

# **SOCIAL WORK INTERVENTION WITH PRISONERS: THE CASE OF VARHAD IN MAHARASHTRA**

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## **Abstract**

*This paper discusses the sphere of professional social work with prisoners and by way of illustration presents the experience of the Voluntary Action for Rehabilitation and Development (VARHAD) in social work intervention with prisoners. Professional social work can deal with the prisoners' needs for legal service, psycho-social satisfaction and rehabilitation after release from prison. Undertrials in prison need legal assistance for getting bail and convicts need it in the matter of parole and furlough. Psycho-social needs of the prisoners include those for emotional satisfaction and maintenance of relationship with family members. Social workers of VARHAD have been working with the inmates of Amravati prison in the state of Maharashtra in order to cater to their above mentioned needs. The paper makes three illustrations from VARHAD's social work intervention.*

## **Introduction**

An important component of the criminal justice system is the prison organisation. Prisons in India are governed by the Prisoners Act of 1894, amended from time to time (Mehta 2010). As per the statistics of 2008 (NCRB 2008), there are 1356 prisons with a total capacity for 297777 inmates

in India. As against the capacity of 297777, there were 384753 inmates in the prisons in India in 2008. Two-thirds (67%) of them were undertrials, and 32 per cent convicts. Women constituted 4.1 per cent of the prisoners.

Apart from meting out retribution to the offenders, prison organisation is entrusted with the task of reforming and rehabilitating the offenders (Ahmad 1993: 369). But for many reasons, prison has largely failed in this mission (Bhushna 1971: 411). As a result there has been increasing reliance on voluntary organisations in the tasks of reformation and rehabilitation of prisoners (Anheir and Kendall 2000) as they can play important roles in areas where the prison administration is lacking, and thereby complement the efforts of prison for reformation and rehabilitation of the inmates. It is in this context that work with prisoners has been taken up by professional social work as an area of social intervention. This paper (i) discusses the sphere of professional social work with prisoners and (ii) presents some of the experiences of the Voluntary Action for Rehabilitation and Development (VARHAD) in social work intervention with prisoners.

## **Sphere of Professional Social Work with Prisoners**

Inmates of the prisons in India face problems with regard to three basic needs. They are related to (a) legal service, (b) maintenance of relationship with the family and (c) rehabilitation after release from the prison. Professional social work can play a meaningful role in catering to these needs of prisoners. In view of the deficiency in the prison system in attending to these needs of prisoners, social work intervention in prison can even be considered as a social need.

### ***a. Legal Need of Prisoners***

As against the popular notion, many of the prisoners are in prison not because they are proved guilty, but because they cannot afford the legal service in order to be out on bail. As per the statistics of the National Crime Records Bureau (NCRB 2008: ii), 67 per cent of the prisoners in 2008 in India were undertrials. A further piece of information from the same official

statistics is that 2130 undertrials were detained in prison for more than five years without trial at the end of the year 2008. Although the services of government lawyers through district legal service authority is available to any undertrial prisoner, there is always delay in appointing lawyers, and often the appointed lawyer has little interest or expertise in the matter (SDTT 2011).

Convicted prisoners need legal service in the matter of parole and furlough to which they have legal entitlement. Under the furlough system, a convicted prisoner is granted release for a short period of time, usually two weeks in order to attend to family emergencies. Under the parole programme, a convicted prisoner is granted a relatively longer leave of up to three months in order to attend to family related problems. A prerequisite for securing parole or furlough is the submission of positive reports about the applicant by the local police and officials like tehsildar (SDTT 2011). In many cases it is not easy for a prisoner to get parole or furlough. The entire process takes much time, especially because the prison staff has little interest in helping the prisoners in such matters. Also there is suspicion among the police and prison staff that the prisoner on parole or furlough may abscond. Hence most of the poor prisoners do not get the benefit of parole or furlough during the entire period of their sentence (SDTT 2011). In spite of the over-crowding of prisons, innovative provisions such as probation are underutilised apparently due to the heavy work load of probation officers. Thus most of the prisoners in the country are not able to avail of some of their rights as prisoners largely because of the non-availability of effective legal service.

### ***b. Psycho-Social Needs of Prisoners***

As human beings prisoners have their psycho-social needs. The present prison situation hardly takes care of these needs of prisoners. Life in prison is shut off from all contacts with the outside world. The usual association with family members and friends is absent. Normal social life is severely curtailed. Works of personal interest and recreational activities are seldom allowed. Satisfaction of the basic sex drive is totally restricted. Hence sex urge finds expression in different forms of pathological conduct, leading

to sexual perversion and psychic abnormality. Most of the prisoners are unable to share their feelings mainly because the prisons in the country lack the services of professional counsellors. Nor do the prisoners find opportunities for expression of creative thoughts and skills. The prison administrators and reformers, and criminologists do not pay adequate attention to these human needs of prisoners.

