CHAPTER III
RESEARCH METHODOLOGY

This Chapter outlines the methodology that was used to conduct the study. The study is an exploratory in nature using the qualitative methodology.

Research Concern

The central problem of the research is:
What are the various practices followed that aid in the reintegration process of JCLs?
Do they link up with the models of reintegration identified through a survey of literature on models of reintegration?

Objectives

In view of the central research concern, this study attempts to understand the processes involved in the social reintegration of JCL in India. The study tries to arrive at various understandings of the concept of ‘reintegration’ among the stakeholders involved in these processes, while conforming to their roles and responsibilities as specified in legal documents.

The study would review legal documents pertaining to juvenile justice and child rights to understand the legal framework that informs reintegration of Juveniles in Conflict with Law. It would also review reintegration models and experiments conducted in other countries on social reintegration. This would be done with a view to draw on insights gained from these models and experiments and contextualise them in the Indian scenario. The practices of reintegration selected for the present study are arrived at after visiting/studying such reintegration practices in various parts of the country. Factors that led to short listing of prevailing practices and/or models for the purposes of the study have been laid down at a later point of this chapter.

The study aims at documenting the practices of reintegration and compare and contrast them with the models of reintegration that have emerged from the review of
literature. The study aims at arriving at a framework of reintegration in the context. This would be done by analysing the practices of reintegration in the Indian context and teasing out factors aiding reintegration of JCL that runs across the identified models.

Emerging from the above discussion, the objectives of the study are as follows:

1. To understand the processes of reintegration of JCLs as specified in legal documents and identify the gaps in implementation of laws and policies with regard to JCL.
   
   It is with this broad aim that sections of the Juvenile Justice (Care and Protection of Children) Act, 2002 (with amendments in 2006) would be studied in detail. This would involve reviewing secondary documents and data in relation to the JJ system in India. International documents that underline reintegration would be analysed in the Indian context and weighed against existing National and International documents, as part of analysis of secondary data.

2. To understand the perceptions of reintegration among key actors - juvenile justice officials, NGOs, social workers, and experts in relation to JCL.
   
   Stakeholders involved in reintegration processes act in their own capacities in accordance with their perceptions about the concept of reintegration. There is no common understanding as far as implementing ‘social reintegration’ is concerned. Therefore, it is important to understand ‘reintegration’ from the perception of various stakeholders in order to understand practices of reintegration in the Indian context.

3. To identify reintegration models/practices for JCLs in the Indian context and arrive at factors critical to reintegration.
   
   Reintegration practices are in use in various parts of the country in different contexts. Some of them are age-old practices and have stood the test of time. Others are evidence-based based practices. The study would document such practices and arrive at indicators of good practice.

4. To identify and understand the availability of social supports with JCL to address their custodialisation and post-release problems.
Social support networks and mechanisms form the backbone of social reintegration. In the context of JCLs, positive influences play an important role in countering negative forces and relationships thus helping the juvenile towards a smooth transition into society.

Key Concepts

1. **Social Supports.** Efforts made by key actors involved in the life of the juvenile since the time of his/her arrest. It indicates a network of activities and people formed around a juvenile when he/she re-enters society after the institutionalisation phase or release on bail.

2. **Models of Reintegration.** Practices of reintegration that are in operation for a considerable period of time – specify the minimum time period and have been identified as a reintegration model by the implementing agency.

3. **Rehabilitation.** Vocational skills offered to inmates so as to make them independent and give them opportunity to earn a living for themselves when they go out of institutions. This is a very limited definition of rehabilitation. Please use an existing definition from secondary sources.

4. **Juveniles in Conflict with Law.** A person under the age of eighteen years who is alleged to have committed an offence under the law and entered the juvenile justice system by virtue of being taken charge of by the system.

5. **Reintegrated individual.** An individual who was formerly an offender and now has re-entered the community and has been accepted by the community without reverting back to the world of crime.

6. **Social Reintegration.** A process whereby a child after release from a juvenile home, is reunited within the family or any other place of safe and stable shelter, in the best interest of the child, with all his/her consent and is leading a normal life without any social stigma attached to him/her.

The definition of the word ‘reintegration’ that is followed for the purpose of the present study is the one that is followed by the United Nations.

The duty of society does not end with a prisoner's release. There should, therefore, be governmental or private agencies capable of lending the released prisoner efficient after-care directed towards the lessening of prejudice against him and towards his social rehabilitation.

