

**TATA INSTITUTE OF SOCIAL SCIENCES**

**DEPARTMENT OF CRIMINOLOGY AND CORRECTIONAL  
ADMINISTRATION**

**THIRD ANNUAL REPORT OF**

**"P R A Y A S"**

**A FIELD ACTION PROJECT**

**PERIOD - FEB '92 TO FEB '93**

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## 1.0 ACKNOWLEDGEMENTS :

In the last three years that 'PRAYAS' has been in existence and growing, we have received support and encouragement from many quarters. The individuals and organizations who have helped us reach where we are today are many, and it would be impossible to record the contribution of all. We hope to be forgiven for this.

Dr. A.S. Desai, Director, TISS, not only gave us permission to start the project, but has continued to support us in all our efforts from time to time. Dr. D.R. Singh, Head of the Department of Criminology and Correctional Administration and all other faculty members of the Department have also been a constant source of support and encouragement. Besides, we would like to specially thank the staff of the Accounts Department, Shri Ghotage, Ms. Rajee Menon, Mr. Sandeep Kothmire and many others who have handled our accounts, and assisted us throughout.

'PRAYAS' is grateful to the Department of Prisons, Government of Maharashtra for allowing us to continue and expand our work. We would like to thank Shri M.N. Singh, Ex. I.G. of Prisons, and presently Joint Commissioner (Crime), Bombay, Shri. D.J. Chowdhari, Ex-Superintendent, Bombay Central Prison, and presently DIG Prisons (HQ) and Shri Kharote, retired Superintendent of Bombay Central Prison.

We express our appreciation for all the co-operation extended by Bombay Police. Shri S. Ramamurthi, the then Commissioner of Police and retired Director General of Police, Maharashtra, D.C.Ps Shri K. Ramachandran, and Shri S.S. Kemkar continue to guide and support us, and for this we are grateful to them.

We are grateful to the Judiciary for supporting us whenever we have approached them. Our thanks to Justice Shri S.P. Kurdukar, Shri M.G. Karnik, retired C.M.M. and Shri S.A. Merchant, present C.M.M. and all the Metropolitan Magistrates of Bombay. We would also like to thank Ms. Meera Rege, Under Secretary, Department of Law and Judiciary, Shri S.V. Padhye, Field Officer of the Department and Justice (Retd.) Shri S.N. Khatri for their active support in our endeavour to reactivate the Government Legal Aid machinery.

This year, we had a one day seminar on the problems facing the Criminal Justice System and to work out an Inter Departmental Approach towards addressing these problems. The meeting held at Mantralaya was hosted by the Department of Home and attended by representatives from the Departments of Police, Prisons, Law and Judiciary and Women and Child Welfare to discuss the issue of formation of a high level inter-departmental committee. We are grateful to Shri Babanrao Pachpute, the then Minister of State for Home, for hosting the meeting, Justice (Retd.) Shri C.S. Dharmadhikari for presiding, and Shri B.J. Misar, Principal Secretary, Home, for taking such an active interest.

Our thanks to YASHADA (The Yeshwantrao Chawan Academy of Development Administration) and specially Ms. Nasreen Siddiqui for inviting 'PRAYAS' to a training programme for prison officers in Maharashtra, to take a session on rehabilitation of prisoners.

Shelter for our clients released from prison, has always been a problem area for us. We now have the permission to use the facilities of the After Care Hostel for juvenile institutions at Chembur, Bombay. For this, we are thankful to the Maharashtra Probation and After Care Association and specially its President, Dr. S.D. Gokhale, Chief Officer, Shri Patil and Superintendent, Shri Shinde. Voluntary organizations have also extended their shelter facilities to our clients whenever needed. We are grateful to Bal Asha Trust and YUVA for this.

The work of 'PRAYAS' would have no meaning without the voluntary services of a team of lawyers handling our cases in the various Courts of Bombay. For this we would like to thank the lawyers : Shri S.R. Srivastava, Ms. Sunanda Barve, Shri K.T. Vasvani, Shri S. Babar, Shri K.K. Thakur, Shri G.T. Shinde, Ms. Mridulla Agarwal, Shri Chohan, Ms. A. Kewalramani, Shri C.B. Nayak, Shri Iqbal Bora, Shri N. Shetty, Shri A Wagh, Shri P. Singh, Ms. S. D'Souza.

For our financial assistance we are grateful to various individuals, business houses and funding agencies for their assistance. We express our gratitude to Tata Exports, IGSSS, Dorabji Tata Trust, Shri Suresh Suratwala, Shri P.D. Kunte and Shri V.V. Chitale.

And finally, we are grateful to all the individuals who have employed our clients and to individuals and organizations that have given training to our clients. We would like to thank the following in this connection : Rotary Club of Bombay (W), Inner Wheel Club of Bombay (W), Chetana Ventures, Dr. Dipak P. Vyas, Shri Vinod Singh, Shri N. Shetty.

