Criminal Justice Social Work Education and Practice in India: An Analysis

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Abstract
Criminal Justice Social Work in India has existed for over seven decades, yet it has remained a limited and neglected subject area with a narrow client group. The narrow client group consists of offenders that are within the criminal justice system and crime prevention. Criminal Justice Social Work has failed to evolve into a more sophisticated and analytical field. This article illustrates the progressive withdrawal of social work from the arena of criminal justice because of its submission to a narrow conceptualisation of criminal justice social work. This article further discusses on the essential curricula requirements for developing a robust program for Criminal Justice Social Work and concludes with the premise that while many challenges face Criminal Justice Social Work, with the re-emergence of the neo-liberal state, it is one of the most relevant fields of practice for marginalised and vulnerable persons.

Keywords: Criminal Justice System, Criminology, Corrections; Criminal Justice Social Work, Curriculum Structure.

Introduction
India’s Criminal Justice System (CJS), consisting of police, prosecution, courts, and corrections, has remained unchanged over the years. This stability results partly from the government insulating the CJS from external examination and influence as well the independence of the individual criminal justice subsystems (Blumstein & Larson, 1969). Each of these criminal justice subsystems operates within a set of prescribed rules to approach its objective (Blumstein & Larson, 1969). Criminal justice subsystems consist of all the agencies that are concerned with apprehending and dealing with offenders, who violate the criminal law. The juvenile justice system (JJS) is separate from the adult justice system. The CJS in India operates at different levels within governments including the district, state, and national level. Professionals in the CJS interact daily with diverse communities; this interaction is where people as both complainants and victims shape their
attitudes about the CJS. The CJS is predominantly acknowledged as a system that deals mainly with adult offenders. Rarely is the CJS seen as a public agency meant for providing security, working on prevention and dealing with persons, both adult and juveniles (Blumstein & Larson, 1969). It is this public agency taxonomy and characteristic that warrants the presence of social work in the CJS (Sinha, 2008).

Different government parties impose different sets of demands and constraints on their legal institutions, which is causing CJS’s worldwide, to grapple with the issues of developing criminal justice institutions and practices that meet the democratic ideals of equality, openness, and fairness (Prillaman, 2000; Solomon & Foglesong, 2000; Ungar, 2002). However, this ideal justice system rarely meets reality. Internationally, most justice systems are known for their arbitrariness, secrecy, and brutality (Sung, 2006). Most justice systems have failed to guarantee justice and civic participation in the criminal justice process, thereby falling short of ensuring the accountability of officials to the law and the people (Sung, 2006). In practice, the CJS is a powerful weapon of the state to control dispossessed groups, particularly during times of political and social upheaval. Scholars in both critical and mainstream Criminology have extensively documented the fact that criminal law is not applied equally to all classes in society (Milovaovic & Henry, 2001). The discrepancy in the application of the criminal law leads to the weaker class being prosecuted, tried and punished in large numbers. Researchers agree that it is the poor, unemployed, minorities, powerless and those ostracised for their sexual orientation that are most frequently criminalised by the CJS. Despite these realities, there is indifference among social work educators and practitioners towards work in CJS.

In the West, social work has played an essential role in the CJS since the early twentieth century. Social work in the CJS is primarily concerned with the objective of rehabilitating offenders. Since the early twentieth century, the presence of social work in the administration of justice has become a valuable component and an important influence for justice agencies. However, the neoliberal regime has been vigorously challenging the rehabilitative model in nations across the globe (Wallace & Pease, 2011). In the neoliberal context, it has been argued that re-integrative welfare-oriented approaches to criminal justice have been displaced in favour of those advanced by conservatives which aim to increase the cost of crime through deterrent and punitive sentencing. Conservatives regard offenders as rational actors primarily responsive to state interventions, which aim to render the costs of crime higher than its benefits. The emphasis on individual responsibility has paved the way for the re-emergence of the penal state. Thus, across the globe, there is evidence that the rise of neoliberal policies leading to punitive penal practice (Bell, 2011). The re-emergence of the penal state is an issue of concern for criminal justice social workers. The re-emergence of the penal state means that criminal justice agencies are reverting to their social control and punishment focus, thereby compromising the rights and welfare of the poor, both while trying to access the system and those within the system (Ades & Spiro, 1985).

