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Reformation of Offenders in India

A Handbook for the use of Workers
amongst Delinquents in India

BY

O. H. B. STARTE, C.B.E., I.C.S.

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PREFACE

Having been engaged for over twenty years in the reformation of Criminal Tribes in the Bombay Presidency and also more recently in the care of lads released on license from the Dharwar Borstal School, I have felt the need of an Indian handbook for the use of Magistrates and others who come in contact with offenders against the law. Such a book seems specially needed for the guidance of those who have any responsibility for juveniles or adolescents who have broken the laws of the land or need its protection. Of books concerning the laws of India there are plenty, but on the more important subject of the reformation of those who have offended against the laws of the land very little has been written. Yet surely it is very important for the Magistrate, or for any one who has to deal with offenders in any other capacity, to know something of the psychology of delinquency, and the ways in which the delinquent can best be treated to further his reform. This little handbook with all its weaknesses has been reluctantly written and published since no one else has attempted to meet this particular need.

I would acknowledge my indebtedness to the classic work of Dr. Cyril Burt—“*The Young Delinquent*” and would urge any one who desires to pursue the subject in detail to study this work. I would also express my gratitude to the English Borstal Association, to Miss M. K. Davis of the Children’s Aid Society, Bombay, and to Mrs. L. F. Bradbury of Hubli Industrial Settlement for the help given to me by them.

There is I believe a strong sense of social service in India which needs to be aroused, and directed into useful channels. If this book serves the purpose of guiding any one to help more effectively an offender against the laws of India I will be well repaid.

O. H. B. STARTE.

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REFORMATION OF OFFENDERS IN INDIA

CHAPTER I.

CAUSES OF DELINQUENCY.

It is universally admitted that an essential part of the training of a medical doctor is the study of the causes of disease, and that without that training he is unfitted to practise the art of healing. In the same way a study of the causes of delinquency is, or rather should be, an essential part of the training of every one who has to deal with delinquents, either as an investigator making preliminary enquiries into the alleged delinquencies, or as a Magistrate who has to make a decision about the disposal of the case, or as one who has to take charge of the delinquent on an order from the Court. This study into the causes of delinquencies is the more important, as the principle of reformation, rather than retribution for the offence committed, should be dominant in deciding the form of treatment of the offender. This is specially the case when dealing with juvenile delinquents.

The old idea that wrong doing is the result of inherent wickedness, only to be driven out by severity of punishment, has been abandoned. Similarly the theory of Lombroso that criminality is inherited, and that its presence can be detected by the shape of the head, and, being inherent, is largely incurable, has also been discredited mainly by the investigations of Dr. Goring. The latter took the measurements of the heads and other parts of the body of a large number of convicts, and came to the conclusion that there is no such thing as a criminal class, differentiated by anomalies of physical structure. The same features asserted by Lombroso to denote a criminal mentality can equally well be found in the occupants of the Magisterial Bench, or in any other walk of life. Dr. Goring agrees however that as a class criminals are less well developed than normal people. "English Criminals," he said, "are markedly differentiated from the general population in stature and body weight". Confirmation of this is given by Burt, when he points out that the boys in Industrial Schools are 4 inches shorter and 9 pounds lighter than the other boys of equal age.

The causes of delinquency must mainly be sought from the environment of the offender's earlier years, and it is upon a right appreciation of these causes that a proper decision of the treatment to be adopted towards the delinquent can be made.

In most of the following pages emphasis is specially directed to children and young persons. This is due in part to the greater importance of the investigation in such cases, as there is a greater variety of methods of treatment available in their cases, and in part it is due to the fact that the search is easier, as the facts of the past history are more recent, and there is less reticence. The value of right treatment and the hope of success is also greater in their cases than for adults. At the same time many of the causes are common to adult delinquents also.

The causes of delinquency fall into three groups :—

- (1) Hereditary.
- (2) Environmental circumstances.
- (3) Belonging to the delinquent's own state of body and mind.

HEREDITARY CAUSES.

It is admitted by most students of psychology that a criminal tendency is not inheritable. There are however some forms of abnormality which can be inherited, and it is these abnormalities which make resistance to temptation less easy.

These abnormalities may be ill-health of the body or of the intellect or emotions. At the same time given helpful circumstances for leading a normal life, such as a happy marriage, or congenial work, or interesting recreations, these abnormalities may not result in criminal actions.

ENVIRONMENTAL CAUSES.

Environment may be a very fruitful source of delinquency, and whatever may be the share of heredity in the fashioning of a criminal, his environment will ordinarily be a far more potent cause. In particular the circumstances of the home afford the most frequent explanation of the delinquent's fall.

POVERTY AND OVERCROWDING.

Poverty is a cause of juvenile delinquency. Thefts may be prompted by hunger, and are encouraged by the parents who themselves are in need of food. This can be illustrated by a survey of the localities and the communities from which the greater number of juvenile delinquents are drawn. It will be

found that they will be those localities and communities in which the greatest poverty is found. Nevertheless compared with other factors it is probably not an important cause of juvenile delinquency. The study of the cases in Hubli Settlement related hereafter may be considered in this connection.

Overcrowding of the home as a result of poverty is a common cause of delinquency in Europe, but it is not so important a factor in India, except in the chawls of big cities, as the climate permits sleeping out of doors for a considerable part of the year. Allied to this is the absence of spaces in which to play. Here too this is a factor which in India is only serious in the congested town areas. For the rest, the children can during the day time spend their time out of doors, to an extent impossible in a more rigorous climate. One reason for the greatest proportion of juvenile delinquents from towns in India compared with the villages is the absence of spaces for playing in, apart from the crowded streets. Temptations abound in such places, whereas they are comparatively few in the average village with its space in front of the Chavadi or elsewhere, and the limited number of persons in the village. The institution of play centres amongst the juveniles would be of great value in reducing juvenile crime in cities like Bombay or Ahmedabad.

The effect in London is marked by Burt as follows :—

“The slums around the main (Railway) stations include some of the most criminal quarters of London. In such a neighbourhood the sudden opening of a play centre or of an evening club, the formation of a patrol of Boy Scouts, or of a company of Girl Guides has to my knowledge, rescued several small but veteran street beggars, and more than one potential thief or prostitute from a professional career of crime.”

Young Delinquent, p. 154.

Unfortunately in India the Boy Scout and Girl Guide movements have been organized mainly for the High Schools. It is a great pity that this should have been the case. Vernacular speaking Scout troops and Guide companies are increasing however, and certainly it is in the direction of work amongst the poor vernacular speaking children that the greatest value to the community can come from these movements.

At the same time it would be a great injustice to the poor to say that poverty necessarily leads to crime. The great majority of the poor struggle bravely with adversity, and retain their honesty. This is equally true in India. The greatest poverty will be found in the villages, and yet crime is less in villages than in towns.

LACK OF COMPULSORY EDUCATION.

This is an important factor in juvenile delinquency as thereby children are left to their own resources for long periods of the day especially in towns. In villages the children find more employment in the fields and gardens of their parents.

GAMBLING.

Betting and gambling form another cause of delinquency in adolescents in India as elsewhere. The attitude of mind which desires to gain money easily by gambling too often ends in stealing, to cover up the losses which are inevitable at some time or other.

UNEMPLOYMENT.

Lack of employment may be a cause of delinquency because of the excessive leisure so afforded to the unemployed person, and the lack of money which his companions in work possess, and also by reason of sense of failure and the despondency which failure produces. It may be doubted however if this is as potent a cause for crime in India, as it is in many Western countries. The joint family system of India provides support for the unemployed members of the family, and so reduces the temptations arising from unemployment.

DEFECTIVE FAMILY RELATIONSHIP.

A clue to the most important cause of delinquency is found by the study of the relationship of the family. In the normal family the child possesses its father and mother living together in wedlock, and one or more brothers or sisters fairly near to its own age to be its playmates. Whenever one or more of these are missing a defective family results. It is therefore important to find out if the mother or father are dead or have been divorced, and if the child has a step-mother or step-father, or is an adopted child. It may be that the child itself is illegitimate.

Professor Burt says that "Nearly 60 per cent. of the delinquent children had been handicapped in one or more of these ways" (i.e., Defective family relationship).

In the Children's Homes attached to the Criminal Tribes Settlements of the Bombay Presidency, to which are sent delinquent or neglected children from the Settlements who cannot be allowed to remain with their guardians with any hope of betterment of their condition, 79 per cent. of the children belonged to defective families.

I am indebted to Mrs. Bradbury who is in charge of the School of 720 children attached to Hubli Settlement for a study of 73 cases ranging over a number of years of children who were found to have committed thefts. Most of these were of a petty nature and were detected by the School or other Settlement staff.

Defective family relationship found in		35 cases.
Deficient Home Discipline	„	8 cases.
Marked poverty	„	3 cases.
Bad companionship	„	18 cases.
Parents markedly bad in character	„	24 cases.
Feeble-minded parents	„	2 cases.

Where more than one factor was evident, the cases have been counted under each head. It is evident that defective family relationship is the most important factor in causes of crime. Very frequently the cause is the death of the mother and the re-marriage of the father. The unhappy relations of the children of the first wife with their step-mother are too often the key to the trouble.

The study reveals one further interesting point that poverty is not an important factor in juvenile delinquency. Of course conditions in a Settlement are not normal, but even in other cases of juvenile delinquency it does not appear as an important factor. A similar intensive study of a number of cases of the Juvenile Court in Bombay City should yield very interesting results.

DEFECTIVE DISCIPLINE.

Sometimes a cause of delinquency is to be sought in the defective discipline of the home. Occasionally this defective discipline is due to over severity, but more frequently the fault is likely to be discipline which is too weak and easy going and neglectful. It is equally disastrous if a discipline ordinarily very weak has rare intervals of capricious and unreasoned severity. A number of cases have come before the Juvenile Court of Bombay City where parents have asked the Court to deal with their children as they have become uncontrollable. Climate undoubtedly affects the importance of the various factors of juvenile delinquency, and probably the genial climate of India makes the factor of defective discipline more important than it is in colder climates, as the boy can so easily run off and sleep in the open and maintain himself by begging, if he finds the home discipline irksome.

VICIOUS INFLUENCES.

Apart from being defective in family relationships or in discipline, a home may be bad because of its vicious influences. The father may be frequently drunk, thus showing signs of temperamental instability. This may reappear in the child, but more than this the waste of money in drink, the abuse and quarrelling and often violence in the home and the irregularity in work which follow, all set a bad example to the child. The number of cases in which the child imitates the crimes of the father are rare, though the general bad influence of a vicious home is a very frequent cause of delinquency.

The case of the Criminal Tribes in India is peculiar in that the exact form of crime of the father is reproduced in the son. The Chhapparband father was a coiner and so was his son. The Ghantichor father and mother were bazaar thieves and so were their sons and daughters. But amongst the Criminal Tribes the added factor of caste customs, and indeed of a so-called religious compulsion makes their position not comparable to that of other delinquents.

COMPANIONS.

There are circumstances in the environment outside the home which may also lead to delinquencies. Of these the external influence of companions is the most important. It sometimes happens, specially with boys, that the child is attracted to a group of adventurous youngsters who take to crime out of bravado. Every large town in India, as in other countries, has its gang of young criminals. Often such lads have run away from home. The 1930 report of the Children's Aid Society, Bombay, tells of 30 young Madrasis who set out by pre-arrangement to travel to Bombay, without tickets, by different routes to avoid suspicion, and to foregather there at a pre-arranged meeting place. Sometimes it is an adult companion whose influence is bad. It is seldom however that the factor of bad companionship is the sole cause in the downfall of a juvenile, though it is often given as the sole reason by the distressed parents. There will be some other cause which makes him susceptible to the influence of bad companions. He may be inferior in intellect or physique, or he may be a boy who because of his habits is not a welcome companion to normal boys.

Though apart from the Criminal Tribes instances of training of juveniles by adults are not very common yet they are not unknown. The records of the Children's Court of Bombay afford instances of this nature. For example a boy was

arrested four times for pickpocketing, and it was found on enquiry by the staff of the Children's Aid Society, that a gang of Mavalis or Hooligans in Bhendy Bazaar were living on his earnings. Twice the boy was acquitted through insufficient evidence, care being taken by the gang to bail him out immediately and employ a pleader in his defence. On the third occasion the boy was bound over and placed under supervision. The supervision failed in its object, and on the fourth occasion the boy was committed to a Reformatory School, but the gang by some means secured his escape.

A deaf and dumb child aged 7 years was brought before the same court who had been taught by his father to climb into chawl rooms by the aid of the ventilators.

Again in the drug traffic boys are deliberately employed to carry the articles, as they are less liable to arouse suspicion.

CINEMA.

The Cinema is often accused of being an important cause of juvenile crime. There is a substratum of truth in the assertion that the cinema influences the imagination of the youth and shows him pictorially the way in which crime can be accomplished. At the same time it is now admitted that the charge laid against the influence of the cinema has been much exaggerated in the past. Burt says :—

“When all is said and done I am convinced from a careful sifting of each conceivable case that direct imitation is exceptional and rare. And moreover of recent years the exhibition of criminal methods has been almost entirely excluded from films shown in the public halls. The second charge against the cinema is easier to substantiate. The cinema it is said provides a standing temptation to steal money for admittance. No doubt after the confectioner's shop, the place where pilfered pennies are most frequently spent is the penny box of the picture house. But because they are spent at a cinema it does not follow that they were stolen with that purpose consciously in view.”

(Burt—*Young Delinquent*, p. 147.)

The greatest danger in the cinema is however in the presentation of life as one round of excitement and adventure and thrill and of love scenes enacted in all their most vivid details. The mind of the juvenile who witnesses such exhibition frequently is in danger of over-stimulation resulting in some form of crime. On the other hand there is a good case for those who point to the many for whom the cinema provides a counter-attraction to more dangerous amusements.

But this argument is hardly as valid in India, where it must be remembered that the cost of admission to a cinema bears

a higher ratio to the daily wage of the average person than in Western countries, and cinema-going is, therefore, a more expensive and therefore a greater temptation to the probrity of the poor in India than elsewhere.

CAUSES BELONGING TO THE DELINQUENT'S OWN STATE OF BODY OR MIND.

PHYSICAL WEAKNESS.

Occasionally physical weakness or deformity may be a cause of delinquency. Any physical ill-health weakens the power of resistance to temptation, and moreover by resulting in poverty when the sufferer becomes of an age when he should be self-supporting, the temptation to crime increases. In India however if the infirmity is such as to be apparent to the charitably minded, for example blindness or lameness, the sufferer is much more likely to support himself by begging than by crime. Nevertheless cases where physical deformity and crime go hand in hand are not unknown. The most confirmed maker of illicit liquor known to the author is a man having both legs withered. That there is a connection between crime and epilepsy cannot be denied. His illness prevents such a person from obtaining steady work. His mental balance is weak. At the same time it cannot be held as was stated by Lombroso that every inborn criminal is an epileptic. The proportion of criminals who suffer from true epilepsy is small.

The after effects of sleepy sickness (*Encephalitis lethargica*) has attracted much attention in recent years in Europe. The serious after effects of this illness are now admitted. The child from being normal and good tempered, may become a thief and ill-tempered and destructive. As far as is known the disease is fortunately rare in India.

Congenital syphilis is also believed to be an important factor in juvenile delinquency. This is not difficult to understand when the physical and mental effects of this disease are recalled.

Not much investigation has however been made in India concerning this. Figures comparing the percentage of cases suffering from syphilis in a Reformatory Borstal School compared with corresponding figures for the free population would be very interesting.

It is important in all cases where the cause of delinquency is thought to be some physical or mental effect that, while the treatment should be directed towards removing or

alleviating the defect if this is possible, care should be taken not to dwell on the defect in the presence of the child, lest he should be encouraged to accept this explanation as all sufficient, and to make no effort towards his own salvation.

Occasionally physical over-development may tend to criminality. The overgrown boy may have the strength of a young man but the intellect of a boy. He is difficult to manage at home and becomes beyond parental control. Such a lad may show his break from parental authority by running away from home. This by itself is no criminal offence, but the associations in which he may find himself often lead to crime. Fortunately such lapses into crime are usually of a temporary nature, and the chances that such a lad will settle down to be a normal citizen after he has grown to manhood are good. Few of them find their way into the ranks of the habitual offender.

Similarly over-developed girls with sex instincts abnormally developed may become unmanageable in their homes. Their restiveness however generally takes the form of immorality rather than offences against the law.

The age at which first convictions are mostly obtained is very important. Burt gives the following table for English prisoners:—

TABLE XIII.
Age at First Conviction.

Age.					Persons who afterwards became habitual offenders.
					Per cent.
5	..	..	..	..	0·8
10	..	..	..	..	13·5
15	..	..	..	..	39·0
20	..	..	..	..	19·8
25	..	..	..	..	10·8
30	..	..	..	..	7·0
35	..	..	..	..	3·2
40	..	..	..	..	2·6
45	..	..	..	..	1·5
50	..	..	..	..	0·9
55	..	..	..	..	0·5
60	..	..	..	..	0·3
65	..	..	..	..	0·1
70	..	..	..	..	0·0
Total ..					100·0

Young Delinquent, p. 218.

It would be a very interesting study to compare similar figures for Indian Habituals.

The proportion of those who afterwards become habitual offenders who had their first conviction between the ages of 15 and 20 is very remarkable. It is true that this is the period when the youth first leaves school and often leaves home and thus becomes more exposed to temptation. At the same time the figures emphasize the importance of remedial treatment at this period and show the vital importance of well organized probation work and of a good Borstal School and Aftercare.

DEFECTS IN INTELLECT.

Much scientific study has been undertaken by psychologists in the comparison of the intellectual capacities and attainment of delinquent children, as compared with those of other children. Intelligence tests have been applied with great care and it has been found that, though there are cases where delinquent children are above the average in ability, still the average mental ratio of the juvenile offender is below that of other juveniles. It would be a valuable study if similar investigations were made in India, as there seems some evidence from the experience of the Remand Home at Umarkhadi that this may not be true in India. Some juvenile delinquents are so far below the average in ability that they must be classified as mental defectives. Others, not so far below the average in ability that they must be classified as mental defectives, may be classified as dull.

Estimates as to the proportion of mental defectives amongst juvenile delinquents differ very widely. According to one of the most quoted of such workers, Dr. Goddard of Vineland, 66 per cent. of the inmates of the New York Detention Home, New Jersey, are "distinctly feeble minded". According to another psychologist of New York, "probably 80 per cent. of the children in the Juvenile Courts in Manhattan and Bronx are mentally defective". Later estimates are more cautious and conservative, but the majority still fluctuate between a proportion of one-half and one-third. (*Burt's Young Delinquent*, page 297.)

Mental deficiency is however a technical term and much of the variation in figures is accounted for by the differing standard taken for mental deficiency. In England before certifying a juvenile as mentally deficient for the purpose of

sending him to a special school, the usual test is that the child must be backward by not less than three-tenths of his age. That is to say a child of 10 years of age must respond as a child of 7 years or less before he can be certified as a mentally defective. Judged by this standard, Dr. Burt says: "I find that of the juvenile delinquents whom I have tested with the Binet Simon tests 8 per cent. and no more are mentally defective, that is to say are children who are backward in intelligence by at least three-tenths of their age." (*Young Delinquent*, page 300.)

The figures given in the 1933 annual report for the admission in the Remand Home of the Children's Aid Society, Bombay, give 33 out of 798 admissions as mentally defective. Of the children in the Children's Homes connected with the Criminal Tribes Settlement Department it is found however that the children are up to the average in school attainments, which would go to show that given equal opportunities they can compete on equal terms with the other children.

