



REHABILITATION OF ADULT CONVICTS AND JUVENILE OFFENDERS IN INDIA

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ABSTRACT

In this article, the rehabilitation procedure in India is being examined with the help of 2 studies (1) on the adult prisoners in various jails in India in the year 2007- 2009 and secondly (2) on young juveniles known as children in conflict with the law, staying in different correctional homes in 2012-2014. The aim is to present the process of rehabilitation of adult offenders and juveniles in India. The studies are empirical studies. The objectives are as follows, 1 to project the methods used in rehabilitating adult and juvenile offenders 2 to understand the attitude of the subjects towards the correctional approaches. It was assumed (a) that there are strengths and weakness in the measures of rehabilitation (b) and that the attitude of the offenders depended on their personalities and emotional traits. The tools applied are an interview schedule designed specifically for the target group; also the CPQ Scale; the Emotional Intelligence Scale, and the Subjective Scale are administered in both the situations. All these tests are standardised and have been proven reliable and valid in the study. The findings of the studies showed that independent variables determined the success of the rehabilitation process of the subjects, (a) age and sex of the adult offender and the juveniles (b) pattern of offence; (c) length of stay in the correctional institutions, (d) educational and marital status; (e) attitude of the family; and (f) his or her acceptance of the rehabilitation programmes while in confinement. As a result, certain dependent variables, such as 1, his or her perception of himself or herself and society, 2, emotional intelligence, and 3, the individual's personality profile, indicate the strengths and limitations of the two groups in the rehabilitation process.

Keywords: *Adult Offenders, Correctional Homes, Criminal Propensity, Juvenile Offenders, India*



1.0. INTRODUCTION

Whether offenders are juvenile offenders or adult prisoners, rehabilitation is a learning process that is likely to alter the offender's attitudes about both themselves and the institutions of society. In addition to increasing motivation to seek social approval and respect for others' rights, it also helps people develop more realistic perceptions of their place in society. According to Srivastava (1977), an offender will conform to the rehabilitative goals of the prison regime once he feels that he will be treated warmly upon returning to society. To ensure that the prisoner maintains a disciplined life after release, correction should only be used as a part of the rehabilitative process.

There are academicians who advocate for the community-based rehabilitation of adult offenders and who think that short-term offenders apprehended for minor offences shouldn't be imprisoned. Instead, they ought to be assigned to work in the neighbourhood and assist the victims of crime. When people are institutionalized, it frequently worsens how they interact with society. They cannot pick up any new skills during this brief phase. Instead, they acquire the knowledge necessary to engage in new types of crime. In his study, Sandhu (1968) noted that while most convicts just changed their attitudes during short-term incarceration, some prisoners got better, and others got worse. Short-term inmates in the prison usually find no motivation to fit into the prison culture. Certain individuals are more susceptible to committing crimes than others due to behavioural variations between them. These variations result from social interactions, biological variables, or personality traits. All people have innate desires and drives that are suppressed in the unconscious, according to Sigmund Freud (1856–1939), who is credited with developing



psychoanalytic theory. Furthermore, criminal tendencies exist in everyone. However, these tendencies are controlled by the development of inner restraints that are learned through early life experience during the process of socialization. Freud postulated that erroneously associating a child with one's parents was the most frequent factor that led to criminal behaviour.

According to the Indian Jail Manual's rules and regulations, only convicted inmates whose sentences have been upheld are required to engage in the prison's activities. In exchange, they are paid a minimum wage. This has a dual benefit of encouraging the prisoner to pick up new skills and enabling him to support his family financially even while he is incarcerated. Those who are through have gone through a trial but want to learn more about or participate in vocational activities are free to do so, and they are also permitted to continue their education. However, the criminal justice system places less emphasis on rehabilitation because its main focus is on reforming offenders while they are imprisoned. The community's safety and security come are paramount. However, when a prisoner exits the prison's secure grounds and enters the unsecure world, where he faces new obstacles and has to decide whether to adjust or not, rehabilitation becomes a crucial chapter in that person's life.

