

DATE: ___/___/___

Name :: Asad Ali

Lms ID :- 30306

Batch :- 54

Question :-

Elaborate importance of legal and ethical guidelines for the Criminal Investigation or gender based crimes. Support your answer with example from Pakistani society.

Introduction :-

Legal and ethical guidelines are crucial for criminal investigations especially in cases of gender-based crimes. Ethical are the principles that guide the standards and behavior of individual society, or organizations. For the criminal justice system to work as intended every individual and organization that is part of it must consistently behave ethically. In Pakistan, ethical guidelines are necessary to ensure that the investigation of gender-based crimes is conducted in a fair and just manner.

Significance of Legal & Ethical Standards in Criminal Investigation Gender Based Crimes :-

Gender-based crimes encompassing wide spectrum of offenses such as sexual assault, domestic violence, honor killings and acid attacks represent a grave and pervasive issue plaguing in the society. These crimes have a devastating impacts on victims, their families and communities, eroding the fundamental rights and freedoms of women and girls. Effective criminal investigation of gender-based crimes is crucial to ensuring that perpetrators are brought to justice and that victims receive the necessary support. However, investigating these crimes presents unique challenges due to factors such as stigma associated with gender-based violence, cultural norms, and a lack of awareness and understanding of these issues.

Importance of legal or ethical Guidelines in the Criminal Investigation or Gender-based Crimes:-

1) Enhanced Likelihood of Successful Prosecution :-

Investigators adhering to legal and ethical guidelines are more likely to collect and preserve evidence that meets admissibility standards in courts increasing the likelihood of successful prosecution.

The code of criminal procedure providing a framework for conducting investigation of gender based crime.

Example:- The Mukhtas Mai case is an example of a successful prosecution in a gender-based crime. The prosecution's adherence to legal and ethical guidelines was crucial in securing convictions against Mai's attackers. Investigators carefully collected and preserve evidence. As a result of these efforts, six of Mai's attackers were convicted and sentenced to life imprisonment.

2) Improved Victim Satisfaction through out the Investigation:-

Victims are more likely to feel comfortable and supported throughout the investigation process when investigators adhere to ethical principles such as maintaining confidentiality and treating victims with empathy.

i) Example from Pakistan:-

In September 2020, a woman and her children were travelling on the Lahore-Sialkot motorway. An armed man robbed the family and then gang-raped. Police's ethical conduct, woman's identity were confidential and victim felt comfortable and supported throughout the investigation process. In March 2021, two suspects were convicted and sentenced to death.

3) Increased Public Confidence in the Criminal Justice System:-

The public's confidence in the criminal justice system is enhanced when investigations are conducted in a fair and impartial manner, adhering to legal and ethical guidelines, ensuring that justice is served.

Impact of Legal and Ethical Guidelines in Pakistan

1) Establishment of Special Units within Police force :-

Specialized units have been established within the police force specifically dedicated to investigating gender-based crimes enhancing expertise and focus

i) Examples :-

KPKs have established women's help desk in seven districts. Other example, Islamabad police have established Model Gender Protection Unit (GUP) in Islamabad.

2) Mandatory Training to investigate such crimes :-

Police officers receive mandatory training on how to investigate gender-based crimes improving their understanding of the complexities

i) Example :-

The "Investigation of Gender-based Crimes" course is offered by the Federal Investigation Agency (FIA) Academy in Lahore.

3) Evidence Collection Procedure in the Gender-Based Crimes :-

New procedure for collecting and preserving evidence in gender-based crime cases have been developed ensuring the admissibility and integrity of evidence.

4) Higher Conviction Rate

Adhering to legal and ethical guidelines has contributed to a higher conviction rate for perpetrators, sending a strong message of deterrence.

Conclusion :-

Legal and ethical guidelines are indispensable for conducting criminal investigations of gender-based crimes in fair, impartial and effective manner.

Pakistan's efforts to develop and implement these guidelines have had a significant positive impact on the lives of victims of gender-based violence and have contributed to creating a more just and equitable society.