

## AFTER-CARE OF RELEASED PRISONERS

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Society may breathe a sigh of relief when its offenders are safely placed behind prison walls, but its responsibility does not end until it has made every attempt to restore the offender to normal social relationships. The work of the Discharged Prisoners Aid Societies, discussed in this article, is a neglected but vital element in the rehabilitation process.

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**I**T is a hard fact that society in India has not yet fully realised the reasons for recidivism, and our people have yet to learn that it is not a psychological aptitude for crime in a particular man that leads the ex-convict back to the prison gates. On the other hand it is far too often the absence of a fair opportunity to enter into a suitable and honest life after release that leads the ex-convict to offend against society again. While in jail the prisoner gets cut off from old habits and associations. He is marked with disgrace which prevents him from normal living. He is cast forth abruptly and without support to face all the difficulties of life and all the seductions of liberty. Hence it is that the need for an agency to take care of the discharged prisoner for such time as may be absolutely necessary before he starts life over again has become generally recognized.

In India, the Prison Department of the United Provinces can rightly be styled the pioneer of the movement to aid the prisoner, inasmuch as a fund for aiding released prisoners called "The Aid To Discharged Prisoners' Fund" was started there in 1893—the first of its kind in the country. Great leaders of Indian and Asiatic thought have preached the obligation of helping the imprisoned and restoring them to normal life. But the carrying out of this preaching has been left to the individual's charitable instinct. With the people of India such assistance has been more or less a question of pity or religious sentiment, rather than a duty to be performed for the individual prisoner. Even in western countries it was not until the eighteenth century that society recognized its obligation to those whom it had punished in order to protect itself.

Although some benefactions and some trusts had previously come into existence, it was left to John Howard, the great prison reformer, to draw society's attention to the prisoner's lot and to introduce much-needed reforms into jails. About the year 1808 the Quakers started a society for released prisoners. This society may well be styled the parent of all societies which are now serving the British Empire. The early societies confined their

attention to conditions within prison walls. Experience, however, convinced them that it was not enough to improve the condition of the prison and the prisoners, and it came to be realised that "the most terrible moment in a convict's life is not that in which the prison door closes upon him, shutting him out from the world, but that in which it opens to admit him to the world: having lost his character and standing among men, having suffered for months and years from the deprivation of pleasures to which he was accustomed, and having but little, if any, money in his pocket to meet necessary expenses."

The necessity, therefore, became recognized of lending the prisoner a helping hand when he was released, and this led to the formation of discharged prisoners' aid societies. The English Parliament seems to have taken interest in this matter since 1792 and one finds that in 1823, 1862, 1865 and 1877, different enactments were passed, which while maintaining the philanthropic and charitable origin and aspect of these societies, attempted to encourage and stimulate their efforts by offering direction and guidance to them. In order to secure greater uniformity in method and the co-operation of outside agencies, Mr. Churchill, the then Home Secretary, acting on the report of the Commissioner of Prisons submitted in 1909, announced in the House of Commons in July 1910, the formation of the Central Association for the Aid of Discharged Convicts in England. The Association combined all the existing societies which were working for the common purpose of aiding convicts on discharge. It undertakes to provide to every discharged convict a fair prospect of rehabilitation on the day of discharge. This has led to that cordial and harmonious relationship between official and voluntary efforts, which experience has proven to be not only the best, but the only effective method, of dealing with the problem of the discharged prisoner. Uniformity of procedure and an agreed policy in the pursuit of a common cause has now been achieved and according to Sir Evelyn Ruggles Brise, K. C. B., the fall in the percentage of recidivism has been so marked that numerous jail establishments have been closed.

As in England, so on the continent, for if one moves from place to place one finds that Discharged Prisoners' Aid Societies are working very successfully. The National Assembly of France, during the eighties of the last century, voted the constitution of *Societe Generale des Prisons*—a body which has aroused French public opinion. Germany also has not lagged behind. In fact no continental administration has viewed with equanimity the vast wastage of man power that has emerged out of its prison gates.

