

## **Criminal Law: Essay Writing Help**

Zahid Mubarek was an Asian teenager who lived in Britain. Zahid was murdered by one of his cellmates during his stay in the Feltham Young Offenders' Institution at the southwestern end of London on March 21, 2000 (Wahidin and Carr, 2013). When Zahid's murderer, a 20-year aged boy named Robert Stewart, was another prisoner in Feltham who was transferred to the cell in which Zahid was already staying. Zahid belonged to a family who had their roots in Pakistan. His grandfather served the Pakistan Army Corps of Engineers and during the 1960s, the entire family shifted to London. Zahid's father was the manager of a factory and born in 1980, Zahid was the eldest among the three children of his parents. The family belongs to the Muslim background and did not have any previous records of imprisonment before the case of Zahid took place. Zahid had developed a problem of consuming drugs was imprisoned for 3 months during January 2000 after being found guilty of stealing a packet of razor blades worth 6 pounds.

On the day when Zahid Mubarek was supposed to be released from imprisonment, he was murdered. The incident that took place on March 21, on around 3:35 a.m. in the morning, when Zahid was trying to sleep but the light in the cell was too bright for him to sleep. When Zahid complained that the light was too bright, his cellmate Robert Stewart responded to his complaint by tossing a pair of underpants on the cell lamp to lower the light in the cell. However, after this, at around 3:35 a.m. in the morning, Stewart got hold of a table leg, which he had separated from the table and started battering the table leg on Zahid over his head. Zahid was hit around seven to eleven times with the table leg until Stewart himself rang the alarm and waited for the arrival of the prison officers (Pickering, 2014). Once the prison officers arrived, Robert Stewart was immediately shifted to another nearby cell where he had already washed off his hands and clothes that were bloodstained before any forensic team would be able to isolate any kind of evidence (Williams, 2014).

All this while, Zahid was to the Charing Cross Hospital in the western part of London, where he did and back at the cell, Stewart took out the heel of his rubber shoe, scribbled a 'swastika' sign, and scratched the message on the wall of the cell that read, "*Manchester just killed me padmate, RIP OV MICR*" (Allen, 2015). Zahid was declared to be dead at the hospital (Liebling, 2017). It had been found earlier itself that Stewart was a racist and all the cellmates called him by names such as 'madman', 'sicko', etc. Zahid had complained to his father earlier that Stewart is a racist and behaved indifferently with him. However, Zahid's father told him to put his head down and

ignore Stewart, as he would be out of the jail very soon. None thought that it would end up to such as incident. A young boy had to die due to racism. This was a criminal offence and Stewart was sentenced for life on being found guilty of Zahid Mubarek's murder.

From the above discussion, it is quite clear that the murder of Zahid Mubarek is a criminal case and for giving justice to Zahid Mubarek, Robert Stewart has been sentenced for a lifetime (Wilson, 2016). Criminal justice is a major part of law. Criminal justice refers to the institution or the system of practices of governments, which is directed towards upholding of the deterring, social control and mitigation of crime, or the sanctioning of people who violate the laws with rehabilitation efforts and criminal penalties. The system of criminal justice comprises of main major parts (Schmallegger *et al.*, 2014). The first part is law enforcement (FBI, police officers, department of homeland security, etc.). The second part of the criminal justice system is the court, which comprises of judges, attorneys, etc. (King and Murphy, 2014). The third and the last part of the criminal justice system is correction, which consists of prisons, jails, parole and probation (Fowles, 2013). These three parts of the criminal justice system are three different and important agencies that operate together under the rules of the law and as the principle means for maintenance of the law rule within the society.

The law enforcement agencies of the criminal justice system play the role of enforcing the laws in a country, a state or in an assigned jurisdiction (Siegel and Worrall, 2013). This purpose or aim of this agency of the criminal justice system is upholding the local laws, state laws and country laws. The court upholds the laws in ways for preventing them from being violated or broken in future. Whenever an individual is charged by the enforcement of law, it is the duty or the job of the court to determine and verify whether the charges are justifiable and if the charges have justification, the court makes sure that the individual who committed the crime is punished and rectified (Ashworth and Horder, 2013). The court has the responsibility of preventing individuals from committing crimes for a second time in future. The third agency of the criminal justice system, which is the correction, has the duty to assure that the rehabilitation or the punishment given is seen through unless the period of sentence given by the court is over.

