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On the Topic of

**Criminal Psychology and Crimes: in Bangladesh a legal study**

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Dear Sir,

It's an incredible delight for me to submit "Criminal Psychology and Crimes: in Bangladesh a legal study". While setting up this exploration Monograph Paper I have endeavored my measurement best to keep up the necessary Standard. I believe that this exploration monograph will fulfill your craving.

I thus do seriously announce that the work introduced in the thesis has been completed by me and has not been recently submitted to some other organization. The work I have introduced doesn't penetrate any copyright.

I, thusly, ask and Hope that you would be adequately generous to this investigation paper for progression.

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I am also grateful to my all classmates and Professors for legal research Studies in Masters.

.....

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## **DEDICATION**

*This study is wholeheartedly dedicated to my beloved Parents.*

*Who have all their care, attention, love, sacrifice, and blessings for us in our entire life and gives us strength when we thought of giving up, who continually provide their moral, spiritual, emotional and financial support for their child.*

## DICLARATION

This is affirming that the research monograph "Criminal Psychology and Crimes: in Bangladesh, a legal study" has been finished by Dipro Deb Roy in fractional satisfaction of the prerequisite for the level of LLM program from Daffodil International University. This examination monograph has been done effectively under my watch.

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## **ABSTRACT**

Criminal psychology has always been a focus of great ragging these days because of the rise in crimes across the globe. It is impossible to find out who is wrong today, a person sitting next to you in local transport can be as risky to you as an assassin/rapist inside the jail and therefore the aim of this research paper is to learn about the mechanicals inside the criminals and their psychology. Criminal psychology has been an immense topic these years as a result of the increase in crime throughout the world. I have tried to show Bangladesh's perspective on criminal psychology and crime.

## Table of Contents

Acknowledgement .....	ii
Dedication .....	iii
Abstract .....	v

Chapter No	Chapter Contents	Page No.
<b>Chapter I</b>	<b>Introduction</b>	
	1.1 Background of The Study	1
	1.2 Research Questions	2
	1.3 Methodology	2
	1.4 Literature Review	3
	1.5 Scope of The Study	4
<b>Chapter II</b>	<b>Concept of Criminal Psychology</b>	
	2.1 Criminal Brain Science	6
	2.2 What is Psychology?	6
	2.3 What is Offence?	6
	2.4 Psychological Concept of offence	7
	2.5 Background of offence	8
	2.6 Theories of offence	8
	2.6.1 Genetic	8
	2.6.2 Biochemical/Neurological	9
	2.6.3 Constitutional	9
	2.7 Theories of Criminal Behavior	9
	2.7.1 Psychological Approaches	9
	2.7.2 Sociological Approaches	10
	2.7.3 Biological Approaches	10
	2.8 Summary of the Study	11
<b>Chapter III</b>	<b>Criminal Psychology in Bangladesh Perspective</b>	
	3.1 Different Psychological Causes and Crime in Bangladesh	11
	3.1.1 Depression and other social and mental disorders	11

	3.1.2 Victim of unfair rulings and the correction system (prison system)	11
	3.2 New Mental Health Act in Bangladesh: unfinished agendas	12
	3.3 The four Roles of Criminal Psychologists	13
	3.4 Psychological Approaches to Understanding Serious Crime	14
	3.4.1 Violent Crime	14
	3.5 Heredity and brain activity	14
	3.6 Crime in Bangladesh	14
	3.7 Summary of the Study	15
<b>Chapter IV</b>	<b>Judicial administration of criminal psychology in Bangladesh</b>	
	4.1 Crime Prevention	16
	4.2 Suggested changes in Criminal Law & Procedure	17
	4.3 Criminal Behavior Analysis	18
	4.4 Modus Operandi	18
	4.5 Modus Operandi Ritual Behavior & Crime Scene Signature	19
	4.5.1 Police Recording of Crime	19
	4.5.2 Offender Surveys	20
	4.5.3 Victim Surveys	20
	4.6 Problem	20
	4.7 Mental Disorder and Criminality	21
	4.8 Classification of Psychology Crimes	21
	4.9 Psychology's Role in the Legal System	21
	4.10 Classification under Penal Code	22
	4.11 Classification of offences under the Penal Code	22
	4.12 Solutions	23
	4.13 Summary the Study	23
<b>Chapter V</b>	<b>Concluding Remarks</b>	
	5.1 Conclusion	24
	5.2 Recommendation	24
	<b>BIBLIOGRAPHY</b>	26



# Chapter I

## Introduction

### *1.1 Background of the Study*

As it is focused on logically assessing conduct, brain science has gone through incredible change and expansion. Globalization and monetary advancement perspectives that acquired a lot of effect during the 20th century have been supplanted by more explicit systems. Today, the requirement for expansion to consider the application and hypothesis of one-of-a-kind perspectives is arising. Simultaneously, the requirement for a thorough methodology can't be disregarded, so we can see that more useful methodologies are deciphered as varied, interdisciplinary, and multicultural. With an expanding pace of wrongdoing, expanding the commitment of government offices to improving legitimate administrations has gotten essential and huge. The reason for wrongdoing, the brain research of lawbreakers, and the capacity to devise techniques to improve social conditions both at the individual and the social levels are additionally critical. With the solitary steady development of social designs in various nations, the persistent change in government-managed retirement, and the ascent in the logical and specialized segments uses an insight of lawbreakers while carrying out violations, this is getting amazingly hard for case examiners to addressing cases. An ever-increasing number of experts are looking at the criminal brain science of lawbreakers, and they expect to assess the character attributes of crooks however much as could reasonably be expected by investigating the mental changes of hoodlums and contrasting the brain research of lawbreakers and non-hoodlums. A person's character ordinarily incorporates character, state of mind, mentality, premium, and individual appearance, and so forth to adjust this character requires more intensive, nuanced, and long-haul work, so the investigation of the criminal's character is likewise a moderately long undertaking.<sup>1</sup> There will be some mental imperfections in different phases of people, paying little mind to youngsters, understudies, or grown-ups in the public arena, for whatever reasons, which will add to the criminal brain science of such individuals. These criminal brain sciences are likewise set off by the climate of people rather than people, so various

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<sup>1</sup> April, L. M., & Weinstock, J. (2018). The relationship between gambling severity and risk of criminal recidivism. *Journal of Forensic Sciences*, 63(4), 1201-1206. (April, 2018)

speculations of the advancement of criminal social deformities have been tossed forward. Obviously, in certain criminal cases, explicit admissions of wrongdoers will likewise be analyzed to get their criminal inspiration and character, along these lines giving a specific premise to helping out the examination.

