

PART-II

SECTION -I

[Q2]

1) INTRODUCTION

In contemporary times, white collar crimes and corporate crimes have become a common sight. The rapid increase in them can be traced back to advancement of technology, free trade and globalization. They are often conducted by respected members of society; this phenomenon can be well understood through sociological perspective of crime.

Despite their subtle looking nature, White collar and corporate crimes pose serious and long term adverse effects on the society at large. ✓

2) UNDERSTANDING THE CONCEPT OF WHITE COLLAR CRIMES AND CORPORATE CRIMES

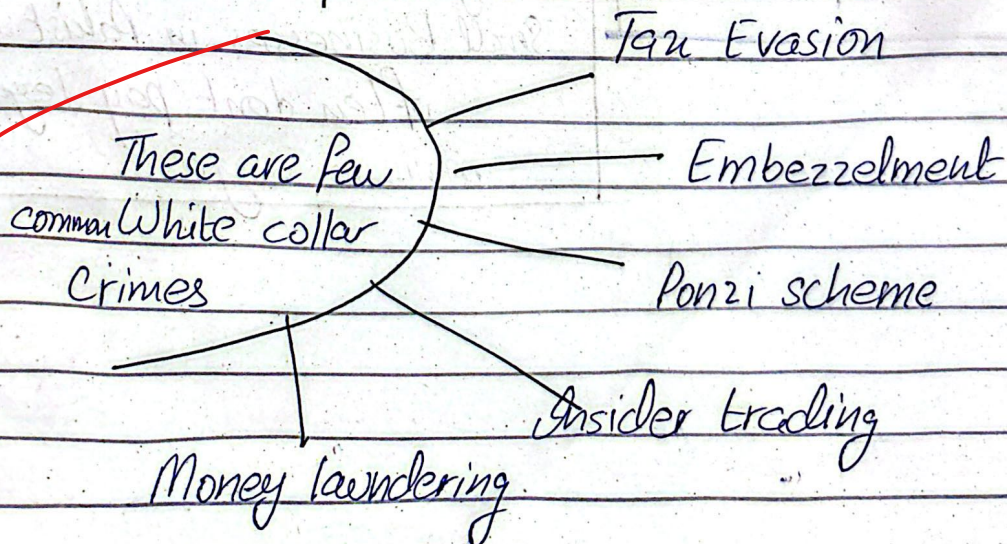
2.1) White collar Crimes

White collar crimes are conducted by respectable members of society. ✓

According to the Federal Bureau of Investigation (FBI): ✓

"White collar crimes are financially motivated crimes conducted by businessmen or politicians"

Example:



2.2) Corporate crimes

Corporate crimes includes those crimes which are committed by individuals working in a corporate hierarchy involved in an activity (illicit) conducted for profit maximization.

Types of corporate crimes

Corporate pollution

Disregard of environment friendly measures by violating environmental laws.

E.g.

Industrial waste is often found in Karachi's sea view

False advertisement

Difference between advertised and produced product.

Corporate violence

Exploitation of workers for profit maximization

E.g.

Small Businesses in Pakistan often don't pay legal minimum wage.

3) IMPACT OF WHITE COLLAR CRIMES AND CORPORATE CRIMES ON SOCIETY

3.1) IMPACT of white collar crimes:

- (i) Evasion of tax is violation of social contract between individual and state.
- (ii) It hinders free market; results into less products at high price
- (iii) Direct financial frauds harms law abiding citizens
- (iv) This may lead to erosion of trust in market resulting in low FDI
- (v) Laundered money could have been used for social welfare.

3.2) Impact of corporate crimes.

- (i) It can result into monopolies in market; hindering free trade.
- (ii) Exploitation of lower social strata.
- (iii) Environmental pollution through

violation of environmental laws.

(iv) Increase in commodity fetish.

4) CRITICAL ANALYSIS

NO NEED OF THIS
INSTEAD WRITE THEORETICAL
APPLICATION LIKE SOCIAL LEARNING
THEORY INNOVATORS ETC

White collar crimes and corporate crimes can be understood through sociological perspectives of crime. Strain theory suggests that people in corporate commit crimes because need of upward mobility with very few promotion/financial opportunities. Social regulation theory suggests that high profile businessmen and politicians commit crimes due to their 'cost-benefit' view on it. Since they often ~~are~~ are endowed with impunity, ~~so~~ they commit crime.

