

HUMAN RIGHT AND CRIMINAL JUSTICE
CONFESSIONS AND LEGAL ADVICE.

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INTRODUCTION

The immediate growth of communication technologies and modern digital agencies and organizations has extended up unexplored opportunities and possibilities for anyone looking forward to technological advancement, incorporated with the member of the parliament, the sustainer of the international human rights¹ law the corporations and firms of the civil society which is influenced for making the transmission of their communications towards the technological advancement. Since the online industry has also influenced the Member States, private and public organizations and other institutions to overspread to the public sector, such as incorporating itself into the mass surveillance and utilizing the private information extensively for commercial, retail and other objectives. The preservation and security of private information are one the most concerning factors for the Parliament², the Commission and the Council of every nation across the world that are utilizing the resources of communication and other technological means to access and share data.

DISCUSSION

According to the report published to the 27th Human Rights Council by the Office of the United Nations High Commissioner for Human Rights, certain statements have been declared that any possession of private information can be considered as interference with the right to privacy, and also that the accumulation and continued possession³ of any form of information related to communications is categorised as the interference with the right to privacy even if the communication information is not utilized or conferred for a long time. In comparison with earlier rights related to holding any form of communication information, the modern legislation

¹ Simmonds, Alexander, and Steve Foster. "Mercer v Alternative Future Group Ltd: human rights-freedom of assembly-right to strike-action short of dismissal-statutory interpretation-Human Rights Act 1998." *Coventry Law Journal* 26, no. 1 (2021): 111-116.

² Bell, Charles. "Appealing for justice for children and young people: A critical analysis of the Crime and Disorder Bill 1998." In *Youth Justice: Contemporary Policy and Practice*, pp. 191-210. Routledge, 2019.

³ Coomber, Ross, Leah Moyle, and Myesa Knox Mahoney. "Symbolic policing: situating targeted police operations/'crackdowns' on street-level drug markets." *Policing and society* 29, no. 1 (2019): 1-17.

is obligated to provide protection even to the possibility of being suspected of possessing any form of private communication data and can the individual⁴ or group charged with this possibility can be charged with the interference to right to privacy. Along with the violation of the right to privacy the additional rights can be claimed as being a potential infringement or unsettlement, like being obligated with the violation of the right to free expression and association.

On contrary to present technological and digital communication advancement the presence of the mass surveillance programmer and agendas are characterized as being an infringement to the right to privacy. Therefore, it is the duty and responsibility of the technological or digital communication authorities to verify and illustrate to the Parliament, the Commission and the Council of the State of every Union of the world that the potential interference⁵ and obtrusion is neither random nor illegal.

COMMITTEE OF HUMAN RIGHTS

The Human Rights Committee has put special prominence towards its philosophies of law that the presence of the speculation on the public debate that raises concern towards the public constitutions and political establishments must not be confined or prohibited. Any form of penalty or punishment cannot be justified for being imposed as an insult to a public figure under the right to free expression. Thus, the public figure can reap the benefits from the constitution and legislation of the Covenant under the United Nations Rights Committee. Due to this reason, the Committee of the United Nations has raised the consideration⁶ for the

⁴ Yates, Julian S., and Leila M. Harris. "Hybrid regulatory landscapes: The human right to water, variegated neoliberal water governance, and policy transfer in Cape Town, South Africa, and Accra, Ghana." *World Development* 110 (2018): 75-87.

⁵ Biber, Katherine. In *Crime's Archive: The Cultural Afterlife of Evidence*. Taylor & Francis, 2018.

⁶ Simmonds, Alexander, and Steve Foster. "Mercer v Alternative Future Group Ltd: human rights-freedom of assembly-right to strike-action short of dismissal-statutory interpretation-Human Rights Act 1998." *Coventry Law Journal* 26, no. 1 (2021): 111-116.

concern related to the presence, implementation and utilization of the laws that lead to the criticism towards government officials and other governing legal and political institutions.

