

## **Criminal Investigation by Police, Causes and Effects of Faulty Investigation: A Case Study of Islamabad Capital Territory Police**

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### **Abstract**

The criminal investigation by police has attained the omphalos role because of the gate keeping function of the modern criminal justice system. Investigation is highly skillful task and requires time, dedication, and attention to detail. The faults in the investigation can be ascribed to the departure from the laws, rules, and procedures. The causes of such departure are not just on the part of the investigation officers but on the whole system. The culture of police department, the public attitude, the routine, and the life standard of investigation officers contribute to such departures. Investigation officers are the linchpin of the police and the criminal justice system, addressing the root causes of such departures and by understanding the dynamics of Islamabad Capital Territory, the effectiveness of the investigation carried out by Investigation Officers of Islamabad Police can be enhanced. This will restore the public confidence in the criminal justice system.

**Keywords:** Criminal Investigation by Police, Police Routine, Faulty Investigation, Crime Prevention, Criminal Investigation Policy, Reforming Criminal Justice System

### **Introduction**

It is presumed that crime is a social reality or phenomenon. Crime breeds injustice and inequality in society. The concept of crime has evolved throughout history and is defined by different perspectives like sociological, psychological, and economic. The most widely used definition of crime is that it is an act or omission which constitutes a violation of criminal law. Criminal law sets into motion the state machinery because the state must protect the fundamental rights of the people.

To curb the menace of crime the criminal justice system comes into play to ensure that no crime goes unpunished. It consists of various stakeholders including Police, Prosecution, Defense Lawyers, Judiciary, and Prisons. All of them work in liaison to ensure the transparent and effective working of the

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criminal justice system. Among these stakeholders, Police have an important role to play because they are entrusted with the task of investigating of crimes. The criminal investigation is gateway to the criminal justice system. The system works as a whole, and its components are not independent of each other. Defective working of one component can cause the system to be abortive.

The criminal investigation is the gateway and be-all and end-all of the criminal justice system. The criminal justice system processes the accused and investigation has an omphalos role in reconstructing the events, finding the truth, and finally determining the guilt and innocence of the accused based on the evidence. It is defined as a process by which evidence is collected and presented before a court of law. To provide justice to the people and to uphold the rule of law, criminal investigation is of paramount importance.

The investigation officers are the linchpin of the criminal investigation. Uncovering evidence that nails the guilty beyond reasonable doubts takes time, dedication, corroborated evidence, and forensic attention to detail. To ensure that investigation is carried out effectively without any infringement of the fundamental rights of the accused various laws and procedures have been promulgated. Courts are the custodian of fundamental rights, but during the investigation, Police often commit illegality and irregularity that eventually benefits the accused, and that undermines the purpose of the Criminal Justice System.

According to Sajid (2021), Islamabad has seen 100 percent population growth in the past 20 years. The population of Islamabad has been recorded as 20 million in the 2017 census. With the rise of urbanization and population, crime in Islamabad is also increasing rapidly. According to Islamabad Police Official Statistics during the last four years, crime has almost doubled from 9465 to 18671 cases per year.

The increase in the crime rate is directly proportional to the burden on the investigation officer which leads to faults in the investigation. Faulty investigation occurs when investigation officers deviate from the legal framework. There are various causes of the faulty investigation by the Police, these can be categorized into personal, administrative, and social. Personal causes are associated with the standard of life, daily routine, mental and physical health of the investigation officers, administrative causes can be described as the constraints in the investigation due to lack of resources and existence of class structure within the Police Department, while social causes can be linked with the hostile attitude of the public, political influence etc.

The effects of faulty investigation are threefold, firstly on the life of investigation officers, secondly on the policing system and lastly on the society at

large. The Investigation officers face different departmental inquiries and their physical and mental health is often jeopardized because of the burden and lack of resources. Police departments face criticism for letting offenders go scot-free. The severe effect of faulty investigation is when people start taking the law into their hands when they observe the offenders are not getting punishments. Faulty investigation not only among a particular segment of society, but it shatters public confidence in the Criminal Justice System.

The reforms in the criminal investigation will only be successful if the investigation officer's life is focused rather than issuing new standing orders and amendments to the procedures. More emphasis should be on relieving investigation officers of unnecessary stress, and burden and improving their standard of life. More than twenty Police reform committees have been established and all had submitted their recommendations but are non-concerned about the well-being of the investigation officers who are the linchpin of the policing system. Moreover, the policies regarding investigation have also not been consistent as with the change of command of the Police, the policies and priorities also change. The enforcement of Police Order, 2002, separation of investigation from operations wing, increasing the strength of the investigation officers, capacity building of investigation officers, providing the latest technology, updating the investigation curriculum, providing one-window facilities to the investigation officers, defining duty hours, and providing occasional vacations can address the issues of faulty investigation prevalent in the Islamabad. This will also restore the public confidence in the Police and criminal justice system.

### **Research Questions**

1. How has the criminal investigation by police evolved and what are its objectives?
2. What are the causes and effects of faulty criminal investigations in the area?

### **Research Objectives**

1. To trace the evolution of criminal investigation by police and identify its objectives.
2. To identify the leading causes and examine the effects of faulty Criminal Investigation by the Police.