6) CONCLUSION

Although white collar and corporate crimes may not seem deadly crimes, they have massive adverse effect on society. Thus, they should be mitigated through targeted and root-cause oriented reforms.

ANSWER IS SHORT FOR 20 MARKS
WRITE ATLEAST 8 PAGES ADD MORE CONTENT AND HEADINGS

SEC - II

[Q 4]

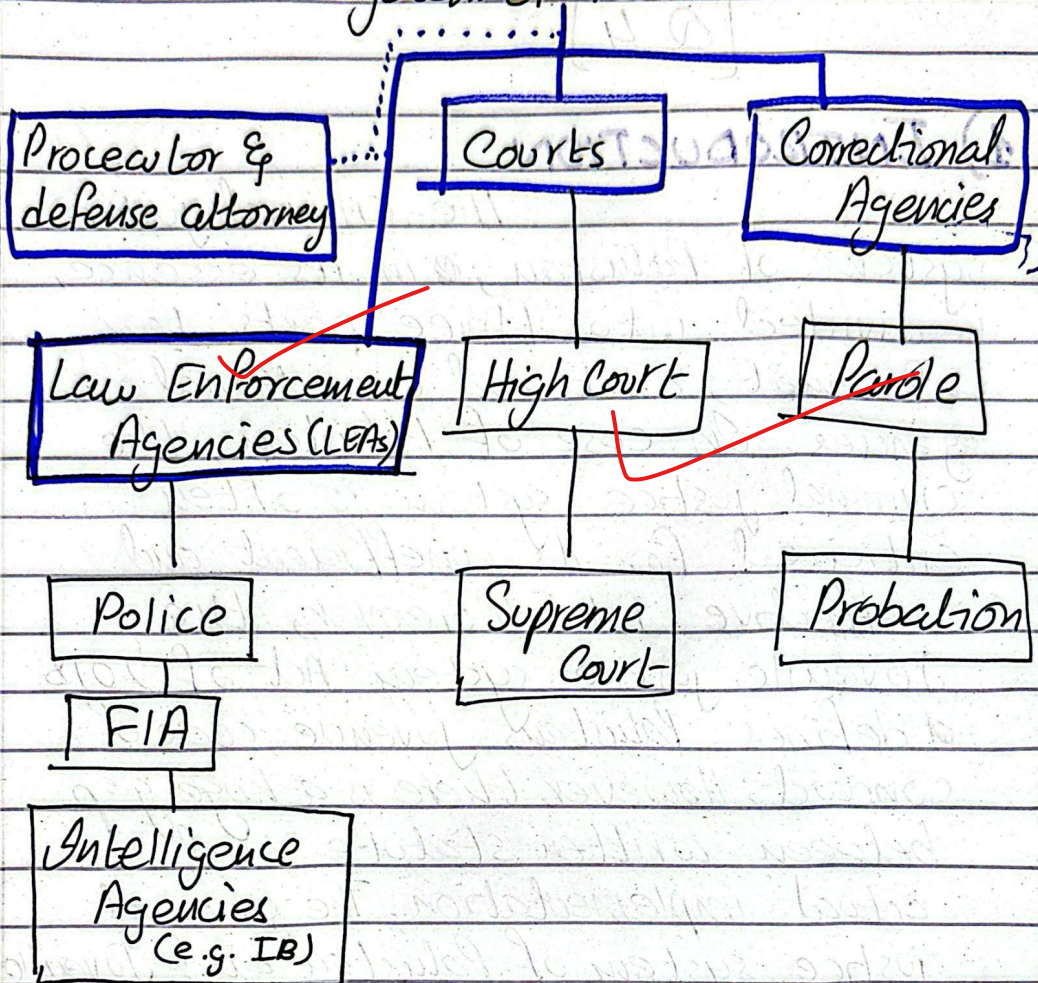
1) INTRODUCTION

The criminal justice system of Pakistan, in its essence, is divided into three parts: law enforcement, courts and correctional agencies. In case of Pakistan, the criminal justice system is often criticized for its inefficient and ineffective role. Moreover, the Juvenile justice system Act of 2018 defines Pakistan's juvenile code of conduct; However, there is a huge gap between written statute and actual implementation. The criminal justice system of Pakistan and Juvenile Justice system of Pakistan are indispensable for the law and order of the state; however, there is a dire and urgent need of reforms.

