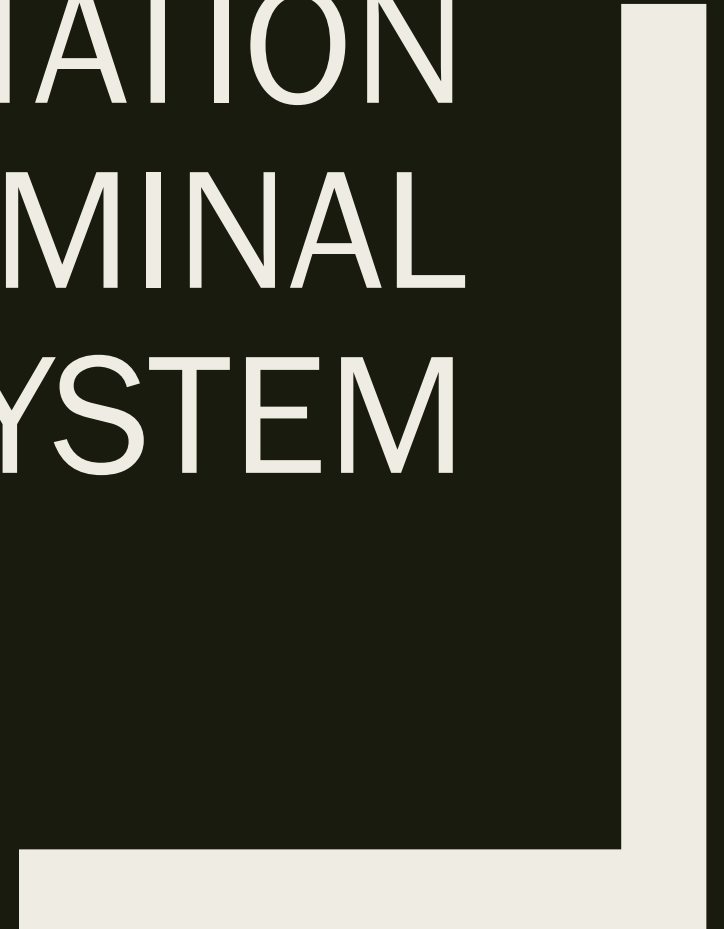
RADICALISM AND WAR ON TERROR

- Such radicalized societies are permeated by a deep sense of collective frustration, humiliation, and deprivation relative to expectations.
- This radicalized social habitat is easily exploited by terrorists.
- This is why focusing on the collective grievances behind radicalism is probably the most effective way of addressing the root causes of terrorism

RADICALISM AND WAR ON TERROR

- The goal is to reduce the social, economic, and political appeal of terrorism by isolating terrorists and winning over potential recruits.
- The capacity gap within Muslim states such as Egypt, Jordan, Morocco, and Pakistan creates a vacuum that is frequently filled by grassroots Islamic organizations that provide goods and services in crucial areas such as health, education, and housing.

MEDIA'S REPRESENTATION OF CRIME AND CRIMINAL JUSTICE SYSTEM



FOCUS OF MEDIA ON CRIME

- Crime stories constitute the fourth largest category of stories for newspapers and television which is an over-representation of the actual amount of crime occurring.
- Research suggests that over 50% of crime stories in a sample of Canadian newspapers dealt with offences involving violence but offences involving violence represent less than 6% of reported offences.
- The media is most likely to focus on stories that highlight the unique, the sensational, the extreme, and those that have the potential to impact the greatest number of people.

FOCUS OF MEDIA ON CRIME

- There is no true link between actual volume of crime in society and media's proportionate coverage for different types of crimes.
- It is found that fictional crime programs broadcast deal almost exclusively with murders, whereas murders never accounted for more than 0.5 percent of offenses known to the police.
- Research indicated that young violent offenders and offenders from ethnic minorities were overrepresented in news items compared to official statistics.

FOCUS OF MEDIA ON CRIME

- Much of the criminal activity initial information gained from popular media
- Criminal representations are based on and reasonably close to reality.
- Media constructs representations of crime and justice and in doing so presents an often sensationalised representation; and this does not just impact on the public's lay view of crime but also on criminal justice practitioners.
- It is vital to emphasize how media representations have played a key role in helping develop a greater understanding of crime, criminals and justice.

INTELLIGENCE-LED POLICING



INTELLIGENCE-LED POLICING

- Intelligence-led policing (ILP) is a policing model built around the assessment and management of risk.
- Intelligence officers serve as guides to operations, rather than operations guiding intelligence.
- Intelligence-led policing is the application of criminal intelligence analysis as an objective decision-making tool in order to facilitate crime reduction and prevention through effective policing strategies and external partnership projects drawn from an evidential base.

INTELLIGENCE-LED POLICING

- To be truly intelligence-led, the first stage of the model is to be able to interpret the criminal environment.
- This second stage requires the intelligence structure to be able to identify and influence the decision-makers.
- Finally, the model requires the decision-makers to have the enthusiasm and skills to explore ways to reduce crime and to have a positive impact on the criminal environment.

AIM OF INTELLIGENCE-LED POLICING

- Targeting offenders (especially the targeting of active criminals through overt and covert means)
- Management of crime and disorder hotspots
- Investigation of linked series of crimes and incidents
- Application of preventative measures, including working with local partnerships to reduce crime and disorder

INTELLIGENCE-LED POLICING

- There should be a spotlight on targeting the criminal and not a focus on the crime
- Research shows a small percentage of active and repeat offenders (recidivists) commit a disproportionately large amount of crime.
- Good intelligence analysis is vital, but research is also essential to identify crime reduction strategies that actually work and have solid evidential support.

ADVANTAGES OF ILP

Jerry Ratcliffe claims ten benefits of the use of intelligence led policing:

- Supportive and informed command structure
- Intelligence-led policing is the heart of an organization-wide approach
- Integrated crime and criminal analysis
- Focus on prolific and serious offenders
- Analytical and executive training available
- Both strategic and tactical tasking meetings take place
- Much routine investigation is screened out
- Data are sufficiently complete, reliable and available to support quality products that influence decision-making
- Management structures exist to action intelligence products
- Appropriate use of prevention, disruption and enforcement

COMMUNITY POLICING



COMMUNITY POLICING

- The contemporary community policing movement emphasizes changing the role of law enforcement from a static, reactive, incident-driven bureaucracy to a more dynamic, open, quality-oriented partnership with the community.
- Community policing philosophy emphasizes that police officers work closely with local citizens and community agencies in designing and implementing a variety of crime prevention strategies and problem-solving measures.
- It is crucial that officers feel closely integrated with the majority of citizens and agencies in the community they serve.

