Coming of Age of Criminal Justice Social Work in India

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Abstract
This article highlights the growth of criminology in social work in India. The connection and interplay between Criminology and Social Work is explored. Subsequently, this article provides a background to the evolution of criminal justice social work as a field of practice in the Indian context. The way criminal justice social work has emerged highlights the various sub-sectors that currently exist within this field of practice. Criminal Justice social work holds a great potential in the Indian context.

Keywords: Social Work in Criminology, Field of Practice, Sub-sectors, Criminal Justice Social Work.

Introduction
The development of a course by the Tata Institute of Social Sciences (TISS) that combined Criminology and Social work was instrumental to the growth of Criminal Justice Social Work (CJSW) in India. The original course at TISS offered a few social science subjects and social work subjects. The social science subjects aimed to provide an understanding of crime and delinquency, while the social work subjects provided information about the prevention of crime and delinquency and treatment of offenders. In 1952, two international experts from the United Nations, Walter C. Reckless and Edward Galaway, were invited to design a program for TISS that offered a six months training program to nearly fifty prison officers from different State Governments. The training program highlighted new techniques that were necessary to operate correctional institutions and agencies, which paved the way for the development of the first separate Department of Criminology and Correctional Administration at TISS in 1953 (Panakal, 1967). The development of a separate criminology and correctional administration department was due to a combination of having the space to anchor this subject and the

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desire to learn from the international scenario. At this time there were no training programs established for criminal justice system functionaries.

The interplay between the criminal justice system functionaries of Criminology, Corrections and Administration refers to a theoretical framework and a practical component that is central to the identity of the CJSW (Criminal Justice Social Work) specialisation and field of practice. The duality within CJSW comes from the combination of a theoretical framework with practical components which illustrates that combination of the theoretical position of criminology anchored with social science while social work in Corrections serves a practical function. The identity and ideological underpinnings of social work and criminology are different, and the dynamics that exist between the two because of this difference, continue even today. The dynamics between Criminology and Social work contribute to the confusion and influences the acceptability of CJSW for all, academicians, field practitioners, the Criminal Justice System (CJS), and society.

The present article discusses in detail on the connections, synergy and effectiveness between Criminology, Criminal Justice and Social Work in India.

1. The Field of Criminology

The ‘field’ can be understood in multiple ways. The field can be defined regarding the mode of engagement that is direct work, research, or policy level work. The field can be defined as an intervention; networking or issue focus; as action and analysis or theorising. The field can also be defined in terms of practice as in micro, mezzo or macro level as stated in the Systems theory (Bertalanffy, 1968, as cited in Friedman & Allen, 2011). All of these factors contribute to the developing of a field of practice.

Criminology has some unique factors to its field of practice. Working with the justice system, examining power and authority, working with closed and open institutions and working within a legal framework are all unique factors of Criminology’s field of practice; and each of these factors strongly influences work within the sector itself. Any engagement with the field demands that these concepts are understood, and that work is planned accordingly.

Foucault argues that Criminology emerged from the disciplinary practices of prison and that it is open-ended in its relation to other disciplines and is utterly eclectic in its theorising and practice (as cited in Garland, 1992, p.403). Foucault’s (1977, p.226, as cited in Garland, 1992) description of Criminology as a human science in the service of disciplinary power certainly captures one important aspect of its social functioning (p. 410). Foucault’s statements introduce the concept of the power that exists in the criminal justice system. Domination through authority occurs when there is an institutionalised relation between a group of super-ordinates and a group of subordinates. Authority is a form of legitimised or institutionalised domination (Weber, 1968, as cited in Scott, 1973, p. 943). The field of practice for Criminology revolves around the notions of power and authority which are the centre notions of the Criminal Justice System (CJS).

Criminology operates within several different levels of power. Certain types of Criminology continue to operate within disciplinary and normalising practices aimed at individuals. Other forms of Criminology operate at political levels using strategies aimed at the broader population. Still others criminologists see their role as interrupting and criticising all such practices from a position external to them (Garland, 1992). For each form of Criminology, a position of practice from the Systems theory can be located, the
first being micro, the second being macro and the third a mezzo level (Bertalanffy, 1968, as cited in Friedman & Allen, 2011). Thus, Criminology interfaces with legislation, with bureaucratic, rule-oriented, authoritative systems and government entities define the ethos of the CJS and this field of practice.

