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IB-066

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PART-II

SECTION-1

QUESTION # 2

(White Collar Crime and Corporate Crime)

2 → Introduction

Both, white collar crime and corporate crime are the forms of crime which do not affect an individual or a society through physical damage. However, they have their own strategy and tactics. Although both are different in their nature but holds the same motivation

behind their activities.

2 → White Collar Crimes - from the view of Edwin Sutherland

Edwin Sutherland's theory of 'White Collar Crime' claims that it is a form of crime committed by the social elites of the society, especially for the gain of financial means. Such crimes are considered less harmful due to their non-physical nature, however they also contribute to the rise in other forms of crimes.

2 → Corporate Crimes - from the Perspective of Stain Theory

Corporate crimes include a group of people or employees who commit financial and exploitation crimes for the well-being of the corporation.

of the organization. According to strain theory, it is a result of economic or financial pressure on the individuals which forces them to do such crimes.

2 → Relationship Between White Collar Crimes and Corporate Crimes

→ **Overlapping:** White Collar crimes can often occur in corporate settings, making corporation a subset of crimes when individuals often commit offences on the behalf of the company.

→ **Intent:** White collar crimes focuses on personal financial benefits. While corporate crimes looks for the benefits of organization.

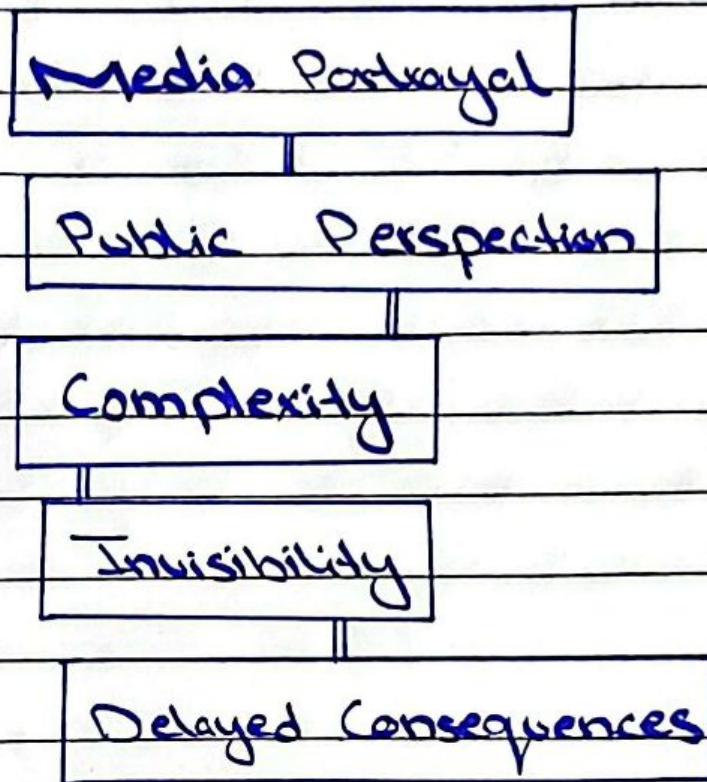
→ **Liability:** While corporate criminals are liable to the court for the whole corporation and on the other hand, white collar criminals are liable for their personal accountability.

→ **Impact:** Both types of crimes, harm the social and economic fabric of the society including stakeholders, investors, public and erodes their trust in public and private institutions.

2 → **Why White Collar Crimes are Perceived less Harmful compared to Street Crimes?**

There are multiple reasons and factors which makes the white collar crimes less in the sight of public

as compared to street crimes. These include.



2) Media Portrayal

Violent forms of crimes and street related crimes are highlighted by the media immediately. However, due to the involvement of elites in such crimes, white collar crimes remain unhighlighted most of the times.

-2) Public Perception on White Collar Crimes

Due to the lack of awareness, public does not perceive white collar crimes as a threat to their existence.

In their view, any sort of crime that has a physical presence is more dangerous.

-3) Complexity of White Collar Crimes

The financial, technical and scientific involvement in white collar crimes, makes it harder for the institutes and judiciary to understand and to prosecute.

