

Trends in the Treatment and Social Reintegration of the Prisoners in India

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Abstract

Offenders released from correctional institutions are confronted by social, economic and personal challenges that tend to become obstacles to a crime free lifestyle. Some of these challenges are as a result of the consequences of incarceration and the difficulty of transiting back into the community. It is along this background that this study investigated the effectiveness of After-Care service in the rehabilitation. Most offenders face significant social adaptation issues, which can include family and community stigmatization and ostracism, and the ensuing negative impact on their ability to find jobs or housing, return to formal education or build or re-build individual and social capital. Unless they receive help to face these issues, they frequently become caught up in a cycle of failed social integration, reoffending, reconviction and social rejection. Unless communities understand and accept the importance of ensuring the successful treatment and aftercare of offenders, they will remain unwilling or unable to facilitate that process or to play an active role in the rehabilitation of offenders.

Keywords: Correction, Social Reintegration, Aftercare, Social Rejection, Public-Safety Rehabilitation, Reformation, Social Defence, Social Adaptation

With changed in the philosophy of punishment a convicted criminal is treated as a patient rather than an object of revenge. The treatment objectives seek reformation of the criminal and strive for developing in him the necessary potential for successful rehabilitation after his reentry into the society. Hence the rehabilitation of an ex-prisoner rests not only on the sincerest efforts of the ex-prisoner but also on the attitude of the society towards the ex-prisoner.

Certain amount of stigma is inherently linked with committing of crime and serving a term in prison. This stigma is gives rise to manifestation of social distance by the society towards ex-prisoners. Thus after undergoing the punishment of conviction for a few years, a released prisoner has to suffer a life-long punishment of a social disapproval and segregation. The wide chasm of social distance faced by the ex-prisoner lowers his morale and the solid hopes of smooth rehabilitation lamentably. Hence the study of social distance exhibited towards prisoner is an important aspect for investigation.

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Though the most fundamental and extensive work on social distance has been done by Bogardus (1929, 1959), who is well known for his social distance scale, numerous other studies on social distance have been done in varied settings and between various groups. Social distance has been investigated in various countries between ethnic groups, minority groups, religious groups, nations, student groups and occupational groups, but up to this date the social distance towards ex-prisoners has not been studied.

The social distance towards an ex-prisoner is expected to depend on the characteristics of the ex-prisoners as well as of the persons exhibiting it. The stigma ascribed for committing different types of crimes may be different. Therefore different social distance may be registered towards ex-prisoners who have committed different types of crime. With the rise in the educational level a person is expected to know more about the ideals about rehabilitating the ex-prisoners and to appreciate them more. Therefore greater educated people are expected to show lesser social distance towards ex-prisoners (Shukla, 1981).

Treatment through Probation and Parole

Closer examination of the goals of the probation service indicates some lack of clarity, and even a possible contradiction. In offering a service to the Courts (who may be said to be acting as representatives of the general public), the primary concern of an officer carrying out pre-sentence investigations and advising the court must surely be that of ensuring public safety-rehabilitation of the offender at that stage must surely become a secondary goal. However, once the offender is on probation, his rehabilitation becomes the primary goal. This rehabilitative function is equally the primary goal in the case of those offenders requiring aftercare. But the parole officers the "social defence" aspect of the work should come very much to the force, since granting of the parole must imply that men can be returned to prison if it is thought they are a threat to society. One of the dangers of any parole service is that only those men who are considered "safe" will be released: if so we may jeopardize a man's chances of rehabilitation simply on the basis of fear that he will offend again, fear perhaps based on an offence committed many years ago. If we agree that society is at least partly responsible for the causation of crime, there are ethical grounds for some risks being taken in releasing men early-but such risks can only be taken so long as the parole officer is willing to act as an effective agent of public safety. Without an adequate system of recall and proper facilities for the supervision of all parolees, it is difficult to see how parole can work efficiently in the joint interests of offender and public – both as a form of rehabilitative treatment and as a means of social defence. In an article entitled "Major Dilemmas of Social Worker in Probation and Parole" Ohlin, Piven and Pappenfort suggest that probation and parole have been assigned a number of not entirely compatible functions. They point out that officers have to contend with persistent suspicion directed at them and their charges by the police and other groups in the community, with the result that probation agencies often come to be as much concerned about shielding the organization from charges of softness as they are about protecting their clients. Two fundamental questions arise for the probation and aftercare service, namely to what extent does the present system of selection and training recognize these two distinct but overlapping goals and are the theories underlying present practice suitable for meeting what may seem to be conflicting or at best contradictory, goals? The service need to clarify its views on these matters in the immediate future (Morris, 1966).

Rehabilitation and Aftercare Services Programme

Having drawn attention to an increased responsibility to the public in relation to parole, let us now consider for a moment the goal of rehabilitation. Most probation officers would presumably be well satisfied if their probationers did not recidivate; but if they are to be concerned with offenders who have been in institutions where their anti social attitudes may have hardened they may need to

be content with a good deal less- a longer time between offences for example, a satisfactory marriage, or better health etc. In other words probation officers must be prepared for a lowering of "success" rates. If rehabilitation may mean something different from return to crime, what criteria have we for the success and will this mean a different kind of involvement with the offender?

