

Q3 What are the core Principle . . .

1) SOCIAL CONTROL THEORIES:

Social control theories focus on understanding why individuals conform to social norms rather than engaging in deviant behaviours. These theories argue that individuals are naturally inclined towards deviance, but their social bonds deter them from engaging in crime.

The Social Bond Theory:

Travis Hirschi's 'Social bond theory' gives us principles, suggesting that weak or broken bonds to society increase the likelihood of criminal behaviour.

Deviance $\propto \frac{1}{\text{Bond to society}}$

2) CORE PRINCIPLES:

(i) Attachment:

Emotional bonds with family, and friends plays a critical role in conformity. When an individual care about the opinions of others, they are less likely to engage in behaviour that might disappoint or harm those relationships.

(ii) Comittment:

Investment in conventional activities and goals for example, education, career etc, create a conformity behaviour

The fear of losing investments discourages deviance.

iii) Involvement:

Time spent in structured, socially acceptable activities such as schools, work etc leaves less opportunity for deviant behaviour.

(iv) Belief:

Adherence to moral values and societal norms reduces the likelihood of deviance. Individuals who respect laws and social expectations are less inclined to break them.

3) Understanding Crime through SCT:-

According to social control theories (SCT), criminal behaviour ^{arises} when an individual's bond to society is weakened or broken.

(i) Lack of Attachment:

Individuals with poor relationships, especially during childhood, for example absence of parents or toxic social environment, are more prone to crime.

(ii) Low Commitment:

When individuals lack clear goals or perceive limited opportunities for success through legitimate means, they are more likely to resort to crime.

(iii) Idle time & Opportunity:

People without meaningful engagement in work or education have

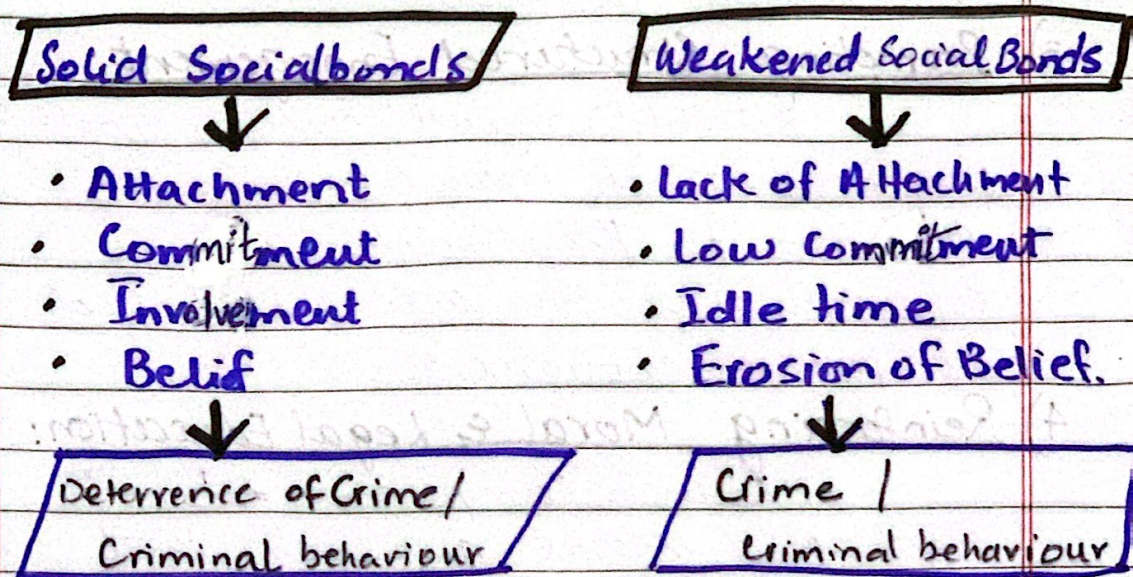


have greater chances of engaging in criminal behaviour.

1) Erosion of beliefs:

(3)

Those who reject or are indifferent to social norms are more likely to engage in activities considered deviant or criminal.



4) Proposed Remedies for Social Control:

1) Strengthening Family and Community ties:

Introduce family counselling and support programs to build stronger attachment among family members. Encourage community building activities such as cultural festivals, local support groups to foster unity.