Apart from the above three agencies, the criminal justice system consists of a number of agencies, each of which are accountable for a government department. For example, the Ministry of Justice looks into the work of the "HM Prisons and Probation Service (HMPPS)" that covers

the probation and prison services (Wakeling and Barnett). The services for which HM Prisons and Probation Service (HMPPS) is accountable include Community Rehabilitation Companies, National Probation Service and HM Prison Service. The Home Office has the responsibility of 43 police forces in the England and Wales. On the other hand, the Attorney General of the UK has the responsibility of the Crown Prosecution Service. From the case of Zahid Mubarek, it is clearly understood the criminal justice system of UK has an effective framework. This is because, when Zahid Mubarek is stole only a few razors, he was sent to prison for correction for a period of 90 days. This shows a good job of the criminal justice system of UK. Similarly, after the death of Zahid Mubarek, the criminal justice system of UK sentenced Robert Stewart to imprisonment for 18 years, which is a lifetime.

As a law student, I aspire to become a successful criminal lawyer. A criminal lawyer has various roles to play within the criminal justice system. The criminal lawyers also play an important role in defending his or her clients. As a criminal lawyer, I would gather as much information as possible from the victim who has been accused and approached me for the case. I would visit all the important places related to the crime and collect all the necessary proofs and valuable information required. As a criminal attorney, I will focus on all the aspects of a case I will fight. I will always be able to judge a situation, be sharp for identifying and relating to the situations, and come up with strategies for supporting the case. On the other hand, I will also never support any criminal or fight any case in the support of any criminal. I will always fight against criminals and make sure that criminals get all the punishment and pay penalties they should be paying.

Racism is one of the common reasons and factors that have led to the commitment of various crimes in a country (Fredrickson, 2015). Racism refers to the antagonism, discrimination and prejudice directed against some individual who belongs to a different race such as caste or religion based on the belief of another individual's race, who considers it superior than the other (Meer and Nayak, 2015). If the history of UK is dug out, it can be seen that various crimes have taken place in UK due to racism. One of the major examples of a crime that aroused due to racism is the murder of Zahid Mubarek. Discrimination refers to the prejudicial or the unjust treatment of various categories of people or individuals, especially on the ground of their sex, age or race (Hellman, 2017). Discrimination is of different types such as age discrimination, sex discrimination, race discrimination, disability discrimination, homosexual discrimination, etc.

Among these, race discrimination is one of the most common discriminations in most of the countries.

Race is not any biological category. Racism is the most essential discrimination that requires being stopped (Fredrickson, 2015). Discrimination of the blacks from the whites has been a popular and common topic in the past. Discrimination between Hindus and Muslims or Christians and Muslims is another common discrimination. The discrimination of Christians and Muslims is the reason that led to the death of Zahid Mubarek (Gelsthorpe and Dominey, 2016). However, the criminal justice system has taken various steps for eradicating discrimination of people and the crimes taking place in the country due to racism. The criminal justice system of UK has taken several steps and actions for promotion of anti-discrimination in the country.

There are different practices adopted by the criminal justice system of the country to stop discrimination to promote equality. For example, the UK criminal justice system has taken steps and set anti-discrimination policies for promoting equality in the workplace as well as care settings. These policies and practices have reduced discrimination in the country to quite an extent. The criminal justice system of UK has also introduced various acts regarding anti-discrimination for preventing discrimination. For example, the Disability Discrimination Act introduced in UK during the year 1995, which has been replaced by the Equality Act in 2010 has made it unlawful for discriminating people as per their disabilities in relation to education, employment, goods and services provision and transport (Clarkson and Coleman, 2015). Similarly, the Equality Act 2006 is another act in the UK that is a combination of all the equality enactments in Great Britain and provides comparable protection across all the strands of equality (Waughray, 2014).

Similar to the acts mentioned above, there are various other acts developed and practiced in the UK that protects the country's residents from discrimination. For example, the Race Relations Amendment Act 2000 protects the rights of people from different races in the country (Nwaogwugwu *et al.*, 2014). This act has been developed for the police and public authorities of UK for amending the exemption under the act and safeguarding national security through protection against racism. Many other acts have been introduced by the government of UK as a part of their anti-discriminatory practice. For example, the Sex Discrimination Act of 1975, which was amended as the Sex Discrimination (Election Candidates) Act 2002, is an act that

practices and prevents the discrimination of people based on their sexual orientation. The Representation of the People Act 1918 and the Representation of the People (Equal Franchise) Act 1928 are the other laws prevailing in the UK, which protect people from discrimination (Pugh, 2014).