Not every mental defective is a delinquent. The commission of offences requires some intelligence and the mental defective with the lowest intelligence such as idiots have not the ability to commit offences. "The dullest are those reported for wandering, cruelty and destructive mischief. Those who steal, though varying widely, have on an average a somewhat better mental standing." (*Young Delinquent*, page 305.)

Mental defectives should be treated as defectives, not as criminals. In England under the Mental Deficiency Act of 1913 the local education authorities are responsible for ascertaining the number of mental defectives in its area. Some are sent to special institutions, and others to special day schools. It cannot be said however that the work of classification is being done thoroughly as yet. Partly this is on account of the expenses which would have to be incurred if sufficient institutions and special schools were established to meet the full demand. Real and general mental deficiency is incapable of cure from its very nature. Nevertheless if mental defectives are transferred when young to a special school improvement will often result. Much of the trouble for a mental defective in an ordinary school is that he has to associate in class with children much younger in age than himself, and this is obviated in a special school. Such children also require special care out of school hours. Primarily it is the duty of the family to do this, but where this cannot be

done, or at any rate will not be done, supervision by school nurses, welfare workers, or by the staffs of voluntary organizations is desirable, and is often arranged in England.

In some areas in England workshops have been opened for the mental defectives who have passed the school age, and have not been able to secure employment. For the adult mental defectives needing the shelter of an institution two State Institutions have been established, and these institutions are supplemented by private ones for the cases more easily controlled. The institution of schools for mental defectives is an urgent need in India.

Sterilization of mental defectives is often advocated as a measure of protection for the future generations. This has been actually applied in several of the States of the United States of America. Medical opinion is however still rather divided in its views on this point, and enough experience has not yet been gained to argue with any certainty as to its effect upon the present generation.

In addition to the class of delinquents who are definitely mentally defective, there is the much larger class of delinquents who are of dull instinct, though this dullness does not reach to the point when they can be classed technically as mentally defectives. This includes indeed the largest class of delinquents whether juvenile or adult. After all the commission of most crime is an act of folly. It is very seldom a lucrative form of employment. It is for the children falling in these classes that special schools, or special classes in existing schools, are of great value, the curriculum being framed to include a large proportion of manual work of an interesting kind to fit him for after-life, when he will have to compete with workers of normal intellect.

Such boys often do well at an industrial school. For the dull girl on the other hand such institutional life often proves a failure. Life in smaller Homes, for example Cottage Homes, provides that training in home life and a domestic atmosphere so needed for all girls. The training of such boys or girls should be to fit them for some simple kind of work. To train a dull boy or girl for some skilled work in which he or she can never be a real success is to court failure.

Sometimes this dullness is not inherent, but rather the result of the circumstances of his life. It should not be too easily assumed that backwardness in the ordinary school subjects is due to inherent dullness. It may be due to some

physical or moral cause. Weakness in health may impair school progress. More often however it is due to truancy or laziness. This leads to cheating to save himself work or punishment.

If the dullness is mere educational backwardness, there is every hope of success, if care is taken of the child, and an effort made to secure some education for him which will be interesting and practical and grip his attention. If the case is far advanced however the Reformatory School offers the best chance. There he will be among others like himself, and the curriculum of the school will be adopted to cases like his.

Occasionally instances of delinquents with supernormal abilities are met with, though such cases are rare. Most of us have at one time or other committed in our childhood days some petty theft or other, and have returned to ways of virtue without discovery or any special steps being taken, and in many cases where the delinquent is of normal or supernormal abilities, time will work a cure. If however the habit persists, then energetic measures are specially required, for such delinquent may if unchecked become by his abilities a leader amongst criminals. After he has proceeded beyond school age it is advisable to put such a lad in a post demanding the exercise of his ability, but this may not be possible as such posts generally also require stability of character. If this be not possible, efforts to bring his talents into use, by clubs or evening classes should be made.

LYING.

Lying is undoubtedly an accompaniment to other forms of delinquency. A single lie need cause no special misgivings. If the habit is however deeply set it may result from some deeper trouble and the lying may be adopted to conceal this darker fault. Lying on the part of children gives much anxiety to parents.

Dr. Burt from his vast experience gives the following practical advice in dealing with it :—

“ *Young Delinquent* ”—

Page 391 : “ *Differential Treatment.*—In dealing with a particular lie uttered by a particular child, the first step is to ascertain whether that lie is a single isolated lapse or one of a numerous series ; if the latter, it becomes important to inquire what type of lies he generally tells, and what may be their animating motive. One lie does not make a liar.

All children tell occasional untruths ; and many have fits and periods of dissembling. The sense of systematic truthfulness comes late."

Page 392 : " Both the incipient and the habitual liar must be protected from situations setting too great a tax on their intelligence or candour. A regular thief, who has been as regularly punished for his thefts, should never be questioned as the sole source of information, and thus presented with a gratuitous chance to tell yet another untruth. So far as possible, all lies must be immediately detected ; the first exculpatory falsehood that a child happens to palm off with success is often the starting-point of a long series of deceptions, each cooler and more calculated than the last."

Pages 393 and 394 : "*Confession*.—No punishment should follow a confession. To extort an admission publicly, in the face of the whole class or in front of the injured party, is to make that admission insuperably hard, and a shuffle irresistibly easy. As a means of eliciting facts, the practice of urging a clean breast should be abandoned.

It is amazing how almost every teacher and parent expects the most hardened little sinners still to tell the truth about their sins—as if a lie were the last and worst offence the child could fall to, instead of the easiest and the first. Should a child be bad enough to steal, he is almost certain to be bad enough to equivocate about his theft, when taxed with it outright. And, once he has begun to delude you, a barrier is set up, and any free and friendly discussion about his general situation becomes all but impossible."

Page 395 : "*The Encouragement of Confidence*.—With young children truthfulness is at first no more than loyalty to persons, a return of gratitude to those who are sympathetic and kind—to their mothers, to their favourite teachers, to their closest companions and friends."

Page 397 : " The child should be led to understand what a baffling thing it is to formulate the precise and literal truth. The task of the truth-teller is twofold : first to know, and then to express. Each is a science in itself. The schoolboy can be shown how, even with instruments ingeniously contrived for the purpose—a plumb-line, a spirit-level, or a stop-watch—it is never easy to be exact ; and that many languages, many literary styles, and whole libraries of philosophy have been constructed in the effort to impart what each man thinks. To the youthful mind, an ounce of scientific instruction and of linguistic practice is far more helpful and wholesome than any quantity of high-flown narrative or of trite and tedious moralizing."

CONDITIONS OF TEMPERAMENT.

So far reference has been made to physical and intellectual conditions conducing to delinquency. It remains to consider hereditary instincts and emotions which tend to the same end.

The main temperamental conditions tending to delinquency are summarised below:—

Hunger.—This may take the form of hunger for lack of sufficient nourishment or an acquired taste for sweets and later on for alcoholic liquors.

Sex.—Sexual delinquency due to an over active sexual impulse is a common form of crime. A predisposition to sexual impulses beyond the normal may be inherited.

Burt says: "Among my two hundred delinquent cases, I trace the offences alleged to an over-potency of the sexual instinct in as many as 16 per cent." (*Young Delinquent*, page 432.)

Anger.—In some families and even in certain races an extreme liability to excessive anger seems inherent. Cases are not unknown when children of tender years have murdered others in a fit of anger. In India it is well known that certain castes and communities are much more given to crimes committed in a fit of passion than others.

Acquisitiveness.—Doubts have been expressed whether acquisitiveness can properly be included in a list of instincts, but many writers regard it as a true instinct. They point to its appearance amongst animals, e.g., amongst the squirrels which store up for the winter or the jackdaws which make a collection of any bright article they can see. There seems a special hiding impulse involved as part of the instinct to acquire. (*Young Delinquent*, page 448.)

The impulse to collect articles is seen in the collection of stamps or marbles which most boys possess and often petty pilfering can be traced to a desire to add to the collection. For example boys will be found to pilfer cowrie shells for games or string and rags to make balls or coloured rags to wrap round their heads or necks. In Hubli two Haran Shikari boys, who had occasion to visit the office room of the Manager of the Settlement frequently, were found to have formed a habit of taking the paper fasteners. When a search was made in their house they were found also to have collected a great number of slate pencils.

It is not an instinct rising and falling in intensity like anger or sex impulse, but is ever present. If the life history of most habitual thieves could be known accurately in all its details, it would be found that there is a long history of thefts starting with petty pilfering in the home and gradually extending to thefts from shops or streets.

Such beginnings could be traced in one Settlement where some of the children were found to be stealing jowari from their parent's homes and selling it for sweets.

Treatment of the Acquisitive Instinct.—There is no royal road to success, but the common method of denial of the usual supplies of money, etc., because of theft has its dangers. The boy's sense of responsibility needs rather to be developed by a sense of ownership which in turn should produce a sense of the same respect for other people's property as he desires them to give to his. It may be possible to provide this by a reward for a period of honesty.

WANDERING.

In England truancy from school or home is a very common juvenile offence, ranking next to theft in frequency of occurrence. Truancy in India is also an extremely common form of juvenile delinquency, but at present such cases do not ordinarily come before the Courts, as education is not yet compulsory in most areas. When compulsory primary education is introduced more completely into India very many cases will be brought to light. Truancy from home is however already a very common cause of thefts in India. When the boy runs away he misses his meals and steals to allay his hunger.

In some cases truancy is in essence a hunting instinct, especially in some of the primitive wandering tribes. Sometimes nothing is to be hunted, but there is just a blind instinct to roam in the fields. This is well illustrated in the lives of some Haran Shikari boys of the Settlements who hate above all things to be confined in a school room, and seem to have an uncontrollable desire to wander all day in the open. Some of them snare birds, but others just wander.

The surroundings may tend to bring out this instinct. The boy may have older companions who already indulge in their desire to wander, or the lessons may be excessively uninteresting by reason of a dull and unimaginative teacher. Sometimes it is brought to a head by a desire to avoid punishment. The ease with which children can travel long distances in India without tickets, owing in part to the mistaken kindness of ticket collectors, facilitates truancy from home. Out of the boys, who have at different times run away from the Settlements by rail without tickets, only 10 per cent have been detected, and apprehended by the Railway Staff or Railway Police.

The application of the Children's Act to Bombay City has revealed in a very striking manner how common are the cases of children who run away from their homes to big cities. They are fortunate if they are found by the Police and brought before the Juvenile Court, before their friendless situation has placed them in the clutches of unscrupulous persons to be used for the commission of crime or for lustful purposes. It is a frequent experience of the investigators of the Children's Court, Bombay, to find such lads under the control of mavalis who have used them for the purposes of sodomy and have infected them with venereal disease.

Treatment of Truancy.—The conditions of home and school should be studied, and arrangements made to give more outlet to the boy's instinct for motion. The activities of a well run Boys Scout Troop, with its annual camp, is an excellent aid in this respect. Expeditions with relatives can also be arranged, care being taken not to let it be apparent that such holidays have been arranged because of the truancy. If the truancy is from school it may be possible to change the school or class so that he may have a more inspiring master and less dull lessons.

HERD INSTINCT.

This is the desire of persons to associate in groups. It does not seem to appear as an instinct in the early stages of life, but seems to be most active in boys between the ages of 12 and 16. Girls do not seem to desire to group together in the same degree as boys. The herd instinct can be watched amongst boys who are sent out from the Remand Homes, or Reformatory or Borstal Schools of India. The loneliness of their new life when they are first discharged and find work sometimes appals them, and the conscientious efforts to find work for them on the part of the Probation Officers may break down because the need of friendly companionship has not been recognized. The working of this instinct can also be watched in any bazaar or big village where groups of boys between these ages will frequently be seen. The activities of such groups are often innocent and healthy, but if the leadership is bad offences against the law result.

GENERAL.

Instincts being inherited immediate success as the result of reformative action cannot be expected. This explains the need for steady and patient work on the part of the social worker who is trying to help such delinquents.

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It is interesting to note that by a study of the instincts which criminals inherit in common with the rest of the human race, but inherit in excess above or in deficiency below the normal, one sees a clue as to the reason for the greater criminality of boys as compared with girls. Those strong instincts such as anger, acquisitiveness, sex, which figure as incentives are more pronounced in the male than in the female. As a result females figure far less frequently in the ranks of offenders than males. Admission in the Remand Home of the Bombay Children's Aid Society, Umarkhadi, show that the admission for girls is one-fifth of the admissions for boys, and even so the majority of girls are admitted as destitute or as moral victims and very few as delinquents.

It must not be thought that the effect of all instincts is towards the commission of offences. On the other hand there are some instincts, for example fear, which restrain rather than encourage delinquent acts.

CHAPTER II.

CHILDREN'S COURTS.

In early English history juveniles and adults were treated alike in all cases. References to records 1,000 years old show however that some distinction was made in England between juvenile offenders and adult offenders. But this important distinction was lost sight of in the 17th, 18th and in the early part of the 19th century until in 1844, 11,000 persons between 10 and 20 years of age or 1 in every 300 of the population of that age were in prison. A welcome change came in the middle of the 19th century and prominence began to be given to the reformatory side of dealing with convicted persons.

Separate Children's Courts are of very recent origin. They were started in England legally in 1908 though experiments in that direction had been made before. They deal with boys and girls up to the age of 16. It has recently been advocated that this age should be increased to 17 years. (In some countries young persons up to the age of 21 years are dealt with in Children's Courts.)

The English Children's Act lays down that the Children's Court must be held in a *separate building*, or at a separate time from the ordinary Courts. As a general rule the Children's Court is held in a separate room of the main Court building. A few places, e.g. Liverpool and Birmingham, have separate buildings specially constructed for the purpose. It is certainly preferable to have separate buildings. At the same time too much emphasis should not be laid on the need for a specially constructed building. A room in an existing building can often be adapted with success to the purpose. The rooms should be small and spectators rigorously excluded. A table and chairs for the Magistrates and tables and chairs for the Clerk of the Court and the Probation Officers are all that is required. A few pictures will give a home-like aspect to the room.

Whilst making the enquiries, the Court must clearly remember that the main purpose of the action to be taken against a juvenile delinquent is to be remedial, i.e., to try and reform the child and not to be punitive. At the same time English law does not go so far as the American law. Under the American law it is immaterial whether the particular offence for which the child is brought up to the Court is or is not

proved. It is only of use in showing whether the child needs the protection and guidance of the State. Other facts brought out during the investigation may also prove the need of action by the State.

New Zealand has proceeded further in this direction and has expressly provided in its Child Welfare Act of 1925 that when a child is brought before a Children's Court it shall not be necessary for the Court to hear and determine the charge, but it may act after taking into consideration the parentage, history and environment of the child. As is pointed out however by Mr. Clarke Hall, we must remember not only the effect to be produced on the boy, but on his companions who also have been tempted as he has been. Moreover, it has been well remarked that a Children's Court should not cease to be a Court of justice, and a boy who is put into a Home Office School or on probation after being brought before the Court for theft, where the theft is not proved, but in the course of investigation it has been shown that the boy needed protection, would harbour a sense of injustice which would do him great harm and hinder his reformation. However in actual practice the means adopted by Juvenile Courts of different countries are similar in nearly all cases. The difference is theoretic rather than practical.

The procedure in a Children's Court must be simple. A quiet talk with the child—not a bullying of him—will generally get out the facts of the case. The Magistrate should act as the Pleader in charge of the interests of the child, as well as that of Magistrate trying to find out the true facts of the case.

It is suggested by Baldwin and Flexner that the best way to hold the proceedings is first to ask the child in simple language if the fact alleged against him is true and to get from him his version of the matter. They say that he should be asked this when quite alone, i.e. when the witnesses are out of the room. Then afterwards the witnesses should be heard. This seems incorrect according to the ordinary procedure of a Criminal Court, but in practice it will be found to have many advantages.

The work of the Court is very important, as their decisions may influence the whole of the lives of the children brought before them. Those on the Bench should, therefore, be experienced persons, at the same time persons advanced in years may not be elastic enough in the mind to grasp new ideas and to sympathise sufficiently with the juvenile hopes and fears and longings. In most Juvenile Courts, one of the members

of the Bench is an educated woman. This is always advisable, and is essential where girls are being dealt with.

It is important that there should be as few as possible persons in the room at the time. It is not always easy to ensure this. Children's cases are often very interesting and spectators wish to be present. Again for the same reason where the Juvenile Court forms part of the duties of a Bench of Magistrates many of the Magistrates may wish to be present. This has proved the case in England.

When Juvenile Courts are set up in India it will be very important to keep them quite separate from the ordinary Magisterial Benches. The solution in Liverpool might be adopted. The paid Magistrate heads the Bench and selected unpaid persons join in the Bench. The latter should not be more than two in number. The same system is followed in some of the Juvenile Courts of London, and is also the solution adopted in the Children's Court of Bombay City.

The information which should be at the disposal of the Court needs careful study. It is very important that the Juvenile Courts should, except in the most trivial cases, have the fullest possible information as to the history of the child, his home surroundings, his career at school and at work and his medical record.

HOME SURROUNDINGS.

Some Juvenile Courts in England rely on Police reports, but the better Courts, also get information from the school authorities (who often know better than the Police what sort of a home the child has). Sometimes the Court asks its Probation Officers to make special enquiries.

Secondly the career of the child at school is investigated. This gives very valuable information. It is important to know if the child attends school regularly; if it appears well fed and if it is intelligent or dull.

Thirdly, the medical aspect of the question must not be lost sight of. It may be that the child is mentally weak. Of recent years there have appeared in Europe cases of sleepy sickness (not the sleeping sickness of Western and Central Africa). This sleepy sickness (*encephalitis lethargica*) has fever as one of its chief symptoms, but after recovery the person is often morally weak and many cases of continuous thieving by juveniles can be traced to this cause. So far in India the author has not heard of a case of delinquency due to this cause.

The committee appointed by the English Parliament to consider the treatment of young offenders recommended that, as soon as the Police decide to bring a child or young person before the Juvenile Court, they should inform the educational authorities, and the Court Probation Officer so that these should make some investigation and be ready for the Court.

When the case has been completed, the Court has to come to a decision as to the disposal of the case. The various methods of disposal are described in later chapters.

If the juvenile is committed to an institution he should not be sent in charge of a uniformed Police Officer if it is possible to avoid this. The common practice in England is to send him in charge of the Probation Officer. This has many advantages, as the Probation Officer knows the circumstances of the home and of the juvenile himself, and can give useful information to the school authorities about this.

It is important, that the Magistrates should visit the institutions to which they commit delinquent children, so that they may know what kind of training is given. Kindly Magistrates can often do much good by an occasional friendly visit to juveniles sent by them to an institution. It is a common experience that children do not bear resentment against the Magistrate who committed them to an institution, but look upon a visit by him to see them as an honour.

PROCEDURE IN THE BOMBAY PRESIDENCY.

In the Bombay Presidency the Bombay Children's Act XIII of 1924 and its subsequent amendments govern the procedure. In this Act child means a person who has not attained the age of 14 years, and young person means a person who is 14 years or upwards but who is under the age of 16 years. The Act has so far been applied to Bombay City and to Lonavala and Bombay Suburban District.

