CHAPTER VI
DISCUSSION ON THE MODELS

About the Models

The models of reintegration studied have brought to light several factors. They give an overview of the work related to reintegration of juveniles in conflict with law in India. They also have brought to limelight a common trend among practitioners on work related to ‘reintegration’ per se. The section below reiterates the common trends of work related to reintegration in India. The common trends have been categorized under various heads highlighting the working patterns of each model. These are further categorized into sub heads running through all the models whether they fully or partially meet the trend of the working pattern highlighted thereof. The last part of each of the sub heads described below, discusses each model in light of the component highlighted thereof. The Chapter ends with a concluding section describing the components that would therefore contribute towards making a said practice successful.

Basic Foundation of the Models

The study and more specifically the overview of the models have brought forth the basic foundation on which each model is based. It has been learnt that all the models have an approach that is ‘intervention based’ to a large extent. This approach implies that intervention in the life of the child has not been overlooked by any of the models and has been integrated into the strategy adopted for the particular approach the organization has adopted.

The NGO Placement model follows closely the IAP model and the Prison Fellowship model. The model is based on the principles of hand-holding a child throughout his/her journey in the juvenile justice system and thereafter aiming at sustainable reintegration of the child. However, while doing so, there arises a range of needs specifically of the child and his family who enters the juvenile justice system. The NGO Placement model attempts to address such situation-specific needs. These daily
needs of the child and his/her family are responded to in the NGO Placement model, even while working on components of the overall programme aim. To highlight a few such responses to situational needs, a social worker who is part of the implementing process of the model says

*There was one boy of age 16 years in jail; however his parents had shown his original birth certificate to the police; even then the police kept back such documents and put him into jail. So what I did is I went to his school, got another school certificate and then with the help of legal aid, got his case transferred to the observation home.*

The Systems-based model (highlighted as Model III) similarly responds to situation specific needs of children and their parents. It is believed by the staff implementing this model that such responses are extremely important in building rapport with children and their families that help in developing trust in their work. A one social worker from the organization said

*............the help desk – basically we just wanted to see and observe how people are looking at us, people somehow started approaching us and started asking us different questions on their cases- mere bachhe ko bail nahi mila (my child has not got his bail yet), yahan pe tarikh thaa toh kya huya? (there was a date here, so what happened to that?) Because nobody even the people do not just dare ask the magistrate directly ki mere case ka kya huya? (what happened to my case?) At the same time whom will they approach?........ And from the first day we got really good response since somewhere they were absolutely clueless about their cases; so they started about their dates, their bail, my child is inside how can I get him out? There were many clients who were complaining about their lawyers that were very genuine worries – this formed the basis of our intervention.*

The Kolkata based organization that worked on the strategy of skill building among caregivers too responded to situation based needs of children. This organization respected the interest of a child with respect to her decision about location – in the shelter home (institution) or returning to her community. Services were offered to the child in respect of such decision made in consultation. A respondent (a girl who has been reintegrated) says,

*I was called to the police station. It was evening time. Didi (referring to the social worker who accompanied her) accompanied me to the police station. The police spoke to me in rude and filthy language and shouted at me. I broke down into tears, but it was didi who spoke for me taking my side. I did not feel lonely anymore. I knew she would be there with me under whatever condition.*

Another respondent who was interviewed agreed that these interventions that may not be a core component of the programme but they help in building trust of the child to be reintegrated, trust being the pre-requisite quality that helps in reintegration.
The other two models namely the CSD workshops model and the Child Guidance Clinic model did not engage in parallel interventions as the basic foundation of their programme. It should be noted here that these two programmes are implemented by State agencies as opposed to the other models which are implemented by NGOs. The former one is a government programme while the latter is run by a government supported charitable trust which has been in existence for more than seven decades. They follow a prescribed framework of activities and do not go beyond the boundaries of their model in terms of responding to individual needs that might arise out of specific situations. As government staff who is a part of this model said,

*Responding to situation-specific needs in addition to the planned programme means more work and more time. We are not given any additional benefits even for the programme we are giving our energy to, in the observation homes, why should we commit further to more time and more energy?*