Apart from the above policies and practices, various other practices have been adopted in UK such as equal and fair selection and recruitment of employees, providing anti-discriminatory training to employees, etc. has been made compulsory in companies. The criminal justice system of the country takes necessary actions whenever any discriminatory practices or crimes from discrimination take place. Any person committing crimes due to any kind of discrimination is given enough punishment for his or her crime. Thus, from all the discussions it can be concluded that the criminal justice system and its agencies play a huge role in the prevention of crimes arising from discrimination and takes different steps to eradicate discrimination along with adopting various anti-discriminatory practices within the system.

### **Identification of the key arguments in the ideas of justice, punishment, deterrence and rehabilitation:**

#### **Justice Identification:**

In case of justice identification, the concept of the justice varies for each culture. The thesis of justice was proposed by the renowned philosopher, Plato in the time of working in THE REPUBLIC. All the advocates in divine command theory quarrel the justice problems from the God. In the time of 17<sup>th</sup> century, John Locke quarreled for the act of **Natural Law** (Fredrickson, 2015). Thesis of the distributive justice always concern about the distribution among the people that is called as **Proper Distribution**.

The financial, political as well as social framework for which every society includes its own laws as well as institutions along with policies and many others leads to various benefits for the members of society. All of these frameworks are the outcome of the human political methods and constantly change over time in societies as well as in societies. In case of the structures for these conditions of the framework is also important as the resulting distribution of benefits and liabilities generally influences the lives of people.

In case of Zahid Mubarek all the arguments through which the resulting frameworks and divisions prefer morality is the subject of distributive justice. Therefore, the principles of spreading justice must be regarded as a moral orientation for the techniques of politics as well as the structures that have their influences on the spread of benefits and liabilities in the society (Ashworth and Horder, 2013). For all the principles that this type of moral orientation offers for its distribution, in accordance with the word used become, are also regarded as principles of the

**Distributive Justice.**

**Punishment Identification:**

In order to identify the punishment in the judicial system, punishment can be referred as the imposition of any unpleasant result for a set of people or individual that is meted out by the authority in accordance with ranging from the children discipline to the act for the criminals. In general, it is a proper response as well as deterrent for a specific activity or nature that can be deemed unacceptable. Punishment can be self-inflicted with the self-flagellation as well as degradation of the flesh in case of the religious settings as well as it is one of the most repeatedly formation of the socio coercion.

In case of Zahid Mubarek the idea of punishment through its definition as well as its practical application and the proper justification during the last half of the century showed a clear deviation from attempts to reform and rehabilitate criminals in favor of retaliation and detention. Punishment in his opinion is now recognized as an inherently resourceful practice, regardless of the additional role of retaliation as a justification or purpose of punishment (Siegel and Worrall, 2013).

A proper justification for the punishment would arise from the fact that society needs the threat and practice of punishment because the purpose of social order cannot be achieved in any other way and it is unfair to expect victims of criminal aggression to bear the cost of must carry their victimization. Of course, in view of the ways in which powers and powers may be abused, restrictions on the use of endangered sanctions are required. Such justification includes deontological and logical considerations.

**Deterrence Identification:**

The theory of **detergency** has become increasingly important as a military strategy during the Cold War regarding the use of nuclear weapons. During this time, it received a unique connotation, as a lower nuclear power could be a stronger enemy because of its extremely destructive power, provided it could be protected from destruction by a surprise attack. Dislike is a strategy aimed at preventing an opponent from taking an action that has not yet begun, or preventing him from doing something that another state wants (Liebling, 2017).

It is important to make an inventory of the **deterrent in theory** and practice to determine where you are now and where you can go into safety issues. When the Cold War ended, analysts almost immediately suggested changing the benefits, role and behavior of the deterrent. Now we are better positioned to see how and where it is. Less obvious, but it is soon emphasized that the theory of deterrence also needs adaptations, which are significantly influenced by the Cold War environment. Attempts to develop a robust theory have led to treating it as an abstract phenomenon, as if it were actually the same and everywhere. The influence of the context is underestimated, even neglected, and the context has changed significantly (Pickering, 2014). In order to identify the deterrence in the case of Zahid Mubarek, researcher needs to suggest about the changes in the socio-environment as well as suggest to monitor all the activities around the globe that this type of incident won't happen again.