Turning to the conditions in our own country, the Indian Government has not been able, for reasons which need not be discussed here, to enlist that measure of public sympathy for the cause of discharged prisoners which could

have produced appreciable results. Even though the United Provinces Prison Department had started an Aid To Discharged Prisoner's Fund in 1893, little was done to aid the prisoners until recently, when in the year 1937 the Congress Government formed the United Provinces Discharged Prisoners' Aid Society. Bengal, Burma, Madras, the Central Provinces, the Punjab and other provinces have interested themselves in this movement.

The Punjab Prisoners' Aid Society, which was formed in 1928, has organized societies in 29 districts and quite an encouraging account is being received from each unit. The societies also help the families of prisoners during the imprisonment of the bread-winner. In the United Provinces, the Society which was constituted in 1937, has in quite a short period organized district societies all over the Province. It has appointed seven probation officers and one Chief Probation Officer to promote the objects of the Society. The Government of the United Provinces gives an annual grant of Rs. 14,529/- to the Society, in addition to which the Society also receives donations from the public. Equally creditable work is being done by the Madras Province's Aid Society. Madras is by far the most efficient and successful province in this respect. The Society has organized as many as 24 district committees and owns 12 permanent homes for discharged prisoners. This Society is also working the First Offenders' Act and employs 7 probation officers and one Chief Probation Officer to assist the Society. The Madras Society derives its financial support both from the public and Government. In addition to donations and other public contributions, Government give a grant of about Rs. 11,250/- per year. The working of the First Offenders' Probation Act has so far given encouraging results in Madras.

The general theory of probation may be explained in the words of the Departmental Committee of the English Home Office 1909:

The Probation Act provides a method by which a person who has offended against the law, instead of being punished by imprisonment or fine, or in the case of a child, being sent for a prolonged period to a reformatory or an industrial school, may be brought under the direct personal influence of a man or woman chosen for excellence of character and for strength of personal influence ; and lending authority to that supervision, securing that it shall not be treated as a thing of little amount, the Act keeps suspended over the offender the penalty of the law, to be inflicted or to be withdrawn according as his conduct during this specified period is bad or good. Often without friends of their own, more often with friends only of a degraded type, out of touch with any civilizing influence, the probation officer comes to them from a different level of society, giving a helping hand to lift them out of the groove that leads to serious crime. He assists the man out of work to find employment. He puts the lad into touch with the manager of a Boy's Club, where he can be brought under healthy influences... Securing for him a respectful hearing and furnishing a motive for the acceptance of his counsels, there is always in the background the sanction of the penal law—the knowledge that the Probation Officer is the eye of the magistrate, that misbehaviour will be reported to the court and will bring its penalty. So great, however, is the influence which a good probation officer is able to exercise over an offender during the specified period of probation, that

his friendly interest is often sought after that period has expired and his advice continues to carry weight, although the powers that support it are ended.

The United Provinces and Madras lead in the working out of the First Offenders' Act. This Act has also been passed in Bombay, but has **not** as yet been put into force by Government.

As has already been pointed out, Madras is giving India the lead in After-Care work. The Madras Society is not content with mere monetary aid to individual ex-convicts, or even in settling them in useful employment. The Society has also undertaken the work of supervision of their after life. After-care on discharge is the pivot of the whole system and is particularly important in the cases of Certified and Borstal School boys. To carry out this object, the Executive Committee at Madras and the District Committees in the mofussil have appointed throughout the province more than a thousand After-Care Officers. Their duties are:

(1) To visit the persons entrusted to their care as often as possible—at least once a fortnight.

(2) To make enquiries regarding them of their employers, if they have any, and their neighbours; mix and talk with them, acquaint themselves with their difficulties and troubles.

(3) To give all such help, advice and encouragement, as may be necessary to keep them steadfastly in the ways of virtuous living.

