

**REPORT OF
THREE-DAYS' WEBINAR ON
REHABILITATION OF PRISONERS FOR
PROBATION OFFICERS, BIHAR**

Organised by

Prayas – A Field Action Project of the
Centre for Criminology and Justice, School of Social
Work, Tata Institute of Social Sciences, Mumbai

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BICA Hajipur and Bihar Prisons

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Report of the Three-Days' Webinar on Rehabilitation of Prisoners for Probation Officers, Bihar

Date: 12th to 14th January, 2021

Time: 02.00 p.m. to 05.00 p.m.

No. of Participants: 90 Probation Officers

About Prayas

'Prayas' – a field action project of the Centre for Criminology and Justice, School of Social Work, Tata Institute of Social Sciences (TISS), Mumbai, is working since over 30 years, to demonstrate the need for trained social workers in the criminal justice system, towards the promotion of legal rights and rehabilitation of persons in or vulnerable to crime, commercial sexual exploitation or destitution. The project was initiated in one prison at Mumbai in 1990 and is today based in nine prisons, three protective institutions for women, legal aid systems and three community based rehabilitation centers in six districts of Maharashtra and Gujarat (Mumbai, Thane, Latur, Solapur, Bharuch and Rajpipla). The project is involved in direct service delivery, training of criminal justice functionaries, documentation of issues and policy changes towards the promotion of legal rights and rehabilitation of custodialised populations in criminal justice, or those vulnerable to negative lifestyles.

Background of the Webinar

The three-days' webinar was an online training programme exclusively designed for the Probation Officers functioning under Bihar Institute of Correctional Administration (BICA), Hajipur and Bihar Prisons. The objective of this webinar for probation officers was to primarily orient and motivate them to perform their role towards the rehabilitation of undertrial and released prisoners. Key highlights of the sessions and recommendations are presented in this report.

Day I, 12th January, 2021

Keynote Address

Mr. Mithilesh Mishra, IG (Prisons and Correctional Services), Bihar set the goal for the training programme through his address. He urged the Probation Officers to focus on rehabilitation of prisoners, and presented **four key pointers** for the participants to draw optimum learnings and contribute after this webinar:

- 1) *Bihar Jail Manual, 2012* – amendment to be discussed with respect to 'probation'.
- 2) *SC committee's guidelines on rehabilitation of women prisoners* – implementation of the recommendations of the SC by Probation department in Bihar.
- 3) *Role of Probation Officers as 'Rehabilitation Officers'* – to perform the task of rehabilitation of released prisoners as different from 'welfare officers' working inside prisons for prisoner welfare.
- 4) *Probation of Offenders Act* – at the national-level discuss the updates required in the law, and the role of P.O.s towards an integrated correctional system/ Criminal Justice System.

Welcome Address

Mr. Neeraj Kumar Jha, Director, BICA, Hajipur, welcomed all the participants for the three-days' online training programme on the topic of 'Rehabilitation of Prisoners' for the Probation Officers of Bihar. He appreciated the efforts and continued support of Prayas towards BICA.

Mr. Diwan Jafar Hussain Khan, Joint Secretary-cum-Director (Administration), Bihar, emphasized on the importance of rehabilitation of prisoners that required the Probation Officers to work with the prisoners. He also highlighted the Supreme Court Guidelines on Prison Reforms to be implemented to achieve the objectives of welfare and rehabilitation of prisoners.

Mr. Sanjay Kumar Singh, Chief Probation officer, Bihar welcomed all the participants. He thanked the Prayas team for the training content developed for the Bihar Probation Officers that would motivate and enable them to carry out their duties towards rehabilitation of prisoners in Bihar.

