

PART - II

Q No : 5

Restorative Justice

"Restorative Justice refers to upholding the justice, by focusing on victim. Victim is facilitated by all the lawful means in order to ~~pro~~ ensure justice and convict criminal." This will restore justice and promote peace in a society.

Pre-requisites of Restorative Justice

Following are the prerequisites of restorative justice.

→ Fair trial

Free and fair trial should be held, without any kind of external influence.

→ Rule of law

Law should be applicable to victim and offender irrespective of their identity ~~and~~ position and influence at society.

→ Transparency in proceeding

All the proceedings must be held in a transparent way without any sort of external influence.

→ Elimination of political interference.

Any sort of interferences should be eliminated especially political in case of white-collar crimes.

→ Deterrent Punishments:-

For ensuring restorative justice punishments should be of intensity which create deterrence among other motivated criminals. However, they should not be inhumane.

→ Rehabilitation of offenders.

Offenders must be rehabilitated so they may not move towards recidivism and become members of the society.

EFFECTIVE IMPLEMENTATION IN CRIMINAL JUSTICE SYSTEM OF PAKISTAN

→ Strict implementation of laws:

The Constitution of Pakistan 1973
Pakistan Penal Code (PPC), different
Ordinances like of 2018 and many
Other laws exist in Pakistan
but there is a lack of implementation
of such laws

→ Equality before laws

Powerful and weak should
be held equal before law.
It has been observed that
in Pakistan many offenders of
white-collar crimes are not
held accountable and the poor
people who commit blue-collar
crime are convicted.

Est

→ Provision of more funds to law enforcing agencies especially

police:-

The law enforcing agencies are not provided with sufficient budget. The lack resources to investigate the cases efficiently and effectively.

→ Independence of Judiciary:-

Judiciary must be independent from all kinds of external pressures to restore justice in a society.

→ Incorporation of modern technology

Modern technology should be incorporated in criminal investigation for speedy justice.

→ Establishment of non-formal institution to resolve issues of minor nature:

Institutions like **ADR** (Alternate dispute resolutions) are best solutions to reduce burdens from higher courts as well as to provide people speedy justice.

→ Increase in number of Public-Prosecutors

Public-prosecutors have to deal plenty ~~number~~ of cases within a day which makes them inefficient due to lack of time to focus and prepare a single case.

→ Promotion of Socio-economic development to reduce Crimes

Poverty is one of the major reason behind committing crimes. Economic development will reduce crimes and resultantly less stress on law enforcing agencies (**LEA's**), and which will increase effective implementation of laws.

: 6/1

Q No: 9 (Part - A) CYBER CRIMES

Cyber crimes are the crimes which are associated with the digital technology. Crimes which are conducted through the use of online platforms or through internet i.e. Facebook. These crimes include cyber bullying, online harassment, publication of un-ethical content about other people without their consent, misinformation etc. All these things are **examples** of cyber crimes.

CYBER CRIME LEGISLATION IN PAKISTAN:

There are several laws related to cyber crimes in Pakistan. ~~both~~ ~~are~~ ~~mentioned~~
~~below~~

→ Cyber Crime act

Cyber Crime act has been introduced in Pakistan. It has following provisions.

Provisions of cyber crime act

→ Defination of Crime:

Cyber crime act clearly defines any act which result in any haempful impact on Individual as well as on state through online mediums.

→ Methods of investigation:

Criminals will be investigated through interviewing or interrogation suitable according to the conditions.

→ Punishment of cyber crime:-

Law has clearly defined the punishment of cyber crime in the cyber crime act. A person may be charge with fine but cases if the crime is of intense nature the convict can be imprisoned.

(Part - B)

ROLE OF MEDIA IN

~~PUBLIC PERCEPTION~~

Media plays a decisive role in shaping the perception of common masses regarding any phenomenon including crime. Some are discussed below in detail

Repeatedly broadcasting a single crime to create generalization of an event:

Media repeatedly shows a single news of crime and creates a perception in common masses that the law and order situation is deteriorating.

Increased coverage to blue-collar crimes :-

The cases of theft-robbery car lifting all given more coverage

less focus on white-collar crimes.