### **Research Methodology**

The research methodology of this research paper comprises of qualitative and quantitative for identifying the purpose of a criminal investigation by Police, analyzing laws, procedures relating to Criminal Investigation, and for determining causes and effects of faulty investigation respectively. For this Research various

Books, Laws, Case Laws, Journal Articles, Investigation Reports and Statistical Data of Islamabad Police were studied to trace the origin and to determine the objectives of criminal investigation.

After the literature review, semi-structured interviews were carried out among the investigation officers of Islamabad Police during April and May 2022, to identify the causes and effects of faulty investigation in the area. Out of the 314 investigation officers of Islamabad Police, 40 investigation officers were nominated by Police Department for interview (see Table 1).

**Table 1**

Demographics	Categories	f (%)	M	S.D
<b>Rank</b>	Assistant Sub-Inspector	8 (20)	2.1250	.72280
	Sub-Inspector	19 (47.5)		
	Inspector	13 (32.5)		
<b>Experience</b>	Less than 5 Years	4 (10)	3.9500	1.56811
	5-10 Years	4 (10)		
	10-15 Years	6 (15)		
	15-20 Years	9 (22.5)		
	20-25 Years	10 (25)		
	More than 25 Years	7 (17.5)		
<b>Qualification</b>	Higher Secondary	15 (37.5)	1.6250	.49029
	Graduation	25 (62.5)		
<b>Under-Investigation Cases</b>	Less than 40	1 (2.5)	4.2750	1.17642
	40-50	3 (7.5)		
	50-60	4 (10)		
	60-70	12 (30)		
	70-80	16 (40)		
	More than 80	4 (10)		
<b>Stress</b>	Often	6 (15)	1.8500	.36162
	Very Often	34 (85)		
	No	0		
<b>Sleep</b>	4-5 Hours	31 (77.5)	1.2250	.42290
	5-6 Hours	9 (22.5)		
	More than 6 hours	0		
<b>Last Family Visit since</b>	Daily	1 (2.5)	4.0250	1.02501
	Less than a month	3 (7.5)		
	Between 1 to 2 months	5 (12.5)		
	Between 2-3 months	16 (40)		
	More than 3 months	15 (37.5)		
<b>Exercise</b>	On regular basis	0	3.8250	.38481
	Twice in a week	0		
	Once in a week	7 (17.5)		
	Do not exercise	33 (82.5)		
<b>Psychologist Visit</b>	Yes	0	2.0000	0.0000
	No	40 (100)		

<b>Physical Ailment/disorder after joining police</b>	Yes	30 (75)	1.2500	.43853
	No	10 (25)		
<b>Duty Hours</b>	10-12	0	3.0500	.50383
	12-14	4 (10)		
	14-16	30 (75)		
	16-18	6 (15)		
<b>Time on each crime scene</b>	Less than 1 hour	33 (82.5)	1.2750	.64001
	1-2 hours	3 (7.5)		
	2-3 hours	4 (10)		
	3-4 hours	0		
	4-5 hours	0		
<b>Investigation time per day</b>	1-2 hours	11 (27.5)	1.9500	.71432
	2-3 hours	20 (50)		
	3-4 hours	9 (22.5)		
	4-5 hours	0		
	5-6 hours	0		
<b>Time spent in the courts</b>	1-2 hours	0	4.2750	.59861
	2-3 hours	0		
	3-4 hours	3 (7.5)		
	4-5 hours	23 (57.5)		
	5-6 hours	14 (35)		
<b>Time spent during Forensic laboratories visit</b>	1-2 hours	9 (22.5)	1.8750	.56330
	2-3 hours	27 (67.5)		
	3-4 hours	4 (10)		
	4-5 hours	0		
<b>Time spent during Officers visits</b>	1-2 hours	6 (15)	2.0500	.59700
	2-3 hours	26 (65)		
	3-4 hours	8 (20)		
	4-5 hours	0		
	5-6 hours	0		
<b>Patrolling duty duration</b>	Less than 6 hours	0	2.0000	0.0000
	Between 6-8 hours	40 (100)		
	More than 8 hours	0		
<b>Patrolling duty in a week</b>	Once in a week	0	3.4500	.50383
	2 days in a week	0		
	3 days in a week	22 (55)		
	4 days in a week	18 (45)		
	5 days in a week	0		
<b>Special (Law-and-order) Duties in a month</b>	Once in a month	0	3.3500	.62224
	Twice in a month	3 (7.5)		
	Thrice in a month	20 (50)		
	More than 4 times	17 (42.5)		
<b>Investigation Courses attended during last year</b>	Yes	5 (12.5)	1.8750	.33493
	No	35 (87.5)		
<b>Cost of Investigation</b>	Less than 5 times	34 (85)	1.1500	.36162
	Between 10-15 times	6 (15)		

	Between 15-20 times	0		
	More than 20 times	0		
<b>Transfer during last year</b>	1	0	3.0500	.67748
	2	8 (20)		
	3	22 (55)		
	4	10 (25)		
	More than 4 times	0		

### Literature Review

One of the primary objectives of establishing police was to prevent and control crime. The criminal investigation by police plays an omphalos role in the detection and prevention of crime. The fundamentals, techniques, and basics of criminal investigation have been provided by various authors including Brown (2001), Stelfox (2009), Chisum and Turvey (2011), and Osterburg, Ward, and Miller (2019). These involve constraints that lead to a faulty criminal investigation by police. One of the comprehensive studies on criminal investigation practices involving traditional approaches and their impact on the cases has been done by Greenwood and Petersilia (1975) and various reforms have also been suggested to improve the investigation. Greenwood, Chaiken, Petersilia, Prusoff, Castro, Kellen, and Wildhorn (1975) have evaluated the effectiveness of criminal investigation and have presented the observations and analysis in this regard.