2) Enhancing Education and Employment opportunities:

Provide scholarships and mentorship programs to ensure access to quality education for underprivileged and marginalized groups. Expand vocational training and job placement programs to increase individuals' commitment to goals.

3) Promoting Structured Engagement:

Establish youth centres, sports programs, and extra-curricular activities to keep individuals, especially youth, actively involved in positive environments.

4) Reinforcing Moral & Legal Education:

Launch campaign for legal and moral awareness that emphasizes upon the importance of societal values and norms.

Integrate Islamic values and education in schools so that students would know the real teachings of Islam.

5) Implementing Restorative Justice Mechanisms:

Introduce community service and mediation techniques between victim and offenders to rebuild attachment and commitment to society. Provide counselling and rehabilitation

to integrate offenders back into society.

6) Empowering youth and marginalized groups:

Development of mentorship programs for youth at risk. Address systemic inequalities to ensure marginalized groups have equal access to resources and opportunities. (5)

5) CONCLUSION:

Social control theories highlight the importance of social bonds in preventing criminal behaviour. Effective crime control measures must be focused on fostering attachment, commitment, involvement and belief in societal norms. By strengthening families, providing education and employment opportunities, and promoting restorative justice, we can address the root causes of deviance and build a safer society. (1)

Q4. How does the absence of Juvenile

1) INTRODUCTION:

The absence of specialized Juvenile Courts means separate courts and hearing units for children under '18' years of age, so they are not exposed to the severity of the criminal courts.

The absence of specialized courts for juveniles significantly impacts the effectiveness of juvenile justice system in Pakistan. The lack of rehabilitative justice, exposure to abuse, overburdening of justice and delays.

2) IMPACTS ON OVERALL EFFECTIVENESS OF THE JUVENILE JUSTICE SYSTEM IN PAKISTAN:

(i) Lack of Rehabilitation-Focused Justice:

Juvenile offenders require a system focused on rehabilitation rather than punishment. However, in the absence of specialized juvenile courts, they are often treated within the same judicial framework as adult offenders which leads to:

- a) Delay in case resolutions
- b) Lack of rehabilitative measures.

According to a report by Justice Project Pakistan (JPP), around 3,000 juveniles were incarcerated, without access to proper legal representation, or rehabilitation programs, annually. (7)

2) Increased vulnerability to Abuse:

Without specialized courts, juveniles are frequently tried in general courts and detained in facilities with adults, exposing them to abuse and exploitation, undermining their chances of reintegration into the society.

3) Non-Implementation of Juvenile Laws:

Although, Pakistan enacted the Juvenile Justice System Act (JJSA) 2018, implementation remains weak. The absence of separate courts hampers the Act's core principles of diversion and rehabilitation. Juveniles are often denied diversion and probation or restorative justice due to the lack of specialized mechanisms to implement them effectively. Society for the Protection of the Rights of Child (SPARC) survey of 2022 revealed that only 5% of the juvenile cases in Pakistan were diverted to non-custodial measure.

4. Over-burdened Judiciary and delays:

Pakistan's judicial backlog reached 2.3 million cases in 2023, according to Transparency International (TI) report, including juvenile cases, causing delays that extend beyond the recommended timelines for juvenile trials. The already overburdened general courts, struggles to prioritize juvenile cases.

5. Limited Access to specialized training for Judges:

Judges in general courts often lack the training to deal with juvenile cases, resulting in judgements that do not align with principles of child's rights or psychological well-being.

3 CONCLUSION:

The absence of specialized juvenile courts undermines the core principles of rehabilitation, protection, and timely justice for juveniles in Pakistan. Establishing a separate framework for juveniles is not a legal necessity under the JTSA 2018 but also a moral obligation to ensure that vulnerable children are given a chance to reform and reintegrate into the society.

Explain the use of interrogation &
 ?