In the Child Guidance Clinic, the probation officer was very enthusiastic and went beyond her call of duty. She went for field visits, or assumed guardianship of children without family support when they needed to be sent out for a vocational training course. The social workers, psychologists and art therapists acknowledged the necessity of such intervention in their work profile adding,

*We understand that there are lots of other needs of children in observation homes and also their parents who come to meet the children or other work related to their bail or to attend proceeding in the JJB; however ours is a charitable trust, the trust operates on a certain defined framework. Being a part of this trust and we have no liberty to do any intervention that is out of this box. Moreover we are a lot understaffed. Even at present a lot of our work is assigned to social workers from academic institutes who are placed here as a part of their field work, who will take up the burden that will be added on due to the added responsibility.*

Therefore, it emerged that in all the five models recognize the need for an intervention-based approach to their work. While some of them practice them, others acknowledged its necessity. This component becomes a non-negotiable to ensure the reintegration of JCL and cuts across the models identified in the study.

**Goal Intended**

The overall aim of the models is to reduce ‘recidivism’ among JCL. This is true for all the five models studied.
The NGO Placement model believes in reintegration of the child by offering ongoing support to children ranging from a period of six months to three years. Case studies of a few success stories has shown that children have been offered help in terms of guidance and monetary help many a times going beyond the period mentioned above, in cases when a child has met with some unforeseen circumstances and or is seen as being in a vulnerable situation which could push him back into crime. The frequency of contact however reduces with time and progress in the case. A child who has been reintegrated many years before recalls his recent experience,

Right now I am working with an NGO since the last three years. A few months back I had met with an accident and for four months I was on bed and thereafter my treatment was on for another six months. I had to get my admission done and I did not have money. Sir had called me up and came to see me knowing that I have met with an accident; I told him Sir I do not have money, toh (so) he said ok, you take money and get your admission done and sent a boy to get my admission done. Till date I haven’t returned his money and he has never reminded me for the same. So the organisation staff is always there whenever I need them

Such efforts may be termed under terminology of ‘continuous case management’ and is the pre-requisite for arresting/reducing recidivism.

In the CSD model, children living in observation homes are encouraged to pursue their interests and talents. They are provided specific and result-oriented skills. Impact assessment of the model has shown that children being trained in this model have taken their skill forward and have been detached with their previous negative peer group.

It was during his stay at Observation Home, when he completed some exams in college, and police wallahs (officials) used to take him for exams in college at times even with handcuff. Now, Rahul is relieved from the detention, he has got admission in St Columbus College. He had done a course on Computer Hardware earlier and now he want to do BCA (Bachelors in Computer Applications), to move towards business.

In the Systems-based model, the attempt is to work with and strengthen all aspects of the juvenile system. While the child is handled with an individualized approach, gaps in the system are addressed and functionaries from the juvenile justice system are trained including police officers, special juvenile police unit, judicial magistrates and JJB members. This creates a tracking system for tracing a child even after he/she exits the system; since all stakeholders are sensitized, repeat offences (if any) by a child is easier to trace and hence reduces recidivism. A social worker from the programme team summarises her experiences,
The location of the JJB here is at a very odd pace even for the police to come with clients. – usmein again agla date agla date mil rahi hai toh (over and above that dates for hearing keep on getting postponed day after day, so…) people also lose their interest and once the child is out on bail they feel that the case is over. So that realization/understanding of their legal responsibilities was also very less and nobody was there to tell the clients that this is how the system functions and this is your role. Even in legally with JJB or police and also for reintegration of the child; the recidivism rate was also high among the child, same children were coming again and again. So on this background we felt that somewhere we need to start intervening and we took a permission from HC to start a help desk because we thought that we will start with the parents and children and at the same time work with the JJB. So the concept of ‘help desk’ was given to HC and they gave us permission to initiate the help desk in both the districts of Maharashtra. The pendency of cases has reduced drastically because of our intervention in the whole system and individualized services to families of children. Thus even though records are not maintained of children, each child is personally known by functionaries working in the whole system the rate of recidivism has come down to a large extent.