The rehabilitation and reintegration of juveniles who have run afoul of the law is similarly of prime concern. Especially considering their ages, which range from 14 to 18, it is even more critical to comprehend the dynamics associated with the rehabilitation of these juveniles housed in special schools or observation homes. It is critical to assess what will happen to these young people once they leave the safety net of institutions. All stakeholders, including Juvenile Justice Board members, social welfare department employees, and the families who anxiously await the



youngsters' return continue to be concerned about this particular group of deviant youngsters. The Juvenile Justice Board and the Social Welfare Department have taken a proactive stance in an effort to successfully curb the surge in juvenile crime. The Juvenile Justice System uses a three-pronged approach, including (1) prevention, (2) reformation, and (3) rehabilitation. Counselling is prioritized from the moment the child is imprisoned.

Ironically, despite the JJ Act 2000 (Juvenile Justice Act) of India's reference to the rehabilitation of juveniles confined in homes, there is no reliable evidence to vouch for the boys' or girls' restoration to the proper perspective. In the lack of a proper curriculum that can develop the mind and physique of the juvenile, the child spends his time fighting and plotting future crimes the moment he leaves the Home since vocational trades are not always adequate to enable the children to earn a stable living.

1.1. RATIONALE

When these groups are released and reintegrated into society, particularly their families, there are important disparities that must not be ignored. There will be many hurdles for adults, no doubt, but because of their level of maturity and emotional intelligence, they can overcome the obstacles and start a new life, which is doubtful for children. Juveniles or youngsters in conflict with the law, unlike adult offenders, experience constraints and face hardships in their efforts to rehabilitate and reintegrate into society. The antisocial inclinations, emotional immaturity, and personality attributes of juveniles make it difficult for them to return home. Additionally, it is believed that children are constrained by their parents' attitudes toward them and by peer pressure. Frequently, the children in



correctional homes cannot be rehabilitated after release due to their lack of vocational skills. A flawless and reliable rehabilitation model is required in India for both categories of offenders.

1.2. SIGNIFICANCE

First, adult offenders who are not habitual get easily rehabilitated and benefit from family support, and secondly, first offenders with a minimum period of stay in prison always demonstrate a keen desire to return to society are the two very specific questions that this article explores and attempts to address. Additionally, different rehabilitation programmes are used in various prisons, and none of them are efficient in enabling inmates to become better following their release from prison.

However, the study provides a convenient perspective of the steps taken after the offender is released and leaves room for further thorough investigation to assist correctional programmes that are running inside the institutions improve. The outcomes of this article may also be relevant to practices adopted in other nations.

2.0. LITERATURE REVIEWED

According to Sandhu (1968), when convicts are not given proper treatment, it has a detrimental effect on them. They had a higher propensity for criminality, they grew more hostile; they had negative opinions about the effects of incarceration; and they had less success adjusting to their healthier routine. It had an adverse influence on the prison programme's effectiveness. Based on the review of numerous treatment programmes conducted by himself and his colleagues, Merton (1976) offered a pessimistic viewpoint and said that "nothing works." He called rehabilitation a grey area in the criminal justice system. Similarly,



Carney (1980) considered rehabilitation was/ as a completely dead concept. On the other hand, Nyboer (1971) argued that completing a systematic training programme successfully promotes continuity even after release i.e., in the post release period.

“If you address the rehabilitation of offenders just from a prison viewpoint, then the author think this is a bit short-sighted. When individuals leave prison, they need to be looked after, and need to continue the rehabilitative process,” the Assistant Secretary of the Prisons Officers' Association of the UK remarked. In India, it was highlighted that prisons offer a grim uniformity that allows little room for self-assertion, decision-making, or other skills necessary for a life in a free society.