Criminal investigation done by the Islamabad Capital Territory (ICT) Police is not effective just like the rest of Pakistan. There are several constraints and diversions which lead to the faulty investigation. The studies done in this regard do not focus on the investigation officers to investigate the root causes of non-compliance with laws, procedures, and especially the dynamics of locality. Zaidi (2016) has enlisted certain causes, but the scope of this study is limited to the terrorism cases prosecuted in Pakistan. The laws, rules, procedures, and practices of criminal investigation have been touched on in detail by Ghazi (2013) and Mahmood (2020) who have shed light upon the said topic by considering commentaries and relevant case laws.

### Definitions, Evolution, and Objectives of Criminal Investigation by Police

#### 1 Introduction

Crime is a relative rather than monolith concept, it encompasses different perspectives and approaches. There is no universal definition of crime. Crime has been defined by various criminologists and sociologists according to their changing ideas, perceptions, and conceptions. The traditional definition of crime term those acts or omissions as crimes that have been prohibited by the criminal law. As crime is considered against the state, so it is the responsibility of the police force to investigate it. There are various objectives to be achieved through

effective investigation including but not limited to locating and identifying the suspect, collecting information or evidence, controlling crime, securing the conviction of the accused if guilty, intelligence gathering, and satisfying the victim.

## **2. Defining Criminal Investigation**

Like Crime, there are different definitions of Criminal Investigation. The New Encyclopedia Britannica (1985) defines criminal investigation methods by which crimes are studied and criminals apprehended. Brandl (2018) defines criminal investigation as a process of collecting information relating to crime and the objective of which is to reach the desired goal. Gehl and Plecas (2016) have termed criminal investigation as a multi-faced problem-solving challenge and a set of tasks and thinking skills. Palmiotto (2012) has also termed criminal investigation as a thinking and reasoning process. According to Stelfox (2009), the criminal investigation involves locating, gathering, and using the information to bring offenders to justice or to achieve any other objective set for it by Police. Hess, Orthmann, and Cho (2016) define criminal investigation as the process of discovering, collecting, preparing to identify, and presenting evidence to determine what happened and who is responsible. It is a reconstructive process that uses deductive logic. Osterburg, Ward, and Miller (2019) refer to the definition given by Professor Ralph Turner as “a definition of the investigation of crime based on the words of Professor Ralph Turner, a pioneer in the field: ‘the reconstruction of a past event’” (p.5).

The law dealing with the procedure of criminal investigation by Police in Pakistan is Criminal Procedure Code, 1898 and according to Section 2(l) “Investigation includes all the proceedings under this Code for the collection of evidence conducted by a police-officer or by any person (other than a Magistrate) who is authorized by a Magistrate in this behalf” (Mahmood, 2020, p.147).

## **3. Evolution of Criminal Investigation**

With the evolution of the Police, the criminal investigation has also evolved, and its importance has been recognized and there have been various developments in this domain. Murray (1937) had identified three stages of criminal investigation: the stage of the police officer, the stage of expert, and the stage of the scientist. Initially, the investigation was done by a police officer alone and he used to rely mostly on his observation and the statements of the witnesses but with the development of various expert techniques such as fingerprint, photography, wireless telegraphy, handwriting identification, etc., the investigation progressed to the second stage that is a stage of the expert. Later, the

investigation entered the third stage which is the stage of the scientist. This was due to the advancement in the field of science like medicine, forensics, pathology, etc. It is imperative to mention that still now all these three stages are involved in the investigation and are closely linked and dependent on each other. The harmony of these three stages is required for criminal investigation.

### **Types of Criminal Investigation**

According to Brandl (2018), there are two types of criminal investigations: reactive and proactive. The reactive investigation is a traditional investigative method in which after the commission of the offense or crime police investigates to solve the crime. Sanders (1977) has further classified reactive investigation into three sub-types namely walk-through, whodunit and where are they investigations. Walk-through investigations are those in which the suspect is known or is already in the custody of the police. In this investigation, the police evaluate the available information and evidence to link the suspect to the crime. In Whodunit investigation the suspect is not identifiable and often not known to the victim. The investigators in this usually rely on the forensic and circumstantial evidence. Where-are-they investigations, the suspect is usually identified, and the task is to locate the suspect. While the Proactive investigation method focuses on the intelligence gathering to prevent the crime.

### **Objectives of Criminal Investigation**

The objectives of criminal investigation have changed over time and with the development of investigation practices. From collecting information and evidence to securing conviction and victim satisfaction.

#### **1. Achieving desired goals**

The objects of criminal investigation to achieve the desired goals associated with the investigation include solving crime, providing evidence to support a conviction by the court, providing a level of service to satisfy the victim, and ultimately reduction of crimes (Brandl, 2018).