Criminology is also closely connected to the concept of Criminal Justice. Criminology and Criminal Justice are inseparable but, are themselves two different entities. Criminology pertains to the study of the cause of criminal behaviour. However, Criminal Justice is the action element of what do you do after you know criminal behaviour has occurred. Thus, Criminal Justice is described as the understanding of various strategies to control criminal behaviour. Thus, Criminology is knowing the problem, and criminal justice is knowing the solution (Pratt, Gau & Franklin, 2011, p. 177). Therefore, a study or interest in one implies similarly for the other.

2. Development of Criminology as a Discipline in India

The development of teaching Criminology at universities commenced during the last decade of the 19th Century and gathered considerable momentum in Europe and the USA during the first half of the 20th century (Shukla & Krishna, 1981). During the 1940s-1980s, Criminology progressively assumed an independent structure, and as it evolved internationally, Criminology developed as a discipline in India.

During the 1950s in India, the importance of teaching criminology at university was stressed at the annual conferences of the Deputy Inspectors General of Police, the Central Advisory Committee on Forensic Science and by Vice-Chancellors in Universities. The committee then appointed a sub-committee which recommended that some universities should be encouraged to introduce courses in Criminology at the undergraduate level and strongly felt that postgraduate courses in Criminology and Forensic science should be located in central autonomous bodies located in universities (Shukla & Krishna, 1981).

The suggestions of the sub-committees led to Criminology emerging in the two area which included academia and training institutes.

The emergence of Criminology as a discipline was also mapped by Shukla and Krishna (1981) with the period between 1970-1974 seen as the most significant regarding growth for Criminology as a subject in allied disciplines (p. 219). The authors explain this growth spurt in terms of extrinsic factors, such as the UGC sub-committee on university teaching of Criminology (1970), that sent a proposal to the Ministry of Home Affairs via the Ministry of Education, that directed universities to teach Criminology (Shukla & Krishna, 1981, p.220). Furthermore, the development of the Indian Council on Social Science Research in Delhi during 1969, assisted the expansion of criminology in Universities through allocate funds for research in the area of Criminology. The Indian Society of Criminology (ISC) was set up in 1970 as a platform to nurture the cause of Criminology.

The Bureau of Police Research and Development (BPR&D) was set up by the Ministry of Home Affairs in 1970. BPR&D provided external support to Criminology through promoting greater awareness and acceptance of Criminology by the allied sciences. Criminology subjects were also taught as distance education courses, that is, external courses like the one offered by Manonmaniam Sundaranar University (at Tirunelveli, Tamil Nadu) in criminology and police science or the course on criminology and forensic
science by the National Law University, Bhopal and the Law school of IGNOU has a course on criminal justice (Bajpai, 2014, as cited in Pande et al., 2014).

Eventually, Criminology became a compulsory paper for particular disciplines such as psychology, sociology, social work and law. The difference in how Criminology is taught reinforces the plurality of Criminology within different universities and the evolution of Criminology in different allied disciplines.

Attempts have been made to streamline the teaching of Criminology through a model syllabus drafted by the International Society of Criminology. The model syllabus was used as a reference to debate and discuss at various seminars and symposia in India. Regional differences in the focus areas were also highlighted, for example, the Lucknow syllabus had a sociological thrust, and the then Bombay focus was on correctional administration. Perhaps because of the urging to have more scientific criminology as opposed to social science-based criminology the focus of three (Saugar, Patiala and Karnataka) of the five pioneering departments in India was on Forensic Science components rather than Criminology and Criminal Justice. TISS was and continues to be connected to social work with a heavy emphasis on correctional work and the University of Madras, and the Department of Psychology is closely linked (Unnithan, 2014). Currently, it appears that Criminology is located in three streams: Law, Forensic Science and Social Work.

3. The Criminal Justice System in India

The CJS of a country mirrors both, the reality of society and the people’s expectations of society. A commentary about the situation of the larger CJS can be done with a micro focus on some of its subsystems whether it is the police, judiciary, prisons or issues like access to justice and the need for reforms. A discussion on any of these subsystems will highlight what ails the CJS today and how it is perceived by society at large.

