

Section-I → Q. 3.

Introduction:

Biological theories of criminal behaviour include phrenology theory, physiognomy theory, theory of atavism, classification of crimes in terms of development etc. Biological theories ignore the social relation of crimes with a number of other strengths and limitations. Moreover, genetic theories include intelligence theory, inheritance theory, identical twins theory and etc with number of limitations and strengths.

Critical analysis of Biological theories of criminal behaviour:

(i) **Phrenology theory focuses on relationship between external features and crimes.**

According to this theory, there exists strong relationship of physical features with crime. Criminals have large ears, big mouth, ^{long} high beard and hairs (Book: Avatar).

Critical analysis of this theory:

(1) **Strength**

In classical schools, this theory provided an outline for criminologists to link criminals

- (i) Phrenology
- (ii) Physiognomy
- Limit
- (iii) Atavism
- (iv) Endomorphs

with their physical characteristics.

(i) Limitation:

This theory rejects the underlying sociological factors which lead to crimes. This theory is obsolete in modern crimes.

(ii) Physiognomy theory explains relationship between propensities and crime.

In this theory, it is explained that 26 compartments of brain are divided in active, passive and balanced propensities.

Active propensities leads to criminal activities.

(1) Limitations of theory

This theory divides brain in terms of tendency of crime. However a deep study of brain and neurology nullifies this evidence.

(2) Strengths of the theory

This theory linked anatomy of brain with criminal tendencies. It led to further studies on biological explanation of crimes.

(iii) Atavism theory by Cessaro Lambroso:-

This theory is of pivotal importance in criminal. Cessaro Lambroso conducted experiments on 300 dead bodies. He found that criminals possessed developed occipital fossa in brain. This features is present in

primates. Criminals retain characteristic of animals.

① Strengths.

This theory supported the evolution of humans as explained by Darwin. Moreover, it provided experimental evidence of atavism.

② Limitation:

A number of people do not have characteristics of animals. However, they commit crimes. These evidence were rejected by Genne.

(iii) Endomorphs, exomorphs and mesomorphs form basis of criminal behaviour.

According to this theory, man is divided has endoderm, mesoderm and ectoderm in neonatal stages. Endoderm develops internal body structure, mesoderm develop muscles and ectoderm skins. Criminals have high developed muscles (mesoderm).

① Strengths:

This theory linked criminal behaviour with neonatal features. Moreover, it provided account of stages of human development.

② Limitations

It seems that this theory was developed in connection with phriogemy and phsiogemy. Moreover, it linked crimes with bulk of muscles, which is illogical.

critical analysis of genetic theories that explain criminal behaviour.

(i) Intelligence theory explains relationship between low intelligence and criminal behaviour.

This theory explains criminal tendencies on basis of low intelligence. People who have low intelligence than 75 on Simon scale, are likely to commit crimes.

(i) Strengths.

This theory also provided sociological linkage of criminals. It is because of the fact that people with low intelligence feel them inferior and commit crimes.

(2) Limitation:

This theory linked crimes with only intelligence. However, later it was founded that this deficiency can be corrected by education.

(ii) Inheritance theory explains relationship of transfer of criminal traits and in a family:

This theory explains that criminal traits are heritable. Parents, who are criminals, transfer these traits to their children. Identical twins have likely tendency of crimes.

① Strengths:

This theory supported that traits of crimes are heritable. Thus, criminologists tried to look upon the families involved in crimes.

② Limitations:

This theory nullified concept of rehabilitation. If criminality is a heritable trait, then rehabilitation efforts are useless.

iii) XY theory refers to relationship of crime with 'y' allele:

According to this theories, XY gene forms a man, while XX gene a woman. Y gene allele (part of gene) has aggressive tendencies. Thus XY intersex and XY gene is more likely to commit crime.

Limitations:

Y gene has further divisions. It can be Y^x and Y^y . Moreover, certain people with Y allele are docile, while certain women are criminals.

Strengths:

This theory linked aggressiveness with tendency to commit crime.