In Bombay City one of the Presidency Magistrates has been selected to take the juvenile cases and holds a Juvenile Court once a week. With him sits an Honorary Magistrate who is a woman. The Court is held within the precincts of the Children's Home at Umarkhadi, thus avoiding any contact with the ordinary Police Court. The Court room is well arranged for the purpose. During the year 1932 the number of cases brought before the Court was 464. The staff of the Children's Aid Society are responsible for placing before the Juvenile Court the facts about the child relating to its home, antecedents, physique and mental condition.

In Bengal Presidency the Bengal Children's Act of 1922 has been passed. In Calcutta a Juvenile Court has been established with a Stipendiary Magistrate in charge, and a Woman Probation Officer has been appointed.

In the Madras Presidency a Juvenile Court was opened in October 1930. It is presided over by a Presidency Magistrate and an Honorary Lady Magistrate sits with him.

REMAND HOMES.

Under the English Children's Act bail must be given to a child or young person after apprehension unless the charge is very serious such as homicide, or unless it is advisable to remove such person from association with a criminal or a prostitute, or unless the officer in charge of the Police Station has reason to think that the release of the person would defeat the ends of justice, i.e. he would in all probability abscond.

A similar policy is being adopted in India also, and every year fewer children and young persons while under trial are detained in Police custody or in lock-ups or jails in Magisterial custody. In the Bombay Presidency for example where the Children's Act is not yet in force, it is still possible in most cases to enforce the spirit of the Children's Act, and to ensure that no child or young person is detained in lock-ups or jails in Police or Magisterial custody.

Cases do occur however in all countries in which it is not possible or advisable to release the child in this way. If the juvenile is very unruly, and his relatives are not willing to undertake the responsibility, or if willing would probably not be able to fulfill their obligations, or if his relatives cannot be found it may be necessary to detain the juvenile in some institution. Similarly if he is charged with a serious offence such as murder, release on bail or personal recognizance is not feasible.

If he is not released the child or young person has to be sent to a place of detention. Failing everything else the only place of detention must be the lock-up or jail but this is obviously very unsuitable and ought not to be resorted to, if any other place can be made available.

In some places special Remand Homes have been established. In big centres they serve a very useful purpose. Generally the outside doors of such Remand Homes are locked up though the children are not locked up in separate rooms. In a few places, e.g. the Remand Home of Liverpool, the outer doors also are not locked.

In Belgium two central observation schools have been established for boys and girls respectively as Remand Homes. There systematic and scientific methods of observation are developed to a high degree, and the ultimate treatment adopted depends on the result of the observation made there. Some are sent home (10 per cent.), some are boarded out (10 per cent.), some are sent to voluntary Homes (4 per cent.), others are sent to State Schools which correspond to Reformatory Schools (52 per cent.), and the rest (21 per cent.) are sent to special institutions.

It has been advocated by the Committee for the treatment of young offenders that 6 similar observation schools (3 for boys and 3 for girls) for persons under 21 years of age should be organized in different parts of England. Such centres would enable expert staff to be employed to examine them physiologically and psychologically. One difficulty in the way of their establishment in England would be the distance these persons would have to travel whenever they appeared before the Court from such Remand Homes, and this difficulty would make such a solution impossible in India, though one may look forward to the establishment of Homes like the Remand Home at Umarkhadi, Bombay, in other big centres and to an increasingly scientific examination of the inmates of these Homes by properly qualified and trained experts.

In smaller places sometimes the Probation Officer provides a room for the detention of the person in his own home and this solution has many advantages. In India where no Probation Officer exists use might be made of the house of a married police constable or other suitable person.

The Children's Home at Umarkhadi, Bombay, is a very useful type of Remand Home. It is under the control of the Children's Aid Society. Though it was originally a jail, it has been so thoroughly remodelled and adapted for its new purpose that it is quite effective. Its outer doors are locked and the old high enclosing wall is retained, but the interior doors giving access to the playing grounds within the exterior walls are kept unlocked. Beyond this it does not seem safe to go in a Remand Home, for the policy of the fully open door for such Homes demands an assurance that if the juvenile escapes from the Home, it is practically certain that he can be recovered by the Police in a short time. This is much easier to ensure in England than in India, for in the latter country the warmth of the climate makes sleeping out of doors possible for most of the year, and the general attitude of charity, sometimes rather

indiscriminate, makes it easy for a juvenile to subsist on charities for a long while, and to travel free on railways and so escape detection. The Umarkhadi Remand Home is in the same group of buildings as the Juvenile Court and in this way work is greatly facilitated.

The number of admissions into this Home have been rising steadily until 1931 as the following figures of admission will show :—

1927 (7 months)	..	..	379
1928	..	..	588
1929	..	..	678
1930	..	..	784
1931	..	..	717
1932	..	..	798

An analysis of the type of cases for 1931 is very interesting :—

(I) Destitute	..	..	341
(II) Theft	..	..	208
(III) Victim of Offences relating to morals	..	..	45
(IV) Political Offences	..	..	19
(V) Uncontrollable	..	..	18
(VI) Begging	..	..	13
(VII) Gambling	..	..	10
(VIII) Parent in Custody	..	..	9
(IX) Hawking	..	..	8
(X) Victim of Cruelty	..	..	5
(XI) Sale of Contraband Meat	..	..	3
(XII) Arrest on Warrant	..	..	3
(XIII) Throwing Stones on Railway line	..	..	3
(XIV) Murder and Abetment	..	..	2
(XV) Other Causes	..	..	39

717

From this it will be seen that nearly half the cases are those of destitute children. It is to be hoped that this large number of destitute children will not be maintained. In 1928 the percentage stood at 27. In 1929 and 1930 the percentage rose to 41 and 53 respectively. In 1931 the percentage fell to 48 and in 1932 to 33 per cent., but this year's figures are abnormal in that they are affected by the "political" cases, some of which in

ordinary years would probably have been destitute cases. The last years have been years of industrial depression, and perhaps a return to prosperity will bring a drop in these figures. A very large proportion of these cases come from upcountry. Indeed 70 per cent. of the admissions to the Remand Home in 1930 were classed as upcountry denizens. This is a much higher proportion than is found in any European metropolitan town, and thus it would seem that India has to face a problem differing in extent from that faced by the workers amongst juveniles in other countries.

A Remand Home has been established in Madras City under the Children's Act. During 1930, 58 boys and 29 girls passed through this Home and at the close of the year there were one boy and one girl remaining in the Home.

CHAPTER III.

PROBATION.

Release on probation is the most effective of all the methods available for dealing with a juvenile delinquent. In essence it is a suspension of the final decision of the Court for a long period, the delinquent remaining during that time under the supervision of a person appointed by the Court, called a Probation Officer. In this period the Probation Officer exerts his influence to secure the reformation of the delinquent, and if successful the Court accepts this result, and takes no further action in the case, and no conviction is recorded. Throughout the period the Court receives periodic progress reports from the Probation Officer, and if the progress is distinctly bad, the Court considers the advisability of taking any other remedial action such as committal to an institution. The growth of the probation system has been phenomenal in recent years in most countries. In England and Wales in 1908 the number placed under supervision was 8,023. By 1925 it had risen to 15,094, and the figures are still rising.

The method is not limited to juveniles though as might be expected its greatest value is found in the juvenile section. At the same time supervision of adult offenders by Probation Officers has had sufficient success for the method to be increasingly used for them also.

At first in England the Probation Officers were mainly chosen from the existing Police Court Missionaries, the latter being servants of philanthropic bodies like the Church of England Temperance Society. Latterly however in England many of the Probation Officers are recruited directly. By an Act passed in 1925 in every probation area either part-time or whole-time salaried Probation Officers must be appointed. These probation areas may either be a single Petty Sessional Division or a combination of divisions. Probation Committees of Magistrates are set up in every area, and they are responsible for the appointment and payment of Probation Officers, and

for the supervision of their work. The funds for the salaries of the Probation Officers, and for the other expenses of probation work are provided by the local authority, but this authority in turn receives back part of its expenditure from Government funds. The Probation Officers are appointed on trial for one year, and before confirmation the Home Office is consulted. After confirmation, in case of dismissal an appeal lies to the Home Office. Limits of 25 years and 35 years were fixed for the minimum and maximum age at the time of appointment, but the maximum age is occasionally raised to 40 years for specially qualified persons. Some of the earlier Probation Officers were men and women of little education, though of great practical experience in dealing with delinquents in a sympathetic and practical way.

In some instances in the earlier days of probation in England Police Officers either in the Force or retired have been appointed as Probation Officers. Though there have been individual cases of successful Probation Officers drawn from the Police ranks, it is now universally admitted that the system of appointing Police Officers as Probation Officers is inadvisable. There has been a tendency in England to entrust the work to voluntary agencies and undoubtedly this has many advantages. Such Societies can provide the enthusiasm and elasticity of method to a degree difficult to find in a directly appointed staff. But it has its difficulties as the work may become divided on a denominational basis, and this causes delay and confusion.

It may be noted in passing that though strictly speaking the term Probation Officer should apply solely to persons who supervise those who have been released by a court without being sent to an institution for training, it is also frequently used for the person who supervises another when he is released on license from an institution. This extended use of the phrase is justifiable, as in practice it is frequently the same person who fulfils both functions.

Using the term "Probation Officer" in the more limited sense, such Probation Officers are only found in Bombay City as far as the Bombay Presidency is concerned. They work under the Bombay Children's Aid Society. They are called Supervisors. The following table will show the extent to which

the method of placing on probation is used in the Children's Court, Bombay City :—

Year.	Total number of cases settled during the year.	Number of children committed to institution.	Number placed on probation.	Percentage committed to institution.	Percentage placed on probation.
1928	563	151	24	26·8	4·3
1929	635	219	25	34·5	3·9
1930	804	255	67	31·7	8·3
1931	726	148	30	20·4	4·1
1932	790	222	94	28·1	11·9

It is necessary to note that there is a difference between "supervision" under the Children's Act and placing on probation under the English Act. In the former a conviction is first recorded, but the sentence is suspended. In the latter no conviction is recorded.

These figures may be compared with the English figures wherein about 4 per cent. of the cases are committed to institutions and about 20 per cent. are placed on probation.

As will be explained later, contrary to the experience in England there is a great pressure on the accommodation available for delinquents in Reformatory Schools and allied institutions in India. An important reason for the difference is the lack of an organized Probation Service in India.

It is interesting in this connection to note that in the 1932 report of the Bengal Government it is stated that "The total number in the two Reformatory Schools decreased from 245 in 1930 to 236 in 1931 and to 199 in 1932; this decrease is attributed to the development of the probation system by the Magistrate of the Juvenile Court."

It has been suggested in England that there should be a greater interchange of personnel between the Probation Service and Home Office schools or other institutions. Experience of institutional life would be as valuable to the Probation Officer as training in probation work would be to the Head Master or teacher in a residential Home Office school. Such an interchange would also tend to promote co-operation between the two systems.

If a Probation Service is organized in India such an interchange between this service and the staffs of the Reformatory schools, and of the Criminal Tribes Settlements would be of great value.

CASES SUITABLE FOR PROBATION.

Probation is not the only method of dealing with a juvenile delinquent, and it is of vital importance that only cases suitable for the methods of probation should be so dealt with. For successful probation work the home influences must not be irretrievably bad. It may be that the parents have been neglectful, that the discipline over the child has been weak, but if there is a hope that the parents with the advice and help of the Probation Officer may brace themselves up, having seen the evil ways into which their child has been advancing, probation may still succeed. It cannot succeed however if the child is in a bad home where there is no chance of the reformation of the parents. Again apart from a few exceptional cases where the original supervision and probation has not been done properly, or where the period of probation was too short, an offender, who has been placed under probation for one offence, should not be placed again on probation upon the commission of a second offence. For a second offence the delinquent should usually be sent to an institution, as experience has proved that the chances of reform while in his home surroundings are small. If it is decided in an exceptional case to place the offender again on probation for the second offence, the original period of probation, if still current, is usually closed, and the case classed as unsatisfactory, and a second order of probation made. Where the second offence is not serious and the original probation period has a good time remaining, the Court sometimes adjourns the hearing of the second case for a long period such as three months, and calls for a report at the end of this period. If the report is satisfactory no further action is taken on the second case, and the first period of probation continues. If the report is unsatisfactory the offender is sent to an institution.

Probation work is specially useful and hopeful in those cases where the child is under the age of 16, and has been mixing with bad companions who have led him into mischief. Here the Probation Officer can aid him to obtain employment if he is old enough to go to work but is unemployed. He can advise the parents to change their house to a new neighbourhood if this is feasible having regard to the work in which the members of the family are employed, and if by this means the evil companionship can be broken off. The Probation Officer may be able to introduce the boy to some club or other organization such as a night school where he may find new interests or new friends.

It is true that in India the facilities for the useful employment of leisure time available as aids to the Probation Officer are very limited, but such as they are, they must be made use of, and the Probation Officer might himself take the initiative in organizing fresh facilities such as a troop of Boy Scouts, or a recreation club if these are not to be found. For younger children who are not attending day school or who are attending very irregularly regular attendance at a day school must be insisted upon.

Care has to be taken that the Probation Officer has not too many cases under his charge. Generally 50 cases are taken as the maximum number of cases which can be supervised with efficiency by one Officer if these cases are all situated in one City, and if he has no other duties to be performed.

The number which can be supervised with efficiency will obviously be less if the persons on probation live in homes scattered throughout a rural area, or if the Probation Officer has other duties to be performed. Both men and women Probation Officers are needed. The latter are required for the supervision of women or girls or for the younger boy offenders.

The work of the Probation Officers in England is supervised by the Probation Committees of Magistrates. These Probation Committees meet monthly to review the cases in their area, each Probation Officer submitting reports to the Committee on his own cases. Usually one of the members of the Committee is appointed over each Probation Officer to supervise his work and goes through the cases with the latter before the monthly meeting, and then brings up before the full Committee in its monthly meeting any difficult case. These local Committees however need guidance, and members of the Children's Branch of the Home Office visit the various centres of Probation work to investigate the work of the Probation Officers, and to consult with and advise the Probation Committees and their Probation Officers.

In some centres of America and of England a Chief Probation Officer is appointed and the other Probation Officers work under his direction. The opinion of the English Young Offenders' Committee on this point is interesting. They say :

"Some witnesses have advocated the employment of a Chief Probation Officer at a higher salary, whose duty it will be to organize the probation work and supervise the other Probation Officers, and we notice that the probation rules admit of such an arrangement when any Court desires to adopt it. The general trend of opinion, however, appears to be against

any creation of different ranks of Probation Officers. It must be remembered that the duty of supervision over the probation officer rests with the Court, and where a Chief Probation Officer is appointed there may be some risk of destroying the relationship which ought to exist between the Court, the probation officer, and the probationer. If, therefore, a Chief Probation Officer is appointed by any Court care must be taken to see that this relationship is not jeopardised, and that the court of probation committee keep in close personal touch with all the probation officers alike."

It would seem however that the advantages of a Chief Probation Officer would be greater and the disadvantages less if he is the only salaried probation officer and has working under him a number of unsalaried probation officers. The value of the work of the voluntary probation officers would be greatly increased by the skilled direction of a Chief Probation Officer, and by their greater local knowledge and influence and opportunities they might be able to do more in the way of finding employment and in helping to employ the leisure time of the probationer profitably in clubs or other organizations than the paid probation officer could do.

There has been much controversy concerning the utility or otherwise of the voluntary probation officer. Undoubtedly the work of the full-time paid probation officer is done more systematically, and in some centres of England the use of voluntary probation officers has been abandoned. On the other hand the local knowledge and influence of the voluntary probation officer is often of great value and he brings freshness if not technical skill to the work. Again in many countries, of which India is probably one, the choice will lie, for financial reasons, between utilising voluntary probation officers or leaving the work undone. Thus in India the need would seem to be for a few paid probation officers aided by a band of voluntary probation officers.

A development in this direction is urgently needed, for without such an organization it would prove impossible to extend the areas of operation of the Children's Acts which have been passed in many parts of India, on account of the present limited accommodation in Reformatory Schools and allied institutions. To increase the number of these schools, to cope with the increased number of children who would need supervision, would be much more expensive than the organization of probation work.

The following figures of committals to Borstal Institutions and prisons of adolescent offenders show very vividly

the effect of the introduction of the probation system in England :—

		Male.	Female.
Average per annum for the years	1909-10 ..	13,336	1,519
.. .. .	1914-15 ..	9,107	1,180
.. .. .	1919-20 ..	4,079	1,098
For the year	1923-24	2,940	294
For the year	1927	2,464	147

It must be remembered that in the same period there was also a drop in the number of children placed in Home Office Schools, so the decrease is not due to an increased number of committals to these schools. The institution of probation work in India should prove, as it has proved in England, that money and effort spending work amongst the juvenile offenders is amply repaid by a lessened number of delinquents of more mature age in future years.

Even in the areas in India where probation work has been started, its development has been disappointing as will be seen from the figures just given for the Children's Court, Bombay City. Part of this startling difference in practice is due to the large proportion of homeless children from up-country places in Bombay city, but part is due to the lack of training facilities for probation officers in India and knowledge of the value of the probation system.

It is essential that the probation officer should be a practical man. The type of man who would not be willing to visit a probationer in his own home, and who would want the services of a peon to call the probationer to him, would be of no value. He must also be firm, and not hesitate to report any disobedience to his advice or any other breaches of the terms of the license by the probationer.

CHAPTER IV.

INSTITUTIONS AND AFTERCARE.

CERTIFIED SCHOOLS.

POSITION IN ENGLAND.

Hitherto there have been two main classes of schools for delinquent children in England. In the first class are found the junior schools called Industrial Schools. Children must be under 14 years of age to be sent to such schools. In the second class are found the senior schools called Reformatory Schools. Children must be between the ages of 14 and 16 at the time of their committal to the latter schools. An exception is made for delinquent children between 12 and 14 who have had a previous conviction, or who are likely to exercise a bad influence in the junior school. Such children are sent to the senior schools. Both groups of schools are now called Home Office Schools, as it was found that the names Reformatory School and Industrial School carried a stigma with it. Each individual school has also a specific name which gives no indication that the school is instituted for delinquent children. The curriculum in the school has been very much brightened, and varied in recent years, and every effort is made to make them approximate in the standard of teaching, organization of games and public spirit to the standard obtained in schools for other children. Formerly a teacher in a Reformatory or Industrial School was despised in his profession, but that feeling is rapidly disappearing, and it is now recognized that teaching in such schools is of as great importance, and demands at least as high a standard, as teaching in other schools. It is proposed to do away with the distinction between the junior and senior schools.

Besides these schools there were formerly a number of day industrial schools where the children returned to their parents for the night, but were retained and fed at school during the day time. They are not regarded as successful for the most part, and except at Liverpool, where there are two such schools, all have been closed.

Nearly all these Home Office schools are under private management supported by a grant-in-aid from Government which practically covers the cost of maintenance, though not of the buildings. In this way the religious question has been solved, as there are separate schools for Roman Catholic

children, for Protestant children and for Jewish children. A few of the schools are under local authorities. All the schools are inspected by Inspectors who are under the Childrens Branch of the Home Office.

The number of children in Industrial and Reformatory schools in England has been steadily falling in recent years. Clarke Hall quotes the following figures :—

1916—Industrial Schools—10,897 boys and 3,052 girls.

Reformatory Schools—3,698 boys and 532 girls.

1924—Industrial Schools—3,871 boys and 1,177 girls.

Reformatory Schools—1,952 boys and 130 girls.

This reduction has meant the closing of over 40 such schools. Some were inefficient and out of date, but the reduction in numbers has meant the closing of some excellent schools.