While a man is confined, the conscious effort of the every member of the staff should be to accomplish his rehabilitation. The particular responsibility of the social worker should be to plan the prisoner's aftercare on release in direct collaboration with the probation and aftercare officer for the district to which the prisoner will go or return. On release whether to voluntary or compulsory aftercare the probation and aftercare officer should seek to achieve the prisoner's reintegration in society as a useful citizen. The probation and aftercare officer should not be expected to undertake this task unaided. There must be found in each community public spirited fellow-citizens, sympathetic to aftercare, who (with some training) should make suitable auxiliaries to support and assist the probation and aftercare officer in individual cases. Furthermore, there must be encouragement of new capital projects, like hostels for ex-prisoners (and others), which a community can sponsor (Hartwell, Prison After Care, 1964).

When does an aftercare begin? Nowadays everyone seems to agree that aftercare begins at sentence. Meanwhile the prison has received the offender and he is "at risk" for aftercare. The process towards his rehabilitation has begun. The idea is not new. As long ago as 1894 the Gladstone committee on Prisons said "that prison discipline and treatment should be more effectively designed to maintain, stimulate or awaken the higher susceptibilities of prisoners, to develop their moral instincts, to train them in orderly and industrious habits and, wherever possible to turn them out of prison better men and women physically and morally than when they came in." The prison rules provide that the purpose of training and treatment of convicted prisoners shall be to establish in them the will to lead a good and useful life on discharge and to fit them to do so. Chiefly, as a result of historical accident, there is a fundamental distinction between the prisoners who are subject to compulsory aftercare and those who are entitled to voluntary aftercare. Voluntary aftercare sprang from a humanitarian concern for the plight of the ex-prisoner, and manifested itself first through the efforts of individuals and later by the organization of prisoners' aid societies based on local prisons. Compulsory aftercare has always been applied to particular categories of offenders. Thus of those discharged from prison prisoners discharged from corrective training and preventive detention and certain young prisoners and those serving life sentences are subject to compulsory aftercare. Compulsory aftercare has the double object of rehabilitation and supervision, supported by the sanction of recall to a penal establishment if the ex-prisoner misbehaves. In 1953 the Maxwell Committee on Discharged Prisoners' Aid Societies recommended the appointment at local prisons of trained and qualified social case-workers to be known as prison welfare officer. There is now a social worker in every prison in England and Wales and at some of the larger establishments there are several. A prisoner serving a long sentence needs the help of a social worker at the outset of his sentence and during this course as much as any other prisoner. His basic needs do not differ according to the kind of sentence he receives nor where it is served. He will want a home, a job and a friend whichever penal institution he leaves. The nature and quality of the aftercare service provided should be fundamentally the same and should be available to all offenders irrespective of their particular type of sentence (Pawar, 1975).

Prisoners who receive general education and vocational training are significantly less likely to return to prison after release and for them there are wide opportunities to find employment than peers who lack such opportunities. The emphasis is given to rehabilitate the prisoners in the society after their release and they could earn for their survival.

Table- 1.1
Uttar Pradesh vis-à-vis All India, number of Prison Inmates trained under different vocational trainings during 2010-12

Year	Head									
		Agri	Carp	Can	Tail	Weav	S& Ph	Hand	Oth	Total
2010	U P	0	0	0	103	0	0	0	618	721
	A I	2061	4390	380	51	6002	463	2059	16526	36995
2011	U P	0	0	0	0	0	0	0	6157	6159
	A I	2538	9833	367	3406	4427	553	797	27396	43317
2012	U P	0	0	0	312	572	164	0	7092	8140
	A I	3095	4208	379	4245	6249	486	399	33167	52228

Source- Prison Statistics, National Crime Record Bureau, Ministry of Home Affairs, Government of India

As shown in table n. 1.1, it represents that the number of prison inmates trained under weaving section are maximum on all India basis as compared to the other sections of vocational training programmes in the year 2010 and 2012 while in the year 2011 the number of prison inmates engaged under carpentry section are maximum. But in case of Uttar Pradesh, the number of prison inmates engaged in vocational training under agriculture, carpentry, canning and handloom section is quite nil in the respective three years. In Uttar Pradesh, the prison inmates have been imparted vocational training under tailoring, weaving and soap and phenyl section. There is a significant increment in the involvement of prison inmates on all India basis in the succeeding three years.

Table-1.2
Uttar Pradesh vis-à-vis All India details of expenses on inmates in Vocational/ Educational training during 2010-12

S.N. Year	Expenses of Vocational/Educational Training in Lakh		
	2010	2011	2012
1.Uttar Pradesh	31	31	34.1
2. All India	2285.5	1190.2	1579.9

Source- Prison Statistics, National Crime Record Bureau, Ministry of Home Affairs, Government of India

As shown in table n. 1.2, it represents that the expenses on vocational/educational training of the prison inmates was maximum in the year 2010 which considerably decreased up to almost half of the previous year in the year 2011. However, this amount increased to a significant level again in the year 2012. While in case of Uttar Pradesh, the expenditure on vocational/educational training was almost stable in the last two years and recorded a slight increment in the amount in the year 2012.