COMMUNITY POLICING

- Community policing creates partnerships between law enforcement agency and other organizations like government agencies, community members, nonprofit service providers, private businesses and the media.
- The media represent a powerful pattern by which the police can communicate with the community.
- Community policing recognizes that police cannot solve every public safety problem alone, so interactive partnerships are created.

COMMUNITY POLICING WORKING

- Relying on community-based crime prevention by utilizing civilian education, neighborhood watch, and a variety of other techniques, as opposed to relying solely on police patrols.
- Re-structuralizing of patrol from an emergency response based system to emphasizing proactive techniques such as foot patrol.
- Increased officer accountability to civilians they are supposed to serve.
- Decentralizing the police authority, allowing more discretion amongst lower-ranking officers, and more initiative expected from them

COMPARISON

- The goal of traditional policing is to protect law-abiding citizens from criminals by apprehending them but in community policing it is not the most important goal.
- In contrast, community policing's main goal is to assist the public in establishing and maintaining a safe, orderly social environment.
- Traditional beat officers focus on duty is to respond to incidents swiftly, and clear emergency calls. This type of policing does not stop or reduce crime significantly; it is simply a temporary fix to a chronic problem.

COMPARISON

- Community policing is concerned with solving the crimes that the community is concerned about, and solving concerns by working with and gaining support from the community.
- They use these connections to understand what the community wants out of its police officers and what the community is willing to do to solve its crime problem.

WHY COMMUNITY POLICING ?

- Scholars found that a lack of community support resulted in an increased sense of alienation and a greater degree of apathy among police officers.
- Lack of community support and working in a larger populated community was associated with an increased sense of alienation and a greater degree of inactivity among police officers.
- An increased sense of alienation resulted in a greater degree of negative feelings and lethargy among police officers.
- The more police officers felt socially isolated from the community they served, the more they withdrew and the more negative they felt towards its citizens.

COMMUNITY POLICING EVALUATION

- Determining whether community policing is effective or not is a whole different dilemma. For traditional policing, determining whether police or policies are effective or not may be done by evaluating the crime rate for a geographic area.
- Community policing is more complicated than simply comparing crime rates.
- Due to the fact that there is no universally accepted definition of community policing and policies vary widely between departments there is also no universally accepted criteria for evaluating community policing.
- However there are some commonly used structures. One possible way to determine whether or not community policing is effective in an area is for officers and key members of the community to set a specific mission and goals when starting out.
- Objectives and goals should be reevaluated periodically to determine what progress the department and officers have made; along with whether or not those same goals are important to the community.

COMMUNITY POLICING EVALUATION

Departments must do some major soul-searching about whether or not the organizational changes necessary to implement effective, alienation-resistant, community-orientated policing.

- Change the entrance requirements for new officers to reflect changes in the police role
- Change recruit training from a military oriented academy to a curriculum more in tune with the new role demanded by community policing
- Flatten the organizational pyramid and placed more decision making in the hands of officers
- Chiefs shall commit to participatory dialogue with officers as a major part of their management style
- Change organizational structure and make it more suited to community policing

PUBLIC PRIVATE PARTNERSHIP



PUBLIC PRIVATE PARTNERSHIP

- A public-private partnership is a co-funding approach to the development of public investments such as infrastructure projects, or the provision of services.
- It is a long-term contract between a private party and a government entity, for providing a public asset or service, in which the private party bears significant risk and management responsibility, and remuneration is linked to performance.
- PPPs are claimed to enable the public sector to harness the expertise and efficiencies that the private sector can bring to the delivery of certain facilities and services traditionally procured and delivered by the public sector.

BENEFITS OF PPP

The following are the benefits of PPP

- Shared responsibility - for community safety and quality of life, acting as exemplary social actors
- Harnessing innovative ideas and skills - creativity Harnessing technical and in-kind services - resources, equipment, management expertise, job opportunities
- Harnessing wider business network
- Cost efficiencies and information sharing
- Helping ensure sustainability of projects or programmes

PPP AND POLICING

- The rise of a substantial and multifaceted private security industry has imposed new demands on and problems for police departments, but it has simultaneously raised rich opportunities for law enforcement agencies to leverage their scarce resources toward a more effective and efficient capacity for serving the general public.
- To be effective, public-private security partnerships must be developed situational.
- As local budgets for public safety continue to become constricted by taxpayers increasingly unwilling to tax themselves, municipal police and county sheriff's departments must find new ways to leverage their scarce resources by building even stronger alliances with private security agencies and personnel that satisfy conventional norms of legitimacy.

PPP AND POLICING

- More enlightened policing, especially in the form of community policing and problem-oriented policing, has been credited with a substantial share of the decline in crime throughout the end of the twentieth and early part of the twenty-first centuries.
- One cannot discard the prospect that improved public-private partnerships in policing have contributed to these developments. As long as police departments maintain a healthy set of incentives and provide strong, ethical leadership, the public safety sector should be able to build on these gains for the foreseeable future.

GENDER AND CRIME



GENDER AND CRIME

- Gender is the single best predictor of criminal behavior: men commit more crime, and women commit less.
- This distinction holds throughout history, for all societies, for all groups, and for nearly every crime category.
- Most efforts to understand crime have focused on male crime, since men have greater involvement in criminal behavior. Yet it is equally important to understand female crime.
- Learning why women commit less crime than men can help illuminate the underlying causes of crime and how it might better be controlled.

GENDER AND CRIME

- Similarities in male and female offending rates, offending ages, patterns and arrest are same all across the world . The major exception to this age-by-gender pattern is for prostitution, where the age-curve for females displays a much greater concentration of arrests among the young, compared to an older age-curve for males.
- Female offenders, like male offenders, tend to come from backgrounds marked by poverty, discrimination, poor schooling, and other disadvantages. However, women who commit crime are somewhat more likely than men to have been abused physically, psychologically, or sexually, both in childhood and as adults.