(United Nation 2006)
Research Questions

The research questions emerging from the objectives are:

a. What are the various services available for JCLs in India?
b. What are the processes of reintegration in existence with respect to JCL?
c. Who are the key actors involved in the processes of reintegration?
d. Can these processes of reintegration be categorised under some models?
e. If yes, what similarities/differences exist between these models and those in western countries?
f. What are the learnings from the study of a model?
g. How are cases followed up after reintegration? Is there any tracking system to follow up JCL after they are released from juvenile homes?
h. What are the constraining or enabling factors that influence the lives of JCL after their release from juvenile homes?
i. In case of absence of family support or families not being found suitable, what alternatives are explored for the reintegration of the JCL?
j. What is the role of networking between agencies towards the reintegration process?
k. What is the perception of key actors on ‘reintegration of JCL’?
l. What are the indicators of a successful reintegration process?

Research Design

The present study attempts to understand the reintegration processes and existing practices in the reintegration of JCLs to develop models of reintegration. Such an understanding demands the use of the qualitative research methodology. The review of literature would help in formulating concepts about JCLs so as to help in understanding the reasons for delinquency. This would form the basis of understanding strategies in use for the social reintegration of JCL in the local context in which the particular practice is based, leading to the developing of models of reintegration. The researcher would conduct in-depth interviews with key actors involved in the reintegration processes. The study of successful models using the narrative method and supplemented by secondary data would help in delineating
successful reintegration practices. ‘Qualitative research is a research strategy that usually emphasizes words rather than quantification in the collection and analysis of data’ (Bryman 2012: 36).

The study is exploratory in nature, using the case study design with an inductive approach. The study would involve exploring and identifying practices/models of social reintegration of JCLs in India followed by studying selected cases.

‘The basic case study entails the detailed and intensive analysis of a single case’ (Bryman 2012). Bryman has quoted Stake (1995) as ‘case study research is concerned with the complexity and particular nature of the case in question’ (p.66). This justifies the case-study design chosen for the present study in which the models of reintegration are considered as cases. More specifically, the design adopted here is a ‘multiple-case-study’ approach. Here the subject remains the same, i.e. models of reintegration which aim at arresting recidivism and facilitating the reintegration of JCL, but the cases differ from each other in terms of their location and principles of execution. With examples of similar nature from researches focussing on multiple case study design, Bryman (2012) has concluded that with such types of research, the findings that are common to the cases can be just as interesting and important as those that differentiate them. This conclusion by Bryman would be followed in the present study, while analysing each case and documenting each model of reintegration.

The unit of analysis would be the model of reintegration. Key actors involved in implementing the model such as the JJB members, the SJPU officers, social workers, advocates and other experts in the life of JCL would be interviewed to understanding the functioning of the model of reintegration. Interviews and focus group discussions with children would help in deeper analysis of existing practices. Alan Bryman (2012) summarises such research as, ‘when the predominant research strategy is qualitative, a case study tends to take an inductive approach to the relationship between theory and research.’

The study has two clear trajectories:
One: to understand the perspective of ‘social reintegration’ as understood by various actors involved in the process, and...
Second: to suggest successful reintegration mechanisms in the Indian context by highlighting good practices of reintegration from different parts of the country or abroad. Analysing success stories would add into understanding the processes of reintegration, to identify indicators of social reintegration of JCLs. The qualitative data would be supplemented by quantitative data obtained from secondary sources – reports, evaluation studies, and quantitative data maintained by the organisations being studied. Thus a combination of both quantitative and qualitative methods would be used to strengthen opinions and fact findings established from the research.

The broad aim is to understand the processes of reintegration followed in the models identified and analyse the reasons for success highlighted by these models. This would help in identifying good practices and to develop indicators that point to a theory of successful reintegration. Such an approach of arriving at new theories or testing of an existing theory from the data that is collected falls within the *grounded theory* approach. ‘Grounded theory is not a theory - it is an approach to the generation of theory out of data’ (Bryman 2008: 387). Bryman (2008) quotes Strauss and Corbin (1998: 12) who have defined ‘grounded theory’ as a...

...theory that was derived from data, systemically gathered and analysed through the research process. In this process data collection, analysis and eventual theory stand in close relationship to one another. Thus two central features of grounded theory are that it is concerned with the development of theory out of data and that the approach is iterative, or recursive, as it is sometimes called, meaning that data collection and analysis proceed in tandem, repeatedly referring back to each other.

Therefore the present study uses the *grounded theory approach*. The iteration from desk to field and vice versa in the present study has been detailed under the sub-head Research Process.