### ***1.2 Research Questions***

1. How does the mind work of a criminal under criminology? And what are the reasons behind the crime?
2. What is the Psycho-criminological profile in Bangladesh?
3. What are the legislative initiatives and judicial decisions concerning Psycho-criminological matters in Bangladesh?

### ***1.3 Methodology***

Criminal brain science saw as two unmistakable techniques for study. One of them orders countless measurable figures and dissects the organic or social elements or the working of innovative establishments and cycles created by the state from the viewpoint of periods, all of which comprise the high and depressed spots of the bends that appeared on the factual outlines. This methodology gives little consideration to the person in that capacity. On the inverse, the other method concentrates on the suspect, inspects the criminal's cosmetics and individual wrongdoing thought processes<sup>2</sup>. Obviously, these individual examinations would then be able to be summed up. To show up at character logical or criminal structures from the mental or from the criminological perspective. No article on this point might actually neglect to incorporate Gustav Aschaffenburg, who was the first to get crucial outcomes in quite a while. This worshipped researcher maintained a strategic distance from the strain of concentrated regular work. His book on Crime and its Repression was deliberately settled. No methodologically right prospectus of criminal psychology, so anxiously wanted by Mittermaier and the remainder of others has been distributed up until this point, in any case. It couldn't in any way, shape, or form be contended that a work of this nature

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<sup>2</sup> (Crane, 2017) Crane, R. S., Brewer, J., Feldman, C., Kabat-Zinn, J., Santorelli, S., Williams, J. M. G., & Kuyken, W. (2017). What defines mindfulness-based programs? The warp and the weft. *Psychological Medicine*, 47(6),990-999.

isn't proper for the substance and involvement with hand. Both wrongdoing insights and individual examinations will be adequate to permit, at any rate, dependent on methodological argumentation, the erection of an impermanent construction. Undoubtedly, significant components of criminal brain research have not yet been talked about.

#### ***1.4 Literature Review***

Numerous researchers' top to bottom investigation of criminal brain science, broke down it appropriately which has become a significant device in numerous criminal cases to discover pieces of information. The situation of the criminal mental investigation was explained by Motz (2016). The outcomes showed that the job of criminal mental investigation in criminal mental testing ought to be given complete consideration by and by, to offer great specialized help for case recognition. To assess the emotional brain science of wrongdoing in the examination, Howe (1988) embraced the factor investigation strategy. The outcomes show that the strategy for factor investigation can all the more likely clarify the perplexing blame and give new deduction to tackle testing issues of criminal cases. The effect of the disappointment assault hypothesis on criminal brain research has been concentrated by Malcai and Levine-Schnur (2017). The discoveries show that with the dissatisfaction assault hypothesis, it was practical to break down the mental components of very brutal wrongdoings in China, and mental advising for those high-hazard gatherings can forestall mental violations. In the article, Mullins (2009) called attention to that the criminal mental picture had continuously formed into a significant strategy for research offices and broke down the future pattern of the Western mental criminal representation. The discoveries uncovered that ebb and flow Western hypothetical and observational investigation on the criminal mental picture was more centered on the hypothetical point of view, and exact exploration was all the while lacking. Additionally, proficient criminal mental picture specialists had a deficient expert capacity, so in the particular investigation measure, they dissected the quality hypothesis, which would slowly get standard in future turn of events. More consideration would be paid to experimental examinations at a later stage, specifically, to additional investigation dependent on explicit circumstances. Around a similar time, criminal law is persistently changing with changes in culture to more readily react to contemporary social conditions. The advancement of contemporary criminal law, particularly a few variables influencing the arrangement of criminal law, like

financial matters and culture, was inspected by Leonard (2003). The discoveries showed that Christianity, as a significant part of western development, assumed a vital part in the key qualities and related criminal law structures in strict culture, and there were numerous Christian qualities in contemporary criminal law. Zhao (2014) considered wrongdoing and discipline preventive enactment. The examination discoveries demonstrate that social improvements somewhat affected the principal laws of wrongdoing patterns and mutually upheld social authority with different penologists. Schmidt and Mann (2018) investigated the chronicled history of the Chinese criminal law idea and found a few issues that stay in the developing period of the Chinese criminal law idea. The exploration results showed that the turn of events and utilization of customary standards of criminal law has become a significant precondition for the inside and out the investigation of the ideas of Chinese criminal law. To sum up, the exploration-focused more on the investigation of criminal brain research, or factors impacting criminal law, and only here and there related criminal law to the progression of the way of thinking of criminal brain research. The advancement period of the way of thinking of criminal brain research is investigated in this report, and the variables forming contemporary criminal law have been found to encourage the improvement of criminal law.

### ***1.5 Scope of the Study***

Criminal brain research, as advanced control, is essentially identified with study and training right now. Various scholastic work and field concentrate regarding the matter is continuous, which thus illuminates us that criminal brain research is digging in for the long haul and offers further prospects later on. The outstanding ascent in the pace of wrongdoing in Bangladesh needs help from emotional wellness experts to limit it. As opposed to recognizing the liable party after the wrongdoing has been perpetrated, we should focus on deciding the causes that added to the wrongdoing in any case and follow ways to deal with maintain a strategic distance from it. We should trust that in the years to come, this zone of brain research can permit us to do precisely that. With the objective of considering crooks and culpable conduct, legal brain research draws on components from brain research, criminal science, and criminal equity to upgrade the viability of criminal examinations<sup>3</sup>. In this examination, we will actually want to analyze the criminal equity

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<sup>3</sup> Green, A., & Yoon, A. H. (2017). Triaging the Law: Developing the Common Law on the Supreme Court of India. *Journal of Empirical Legal Studies*, 14(4), 683-715.

framework to improve results, perceive testing exercises, for example, police addressing and control, just as acquiring experience in court brain research and jury dynamic. In one of the other criminal science or criminal brain research, answers to every one of these inquiries will be replied to. Along these lines, one ought to comprehend and turn into an expert in criminal science and criminal brain research to dissuade wrongdoing and guilty parties from society. Crooks can be ordered under two gatherings as indicated by brain science, for example, Sociopaths and Psychopaths. "Mental cases are those that are brought into the world with high criminal propensities. Sociopaths are the individuals who are not brought into the world with high criminal propensities, but since of outer factors, for example, "passionate unevenness," financial issues, family issues, so they picked a bearing that in the long run drives them to the wrongdoing way. No one needs to turn into a cheat in their life as we probably are aware. In any case, they unwittingly participate in a demonstration that makes them carry out the wrongdoing and become lawbreakers. Mental examination assists with molding our general public - from the manner in which we bring up our kids to the manner in which we treat our hoodlums and military adversaries. This exploration investigates the motivations behind criminal brain science and the significance of this in our current circumstances. Legal therapists assume a fundamental part who notice, record, and modify Criminal conduct and give better input for those wrongdoers, and assists with discovering the real purpose for considering lawbreakers who carried out unusual violations.