For example, in the lawsuit of *Castells v. Spain* in the year 1992, where a representative of the Parliament who had been sentenced for broadcasting an article indicting an accusation on the Government of conspiracy for certain severe violations and offences. The European Court of Human Rights remarked that although the right to free expression is necessary and accessible by any individual or group of people, the benefits of this right can be enjoyed by an elected authority of the government as well. The right to free expression benefits the elected authority for representing the entitled voters to extract attention towards the state or condition and the security of the interests of the electorate. The right to free expression also declares the limitations of allowed criticism that these limitations⁷ are broad with consideration to the government in comparison to the consideration to a private individual of the community, or even to a political representative.

TERRORISM AND HUMAN RIGHTS

Although terrorism has always been categorised as a complicated issue to deal with, the attacks of 9/11 provoked a surge to establish measurements for fighting terrorism and concerns relating to counter-terrorism at both international and domestic levels⁸. These measurements put a direct effect on the way the States earlier utilized for dealing with these threats. Since 9/11 the United Nations Security Council has enacted numerous resolves that must be utilized by every State to counter the effects of terrorism.

⁷ Yates, Julian S., and Leila M. Harris. "Hybrid regulatory landscapes: The human right to water, variegated neoliberal water governance, and policy transfer in Cape Town, South Africa, and Accra, Ghana." *World Development* 110 (2018): 75-87.

⁸ Pearson, Geoff, and Mike Rowe. *Police street powers and criminal justice: regulation and discretion in a time of change*. Bloomsbury Publishing, 2020.

These enclosed efforts to outlaw deceptions of terrorism and to stop, contain and conceal the financing of terrorism. The United Nations Security Council, the General Assembly and the Human Rights Council have emphasized the measurements and operations for enhancing the counter-terrorism and security guidelines must be sensibly balanced in the protection of human rights and consideration for the legal administration⁹ to be significant and enduring. The guidelines and administration of these measurements was laid out clearly and in a detailed form. In the United Nations Global Counter-Terrorism Strategy that was adopted by the United Nations General Assembly in 2006.

THE STATUTORY OBLIGATION WHICH IS RISE FROM THE RIGHTS OF HUMANS

According to the present standings of foreign law, states are considered as the major buyer of duty regarding the obligations of the rights of humans. However in the principal the rights of humans could be terminated by a particular group or person as well as by the commitment of abuses regarding the rights of humans by no statutory actors like that of the intergovernmental entities, paramilitary and guerrilla forces, terrorist, organized group of criminals and business organizations are noted to experience an increase. The international treaties regarding the rights of humans as well as the customary act impose three major statutory obligations¹⁰ as - Duty for respect, duty for protection and duty for fulfilment. Have a balance in between in the given obligations might vary as per the involved authorities, which are applied to various cultural, social, economic, political and civil rights¹¹. In addition to this, the states are provided with a

⁹ Fitzgerald, Ryan J., Eva Rubínová, and Stefana Juncu. "Eyewitness identification around the world." In *Methods, measures, and theories in eyewitness identification tasks*, pp. 294-322. Routledge, 2021.

¹⁰ Mazo, Adriana Fillol. "The Protection of Access to Food for Civilians under International Humanitarian Law: Acts Constituting War Crimes." *The Age of Human Rights Journal* 14 (2020): 181-209.

¹¹ Myhill, Andy. "Renegotiating domestic violence: Police attitudes and decisions concerning arrest." *Policing and society* 29, no. 1 (2019): 52-68.

duty for providing remedies at the regional level regarding the violation¹² of the rights of humans.

The rights of humans are interdependent as well as indivisible¹³. This is due to the dependency as well as entailment of rights of humans on various distinct rights of humans, in which the violation of any one right would influence the overall exercise of various other rights of humans. For instance, there remains a presupposition of the right towards life as a respect towards the right to food as well as an appropriate living standard. Refusal of the authority towards fundamental education might influence the accessibility of an individual towards justice along with their participation in general lifestyle the protection as well as promotion of the social and economic authority presuppose the freedom to express, freedom to associate and freedom to peacefully assemble. In this respect the social, political, economic¹⁴, cultural and civil authorities are equal and complementary necessary for integrity and dignity of each individual. In addition the respect regarding all of these authorities are prerequisite for development and sustainable peace.

HUMAN RIGHTS LAWS AND FOREIGN COMMUNITIES

The foreign community is found to affirm the holy concept regarding the rights of humans at world conference on human rights which was occurred in the Vienna in the year 1993.