Ms. Jyoti Pandya, Community Development Officer, Nehru Rozgar Yojana, M.C.G.B., we thank you for taking an active interest in exploring avenues to extend NRY in prison.

Our thanks also go out to individuals who have supported us in their personal capacities. These individuals are Shri Sudhir Dalvi, Shri P. Shrikant, Shri B.D. Kamble, Shri D.P. Singh and Shri P. Chandrasekhar

## 2.0 INTRODUCTION :

'PRAYAS' made its beginning in the year 1990 as a three year experimental field action project. It has completed its third year this February, and we may add, with modest success.

These three years have been fruitful and encouraging in terms of the response received from our clients as well as from the Criminal Justice System. Yet, we feel that we need at least two years more to consolidate our experience and explore other possible areas of social work intervention within the Criminal Justice System. Hence a decision has been taken to extend the project to five years.

Though our major objectives i.e. of reformation and rehabilitation of offenders, and services to undertrials have remained the same, our scope has broadened to include many activities, leading the project to increase its staff.

With our increasing experience of the field, we have realised that rehabilitation is affected by system-related problems. We are studying these issues, and one of our objectives is to draw the attention of the administration to specific problems related to detention, trial and rehabilitation. Today, we also see ourselves as being able to generate knowledge in the area of criminology and correctional work, through documentation and analysis of field experience.

This report is an overview of the last three years. It focuses on areas not highlighted in the previous two reports, and tries to give the reader an insight into our work.

For those readers who are not acquainted with our work or have not read our earlier reports: Our first report gave a history of the project, discussed the role of social workers in prison, and described attempts made to network with the Police, Judiciary and the Community. The response received from the prison administration and the client group was also elaborated upon. Our second report focussed on the process of rehabilitation. A brief report was also made on the balwadi started in the Women's Section of the Prison in collaboration with the Child Guidance Clinic of TISS. Each report also made a mention of future plans of the project, and gave statistics in the area of services and post release work.

We hope this report generates your interest in our work and we welcome your suggestions in this regard.

### 3.0 HAPPENINGS :

**MAY ●** An Inter-Departmental meeting held at Mantralaya under the Chairmanship of the then Hon'ble Minister of State for Home, Shri Babanrao Pachpute, to discuss problems facing the Criminal Justice Administration.

**JUN ●** Appointment of Shri Imtiaz Naik as a para-professional for office assistance and home visits.

**JUL ●** Presentation of our work made at the Inner Wheel, Rotary Club of Bombay West, at Juhu.

Appointment of Ms. Sheeba Chowdhary as a full time social worker for the Women's Section in Prison.

**AUG ●** Appointment of Ms. A.L. Devyani as a part time social worker for 'Job Development'.

'PRAYAS' was invited to take one session of a training programme for volunteers organized by Apnalaya on crime prevention.

**SEP ●** Appointment of Shri Ravi S.K. as a full time social worker for handling the legal services of 'PRAYAS'.

First Self-Help Group meeting of 'PRAYAS' clients held to discuss the idea of formation of a support group for the agency.

**OCT ●** Meeting held with Shri S. Ramamurthi the then Commissioner of Police, Bombay, requesting him to assign a senior officer from the Police as a liaison and contact person for 'PRAYAS'. D.C.P. (Preventive) assigned for this purpose.

**NOV ●** 'PRAYAS' team invited to YASHADA (The Yeshwantrao Chawan Academy of Development Administration), Pune to make a presentation on the Role of the Social Worker in the Rehabilitation of Prisoners, as part of a training programme for prison officers in Maharashtra.

A new para-professional Mr. Vikas Kadam appointed for working in the Young Adults (Male) Section of the Prison.

A meeting with I.G. Prisons Shri M.N. Singh to discuss the work of 'PRAYAS'.

Permission received from Maharashtra State Probation & After Care Association to utilize the Government After Care Hostel for boys (released from juvenile institutions) at Chembur, for our male clients without shelter.

- DEC** ● Social worker Ms. Deepa Chandrashekhar appointed on a part-time basis to conduct a follow-up study on released prisoners.

Meeting with Justice Shri S.N. Khatri, Mrs. Meera Rege and Shri S.V. Padhye of the Maharashtra State Legal Aid and Advice Committee to discuss the proposal for placement of social workers in the metropolitan courts of Bombay and also to give feedback about functioning of the legal aid system. In that meeting, 'PRAYAS' team was invited to make suggestions on the draft rules for the forthcoming Rules for Visits to Prisons and Juvenile Institutions Committee.

- JAN** ● Shri Vijay Raghavan, social worker (Prison) assumed responsibility as social worker (Co-ordination).

'PRAYAS' participated in the legal aid work during the riots as part of the TISS efforts at Deonar.

- FEB** ● Circular issued by D.C.P. (Preventive) to all police stations concerned, to avoid arrests on suspicion and preventive detention of 'PRAYAS' clients. It was also notified by him to intimate 'PRAYAS' immediately on arrest of our clients who had been arrested with substantive evidence.