Gonsalves (2007, p. 85, as cited in Dobhal, 2011) discussed the problem in the prison subsystems by stating, “that prisons are areas beyond access because the State has through law and the lathi (refers to wooden baton commonly used by the Police) shrouded the prison system with an iron curtain through which only those may pass who has no hope for returning. Moreover, while the press, the public and social activists are debarred the courts turn a blind eye. As a consequence, the criminalisation of prison administration …..is the main factor contributing to the hardening of the offender and the inmate’s physical and psychological breakdown.”

Thus, prisons appear to be a space that is closed off to the public, with few prisoners ever able to negotiate their way back out of prison. Incarcerated people are faced with the additional problem of being labelled as ‘evil’ and are often unable to pay the financial sureties to be released from prison. Any ills are further kept out of sight by non-functional or ‘non-fully’ functional bodies of supervision who form a monitoring system to point out wrongs and inadequacies within Indian prisons.

Functional bodies can be mechanisms that used to monitor, observe and report human rights violations with the ability to make recommendations, as the National Commissions. Although these functional bodies have the power to investigate and make recommendations the functional bodies cannot enforce their recommendations. For example, a recommendation that targeted custodial deaths has still not been incorporated

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into the law even after 30 years, as stated by Balagopal (as cited in Dobhal, 2011). Thus the culture of the bureaucracy or of those in power seems to be not so much about setting right what seem to be apparent inconsistencies.

Commenting on the draft National Policy (DNP) on Criminal Justice, Pande (2007, p 104, as cited in Dobhal, 2011) again reiterates the point of participation and people’s involvement in these crucial processes and how such essential documents are generated, distanced from the people. Criminal justice policy cannot solely consist of ‘expert’ opinions but instead requires people who have a real stake in a healthy criminal justice policy. The way previous recommendations have been ignored is evidence of a system that it is acting above reproach so in all honesty what difference will another committee report encounter. For the DNP to fix the CJS, it must first understand what is broken within the system (Pande, 2007, p. 104, as cited in Dobhal, 2011).

The lack of access to legal aid or a support system outside of the CJS indicates to the specific groups of society that are socially disadvantaged. Therefore, it does not matter to society if these populations are also legally disadvantaged by the CJS. Patil (2007, p. 107, as cited in Dobhal, 2011) explains,” that a vast majority of the poor see the CJS as a great engine of oppression…”.

The CJS in India is a complex situation that has layers of problems that need to be seen in the light of monitoring bodies such as the Human Rights Commissions, and Board of Visitors. However, these monitoring organisations do not serve the function they are supposed to or can. Even the few amendments and recommendations suggested by these bodies are not considered so while the system is going through its challenges and limitations, it appears that the decisions makers want to maintain status quo. The cry for justice by the weak, poor, marginalised and vulnerable continues to fall on deaf ears.

This context requires social workers with their rights-based orientation and pro-people training to become the voice of the poor, weak, marginalised and vulnerable against an otherwise formidable CJS. This background of the problem is critical to understand in discussions that emphasise the need for and the role of social workers within the criminal justice system.

4. Criminology and Social Work: The convergence of two Disciplines and Sectors

Historically and internationally, social work and law have enjoyed a close association. As early as 1879, members of the National Conference on Charities and Correction focused on using legal strategies to improve conditions for people living in poverty, people with mental illness, those with disabilities, orphans, and delinquents (DuBois & Miley, 2005, as cited in Rome, 2008). In the years that followed, leaders of both the Charity Organization Society and Settlement House were involved with legal processes and events that included child abuse investigations, child labor laws, the establishment of programs for abused women and their children, and the founding of the nation’s first juvenile court (Barker & Branson, 2000, as cited in Rome, 2008). By the mid-1920s, social workers were employed by police departments in the role of advocates (Roberts & Brownell, 1999, as cited in Rome, 2008). The link between crime, corrections and social work has therefore evolved from an interaction between law, corrections, law enforcement, crime prevention and treatment of offenders.
When someone reads through the historical evolution of social work in the United States, probation and corrections are mentioned along with child welfare, medical social work and psychiatric social work (Stinson, 1967). The focus on probation and corrections could be accepted as the beginning of the discipline of Social Work including Criminology as a field of practice.

