

# Issues in criminal justice assignment

Law



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Criminal law is a very wide discipline in the study of law. Criminal law has the main purpose and objective of prevention of harm to individuals and the community. Criminal law plays a vital role in regulating the human behaviors. It spells out what individuals should do and what they should not do. Criminal law is a branch of public law that defines the conduct of individuals in the society. The whole community requires protection from the state and therefore it is very important to set out guidelines on how individuals should behave in certain scenarios so as to ensure that peace and order prevails in the community.

The whole community demands protection from the state and whenever this does not happen the community tends to take the law into their own hands. In the modern world there are many issues that have emerged. The poverty levels have risen up and as a result the crime rate has gone up significantly. The moral values that existed in the communities have slowly eroded and this has continuously led to a moral rot. This has provoked individuals to commit crimes without fear.

The institutions that are responsible for contacting crimes have also relaxed in their work. The following are some of the emerging issues in criminal law. The introduction of the individual rights has consequently affected the delivery of justice. In the past few years, many countries have adopted the bill of rights for all the individuals. These rights are not an exemption to the individual who commits crimes. These rights include and are not limited to right to fair trial, right to be heard, right to fair representation in the court.

The constitution clearly outlines that there is a procedure that should be followed when trying individuals in a court of law. The constitution gives directives in regard to the rights of individuals. This means that in the process of Justice delivery the criminal suspects have all the rights. The observance of these rights poses a challenge in the administration of Justice. These scenarios apply to all situations irrespective of the crimes committed. One won't imagine that someone who have committed murder will be tried the same way with someone who have stolen SSH 1000. Although the rights of the suspects have played a significant role in promoting justice for all people, one would argue that these courts have impacted on the administration of Justice negatively in one way or the other. For example, the right of representation could undermine Justice in one way or the other. One won't imagine a situation where there is enough evidence that somebody committed a crime but because the defendant has the capacity to hire qualified lawyers, the evidence is rubbished.

This poses a serious challenge in criminal law since some of the victims may end up lacking Justice in the local courts because they cannot present their case well. The bail system also poses another issue that affects criminal law. In the odder world, even if individuals are suspected of committing a crime, they have the right to apply for a bail instead of being held in custody. This in itself tends to undermine Justice delivery. Criminals who are a bother to the society walk freely and interact with the victims.

This presents a threat to the victims who may face intimidation from their offenders. The exposure of the suspects to the public raises unnecessary tension to them. The witnesses are at a risk of intimidation and in many

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issues in criminal justice By Goodman affecting criminal law. Emigration In the recent past, emigration has occurred. This is a result of wars and other stimulating factors such as search for greener pasture and adventure. The issue of refugees is another major concern. There is a high influx of refugees who escape from their home countries due to some factors.

This has caused a lot of problems in the host countries. The increasing population of immigrants causes an increase in the crime rates in their host countries. The problems emerge because of language barrier. It becomes hard for these individuals to be tried in the local court since no one understands their language. This would only mean that these individuals cannot be tried in a free and fair way. This is a serious issue in criminal law. The courts have to look for interpreters to assist in the interpretation.

Interpretation has its own problems as the interpreter has the ability to change the key concepts in a witness testimony to make it to have more weight or less weight. This is a major issue in criminal law. Juvenile offenders There is increased involvement of Juvenile offenders in the modern societies. Many youngsters have turned into criminal activities. These youngsters use small weapons like knives, today they are advancing to use of firearms. This has consequently caused a lot of issue in the courts. Majority of these criminals are aged between 12 to 17 years.

In most countries this group of criminals can be categorically referred as children. There are no clear guidelines on how to handle crimes against the Juvenile offenders. This has consequently accelerated the crime rates because no serious actions are being taken against Juvenile offenders. The

issues of youth gangs pose another serious challenge in criminal law. In most cases courts are used to dealing with individual suspects and not groups. These days youths engage themselves in criminal activities.

This adds more pressure to the courts in their attempt to deliver. Plea bargaining The main aim of criminal law is to ensure Justice for all people. Plea bargaining refers to a scenario where an individual admits that he has committed a crime with the aim of receiving state sympathy. Individuals believe that when they plead guilty, they will face a more lenient charge than if they wait for the court to prove them guilty. In the ell sense, one would argue that when one is found guilty of a crime he receives a higher penalty.

However, this kind of sentence is governed by the law and cannot exceed the limit set by the law. The constant pressures put on defendants to accept plea agreements creates undue stress on defendants while relieving stress for the State. The defendant is disadvantaged at every turn. Innocent people plead guilty because they see no hope. Those daring enough to reject a plea agreement and go to trial often find themselves with a longer sentence (though perfectly legal, the axiom the law will allow). Conformity is rewarded.

Attorneys who participate in the process build up credit or “ chips” they can cash in, about once a year, on any big case they really need a break on. The evils of plea bargaining include overcharging where the police officers sum up a lot of charges for one act. The prosecutors also take the opportunity for personal gains, since they receive treats from defense team. The problems

between the prosecution lawyers and the defense lawyers. The main purpose of the prosecution is not to convict the suspects. Their main role is to seek assistants who are supposed to take up the cases.

However, today it can be seen that the prosecution aims at convicting people. Defense attorneys are private advocates, and they are not bound by any government obligation to seek the truth. In fact, their job is to thwart the truth. The presumption of innocence requires that the State's case be put in the worse possible light, and it's the duty of a defense attorney to make the State look bad. Defenders don't really care if their clients are innocent or guilty, and they're not supposed to care. It's best if they don't know.

Anyone facing NY kind of prison sentence and cannot afford to hire a lawyer is entitled to a public defender. It's debatable which is worse, a private defender or public defender. Private defenders require at least part of their fee up front because most clients stiff them, so they therefore have to take a lot of cases to capitalize their time. Public defenders are likewise overworked, and have the additional disadvantage of low salary. Public defenders have nothing to gain politically since they can't run for office with a record of being tough on crime.

Their clients often resent them because they are being paid by the enemy, and like most welfare institutions, you get what you pay for. The public defender's role is to make it look like Justice is being done, to give the appearance of legitimacy to the system. There are more emerging issues in criminal law. These issues affect the delivery of Justice to the victims. The government needs to take effective steps to address some of these issues. It

is important to note that criminal Justice is a key thing in fostering Justice in community. The rights of the suspects and the victims have to be upheld.