In the present article, an attempt is made to examine the status of criminal justice social work education in India. This article further discusses on the essential curricula requirements for developing a robust program for Criminal Justice Social Work and the challenges faced in making Criminal Justice Social Work a distinct discipline in India.
1. Criminology and Forensics in India

Since the beginning, Criminology as a discipline in India has been part of different disciplines rather than being a single discipline. Shukla and Krishna (1981) found that before 1950 the discipline of Criminology as a subject had a mere two percent presence (p. 219). Shukla and Krishna (1981) also found that between 1970 to 1974 there was significant growth of Criminology as a subject, with its presence recording 35 percent in allied disciplines (such as sociology, psychology etc.), 25 percent in Social work and 12 percent in Law. This growth spurt in Criminology subjects is primarily attributed to the University Grants Commission’s (UGC) subcommittee’s proposal on the need to include teaching of Criminology at the university level. The sub-committee sent a proposal to the Ministry of Home Affairs (MHA) through the Ministry of Education. This laid the solid foundation for university education in the field of criminology, with support from both the Ministry of Education and Home Affairs. Around the same year, the MHA set up the Bureau of Police Research and Development (BPR&D). The 1970’s also saw the formation of the Indian Society of Criminology (1970), which provided a platform for criminologists to convene and deliberate on the future of Criminology. The establishment of the National Institute of Social Defence (NISD) (formerly known as the Central Bureau of Correctional Services) in 1961, followed by the establishment of the Institute of Criminology and Forensic Sciences in 1971 were significant developments for Criminology. Understandably, Shukla and Krishna (1981) found that until 1979 there was a spurt in Criminology courses with 105 universities in India and 25 schools or departments of social work offering criminology or related subjects.

Bajpai’s (2014) established that Criminology in India is taught at academic institutes and in training institutes (p. 88). The earliest teachings in criminology began in jail officer’s training schools and police training institution’s (Bajpai, 2014). The Jail Officers Training School (JOTS) in Lucknow offered the first program of Criminology. A Diploma in Criminology followed soon after at the J. K. Institute of Human Relations and Sociology in Lucknow in 1949. Bajpai (2014) also found that many training institutes are locating and relocating Criminology into social work, psychology, sociology, chemistry, and physics depending on the demands of the professionals being trained. Some of the important training institutes are the National Institute of Criminology and Forensic Science (NICFS), New Delhi; National Institute of Social Defence (NISD), New Delhi; Sardar Vallabhbhai Patel National Police Academy (SVP-NPA), Hyderabad; Police Training colleges/schools and Regional Correctional Institutes or Jail Training Institutes in different states.

In some academic institutes, criminology is being offered independently such as the Tata Institute of Social Sciences (TISS), Department of Criminology and Correctional Administration, Mumbai; Department of Criminology, University of Madras; Department of Criminology and Criminal Justice, Manonmaniam Sundaranar University, Tirunelveli, to name a few (Bajpai, 2014). In some universities, social science departments offer criminology such as Department of Sociology, Banaras Hindu University, Varanasi and Department of Social Work, and the University of Delhi (Bajpai, 2014). In some
universities, the Faculty of Law offers diploma courses in criminology. The University of Lucknow and the University of Rajasthan are the forerunners in this format. Another trend observed is that in some postgraduate departments of disciplines such as sociology, social work, psychology, law, criminology is offered as a single specialisation paper. A recent trend seen with some universities is the inclusion of distance education course in criminology. For example, the Department of Criminology and Forensic Science, Dr Hari Singh Gaur University and Law School of Indira Gandhi Open University. Despite all these formats, the most common formats are the combination of Criminology with Forensic Science as offered at Dr Hari Singh Gaur University and the University of Karnataka amongst many.

Despite the aforementioned expansion of criminology, it is emerging that criminology is struggling to retain its independent disciplinary identity. Bajpai (n.d.) states:

> it emerges prominently that Criminology could not develop as an independent discipline in this country. Even where the teaching of Criminology is continuing as a separate discipline, various structural confusions regarding the scope of the subject, conceptual boundaries, thrust areas, methodology, and applications are plaguing the development of this discipline (p. 4).

The structural confusion within criminology elucidates criminology’s struggle for its own identity. The disciplines of Law, Sociology and Psychology have eclipsed the growth of Criminology in the area of social sciences. In the area of Sciences, Forensics has overshadowed Criminology.

In India, historically, Criminology and Forensics were envisioned to have a symbiotic relationship. This holistic vision was the premise with which the National Institute of Criminology & Forensic Science (NICFS) was established in 1972. With a comprehensive facility for teaching, training, research and consultancy in the fields of Criminology and Forensic Science, it was envisioned that students would meet the ground level requirements of the Criminal Justice Administration through this institute. Significantly, this relationship was threatened when the Perspective Plan for Indian Forensics (Misra & Damodaran, 2010) recommended that “the Criminology component of NICFS should be taken care of separately ...and (that) NICFS should become a full-fledged National Forensic Academy (NFA)...” (p. 64) (However, this recommendation was not accepted by the Government of India). This perspective plan however, exposed the challenge criminology is facing to preserve its disciplinary identity. The move to rename NICFS as the NFA explicates the governments’ neoliberal position regarding the CJS. This wedge between Criminology and Forensics has deepened the scepticism concerning Forensic Social Work (FSW). FSW is a field of practice that is associated with the neoliberal penal ideology and is seen as a ‘system specific’ practice arena. Thus, the term Criminal Justice Social Work (CJSW) is preferential over FSW, to articulate the integration of practice domains, which address structural inequities as well.