GENDER AND CRIME

- Gender is not determined biologically, as a result of sexual characteristics of either women or men, but is constructed socially.
- It is a central organizing principle of societies, and often governs the processes of production and reproduction, consumption and distribution’.
- Despite this definition, gender is often misunderstood as being the promotion of women only.
- Normally gender issues focus on women and on the relationship between men and women, their roles, access to and control over resources, division of labour, interests and needs. Gender relations affect household security, family well-being, planning, production and many other aspects of life.

GENDER AND CRIME

- The term violence against women has been defined as the range of sexually, psychologically, and physically coercive acts used against women by current or former male intimate partners.
- It is the most pervasive yet least recognized human right abuse in the world.
- Women have to face discrimination and violence on a daily basis due to the cultural and religious norms that Pakistani society embraces.

GENDER AND CRIME

- According to an estimate, approximately 70 to 90% of Pakistani women are subjected to domestic violence.
- Various forms of domestic violence in the country include physical, mental and emotional abuse. Some common types include honor killing, spousal abuse including marital rape, acid attacks and being burned by family members.
- Spousal abuse is rarely considered a crime socially unless it takes an extreme form of murder or attempted murder

GENDER AND CRIME

- National Commission on the Status of Women should be asked to play a proactive role in raising awareness and advocacy against this despicable social behaviour in our society.
- According to statistical data from UN, nearly 5000 women are killed in the world every year only in the name of 'honor'.
- Globally, at least one in three women and girls face some kind of violence in her lifetime. World Health Organization's World Report on Violence and Health notes that "one of the most common forms of violence against women is that performed by a husband or male partner".
- Gender based Violence in many of the developing countries might not be seen as violence rather as a cultural practice and normal part of their life.

GENDER BASED VIOLENCE & PAKISTAN

- They face many forms of violence like rape, gang rape, forced marriages, acid throwing, stove burning, customary practices of Karo Kari and Wannu, domestic violence, sexual harassment at workplace, honor killings
- According to an estimate, during the last ten years, 73913 cases of violence against women had been reported. In 2008, according Dawn newspaper, 7773 cases of violence against women were reported. Only in the early six months of year 2009, the cases that were reported went upto 4514.

GENDER BASED VIOLENCE & PAKISTAN

- Gender-related Development Index ranking of 125th out of 169 countries, and a Gender Empowerment Measure rank of 99 out of 109 countries In World of Pakistan.
- Following is the gender based form of violence, we can observe in Pakistan:
 - *Honor Killing*
 - *Acid throwing*
 - *Forced Marriages*
 - *Rape/ Gang Rape*
 - *Abduction or kidnapping*
 - *Domestic torture (by in laws and relatives)*
 - *Custodial Violence*
 - *Sexual Harassment*

HONOR KILLINGS

- In this form of brutal murder, women are mostly the victims. In all the four provinces, honor killings have different names like Kalakali in Punjab, Karokari in Sindh, Siyakaari in Baluchistan and taurtoora in NWFP.
- According to United Nations Population Fund (UNFP) in Pakistan, every year, 1000 women are killed only in the name of honor.
- For many people specially in rural and backward areas, it is a violence which may not be violence rather an act by 'men' to protect the honor of their family
- The National Assembly of Pakistan passed a law for controlling this practice in 2004 however the statistics show such practices are still carried out.

ACID THROWING

- In this, perpetrators of these attacks throw acid on the victim usually on their faces which not only disfigures their face, burn tissues of their body but also expose their bones and even dissolve them.
- The consequences of these attacks include blindness and permanent scarring of the face and the body.
- Mostly the women are victim of these attacks.
- According to an estimate, up to 400 women fall victim to acid attacks perpetrated by their husbands or in-laws each year in Pakistan.
- Reports have shown some reasons behind such brutal incidents. Usually, acid throwing attacks have been used as a form of revenge for refusal of sexual advances, proposals of marriage and demands for dowry.
- Property disputes are also one of the causes of such incidents.

FORCED MARRIAGES

- In Pakistan, many young girls/women are forced into wed-lock against their consent. Although, the Islamic laws give full liberty to women to marry after her own heart but this fact remains to be quite far from people who are only Muslims by name.
- In urban areas of Pakistan, marriages take place with girls' consent but it is in the backward areas where the problem lies.
- Beside the fact there is legislation against forced marriages ,tradition is still practiced in some areas through Vanni and Watta Satta.

RAPE/GANG RAPE

- Often, young girls and women are victims of gender-based rape in our society.
- Talking about rape cases against women, often, jirgas and panchayits had been found giving verdicts where people of victim's party were ordered to rape the female members of accused.
- In many other cases it has been found that women are raped in revenge for seeking divorce, refusing marriage proposals, marrying of their own choice, defying cultural norms and for many other efforts at independent decision making.
- We can also call rape an advanced stage of sexual harassment. In some cases, it is found that fake aalims and pirs were accused of rape that fooled people of getting away with evil spirits.

ABDUCTION OR KIDNAPPING

- Kidnapping means "to take away a person against his will or consent by use of force and fraud and keeping the person in false imprisonment without any legal authority either for ransom or for other criminal activity".
- The word abduction is also same in meaning but in legal terms, abduction refers to women's kidnap.
- In cases of women, they are more abducted for attempted rapes or even in revenge if the proposal for marriage is rejected.

DOMESTIC TORTURE

- Domestic torture and abuse is a widespread issue in Pakistan and victims include women belonging to all sections of society.
- They are beaten, mutilated and even burnt by their relatives often on quite petty issues.
- Often the women in houses are less aware of their rights and that is why they do not think that this is infact, violence against them or even if they can understand that they do not have so much strength in their voices to raise them against the male chauvinist approach.

CUSTODIAL VIOLENCE

- Custodial violence has also proved one of the brutal forms of injustice.
- It has not only affected the person accused but also his family. In many of the cases police has subjected the accused under severe torture for two reasons:
 - To force the person to confess about the criminal act and to show efficiency in investigation or to extort bribery.
 - Women have also bore the brunt of custodial violence. There are cases that were being raped under custody by police officials. But the sad fact is that 95% of custodial violence reports against women go unreported.

SEXUAL HARASSMENT

- Sexual harassment is defined as "any unwelcome sexual advance, request for sexual favours or other verbal or written communication or physical conduct of a sexual nature or sexually demeaning attitudes, causing interference with work performance or creating an intimidating, hostile or offensive work environment or the attempt to punish the complainant for refusal to comply to such a request or to make it a condition for employment."
- All women who face harassment suffer adverse effects, and according to some estimates, almost 80 to 90 percent of women face some sort of harassment in public places, educational sectors and in the workplace.
- Among the most common forms of harassment in Pakistan are the discomfiting gazes that follow a woman wherever she goes, as soon as she sets foot outside her home.