When a group of people or an individual are put in front of the criminal justice system for a criminal offence or violence or any other particular reason then the group or the individual is obliged with a broad range of human rights obligations. The following individual who engages

¹² Pickard, Sarah. "Governing, monitoring and regulating youth protest in contemporary Britain." In *Governing youth politics in the age of surveillance*, pp. 77-90. Routledge, 2018.

¹³ Santacroce, Fabio Giuseppe. "The applicability of human rights law in international investment disputes." *ICSID Review-Foreign Investment Law Journal* 34, no. 1 (2019): 136-155.

¹⁴ Dickson, Brice, Christopher McCrudden, Conor McCormick, Rachel Killean, and Roise Connolly. "Evidence to the Independent Human Rights Act Review by QUB Human Rights Centre." (2021).

with the criminal justice system must act with respect towards human rights, specifically civil and political rights.

The group of persons or individuals on whom the criminal or violent offence is imposed must be offered the attention of being provided with the right to a fair trial and also the trial must be fulfilled with the proper standard. When the legal or criminal authority is engaging in the operations of arresting or detaining an individual, then the operations must be carried out lawfully. Therefore, the engagement of restraining an individual must be following the human rights¹⁵ law and after detaining or restraining the criminal justice representative must respect the integrity and dignity of the criminal.

According to the Criminal Justice System, the individual charged with the criminal offence is legally obliged with legal aid provision. The legal aid provision falls under the human rights law as the right to equality, where the human rights law suggests that if the following individual charged with a criminal offence is not able to get legal assistance, then the justice system is obliged of assisting the accused with any kind of legal aid.

CRIMINAL JUSTICE SYSTEM AND HUMAN RIGHTS

Further, if an individual engaged with the criminal justice system suspects or is experiencing any form of human rights abuse then the following individual is granted access with the right to a remedy, and after claiming the right to a remedy then the justice¹⁶ system is obliged to provide the remedies for terminating the human rights abuse.

¹⁵ Hamilton, Michael. "The Meaning and Scope of 'Assembly' in International Human Rights Law." *International & Comparative Law Quarterly* 69, no. 3 (2020): 521-556. Hamilton, Michael. "The Meaning and Scope of 'Assembly' in International Human Rights Law." *International & Comparative Law Quarterly* 69, no. 3 (2020): 521-556.

¹⁶ Beninger, Christina. "Reproductive Rights, UN Sustainable Development Goals and International Human Rights Law." *Gender Equality* (2021): 1013-1025.

Although, there are particular types of offences, violence or crimes such as hate crime or domestic violence are categorized as more severe and the majority of the time these crimes are approved by other legislations and the victims of these crimes or offences are provided and imposed with extra care and support from the criminal justice representatives.

All around the world, the criminal justice system is being evaluated and enhanced consistently as this justice system is characterized as the primary source of serious violations or offences related to human rights such as executions, torture, arbitrary detention, and discrimination¹⁷. For the past few years, international human rights law is involved and has shown exponential results related to the growth of human rights law, by instituting expertise for evaluating and documenting the effectiveness of criminal justice in the context of human rights.

POLICE AND CRIMINAL EVIDENCE ACT

According to the Police And Criminal Evidence Act, which was established in the year 1984 where the classification of the term confession is described and interpreted a wide. The confession made by any individual is referred to or defined as a statement that is completely or relatively termed as being unfavourable. It is not deemed necessary for a statement to be made as a confession that must be presented or conducted in front of a criminal judicial representative like a police officer. The Police And Criminal Evidence Act¹⁸ grants the comfort for the individual making the confession that the statement of confession can be coerced or obliged in oral or written form as well. Also, the statement of confession can incorporate conduct even in a form of a nod of acceptance. Further, the courts of the law must make or present conduct for the constitution of the statement of confession under the act of the Police And Criminal

¹⁷ Adebite, Olusola Babatunde. "Weaponisation of the war on terror and the sidestepping of human rights norms: Seeking a balance between the terrorism (prevention)(amendment) act 2013 and Nigeria's obligation under international human rights law: Weaponisation of the war on terror and the sidestepping of human rights norms: Seeking a balance between the terrorism (prevention)(amendment) act 2013 and Nigeria's obligation under international human rights law." UCC Faculty of Law Journal 1, no. 1 (2021): 107-134.

