

Question no. 4

Introduction :-

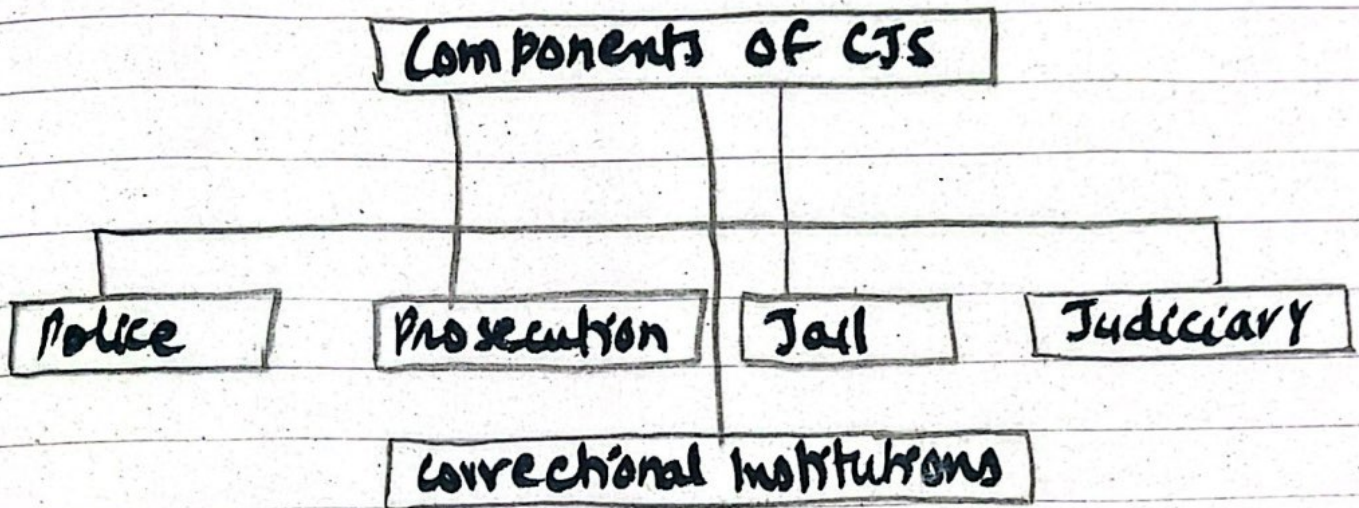
Criminal Justice System is the structure of criminal legal system that play a great role as crime control institutions. They are important for maintaining public order and preventing criminal activities. These institutions include different limbs and are vested with the authority to enforce laws, investigate the case, identify the offender and eventually upholding the concept of justice by getting the criminal convicted.

Criminal Justice System :-

Criminal Justice System is the legal structure that deals with crimes committed by a person beyond the age of maturity, apprehending him and get him punished by a respective court.

According to Siegel, the term criminal Justice System refers to the components of government charged with enforcing laws, adjudicating criminals and correcting criminal behavior.

Components of Criminal Justice System :-



Following are the components of Criminal Justice System that play essential role in maintaining public order and preventing criminal activities.

(1) Police :-

According to OXFORD HANDBOOK OF CRIMINOLOGY, Police is an organization whereas policing is an act of enforcing laws and preventing criminal actions. There are about half a million police personnel in Pakistan and each state has its own police organization and organizational law. For example, Punjab has Police Order 2002, KP has its organizational law called KP Police Act 2017, Sindh police law called Repeal (Police Act 1861

and Revival of Police Order 2002) Amendment Act 2019 and Balochistan has the organizational law known as Balochistan Police Act 2019.

The functions of Police in Pakistan is mentioned in Article 4 of Police Order 2002 and few of them are as following:

- (1) Protect life, property and liberty of citizens
- (2) Preserve and promote public peace
- (3) Ensure the rights and privileges, under the law, of a person taken into custody.
- (4) Detect and bring offenders to justice
- (5) Obey and promptly execute all lawful orders
- (6) Maintenance of civil order.

(2) Prosecution :-

According to Black Law Dictionary, "Prosecutor is a lawyer who conducts proceedings on the behalf of the state to get the offenders convicted."

