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Perceived Effectiveness of Probation System under Criminal Justice Administration: Evidence from the Punjab, Pakistan

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Abstract: *The probation system, as a functional part of criminal justice administration, deals with low-risk offenders to rehabilitate and bring them into mainstream socio-cultural and family life. The probation system provides opportunities to convicted offenders conditionally and releases them under the supervision of a probation officer. This empirical highlighted the importance and effectiveness of the probation system and its impacts on probationers. The primary data was collected from probationers who had experience imprisonment before probation order from ten districts of Punjab province. Data was collected through a structured questionnaire, and results revealed that the probationers who were ex-prisoners perceived the probation period very positively, with significant impacts on their physical, psychological, and social life. The probation system was found effective in the process of rehabilitation of offenders under criminal justice administration. Therefore, the offenders incarcerated for minor offenses may be released on probation orders instead of constructing new prisons.*

Key Words: Probation System, Probationers, Prisoners Life, Rehabilitation of Prisoners, Criminal Justice Administration

Introduction

Criminal justice administration is the performance of various activities of criminal justice, which deal with criminal offenders from their entrance into the process of justice to correctional supervision and rehabilitation (Khokhar et al., 2019). After the adjudication process, offenders are entered into the correctional process, incarcerated in prisons, or released conditionally on probation (Settle et al., 2023). Likewise other countries of the world, the Pakistani correctional mechanism of offenders is also based on two options: (i) incarcerating the offenders as prisoners for the purpose of their rehabilitation through treatment programs and (ii) releasing them conditionally on probation order under the supervision of probation officer for the purpose of rehabilitation and reintegrate into society (Shad et al., 2020).

One of the essential goals of criminal justice administration is to reduce recidivism repetition of criminal behavior. Previous literature explains that custodial sentences do not reduce recidivism more than noncustodial sanctions (Iqbal et al., 2019). Prisons do not have a specific deterrent effect, and low-risk offenders are most likely to experience increased recidivism due to incarceration (Nagin et al., 2009) as compared to those who are sentenced to community-based sanctions, especially on probation (Khan et al., 2018). Alternatives to incarceration, especially probation, can be effective at reducing recidivism in the community. That can be an effective alternative to incarceration for certain types of offenders, particularly low-risk offenders. Offenders are provided access to treatment and support services that address the underlying causes of criminal behavior and help offenders successfully reintegrate into society (Akram et al., 2017).

The indigenous argument also accentuates that rehabilitation of offenders cannot be confined to within prison walls in Pakistan (Khokhar et al., 2019) as a majority of prisons are heavily overcrowded, having old infrastructure lacking the correctional facilities, and often dating from the 19th century (Khan, 2010), which

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contributes to the emerging problems of poor health facilities and unhygienic conditions, high-risk behavior suicide and drug misuse, poor prison management, torture, riots, and corruption (Ali et al., 2015). Prisons in Punjab, Pakistan, have an approved capacity of 27824 prisoners but bear the burden of 48304 prisoners, which shows that prisons are 173.6% overcrowded (NAPA, 2018). Overcrowding in prisons is ominously high, which impedes the processes of offenders' rehabilitation. The majority of prisoners, 68 %, are under trial and are waiting for their court decisions on whether they are criminals or innocent. After their conviction, the court decides about their imprisonment and alternative to imprisonment probation.

Probation as an alternative to imprisonment reduces overcrowding in prisons as well as the costs of prisons (Khan et al., 2018).

Probation conditionally releases the convicted offender and allows for supervision through which the hardships of imprisonment and stigma of incarceration are eliminated (Siegel et al., 2014). Rehabilitation of offenders under the probation system involves enhancing familial ties and future employability (Clear et al., 2003) as probation under criminal justice administration affords the criminal another chance, offering a strategy with the aim of advising, assisting, and befriending them. The probation system helps the offender to work for the welfare of his or her family while repairing the negative effects of imprisonment (Ward, 2010).

Probation System in Pakistan

The probation system in Pakistan serves as a community-based correctional alternative to imprisonment for eligible offenders. Its primary goal is to rehabilitate and prevent reoffending by offering supervision and support within the community. Probation officers play a pivotal role in overseeing offenders on probation and ensuring they adhere to the terms of their probation orders. The Probation of Offenders Ordinance 1960 governs this system, establishing probation offices at district and provincial levels, falling under the purview of the Ministry of Interior (Aulakh, 2011). However, despite its existence, the probation system in Pakistan encounters several challenges that hinder its optimal implementation and effectiveness. These challenges encompass insufficient funding and resources, a shortage of trained probation officers, and inadequate coordination between probation offices and other criminal justice agencies. Furthermore, research on the system's efficacy remains limited, necessitating more empirical studies to assess its impact on reducing recidivism and facilitating rehabilitation (Bhutta, 2010). To address this knowledge gap, our study seeks to evaluate the effectiveness of the probation system, specifically in the Punjab province of Pakistan. Through comprehensive research and analysis, we aim to contribute valuable insights to enhance the probation system's functionality and its role in fostering successful reintegration and crime prevention.

