

# Criminology: Section 1 (By Ali Hameed Khan)

## Crime

1. A crime is an act against society or law or both for which it is penalized.
  2. An action or omission which constitutes an offence and is punishable by law. (Oxford dic.)
- **The legalist perspective** Crime is a behaviour that violates criminal codes and statutes.
  - **The political perspective** Crime is a socially constructed behaviour.
  - **The psychological perspective** Crime is a maladaptive behaviour.
  - **The sociological perspective** Crime is behaviour that threatens social order.

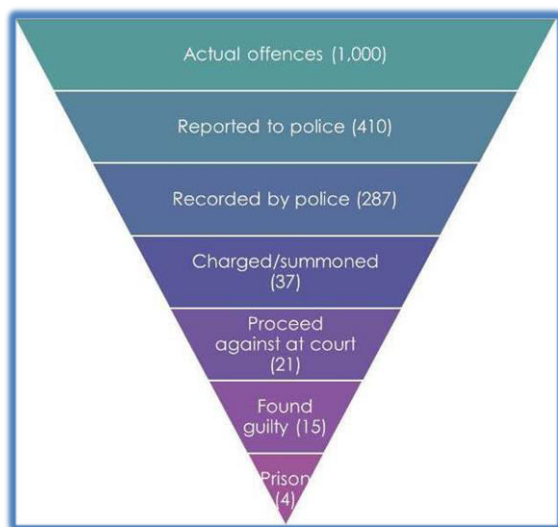
Act (or omission) & intent must be present to constitute a crime

- Actus reus – conduct that caused the crime
- Mens rea – prescribed state of mind

## Characteristics of Crimes

- Cause harm to person or society
- Act prohibited by law
- Intention of person behind act (Mens rea)
- Morally wrong
- Have some punishment

**The 'crime funnel':** Fewer crimes are detected and punishment by the criminal justice system than the number actually committed.



**The 'Dark Figure':** Hidden crimes not normally reported or discovered in official data.

## Why People Commit Crimes

In Theoretical Perspectives

- Rational Choice Theory
- Social Disorganization Theory
- Strain Theory
- Social Control Theory
- Learning Theory
- Labeling Theory
- Biology, Genetics, and Evolution

In General Perspective

- Economic Disputes
- Family and Marriage
- Illiteracy and Ignorance
- Imposed Leadership
- Poverty
- Emotional Disturbance
- Lack of Religious Control
- Un-Employment
- Educational System
- Political Setup
- Legal System
- Industrialization

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- Urbanization
- Change in Values
- Poor Judgment
- TV Violence
- Poor Parenting Skills
- Orphan Children
- Drugs and Alcohol
- Easy Access

**Criminality:** The fact of people of being involved in crime is known as criminality.

**Criminal Behavior:** Behavior involving criminality

## Criminology

1-Criminology is the scientific study of the nature, extent, management, causes, control, consequences, and prevention of criminal behavior, both on the individual and social levels.

2- (According to Edwin Sutherland) Criminology is the body of knowledge regarding crime as a social phenomenon. It includes within its scope the process of making laws, of breaking laws and of reacting toward the breaking of laws.

The term criminology was coined in 1885 by Italian law professor **Raffaele Garofalo** as criminologia

## Three components of Criminology:

- The making of laws
  - How are laws made?
  - When does deviant behaviour become criminal?
- The breaking of laws
  - Why do people break the law?
  - How do we understand the etiology—or origin—of criminal behaviour?
- Society's reaction to law violation
  - How does our society respond to law violation?
  - How do our formal agencies of social control (police, courts, corrections, etc) respond to law violation?
  - How are we/they doing in addressing law violation?

## Deviance

Deviance is violation of social norms whereas crime is violation of law of the land. Agents of control for deviance are societal pressure and fear of God where the agents of control for crimes are police and judiciary. Society has no coercive power to deal with deviance but government has the power of punishment to tackle crime.

## Sin

All the acts against religion are considered as sins. Thus sin can be defined as the transgression of divine law. Its very base is religion (While the crime is based upon the laws). The final decision in sin is taken on the bases of religious books (while in the matter of crime, it is taken by the law Court).

## Vice

Vices are often included in the category of crimes, but many of them, sometimes are not regarded as crimes. There is a lot difference in their aims. The crimes cause harms to others while the vicious or wicked causes harm to him only e.g. the vices like gambling, drinking, prostitution or deriving pleasure out of the illicit sexual intercourse.

## Norms

Norms can be defined as attitudes and behavior common to the members of a particular group, or what they believe is “normal”.

E.g. it's the norm for women in Pakistani society to wear complete dress in spite of short tight T-shirt.

## Values

Values are life-style priorities. Since values lie behind all the choices we make, we can assume what is important for us and for what we are striving for.

## Security

Security is the quality or state of being secure. It's the freedom from danger, fear and anxiety.

- Economic security
- Food security

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- Health security
- Environmental security
- Personal security
- Community security
- Political security

## NATURE OF CRIMINOLOGY

- Science Vs. Arts
- Overlapping with other subjects (Sociology, psychology, biology, etc.)
- Content/Scope of Criminology
- Limitation of Criminology

## Is Criminology a Science?

There is at present a continuing argument whether criminology is a science or not. **Edwin H. Sutherland and Donald Cressy**, both American Criminologists, argued that criminology is not a science but it has hopes of becoming a science. However, George **L. Wilker** said that criminology cannot possibly become a science due to lack of universal proposition of crime and scientific studies of criminal behavior is impossible.

## SUB AREAS OF CRIMINOLOGY

- ✓ **Criminal sociology**- studies the effects of social conditions on crime and criminals including the machinery of justice and the evolution of criminal law and punishment.
- ✓ **Criminal psychiatry**- study of human mind in relation to criminality
- ✓ **Criminalistics**- an applied science whose purpose is to trace the technique of crime and its detection
- ✓ **Criminal ecology**- the study of criminality in relation to spatial distribution on a community.
- ✓ **Criminal demography**- study of the relationship between criminology and population
- ✓ **Criminal epidemiology**- study of the relationship between environment and criminality.
- ✓ **Criminal physical anthropology**- study of criminality in relation to physical constitution of humans.
- ✓ **Green Criminology**- Environment related crimes. E.g. illegal fishing, trade of fauna and flora, etc.
- ✓ **Penology** the science of the origin and development of punishment, its significance and utility.
- ✓ **Victimology**- study of the role of the victim in the commission crime

## TYPES OF CRIMES

- Occasional crimes
- Habitual crimes
- Professional crimes
- White-collar crimes
- Organized crimes
- Corporate crimes

### OCCASIONAL CRIMES

### HABITUAL CRIMES

### PROFESSIONAL CRIMES

### WHITE-COLLAR CRIMES

- **Sutherland defined white collar crime as:** a crime committed by a person of respectability and high social status in the Course of his occupation.
- Sutherland's definition has been criticized for a due of reasons. Some of these critics include: - Some white collar crime, does not actually contravene criminal law, but rather, civil law. Others noted that some white collar mischiefs (such as tax evasion) are not committed in the course of an occupation. Blue-collar individuals and organizations can commit financially motivated crimes.
- **Crimes by business:** Deceptive advertising, Insider trading, Taxation fraud, Bribery, Unsafe workplace conditions, Production of dangerous products, Espionage, Misrepresentation
- **Crimes by employees:** Embezzlement, Employee theft, Fraud
- **Crimes by government employees:** Embezzlement, Bribery
- **Crimes by professionals:** Health care fraud, Misrepresentation, Embezzlement
- Types of White-collar crimes (**Source 2**)
  - Bank fraud
  - Money Laundering
  - Bribery
  - Taking Commissions

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- Embezzlement
- Blackmail
- Counterfeiting
- Insurance fraud
- Forgery
- Exhortation
- Racketeering
- Tax evasion
- Telemarketing fraud
- Securities frauds

### **ORGANIZED CRIMES**

Organized Criminal group shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit. (United Nations, 2002, Article 2)

Organized crime behaviours

- Provision of illicit services (e.g. prostitution)
- Provision of illicit goods (e.g. drugs)
- Conspiracy to commit crime
- Penetration of legitimate businesses - Extortion - Corruption

### **CORPORATE CRIMES**

- Companies and securities offences
- Tax evasion
- Occupational Health and Safety
- Environmental offences
- Consumer affairs
- Do restrictive trade practices
- Economic offences against employees

### **SCOPE OF CRIMINOLOGY**

The interests of criminologists include the study of nature of crime and criminals, origins of criminal law, etiology of crime, social reactions to crime, and the functioning of law-enforcement agencies and penal institutions.