(4) To send periodical reports (at least once a quarter) of their progress to the Committee which appointed them.

The reports of District Committees show that the After-Care Officers have been paying regular visits to the persons entrusted to their care—the majority of whom, so it is said, have turned over a new leaf and have settled down as honest citizens. The Society also sends its agents and secretaries periodically to interview the prisoners in the jails, with a view to acquaint themselves with the needs and requirements of prisoners about to be released and to enable arrangements to be made for settling them in life after their release. The Secretary himself interviewed more than a thousand prisoners during the year.

Another item of pre-discharge work which the Madras Society has undertaken to do in jails is the arranging of lectures and moral instruction. The Society also gives clothes to the prisoners who come out ill-clad and has started an experiment in the city of Madras of collecting second hand, but serviceable clothes, from the more fortunate people and distributing them to the ex-convicts according to their requirements. The experiment has received very encouraging response from the public. Although legal assistance to prisoners does not come strictly within the scope of the objects of the Society,

individual lawyer members have rendered useful service to several convicts and under-trials by defending their criminal cases in courts and in preparing appeals against their convictions in lower courts.

The Central Provinces and Berar Discharged Prisoner's Aid Society was registered on 26th September, 1926. This society is fortunate enough to have a ladies sub-committee, which is divided into three committees (a) the sewing committee, (b) the literary education sub-committee, and (c) the magic lantern sub-committee. These sub-committees meet the women prisoners in prison once a week, teach them sewing and embroidery, tell them moral and religious stories and impart information on social and labour conditions. A magic lantern show is arranged once a week.

The Bengal Prisoner's Aid Society is the oldest in our country. The most notable feature of the Society is its industrial home, which maintains book-binding and weaving departments. The average monthly earnings of the four classes of workmen in the book-binding department were at last report Rs. 33/12/-, Rs. 26/15/3, Rs. 21/- and Rs. 14/3/- respectively. For the products of the weaving department the Report suggests that it is very difficult to get a market. Hence the main advantage of the work lies in giving work to the unemployed prisoners.

In the Bombay Province there are only three societies. These are in Bombay, Bijapur and Ahmedabad. The Bombay Society has an agent who visits a local prison every day and distributes monetary relief to prisoners on discharge. The Society previously employed an agent to work in the Police Courts, but he has been withdrawn for want of adequate funds. Only recently the Bombay Society, with the co-operation of the Rotary Club of Bombay, has been able to appoint a trained Probation Officer who visits the three city prisons, makes intimate contacts with prisoners before release, conducts enquiries about their home conditions and the cause of their delinquency and assists in working out a plan for their rehabilitation. A sub-committee of the Society, called the Case Committee, presided over by the Chief Presidency Magistrate, supervises the work of the Probation Officer. It is hoped that the Society may co-operate in working out the First Offenders' Probation Act and also extend its activities in other directions, such as Borstal After-Care. The Bombay Society suffers from public apathy and inadequate Government patronage. The Bombay Government are only contributing about Rs. 700/- annually, which figure fades into insignificance when compared to the annual contributions made by the United Provinces and Madras Governments—Rs. 14,529/- and Rs. 11,250/- respectively.

Normally, well nigh 1,11,342 prisoners annually are admitted into the Bombay jails, and of these not less than 15 per cent are habituals, The

charge per capita of maintaining a prisoner in jail has been worked out to be about Rs. 108/- per year. If the Province should maintain a very efficient and widespread organisation for the aid of discharged prisoners, there is reason to suppose that the habitual convict population would go down appreciably within a reasonable period of time, which would mean a substantial relief to the provincial exchequer. Even granting that there may not be much monetary saving to begin with, it cannot be denied that the gain on the moral side would be immense and incalculable in terms of money.

The aims and objects of such an organisation should be :

(a) to give, as far as may be possible, such help as may be needed on release, to persons convicted of criminal offences, without distinction of race or creed.

(b) To make efforts to reclaim habitual offenders from a life of crime and enable prisoners after release to live honest and respectable lives.