The main cause of the reduction in the number of children in these schools is the introduction of methods of probation for dealing with children. There are reasons for believing however that the change has been too drastic, and that some children have been tried too long on probation, who ought to have been placed in a Home Office school earlier. Several cases are on record wherein children have been put on probation three or four times before being committed to a Home Office school. The headmasters of the Home Office schools have protested that the children committed to them are sent too late. It must be admitted that the introduction of the probation system into any country has to face the danger that, in the initial enthusiasm, it is adopted as a remedy for all types of cases whether suitable for probation methods or not.

Large schools are to be deprecated. In England very few schools are above 100 in numbers. The status of the superintendents of these schools has improved very much in recent years. This is as it should be, for the opportunities for valuable work in influencing the lives of the children under their care are greater than in ordinary schools, and, therefore, call for the best rather than the worst members of the teaching profession. Unfortunately in early days the posts of superintendents of these schools were not regarded as prizes in the profession but much the reverse. All this has now changed, owing to the increased interest taken by the public in the question of reformation, and the appreciation of the importance of the work. The superintendents are called headmasters to emphasize the fact that they are in charge of a school rather than an institution.

There has been an agitation in England to take all such schools now under private management into the direct control of the local authorities, but this was not advocated by the Parliamentary Committee on the Treatment of Young Offenders. They emphasized the loss of enthusiasm and religious zeal which would result if voluntary organizations had no voice in the control of these institutions. The control now exercised by Government seems to be sufficient *i.e.* the Home Secretary may appoint one quarter of the committee of management, and his approval has to be obtained when a headmaster is appointed.

There has been a change of opinion in recent years regarding the period during which a child should be retained in a school. Formerly such children were kept in the school until the end of their period, but it is now recognised that it is better to discharge them at an earlier stage, and keep them under supervision on license. The Committee on the Treatment of Young Offenders recommended that the maximum period of detention *should be about three years*, except that school children should be retained until the school-leaving age is reached. It seems advisable that all Courts should commit for the full legal period, and leave it to the school authorities to pick out suitable cases for early release on license.

POSITION IN BOMBAY PRESIDENCY.

A number of institutions have been notified under the Children's Act as certified schools.

The main ones are :—

David Sassoon Reformatory School,
Yeravada Reformatory School,
Junior School, Umarkhadi,
Salvation Army Willingdon Boys Home.
Byramjee Jeejeebhoy Home.

Several other organizations have been accepted as certified schools and co-operating institutions, but they only take in one or two cases each from the Juvenile Courts.

The following quotation from the Annual Report (1930) of the Bombay Children's Aid Society illustrates the need of more accommodation :—

“During the past year the establishment of the new Junior School has only eased the institutional accommodation problem to a very slight extent. Throughout the year the David Sassoon and Yeravada

Reformatories have been kept up to their full strength. According to the Annual Return it will be seen that 32 per cent. of the children dealt with by the Juvenile Court were committed to school. At the end of the year, however, in spite of the heavy commitments already made, no less than 37 of the Remand Home children were on a waiting list for the passage of similar orders when vacancies were to be available. The need for the increase of institutional accommodation is also seen by the fact that voluntary homes frequently are unable to manage the type of child committed by Court. Several children absconded from such homes and four were actually returned to Umarkhadi as unmanageable. It is indeed advisable to keep in the fore of the future programme the pressing need for the establishment of at least two more reformatory institutions for boys and girls respectively."

A similar position is revealed by the 1931 and 1932 Report.

Thus we have in the Bombay Presidency the reversal of the position in England. In the latter country, Home Office schools are being very markedly reduced in numbers, while in the Bombay Presidency there is apparently a pressing need for the opening of more certified schools. One reason for the difference is that probation has been developed in England and indeed in most Western countries, and in this method has been found a remedy which is as effective in suitable cases, and much more economical than committal to an institution. Undoubtedly there are many cases now committed to the certified schools of this Presidency which could be equally well cared for by a probation officer. Thus one remedy for the existing lack of accommodation in certified schools of this Presidency lies in the organization of probation work. Before this can be done, however, more systematic training of probation officers must be organized.

At the same time the development of work amongst children in the districts by the extended application of the childrens Act will bring more cases of delinquent children to light. Thus the present institutions and possibly also one more small boys school will be required. In addition a girl's Home is urgently needed.

Most of the other provinces of India also maintain Reformatory schools. For example, Bengal Presidency has two Reformatory schools for boys having a total accommodation for 350 boys. It also supports two Homes for Indian girls. The latter Homes are for the reception of girls dealt with under the Calcutta Suppression of Immoral Traffic Act and the Bengal Children's Act. Most of the girls are admitted under the former Act. The total accommodation is for 170 girls.

AFTERCARE.

In England the managers of the Home Office Schools, are responsible for the disposal and supervision of the boys and girls committed to their care. Where the pupils are living near to the school the staff visit them frequently themselves. This is not possible when the boy or girl lives far from the school. As has been well pointed out. "The obtaining of information is not aftercare," and well organized schools arrange for some one to be a local friend to the person who has been discharged. The Home Office have drawn up a list of persons willing to act as friends to such persons.

To an increasing extent probation officers are being used as aftercare agents. Their training and experience specially fit them for this work and in many cases they know already the home circumstances of the juvenile. The probation officer may have been instrumental in getting the juvenile sent to a school at the time of the original investigation by reporting to the Court that in his opinion committal to an institution was preferable to placing him on probation, or if the juvenile was originally placed on probation, but broke the conditions of his probation, the probation officer may have advised committal to an institution. It has been sometimes argued that in such cases the probation officer would not be a suitable aftercare agent for the juvenile on his discharge, but experience seems to show that in almost all cases the juvenile recognizes the justice of the action taken by the probation officer, and bears him no resentment for it, and is quite ready to be guided by him if after release he is placed under him.

It has been argued that a Central Association for the aftercare of all Home Office Schools, Borstal Institutions and Jails would be the most effective way of dealing with the problem, but this proposal ignores the personal factor which is so important for success.

The Committee for Young Offenders recommended that the aftercare of a child or young person should continue up to at least the age of 18 years and not more than up to the age of 21 years. The length of period of aftercare is noteworthy. If the boy is discharged at the age of 14 years when he would normally complete the course in the elementary schools, this would mean a period of aftercare varying from 4 to 7 years.

In the Bombay Presidency the aftercare of the Yeravada Reformatory School is organised by its own staff. Where the

released boys do not live in the place where the institution is situated after final discharge, which is usually the case, the Reformatory school in the past has generally asked the local school authorities to report about him every six months. It must be remembered that reporting about a person is not caring for him, and in some cases it would seem that the aftercare work done by the village schoolmaster is limited to reporting on the lad. More recently the help of non-officials has been sought. There is however a need for more voluntary effort in this aftercare work.

A weakness of the present system of this school is that generally speaking lads are only licensed out to employers in Poona and not sent under license back to their own homes. This does not follow the English practice and is to be regretted, as only a few boys can be licensed out in Poona. For example on March 31st, 1930, only two boys were on license. A boy will in all probability go back eventually to his own town or village, and it is best that he should go there on license so that during the first period of his freedom he is under some supervision. One welcome improvement has been made recently. The parents are asked to come to fetch the boy away, the railway fare of the parent both way being paid. If he does not come, the Reformatory School peon takes the boy to his destination.

The aftercare of the David Sassoon Industrial Reformatory, Bombay, is in the hands of the Sheppard Aftercare Association. This Association has financed a Home for the lads discharged from the Reformatory which houses and employs the lads on release from the Reformatory until they can obtain work and lodging elsewhere. The Home is under the supervision of the Salvation Army. Here again the system of release on license does not seem to be much used. Indeed in India, there seems to be a curious distrust of the system owing apparently to a belief that reliable social workers will not be forthcoming in sufficient numbers to undertake the supervision. This is the more to be regretted as the devoted work of the staffs of the Reformatories is greatly to be admired.

The development of an effective system of release on license for Reformatory schools in India is one of the most important needs in India of the day. It has the further advantage that it would result in a saving to Government, for the modest expenses of supervision while on license are much less than the expenditure involved in detaining the lads until the full term of their period has expired.

Somewhat similar organizations to those described above are found in the other Provinces of India. For example in the Madras City there is a Senior and Junior certified school for girls under the Madras Children's Aid Society. A home called "The Boys' Own Club" has also been instituted under the same Society and is under the control of the Society's probation enquiry officer. Most of the boys work with outside employers, returning to the Homes for food and lodging. During the year 1930, 20 boys stayed in the Club for various periods.

BORSTAL INSTITUTIONS.

POSITION IN ENGLAND.

Borstal Institutions form an intermediate organization between the Reformatory Schools for juveniles and the Jails for adults. They are usually for lads and girls between the ages of 16 and 21.

They are called Borstal Institutions because it happened that the first institution of its kind was established at the village of Borstal in Kent in England in 1910, *i.e.* only 23 years ago. This date shows how recent is the movement. It is perhaps regrettable that a more general term has not been used to describe them.

It is within this period of youth that the home influences become lessened, and first efforts of self-support and an independent life are made. The dangers of a lapse from honesty and virtue are more real in this period and in the period preceding it, *i.e.* between the ages of 14 and 16, than at any other stage of the life of a man or woman. Investigation has shown that the great majority of criminals received their first conviction before they reach the age of 21 years. Thus the vital importance of an effective system of treatment of delinquents of these ages becomes apparent. In England the most usual course is to put the offender on probation for his first offence or if this proves impossible, or if he fails on probation he is placed in a Home Office School if young enough. Thus it is seldom that a lad is sent to Borstal for his first offence. Out of 500 lads sent to the English Borstal Institutions in 1928 only 34 were first offenders. Borstal training in England lasts for a minimum of two years and a maximum of three years and in each case this is followed by supervision on license for not less than one year. In special cases however a license can be granted at any time after six months

for a lad and after three months for a girl and there are undoubtedly cases where this less period is quite sufficient.

It was recommended by the Committee for the Treatment of Young Offenders that in all cases three years should be fixed for the sentence, and that it should be left for the Borstal authorities to release the person on license at any period less than this.

Whilst undoubtedly for a first offence of not too serious a nature the placing on probation is the best remedy to be tried, at the same time the commitment of a delinquent to Borstal is delayed too long by some Magistrates. Many Courts defer sending lads to a Borstal Institution until they have been several times convicted, with long periods of unemployment and dishonest habits between the convictions.

“The following figures for English Courts suggest that the lads themselves and the public would have gained by their being sent at an earlier stage :—

Of lads whose period in Borstal was their first experience of institutional treatment over 71 per cent. have become satisfactory.

Of those who had been to prison before Borstal only 55 per cent. have become satisfactory.

Of those who had been sent both to a Reformatory and prison before Borstal less than 49 per cent. make good.”
(*Borstal in 1929.*)

The training in a Borstal Institution is energetic. The boys have to work hard and play hard. They are not allowed to move slowly from one place to another. This is indeed an essential feature of the training. In such institutions there must be no false sentimentality that the lads hearts are to be gained by acceptance of low standards of work. In many cases before coming to the Institution they have become slack about work, and this has helped their downfall, as they have found it more pleasant to obtain a livelihood by dishonest means than by working steadily. Thus in their own interest they must be trained to work steadily, so that the habits of work and the smartness so acquired may stand them in good stead when they are seeking for work after release.

The original Borstal Institution in Kent for boys has workshops in which a power machinery has been installed, and 272 acres of land for the farm and the playing fields. It is transformed from a Jail. This is also the case for the other

Borstal Institutions in England. As a result the buildings are not ideal for the purpose, but too much importance need not be attributed to buildings. In fact they play but a minor part in the success or failure of the work. It is the spirit of the staff which counts.

Each of the present Borstal lads' Institutions in England have from 320 to 420 lads in them, but it is the general opinion that a Borstal Institution should not be as large as this. The Committee for the Treatment of Young Offenders considered that 240 lads was the maximum number of inmates with whom one Superintendent could maintain the essential personal contact. Another Borstal Institution for lads is now being built to relieve the pressure on the existing institutions, making five institutions for boys and one for girls for England and Wales.

Most Borstal Institutions have adopted the house system, the boys being divided into 3 or 4 houses which compete with one another in games, etc. In each house too there are often smaller sub-divisions into groups of 10 to 12 lads under a leader from amongst the boys themselves, and the spirit of competition between these groups provides a very effective means of urging each individual to do his best. Bad work by an individual loses marks for his group. Some kind of privilege is given to the group which comes out head in the week. For example in one Borstal Institution this group gets the cake and other extras cooked by the cookery class for the ensuing week. The displeasure of the other boys in the group upon one of their number, who has let them down, is one of the most effective means of correction. To obtain a healthy corporate spirit in the group and in the house requires watchfulness and enthusiasm on the part of the staff.

STAFF.

It is evident that for such a work the staff has to be chosen with extreme care. The choice is limited to no one class. Education is of course of great value, but evidence of a spirit of public service is of still more importance. In many cases the Governors and House Masters of English Borstals are University men, in other instances they are chosen from among men who have shown by their work in other social organizations that they have an interest in helping lads. Sometimes men from the subordinate staff of the Institution who show special interest in the lads and an aptitude for working among them are also promoted to be house-masters or governors.

PERIOD OF TRAINING.

The usual period of actual training in the institution is two years and within that period there are several grades, so that at frequent intervals, if all goes well, promotion from one grade to another is earned. Extra privileges and freedom from restriction follow from these promotions. The boys of the higher grades can work about the institution unattended and in some instances are allowed to go outside without escort. They are also allowed to go to camp where they often live under canvas and enjoy the freedom which would be given to other lads such as Boy Scouts when in camp.

AFTERCARE.

Intimately connected with the Borstal Institutions in England is the Borstal Aftercare Association. This is a Central Association working in conjunction with all the Borstal Institutions. It has its central offices in London and its associates throughout the country. Most of these are unpaid workers, but in some cases paid Probation Officers or other paid social workers are employed, and either they or their societies are remunerated on a capitation basis for the work done by them.

Just as for juveniles released from Home Office Schools, so too for adolescents released from Borstal, the fact that the Probation Officer has been partly instrumental in securing committal to the Borstal Institution is no bar to his usefulness as an Aftercare supervisor, and because of his experience he is often the most suitable person available as an Aftercare agent.

Immediately after the offender's arrival in the Borstal Institution the Aftercare Association apply to their local Association for information concerning the boy and his family, the trade which he could best be trained in whilst in the institution, and information whether the boy on release should be sent back to his home or an effort made to settle him elsewhere.

Three months before the time when it is likely that he will be fit for release a representative of the Borstal Aftercare Association visits him, and talks over his future with him, and finds out the place to which he wishes to go and the work which he wishes to do. The representative also learns the view of the Governor and the House Master on the future of the lad. The association then approaches an associate of the Aftercare Association who lives in the locality where the lad wishes to

live. The latter searches for employment for the lad, and on obtaining a promise of employment informs the Central Association of this fact and the order for his release is obtained. Failing the obtaining of employment the discharge of the lad is not usually held back, but he is maintained from the Society's funds for a few weeks until he obtains work for himself. In many instances he finds the employment for himself. If he gets it a formal license is issued to him. If he fails to get work he has to return to the institution. There is a modified form of release on license called release on parole whereby the person can be given leave from the institution for a period not exceeding 60 days to search for work.

The local associate exercises a close and friendly supervision and sees that the lad is regular at work and that he has opportunities of spending his spare time in pleasant and honest ways. If he fails to keep the terms of his license he is first warned, if the breach is a minor one, such as neglecting to keep in touch with the Associate who is in charge of his case, or throwing up his employment wantonly. If he still fails after the warning, or if he is convicted for any other offence his license is revoked by the Home Secretary on the application of the Police if it is for a conviction, and on the application of the Borstal Association if the revocation is desired on other grounds.

It is important to notice that the power of recall is often used. For example in 1927, 513 boys were discharged on license for the first time and 171 for the second time, showing that the latter number had been recalled to the Borstal Institution after having been released.

On revocation of the license the person is brought back for a period not exceeding one year. Lads whose licenses have been revoked are not sent back to their original institution, but a section of a prison has been separated off and organised as a strict Borstal Institution and they are sent there.

It is better that such cases should not be sent to the ordinary jails. The solution of the problem adopted in the girls Borstal Institution at Aylesbury is probably the soundest. A section of this institution is set aside for those whose license has been revoked and for the refractory ones from the ordinary part of the institution. If lads or girls whose licenses have been revoked are sent to ordinary Jails, they meet with adults who have shorter sentences for more serious offences, and they feel a sense of injustice forgetting they were originally sent to Borstal for training. The ideal solution would be to have an

entirely separate institution for such persons, but considerations of economy prevent this.

Aftercare is of even more importance and greater difficulty, than the training in the institution. In England as has been said previously, the Aftercare is largely in the hands of unpaid workers called Associates though an honorarium is given to others.

The following taken from the English Borstal Associate's Handbook gives an insight into the working of an English Borstal Institution :—

“ At a Borstal Institution.—As soon as possible the lad is transferred to a Borstal Institution. On arriving there from the sorting centre he will be struck by the difference between the Institution and a prison (though some of the buildings are prison buildings, and have indeed been used as such), for the gates are open and the lads go about freely from their rooms to their workshops or working in the fields, and dressed in modified football clothes, the coloured tops to their stockings indicating the House to which they belong. He finds no uniformed Officers and no compulsory silence.

After a talk with the Governor, he is assigned to a House and makes the acquaintance of his House Master and his Assistant Officers, and finds himself one of a group with joint duties and responsibilities and a wholesome and friendly rivalry with other Houses in games and status. He finds that a system of grades, each with increased privileges, leads to the special grade, whose members are trusted to work alone, given some freedom and responsibility to prepare them for discharge and some authority as House Prefects. He will find that, though it is easier to get into temporary trouble in an Institution where there is comparative freedom than in a prison, there is nothing in the ordinary routine of a Borstal Institution that is merely punitive.

The Industrial training given involves a strenuous working day, lasting from 5-40 a.m. to 9 p.m. From 8 to 12 and 1 to 5 every one is occupied in manual training or necessary domestic work. Training is given in bricklaying, carpentry, painting, smith's work, fitting, cooking, baking, garden and farm. Evening classes follow the day's work and instruction is given in a great variety of useful hobbies. Saturday is a half holiday, when matches are played between the houses or with local teams, and there are lectures and entertainments.

The institutions do not claim to teach a trade ; there is not sufficient time for that within the limits of the sentence, but a reasonably intelligent and industrious lad can acquire such knowledge as will make him at least a useful workman, and at the same time he will learn habits of hard work and self-control.”

The finances of the English Borstal Aftercare Association are obtained from a Government grant and from private

subscriptions, the rule being that Government provides money for the expenses of the Central Office and also gives the Association twice as much as is collected from other sources.

An important difference between the Aftercare of the Home Office Schools and the Borstal Institutions is that in the former it is the school officers who are responsible for the aftercare work, while in the latter institutions it is a separate society which is responsible.

The former method has the advantage that those who may have become fond of the boy or girl while in the school continue to care for him when he is away. Its great disadvantage is that the distances involved necessitate that the supervision by the school staff cannot be thorough, and even if a local Associate is asked to assist in the supervision each school has to choose its own associate. The latter method tends to divorce the Borstal Institution staff from the care of the lad after his release and this is a weakness, as it is they who know the lad personally, and may feel an affection for him, and he for them, which could be a potent factor in influencing him during the difficult period when he is first discharged from the institution. On the other hand the skilled central organization of the Borstal Aftercare Association and its network of Associates throughout the country makes for efficient aftercare.