4) Invisibility of the Crime

White collar crimes are invisible form of crimes. Both, the offender and the victim are invisible before any

execution.

5) Delayed Consequences on the Society

Although, not highlighted and are difficult are considered as violent crime, the later consequences of white collar crime is more severe than street crimes. It results in the form of social inequality, injustice and corruption in every institute.

2 → Ways to Curb White Collar Crimes

- ↳ Strict Accountability
- ↳ Public Awareness
- ↳ Role of Media in Highlighting
- ↳ Open Trials and Hearings
- ↳ Using Scientific Tools

2 → Conclusion

Any form of crime; rather physical, non-physical or psychological harms the society in one or another way. Although, some form of crimes and the criminals get highlighted and rest are thought to be less harmful but they too harms and destructs the society. In fact, no form of crime is inferior than any other crime.

SECTION - II

QUESTION # 4: (Juvenile Courts...)

→ Introduction

Juvenile courts were started establishing from USA in the era of industrialization, to protect the child worker from being exploited due to socio-economic effects of poverty. However, Pakistan adopted its first juvenile law in 2000, known as Juvenile Justice System Ordinance 2000. Later on it was revoked and a new act was passed in 2018; Juvenile Justice System Act 2018. Both of these ordinances, through various sections provided grounds for the construction of separate juvenile courts, however it remained only in the books of law and implemented

2 → Reasons Behind the Absence of Specialized Juvenile Courts in Pakistan

Negligence of state towards the state of children

Lack of knowledge among people

Inadequate Training of officers

Infrastructural Issues

Political Instability

Economic Crises

Unwillingness of civil society

⇒ How the absence of juvenile courts is affecting the 'Juvenile Justice System'?

The absence of juvenile courts in Pakistan is affecting the overall situation of Justice system especially related to the children. These include the delay in legal process, rehabilitation efforts and the protection of child's right.

1) Lack of Specialized Handling and Expertise

Juvenile cases requires a specialized training and knowledge of juvenile behaviour traits. However, police officers, prosecutors, probation officers and even judges lack such abilities. This results in the unfair trial of juvenile under the laws which are made for adults. Likewise, it also makes it harder for the victim and the offender to show his innocence in an adult court.

2) Delayed Justice and Inefficiencies of Other Courts

Juvenile cases, in the other courts puts more burden on the judiciary. This hinders the way to the judicial efficiencies. Reusantly, the court requires more time to prosecute on the cases which are under consideration.

3) Inconsistent Application of Juvenile Laws

Due to the inefficiencies and lack of implementation, a regular court may fail to apply the provision of Juvenile laws effectively. This may results in the form of death penalty or life imprisonment for a child.

4) Exposure of Juveniles to the Adult Justice System

The hearing of a juvenile case in the adult court may lead the child to learn the new tactics and topologies of crimes. Likewise, due to difference in justice system, a child may develop a sense to try to commit an other crime through the influence of adult criminal.

5) Lack of Child-Rehabilitation Centers

Due to the absence of juvenile courts in Pakistan, child centered rehabilitation centers are still not existed. Juveniles are still forced to live in police stations and in ordinary jails. This directly

effects
their mental and psychological
abilities.

6) Societal and Economic Consequences

When children are not given
with the proper rights and
education in jails, they tend
to learn new methods
and skills by other
criminals. To avenge their
former frustration in future life
they harm the society through
various forms of crimes. Hence,
their condition in lockups lead
them to the new sphere
of life.

2 → How to protect the rights
of children, and the society
from newly affected individuals?

- 1) Ban on Media to Provide Coverage and news regarding juveniles
- 2) Civil Society should play their role in the formation of juvenile courts.
- 3) Training of Police, lawyers, Judges and other staff.
- 4) Educating and Providing Skillful knowledge to juvenile.

2 → Conclusion

Juveniles are not a threat to the society, unless they are not exposed to the society and not being treated with adult criminals. They are underage children who are still underdevelopment. By providing the proper guidance and education, their behavior can be restored. Most importantly, Govt. of Pakistan should consider the construction of juvenile courts as soon as possible, to protect child exploitation.