**The Universe**

The Universe of this study consists of the models of social reintegration for JCLs in India. Studying the models involve understanding the processes and functionalities revolving around a practice of reintegration. This would also involve studying the active and passive networks of activities and people that encompasses the life of a JCL and aid in his/her reintegration. It is important to understand that children who
have been reintegrated successfully in the community may have moved on in life, and may not want to look back into their past. In such cases, the respondents would include people closely associated with their lives in the past and/or present.

**The Site of the study**

The geographical sites for the study would cover organisations that claim to be practising reintegration either with a scientific approach or doing it for a long period of time. These would be identified by the researcher through snowballing and field visits. A careful mapping of organisations working on reintegration would be carried out based on literature review, thus short-listing organisations, practices that fit into the scope of the present study.

The researcher visited and met with officials and NGOs working on reintegration of JCL in Kolkata, Mumbai, Pune, Nagpur, Ranchi, and Bangalore. Based on these visits, the researcher identified that models in the cities of Mumbai, Pune, Yevatmal and Ranchi were more suited to the study in keeping with the objectives of the study.

**Criteria for selection of models**

The models were chosen on the basis of certain criteria. The models identified were shortlisted based on more than one criterion as listed below:

**Comparability with Reviewed Models**

The practices of reintegration identified have some level of similarity or comparability with models identified through the review of literature. The reviewed models had proven records of success and therefore it would be useful to select practices or models in the Indian context which were comparable with the models identified through the literature review.
Test of Time

Some of the models shortlisted for the present study, although not established on the basis of any scientific study, have been established through the trial and error method and have stood the test of time. They can therefore be viewed as sustainable and has therefore been selected for the purposes of the study.

Success Stories

Some models identified for the purpose of the study were able to provide evidence of the sustainability of their models through case illustrations of children who have been reintegrated. Studying such cases on first hand basis and understanding the processes involved in their reintegration would help in understanding the contribution of the system in reintegration.

‘Sustainability’ of the Model

It was felt important that the practices identified for the present study are sustainable in their approach. Sustainability of the approach decided the strength of the model to help in the reintegration of an individual. However, a few practices that were studied had the potential to be sustainable with some additional components. These components were identified from the reviewed models.

Replicability

Replicability has been considered as an important factor selecting models to be studied for the study. Replicability ensures expanding and widening the scope of reintegration of juveniles in conflict with law in India.

Based on the above factors, the reintegration practices were shortlisted from the wide selection pool of practices identified. Since the main purpose of the study was to study existing models of reintegration, an attempt has been made to detail processes/efforts made by the organisations towards reintegration, their successes and their failures. The factors responsible for success and those desirable to tighten the
programme to establish it as a ‘Model’ have been added in the Discussion Chapter. The Conclusion Chapter attempts to present a model of reintegration that the researcher arrived at based on the review of literature, data analysis on the practices of reintegration.

Secondary data from the review of literature on models helped in understanding the quantitative dimensions of the success of the models being studied. It also helped in constructing the patterns that form the basis of a successful model. The review of literature also helped in understanding legal provisions in various national and international contexts on reintegration.

**Methods and Tools**

The approach of the research being non-positivist, the in-depth interview method was used with key actors to draw out their insights and understandings on reintegration. The tool used was for the in-depth interview was the interview guide, which was developed on the basis of the objectives, research questions and the literature review.

Besides interviewing children released from institutions, the researcher interviewed the police, JJB members, staff of institutions, policy makers and experts.

Interview guides roughly covered the following points:

- Discussion of reintegration models (learning from the West) with the judiciary of the said state where the study is carried out.
- Discussion of the above-mentioned models of reintegration with the Juvenile Justice Board.
- Interview with JJB members about some cases that seem important to them from reintegration point of view.
- Field notes on the proceedings of a juvenile justice board in action (on the day of some important decision).
- Interview with Child Protection Head of the State/Centre and discuss about reintegration models and their feasibility in the Indian context.
• Discuss the models with other individuals who are actively working in the issue and their views on the feasibility of models in the Indian context and especially in the context of the state where the study is based.

• Interview with staff about their responsibilities and suggestions on models of reintegration.

(see Annexure I for interview guides)

The research strategy for the present study differs from those conducted in other countries around the world highlighted in the Literature Review Chapter. This is because the models of reintegration were articulated as ‘models of social reintegration for JCLs’ first and then implemented by organisations based on various categories of juveniles. The models were preceded by baseline surveys followed by monitoring, mid-term evaluations and post-completion analysis. Further, the models evolved in countries whose socio-political contexts are very different from India. These studies essentially followed the quantitative and evaluatory research designs in keeping with the ‘experimental’ focus of the models.