This theory exhibits crime dependent upon gene.

Conclusion:

Both biological and genetic theories have certain pros and cons.

However, these theories provided scientific evidences of crimes. Additionally they led to further developments in sociological explanation of crimes.

Section-II:-Q.No.4.

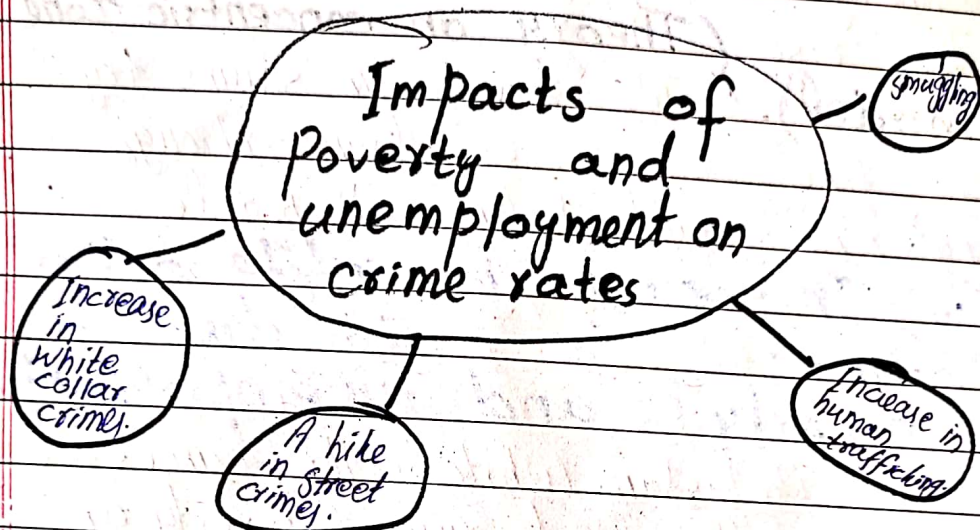
Introduction:-

In Pakistan, poverty is skyrocketing due to inflation and problems in central purchasing power. It led to an increase in smuggling of narcotic, a hike in human trafficking, Theft, and substantial increase in white collar crimes. In order to mitigate these issues, there is urgent need to initiate economic reforms. Moreover, border management is required to intercept smuggling and structural reform in Anti-corruption watchdogs to tackle white collar crimes. However, rehabilitation efforts should be at the top of agenda to avoid recidivism.

Poverty and unemployment in Pakistan.

Due to increase in essent prices of essential commodities, nation is grappling with inflation. It led to increase in poverty. Government is in acute shortage of funds to create jobs and private sector

is selling its shares. Therefore, unemployment has surged in Pakistan (Pakistan Bureau of Statistics: census 2023).



(i) Poverty and unemployment has increased human drugs smuggling in Pakistan.

In Pakistan, poverty has been created due to unemployment and vice versa. Unemployed youth seeks drugs to escape realities of life. ~~More~~ This high demand increases drug smuggling in Pakistan.

(ii) Human trafficking in Pakistan is on the rise, mainly due to unemployment and poverty.

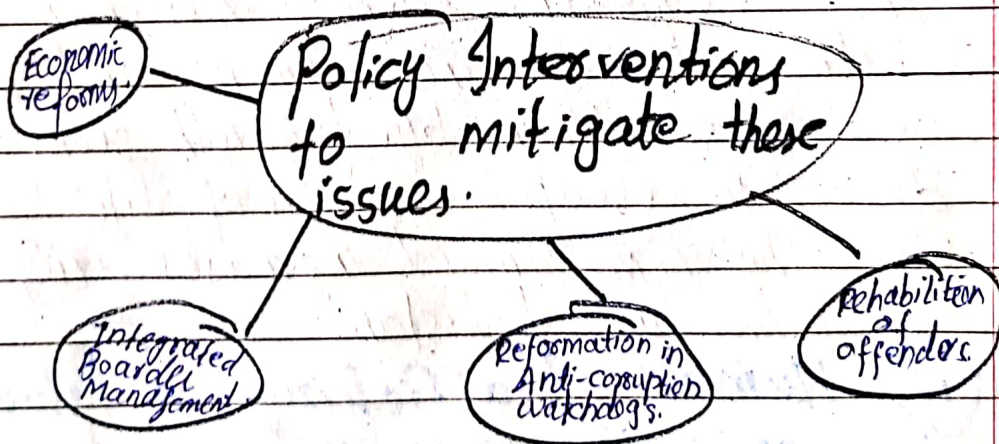
Due to poverty and unemployment people try to flee abroad illegally or legally. Thus, human traffickers breed on these grounds. In 2022, FIA dismantled network of 5000 Human traffickers.