## **Chapter II**

### **CONCEPT OF CRIMINAL PSYCHOLOGY**

#### ***2.1 Criminal Brain science***

Criminal brain science additionally alluded to as criminological brain research<sup>4</sup>, is the investigation of the wills, considerations, expectations, and responses of lawbreakers and all that participate in criminal conduct. It is identified with the field of criminal human studies. The investigation goes profoundly into what causes somebody to carry out wrongdoing, yet additionally the responses after the wrongdoing, on the track, or in court. Criminal clinicians are frequently called up as observers in legal disputes to assist the jury with understanding the brain of the lawbreaker. A few sorts of psychiatry additionally manage parts of criminal conduct.

#### ***2.2 What is Psychology?***

Numerous well-known books endeavor to respond to the inquiry, what is brain research? (For example, Colman 1981). To appreciate in full the profundity and extent of brain research the best procedure is to examine an initial book. Just, brain science is the investigation of individuals, despite the fact that there is a part of brain science worried about creatures. In the primary, analysts are occupied with the investigation of individual characteristics like insight, memory, thinking, learning, knowledge, imagination, and character. Instructive brain science is worried about numerous parts of instructing and the instructive framework. Word-related brain research is the use of mental hypotheses and aptitude to the universe of associations, business, executives, etc. Clinical brain science is the expansion of unusual brain research to the treatment, just as study, of mental unsettling influences; treatment strategies would incorporate, for instance, conduct treatment, guiding, and psychotherapy.<sup>5</sup>

#### ***2.3 What is Offence?***

The accompanying segment inspects the three significant ways to deal with characterizing wrongdoing. It is not necessarily the case that these are the solitary methodologies, or even the best methodologies; rather that they are the most boundless. Better approaches for review

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<sup>4</sup> Reckless, W.C. (1967) *The Crime Problem*, 4<sup>th</sup> ed. (New York: Appleton-Century-Crofts, 1955), p- 98.

<sup>5</sup> W.C. Reckless, *Ibid*.

wrongdoing are persistently being grown, for example, the studies introduced from a women's activist point of view (Heidensohn 1985). Notwithstanding, for the current reason, the three primary methodologies will do the trick. The agreement sees. Consequently, a general public's overall set of laws is an impression of the agreement of what, inside that specific culture, will and won't go on without serious consequences as a worthy lead. Wrongdoing is consequently an infringement of the criminal law, a demonstration that meets with dissatisfaction with regards to the larger part. A meaning of wrongdoing following this practice would be of the style exemplified by Williams: 'A wrongdoing is a demonstration that is fit for being trailed by criminal procedures, having one of the kinds of result (discipline, and so forth) known to follow these procedures.'<sup>6</sup>

#### ***2.4 Psychological Concept of Offence***

Brain research incorporates inside it the investigation of psyche and conduct mentalities and so on. It is the investigation of individual attributes, for example, character thinking, thoughtful insights, knowledge, creative mind, memory innovativeness, etc.

Therapists treat wrongdoing as conduct learned by the criminal who's off his contact with various people. Along these lines, similar to sociologists, they try to clarify wrongdoing as far as natural conditions.

As expressed before, Lombroso ascribed culpability to atavism which implied that lawbreakers have hostility familial history and guiltiness in them is innate. Comparable statements were made by Goring who called attention to that culpability qualities in crooks are guzzled by heredity and through intuitive examples and, in this way, ecological conditions are of little significance. Ensuing examination by analysts and sociologists has, notwithstanding, showed certain that it isn't the heredity however the mental impacts working in delinquent families that make one crook. The youngster deliberately guzzles culpability qualities from the family foundation of the delinquent guardians and consequently transforms into an affirmed criminal. Likewise, youngsters who are taken out away from their folks at an early age will in general follow guiltiness for the need of appropriate parental consideration and absence of friendship which creates sensations of the feeling of inadequacy, dissatisfaction, and embarrassment in them. Hence, it has been properly remarked by Sutherland that they take after and between - father and child as respects culpability

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<sup>6</sup> W.C. Reckless, *Ibid.*

isn't because of virus however it is a direct result of the particular human brain science of learning things, perception and affiliation that makes them - follow criminal conduct whenever put in conditions which are helpful for wrongdoing.<sup>7</sup>

### **2.5 Background of Offence**

In England, in the last part of the 1700s, the training started of social occasion court insights to gauge the ethical soundness of the country. This distraction with figures perseveres to the current day, albeit in 1856 the Judicial Statistics was interestingly gathered utilizing 'violations known to the police, as opposed to court feelings or numbers detained, as the standard proportion of the amount of wrongdoing.

### **2.6 Theories of Offence**

Theories of crime will be determined, to a greater or lesser degree, by the discipline of the theorist concerned. Thus, sociologists draw upon sociological concepts to explain and understand crime, economists upon economic concepts, psychologists upon psychological concepts, and so on. However, this is not to say that, for example, all sociologists will agree in their explanations: the concepts an individual selects as important will be determined by their particular theoretical stance within their discipline. Moving from this position, the contribution of the three major standpoints within psychology psychoanalytic theory, learning theory, and cognitive theory will be discussed in turn. Finally, it should be made clear that it is not the aim to present here all the evidence on the various theories; nor to discuss every single variable associated with crime. Such an exercise would demand volumes in its own right.<sup>8</sup> Provide extensive summaries of a great deal of evidence, while giving a concise overview of the whole field. The aim here is to introduce the range and hint at the depth, of psychological approaches to understanding crime.<sup>7</sup>

#### **2.6.1 Genetic**

In its most unadulterated structure, a hypothesis of wrongdoing dependent upon hereditary transmission would hold that wrongdoing is an immediate result of heredity a criminal is conceived not made. While such a view would not be genuinely engaged by contemporary scholars, who by and large incline toward communication speculations, such reasoning had a significant influence

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<sup>7</sup> [ [https://en.wikipedia.org/wiki/Criminal\\_psychology](https://en.wikipedia.org/wiki/Criminal_psychology), last visited on October 2020]

<sup>8</sup> D.J. Simourd, and R.D. Huge,(2000), "*Criminal Psychopath, A Risk-and-Need Perspective*", *Criminal Justice and Behavior*, Vol. 27 No. 2, p.256 -272



on the hypotheses of Cesarean Lombroso. Lombroso, a nineteenth-century Italian doctor, and 'criminal anthropologist', contended that crooks were the result of a hereditary constitution dissimilar to that found in the non-criminal populace. In any case, Lombroso additionally summoned the idea of 'roundabout heredity', recommending that guiltiness could be gained through contact with other 'degenerates' like crazy individuals or heavy drinkers.