To make up to some degree for the lack of direct contact between the institution staff and the aftercare work, it has been arranged that one or more of the House Masters from each Borstal Institution visit the offices of the Borstal Association once a month and go through all the cases concerning their Institution. They also, for their own training go round with an Associate at intervals. They also visit Wormwood Scrubs, where the failed lads go, and thus can study to some extent the causes of failure in their own training.

Again four months after discharge the Borstal Association sends a review of each lad's progress to the Institution, enough copies being sent for the Governor and each House Master to receive one.

To organise the aftercare work on a systematic basis in each area the Committee for the Treatment of Young Offenders made the following recommendations :—

“ We think it would be a great advantage if in the principal centres to which lads and girls are sent from Home Office Schools or Borstal Institutions local Committees (which we suggest might be called

Guidance Committees) could be set up to organize and co-ordinate the work of aftercare. It should be the business of such a committee to find local friends on request, to help and advise generally as to the conditions of labour and avenues of employment in the neighbourhood. It should be the duty of the Home Office to secure the establishment of committees in those areas where the need arises, and we think the local education authority might usually be invited to take the initiative locally. The Committee should be fully representative of all the interests concerned and especially of the Probation Committee. Where a Committee is appointed, both the Home Office Schools and Borstal Association would be placed in direct communication with it in regard to local aftercare. We do not suggest that the same agents should supervise boys and girls from the Schools and older persons of both sexes from Borstal Institutions. There is a manifest difference in the problem and it is often undesirable to bring them into association. But the general questions which arise are similar, and we see no reason why the Committees should not be responsible for the organization of the work for the younger and the older alike."

BORSTAL WORK IN INDIA.

Borstal Institutions have been established in several Provinces of India, for example in the Madras Presidency at Tanjore and at Palamcottah and in the Punjab at Lahore. The most recent Borstal to be established is the Borstal School at Dharwar, for the Bombay Presidency, which was established on 1st April 1931. As with most of the Borstals in England the buildings were formerly used for a Jail, but it is hoped as has proved to be the case elsewhere, that the staff will be imbued with a spirit of service, and their enthusiasm will overcome any difficulties arising from the buildings. The basis of the School is the Bombay Borstal Schools Act XVIII of 1930. The limits of ages for entry are prescribed in Section 6 of the Act to be not less than 16 years or more than 21 years where the Children's Act has been enforced, and not less than 15 years of age or more than 21 years of age elsewhere, but as Section 4 of the Children's Act has now been enforced throughout the Presidency the limit of 16 years applies throughout. The main industries taught in the School are carpentry, polishing, log sawing, canework and gardening.

In conjunction with the Borstal School at Dharwar, the Bombay Presidency Borstal Association, with Headquarters at Dharwar, has been established. Allied to the main Borstal Association a number of Aftercare Societies have been started in the districts of the Presidency. These are independent Societies, which are prepared in most cases to undertake not only the work of supervising lads on license from the Borstal

School, but also children released by Juvenile Courts under supervision, or on license from Reformatory Schools, and also released prisoners from the adult prisons. At present they are in their infancy, but upon their successful organization depends the future of reformative work amongst all classes of delinquents.

The scope of the work of the Borstal Association is explained in the handbook which is issued to Probation Officers undertaking supervision of the lads released on license from Dharwar. Extensive extracts are given from it as it explains the system of working which has been adopted :

“ This Handbook is addressed to Probation Officers who have volunteered to supervise boys discharged on license from the Borstal School, Dharwar.

“ The Bombay Presidency Borstal Association would like to express the pleasure its members feel that you have volunteered to help such lads. You may not find the work very easy, nor will you always meet with success, but we believe you will find that it is a Social Service of great value and exceedingly interesting.

“ This type of Social work is new to this country so you will have the added pleasure of being a pioneer. Do not give up in despair if you fail in the first case. There is sure to be a percentage of failures. We wish you every success in your work, and trust that the information given in this Handbook may prove of service to you.

“ Intimately connected with the Borstal School, Dharwar, is the Bombay Presidency Borstal Association which also has its headquarters at Dharwar. Lads are released on license to this Association usually after about two years' training in the Borstal School. Soon after the lad is ordered by the Court to be detained in the Borstal School, the latter will send a form to your local Aftercare Society through the District Magistrate, asking that one of the Society's Workers should make preliminary enquiries into the condition of the boy's home and of his own circumstances before he came before the Court.

“ Three months before the time when it is likely that a lad will be fit for release, a representative of the Borstal Association visits him, and talks over his future with him, and finds out the place to which he wishes to go and the work which he wishes to do. The representative also learns the view of the Governor and the House-master on the future of the lad. The case then comes before the Visiting Committee of the Borstal School, and in suitable cases they recommend to the Inspector-General of Prisons that the lad be released on license. The latter has power under Section 14 of the Borstal Act to pass the order for release on license. Meanwhile the Borstal Association has asked the District Magistrate of the District in which the lad wishes to live to choose in consultation with the Local Aftercare Society a suitable Probation Officer to supervise him.

“ The local Probation Officer exercises a close and friendly supervision over the lad and sees that he is regular at work and that he has opportunities of spending his spare time in pleasant and honest ways.

The following letter is handed to each boy in his own vernacular on discharge on license from the Dharwar Borstal School.

From

The Secretary,

Borstal Association, Dharwar ;

To

Soon after you read this letter you will be released on license.

You must be very careful to obey the conditions of your license. You will be under the supervision of a Probation Officer living near to you, and you must see him at his residence or in your house, as he directs, at least once a fortnight, if he lives in the same town or village, and once a month if he lives in another place. When he visits your home you must be present if he has told you the time he will come. Be careful to listen to his advice.

Work hard in your employment and do not leave it without good reason. If you wish to change your employment, you should first ask your Probation Officer's advice before doing so.

It may be that you will not get well paid work at once. Many boys who have a good record are without work. So be content with the work which the Probation Officer has found for you.

Remember not to change your address without obtaining your Probation Officer's consent.

Be careful also not to associate with bad characters.

If you are not careful to obey these instructions, it will be the duty of your Probation Officer to report the fact and your licence may be cancelled and then you will be sent back to the Dharwar Borstal School.

I hope and trust, however, that you will be sober and industrious and become a credit to the training in the Dharwar Borstal School, so that the School and the Association too may be proud of you.

If you are in any difficulty write to me.

Mr. _____ of _____ is appointed as your Probation Officer. You should see him within _____ days of leaving the Borstal School, Dharwar.

Secretary.

The meaning of the above letter will be explained in the Borstal School to any boy who cannot read sufficiently to understand it.

Period of the Licence.

“ The lads from the Dharwar Borstal School are licensed to the Bombay Presidency Borstal Association. The licence continues in force for the unexpired period of detention. It may be revoked by the Inspector-General of Prisons at the request of the Association and then the boy will be sent back to the Borstal School for the remainder of his period of detention.

“ The supervision may be continued for an additional twelve months after the period mentioned in the licence according to Section 16 of the Borstal Act, and if the lad's conduct during this further period of supervision is not satisfactory, he may be sent to the Borstal School for the remaining period of this year of supervision or for any lesser period. To impose this extra year of supervision and to recall the lad to the Borstal School during its continuance requires the sanction of Government.

Work.

“ We hope that you will secure work for the Probationer as soon as he arrives. If possible it is better to secure it before his arrival. If he does not succeed in his first employment we hope that you will assist him in finding other work.

“ It is best for work to be found for the lad under some employer other than the Probation Officer, as if the latter is also the employer the lad is apt to consider that the Probation Officer is paying him less than the usual wages because of the control the Probation Officer has over him. Sometimes however the Probation Officer can employ the boy himself but can obtain no other work for him. In this case it is much better to employ him in this way than to allow the lad to remain without work.

Parents of the Probationer.

“ If the lad is to live with his parents or other guardian it is very advisable for you to see them before he arrives, and to urge them to assist you in guiding the lad. After his arrival they can often be of assistance to you.

Visits.

“ If the lad lives in the same town or village as yourself you are advised to see him once a week for the first month, and thereafter not less than once a fortnight. If he lives in some other town or village you are advised to see him not less than once a month.

“ Sometimes you should visit the lad in his home, at other times, if you desire, you may ask him to come and see you at your office or home, but do not ask him to come to your office or home if it is more than six miles away. He is probably poor, and can not afford the loss of wages involved in coming to you.

“ In fixing the time for him to come to you or for you to visit his house, we trust you will bear in mind that employers may get angry if their employees are asked to leave their work during working hours.

"It often happens that the lad is unmarried and has no relatives known to him who can assist him in obtaining a bride. If the Probation Officer feels that he can give advice and help in arranging the lad's marriage, it will be very helpful, if he can hold out hopes of such assistance to him after the lad has proved himself worthy of the trust. In any case the lad can be urged to start a Post Office Saving Account and to save money for his own marriage. In many cases the real hope of a permanent reformation lies in marriage, but a lad ought to prove his intention of leading an honest life before definite help in obtaining a bride is given to him."

OTHER PROVINCES.

The Borstal Institution, Lahore, has no separate Aftercare Society, but its lads after release are taken care of and helped by the Punjab Prisoners' Aid Society if they deserve any help.

In Bengal a Society called the "Bengal Aftercare Association for Juveniles and Adolescents" has been established since 1928. Its President is the Chief Justice of Bengal. It maintains a Hostel in Calcutta for boys released on license under the Children's Act, and also for those who on their release from jails and other connective Institutions voluntarily seek the help of the Institution. Boys belonging to the second category are legally free to leave whenever they choose to do so. Boys belonging to the other class have to stay in the Hostel until the expiry of the period of their license.

The following table shows the nature of the admissions to the Hostel :—

Year.	From Borstal School, Bankura.		From Prisons.						From other Institutions.		Totals.		Grand Total.		
	On license.	On expiry of sentence.	Allpore.	Hasan Singh.	Presidency jail, Calcutta.	Central jail, Allpore.	Central jail, Dacca.	District jail, Hughli.	District jail, Barisal.	District Aftercare Association.	Chief Presidency Magistrate's Court.	Correction Institutions.		Prisons.	Presidency Magistrate's Court.
1929	13	16	..	..	45	34	..	..	..	..	..	..	..	..	116
1930	23	5	23	15	9	47	3	..	1	..	..	24	9	..	133
1931	47	21	40	17	1	74	1	..	..	1	..	126	76	..	204
1932	80	21	69	7	..	69	..	..	..	..	..	177	69	..	246

Most of the boys obtain work outside the Hostel as the following statement shows :—

Inside the Hostel.	1931	1932	Outside the Hostel.	1931	1932
Bidi making ..	9	3	Printing Press ..	6	2
Cane or bamboo work ..	3	6	Book binding ..	1	1
Tinsmithy ..	4	0	Apprentices in motor driving	2	..
Hostel cook ..	1	1	Cabinet firm ..	1	..
Office peon ..	1	..	Tailoring ..	2	3
Carpentry ..	..	4	Weaving firm ..	1	..
Paper flower making ..	..	2	Blacksmithy ..	3	..
			Goldsmithy ..	1	..
			Hair cutting saloon ..	1	1
			Domestic servants ..	15	8
			Kiddepore Dock ..	11	43
			Newspaper hawkers ..	5	10
			Pan (betel leaf) and bidi hawkers.	8	7
			Fruit hawkers ..	..	15
			Pan stall ..	1	..
			Street cooly ..	..	9
			Restaurant ..	2	1
			Confectioner's stall ..	1	..
			Ice and soda water stall ..	1	..
			Cinema ..	1	..
			Apprentices in book shop ..	..	2
			Total ..	63	102

Associated with this Central Association in eleven of the Districts of Bengal are Aftercare Associations. When boys leave the Hostel they are commended to the charge of these Aftercare Societies, which are required to submit periodical reports of the careers of the boys for two years from the date of their discharge from the Hostel.

In the Madras Presidency Borstal Aftercare work is organized under a Central Prisoners' Aid Society with branches in most of the districts.

The Madras Government has asked the District Magistrates to organize these branches, and many of them are in a flourishing condition. The Prisoners' Aid Society undertakes work amongst the adult prisoners and provides probation officers for lads discharged on license from the Borstal School. The majority of the probation officers are non-official voluntary workers. In a few areas paid workers are provided through the funds of the Society or of its branches. In these two Schools there are about 900 boys. In the year 1932 323 boys were released on completion of their period of detention and 52 were released on license. In practically all these cases whether released on completion of the period or released on license Probation Officers were arranged to care for them.

CRITICISMS OF THE SYSTEM.

Before leaving the discussion of the Borstal system it will be advisable to consider a few criticisms of the system which arise from time to time. First as to the length of the period of detention, Magistrates may hesitate to order detention in a Borstal when (as in the Bombay Presidency and in most other places) the minimum period of detention is two years. They compare the detention with a period of imprisonment, and are aware that for the offence and the offenders record, two years imprisonment would be too severe a sentence. But such an attitude loses sight of the fact that the essence of detention in a Borstal School is to give a training of permanent value which cannot be given in a short period.

It is advisable in fact for the Magistrates to order a period of detention of not less than three years. The whole of the three years detention will not be spent in the school, usually after two years and in special cases at any period after six months, the lad will be released on license to his home.

Again it is said that the training in the best of institutions cannot reproduce the hard facts of real life where it is still largely true "If any will not work neither shall he eat". Laziness or bad work or impertinence to the foreman is followed by dismissal. Similar faults in a Borstal can and do receive punishments in various ways, but the offender cannot be dismissed from employment. In some Borstal Schools arrangements are made for payments by results to some extent, and the boys have to pay for certain of their desires such as sweets, extra clothing, etc., out of this money. Possibly in the future the system of payments by results will be extended. It has its dangers but it is not impossible to work in practice. For example in another kind of institution, the Reformatory section of the Bijapur Settlement where incorrigibles are gathered together, payment is entirely by results and the inmates have to feed and clothe themselves and their families on their earnings. An experienced Manager watching the after results of payment in this way while in confinement, has expressed his opinion to the writer that it was the most valuable factor in their reformation.

It also tends towards economy in the institution.

The criticism is sometimes heard that lads in Borstal have too good a time. Such critics read of organised games, careful supervision over diet and health, training in trades, help on release and so forth. Nevertheless confinement in a Borstal

is not popular with the lads. Most would prefer a shorter term of imprisonment in an ordinary prison, though the longer period in a Borstal is to their real interest. The work is hard and no slacking is allowed. Games and good though simple food, training in trades and help on release are all essential parts in the process of reformation. Severity by itself seldom reforms, as the past history of penology abundantly proves.

Again it is said that in times of industrial depression work for the honest is hard to obtain, and honest unemployed lads are many, why therefore should the dishonest obtain assistance in finding employment. This implies that if such persons who have dishonest tendencies are employed in honest ways instead of lads of unblemished record the community suffers, but surely even from the point of view of the benefit to the State it is worthwhile keeping such people employed, lest by their return to crime, they cause a loss to some individual, and to the State itself by the failure of its period of training in Borstal, and the resultant need of maintaining the same person in prison. Indeed the main justification of sending a lad for a lengthy period of training in Borstal for an offence of a not very serious nature is that the expenditure to the State so incurred is worthwhile in view of the gain to the State in the strengthened character of the lad. If the State on his release from Borstal refuses aid in starting him in life in the outer world, it will be risking the loss of its capital invested in the lad for his reformation.

It is hard to give honestly the results of the Borstal treatment. Some criterion has to be taken as a standard and in England the test whether the lad has come into conflict with the law within two years of his last discharge from the institution is taken as the test. Judged by this standard it is calculated that 65 per cent. of the lads placed in Borstal Institutions do not get convictions again within this period and that another 10 per cent. are only convicted once more. Most of this 10 per cent. are convicted soon after their release and it would seem that their discharge into the world is too much for them at first, and they succumb to temptation, and then the training they have received reasserts itself and they make good. There are some cases where the first conviction follows after an interval of more than two years after release from the Borstal Institution and it is true that such cases have been counted among the "successes" of Borstal. At the same time such cases are not many, as if a person fails to reform after his Borstal training,

he generally fails within the first two years. It should be noted that a case is not judged as a failure because the lad has to be recalled from his license where that recall is not due to a conviction. It is simply regarded as an indication that the training has not been for a long enough period.

REFORMATIVE WORK IN PRISONS.

Confinement in a prison and the enforcement of regular hours of work and meals and sleep undoubtedly does make many a man consider again his ways. But the impulse to change to a life helpful to his fellow citizens and honourable to himself will be much strengthened if special efforts are made to help him while he is in prison. To this end in the English prisons a Chaplain is provided. In addition to his efforts there are a large number of regular visitors. Many of these give their services as teachers without remuneration. Others, usually expert in their subject, give single lectures. Music and concerts are also provided for the prisoners. Similarly in most of the Bombay prisons lectures are given to the prisoners, but in many centres it seems difficult to find a sufficient number of suitable social workers willing to undertake this work. Herein indeed lies a field of activity for those who desire to serve their fellow countrymen.

The aftercare work for the prisoners released from the local prisons in England is under the charge of local societies organized for each area for the aid of discharged prisoners. There are fifty-four of such societies. Before they can function they must receive a certificate of efficiency, liable to forfeiture, granted by the Home Secretary. These societies in turn unite to form a Central Discharged Prisoners' Aid Society.

. For those discharged from the convict prisons, which are mainly for the hardened offenders and very roughly correspond to the "habituals" of Indian prisons, a separate society has been organized. This society has a central office in the same building as the Borstal Aftercare Association and some of the directing Committee and of the staff are common to the two Associations. There is also this factor common to these Associations that the persons released are mainly released on license under the supervision of the societies and hence the latter have a legal control over the movements of those for whom they are caring. This factor is absent in the working of the prisoners discharged from the local prisons.

The task of finding work for the discharged convicts is difficult. It frequently happens that the man fails in the

first job found for him through lack of skill or adaptability, or misfortune, and a succession of jobs may have to be found for him until he manages to keep one.

The following extract from the 1929 report shows the scope of the work and the results of the work amongst the convicts :—

“ During 1928, 547 men were discharged from convict prisons to our care. They included 93 classified as stars, i.e., beginners in crime or accidental criminals ; those ranged from men of culture, who had held outstanding positions in the world of finance or law, to unskilled and unintelligent labourers. Of this class some ninety in every hundred do not again offend, but the task of getting them re-established on even the most moderate scale is often one of great difficulty.

“ Of the next class, the Intermediates, we received one hundred and one ; these are chiefly men who have just finished their first sentence of penal servitude, after several shorter terms of imprisonment. Of these, nearly fifty in every hundred are not convicted again ; many of them are scared by this comparatively long sentence ; many are tired of a life of crime ; they are drawn mainly from the labouring class, and if they are physically and mentally fit they can in normal times be found work.

“ The remainder, numbering three hundred and fifty-three, were classed as recidivists, that is, persistent criminals. They too, come mainly from the labouring class, and as most of them have had little experience of regular laborious work and have no qualification for anything else, they find great difficulty in settling to hard work, and seventy-four in every hundred of them return to prison again.

“ If the license on which they are discharged made their freedom conditional on their industry (as does the license of the lad discharged from a Borstal Institution) the spur thus provided might diminish the number of reconvictions.

“ We have succeeded in finding work for two hundred and twenty-seven and have fitted them out with requisite working clothes and tools, and maintained them until they were settled in work.”