iii) Poverty and unemployment has cause high street crime in Pakistan:

Street crimes like theft and robbery increase when poverty is on the rise (Theory on concentric zone model). People living in slums try to find means of living through snatching and stealing rich people.

iv) Increase in white collar crimes is also due to poverty and unemployment:

In Pakistan, white collar crimes are also on the rise because of poverty and unemployment. It is because white collar criminals use this youth as pawns for unlimited money as rewards.



(i) Initiation of economic reforms at grassroot level can mitigate these issues:

Economic reforms are promising strategy to reduce crime rate. Thus, revenue to GDP ratio should

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150 percent to create employment opportunities (World Bank). Moreover, trickle-down effect of economic reforms should be ensured by price control adjustment mechanism.

(ii) Integrated border management is necessary to tackle poverty, unemployment and crimes.

Integrated border management (IBM) can intercept smuggling, human trafficking effectively. Moreover, Rs. 300 billion loss to national exchequer, because of smuggling, can also be effectively reduce (FIA: IBMs: Promising strategy to tackle crimes: 2021).

(iii) Reforms in Anti-corruption watchdogs are urgently needed to mitigate poverty, unemployment and crimes.

National Accountability Bureau (NAB) and Anti-corruption Wing of FIA play effective role to tackle white collar crimes. However, they are politicized for gains. These bodies should be amended to make them independent enough to investigate white collar criminals.

(iv) Rehabilitation of offenders is the only choice to

sections

to mitigate poverty, unemployment and crimes:

Rehabilitation of offenders can decrease recidivism (tendency to recommit crimes). Moreover, it makes offenders skilful enough to contribute to economy. Thus, it will be a three ~~knifed~~^{edged} sword to tackle poverty, economy and crimes.

Conclusion:

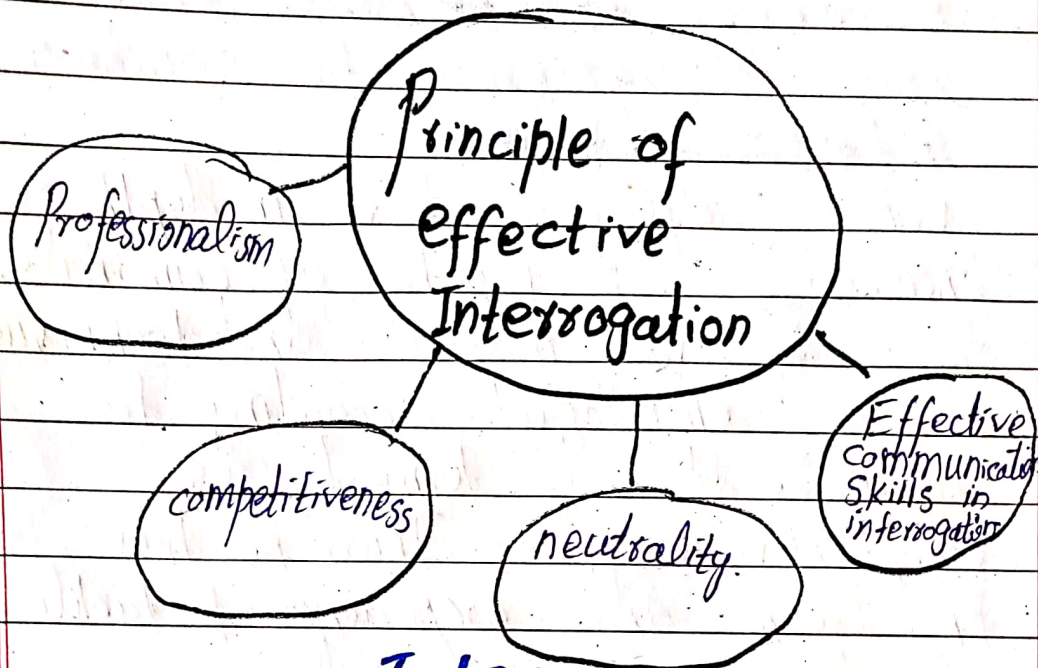
Pakistan is marred by economic challenges. These challenges are giving rise to poverty, unemployment which are further leading to crimes. However, a concurrent strategy by introducing all reforms (as mentioned above) to mitigate these issues