#### **2. Collection of Evidence or information**

The main objective to be achieved by the criminal investigation is the collection of evidence or information about the crime. The purpose of the collection of evidence is to prove in the court that the suspect is guilty beyond reasonable doubt (Palmiotto, 2012; Hess et. al., 2016; Mahmood, 2020; Osterburg et. al., 2019).

#### **3. Victim satisfaction**

With the emergence of community policing, the objectives of criminal investigation also have been redefined. In addition to solving crime, the omphalos



of investigation has shifted to victim satisfaction. Modern-day criminal investigation also encompasses victim care (Brandl, 2018; Stelfox, 2009).

#### **4. Bringing Offenders to the Justice**

The criminal investigation aims to crack the unsolved cases, identification of preparators, initiate prosecution and prove the guilt of the accused at the trial, and ultimately bring the offender to justice (Newburn, Williamson, & Wright, 2007).

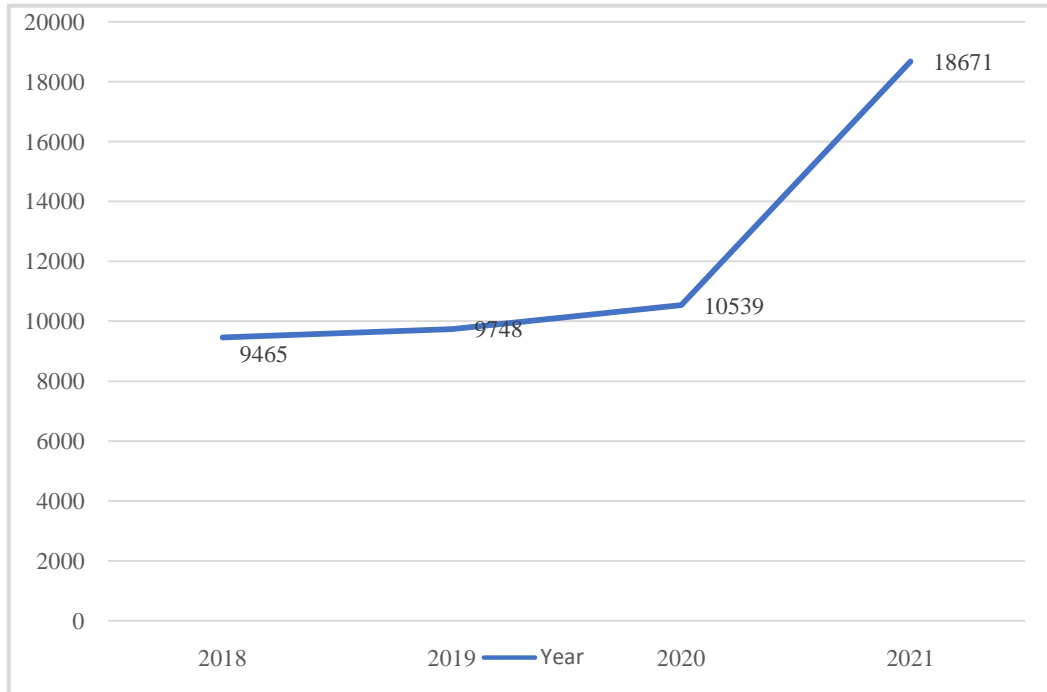
### **Causes and Effects of Faulty Investigation**

#### **1 Introduction**

Police are entrusted with the task of investigating the crime. There are some law enforcement agencies as well who investigate criminal matters, but the criminal investigation is the primary function of the police besides law-and-order maintenance. During the investigation, the investigating officer often departs from the legal procedures which create a gap in the investigation, and that gap is replaced by doubt during the trial thus leading to the acquittal of the accused. The causes of faulty investigation have been discussed below but before proceeding to that it is imperative to understand the dynamics of Islamabad Capital Territory as this research is limited to this area.

#### **2. Understanding Dynamics of Islamabad Capital Territory**

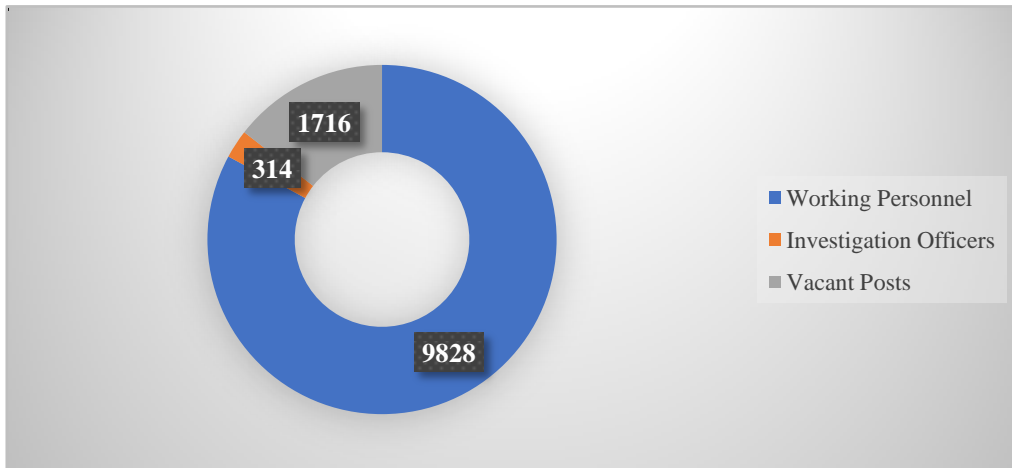
Islamabad became the capital of Pakistan on 14<sup>th</sup> August 1967 replacing its predecessor Karachi. Islamabad has been planned specifically to serve as the nation's capital. Most of the residents of Islamabad have relocated from other cities. As per the report of Sajid (2021), the population of Islamabad has increased 100 percent during the last 20 years and in the 2017 census, it was recorded as 2 million. According to Ramay (2022), the city is becoming unplanned due to urbanization. Urbanization has direct nexus with the crime rate in research by Jalil and Iqbal (2010) it has been established in the case study of Pakistan that unplanned urbanization has a positive association with the growing crime rate in the cities. With the increase in crime, the burden on investigation officers has been increasing as their strength is consistent despite such a massive increase in population and crime rate (See Figure 1).