HUMAN RIGHTS



HUMAN RIGHTS

- The basic rights and freedoms to which all humans are considered to be entitled, often held to include the rights to life, liberty, equality, and a fair trial, freedom from slavery and torture, and freedom of thought and expression. This is called Human Rights.
- Another definition for human rights is those basic standards without which people cannot live in dignity.
- Limiting the unrestrained power of the state is an important part of international law.
- Underlying laws that prohibit the various "crimes against humanity" is the principle of nondiscrimination and the notion that certain basic rights apply universally.

HUMAN RIGHTS

- In 1948, the United Nations General Assembly set forth the Universal Declaration of Human Rights (UDHR), which is a list of human rights inherent to all people. The right to equality and the right to life, liberty, and personal security.
 - *Freedom from discrimination, slavery, and from torture and degrading treatment.*
 - *The right to recognition as a person before the law and equality under the law.*
 - *The right to a remedy from a competent tribunal and to a fair public hearing.*
 - *Freedom from arbitrary arrest and exile and from interference with privacy, family, home and correspondence.*
 - *The right to be considered innocent until proven guilty. The right to free movement in and out of one's own country and the right to asylum from persecution in other countries.*
 - *The right to a nationality and the freedom to change it.*
 - *The right to marriage and family, and to own property.*

HUMAN RIGHTS

- *Freedom of belief and religion*
- *Freedom of opinion and expression and the right to information.*
- *Freedom of peaceful assembly and association.*
- *The right to participate in government, equal access to public service in his or her country, and the right to vote in free elections*
- *The right to social security.*
- *The right to participate in desirable work and to join trade unions.*
- *The right to rest and leisure and an adequate living standard for one's health and well-being.*
- *The right to education, which is free during elementary and fundamental stages of development*

HUMAN RIGHTS

- Failure to ensure a minimum wage sufficient for a decent living
- Failure to prevent starvation in all areas and communities in the country
- Systematically segregating children with disabilities from mainstream schools
- Failure to prevent employers from discriminating in recruitment (based on sex, disability, race, political opinion, social origin, HIV status, etc.)
- Failure to prohibit public and private entities from destroying or contaminating food and its source, such as arable land and water
- Failure to provide for a reasonable limitation of working hours in the public and private sector
- Banning the use of minority or indigenous languages
- Denying social assistance to people because of their status (e.g., people without a fixed domicile, asylum-seekers) (the right to social security)

HUMAN RIGHTS ABUSE OF CHILDREN

- Millions of children have no access to education, work long hours under hazardous conditions and are forced to serve as soldiers in armed conflict.
- The World Health Organization distinguishes four types of child maltreatment:
 - *Physical abuse*
 - *Sexual abuse*
 - *Emotional and psychological abuse*
 - *Neglect*

HUMAN RIGHTS ABUSE OF CHILDREN

■ Physical abuse

- *Among professionals and the general public, people often do not agree on what behaviors constitute physical abuse of a child.*
- *Physical abuse often does not occur in isolation, but as part of a constellation of behaviors including authoritarian control, anxiety-provoking behavior, and a lack of parental warmth. All forms of corporal punishment fall be it slapping, kicking, throwing, with body parts or other material like stick etc*

■ Sexual abuse

- *Child sexual abuse (CSA) is a form of child abuse in which an adult or older adolescent abuses a child for sexual stimulation. Forms of CSA include asking or pressuring a child to engage in sexual activities (regardless of the outcome), indecent exposure of the genitals to a child, displaying pornography to a child, actual sexual contact with a child, physical contact with the child's genitals, viewing of the child's genitalia without physical contact, child pornography etc*

HUMAN RIGHTS ABUSE OF CHILDREN

■ Psychological abuse

- *“Non-accidental verbal or symbolic acts by a child's parent or caregiver that result, or have reasonable potential to result, in significant psychological harm to the child.*
- *In 1995, APSAC defined it as: spurning, terrorizing, isolating, exploiting, corrupting, denying emotional responsiveness, or neglect" or "A repeated pattern of caregiver behavior or extreme incident(s) that convey to children that they are worthless, flawed, unloved, unwanted, endangered, or only of value in meeting another's needs”*

■ Neglect

- *Child neglect is the failure of a parent or other person with responsibility for the child, to provide needed food, clothing, shelter, medical care, or supervision to the degree that the child's health, safety or well-being may be threatened with harm.*
- *Neglect is also a lack of attention from the people surrounding a child, and the non-provision of the relevant and adequate necessities for the child's survival, which would be a lacking in attention, love, and nurture.*

HUMAN RIGHTS ABUSE OF CHILDREN

- Neglectful acts can be divided into six sub-categories:
 - **Supervisory Neglect:** *characterized by the absence of a parent or guardian which can lead to physical harm, sexual abuse or criminal behavior;*
 - **Physical Neglect:** *characterized by the failure to provide the basic physical necessities, such as a safe and clean home;*
 - **Medical Neglect:** *characterized by the lack of providing medical care;*
 - **Emotional Neglect:** *characterized by a lack of nurturance, encouragement and support;*
 - **Educational Neglect:** *characterized by the caregivers lack to provide an education and additional resources to actively participate in the school system; and*
 - **Abandonment:** *when the parent or guardian leaves a child alone for a long period of time without a babysitter.*

HUMAN RIGHTS ABUSE OF WOMEN

- Violence against women is a violation of human rights that cannot be justified by any political, religious, or cultural claim.
- A global culture of discrimination against women allows violence to occur daily and with impunity.
- Following are different types of Human right violations of Women
 - *Violence against women in custody*
 - *Honor killing*
 - *Domestic violence*
 - *Female Genital Mutilation*
 - *Human Rights Violations Based on Actual or Perceived Sexual Identity*
 - *Forced marriages*

HUMAN RIGHTS ABUSE OF MINORITIES

- “Minorities in all regions of the world continue to face serious threats, discrimination and racism, and are frequently excluded from taking part fully in the economic, political, social and cultural life available to the majorities in the countries or societies where they live.”(UN High Commissioner for Human Rights)
- Minorities face multiple forms of discrimination resulting in marginalisation and exclusion.
- The protection of the rights of minorities is provided for under article 27 of the International Covenant on Civil and Political Rights and article 30 of the Convention on the Rights of the Child

HUMAN RIGHTS ABUSE OF MINORITIES

- **United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities** is the document which sets essential standards and offers guidance to States in adopting appropriate legislative and other measures to secure the rights of persons belonging to minorities
- Non discrimination and equality are fundamental principles of all core Human Rights treaties
- Virtually all countries in the world have national or ethnic, linguistic and religious minorities within their populations
- UN declaration assures that persons belonging to minorities are entitled to non discrimination and equality , including the right to enjoy their own culture, to profess and practice their own religion and to use their own language.