2. From Corrections to Criminal Justice Social Work

With the establishment of the modern CJS, rehabilitation was restricted to converting lawbreakers into law-abiding citizens. For many years, the conceptualisation of corrections implied secure detention facilities such as jails and prisons that offered rehabilitation, training, counselling and de-addiction programs. Consequently, corrections came to be a
bridge between punishment and rehabilitation. Corrections aimed at assuaging society’s demands to punish and rehabilitate criminals. The rehabilitation provided in corrections was to give a chance to these offenders by providing counselling and education programs to equip them with educational and vocational skills to transform them into productive members of society. This process of transformation and reformation came under the purview of social work or corrections. Thus the term corrections includes all government agencies, facilities, programs, procedures, personnel and techniques concerned with the intake, custody, confinement, supervision, treatment, pre-sentencing and predisposition investigation of alleged or adjudicated adult and youthful offenders (Schmalleger, 2014). This approach was confined to individual explanations for behavioural problems, wherein the role of social context was completely overlooked. The emphasis on the ‘personal’ and psychological traits lacked holistic and contextual approach to individual behaviour. The proponents of Radical/Structural social work criticised such traditional forms of social work for its emphasis on individualised notions of personal problems (Fook, 2012). As Social Work developed as a profession the importance of ‘context’ informing practice became a central phenomenon for the growth of radical and structural social work (Fook, 2012). Context critically relates the conflictual nature of society to the individual context.

Radical/Structural Social Work, severely criticised the existing model of corrections as it discounted the role of oppressive social structures, subscribed to an elitist definition of crime, and exclusively centred on the individual’s deviant behaviour. This critique of the conventional practice of corrections, which focused only on an individual and not on the impact that social structures have on people, viz., caste, race, sexuality, class, ability, and gender, began the process of broadening corrections. This critique of corrections set the stage for a shift from traditional functionalism to a politically informed radical practice. At the same time, the human rights movement with its focus on social, economic and custodial justice further highlighted the limitations of corrections. The human rights movement brought forth the rampant abuse of human rights of individuals, especially of individuals in custody. The human rights movement also brought forward the issues of marginalisation, vulnerability and abuse within the democratic ideals of equality, freedom, human worth and dignity. The human rights movement transposed the idea of criminality from an individual act to a behaviour that is driven by the process of social exclusion.

Human right groups promoted the idea that the CJS was bent on penalising the marginalised groups and recognised the skewed experience of abuse by vulnerable groups such as women, children, elderly and the disabled. The human rights movement also explicated the experience of ‘double or secondary victimisation’ by the victims in their fight for justice. The secondary victimisation of victims led to the evolution of the concept of restorative justice, which includes, community based alternative dispute resolution mechanism to resolve civil disputes, through using techniques such as mediation, family group conferencing and peace-making circles. Thus, restorative justice aims to contextualise the crime as it is embedded in the community context and facilitates the individuals, families and community in understanding the harm caused by the offending behaviour, the experiences of the victim and together finding an appropriate response.
3. Social work in correctional settings evolved as Forensic Social Work (FSW) and Criminal Justice Social Work (CJSW)

The National Organisation Forensic Social Work (n.d.) stated FSW as:

“the application of social work to questions and issues relating to law and legal systems. A broader definition includes social work practice, which in any way is related to legal issues and litigation, both criminal and civil. Child custody issues, involving separation, divorce, neglect, termination of parental rights, the implications of child and spouse abuse, juvenile and adult justice services, corrections, and mandated treatment all fall under this definition.”

The above definition of FSW emphasises the need for specialised knowledge and familiarity with the law primarily focusing on treatment outcomes. Forensic Social Workers interact with the courts to make recommendations about competency, the risk of violence and alternative sentencing. Also, Forensic Social Workers conduct forensic interviews and psychosocial assessments and testify as expert witnesses. Forensic Social Workers can take on this role because they are formally a part of the system. CJSW, on the other hand, includes tackling criminal behaviour and reducing the risk of re-offending, supervising offenders in the community, and assisting prisoners reintegrating into the community after release from custody. CJSW aims to reduce unnecessary prison sentences and strengthen community-based alternatives. People working as Criminal Justice Social Workers provide several services, which include police social work, social investigation reports, court social work services, supervision, probation, community work, drug–de-addiction work, prison social work, parole board, through care, aftercare, public safety and community protection, and assisting victims of crime and their families. Thus, CJSW is an overarching concept that includes the multiple roles that social workers can play within the CJS. CJSW engages with institutions and the community with the aims of reintegrating offenders and restoring victims of crime. The evolution of CJSW is moving towards, facilitating the journey of offenders out of institutions into communities, and assisting individuals to reclaim their identity and place in society (Nair, 2008).