On the other hand, the models of reintegration practised in India were not originally conceived as models but started off sporadically with positive intentions. They were neither research-based nor articulated within a well-designed framework. The objective of the present research is to capture these practices from the perspective of the key actors who are part of the reintegration process and compare them with the existing models that have been highlighted in the Literature Review Chapter. Given this backdrop, the strategy and design chosen for the present study is justified. However, wherever quantitative secondary data was made available to the researcher in the form of field-based research or annual reports of the organisations being studied, it has been used to supplement the qualitative data emerging from the study.

**About the Researcher**

The fact that the researcher has worked with youth offenders as a social worker for several years – specify the no of years was factored into the research design. During my days of practise in child-centric social development, I happened to be part of a
nation-wide study on the status of implementation of the Juvenile Justice (Care and Protection of Children) Act, 2000. Visiting a few children’s homes in the eastern India (Kolkata and Bhubaneshwar), I was disturbed at the condition of children kept in these homes. Far exceeding the numbers permissible in one room, they were huddled up like pieces of luggage, and not allowed to mix with other ‘normal’ children. Excepting the age-old trades of basket-weaving, candle-making and a few more, there were no life-skills given to these children as rehabilitative efforts. This experience motivated me to undertake a study to explore if successful models of reintegration existed in other countries and in the Indian context.

Though participant observation was not used as tool in this study, it is a fact that the researcher has been a participant observer in the field relevant to the study for more than thirteen years. However, she had to remain cautious and alert to the possibility of projecting from her earlier experiences rather than drawing from the data being collected.

**Research Process**

The process of data collection has been a long one and arriving at the final data selection comprised a series of trial and error methods and three years were spent in completing the process of data collection. As in any other qualitative research methodology, the trajectory has been that of iteration between the field and the desk and also between various actors in the field. The data collection comprised of various rounds of exploration in different parts of the country. The researcher, from her previous experience of working on similar issue, started her exploration process in Kolkata. Several rounds of discussions took place with various stakeholders working in the arena of child protection like Judicial Magistrates, other JJB officials, social workers, police personnel, probation officers of observation homes, NGO workers, and officials of fit persons’ institutions.

The first round of fieldwork yielded results that were not quite relevant to the study. Although a lot was learnt about ‘reintegration process’ per se, it was not related to the lives of juveniles in conflict with law. The discussions threw light on issues to be
dealt with/explored in the process of reintegration per se. The researcher then tried to explore reintegration processes related to JCLs. This entailed observing the proceedings of JJBs, talking to judicial magistrates, and advocates and social workers working with JCLs. This also covered visiting observation homes and fit person’s institutions. This process took a lot of time since this involved taking formal permission from various government departments (Department of Women and Child Development, Calcutta High Court, and the Kolkata Police Commissioner).

After several back and forth processes, the required visits were made to observation homes, JJB proceedings observed and interviews conducted with the Director of Social Welfare, judicial magistrates, advocates and social workers at JJB and important personalities working in the area of child protection in West Bengal. After two years of continuous exploration with various stakeholders and sustained ‘push’ by activists working on child protection issues and measures in Kolkata, a very interesting practice of reintegration was identified that was quite different from the conventional belief. There are proven results of this model. Details of the model have been described in the chapter on models. The learning from these efforts and the hurdles in reintegration identified by the people interviewed have been incorporated in the data used for the study.

During the process of further exploration, a few practices in other states were shared by stakeholders working in West Bengal and therefore following the snowball method of sampling, the researcher identified a model in the state of Jharkhand that was quite successful. Hence the researcher set off for Jharkhand and again the process of seeking permission letters started all over again, in a different state. An important model of reintegration of JCLs was identified here through long discussions, following the formal and informal interview methods.

Maharashtra was another state in which data collection was conducted extensively since the researcher’s University happened to be located in the same state. Seeking permission from Government departments also seemed to be relatively easy, courtesy the University’s engagements with various government departments and the judiciary. The researcher also realised that several models of reintegration of JCLs were in practice in the state even before the Juvenile Justice Act of 1986 came into
enforcement. The two cities of Mumbai and Pune were practicing three different models of reintegration. The models, however, were at various stages of implementation and every step that underwent in establishing the models, have been noted down by the researcher. Here also, the methods followed for data collection were the in-depth interview, case study and secondary data analysis.