Scientific research in criminal justice and its administration has become common as policymakers seek evidence-based approaches (Schmallegger, 2009). The present study aims to contribute to scientific knowledge by exploring the role of two fundamental components of the criminal justice system: prisons and the probation system. While some earlier empirical studies have focused on the probation system in Pakistan (Akram et al., 2017; Khan et al., 2018; Iqbal et al., 2019; Shad et al., 2020), they have paid little attention to its effectiveness, which is typically measured by the rehabilitation of offenders on probation orders.

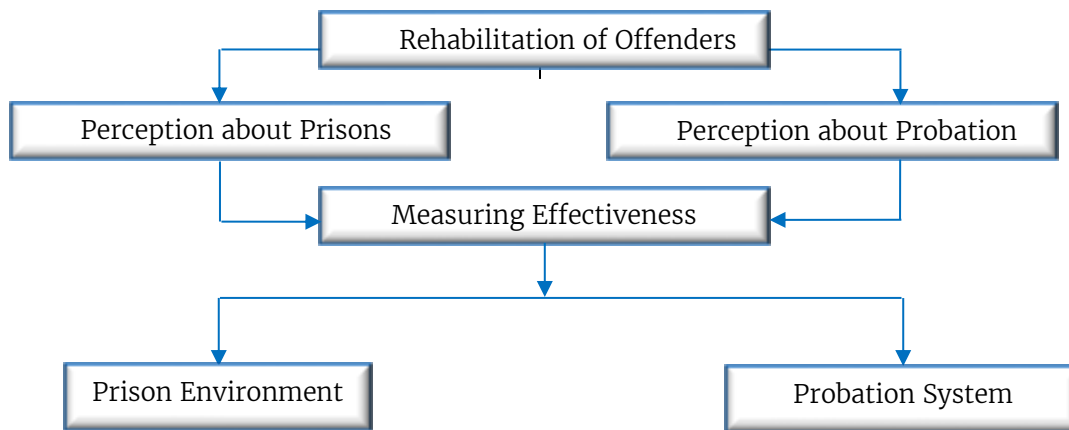
In Pakistan, there remains a significant need for empirical research in this area. Thus, our study endeavors to empirically investigate the effectiveness of the probation system under the criminal justice administration in Punjab, Pakistan. By addressing this existing gap, our research holds relevance for policymakers involved in criminal justice, especially concerning the probation system as an alternative to imprisonment. The findings have the potential to make a meaningful contribution to Pakistan's criminal justice field and can inform evidence-based policies and practices that enhance public safety and reduce recidivism. The present study is driven by the following specific objectives:

Objectives of the Study

1. To examine the perception of probationers about the prison environment.
2. To analyze the perception of probationers about the effectiveness of the probation system.



Conceptual Framework



Material and Methods

The population of this study consisted of all adult male ongoing probationers in the Punjab province. A sample was selected through a multistage simple random sampling method as, at first, ten districts out of thirty-six were randomly chosen. Second, adult male probationers were selected using proportionate sampling, with 10% of the total number of probationers in each district included. Third, the final sample comprised 341 respondents who had spent some time in prison before being placed on probation. These selected probationers had experienced both imprisonment and release on probation orders.

To collect quantitative data, a survey method was employed, and researchers used a structured questionnaire based on previous literature. The researchers approached the participants through the probation officer of the relevant district. The questionnaire was filled out during the meeting with probationers. The collected data was scrutinized, coded, and entered into SPSS-21 for further univariate, bivariate, and multivariate analysis.

Results and Key Findings

For comprehensive understanding and coherent discussion, descriptive analysis was carried out, and the results were presented in the form of numbers and percentages. Table 1 presents the perception of probationers regarding the prison environment.