Prisoners from the lower sections of the society are in special need of establishing and maintaining relationship with their family members. Their relatives often do not know their whereabouts. There are also families of prisoners that are reluctant to maintain contact with the prison inmates for fear of loss of social prestige (SDTT 2011). Families, wherein the only bread winner is imprisoned, face drastic economic deterioration. This puts additional burden on the women and children who may have to stop going to school and start working (SDTT 2011). There are also families in which both the parents are in jail. In such cases children live with their relatives, neighbours or even alone and unsupported (Vaidya and Ronald 2009: 15). It is estimated that there are 484 children in jail with their convict mothers and 1639 children of undertrial prisoners (NRCB 2008). Unlike the other inmates, “children are in jail not for any delinquent behaviour but because their mothers are in jail. Either they are born in jail, or they are too young to stay away from their mothers, or there is no one to look after them in the absence of their mother. Hence, they live in prisons” (Vaidya and Ronald 2009: 13). Thus helping prisoners maintain their relationship with the family members and paying attention to the needs of the children of prisoners are activities of professional social work with prisoners.

### ***c. Rehabilitation after Release***

A prisoner has to return to normal life after the imprisonment period. The prison system is expected to prepare the inmates for life outside the prison after release from the prison. Usually the prison trains the inmates in some vocational skills. They can also utilise those skills during their tenure within prison and earn some money which will be helpful to them after the release from prison. For instance, Maharashtra is reported to be the state

with the largest amount of money earned by prison inmates by way of wage labour within the prison (NCRB 2008: 127).

Yet, the skill training received within prison usually does not ensure suitable employment of a prisoner once s/he has been released. Most prisoners belong to the underprivileged background and have little contact in the employment market. The prison system does not have any scheme for helping the ex-convicts in getting a suitable employment after the release. The vicious circle of poverty may push some of them into crime again. Those few, who take up agriculture or some petty jobs in the nearby urban areas, may need assistance in order to sustain themselves in it and make a living.

### **Intervention of VARHAD with Prisoners**

VARHAD was set up by Ravindra Vaidya and his young friends at Amravati in the state of Maharashtra in 2001. Earlier Vaidya did his professional training in Social Work with specialisation in Criminology and Correctional Administration from the Tata Institute of Social Sciences (TISS), Mumbai and gained the exposure to the situation of prison and prisoners from his experience of working in the TISS project of PRAYAS. Social workers from VARHAD have been engaged in social intervention with prisoners focussed on the three areas mentioned above, viz. legal support, relationship with family and post-release rehabilitation.

During the last one decade VARHAD has been working with inmates of the central prison located in Amravati. The prison with the capacity of 1100 inmates generally house about 1400 prisoners. VARHAD initially approached the district collector and obtained the permission to start a balwadi (crèche) for children below the age of six years who lived with their imprisoned mothers. After getting entry in the prison through this programme for children of prisoners, the social workers observed that most women prisoners were illiterate. Hence VARHAD sought to and got the approval for initiating literacy classes followed by elementary open schooling programme for women. The effort of VARHAD was a huge success.

Meanwhile the social workers observed that the most important issues of prisoners were socio-legal. Hence they approached the Deputy Inspector General (DIG) of Prisons with a request to work for dealing with the socio-legal issues of prisoners. On receipt of permission to undertake this activity, VARHAD planned for a holistic social work intervention with prisoners which consisted in attending to the legal, psycho-social and post-release livelihood needs of prisoners. Social workers from VARHAD have been visiting the prison two or three times a week in order to attend to these needs of the inmates.

### *Legal Assistance*

Much of the legal assistance given by social workers in the prison has been for untertrials. First of all they acquaint the undertrial prisoners with relevant information regarding the legal procedure in getting bail and going through trial. Further they find out if in individual cases a lawyer has been appointed, and whether the case is progressing satisfactorily. If a lawyer has not been appointed, then the matter is taken up with the district legal aid services authority. If a lawyer has already been appointed, social workers ensure that the prisoner and the lawyer regularly meet. They also keep in touch with the lawyers to ensure that the case moves forward, and justice is delivered in the court without undue delay. When the offence is bailable, the social workers appeal for release of the accused on personal bond, especially if some time has elapsed after the bail has been granted and the accused is still in jail because of the inability to pay the bail amount.

Social workers from VARHAD have played an important role in the case of convict prisoners also, as they do the necessary legal aid and support for obtaining parole or furlough. Social workers talk to the family members to identify sureties and then follow up with the police officer for positive report. Once the surety is ready, the social workers get in touch with the DIG (Prisons) or the revenue commissioner for swift clearance of the furlough or parole application respectively.

Following is the case of a woman undertrial prisoner who was provided legal assistance by the social workers of VARHAD. She was

physically challenged and totally dependent on her parents. She was married, but deserted by her husband. She explained her story in the following words: “Society always talks bad about women who are deserted by their husbands. I am physically challenged and the talk of the town is double. One day my mother started to quarrel with me. She said that I was responsible for my sisters not getting married. I was heartbroken as I didn’t expect this from my mother. I had no work and whenever I asked money, my mother would insult me. Quarrels gradually increased and I began to think that I was responsible for the ill fate and the quarrels. I wanted to end my life. I lighted myself after pouring kerosene on my body. Unfortunately or fortunately I didn’t die. I was arrested for attempted suicide.”