4.0 PRAYAS STAFF POSITION :

Project Director

Social Worker  
(Co-ordination)

PRISON

Male Section

Female Section

- Para Professional Social Worker●
- Arts 'n' Craft Teacher
- Education and Recreation Teacher

- Social Worker
- Balwadi Teacher
- Literacy Teacher

COURTS

- Social Worker (Legal Aid)  
(Also visits prison).

OFFICE

- Social Worker (Administration) part-time.○
- Para Professional (Typist) part-time.♣
- Office Assistant.

COMMUNITY

- Job Developer part-time.
- Para Professional (Home visits)●

DOCUMENTATION

- Social worker part-time.○
- Para Professional (Data collection) part-time.♣

● )  
○ )  
♣ )

Symbols indicate same person handling two assignments.



## 5.0 REHABILITATION OF YOUNG ADULTS (MALE) :

Rehabilitation of undertrials is one of our major objectives and our methodology of work is geared towards the achievement of this objective. In the past three years, we have grown and expanded our work in order to meet the needs of our client group. An assessment of our work reveals that we have been able to meet them to a certain extent. However, there is scope for improvement and there are certain areas in which we need to develop ourselves.

The Young Male Section of Bombay Central Prison has produced encouraging results in terms of response from the client group. Job placement has been one of the major requirements of this group. On release from prison, the young men who have come to 'PRAYAS' have often sought our help in finding jobs, besides the other services like police protection (to avoid arrests or suspicion on preventive detention due to past record), and family counselling.

Initially, the job requirements were met on an adhoc basis i.e. jobs were found through personal contacts. We made presentations before such organizations as Rotary Club to offer jobs/training to our clients. Individuals who believed in our cause came forward to offer jobs to our clients and we were able to meet the needs of the client group. However, as we gained insight and experience, and our client group increased, we faced the problem of matching our clients' aptitude to the job available. As a result, we had the problem of clients leaving jobs after short periods. Besides, discipline, punctuality, regularity and accountability to the employer were concepts that the client found difficult to adjust to, and this made us realise that we needed to develop our job placement service. The fact that our client group requires certain behaviour modifications as well as faces other legal and socio-economic problems makes it necessary that the individuals who employ them understand their need and work in close co-operation with us.

Another fact that came to light through experience is the need for immediate remuneration on release. The inclination towards training and development amongst our client group was found to be low. Therefore, it became imperative for us to approach such employers who would provide 'on-the-job' training. The stipend would either be paid by the employer or by 'PRAYAS'.

All these factors, combined with the fact that a job is an immediate need of the client on release, have led us to employ a social worker on a part-time basis to develop the job placement opportunities. Also, after discussion and analysis of past cases, we have decided to lay more emphasis on training and development of skills either by 'on-the-job' training or through enrolment for courses in training institutes.

Apart from employment, shelter is another essential need of our clients. So far this need has been met either through improvement in client-family relations or through help and support of voluntary agencies like YUVA and Bal Asha Trust. Recently we have been successful in our efforts to get permission from the Maharashtra State Probation and After Care Association to utilize the facilities offered by an After Care Hostel run by them in Chembur. We can now use this facility for our clients who are runaways from home or are unable to return to their families, for a maximum period of six months. Our efforts in the area of finding more such organizations continues and we hope to develop this area further.

Client counselling and family counselling is another focus area of the workers. Counselling plays an important role in not only bringing about attitude changes in the client but also in improving his relationships with family, employer, police and neighborhood. Through counselling, the client is able to handle his emotional problems and come to terms with his reality. Family counselling benefits the client as well as his family members in that they learn to adjust to each other's needs and requirements.

In addition to all the above, legal aid and guidance and liaison with police continue to be a regular area of our work. Since clients may be out on bail, they may have cases pending in courts, warrants issued against them or probation reports waiting to be filed. In all these areas, they need legal aid and awareness as well as the social worker's intervention in court (either through his presence or by way of meeting the magistrate, lawyers or court officials or by filing a social worker's report in court). Liaison with the police includes issuing a letter of introduction for the client and informing the police that he is a PRAYAS client. It also includes negotiating a commitment from the police that arrests on suspicion or preventive detention will not be resorted to. On rearrest of a client in spite of such precautions, the social worker has to rush to the police station, present his client's credentials and enter into protracted discussions with the police. All this might result in release of the client, or even if not, some kind of mutually agreed upon plan would be worked out. (More details can be gathered from the section on police).

Through constant revisions and additions, we are able to generate more knowledge in the field of rehabilitation of undertrials. Rehabilitation thus continues to be the driving force behind all our efforts and work, and we hope to continue to improve and develop this area.

## **6.0 REHABILITATION OF WOMEN :**

**'PRAYAS'** was started with certain objectives three years ago. These objectives, over the years, have undergone minor alterations. However, the broad framework remains the same. In order to get a clear picture of work done in the Women's Section, we need to take a look at the objectives that have guided the work of rehabilitation.

