

Q. How is forensic science a helpful tool?

Ans:

• Introduction:

Forensic science is the use of modern tools and technologies in the course of criminal investigation procedure. On one hand, it has facilitated the process of crime detection and analysis; however, on the other hand, the very tools are also being employed to commit crimes. Therefore, it is imperative that an investigation officer is well-versed with scientific technology and the techniques of investigation.

• How does Forensic Science work?

Performing investigation using forensic science is similar to being a detective; but with the use of science. It is used to determine and detect who committed the crime and how it was done. It helps to recreate the entire crime scene, and also to collect evidence that is then presented in the court. Then,

the police, the attorney and the court can draw conclusion and hold the criminal accountable for his actions.

• Techniques Employed in Forensic Science:

Forensic science employs various techniques as part of the procedure to determine the what, when, why and how of a case. These include:

- (1) Audio-visual Analysis
- (2) computer Analysis
- (3) DNA Analysis
- (4) Finger Print Analysis
- (5) Toxicology
- (6) Determine the criminal by trace evidence
- (7) Poly graph
- (8) Forensic photography
- (9) Fire Arm + Tools Analysis
- (10) Analysing questioned documents.



• How is Forensic science a helpful tool?

Forensic science is considered to not only be a modern tool of investigation, but also a useful one. It has several advantages that are important for both - the investigating officer as well as the victim. A few of the advantages include:

(1) Efficient Crime control:

This can be seen in cyber-crimes. For example, forensic science is used for packet sniffing, IP Address tracing, email address tracing etc. This is known as cyber forensics. Thus, it can control crime from a single click.

(2) Determine the cause of death:

Forensic science tools can efficiently and precisely, determine the cause of death. This is done following post mortem changes, blunt injuries, burns and scalds on the body as well as crime scene. It can help deduce whether the

death was natural, murder or suicide.

(3) In case of Accidents:

Forensic team also plays a crucial role in case of accidents-induced death. They do so by determining the cause of accidents, the condition of the vehicle and tires, as well as other marks. The team also checks with eye witnesses, CCTV footage and the speed of the car.

(4) Alcohol and other Drugs:

Forensic science can be used to determine the alcohol and other intoxicants content in the body of the dead. It can help determine the condition of the dead prior to his death and whether he died due to drug overdose. This is done by employing the techniques of breath test (in case he is alive), urine analysis, blood and saliva analysis).



(5) Anthropology and Sex Determination:

Forensic science can also be used to determine the sex of an individual in case of severely obliterated bodies. Applying the knowledge of anthropology, it can be deduced what race or background the person belonged to.

(6) Clinical Forensic Medicine:

This can be used in case of rape, defensive wounds on a person or pattern of injuries in domestic violence victims. It can also be used to examine gun-shot wounds or stabs on the body. Thus, it is helpful in cases of rape and homicide.

(7) Digital Forensics:

Perhaps, one of the oldest yet the most useful tool in forensic science is digital forensics. It also uses biometric technology to identify criminal in the. →

government records.

(8) Phonetics:

This is used in cases of voice phishing to tap voice and identify the speaker. It uses the speech enhancement and speech coding to determine the person in a call or audio.

(9) Others:

Forensic science can also be used in case of forged documents or fraud in money etc. And can be used to identify indentations, markings, erasures, obliterations and alteration of documents.

• Conclusion:

To sum it all up, it can be seen that perhaps forensic science is an extremely useful tool. It has altered the way that crime control was conducted. Its modern technology proved to be a blessing for the users. Even though it also has some cons, largely, it is an extremely useful tool.

Q - Discuss laws and institutional arrangements for controlling money laundering.

Ans:

Introduction:

Money laundering, in plain words, is a process whereby the gains of illegal businesses or activities (black money) are turned to guise as white money. The object of ML is to hide the origin of crimes and transfer the money to useable terms, without being caught. To deal with money laundering is a serious challenge for the authorities. This is because these people tend to leave behind no trail or connection to link them to the crime. Thus, making it difficult to capture them. Money laundering poses a serious threat to financing companies even in Pakistan. Various laws and institutions have been developed to deal with such cases.

Definition of Money Laundering.