White-collar crimes and organized crimes are not highlighted in media which creates a notion in public that crimes are only murder, robbery etc. Even though white-collar crimes impact more negatively in people's life.

Media as a source to introduce techniques of committing a crime:

Through different movies and dramas new techniques of committing a crime are shown. The motivated criminals in return adopt these techniques and create instability at societal level.

Ineffectiveness of Criminal Justice System:

Media has inculcated in the minds of people that criminal justice system is inefficient.

and ineffective in Pakistan. The motivated criminals then gain confidence to commit a crime, as they will not be punished.

~~Unaware~~

Q NO: 6 EFFECTIVE INTERROGATIONS:

Interrogation

Interrogation is a technique where a suspected criminal is investigated. He ~~has~~ is being asked several questions to determine whether he is involved in criminal conduct.

or not. ~~An effective~~ interrogation

After Interrogation the proceedings of the court will be started if the interrogation officer held it criminal otherwise he will be declared innocent.

An effective interrogation will

only be declared as effective
if successfully determine someone
guilty or innocent.

Principles of effective interrogation techniques:

→ Non-biasness of an interrogation officer:

The interrogation officer must not
be biased to conduct an
effective interrogation.

→ Awareness of the laws

Interrogation officer must be
aware of the laws and rules
of interrogation - so that the rights
of the suspected offender must not be violated.

→ Absence of any kind of influence

There must not be any
kind of political, economic and
social influence on
interrogation
officer while conducting it -

→ Corruption:

Interrogation officer must be
free from any intent of corruption.

→ Ability to exert pressure:-

An interrogation officer must be able to exert pressure on suspect ~~to show~~ because cannot reveal anything without some kind of emotional threat and pressure.

Challenges faced in Pakistan during interrogation:-

→ Lack of modern technology

There are technologies in the world which detect either suspected criminal is lying or he is speaking truth.

They check it ~~long~~ through heart beat of the criminal, is it beating fast upon interrogation of certain question or vice versa.

Pakistan has less availability to such ~~resources~~ technology while interrogation.

→ **lack of resources**

The use of efficient and effective means while interrogation all require resources which lack in Pakistan due to economic crises

→ **Increased Political influence**

Criminals ~~are~~ all supported by mafias usually and ^{also} they guarantee their protection.

These political influences make incentivize the interrogating teams to declare the suspect individual innocent.

→ **Poor economic conditions**

The poor economic condition of the interrogation team ~~addresses~~ them compels them to take bribe and didnot conduct the process transparently.

→ **lack of evidences**

Due to the lack of availability of the resources

police cannot collect evidences properly which resultantly hampers the effective Interrogation.

Although Pakistan faces numerous challenges in conducting effective Interrogation but economic growth, reduction of corruption and will as the end of all stake-holders can reduce the issue and pave the way for better law and order situation.

Q No: 3 Biological and Genetic Theories of Criminal Behaviour

There are certain theories in Criminology which consider that ~~these are~~ **Criminals** are born Criminal due to certain genetic and biological factors.

Extra Y Chromosome Syndrome.

This theory concludes that criminals have an extra "y" chromosome. Due to that extra y chromosome they commit crime. They are naturally inclined towards committing crimes. Their genetic composition compels them to violate laws and commit crimes.

Inheritance theory

This theory holds that the children of criminals also becomes criminal. The criminality is inherited ~~they~~ in their genes. They are naturally inclined towards committing crimes.

Large Skull

are all certain theorists believe that criminals have a large skull as compared to ~~all~~ law abiding citizens.

Shape of the face:

Many criminologists believe that criminals have sharp nose and lips.

Strengths of biological theories

- Various researchers have proved that criminality can be inherited
- It is objective in nature
- all the ~~part~~ characteristics can be seen and measured to get to the conclusion

Weaknesses of biological theories

- These theories have completely ignored the environmental factors
- These theories ~~are~~ are exclusive in nature.
- The external factors are downplayed
- Many criminals have law abiding children, the theory ^{cannot be} ~~does not~~ applied on them.
- The role of economic conditions is not considered.