- (i) To assist the undertrial prisoner with problems related to being in prison. These include emotional needs and dealing with specific problems.**
- (ii) To create awareness in the undertrial prisoner, of the need to take responsibility for himself, not necessarily in relation to the offence alone, but life style in general.**
- (iii) To initiate a process in the area of rehabilitation by helping inmates explore alternatives and make choices that will help them get out of criminality.**
- (iv) To create awareness of the identified needs and problems of undertrial prisoners amongst members of society and concerned Government and voluntary agencies.**

In the past three years, the Women's Section has had the services of a full time social worker and student social workers along with the other staff of **'PRAYAS'**, in order to address the problems of the Section.

The Women's Section of Bombay Central Prison is plagued with certain systemic problems which hamper the objective of rehabilitation. These problems also affect the women and their attitude towards life, both inside and outside prison. Broadly speaking, these problems exist in the area of health, police escorts provided to prisoners and facilities in prison.

The Women's Section lacks the services of a lady doctor on a regular basis and hospital check-ups get delayed due to the escorts problem. The escorts services also affect the court dates of the women. Due to shortage of W.P.Cs and frequent 'bandobast' duties assigned to W.P.Cs, the women prisoners sometimes are not taken to courts on their date of appearance.

Women are allowed to keep children below five years with them. Often, these women also have children who are left outside without any means of support. Anxiety about the welfare of these children plays heavy on the minds of imprisoned women.

The Women's Section is managed by four matrons who are not skilled to handle the women and the various accompanying problems. In fact, they themselves feel marginalised and neglected in the overall prison

administrative hierarchy. The women accuse the matrons of corruption and biases and the matrons view the women as a useless and lazy bunch who do not want to change their life style.

Given all these limitations, the worker not only has to work with the women but also with the system. The worker, in addition, has to handle situations that keep coming up on a day-to-day basis, like a sick child that requires immediate medical attention, or a quarrel between the women and the matrons, or amongst the women themselves.

The atmosphere inside the barracks is often dull and depressing. The women are apathetic to discussions and activities. They approach the worker with requests for home visits, legal aid, problems related to their children, writing of applications and so on. The worker often ends up doing more and more home visits and handling day-to-day crises.

As a result of this, the worker sometimes reaches a frustration point feeling sandwiched between the administrative set up and the client group. The number of women who make contact after release is very small and this had led to discussions on what the reasons could be. To assess the work done in the past three years, a study has been undertaken which is expected to throw light on the future course of work in the Women's Section. In order to find answers to questions such as, what happens to women once they are released and why do they not make contact with us, another study has been undertaken early this year which will follow up cases after release from prison (for details, refer to the section on followup study).

Perhaps the Women's Section will need an entire new format of work once the studies undertaken are completed. The definition of rehabilitation as viewed by the workers of 'PRAYAS' may have to undergo some changes.

Whatever the future course of work may be, it is certain that our first and last objective (as given in the beginning of this section), of assisting the undertrials in handling problems related to prison, as well as creating awareness about problems of undertrial prisoners in the community and the system, have been fairly well met. Our objective of initiating the process of rehabilitation through discussions, and developing a one-to-one relationship has also been kept in mind by the workers while carrying out their work. Considerable amount of work has also been done in the area of creating awareness in women about alternative lifestyles, though without much success. Provision of services such as home visits, legal aid, services to children, etc. have catered to a felt need and is a very important objective in itself. While rehabilitation goals may have remained only partly achieved, other equally significant objectives have been successfully achieved by us. We do not wish to underemphasise this fact.

The work of 'PRAYAS' carries on, based on the above mentioned guidelines and with improvements in future, we hope to continue the work of providing services in the prison and rehabilitation of released prisoners.

## 7.0 WORKING WITH THE POLICE :

Interacting with the police (i.e. officers as well as the constabulary) is an integral part of our work, as we believe that they have a necessary role to play in the rehabilitation of offenders. This common objective is the main reason for the considerable progress of our relationship with the police over these three years.

Many released prisoners who are our clients are undertrials, who are out on bail or personal bond. Others are on probation, whereas some have served a sentence. There are also those who have either been acquitted or whose cases have been discharged. Released prisoners are vulnerable to police action if they have a past criminal record. They are at risk of being re-arrested on suspicion or under preventive detention, and may land up in prison again in the absence of necessary support.

Thus, the two main purposes of working with the police have been :

- (i) To avoid the unnecessary arrest on suspicion of those clients who are 'going straight' but get arrested due to their past record.
- (ii) To elicit the co-operation of the police in working out a realistic plan with respect to those clients, whom the police have arrested with substantive evidence, but nonetheless, have shown good potential for rehabilitation. In such instances, the worker and the police officer concerned have a free and frank discussion, and exchange information. This helps in reaching better understanding between the police and the worker, and also leaves the client with a feeling that the police have been fair to him/her.