It can be said that broadly criminology directs its enquiries along three lines: first, it investigates the nature of criminal law and its administration and conditions under which it develops; second, it analyses the causation of crime and the personality of criminals; and third, it studies the control of crime and the rehabilitation of offenders.

Thus, criminology includes within its scope the activities of legislative bodies, law-enforcement agencies (police), judicial institutions (courts), correctional institutions (prisons and reformatories) and educational, private and public social agencies.

**Walter Reckless** (The Crime Problem, 1955: 6-7) has also talked of the territory or the contents that criminology should cover. He suggests the following boundaries to be covered by criminology:

1. It should study how crime is reported to official sources and acted upon officially.
2. It should study the development of and changes in criminal laws as they relate to social, economic, and political systems and to the social values in various societies.
3. It should study the characteristics of criminals, like sex, class, marital condition, occupation, employment, psychological characteristics, physique, pathological conditions of mind and body etc.; and compare these with those of non-criminals. The effort here is to discover what kinds of people do and do not get involved in crime.
4. It should study the area and regional variation in the amount of crime as well as variation in specific patterns of crime.
5. It should attempt to shed light on the causative factors of crime and should formulate causal theories.
6. It should study the special manifestations of crime that are quite different from ordinary crime, like organized crime, white-collar j crime, etc.
7. It should study the relation of closely affiliated problems to crime, especially alcoholism, drug abuse, prostitution, gambling and vagrancy. In many societies, most or some of these problems may or may not be defined as crimes but these problems have a very close connection with crime.
8. It should study the effectiveness of law enforcement and of special laws in the control of crime.
9. It should study the effectiveness of the measures to treat offenders, like imprisonment, probation, parole, institutional treatment and aftercare.
10. It should study various efforts and experiments to prevent crime and delinquency.

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In studying the field of criminology, it should, however, be remembered that this discipline is composed of knowledge drawn from such fields as sociology, law, medicine, public administration, social work, religion, and education.

The interest of sociologists has primarily been in the science of criminal behaviour, while scholars of law are more concerned with criminal law. Attempts have been made recently by scholars interested in criminal behaviour and criminal law to conduct interdisciplinary research or integrate the findings of various disciplines on criminality.

## **CRIMINOLOGICAL THEORY**

The explanation of criminal behavior, as well as the behavior of police, attorneys, prosecutors, judges, correctional personnel, victims, and other actors in the criminal justice system.

## **RAIONAL CHOICE THEORY**

- Rational choice theory adopts a utilitarian belief that man is a reasoning actor who weighs means and ends, costs and benefits, and makes a rational choice.
- Building on classical theory, crime is seen as a choice that is influenced by its costs and benefits—that is, by its “rationality.” Crime will be more likely to be deterred if its costs are raised (e.g., more effort required, more punishment applied), especially if the costs are certain and immediate. Information about the costs and benefits of crime can be obtained by direct experiences with punishment and punishment avoidance, and indirectly by observing whether others who offend are punished or avoid punishment
- Progenitor: Jeremy Bentham (utilitarianism founder) and Cesare Beccaria (writer of On Crime and Punishment).
- Man has free will
- Man has rational calculator to seek cost and benefits
- Hedonism
- Severe punishment can deter crimes.
- Effectiveness increase on increasing of punishment

## **SOCIAL DISORGANIZATION THEORY**

- Social disorganization theory is one of the most enduring place-based theories of crime. Developed by **Clifford Shaw and Henry McKay**, this theory shifted criminological scholarship from a focus on the pathology of people to the pathology of places. Shaw and McKay demonstrated that delinquency did not randomly occur throughout the city but was concentrated in disadvantaged neighborhoods in—or adjacent to—areas of industry or commerce. These impoverished neighborhoods were in a constant state of transition, experiencing high rates of residential mobility. They were also home to newly arrived immigrants and African Americans. In these areas children were exposed to criminogenic behavior and residents were unable to develop important social relationships necessary for the informal regulation of crime and disorder. Social disorganization theory held a distinguished position in criminological research for the first half of the 20th century.
- Social disorganization theory and its contemporary advances enhance our understanding of crime’s ecological drivers. Their core tenets underpin community crime prevention programs concerned with limiting the negative influence of poverty, residential instability, and racial or ethnic segregation on neighborhood networks and informal social controls.
- **Some arguments of this theory:**
  - Areas with highest rates of school truancy highest rates of delinquency & crime.
  - Crime rates were highest in the centre of the city and decrease progressively as move outwards.
  - High crime rates persisted in same areas, even after population composition changed: so, crime not related to characteristics of individuals, but to prevailing social conditions of areas.
  - This is a ‘kinds of places’ rather than a ‘kinds of people’ argument about the causes of crime
- **What is social disorganization?**
  - Residential instability.
  - Racial/ethnic heterogeneity.
  - Poverty

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- **Some Criticism on the theory:** 1) Big focus on 'lower class crime' & urban crime. Are these the only, or the worst, crime problems? 2) Ecological determinism – do changes in the environment necessarily cause changes in human behaviour?

### STRAIN THEORY

- Robert K. Merton. Strain refers to when people are placed in a position where they cannot achieve what they want in society – they cannot reach the accepted goals that society sets. He believes there is an 'American dream' – where society has set ideal goals and everyone wants and feels they need to meet them. People are often unable to reach these goals and this leads to strain and tension in which deviance is often the result.
- When individuals cannot obtain success goals (money, status in school), they experience strain or pressure. Under certain conditions, they are likely to respond to this strain through crime. The strains leading to crime, however, may not only be linked to goal blockage (or deprivation of valued stimuli) but also to the presentation of noxious stimuli and the taking away of valued stimuli. Crime is a more likely response to strain when it results in negative affect (anger and frustration).
- **General Strain Theory – Robert Agnew (1985)**
  - Agnew's strain theory was based on methods of measuring strain, different types of strain, the link between strain and crime and policy implications are all addressed.
  - 3 sources of strain:
    - **Failure to achieve positively valued stimuli:** when goals can't be achieved e.g. Money, status, autonomy. Crime is committed when goals can't be achieved or the means are blocked
    - **Loss of positively valued stimuli:** (e.g. loss of job). Crime is committed to prevent further harm or to retrieve what was lost
    - **Presentation of negatively valued stimuli:** (e.g. abuse or neglect). Can cause anger and frustration which leads to crime
  - This strain then leads to:
    - Negative affective states - e.g. disappointment, anger, frustration, fear
    - Which can then lead to anti-social or criminal behaviour - e.g. dropping out, substance abuse, delinquency, violence, crime
- **Agnew and Broidy (1997) explored gender differences in strain**
  - Women experience different strain to men:
    - Women goals: creating close social bonds
    - Men's goals: material wealth
  - Women experience more strain than men
  - Women respond to strain differently to men –
    - Women respond with internalizing behaviours such as depression, self-destructive behaviour, fear
    - Men more likely to respond with external behaviours such as anger, blame, violence

### SOCIAL CONTROL THEORY

- A view in which people are expected to commit crime and delinquency unless they are prevented from doing so or criminal behaviour in society is created through opportunities/ lack of forces preventing people from committing crime.
- The key question in the social control theory is not why people commit crime and delinquency, but rather why don't they? Why do people conform?
- The most detailed elaboration of modern social control theory is attributed to **Travis Hirschi** who wrote the 1969 book, Causes of Delinquency.
- Other arguments of social control theorist
  - All humans by nature are rule breakers
  - Motivation is part of human nature
  - When controlling factors are weak, crime occurs
  - All individuals would commit crime if left to their own devices
  - Views criminals as lacking self-control.
  - Individuals with high levels of self-control are less likely to commit crime.