The role of prosecutor starts as soon as a FIR is registered and plays an important role in

upholding justice and get the offender punished by law.

- Functions of Prosecutor :-

- (1) Under section 173 of CrPc, the police report is submitted through prosecutor and his duty starts as soon as the FIR is registered.
- (2) Examination of Investigation: Prosecutor has got the right to keep an eye on investigation as to remove all doubts that may hinder the path of justice.
- (3) Prosecutor plays an important role because it represents state in trial.
- (4) If at any time, prosecutor feels that it would be fair for him to withdraw from the case, he may do so with the permission of court under section 494 of CrPC.

(3) Judiciary :-

Judiciary is the highest organ of criminal justice system that is vested with the authority of punishing the criminal according to law. Judiciary plays an

essential role in dispensation of Justice.

- Functions of Judiciary :-

- (1) Conducting Trial : The power of conducting trial is one of the initial stages of criminal justice system and it is one of the important function of judiciary.
- (2) Remand : After the 24 hours of the keeping the accused, police need the sanction of magistrate which is called remand. Remand is needed for the swift process of justice.
- (3) Award of Bail : Another important function of judiciary is award of the bail given by courts which refer to release from jail on the condition that the accused would come whenever called.
- (4) Award of Probation : Probation is a condition whereby a court release an accused and gives him a chance to mend his ways and become him a lawful citizen of the society.

(4) Jail :-

Jail is the place where accused is kept by ceasing his freedom. A person is arrested for non-cognizable crime and cognizable both depending on the circumstances of the crime.

- Function of Jail :-

- (1) Execution of sentences
- (2) Maintenance of law and order
- (3) Discipline
- (4) Rehabilitation and Reformation
- (5) Incapacitating the criminal from recidivism

(5) Correctional Institutions :-

The correctional institutions are the last step of criminal proceedings and their function is to reform and rehabilitate the criminals.

The correctional institutions are of three types:

- (a) Probation
- (b) Parole
- (c) Arrest

— Function of Correctional Institutions

Following are the functions of Correctional Institutions :-

- (1) Rehabilitate and reform the criminals
- (2) Save and protect the community from crime in longer run
- (3) Humane custody

Conclusion :-

Criminal Justice system efficiency reflects the law and order of a given society. It refers to the components of government that perform the functions of enforcing the laws, adjudicating the criminals and correcting criminal behavior. Crime control agencies play important roles to maintain law and order of the society and preventing criminal activities to save the country from harm.

Question no. 6

Introduction :-

Violence is an ignominious blot on the history of civilization. Similarly, violence against women and girls is one of the most systematic and widespread human rights violations. Violence can be in direct or indirect form which further can be divided into cultural and structural forms of violence as explained by Johari Galtung, a renowned sociologist. There are dire impacts of gender based crimes and violence in society, including decline of justice, neglecting equality and hindered growth of society. Amidst this, criminology plays an important role to suggest strategies to mitigate gender based crimes and violence.

Defining Gender Based Violence :-

The United Nations defines gender based crimes as "any act of gender-based violence that results in or is likely to result in physical, sexual, or mental harm or suffering to women including threats of such acts, coercion or

arbitrary deprivation of liberty, whether occurring in public or private life."

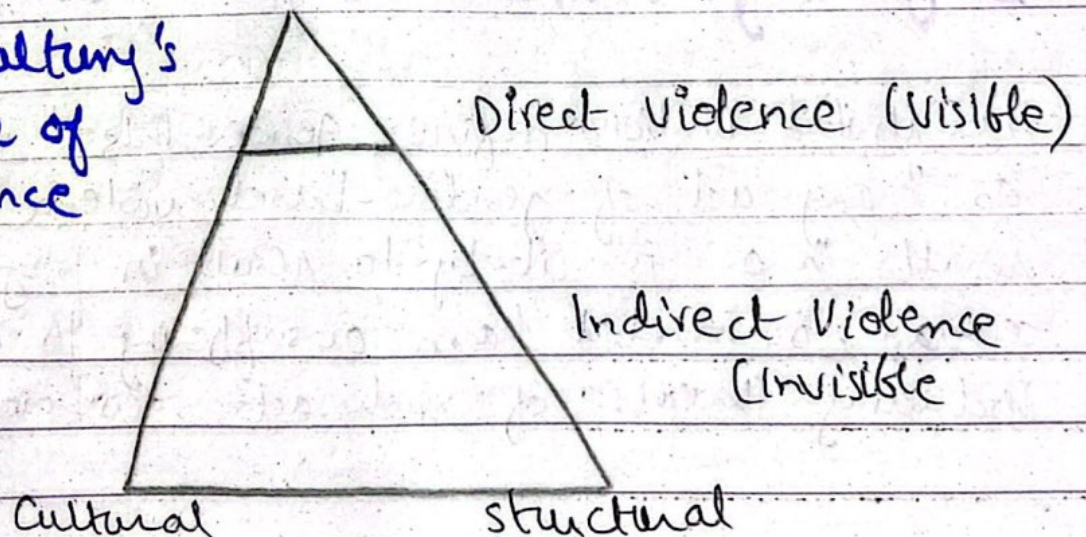
A United Nations report on Femicide in 2022 reveals that every 11 minutes, a woman is killed by an intimate partner or a family member.