### **2.6.2 Biochemical/Neurological**

A ludicrous decade or so an impressive group of exploration has aggregated which demonstrates that the advancement of criminal conduct might be identified with a scope of biochemical and neurological components. One such territory of biochemical exploration has zeroed in on the job of nutrient and mineral insufficiencies in criminal conduct.

### **2.6.3 Constitutional**

A hypothesis that tried to join organic and mental factors in clarifying wrongdoing depended on Sheldon's (1942) protected hypothesis. Sheldon's hypothesis was worried about the relationship between body fabricate and character. Basically, Sheldon depicted three essential body types, or so mate types: these so monotypes are the expansive and strong I so transform, the slender and hard, and the huge and substantial endomorph. A few people are 'unadulterated' types, while others are crossbreeds fusing components from two or even three forms in their build.<sup>9</sup>

## **2.7 Theories of Criminal Behavior**

To track down the most ideal approaches to deal with and forestall wrongdoing, looking at why individuals carry out violations is vital. Numerous speculations have shown up and are showing up since the start of this investigation looking to track down the best answers for this issue. Those speculations are proceeding and will consistently impact the criminological/criminal clinician's work. I will compose a concise survey of essential and other pretty much famous speculations of criminal conduct. Despite the fact that these speculations are ultimately adjusted, I will attempt to be pretty much as precise as could really be expected.

### **2.7.1 Psychological Approaches**

Several fundamental assumptions are common for all the psychological approaches to criminal behavior. These are the following:

- I. The individual is the primary unit of analysis. (Individual human being is considered to be responsible for acts he/she conducted)
- II. Personality drives conduct inside people since it is the major persuasive component.

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<sup>9</sup> D.J. Simourd, and R.D Hoge, (2000), "Criminal Psychopath A Risk-and-Need Perspective", *Criminal Justice and Behavior*, Vol. 27 No. 2 p 256 -272.

- III. Crimes can result from strange, broken, or wrong mental cycles inside the person's character.
- IV. An individual may have a reason for criminal conduct on the off chance that it tends to certain felt needs.
- V. Normality is for the most part characterized by a friendly agreement, that is, the thing that is considered as "average," "ordinary," or "worthy" by most of the people in a specific gathering of people.
- VI. Defective or strange, mental cycles might be brought about by an assortment of elements like a sick psyche, wrong learning or ill-advised molding, the copying of unseemly good examples, and change in accordance with inward conflicts.<sup>10</sup>

### ***2.7.2 Sociological Approaches***

In this methodology, researchers are looking at criminal conduct from a sociological perspective. Most sociological speculations accept, that criminal conduct principally is affected by the mix of social environmental factors, political and monetary elements.

Wrongdoers are not really seen as awful individuals, these hypotheses will in a general glance at the social setting of an individual's circumstance, analyzing his race, neighborhood, knowledge, instruction, family, political and media impact, pay level, work, and vocation, youth history to decide why he/she got criminal. A wide range of hypotheses are trying to clarify criminal conduct like Social Structure Theory (which itself comprises of Social confusion, Strain, and Cultural abnormality speculations) differential affiliation, the hypothesis of anomie, balance hypothesis, Social Control Theory, and numerous others.

### ***2.7.3 Biological Approaches***

Natural speculations imply, that criminal conduct is brought about by some blemish in a person's organic cosmetics. As per the Raine Study, the causes might be Heredity, Neurotransmitter brokenness, and mind anomalies, which could be caused either by the initial two or injury. Numerous hypotheses are sharing natural methodologies like Trait and psychodynamic attribute speculations, Lombroso's Theory, Y Chromosome Theory, and others.

The id is viewed as the immature of the crude piece of our markup. It controls our requirements for food, rest, and other essential intuition. This part is absolutely centered on moment satisfaction.

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<sup>10</sup> *Ibid*

The conscience controls the id by defining up limits. The superego is the difference in making a decision about the circumstance through ethical quality.<sup>11</sup>

### ***2.7 Summary of the Study***

Crime and deviance are different in every society. Now a day, it is the main obstacle to the prosperity of a nation. In this paper, I have tried to discuss the theories of psychological crime and choose ten criminal activities in Bangladesh. I have tried to discuss those under the theories of crime and analyze them from my own view.

## **Chapter III**

### **CRIMINAL PSYCHOLOGY IN BANGLADESH PERSPECTIVE**

#### ***3.1 Different Psychological Causes and Crime in Bangladesh***

In the scope of various ways, wrongdoing can be portrayed. Various societies may like to recognize wrongdoings diversely too. When all is said in done, be that as it may, wrongdoing can just be depicted as an infringement of the laws set somewhere near the nation's overseeing body. There might be various reasons for wrongdoing, and to comprehend and cut down criminal behavior, numerous investigations are being done all throughout the planet. Around the world, governments and law implementation offices are effectively attempting to diminish the pace of wrongdoing and improve the world a spot to live. The conflict on wrongdoing isn't new to mankind, and since the start of civilization, it has compulsory to cut down violations. We should attempt to take a gander at a portion of the reasons for these wrongdoings now.

##### ***3.1.1 Depression and other social and mental disorders:***

Misery is additionally a fundamental driver of wrongdoing. Frequently, people with extreme psychological maladjustments other than discouragement wind up carrying out wrongdoings. These individuals ought to be taken care of before their propensities and ailments gain out of power. A person who experiences uneasiness or some other limited psychological maladjustment can likewise effectively hurt himself.

##### ***3.1.2 Victim of unfair rulings and the correction system (prison system):***

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<sup>11</sup> J.D. Read, and D. Bruce, 'On the external validity of questioning effects in eyewitness testimony', *International Review of Applied Psychology*, 1984 vol. 33 : p.33 – 49.