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- Crime provides easy and immediate gratification.
- Criminal acts are exciting, risking or thrilling to people with low self-control.
- Self-control is developed in childhood
- Hirschi argued that delinquency should be expected if a juvenile is not properly socialized by establishing a strong bond to society, consisting of:
  - **Attachment:** people who are attached to the community are less likely to offend against it
  - **Commitment:** people who have a commitment to long term goals of society are less likely to offend. (e.g. working, gaining an education)
  - **Involvement** in conventional activities: socially-approved activities (e.g. local sporting clubs)
  - **Belief:** social values (e.g. respect for authority figures)

### LEARNING THEORY

- There are two main learning theories: Sutherlands Differential Association and Akers social learning theory.
- **Sutherland Differential Association**
  - Asks why crime varies between groups, and why individuals become criminally active.
  - He Argued:
    - Criminal behaviour is 'normal learned behaviour' (not pathological).
    - Social interaction & interpretation important.
    - Biology & psychology do not explain criminal behaviour.
    - Cultural context of groups has a fundamental impact on crime.
    - Learning theories, the grandfather of these theories. Mid 20th century coming out of the Chicago school. His ideas who you hang out with and where you live. His research looks at why crime varies between groups. Criminal behavior is normal learnt behavior in the same way you learn to read and write. But the things that underpin this are interaction and interpretation. Biology and psychology doesn't explain crime.
  - Two elements of Sutherland's theory: Content and Process.
    - **Content:** What is learned? Includes techniques for committing crimes; appropriate motives, rationalizations, attitudes; definitions favourable to law violation
    - These are 'ideas' rather than behaviours.
    - **Process:** How does the learning take place?
    - Involves associations with others in intimate groups.
    - We have to think in this in two ways. First is the content of what we actually learn. The techniques, how do I break into a car?
  - Many Criticisms: e.g. it doesn't explain all types of crime Expressive or compulsive crimes (short term triggers, not learned).
- **Akers: Social learning theory:**
  - Progenitor: Burgess and Akers (1966).
  - Burgess & Akers' Social Learning Theory was reformulation of Sutherland's differential association theory.
  - A theory that explains criminal behavior and its prevention with the concepts of positive reinforcement, negative reinforcement, extinction, punishment, and modeling or imitation. These all concepts are included in the process of learning
  - Incorporated a more 'modern' view of the way we learn. Includes not only 'ideas', but also 'behaviours'
  - Much learning occurs by 'observing' the consequences that behaviours have for others.
  - Criminal behaviour is learned both in non-social situations and through that social interaction.
  - The environment itself can reinforce criminality.

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## LABELLING THEORY

- People become stabilized in criminal roles when they are labeled as criminal, are stigmatized, develop criminal identities, are sent to prison, and are excluded from conventional roles. Reintegrative responses are less likely to create defiance and a commitment to crime.
- Howard Becker's 1963 book *Outsiders* provided the foundations for labeling theory.
- Theory tries to understand crime from the perspective of those who are controlling offenders
- The making of the criminal
  - Classification intensifies deviance
- Scrutinizing why we consider certain behaviors a crime
- Symbolic interactionism
  - We see/define ourselves through the eyes of others
  - Our actions and self-conception reflects the messages/reactions we receive from others
  - Those who are called criminals begin to act like criminals
- Consequences of labeling
  - Disintegration of social ties
  - Exposure to criminogenic environments (prison)
  - Closure of opportunities to find legitimate work
  - Labeling works like a self-fulfilling prophecy

## PSYCHOLOGICAL THEORIES

Ap k matloba number sey jawab mosool nai ho raha... barahay mehbani kuch dair bad rbta kejeja.....

## EARLY BIOLOGICAL THEORIES

- Crime is a result of biological defects, visible in certain physical characteristics.
- Criminals are considered to be abnormal and biologically inferior.
- Crime is not a rational behavior, but result of inborn abnormalities.

### **Phrenology: Franz Gall (1758-1828):**

- Moral & intellectual faculties are innate.
- Brain controls everything.
- Form of the head or cranium represents the form of the brain.
- Specific mental functions & personality characteristics can be precisely localized in modular brain regions.
- External bumps in the skull correlate with personality characteristics.
- Gall's assumption – the constellation of bumps on the skull indicate biological differences in the ways people behave.

### **Cesare Lombroso (1835-1909) 'the born criminal':**

- Studied anatomical features of the human body to identify a physical criminal type
- In 1876, wrote *The Criminal Man*, based on study of Italian prisoners.

### **Theory of Atavism:**

- Tendency to revert to ancestral type
- Criminals are throwbacks, (biologically inferior)
- Based on Darwin's theory of Evolution

### **Lombroso – three types:**

- **Born criminals**—'atavistic reversions', characterized by physical stigmata (sloping forehead, ears of unusual size, asymmetry of the face, excessive length of arms, asymmetry of the cranium).
- **Insane criminals**—developmentally disabled, mentally ill, paralyzed, alcoholic, epileptic
- **Criminaloids**—occasional criminals; under certain specific situations. Comprises the majority of offenders

### **Lombroso – origins of scientific positivism:**

- Was interested in a way of understanding individuals and society by taking a 'scientific' approach
- Interested to explain the 'cause' of offending, and typically saw such causes lying outside an individual's control (deterministic approach).
- Start of the shift away from the 'Classical School' toward the quest for scientific laws.



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## Body types & crime: Sheldons Somatotypes (1949's & 50's)

- Endomorphs
  - 'Plump, short, roundness of the body, short limbs, small bones and soft, 'smooth velvety skin'.
  - Relaxed, sociable, and fond of eating, a 'softie'
- Ectomorphs
  - 'predominance of skin and its appendages, lean, fragile, delicate, droopy shoulders, small face, sharp noses, fine hair'
  - 'Brainy artistic, introverted & sensitive'
- Mesomorphs
  - 'Predominance of muscle, bone, large trunk, heavy chest'.
  - 'Energetic, courageous and assertive/aggressive'.
  - 200 delinquent young males in contact with rehabilitation center.
- In subsequent studies of juvenile delinquency, Sheldon argued that mesomorphic types were more likely to engage in crime, ectomorphs were more likely to commit suicide, and endomorphs were more likely to be mentally ill. Although Sheldon linked physical and psychological characteristics and concluded that both were the result of heredity, he failed to support that conclusion with valid statistical methods.

## Gluek & Glueck – Body type & crime:

- Compared 500 delinquents with 500 non-delinquents  
Mesomorphs more likely to be found within the delinquent group
- More likely to be characterized by traits associated with aggression, strength, size insensitivity.
- Also found that mesomorphs who became delinquent had additional environmental problems (family factors)

## FEMINISM

- Crime cannot be understood without considering gender. Crime is shaped by the different social experiences of and power is exercised by men and women. Patriarchy is a broad structure that shapes gender-related experiences and power. Men may use crime to exert control over women and to demonstrate masculinity—that is, to show that they are “men” in a way consistent with societal ideals of masculinity.
- Supporter: Adler, Daly, Chesney-Lind, Messerschmidt.

## FUNCTIONALISM

Based on the idea of Durkheim: crime is inevitable and a normal part of everyday society. A certain amount of crime is functional for society. Crime varies from society to society and it can be reduced but never completely eliminated. Even in a “society of saints” populated by perfect individuals, someone would eventually “slip up”. We have a “collective consciousness” of what is acceptable and what is not. However, over time these norms and values we all hold will change.

## Durkheim – Key ideas

- Crime is inevitable and necessary to society.
- Crime has positive functions.
- The perfect amount of crime will keep society healthy and avoid anomie (Normlessness)

Crime and society: Society is only healthy when social order is maintained through the police and courts. We need a small amount of crime to remind us of what we believe in. Only a small minority will be self-interested and commit crime

## Positive functions of crime

- Re - marking social boundaries – affirms social norms and values.
- Media coverage – as a warning to others.
- Social bonds – strengthened as we unite in disapproval.
- Safety Value – a little bit of deviance reduces more serious problems – Prostitution – Kingley Davis.
- Malfunctioning society – theft, drug use and truancy alert us to other social problems in society.

## Crime is mandatory

In Society of saints, Imagine there was no crime or deviance, even the most slight slip like coughing without putting your hand over your mouth would become a crime.

## Criticisms

What is the perfect amount of crime?

Explaining the functions of crime doesn't explain what caused them in the first place.

Murder maybe functional for society but what about the victim?

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### MEANING/DEFINITION OF JUVENILE DELINQUENCY

A Juvenile is anyone under the age of 18 regardless of how each individual state defines a juvenile. A delinquent is an individual who fails to obey the laws. Juvenile delinquency is defined as an individual under the age of 18 who fails to abide by the laws.

### JUVENILE DELINQUENCY VS STATUS OFFENDER

A status offender is someone (minor) charged with an offense that would not be crime if committed by an adult.

Juvenile court system handles status offences, which are treated differently than criminal offenses. Status offenders are virtually never incarcerated for the first offense. But if they later violate a court order, governing their behavior, they can be found delinquent. Status offender are also called Youth in Crisis.