Recent developments and trends seen in the process of rehabilitation in other nations demonstrate, for instance, that Norway's prison system is established on the concept of normalisation and steers clear of punishment in favour of rehabilitation. Similar to this, the UK Parliament's “Rehabilitation of Offenders Act” of 1974 permits some criminal convictions to be disregarded following a rehabilitation term. In accordance with the US Code, “sentencing judges shall make incarceration decisions knowing that imprisonment is not a suitable means of fostering correction and rehabilitation.” According to Radzinowicz (1968), neglected children and teenagers are prime prey for crime. They are more likely to commit violent crimes because of their eagerness, lack of foresight, physical strength, and thirst for adventure. Similar to this finding, Steinberg, L. (2008) reported that children raised by single parents have a higher propensity to begin misbehaving than children raised by two natural parents. Children of single parents are also more likely to experience poverty, which is strongly aligned to juvenile delinquency.



According to Walklate, S. (2003), parental conflict is considerably more strongly related to criminal behaviour than being raised by a single parent.

UNICEF, currently known as the United Nations Children's Fund works to lessen incarceration while safeguarding kids from abuse, violence, and exploitation in the domain of juvenile justice. It advocates for rehabilitation with the involvement of families and communities as a more secure, appropriate, and productive strategy than punitive methods.

2.1. Design

- A. The objective is to outline the juveniles and adult criminals' rehabilitation processes in India.
- B. The research is exploratory in nature and is empirical.

3.0. Objectives

- A. To demonstrate the approaches used to rehabilitate both adult and juvenile convicts.
- B. To evaluate the individuals' personality profiles with regard to correctional programs.

4.0. Hypothesis

- 1) The programmes in India that are run for the rehabilitation of offenders have both strengths and weaknesses.
- 2) The personality attributes of the offenders influence how they feel about the correctional programmes.



4.1. Setting

To provide a nationwide representation, prisons and correctional facilities are considered from various Indian states.

4.2. Sample

The sample size for adult prisoners is 376, of which 281 are male convicts and 95 are female offenders. Each of them has served more than five years in prison.

A total of 606 samples of juveniles from 65 homes in 16 states have been used to study juveniles, with girls making up 16.4% of the samples. The selection criteria include age (18 and under), duration of stay in the facility, type of offense, family status, place of residence (rural or urban), level of education, and financial position.

4.3. Tools

In both scenarios, the Interview Schedule, CPQ Scale, Emotional Intelligence Scale, and Subjective Scale are administered. These are all standardized tests that have been shown in the study to be valid and reliable. A self-evaluation of the respondents' emotional intelligence, social desirability, and personality traits, particularly extroversion, neuroticism, and psychoticism, is conducted.

4.4. Analysis

Parametric and non-parametric approaches are used to analyse the results. The personality profiles of the two kinds of subjects are compared graphically, and their likelihood of rehabilitation is determined. Below is a graphic representation which shows how both sample groups fared on the rehabilitation criteria.