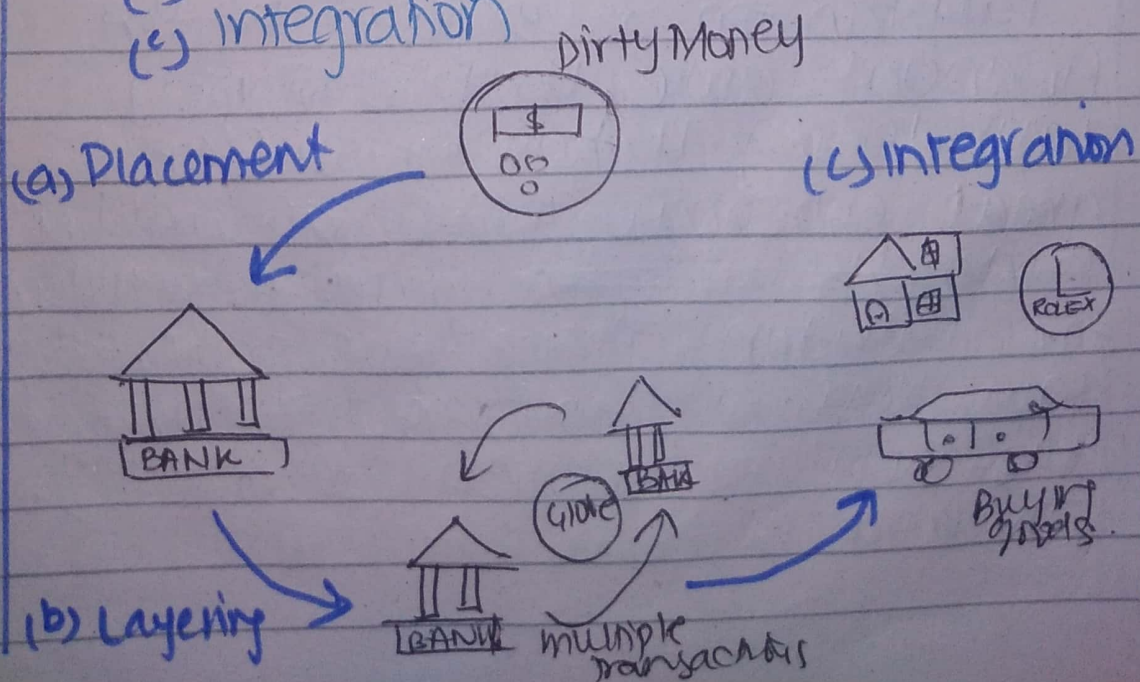
According to Joint Money Laundering Steering Group, it can be defined as,

'A process whereby criminals attempt to hide and disguise the true ownership and origins of the proceeds of their criminal activity and thereby avoiding prosecution, conviction and confiscation of their criminal funds.'

How is it done?

money laundering is divided into a three step process:

- (a) Placement
- (b) Layering
- (c) Integration



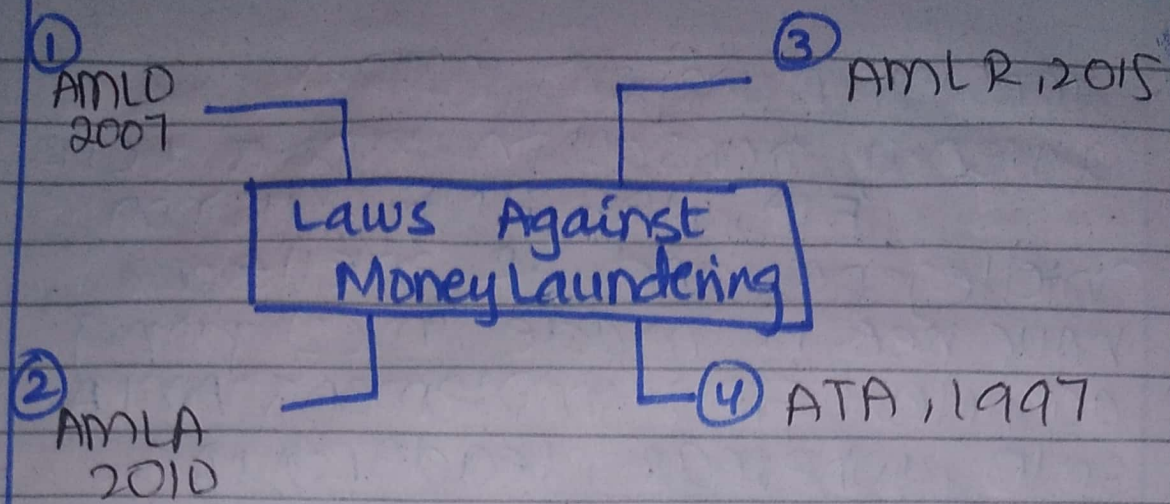
• How is it done?

There are a few common ways employed by criminals to conduct this activity. These include:-

- (1) Structuring
- (2) Bulk Cash Laundering
- (3) Cash Intensive Businesses
- (4) Purchasing in Commodities
- (5) Bank capture
- (6) Laundering through Trade
- (7) Shell companies and Trusts
- (8) Black salaries
- (9) Tax Amnesia
- (10) Cyber Laundering.