The problem with CJSW practitioners being situated within the CJS is that it seems to leave no space to critique the system without the risk of jeopardising one's occupation. The practitioners here critique structures, boundaries and hierarchies which maintain oppression, however, the practitioners fail to critique the same oppressive structures that occur within the CJS. Criminal justice social workers attempt to evolve multiple frameworks and discourses to align the practice with the idea that justice is not monolithic and universal. CJSW like FSW begins with the juvenile and adult justice systems but goes further than FSW by focussing on oppressive structural mechanisms, which get replicated within systems. CJSW facilitates interactions with the law, the justice systems and social work while providing the ethical knowledge and skills to balance the mutual and conflicting interests of client and community. CJSW focuses on people’s personal, familial, and community advantages and disadvantages. Thus, CJSW focuses on and elucidates structural issues as to how socio-economic structures oppress an individual in respect of sexuality, race, gender and ability. Hence, CJSW initiates a dialogue to link the political and personal issues that highlights personal problems within the context of broader societal conditions, characterized by inequalities of power and resources among groups, and
challenges the belief that the source of individual problems lies only within individuals (Fook, 2002; Moreau, 1979; Mullaly, 1997). Thus, treatment alone is not CJSW’s only focus.

CJSW endeavours to initiate a transformative process through dialogue using research to end oppression in all its forms from the justice system. Thus, CJSW believes in examining the effect that oppressive social environments have on individuals’ situations (Dominelli & McLeod, 1989; Mullaly, 2002). CJSW requires the practitioner to critically analyse the state and role of welfare services in maintaining inequality. Analysing how welfare services contribute to inequality requires a redefining of the 'client' through using a new client centred perspective of the issue at hand and discrredits traditional correctional perspectives. CJSW underscores the importance of addressing immediate needs and the psychological consequences of oppression, as well as promoting social action for long-term transformative change (Carniol, 1992; Dominelli, 2003; Fook, 2002).

CJSW thus extensively draws upon the human rights-based ideals of equality to achieve societal transformation. It is obvious then that as a practice component CJSW has the potential to address the dichotomy in the welfare state which on the one hand aspires to achieve social justice but on the other uses the CJS to control and coerce. In this context, Wacquant argued that by reversing the welfare state there will be a societal change which will allow the State to become the criminal justice state (Wacquant, 2009). This point towards the vulnerability of the poor who were provided for and regulated by the welfare state to be subjected to regulation by the criminal justice state (Wacquant, 2009). Thus, CJSW has the potential to provide critical evidence that welfare cutbacks lead to penal expansion (Garside, 2012). It juxtaposes the problematic economic, and social conditions that society imposes on vulnerable populations ensures that some people remain in relatively powerless position. The following section elucidates, in brief, the trajectory of CJSW practice in India.

4. Criminal Justice Social Work in India

Social Work in India has evolved from religious, and philanthropic efforts to a democratic, socialist, and ‘welfare’ State, where the development and welfare of the people, especially of the weaker and vulnerable populations were the keystones to progress (Bombay Association of Trained Social Workers, 2006; Pandya, 2008). In India, The Prison Reform Movement continues to be the mainstay of ‘social work in the CJS’ as it is the only area, which has gradual application to matters relating to offenders in prisons (Srivastava, 1969). The movement extends to other institutionalised population groups such as destitute women, children, beggars, the mentally ill, and women in prostitution. The history of prison reform started with Lord Macaulay in 1836, who initiated reforms in the past prison administration. The reform led to the constitution of the six Jail Committees to examine the issues of 'Prison Reform' on an all-India basis between 1836 and 1919. The recommendations of these expert committees paved the way for modern correctional practice in the prisons of India.

As mentioned before the establishment of the Central Bureau of Correctional Services in 1961 under the Ministry of Home Affairs was one of the outcomes of discussions on corrections in the political forums. In 1964, the Bureau was transferred to the then Department of Social Security. In 1975, the Institute with its new nomenclature of NISD was functioning under the aegis of the Ministry of Social Justice and Empowerment. It
became an autonomous body in 2002. The Ministry of Social Justice and Empowerment is designated as the nodal training and research institute in the field of social defence. It is the mainstay of social defence in the country and is responsible for covering the entire gamut of activities and programmes for the protection of society. The Ministry of Social Justice and Empowerment was meant to be the body which focussed on the interplay of social justice and corrections. Unfortunately, this premier institution today has been reduced to focusing on human resource development in the areas of drug abuse prevention, the welfare of senior citizens, beggary prevention, transgender and other peripheral social defence issues. An essential area of prison welfare and the correctional administration has been shifted to the BPR&D, a reflection of the neoliberal move of shifting the focus from social defence to security. Thus, under NISD where the focus was for reformation and rehabilitation with an emphasis on the need for treatment of offenders, the focus now seems to have shifted to custodial and security aspects with a clear emphasis on scientific methods via the social investigation approach.