Types Of Violence / Crimes against

Women :-

Johan Galtung, a Norwegian sociologist worked specifically on gender based crimes and reiterated that there is not only need to focus on bodily implications of crimes or violence, but also look at violence as a way of limiting people in their everyday life.

Johan Galtung's
Triangle of
Violence



Forms of Gender Based Crimes Prevalent in Pakistan :-

Following are the forms of gender based crimes prevalent in Pakistan :-

- (1) Murder
- (2) Acid Attack
- (3) Rape
- (4) Marital Rape
- (5) Domestic Violence
- (6) Swara, Vani (Bride as compensation for crime)
- (7) Honour killing
- (8) Forced marriages
- (9) Child marriages
- (10) Women Trafficking
- (11) Threat of violence
- (12) Sexual Harassment

Societal Impacts Of Gender Based Crimes :-

Following are the impacts of gender-based crimes prevalent in Pakistan :-

(1) Abuse of Justice :-

The laws and constitutions of Pakistan ensure the protection of women and children in Article 25(3). It also ensures the dispensation of justice as everyone is equally entitled to justice. However, the gender based crimes abuse the sanctity of laws and destroy the rights of one half population of the world. Therefore, the gender based crimes altogether abuse the notion of justice.

(2) Prevalence of Gender Inequality:

According to WEF, Gender Global Gap Report 2023, Pakistan ranked 142 out of 146 countries and paints the grim picture of the notion of gender equality. Gender-based crimes negate the rights of one half population of Pakistan and prevail the notion of gender inequality in the society.

(3) Slow Community Progress :-

Another important societal implication of gender based crimes is the

decline of the growth of gender based violence. According to Quaid-e-Azam, the independence of Pakistan would not have been possible if women were not with them. Similarly, if gender based crimes are normalized in a society, that society would gradually wither away with time.

(4) Limits prosperity and Growth :-

Gender based crimes also limit prosperity and growth of the society. It negates the right of half of the population and prevails the notions of patriarchy, anarchy, misogyny and phallocentrism. Therefore, gender based violence and crimes limit prosperity and growth of the society.

Role of Criminology in Mitigating Gender Based Crimes :-

Criminology is the science that depicts the origin, nature, causes and prevention of crimes. Similarly, criminology plays an important role in formulating strategies to mitigate gender based crimes.

(1) Enhancing Role of Police :-

Criminology reiterates that police must be trained to eliminate gender biases in their responses to case of violence against women.

(2) Police Realizing the Sensitivity Of Crimes :-

According to criminology, police should receive basic legal training to enable them to distinguish between crimes of Zina (adultery or fornication) and Zina al Jabr (rape), comprehend the criminal nature of spousal and other family violence, and understand the parameters and elements of criminal assault.

(3) Special Investigative Methodology

In addition, the police should be trained in investigative methodology applicable to cases of domestic and sexual violence, including effective and respectful interviewing procedures for victims of these crimes and methods for protecting victims.

(4) Protection from Harassment

and witnesses from harassment by defendants (including physical violence, threats, and tries to withdraw complaints).