Context Setting: Challenges in Rehabilitation of Prisoners

Prof. Vijay Raghavan, Project Director, Prayas and Professor, TISS, welcomed all the participants on behalf of TISS and Prayas. He charted out the journey of the Probation of Offenders Act, 1958 [henceforth PO Act] that began quite well, but was followed by a decline in its implementation in India since the 1980s. This was due to decline in three major reasons : the role of the welfare state; investments in institutions post-independence; and society and the State's faith in rehabilitation. This has led to challenges faced by the Probation department in implementation of probation services for rehabilitation of prisoners. In this context, states like Bihar focusing on probation services and a revival of the PO Act through their work are a ray of hope.

Working with Male Youth Offenders – Profile and Challenges

Mr. Vikas Kadam, Sr. Social Worker, Training, Policy and Advocacy, Prayas set the context of the webinar through his presentation. He presented the overview of profile, needs, and challenges faced by the male youth prisoners. He emphasized that working with the family is critical to rehabilitation of the prisoners. Mr. Kadam also presented four types of clients (prisoners) and their families, an analysis from the rich ground-level experiences of Prayas.

Work with Involuntary Clients

Dr. Sharon Menezes, Joint Project Director – Prayas and Faculty, TISS illuminated the participants with how to work with involuntary clients. She explained that there are often difficult individuals and challenging to help, but the P.O. must work with them as no one else will do so, in order to rehabilitate them. She explained three key pointers: (1) Context of Help; (2) Purpose of Help; and (3) Use of Authority. By positive use of authority, the helper (P.O.) has to build and nurture the relationship between themselves and the one helped (Prisoner). This is the key in this context for effective rehabilitation of the prisoners.

Emergency Assistance, Follow-up and Social Integration through NGO Placement

Mr. Chandrakant Shinde, Coordinator, Aftercare (Male), Prayas presented the context and gender-specific challenges faced by male youth prisoners like loneliness, mental health issues, substance abuse, behaviour problems. Prayas provides emergency assistance through the 'Youth Development Centre', a transit home that is equipped with rehabilitative facilities. He also presented the unique NGO Placement model of Prayas in the context of male youth prisoners, where released prisoners are trained and placed in the NGO sector, as opposed to the corporate sector; Prayas found it to be much more effective in rehabilitation of prisoners. The clients were able to adjust better and transition smoothly from prison to community life. More than 1000 clients (released prisoners) have been placed successfully by Prayas through the NGO Placement model.

Day II, 13th January, 2021

Rehabilitation of Women Prisoners

Pradnya Shinde, Asst. Project Director, Prayas presented the context and profile of working with women prisoners. Women prisoners face different and more challenges both inside and outside the prison due to the greater social stigma attached to them. They face acute mental, emotional, social, economic isolation. They need support of P.O.s, social workers, NGOs in the absence of support and acceptance from family.

Ms. Vishakha Dekhane, Coordinator, Aftercare (Female), Prayas presented the NGO Placement programme for women prisoners. Since the context of women prisoners was different, this programme provided them with the work environment, self-esteem, sustainability, to translate their negative life experiences into positive ones and gain dignity and acceptance in the society.

Services for Children of Prisoners

Ms. Meenal Kolatkar, Social Worker, Children of Prisoners Unit, Byculla Prison highlighted the needs of children of prisoners both inside as well as outside the prison. Her presentation showed the role of prison and probation staff in providing such children with proper care, protection, and development. She also emphasized on the need for 'mulakaat' (meeting) to be arranged between mothers (prisoners) and their children. She presented the unique 'Galabhet' (*gale milna*) programme initiated by Prayas in prisons that was effective in building bonding and motivating the mothers to look forward to a future for and with their children.

Role of Probation Officers in the Process of Rehabilitation of Youth

Prof. Vijay Raghavan on behalf of Mr. Subair Kotikal, Probation Officer, Kerala presented the probation services which are implemented under the Social Justice department in Kerala. The role of Probation Officers performed in rehabilitation of prisoners in Kerala was detailed out and some of the innovative, best practices from Kerala were shared in this session:

- *Probation Assistants* – 14 appointed on contractual basis, one in each district to support the P.O.'s work.