EFFECT OF HUMAN RIGHTS ABUSE

- Lack of rights leads to exclusion and marginalization of citizens, which lies at the root of much poverty, even in resource-rich environments.
- Lack of rights exacerbates conflict and leads to cycles of violence.
- Lack of rights means that people are not free in making choices about their own lives, unleashing their own creative energies and strengthening social unity.
- Living within a non rights-protecting culture hampers people from developing to the maximum of their capabilities.

HUMAN RIGHT PROTECTION

- Protecting human rights is closely linked to advancing long-term, sustainable development.
- Rights are both part of the goal of development and instrumental to attaining other goals such as economic growth or democracy.
- "Do no harm"; our programming should not inadvertently lead to rights violations, including forced displacement or systematic discrimination of people.
- Human rights cannot be earned and they cannot be taken away, but they can be repressed or violated by individuals, nations or governments.
- Everyone must play a positive role in advancing the cause of Human Rights

ROLE OF CIVIL SOCIETY: HUMAN RIGHTS

- It is of paramount importance to clarify the roles and limits of civil society in the protection of human rights.
 - *The protection of groups and individuals as well as their rights falls under the State functions.*
 - *Role of civil society in promoting human rights takes in this context a fundamental value Which helps in forming a citizen sufficiently armed to defend his/her rights.*
- A force of change by mobilizing people

ROLE OF CIVIL SOCIETY: HUMAN RIGHTS

- A force for generating ideas with the support of experts and researchers
- A catalyst for new practices on the ground that give its work a social pillar, strength and legitimacy
- A control of the community on the powers, a way of ensuring opportunity for people to participate in the process of decision-making, implementation and monitoring of projects.
- A possibility for people to freely choose their leaders, participate in the management of power, control their representatives and put an end to their mandates in the event of failure.

ROLE OF CIVIL SOCIETY: HUMAN RIGHTS

- Consolidate constitutional human rights guarantees
- Adopt and implement an integrated national strategy against impunity
- Draw up and implement public policies in the areas of justice, security and law enforcement, education and in-service training, and ensure active involvement of all components of society

ROLE OF CIVIL SOCIETY: HUMAN RIGHTS

- Strengthen the control of the constitutionality of laws and autonomous regulations resulting from the executive branch;
- How to promote clear provisions on the separation of powers, namely constitutional, legal and institutional mechanisms that are likely to ensure a better balance between the executive and the legislature?

ROLE OF NGOs:HUMAN RIGHTS

- The term non-governmental or non-profit is normally used to cover the range of organisations which go to make up civil society.
- Such organisations are characterised, in general, by having as the purpose of their existence something other than financial profit.
- Several nongovernmental organizations around the world have dedicated their efforts to protect human rights and advocat against human rights abuses.
- In fact, major human rights NGOs maintain websites and other platforms documenting violations and calling for remedial action both, at government and even grass-roots levels

ROLE OF NGOs:HUMAN RIGHTS

- Amnesty International, Human Rights Watch, Human Rights Without Frontiers, Human Rights Action Center among others have been on the front line, monitoring the actions of governments and exerting pressure on them to act in accordance with human right principles

ROLE OF NGOs:HUMAN RIGHTS

- The 1993 UN World Conference on Human Rights - known as the Vienna Conference - was attended by 841 NGOs from throughout the world, all of which described themselves as working with a human rights mission.
- NGOs may attempt to engage in the protection of human rights at various different stages or levels, and the strategies they employ will vary according to the nature of their objectives - their specificity or generality; their long-term or short-term nature; their local, national, regional or international scope, and so on.

ROLE OF NGOs:HUMAN RIGHTS

- NGOs play a crucial role in Human Rights protection like:
- Fighting individual violations of human rights either directly or by supporting particular 'test cases' through relevant courts
- Offering direct assistance to those whose rights have been violated
- Lobbying for changes to national, regional or international law
- Helping to develop the substance of those laws
- Promoting knowledge of, and respect for, human rights among the population

MONEY LAUNDERING



MONEY LAUNDERING

- Money laundering is the process of creating the appearance that large amounts of money obtained from serious crimes, such as drug trafficking or terrorist activity, originated from a legitimate source.
- Money laundering is the generic term used to describe the process by which criminals disguise the original ownership and control of the proceeds of criminal conduct by making such proceeds appear to have derived from a legitimate source.

MONEY LAUNDERING

- Money laundering offences have similar characteristics globally. There are two key elements to a money laundering offence:
 - *The necessary act of laundering itself i.e. the provision of financial services; and*
 - *A requisite degree of knowledge or suspicion (either subjective or objective) relating to the source of the funds or the conduct of a client.*

MONEY LAUNDERING

- The requisite degree of knowledge or suspicion will depend upon the specific offence but will usually be present where
 - *The person providing the arrangement, service or product knows, suspects or has reasonable grounds to suspect that the property involved in the arrangement represents the proceeds of crime.*
- In some cases the offence may also be committed where a person knows or suspects that the person with whom he or she is dealing is engaged in or has benefited from criminal conduct.

MONEY LAUNDERING

- In practice almost all serious crimes, including, drug trafficking, terrorism, fraud, robbery, prostitution, illegal gambling, arms trafficking, bribery and corruption are capable of predicating money laundering offences in most jurisdictions.
- Tax evasion and other fiscal offences are treated as predicate money laundering crimes in most of the world's most effectively regulated jurisdictions.
- The objective of the criminalisation of money laundering is to take the profit out of crime.