One very interesting dimension was shared by one of the respondents while talking of recidivism. She said,

………majority of the children are in the age-group 14-18 yrs. By the time their cases are over and all that, they become adults. Then we proudly say that the child has not returned, thus recidivism has reduced. But that is not always true. Therefore, since we have coordination with another organization that works with adult prisoners in prison, so we get to know of prison activities also. So that aspect is also cross-checked that whether the child has re-entered prison or not.

The Child Guidance Clinic model aims at reducing recidivism among JCL and also has interventions on prevention for children in need of care and protection. The judicial magistrate in the JJB has come up with some innovative ideas to ensure that JCL are engaged in positive activities while on bail and he orders them to engage in such activities during their bail period. To quote him,

In most cases these reformatory orders works fine and the child gets settled. We work very closely with the CGC and a network of NGOs are in contact to keep an informal supervision on the child while he is out on bail; in incidences when he does not follow the reformatory orders, his bail is cancelled by the JJB. This strong yet sensitive approach has reduced the rate of recidivism to a considerable extent in the district.

The magistrate also shared some of the work of children while out of mail. These have been attached as annexure in the present report. Instead of attaching them as annexure, it may be better to highlight some of the examples from his bail orders here.

The TOT model “Coping, connecting, caring” aims directly at reducing recidivism. Caregivers are trained on specialized skills of handling JCL so that they do not return
to the world of crime. This is realized as a very important responsibility of the system and hence all stakeholders that are in some way or another connected to vulnerable children in institutions are trained to deliver services with professional care and sensitivity.

Thus the aim that cuts across the models aims at reducing recidivism, and this is a non-negotiable component of any programme designed for reintegration per se.

**Location of the Programme**

The study has highlighted yet another important component that probably contributes to the process of reintegration of JCL. It has been found that all the models excepting one is located inside the premises of the observation home, where the JJB sittings are held.

It has been shared by all the respondents that being in observation homes is an advantage since the children can be contacted the moment they enter the JJ system. Further, it is easier to establish rapport with the parents and families of the children, since the observation home and JJB are essential points of contact for them. Moreover, the presence of the organisation in the observation home and the JJB campus helps building trust among parents about the organization. One of the respondents acknowledged this and shared,

> Because we were located in the observation home, we are at an advantage. Not only is it easier for us to accompany the child and his family during proceedings but we also are in constant touch with the child in observation home. The family needs help in a number of official work related to the child’s release and also plenty of correct information that advocates generally devoid them of, all this becomes easier to access through us, hence our presence/location right there is extremely beneficial.

The TOT model located in Kolkata is not located within the observation home premises since it caters directly to caregivers who are brought together at a convenience venue for their training. Also the model necessitates maintaining distance from the children and hence not located inside the institution. However, when this aspect was discussed with stakeholders in Kolkata, they acknowledged the necessity of a programme that caters to JCL to be located inside the JJB and observation home campus. One judicial magistrate who is very actively working with NGOs and stakeholders in regard to reintegration of JCL shared,
...it is very difficult to have an integrated approach to reintegration. The government does not allow NGOs to be located or their staff to be posted inside any observation home. In fact the JJBs are also not inside the observation home campus due to political reasons.

Thus location of a programme working on reintegration inside the observation home campus has been identified as a common phenomenon in the models studied. Hence this can be considered as a desirable but not non-negotiable component of models catering to reintegration of JCL.

**Individual Case Management**

The study has highlighted yet another important component that helps in reintegration of JCL. Each child is special and thus individual attention becomes important in the upbringing of a child. This is more so in the case of children who are vulnerable and those who have come in contact with the juvenile justice system. They face social stigma and are labeled by the society as ‘bad’ or as ‘criminals’. They therefore need added attention and care to ensure their social re-entry.

The NGO Placement model follows up with cases till they are reintegrated. The social worker, although burdened with multiple case load remembers each case by name and also remembers details about each case. He hardly refers to the documentation of the case, which in most cases is missing.

The Caregivers Training model also follows an individual case management approach. However, the number of cases handled by a house mother is too large in number. Also, the nature of cases in one institution varies from cases of trafficking, to those of street children or those in need of care and protection. Thus it becomes difficult for the house mother to keep note of so many cases.