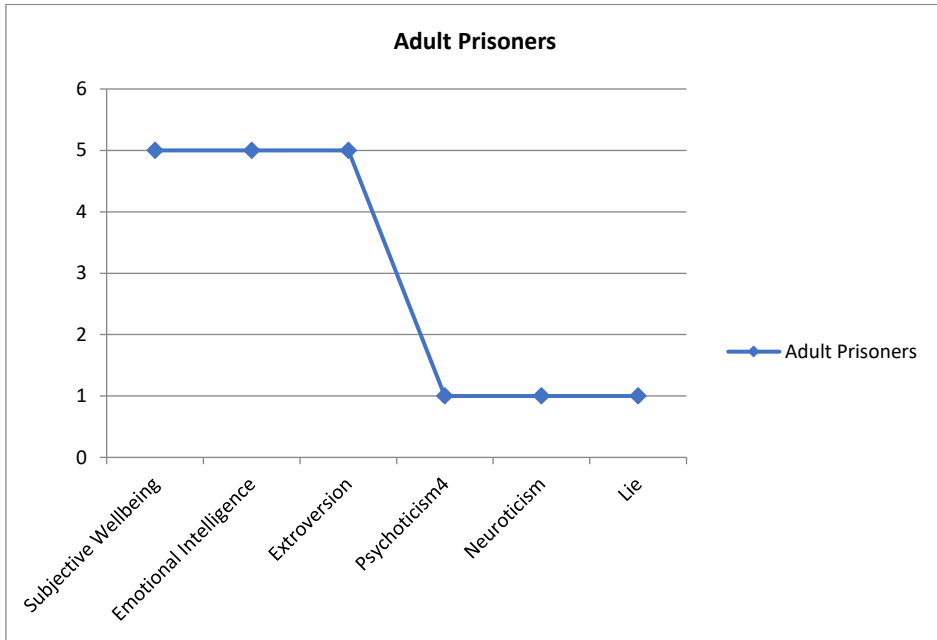


Figure 01 - Adult Prisoners

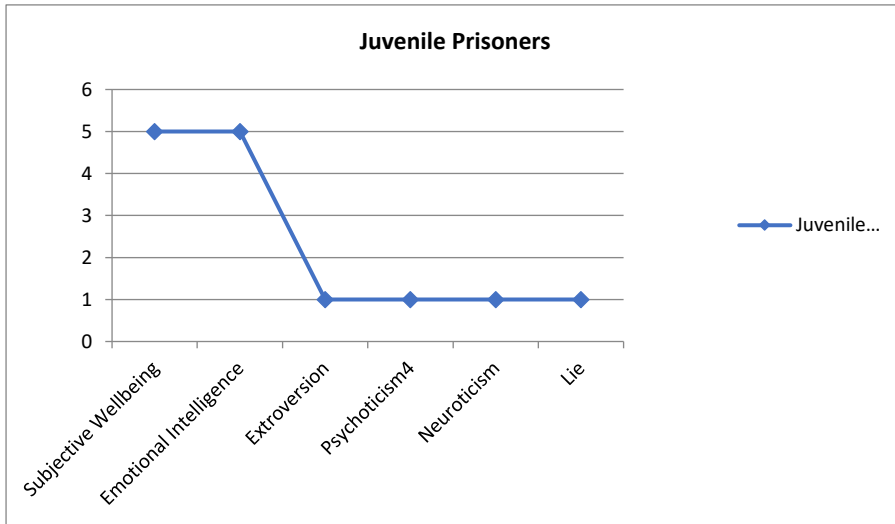


Figure 02 - Juvenile Prisoners



5.0. Discussion

The findings from the two studies, Sanyal (2007-2009) and (2011-2014), provide insight into how offenders view reforming themselves of their criminal tendencies and deviance as well as their interest in adhering to societal standards when they return to society. It has been observed in the cases of both male and female adult offenders that the likelihood of a person's rehabilitation is higher if they have high subjective well-being, high emotional intelligence, and low levels of neuroticism, psychoticism, and lie score (social desirability).

In the sample of inmates from the various prisons analysed, some characteristics are frequently seen, including (a) their level of extroversion, which is adequate for both men and women, with the exception of some jails where women convicts exhibit lower levels of extroversion than men. Even the period of their stay has no detrimental effects on their extroversion. (b) A few prisoners, mostly women, who are not concerned about their well-being. For such people, they have no family to talk to about their issues with or to support them after being released. They continue to be depressed because they believe reintegrating into society will be challenging. (c) Older prisoners are less enthusiastic about their well-being than younger detainees, and prisoners who entered prison earlier and stayed for fewer than five years are more optimistic than prisoners who entered prison later and stayed for more than ten years.

The National Expert Committee on Women Prisoners in India has produced a number of recommendations that the Indian government should take into consideration. The majority of these concern the legal system and coordination among the Union territories. The central government



periodically issues directives to states to safeguard the security, safety, dignity, and development of women in imprisonment.

In the study of young people, 606 samples from 65 correctional homes in 16 states were gathered, in which 16.4% of which were female. The samples were chosen based on fundamental factors such as age (18 and under), duration of stay in the facility, type of crime committed, family status, place of residence (rural/urban), educational attainment, and socioeconomic status. Girls are low in number since they are frequently detained for infractions of less serious nature and are quickly released on bail. Additionally, it has been seen in many states that these kids are either put in protective homes for girls or with widows and the destitute.