The above figures for the results of aftercare work amongst the recidivists make sad reading. They however make an eloquent commentary on the need for aftercare work amongst offenders before they reach this stage.

POSITION IN INDIA.

Aftercare work seems to be well developed in the Madras Presidency. At the head is the Madras Presidency Discharged Prisoners' Aid Society with headquarters at Madras.

Associated with the central Society are District Societies. Government has asked the District Magistrate of each District

to organize a District Society. These Societies provide Probation Officers for juveniles and adolescents released on license from the Borstal Institutions or from the Reformatory Schools and also Aftercare workers for those released after the full period of their detention from these institutions or from the adult prisons.

Some of these District Societies are very enterprising and employ a paid worker from their own funds in addition to the voluntary services of their members. This indeed is the most satisfactory solution, as the honorary Secretary of such a Society in Districts where there is much work to be done needs a full time paid agent to do the detailed work and to supervise some of the cases for whom voluntary probation officers cannot be found. Such paid agents ought, however, to be properly trained. If the University will not undertake their training then some other organization, Government or otherwise, should undertake the task.

In the Bombay Presidency Aftercare work amongst adult prisoners who have been released is undertaken by the Released Prisoners' Aid Societies of Bombay City, Ahmedabad and Poona and Bijapur. The newly formed District Aftercare Societies also plan to undertake this work where there is no existing Released Prisoners' Aid Society at work. One very useful function performed by these Societies is the provision of lectures to the prisons. This is a field of great influence for good provided the lectures are well chosen.

CHAPTER V.

OTHER METHODS OF TREATMENT.

According to section 27 of the Bombay Children's Act the following are the methods of treatment which can be followed in dealing with children and young persons :—

- (a) By discharging the offender after due admonition ; or
- (b) By committing the offender to the care of his parent, guardian, other adult relative, or other fit person on such parent, guardian, relative or person executing a bond to be responsible for his good behaviour ;
or
- (c) By so discharging or committing the offender and placing him under the supervision of a person named by the Court ; or
- (d) By sending the offender to a certified school ; or
- (e) By sending the offender to a Reformatory School ;
or
- (ee) By sentencing the offender to caning in cases where the conduct of the offender has been such as to lead the Court to believe that no other punishment would be effective ; or
- (f) By ordering the offender to pay a fine ; or
- (g) By ordering the parent, or guardian of the offender to pay a fine ; or
- (h) Where the offender is a young person by sentencing him to imprisonment ; or
- (i) By dealing with the case in any other manner in which it may legally be dealt with.

These closely follow the procedure laid down in the English Children's Act section 107.

We have already considered in chapters III and IV the possibilities of treatment of young offender by probation and institutional methods. It remains to consider briefly the other means which are available.

DISCHARGE AFTER ADMONITION.

This is evidently only appropriate in very minor cases, but it has its uses as a method, specially in cases where the young offender comes from respectable parents and both he and they feel the disgrace brought upon themselves by having been brought before the Court.

Where the Children's Act has not been extended similar action can be taken in many cases under section 562 (a), Criminal Procedure Code.

SECURITY BY PARENTS OR GUARDIANSHIP.

Section 27 (b) of the Bombay Children's Act provides that the youthful offender can be handed over to the parents, or guardian, other adult relative, or other fit person provided the parent, guardian, relative or person executes a bond to be responsible for the offender's behaviour. There are two possibilities in this section. The youthful offender may remain with his parents or guardian if they execute a bond to be responsible for him, and there are certainly cases where the parents are well able to look after their children, but need to have their responsibility brought home to them in this way. But even in such cases it would be preferable to combine with their supervision, the control provided by a Probation Officer. There are also cases where a transfer of guardianship from the parent to some other relative or even to some other person unrelated to the child provides an excellent solution. There is of course a great difficulty in finding suitable foster parents, but where such can be found the natural surroundings of a home have many advantages over institutional life. It is evidently a solution of value mainly if not solely for young children. In such cases also it seems advisable to combine with it, supervision by the Probation Officer so that the latter may see that the new guardian keeps better control over the child than the parents did.

FINES (including damages and costs).

It may be noted that both under the English Children's Act and the Bombay Children's Act the fines, costs and damages can be imposed either on the delinquent himself or on the parents, and must be imposed on the parents if the offender is a child. This is a very common method of dealing with juvenile offenders, and in many cases of a not very serious nature, where the home conditions are fairly good, it is the most appropriate form of action. In the English Children's Courts about one-third of the cases are dealt with in this way. In the Juvenile Courts of Bombay on the other hand only one case in forty is disposed of in this way. Possibly this striking difference is due to the differing home conditions of the juvenile delinquent of the two countries. Possibly also the difference

is due in part to the number of trivial cases brought up before the Juvenile Courts in England of boys playing in the streets, such cases being usually met by fines. Cases of such minor nature are not usually brought before the Juvenile Court, Bombay. It is however a question which would require further study. One difficulty about fining is the danger of imprisonment for the offender in default of payment of the fine. This result would be wholly bad for a youthful offender. It has been well suggested that in cases where there is a danger of this occurring, the best plan would be to place the child or young person under supervision until he or his guardians pay the fine.

RESTITUTION.

Restitution should wherever possible form part of the order of the Court. The moral effect of restitution in case of a theft of property is very important. Restitution ensures that the offender and his companions feel that he has not gained by the theft, an impression, which an order of probation not combined with restitution might give.

WHIPPING.

It will be noticed that whipping is one of the methods enumerated in the Children's Act, as well as in the corresponding English Act. Whipping as a method of dealing with delinquency by a Court has been of recent years a subject of much controversy. It is certainly true that it is seldom, if ever, the ideal method of dealing with the offender, but at the same time it may be the best practical method available. Dr. Cyril Burt, perhaps the greatest authority in England on youthful offenders, says referring to whipping :—

“ Yet its absolute and entire abolition seems hardly justified. There is rather a case for reconsidering the limitations of its use, the nature of the offences for which it can best be applied, the age limits within which it is most appropriate, and the manner in which it may be imposed with the greatest and most salutary effect. Brutality to other children, gross cruelty to animals, endangering the lives of railway passengers by putting obstructions on the line, these are obviously transgressions where the birch may prove an efficacious means of bringing home to the offender himself the sharp significance of pain. Nor does there seem any cogent reason why, if the birch is to be retained, it should not at times be administered in the case of big, defiant, and unruly boys over the age of fourteen. In a few special instances of such a kind, the official administration of corporal discipline might do much to reinforce the authority of the parent, Moreover, a rare and occasional birching if it does not reform the one boy birched, may yet overawe

a dozen others whose nature it is to respond to fear rather than clemency ; and a knowledge that he is risking the rod may be a most successful preventive in the mind of a potential delinquent who is tempted, but who so far has not given way.....”

“But the infliction of pain is a negative and desperate form of discipline, to be applied only as a last and exceptional resort. To use it freely is to blunt the boy’s sensibilities at the very time when it is most essential that he should be roused to intelligent response.....Hence if whipping is to be preserved as an official punishment, the proper subject of it is not the street urchin from a struggling home, hardened perhaps already by a succession of thrashings, far more drastic than a humane legislature will allow, but rather the over-indulged youth whose home is comfortable and easygoing, who has been brought up under a lax and lenient discipline, and who needs the smart tonic of a little pain to pull him sharply up after one or two weak lapses.”

Allied to this problem is the thorny question of the retention of the powers of whipping in an institution. Here the objections do not appear to be so strong as to a whipping by the Court, as it corresponds more to the parental action of chastisement when necessary. Most authorities in actual charge of the institutions seem indeed to say that while its use should be resorted to very infrequently it should be retained as an ultimate method of correction in the institution.

ADOLESCENTS.

Adolescent delinquents in the Bombay Presidency can be sent to a Borstal School under the Borstal Schools Act XVIII of 1929. Adolescent delinquents in the other parts of India such as the Madras Presidency, where similar acts have been passed can also be sent to Borstal Schools. They can also be dealt with under the ordinary laws in the same way as adults. The greatest need for them is the passing of a Probation Act and the appointment of Probation Officers.

ADULT OFFENDERS.

The methods of dealing with adult offenders in India are as follows :—

- (a) Discharge with an admonition. Section 562 (1) (a), Criminal Procedure Code.
- (b) Release on probation of good conduct on entering into a bond with or without sureties. (Section 562 (1), Criminal Procedure Code.)
- (c) Fining.
- (d) Rigorous or Simple Imprisonment.
- (e) Whipping.
- (f) The extreme penalty of hanging.

It is not proposed to enter into a detailed discussion of the relative value of these methods. In the great majority of cases the possibilities lie between release under section 562, Criminal Procedure Code, fining or imprisonment.

These correspond to the methods available in the English Courts. There has been a great diminution in the English Prison population in recent years. Taking representative years the commitments to the prison in England were :—

1891	..	..	141,000
1901	..	..	144,000
1911	..	..	168,000
1913	..	..	151,000
1922	..	..	47,000
1924	..	..	46,100
1927	..	..	43,700

The corresponding figures of commitments to prisons for the Bombay Presidency were :—

1891	..	..	15,900
1901	..	..	20,900
1911	..	..	17,500
1913	..	..	18,800
1922	..	..	16,300
1924	..	..	15,300
1925	..	..	15,800
1927	..	..	24,300
1929	..	..	26,000

Thus there has been a divergent trend in the last thirty years between the practice in the Bombay Presidency and in England. This deserves study. There is no likelihood of a reduction in commitments in Bombay as startling as the reduction in the English figures, as even now the percentage of committals in Bombay is only slightly higher than the English committals expressed as a percentage of the total population. The proportion for England is about 111 per lakh as compared with 135 per lakh in the Bombay Presidency. The reduction in the English figures has led to the closing of many important Jails.

The main causes for the decrease in the committals to prisons in conviction in England are usually given as follows :—

- (1) Partial elimination of imprisonment in default of fine, by giving time to pay the fine.
- (2) Probation.
- (3) Other improved methods of treating juveniles such as Borstals and the Home Office Schools.
- (4) Preventive detention.
- (5) Aid to discharged prisoners.
- (6) Institution of Unemployment Insurance.
- (7) The decrease in vagrancy and inebriety.

Undoubtedly the factor which has been most effective in England in reducing the number of persons committed to prisons is the introduction of facilities for the payment of fines by instalments. As a result the number of persons imprisoned in default of payment of fines has fallen from between 75,000 and 100,000 a year to 15,000 a year. It seems regrettable that some reduction in the Jail population in the Bombay Presidency has not resulted from the permission given under section 388 (1) (b), Criminal Procedure Code, to allow time for payment of fine by instalments, and that indeed since that date there has been a serious rise in the Jail population. "Grave is the responsibility", said the Lord Chief Justice of England, speaking on probation to the 1927 International Prison Congress, "of any one who sends any youth or girl, I would say any man or woman, to Jail for the first time except in a case of clear necessity."

The value of release on probation under section 562, Criminal Procedure Code, is limited by the fact that there is no system of supervision by Probation Officers in India. In Western countries supervision of this kind is organised for adult offenders also, though not to the same extent, or with the same success as amongst young offenders.

It may be hoped also that the Bombay Presidency Borstal Association together with the Subsidiary District Aftercare Associations which have recently been established in many districts will help to reduce the number of the Jail population hereafter. A reduction in the total amount of drinking of intoxicants, licit and illicit combined, should also contribute to the same result.

Preventive detention, i.e. the detention for lengthy periods of recidivists, is also an important need in India. To a limited extent this is being met in the Bombay Presidency by the detention in Settlements, for long periods of persons having many convictions, ten to fifteen convictions to the debit of a person being by no means uncommon at the time of his or her entry to a Settlement. In the Settlement such persons are trained to work, and after a period of six years' good record in the Settlement are released on license. For six years further they are liable to recall to the Settlement for conviction in a Criminal Court for other breaches of license. Short periods of detention are of no use for such persons. As this method is limited to persons from the Criminal Tribes it cannot be used for recidivists from other castes.

A recent Committee set up by the English Government to consider the treatment most suitable for persistent offenders has recommended that the Courts should be given power in suitable cases to order "detention" of not less than two years and not more than four years and "prolonged detention" of not less than five years and not more than ten years in lieu of an ordinary sentence. Only persons having at least three previous convictions should be sentenced to prolonged detention. These periods of detention should be Training periods. A system of release on license under Aftercare Societies forms an integral part of the proposal.

work. For centuries they have wandered from village to village living on begging, blackmail and loot. These need to have special care taken for them, and to be trained to honest labour. They are gathered together in colonies called Criminal Tribes Settlements and work is provided for them. The number of such tribes is not many, and their populations are small also.

Amongst the other castes, however, declared as Criminal Tribes which do not need this drastic treatment as a whole, there are individuals who by their record of crime, as evinced by the number of their convictions, or by their evil influence on the others, need to be removed from their fellow caste men and placed in Settlements for their own reformation, and in order to give the others a chance of reform in their original homes.

These Settlements are of three types :

Reformatory Settlements.

Reformatory Settlements are institutions in which the settlers are confined within the Settlement limits, and work is provided for them within those limits. These are organised for the incorrigible and dangerous sections of the Criminal Tribe.

Industrial Settlements.

Industrial Settlements are institutions in which the settlers find employment in neighbouring mills or Railway workshops or other factories or in quarries or in the general work found in most industrial towns. In another class of industrial Settlements work is provided in the construction of dams or canals, and the camp is moved from place to place as the works are completed. This latter type of Settlement has the disadvantage that no permanent buildings can be erected, and thus some of the amenities of a permanent settlement cannot be provided. On the other hand most of the work is unskilled, and the employment is certain and can be expanded or contracted as the population of the settlement fluctuates. In still a third class of Industrial Settlements the settlers are engaged in forest work.

Agricultural Settlements.

The main industry of India is agriculture and agricultural settlements have many advantages over the other types of settlements. But they have their limitations also. The most important limitation is the difficulty of securing suitable land

for agriculture. There is a keen demand for land in India, and there are very few areas in the possession of Government which are suitable for agriculture, and which are not in keen demand from applicants of the agricultural classes. The latter are usually willing to pay a purchase value for the occupancy rights of the lands. It is therefore not easy for any Local Government in India to be willing to give up lands for the Criminal Tribes, as in most cases they have not the money to pay for the lands. In some places however such areas have been found, and agricultural settlements established. Occasionally the lands are managed directly by the staff of the Settlements. More usually they are given out on tenancy to the Settlers who work under the general advice of the Settlement Staff. When the records of the settlers prove that they have reformed, the lands are often granted to them permanently. In such cases they usually pay something for the lands either in the form of reduced occupancy price, or by a full occupancy price paid in annual instalments.

GENERAL.

In practically all cases the wife and children accompany the man when he is placed in a Settlement. In this respect Settlements are essentially different from other institutions organised for the punishment or reform of individuals who have disobeyed the laws of the State. In prisons for example no family life is possible. It must be admitted that the introduction of the family life into settlements introduces risks of contamination to the younger generations from the association with members of other families of criminal habits, but against this it must be remembered that the tradition of the tribe is towards crime, and thus even if they were left with their relatives outside the settlement, they would still be in a criminal atmosphere. Moreover to bring them to the Settlement provides an additional aid to exertion for the head of the family, as he has not only to maintain himself but his wife and children also. On their side also being maintained by him, they do not need to steal to maintain themselves, which would possibly be the case if they were not brought to the Settlement. In practice the compulsory education enforced for the children and the watchful interest taken in their welfare is found to give them a better chance in life, than if they had been allowed to remain in their original haunts to fend for themselves whilst the head of the family was detained in a Settlement. Besides compulsory education in many Settlements

Boy Scouts' troops and Girl Guide companies are organised. Such movements have an important moral value in the training of the children.

It must not be supposed that residence in a Settlement is shunned by all. It is true that the hardened individual criminal does not like to give up his dishonest ways of living and to earn his living more laboriously by the work provided by the Settlement Staff. But residence in a Settlement is sought after by some of the wandering criminal tribes who have grown tired of their wandering life, and welcome an opportunity to settle down in one place. They appreciate the fact that the Settlement staff will find employment, whereas in their wandering life no employers were prepared to engage them. Residence in a Settlement also affords an opportunity for the families related to one another, who have been scattered owing to flight after the commission of offences, to reunite. In a large Settlement it is a frequent occurrence for a person to arrive and ask for admission on the ground that a close relative of his is already living there. Where possible this is permitted, but in view of the imperative need to keep down the expenditure of public money, and to limit the entry to settlements to those who stand in urgent need of reform this cannot be permitted in many cases.

Working against the tradition of centuries no early results can be expected and thus lengthy periods of confinement to Settlements are usually enforced. In the Bombay Presidency the rule applicable for release is as follows :—

“ A person placed in a Settlement under Section 16 of the Criminal Tribes Act may be discharged on probation therefrom if :—

(a) He has resided in a Settlement in the Bombay Presidency for six years, if he is a member of a domiciled tribe, or for 8 years if he is a member of a wandering tribe, since the date of the expiry of his last conviction by a Criminal Court, and

(b) During the last three years of his residence in such Settlement he has had no disciplinary punishment for breach of rules of the Settlement, and

(c) In the opinion of the Criminal Tribes Settlement Officer he will be able to maintain himself and his dependents by honest means on discharge from the Settlement.

Where there is more than one registered settler in the joint family living in the Settlement each member must fulfil these conditions before the family is discharged.

The Criminal Tribes Settlement Officer may in his discretion discharge a person on probation from the Settlement within a shorter period than that prescribed in the above rule.

A registered settler discharged from the Settlement in which he has been placed under section 16 of the Act shall, for such period of probation as the Criminal Tribes Settlement Officer may determine—

(a) Reside in such place as the Criminal Tribes Settlement Officer may determine.

(b) If there is a Primary School within two miles of such place send his children to such school until they have attained the age of 12 years or until the period of probation has expired, whichever may be first.

(c) Be of good conduct.

(d) Obey whilst on probation such conditions as to roll call and the taking of passes as may be ordered by the Criminal Tribes Settlement Officer in consultation with the District Magistrate of the District in which the probationer's place of residence is situated.

(e) The period of probation shall ordinarily not exceed 6 years, but this period may be extended by the Criminal Tribes Settlement Officer in his discretion.

Failure to comply with any of the conditions shall at the discretion of the Criminal Tribes Settlement Officer render the licensee liable to recommitment to a Settlement."

In some Provinces discharges from a Settlement are made unconditionally but in others, including the Bombay Presidency, the settlers are discharged on license for a period, such period being usually 6 years. Whilst on license the person is watched and helped where necessary. If he passes his probationary period of 6 years satisfactorily there is not much danger of reversion to crime on his final discharge.

It is very important before discharging a person to see that his own plans, if he has made any, for his residence and employment are adequate, and if not to plan them for him. Where the person had a home before being placed in a Settlement he will probably wish to return thither, and this is often the best solution, but if he had previously belonged to a wandering criminal tribe, it would be a waste of money and effort to keep him and his family in a Settlement for a lengthy period, and then turn the family out and tell its members to make their own arrangement for residence and work. Experience has shown that, thrown on their own resources in this way, they revert again to wandering and crime. Thus it becomes necessary to organize areas where such persons can build their huts or if possible substantial houses. In the Bombay Presidency these areas called Free Colonies are adjacent to the Industrial Settlements, so that on discharge from the Settlement to the adjacent Free Colony the employment need not be changed. These Free Colonies are gradually absorbed into the ordinary municipal administration.