Example of status Offenses

- Truancy (skipping school)
- Smoking
- Habitually disobedience
- Running away from home

### OFFICIAL STATISTICS OF JUVENILE DELINQUENCY

#### JUVENILE JUSTICE SYSTEM

##### ROLE OF POLICE IN JJS

##### PRETRIAL, TRIAL AND SENTENCING IN JJSO

**Trial:** Under the law, trial of a juvenile accused cannot be carried out in a manner as to the adult accused. As per law, if an unrepresented child is involved in any criminal case either as accused or victim, the court cannot precede the trial unless a lawyer is appointed on state expense. The following aspects of the trial of juvenile are to be completed.

1. No Joint trial of a youthful offender with his adult co-accused is possible.
2. Juvenile court has to follow the proceedings of CrPC unless otherwise provided in the Ordinance.
3. Juvenile court has to complete trial within four months.
4. Proceeding of in the court are not allowed to be published in any newspaper etc., without the permission of the court, especially that part of the proceedings which discloses the identity of juvenile in any manner.
5. The parents or guardian of the child may sit during the proceeding of the court.
6. The juvenile court in the interest of child decency and morality may direct any person to withdraw from the court at the time of trial of a juvenile offender.
7. If at any stage, juvenile court is satisfied that the attendance of child is not essential, it may dispense with the attendance of child offender.

(Note: Although Juvenile Justice System Ordinance, 2000 provides seprate trial of juvenile offenders, yet no separate courts were established, as ordinary courts were given powers of juvenile courts through a notification. Moreover, in case of terrorism etc., such facility is not available to the accused.

##### ROLE OF PROSECUTOR IN JJS

##### DEFENSE COUNSEL IN JJS

##### JUVENILE JUDGE IN JJS

##### JUVENILE PROBATION OFFICER IN JJS

##### PROBATION AND NON-PUNITIVE ALTERNATIVES IN JJS

##### THE CRIMINAL JUSTICE SYSTEM

The Criminal Justice System is the set of agencies and processes established by governments to control crime and impose penalties (sometimes rehabilitation efforts) on those who violate laws. For instance: in Pakistan there are Police, Courts, and Rehabilitation agencies.

The basic frame work of Pakistan Criminal Justice System is found in:

- Legislature
- Judicial Branch
- Executive Branch

Objectives of Criminal Justice System:

- Prevent the occurrence of crimes
- Punish the transgressors and the criminals

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- Rehabilitate the transgressors and the criminals
- Compensate the victims as far as possible
- Maintain law and order in the society
- Deter the offenders from committing any criminal act in the future.

### **POLICE AND ITS ROLE**

Police is the civil force of state; it is responsible for the prevention and detection of a crime, and it maintain the public order.

Role

- Proactive role/prevention / before happening of crime
  - Protection at Individual level: Protection of people's lives, their liberty, their property, and their dignity
  - Protection at public level: Protection of Public properties (roads, railway, bridges, park, etc.)
  - Perform role in the maintenance of internal security (e.g. from terrorism)
- Reactive role/cure/ after the happening of a crime
  - Receiving and addressing complaints of the crimes
  - Investigation
  - Arresting suspects and criminals
  - Prosecution
- Other functions
  - Sometimes it has to maintain orderly movement of people and vehicles. It has to regulate traffic and people's mob.
  - It has to perform the protocol and securities services of bureaucrats and politicians.
  - Sometimes police has to perform its services after some disasters like earthquake, floods, landslide, etc.
  - It has to collect intelligence services relating the matters affecting the public peace.

### **TRIAL AND CONVICTION OF OFFENDERS**

**AGENCIES: FORMAL AND INFORMAL**

**CRIMINAL COURTS: PROCEDURE AND PROBLEMS**

**ROLE OF PROSECUTORS**

**PRISONS, PROBATION AND PAROLE**

**PUNATIVE AND REFORMATIVE TREATMENT OF CRIMINALS**

**CORPORAL PUNISHMENT**

**IMPRISONMENT**

**REHABILITATION OF CRIMINALS**

"Parens patriae" means Parents of the country

## Criminology: Section 3 (By Ali Hameed Khan)

### CRIMINAL INVESTIGATION

Criminal investigation involves the study of facts, used to identify, locate, and prove the guilt of an accused criminal.

It may involve in searching, interviews, interrogations, evidence collection and preservation. It can be of different type on the basis of happening of a criminal event.

### TYPES OF CRIMINAL INVESTIGATION

On the basis of crime nature

- Fraud investigation
- Crime scene investigation
- Sexual crime investigation
- Theft investigation
- Kidnapping investigation
- Homicide/suicide investigation
- Assault investigation etc.

On the basis investigation nature

- Preliminary investigation
- Forensic investigation
- Electronic investigation
- Database investigation

### PRELIMINARY INVESTIGATION/CRIME SCENE INVESTIGATION

The preliminary investigation is the police agency's first response to a report that a crime has occurred. It includes all of the activities a responding police officer performs at the scene of crime.

### **STEPS INVOLVING IN PRELIMINARY INVESTIGATION**

- 1- (Happening of an event; Call received) Do something for injured people (e.g. calling ambulance )
- 2- Establish the dimension of crime scene (e.g. locate focal point; catch the suspect if fresh event occurred and he/she is present)
- 3- Establish security (Considering Locard's Exchange Principle\_ every person who enters or exists will add or subtract material from the crime scene); it is crucial to secure and control the area e.g. by yellow tape, cones etc.
- 4- Plan, communicate and coordinate within short time (make strategy how to conduct investigation)
- 5- Primary survey / walk through/ interview
  - a. Grid
  - b. Strip search method
  - c. Double strip search method
  - d. Spiral search method
  - e. Zone search method
  - f. Wheel search method
- 6- Document and process the scene
  - a. Biological evidence (e.g. blood, hair, body fluid, saliva, odor etc.)
  - b. Latent print evidence (e.g. finger print, palm print, etc.)
  - c. Trace evidence (e.g. fiber, soil, vegetation, grass fragment etc.)
  - d. Digital evidence (e.g. call phone, internet log, etc.)
  - e. Footwear and tire track evidence
  - f. Tool and tool mark evidence
  - g. Drug evidence
- 7- Secondary survey/ review
- 8- Record and preserve evidence

### **INVESTIGATION TEAM MEMBERS**

- Team leader
- Investigator/recorder
- Photographer
- Evidence custodian
- Artist/composite/ illustrator

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- Medical Examiner

### EQUIPMENT OF AN INVESTIGATOR

- Camera /video camera
- Measuring device
- Gloves
- Flashlight
- Fingerprint kit
- Evidence bag
- Investigator tickler
- Dogs (sometimes)

### TASKS OF PRELIMINARY INVESTIGATION

- 1- Verification that an offense has occurred
- 2- Identification of the victim, the place of the crime, and the time of the crime
- 3- Identification of solvability factor
  - a. Witnesses
  - b. Suspect name
  - c. Knowledge; where a suspect can be located
  - d. Description of a suspect etc.
- 4- Communication of the circumstances of the crime
- 5- The identification of those investigative tasks completed and yet to be done.

### PRINCIPLES OF CRIMINAL INVESTIGATION

- 1- Jurisdictional Investigation by the territorial unit concerned
- 2- Complete team , equipment and Uniform (As per requirement)
- 3- Duties of first responder (also discussed in crime scene investigation)
- 4- Duties and responsibilities of investigation team
  - a. Taking statement of suspect/witnesses
  - b. Taking evidences etc.
- 5- Co-ordination among the team
- 6- Investigation should be done considering:
  - a. Transparency
  - b. Accuracy
  - c. Confidentiality
  - d. Efficiency
  - e. Loyalty
- 7- Submitting Investigation reports to related officer/authority.

### FORENSIC INVESTIGATION

The term forensic investigation refers to the **use of science and technology in the investigation** and establishment of facts or evidence to be used in criminal justice or other proceeding.

Types of evidences are already discussed in the section of STEPS.

### DATABASE INVESTIGATION

A database is a collection of information that is organized so that it can easily be accessed, managed, and can be updated.