PROCESS OF MONEY LAUNDERING

- There are three stages involved in money laundering; placement, layering and integration.
- PLACEMENT:
 - *This is the movement of cash from its source. On occasion the source can be easily disguised or misrepresented. This is followed by placing it into circulation through financial institutions, casinos, shops, bureau de change and other businesses, both local and abroad. The process of placement can be carried out through many processes including:*
 - *Currency Smuggling - This is the physical illegal movement of currency and monetary instruments out of a country. The various methods of transport do not leave a discernible audit trail.*
 - *Bank Complicity - This is when a financial institution, such as banks, is owned or controlled by unscrupulous individuals suspected of conniving with drug dealers and other organised crime groups. This makes the process easy for launderers. The complete liberalisation of the financial sector without adequate checks also provides leeway for laundering.*

PROCESS OF MONEY LAUNDERING

- *Currency Exchanges - In a number of transitional economies the liberalisation of foreign exchange markets provides room for currency movements and as such laundering schemes can benefit from such policies.*
- *Securities Brokers - Brokers can facilitate the process of money laundering through structuring large deposits of cash in a way that disguises the original source of the funds.*
- *Blending of Funds - The best place to hide cash is with a lot of other cash. Therefore, financial institutions may be vehicles for laundering. The alternative is to use the money from illicit activities to set up front companies. This enables the funds from illicit activities to be obscured in legal transactions.*
- *Asset Purchase - The purchase of assets with cash is a classic money laundering method. The major purpose is to change the form of the proceeds from conspicuous bulk cash to some equally valuable but less conspicuous form.*

PROCESS OF MONEY LAUNDERING

LAYERING:

- The purpose of this stage is to make it more difficult to detect and uncover a laundering activity. It is meant to make the trailing of illegal proceeds difficult for the law enforcement agencies. The known methods are:
 - *Cash converted into Monetary Instruments - Once the placement is successful within the financial system by way of a bank or financial institution, the proceeds can then be converted into monetary instruments. This involves the use of banker's drafts and money orders.*
 - *Material assets bought with cash then sold - Assets that are bought through illicit funds can be resold locally or abroad and in such a case the assets become more difficult to trace and thus seize.*

PROCESS OF MONEY LAUNDERING

INTEGRATION:

- This is the movement of previously laundered money into the economy mainly through the banking system and thus such monies appear to be normal business earnings. This is dissimilar to layering, for in the integration process detection and identification of laundered funds is provided through informants. The known methods used are:
 - *Property Dealing - The sale of property to integrate laundered money back into the economy is a common practice amongst criminals. For instance, many criminal groups use shell companies to buy property; hence proceeds from the sale would be considered legitimate.*
 - *Front Companies and False Loans - Front companies that are incorporated in countries with corporate secrecy laws, in which criminals lend themselves their own laundered proceeds in an apparently legitimate transaction.*

PROCESS OF MONEY LAUNDERING

- *Foreign Bank Complicity - Money laundering using known foreign banks represents a higher order of sophistication and presents a very difficult target for law enforcement. The willing assistance of the foreign banks is frequently protected against law enforcement scrutiny. This is not only through criminals, but also by banking laws and regulations of other sovereign countries.*
- *False Import/Export Invoices - The use of false invoices by import/export companies has proven to be a very effective way of integrating illicit proceeds back into the economy. This involves the overvaluation of entry documents to justify the funds later deposited in domestic banks and/or the value of funds received from exports.*
- This three staged definition of money laundering is highly simplistic. The reality is that the so called stages often overlap and in some cases, for example in cases of financial crimes, there is no requirement for the proceeds of crime to be ‘placed’.

CYBERCRIME



CYBERCRIME

- Cybercrime commonly referred to as computer crime.
- Cybercrime encompasses a wide range of activities, but these can generally be broken into two categories:
 - *Crimes that target computer networks or devices. These types of crimes include viruses and denial-of-service (DoS) attacks.*
 - *Crimes that use computer networks to advance other criminal activities. These types of crimes include cyberstalking, phishing and fraud or identity theft.*

CYBERCRIME

- Cybercrime is defined as a crime in which a computer is the object of the crime (hacking, phishing, spamming) or is used as a tool to commit an offense (child pornography, hate crimes).
- Cybercriminals may use computer technology to access personal information, business trade secrets, or use the Internet for exploitive or malicious purposes.
- Criminals can also use computers for accessing communication and document or data storage.
- Criminals who perform these illegal activities are often referred to as hackers

CYBERCRIME

- Cybercrime may be committed by individuals or small groups, as well as by criminal organizations that are often spread around the world and committing crimes on an unprecedented scale
- Often perpetrators and victims are separated by thousands of miles
- cybercriminals often choose to operate in countries with weak or nonexistent cybercrime laws

TYPES OF CYBER CRIMES

- **Hacking:** This is a type of crime wherein a person's computer is broken into so that his personal or sensitive information can be accessed. **Ethical hacking**, which many organizations use to check their Internet security protection.
- **Theft:** This crime occurs when a person violates copyrights and downloads music, movies, games and software.
- **Cyber Stalking:** This is a kind of online harassment wherein the victim is subjected to a barrage of online messages and emails. Typically, these stalkers know their victims and instead of resorting to offline stalking, they use the Internet to stalk

TYPES OF CYBER CRIMES

- **Identity Theft:** In this cyber crime, a criminal accesses data about a person's bank account, credit cards, Social Security, debit card and other sensitive information to siphon money or to buy things online in the victim's name
- **Malicious Software:** These are Internet-based software or programs that are used to disrupt a network. The software is used to gain access to a system to steal sensitive information or data or causing damage to software present in the system
- **Child soliciting and Abuse:** This is also a type of cyber crime wherein criminals solicit minors via chat rooms for the purpose of child pornography