Eventually it is intended to abolish the Settlements and leave the Free Colonies as suburbs of the towns. This has in fact already happened for two Settlements.

RECALLS TO SETTLEMENTS.

If the system of discharge on license is to be effective it must be seen that the conditions of the license are really kept. Laxity in this respect would render the system valueless. As an indication of the extent to which the power of recall has to be exercised, it may be noted that in 1930-31 out of 789 persons on license from the Bombay Settlements, 24 were recalled.

CHILDREN'S HOMES.

As stated previously children ordinarily live with their parents in the Settlement. In the early Settlement days the policy of separating all the children from their parents was tried in some Provinces. It was argued that this was the only way in which contamination of the children could be avoided. The separation was strongly resented by parents. Though by tradition thieves, they often had a strong affection from their children and desired their welfare. In the Settlements they often desire their children to take advantage of the opportunities for learning more honest ways. In most Provinces the risk of contamination is felt to be not so serious as the loss of family life entailed by separation, and the system of separation is now seldom followed. There are exceptional cases however where separation has to be effected. Where the child shows unmistakable evidence of criminal habits which cannot be checked while living with its parents in the Settlement, or where the child is so neglected that there are few hopes that it will grow up to honest ways if allowed to remain in the family, separation is enforced. In the Bombay Presidency such children are grouped in Children's Homes containing from 10 to 25 children. Such cases are rare however. Out of 4,121 children of school-going age in the Settlements of Bombay Presidency in 1931 only 91 were separated from their families, and placed in Children's Homes. As already mentioned in 79 of these cases the families were defective.

RESULTS.

Immediate results cannot be expected in the work of reforming the Criminal Tribes which have traditions of crime interwoven into their tribal history and customs. Nevertheless

some Tribes have reformed beyond expectation. The most striking instance is that of the Chhaparbands, who up to 1909 were coiners by profession. When work was commenced amongst them there were about 900 adult males in the caste, of whom 200 were in jail for coining offences and of the remaining 700 adult males, 650 admitted, that they maintained themselves by coining, and only 50 of them were engaged in honest pursuits. All except three persons have now been discharged from the Settlements and practically all have finished their period of release on license and are now completely free persons. There has been no case of coining by a Chhaparband for the last ten years. The majority of the Takari Bhamptas and of the Haranshikaris may also be regarded as reformed.

CHAPTER VII.

TRAINING.

In recent years the tendency in most countries when appointing Probation Officers has been to search for an educated type of person with some training which will be directly helpful in this type of work. Many of the Universities of the United Kingdom have recognized this growing need, and have instituted courses in social study for providing a training for the varied social services of the country. In most of these courses a diploma and not a degree is granted. Some of the students are post-graduate. Others again are older people interested in the subject, some of whom may not even have matriculated, as the passing of Matriculation is not necessarily insisted upon by the authorities. The number of students taking such courses is steadily rising.

The course in Birmingham University may be taken as a typical syllabus. It covers a wide field and is intended not only as a training ground for Probation Officers, but also for those who hope to engage in other welfare work such as in factories or amongst the blind and for those who desire to prepare themselves for the duties of elected or co-opted members of local governing bodies.

The programme of instruction and training usually covers two academic years. In the case of candidates for the diploma with special qualifications, such as a University degree or considerable experience in social work, application may be made to the Chairman for permission to take the course in one year instead of two.

The requirements for the diploma fall under three heads :—

- I. University Course of Lectures and Class Teaching.
- II. Visits of observation and Explanatory Lectures.
- III. Practical work.

Lectures are given on Elementary Economics, Psychology, Industrial Law, Elementary Social and Political Philosophy, Public Hygiene, Central and Local Government and Business Administrations; Economic History and Industrial Psychology.

Visits of observation are paid to public and charitable institutions such as Cottage Homes, Schools for defectives or blind children, Children's Courts, Remand Homes, Home Office Schools, Hospitals and Factories etc.

The following list indicates the general character of the practical work of which students can gain experience in Birmingham :—

A. Office work.—This includes correspondence and the preparation and filing of systematic Records (Use of case papers, Indexing etc.) and attendance at Case Committees.

B. Visiting.—This includes visiting in connection with the work of the Citizen's Society for the purpose of enquiry ; as well as systematic visiting for other purposes. Under the latter head may be grouped Occasional Visiting in connection with (a) Care Committee, (b) the Country Holiday Fund, (c) Provident Dispensaries ; and Continuous Visiting in connection with (a) Provident Collecting, (b) District Visiting, (c) Childcare and Aftercare, (d) Rent Collecting.

C. Work as a regular helper in the welfare work of a factory or in a club, or play centre ; or in a day nursery or in an infant health centre, or in the out-patients' department of a hospital. Attendance at a training class in recreation is also included.

D. Psychology.—A small amount of practical psychology will be expected from all candidates.

These Diplomas of social study have now won for themselves a definite status in many countries. The courses are broad, and for many branches of social service, more definite instruction in the particular branch of service is needed. This is the case when they are considered as a training for a Probation Officer. In consequence recently the Home Office have started a system of training, whereby promising students are selected, and take the University social study courses as explained above, but the practical work is arranged by the Home Office in conjunction with the Local Probation Committees. If the candidate already holds a diploma in Social Science the training will be wholly practical. Scholarships are given while under training but no guarantee of appointment is made at the end of the training.

It would be a great advantage if similar courses of studies were started in India.

One possibility is for the Universities to organize such courses, and they would indeed appear to be the best body for the purpose. The fact that the courses would be under their supervision would ensure that a sufficiently high standard of knowledge was maintained before the diploma was granted, and would invest the diploma with a status which would

entitle it to be of real value to the holder. If more than one University undertook such a course in India, a Joint University Council to advise the Universities on the course and to unify the standard could be advisable following the precedent of a similar Council which has been established for the British Universities.

In the Bombay Presidency such a course could usefully be started directly by the University or by one or more of the Colleges affiliated to it with the Children's Court, Bombay, the Umarkhadi Children's Home, the Reformatory Schools, the Criminal Tribes Settlements, the Borstal School at Dharwar and the Aftercare Organizations of all these institutions as a means whereby the practical side of the work could be studied.

Students could be given more detailed practical training in one or other of these institutions :—

For example they could reside in a selected Criminal Tribes Settlement for a period and could help with the Boy Scouts, or, if a Lady Student, with the Girl Guides, and assist in caring for the juvenile delinquent children of the settlement. Opportunity for study could also be afforded in the Children's Home, Umarkhadi.

It is a moot point whether such a course should be advanced to a degree standard. Opinion in the English Universities at present seems against such a step, and at least in the earlier years in India there seem many advantages in granting a diploma rather than a degree for the course. Men and women trained in such a course would be better fitted to be social workers, Members of the Legislative Councils and Assemblies or Magistrates than those who take the Arts course in such overwhelming numbers as their preparation for life. As far as the training for a Probation Officer is concerned, the mere possession of a degree or diploma in Social Science is in itself no guarantee that the holder is fitted for such a position, but at least his training will have shown him how the work should be done ; and his record in College, and in particular the practical side of his work, should give some indication of his fitness for such a task. There are at present so very few organizations wherein social workers can be trained and their suitability tested, that it is very important to enlarge the field. The contact of the University with the institutions enumerated above would also be of great value to student life. Nor is the danger of unsuitable students being attracted to the course so serious as might be thought. It has been found in actual fact

in the English University, that the syllabus of the course is such that the unsuitable students are not attracted to it, and in addition to this, the tutors discourage candidates they see to be unsuitable from taking up the course.

If the Universities fail to organize such courses, it might be possible for suitable College authorities to organize courses and issue their own diplomas though evidently these diplomas would not have as much value as if they had the backing of a University.

In addition to such full courses, a shorter course for persons already in employment seems very necessary. Such a course could best be organized by Government using the services of their own officers, and of social workers as the instructors.

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CHAPTER VIII.

RECORDS.

In the following pages records are given of four cases to illustrate the working of the systems of preliminary investigation, probation, and aftercare, advocated for India in the preceding pages. The names and dates are fictitious and the records themselves are made up from the histories of several cases.

Case I.

CASE RECORD FOR JUVENILE COURT.

Date (i) 27th August 1930.

(ii) 3rd September 1930.

Magistrates :—(I) Mr. A. (Stipendiary Magistrate).

(II) Mrs. B. (Honorary Magistrate).

- | | | |
|---|-------------------------------------|---|
| 1 | Child's Name | :—Dhanayo Ghello. |
| | Address | :—Municipal Sweepers' Quarters (ground floor). Y. Z Street, Bombay. |
| | Caste | :—Kathiawari Dhedi. |
| | Sex :—Male | :—Religion :—Hindu. |
| | Age :—14 | :—(Exact date of birth unknown.) |
| 2 | Charge | :—I. P. C. 379. Theft (a bicycle worth Rs. 30). |
| | or | |
| | Circumstances | :—He hired it from a cycle shop and never returned it. |
| 3 | Order of Magistrate with date, etc. | Bound over on Rs. 25 for two years with one surety in like amount and placed under supervision of Mr. C. D. 3rd September 1930. |
| | Surety | :—Wallo. |
| 4 | Previous offences | :—Nil. |
| 5 | Reported by | :—Police (Byculla). |
| 6 | Physical and mental condition. | Bad eyes, otherwise normal. |
| 7 | Character and Habits | :—Had joined an undesirable gang of boys who waste their money in Cinemas, bidis and sweets. He is not the leader of the gang. |
| 8 | School Record (if any) | :—Illiterate—Never been to School. |

- 9 Occupation and wages :—Sweeper on Rs. 5 per month with a private Landlord.
- 10 In Remand Home (Umar-khadi). From (I) 27th August 1930 to 3rd September 1930.
Conduct :—Satisfactory while in Remand Home.
- 11 Family and Home conditions. A native of Batawa in Bhavanagar State (Kathiawar). The father Ghello and mother Soni came to Bombay four years ago for work with Dhanayo who is their only child. Father died about a year ago. Since then Soni and Dhanayo live with the latter's maternal uncle Wallo. The wife of Wallo is Tiddi. They have three children ranging from two to six years of age. Wallo is a Municipal sweeper earning Rs. 20 a month. All the above live in the same room for which they pay a rent of Rs. 5 a month. Soni has sweeper's work on Rs. 14 a month.
- 12 Is the child well treated in the family and is he obedient to his parents or guardians. Dhanayo is spoilt by his mother and is not very obedient to her. Wallo does not take much interest in him, but is not cruel to him.

Dated 28th September 1930.

MONTHLY REPORT OF VOLUNTARY SUPERVISING OFFICER.

Name of child under supervision :—Dhanayo Ghello (Kathiawari Dhed).

Place of interview :—Boy's Home.

Dates of interview :—16th and 26th September 1930.

Report.—The abovenamed boy is a son of a Municipal sweeper; he has no father, but he and his mother stay with his maternal uncle and aunt. The boy seems to be of an unsteady type, and he is in the habit of wandering with a gang of boys. Twice I visited his place but he was not to be seen. On 26th instant not finding him at home, I waited about 20 minutes within which time his aunt was able to trace him and bring him to me. I have warned the boy not to spend his time with this gang of boys, but to make use of his time in some useful work. I have also asked his aunt to exercise control over him, and to take proper care of him. I have told him to come and see me at my house on the 30th instant.

(Signed) C. D.
(Supervising Officer.)

Date 27th October 1930.

MONTHLY REPORT OF VOLUNTARY SUPERVISING OFFICER.

Name of child under supervision :—Dhanayo Ghello (Kathiawari Dhed).
 Dates of interview :—12th, 19th and 26th October 1930.
 Places of interview :—Boy's Home and my own house.

Report.—He is still wandering with the gang of boys. I have advised his mother and Wallo and the family to remove to another locality. They said it was difficult to find rooms elsewhere. I am trying to find two suitable rooms in another locality. Dhanayo is still at work as a sweeper near Two Tanks.

(Signed) C. D.
 (Supervising Officer.)

Date 27th November 1930.

MONTHLY REPORT OF VOLUNTARY SUPERVISING OFFICER.

Name of child under supervision :—Dhanayo Ghello (Kathiawari Dhed).
 Place of interview :—Boy's Home.
 Dates of interview :—1st, 13th and 23rd November 1930.

Report.—Boy seems to have improved a little, but until the family move I fear no permanent improvement can be expected.

(Signed) C. D.
 (Supervising Officer.)

Date 29th December 1930.

MONTHLY REPORT OF VOLUNTARY SUPERVISING OFFICER.

Name of child under supervision :—Dhanayo Ghello (Kathiawari Dhed).
 Place of interview :—Boy's Home.
 Dates of interview :—4th, 18th and 25th December 1930.

Report.—The boy's aunt has betrothed him to her own daughter though he is so young. I have succeeded in getting the family two rooms on Rs. 10 a month at L. M. which is a better locality. Here the boy will be able to play games on the N. playground. The P. Q. Society have organized a Boys' Club. I saw the Secretary and Dhanayo has joined it.

(Signed) C. D.
 (Supervising Officer.)

Note.—The monthly reports from January 1931 to June 1931 were satisfactory. The boy was stated to be working steadily and making new friends.

Date 29th July 1931.

MONTHLY REPORT OF VOLUNTARY SUPERVISING OFFICER.

Name of child under supervision :—Dhanayo Ghello (Kathiawari Dhed).

Place of interview :—Boy's Home.

Dates of interview :—July 4th, 10th, 13th and 25th.

Report.—Dhanayo quarrelled with his uncle and ran away, for three days and joined the old gang of boys. He was then traced by his mother and brought back. He does not seem to have got into any trouble with the Police while he was away. He was not present when I called on the 10th, so I said I would call at 1 p.m. on the 13th, and I told his mother to see that he was present. I saw him on the 13th and warned him that the next time he ran away I would report, asking that he should be brought before the Juvenile Court. He seems repentant. He has lost his work.

(Signed) C. D.

(Supervising Officer.)

Dated 15th August 1931.

Report.—Visited the home. The boy was well spoken of by his mother and aunt. He was playing on the playing ground nearby.

(Signed) E.

(Chief Supervising Officer.)

The reports from August 1931 to July 1932 were satisfactory. The boy soon found work again and the final report was :—"Progress satisfactory. The boy has completed his period of probation satisfactorily on 3rd September 1932."

(Signed) C. D.

(Supervising Officer.)

Notes on the Case.

Note that the family is defective. Dhanayo has no father to control him and no brothers or sisters. In other respects the family in which he lives (his mother and his maternal uncle Ghello and Ghello's family) is a respectable family, so the chances of success through the probation system were fairly good. The main action necessary was to get Dhanayo away from the gang of boys by shifting the family to another locality and to find new friends for him. This the Probation Officer did. The Probation Officer also wisely saw that he made friends in the new area by obtaining his admission to the Boys' Club. The lapse in July 1931 was a temporary one and was not repeated. Hence it was not necessary to bring him again before the Juvenile Court.

Case II.

CASE RECORD FOR JUVENILE COURT.

Date (I) 9th May 1928.

Magistrates	:—(I) Mr. A. (Stipendiary Magistrate).
	:—(II) Mrs. B. (Honorary Magistrate).
1. Child's name	.. Ganapat Vithal Jadhav.
Address	.. .. .
Caste	.. Maratha.
Sex :—Male	.. Religion—Hindu.
Age :—13	.. Exact date of birth unknown.
2. Charges or Circumstances	I.P.C. 379. Theft (of a bangle worth Rs. 12) from a child.
3. Order of Magistrate with date, etc.	Ordered to be detained in a Certified School for 4 years under section 23 of Children's Act.
Surety	.. .. .
4. Previous offences	.. Nil.
5. Reported by	.. Police (Maharbwari).
6. Physical and mental condition.	Healthy.
7. Character and habits	.. Unreliable.
8. School record (if any)	.. Marathi III Standard.
9. Occupation and wages	.. Office boy peon on Rs. 16 per month in X. Y. Office, Bombay.
10. In Remand Home	.. From (I) 9th May 1928 to 14th May 1928. From (II) 14th May 1928 to 28th May 1928. From (III) 28th May 1928 to 4th June 1928. Conduct while in Remand Home satisfactory.
11. Family and home conditions.	A native of Thana. Father Vithal Govind Jadhav had once worked in Stores Office of the B. B. & C. I. Railway. Elder brother Govind works as a Mukadum in the Health Department of the Bombay Municipality. Mother Rukhminibai. younger brothers (1) Vasant and (2) Pralhakar and younger sister Krishna live somewhere at Thana.

- 14-5-28 .. Boy's case came up for hearing before the Juvenile Court. As some witnesses were absent, Police applied for a remand which was granted. The Magistrate also passed orders to release the boy on bail of Rs. 15 in cash, which was not paid. The boy has been charged with theft of a bangle from a child.
- 20-5-28 .. On information given by the boy, the Chief Supervisor tried to visit one of boy's local relations but on enquiry it was ascertained that he had shifted elsewhere.
- 25-5-28 .. On information given by the boy, the Chief Supervisor paid a visit to the paternal uncle of the boy Maruti Rama staying at F. G. Chawl, Parel, Bombay. This relative informed the Chief Supervisor that the boy's whole family had a bad reputation. The boy's father has been convicted twice for theft and once was bound over for assault of his wife. He has been unemployed for a long time. About six months back a complaint for criminal breach of trust was made to the local Police against the boy's father on the grounds that he had pawned with a Marwari some pots which he had borrowed for use. The boy's mother came to Umarkhali to see her son but she does not give any address where enquiry could be made. She also denies any knowledge of her elder son's present whereabouts in Bombay. According to boy's statement his mother was not on good terms with his father. In the opinion of the relative Maruti referred to above it would be to the boy's interest, if he was sent to a Reformatory School.
- 28-5-28 .. Boy's case before the Juvenile Court. As the police applied for a further remand, case is postponed to 4th June 1928. Boy's mother attended Court and when questioned gave her address at Jogeshwari.
- 31-5-28 .. Visit paid by the Chief Supervisor to Jogeshwari. Boy's mother was traced living in a small room in a Chawl on the western side of the Railway Station. Asked as to how she maintains herself and her children, she stated that she received help from neighbours and relatives. A neighbour who claimed to be boy's maternal uncle promised to ask boy's father to attend the Juvenile Court on 4th June 1928 with a letter from the authorities concerned, stating that he was in their service at Sholapur. He admitted that the boy's mother

made her living partly by prostitution. The general condition of family seems to be entirely unsatisfactory.

- 4-6-28 .. Case before Juvenile Court. Mother attended; father absent and reported in Sholapur. Boy found guilty of theft of the bangle and ordered to be sent to a Certified School to be detained for four years.
- 5-6-28 .. Written to Yeravda Reformatory School and ascertained that there was a vacancy.
- 9-6-28 .. Sent boy to Yeravda Reformatory School.

School Record during 1928-1930.

The boy was kept in Reformatory School. He was taught carpentry for which he showed some aptitude and passed the IV Standard Marathi.

- 3-1-31 .. Letter written to Children's Aid Society saying the boy's record in the School had been good and the authorities were prepared to release him on license if proper arrangement for his supervision could be made.

While in the School his mother visited him on 3rd November 1928 but after that no visits or letters were received by him.

- 9-1-31 .. Chief Supervisor reports that he visited the boy's paternal uncle Maruti. From him he learnt that the boy's mother and father were still living separately, and that the father was in Sholapur and had a woman living with him. The mother was, he thought, living with a Mohamadan, but he had not seen her lately. He said he was willing to let Ganapat live with him if he could earn enough money to maintain himself.