2) UNDERSTANDING CRIMINAL JUSTICE SYSTEM OF PAKISTAN

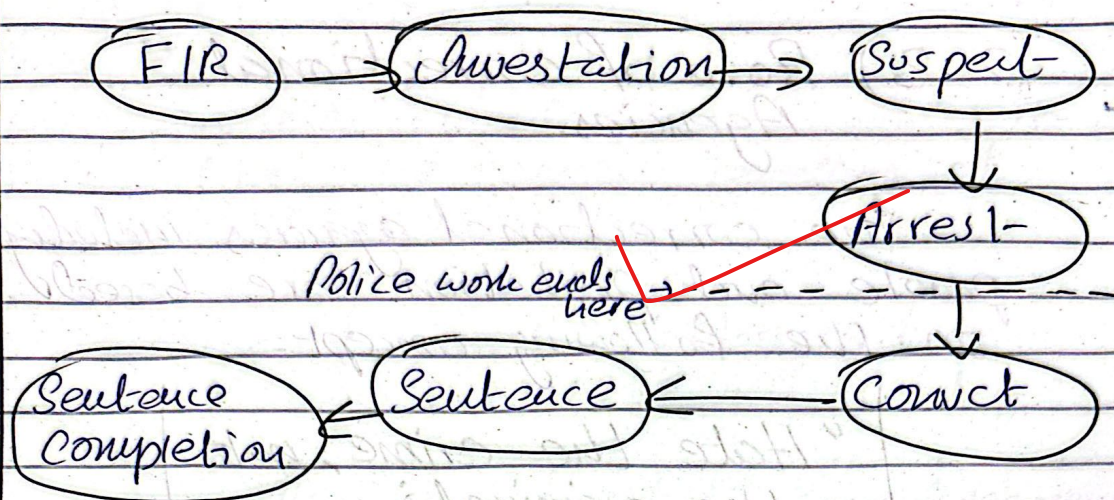
The criminal justice system of Pakistan is divided into three vital parts.

Criminal Justice System of Pakistan



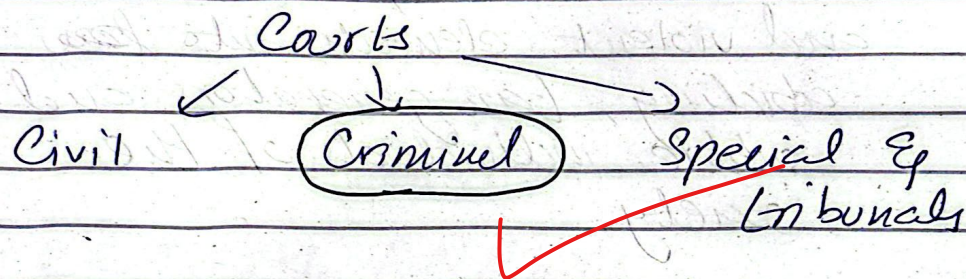
2.1) Role of LEAs

LEAs are necessary ~~part~~ of the system. The police register FIR, conduct investigation and arrest the suspect.



Relevant statute => PPC and CrPC 1898

2.2) Role of courts



Courts here cases of the public. In Pakistan the Criminal cases are often proceeded through CrPC 1898. The cases of criminal nature can be appealed in high court of the respective province or later in the Supreme court.

2.3) Role of Correctional Agencies.

The correctional agencies including parole and probation are based on the following concept:-

"Hate the crime, not the criminal"

These institutions are formed to convert criminal, law eater and violent elements into law abiding, law generators and subtle individuals of the society.

3) MEASURES FOR THE IMPROVEMENT OF JUVENILE JUSTICE SYSTEM OF PAKISTAN

- i) Actual implementation of the Juvenile justice system Act of 2018
- ii) There is a dire need to build relevant infrastructure for juvenile justice system.

(iii) Training of police to handle juveniles according to JJSA 2018
(This will prevent labelling of juveniles)

(iv) Juveniles must not be sent to jails due to lack of infrastructure.

This may lead to social learning of crime; a concept akin to social learning theory

(v) Formation of juvenile rehabilitation centers in each province.

4) CRITICAL ANALYSIS

- The criminal justice system is indispensable for law and order, economic security and social security of a nation. However, Pakistan's system must be reformed immediately. There is a huge gap between de jure procedure and de facto implementation.
- On the other hand the juvenile justice system is a very sensitive matter. It can decide the life of

minors at very young age. The system must adhere to the core of ~~social~~ labelling theory that minor should not be ~~labelled~~ as criminal at very young age.

Also, sending to jail will lead to reinforcement of criminal values, in the light of differential Association theory by Edwin Sutherland.