The Pune observation home (still loosely referred to as remand home) was the first to be visited. Exploratory visits helped identifying models. Following this, stakeholders associated with the working of such models were noted down and appointments taken for detailed interviews with them. Each interview led to another and then to another. Some of the interviews went on for several hours, stretching over a number of days. The process also revealed the involvement of a few officers in the police department. Their contact numbers had changed since the time of their involvement in the said processes and therefore considerable time was lost finding out their contacts. However, by then, the researcher had developed a few contacts in the area of child protection in Maharashtra and each contact gave way to another and then to another. Interviews were conducted with government officers and this revealed the practice of yet another model of reintegration of JCL.

In the meantime, practices and models were explored in Mumbai and also some parts of the neighbouring Gujarat, in the city of Bharuch. This revealed a different method of reintegration. It was realized that in some cases, the practices were at a nascent stage, for example, in Bharuch and yet to yield results. Hence, Bharuch was excluded from the study.

The data collection went on for a period of three years and consisted of a process of fieldwork to deskwork and vice versa. The first level of data collection was based on the review of literature as mentioned above. The interviews were then transcribed and patterns evolved from such revelation helped in constructing the second round of interview guides. Also, the revelation of cases (reintegration models) opened up newer geographical locations and hence necessitated another round of permission processes from government departments. While interviewing successful cases of reintegration, one interesting incident happened that led to a further addition in the number of models studied. A young person who was a previous juvenile delinquent
was now working successfully with an organisation that also works for reintegration of JCLs. The researcher took this opportunity to understand the process adopted by the organisation and it matched with one of the models identified as a part of literature review. This way, one more model of reintegration was added to the existing list. Thus, six distinct models of reintegration were identified and explored, which are detailed in the chapters that follow.

Another interesting fact to be mentioned here is that every time when it seemed to the researcher, supported by discussion with guide, that enough data has been collected, the quest for more emerged that called for a fresh visit to the field. This added more quality and enriching the data on one hand and led to increasing the time period to the data collection process, on the other hand. Data saturation was reached through this continuous process of fieldwork followed by taking stock of data collected and gaps identified in data.

Scope and Limitations

The research would help in understanding the best practices of reintegration and thus help in translation of the JJ Act into stronger process of reintegration. Further, it would contribute to developing a reintegration framework for this category and open up areas for further research. This would result in exploring feasible diversion practices, by probing into the consequences of weak reintegration mechanisms. A study of this nature would lend a clear understanding of efforts undertaken in the process of reintegration of JCLs and also contribute towards developing a guideline about the processes of reintegration.

There are hardly any studies done in India on the subject area of this study. The study by Professor Ved Kumari is a landmark study in the area of juvenile justice in India. However, it highlights the various aspects of the functioning of the juvenile justice system in India but does not go into the reintegration aspects in detail. There have been several studies in the world, on successful reintegration models for JCLs. The present study has taken inspiration from such studies and aims at formulating a framework on reintegration.
Limitations of the study involve both theoretical and methodological shortcomings. The issue of getting the requisite permissions from various departments and the judiciary in the four states was a very time-taking task and took more than a year. This was also because even after receiving necessary permissions and meeting several stakeholders involved in the process, it was realised that the direction chosen for collecting data was not enough from the point of understanding processes of reintegration. Hence, it was decided to use a different approach to understand processes of reintegration. The interviews conducted in the first round of data collection had to be dropped from the research, leading to the delay in the data collection.

The reworked process involved developing a rapport with the respondents and approaching children who were reintegrated and were ‘long-forgotten’ so to say. The respondents were identified by the caregivers who had been trained for dealing with children in institutions, including juveniles in conflict with law. This was difficult in the beginning, given the fact that this was different from the models of reintegration identified and reviewed from other countries. The approach had to be slow and patient and with the continuous intervention of the head of the institutions to draw out useful insights from the study. Such children who had turned into adults and been part of the society for quite some time now, in many cases, were not ready to open up their distressful situation and therefore unwilling to cooperate with the researcher. Further, the process of tracing individuals after their release was itself very difficult, especially in the case of those who do not live with their families and have left no contact details with the institutions/people they were previously associated with.

Theoretically, several limitations have been identified. The fact that there has been no grounded research done and/or literature available around the subject area of the research in the Indian context led to the enormous task of talking to every possible stakeholder involved, evolving the model and then trying to link the evolved model with existing models from the western world.