Until the mid-1920s, social work played an active role in providing services such as pre-sentence investigations and supervision, counselling prisoners related to managing the prison environment and re-entry planning. In the United States, social workers influence declined after the 1974 Martinson report that questioned the effectiveness of many kinds of treatment programs used by social workers (Gumz, 2013 as cited in Singh, 2013, p. 291). The report, also noted that changes in the social work profession in the United States had diminished its role in corrections. Social workers in the United States became more attracted to private practice enterprises and less involved in work with persons in public welfare and prisons (Gumz, 2013, as cited in Singh, 2013, p. 292).

Social workers were challenged by operating within an authoritative CJS as indicated by Hariston (1997, as cited in Singh, 2013, 292):

Concerns about working with involuntary clients, the need for self-determination and working in an oppressive system of social control have overshadowed parallel needs for the social work profession to be engaged in the debate about criminal justice policies, programs and services... while the nation builds more prisons to house more of a population that is predominantly poor and non-white, the social work profession has largely remained silent.

Therefore, implying the role of the social worker as being relegated to the periphery as opposed to influencing the system and its processes. Furthermore, the most extensive American organisation for social workers, NASW (National Association of Social Workers) has about 150,000 members and eight specialty practice sections listed; including ageing, alcohol, tobacco and drugs, child welfare, health and mental health, poverty and social justice, private practice and school social work, with no mention of corrections. Social workers still serve as probation officers, but their presence in the field has declined (Gumz, 2013, as cited in Singh, 2013, p. 292).

During the 20th century, in India, work with adult offenders and juvenile delinquents was mostly limited to institutions. Within India, the institutions where social workers can work with adult offenders and juvenile delinquents are juvenile corrections or prisons. Juvenile corrections meant special institutions, and reformatory schools, where social workers ran programs focused on education and vocational training. While prisons for adult offenders required social workers to run programs focused on health and hygiene (Panakal, 1967). The choice of working in this area was affected due to jobs being only in the government sector, with few vacancies were less and people already employed in prison came to study to take over roles for social workers in the different institutions. Thus, the lack of avenues for employment after studying affected the subjects being chosen at the university.
It is also important to understand what was happening in the external environment at that time that also affected Criminology as a sector. Raghavan (2013, as cited in Singh, 2013) stated that:

By the late 1970s and early 1980s emphasis on social welfare ebbed and focus was on poverty alleviation. Thus persons faced with social stigma and on the fringes of society did not remain a priority. For this group, the State lost faith in institutions and rehabilitation as a method of social reintegration. Demoralization of welfare sector so few institutions remained. Investment of human power, training, service delivery, institutions reduced, so fewer students now came to study. The field of criminology and corrections became limited to interventions in these institutions for women and children regarding fieldwork. The sector was shrinking, and so was everything related to it. Few jobs were being created, and the purpose of training for these non-existent jobs was losing its significance (p. 266).

By the late seventies, community-based programs were already being discussed (Rosenthal & Lugwr, 1974, p.19; Johnson, 1978, p. 527, as cited in Srivastava, 1980, p. 135). By this time it was accepted that correctional agencies alone could not correct crime as crime is rooted in social causes (Carney, 1977, p.143, as cited in Srivastava, 1980, p. 135). The National Advisory Commission (1973, as cited in Srivastava 1980, p. 136) talked about the limitations of correctional institutions saying that they brought about more negative change and made successful reintegration back into the community less likely. By the 70s, community-based corrections were emerging in the USA as the future. Community-based corrections meant getting the community involved in the prevention and treatment of crime. Rehabilitation was seen to be the result of the joint effort of the offender, the professional worker and the community.

In the Indian context, it was agreed that community-based correction was a long way off because even an underlying sense of security was a struggle. There were very few people, that is legislators, administrators, judges and the Police), who supported the progressive strides of modern criminology (Srivastava, 1980, p.141) Critics also accept that the scope of practice in corrections is to rehabilitate first-time offenders which led to suggestions to widen the probation net, liberalise parole procedures and de-institutionalised juvenile corrections. The role of the social worker can be positioned in the domain of community-based corrections with the primary aim to help an individual re-integrate into society through a web of meaningful relationships and away from a life in crime.

This historical understanding is vital to put into perspective what external factors shaped how the curriculum and field connection emerged as it depicts the trajectory of how the discipline and the related field of practice will continue to develop. International writings have further broken down the sector of criminology and social work practice as police social work, forensic social work, correctional worker, social work in courts and prison social work. There is a need to understand the extent to which these aspects are functional in the Indian context. Some of these focus areas have already been experienced, some need to be nurtured, and some still need to be explored.
5. Evolution of the Sub-sectors in the Criminal Justice System

Within the sector of Social Work in Criminology, sub-sectors were branching out and evolving differently. Some of these sub-sectors were social work in prisons, police stations, institutions and rehabilitation.