(c) To make special arrangements, with the end in view of preventing casual and juvenile offenders from becoming habitual offenders.

(d) To promote legislation, and the application of the existing law, to secure that sentence of imprisonment shall be passed only in cases which cannot adequately or appropriately be dealt with in any other way.

(e) To collect funds.

Numerous cases are on record where societies with the above aims extended kindly reception on release and carried on sympathetic and intelligent follow-up work which resulted in winning the ex-convict back to society. The principal help and chief need of many a discharged prisoner consists not so much in pecuniary aid as in finding a friend and a sympathetic adviser. To ensure that a permanent reform may take place in the character of the prisoner it is necessary that germs of morality, conscience and will power be developed and strengthened into permanent elements of his nature. It is necessary that the people around him try to understand and befriend him. This work can be undertaken only by those who have a philosophy which recognises human personality as a thing to be highly respected. A worker with ex-convicts should have "virile warmth and the usual number of human impulses, controlled by inhibition. . . . Power to say 'no' to one's selfish demands, power to refrain from actions which tend to injure others, power of guidance over fear, anxiety, anger, irritation, resentment, and love, is absolutely essential to a social worker with delinquents."<sup>1</sup> Or again: "The process (of making good) includes insight, transference, development of personality and increased social relationships. It must not be understood that these stages, or levels, have any arbitrary sequence; they may occur almost simultaneously. In this field

<sup>1</sup> Van Waters, Miriam, *Youth in Conflict*, P. 193.

there are 'miracles,' i. e., swift transformations of personality which we are too ignorant to understand . . . Mere provision of 'good conditions,' routine, better economic and social measures, regimen, good health, opportunities for companionship and recreation, 'respectability' in the environment, are of little avail, unless the central springs of the living spirit have somehow been tapped. The process is usually that of slow natural growth; to build 'moral muscle' requires time. Impatience for results may lead to disaster. Faith, tolerance, belief in life, are the chief requisites in the social worker who wishes to assist young delinquents in 'making good'.<sup>2</sup> And that which is true of workers with young delinquents is no less true of those who would assist adult offenders. A social worker with ex-convicts has to take into account their early life, their work habits, their family history and their vocational fitness. He has to study the emotional life of the individual, for not only are the emotions the foundation of all practical life, they also enter into abstract intellectual functions in various ways.

The chief object to be kept steadily in view in any efforts to help the discharged prisoner should be as far as possible to render such assistance as will further the best interests both of the offender and the community. Direct aid to this class of persons should consist mainly in endeavours to obtain employment for them or to stimulate them to self-supporting industry. The starting of industrial homes or farms for ex-convicts may relieve their problem to some extent, but as one of England's greatest criminologists points out, 'the solution of the penal problem is mainly in the great political considerations which determine trade and thus affect the facility of employment.'

Society should, therefore, direct every effort toward securing employment for discharged prisoners. Discharged prisoners are a class who require aid, both from the humanitarian standpoint and from the standpoint of the self interest of the community. The person who has suffered for his misconduct deserves a lift in the direction of honest and useful citizenship. "Everybody's hand is against him and his hand is against everybody." This is not the way to social peace. The prisoner on release should be made to feel that society still cares for him and that he still has a responsibility toward society.

Though primarily the Discharged Prisoners' Aid Societies are meant for after-care work, yet as a background for this work, such societies should, during the period of imprisonment of a convict, render him all possible help in such of his domestic concerns as are likely to influence the after-care stage. For example, his holding, his home and his other assets should, as far as practicable, be looked after. This work can best be undertaken by the district tehsil or village societies wherever the prisoner comes from. The question of

<sup>2</sup> *Ibid.*, pp. 149-150.