Individuals are likewise caused to enter a criminal way of life by survivors of outlandish or inappropriate legal choices. An individual likewise ends up falling into wrongdoing and being a casualty of possibility. Moreover, people are regularly wrongly sentenced for submitting offenses that bring about a court conviction. Correctional facilities or jails additionally aggravate people in light of the conditions that exist there. Remedies don't need any significant change for detainees, and they wind up being tossed into packed penitentiaries, as a rule, brimming with hoodlums who are more genuine than their own casualties or culprits of violations. Declassification of people in detainment facilities is likewise a significant reason for wrongdoing.<sup>12</sup>

### ***3.2 New Mental Health Act in Bangladesh: unfinished agendas***

In 2018, Bangladesh received another Mental Health Act, supplanting the obsolete 105-year-old Lunacy Act, 1912. With not very many emotional well-being administrations detailed in a public overview, the nation has a high weight of psychological wellness issues. The event of mental issues was discovered in a precise audit to be 3.4-22.9 percent in youngsters and 6.5-31.0 percent in grown-ups in Bangladesh. In such a specific circumstance, by protecting their property rights and saving arrangements for wellbeing and restoration benefits, the new demonstration carries the desire to those with psychological sicknesses. A few areas of the demonstration, nonetheless, are under open assessment and we dread that, for a few reasons, the demonstration may not guarantee acceptable psychological wellness care. In the first place, whenever saw as liable of giving bogus authentications of psychological sickness to somebody who can influence the conveyance of emotional well-being administrations in Bangladesh, a country with low HR for emotional well-being containing 0.073 specialists for every 100,000 populace the demonstration accommodates rebuffing clinical professionals. The new arrangement of discipline could make dread in befuddling cases among the current little labor force to give a proper determination and progressive consideration. In like manner, rather than expanding admittance to the administrations, the new demonstration may fill in as a hindrance to empathic and helpful emotional well-being care conveyance. Second, Bangladesh spends only 0.44% of its, generally speaking, emotional well-being financial plan on medical care, and no friendly protection plot covers psychological wellness administrations. This enormous monetary weight of emotional wellness treatment, which endures,

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<sup>12</sup> Easrarul Huaq Chowdhury, *The Penal Code*. 1st ed. (Dhaka: Easraul Hauq Chowdhury 2003), p. 108-109

isn't talked about in the new demonstration. Third, concerns like secrecy, straightforwardness, and basic liberties ramifications of mental issues have not been perceived by the new demonstration. Bangladesh doesn't have its own unmistakable and far-reaching strategy on emotional wellness. In the range of non-transmittable sicknesses, prior approaches and activity plans included psychological well-being messes that were lacking to guarantee the best consideration for the counteraction, determination, therapy, and recovery of mental problems in a firmly populated country like Bangladesh. A critical test for the country is the shortfall of a solid and comprehensive emotional wellness strategy to supplement the qualities of the new demonstration and to alleviate the shortcomings. As the Act draws near, to address the previous and arising holes and to build up a more grounded psychological wellness framework in Bangladesh, these issues ought to be painstakingly considered by scientists, professionals, and policymakers.<sup>13</sup>

### ***3.3 The four Roles of Criminal Psychologists***

In 1981, one of the authors of UK criminal brain research, Professor Lionel Hayward, recognized four manners by which clinicians can work while they are engaged with criminal procedures expertly. Those are as per the following:

**Clinical:** In the present circumstance, the analyst is associated with assessing the person to convey a clinical judgment. To help in his/her appraisal, the analyst can utilize an evaluation apparatus, meeting, or quantitative instruments. These evaluations can help the police or other equipped bodies decide how it is feasible to handle the person being referred to. Help to discover, for instance, regardless of whether he/she can stand preliminary or whether the individual has a psychological instability, which implies he/she can't comprehend the procedures.

**Experimental:** For this situation, to report a case, the undertaking of the analyst is to direct an investigation. This may include performing trial tests for the motivations behind representing a point or giving additional data to the courts. This may include bogus recollections, onlooker validity tests, etc. "For this situation, for example, such inquiries are like "how probably would an observer see an article 100 meters away?"

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<sup>13</sup> [<https://www.dhakatribune.com/bangladesh/government-affairs/2018/11/14/president-signs-10-bills-into-law> ,last visited date on 26 October 2020]

**Actuarial:** This role involves the use of statistics to inform a case. For example, a psychologist may be asked to give the probability of an event occurring. Therefore, if a sentence is refused, the courts may ask how likely an individual will re-offend.

**Advisory:** A psychologist can advise the police here on how to continue the investigation. For example, which is the best way to interview the individual, how best to cross-examine a vulnerable witness or another expert witness, how a perpetrator will behave after the offense is committed.

### ***3.4 Psychological Approaches to Understanding Serious Crime***

Most of the violations including a recognizable individual as the survivor of the demonstration are generally paltry in that they include minor harm to the property or little cash robberies, as wrongdoing reviews have appeared. Albeit a few casualties of such minor wrongdoings have after-wrongdoing unfriendly responses, most of the casualties recover their equilibrium. In any case, there are violations against the person that is substantially more prone to deliver long-haul unfavorable impacts for the person in question and can either jeopardize or end their lives. These two contemplations of possibly exceptionally adverse long-haul suggestions and a danger to life are utilized here to characterize genuine wrongdoing. Such violations can be believed to fall into two, not really restrictive, general classifications of sexual and brutal offenses. This section will examine the commitment brain science has made to understanding these two sorts of wrongdoing.

#### ***3.4.1 Violent Crime***

It ought to be noticed that there is fluctuation in the phrasing of the writing: three words are normal, regularly compatible, the grouping issue is tended to buy use, hostility, misuse, and criminal viciousness and has communicated the importance of the terms utilized here: animosity alludes to the motivation behind hurting or acquiring an advantage over others, without essentially causing actual injury.<sup>14</sup>

### ***3.5 Heredity and brain activity***

Investigations of twins and embraced youngsters during the 1980s prompted the quest for the inceptions of patterns of antisocial behavior and their effect on wrongdoing. Indistinguishable twins are of practically a similar hereditary material. Analysts tracked down that indistinguishable

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<sup>14</sup> *Ibid*

twin, similar as any two kin, were twice as prone to have comparable criminal conduct as intimate twins who have comparable however not indistinguishable qualities. Another examination has shown that embraced kids are more like their introduction to the world guardians than to their new parents regarding crime percentages. Such examinations have shown a hereditary reason for certain criminal conduct.<sup>15</sup>

### ***3.6 Crime in Bangladesh***

In Bangladesh, wrongdoing is available in different structures, including drug dealing, illegal tax avoidance, blackmailing, contract executing, misrepresentation, dealing with individuals, robbery, defilement, dark showcasing, political viciousness, psychological warfare, and capturing. For opiates delivered in adjoining nations, Bangladesh is utilized as a travel course. The 2007 yearly report of the International Narcotics Control Board (INCB) reports that Bangladesh is currently the principal travel point from Southeast Asia to the European market for the development and dealing of heroin. The report noticed that the permeable boundaries among India and Bangladesh are adding to cross-line opiate dealing. Here, from the different hypotheses of wrongdoing, I will talk about ten ongoing violations in Bangladesh.