The Child Guidance Clinic model has an individual case management approach and every case is followed up till the point they leave the observation home. Located in the same campus as the observation home, therapy sessions are conducted inside the institution. If a child is sent out for training, the case is followed up with the help of a network of stakeholders that they work with outside the institution.
The Systems-based model is based on an approach that works towards better functioning of the juvenile justice system. Interventions with regard to cases are used as a method to establish rapport with children and their families and also to respond to emerging needs. Thus individual case management is not a necessary component of this model but is often used as a practice.

The Creative Skills Development model partially has an individual case management approach. The word ‘partial’ is used in this case since the programme does not have an aftercare component and only caters to children as long as they are inside the observation home. However, inside the observation home, each child’s skill/interest is taken into consideration and the form of art chosen for their training is decided accordingly.

The review of literature shows that individual case management is a necessary component of an effective reintegration program. However, the difference between the models highlighted through the review of literature and those studied in the Indian context vary in their basic culture. The former have a wide range of caregivers catering to cases and the ratio of caregivers to cases is quite high. Hence, individual case management becomes easier. The ratio of caregivers to cases is very low in the models studied so far. Thus, individual case management although attempted, becomes difficult to practice and depends on the attitude and skills of the social worker concerned. Also, the approach followed by organizations differ. For example, in the Systems-based model, the main focus of work is addressing gaps the system and not individual-centric approach. Hence, individual case management becomes a desirable and not a non-negotiable component of effective reintegration. Based on the discussion above, ‘effective case management’ is designated as a desirable component of reintegration.

**Effective Aftercare**

‘Aftercare’ forms the basis of effective reintegration of JCL. This has been proved time and again in the review of the models as well as during data collection process. On exiting observation or other shelter homes, when juveniles re-enter into the community, they are in a vulnerable state. This is because of the change in the
environment that takes place in the post-custodial phase. A respondent in observation home states,

\textit{In the home they get up late and then there is nothing in particular for them to do. These boys are so much used to the home (referring to the observation home they are kept in) schedules that they find it difficult to cope with the outside world. Here they are always directed as to what is to be done but once they are out, they have to fend for themselves.}

This is the time when children need optimum care and protection. There is every chance during this stage to slip back into crime and negative peer groups. They need intensive supervision and professional hand-holding to help them make the transition into the community.

The NGO Placement model takes into consideration these factors and includes ‘effective aftercare programming’ in its approach. Effective aftercare programming necessarily comprises of a two-way approach wherein a mentor is assigned in the NGO where the child is placed and a point-person in the host organization that places the child. As a respondent in the programme said,

\textit{A mentor would be somebody, if the person makes mistakes then aise hi nahi bolenge (he/she would not ridicule the child, instead make him/her realise the mistake and vow not to repeat it again). So a mentor is somebody who has the personality to be assertive, tell the person that you made a mistake in a way that it helps........There also has to be constant monitoring. So the client is also told that you have any problem, call us up; even if you want to leave that NGO you make that one call to us first. So the social worker is monitoring every case and then when you feel that the person is settling down, then you withdraw.}

In the Caregivers TOT model, includes the recipients are the children who are taken care of by the caregivers. The caregivers are trained by professionals who in turn take care of children in institutions. These institutions are mostly aftercare institutions and not observation homes. The institutions are places where children facing various vulnerabilities are kept together, which includes juveniles in conflict with law. The success of the programme is based on the effective aftercare for children in institutions. Another interesting fact about the programme is that this has been evaluated at all levels including children. A few interesting facts that the children have shared include, ‘didi (referring to the house mother) used to be very angry-faced before, now she has become a lot more patient. She listens to us and also sits with us whenever we want her.’
The Creative Skills Development workshop model does not have a component of ‘aftercare’ in it. Here is no follow up with children as part of the programme. Although it is a government programme, there are no records about their return/not into the world of crime.

The Systems-based model and the Child Guidance Clinic model do not have the aftercare component; although respondents acknowledge the necessity of aftercare programming.