assistance to families of persons in jail has been widely accepted as having an important bearing on the subject of subsequent adjustment. The work of aid societies in England has been extended to the assistance of wives and families of men undergoing imprisonment. The possibility of regaining on the part of the convicted prisoner, his position in society, depends to a large extent on his finding after release the same state of things prevailing within his family as at the time of conviction and sentence. A most powerful influence for restraining him from fresh crime and for inciting him to honesty is the home influence—the desire to provide for the persons dependent upon him. An inevitable depression will overwhelm him if he finds their condition ruined beyond restoration. It is no wonder if under such circumstances he may in despair grow reckless and allow himself to be sucked-up in the whirlpool of vice that is ever eddying around him ! This may be prevented if the Prisoners' Aid Society assumes the offender's place as the guardian and protector of his family. As in England and other modern countries, the Society should take charge of the families of persons sentenced to imprisonment, look after their welfare, render pecuniary aid where necessary, find employment if required and offer all necessary advice and assistance, so that the home of the prisoner may be preserved from being broken up in his absence. The help of the society is all the more necessary for India where women generally are ignorant and helpless because of illiteracy and the purdah system.

From the social point of view as well, the integrity of the family is essential. So long as the family is central in our social organisation, its preservation is essential also, as the whole cannot live comfortably while one of its parts is diseased. If an ex-convict is not effectually rescued from his evil ways and if he is not enabled to earn an honest livelihood, he will certainly revert to crime and few things are more costly to nations than crime. An eminent authority says : "A prisoner is a dead loss to the community. Every time he goes back to prison, this loss occurs. An agency which prevents his going back is, therefore, saving money to the State. When it makes a good citizen out of a bad one, or out of one who is no citizen at all, it puts money, so to speak in the State's pocket. It also to this extent saves the individual citizen of India from the threat of robbery and other depredation."

The Indian Jails Committee, 1920, also writes in Paragraph 24 of its Report: "The daily average population of convicted persons maybe taken at about 1,00,000. If it is assumed that the net value of the labour of these prisoners when at liberty is Rs. 100/- per annum, a loss to the country through their detention in prison amounts Rs. one crore per annum. To this must be added the net cost of guarding, feeding and clothing them in jail, which cannot be placed at ft lower figure than another one crore per annum. The total loss

to the community is thus two crores a year." This, of course, does not include several crores of rupees spent annually on the detection of crime, police, judiciary and other paraphernalia necessary to bring these criminals to justice. "Thus the reformation of the prisoner or the prevention of crime is one of the cheapest developments of social wisdom and one of the most genuine operations, of political economy . . . And none-the-less it is a work of mercy, for a large proportion of criminals are more to be pitied than blamed, when all their antecedents of heredity, parental neglect, ignorance, poverty, and privation are fairly weighed and examined. If their origin and environment had been ours, perhaps we should have needed the sympathy which we now invite for them." What is required is a change in society's outlook towards these unfortunate social outcasts—particularly those convicted for the first time.

The Asquith Departmental Committee on Prisons (English) 1895, stated: "The habitual prisoner can be effectually put down in one way only and that is by cutting off the supply." One of the surest ways of cutting off the supply is to give facilities to released prisoners generally, and first offenders particularly, to rehabilitate themselves. Therefore, the Discharged Prisoners' Aid Societies must not only remain alert to helping the ex-prisoner out of his difficulties, but must also create favourable public opinion towards the cause of ex-convicts. In this connection a statement of Mr. Winston Churchill, while he was Home Secretary, may be quoted with interest : "The mood and temper of the public with regard to the treatment of crime and criminals is one of the most unflinching tests of the civilisation of any country. A calm dispassionate recognition of the rights of the accused and even of the convicted criminal against the state, a constant heart-searching by all charged with the duty of punishment, a desire and eagerness to rehabilitate to the world of industry those who have paid their due in the hard coinage of punishment ; tireless efforts towards the curative and regenerative process; unflinching faith that there is a treasure if you can only find it, in the heart of every man—these are the symbols, which, in the treatment of crime and the criminal mark and measure the stored up strength of a nation and are sign and proof of a living virtue in it."