Another significant development for corrections was the setting up of Regional Institutes of Correctional Administration (RICA – Now Academy of Prisons & Correctional Administration - APCA). In 1972, a Zonal Council of Southern States meeting articulated the need for a comprehensive programme to train Prison and Correctional Officers. This meeting led to the envisioning of the Training Institute in one of the States of the Southern Region. In 1972-73 the Government of India appointed the All India Working Group on Prisons, which strongly recommended the idea of opening an All India Institute in the country to cater to the training needs of the personnel in the Social Defence field. The Chief Secretaries Conference held in April 1979 in New Delhi, under the Chairmanship of the then Home Minister, gave countenance for the implementation of the above recommendation, i.e., training of personnel at the regional level, with full assistance and support from the Government of India. The Academy of Prisons & Correctional Administration (APCA) was inaugurated in 1979 and is considered to be one of the pioneering Institutes in training personnel for position in Prison and Correctional Administration in the country, to achieve the accepted objectives of reintegrating offenders into mainstream society. Thus, APCA is an outcome of many deliberations that prison officers and chief secretaries had at the state and national levels, over a period of eight years.

In 1989, a similar institute namely the Institute of Correctional Administration (ICA), Chandigarh started functioning with full financial assistance from the Centre. The ICA’s mandate is to train prison personnel from all over India as well as police personnel from select states and Union territories. ICA draws its mandate from the recommendations of the All India Jail Reforms Committee that emphasised the training of prison personnel. The Cabinet Committee on Political Affairs concurred that the Central Government should establish regional training centres for prison personnel. The establishment of regional training centres would assist with modernising prison administration. In pursuance of this decision, the ICA at Chandigarh was established and recognised as a Regional Institute that is similar to the APCA at Vellore.

Understandably, the welfare regime and social policy in India followed an interventionist and developmental state paradigm aimed to achieve the ‘Directive Principles’ of State Policy – the removal of poverty, social justice, self-reliance, and growth (Palriwala & Neetha, 2009). Thus, a plethora of welfare legislation was passed, that
continued with the institutionalisation of some vulnerable groups and others who may be vulnerable to neglect or abuse (Khan & Chilad, 1982). The new state-led welfare initiatives led to the demand for trained social workers for social welfare departments. It is evident from the above developments as to why the period from 1947–1977 is often referred to as the golden era for Corrections in India. During this time, the political executive, and the bureaucracy developed a progressive orientation to correctional policy, which led to attempts to improve prison facilities and services. This period saw the establishments of some regional and national institutions as well as the introduction of innovative measures like open-jails. The changes in prison conditions indicate that welfare activities in institutions were recognised as a justified activity of the State. As a result, training of personnel, need for innovations and best practices were seen as being essential to improving the outcomes of the institutions both functionally as well as in their mandate for rehabilitation. Unfortunately, this period failed to operationalise the importance of these developments at a policy level, which eventually weakened the importance of corrections in the CJS.

In late 1980’s, there was a shift to neoliberal reforms that advocated private sector expansion in health, education, and (other) “social services” that was accompanied by a denial of state responsibility for social services to vulnerable groups. The State began to levy user fees for social services even for the “needy/poor” groups. Thus, the possibility and probability of simultaneous market and family “failures” were also marginal in the neo-liberal agenda. The gradual withdrawal of the State (with a slight upturn in the last few years) and its ad hoc treatments of the social sector are reflected in the declining trends in social sector expenditure (Paliwala & Neetha, 2009). This growing indifference of State Governments was most amplified in the area of corrections due to the lower budgetary allocation. From this point on, socially stigmatised persons were nudged out from the welfare domain. With the State losing faith in institutional treatment and rehabilitation as a method for social reintegration, the corresponding financial investments regarding institutional set-up, workforce, training and service delivery were curtailed. This curtailment was gradual and began with a process of involving civil society and the private sector ostensibly to improve accountability but surreptitiously to hand over vital rehabilitation functions such as health, education, and family counselling to non-state agencies. The state was solely left with correctional security but began the slow process of pushing reformation and rehabilitation to the sidelines and promoting prisons as the ‘safe house’ where dangerous offenders could be excluded from the ‘respectable and law-abiding society’. It is from here that systemic neglect of corrections began in India.

Social work has no formal presence within the other subsystems of the CJS except for within correctional settings. Social work only has skeleton services in Probation and Parole and a few police collaborations on issues of domestic violence, child protection and the elderly. There is no systematic attempt to institutionalise CJSW through structural change in the CJS (Nair, 2008; Sinha, 2012). Many argue that the presence of social workers in the Juvenile Justice System as members of Child Welfare Committee and Juvenile Justice Boards and the family court is a form of recognition by the State of the services provided by social workers. Conversely, one can argue that the lack of a similar provision in the criminal courts and the precedence of the views of judge/magistrates over the views of social workers speak volumes of the position and value of social work in the CJS. The main issue that CJSW faces is the lack of a social climate conducive to work with the
system, the offender and the victim. For CJSW to succeed there needs to be equal emphasis on the institutional and non-institutional programs and services are required.

It is against this backdrop that the need to strengthen CJSW is addressed. Social work interventions in CJS in countries such as Australia, the United States and the United Kingdom, have shown that there is a definite need for trained social workers in the justice systems where citizens interface with the system. This institutionalisation partnership of social work and the CJS eases access for vulnerable and marginalised groups like women, children, young male adults, psychologically and emotionally disturbed persons, senior citizens and other minorities (both as victims or offenders). Social workers assist prisoners through the dissemination of information, guidance, counselling and support. This assistance aims to reduce exploitation by people by the CJS, strike a balance in expectations between the citizen and the system, reduce case-load through diversion and increase the ability of the individual to resolve problems with minimum recourse to legal action, thus to bring relief to the citizen and the administration.