The offence of this prisoner was bailable. She sought the assistance of prison officials, but they were unmoved by her story. She was about to give up the hope for bail. It was at this time that the social worker from VARHAD team visited the prison. She requested help from the social worker. The social worker counselled her not to lose hope, collected her address and visited her mother. The mother at home was happy to get information about her daughter. She was not aware of the legal procedures and was scared to visit the prison. She cried aloud, “I am her mother and for me all daughters are the same. I am living only for my daughters. Basically I was angry on myself. She just happened to be the victim. But I never thought that she would try to commit suicide.” The social worker explained about the possibility of getting her daughter released from the prison. She immediately agreed for it. VARHAD worked for her personal bond and she was released from the prison within a short period without which she could have been in jail for a year.

### ***Attending to Psycho-Social Needs***

Another objective of VARHAD’s intervention with prisoners is to promote the psychological wellbeing of the prisoners. One of the ways of achieving it has been to help the prisoners maintain their relationship with their family members. Many families are reluctant to maintain contact with prisoners. In some cases, when a prisoner is shifted to a prison in other regions, the poor family members can hardly afford the travel in order to meet the imprisoned

family member. In these cases, social workers from VARHAD draw out information from inmates and visit their families for sharing it with them. It would be great relief from the mental strain for prisoners if their family is provided adequate support. Social workers also arrange for support systems of livelihood especially for households headed by women.

VARHAD is also involved in the schooling of prisoners' children. In the case of children below six years living with their imprisoned mothers, VARHAD ran a crèche in the prison premises till recently when the prison administration took over the programme. If both the parents are imprisoned and there is no family member willing to take care of minor children, social workers approach the child welfare committee for placing them in shelter homes. Another child welfare activity of the social workers of VARHAD is to make the state government schemes for children available to the children of prisoners. One such scheme, called *Bal Sangopan Yojana*, provides monetary support to poor and orphan children till they attain the age of 18 years. VARHAD has worked with various state government departments to extend the benefit of this scheme to the children of prisoners.

Following is a case of the service provided to the children of an imprisoned mother by VARHAD. The woman was a prisoner serving life sentence in Amravati Central Prison. She was convicted for murder. When the social worker met her in prison, she explained her story. The woman had been living happily in her in-laws' house since her marriage. But the untoward incident happened in connection with the constant harassment of her sister-in-law by a college boy. The women in the family talked to the boy to dissuade him from it. But he was adamant and unrepentant. Hence the woman pushed the boy down. While he fell down, his head hit on the stone and he died on the spot. She cried: "It was not a pre-planned murder. Won't you get irritated with somebody who does the same with your relative?" Though her in-laws were taking care of her children, she was anxious about her children and expressed her anguish in the following words: "I am in a miserable condition in the jail and my main concern is about my children. I had many questions in my mind about their education because my relatives can manage food but not education." The social workers of VARHAD intervened in her case. They contacted the



convent sisters of the Catholic residential school in Amravati and got her children enrolled in the school. The imprisoned mother is confident that her children will someday fulfil her aspirations for them.

### ***Livelihood Service after Prison***

Finding adequate source of livelihood for the convicts released from prison is a difficult task. The skill training provided in the prison is generally inadequate for getting a decent source of livelihood, especially because of the stigma of having been convicted of crime. The specific activity undertaken by the social workers from VARHAD to deal with the issue is to contact prospective employers for providing a stable job to a person released from prison. VARHAD runs a rehabilitation centre to offer skill training for released prisoners. It also provides residential accommodation to ex-prisoners who are not accepted back by the community.

Following is an illustration of the after-prison service rendered by VARHAD. It was the case of a man who was released from prison and found it difficult to be back within his own community. He said: "It was difficult for me to return to my village as the incarceration defamed me. A few of my friends wanted me to join them in an illegal business, but I wanted to live a different and purposeful life." Hence he approached VARHAD for help. The social worker of VARHAD offered him a job at its rehabilitation centre. He accepted it and came to the VARHAD centre at Amravati. He was provided free board and lodging, and a monthly stipend of Rs.3000. Now he is planning to avail of a loan to start a small grocery shop in the nearby market. VARHAD has promised to support him in this endeavour.

### **Conclusion**

Beyond the objectives of retributive justice and reformation, prisons should be concerned about viewing prisoners as human persons. This is what inspired VARHAD to launch its social work intervention with prisoners. Its programme is directed to the legal, psycho-social and economic needs of the prisoners. The experience of VARHAD has shown that social work

intervention with prisoners has been a source of help and support to prisoners in matters that are not generally attended to by the prison system. Institutionalisation of this service within the prison system can be considered as a step to reform in correctional administration.

### Note

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