**Figure 1:** Registered Cases in Islamabad from 2018-2021

Source: Islamabad Capital Territory Police

Khosa (2019) has traced the history of the Islamabad Police. Islamabad Capital Territory (ICT) Police were established as an independent entity on 01 January 1981 through Presidential Orders No .17 and 18 of 1980. Islamabad Police is governed by the Police Act, 1861. The sanctioned strength of Islamabad Police is 11,544, but as of 2021, 9828 Police Personnel are working in Islamabad Police with a deficiency of 1716 personnel (see Figure 2). ICT Police has established separate wings for operations and investigation. The operations wing is responsible for law-and-order maintenance which is an emerging issue as hundreds of protests are staged in Islamabad each year. The investigation wing is entrusted with the task of the criminal investigation. But the dilemma is that during law-and-order situations investigation officers are also deputed on operational duties which eventually leads to the poor investigation as discussed below.



**Figure 2:** *Strength of Islamabad Police (2021)*

*Source: National Assembly and Islamabad Capital Police*

### 3. Faulty Investigation by ICT Police

The faulty investigation can be evident from the low conviction and high acquittal rate primarily due to the departure from legal procedures. The faulty investigation concerns only the mistakes committed by the investigation officers and deviating from the legal practices. This deviation from the law leads to benefit of the doubt which is ultimately extended to the accused. According to Gul and Ali (2018), any criminal proceeding may have four possible outcomes. Firstly, an innocent may be convicted. Secondly, a guilty maybe convicted. Thirdly, an innocent maybe acquitted and lastly a guilty maybe acquitted. The faulty investigation concerns all these possible outcomes. But it is imperative to mention that not all acquittals or wrongful convictions can be ascribed to a faulty investigation. Some other factors such as compromise, victim, or witness resiling from their statements, and unavailability of primary evidence might also lead to acquittal.

The faulty investigation is attributed to the investigation officers, but their perspectives are not considered. Different approaches have been adopted by police reform committees to improve the quality of investigation including issuing standing orders for investigation, and publishing investigation handbooks but none had targeted the actual causes which lead to the faulty investigation.

### **3.1. The stressful routine of Investigating Officers**

Policing is one of the most highly stressful jobs. Symonds (1970) has pointed out that the nature of police work and the nature of police organization are two sources of police stress. According to Craddock and Telesco (2021), critical events and work-related pressures confront police officers regularly, thus significantly impacting practically every area of their personal and professional lives.

The investigation officers, deal with multiple stresses during their daily routine. They attend the lower courts and high court proceedings early in the morning. They also had to visit forensic science laboratory for depositing samples collected from the crime scene as according to protocols it is the investigation officer himself who must submit samples to the laboratory. They are called by their officers to address the complaints about them. On average it takes them around 2 to 3 hours to wait for their turn outside the offices of their superiors. They must visit the crime scene and collect the evidence and prepare the site plan and it takes a lot of time, given the busy schedule of the day. They are also assigned night patrolling. Given this routine, the investigation officers hardly get time to investigate the pending cases. But as under the law, they are required to submit interim challan within 14 days, so they often commit mistakes that eventually affect the prosecution case thus leading to the acquittal based on the benefit of doubt.

The routine of Investigation Officers is stressful, they are so much busy visiting courts, laboratories, their officers' offices, and other offices like NADRA, CDR, etc. They do not get time to investigate cases, so they prioritize, and even in those cases they just fulfill the formality or the requirements without redwing for any error or mistakes which eventually benefits the accused.