1) INTRODUCTION:

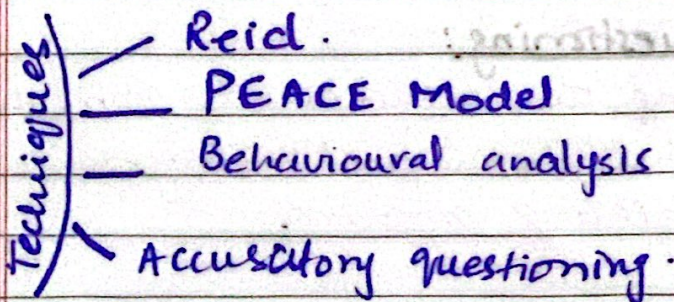
Interrogation and interview are essential tools in criminal investigations, enabling investigators to gather information, verify facts and seek confessions. While both techniques aim to collect evidence and uncover the truth, they differ significantly in approach and purpose.

2) INTERROGATION:

Interrogation refers to
 "It is a structured process used to elicit information or a confession from a suspect."

Interrogation is typically confrontational and it aims to uncover the truth regarding a crime.

(i) Interrogation Techniques:



a) Reid:

- 1) Direct confrontation with suspect about evidence.
- 2) Offering possible justification for their behaviour to minimize guilt.
- 3) Encouraging a confession through highlighting

consequences of lying.
It is a risky technique because it can lead to false accusation if not carefully managed.

(10)

b) PEACE Model:

A non-confrontational approach.

- 1) **P** = Preparing and Planning, through understanding the case.
- 2) **E** = Engage and Explain, building rapport with the suspect.
- 3) **A** = Account, allowing the suspect to present their version of events.
- 4) **C** = Closure, summarizing and concluding.
- 5) **E** = Evaluation, reviewing evidence and statements.

c) Behavioral Analysis:

By observing the body language, facial expressions and speech patterns to assess truthfulness or detect deception.

d) Accusatory Questioning:

Presenting the evidence to confront inconsistencies in the suspect's story, often with escalating pressure.

3) INTERVIEW:

Interview refers to:

"A non-confrontational conversation designed to gather information from witnesses, victims, or suspects."

The goal of the interview process is to collect accurate and detailed accounts without coercion.

11

(i) Interview Techniques:

- Techniques
- / Cognitive Interview
 - Open-Ended Questions.
 - \ Active-Listening.

a) Cognitive Interview:

Used to enhance memory recall in witness or victim.

- 1) Reconstructing the context of the event.
- 2) Encouraging detailed descriptions without interruption.
- 3) Recalling the event in reverse order or from different perspectives.

b) Open-Ended Questions:

Avoids leading questions to ensure unbiased responses such as description of event etc.

c) Active-Listening:

Building trust and rapport by showing empathy and allowing the interviewee to feel heard.

4) ENSURING ETHICAL PRACTICES DURING THESE QUESTIONING TECHNIQUES:

Ensuring ethical practices in interrogations and interviews is critical to safeguard human rights and preventing violations of justice. Investigators must adhere to legal, moral and professional standards to maintain credibility and fairness.

(i) Adherence to Legal Standards:

Informing the suspects about their rights, such as.

“Right to remain silent, and access to legal counsel.”

Physical, psychological pressure, threats and promises of leniency are prohibited. Digital recording should be done to maintain transparency and accountability.

(i) Building Rapport:

Establishing a respectful and non-threatening environment encourages open communication, reducing the likelihood of false statements.

(ii) Training in Ethical Techniques:

Provide investigator the proper training in non-coercive methods like the PEACE Model, ensuring ethical behavior during questioning.

Prevents human rights and international laws violation

(iv) Monitoring and Oversight:

Supervisors or independent bodies should review interrogations to ensure compliance with ethical guidelines.

(v) Avoid Leading or misleading Questions:

Using neutral language prevents the investigator from influencing the subject's responses.

(vi) Respect for Vulnerable Population:

Special care must be taken when questioning minors, victims of trauma, or individuals with mental health issues, and elderly and women, ensuring the presence of legal guardians, psychologists or counsellors. Lady police should be present while interrogating women and arresting women.

(vii) Professionalism and Neutrality:

Investigators must avoid prejudging suspects or appearing biased, focusing solely on uncovering the facts.

5) BENEFITS OF ETHICAL QUESTIONING:**(i) Increased accuracy:**

Non-coercive methods reduce the risk of false accusations and ensure reliable evidence.