- *Nervazhi (seedha raasta)* – several schemes and support systems brought under this programme for rehabilitation of prisoners, reducing crime and recidivism.
- *Probation Home* – First-of-its-kind home for men in Kollam district with an NGO for released prisoners who have no place to stay, can stay here for upto one year.
- *Probation Day and Fortnight* – in the honor of Justice V.R. Krishna Iyer a fortnight of workshops, seminars, programmes to create awareness about probation services in Kerala.

Work with Police Towards Rehabilitation of Prisoners

Mr. Vikas Kadam (on behalf of Mr. Suryakant Mane, Asst. Director, Prayas) briefly discussed the challenges faced by released prisoners with the police. Police's routine monitoring and investigation of a released prisoner to see their whereabouts, may at times disrupt their rehabilitation process. At this juncture, the role of Probation Officer is critical to coordinate with the police, supervise, support and ensure smooth rehabilitation of the released prisoner/probationer.

Day III, 14th January, 2021

Networking with DLSA for legal aid

Adv. Silvin Kale, Legal Aid Coordinator gave critical insights for the P.O.s to work in the area of legal aid for undertrial prisoners. His rich experience in the area of legal aid shed light on how the officers need not be intimidated by the court environment, the judicial officers, and perform their probation duties as they are empowered officers of the court under Section 11 of the PO Act. The post is unique where a non-judicial officer is empowered with powers and authority to provide legal aid to the prisoners. He highlighted important sections like Section 13(c) for smooth functioning of the PO Act.

Access to Citizenship Rights Documents and Government Schemes

Ms. Chandrakala Bhojane, Social Worker, Citizenship Rights Unit, Prayas presented that helping the released prisoners with creating their lost documents, avail government schemes through these documents was very crucial to their rehabilitation. It not only makes them a rightful citizen in the eyes of the State, but also integrates them to mainstream society by enhancing their self-image and identity. Most of the clients (prisoners) belong to marginalised backgrounds and lack of proof of education, residence, etc. isolates them immediately after their release from prisons. Prayas' social workers face many challenges to avail documents. For this a thorough process is followed by Prayas: of sensitisation and awareness sessions, liaison with various government departments, continuous follow up, and learning by doing.

Rehabilitation work in Rural Context

Mr. Murlidhar Jagtap, Sr. Social Worker, Prayas Latur Unit presented the challenges and services unique to prisoners in the rural context. Rehabilitation work also included supporting the released prisoners become independent with small businesses. He detailed out the extensive relief work done by his team during the pandemic in Latur, rural Maharashtra. Interestingly, Prayas' relief work was uninterrupted during the strict lockdown in 2020. His ground-level experiences

showed how rehabilitation of prisoners requires networking, innovation, and most importantly building trust for smooth coordination with various authorities and departments.

Needs Assessment Study of Prisoners and Released Prisoners

Ms. Devayani Tumma, Sr. Social Worker, Research and Documentation, Prayas presented the findings of the needs assessment study of Prayas' clients. A total of 503 respondents were interviewed (51.9% female, 48.1% male), who were released prisoners, women released from shelter homes, children in conflict with law, and families of all of them. This study was conducted to understand Prayas-clients' socio-economic situation, immediate needs, access to welfare schemes, livelihood options, and supports required in the context of the COVID-19 crisis, and especially the lockdown. Ms. Tumma's presentation highlighted the acute financial and livelihood challenges faced by this population through the findings:

- during the lockdown, a staggering 88% lost their source of income with only 12% who continued earning even during the lockdown.
- within this 12% who continued earning during the lockdown, only 26% were women while 74% were men who continued earning.
- among 17% of respondents who borrowed money during the lockdown from money lenders, 69% constituted women, indicating high risks faced by women
- 87% reporting requiring support for their ration needs.
- 58% reporting their child/children not attending online classes.
- many reported increased stress and anxiety with stoppage of mulakat in prisons/special homes and impending delays in trials.
- many reported difficulty in meeting legal expenses with the changes in their earning.
- during the lockdown, a sizable proportion were supported by the community and by CSOs/NGOs; Prayas has been at the frontline in reaching out to the clients and providing them with financial, psycho-social, relief support.