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Section-III:-

There are numerous interrogation techniques available in criminology. These techniques are based on the principles of professionalism, competitiveness, neutrality and effective communication. In Pakistan, there are a number of challenges in interrogation notably lack of competitiveness, use of torture for investigation, partiality and abusive language, which undermines credibility

of police.



Interrogation:

It is the use of different techniques to extract information of from the criminal. A number of techniques involved Good Cop-bad Cop technique, REED technique and PEACE techniques are used for effective interrogation.

Principles of effective interrogation technique:

(i) Professionalism requires investigating officers to maintain rules of policing in interrogation.

In Professionalism, officers play by the rules and techniques. They employ learned techniques to extract information from criminal. Moreover, they can question criminals in line with the relevant sections.

(ii) Competitiveness requires officers to have knowledge and experience to conduct interrogation:

When officers have in-depth knowledge of psyche of criminals, their ~~motives~~ motives and techniques to be employed according to criminal, ~~he~~ he is termed as competitive officer. Thus, he has knowledge and experience to tackle all type of criminals.

(iii) Interrogation officer should maintain principle of neutrality against offenders:

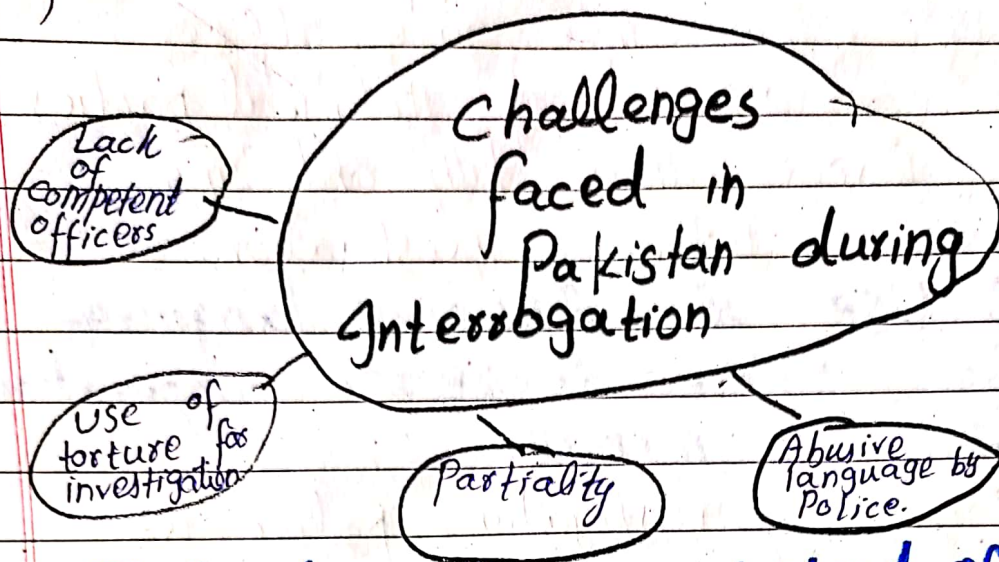
Neutrality is landmark of investigative techniques. Personal hatred and empathy for criminals should not be involved. During investigation, it should be kept in mind that everyone is equal before law.

