

Q: Define Social Control and briefly explain the Criminal Justice System of Pakistan.

Social Control and Criminal Justice System

Introduction of Social control:

- Sociologists define social order control as the way that the norms, rules, laws and structures of society regulate human behavior.
- It is a necessary part of social order because societies cannot live without controlling their population.

Meaning of Social control:

- It refers to the control of society over the individuals to maintain established rules and regulations and for smooth functioning of society.

Definition of Social control:

- The process by which behavior of individuals or groups is regulated.
- Social control is the active or passive process of a group regulating itself according to its beliefs, principles and values.
- It is the process which helps a society to secure conformity to individuals as well as groups.

Purpose of Social control:

- The Purpose of the social control is to bring about conformity in a particular group or society.
- It regulates the interests of both the individuals and the group in a way that is beneficial to both.
- It stops and prevents negative deviance which is a break from established laws and values that may be damaging to others.

Criminal Justice System

Introduction:

- The criminal justice system is a series of the government agencies and institutions whose goals are to identify and catch unlawful individuals and to inflict a form of punishment on them.
- It is one of the most important ingredient of any society.
- It describes the offenses, punishment, procedures and ways to punish those who violate laws of society.

Primary Institution of Criminal Justice System:

- The primary institutions of the criminal justice systems are:
 - The Police
 - Prosecution
 - Defense Lawyers
 - Courts
 - Prisons

Components of Pakistan Criminal Justice System:

- Police
- Judiciary
- Prisons
- Prosecution
- Probation and Parole.

Problems in Pakistan Criminal Justice system:

- The major and important deficiencies and weakness of the criminal justice system of Pakistan are:
 - Accurate reporting of crime to the Police
 - Malpractices (Carelessness or Negligence) during litigation (Trails or Legal action)
 - Delayed submission of challans to the courts by public prosecutors
 - Lopsided (Unbalanced or Unsymmetrical) and long duration of trails
 - Overcrowding of jails due to large number of under-trail prisoners
 - Underdeveloped system of parole (Release or Set free) and probation (Trail or Test period)

Parts of Criminal Justice System of Pakistan:

- Criminal Justice System mainly consists of three parts:
 - Police (Law enforcement)
 - Courts (Adjudication/Trail)
 - Prisons (Corrections/Probation and Parole)

Police:

- When arrested a person is taken into the custody of the police or any other law enforcement.
- Evidence is forwarded to the district attorney (DA or Prosecutor or judge advocate) who will decide whether there is a sufficient evidence to presents the case to Judge or Jury.
- After booking, a judge or a court determines if the person is released or detained (Keep back).
- There are three options:
 - The person may be “Released or Recognizance” (ROR)
 - The person may be released on bond (Also called Bail), which is money paid to the court to ensure the person returns for a future court date.
 - The person may be retained in jail.
- The police has been assigned under the law to protect the lives and property of citizens of the country.
- Criminal Procedure Code and Police Order 2002 provide necessary legal cover to the Police to perform this function and bring criminals to book.
- Stages of Criminal Justice System:

Registration of FIR:

- Criminal Justice System begins with a first information report (FIR) at a police station.

Arrest:

- The second stage is arrest. The law requires any person taken into police custody to be presented before a court within 24 hours. Magistrate commonly order a remand to recover the evidence. Meanwhile, the police are said to torture the accused to get a confession (Disclosure).

Investigation:

- This is the second most important function performed by the police. After the registration of FIR the matter is assigned to police officer for investigation.

Preparation of Challan:

- Once Investigation is collected and grounds of involvement or innocence of the accused are established, the investigation officer (IO) prepares challan for submission to the court.

Prosecutor:

- The prosecution is the agency which plays an intermediate role between judiciary and the police.
- A law officer who conducts criminal proceeding (prosecute or Progress or move) on behalf of the state or in the public interest is called public prosecutor.
- In court, public prosecutor presents interest of the state.
- The role of the public prosecutor begins once the police has conducted the investigation and filed the charge sheet in the court.
- He must conduct the prosecution on the behalf of the state.
- He is expected act impartially and presents the full and material facts, witness and evidence before the court.

Court:

- A court is any person or institution with authority to judge or adjudicate (Decide or judge) , often as a government institution with the authority to adjudicate legal disputes between parties and carry out the administration of justice in civil, criminal and administrative matters in accordance with roles of law.
- After a case is assigned to a judge, the first proceeding is a arraignment (prosecution or charge or trail).
- After the arraignment, a judge or court commissioner reads the formal (traditional) charges, and explains the offender's right to an attorney.
- The judge determines one of the four outcomes:
 - Charges can be dismissed if there is insufficient evidence; then the person is released.
 - Person can remain on remand (ROR) and the case will continue to the court.
 - Begin bond process or stay on bond.
 - Person is detained in jail.
- When a person has pled (beg) not guilty, a date is set for a trail.
- More evidence/information is gathered by the district attorney as well as the defense attorney.
- Witnessed may be interviewed and asked to testify a trail.
- A trail is held to determine the offender's guilty and innocence.
- If the defendant is found innocent, he/she is released. However, a defendant who has entered a guilty plea (appeal) or been found guilty is sentenced to some form of punishment.

Conclusion:

- To conclude that The Criminal Justice System is losing confidence of people due to its deficiency.
- Government needs to pay special attention towards Criminal Justice System in Pakistan because a country can live without resources but cannot survive when its lacks justice.

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