### **3.2 Frequent Transfer and Postings**

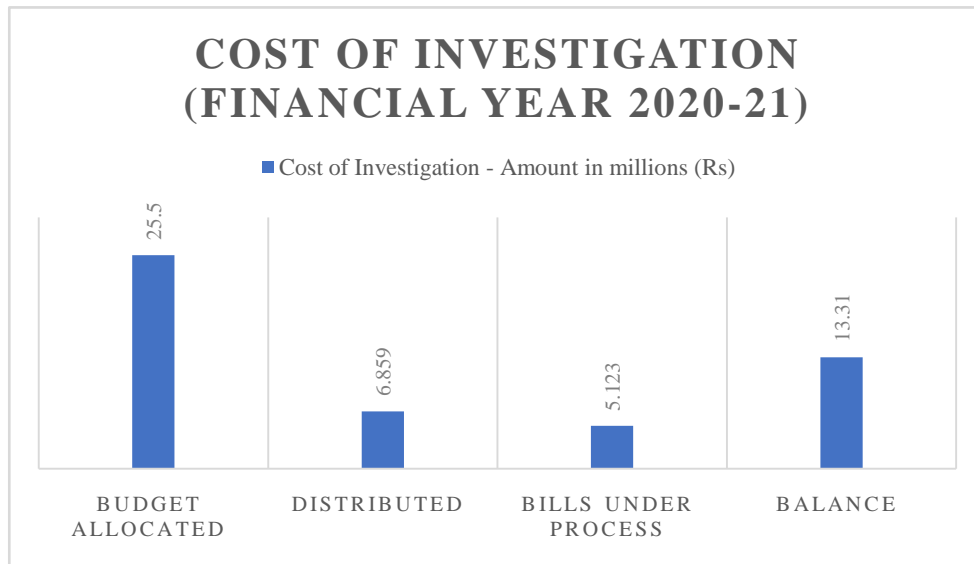
The frequent transfers and postings are very common in Islamabad Police. With the change of high command of police like Inspector General Police, Deputy Inspector General (Investigation), or Senior Superintendent of Police, due to political or other reasons, the Station House Officers (S.H.Os) of police are shuffled. They in turn prefer their favorite investigators with them. Frequent transfer of investigation officers affects the case as it is the first responding investigation officer who visits the crime scene and collects samples and takes remand of the accused and transfers to jail in case of judicial custody. With the transfer of the first responding investigation officer, the newly appointed investigation relies on the police diaries, he/she does not have a grip over the facts

of the case. Even in some cases, they do not bother to read police diaries while submitting challan or in case of cross-examination.

The first responding duty officer or the investigation officer possesses in-depth knowledge of the crime scene, its motives, witnesses, and all related facts of the case. The newly transferred investigation officer also does not have interest in that case, because of the existing burden of cases. Therefore, they do not bother to study the case files to understand the facts of the case. This effect the prosecution case and in most cases, it leads to acquittal.

### **3.3 Lack of Resources**

The investigation officers lack resources and the basic tools to investigate necessary for the investigation of cases. In the Police Rules, 1934, it has been provided that each investigation officer will be provided an investigation kit consisting of different tools. But each police station has only one investigation kit. They do not have logistics support like transportation. In Islamabad, each police station has three vehicles. One is used for patrolling; the other is used by the duty officer and the third one is used by the Station House Officer (S.H.O). The investigation officers rely on their private vehicles, but the cost is borne by the complainant party. The reason is that the investigation officers do not receive the cost of the investigation. The procedure to receive the cost of the investigation is complex and outdated. The investigation officers usually do not have the time to follow the procedure, and those who do follow and submit their cost of investigation bills for the approval, even they also do not receive the cost of the investigation. The clerical staff demands bribery to process their bills. Some superior officers are also involved in this, rather than distributing the cost of investigation, they spend the funds on other domains. That is why the in paper works, it is distributed but, the investigation officers do not receive the cost of the investigation, and those who do receive, they receive only a small amount of it. For this reason, most of the investigation officers do not apply to receive the cost of the investigation. This fact was verified from the official statistics of the Islamabad Capital Territory Police. The cost of investigation budget for the financial year 2020-21, its distribution, and balance amount as shown in Figure 4 depict that during the financial year 2020-21, only 27 % budget was distributed, 20 % remained underprocess, while 52 % remained in balance meaning it was not utilized (see Figure 3).



**Figure 3.** *Cost of Investigation*

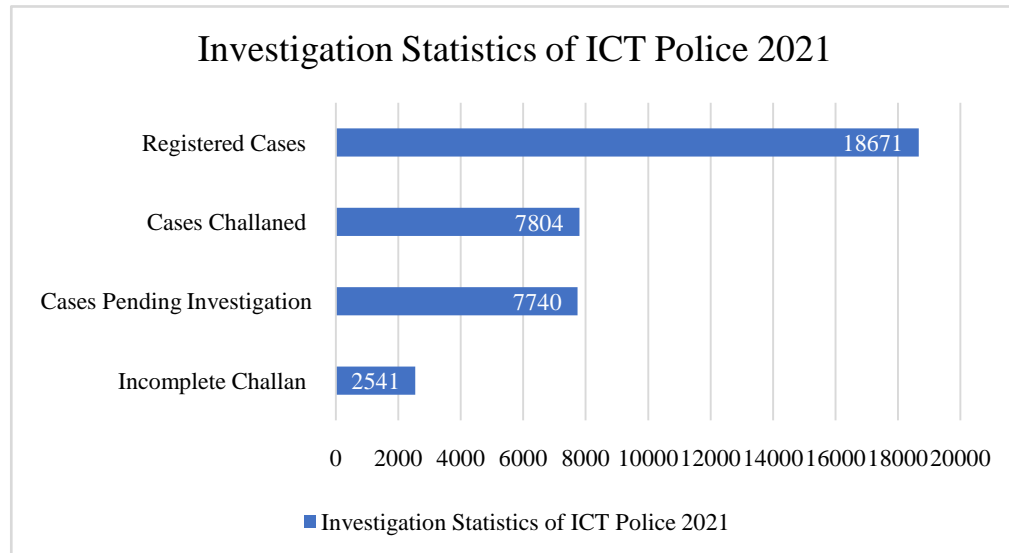
*Source: Islamabad Capital Territory Police*

The lack of resources and most importantly the non-distribution of the cost of investigation severely impact the investigation of the cases. The burden is put on the complainant party to bear the expenses investigation. The complainant who had been wronged and is the victim of the offense, becomes the scapegoat and this shatters the trust and confidence put in the pursuit of justice.