5) CONCLUSION

The criminal justice system and juvenile justice system serves as monument for law and order Pakistan. Their indispensable nature urges urgent reforms.

SIMILAR ISSUES

WRITE NEATLY

WORK ON PRESENTATION SKILLS

CONTENT IS OK PRESENTATION IS POOR

SECTION - III

[Q6]

1) INTRODUCTION

Interrogation and investigation are crucial aspects at the initial stage of criminal proceedings. The difference between them marks the highlights the direction of the and stage of the proceeding. Both are vital for obtaining justice ; however, the rights of the suspects must be ensured during the process.

2) DIFFERENTIATING BETWEEN INTERVIEWING AND INTERROGATION

Interview	Interrogation
The interview is presumed as suspect of innocent	The person is presumed as a suspect of crime.
It is subtle in nature ; more like a discussion.	It is coercive in nature ; more like a question-answer session.

It is used to
illicit information

It is used to
illicit guilt

✓ It is not
well planned

It is very well
planned

Techniques involves
normal discussion

Techniques involves
REID and PEACE
techniques.

3) PROTECTION OF RIGHTS OF CRIMINALS DURING THE INTERROGATION PROCESS

✓ (i) The law that statement of
suspect in police remand is
not considered authentic in
court shields suspects from
violence. However, this is
violated ~~often~~ frequently.

✓ (ii) CCTV coverage of interviews
and interrogation and audit
by the higher command.

(iii) The victim must alert court
regarding violation immediately.

- (iv) Awareness of rights through prosecutor.
- ✓ (v) Use of subtle interrogation techniques like PEACE technique; On the other hand, aggressive techniques like REID technique may result into false confession.
- (vi) Provision / access of lawyer.

4) CRITICAL ANALYSIS

The focus should be on the root-cause of the crime. This can be used in interview or interrogation as well. The interviewer should assess whether the suspect is from a criminal locality (may be crime was learned through the environment) or the suspect may be forced to do crime (strained through lack of legitimate means to achieve aspire goals). Basically the goal should be to end the crime, not the criminal.

5) CONCLUSION

Both interview and interrogation are crucial parts at the initial stage of proceedings; however, the rights of the suspect must be ensured in order to build a just and robust justice system. Also, the focus should not be on ending the criminal, it should be on ending the crime.

SECTION - IV

[Q. 8]

1) INTRODUCTION

The National Accountability Bureau is the upper anti-corruption agency of Pakistan. It is an autonomous body that operates on Federal level with a mission to end corrupt practices in the nation. However, due to numerous factors NAB is often criticized for its inefficiencies and political role. In order to ~~become~~ overcome the menace of corruption, NAB

like institutions are indispensable.

2) UNDERSTANDING THE INSTITUTION OF NAB

2.1) Background ✓

NAB was created under National Accountability Ordinance 1999 by President Musharraf.

2.2) Structure

NAB is headed by DG NAB with 4 year of term and Prosecutor NAB with 3 years term. It has offices in 7 regions across Pakistan and ~~the~~ operates under NAO 1999 ✓

2.3) Purpose or Objectives of NAB

→ The mission of NAB is to counter corruption, spread awareness against corruption and monitoring any corrupt practices in the state.

→ NAB takes applications against corruption and ~~can~~ then starts proceeding.

→ It completes its trial under 30 days. However, the law of plea bargain under section 25(a) of NAO 1999 allows Chairman NAB to end proceedings.

2.4) Shortcomings of NAB

→ Chairman NAB has too much power; for instance the chairman can release 90 days non-bailable arrest warrants.

→ The section 25(a) allows convict or suspects to plea bargain.

→ Jurisdictional issue: The head of NAB can be from military or judiciary but these two institutions do not fall under the jurisdiction of NAB.

→ NAB is often criticized for its political role/cases.

→ Inefficient mechanism of internal accountability.

(This may lead to corruption by NAB officers according to Rational choice theory)

3) CRITICAL ANALYSIS

NAB has potential to become backbone of our economy in this free trade system. However, it is often criticized for its political role. A few politicians including ~~ex-PM~~ former PM Abbasi has suggested to dissolve NAB and build a new anti-corruption organization from scratch. However, correct and targeted reforms through strong and sincere political leadership can ensure effective and efficient institution of NAB.

4) CONCLUSION

NAB remains a potentially vital tool to end corrupt practices in Pakistan; however, targeted reforms must be implemented to end its shortcomings.