¹⁸ Metcalf, David. "United Kingdom labour market enforcement strategy 2018/19." HM Government (2018).

Evidence, that the statement of the confession made by the individual will present itself as being unfortunate and unfavourable whenever a statement of confession is made. The statements can be deduced as being neutral or must announce the involvement of the individual from clarifying from being alleged offence or violence, and also cannot be conducted as being a statement of confession if at trial, as the statement of the confession can be presented or exhibited as being false or inefficient in context of the evidence provided during the oath.

MIXED STATEMENTS

As mentioned earlier, a confession can be referred to any statement that can either be completely or partially unfavourable to the individual making the statement of confession. A partially unfavourable confession is known as a mixed statement of confession, i.e. somewhat a confession and partly exculpatory or self-serving. The judgement of concluding if a statement of confession is consisting of multiple elements or is altogether a statement that will clear from a charge or fault relies on if the statement comprises an acknowledgement¹⁹ of the truth or quality that the statement is effective to any subject for the individuals' case making the statement. A voluntary acknowledgement, proclamation or disclosure either in oral or written form by the individual who has executed a crime or a violation that the perpetration or the individual's engagement in the crime/violation or participated in the execution or implementation of the crime. A statement of confession is deemed to be discretionary or on the individual's freedom and accordance with the individual charged with crime²⁰ or violation, without apprehension or danger of a negative consequence and expectancy or assurance of usefulness, compensation, or exemption.

¹⁹ Skinns, Layla. Police powers and citizens' rights: Discretionary decision-making in police detention. Routledge, 2019.

²⁰ Griffiths, Andy, and Rebecca Milne, eds. The psychology of criminal investigation: From theory to practice. Routledge, 2018.

The statement made as a confession is generally accepted or is comprised of the details of the criminal offence or criminal violation. The credibility and justifications of the confession manifest mostly in the situations and conditions concerning a statement acknowledging the reality or detail. The actuality of intimidation²¹ before or at the period during the confession commonly indicates a state of insufficient form of crime or violation on the confessor's claim and deprives or impairs the legality of the statement of confession. The statement as a confession can function as effective proof of the accountability of the individual charged with a crime, but the accused individual has a legal right in disagreement with self-incrimination. The statement of confession that is categorised as being extracted with force by a police representative is not obligated to be utilised against the accused individual in the court of law, even if the forced statement is true. This right comes in harmony with the Miranda rights, following the legal criminal system it is to right of the system to describe or declare the suspect his rights before participating or exercising any form of custodial investigation or interviewing.

Legal Criminal System

Occasionally the legal criminal system representatives overlook administering Miranda rights of the suspect as a caution when mandated, and periodically the police officer or any other legal criminal representative participate in inquiring the suspect in an incredibly forceful method precisely after mandating the Miranda rights and issuing a warning. The court of law mandates an extensive investigation when requested for inquiring about the statement confession if the presented confession as extracted or obtained forcefully by the law enforcement and to also determine whether the accused is granted the right to free will. The accused individual has the right the exercise his Miranda rights and also the right to an attorney, and if any legal criminal

²¹ Flacks, Simon. "The stop and search of minors: A 'vital police tool'?" *Criminology & criminal justice* 18, no. 3 (2018): 364-384.

enforcement or representative continues to make an inquiry²² on the accused then the confession collected in either written or verbal form is deemed involuntary.

Furthermore, when a police administrator or representative implies to a suspect who requires immediate health care assistance that the accused will only be granted medical facility or be taken to the hospital only after confessing, then this proved incidence and the following confession will be deemed involuntary. The statement of confession following as the consequence of a forceful method of depriving the individual of essential needs for well-being will also be categorised as involuntary. Based on the mentioned conditions²³ and circumstances, the situations where the individual can coerce a confession brushed out as unintentional and involuntary are usually extremely radical and limited.