### 3.4 Burden of cases

According to the statistics of Islamabad Capital Territory Police, the crime rate in Islamabad has doubled in the last two years from 9748 to 18671. During the year 2021, the number of pending investigation cases remained at 52% of the total registered cases (see figure 4). It is imperative here to mention that some of the pending investigation and incomplete challan submitted cases in the year 2021 were registered in the year 2020. With the surge in the number of registered cases, the burden of pending investigations and cases is constantly increasing on the investigation officers. Other factors such as stressful routine, frequent transfers, and lack of resources are directly co-related with the burden of cases. As faulty investigation involves the departure from the laws and procedures, the burden of

cases makes it easier. While writing the police diaries, the investigation officers, commit mistakes that eventually benefit the accused.



**Figure 4.** *Statistical Analysis of Investigation (2021)*

*Source: Islamabad Capital Territory Police*

### **3.5 Lack of training and unfamiliarity with the use of technology**

The criminal investigation is a skill, and it requires extensive training and practice. There is a Police training school in Islamabad where the newly recruited police officers including the rank of Assistant Sub-Inspector, Sub-Inspector, and Inspectors are trained. They are taught the criminal law subjects and the basics of investigation. Upon the promotion, one also must undergo a course at police training school, and then they are promoted to the next rank. These courses and some case studies are very basic and advanced courses are very uncommon in Islamabad Police. With the advancement of technology, the nature of crime is changing. There are different complications involved in the cases like theft, dacoity, and robbery because of the absence of direct evidence. Organized crimes such as human trafficking and smuggling also require specialized training. The crimes related to children and women require untraditional investigation methods. On the other hand, cybercrimes are also increasing day by day, also these falls under the domain of the Federal Investigation Agency (F.I.A) but the in-depth knowledge of the use of technology and the crimes is necessary for the investigation officer. Furthermore, with the precedents, the superior courts issue updated guidelines for the investigation, but it was found during the interviews

that 58% of the investigation officers, lacked the knowledge of the updated guidelines issued by the superior courts for the investigation.

### **3.6. Non-Implementation of Police Order, 2002**

The investigation is a separate domain from the operations, and it was ensured by the promulgation of the Police Order, 2002, but since then it has not been implemented in the Islamabad Capital Territory. The higher bureaucracy of Islamabad has resisted its implementation. Although there are separate divisions of investigation and operations, because of the non-implementation of Police Order, 2002, the investigation officers are bound to perform patrolling and other special duties which are the major impediments to the effective and efficient investigation. The separation of the investigation from the operations and special duties is essential for the improvement of the investigation practices.

### **3.7. Non-cooperation of the victim and the witnesses**

In the rural areas, there is a trend to nominate in First Information Report (F.I.R) those relatives of the accused, who was not involved in the offense. The fabrication of the stories creates difficulties and complications for the investigation officers. Furthermore, the victims or witnesses resist from their statements to benefit the accused after making a compromise. Faulty investigation, in this case, can be attributed to the public attitude.

## **4. Effects of Faulty Investigation**

Police perform the gatekeeping function as the criminal investigation is considered the gateway to the criminal justice system. Faults at the gate of the criminal justice system undermine the whole system of justice. There are various perspectives from which the effects of faulty investigation can be analyzed.

The criminal justice system is the foundation of society. All the components of this system must work in unison to make the process effective. The criminal investigation assumes an integral role because of the gatekeeping function. The process of the criminal justice system is initiated by the police with the lodging of a First Information Report (F.I.R) and the investigation of the case. Any faults at the initial stages will eventually render the whole later process of justice ineffective

Faulty investigation can also lead to the law-and-order situation because the public will start taking the law into their own hands and mob justice will prevail. This will lead to chaos and disorder in the society thus shattering the public confidence in the system. The crime rate will also increase because of the uncertainty of the



punishment. To sum the faulty investigation will leave the system being compromised.

Faulty investigation adversely affects the personal, family, and social life of the investigation officers, which in turn effect the attitude of investigation officers toward the public. Public and media often criticize the police officials for their adverse behavior, but it is because of the nature of the job and stressful routine.