### ***3.7 Summary of the Study***

Wrongdoing and viciousness additionally mentally affect us, regardless of whether we are straightforwardly uncovered, including ourselves, a relative or companion, or by implication uncovered, through our local area/society residency or media inclusion openness. It is normal for us to encounter solid emotions and impacts after a relative or companion is murdered or harmed or after backhanded openness to wrongdoing. Coming up next are some characteristic mental responses: stress, tension, dread, stun. Our suspicion that all is well and good is additionally broken, so we feel hazardous, unreliable, defenseless, vulnerable, feeble, and may feel outraged and resentment. Also, we may encounter bad dreams and flashbacks, remember the experience, again and again, have terrible dreams and rest issues, feel tense, alarm effectively, feels numb or show hyper-carefulness, have memory blocks about the occurrence, lose interest in exercises, evade spots or things that help us to remember the episode and have furious upheavals.

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<sup>15</sup> Md. Zahurul Islam, *The Penal Code*. 1st ed. (Dhaka: Law Book Company, 2005), p. 103

Withdrawal, disassociation, amnesia, discouragement are other potential reactions. Our conduct, like our capacity to eat, rest, think, or center, is affected. Kids will have comparable responses as grown-ups, however, they may have other limited responses, for example, bedwetting (in individuals who are prepared in the latrine); they may quit talking, falter, or become tenacious. More established children may have considerations of retribution or may feel blame. These are regular responses

## Chapter IV

### JUDICIAL ADMINISTRATION OF CRIMINAL PSYCHOLOGY IN BANGLADESH

#### *4.1 Crime Prevention*

The developing cost of wrongdoing and the disturbing ascent in adolescent misconduct has become a worldwide issue of public concern. Most nations currently perceive that wrongdoing counteraction and the treatment of lawbreakers is definitely not a detached issue that it is difficult to think about friendly safeguard and amendment as disconnected to the general culture and social and monetary structure holding the system together. This is obvious from the way that the "fight against wrongdoing doesn't end at the entryway of the court yet proceeds to deliver and passed through imprisonment."<sup>16</sup>

The approach of penologists to crime prevention centers currently includes five key considerations, namely:

- I. Essentially, the offender is a human being. Therefore, for his reformation, greater stress should be put on the individualization of the offender.
- II. The object of imprisonment is to bring about the re-socialization of prisoners through the rehabilitation process.
- III. In order to shape correctional policy and to subject correctional theory and practice to the rule of law in the administration of criminal justice, there is a greater need for legislative participation.

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<sup>16</sup> Easararul Huaq Chowdhury, *The Penal Code*. 1st ed. (Dhaka: Eastern press, 2003), p. 35.



- IV. Ecological interpretation of sociological problems implies control of crimes. Therefore, the conditions conducive to criminality must also be kept under control to keep in check the incidence of crime.
- V. There's any need to 'socialize' the administration of criminal justice, both in criminal court proceedings and in the execution of sentences, through greater public participation and intervention by representatives of the community. Criminal justice and the community must therefore be brought closer together, since the two parts of the same society are those who judge and those who are judged. Social participation in criminal justice administration is possible through the introduction of a jury system, honorary magistrates, and assessors of individuals, technical advisers and boards of directors.<sup>17</sup>

#### ***4.2 Suggested changes in Criminal Law & Procedure***

The accompanying changes in the criminal law and strategy of Bangladesh might be proposed according to the perspective of the social point of view and the concealment of wrongdoing to make it receptive to the requirements of the Society of Bangladesh.

A: The current law doesn't accommodate satisfactory restitution or remuneration for casualties of wrongdoing for wounds or misfortunes endured by them because of the criminal demonstration of the wrongdoer. The respondent's discipline may extend the casualty some reassurance, however, it gives him no financial fulfillment. Subsequently, it is wanted that remuneration is granted to the harmed parties, particularly in instances of property-related violations. The pay installment might be made via a fine from the cash recuperated by the State from the wrongdoer.

B: Salving: "Law and order in Criminal Justice" in papers in criminal science (1961 ed.) chap. 5

- I. The existing law does not provide for adequate reparation or compensation for victims of a crime for injuries or losses suffered by them as a result of the criminal act of the offender. The defendant's punishment may offer the victim some consolation, but it provides him with no pecuniary satisfaction. Therefore, it is desired that compensation be awarded to the injured parties, especially in cases of property-related crimes. The compensation payment may be made by way of a fine from the money recovered by the State from the offender.

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<sup>17</sup> Ratan Lal and Dhirajlal, *The Indian Penal Code*. 28<sup>th</sup> ed. (Nagpur: Editorial Board, 1998), p. 55.

- II. Because of the changed socio-economic conditions of the present time, There is an urgent need to re-classify the offences contained in the Bangladesh Penal Code. With the growing political indiscipline in the country and criminalization of Bangladesh politics, it has become necessary that political offences be included in the Penal Code under a separate chapter.
- III. Person-related crimes should be punished with a term of imprisonment, while property-related crimes should be punished with a fine or compensation for the damage to the parties concerned. In order to make rehabilitation of the offender possible after his release, unnecessarily long sentencing terms should be prevented. Likewise, the object of punishment will also be defeated by too short a phrase

#### ***4.3 Criminal Behavior Analysis***

Most crime locations recount a story and it has characters, plot, starting, center, and end, actually like any story. In the last area, examiners are included and their responsibility is to comprehend the elements of wrongdoing, which means breaking down and deciphering a wrongdoer's exercises previously, during, and after a criminal demonstration. This action is designated "conduct," and the interaction is classified as "Examination of criminal conduct." The finish of this story relies upon the capacity of the examiner to investigate criminal conduct, and a critical advantage of this instrument is that it very well may be done whether the wrongdoer is distinguished in the possession of a certified expert.<sup>18</sup>

#### ***4.4 Modus Operandi***

Inside the setting of the investigation of criminal conduct, M.O. is utilized to discover every one of the practices that are vital for a particular guilty party and are started by him/her to carry out wrongdoing effectively without being recognized. M.O, depending on the sort of offense, inspiration, experience, and insight of a lawbreaker, it tends to be exceptionally unpredictable or very straightforward. Douglas and Munn (1992) noticed, notwithstanding, that the M.O. As the

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<sup>18</sup> Prof. N.V. Paranjape, *Criminology and Penology*. 12th ed. (Allahabad: Central Law Publication,2005) p. 65- 68

wrongdoer acquires insight and trust in his/her examples of conduct, it is dynamic and versatile and progressively creates. For delineation, how about we see a couple of models.<sup>19</sup>

Assume a novice burglar who destroyed a window in order to gain access to the house.