In India, social work practitioners do not formally work within the police system. The police, however, are amenable to collaboration on issues of domestic violence (Dave, 2000, as cited in Sinha, 2012, p. 92). Dick (2005, as cited in Sinha, 2012) stated that “social workers are needed in police stations to address the problems of institutionalised prejudice and stereotyping, insensitivity to cultural differences, unfair harassment and use of excessive force” (p. 96).

The Centre for Criminology and Justice (CCJ) at the School of Social Work, Tata Institute of Social Sciences (TISS) that teaches the specialisation of CJSW has now supplemented the curriculum through adding field action projects (FAPs). These FAPs are practical projects set up to respond to specific issues in the field where there is no intervention, or the issue is new, and research is needed. FAPs enable non-government organisations (NGOs), individuals or other established work to develop new works in areas where not much work had previously been done. The first FAP of the Centre (CCJ) was set up in 1990. The FAP started through students exploring work in two sections of a Central Prison beginning from 1985 to 1989 with a focus on undertrial prisoners who are ignored by the prison system because technically undertrial prisoners are not yet entirely their responsibility (Raghavan, 2013, as cited in Singh, 2013, p. 280).

In 1989, FAP also commenced at Matunga Police station, then Deonar police station and in the metropolitan courts (Raghavan, 2013, as cited in Singh, 2013, p. 282). FAPs currently work with women and male youth in prisons or protective custody, trafficked women or women forced into prostitution, offenders’ families and people affected by the criminal justice system, including children of prisoners, persons released from custody, vulnerable to crime, prostitution, victimisation, or sexual exploitation. FAPs have tried to go beyond just supporting people who have experienced infringement of their human rights or custodial justice into identifying people as persons in need of psychosocial and rehabilitative interventions.

Simultaneously the Family and Child Welfare Department at the Institute and the High Court had approached TISS with an offer to start providing social work in family courts, and police stations. TISS through a FAP placed two social workers at police stations in two districts of Maharashtra. Meanwhile, another city-based college of social work started an anti-dowry cell that assists the police by providing support to women affected by domestic violence. FAPs also commenced at two police stations, with a focus on the welfare of police and police-public relations. The Institute of Social Work in Nagpur started family counselling cells for domestic violence and children in collaboration with the Commissioner of Police. These FAP’s reflect the beginnings of fieldwork in the CJS in Maharashtra.

Another FAP commenced in 2007, to provide direct intervention and capacity building at the Observation Home with a focus on children in conflict with the law, in Thane district. Two other FAPs started in 2006 with a focus on the issue of beggary and homelessness. In 2011, a FAP developed with a focus on de-notified tribes (Tata Institute of Social Sciences Annual Report, 2012-2013).
The understanding of the CJSW field has grown through the experiences of FAPs. The FAPs has led to the CJS recognising the need for trained social workers, in police stations, prisons, courts and institutions for women and children. In a democracy governed by the rule of law, social workers can act as informed citizens to help individuals access their rights and reach out to individuals in need within the CJS. These services need to be provided by not solely the NGOs but rather to become part of the statutory services funded by the state because it is vital that the CJS allows and facilitates equal access to justice for all citizens. The foundation of the CJS relies on the philosophy that the CJS provides all citizens access to justice. Therefore, it is essential that CJSW become ingrained in the CJS rather than being provided as an additional and external service.

In FAPs, Social workers role at police stations was about addressing persons vulnerable to criminalisation, victimisation, marginalisation, or destitution with a focus on both victims and offenders. Social workers role was about grievance redressal, conflict resolution, social control mechanisms, socio-legal and psycho-social support. Social workers that work at police stations can work with many different groups including women, children, youth, first-time offenders and victims to name a few. Social workers can also work with the victims of commercial sexual exploitation to assist in victims’ rehabilitation or a preventive role by removing potential victims from exploitative situations, for example, women living in railway stations. Social workers roles with victims of the commercial sexual exploitation are to provide counselling, giving information and making home visits, providing medical support, financial assistance, legal guidance and finally a referral to other service providers depending on a case to case basis. The most important thing is that the presence of the social worker helps citizens to access the justice system better and leads to an improvement of police-community relations (Raghavan, 2012). The National Expert Committee on Women Prisoners’ report, clearly states “that the role of a social worker in prison as in reaching out to the prisoner, their families, conducting meaningful activities, social integration and counselling” (Raghavan, 2013, as cited in Singh, 2013, p. 276).

