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**PART II**  
**SECTION A**

Question 2 White Collar and  
Corporate Crimes

Introduction

In criminology, white-collar and corporate crimes focus on the powerful, not street criminal. They involve fraud, deception, and abuse of trust by respectable people and organizations in business, government and professions.

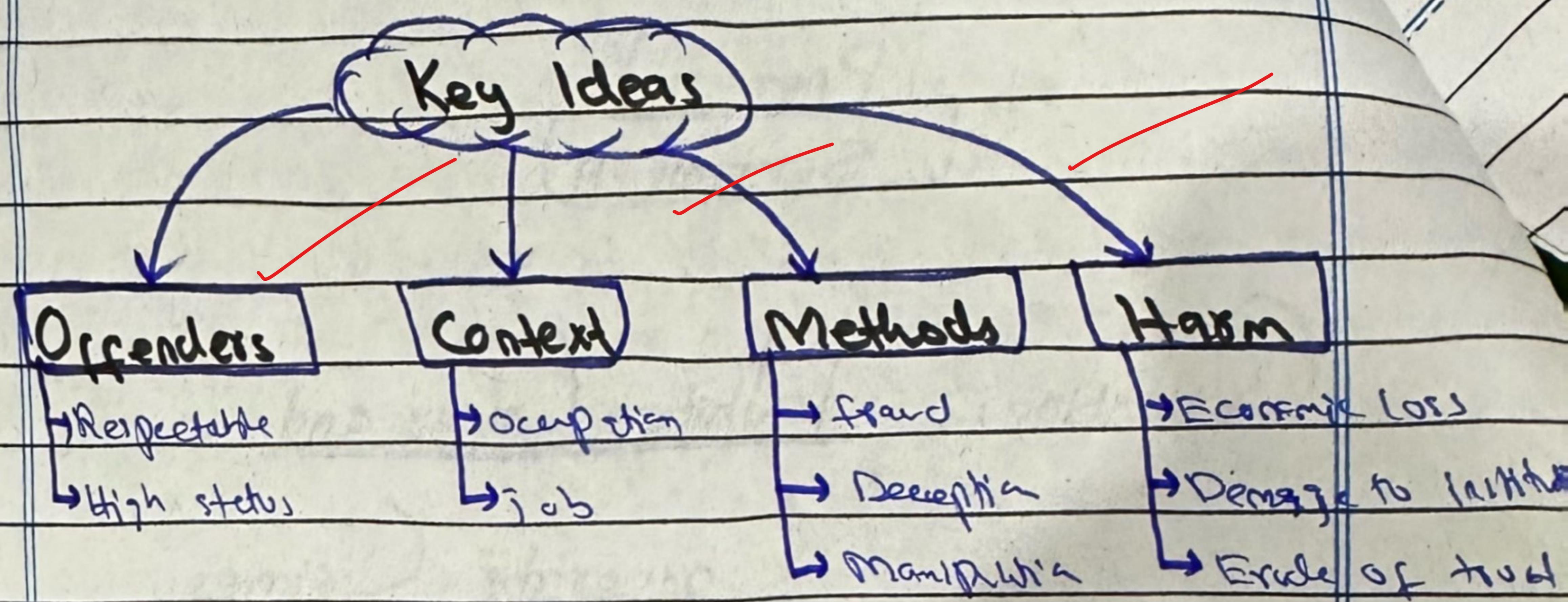
"The financial cost of white-collar crime is probably several times as greater as the financial cost of all crimes which are customarily regarded as the "crime problem."

Edwin Sutherland

White-collar Crime

"Crime committed by a person of respectability and high social status in the course of his occupation."