SECTION - III

QUESTION # 7 (...UNODC...)

2 → Introduction

United Nations Office on Drugs and Crime (UNODC) was established in 1997. It plays an important role in addressing global drug trafficking and advancing criminal justice reforms. It operates through a comprehensive approach that integrates policy development, technical assistance and capacity building initiatives.

2 → Tackling Global Drug Trafficking

UNODC contributes to the fight against drug trafficking through various initiatives, including:

1) Providing Legal Framework for Member States

UNODC supports the implementation of key international treaties such as: Single Convention on Narcotic Drugs (1954) and United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988). These frameworks provide a legal basis for cooperation among member states.

2) UNODC Helps Through Capacity Building and Technical Assistance

UNODC offers training programs for the members and officials of member states of law enforcement agencies, border control officials and custom officials to enhance their capabilities to detect and prevent the

-trafficking of drugs.

3) Helps Through the Collection and Analysis of Data or Information

The member states are required to share the annual data related to drugs reports and the prevention. The data is being analysed by the department of UNODC and publishes an yearly report, which helps the countries to go for related strategies to curb it.

4) Regional and Global Cooperation

UNODC facilitates the member states to collaborate with regional and global cooperations by sharing intelligence reports on drug trafficking, and similiary

joining joint operations
and adopting similar policies
to stop the transferring
and abusing of drugs.

2 → UNODC : Promoting Criminal Justice Reforms

1) Assistance in Policy Development

UNODC helps governments
to adopt certain policies
and reforms that align
with the international standard
of human rights and best
practices.

2) Judicial and Law Enforcement Training

UNODC provides free
and specialized training to
the judges, prosecutors and
officers of law enforcement.

agencies. This helps them to go for just and fair criminal justice practice.

3) Provides Alternatives to Imprisonment

By considering the human right in sight, UNODC provides alternatives to punishments and imprisonment. This includes the rehabilitation centers, providing financial assistance to poor people to give up such traits and to educate people.

4) Victim Support and Rehabilitation

It focuses on the rehabilitation of the victim to protect him against the other unlawful actions. It helps the victims through assistance and guidance.

2 → Conclusion

The UNODC continues to be a critical actor in the global fight against drug trafficking and criminal justice reform. Its comprehensive and multifaceted approach, encompassing legal, technical and policy oriented measures are contributing significantly to the creation of safer societies and strengthening the rule of law worldwide.