Procedures of working with the police have evolved gradually and we have been able to do so mainly because :

- Our approach is to develop a functional relationship with the police rather than start with any ideological bias about the system.
- We are open minded and our need is to "work" with the police rather than take an "either" "or" position whenever an arrest of our client takes place.
- We do not confront or question the intentions of the police officer concerned.
- We try to create an atmosphere of mutual respect for each other's roles.
- And most importantly, we try to emphasize that both 'PRAYAS' as well as the police have crime prevention as one of their objectives.

We began working with the system on two levels. One, with the higher level (i.e. the D.C.Ps of various zones, with the permission of the C.P.) to get them to accept the project, and two, with the field staff on individual cases. Certain practices of working with the police have evolved on a case to case basis. Our first experience with the police was when our first client was arrested on suspicion due to his previous record. When our worker reached Deonar Police Station along with the employer of the client, he found that the police had already started externment proceedings against him. The Senior Inspector of the Station, Shri Kewalramani was understanding, but he asked us to meet the D.C.P. Here again the D.C.P. Shri Karkare understood our work (as in the meanwhile students of the Department of Criminology and Correctional Administration had been placed in police station for field work). Our client was discharged after Shri Karkare was convinced that we were trying to rehabilitate him. A letter of introduction was issued to our client, which the D.C.P. endorsed and circulated to all Police Stations of that Zone. We have continued this practice with those clients who we feel will be re-arrested on suspicion. It has been our experience that the police honour these letters when we contact them on client re-arrest. The incident also made us realise that re-arrest on suspicion is a reality, and can interfere in the process of rehabilitation. So we met the then Commissioner of Police, Shri Bhawe with the support of D.C.P. Zone IV, Smt. Meera Borwankar, to get some kind of recognition for the project. Subsequently, a letter of introduction was issued to our social workers. A paragraph was also inserted in the Police Notifications issued to all police stations (P.N.Para), stating that social workers of 'PRAYAS' should be given full co-operation by the Senior Inspectors of all police stations. Thus the credibility of the work was established.

Another example of police co-operation can be cited in the case of a habitual offender who was given a job in the Dahisar police station by Senior Inspector Shri Honavar. After a few days, the boy absconded and both the police and the worker lost touch with him. At a later date, when the boy re-established contact with the worker, the process of rehabilitation resumed. However, it was learnt that the client was wanted in another case. The worker met the police once more. At this point, the Senior Inspector had changed, but the new officer was willing to experiment with the worker and give the boy another chance, provided he surrendered first. The boy was not willing to surrender and eventually, the case failed and was terminated. In spite of this, the important points to be noted are :

- (i) Change of officers did not change the response of the police station towards the project workers, thus indicating that our approach had been accepted.
- (ii) There was perfect understanding of each other's roles. The worker was treated as a professional and his judgement was respected.

In order to orient the police about the objectives of 'PRAYAS', the D.C.P. of Zone IV Smt. M. Borwankar called a meeting at the Matunga Police Station of all Senior Inspectors of the Zone, along with one beat officer and one investigation officer of each police station. The police and the project workers exchanged their views and a heated discussion ensued. Nevertheless, the meeting ended on an optimistic note. The initial resistance of the police, to the concept of rehabilitation, gradually gave way to an acceptance of the necessity and possibility of rehabilitation of 'certain' offenders (who are more victims of circumstances than criminals by choice) provided the police and social workers work at it together.

We want to put on record the active interest and support of two police officers, namely, D.C.P. Meera Borwankar and D.C.P. K. Ramachandran, in reaching the position that we enjoy today vis-a-vis the police. Our special thanks to them.

We felt the need to formalise the practices which had evolved through our work with the police. We also felt a need to have regular contact with one person from the police force. This was because we have had to renew contacts with officers everytime they were transferred. We, therefore, met the Commissioner Shri S. Ramamurthi in this regard. Subsequently, the D.C.P. (Preventive) Shri Kemkar was assigned to us as our contact person. This was in consonance with the fact that we were involved in crime prevention. Our meeting with the D.C.P. (Preventive) resulted in another P.N.Para being issued which stated that, in case of re-arrests of clients of 'PRAYAS', the officer-in-charge of the case should look at it from a humanitarian angle and should extend co-operation to the social worker handling the case.

It needs to be mentioned here that the rehabilitation process is difficult and the client faces ups and downs in this process. Even a person who shows strong motivation to change cannot be rehabilitated overnight. In one such case, a client who was showing tremendous motivation was caught by the police just before he re-offended. The Antop Hill Police Station had not begun proceedings against him, since the letter issued by 'PRAYAS' was found on him. Our worker was allowed to meet the boy in lock-up. The worker had to convince all officers in the police station that the boy had been showing improvement and that it was a weak moment to which he had succumbed. The worker asked the police officers if they were willing to experiment with him. If they were, they should release him to the care of the worker. After much discussion they agreed to do so. Today, though the boy is not fully rehabilitated, he has not re-offended since.