### STANDARD METHODS OF RECORDING INVESTIGATIVE DATA

- Photographs
- Sketching crime scene
- Written notes (what you have seen/observed)
- Developing and lifting fingerprints found at the crime scene
- Gathering physical evidence
- Plaster cast
- Tape recording of sounds
- Video tape recording of objects
- Written statements of subject and witness

### INTERPOL

- International Criminal Police Organization

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- World largest police organization with **192 member countries**
- Vision: Connecting police for safer world
- Mission: Preventing and fighting crime through enhanced cooperation and innovation on police and security matters.
- Idea propagated in 1914 (at first criminal police congress held in Monaco).
- Formed in 1923 as International Criminal Police Commission.
- Name changed in 1956 (as INTERPOL).
- Headquarter: Lyon, France.
- President: Meng Hongwei (Chinese).
- According to its Manifesto, (at least theoretically) INTERPOL perform neutral work that is free from political, military, racial and religious intervention.
- **It perform tasks against the following crimes:**
  - Crimes against humanity
  - Child pornography
  - Cybercrime
  - Drug trafficking
  - Environmental crime
  - Genocide
  - Human trafficking
  - Illicit drugs production
  - Copyright Infringement
  - Illicit traffic in works of art
  - Intellectual property crime
  - Money laundering
  - Organized Crimes
  - Corruption
  - Terrorism
  - War crimes
  - Weapons smuggling
  - White collar crime
- **INTERPOL expertise:**
  - Training and capacity building
  - Data exchange
  - Data bases
  - Notices
  - Command and coordination centers
  - Response teams
  - Forensic Investigation
  - Intelligence analysis Border Management
- **Finance:** 113 Million (2017), mostly funds gained from the member countries and different project.
- INTERPOL issues **different colour notice** for different purpose: e.g.
  - Black notice is for unidentified bodies
  - Yellow notice for missing persons
  - Red notice is issued to arrest
  - Green notice for warning
- **Criticism:**
  - 2014 Russia interventions: Dmytro Yarosh was placed on Interpol's international wanted list at the request of Russian authorities.....
  - Political, religious, and ideological biasness...

### KEY OPERATING STANDARDS

- Professional behavior
- Adherence to the law
- Concept of "Plain View"



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- Single Party Consent
- No Trespassing
- Chain of evidence

### ETHICAL STANDARDS

- Maintain a high degree of professionalism
- Provide truthful and accurate fact based information
- Respect client's confidence
- Do not engage in any illegal activity or entrapment
- Protect personal information obtained
- Cooperate with law enforcement and abide by court orders
- Maintain proper communications with client
- Provide date & time stamped visual documentation of investigation efforts

### 10 Simple Rules For Conducting Ethics Investigations

Ethics investigations can be quite complex and fraught with potential risks. Taking care with them will allow the company to avoid pitfalls in both a legal and human sense. Conduct investigations discreetly and carefully by planning the entire process. Determine who you should talk with initially, prepare the questions and approach you will take with potential witnesses or suspected parties and be open enough to add other potential witnesses, add questions or change approaches based on interview answers. Asking appropriate questions will get the best results.

1. **Get help** – At ethics program setup or whenever you need them, determine subject matter experts that you can use to help in an ethics investigation. Especially when something is outside your area of expertise, you will need assistance to understand principles, procedures, capabilities, etc. Example: if you are an HR expert but the investigation will involve going over complex financial reports, get the help of an accounting expert. Obtain an agreement (in writing) from the expert that they are to keep all matters of the investigation confidential including whether or not there even is an investigation.
2. **Ask open-ended questions** – When interviewing potential witnesses or suspected parties, ask questions that will get them talking. Asking yes or no questions will get yes or no answers. To get better, more useable information, ask open ended questions such as, “Tell me about your relationship with the rest of your team members” or “What more can you tell me about what you saw” or “What else should I know about John Doe here at work”.
3. **Do not put words in the interviewee's mouth** – Asking a witness, “Did you see Bob put his hand on Gretchen?” presupposes that something actually happened and uses your words instead of theirs to describe something. In an investigation, the interviewer is not the witness so do not allow yourself to get involved in “pre-answering” the questions. A better way to ask for this same information might be, “What, if anything, did you see happen when Bob and Gretchen were in the stock room?” or “What happened yesterday around 3PM”.
4. **Don't stop asking questions too early** – Keep asking questions until you are assured you have as much useable information as you can get, and do not stop the investigation too early. If you believe there is something important that someone can tell you, keep asking questions that will get those answers until you are sure you have done as much as you can (in other words don't waste time at dead ends either). Another great question is to ask, “Is there anything else you can provide me that would help me in this investigation?” This would allow a witness to produce documents, other witnesses, or other corroborating evidence of suspected incidents.
5. **Do not give a witness any indication that you do not believe their story** – Witnesses want you to believe their story whether it is true or not. Do not give them an excuse to stop talking by indicating you do not believe their story. Any sign that you do not believe a witness or that you discount their story will give that witness an excuse to cease cooperating. In other words, badly handling a witness can make them dry up and you will get nothing further from them.
6. **Report facts only, not opinions** – When writing the report after an interview, write only what the person said and be sure to report only facts the person witnessed. Including the witness' opinions or what they heard from someone else can get you into trouble both in trying to determine what really happened and if the witness or the suspected party legally challenges your final decision. The more you write opinions, anyone's opinions including your own, will create even more legal landmines. Writing the facts is critical to an ethical investigation.

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7. **Verify statements as discreetly as possible** – Whatever a witness tells you about what they saw or heard, attempt to verify it as discreetly as possible. Look at entry logs, sign-in logs, computer reports, other witness' statements or anything that will help you corroborate statements.
8. **Look under every rock and in every crevice** – Do not be bashful about examining any legitimate resource for information. Of course, ahead of time, you must have a clear policy stating what the company may search on company premises and what it will not search. Then you must stick to that policy. Look in computer files and email, check in desks, or store rooms, check voice mail and phone records, and review video surveillance tapes to find whatever you need to investigate a report of an ethics violation. Be prepared, because some of this can get legally sticky. Check with your in-house counsel about what is legal in your state and what is not, but look everywhere that is legitimate.
9. **Never, never, never play "Good Cop, Bad Cop"** – or any game for that matter. This type of thing is simply Hollywood drama. It has nothing to do with conducting real investigations. An investigator's best tool is his or her relationship with the interviewee and playing games destroys any chance of establishing a rapport with them. Leave this stuff to the movies and TV where it belongs
10. **Never lie to anyone about what you know or do not know** – Lying to a witness can be just as bad as playing other types of games with them, for it can destroy a solid relationship. If they ask how, who or why someone delivered a report or what someone else said, simply state that you cannot reveal anything about the investigation.

**SOURCE-2:** In order to avoid civil rights litigation, evidence suppression and public criticism, investigative detentions must be accomplished lawfully. Lawful investigative detentions must adhere to the following constitutional points of law:

1. Officers may approach persons in public places and attempt to engage them in conversation without any suspicion that they may be involved in criminal activity.
2. The person approached without "reasonable suspicion" is not required to speak with the officer, produce identification, or otherwise remain in the area. The person may simply walk away and the officer has no right to detain them. This is what is known as a "mere encounter."
3. Officers who possess a "reasonable suspicion" that a person may be involved in criminal activity have a constitutional right to stop and detain, — "seize" — that person for a reasonable period of time to investigate the situation.
4. "Reasonable suspicion" is present when an officer has articulable facts and reasonable inferences drawn from those facts that indicate that criminal activity may be present.[
5. "Reasonable Suspicion" can include a number of separate factors that when taken together combine to support a police officer's belief that criminal activity may be occurring. These factors may include but not be limited to: time of day, reputation of the geographical area, reputation of the person to be detained (a known gang member, for example), furtive or evasive behavior, flight, confrontational or abrasive attitude, clothing, etc.
6. An officer who detains a citizen for investigative purposes must be prepared to recite all of the reasons as to why he/she detained the suspect and should make a written record of them as soon as it is practicable to do so.
7. Investigative detentions should take place and continue at the location where the stop was initiated, absent extraordinary circumstances. Movement of the suspect to the police station or the back seat of a patrol car or other location against his/her will, will likely be construed later as an arrest.
8. Officers must understand that an arrest under the Fourth Amendment must be justified by the higher standard of "probable cause." If an investigative detention becomes an arrest, it will be declared unconstitutional in the absence of "probable cause."
9. Officers who have "reasonable suspicion" to stop and detain a suspect have a lawful right to maintain that detention for a reasonable period of time as long as they are diligently pursuing an investigation to resolve the reason for the stop. The Supreme Court has never set an arbitrary time limit on the investigate detention concept.
10. Officers may not detain a person longer than the time required to reasonably investigate the purpose of the stop. Holding a person for a longer time is likely to be interpreted as an arrest that will be declared illegal in the absence of probable cause.
11. Officers conducting a Terry stop, including a routine traffic stop, are not required to provide the detained individual with Miranda warnings prior to asking questions.
12. Officers who detain a person for investigation based upon reasonable suspicion that criminal activity may be afoot are not permitted to "frisk" the person detained unless they possess a "reasonable fear" for their safety.
13. A "frisk" of a detained person must be limited to a "pat down" of the person's outer clothing for weapons only. A search for evidence of criminal activity is not permitted
14. Officers making a Terry stop of a vehicle may conduct a search of the passenger compartment of the vehicle to look for weapons as long as they possess a "reasonable fear" that weapons may be hidden in the passenger compartment. And Keep these things in mind as you go about the business of policing your jurisdiction, and you will accomplish the mission of preventing crime and protecting the citizens you serve