5. Criminal Justice Social Work Curricula

Globally, CJSW has been in existence since the beginning of the social work profession but has historically been a small segment of the profession (Munson, 2011; Neighbors, Chambers, Levin, Nordman & Tutrone, 2000). As a result, social work no longer has a significant presence in the criminal justice field (Gibelman & Schervish, 1993). Relatively few social workers embark on their professional education with the aim of employment in the criminal justice field. Consequently, very few courses in social work education programs focus explicitly or comprehensively on criminal justice (Knox & Roberts, 2002; McNeece & Roberts, 1997).

It is apparent from the preceding account that social work education will need to play a unique role in preparing social work students to address issues related to practising in the CJS. With about seven decades of social work education in India, this assertion is even more amplified. Schools of social work have failed to contribute to the inclusion of diversity and criminal justice content in the curriculum. In India, most departments/schools/centres of social work across India, till today, offer elective courses namely Juvenile Justice, Human Rights and Law and Social Work to provide professional training to the students in the area of social defence/social work in the criminal justice system. The Department of Social Work, Delhi University at its master’s program offers Social Defence as a specialisation to enable the students to gain an understanding of the concept and philosophy of social defence, correctional services and to develop practical skills in prevention, correction and rehabilitation work in social defence. On similar lines, most schools of social work in India offer an elective course.

Another trend observed is that universities offer diploma or certificate courses, which offer only some aspects of CJSW in their course curriculum. Maharaja Sayajirao University of Baroda, (MSU) and the School of Social Work (SOSW) in Indira Gandhi National Open University (IGNOU), Delhi, are universities who are forerunners amongst others offering a diploma course. MSU offers a Postgraduate Diploma in Criminology & Correctional Management. It offers papers such as Criminology-I, Penology, Juvenile Delinquency, Intervention with Individuals and Groups in Correctional Field, Human Behaviour and Psychopathology, Management of Correctional Services of Closed and Open Community in the first semester and Criminology-II, Research in Field of
Corrections and Victimology in the second semester. On the other hand, SOSW-IGNOU, Delhi, offers a Certificate in Social Work and CJS. This certificate course of sixteen credits offers two theory courses of four credits each namely Social Work Intervention in Correctional Settings and Social Work in Criminal Justice besides offering eight credits of fieldwork in correctional settings. Also, there are some recent developments to introduce CJSW within Master’s programme in Criminology as a specialization. “Recently, the Department of Criminology in the Raksha Shakti University, Ahmedabad, initiated a specialisation in CJSW as part of its MA Criminology programme. Also, the Central University of Gujarat has proposed a Centre for Studies in CJSW” (Kunjappan, 2018).

For CJSW to reach its fullest potential, it requires rigorous academic training with field-based education and research. In other words, CJSW curricula should focus both on aspects of criminality and society's reactions to criminality through systems of criminal justice as well as on the structures of oppression. Thus, besides crime causation, trends in criminality, and implications of these for future society the curricula should also focus on the daily operations of police, courts, and corrections so that the making of the law, and the complex processes that lead to its creation, are not ignored. Areas that need to be included under CJSW include knowledge of legal aspects and organizational systems unique to helping professional practice issues such as types of crime, policing, corrections, juvenile justice, crime prevention, media, comparative criminal justice, crime analysis/crime mapping, ethics, public opinion, and mental health/illness. The curriculum should also balance the criminal justice inputs with social justice parameters to help students understand the vicious circle of social circumstances in offending and penal bias.

Since 1954, Tata Institute of Social Sciences (TISS), Mumbai, has offered one of the first social work programs offering a full-fledged MSW programme in CJSW. At present, the course consists of seventy-nine credits. In the present curricula, a student begins their first year with six credits of Foundation Courses (on social, political and economic issues), five credits of Research Courses and grounding in Core Social Work Courses of sixteen credits along with twelve credits of Field Practice with a generalist social work agency. In the two years, the course offers twenty-two credits in CJSW specific courses along with twelve and six credits of CJSW specific fieldwork and research. To enhance the relevance of social work in the justice system, it conceptualises the field of practice and narrows the gap between education and the needs in the field. Accordingly, the curriculum has offered a holistic approach to social work, with an emphasis on skills to co-operate with other human service professions in achieving social change. The curricula questions, why serious problems continue to be encountered in the transformation of a protective doctrine, even though the progress in the legislative arena has led to various social legislation. As a result, the courses equip students with the method, skill and practice, to collaborate with and challenge criminal justice personnel such as police, judges, correctional and probation officers. The course underscores why social workers in the justice system must fully comprehend the arbitration process, the legal rights of offenders, criminal procedure and other aspects of the criminal courts so that they understand how such decisions conflict with the interests of the client. The course highlights the importance of practitioners in understanding their roles first within the context of the CJS.