(iv) Effective communication skills to persuade criminal for extracting information:

Good communication skills and verbosity is necessary to carry on investigations.

Example: officer ask a criminal. I know that you are not criminal. However, tell me whether it was done

accidently, criminal may ^{churn} turn out information.



i) Lack of competent officers widen gulf between police and criminal:

Most of police officers lack knowledge of sections, articles and techniques to interrogate offenders. This incompetency widens gulf between police and criminal.

ii) Use of torture to extract evidence, which is inhumane:

Torture is prohibited by international protocols and constitution of Pakistan. However, police officers frequently use inhumane torture to extract evidence. National Human Commission Survey 2022 indicates that 74% inmates in Adiala jail were subjected to torture.

iii) Partiality during criminal proceedings lead to ineffective interrogation:

Police officers are often alleged for partiality during interrogation. They either interrogate officers as per demand of political parties or favour their kith and kins during police investigation.

(iv) Use of Abusive language by police decrease cooperation from criminal:

During investigation, police use abusive language. It is against the dignity of human. It leads to ineffective interrogation because of non-cooperation from offender.

Conclusion:

Interrogation requires a high degree of competitiveness, impartiality and professionalism. However, there are multiple loopholes in interrogation techniques of police in Pakistan.

Section-IV.

(Q. 8).

Anti-money laundering laws in Pakistan have been enacted to align with Financial Action Task Force (FATF) requirements. They have been effective in a sense that they led to creation of Anti-money laundering units in NAB, FIA and also

created institutional framework of financial investigative unit (FIU). However, its effectiveness is hampered by politicization of institutions and dictation of FIU by National economic council of ministers. An urgent intervention is required to make FIU free from political control, improve capacity building of officers and disclose the public assets of public office holders.

Anti-money Laundering Laws in Pakistan:

In line with demands of FATF, Pakistan legislated anti-money laundering act in 2010 (AMLA). These are set of national and international laws to assess CTR (Current transaction Report) and STR (Suspicious transaction Report).

Effectiveness of AMLA:

(i) Creation of Anti-money Laundering Units in NAB and FIA:

Through AMLA acts, units were created in National accountability Bureau (NAB) and Federal Investigation (FIA). These units assess the large sum of transactions and deposition of money. Moreover,

the source of these transactions was also assessed. It proved to be effective because NAB recovered Rs. 168 billion from fraudulent activities (NAB: KPK: Report on recovered money: 2023).

(ii) AMLA led to creation of FIU in Pakistan:

AMLA 2010 compels government to create a branch of Financial Monitoring Unit (FMU) in Pakistan. Thus, FIU (Financial Investigative Unit) under NEC (National Economic Council) was created. Through Measure and Verification System (MVR), FIU assess the suspicious transactions in central bank.

(iii) AMLA has been ineffective because it is dictated by Ministers:

AMLA is governed by FIU. FIU is further governed by NEC, which consists of ministers. These ministers hampered the progress because they are also involved in multiple fraudulent activities. This dictation by politicians cannot tap the full advantage of AMLA.

Improvements needed in AMLA act.

Improvements in AMLA are needed

in following areas.

(i) De-politicization of FIU:

FIU was created to identify the source and destination of illegal money. However, political footprints are the major hurdle in its way. To ensure good governance through transparency, FIU should be de-politicized.

(ii) Integration of shadow economy with formal economy.

In Pakistan, 40% of economy is shadow economy (International Labour organization report 2023). Therefore, all transactions cannot be scrutinized. Therefore, it needs to be integrated with formal economy.

conclusion:

AMLA act 2010 has been flesh in the pen to align finance with international standards. However, its institutional framework has been achieved so far. Therefore, aligning shadow economy with formal economy and de-politicization of FIU can ~~entapp~~ its full potential.