

**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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