Table 1

Perception of a prison environment

	SA	A	U	D	SD
Prisons have not sufficient facilities for counseling of prisoners	142 (27.8)	211 (41.4)	48 (9.5)	80 (15.7)	30 (5.6)
Prison officials do not deal with prisoners in a sympathetic manner	162 (31.8)	230 (45.0)	56 (10.9)	40 (7.8)	23 (4.5)
Quality food is not provided to prisoners	135 (26.3)	241 (47.1)	83 (16.2)	32 (6.3)	30 (5.9)
Prisoners do not sleep well in their barracks	118 (23.1)	187 (36.6)	148 (28.9)	36 (7.1)	22 (4.3)
Prisoners do not have proper medical facilities whenever they get sick	136 (26.6)	245 (47.9)	60 (11.7)	43 (8.3)	28 (5.5)
The visitation process for family and relatives is not fair and easy	161 (31.5)	223 (43.6)	50 (9.8)	52 (10.2)	25 (4.9)

SA: Strongly Agree to A: Agree U:Undecided: D: Disagree SD: Strongly Disagree

Table 1 shows that 28% of the respondents strongly agreed, 41% agreed, 16% disagreed, and only 6% strongly disagreed with the statement ‘prisons have not sufficient facilities for counseling of prisoners.’ 32% of the respondents strongly agreed, 45% agreed, 8% disagreed, and 5% strongly disagreed with the

statement ‘prison officials deal with prisoners in sympathetic manners.’ In response to the statement ‘quality food is not provided to prisoners’, 23% of respondents strongly agreed, 37% agreed, 6% disagreed, and 6% strongly disagreed. 26 % of the respondents strongly agreed, 48% agreed, 7% disagreed, and 4% strongly disagreed with the statement ‘prisoners sleep well in their barracks.’ 27% of the respondents strongly agreed, 48% agreed, 8% disagreed, and 6 % strongly disagreed with the statement ‘prisoners have proper medical facilities whenever they get sick.’ In response to the statement ‘visitation process for family and relatives is fair and easy,’ 32% of respondents strongly disagreed, 44% agreed, 10% disagreed, and 5% strongly disagreed.

This study found empirically that the environment provided inside the prison walls in Punjab, Pakistan, was not conducive to the rehabilitation (process of restoring) and reformation (attitudinal change) of offenders. These findings have support from a theoretical explanation by (Foucault, 1975) as he explains that prison produces habitual offenders and also encourages the structure of the criminal environment. Furthermore (Foucault, 1975) states that the situation for prison leavers is conducive to recidivating. The data of the present study demonstrates the perception of the probationers who were imprisoned before the probation order; their opinion was not satisfactory about facilities for prisoners even the quality of food was not served according to a prescribed standard.

Table 2

Perception about the probation system

	SA	A	U	D	SD
The probation officer helps in the rehabilitation process	142 (27.8)	211 (41.4)	48 (9.5)	80 (15.7)	30 (5.6)
Probationers reintegrate back into society during the probation period	162 (31.8)	230 (45.0)	56 (10.9)	40 (7.8)	23 (4.5)
Probationers are not stigmatized when they are on probation order	135 (26.3)	241 (47.1)	83 (16.2)	32 (6.3)	30 (5.9)
Probationers avail career opportunities for their personal growth	118 (23.1)	187 (36.6)	148 (28.9)	36 (7.1)	22 (4.3)
Probationers are accepted by their family members as normal persons	136 (26.6)	245 (47.9)	60 (11.7)	43 (8.3)	28 (5.5)
Probationers contribute as breadwinners of their families	161 (31.5)	223 (43.6)	50 (9.8)	52 (10.2)	25 (4.9)

SA: Strongly Agree on A: Agree U: Undecided: D: Disagree SD: Strongly Disagree

Table 2 shows that 28% of the respondents strongly agreed, 41% agreed, 16% disagreed, and 7% strongly disagreed with the statement ‘probation officer helps in the rehabilitation process.’ 32% of the respondents strongly agreed, 45% were agreed, 8% disagreed, and 4% strongly disagreed with the statement ‘probationers reintegrate back into society during the probation period.’ In response to the statement, ‘probationers are not stigmatized when they are on a probation order,’ 26% of respondents strongly agreed, 47% agreed, 6% disagreed, and 6% respondents strongly disagreed. 23% of the respondents strongly agreed, 37% agreed, 7% disagreed, and 4% strongly disagreed with the statement ‘probationers avail career opportunities for their personal growth.’ 27% of the respondents strongly agreed, 48% agreed, 8% disagreed, and 5% strongly disagreed with the statement ‘probationers are accepted by their family members as normal persons.’ In response to the statement ‘probationers contribute as breadwinners of their families, 31% of respondents strongly agreed, 44% agreed, 10% disagreed, and 5% strongly disagreed.