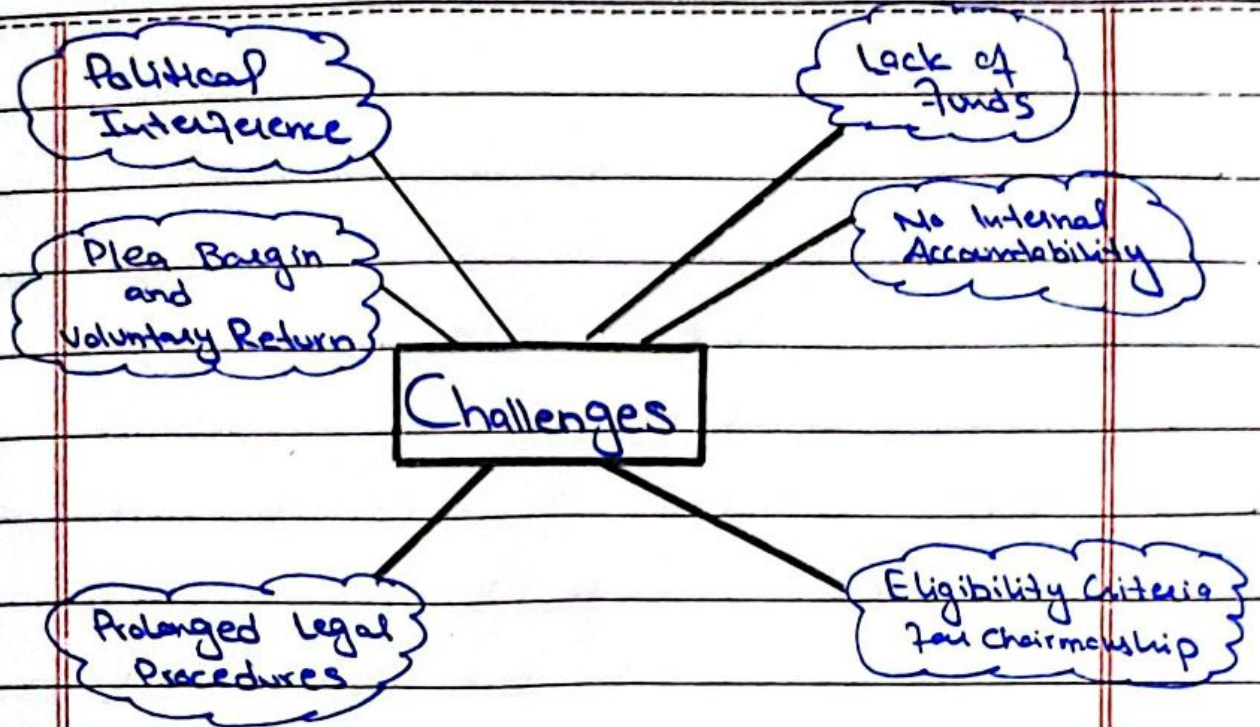
SECTION - IV

QUESTION - 8

2 → Introduction

National Accountability Bureau (NAB) is a prime agency of Pakistan. It was established in 1999 under National Accountability Ordinance 1999. Its objectives of NAB is to curb the corruption through its effective means and to educate the society about the pitfalls of corruption. Although it has some issues in its accountability process but the positive side of its efficiency can not be neglected.

2 → Challenges Faced by NAB



1) Political Interference in Accountability Process

NAB is accused of being political biased since its existence, especially for the party who is in power. It is also considered a tool against the opponent political party and the leader. For example, the recent NAB cases clearly shows, how an institute acts in accordance to the political instructions.

2) Lack of Proper Funding for Conducting extensive investigations like many other enforcement and intelligence agencies, NAB is deprived of proper and accurate funding. It sometimes, leads the officers to corruption and unfair in investigation.

3) No Predefined and Accurate Eligible Criteria for the Appointment of Chairman

NAB chairman is always appointed by the President of Pakistan through the consultation of parliamentary member. Moreover, a retired judge, an ex army officer as a civil servant of BS-22 is eligible for the appointment.

This clearly shows the involvement and influence of political leaders in NAB.

4) NAB Lacks Internal Accountability

There is no defined criteria in the NAB ordinance for the accountability of NAB officers within their institution. However, they can be brought to the court of law by legal means.

5) Long and lengthy Proceedings

The proceedings of NAB, usually takes months to years. In such interval of time, the offender remains successful to find new ways and means to escape from the accountability easily.

→ Reforms that are needed for the enhancement of NAB

1) Appointment of Chairmen Through Proper Departmental Channel

Instead of an ex. serving officer of any other service, NAB should bring its own serving personnel to the seat of Chairmen NAB. This will help the department to remain out of political influence.

2) Proper Funding and Resource Allocation

About 1% of the national GDP should be provided for the development and training of NAB. This will help their morale to remain high and to stay out of corruption.

3) NAB should make full use of Media

Like military and Punjab Police, NAB should make full

use of electronic media and social media to highlight the latest trends and to aware or guide the people regarding different happenings.

4) Improvement in ^{Public} Accountability and Execution of Self-Accountability
NAB should make sure that all accountabilitys be carried out according to constitution of 1973 and the Ombudsman-e-Shehadat, to protect the basic rights of citizens. Likewise, it must adopt a self accountability mechanism within the department to ensure the clean and clear performance of officials.

5) Treating Every Accused Equally
For both, Political or elites and

ordinary citizens, its procedure and treatment should remain the same. Most importantly, it should make sure that the honor and dignity of any person may not be damaged.

2 → Conclusion

Although there are certain manmade problems in the composition of NAB, but with effective measures and policies it can be overcome.

If working with just, it can not only help to curb corruption but will also help to enhance the economic growth and public trust in public institutes.