(ii) Legal Compliance:

Prevents violations of laws like in constitution human rights and international laws which

Pakistan has satisfied.

ii) Enhanced Trust in Law enforcement:

Ethical practices foster public confidence in the criminal justice system.

14

iv) Admissibility in Court:

Ethical questioning ensures that evidence obtained is not dismissed due to procedural violations.

6) CONCLUSION:

Effective interrogation techniques and interview techniques are vital for criminal investigations. By employing structured method like Reid technique, PEACE model, cognitive interviews, investigators can gather accurate information while respecting human rights, proper training and accountability measures upholds the integrity of the justice systems and prevents wrongful convictions. It protects and strengthens public trust in law enforcement.

Q6 Discuss the challenges faced by NAB?

1) INTRODUCTION:

The National Accountability Bureau (NAB) in Pakistan was established in 1999 to tackle corruption and ensure accountability. While it has achieved some success, its ability to prosecute high-profile corruption cases has been widely questioned due to several institutional, legal and procedural challenges.

15

2) Challenges faced by NAB in Prosecuting high-Profile corruption Cases:

(i) Political Interference:

NAB is often criticized for being used as a tool for political victimization. Governments have been accused of influencing NAB's actions to target opposition leaders while protecting allies. According to a report from Transparency International suggests that NAB's investigations disproportionately targets opposition figures, raising concerns about selective accountability.

(ii) Lack of Capacity and Expertise:

NAB's lack of skilled investigators, forensic auditors, and modern technologies, needed to handle complex white-collar crime such as money laundering, offshore accounts, and digital frauds. Many cases of NAB fail in courts due to weak evidence or poorly prepared cases.

16

(iii) Judicial Inefficiency:

Cases involving high-profile individuals often face delays in the courts due to lengthy procedures, adjournments and limited accountability courts.

(iv) Plea Bargaining and Voluntary Return Mechanism:

NAB's use of plea bargains allows accused individuals to return part of the embezzled fraud and avoid prosecution. This practice is seen lenient and undermines deterrence. Critics argue that this approach encourages corruption by enabling offenders to buy their way out.

(v) Weak legal Framework:

NAB's legal framework often fails to ensure appropriate

prosecution. Ambiguities in the National Accountability Ordinance (NAO) 1999, makes it easier for accused individuals to exploit legal loopholes.

(17)

(vi) Media trials and loss of Credibility:

High-profile cases are usually sensationalized by the media, leading to public trials before courts reach decisions. According to Gallup Pakistan Survey, it is revealed that only 37% of respondents trusted NAB to conduct impartial accountability.

3) Reforms needed to enhance NAB's effectiveness:

(i) Strengthen Institutional Autonomy:

Shield NAB from political interference by introducing structural reforms, such as creating independent board.

(ii) Capacity building & Technological Upgradation:

Train NAB's investigators in forensic auditing, financial crimes, and digital fraud detection. Establish partnerships with international anti-corruption agencies like Inter Pol or the Financial Action Task Force (FATF).

to ensure advance investigative techniques.

(iii) Judicial Reforms:

Increase the number of accountability courts and streamline judicial processes to ensure swift disposal of cases. Implement time-bound trials for corruption cases

18

"A Justice delayed is a Justice denied."

(iv) Revamp Plea bargain mechanism:

Introduce stricter regulations for plea bargains, ensuring full public disclosure and stricter penalties for offenders.

(v) Amend the NAO:

Address the ambiguities in the NAO to prevent misuse of the law and ensure transparent procedures.

(vi) Strengthen Oversight Mechanisms

Formulate an independent accountability commission to monitor NAB's operations and reduce perceptions of bias. Enhance coordination between NAB and other anti-corruption agencies, such as the Federal Investigation Agency (FIA).

Date: _____

Day: _____

4) CONCLUSION:

NAB's effort to prosecute high profile corruption cases are hindered by political interference, judicial inefficiencies, and capacity deficits. Comprehensive reforms including, strengthening institutional autonomy, upgrading technical expertise, and addressing procedural delays, are essential for restoring public trust and enhancing accountability. Only through a transparent and impartial framework can NAB effectively fulfill its mandate and contribute to reducing corruption in Pakistan.

19