Similarly work in the sub-sector of aftercare and rehabilitation has been defined as the intervention required during the period immediately after the individual has been released from institutional care. The social worker’s role could be in emergency assistance on release, temporary accommodation and assistance in securing housing, employment, family support, counselling, guidance, legal aid, and protection from police harassment (Government of India, 2003, p. 278). If a juvenile violates a law, he is not punished but treated, guided, and because of the treatment focus, the social service figure is central thus highlighting the role of the social worker in treating juveniles (Abandinsky, 1976).

Another sub-sector that is emerging and has the potential for social workers to engage themselves with is that of Restorative Justice. In this regard, “Restorative Justice seeks to restore and enhance victims, offenders and the community to fuller functioning through the use of such techniques like mediation, family group conferencing and peace-making circles” (Gumz, 2013, p. 292, as cited in Singh, 2013).

Finally, the concept of ‘Criminal Justice Social Work’ (CJSW) includes tackling criminal behaviour and reducing the risk of re-offending, supervising offenders in the community, and assisting prisoners re-settle into the community after release from custody (Masters of Social Work Guide, 2009, para. 1). CJSW aims to reduce unnecessary prison sentences and strengthen community-based alternative punishments. CJSW services
include social investigation reports, court social work services, supervision, probation, community work, drug, prison social work, parole board, through care, aftercare, and public safety and community protection of the victims of crime and their families.

Social workers have a defined role in providing services to incarcerated individuals since the inception of the profession in 1904 (Roberts & Springer, 2007, as cited in Wilson, 2010). Social workers that performed various roles in the criminal (and juvenile) justice systems in the United States are referred to as criminal justice social workers, correctional social workers or forensic social workers (Wilson, 2010). The National Association of Social Worker describes CJSW as frontline staff and administrators in the criminal justice settings. The purpose of CJSW was conceptualised to create meaningful change in the criminal justice system and to balance the conflicted dichotomy between the need for public safety and to address the psychosocial needs of offenders. For the last few years, there has been a constant tension between the punishment model and the rehabilitation model which indicates a need for a National Standard for psychosocial service delivery. Therefore, the social work profession has an opportunity to re-establish its leadership role in offering ‘evidence-based models’ for effective psychosocial service delivery to offenders and victims of crime that will help achieve the objectives of the CJS in the 21st century. The social work profession has accurately observed that we as a society are becoming more punitive and there has been an increase in persons in custody means an increase in persons re-entering society and then getting re-arrested.

Thus, CJSW is an overarching concept that includes the multiple roles that social workers can play in connection to the criminal justice system with an engagement in institutions and in the community with the aim to reintegrate offenders and victims. Reintegrating offenders and victims is where the future of CJSW practice could be moving towards, facilitating the journey out of institutions into communities, facilitating individuals to reclaim their identity and place in society.

6. Understanding the sub-sectors in the Indian context

The field of practice for Social Work in the sector of Criminology and Justice is visible in the six sub-sectors of work in the police, court, prisons, institutions, commissions and rehabilitation. Some similarities between the subsectors are that the client group is anonymous. The client groups are invisible, dispersed and are not bound together except for their temporary association with the CJS. No social worker wants to be connected to the CJS because of the undercurrent of negativity. So advocacy to establish the need for the social worker is a real challenge in the CJS.

Significantly, of the six sub-sectors, social workers are currently employed only in two sub-sectors. Currently, social workers in institutions have jobs as Probation officers or as the Superintendent (for this designation, one of the preferred educational criteria is social work). Also, social workers in rehabilitation, have a core role in reintegration. In the other four sub-sectors; that is police, court, prisons and commissions, there are no social workers as a formal part of the system. While the potential of work has been introduced and demonstrated, it has not yet been formally acknowledged by the system.