Reasons. He/she is forced to limit time, fearing that the sound will trigger people's attention. Next time, in order to force the door to unlock the door, he will try to gain access to the house with the instruments, minimize the noise and thus give him/her more time to get more profitable transport and reduce the risk of getting caught.

#### ***4.5 Modus Operandi Ritual Behavior & Crime Scene Signature***

A rough, tedious guilty party once in a while shows parts of conduct that are pointless for a criminal purpose to be done. These kinds of practices regularly express a culprit's dreams and are essential sparks for carrying out the wrongdoing. These are representative and exceptionally individualized, not useful. Frequently, fierce guilty parties are agonizing and daydreamers. They build up a need to communicate their dreams after time passes and to perpetrate a criminal demonstration. Lastly, a few components of their conduct exhibit a novel, individual articulation of their dreams when they complete their goal. A commission frequently doesn't fulfill a wrongdoer's requirements and performs exercises that go past the extent of crime and resemble a custom. At the point when those ceremonies are shown at the location of the crime, the wrongdoer leaves a profoundly individualized "calling card". When crime scenes reveal unusual input from the offender or peculiar features during the commission of a crime, the aspect of the calling card/signature is manifested. For example, when expressing his dominance, manipulation and control during the verbal, physical, or sexual stage of the crime, a rapist may reveal his signature. The use of excessively abusive, vulgar language represents a verbal signature in the preparation of a script for a victim to repeat. For instance, a continuous repetition of questions such as "tell me how good I am at it," "tell me, you want more" is a verbal signature.<sup>20</sup>

##### ***4.5.1 Police Recording of Crime***

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<sup>19</sup> Douglas, J. E. and A. W. Burgess, A. G. Burgess, R. K. Ressler. Crime classification manual (John Wiley & Sons, 2006) ISBN 0-7879-8501-5, p. 19-21.

<sup>20</sup> C.A. Anderson, (1987) 'Temperature and aggression: effects on quarterly, yearly, and city rates of violent and nonviolent crime', Journal of Personality and Social Psychology 52: 1, 161-73.

Is it ensured to show up in the authority measurements when an offense is accounted for to the police? An American examination referred to by Hood and Sparks (1970) doesn't demonstrate that just around 66% of genuine violations affirmed to have been accounted for by the police by casualties really recorded in police documents. Additionally, a British review found that there were errors between detailed wrongdoing and police-recorded wrongdoing: the level of revealed yet not announced setback violations went from 75% for burglary to 27 percent for bike robbery (Hough and Mayhew 1985). In any case, three classifications of wrongdoing were sexual offenses, engine vehicle robbery, and a home burglary.

#### **4.5.2 Offender Surveys**

Numerous criminal overviews for which audits are accessible were done during the 1960s (Box 1971; Hood and Sparks 1970; West 1967). The most ordinarily utilized technique was to choose an example either dependent on age or geological area, at that point to inquire as to whether they had carried out any wrongdoings, either identified or undetected. This information was gathered either by survey or meeting, led with the objective individual himself or with somebody who knew them well. A British burglary study directed by Belson (1975) shows an average review. From an enormous example of London families, an example of 1,445 young men, matured 13 to 16 years, was arbitrarily chosen. Meetings with the young men showed that around 70% of the example had been taken from a store and around 17% had been taken from private premises. Accordingly, most of the young men submitted an offense for which they would have been liable for indictment on the off chance that they had been gotten.<sup>21</sup>

#### **4.5.3 Victim Surveys**

In the last part of the 1960s, the main contemporary casualty reviews were done in the USA, continued in 1972 by the primary American public study. In different pieces of the world, including Australia and the Scandinavian nations, comparative studies have been completed (Aromaa 1974). More limited size casualty studies were led in explicit pieces of a country, like overviews in the Midlands (Farrington and Dowd's 1985) in England, in Islington in London (Jones et al. 1986) and on Merseyside (Kinsey 1984) in England; or in zones of a similar city, for example, reviews in various pieces of London (Sparks et al. 1977).

#### **4.6 Problem:**

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<sup>21</sup> M.R. Leippe, G.L. Wells, and T.M. Ostrom (1978) 'Crime seriousness as a determinant of accuracy in eyewitness identification', *Journal of Applied Psychology* 63:345-51.

Some aspects of crime in Bangladesh to complete this research paper on the subject. I was confronted with the following problem:

- I. Although there are crimes available in Bangladesh, there is no fixed list.
- II. After committing the offense, most of the offender attempts to abolish all kinds of evidence. Since our law and tribunal authority were not so strong, the crime could not be handled and noted, so it's hard for me to know about crime delays.
- III. In particular, I faced the problem of discussing selected crime, because different types of crime occurred at different times. Although all are in violation of the laws, there are no sources.
- IV. There are no recommended books or lists available.
- V. There are recommended Bangladesh writers' books available from the Bangladesh perspective, so I have faced some trouble gathering details about crime.

#### ***4.7 Mental Disorder and Criminality***

Likewise alluded to as mental anomaly is the term 'mental turmoil.' It means that the brain is in a mess or is experiencing some sickness. Studies have shown that there is no proof to demonstrate that their psychological issue instigated the violations carried out by crooks. Wrongdoing measurements showed that a serious enormous number of lawbreakers were tireless crooks in the country and that in excess of 66% of them had a past criminal record and 44 percent of them had recently been condemned to jail. In any case, while deciding the criminal responsibility of the guilty party, the enactment considers dysfunctional behavior or madness. In condemning guilty parties where they are exposed to clinical treatment as opposed to being condemned, it is additionally mulled over. In most criminal laws, craziness has been perceived as a guard.

#### ***4.8 Classification of Psychology Crimes***

**There are a variety of psychology crimes such as –**

- Psychology's role in the legal system
- The four roles of criminal psychologists
- Profiling
- Applied criminal psychology

#### ***4.9 Psychology's Role in the Legal System***

In the judicial system, forensic psychologists play a vital role in shedding light on the mental functioning of defendants. They may be called by prosecutors or defense attorneys to evaluate a defendant, provide a psychological assessment, and testify on their findings in court. Licensed professional psychologists who can evaluate both mental and physical states. Profilers look for behavioral patterns to typify the person behind a crime. A group effort seeks to answer the most common psychological questions: if there is a risk of re-offending a sexual predator if put back in society; if an offender is competent to stand trial; whether or not at the time of the offense an offender was sane/ insane.

