

**The Justified Foundations of Court-Appointed  
Lawyering and an Evaluation of the Performance of  
Court-Appointed Counsels in Defense of Poor Accused  
in Drug-Related Cases  
(Case Study of Kashan City)**

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**Abstract**

Right to public defender that has been anticipated in remark 2 of article 190 and article 348 Criminal Procedure Law is based on equality before the law, prevention of wrongful conviction of innocence and state's obligation to access to justice for citizenship. Presence research with adoption of qualitative method seeks to evaluate performance of public defender in defense of poor accused in jurisprudence of Kashan. Findings of this research suggest that they with acceptance of their client's guilty want to judge apply legal leniencies bodies. Furthermore, these lawyers have not trend to challenge with judges. The consequence is that the poor defendants face with the prosecution so that they have not enough facilities. It is required to the judicial branch have an interaction with lawyers. As well it is necessary to Bar Association supervise on the lawyer's performance and administrative sanctions anticipated. Definition of lawyer's fee according to working hours also can be effective.

**Keywords**

Poor Accused, Public defender, Drug offenses, Access to judicial justice, Equality before the Law

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## Social Prevention of Cyber-Security Crimes

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### Abstract

The expansion and influence of ICTs and the subsequent emergence of cyber space has made fundamental changes in all aspects of human life, including the national security of societies. Cyberspace with its unique features by the means of information exchange technology had put challenges to national security whose protection is traditionally difficult and inadequate. Although criminal proceedings against these crimes are inevitable, given the reactivity of this act and its adoption after the offense, it cannot undermine the harmful effects of these crimes. Instead, it seems that preventive criminal policy, in the form of social prevention can be considered as the most effective strategy to deal with these new threats. This article by a descriptive analytical method, identifies cybercrime crimes and examines social prevention programs for dealing with cybercrime against national security. The outcome of this study is to identify and validate the implementation of this preventive model.

### Keywords

Cyber space, Social prevention, Cyber security crime, Codes of conducts, Good governance.

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## **Challenges of Criminal Law in the Face of Hooliganism Football Fans**

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### **Abstract**

Strategies and challenges of criminal law in the face of hooliganism football fans  
Overall attendance at sporting events is a lot of negative and positive functions. The crowd of spectators at sports hooliganism negative functions that sport is football due to the high volume of audience, provides fertile ground for its development. However, hooliganism spectators sometimes conflict with titles such as criminal, intentional assault and battery, destruction of property corresponded But for some reason the criminal law can deal with hooliganism spectators from all of its capacity So mainly with the development of criminal liability of legal persons (BashgahHa) and the use of excessive fines is trying to deal with this phenomenon.

### **Keywords**

Hooliganism, spectators, sports violence, football , sport

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## The Effect of "Biochemical" Factors on the Upward Trend of the Age-crime Curve of Juvenile Delinquents

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### Abstract

At the same time with new wave of medical advances in various fields of genetic psychology, molecular genetics, biochemistry, behavioral neurology and so on, theoretical criminology has witnessed the revival of biological thoughts. Meanwhile, analyzing the age-crime curve of adolescents, as one of the most exciting fields of criminological studies, has long been considered by criminal biologists, since it is believed that the sudden increase in antisocial behaviors of adolescents, is more caused by physiological changes occurred during puberty than social variables. In this regard, although most researches have been done in the field of neurology, and in particular, the role of the "prefrontal cortex of the brain", but, this does not mean that the impact of biochemical factors on the sudden escalation of delinquency among adolescents is ignored.

In general, the biochemical factors affecting ascending trend of adolescent's age-crime curve can be divided into two types: "internal factors" and "external factors". Several criminological researches suggest that, for enhancing the criminal statistics during teenage years, increasing secretion of sex hormones during adolescence, such as testosterone in men that is associated with increased levels of aggression, and estrogen in women, which correlates with the intensification of antisocial behaviors, is considered as one of the most important internal factors, on one hand; and the reluctance of adolescents to use "proper nutrition" that causes changes in body chemistry, and their tendency to use "drugs" and "alcoholic drinks" which leads to intensifying impulse behaviors, are the most significant external factors, on the other hand.

### Keywords

Age-crime curve, biochemical factors, endocrine, sex hormones, junk foods.

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## **Evaluation of the Gravity Factor in the Selectivity at the International Criminal Court in Light of the Thematic Prosecution Doctrine**

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### **Abstract**

Selectivity at the International Criminal Court (Court/ICC) is unavoidable and inevitable. The Court is not able to investigate and prosecute all cases and situations fallen within its jurisdiction. The Court's intervention is an exception to prosecution at the domestic level. The Prosecutor's discretion in selecting situations and cases, however, is not unfettered. The gravity requirement plays a leading role in the ICC situation and case selection regime. In practice, the Prosecutor, based on her interpretation of the gravity notion, has prioritized the prosecution of crimes against culture property and children and sexual crimes over other ICC-identified crimes. This article inquiries about the reason behind such a prioritization, and examines its consistency with the ICC's constituent objectives. Studying prosecutorial policies and practices directs to the thematic prosecution doctrine. This doctrine orients prosecution around some criminal themes that are often untouched at the domestic level. Because of being under-prosecuted, the victims of these crimes need special attention and protection. From this perspective, that is consistent with the expressive mandates of the court, the prosecutor targets those themes that suffer a thicker culture of impunity.

### **Keywords**

Selectivity, Admissibility, Gravity, Expressivism, Thematic prosecution.

