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GUEST EDITORS' INTRODUCTION TO THE SPECIAL ISSUE

Prioritising Criminal Justice Social Work in India: A Clarion Call to Action

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Abstract

This article explains why a clarion call to action is necessary in regards to prioritising criminal justice social work in India. Partially relying upon the existing crime and prison statistics, it appears clear that greater involvement of social workers in the criminal justice system can only bode well, not only for offenders but also victims of crime, as well as their respective families and communities. To that end, various issues pertaining to correctional social work, police social work, the intersections between social work and criminology, social work education and professional training, as well as the tension between legal/enforcement and welfare/development approaches are traversed here.

Keywords: Criminal Justice Social Work, Correctional Social Work, Police Social Work, Social Work Education

Introduction

In a well-thought-out newspaper report in *The Hindu*, Josephine (2017) highlighted a study which concluded that “[n]ot many social workers [were employed] in correctional institutions”, (para 2) and that this was indicative of the “[i]mportance of criminal justice social work not [being] fully recognised in the country” (para 1). Citing one of the authors of the study, Emmanuel (with the other being Ponnuswami), she explained, that among other roles, “[s]ocial workers act as mediators between prisoners, their families and prison administration. In the larger context, they are mediators between the prisoners and

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society” (Josephine, 2017, para 11). However, their study uncovered the dismal fact that, by and large, “professional social workers were not appointed in many prisons” and this would also ultimately impact upon the extent and quality of the rehabilitation programmes conducted in those incarcerative institutions (Josephine, 2017).

While the lack of governmental support for criminal justice social workers is disappointing, this has not however stopped NGOs from filling in the breach. For example, significant and salutary work is conducted by Prayas, a Field Action Project under the auspices of the Tata Institute of Social Sciences (TISS), in rehabilitating women prisoners for the past 28 years (Sharma, 2018). According to Raghavan, Prayas was “currently working with six prisons in Maharashtra and Gujarat” where their criminal justice social workers would initially “talk to these women and try to understand their issues and problems” before going on to develop specific action plans tailored to address their individual needs (Sharma, 2018). These needs could include legal assistance, children and childcare issues, family challenges, health problems, lack of adequate shelter post-release, educational/training deficiencies, lack of employment opportunities post-release, difficulties in relation to reintegrating back into the community, just to name to a few (Sharma, 2018). While all of these scaffolding structures are certainly beneficial, Prayas is particularly proud of its accomplishment in starting the first *balvadi* (a kind of crèche for children below the age of six so that they can live with their mothers) in the Arthur Road Prison in Mumbai during the 1990s (Sharma, 2018). Since then, this initiative has been subsumed under the Maharashtra government’s Integrated Child Development Scheme, and there are now *balwadis* in 7 state prisons (Sharma, 2018).

Prayas, and TISS, are of course, involved in other similar criminal justice social work projects across the state, and recently collaborated with the Tata Trusts and the Maharashtra Prison Department by providing “legal aid, health services and skill upgradation” to prisoners so as to increase and improve the “rehabilitative and reformative opportunities within the prison system” – mind you – a prison system that encompasses “over 30,000 prisoners in nine central prisons, 31 district prisons, 13 open prisons, one open colony and 172 sub-jails in the state”! (Ansari, 2016).

But is there really a major crime problem in India? A crime problem that is so significant that it warrants a clarion call to action by the criminal justice social work profession? A perusal of the official crime statistics shows us that:

(a) A total of 4,831,515 cognizable crimes were reported in 2016. This represents an increase of 2.6% from the figures posted in 2015 (NCRB, 2017, p. xvii).

(b) There was an increase in the number of crimes committed against women in 2016 as compared to 2015 but not 2014.

- (i) 2014: 339,457;
- (ii) 2015: 329,243; and
- (iii) 2016: 338,954 (NCRB, 2017, p. xix).

(c) There was an increase in the number of crimes committed against children in 2016 as compared to 2015 and 2014.

- (i) 2014: 89,423;
- (ii) 2015: 94,172; and (iii) 2016: 106,958 (NCRB, 2017, p. xix).

(d) There was an increase in the number of ‘juveniles in conflict with law’ (i.e. juvenile offenders) in 2016 as compared to 2015 but not 2014.

- (i) 2014: 38,455;
- (ii) 2015: 33,433; and
- (iii) 2016: 35,849 (NCRB, 2017, p. xx)

(e) There was an increase in the number of crimes/atrocities committed against the Scheduled Castes in 2016 as compared to 2015 and 2014.

- (i) 2014: 40,401;
- (ii) 2015: 38,670; and
- (iii) 2016: 40,801 (NCRB, 2017, p. xx)

(f) There was an increase in the number of crimes/atrocities committed against the Scheduled Tribes in 2016 as compared to 2015 but not 2014.

- (i) 2014: 6,827;
- (ii) 2015: 6,276; and
- (iii) 2016: 6,568 (NCRB, 2017, p. xxi).