Suggestions from Open House Discussions – Way Forward

S.N.	Suggestion	Action to be taken	Responsible official/ dept.	Timeline
Communication & Coordination				
1	<p>Rehabilitation begins from prison and role of P.O. starts from inside prison.</p> <p>e.g. CWC, CARA, Foster care, institutions, prisons, and Probation department to provide care and protection to children of prisoners. (the Dept of DWCD and Social Justice also prominent partners in the process of rehab to avail the benefit of schemes) dept of skill development.</p> <p>An Inter-Departmental Committee with Home Secretary as chair and representation from IG Prisons, Probation, DG Police, DWCD, Law and Judiciary, DSLSA judiciary can be formed which can meet every three months to discuss issues relating to legal rights and rehabilitation of prisoners. The IG Prisons office can act as the Member Secretary of the Committee.</p>	<p>1. Better inter-departmental communication</p> <p>2. Ease of entry in & access to prisons for P.O.s</p> <p>3. Inter-departmental coordination</p> <p>4. One PO or welfare officer will be nominated to do networking and coordination</p>	Prison dept. and Probation dept.	
2	<p>P.O. needs to conduct home visits, assess home environment, and submit report to CWC/ the concerned dept.</p>	<p>The probation officer can take the help of local organisations, ASHA and Anganwadi workers</p>	Probation Officers	
3	<p>Networking with various departments for rehabilitation of undertrial, prisoners, released prisoners, children of prisoners, and families of prisoners.</p>		Home department / Probation Officers	

Administrative and Policy

4	Access to the Prisoners' Welfare Fund by P.O.s or creation of Probationers' Fund. P.O.s can be member of committee for decision-making – grant-in-aid scheme for immediate and long term support. CSR funds can be explored in the state.	P.O.s can submit a letter to the IG (Prisons) stating immediate funds needed for emergency support to prisoners/ their families or request for refund. A circular to this effect would be shared soon.	IG office and Probation dept.	
5	Review and revise Bihar Probation Rules (especially work inside prison).	IG Prisons can suggest a small committee	IG office and Probation dept.	
6	Appointment of more female P.O.s as per number of women prisoners in each district.	Recruitment and training processes for female P.O.s	Probation dept.	
7	Separate women-oriented policies need to be formulated for meeting the unique needs of women prisoners. e.g. Probation services inside & outside prisons, shelter homes, livelihood support, rehabilitation options etc.	A small study on issues of imprisoned women in Bihar can be initiated for basic needs assessment.	Prison and Probation dept.	
8	Sponsorship of children of prisoners left outside.	Allocate a resource fund and rules to sponsor vulnerable children of prisoners	Prison and Probation dept.	
9	Schemes for counseling and rehabilitation of victims of crime.	Explore the possibilities of field work placements of students from colleges of social work and psychology	Probation dept.	

Rehabilitation and Social Reintegration

10	Regular visits of children in institutions and parents in prison.		Probation Officers	
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11	<p>Alternatives for social reintegration of prisoners in the absence of NGOs for training & placement. e.g. NGOs running programmes on vocational training, education, health, livelihoods could be partnered with by probation and prison department.</p>	<p>Discuss possibilities with NGOs/ CSOs/ TISS alumni etc. to work dedicatedly for rehabilitation of prisoners in Bihar, form tripartite agreement between Prison, Probation and NGO. Training and support from Prayas.</p>	Probation dept.	
12	<p>Best practices from other states can be replicated in Bihar. e.g. Maharashtra: NGO placement programme, <i>Galabhet (gale milna)</i> programme, Youth Development Centre Kerala: <i>Nervazhi (seedha raasta)</i> programme, appointment of Probation Assistants, Probation Fortnight</p>	<p>Find out more details of such programmes, assess needs of prisoners in Bihar, innovate and replicate</p>	Probation Officers	

Annexure: Webinar Programme Schedule

Three Day Webinar on Rehabilitation of Prisoners for Probation Officers from Bihar

Date: 12th January 2020 to 14th January 2021.