Social Re-integration of the Prisoners

Social integration refers to the process of integrating socially and psychologically into one's social environment. However, in the fields of crime prevention and criminal justice, where it is frequently used, the term refers more specifically to various forms of intervention and programme targeting individuals to prevent them from becoming involved in criminal behaviour or, for those who are already in conflict with the law, to reduce the likelihood that they will reoffend. Social integration interventions are therefore attempts by various components of the justice system, in partnership with social agencies, NGOs, educational institutions, communities and the offenders' family, to support the successful social integration of individuals at risk of offending or reoffending. Programmes can be developed for various groups of individuals at risk of offending or reoffending, including children and youth whose socialization is still "in progress", as well as for individuals from groups who tend to face some particular social integration challenges, such as minority groups, immigrants or individuals suffering from mental illness or a substance abuse problem. Some of these groups may indeed be facing situations of outright social exclusion and may need assistance in dealing with nearly insurmountable social integration obstacles.

The term "social reintegration programmes" is used to refer specifically to interventions designed to help offenders who have been placed in an institution, such as a reform school, a detention centre or a prison, a mental health institution or a residential drug treatment centre. They include rehabilitation, education and pre-release programmes offered in prison, as well as conditional release, post-release and aftercare interventions. The primary objective of social reintegration programmes is to provide offenders with the assistance and supervision they need to learn to lead crime-free lives and to avoid reoffending. Their purpose is to help offenders desist from crime, successfully reintegrate into the community and avoid a relapse into crime.

In general, there are two main categories of social reintegration programme:

(a) programmes and interventions offered in the institutional setting itself, in advance of the offenders' release, to help them resolve issues, address risk factors associated with their criminal behaviour and acquire the necessary skills to lead law-abiding and self-supporting lives, as well as to prepare them for their release and re-entry into society; and (b) community-based programmes, sometimes part of a conditional release scheme, to facilitate the social reintegration of offenders after their release from custody. Many of the programmes that belong to the second category rest on the provision of some form of community supervision as well as various forms of support and assistance to offenders and sometimes also to their family.

In recent years, post-release interventions, including community-based interventions, have been variously referred to as "aftercare", "transitional services" or "social reintegration" or "resettlement" programmes. Some of these post-release interventions do in fact begin while offenders are still incarcerated with the intent of facilitating their post-release adjustment. In many countries, a renewed emphasis is placed on managing the re-entry of offenders into society. Re-entry typically occurs at the end of a custodial sentence or other form of detention, but it can also occur earlier as part of a conditional release programme, sometimes under formal supervision and sometimes without any supervision or assistance at all.

In some countries, these programmes are known as "offender resettlement programmes". The Association of Chief Officers of Probation of the United Kingdom of Great Britain and Northern Ireland has adopted the following definition of "resettlement programme":

"A systematic and evidence-based process by which actions are taken to work with the offender, in custody and on release, so that communities are better protected from harm and reoffending are significantly reduced. It encompasses the totality of work with prisoners, their families and significant others in partnership with statutory and voluntary organizations."

The vast majority of incarcerated individuals are eventually released from prison. The re-entry process is a transition full of emotional significance and practical difficulties for the offenders. It may further pose challenges for the offenders' families and the wider community. Efforts to assist their successful return to the community must therefore consider both the needs of the offenders as well as the risk they present in terms of community safety (Series, 2012). Successful programmes are usually those which have raised public awareness of the issue and worked with local communities to make the reintegration of offenders possible.

Conclusion

There are vast areas which need to be focused for adequate rehabilitation of the prisoners but it can be best improved in the areas of medical and psychiatric services, inmate classification, casework, vocational training, linking of inmates to the community, inmate education, recreational services, and aftercare services.

Upon admission of a criminal into a jail, the points which are taken into consideration are (1) case history of the prisoner; (2) his socioeconomic status; (3) correspondence to help settle any inmate property and family disputes; and (4) recreational and educational programs. These services need to be consistently and effectively provided in the prisons as part of a specified and integrated rehabilitative system. The corresponding government of the state as well as centre should evaluate the importance of rehabilitative services in prisons and set a policy for the scope of such services. Sound health, both mental and physical is required for the skill development of the inmate resulting into his successful rehabilitation after release and this can be best achieved by providing him quality based medical and psychiatric treatment. There should be proper classification of the prisoners and the treatment should be provided keeping in mind need and type of the service required to a particular group. Casework can be a best method to classify the impact of the prison regime on inmates, while vocational training should equip inmates with the skills to compete efficiently as per their skills upon release. Now this follow up can be performed by engaging a number of social workers who give their progress report to the government via concerned prison authority about the successful rehabilitation of the prisoner after his release which is the liability of the state also. We can admire a number of States, who have established open-air farms in their respective states for inmates that permit them to work in the community and maintain community ties with their families. Education perhaps may bring improvement in inmate's attitude as well as knowledge, while other recreational activities like yoga and other moral education are essential to the good morale and positive mental outlook of inmates. Aftercare services that help the inmate to adjust to society upon release should include educating the public about the needs of the ex-offender.

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