(g) There was an increase in the number of crimes committed against senior citizens in 2016 as compared to 2015 and 2014

- (i) 2014: 18,714;
- (ii) 2015: 20,532; and
- (iii) 2016: 21,410 (NCRB, 2017, p. xxi).

As for the prison statistics:

(a) The occupancy rate (i.e. “the number of inmates accommodated in jail against the authorized capacity of 100 inmates”) in 2015 decreased from previous years.

- (i) 2013: 118.4%;
- (ii) 2014: 117.4%; and
- (iii) 2015: 114.4% (NCRB, 2016, p. i).

(b) However, 114.4% nation-wide still represents a significant overcrowding issue in the prisons. Drilling deeper into the data, Dadra and Nagar Haveli suffered from the highest levels of overcrowding with an occupancy rate of 276.7%, Chhattisgarh came second in with a 233.9% occupancy rate, and finally, Delhi, a 226.9% occupancy rate (NCRB, 2016, p. i).

(c) In addition to this, there were 374 women inmates with their 450 children, and 1,149 women under trials with their 1,310 children, living with them in prisons across the country in 2015 (NCRB, 2016, p. i).

(d) A majority of the convicted inmates were either illiterate or educated up to Class Xth (NCRB, 2016, p. ii).

(e) Nation-wide, the prison staff – prison inmate ratio stood at 1:8 (NCRB, 2016, p. iv), and as highlighted earlier, many of these prison staff officers are not criminal justice social workers.

Based on the above data, it is certainly arguable that more needs to be done, and to that end, criminal justice social workers can play an integral institutional role in reducing crime at its source within the community among those at-risk of committing offences, all the way through to the tail-end of the criminal justice process, in tasks ranging from rehabilitation within prisons, and probation as well as parole within the community. This is particularly self-evident given the explicit confirmation from the Ministry of Home Affairs that “[t]he reformation and rehabilitation of offenders is the ultimate objective of prison administration” (NCRB, 2016, p. 167). Furthermore, this role does not even include the type of services that criminal justice social workers can provide to the families of these inmates (Raghavan & Mishra, 2017) as well as to the victims of crime (Khandpasole, Khandpasole, Chong & Hoffensetz, 2017).

The “Clarion Call to Action” has been responded to in a range of ways, including for example, a recent publication of a seminal text entitled ‘Demystifying Criminal Justice Social Work in India’ (Chong & Francis, 2017), an edited volume that brought together the voices of top Indian scholars and practitioners in this specialised area of research and practice. The “Prioritising of Criminal Justice Social Work in India” has also been seen in the organising of an excellent Social Work in Prison and Correctional Symposium held in November 2017 at the Marian College Kuttikkanam (Autonomous) Idukki (District), Kerala Administration.

There are, of course, many other illustrations of this development, and to that extent, this special issue in the *International Journal of Criminal Justice Sciences (IJCJS)*, represents another active step towards overcoming two significant hurdles, the first being that:

... there is a strong stigma attached to criminal justice social work given its potentially coercive enforcement and social control roles vis-à-vis the traditional social work objectives of achieving social justice and protecting human rights through the services the profession provides to its clients (Chong & Francis, 2017, p. xxxi)

As for the second hurdle, this refers to the

...relative dearth of relevant text and research-based reference books concerning this subject matter i.e., criminal forensic, correctional or criminal justice social work, in India (Chong & Francis, 2017, p. xxxii).

This special issue will thus be able to continue our efforts to:

... demystify criminal justice social work so as to reassure students and early career practitioners that practising forensic or correctional social work will not inevitably lead to the relinquishing of a social workers’ core principles of “social justice, human rights, collective responsibility and respect for diversities”... (Chong & Francis, 2017, p. xxxiii)

Further, it will also be able to carry on the research activities needed to

... fill the apparent paucity or void of relevant local academic and professional literature in this area.... so as to provide its readers with a template upon which to emulate such scholarly pursuits” (Chong & Francis, 2017, pp. xxxiii-xxxiv)

The Scope of this Special Issue

The second article of this special issue thus nicely sets the scene in terms of how criminal justice social work in India has come of age, or at the very least, is coming of age. Here, *Roshni Shaikh* highlights how the discipline of criminology has grown within the discipline of social work, and to that end insightfully explores the connections and interplay between criminology and social work. This is, of course, not a unique development, given how criminal justice social work has flourished in Scotland, Canada, South Africa, the United States, and so on. However, this article contextualises the evolution of criminal justice social work as a field of practice within an Indian context, and how this has resulted in the creation of a range of specific sub-sectors within the profession. Needless to say, criminal justice social work holds great potential for Indian.

But how can this potential be realised? It is here that the third article provides a strong platform upon which criminal justice social work may be prioritised in India. *Ruchi Sinha*, through her overview of criminal justice social work education and practice in this country, laments how even though this speciality has been in existence for over seven decades, it nevertheless has remained a limited and neglected subject area with a narrow client group, primarily consisting of offenders. She argues that this sub-discipline has patently failed to evolve into a more sophisticated, and analytical field, perhaps in part because of its narrow conceptualisation of criminal justice social work. Consequently, to reverse this mindset and to accelerate its academic intellectual and professional practice development, Sinha puts forward a range of what she considers to be essential curricula requirements that can be employed to develop a robust programme for criminal justice social work. This will not be an easy endeavour to accomplish, particularly with the re-emergence of the neo-liberal state. Nevertheless, we are reminded that this is still one of the most relevant fields of practice scaffolds and supports marginalised as well as vulnerable persons, and hence worthy of our effort, perseverance and goodwill.