## 8.0 THE COURT SOCIAL WORKER :

The social worker working inside the prison found himself devoting most of his time providing services to the prison population, due to which his main work of reformation and rehabilitation was being sidelined. The worker observed that a large number of inmates approached him for legal aid. He had to write applications, contact lawyers and follow-up their cases. The social worker found that the Maharashtra State Legal Aid and Advice Committee was inadequate with regard to criminal cases at least at Metropolitan Courts Level. Also, many undertrials did not want to be represented by a lawyer under this scheme. Due to this, 'PRAYAS' thought it necessary to form its own network of lawyers which could handle cases of those clients who could not afford to pay fees. Our social workers approached lawyers, and those who seemed to believe in our cause were willing to take up cases of our clients on an honorarium. Due to increasing legal work, we felt the need to appoint a social worker who would share the work load of the prison worker and look after all the court related matters. In September '92, the court social worker was appointed. The role of this worker is to visit the prison and select cases for free legal aid, give legal information to inmates, write applications for them and follow-up cases.

In the court, this worker helps the client in various ways. He may ask for expediting a case by taking a short date, or persuade the lawyers to attend regularly. The worker may also speak to the magistrate in the court or in his chamber about the background of those clients who have shown a strong motivation to reform and about whom the worker has reliable information. (It may be noted that the worker provides information only regarding the psycho-social aspects of the case conducive to rehabilitation. It has no relevance to the guilt or the innocence of the accused in the offence he is charged with).

The visibility of the court worker in courts has helped to strengthen the image of 'PRAYAS' from the point of view of both the client, as well as the magistrate and lawyers. The clients who see the worker in court feel that 'PRAYAS' is concerned for them, and it helps strengthen their motivation to give up crime as a way of life. On the other hand, the presence of the worker makes the magistrate look at other alternatives of dealing with the case (such as releasing <sup>the</sup> person on personal bond, probation, etc.) rather than handling cases in a routine manner.

Apart from this work, the court worker is also trying to reactivate the Government Free Legal Aid Scheme. It is planned to achieve this goal through meetings with magistrates and the presidents of the various bar associations as well as other legal luminaries.



Many of our clients have been re-arrested in the first six months of their release. Most often, in case of such routine arrests, we have been able to get the client released by the police, by proving his credentials. But in certain cases, when the police are convinced that the boy is guilty, the worker has respected their decision. Even then, the police has never withdrawn support. They have been willing to co-operate in other ways, such as, giving us guidance and information related to the case, allowing us interviews with the client while in police custody and helping to get bail for him.

The workers of 'PRAYAS' believe that the police have a necessary role to play in the area of crime prevention. We also realise that the police have experience and understanding about the behaviour patterns/movements of offenders. The police officers have offered suggestions to us regarding how our clients who are trying to reform, should behave and what they should avoid doing, so that the police start trusting them. These suggestions have been very helpful to us in our work.

In the aftermath of the recent riots, a few of our clients were arrested, but when we were able to provide credentials, the police co-operated with us. In one instance, a chapter case proceeding was reversed. Chapter case refers to Section 110 of Bombay Police Act, whereby an offender with a record of repeated violent offenses can be put behind bars for a specific period (as a preventive measure). In another case, the boy was released on personal bond. In yet another case, where the boy was arrested under charges of rioting, he was released under Section 169 of the Cr.P.C. as no evidence was found against him.

In the course of our work, small but significant changes have been made which may seem to be on a micro level. But these changes could have a bearing on a macro level at some future date, if we continue to work in a sustained manner.

## 9.0 THE MEETING HELD AT MANTRALAYA :

On 7th May, 1992 a meeting was organized by us at Mantralaya under the Chairmanship of Shri Babanrao Pachpute, the then Hon'ble Minister of State for Home, Government of Maharashtra. Members present at the meeting included representatives from the Police Department, the Law and Judiciary Department, the Women, Child and Handicapped Development Department, the Home Department, the Superintendent of the Bombay Central Prison and Institutions for women. Also present were the faculty of TISS, social workers and students, resource persons of 'PRAYAS' and donors. The meeting was presided over by Justice (Retd.) Shri C.S. Dharmadhikari who has been a great support to us from time to time. We also received the able guidance of Shri B.J. Misar, Principal Secretary (Home) in hosting this conference.

In the meeting the following general issues were considered :

- 1 The need for inter-departmental co-ordination in the field of crime prevention and reformation and rehabilitation of offenders with special reference to women, children and youth. The Minister felt that more thinking was required about how his co-ordination could be achieved and he offered to make time available for discussion of this issue.
- 2 It was pointed out that previously, structures for co-ordination did exist and that such committees should now be re-activated. It was emphasized that the services which were available were for convicts were not available to undertrials or those in police custody.
- 3 The involvement of trained social workers in this field was considered. The Chief Guest, Justice Shri Dharmadhikari appreciated their contribution at the grass roots level in Maharashtra.
- 4 In this connection, the main issue discussed was whether trained social workers could be appointed at police stations. Here it was clarified that social workers placed at police stations would have a limited and clearly demarcated role. There would be no interference in investigation and in each case taken up, the police officer concerned would always be asked for his opinion. The social worker's role was mainly to mobilize social supports for the clients and also help victims of crime. As far as 'PRAYAS' was concerned, the reason for wanting to work at police stations was to start the process of reformation as early as possible, so as to counter negative influences in custody.