The perspective, ideology and theory courses encompass the socio-political roots of the systems of criminal justice. The course emphasises the importance of examining political
ideology as political ideology forms one of the foundations of law, which in turn is the base of the CJS. During the course, students will realise that criminal justice operations cannot be understood without examining the central role that ideology plays in shaping the behaviour of the CJS. The CJSW course aims to debunk myths of crime and criminal justice while paving the way towards instilling ethics in the CJS. The examination of the socio-political roots of the CJS facilitates critical thinking to address issues of power, ideology, politics and lobbying by special interests. During this course, students will learn to question whether the processes of delivering justice and reducing crime is the most effective solution or whether there are possible alternatives to policing, courts, and corrections. The course content describes the CJS by defining the nature of these systems and explaining their behaviour based upon objective criteria (i.e., knowledge of principles and causes).

The criminal justice policy and rights-based courses provide a critical analysis of the systems of criminal justice. These courses increase students’ knowledge of the political nature of the CJS. Criminal justice policy and rights-based courses provide a deeper understanding of the philosophical underpinnings that determine the systems' structures and processes to equip students to assess the implications of "crime" as a social and political construct. Further, students can explore the various philosophical, social, and political interpretations of the meaning of "justice" and the implications of these ideologically driven interpretations for the systems structures and processes. An understanding of the various meanings of justice enables students to rethink the organisation of the criminal justice and not to accept the CJS purely from a practical perspective that precludes inculcation of theoretical understanding and critical reasoning essential for developing the analytical skills necessary for addressing inequities within and around the CJS.

The comprehensive course curriculum thus has elements of criminal justice theory and policy, criminological theory, history of law and nature of law-making, theory and philosophy of punishment (penology). The curriculum also includes ethics, inequality (caste, class, gender, religion, economics/power etc.), victimology, and human rights discourse, comparative CJS’s, political ideology, crime and justice in media along with a substantial credit base in skills courses.

6. Research in Criminal Justice Social Work

The Criminal Justice field is often characterised by a lack of reliable data on crimes and poor communication among service providers namely the police, magistrates, judges, prison staff and non-governmental agencies. The lack of reliable data and poor communication is further compounded by a lack of research studies on intervention and with the lack of systematic evaluation models to assess the efficacy of various efforts despite a variety of existing, and isolated initiatives. It is evident that a need exists for more in-depth, systematic investigation of all the actors (primary and secondary) in the CJS. These actors include service providers such as social workers, correctional officers, and judges as well as an assessment of the experiences of the victim. Research in CJSW thus covers a broad range of topics broadly classified as Policy-making studies, Mapping studies, Implementation studies, Intervention studies, Mechanism Studies and Victimization Studies.

There are real and diverse ethical problems in conducting research within the CJSW, especially with vulnerable, incarcerated or victimised populations. The ethical problems
arise from protecting the rights of the research participants, but the more significant problem is the risk of policymakers and politicians taking research findings out of context to promote agendas that may serve to marginalise vulnerable populations further. CJSW, thus, need to ensure that research protects individual rights as well as maintain the confidentiality of the participants. Research in CJSW is vital to inform practice as well as to contribute to the knowledge base using the evidence-based methodology for evidence-informed practice. Research underscores the importance of contexts, explores positionality and enables the researcher to discuss the challenging dichotomies confronting the practitioner.

7. Field Work in Criminal Justice Social Work

For social work programs, to prepare Criminal Justice Social Workers for competent, and holistic practice at the personal, group, community and state level, it would require exploring social work practice areas in the CJS and in the context within which the CJS is embedded to examine different ways of incorporating CJSW content into existing curricula. The primary fieldwork sites, at present thus, are in the criminal and juvenile justice systems and corrections, which include work with systems such as police, prisons, courts, NGOs working on human rights issues, custodial justice, legal aid, community corrections and rehabilitation. Fieldwork sites also include custodial/remedial institutions like beggar's homes and residential homes for women and children. These practice sites provide opportunities for engaging with the system as well as of advocacy for change in the ethos of the system. There is an opportunity to understand the bureaucratic processes, appreciate the inherent dichotomies and explore avenues for advocacy to reconstruct the context. Students learn to evolve a vision to work with individuals, groups and communities towards crime prevention and rehabilitation. Secondary sites for fieldwork include open settings like work with de-notified tribes, non-notified slums, evicted communities, panchayat, informal justice mechanisms, human rights organisations, civil rights movements, statutory bodies like National/State Human Rights Commission, National/State Commission for Women, National/State Commission for the Protection of Child Rights, and National/State Commission of Minorities etc.