It is therefore of no surprise that such qualities in a criminal justice social worker will be most needed in prisons – sites that are considered to house some of India’s most marginalised and vulnerable of peoples. It is thus extremely important that social workers who are interested in helping such persons, be fully cognizant of not just the outer workings of what Foucault called ‘total institutions’ (Chong, Fellows, Jose, Francis, & Williams, 2017, p. 53), but also of its inner workings. *Ilango Ponnusamy and Beulah Emmanuel*, in the fourth article of this special issue, attempts to provide us with this very insight into corrections and social work in Indian prisons as well as its correctional administration. Employing the Model Prison Manual as a guiding framework, these scholars initially show how the concept of ‘corrections’ is actually still in its infancy stage of development in India. Nevertheless, the prison as an institution, has embedded itself in Indian society, and to explicate its workings, both inner and outer, three of its main aspects are discussed at length i.e., the current and perhaps multiple statuses of professional social work in Indian prisons, the need for, and role of, professional social workers in these

correctional institutions, and finally, the role that social workers are supposed to play as per the Model Prison Manual.

While there is this sense of inevitability that criminal justice social workers will continue to grow in strength and prominence in this field of correctional practice, it must not be forgotten that these practitioners are key to other pivotal areas within the criminal justice system as well. This special edition features two such examples. In the fifth article of this series, *Saie Shetye*, shares with us their research in relation to how social workers can effectively engage with the police so as to address human trafficking cases in Delhi. This speciality, sometimes called police social work, is somewhat uncommon in India. That said, Shetye explains that social workers do collaborate with the police under certain laws, particularly when it involves human trafficking and child labour. To that end, police social workers provide critical counselling (emotional and legal) as well as post-rescue rehabilitation services to the victims of these types of crime. In addition to that, integrating social work into police investigations potentially creates a more humane environment for the victims but there has to be trust built into the relationship between the social worker and the police before that can happen. Shetye goes on to detail what requirements need to be satisfied before a successful working relationship can be established, and advocates more generally for the greater involvement of social workers at police stations.

Following from this, Sharon Menezes, in the sixth and final article of this special issue, provides an insightful analysis of women who want to exit prostitution, and the implications this has on criminal justice social work. Menezes argues that because of the various ideological/moral positions adopted by society towards prostitution as well as its connection with organised crime, the State and non-State responses that support women exiting from prostitution are predominantly governed by law enforcement and/or protection approaches. This means that responses that are more welfare and development-oriented tend to be employed less. This will, of course, have significant implications for criminal justice social workers given that they are much more involved in the latter than in the former approaches, and Menezes, details these challenges in her analysis.

Best Paper Award

We, the Special Issue Editors of the International Journal of Criminal Justice Sciences (IJCJS) are very pleased to announce that the Best Paper Award of US\$200/- will go to *Ruchi Sinha*! Her work embodies an insightful and robust critique of the social work tertiary curricula, and how the growth of criminal justice social work education has been stymied as a result of various internal and external forces. It certainly makes for a bracing read and advocates for a more enlightened and social justice oriented approach in all matters pertaining to the criminal justice system, and the role criminal justice social workers should play in this regard. Ultimately, “CJSW [Criminal Justice Social Work] education, practice and research need to be strengthened and expanded within social work education and the CJS [Criminal Justice System]”. Congratulations, Sinha, on a job well done!

Conclusion

As these articles clearly illustrate, this special volume provides an exciting and insightful platform upon which various voices, ideas, sentiments, opinions, contentions, and recommendations in relation to criminal justice social work are shared with other

likeminded students, scholars, and practitioners. To that end, the implications for criminal justice social work research, policy-making, advocacy, and professional practice are fairly obvious, and while some of these treatises are foundational in nature, they do not however remain static. In fact, most of the articles on offer here advocate bold new directions in which criminal justice social workers are encouraged to traverse intellectually and in their professional practice. In a lot of these instances, the status quo is actively challenged, and the contributors to this volume do not appear to be unduly cowed by the challenges before them. This creative intellectual spirit and moral courage exhibited in these articles bring to mind what Chong and Francis (2017) once exhorted on a previous occasion:

[c]riminal justice social work is admittedly not for everyone. It is demanding, and full of contradictions. It will require of you courage but discretion; empathy but discernment. It will not be for the faint-hearted. And yet, the intangible rewards are great indeed. You will bring hope to those who have been victimised, to help them overcome the effects of their traumatic experience, acting as it were a conduit for reparation and healing. You will also bring hope to the offender, leading them back onto the path of redemption and restoration. What could be nobler than that, a calling to serve both the sinner and those sinned against? (p. xlvii)

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