Coercive Police Tactics

Certain practices and actions conducted by law enforcement are generally directed towards determining if the statement of confession is forced or coerced. These coercive practices and actions are often comprised of intimidating unlawful practices, physically mauling and harming the accused, threatening the accused individual with a gun or threatening the private life of the individual. In custodial conditions like preventing the suspect from using the bathroom, declining the rights of the suspect to opt for food or water, or any similar manipulating or threatening confession will be considered as involuntary and will be discarded by the court of law. Dishonest assurances and commitments of forgiving remedy upon acquiring a confession can also be considered as unnecessarily coercive. On the other hand, the representative of law enforcement can intimidate and enforce fear to practice in activities that are categorised as

²² Roycroft, Mark, and Lindsey Brine. "Investigative Interviewing." In *Modern Police Leadership*, pp. 183-198. Palgrave Macmillan, Cham, 2021.

²³ Roycroft, Mark, and Lindsey Brine. "Investigative Interviewing." In *Modern Police Leadership*, pp. 183-198. Palgrave Macmillan, Cham, 2021.

lawful under certain law enforcement. In such situations, the law enforcement representative enforces the suspect with the threat that the individual will be arrested²⁴ or a family member of the individual will be accused whom the authority will consider of being involved in an offence or violation. Conceivably in contrary to what the authority of law enforcement is authorised to falsify in front of the accused individual about the character of the proof or confession or the broad resilience of the accusation against the suspect.

Elements Evaluated by Courts of Law

Considerable adequately trained and qualified law enforcement representatives will not commit to the intimidating and brutal practices and methods mentioned above. The courts of law must evaluate the intuitive and irrational factors that can be considered as being involuntary. In certain situations, the court of law can take time, location and level of elements and facts connected with the inquiry put out by the law enforcement. A prolonged investigation or inquiry at the police station will be forceful or intimidating at a higher level in comparison to the concise discussion in the public. When the law enforcement representative grants the Miranda rights warnings and abided and adhered to the suspect or accused right to exercise the Miranda rights, then the statement of confession is most probably incompatible with being involuntary. In circumstances where the suspect or the charged individual initiated the interaction on free will, then the following statement of confession is likely to consider as being involuntary except if the quality and feel of the interaction changed to a strikingly large extent²⁵. When the suspect or the accused individual is somewhat young or has no family member present, then the claim of the acclaimed confession being coercive is more weighed in such suspects. In this situation, the court of law investigates discovering the involvement of the

²⁴ Flacks, Simon. "The stop and search of minors: A 'vital police tool'?" *Criminology & criminal justice* 18, no. 3 (2018): 364-384.

²⁵ Flacks, Simon. "The stop and search of minors: A 'vital police tool'?" *Criminology & criminal justice* 18, no. 3 (2018): 364-384.

young suspect in previous crimes and violations, then this signifies that if the young suspect is familiar with the judicial system, then the claim for coercive confession is diminished in values. When the health of the suspect or the defendant is weighed as a problem for consideration, especially in the situations where the suspect is diagnosed with a mental health condition or the suspects that are drunk or drugged, then these suspects or violators are not subject to confession. Although, the situation or condition of being mentally incapable of confessing must be proved as a condition for not being put into custody. The statement is also deemed as involuntary or coerced even in the situation where the use state of being drunk or drugged was unlawful.

Notion Of Confession and Legal Advice

The notion of confession is conceivably regarded as the highest level of human rights and the right to freedom of an individual according to the judicial system and the international human rights law, due to the function of a confession as being a determining criminal obligation. For example, the confession of a suspect or felony is overseen and safeguarded by considerable assurances to guarantee that the confession is not delivered as an outcome of coercion. In the field of law enforcement and the criminal justice system, a statement of confession has earlier been referred to as the 'master of evidence,' and under the Egyptian²⁶ Criminal Code, the statement of confession is termed as the most important evidence against suspects.

Despite the importance of the confession, past lawsuits suggest that the statement of confession cannot be utilized as sole evidence against the offences and violation of the individual. This circumstance arises as a complication due to the growth of coercion, intimidation, or manipulation of the unfavourable state of the suspect in exchange for money or through any

²⁶ Sear, Lydia, and Tom Williamson. "British and American interrogation strategies." In *Interviewing and deception*, pp. 65-81. Routledge, 2018.

illegal reason. Consequently, an individual is eligible to make the declaration that an individual's choice recreates a prominent part in selecting the prevalent code of confession²⁷, regardless, the confession must be observed by transparency with consideration to the violation affair. The charged individual is restricted to acknowledge the integrity of the accusation if the individual makes a statement with clarity that the commitment or association is made with free consent.