Through fieldwork, students get exposure to working with involuntary clients and groups who are in custody often against their will, e.g. prisoners, children and women in protective care, victims of abuse, and homeless people arrested under the beggary and vagrancy laws. These are usually the most stigmatised and socially excluded populations. Working with such groups requires specialised knowledge, attitudes and skills specific to justice settings such as international laws and conventions, constitutional and legal provisions, powers and accountability of the system, and correctional laws and policies. Students also get an opportunity to evolve (specialised) skills to work with resistant and bureaucratic systems; to engage with overloaded and demoralised justice functionaries and affected groups who are fatalistic and traumatised (due to their experiences with society and the state). Alexander and Brown (2000) propose that more field placements in correctional institutions may be one way to increase collaboration in the corrections field. Alexander and Brown (2000) also believe that field placements and interaction within the academic setting can encourage more social work graduates to consider corrections and juvenile justice as viable career choices. The more social work graduates that work in the CJS may put pressure to open more employment opportunities and negotiations in the
system and related areas of work. Fieldwork enables the student to engage with the whole context, identify the different stakeholders and reposition their skill set to challenge the dominant contexts; position subversive contextual frames of the vulnerable groups. The fieldwork process is further enabled by critical reflection and introspection wherein a student continually evaluates the role of knowledge in deconstructing the repressive power systems. The fieldwork also provides a space for the students to engage in real life hostile and uncertain situations.

Fieldwork practice must be balanced with curricula that help students to deal with the dilemmas between social work and legal ethics. Fieldwork practice provides students first-hand experience about the numerous aspects of the justice system and lays the groundwork for culturally competent, holistic, community-based, interdisciplinary practice. These placements also provide useful opportunities for students to learn about political processes and social change. CJSW practice requires a structural perspective grounded in anti-discriminatory practice. Social work practice in Criminal Justice and related systems expose students to a multitude of state actions, which are an outcome of the state’s policy, and executive action. As a result, CJSW exposes social work students to the structural barriers and societal factors that contribute to private troubles, which are within the ambit of crime. Students, as a result, should be able to identify the contradictions in the justice system and deal with hostile situations and resistance.

The disengagement of social work from the CJS is apparent by the fact that most social work programs do not offer a comprehensive and substantive curriculum in criminal justice or corrections. The disengagement has shrunk the understanding of CJSW in India and unfortunately led to the gradual decline of this sector within social work. While social workers have long advocated for diversion and de-institutionalisation, these voices are growing weaker. The absence of the involvement of social workers in decision-making positions in law enforcement has reduced their ability to influence the correctional system (Slaght, 2003). All these accentuate the need to develop mechanisms to incorporate CJSW curricula adequately in both the bachelor and Master of Social Work (BSW and MSW) programs. The CJSW curricula will position CJSW as a vital area of practice, which prepares professionals to analyse policies developed for the CJS and thereby elucidate how it has far-reaching implications for many sections of the population. The course curriculum should incorporate how CJSW can affect the life chances of victims of crime, offenders and those who pay the cost of crime. A holistically delivered program can motivate students to analyse the CJS as a system comprising of people and procedures intended to perform certain functions, develop skills to assess the performance of the system, develop measures of effectiveness by which one can assess how well the system is performing as well as contribute towards alternative justice system designs. Finally, CJSW can prepare practitioners to become administrators with opportunities to influence or implement crime policies (or other related policies), create avenues to shape the future of the CJS besides educating and influencing the public.

Conclusion

This article provides an analysis of the challenges faced and the stunted growth of CJSW in social work curricula. Challenges faced by CJSW in India are many. On the one hand, the neo-liberal policies of the state are pushing CJSW to the periphery, preferentially prioritising forensics thereby limiting practices especially those that safeguard
the rights of the offender. On the other, the victims of crime are a forgotten entity in the Indian CJS that has not seen any significant improvement but are conveniently used under the garb of neo-conservatism to push for the penal state agenda. Additionally, social work educators have failed to see CJSW as a practice arena where social work engages with the regulatory state on one side and the disempowered communities on the other. Social work educator’s limited view of CJSW as a practice field within the CJS has substantially limited the scope of practice. Notions of 'crime' are portrayed mainly as incidents of misfortunes, dangers, harms, risks and injuries that are a routine part of everyday life. As a result, 'crime' is largely ignored by the social work fraternity even when it is apparent that the policy framework of criminal justice is relevant to the concerns of the social work profession. The social work profession has failed to link 'justice' to poverty, malnutrition, pollution, medical negligence, state violence and corruption; all of which have widespread and damaging consequences for, people, hence within the ambit of 'crime'.

Historically, criminal justice has always part of the social welfare policy, but today it is not as involved as it should be in the CJS. It is apparent that CJSW is an essential field of practice in social work with its counter-hegemonic principles which challenges the traditional CJS, by putting social harm at the epicentre of justice and thereby the hegemony of the law in the criminalisation process. McNutt (2010) rightly points out that this important practice field needs to be developed and strengthened. It needs to increase its policy-relevant profile so that criminal justice legislation routinely is not enacted without a word from those who study the processes and effects of criminal justice action on the vulnerable and marginalised. Thus, corroborating the basic premise of this article that CJSW education, practice and research needs to be strengthened and expanded within social work education and the CJS.

References