Edwin Sutherland



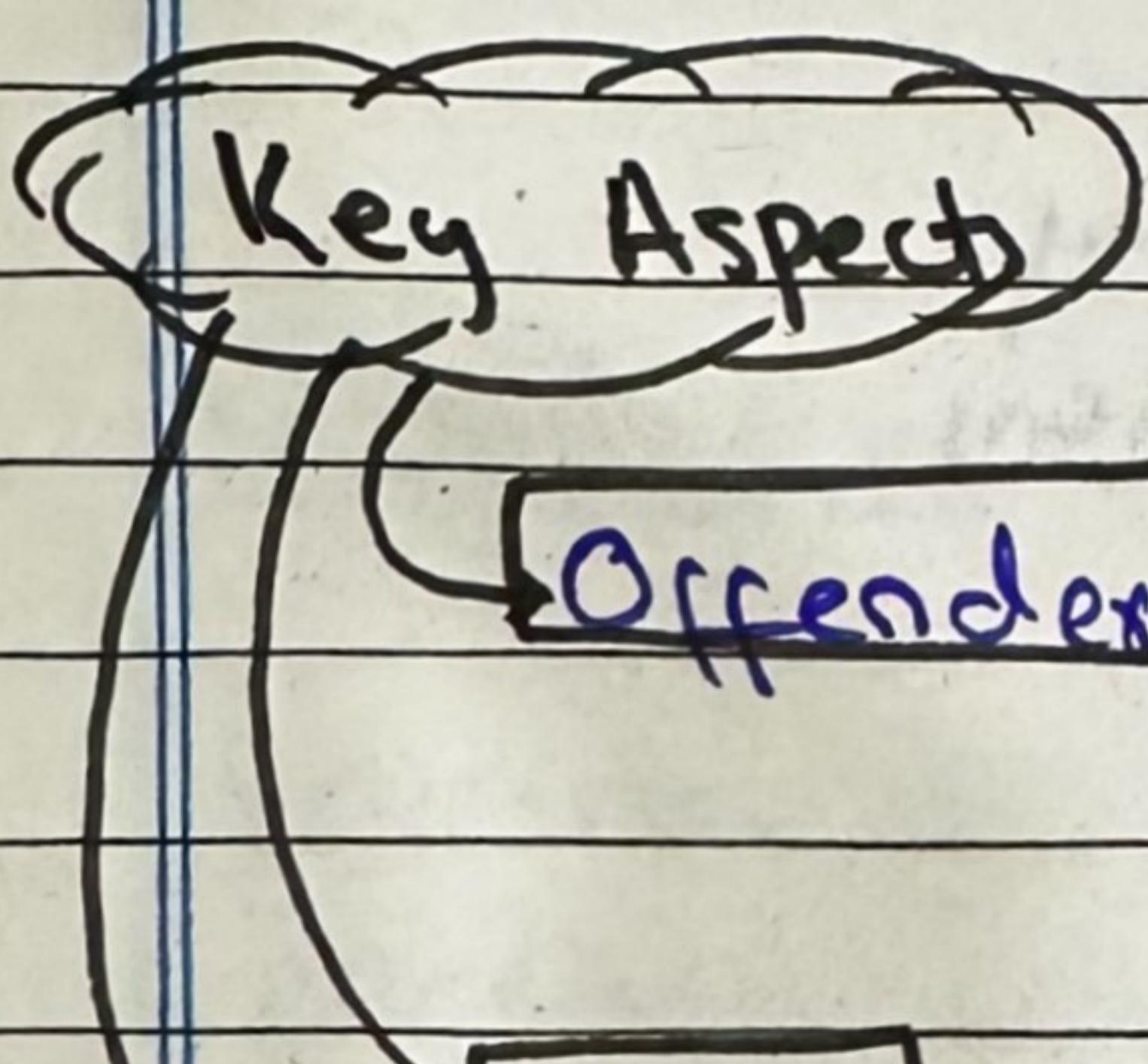
### Examples of White-collar Crime

- Embezzlement and fraud in banks and companies
- Tax evasion, false invoices, Benami account
- Bribery and <sup>corruption</sup> Occupation by public officers
- Inside trading and securities fraud
- Professional misconduct e.g. auditors falsifying records

In Pakistan, cases investigated by NAB, FIA and anti-corruption department like massive corruption scandals, fake accounts, money laundering are all white-collar crimes

## Corporate Crime

Corporate crime refers to illegal acts committed by corporations or individuals within corporations to achieve organizational goals such as profit maximization.



**Offenders:** Corporation / company as an entity includes its executives

**Motive:** Organisational Benefit, higher profit

**Victims:** Workers, consumers, state, investors, public

## Examples of Corporate Crime

- ✓ Price Fixing and Cartels. eg: cement, sugar
- ✓ Industrial Pollution; toxic waste, dumping
- ✓ False Advertising
- ✓ Unsafe workplace
- ✓ Corporate tax fraud
- ✓ Data Privacy Violations; misuse of customer data

In Pakistan, actions taken by Competition Commission of Pakistan (CCP) against cartels or penalties or fine

for misleading advertising and collection  
are corporate crime.

### Why these Crimes are Serious?

- Under-reported
- Under-penalised
- Involve huge sum of money
- Damage trust in institutions

### Impacts on Society at Large

- ✓ Huge financial losses
- ✓ Misallocation of resources (funds)
- ✓ Distortion of market competition
- ✓ Erosion of trust
- ✓ Weakening of democratic institutions
- ✓ Undermining the rule of law
- ✓ Greater double standard in morality
- ✓ Weakens social cohesion

### Conclusion

White collar and corporate crimes redistribute wealth upward, undermine trust in institutions and ~~trust~~ democratic processes. For a just society, eliminating and treat these crimes of the powerful with same seriousness as it treat crimes of the poor.