Conclusion :-

Violence against girls and women is considered as one of the most systematic and widespread human rights violations. It is an act of doing any kind of physical, sexual or mental harm to women and even threats of making such acts is also crime. There are different forms of gender based crimes and they impact society in longer run as they abuse the notion of justice, prevent gender inequality and limits prosperity and goal. However, criminology plays an important role in making strategies to combat gender based crimes.

Question no. 8

(a) Green Collar Crimes :-

Green Collar crimes refer to the crime against the environment for personal gain. Green collar crimes have attained significance lately through few decades because of the rising issues of climate crisis and global warming.

- Causes of Green Collar Crimes :-

Following are the causes of green collar crimes :-

(1) Population Explosion :- According to UN Census, there is an unprecedented increase in the population and there is likelihood of world's population to rise 9 billion until the end of century. Because of population explosion, crimes of green collar are being done to facilitate the growing population.

(2) Massive Deforestation :- Massive deforestation is also done to facilitate the growing population. As per Global Forest watch, more than 10 million hectares have been deforested over the past 4 years only.

(3) Product of the Vested Interests of the Organized Groups :- Crime is always a product of the vested interests of an organized group that wants to achieve its end at the expense of the society. Organized groups carry out rapid deforestation for their economic and material benefits.

- Impacts Of Green Collar Crimes :-

Following are the impacts of Green collar crimes :-

(1) Melting of Ice Sheets :- Green collar crime results in ice loss globally which has global implication of water crises because 97% water is in ocean and 3% is fresh water out of which 79% is in the form of glacier. Therefore, the green collar crimes result in global melting of ice sheets.

(2) Risky Intensities and frequencies of Disasters :- Another dire impact is that crimes against environment result in global climate crisis which results in rise of intensity and frequency of disasters.

13) Rise in Global sea level :- Rise in global sea level as a result of melting of glacier is another harmful impact of green collar crime that eventually results in the growing threat to coastal population.

— Remedial Measures to Combat Green Collar Crimes :-

Following are the remedial measures to combat green collar crimes :-

1) Judicial Approach towards Green Collar Crimes :-

Judiciary should inculcate in its jurisdiction that any crime against environment would be adjudicated by court and the person or organization would be penalized by court.

2) Establishment of National Green Tribunal :-

There should be a national green Tribunal that would solely investigate the issues and complaints against green collar crimes.

(2) Public Private Partnership :-

Public Private partnership signifies collaboration between public and private institutions for financing, building and operating public projects. Public and Private Partnership involves a contract between a public sector authority and a private party, in which a private party provides a public service or project and assumes substantial financial, technical and operational risk in the project.

— Prospects of Public Private Partnership in Crime Prevention :-

- (1) Neighbourhood crime prevention projects
- (2) Child and family support and prevention programs
- (3) Funding research programmes.
- (4) Funding project evaluation.
- (5) Public awareness programmes.
- (6) Strengthening public policies ; accountability

- PPP and Crime Prevention - Success stories :-

(1) Cybercap - Montreal, Canada :

Training in multimedia for young people at risk or ex-offenders and their families. PPP with Microsoft, Radio Canada, TSN television, who fund and provide computers, materials and internships.

(2) Prevention and Assistance to Survivors of Trafficking (PAST) - India : PPPs working between International organizations for Migration, Government, Businesses to provide rehabilitation, training, employment, support for survivors as well as peer education training and awareness rising.

Question no. 2

Introduction :-

Criminology is a discipline which is interdisciplinary in nature because it studies crime in multiple dimensions.