The issue of competency to stand trial is a question of the current state of mind of an offender. This evaluates the ability of the offender to understand the charges against them, the possible results of these charges being convicted/acquitted and their ability to assist their attorney with their defense. The issue of sanity/insanity or criminal liability is an assessment of the state of mind of the offender at the time of the crime. It relates to their ability to recognize right from wrong and what is against the law. As it is very difficult to prove, the insanity defense is hardly used. If declared insane, an offender is committed for much longer than they would theoretically have served in prison, that is, to a secure hospital facility.<sup>22</sup>

Broadly speaking, these may be categorized into these heads, mainly

- I. Offences falling under Code of Criminal Procedure;
- II. Offences under local or special laws or enactments.

#### ***4.10 Classification under Penal Code***

All other remaining crimes which are committed under local or Special Acts, are termed as miscellaneous crimes, for example, offences under the Prevention of Food Adulteration Act, 1954; Drugs Act, 1940; Consumer's Protection Act, 1986; Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 etc.

#### ***4.11 Classification of offences under the Penal Code***

Under the Penal Code, Various offences have been classified into seven broad categories on statistical basis. They are:

- I. Offences against Person;

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<sup>22</sup> Ibid

- II. Offences against property;
- III. Offences relating to documents;
- IV. Offences affecting mental order;
- V. Offences against public tranquility;
- VI. Offences against State
- VII. Offences relating to public servants.<sup>23</sup>

This classification seems to be more rational and elaborate from the points of view of administration of criminal law and penal justice.

#### ***4.12 Solutions***

It is possible to group crime control methods into two main categories: formal and informal. Formal crime control is used to deter crime by law and government agencies (e.g., police, courts, and prisons), while informal crime control is used to deter illegal behavior by moral and social institutions (e.g., family, religion, peers, and neighborhood groups).

Complementing the World Report on Violence and Health (2002) and the 2003 World Health Assembly Resolution 56-24, the World Health Organization Guide (2004) provides for the implementation of nine recommendations by governments. Those are like the following:

1. Creating, implementing and monitoring a national prevention of violence action plan.
2. Improve the capacity to gather data on violence.
3. Defines priorities for research on the causes, consequences, costs and prevention of violence, and supports them.
4. Foster primary responses to prevention.
5. Reinforcing responses to victims of violence.
6. Integrate the prevention of violence into social and educational policies, thus promoting gender and social equality.

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<sup>23</sup> [[https://en.wikipedia.org/wiki/Crime\\_prevention](https://en.wikipedia.org/wiki/Crime_prevention), last visited on 27 November 2020]

7. Increase collaboration and exchange of violence prevention information.
8. Encourage and track adherence to international treaties, laws and other human rights protection mechanisms.
9. Seek practical, globally agreed responses to global drug and arms trafficking.

#### ***4.13 Summary the Study***

I want to say in this chapter that crime is like a disease that is deeply rooted in all societies. I can't fully uproot it. But by preserving the laws, practicing the norms and values of individual societies, we can keep it under control and, above all, beware of the outcome of it.

### **Chapter V**

## **CONCLUSION REMARKS**

#### ***5.1 Conclusion***

The problem remains alarming in scope, despite legal, social, psychological and penal measures to combat crime. With the change of time, new crimes are emerging, and traditional crimes are quickly disappearing. Advances in the understanding of human behaviour and the growth of commerce and industries have brought new complexities to life in their wake. The increasing incidence of criminality accounts for these complexities. That crime is therefore obvious. With the current increase in the rate of crime, there is no reason to be upset. Nor should it create a misleading impression that it has completely failed or proved ineffective for the penal programmers. It must be said that crime is lower in Bangladesh than in many other countries around the world. The reason is that the Bangladesh Society still retains the virtues of tolerance, mutual respect and coexistence through its social institutions, such as religion, parental control of the family, etc.

#### ***5.2 Recommendation***

The government must introduce chapters on anti-extremism in textbooks, legislation to try and prevent terrorist financing, and the Counter Terrorism and Transnational Crime Unit, a specialized police force.

The university study curriculum should include criminology subjects and subjects related to crime prevention at the higher level of study.



Where no guns exist, there are no deaths from guns. Trying to stop the flow of illegal guns is a simple and practical way of starting to affect armed violence.

Try and find a balance between prevention and repression. The interpersonal aspects of violence are primarily addressed by local experiences and efforts. When illicit or transnational crime begins to co-opt state forces, people stop trusting their security forces, their governments, stop using public spaces, and start focusing on private and personal security. The idea, therefore, is not to create a system based entirely on repression or prevention, but to find that balance and to integrate policies of rehabilitation and reintegration and funding into security strategies.

Try early to intervene. We know that it is essential to better understand the drivers of violence, and that it is crucial to start interventions early (childhood - possibly even before children are born at a pre-natal stage). Learn through history. Studying history helps to regulate crime as a whole.

Keep the impact of drugs in mind. The global "war on drugs", not only in the Americas, but increasingly globally, is a massive driver of crime, violence and insecurity. It is time for this to be taken on board by all international anti-violence development initiatives. It still amazes me, especially about the cocaine industry, how much taboo there is around this issue.

We need to tackle economic inequality, which I believe is central to the long-term reduction of crime and violence. We need universal provision of affordable, high-quality childcare for all, and to narrow the gap between top-to-bottom earnings and restore the link between economic prosperity and salaries. Be conscious of the relationship between organized crime and terrorism

Consider violence a priority. In the United Nations, one thing we need to do better is to better prepare peacekeeping, humanitarian and development actors to ensure that their interventions reduce long-term violence by helping to advance key reforms and structural changes. One key development would be a measurable and efficient target for violence reduction within the SDG process. This needs to be a priority worldwide. Try to use language that is non-violent.

Create programs which are well-targeted. If the objective is to reduce homicides, the selection of programs should be in hotspot areas and focus on the population group most likely to commit violent crimes, often young men between the ages of 10-29. It is also necessary to clearly diagnose and complement the risk factors for the involvement of these young men in crime with a treatment plan involving the family and community.

Treat violence as a concern for public health. To reach every child and family in these countries, we need to use campaigns and technology. To ensure that everyone feels important and cared for

through parenting interventions, family interventions, wellness campaigns, and early childhood education, we need to develop these tools. Help ex-offenders find safe jobs with a living wage. Once they go back to their communities, securing a well-paying job can help returning prisoners remain crime-free. The more they earned during the first two months following their release, the lower their chances of returning to jail, our studies found.

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