Another issue that came up for discussion was of the usefulness of externment proceedings and arrests on suspicion. The social workers felt that externment proceedings are sometimes resorted to as a matter of routine. Whether a person is employed or not, may not be verified or considered. Here again, it was said that social workers would be useful since there was not enough police staff to do the verification. In response to the above arguments, Shri Pachpute asked for the formulation of a project proposal to appoint two trained social workers in each Zone on an experimental basis. There was also some discussion about the possibility of involving trained social workers at certain levels of the administration, as also in the training of police personnel.

5 Apart from the above general considerations, some specific issues were discussed, such as the situation of children of prisoners, families of prisoners, women prisoners, young prisoners and problems of field staff.

- (i) As regards children of prisoners, the main problems identified were lack of adequate supports, dropping out of school, children becoming deviant, etc.

Although institutions under the Juvenile Justice Act are supposed to take charge of such neglected children, they often refuse admission even if approached by the prison superintendent or social workers. It was also pointed out that outreach services could be provided to them. It was not clear which was the agency that was primarily responsible for the protection of these children; the police, as the arresting authority, the prison, or the Social Welfare Department. The issue remained unresolved in the meeting as well.

A presentation about the Balwadi started for the children in Prison, pointed out how the children's sense of insecurity and lack of opportunity for a normal life was being taken care of by this project. In general, it was felt that existing schemes for child welfare should be extended to children of prisoners.

- (ii) As regards families of persons arrested, a presentation made described how family members alleged that they were not properly informed about the whereabouts of their relatives and were subject to exploitation at all levels. It was also pointed out how the family was the most important agency for rehabilitation, and if they are put through too much trouble, they may altogether reject the prisoner. The suspect too was often in the dark about the reasons for his own arrest and his legal rights. A suggestion made was whether encapsulated information could be made available such as pamphlets and whether social workers could be appointed in police stations and courts for this purpose.
- (iii) The neglect and discrimination of women in custody was also discussed. In Prison there is no lady doctor or lady jailor, placing all the burden on untrained matrons. There are also practically no agencies for giving shelter to released women prisoners as well as drug addicts. The problem of irregularity of police escort for women appearing in court was also emphasized. A concrete suggestion made was that speedy disposal of cases could be achieved by creating a court in the jail premises itself.
- (iv) The 'PRAYAS' team felt that it was necessary for all wings of the administration to formulate a special policy for young prisoners between the age of 16 - 23 years, who have been arrested. The difficult situation of youth in this country today and the increasing involvement of this group in various kinds of deviant activity, warranted such an approach. It was felt that separate procedures should be evolved including expediting of cases, follow up of cases released on bail, counselling in police and prison custody and establishing a network of government and non-government agencies for re-education and rehabilitation.
- (v) The final point discussed was about the needs and the problems of field staff in the police and jails. Shri Pachpute said that the government was aware of their problems and was attending to them. He made special mention of the problems of children of policemen.

In his concluding remarks, the Minister conveyed his agreement with the direction the meeting had taken and promised his full support to further efforts involving issues raised during the meeting.

## 10.0 THE SELF HELP GROUP :

The idea of forming a Self-Help Group of our prison released male clients emerged gradually. The need for such a group was felt by both the worker and the clients. The objectives of the social worker for forming such a group were :

- To deal with common problems and issues which clients were facing in the process of rehabilitation and to alleviate the feeling of isolation which a client might face.
- To involve the clients in the work of 'PRAYAS' and seek their assistance in helping boys who had problems similar to their own.
- To meet the clients in a group rather than on an individual basis as the caseload was increasing.
- To generate awareness and enrich the life-style of the clients by arranging workshops, guest lectures and other programmes.
- To enable sponsors to meet their beneficiaries at such meetings.

The first meeting of the group was held in September 1992, and it was decided in that meeting that the group would meet once every month on a Sunday for two hours. The group has had five meetings since then (till February, 1993) and the process of evolution and growth is still in progress.

The first meeting was a day long affair that was attended by fourteen clients and the complete 'PRAYAS' team. This meeting was to check out if the idea of a self-help group will be well received. The day long programme included a painting session, a group discussion-cum-lecture session on employment and career development, an entertainment session and an experience sharing session along with a lunch and a tea break. The feedback received from the clients who had attended this meeting made us aware of the fact that the group members were not interested in fun and frolic. They wanted the meeting to be a forum where real issues could be discussed; they could contribute to the growth of 'PRAYAS' and thereby 'pay back' the agency that had helped them take stock of their lives.

