CHAPTER IV

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4.1 THE RESEARCH PROBLEM

The researcher's interest in the study of female remand and undertrial female criminal prisoners arose out of M.Phil. research experiences connected with the study of juvenile boys and girls in remand homes. The current study is in sharp contrast to most earlier Indian studies on prisoners, which focused either on socio-economic background, causes of crime, post conviction prison experiences or problems of rehabilitation. Systematic documentation had not been undertaken of the pre-conviction stages of the criminal justice process. This is a significant period of time for an accused person and especially for those who have been taken into custody.

The focus of the present study thus, is the unconvicted or undertrial female criminal prisoners. The study limits itself to an attempt at reconstructing a subjective view of the criminal justice system from the vantage point of the criminal. Undoubtedly, in the study of convicted female criminals, a more complete picture would have been obtained. The researcher has cross checked the official records and statements of prison authorities. In the study of undertrial female criminal prisoners, the researcher has done a follow-up of the cases.

This is a study of the undertrial female criminal prisoners or accused persons in criminal cases. The observations are confined to a single prison for female criminals in the city of Mumbai.
4.2 OBJECTIVES OF THE STUDY

The objectives of the study are as follows:

1. To understand the changing form of female criminality.
2. To study the various crimes committed by women and to examine their nature.
3. To analyze the socio-economic background of female criminals in terms of their age, marital status, residence, religion, caste, education, occupation, income, etc.
4. To understand the causes of female criminality.
5. To understand the criminal’s feelings towards the offence and their attitudes towards society and stay in prison.

4.3 DESIGN OF RESEARCH

The present study is based on descriptive research design. The study has been conducted in the city of Mumbai. The study was conducted in two phases. While, the first was the enumeration phase and a base-line survey of records available with State Government’s Departments of Prison, the second phase was of data collection with some sample cases consisting of detailed case studies.

4.4 HYPOTHESES

On the basis of the survey of literature done by the researcher, following hypotheses were put forward for this study:
1. Low socio-economic status of the family is an important factor in female crime.

2. Stressful situation within the family plays an important role in the life of female criminals.

3. Undertrial female prisoners are prone to certain feelings and attitudes.

4.5 UNIVERSE

The universe for the study consisted of all the female inmates in the female section of a jail in Mumbai. The target group was undertrial female criminals of Arthur Road Central Prison, Mumbai. Therefore, the universe of the study is the women’s section of Arthur Road Central Prison. The researcher proposed to interview all women, arrested for crime.

4.6 CENSUS STUDY

The present study is a census study. This study has been conducted with reference to the total population of female undertrials of Arthur Road Prison, Mumbai, in the State of Maharashtra.

Undertrials are a floating population. Therefore, there is a continuous turnover in the prison population, and the period of stay of any undertrial prisoner is unpredictable.

It was decided to cover all the female inmates of the prison. There were 102 female inmates, out of whom 90 inmates were interviewed. Owing to different reasons,
12 inmates were not interviewed. Out of them 10 were foreigners of violent nature who were constantly confined to their cells. They had been arrested under the NDPS Act (Narcotic Drugs and Psychotropic Substances) crime. Another 2 were from middle-east-countries and did not speak English or any Indian language.

Some case studies were prepared on the basis of the information received from the inmates and the prison authorities.

The field work was conducted from May 2002 to the end of July 2002.

4.7 METHODS OF DATA COLLECTION

The data was collected from primary and secondary sources. The primary sources of data were the undertrial criminals of prison and the police officials. The secondary sources of data collected from the official records of the jail, census reports, crime reports and the office of the Inspector General of Prisons, Government of Maharashtra, Pune.

The methods, including sources, tools and process of data collection are as follows:

1. Reference to prison records – The undertrial register and court warrants were especially useful in this respect.

2. Individual Interviews – The study has been conducted with the help of an interview schedule related to the objectives of the study.

Interview schedule covers a number of aspects of the prisoners, such as their socio-economic background, type and nature of crimes, factors responsible for crime
committed by them and their attitudes towards the offence, society, stay in prison. The Interview schedule used both close-ended and open-ended questions.

Provision for testing reliability of answer was, to some extent, built into the questionnaire. Information was obtained through replies to the questionnaire supplemented with whatever was obtained from the overall case study as narrated by the respondent. Prison records, wherever available, were drawn on to further corroborate the information collected from the respondent. Even personal impressions of prison supervisory and other staff were sought to help achieve a crystallized prisoner profile.

For the study of undertrial female criminals in Mumbai, it was necessary to restrict the scope of the study by interviewing only undertrial female criminals, who were detained in prison.

Only Arthur Road Prison in Mumbai city has a female yard, and so data was collected there. This central prison is essentially for undertrials, detenues and short-term convicts (those sentenced to less than a month or a few days in lieu of fine).

From the time of the Indian Jail Committee Report of 1991-1920, the accused prisoner has featured as an undertrial. The majority of Indian prisons contain a large population of undertrial prisoners.

It was not possible to get detailed information from official records, because all of them are undertrial female criminals. At the outset, undertrial criminals were assured that the information would be kept confidential and that it would be used only for research purposes.
4.8 ANALYSIS OF THE DATA

The data so collected has been coded and tabulated for the purpose of analysis. Simple frequency tables and cross-tables have been made and the highlights of quantitative data have been presented.

4.9 FIELD EXPERIENCES

The researcher was assigned particular timings to visit the prison. Prior to starting the work, the researcher paid a few visits to the women's section, to get familiar with the place and the people, the researcher needed acceptance and formed relationships, so that she would not be seen as a threat by inmates.

Initially women were very hesitant to talk because they were under the impression that the researcher was going to publish their identity and experiences. Clarifications were made about the research work and interest. Some women thought that the researcher would help them in their cases. Some women were under the impression that she was a lawyer. After some time, they realized that the researcher was a student and that would not be able to help them. So, the researcher had to make repeated requests to female prisoners for interview. Constant persuading and humane treatment was essential while collecting data. Even then, some responded with suspicious attitudes. Through informal dialogue, the researcher was able to generate openness among female prisoners. Most of the inmates have expressed feelings that ever since they came to the jail, no one has talked to them so humanely and frankly. Thus, the researcher has tried her best to collect the required information.
The meetings with prisoners held inside the female yard (or wing) had several advantages. It allowed the researcher sufficient time for work and freedom to make a programme for the day. Most important, the researcher could collect the data in a natural way. The arrangement suited the administration too. The respondent and the researcher were permitted to talk together in a separate place. This arrangement ensured both privacy and quiet time except when a 'Mahila Hawaldar' or 'Mahila Rakshak' (Matron) might be around.

4.10 LIMITATIONS OF THE STUDY

Some of the limitations of the study are:

1. This study covers the undertrials. It was found that a study of undertrials was rather difficult in that they were busy with court cases and some of them were not in a mood to talk frankly. Since the charges leveled against them were not confirmed by court, they were opposed to any kind of labeling as criminals.

2. It was difficult to interview all the respondents in total privacy in the prison environment. Often the 'Mahila Hawaldar' or 'Mahila Rakshak' would be present. So sometimes it was difficult for an undertrial to answer questions frankly.