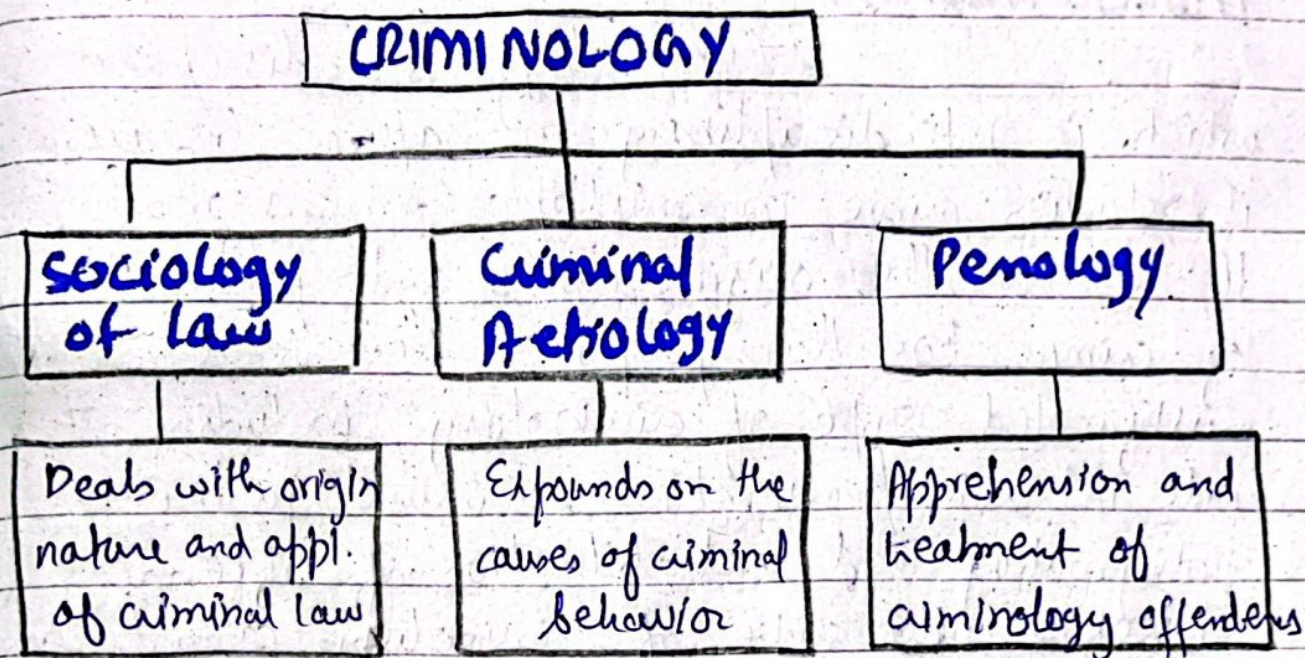
It studies the origin, causes and prevention of crime. For this purpose, there is a multifaceted scope of criminology, including its role in crime prevention, criminal justice policymaking and rehabilitation of offenders. Therefore, the scope of criminology cannot be neglected.

Conceptualizing Criminology :-

The word criminology was coined by 'Raffaele Garofalo' in 1885. It comprises of two words : Crimen which is of Latin origin means 'Accusation' and Logia which comes from Greek and means 'study'. Etymologically, criminology means study of crime or accusation.

Criminology is an interdisciplinary field of study that deals with scientific study of crime, its

causation and strategies for its prevention.



- Branches of Criminology -

- Penology
- Feminist Criminology
- Forensic science
- Victimology
- Bio-criminology
- Anthropological criminology
- Forensic psychology
- Radical Criminology

- Criminology and Criminal Justice System :-

Criminology explains the origin, extent, nature of crime in society and through these elements, criminology helps criminal justice system to draft laws accordingly and helps in studying

the role of agencies and correctional institutions.

Multifaceted Scope of Criminology in crime prevention, criminal policymaking and Rehabilitation :-

Criminology has historically played a reforming role in relation to Criminal law and criminal Justice System. As an applied discipline, it has produced findings that have influenced legislators, judges, prosecutors, lawyers, probation officers and prison officials prompting them to understand crimes and criminals and to develop better and more humane sentences and treatment of criminal behavior as propounded by 'Cesare Beccaria' in his book 'Of Crime and Punishment'.

As a subdivision of the larger field of sociology, criminology draws on psychology, economics, Anthropology and other disciplines to explain the causes of and prevention of criminal behavior.

It also helps in preventing crimes and correcting criminal behavior, as it answers questions like.

- (a) Question of detection of crime
- (b) Question of custody and treatment of criminal
- (c) Question of explaining criminal behavior and crime causation.

Conclusion :-

Criminologists examine and tend to explain crime rate differential and criminal code. It is multidisciplinary in nature, because it draws concepts and subject matter from other disciplines. For this purpose, criminology has multifaceted scope as it plays an important role in preventing crimes, drafting criminal policy making and rehabilitation of offenders.