## CRIMINOLOGY: SECTION 4 (By Ali Hameed Khan)

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### TERRORISM

(plz also concern the Outline of Essay)

A few reasons behind terrorism:

- Religion extremism
- Oppression
- Historical grievances
- Violation of International Laws
- Relative deprivation
- Hatred towards the global economic hegemony
- Financial gain
- Racism
- Guilt by association
- Supporting sympathizer
- Morality silence
- Sensation seeking

Three perspective of terrorism:

- Psychological perspective
- Ideological perspective
- Strategic perspective

### GENDER BASED VIOLENCE

(plz also concern the Outline of Essay)

- Murder
- Acid throwing
- Forced Marriages
- Rape/ Gang Rape
- Abduction/Kidnapping
- Domestic Torture (by in laws and relatives)
- Custodial Violence
- Sexual Harassment

#### **Types of Domestic Violence**

- **Physical:** physical force that can result in bodily injury, physical pain and impairment. Includes striking, shaking, hitting, force feeding
- **Sexual:** non-consensual sexual conduct of any kind. Includes unwanted touching, sexual assault, coerced nudity
- **Emotional/ Psychological:** infliction of anguish, pain and distress through verbal and non-verbal acts. Includes verbal assaults, insults, threats, humiliation, isolation, intimidation and harassment
- **Financial:** controlling money by denying access to bank accounts, forcing the surrender of debit cards, credit cards, gaining control over income
- **Controlling behaviours:** stalking – follow person home, work, harassment, calling and texting, intimidating family for information. Technology – social media, hacking, spyware, tracking.

### CYBER CRIMES

Offences that are committed against individuals or groups of individuals with a criminal motive to intentionally harm the reputation of the victim or cause physical or mental harm, or loss, to the victim directly or indirectly, using modern telecommunication networks such as Internet (networks including but not limited to Chat rooms, emails, notice boards and groups) and mobile phones (Bluetooth/SMS/MMS). In Pakistan, Prevention of Electronic Crimes Act, 2016 deals with cyber-crimes.

#### **Types of Cyber Crimes**

- Theft of telecommunication services
- Communications in furtherance of criminal conspiracies
- Telecommunication piracy
- Electronic money laundering and tax evasion
- Electronic vandalism, terrorism and extortion

## CRIMINOLOGY: SECTION 4 (By Ali Hameed Khan)

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- Sales and investment fraud
- Illegal interception of telecommunications
- Electronic funds transfer fraud

### Classification of Cyber Crime

- Crime against individuals
- Crime against property
- Crime against organization
- Crime against society

### What type of people are usually cyber criminal

- Organized hackers
- Professional hacker/cracker
- Discontented employees
- Children and teenager etc.

### NATIONAL ACCOUNTABILITY BUREAU (NAB)

The National Accountability Bureau is Pakistan's apex anti-corruption organization. It is charged with the responsibility of elimination of corruption through a holistic approach of awareness, prevention and enforcement. It operates under the National Accountability Ordinance-1999. With its headquarter at Islamabad, it has seven regional offices at Karachi, Lahore, Peshawar, Quetta, Rawalpindi, Multan and Sukkur. It takes cognizance of all offences falling within the National Accountability Ordinance (NAO).

For the initial three years, the focus of its functions was directed only at detection, investigation and prosecution of white-collar crime. Those prosecuted include politicians, public service officials and other citizens who were either guilty of gross abuse of powers, or through corruption had deprived the national exchequer of millions or resorted to other corrupt practices. In February 2002, NAB launched the National Anticorruption Strategy (NACS) project. The NACS team conducted broad based surveys, studied external models of international anti-corruption agencies and involved local stakeholder. All pillars of National Integrity System were studied in detail. After identifying the causes of corruption in each pillar, a comprehensive strategy and a detail action plan was recommended. Breaking away from traditional enforcement based routines NACS has recommended a comprehensive process. Relevant amendments have been made in NAO and now NAB is empowered to undertake prevention and awareness in addition to its enforcement functions.

- Formed on November 16, 1999; 18 years ago
- Chairman is Javaid Iqbal

### VISION

The National Accountability Bureau is to be a credible, effective, efficient and dynamic anti-corruption organization creating an enabling environment for a corrupt free society.

### MISSION

The National Accountability Bureau is to work to eliminate corruption through a comprehensive approach encompassing prevention, awareness, monitoring and combating.

### OBJECTIVES

The National Accountability Bureau derives its objectives from its approved project document titled 'National Anti-Corruption Strategy or NACS and defines them as follows:

Short Term Setting in motion systemic improvements that will strengthen the national integrity system and the people against corruption.

Long Term The elimination of corruption by engaging all the stakeholders in the fight against corruption, through a program, which is holistic, comprehensive and progressive

### SALIENT FEATURES

- Setting up of a National Accountability Bureau so as to **eradicate corruption and corrupt practices** and hold accountable all those persons accused of such practices and matters.
- Take effective measures for the **detection, investigation and prosecution of cases involving corruption**, corrupt practices, misuse / abuse of powers, misappropriation of property, kickbacks & commissions and ensuring speedy disposal.
- **Recovery of the outstanding amount** from those persons who have committed willful default in repayments to banks, development finance institutions (DFIs), government and other agencies.

## CRIMINOLOGY: SECTION 4 (By Ali Hameed Khan)

- **Implement policies and procedures** for awareness, prevention, monitoring and combating corruption in the society

### **ANTI NARCOTICS FORCE (ANF)**

It was formed on 21 Feb 1995 to carry out Raids and Intelligence Based Operations IBOs against Narcotics, Illegal Arms Ammunition, Money Laundering and dangerous Chemicals. ANF works under umbrella of Pakistan Army and Ministry of Narcotics Control. Due to misconception on Section 4 of ANF ACT 1997, the force's head consist of the active-duty general officer of Pakistan Army. Although the law prescribes that any competent person may be appointed as Director General. Currently a two star Army Officer, **Major General Musarrat Nawaz Malik** HI(M) is deputed as Director General. The ANF also has sole responsibility for coordinating and pursuing Pakistan narcotics investigations abroad.

#### **Moto**

"Drug Free Society"

#### **Vision**

ANF functions through multipronged strategy, which also focuses on reducing vulnerability through awareness and rehabilitation of addicts.

#### **Mission**

Pakistan being in the neighborhood of epicenter of world, Opium and Heroin production has become both a transit and victim state and is facing ever increasing spillover effects. Despite persistent and commendable efforts of all stakeholders, illicit trafficking of opium and heroin remains a serious concern. Given the scale and size of the problem, the Pakistan Government has put in place stringent measures to contain the flow of illicit drugs. Pakistan possesses single mandated Anti-Narcotics Force (ANF) under Ministry of Narcotics Control (MNC), working closely with domestic counterparts and International partners. ANF is a principal agency in Pakistan for combating supply and demand reduction of illicit narcotic drugs that enter Pakistan mainly through the long porous border with Afghanistan.

#### **Stages and Authority**

Assets of the convicts in narcotics cases are confiscated in favour of Federal Government through following stages usually:

- **Tracing:** Finding out the true sources, disposition, movement or ownership of assets and includes determining the movement or conversion of assets by any means.
- **Freezing:** Prohibiting by an order made by the Special Court or an officer authorized under CNS Act 1997 the transfer, conversion, disposal or movement of any assets and includes the holding, controlling, assuming custody or managing any assets in pursuance of such order and, in the case of assets which are perishable the disposal thereof
- **Forfeiture:** Forfeiting of asset /property in favour of Federal Government.
- **Realization:** On finalization of forfeiture of assets and execution petition, the assets are realized in favor of Federal Government.