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## SECTION B

### QUESTION 4: CRIMINAL JUSTICE

#### SYSTEM IN PAKISTAN

##### Introduction

The criminal justice system of Pakistan is the set of institutions, law and procedures through which the state: define crimes, investigate facts, trial, conduct fair trial and provide rehabilitation to convicted person.

It operates under the Constitution, Pakistan Penal Code, 1860, CrPC 1898, Qanun-e-Shahadat, special court like Anti-terror or narcotics and human rights commitment like UNHRC for children.

##### Main Components of the Criminal Justice System

###### A. Police

I. Role: maintain law and order, keep law & order, investigate offences, arrest suspect, collect evidence and submission of challan to court.

**II** legal Basis: Police Order 2002 in some provinces, provincial laws and CPC

**III** Issues: Outdated Investigative method, low resources, politicisation, allegation of torture and corruption

### B. Prosecution

**I** Role: decide whether to prosecute, represent the state in trial and court appeals.

**II** Structure: required prosecution department needed by prosecutor general.

**III** Issues: shortage of trained prosecutors, heavy workload, weak case preparation, low conviction rates

### C. Judiciary Courts

- ↳ Supreme court and High court
- ↳ Session and Magistrate court
- ↳ Special courts and tribunals

### D. Prisons and Corrections

**I** Role: safe custody of under-trail and convicted prisoners, execution of sentences

**II** Institutions: Central jail, juvenile institutions

## E. Support Institutions

- I. Forensic Science Lab
- II. Legal aid bodies
- III. Law reform commission and human right bodies

### Flow of a Criminal Cases

1. Offence occurs
2. FIR at Police station
3. Investigation and Arrest
4. Charging to prosecution / court
5. Trial in court
6. Sentence, imprisonment, fine, <sup>Production</sup> Parole
7. Appeal in High courts
8. Release and Rehabilitation

### Challenges in Pakistan Criminal Justice System

- \* Delay and backlog
- \* Under-trail prisoners
- \* Weak institutions and investigation
- \* Limited access to Justice
- \* Health conditions in custody

## Juvenile Justice System in Palau

### Legal framework

Palau has signed the United Nations Convention on the Rights of Children (UN CRC) that obliges "the best interest of the child" and separate treatment for children in conflict with law.

Juvenile Justice System Ordinance 2000 was the first special law for juveniles under 18.

### Juvenile Justice System Act (2018)

- ↳ Defines child as a person under 18.
- ↳ Prohibits death penalty for juveniles
- ↳ requires separate juvenile court
- ↳ Prohibits joint trial with Adults
- ↳ Provides for diversion, probation, and separate detention facilities.

### Ground Reality despite JJSA (2018)

- ↳ Many police stations still detain children with Adults
- ↳ Difficulty in determining age due to
- ↳ Lack of birth certificates

- ↳ Central Juvenile courts
- ↳ Central or ten Rehabilitation centers
- ↳ Probation and social work are made.

## Measures for Improvement of the JJS in Pakistan

- • Strengthen implementation of JJSA 2018
- • Diversion and Restorative Justice
- • Specialized Juvenile Police
- • Child Protection units
- • Separate detention facilities
- • Strengthening Probation, social work
- • Capacity building of stakeholders
- • Reliable data, research and monitoring
- • Address socio-economic causes

## Conclusion

Pakistan's criminal justice system is far comprehensive, but suffers from weak, delayed investigation, poor prosecution and overcrowded prisons. Pakistan can move from a punitive, rehabilitative juvenile justice system that protects society and gives young offenders a real chance to reform.

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## SECTION C

### QUESTION 6 INTERVIEWING AND INTERROGATION

#### Introduction

In Criminal Investigation, interviewing and interrogation are two basic techniques used by police and investigators. Though both often used together in practice, they are not the same in purpose, method, and legal implications. Therefore, understanding the difference is essential to protect the rights of suspect and accused and to ensure that evidence is reliable and admissible in court.

#### Defining Interviewing

A structured conversation ~~not~~ with a suspect aimed at collecting information and clarifying the facts on about an incident in a non-accusatory manner.

#### Key features

~~Purpose:~~ Specific details linking suspect to crime

~~Tone:~~ Confrontational or accusatory dependent

~~Participants:~~ suspect person

~~Question:~~ more closed

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~~Setting: Lockup or interrogation~~

~~Legal status: Right to counsel, protection from torture~~

## Defining Interrogation

Interrogation is an intensive, often custodial questioning of a ~~regarding~~ suspect, usually when investigators believe the person is involved in the offence and aim to obtain a confession or specific incriminating information.