TYPES OF CYBER CRIMES

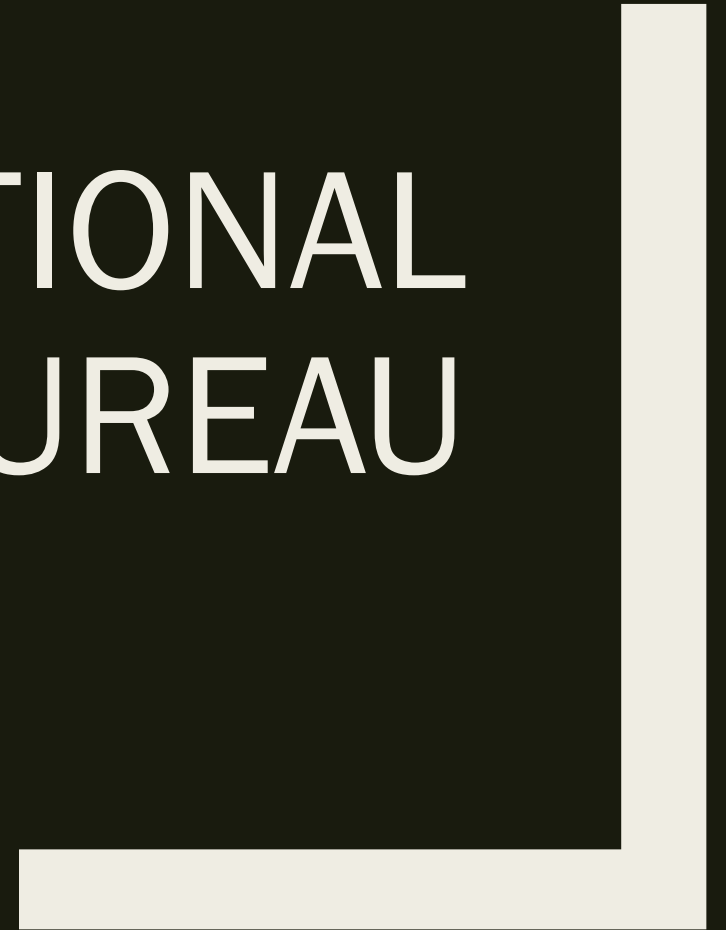
- **Ransomware:** This is one of the detestable malware-based attacks. Ransomware enters your computer network and encrypts your files using public-key encryption, and unlike other malware this encryption key remains on the hacker's server. Attacked users are then asked to pay huge ransoms to receive this private key
- **Botnets:** Botnets are networks of compromised computers, controlled by remote attackers in order to perform such illicit tasks as sending spam or attacking other computers. Computer Bots can also be used act like malware and carry out malicious tasks. Then can be used to assemble a network of computers and then compromise them

CATEGORIES OF CYBER CRIME

Cyber crimes are broadly categorized into three categories, namely crime against

- **Individual:** cyber stalking, distributing pornography, trafficking
- **Property:** Personal bank account hacking ; misuse the credit card to make numerous purchases online; run a scam to get naive people to part with their hard earned money etc.
- **Government:** Attacking government institutions networks to hack secret information or create panic in society with wrong information publication etc.
- Each category can use a variety of methods and the methods used vary from one criminal to another.

NATIONAL
ACCOUNTABILITY BUREAU



NATIONAL ACCOUNTABILITY BUREAU

- The National Accountability Bureau is Pakistan's apex anti-corruption organization.
- It is charged with the responsibility of elimination of corruption through a holistic approach of awareness, prevention and enforcement.
- It operates under the National Accountability Ordinance-1999. With its headquarter at Islamabad
- It has seven regional offices at Karachi, Lahore, Peshawar, Quetta, Rawalpindi, Multan and Sukkur.
- It takes cognizance of all offences falling within the National Accountability Ordinance (NAO).

NATIONAL ACCOUNTABILITY BUREAU

- For the initial three years, the focus of its functions was directed only at detection, investigation and prosecution of white-collar crime
- The NAB is empowered to undertake any necessary prevention and awareness, in all means, in addition to enforce its operations against the economic terrorism and financial crimes
- The constitution grants to launch investigations, conduct inquiries, and issues arrests warrants against the individuals suspected in the financial mismanagement, terrorism
- It has jurisdiction over whole of Pakistan and takes cognizance of all offences falling within the NAO against holders of public office and other persons.

NATIONAL ANTI-CORRUPTION STRATEGY

- As mentioned earlier, NAB has now also been made responsible for enhancing awareness related to corruption and for its prevention in addition to its enforcement function.
- An amendment was made in NAO in 2002 and an attempt was made to develop an anti corruption preventive model named "National Anti-Corruption Strategy (NACS)". This model was developed because NAB was of the view that enforcement alone would not be enough to control corruption and hence NACS came into existence.
- This model focuses on curbing corruption by adopting three pronged approach of awareness, prevention and enforcement.

FUNCTIONS OF NAB

- To be one of the best amongst world's anti-corruption agencies to eliminate corruption through pragmatic and holistic approach.
- To establish a strong anti-corruption institutional & legal framework and to spread awareness regarding ill effects of corruption in the society, through education by creating a robust civil society.
- To take cognizance of corruption and corrupt practices for eradication of such practice and accountability of those responsible.
- To take effective measures for detection, investigation, prosecution and speedy disposal of cases of corruption and corrupt practices.

NATIONAL ACCOUNTABILITY ORDINANCE, 1999

- The NAO is the most comprehensive piece of legislation to date in Pakistan for controlling corruption but at the same time it gives NAB extraordinary powers. Following are the few powers that NAO gives to the NAB

Powers of Chairman

- *Order non-bail able arrest of the accused for inquiry and investigation for a maximum of 90 days*
 - *Order freezing of the property of the accused*
 - *Call for information from or examination of any person and the production of any document relevant to the proceedings*
 - *Request a foreign state for all kinds of assistance necessary for investigation; and*
 - *Release an accused if he returns to NAB the assets acquired through corruption among others*
- NAO gives too many powers to the Chairman NAB and this ordinance can be a powerful instrument of unleashing terror if the Chairman is an irresponsible person.