## **Results**

For identifying the root causes of faulty investigation, semi-structured interviews were conducted among the investigation officers of Islamabad Capital Territory Police. Out of 314 investigation officers, 40 (N=40) were nominated by police department for the interviews. They were asked to describe the causes which were leading to faulty investigation from their perspective. The mean (m) of age was 42.8750 while standard deviation (std) was 7.37003 (see Table 1). Most of the investigation officers interviewed were of the rank of Sub-Inspector (n= 19, 47.5%), and Inspectors (n=13, 32.5%) and Assistant Sub-Inspectors (n=8, 20%) (see Table 1). The most of investigation officers had experience of 20-25 years (n=10, 25%) others had 15-20 years (n=9, 22.5%), more than 25 years (n=7, 17.5%), 10-15 years (n=6, 15%), 5-10 years (n=4, 10%) and less than 5 years (n=4, 10%) (see Table 1). The investigation officers had qualification of graduation (n=25, 62.5%) and higher secondary (n=15, 37.5%) (see Table 1). The under-investigation cases (per investigation officer were 70-80 cases (n=16, 40%), 60-70 cases (n=12, 30%), more than 80 cases (n=4, 10%), 50-60 cases (n=4, 10%), 40-50 cases (n=3, 7.5%) and less than 40 cases (n=1, 2.5%) (see Table 1). Burden of cases is cause of stress among police officers and can lead to negative effects on the mental and physical health of the investigation officers (Can & Hendy, 2014; Collins, 2003).

During survey, 85% (n=34) of the investigation officers mentioned that very often they experience stress while 15% (n=6) said that often they experience stress (see Table 1). 77.5% (n=31) said they take 4-5 hours while 22.5 (n=9) mentioned they take 5–6-hour sleep (see Table 1). In response to last family visit 40% (n=16) said that it has been 2-3 months, 37.5 (n=15) mentioned more than 3 months, 12.5% (n=5) said 1-2 months since they have visited their family (see Table 1). 82.5% (n=33) said they did not get time to exercise, while 17.5 (n=7) said they exercise once in week (see Table 1). All the 100% (n=40) investigation officers mentioned that despite stress they never visited any psychologist (see Table 1). 75% (n=30) of the police officers reported diabetes, gastrointestinal or cardiovascular disorders (see Table 1). Police officers usually have gastrointestinal

and cardiovascular disorders because of the nature of the stresses and the routine (Axelbend & Valle, 1979; Lord, Gray, & Pond, 1991; Violanti et al., 2006).

In response to the duty hours per day, 75% (n=30) investigation officers mentioned that they work for around 14-16 hours, 15% (n=6) said they spend 16-18 hours, while 10% (n=4) said they spend 12-14 hours per day on duty (see Table 1). 82.5% (n=33) investigation officers mentioned that they spend less than one hour on each crime scene (see Table 1). Half (n=20) of the investigation officers mentioned that they spend 2-3 hours, while 27.5% (n=11) said they just spend 1-2 hours per day visiting and hearing parties for investigation (see Table 1). It is pertinent to mention that 57.5% (n=23) said they spend 4-5 hours while 35% (n=14) mentioned that they spend 5-6 hours each day in visiting courts (see Table 1). 67.5% (n=27) said that it takes them 2-3 hours, while 22.5% (n=9) said it takes them 1-2 hours to submit samples in the forensics laboratories (see Table 1). 65% (n=26) spend 2-3 hours, while 20% (n=8) 3-4 hours and 15% (n=6) spend 1-2 hours when they visit their officers for investigation (see Table 1). The investigators do not pay much attention on the investigation of cases as they most of time they remain busy in the writing police dairies, visiting offices and preparing other relevant records to be presented before the courts and in some cases to their officers (Greenwood et al., 1975).

Investigation is separate domain and require specialization skills. In Islamabad Capital territory, because of the non-enforcement of Police Order, 2002, the investigation officers are assigned with the patrolling and other special duties. All investigation officers (100%) mentioned that they are assigned 6-8 hours of patrolling duties (see Table 1). 55% (n=22) said they performed patrolling duties thrice in a week, while 45% (n=18) said that they are assigned patrolling duties 4 times in a week (see Table 1). Special duties of investigation are also common because of the law-and-order situation of the Islamabad, this impacts the quality of the investigation. 50% (n=20) mentioned that they were assigned special duties almost thrice in a month, 42.5% (n=17) said that they performed special duties for around 4 times in a month (see Table 1).

According to Babakhel (2016), the merger of investigation and operations duties and lack of training does affect the quality of the investigation. 87.5% (n=35) mentioned that they did not attend any course on investigation during the last one year, while 12.5% (n=5) said they did attend course on investigation and that was during their promotion course (see Table 1). 85% (n=34) mentioned that they received cost of investigation less than 5 times during their experience, while only 15% (n=6) said they received cost of investigation for 10-15 times during their experience (see Table 1). There is no literature to support that up-to which extent the non-receiving of cost of investigation affects the quality of

investigation, but the investigation officers mentioned that they lose interest in solving cases as they shift the burden of cost on the shoulders of complainants, same is for the frequent transfer and postings of investigation officers. 55% (n=22) mentioned that they have been transferred 3 times, 25% (n=10) said they have been transferred 4 times, while 20% (n=8) said they have been transferred 2 times during last one year. Frequent transfers do impact the investigation(see Table 1).

The results have certain limitations, there were no missing values, the samples are confined only to male investigation officers (nominated by Islamabad Police) and area of the samples is limited to Islamabad Capital Territory jurisdiction. The random sampling method was opted for the interviews.

### **Conclusion and the Way Forward**

The systemic approach must be adopted and policy must be formulated to include all the components of the criminal justice system. The crime prevention can only be done through an effective and uniform criminal justice system policy which will connect all the components of the criminal justice system.

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