Time: 02.00 pm to 05.00 pm

Day – I: 12th January 2021

Time	Details of the topic	Resource Person
02.00 pm to 02.30 pm	Welcome and Objectives of the Training	Prayas Team
02.30 pm to 03.00 pm	Challenges in Rehabilitation of Prisoners	Dr. Vijay Raghavan, Professor, Center for Criminology and Justice, School of Social Work, Tata Institute of Social Sciences
	Keynote Address	Shri Mithilesh Mishra, IPS, Inspector General of Prisons, Bihar
02.30 pm to 03.00 pm	Working with Male Youth Offenders – Profile and Challenges	Shri Vikas Kadam, Sr. Social Worker, Training, Policy and Advocacy, Prayas
03.00 pm to 03.30 pm	Work with Involuntary Clients	Dr. Sharon Menezes, Asst. Professor, CCJ, TISS and Jt. Project Director, Prayas
03.30 pm to 04.00 pm	Social Integration through NGO Placement – A Way Forward	Shri Chandrakant Shinde, Coordinator, Aftercare (Male), Prayas
04.00 pm to 4.10 pm	Tea Break	
04.00 pm to 04.30 pm	Emergency Assistance and Follow Up of Cases	Shri Chandrakant Shinde, Coordinator, Aftercare (Male), Prayas
04.30 pm to 04.45 pm	Open House	Ms. Krupa Shah, Sr. Social Worker, Prayas

Day – II: 13th January 2021

Time	Details of the topic	Resource Person
02.00 to 02.15 pm	Warm up and feedback of the day I	Prayas Team
02.15 pm to 02.45 pm	Role of Probation Officers in the Process of Rehabilitation of Youth	Shri Subair Kotikal, Probation Officer, Kerala
02.45 pm to 03.15 pm	Services for Children of Prisoners	Ms. Meenal Kolatkar Social Worker, Children of Prisoners Unit, Byculla Prison
03.15 pm to 04.00 pm	Rehabilitation of Women Prisoners	Pradnya Shinde, Asst. Project Director, Prayas and Ms. Vishakha Dekhane, Coordinator, Aftercare (Female), Prayas
04.00 pm to 04.10 pm	Tea Break	
04.10 pm to 04.30 pm	Work with Police Towards Rehabilitation of Prisoners	Shri Vikas Kadam, Prayas
04.30 pm to 04.45 pm	Open Discussion and Vote of Thanks	Shri Mithilesh Mishra, and Dr. Vijay Raghavan

Day – III: 14th January 2021

Time	Details of the topic	Resource Person
02.00 pm to 02.15 pm	Warm up and feedback of the day II	Prayas Team
02.15 pm to 02.45 pm	Networking with DLSA for legal aid	Adv. Silvin Kale, Legal Aid Coordinator
02.45 pm to 03.15 pm	Access to Citizenship Rights Documents and Government Schemes	Ms. Chandrkala Bhojane, Social Worker, Citizenship Rights Unit
03.15 pm to 3.40 pm	Rehabilitation work in Rural Context	Shri Murlidhar Jagtap, Sr. Social Worker, Prayas Latur Unit
03.40 pm to 03.50 pm	Tea Break	
03.50 pm to 04.20 pm	Needs Assessment Study of Prisoners and Released Prisoners	Ms. Devayani Tumma, Sr. Social Worker, Research and Documentation, Prayas
4.20 pm to 4.50 pm	Open discussion, sharing of experiences and suggestion for future endeavor / concluding	Shri Mithilesh Mishra, Dr. Vijay Raghavan, and Shri Shri Vikas Kadam