Discussion and Conclusion

The findings are consistent and linked with some of the other theoretical conclusions, such as Sykes's (1958) explanation that negative values arise in prisoners in response to deprivations in a prison environment. Prison inmates develop distinctive roles, lifestyles, and behavioral norms (Schmallegger et al., 2012) because they are almost cut off completely from the larger society (Crewe, 2009). Change in attitude and behavior is difficult within the prison setting because prison subculture stresses loyalty among



prisoners as well as opposition to prison authorities. Also, a released prisoner brings toughness reinforced in prison life to the workplace (Hagan, [1994](#)). Moreover, the offenders are socially excluded and lack the necessary education, skills, or resources to build and sustain a crime-free life in society (Maguire, [2013](#)).

Probation is humanitarian and more effective than incarceration in reducing criminality (Sieh, [2006](#)). In the current study, the probation system was found helpful in rehabilitating and re-integrating the probationers with satisfactory levels of self-esteem. (Byrne et al., [1992](#)) attempted to assess the effectiveness of probation by examining the outcome of probation and concluded that probation was successful in accomplishing its outcome. The perception of the respondents of the study was that probation provided the opportunity for the offenders to live their lives once again with their families as normal citizens. They could participate in the routine matters of their families and were involved as other family members in decision-making. Rehabilitation is easy when a conducive environment is created by strong familial ties through which probationers are rehabilitated in a proper way, and probationers provide financial support to their families as those are dependent on the male breadwinners (Settle et al., [2023](#)).

Furthermore, Khokhar and his colleagues ([2015](#)) draw attention to the effectiveness of the Pakistani probation system, concluding probation system is an essential part of criminal justice, which improves the self-esteem of offenders, re-integrating them back into their normal social setup. Similarly, in this study, supervision (counseling) of probation officers and probation period help the probationers in their rehabilitation and reintegration. One of the main purposes of offenders' placement on probation is to change their behavior and to reintegrate them (Bhutta et al., [2014](#)). According to (Schmallegger et al., [2012](#)), the stigma of criminality is eliminated during the probation period. The same findings were drawn in the study that the respondents/probationers were not stigmatized by the members of society, so they were spending their lives as law-abiding citizens.

Goffman ([1961](#)) points out that rehabilitation is cheaper than imprisonment and promotes human dignity. Similarly (Glaser, [1969](#) Cullen & Gilbert, [1982](#) Harris et al., [1989](#) Ellsworth, [1990](#) Applegate et al., [1997](#)) provide support for the rehabilitation principle, as Bonta and Andrews ([2007](#)) describe that rehabilitation has been at the heart of the probation system. The current study found through empirical investigation that rehabilitation under probation was perceived as better than rehabilitation behind the walls of prisons in Punjab, Pakistan. With the following suggestions and implementation of evidence-based policies, Pakistan's criminal justice administration can work towards a more effective probation system that contributes to the rehabilitation of offenders and promotes public safety.

Suggestions Based on the Findings **Enhance Prison Conditions**

The study highlights the negative perception of probationers regarding prison conditions. Policymakers and prison authorities should take this into account and prioritize improving prison facilities, counseling services, medical care, and the overall living conditions for prisoners.

Invest in the Probation System

The research demonstrates the effectiveness of the probation system in rehabilitating offenders and facilitating their reintegration into society. To capitalize on this alternative to imprisonment, there should be increased investment in the probation system.

Focus on Family Support

The study indicates that familial ties play a crucial role in the successful rehabilitation and reintegration of probationers. Therefore, efforts should be made to strengthen family support systems during probation periods.

Address Stigmatization

The research suggests that probationers are not stigmatized when they are on probation orders. To sustain this positive outcome, public awareness campaigns can be conducted to reduce the societal stigma associated with offenders on probation.

Evidence-Based Policy

The study underscores the need for evidence-based policies in criminal justice administration. Policymakers should use research findings like these to inform decisions about the allocation of resources and the design of effective rehabilitation programs.

Expand Probation as an Alternative

Given the overcrowding in prisons and the positive perception of probationers about the probation system, there is a case for expanding the use of probation as an alternative to imprisonment, especially for low-risk offenders.

Long-Term Impact Assessment

The study highlights the effectiveness of the probation system, but continuous evaluation and monitoring are essential to assess its long-term impact. Policymakers should prioritize conducting periodic evaluations of the probation system's outcomes to identify areas for improvement and ensure its continued success in achieving rehabilitation goals.

Collaboration and Coordination

To maximize the effectiveness of the probation system, there should be better coordination and collaboration between probation offices and other criminal justice agencies.

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