Some individuals in the CJS perceive a social worker as someone who oversees their functioning and monitors them. Therefore, there is resistance to social workers because they are not considered peers who work towards the same vision. The resistance could be because one role of the social worker is to oversee or follow up tasks that the system and
its officials are supposed to be doing but not fulfilling, regarding facilitating access an individual’s rights and entitlement. So social workers do have a role in monitoring others, and that is not accepted well. As noted by other scholars, “[t]here is a stigma attached to CJSW given its potentially coercive enforcement and social control roles” (Chong & Francis, 2017).

Conclusion: Locating the social worker in the sub-sectors.

The fields of practice for social workers in the sub-sectors of the justice system have four different focuses. The four different focuses are a category (either system focus or society focus), offender focus and victim focus. So work is system related and undertaken with offenders (for example as in police, court and prison) or with victims (for example as in police, institutions, commissions). Work can also be related to society with elements of prevention and rehabilitation, the latter includes reintegation and reformation; processes that facilitate a person’s movement away from crime as a way of life.

Table 1. Locating Work for the Social Worker across the Sub-sectors

<table>
<thead>
<tr>
<th>Category</th>
<th>Offender focus</th>
<th>Victim focus</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>System</strong></td>
<td>Police</td>
<td>Police, Institution(Women, Children)</td>
</tr>
<tr>
<td>CJS related</td>
<td>Court</td>
<td>Commission</td>
</tr>
<tr>
<td></td>
<td>Prison</td>
<td>*Compensation</td>
</tr>
<tr>
<td><strong>Society</strong></td>
<td>Rehabilitation (Crime)</td>
<td>Rehabilitation (Men, Women, Children)</td>
</tr>
<tr>
<td>Prevention,</td>
<td>Prison (discharged prisoners)</td>
<td>Institution (Aftercare)</td>
</tr>
<tr>
<td>Reintegration,</td>
<td>Police, Juveniles in conflict</td>
<td></td>
</tr>
<tr>
<td>Reformation and</td>
<td>with law,</td>
<td></td>
</tr>
<tr>
<td>Rehabilitation</td>
<td>*Convicts.</td>
<td></td>
</tr>
<tr>
<td>Corrections.</td>
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</tbody>
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*new aspects of work that can be explored, like restorative justice etc.

Table 1 gives an overview of where work is located for a social worker including with victims and offenders, within the CJS system and society. Hence in the system work with offenders is in the sub-sectors of Police, Court and Prison and to work with victims is in Police, Institution and Commissions.

For social workers that work at the prison, immediate needs of offenders fall into the system related work, for example, focusing on facilities, services or entitlements. Moreover, more long-term work is with offenders or under-trials focuses on wanting to move away from crime or post institutionalisation support. In Society; work with offenders is in Rehabilitation, Prison, and Police indicating that work is located within the community. Similarly, at the Police station work could include an element of handling conflicts before they escalate into crimes and community-based awareness as prevention.

Social work with victims can be located within Rehabilitation work and in Institutions, as both these allow for interventions with victims. The former that is rehabilitation work is focused on helping individuals (women in Protective Homes or men in a Beggar’s Home for example) to plan their post-release and to facilitate their reintegration in society. All institutions have a time-bound stay period, and eventually, the aim is to get inmates to
move out and settle down by themselves. Similarly in Children’s Institutions, after-care that is post institutional support is an area where social workers can play a significant role.

The new areas where work can be explored is with the issue of compensation, within the aspect of victims looking at concrete support for them and with convicts or male under-trials. There could be a shift from working with the system to working in society and from work with offenders to work with victims. Work with offenders has an underlying purpose of preventing recidivism, thus protecting society. Work with victims has a focus on healing and closures thus having an individual focus. The focus thus seems to be in three domains:

(1) Societal level- with regard to prevention of crime and reintegration of offenders and victim support.
(2) Institutional Level- with regard to due process and rights.
(3) Individual level-with regard to reformation and rehabilitation.

Thus, CJSW is an overarching field that contains within it the multiple roles that social workers can play in connection with the criminal justice system with an engagement both in institutions and in the community. The future of the CJSW field of practice could be moving towards facilitating the journey of people out of institutions into communities, facilitating individuals to reclaim their identity and place in society. There is a need to build a shared understanding by all concerned stakeholders. Moreover, the next immediate step could be to initiate the dialogue between academicians, field practitioners and the CJS personnel. The dialogue would be useful for a profession that is in a transition phase and a sector that is finally coming of age in India.

References