#### **Laws that deal ANF**

- Control of Narcotics Substance Act, 1997
- Anti-Narcotics Force Act, 1997
- Criminal Procedure Court 1898
- Anti-Money Laundering Act, 2010
- Prevention of Smuggling Act, 1977

#### **The Operations**

According to activities of smugglers and areas which facilitate their interest, the operations of the Anti-Narcotics force can be divided into following categories:

- Anti-Narcotics, Arms and Ammunition
- Anti-Explosive Chemicals
- Anti-Money Laundering

#### **Functions of ANF**

- Conduct of drug law enforcement operations through its field component and subsequently ensuring culmination of law enforcement operational cycle through legal proceedings.
- Investigation, freezing, litigation, legal disposal of assets acquired with drug money.
- Launching of yearly campaigns by relevant Regional Directorate(s) to eliminate/destroy Poppy cultivation.
- Training of own and other law enforcement agencies' students in Anti-Narcotics Force Academy.



## CRIMINOLOGY: SECTION 4 (By Ali Hameed Khan)

- Acting as leading drug law enforcement agency, heads the Inter Agency Task Force that comprises all relevant law enforcement agencies.
- Has signed Memorandum of Understanding with numerous countries and works in close coordination with their drug law enforcement agencies.
- All above functions are conducted in coordination with relevant Directorates in Headquarters Directorate General Anti-Narcotics Directorate.

(From different source)

- To inquire, investigate and prosecute all offences related or connected with intoxicants, narcotics and precursors.
- Trace and freeze the assets.
- Coordinate elimination and destruction of Poppy cultivation.
- Provide assistance to other law enforcement agencies and share information with all national and International agencies on drug related matters.
- Arrange and coordinate training of own staff and members of other law enforcement agencies related to narcotics.
- Maintain liaison with all international narcotics control authorities and represent Pakistan in conferences and seminars.
- Perform any other related functions that may be assigned by the Federal Government.

### FEDERAL INVESTIGATION AGENCY (FIA)

The Federal Investigation Agency is a border control, counter-intelligence and security agency under the control of the Interior Secretary of Pakistan, tasked with investigative jurisdiction on undertaking operations against terrorism, espionage, federal crimes, fascism, smuggling as well as infringement and other specific crimes.

- Formed on 13 Jan, 1975
- Director General **Bashir Memon** (PSP)
- Major Unit 10:
  - **Counter-terrorism Wing (CTW)** Tasked to protect Pakistan from all kinds of terrorist attacks including cyber, bioterrorism, chemical, electronic and nuclear terrorism
  - **Anti-Corruption Wing (ACW)** Tasked with undertaking investigations and combat all public corruption at all levels of command.
  - **Economic Crime Wing (ECW)** Mandate to protect Pakistan from economic terrorism and protection of intellectual property rights of the people.
  - **Immigration Wing (IW)** Combat human trafficking activities and resist illegal immigration in Pakistan.
  - **Technical Wing (TW)** Tasked to make efforts to protect Pakistan against foreign intelligence operations and espionage as well as using scientific assistance to resolve high-technology crimes.
  - **Legal Branch (LB)** Responsible to provide legal guidance in all administrative and operational matters as well as protect civil rights.
  - **National Central Bureau (NCB)** tasked to combat transnational/national criminal organizations and enterprises with assistance from Interpol and the US Federal Bureau of Investigation (FBI).
  - **Anti-Trafficking Unit (ATU)** Tasked to combat major violent crimes, to ensure country-wide coverage of human trafficking, as well as to prevent and protect the victims of trafficking.

### FIA's Core Functions

- Investigation into specialized and organized crime
- Immigration and Anti-Smuggling
- Personal Identification Secure Comparison and Evaluation System (PISCES Computerized Control and Exit)
- Anti-Human Smuggling and Trafficking
- Counter Terrorism(Special Investigation Group)
- Money Laundering( Excluding narcotics and anti-corruption proceed)
- Automated Finger Print Identification System(AFIS)
- Cyber Crime and Plastic Money Fraud
- Intellectual Property Rights(IPR)
- Interpol (National Central Bureau)



## CRIMINOLOGY: SECTION 4 (By Ali Hameed Khan)

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- National Criminal Database(NCDB)
- Forensic and Technical Support
- Training and Capacity Building

### **Mission**

To achieve excellence in FIA by promoting culture of merit, providing continuous professional training, ensuring effective internal accountability, encouraging use of technology and having a meaningful feedback mechanism

### **Laws that deal FIA**

- FIA ACT,1974
- THE EMIGRATION ORDINANCE 1979  
PREVENTION & CONTROL OF HUMAN TRAFFICKING ORDINANCE 2002 (PCHTO 2002)
- PREVENTION & CONTROL OF HUMAN TRAFFICKING ORDINANCE 2002 (PCHTO 2002)
- ANTI-MONEY LAUNDERING ACT,2010
- THE ANTI-TERRORISM ACT,1997
- INVESTIGATION FOR FAIR TRIAL ACT,2013
- CODE OF CRIMINAL PROCEDURE, 1898
- PREVENTION OF ELECTRONIC CRIMES ACT, 2016

### **History**

A Federally controlled police establishment first came into existence in 1942 during the Second World War to take up investigation of corruption, rampant in Supplies and Procurement Department of the government of India. It was name as Special Police Establishment. After the independence of 1947, it was named as Pakistan Special Police Establishment (PSPE). The said Establishment was given schedule of offences with the ordinance of VIII of 1948. With the passage of time, the PSPE depart from investigation the offences of bribery and corruption against central government employees, was given powers to investigate cases relating to the offences under the following laws:-

- Official Secret Act, 1923
- Foreign Exchange Regulation Act, 1947
- Passport (Offences), 1952
- Customs Act, 1959.

The requirements of federal government regarding investigation of criminal offences kept on increasing and Mr. Gul Ahmad in his report on "Police Reform", submitted to cabinet on 07-04-1972, recommended establishment of Federal Police Organization to deal with smuggling, narcotics, currency Offences, enforcement of laws relating to foreigners, immigration and passports and offences having inter-provincial ramification. Consequently, FIA Act 1974. (Act VIII-4 of 1975) was promulgated on 13-01-1975, bringing Federal Investigation Agency into existence.

Till now 2004, primarily role was anti-corruption and white collar crime treating 2004, the government transfer anti-corruption and economic crime function to the NAB. FIA has been dedicated the lead agency in Anti Human Smuggling and investigating cases of counterfeit Currency.

Plz do 1 essay related to these institutions

## Criminology Quotations (BY Ali Hameed Khan)

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1. **Adolf Hitler:** Make the lie big, make it simple, keep saying it, and eventually they will believe it.
2. **Al-Hadith:** Each of you is a guardian and each guardian is accountable to everything under his care.
3. **Al-Hadith:** He who from among you observes something evil, should change it with his hands; if he is unable to do that he should condemn it with his tongue; if he is unable to do that he should at least recent it in his heart; this is the lowest degree of faith.
4. **Arthur Conan Doyle:** The most difficult crime to track is the one which is purposeless.
5. **Ben Jonson:** He threatens many that have injured one.
6. **Cyraus Foldger:** We are all capable of becoming something monstrous.
7. **Democritus:** The offender, who repents, is not yet lost.
8. **Elizabeth Fry:** Punishment is not for revenge, but to lessen crime and reform the criminals.
9. **Emma Goldman:** Crime is naught but misdirected energy.
10. **Havelock Ellis:** Every society has the criminals that it deserves.
11. **Jean de La Bruyere:** If poverty is the mother of crime, lack of good sense is the father.
12. **Jesse Ventura:** A crime is a crime, regardless of what collar you wear.
13. **John Ruskin:** Punishment is the last and the least effective instrument in the hands of the legislator for the prevention of crime.
14. **L. Frank Baum:** To destroy an offender cannot benefit society so much as to redeem him.
15. **Napoleon Bonaparte:** The infectiousness of crime is like that of the plague.
16. **Proverb:** Great thieves punish little ones.
17. **Sidney Sheldon:** My heroes are those who risk their lives every day to protect our world and make it better place – police, firefighter, and the members of our armed forces.
18. **Terry Pratchett, Feet of Clay:** If you were going to be successful in the world of crime, you needed a reputation for honesty.
19. **Tony Evans:** When families break down, you have a lot of repercussion from that, from poverty to crime to lack of discipline
20. **Vergil:** From a single crime know the nation.
21. **Vikrant Parsai:** Society invites the crime, and criminals accept the invitation.