Regulations And Legislations

The legislation and regulations have put restrictions on the credibility of the statement of confession following certain conditions to assure the safety of the confessor. The most important factor for validation the confession is that it should be provided with the consent of free will instead of being influenced or affected by the circumstances surrounding it. While practising, the individual accused needs to make an unambiguous manifestation based on his/her freedom to accept the committed crime, while participating²⁸ in the extensive breakdown of every situation of the offence or violence, and being free from vagueness or the probability of misconception.

On a further note, the statement of confession can be utilized to conclude an inquiry, as the court of law has the indisputable power to conclude the inquiry and to make the judgement, if:

- the court should accept the charged individual confession at any phase of the inquiry or trial, even in circumstances where the confession has consistently tampered with until the statement is following the truth.

²⁷ Flacks, Simon. "The stop and search of minors: A 'vital police tool'?" *Criminology & criminal justice* 18, no. 3 (2018): 364-384.

²⁸ Sear, Lydia, and Tom Williamson. "British and American interrogation strategies." In *Interviewing and deception*, pp. 65-81. Routledge, 2018.

- the court decides to not observe the charged suspect's confession if the confession was derived through illegal means or if the confession does not clarify the issue of the accusation.

Based on the following example, where the lawsuit surged rapidly to the criminal prosecution office. In this situation where the lawsuit was claimed unfaithful between two parties. While conducting the inquiry, the wife of the defendant objected to the accusation for the felony and explained the individual's presence by remarking that the defendant was simply at home to fix particular things. Further, the defendant also admitted to his confession of being at the claimant house, when the defendant was being inquired by the law enforcement officer, which then directed the judgement of the court by assessing both the claimant and defendant with infidelity, in favour of the statement of confession of the defendant as the final decision.

Primary Authority

Across the world, the criminal justice system act as the primary authority for handling the situation of human rights violations, such as the legally authorized death penalty, torture, involuntary detention, and discrimination²⁹. For the past few years, the International Human Rights System has

Throughout the world, criminal justice systems are principal sources of grave human rights violations, including extrajudicial executions, torture, arbitrary detention, and discrimination. Over the past decade, the International Human Rights Clinic has formulated significant competent proficiency while reporting rights violations in illegal trial contexts and endorsing and influencing well-structured inquiry, responsibility, treatments, and reforms. Based on the growth of the mentioned ideas and approaches for the satisfaction of the right to privacy and

²⁹ Seale-Carlisle, Travis M., Stacy A. Wetmore, Heather D. Flowe, and Laura Mickes. "Designing police lineups to maximize memory performance." *Journal of Experimental Psychology: Applied* 25, no. 3 (2019): 410.

equality, the administration of law is approved for providing and guaranteeing equality before the regulation of the law - this signifies that the claimant, the defendant and the legal representatives are equal within the law, and also everybody has the right to attain equal security of the law.

Representatives

The representatives of the justice sector and establishments represent a significant and crucial part of constituting the regulation and administration of law. The justice sectors involve in institutionalisation and administration towards an efficient and trustworthy law, guidelines and structure to assure the credibility of the suspects and violators for victims, for abuses of human rights, and also for assuring that righteousness, fairness is accessible for everyone. Even when the credibility and need for the judicial sector are respected across the world, individuals including both claimant and defendant tackle the complication of accessing justice. Eventually, some individuals suffer harm due to the lack of corrupt law enforcement and unfair justice systems. Therefore, the numerous complications that influence the unfair justice methodologies and judgements, such as biased judgement, scarcity of legal assistance, unfavourable conditions of the individual like poverty, race, religion, age, gender, corruption, flaws in the methods of law, rushed procedures, dependence on punishments, and social standards that endure discriminatory factors.