### **Rehabilitation Identification:**

Rehabilitation is traditionally a separate method in the second phase that occurs after medical treatment and has nothing to offer, but the recovery remains incomplete. The main objective was to solve, adjust along with compensate incurable as well as permanent shortcomings. . This approach is not suitable for general health problems where the barriers to recovery are often of a psychosocial nature and not the severity of pathology or deterioration. In this situation, rehabilitation should focus on the identification and overcoming of health, personal or psychological and social or labor barriers to recovery and work.

The primary idea of rehabilitation is a secondary intervention designed to restore patients as much as possible to their previous condition after an illness or injury, to maximize their physical, mental and social performance and, if necessary, bring them back to the work (Wahidin and Carr, 2013). Rehabilitation traditionally focuses on return to work or reintegration with the



implicit assumption that applicants work because of illness or injury and that they are excluded from the labor market due to their disability. Education, socioeconomic status, professional and social skills and heavy craft can limit opportunities to address a health problem. It has been noted that there are a group of people who cannot compete effectively in the labor market because of a combination of their health status, multiple disadvantages and lower levels of human capital.

### Reference list

- Allen, R., 2015. Continuity and Change in Prisons. In *The Management of Change in Criminal Justice* (pp. 98-112). Palgrave Macmillan UK.
- Ashworth, A. and Horder, J., 2013. *Principles of criminal law*. Oxford University Press.
- Clarkson, P.J. and Coleman, R., 2015. History of Inclusive Design in the UK. *Applied ergonomics*, 46, pp.235-247.
- Fowles, A.J., 2013. Criminal Justice System. *Measuring Outcome In The Public Sector*, p.57.
- Fredrickson, G.M., 2015. *Racism: A short history*. Princeton University Press.
- Gelsthorpe, L. and Dominey, J., 2016. Diversity: The Voluntary Sector's Vision in Criminal Justice. In *The Voluntary Sector and Criminal Justice* (pp. 189-209). Palgrave Macmillan UK.
- Hellman, D., 2017. Discrimination and Social Meaning.
- King, C. and Murphy, G.H., 2014. A systematic review of people with autism spectrum disorder and the criminal justice system. *Journal of Autism and Developmental Disorders*, 44(11), pp.2717-2733.
- Liebling, A., 2017. The Meaning of Ending Life in Prison. *Journal of Correctional Health Care*, 23(1), pp.20-31.
- Meer, N. and Nayak, A., 2015. Race ends where? Race, racism and contemporary sociology. *Sociology*, 49(6), pp.NP3-NP20.
- Nwaogwugwu, N., O'Neill, J. and Gill, P., 2014. Caring for Travelling communities in primary care 4. *Working with Vulnerable Groups: A clinical handbook for GPs*, p.15.
- Pickering, R., 2014. Terrorism, extremists, radicalisation and the offender management system in England and Wales. *Prisons, Terrorism and Extremism: Critical Issues in Management, Radicalisation and Reform*, p.159168.
- Pugh, M.D., 2014. *The background to the Representation of the People Act of 1918* (Doctoral dissertation, University of Bristol).

Schmallegger, F., Donaldson, S., Kashiwahara, K., Koppal, T., Chase, S., Brown, A., Jarriel, T. and Marash, D., 2014. *Criminal justice today*. Prentice Hall.

Siegel, L. and Worrall, J., 2013. *Introduction to criminal justice*. Nelson Education.

Wahidin, A. and Carr, N., 2013. *Understanding criminal justice: A critical introduction*.  
Routledge.

Wakeling, H. and Barnett, G., Key findings.

Waughray, A., 2014. Capturing caste in law: caste discrimination and the Equality Act 2010. *Human Rights Law Review*, 14(2), pp.359-379.

Williams, A., 2014. *Forensic criminology*. Routledge.

Wilson, J.Z., 2016. Prison inmate graffiti. *Routledge Handbook of Graffiti and Street Art*, p.61.