• Laws Against Money Laundering:

Pakistan, too, is exposed to the financial abuse that is money laundering. It has to suffer great economic losses as well as ~~hurting the~~ its image problems for Pakistan. There are several laws that are enforced to curtail the evil of money laundering. These include:



① Anti-Money Laundering Ordinance, 2007:

It was the first law given to prevent money laundering. It includes forfeiture of property that was either being used for money laundering or bought as a result of it. However, in 2009, this ordinance lost its legal authority and then came AMLA, 2010.

② Anti-Money Laundering Act, 2010:

This law provides legal foundation to prevent, investigate and punish money laundering. AMLA, 2010 was drafted in accordance to international standards. Banks and Financial Institutions are encouraged to file suspicious

transaction reports (STRs) and currency transaction reports (CTRs). FIA, NAB, ANF, custom intelligence and IR intelligence have been made investigating agencies. FMD implements AMLA 2010. Whereas, leadership lies with NEC.

③ Anti Money Laundering Regulations, 2015:

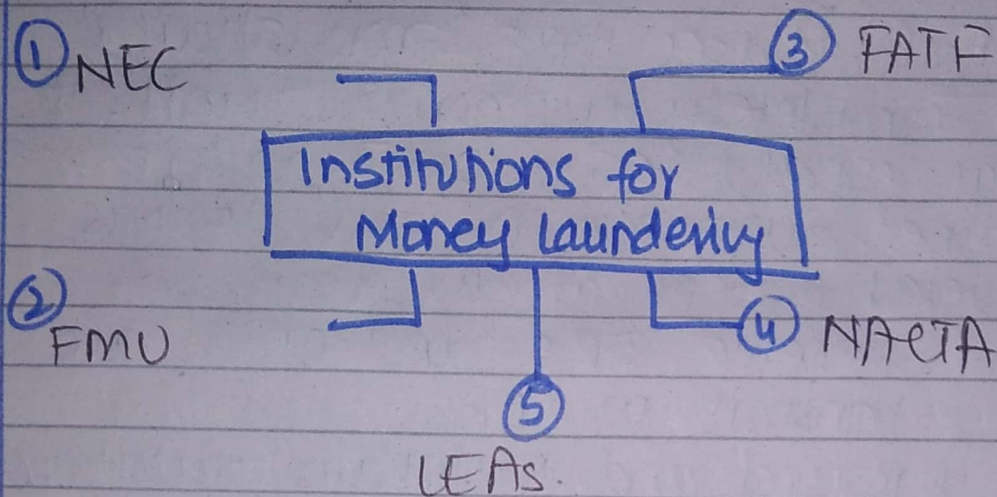
AMLR 2015 is notified by Financial Monitoring Unit. It prescribes the mechanism for reporting and administrative freezing of assets. It provides forms, templates and red flags to security companies or exchange companies etc.

④ Anti Terrorism Act, 1997:

It provides legal framework for criminalizing terrorism. It involves combating terror funding even if the means is legal. Even so, that property can be frozen and seized. It involved punishment of imprisonment for upto 10 years with fine.

• Institutions for Money Laundering:

There are several anti-money laundering institutions functioning in Pakistan. These include:



① National Executive Committee:

Under section 5 of AMLA, 2010, FQ is empowered to constitute National Executive Committee. It constitutes of six designated members:

1. Minister of Foreign Affairs
2. Minister of Law and Justice
3. Interior Minister
4. Governor SBP
5. Chairman SECP
6. DG FMU

At least two meetings are advised to be convened annually. Recently, it completed National Risk Assessment →

in collaboration with the World Bank.

② Financial Monitoring Unit:

FATF advises that FIMU should be completely autonomous unit. It was established in 2007 and it gained autonomy in 2015. It has several functional divisions:

1. Receive STRs and CTRs and transmit to LEAs
2. Record and maintain database of STRs and CTRs
3. Data analysis and presentation regarding STRs and CTRs
4. Represent Pakistan internationally as well as regionally.

③ Financial Action Task Force:

FATF was established in 1989 by the G-7 countries. It constitutes 37 countries. Its main aim was to prevent the financial system from abuse of money laundering.

• FATF Review on countries

(i) High Risk Countries:

These are the countries that

are involved greatly in money laundering e.g. Iran.

(iii) Other monitored Jurisdictions with Strategic Deficiencies:

Such countries have a failing system regarding prevention of ML and can be put in the high risk category. These include Pakistan, Sri Lanka, Syria etc.

(4) NACTA:

This is the National ~~Anti~~ Counter Terrorism Authority that came into being under NACTA Act, 2013. It is a high powered institution that deals with efforts against terrorism and terror funding.

Conclusion:

Despite the presence of several laws and institutions, the evil of money laundering prevails in Pakistan. There are serious challenges that are faced by these institutions that prevent effective action by them. However, strategic planning and accountability can play an important role in successful functioning of these institutions.