Thus effective aftercare programming, although practiced in two of the five models, cannot be considered as a ‘desirable’ or ‘negotiable’ component. It is practiced in all the models reviewed in the literature and have proved to be extremely effective in the reintegration of JCL.

Therefore it emerges that ‘Effective Aftercare programming’ should be a non-negotiable component of reintegration among JCL.

Networking

Networking with multiple services being offered by various organizations and stakeholders working in various capacities for reintegration of the JCL offers a range of opportunities to the children. It is very difficult for a single organization to offer all the necessary options that might be required in the process of effective reintegration. These opportunities may be catering to various kinds of needs ranging from therapy-oriented ones to vocational/industrial training ones. These would help the child to get over his/her immediate problems that may have forced the child into delinquency and also responds to the child’s long-term needs to help him/her reintegrate into the community.

The NGO Placement model believes in effective networking with services and opportunities and therefore works in association with various kinds of agencies. A child who is in the process of reintegration is placed with an agency based on his/skills and interests and thus is accordingly oriented towards his/her smooth re-entry into the community. A respondent from the programme says,
We have a list of NGOs working in various places around Mumbai and also in other states. This helps in reintegration of a child who belongs to states other than Maharashtra as well. The appointment of a mentor for each case and proper orientation of the mentor and expectations from the NGO helps in working together in the process of reintegration of the case.

The Child Guidance Clinic model and the Systems-based model also work through an effective network of services. Both programmes have network with mental health clinics, counseling centers, therapy centers, industrial training units, mobile libraries and others as required by a case. While the former model is research-based and established with a pre-planned approach, the latter is established in its present form being in practice for more than half a century. A respondent from one of the models states,

We do not have all the centers ourselves since we do not have such a huge capacity or expertise. However we do have a large network of services and people who are experts in their own capacities; we send children to those centers or even invite them to our institute depending on the nature of sensitivity of the case. These are people and organizations working for a long period of time themselves and share the same principle that we work with. It has been extremely rewarding working with them.

The Caregivers Training model work partially through a network of services as well. Thus there is a pool of professionals who are experts in their own capacities and they are contacted for training the caregivers in various phases. After being trained, the caregivers cater to children in institutions. These institutions work with a network of services as well as with CBOs working in different places. Although not through a network of organizations working with various capacities, but association with CBOs helps in repatriating children in a sensitive manner. A respondent from this model shares her observation about association with CBOs. ‘We have contact with CBOs working in Bangladesh; we hand over cases of children who are repatriated to them and such association has been very helpful.’

The Creative Skills Development model does not work through a network of services, but invites experts from various arts to the observation homes to train children placed there. This has resulted in discontinuation of the programme after the discontinuity of funds from the host organization. It emerged that if a network of services existed and worked in association with this organization, the mere discontinuity of funds would not have resulted in discontinuation of the programme.
The evidence emerging from the data point to the fact that association with a network of services and stakeholders is helpful in reintegration of a child. A social worker with one of the models summarizes it as ‘Reintegration cannot be done in a vacuum. You call a child completely reintegrated when all stakeholders in the community contributes in the process of reintegration.’

Reintegration is thus possible when there is a functional association of stakeholders and services working together in the reintegration process.

**Sustainability and Replicability**

Another important component of effective reintegration has been identified as ‘sustainability and replicability’. The models studied have brought to light the fact that they are sustainable in their approach and replicable in their nature. This, in lay terms indicates that the models exist in their present forms and practiced for a long period of time thus proving their ‘sustainability’. Further the practices are simple in approach and unconditional in nature, hence they can be practiced elsewhere in the same terms and spirit thus making them ‘replicable’.

The NGO placement model has proved years of success and can be practiced with a simple rapport with children who have entered the justice system with reference either from the police station or directly in observation homes. It also has active component of ‘aftercare’ wherein children are hand-held even after they exit the juvenile justice system and till their lives are completely mainstreamed. Such components make the model completely ‘sustainable’ in nature. Further, their approach is replicable in observation homes across the country without much change. This makes it replicable’ elsewhere. However, understaffing and fund-dependency is a drawback of the programme and raises questions on sustainability. Deployment of adequate staff and ensuring continuous funding will ensure that the model becomes replicable in other parts of the country as well.