It is stated clearly that in the sample, 22.94 percent can be readily rehabilitated, while 2.97 percent of young people can improve with ongoing therapy and parental assistance. These youngsters have a moderate propensity to commit crimes and high levels of emotional intelligence and subjective well-being (SWB), which makes it relatively easy to rehabilitate them if their criminal propensity can be reduced. High CP, low SWB, and low EIS traits were present in 11.88 percent of juveniles. Repeated offenses are encouraged by these combinations. Therapeutic interventions and Life Skills programmes have the potential to influence a person's personality. The fundamental tenet of the rehabilitation model is that a young person may acclimatize to adult life by having a high positive outlook and few negative qualities, such as a criminal propensity.

The Rehabilitation Model is presented with specific paradigms and diagrams, making it more elegant and comprehensive to interpret.



TABLE-1: Shows the levels of Criminal Propensity and Social Desirability

<i>LEVELS</i>	<i>CRP</i>	<i>SD</i>
0-5	LCRP+LSD	LSD+LCRP
6-10	LCRP+MSD	LSD+MCRP
11-15	LCRP+HSD	LSD+HCRP
16-20	MCRP+MSD	LSD+MCRP
20-24	MCRP+HSD	LSD+HCRP
24+	HCRP+HSD	LSD+HCRP

L= Low, CRP= Criminal Propensity, H= High, SD= Social Desirability

TABLE-2: Showing the C score of Criminals and Non-Criminals

<i>C SCORE</i>	<i>NON-CRIMINALS</i>	<i>CRIMINALS</i>	<i>TOTAL</i>
0-3	19	7	26
4-6	61	24	85
7-9	67	116	183
10-12	3	12	15
<i>TOTAL</i>	150	159	309

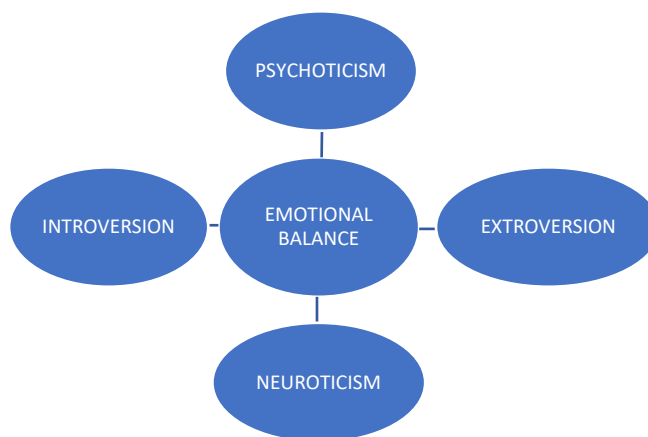


Figure 03: No Conflicting/ Competing Interest



HIGH P + HIGH E implies I AM OK, and YOU ARE NOT OK; when these two dimensions score highly on the scale, it is indicative of criminal tendency observed in terrorists, habitual criminals, protesters, and rapists who freely engage in criminal activity and repeat as a habitual offender without any remorse.

High N+ High I: In the second category of criminals, I AM NOT OK AND YOU ARE NOT OK is their way of living their life. They plot their crimes in a cool-headed and well-thought-out manner.

HIGH P+HIGH I: This is the dimension suggesting that he is high on Psychoticism and similarly high on Introversion, his belief is that he is OK, and that others do not accept him, he attempts self-injury, uses drugs, and even attempts suicide.

6.0. CONCLUSION

According to the research analysis and conclusions drawn from the two studies under consideration, factors like age, sex, education level, type of offence, sentencing guidelines, personality traits, emotional quotient, and subjective well-being all play a role in how successfully both adult offenders and young juveniles are rehabilitated. The Criminal Propensity Scale, which was used in both researches, determines how likely it is that an offender will have low criminal tendencies, be able to overcome obstacles, and be able to readjust to society. With the use of the data, the scale illustrates the percentage of inmates who never commit a crime again after being released on bail, including adolescents who start taking part in vocational training.



The Rehabilitation Model combines a person's inherent abilities, mental and emotional maturity, and positive mindset. With the proper approach from the social, penal and correctional wings, it is crucial in rehabilitating him or her as a law-abiding citizen of the country.

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