Procedures and methods established on human rights

Human rights-based approaches to the evolution and the conditioning of lawful, institutional and functional procedures are influential and significant norms of determination, acknowledging and correcting the constitutional imbalances and prevalent conditions of discrimination that pose the potential to stop unfavourable groups from approaching fairness

and equal security under the regulations and guidelines of the law. The human rights³⁰ of anyone who is in association with the law enforcement or the criminal justice system may be vulnerable in circumstances when there is a shortage in leadership, administration and responsibility. These circumstances arise when the conditions of discrimination exist in the justice system, the extensive nature of corruption is neglected, the criminal justice system utilises the power to handle social issues instead of utilising the resources and power to fight the crime against the unfavourable and violations and offences, the framework of the law enforcement threatens the wellbeing of the unfavourable or the permitted or unrestricted methodologies are utilised for declaring the punishments in the form of torture or demeaning manner.

To support and encourage the influence of human rights, to encourage the accessibility of human rights equally to every citizen irrespective of the conditions, the practices and judgements of the criminal justice system must work in harmony with the law. The operational harmony is comprised of the activities guaranteeing that the practice of the criminal justice system operates following internationally consented regulations, minimum measures, and responsible instruments³¹.

The regulations and standards of the justice system of the United Nations for fighting crime and instituting that the justice system act the part of a necessary component for influencing and encouraging the human right and addressing the victim, observers, and charged or suspect are provided with the benefit of equal human integrity during every phase of the methods of the criminal justice system. The abiding and acknowledgement of the human rights norms are crucial to guaranteeing public faith in criminal justice establishments and representatives.

³⁰ Optican, Scott. "The Kiwi Way: New Zealand's Approach to the Exclusion in Criminal Trials of Evidence Improperly Obtained by the Police." *New Crim. L. Rev.* 24 (2021): 254.

³¹ Asquith, Nicole L., and Isabelle Bartkowiak-Théron. "Police Vulnerability." In *Policing Practices and Vulnerable People*, pp. 165-181. Palgrave Macmillan, Cham, 2021.

Guaranteeing human rights confidence and trust is an elemental obligatory condition to the compliance of the rule of law. Trust in public establishments and associations and official operations is vandalised by inequality, unfairness and discrimination³². Trust functions as an influential and significant prompt of the implication of encouraging and facilitating human rights and the administration of the law as an essential element of the evolution of every nation.

CONCLUSION

The global assembly and congregation have acknowledged that the administration and guidelines of law and concern for human rights are mutually dependent on every nation, with SDG 16 conveying appropriately the function that the administration of law creates in accomplishing gentle, unbiased, and inclusive communities. SDG 16 encourages the significance of practical, responsible and inclusive establishments at every stage. Key to the growth and triumph of the SDG 16 is the endorsement of rates of unjust treatment and guaranteeing that victims have access and credibility to the criminal justice system³³. And it is necessary to determine that acquiring these objectives demands efficient measures to accomplish all Sustainable Development Goals. For example, substantial advancement is needed in executing SDG 5, gender parity, and SDG 10, to lower inequality and unfavorability to decrease unjust treatment and disassemble the constitutional restrictions to obtain righteousness. The assessment of administration and governance of the law is often considered as the most crucial aspect for securing and preserving the human rights law. Therefore, if the operations and practices of the government and legal authorities are left unrestricted by the law then the institution of human rights possess no value in the law. Thus, the regulations of the law must be characterised as the epitome of law, and no discriminating factor should exist

³² Optican, Scott. "The Kiwi Way: New Zealand's Approach to the Exclusion in Criminal Trials of Evidence Improperly Obtained by the Police." *New Crim. L. Rev.* 24 (2021): 254.

³³ Dehaghani, Roxanna. *Vulnerability in police custody: police decision-making and the appropriate adult safeguard*. Routledge, 2019.

under its protection, that is the rights of the underprivileged, the unfavourable, the immigrant, the criminal and the suspects will be secured against every complication of being mistreated or assaulted even form the most influential, affluent personalities or groups of the community. Therefore, the regulations and guidelines³⁴ of law are both swords and shields in the cause of human rights.

³⁴ Ozin, Paul, and Heather Norton. PACE: A practical guide to the police and criminal evidence act 1984. Oxford University Press, 2019.

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