The systems-based model is also sustainable owing to its nature of working with the system. However, owing to limitation of lack of individual case management approach, reintegration of individual cases becomes difficult. As one respondent said,
If the child is in the same vicinity as the home then the social worker visits the child, if the child is from far then we try and contact other NGOs working in the vicinity of the child for follow up. As of now the far off one is not very sustainable since all NGOs are loaded with their own work. The successful cases in reintegration have been because the child has kept in touch, but for children who do not keep in touch, mostly their reintegration has not been done properly.

All the models studied are replicable in the Indian context as far as catering to JCL is concerned.

The systems-based model is replicable owing to its simplicity in establishment. As respondent from the team says, ‘since starting off is possible with a help desk in an observation home after seeking permission for the same, the model is highly replicable.’

The Child Guidance Clinic model has limited sustainability since the model does not have component of aftercare. If the component of aftercare is added, it would be extremely sustainable. However it is replicable owing to the fact that is started by a charitable trust that works throughout the state. Thus starting it off in similar lines in other districts is very easy with a strong backup and support of the trust. As a manager from the clinic shares, ‘People from the observation home in another district had come for a visit to our CGC and they are very impressed with our work. They want to start a similar model in their district as well.’

The Creative Skills Development model is replicable but not sustainable: replicable owing to its backup by the government. It was started in three observation homes of the state but extended to all the ten observation homes after a period of one year of its operation. The programme has limited sustainability since it has no component of aftercare nor does have backup funding support. Thus the programme discontinued the moment the funding was stopped. However if such a model is replicated elsewhere in India with a component of aftercare, so that children leaving the observation homes can be followed up with till they get completely reintegrated into the mainstream society, then the practice would become ‘sustainable’ as well.

The Caregivers Training model is sustainable in the inherent nature of conceptualization of the programme. It has percolated through a process of training of trainers and is organized in different phases and at different levels depending on the
nature of caregivers being trained at a certain phase. Thus at any given point of time a
certain team of caregivers are getting trained on stress management and professional
approach to dealing with children in various kinds of conflict. This keeps caregivers
actively professional all points of time and therefore great communicators with
children they are catering to, thus making the programme sustainable.

The programme is practiced with an approach of training at various levels and with an
objective of turning a certain group of trainees to trainers themselves. This makes the
approach ‘replicable’. It has thus been replicated by a university in Bangladesh and by
other organizations in India and Nepal and is in practice in their catchment areas.

Thus while sustainability of a practice of reintegration is a necessary component,
replicability is a desirable component of a reintegration model. Sustainability ensures
reduced recidivism; replicability ensures the growth of the programme and catering to
more number of individuals in need.

Based on the components of the reintegration models studied here, the Conclusion
chapter categories down the desirable and non-negotiable components of a
reintegration model, thereof.

**Conclusion**

The Models discussed under the present study have their components as described
above. This leads to the understanding that the underlying aim of any reintegration
model that caters to juveniles in conflict with law need to arrest *recidivism*. This aim
needs to cut across all kinds of models designed thereof, and all other components are
expected to fall in place thereafter. The location of a new model being started is as
important as setting up a goal; discussion in the section above suggests that any
reintegration model with reference to juveniles in conflict with law need be located at
a close proximity to the observation home where such children are kept. Once
established, the model needs to have an approach that is personalized in nature and
maintained with an individual case management approach. Thus individual case files
need to be maintained and regularly updated by a professional appointed especially
for the purpose. There should be continuous hand-holding of juveniles institutionalized thereof, by professionals with an empathetic caring approach owing to the sensitivity of this group of children. This will further ensure a personalized approach to cases and naturally lead to an effective aftercare that is a non-negotiable factor component. Effective aftercare and responsible hand-holding of each case further leads to successful mainstreaming of a particular child and helps in sustainability and success of a reintegration model. Lastly, any reintegration model should be simple in its approach with all components mentioned here and a professional approach at all levels so as to ensure its *Replicability*. The following chapter will detail out the factors that influence the success of a reintegration model for juveniles in conflict with law.