## Crime Related Events (By Ali Hameed Khan)

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- Anwar Majeed, a close aide to former president of Pakistan Asif Ali Zardari and **head of the Omni Group**, along with his sons has been booked by the FIA in case pertaining to alleged **money laundering of PRs. 4.14 billion** through fake bank accounts.
- According to the report of NGO named Sahil, **more than 12 children abused every day in Pakistan**. (The NGO has calculated this figure by considering the first half of 2018)
- Other **notable Pakistani activists working on reporting and deterring honour killings** include Aitzaz Ahsan, Anis Amir Ali, Ayaz Latif Palijo, Sharmeen Obaid-Chinoy and Shahnaz Bukhari.
- About **one-fifth of the world's honour killings** are performed in Pakistan (1000 out of the 5000 total).
- UNODC Goodwill Ambassador Shehzad Roy collaborated with Bilawal Bhutto to introduce awareness about education against child sexual abuse in Sindh.
- Sharmeen Obaid-Chinoy, a Pakistani journalist, created the documentary, **A Girl in the River: The Price of Forgiveness**, as her way to inform the world about honour killings in Pakistan and to motivate people to join the fight against the practice.
- Rights campaign group Amnesty International estimates that Pakistan has more than **8,000 prisoners on death row**, most of whom have exhausted the appeals process.
- **Victims of target Killing in Pakistan:** Benazir Bhutto, Murtaza Bhutto, Athar Ali (scientist), Perween Rahman, Mohsin Naqvi, Hakeem Muhammad, Saeed, Maulana Yusuf Ludhianvi, Amjad Sabri
- Pakistani human rights NGOs estimate that there are about **1,000 "honor killings" every year**.
- **Events in 2016:** In June, **Zeenat Rafiq, 18**, was burned to death in Lahore by her mother for "bringing shame to the family" by marrying a man of her choosing. In May, family members tortured and burned to death a 19-year-old school teacher in Murree, Punjab, for refusing an arranged marriage. In May, the body of Amber, 16, was found inside a vehicle that had been set on fire in Abbottabad, Khyber Pakhtunkhwa, after a jirga, or traditional assembly of elders, ordered her death for helping her friend marry of her own choice. In July, **Qandeel Baloch**, a well-known Pakistani model was killed by her brother in a so-called honor killing.
- **Rape cases:** Muhktaraan Mai, Shazia Khalid, Zainab Ansari
- On 31 October 2018, Supreme Court acquitted Asia Bibi of blasphemy charge and ordered to release her.
- On 2 Nov 2018, **Maulana Samiul Haq** (Chief of Jamiyat Ulema-e-Islam) was assassinated.
- Major fraud has been detected in the National Savings a public sector organization of **Rs3.6 trillion** in which insiders have reportedly siphoned off around **Rs200 million**, breaching trust of more than seven million small-to-medium individual savers.
- According to the report of Senate Committee on circular debt, **Power theft** has been reached over **Rs53bn in 2017-18**.
- Unregistered mobile phones would become unusable after 20th October by DIRBS (**Device Identification, registration and blocking system**), said by PTA.
- AIG of Police Dr. Amir Shaikh **formed a special Anti-Street Crime force** (comprising of 1870 personnel) to curb the rising street crimes in Karachi.
- Zainab killer, Imran Ali, has been hanged in Kot Lakhpat Jail.
- The Supreme Court on September 3, 2018 **sought details of at least 100 persons** who had been issued notices by the FBR for not disclosing their assets and properties abroad, after the court was informed that the Pakistanis owned properties worth \$150 billion the UAE alone.
- Pakistan's education emergency statistics highlight that **in Pakistan 25 million children do not attend school**.
- On 28 September 2018, up to **50 million accounts have breached** in a security flaw exploited by hackers.
- The KPK police have introduced Criminal Record System (CRVS) to put an effective end to terrorism and heinous crimes across the province. Now police on duty, at different places like police station, check posts, snap checking points, can directly verify the background of any person by clicking just one mobile's button.

## Crime Related Events (By Ali Hameed Khan)

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- INTERPOL head, Meng Hongwei, has been missing since 5 October 2018. (Perhaps from the land of France or China). He was on the tour to France. Hong Kong South China Morning post is alleging China that she has taken away Mr Meng for questioning.

BY ALI HAMEED KHAN

## Criminology Vocabulary (Ali Hameed Khan)

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- **Actus Reus:** Compare mens rea a criminal action regarded as a constituent element of a crime, as compared with the state of mind of the perpetrator.
- **Alibi:** proof that someone accused of a crime could not have done it
- **Alter ego:** a very close friend who seems almost a part of yourself
- **Arson:** the act of intentionally and maliciously destroying or damaging property through the use of fire
- **Broken Windows Theory:** Minor incivilities, if unchecked and uncontrolled, will promote more serious crimes
- **Collateral:** accompanying; following as a consequence
- **Conflagration:** a very intense and uncontrolled fire
- **Corpus delicti:** the body of evidence that constitute the offence
- **Culpable:** deserving blame or censure as being wrong or injurious
- **Dark Figure of Crime:** a metaphor referring to the dangerous dimension of crime that is never reported to police.
- **Desistence:** end of a criminal career.
- **Detained person**
- **Due Diligence:** as a defense to a strict liability offense. Due diligence involves demonstrating that one has undertaken to do everything possible to avoid committing an offense.
- **Duress:** compulsory force or threat
- **Entrapment:** missing
- **Espionage:** the systematic use of spies to obtain secrets
- **Estoppel:** a rule of evidence whereby a person is barred from denying the truth of a fact that has already been settled
- **Evidentiary:** serving as or based on evidence.
- **Ex post facto:** affecting things past
- **Felony:** a serious crime, such as murder or arson
- **Homicide:** willful killing of a person intentionally or with reckless indifference to life
- **Incarceration**
- **Inchoate:** only partly in existence; imperfectly formed
- **Inducement:** a positive motivational influence
- **Infraction:** a violation of a law or rule
- **Lascivious:** driven by lust
- **Lewd:** suggestive of or tending to moral looseness
- **Malum in se** refer to conduct assessed as sinful or inherently wrong by nature (e.g. Murder, Rape, Theft, etc.), independent of regulations governing the conduct. It is distinguished from **Malum prohibitum**, which is wrong only because it is prohibited (listening mobile call during drive).
- **Manslaughter:** culpable homicide that has elements of murder but involves mitigating circumstances
- **Mens rea:** criminal intent
- **Misdemeanor:** a crime less serious than a felony
- **Misdemeanors:** a criminal offense defined as less serious than a felony.
- **Moral Panic:** A moral panic is a feeling of fear spread among a large number of people that some evil threatens the well-being of society. A Dictionary of Sociology defines a moral panic as "the process of arousing social concern over an issue – usually the work of moral entrepreneurs and the mass media"
- **Nolo Contendere:** an answer of 'no contest' by a defendant who does not admit guilt, but that subjects him to conviction.
- **Offense:** a failure to show regard for others
- **Onset:** beginning of a criminal career.
- **Parole:** a conditional release from imprisonment that entitles the person to serve the remainder of the sentence outside the prison as long as the terms of release are complied with.
- **Plea Bargaining:** a negotiation in which the defendant agrees to enter a plea of guilty to a lesser charge and the prosecutor agrees to drop a more serious charge.
- **Prosecution:** the institution and carrying on of legal proceedings against a person.
- **Recidivism:** the relapse into crime after the sentence of a convicted offender has been completed, and the subsequent return to the criminal justice system.
- **Remand Home:** a detention home for juvenile offenders aged 8-16 years.
- **Robbery:** unlawful taking of the property of another by the use or threatened use of immediate force or violence.
- **Sexual Assault** - physical and intended physical contact of a sexual nature toward another person who has not consented.
- **Substantive:** having a firm basis in reality and therefore important
- **Summons:** a document that may be served upon a person accused of a crime, requiring the accused individual to appear in court at a certain time and date to answer the charges.
- **Tazir crime:** minor crimes committed by Muslims
- **Tort:** a wrongdoing for which an action for damages may be brought
- **Treason:** a crime that undermines the offender's government
- **Vagrancy:** the state of wandering from place to place
- **Vandalism:** - willful and deliberate destruction or defacement of property
- **Vigilante:** any person who takes the law into his or her own hands, as by avenging a crime.