## Main differences between Interviewing and Interrogation

	Interviewing	Interrogation
Purpose	<ul style="list-style-type: none"><li>- Gather information</li><li>- Clarify facts</li></ul>	<ul style="list-style-type: none"><li>- Obtain confessions or incriminating statements</li></ul>
Nature/	<ul style="list-style-type: none"><li>- Neutral, non-accusatory</li><li>- Information seeking</li></ul>	<ul style="list-style-type: none"><li>- Accusatory</li><li>- Suspect-oriented</li><li>- Conflicting and</li></ul>
Question	<ul style="list-style-type: none"><li>- Victim, witness,</li><li>- Informant, sometimes suspect</li></ul>	<ul style="list-style-type: none"><li>- Primary suspect/accused.</li></ul>

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Legal position	- non-custodial	- custodial - right must be ensured.
Questioning style	- open-ended - exploratory	- leading, repetitive, - focused on incrimination
Rights	- dignity	- no torture, fair treatment
Use in investigation	- fact finding	- later stage, when evidence points to specific suspect

## Protecting the Rights of Criminal Suspects

### During Interrogation

#### A. Basic Legal Principles

- ✓ Right against Torture
- ✓ Right to silence
- ✓ Right to legal counsel
- ✓ Right to fair Trial

#### B. Procedural Safeguards Before and During Interrogation

- ✓ Proper recording and Documentation
- ✓ Access to Lawyer

- ✓ Time limit and Rest
- ✓ Separate Vulnerable group, eg: Juvenile  
guards

### C. Safeguard After Interrogation

- ✓ Judicial oversight
- ✓ Exclusion of illegally obtained evidence
- ✓ Complaint Mechanism and Accountability

### D. Institutional Training Measures

- ✓ Use of forensic
- ✓ corroborative evidence
- ✓ Code of conduct
- ✓ Standard operating procedures
- ✓ Human Rights protection
- ✓ Training in ethical and scientific  
measures

### Conclusion

A criminal justice system that respects the rights of the accused during investigation, not only respects human dignity but also strengthens the credibility of conviction and the legitimacy of the state.

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## SECTION D

### QUESTION 8 NAB

#### Introduction

The National Accountability Bureau (NAB) is Pakistan's premier anti-corruption agency created under National Accountability Bureau Ordinance (NAB) 1999 by the military government General Pervez Musharraf.

#### Objectives of NAB

To provide for the setting up of NAB so as to eradicate corruption and corrupt practice and hold accountable all those person accused of such practices.

NAB's Vision

Corruption-free Pakistan

NAB's Mission

Awareness → (public education against corruption)

Prevention → (review of systems, closely locate)

Enforcement → (investigation, prosecution, recovery)

## Responsibilities of NAB

- Investigating Corruption
- Prosecution
- Recovery of Public Money
- Preventive Measures
- Awareness and Advocacy
- International Cooperation

## Key Challenges faced by NAB

1. Political engineering
2. Selective Accountability
3. Declining conviction rates
4. Persistence of Plea Bargain
5. Voluntary Return culture
6. Due process, Human Rights and custodial Abuse concerns
7. Overlap with other Agencies
8. Fragmented Anti-corruption Regime
9. Legal ambiguities
10. Weak prosecution
11. Media trials and public pressure

Corruption threshold of Rs 500 million  
Exemption of cabinet decisions, transfers  
of many cases to other bodies.

A 2021 government press release claim Rs 6.96 trillion seized over the ~~sevent~~ years. A figure that is heavily debated in media and academia.

In 2020, the supreme court, while granting bail to two political leaders, observed that NAB had shown "utter disregard for the law" and fundamental right in the manner of their prolonged detention.

### Way forward to strengthen NAB

- A. Strengthen legal framework
- B. Ensure political Neutrality
- C. Improve investigation capacity
- D. Strengthen Prosecution
- E. End plea Bargain Abuse
- F. Reduce Jurisdiction overlap
- G. Promote preventive and ~~and~~
- H. Structural reforms
- I. Enhance public Awareness
- J. Strengthen Accountability culture
- K. Adopt International Best Practices

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## Conclusion

Unless NAB's legal framework, mandate, and internal culture are reformed to ensure professional, non-partisan and right-respecting accountability. It will remain ~~be~~ a symbol of rule of law and more contested instrument in Pakistan's political power game

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**THE END**  
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ANSWERS ARE TOO SHORT FOR 20 MARKS