NATIONAL ACCOUNTABILITY ORDINANCE, 1999

Many critics are of the view that a large number of provisions in this ordinance are the violation of the basic human rights. Following are the major ones

- Detention without Warrant

- *The NAO gives the power to the Chairman to detain any person alleged of being corrupt and keep him in custody for 90 days until proven culpable. Initially, some people were arrested without any evidence of their involvement in corruption but after that Supreme Court gave a verdict that NAB can arrest someone only if they have any evidence strong enough to arrest any individual for further interrogation.*

NATIONAL ACCOUNTABILITY ORDINANCE, 1999

- Plea Bargain

- *NAB will not punish any individual accused of corruption if he/she surrenders all the looted wealth. Plea Bargaining is a subject of severe criticism because such provisions let those criminals go who deserve punishments.*
- *Such provisions also make NAB a money recuperating agency but not one which effectively punishes corrupt people and restrain it by setting up examples.*
- *Such provisions also gives an impression that there has been some sort of a deal between the criminals and the NAB authorities and this gives an impression that if you have money in this country, you can get yourself out of trouble.*

NATIONAL ACCOUNTABILITY ORDINANCE, 1999

- Exemption of Armed Forces and Judiciary from NAB
 - *Serving personnel's of the Armed Forces and judiciary are not answerable to NAB under this ordinance.*
 - *It is worth mentioning here that according to the report of Transparency International, lower judiciary is the second most corrupt government department in Pakistan and unlike Armed Forces of Pakistan, judiciary does have any internal control mechanism to keep a check on their officials.*

NATIONAL ACCOUNTABILITY ORDINANCE, 1999

- High Profile Politicians not convicted
 - *Till today, not even a single prominent politician has been successfully prosecuted.*
 - *In July 2000, NAB prepared a case against Nawaz Sharif for his alleged involvement in corruption as charged by General Musharraf, then Chief Executive of Pakistan. He was sentenced to 14 years' imprisonment but due to some political reasons he was pardoned and exiled to Saudi Arabia.*
 - *In the general elections of 2002, all those elected to the assemblies were the same people linked with corruption in the past and in some cases ministries were given to those who had either their cases pending or were already convicted*

FEDERAL
INVESTIGATION AGENCY



FEDERAL INVESTIGATION AGENCY

- The Federal Investigation Agency came into existence in 1975, following the promulgation of the FIA Act, 1974 with the primary role of the eradication of corruption
- In 2004, government transferred Anti-Corruption wing of the FIA to the NAB but this wing of FIA was restored vide notification dated 24 October, 2008
- The FIA is headed by the appointed Director-General who is appointed by the Prime Minister, and confirmed by the President.

FEDERAL INVESTIGATION AGENCY

- Appointment for the Director General of FIA either comes from the high-ranking officials of police or the civil bureaucracy.
- The Director General of the FIA is assisted by three Additional Director-Generals and ten Directors for effective monitoring and smooth functioning of the operations spread all over the country.
- The FIA is headquartered in Islamabad

FEDERAL INVESTIGATION AGENCY

- In 2002, FIA formed a specialised wing for investigating Information and Communication Technology (ICT) related crimes.
- This wing is commonly known as the National Response Centre for Cyber Crimes (NR3C) and
- This wing of the FIA has state-of-the-art Digital Forensic Laboratories managed by highly qualified Forensic Experts and is specialised in Computer and Cell Phone Forensics, cyber/electronic crime investigation, Information System Audits and Research & Development.

FIA PROFESSIONAL MANDATE

- Investigation into specialized and organized crime
- Immigration and Anti Smuggling
- Personal Identification Secure Comparison and Evaluation System(PISCES Computerized Control and Exit
- Anti Human Smuggling and Trafficking
- Counter Terrorism(Special Investigation Group)
- Money Laundering(Excluding narcotics and anti corruption proceed)
- Automated Finger Print Identification System(AFIS)
- Cyber Crime and Plastic Money Fraud
- Intellectual Property Rights(IPR)
- Interpol (National Central Bureau)
- National Criminal Database(NCDB)
- Forensic and Technical Support
- Training and Capacity Building

FIA WINGS (BRANCHES)

- Anti-Corruption Wing
- Economic Crime Wing
- Counter Terrorism Wing
- Immigration Wing
- Anti-Human Trafficking and Smuggling
- Technical Wing
- Interpol
- Electricity, Gas, Oil Anti-theft Unit
- IPR Branch
- Legal Branch

ANTI-NARCOTICS FORCE

Q&A



ANTI-NARCOTICS FORCE (ANF)

- The Anti-Narcotics Force is a Federal Executive bureau of the Government of Pakistan, tasked with combating the narcotics smuggling and use within Pakistan.
- ANF works under umbrella of Pakistan Army and Ministry of Interior and Narcotics Control.
- The ANF is a civil law enforcement agency and its members are conferred powers of Police officers and thus governed by the Police order 2002, currently in force.
- ANF collects intelligence and is responsible for arrests, investigation and prosecution of offenders.
- It is also involved in seizures of drug generated assets and curbing of money-laundering. The ANF is also responsible for demand reduction programs.

ANTI-NARCOTICS FORCE (ANF)

- The Anti Narcotics Force (ANF), the primary drug control agency in Pakistan, collects and publishes annual statistics on drug related crime.
- Pakistan has over 2,500 km of porous border with Afghanistan and approximately 900 km with Iran. This is in addition to the 1,062 km long coastal belt and a 1600 km border with India.
- There are seven official border entry / exit points in addition to eight international airports, three seaports and 11 dry ports.
- The ANF's border control responsibility is shared with other law enforcement agencies including Frontier Corps Balochistan and NWFP, Punjab and Sindh Rangers, Pakistan Customs and Pakistan Coast Guard.

ANTI-NARCOTICS FORCE (ANF)

- It is pertinent to mention that 40% of total narcotics and drugs produced in Afghanistan are trafficked through Southern Route (Pakistan) while 25% are trafficked through Northern Route i.e. Central Asian Republics (CARs).
- During year 2013 the ANF destroyed Hashish 83456.49 Kgs , Opium 26452.96 Kgs, Heroin 10911.79 Kgs , Morphine 4958.52 Kgs, Ephedrine 24.90 Kgs, Cocaine 0.098 Kgs, Morphine Injections 16204 Nos, and Acetic Anhydride 479.95 litres.

FUNCTIONS OF ANF

- Conduct of drug law enforcement operations through its field component and subsequently ensuring culmination of law enforcement operational cycle through legal proceedings.
- Investigation, freezing, litigation, legal disposal of assets acquired with drug money.
- Launching of yearly campaigns by relevant Regional Directorate(s) to eliminate/destroy Poppy cultivation.
- Training of own and other law enforcement agencies' students in Anti Narcotics Force Academy.
- Acting as leading drug law enforcement agency, heads the Inter Agency Task Force that comprises all relevant law enforcement agencies.

LAWS RELATED TO ANF

Assets Investigation is conducted under relevant sections / provisions provided by the following laws:-

- Control of Narcotics Substance Act, 1997
- Anti Narcotics Force Act, 1997
- Criminal Procedure Code 1898
- Anti Money Laundering Act, 2010
- Prevention of Smuggling Act, 1977

THANKS

Q&A