- 11-1-31 .. Chief Supervisor reports that he has obtained offer of employment as a carpenter for Ganapat.

- 16-1-31 .. Letter written to Yeravda Reformatory School accordingly.

- 22-1-31 .. Letter received that the boy was being released on license and would be sent on 23rd January 1931 with a peon to the Office of Children's Aid Society.

- 23-1-31 .. Boy arrived and taken to Maruti's house and to his future employer, and Mr. C. H. Voluntary Supervisor asked to take charge of case.

- 26-1-31 .. Chief Supervisor and Mr. C. H. went together to boy's new home and saw him and his uncle Maruti. Position satisfactory.

Date 28th February 1931.

Monthly Report of Voluntary Supervising Officers.

Name of child under supervision :—Ganapat Vithal Jadhav.

Place of interview :—House of paternal uncle Maruti.

Dates of interview :—7th, 15th and 20th February.

Report.—Ganapat is employed at the work found for him and Maruti is satisfied with his character. Had a confidential talk with Maruti and advised him to encourage Ganapat to find friends of good character of his own age.

(Signed) C. H.

(Voluntary Supervising Officer).

Note.—From March 1931 to June 1931 the report stated that progress was satisfactory.

Date 29th July 1931.

Report.—Ganapat left his work saying his wages (Rs. 18) a month were not enough and obtained a job in a tea shop on Rs. 22. This work is not satisfactory and has no future prospects, and as a carpenter until he gains more experience, he is not worth more than Rs. 18 a month, so I made him return to his former employment. The owner of the carpentry factory privately promised me that, if Ganapat's conduct was satisfactory meanwhile, he would raise his pay to Rs. 21 per month after two months.

(Signed) C. H.

(Voluntary Supervising Officer).

The monthly reports from August 1931 to June 1932 were satisfactory and on 7th June 1932 Mr. C. H. made a final report saying that the period of license from Yeravda Reformatory School had been satisfactorily completed and that the boy's discharge from the School should be made final. This was done.

Notes on the Case.

The amount stolen was not serious, in fact being less than in the case of Dhanayo Ghello quoted previously, but Ganapat's home conditions were so unsatisfactory, that detention in a certified school gave him the best chance. To have placed him on probation would have courted failure. His training in the Reformatory School proved effective. On release on license his paternal uncle Maruti was obviously the most suitable relative with whom he could live. The Probation Officer acted wisely in insisting upon Ganapat remaining at his work as a carpenter.

Case III.

CONVICTION RECORD.

Name :—Moula Hafiz.

Approximate year of birth 1914.

Convictions.	Place of conviction.	Date.	Sentence.
Section 379, Penal Code.	Indian Nasik	.. 4th March 1927.	Rs. 10 fine.
Section 380, Penal Code.	Indian Bombay City	.. 6th April 1929.	Whipping. 10 strokes.
Section 379, Penal Code.	Indian Bombay City	.. 1st July 1931 ..	Three years detention in Dharwar Borstal School.

(Note.—Moula after conviction was sent to the Borstal School, there to undergo training. While in the School information concerning his antecedents was obtained from the police, and from Probation Officers in Nasik and Bombay. A copy of the judgment of his case was also obtained. These form the foundation on which the Borstal School authorities and the Borstal Association had to base their action.)

Private and Confidential.

Report on Moula Hafiz.

No..

Address : House No. (nil).

Street—Julai Gate, City Nasik.

Taluca—

District—Nasik.

Caste—

Race or Tribe—

Religion—Muhammadan.

Occupation of father ..

Weaving.

(Is he his real father or step-father ?) (Real father, but is dead).

Character of father ..

Occupation of mother (If any other than house work.) Is still alive. Housework and weaving.

Character of mother ..

Feeble in health.

(Is she his real or step-mother ?) . She is his real mother. Hafiz was her second husband. She has a son Raja by her first husband.

How did the boy get on with his family ? The mother has shown much greater fondness for her son Raja than for Moula, and is wholly under the influence of Raja who dislikes Moula very much.

- What reason do his people give for his going wrong ? He did not like to go to school and wandered about with a group of boys in the bazaar. Then after he was first convicted for stealing in Nasik he ran away to Bombay. This was 4 years ago.
- Had he attended any school within the last year ? No but he was in school up to 1929.
- If so, what does his school-master say about his character ? He was often absent and so frequently failed in the examinations. Was only in the IIIrd Standard Urdu when he left school.
- Do you consider his home conditions good or bad ? The step brother Raja lives at home with his mother. He is very bitter against Moula, and says that he will not take him back.
- When he has finished his training in the Borstal School, Dharwar, do you advise that he should rejoin his home ? Though the home conditions are respectable he cannot go back there as his step brother Raja will not agree to this and his mother does whatever Raja wishes.
- If he ought not to go home, has he any one who will receive him elsewhere ? No one.
- What was his health like ? .. Good.
- Is he ill tempered or good tempered ? Bad tempered.
- How did he spend his spare time ? When in Nasik he spent his time with a bad gang of boys. It is not known here how he spent his time in Bombay City.
- Is there any responsible person outside his home who has taken an interest in him ? No one.
- What was his employment before his case ? He was at school until he ran away from Nasik.
- Name of employer .. Nil.
- Observations or suggestions as to the trade in which he should receive instructions, if possible while in the Borstal School. Weaving.

Case III.

CONVICTION RECORD.

Name :—Moula Hafiz.

Approximate year of birth 1914.

Convictions.	Place of conviction.	Date.	Sentence.
Section 379, Penal Code.	Indian Nasik	.. 4th March 1927.	Rs. 10 fine.
Section 380, Penal Code.	Indian Bombay City	.. 6th April 1929.	Whipping. 10 strokes.
Section 379, Penal Code.	Indian Bombay City	.. 1st July 1931 ..	Three years detention in Dharwar Borstal School.

(Note.—Moula after conviction was sent to the Borstal School, there to undergo training. While in the School information concerning his antecedents was obtained from the police, and from Probation Officers in Nasik and Bombay. A copy of the judgment of his case was also obtained. These form the foundation on which the Borstal School authorities and the Borstal Association had to base their action.)

Private and Confidential.

Report on Moula Hafiz.

No.

Address : House No. (nil).

Street—Julai Gate, City Nasik.

Taluka—

District—Nasik.

Caste—

Race or Tribe—

Religion—Muhammadan.

Occupation of father

.. Weaving.

(Is he his real father or step-father ?) (Real father, but is dead).

Character of father

.. .. .

Occupation of mother (If any other than house work.) Is still alive. Housework and weaving.

Character of mother

.. Feeble in health.

(Is she his real or step-mother ?) . She is his real mother. Hafiz was her second husband. She has a son Raja by her first husband.

How did the boy get on with his family ?

The mother has shown much greater fondness for her son Raja than for Moula, and is wholly under the influence of Raja who dislikes Moula very much.

- What reason do his people give for his going wrong ? He did not like to go to school and wandered about with a group of boys in the bazaar. Then after he was first convicted for stealing in Nasik he ran away to Bombay. This was 4 years ago.
- Had he attended any school within the last year ? No but he was in school up to 1929.
- If so, what does his school-master say about his character ? He was often absent and so frequently failed in the examinations. Was only in the IIIrd Standard Urdu when he left school.
- Do you consider his home conditions good or bad ? The step brother Raja lives at home with his mother. He is very bitter against Moula, and says that he will not take him back.
- When he has finished his training in the Borstal School, Dharwar, do you advise that he should rejoin his home ? Though the home conditions are respectable he cannot go back there as his step brother Raja will not agree to this and his mother does whatever Raja wishes.
- If he ought not to go home, has he any one who will receive him elsewhere ? No one.
- What was his health like ? .. Good.
- Is he ill tempered or good tempered ? Bad tempered.
- How did he spend his spare time ? When in Nasik he spent his time with a bad gang of boys. It is not known here how he spent his time in Bombay City.
- Is there any responsible person outside his home who has taken an interest in him ? No one.
- What was his employment before his case ? He was at school until he ran away from Nasik.
- Name of employer .. Nil.
- Observations or suggestions as to the trade in which he should receive instructions, if possible while in the Borstal School. Weaving.

Note.—The following are the Trades taught in the Borstal School :—

Agriculture, Carpentry, Masonry, Weaving, Polishing, Smithy, Cane-work.

Signature of the person making this enquiry.

(Signed) A. B.
Honorary Probation Officer,
Nasik.

Address :—

Date—5th October 1931.

Having filled up the form, please send it to :—

THE GOVERNOR,
Borstal School,
DHARWAR.

N.B.—Please give the accompanying Post-card to a suitable relative of the lad and urge him to write to the lad in the Borstal School, Dharwar.

Further enquiry in Bombay.

How did he spend his spare time . . . He lived with two other boys R. and S. who were his friends on the verandah of a tea shop No. X in Y. Street. He was getting casual work in the docks.

On the last occasion when he was convicted R. was also convicted in the same case.

Is there any responsible person outside his home who has taken an interest in him ? There is no one of good character who has taken an interest in him in Bombay.

What was his employment before his case ? He was working at irregular intervals in the Docks.

(Signed) C. D.,

6th December 1931.

Probation Officer, Bombay.

BORSTAL SCHOOL, DHARWAR.

Register No.—76. Name—Moula Hafiz. Caste—Muhammadan.

Sentence—3 years. Section—379, Indian Penal Code. Sentenced by Presidency Magistrate, 4th Court, Bombay on 1st July 1931. Number of previous convictions—Two.

Report of School Master.

Standard reached—3rd Standard, Urdu.

Any special aptitude—Not much liking for reading.

Any special defects of character—Quarrelsome.

General conduct—Fairly good.

(Signed) E.

Report of Instructor.

Name of trade—Weaving. Degree of efficiency—Good.

Conduct—Good.

(Signed) F.

Report of House Master.

Any special defects of character—Nil.

- Certificates gained while in the School—Nil.

Does he mix with other boys or is he of solitary habits?—Social.

What is said as to his health and temper?—Health:—Good.
Temper:—Hot tempered.

(Signed) G.

Opinion of Deputy Governor.

Relations with his family, as shown in correspondence—He wrote two letters to his friend R who is in Yeravda Juvenile Jail and received a reply. He also wrote to his mother but received no reply.

General conduct—Good.

(Signed) H.

Opinion of Governor.

A good boy. Release on license recommended.

He would be better away from Bombay City judged by his police papers as he was in bad company there.

Final date of release—30th June 1934.

Actual period undergone—2 years.

Dated 3rd July 1933.

(Signed) I,
Governor.

Note by Association Visitor.

Moula says that he does not want to go to his home in Nasik on his release. There is an uncle in Poona who would perhaps help him later on, if he made good first, but he does not think the uncle would take him into his house at once. I recommend his release to the Poona After Care Society. It would be definitely bad to let him go back to Bombay City. He is willing to go to Poona. The uncle's name is Q. He lives in T Street and has a grocer's shop there.

Dated 5th July 1933.

(Signed) J,
Name of Visitor.

Opinion of Visiting Committee.

Should be released on license and given by the Association in the care of the Poona After Care Society.

Dated 10th July 1933.

(Signed) K,
Chairman.

Order of Inspector-General of Prisons.

Moula Hafiz, Register No. 76 may be released on license to the Bombay Presidency Borstal Association on the usual conditions when the Secretary of this Association informs the Governor of the Borstal School that he has obtained a Probation Officer to supervise him.

Dated 21st July 1933.

(Signed) L,
Inspector-General of Prisons.

NOTE.—The Poona After Care Society was then communicated with and agreed to take the lad. They found work for him as a weaver. They traced his uncle, but the latter said that he would not have Moula in his house, but agreed that if the lad made good later on he would help him to get married. Moula was released on August 28th, 1933 and given extra clothing and bedding by the Borstal Association before leaving Dharwar. On arrival at Poona he was taken to his Probation Officer and told to live in a room hired by the Poona Society in which another ex-Borstal boy was also living.

To—The Bombay Presidency Borstal Association, Dharwar.

Dated 30th September 1933.

MONTHLY REPORT OF VOLUNTARY PROBATION OFFICER.

Name of the lad under supervision—Moula Hafiz.

Places of interviews.	Date of interviews.
His room	.. August 29th and September 10th.
My house	.. September 5th, September 18th and September 25th.

Report on progress and conduct and employment of the lad during the month.

Moula arrived on August 29th, 1933. He had Rs. 3 brought from the Borstal School. He had enough clothes and bedding. I told him to buy food for a week and showed him also the place where work was promised to him. I asked the other boy in the room to give him help at first.

So far he seems to be settling down well. He tells me that he likes to play cricket and that he was in the Scout Troop at Borstal. I am arranging that he should join the Rover Scout Troop here which X (another Honorary Probation Officer) has started mainly for such boys. This will give him companionship.

(Signed) M,
Probation Officer.

NOTE.—Similar monthly reports were sent by the Probation Officer in succeeding months. In one report it was said "Moula is inclined to spend too much money on cinemas and bidis, I have started a Post Office Savings Account for him going with him to the Post Office and getting him to credit one rupee into it."

In the last report dated July 15th, 1934 it is said "This is the last report. Moula has responded well to guidance and friendship. He has Rs. 20 in the Post Office Savings Bank. His uncle is now friendly with him, and in six months' time he hopes to arrange a marriage for Moula. I intend to keep in friendly touch with Moula until this happens."

Note on the Case.

The crux of the case is the unhappy home conditions. This made it impossible for Moula to go back to his home. At the same time it was wise to place him near some relative who eventually helped him to get married. Fortunately it was possible to find him employment in the trade which he was taught in the Borstal School. This is not always possible.

Case IV.

**HISTORY SHEET OF PERSONS REGISTERED UNDER THE
CRIMINAL TRIBES ACT AND WHO ARE UNDER THE
CONTROL OF THE CRIMINAL TRIBES SETTLEMENT
DEPARTMENT.**

Full name—Rama Chalya. Caste—Kaikadi. Approximate year of birth—1892.

District of registration—Poona. Native place (if any)—Unknown.

Registered No.—816.

Convictions.

No.	Date.	Section.	Sentence.	Sentencing authority.
1	10th August 1906..	379, Indian Penal Code.	Bound over under section 562, Criminal Procedure Code for one year.	II Class Magistrate, Poona.
2	7th April 1908 ..	379, Indian Penal Code.	15 stripes ..	I Class Magistrate, Bandra.
3	25th November 1911.	457 and 380, Indian Penal Code.	3 months' R. I. ..	II Class Presidency Magistrate, Bombay.
4	12th June 1913 ..	379, Indian Penal Code.	9 months' R. I. ..	I Class Magistrate, Satara.
5	6th September 1914.	Criminal Tribes Act, Section 22 (1) (a).	6 months' R. I. ..	I Class Magistrate, Poona.
6	4th October 1915..	457 and 380, Indian Penal Code.	2 years' R. I. ..	III Presidency Magistrate, Bombay.

REMARKS.

Joined the Presidency Construction Settlement on 6th August 1917. on release from Jail :—

8-9-1917 .. He says he is not married. Has uncle Chhaya Bhima in Ambernath Settlement, but has no brothers. Has a sister who is married and living in the C. P. His parents are dead.

2-1-18 .. Not working very satisfactorily on earth work. Knows no other work.

15-3-18 .. Absconded. Party sent in search of him.

23-3-18 .. Search party returned unsuccessful.

2-5-18 .. Another search party sent on receipt of information and found him in M. N. village.

- 10-5-18 .. Criminal Tribes Settlement Officer decided not to prosecute him for absconding, but to transfer him to the Reformatory Section of Bijapur Settlement and teach him weaving.
- 3-1-19 .. Doing well in Reformatory Section of Bijapur Settlement. Learning weaving. Wants to get married. Advised him to deposit some money in the Settlement Co-operative Society, and promised to help him to find a wife.
- 4-6-19 .. He deposited Rs. 30 in the Society. Have written to the Manager, Ambernath Settlement, to consult the uncle of Rama who is in that Settlement about a wife for Rama.
- 5-7-19 .. Gave Rama a pass for 10 days to Ambernath to settle his marriage.
The marriage is finally settled. Advanced Rama Rs. 60 from the Society for his marriage expenses.
- 3-12-19 .. Married to-day to Ningi daughter of Ghalya Bhima.
- 2-5-20 .. Doing well. Has picked up weaving satisfactorily. Living happily with his wife.
- 3-8-20 .. Quarrelled with Ninga Hanama and in the fight both were injured. Made to deposit a Post Office Cash Certificate for Rs. 15 to be of good behaviour for two years.

(Note.—Entries from 1921 to 1922 are satisfactory and not very important.)

- 3-7-22 ... Transferred to Sholapur Industrial Settlement, as he wants to get work as a Weaver in the Mills.
- 3-1-23 .. Working satisfactorily.
- 14-10-24 ... Released on license to the Free Colony, Sholapur. Period of license 6 years.
- 23-4-25 .. Got drunk and was abusive. Warned personally by the Manager that he must be careful or his license would be cancelled.
- 5-6-25 .. Has built a house worth Rs. 150 on the site allotted to him, having taken a loan of Rs. 80 for this purpose from the Society and found the rest from his own savings.

(Note.—Entries for 1926 to 1930 are satisfactory.)

- 16-10-30 .. Having completed his license satisfactorily, the discharge from the Settlement was made absolute and his registration finally cancelled. He thus becomes a free man.

Notes on the Case.

Though this is an imaginary case, the convictions and after history related is typical of the histories of many of the Criminal Tribes men who come to the Settlement. The unsatisfactory nature of the earlier sentences may be noted. An order under Section 562, Criminal Procedure Code releasing a juvenile giving surety for good behaviour is of little value unless it is combined with some form of supervision by a Probation Officer, except in cases where the juvenile has parents of good character who will themselves do their best to restrain the offender from committing offences in the future.

After Rama came to the Settlement the most important factors in his reformation were to teach him a trade and to assist him in getting married. Knowing a trade and being well started in it and being happily married he settled down satisfactorily.

APPENDIX.

BIBLIOGRAPHY.

Works recommended for those who desire to make a more complete study of the subject :—

PUBLISHED IN ENGLAND—

The Young Delinquent by Dr. CYRIL BURT. Published by the University of London Press. Price 17/6.

Children's Courts by CLARKE HALL. Published by George Allen Unwin. Price 7/6.

Report of the Departmental Committee for Young Offenders. Published by His Majesty's Stationery Office, London. Price 2/6.

Borstalians by J. W. GORDON. Published by Martin Hopkinson, London. Price 7/6.

Boys in Trouble by Mrs. LE MESURIER. Published by John Murray. Price 6/- net.

Report of the Departmental Committee on Persistent Offenders, 1932. Published by His Majesty's Stationery Office, London. Price 1/6.

Latest Report of the Work of the Children's Branch of the Home Office. Published by His Majesty's Stationery Office.

The above books can be obtained through any big Indian bookseller.

PUBLISHED IN INDIA—

Imprisonment by Lt.-Colonel BARKER, I.M.S., Inspector-General of Prisons, Punjab. Published by the Christian Literature Society for India, Madras. Price Rs. 1-8-0.

Annual Reports of the Children's Aid Societies and Reformatory and Borstal Schools such as those from the Children's Aid Society, Umarekhadi, Bombay, the David Sassoon Industrial and Reformatory Institution, Bombay, the Reformatory School, Yeravda, Poona, Bombay Presidency Borstal Association, Dharwar, and similar reports from other Presidencies.