In subsequent meetings the group dynamics became clear and gradually areas began to emerge where the clients could make their contributions. The group is a mixture of boys coming not only from different social backgrounds, but also having a distinct ideology and outlook towards life in general. It has been observed that the more confident and vociferous individuals tend to influence the way the group is developing. However, at such times the worker plays the role of a facilitator who encourages the quiet individuals to express their views and thus ensures that everyone gets an opportunity to express himself. Consensus and understanding are the key words in these meetings.

As the group members met time and again, they felt that they could help 'PRAYAS' in certain areas i.e. in finding jobs for the unemployed and new clients, providing shelter to the homeless and counselling in some cases. The group members were able to provide jobs for five individuals and shelter for three fellow members. Opinions of the group members on the cases presented before them by the worker, have proved beneficial.

'PRAYAS' has a loan giving facility for clients who wish to be self employed or wish to study and train themselves. The group as a whole, along with the worker, developed the rules and regulations for giving loans to their fellow members. Similarly, other issues and policy decisions are put before the group for an opinion, as well as for information. The worker has realised that this method of functioning not only provides us with better insight into issues that affect our clients, but also acts as a system of accountability to them.

These meetings are continuing and we are still in the process of identifying individuals who show sustained interest in the group and who may be willing to continue the group meetings. These meetings have made us realise that the members can only contribute a limited amount of their time and effort, and that to expect extraordinary things would be unrealistic of us. It has also made the members aware of their own limitations and capabilities. Since our clients are individuals who are trying to stabilize their lives and fight against many odds, it becomes difficult for them to manage their own affairs as well as help 'PRAYAS' and their fellow members.

Therefore, for the time being, these self-help meetings continue to be a forum where possibilities are many and the process of development, continuous. If the group does stabilize, it may take a different shape from the one that we had visualized. The needs of the client group will determine this shape. In the event that it dies a natural death, it would mean that the group does not continue to serve useful purpose anymore.

## 11.0 FOLLOW-UP STUDY OF CLIENTS - POST RELEASE :

'PRAYAS' has completed three years this February. In this course of time, our social workers have gathered considerable amount of field experience. With the prime objective of examining our experiences and evaluating the role of 'PRAYAS' in rehabilitation, a follow-up study has been undertaken. One of the major observations in these three years has been that of clients (especially women) not returning to the agency on release despite the preliminary client - worker contact having been meaningful. Why such a phenomenon occurs and what exactly happens to a client on release, is the major concern of this study.

Data will be collected by interviewing clients (who have had no post-release contact with our social workers) and their families. The information sought, will help us understand how clients who do not seek assistance from the social workers, cope on release and the nature of change in their pre and post-institutional living conditions.

Social workers who have worked with the clients, will also be interviewed for information on the nature of work done, their experience with, and their assessment and expectations of the client.

The study is for a period of six months. It is exploratory in nature and data will be collected with the help of an interview guide.

It is hoped that the findings of this study will help us strengthen our focus in the area of rehabilitation, as well as serve as an evaluation of our work so far.

**12.0 POSITION OF FUNDS :**

In this financial year of the project, we have been able to function within our stipulated budget. But in the coming years, we will have to devote more time to fund raising in order to dovetail our needs to resources. Towards this purpose, we will continue to appeal to individuals, institutions and organizations for funds as well as take our first step towards organising fund raising activities.

We thank all our past donors. Without their support, we would not have reached this far. May their tribe increase !



### 13.0 FUTURE DIRECTIONS :

In the coming years, we see 'PRAYAS' as a voluntary agency working with every wing of the criminal justice system. As a result of our past experience in working with the police, this year, the Department will begin full-time work at police stations with the appointment of two social workers in Zone V of Bombay Police. We also hope to start work in courts in the near future. A new proposal of work with children of prisoners left outside prison, is being scrutinised.

Ground work for starting of a sheltered workshop for our clients, which would provide training and subsistence to them has been completed.

It needs to be mentioned here, that we do not see ourselves expanding beyond a point. We are charting out areas of social work intervention in the criminal justice system. Our present effort is to function as an experimental agency and later perhaps, as a think-tank, which would contribute to the field and society in terms of practical ideas and suggestions. Here it may be mentioned, that at present our work is purely voluntary and we function on a yearly budget. The future of our efforts as yet remains to be seen. Time will tell.

**14.0 SOME STATISTICS :**

<b>I. SERVICES</b>	
i) No. of home visits	315 approx.
ii) No. of court visits	300 approx.
iii) No. of persons to whom legal aid was provided	90
iv) No. of police station visits	60 approx.
v) Average number of letters written to clients or their families each month	30 approx.
vi) Telephone calls made	100 approx.
<b>II. POST-RELEASE WORK</b>	
i) No. of cases taken for rehabilitation	38
ii) No. of cases that failed (i.e. efforts were made by the worker, but the client showed a lack of response and ultimately lost touch with the agency)	10
iii) No. of jobs provided	15
iv) No. of sponsorships for training	2
v) No. of letters of introduction issued (to avoid re-arrest of client)	8
vi) Number of clients given loan for self employment	2
vii) No. of clients given subsistence amounts	18
viii) No. of clients provided shelter	8