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## Justification of Community Punishments' Exercising on the basis of Hierarchy of Reactions

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### **Abstract**

An examination of the sources of Islamic jurisprudence demonstrates that determination of the discretionary punishment has been given to the expediency of judge. The explanation of the quality of recognizing discretionary punishment by judge, undoubtedly, is one of the important subject matters by which the community punishments' station in the Islamic criminal policy is demonstrated. The present study using a descriptive–analytical method, has examined the matter and has found out the judge should "observe" the hierarchy of reactions and His movement for Selection of the most advisable reaction should be from the softest reactions to the most severe ones. This, in itself sometimes necessitates Selection of community punishments. Therefore, in situations that necessity of hierarchy's observance necessitating the selection of the community punishment, it is illegitimate to exercise another reaction.

### **Keywords**

Necessity, Utility, Merit, Hierarchy of reactions, Community punishment.

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## Systematizing the Sentencing in Discretionary Punishments in Iranian Law

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### **Abstract**

Sentencing is an important phase of criminal process in a scrutinized and purposeful criminal justice and one of the controversial objects in this respect is the optimal level of judicial discretion. By and large, there are two approaches at issue in this matter. First approach, broadly taken in Iranian criminal justice system, is giving the judges a wide discretion to weigh the circumstances of each case and choosing the best punishment for the perpetrator. This approach is based on the idea that the criminal judge has a great ability in knowing the characteristics of the crime and the offender and in identifying the best reaction toward her. So, he must have a wide discretionary power to personalize the criminal reaction and rehabilitate the offender. But there have been many criticisms to this approach, theoretically and practically. So, another approach has been put forward which is based on a predefined model, called sentencing guidelines. This approach, first taken in United States in 1980s, is currently being implemented in many countries. Enhancing the transparency of the sentencing, promoting public confidence in criminal justice system, fastening the sentencing phase of criminal process and increasing the deterrent function of punishment by increasing its certainty, are some of the benefits of this approach.

### **Keywords**

Judicial discretion, Sentencing, Criminal process, Punishment, Sentencing guidelines

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## A Study on the Functions of Policing Developments in Crime Prevention

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### **Abstract**

The occurrence of rapid changes and developments in current societies in different areas has also affected police organizations and law enforcement agencies so that they have undergone remarkable developments, taking new forms and approaches in their historical development for serving and performing new functions. In the process of policing specialization in terms of genealogy in examining the related texts, the nature of the police actions can be observed in three forms of traditional policing, professional policing and community policing, but some texts only refer to two kinds of traditional policing and community-oriented policing. According to the traditional policing approach, order is the outcome of impersonal relationships between police and citizens, paramilitary leadership structure and placing greater emphasis on the strong police presence and quick reaction to criminal behaviors or actions with the aim of making and keeping peace, but in recent decades some new approaches such as community-oriented policing (COP), problem-oriented policing (POP) and hot spots policing (HSP) have emerged and used effectively in police organizations and this clearly has had a significant influence on crime prevention and reduction. Although in recent years serious discussions have been held on the role of various factors in crime reduction around the world, many researchers, police practitioners and even the general public regard new policing strategies and approaches as the main factors for this.

### **Keywords**

Prevention, Traditional policing, Problem-Oriented policing, Community-Oriented policing.

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## **Criminological Research of Teachers' Violence against Students; the Case of First Grade High School in Marvdasht**

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### **Abstract**

One form of violence found in the educational institutions is the one directed at student by their teachers. Finding the extent to which such violence is widespread, this study investigates the different categories and the related causes of such violence. It is hypothesized that there is a correlation between teacher violence at school and job satisfaction, their tolerance, teaching skills, and legitimacy of violence in teachers' views. The sample population in this study consists of male and female first grade high school teachers in Marvdasht in 2013-2014, out of whom a hundred were randomly chosen. The criterion for categorization of teachers' violence is students' judgments. Out of a total of 858 questionnaires distributed, 431 were answered by boys and 427 by girls. The instruments were job satisfaction questionnaire, J.D.I, tolerance questionnaire, C.P.I, and other questionnaires related to teachers' beliefs in the legitimacy of violence and teaching skills. The result shows that there is a significant relationship between the degree of violence shown by teachers and their job satisfaction, tolerance and teaching skills with a correlation coefficient of (-0.01) on the other hand, the correlation between the degree of the violence and the legitimacy of violence in teachers' views and the degree of violence shown by them is positive with a correlation coefficient of (0.01).

### **Key words**

Prevention, Traditional police, Problem-based police, Community based police

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## The Study of Bodily Harms in the light of Zemiological Approach

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### **Abstract**

In modern societies improper economic, political, social and cultural policies have resulted in widespread bodily harms. Improper policies increase the intentional bodily crimes such as murder, suicide and abortion. They also facilitate committing unintended physical harms against individuals, such as harms related to safety, consumption of faulty goods and services, environmental pollution and driving accidents. In tackling these harms, criminal law has a dual approach. Criminal law simply intervenes in interpersonal and minor harms where the relation between act and damage is easy to understand. However, in the absence of a direct and clear relationship between act and harm, it simply passes. Conversely, Zemiology, as an academic discipline, has a more holistic approach to social harms and macro damages which are the center of attention for zemiologists. While it presumes that maximization of criminal law intervention is a harm in itself, it criticizes criminal law for its focus on minor offences. It also emphasizes improvement of social structures and processes rather than punishment as the only means of fighting against harms. Taking a descriptive and analytical approach and relying upon a zemiological perspective, this article studies intentional and unintentional physical bodily harms and addresses the shortcomings of Iranian legal system in treatment of these harms. The article insists the necessity of a holistic approach to social harms and involvement of other social institutes for fighting against harms along with using social responses instead of mere punishment.

### **Keywords**

Social harm, Bodily harms, Myths of crime, Humanizing of criminal law

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