

## **PEDAGOGICAL PROBLEMS OF CORRECTING JUVENILE DELINQUENTS SERVING A SENTENCE WITHOUT IMPRISONMENT AND THE WAYS OF THEIR SOLUTION**

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**Abstract.** *The article presents the results of the empirical research. The aim of the research is to identify and to solve the pedagogical problems of minors sentenced to punishment without deprivation of liberty through the realization of a scientifically grounded and practically tested model of pedagogical support. The methods of the research include pedagogical analysis and synthesis, induction and deduction, comparison and synthesis of the research results, questioning, individual and group interviews, supervision, generalization of independent characteristics, comprehensive and formative assessment and statistical methods of information processing. The following pedagogical problems were defined during the experimental work: insufficient level of pedagogical training of the penal staff, low level of pedagogical culture of parents, other family members and persons in loco parentis and the lack of an integral system of pedagogical support in general. During the investigation a scientifically proved pedagogical model for correction support of juvenile delinquents who are registered by the penal inspections of the Federal Penal Service of Russia is created. The pedagogical model for correction support of juvenile delinquents is considered as one of the ways of pedagogical problems solution.*

**Keywords:** *correction, juvenile delinquents, model of correction support of juvenile delinquents, pedagogical problems, serving a sentence without imprisonment.*

## **Introduction**

Adolescence and youth are difficult periods for the formation and self-determination of an individual. Juveniles are possessed by contradictory tendencies which can become factors of antisocial and criminal behavior and the growth of their criminality.

The statistics of juvenile delinquency on the territory of the Russian Federation in recent years has a steady downward trend. From 2005 to 2015 the number of juvenile crimes reduced by almost 4.5 times (from 99091 to 22816 cases). The average proportion of juvenile delinquency in the country is about 5%. However, this indicator in a number of Russian regions is higher: in the Trans-Baikal Territory – 8%, in the Republic of Karelia – 7.6%, in the Tyva Republic – 7.1%, in the Irkutsk and Amur regions – 6.9% each. About 83.5% of offenses are crimes against property. The number of serious crimes is constantly decreasing, most juvenile crimes are classified as minor and medium-gravity crimes. Every third crime is committed with the participation of adults (Federal State Statistics Service, 2018).

Most juvenile offenders do not need isolation from society, as they are not dangerous to other people in the community. So in such cases legal and educational measures without imprisonment can be applied. A significant part of juvenile convicts serve various types of punishment without imprisonment in penal inspectorates. According to the concept of Russian penal system development until 2020, the rationalization of criminal justice policy assumes an increase of alternative punishments proportion by 200 thousand by 2020.

In this regard, the problem of optimization of the process of juvenile offenders' while serving sentences alternative to imprisonment, identifying the causes and conditions of their criminal behavior (criminogenic determinants) and ways to overcome them is of particular relevance.

The object of the research is the process of correction and resocialization of juvenile convicts serving sentences without imprisonment.

The subject of the research consists of pedagogical ways and conditions of improving the efficiency of their correction, using a model of pedagogical support of minors who were sentenced to punishment without imprisonment.

The aim of the research is to identify and to solve the pedagogical problems of minors sentenced to punishment without deprivation of liberty through the realization of a scientifically grounded and practically tested model of pedagogical support.

The methods of the research are pedagogical analysis and synthesis, induction and deduction, comparison and synthesis of the research results, questioning, individual and group interviews, supervision, generalization of

independent characteristics, comprehensive and development assessment and statistical methods of information processing.

### **The theoretical basis of the study**

The theoretical basis of the study includes the system of scientific theories, approaches and methods. At the philosophical level there are ideas about the social conditions of behavior, communication and human activity, its subjectivity in interaction with social and natural environment; ideas about professional activity as a social function of a person. At the general scientific level there are the theory of integrity and interdependence of social and pedagogical phenomena in the process of individual educating (Vygotsky, 1996; Kon, 2003; Rubinstein, 2017); the theory of education in a holistic educational process of personality (Babansky, 1988; Bashkatov, 2002). At the certain scientific level the basis of the research is formed by the ideas of socio-psychological and socio-pedagogical features of juvenile delinquent's personality (Bashkatov, 2002; Belyayeva, 1995), by personal and activity approaches to the selection of content and means of educational influence on minors (Belicheva, 2004; Kazakova, 2015). At the technological level the problem is considered in terms of the theory of the formation of the penal staff professional readiness (Pozdnyakov, 2000; Ushatkov, 1999; Vinogradov, 2011) and methods of optimization of the professional training of tutors in corrections (Tyugaeva & Chistotina, 2011).

The complex of interrelated and complementary methods of scientific research consists of pedagogical analysis and synthesis, induction and deduction, comparison and synthesis of the research results. The empirical base includes questioning, individual and group interviews, supervision, generalization of independent characteristics, comprehensive and formative assessment and statistical methods of information processing.

Historical and pedagogical analysis of the problem allowed to determine the objective tendencies and contradictions of the development of the system of punishments for juvenile delinquents alternative to imprisonment, as well as the tendencies of the pedagogical support of its realization in Russia. It has been established that at all historical periods the investigated measures were considered as a humane alternative to criminal punishment in the form of imprisonment of asocial and deviant children, as prevention of personal and environmental deformations, as correction and rehabilitation, the effectiveness of which is largely predetermined by the quality of the pedagogical support. Its effectiveness and in general, the success of the correction of juvenile offenders depend on the system of legal, psychological, organizational and especially

pedagogical factors, on individual educational, preventive and reformatory work of all its subjects and their interaction.

### **Research results**

The legislator maximally differentiates corrective and educational measures in relation to juvenile offenders, the content and essence of which predetermine the specifics of their implementation.

They are a prevention as the mildest punishment, the transfer of a juvenile under supervision of parents or persons in loco parentis or under supervision of a specialized state body, the duty to compensate the harm caused by the crime (Kuznetsov, 2016), restriction of a juvenile's leisure and determination of special requirements to his behavior (Luzgin, 2018), fine, compulsory work, correctional work, restriction of liberty and the replacement of a juvenile delinquent to a special closed educational institution under the patronage of an educational administrative body as the strictest and the last extreme educational measure. The last measure means pedagogically based isolation from society, but without imposing deprivation of liberty on a juvenile.

The following pedagogical problems were identified during the experimental work: insufficient level of pedagogical training of the penal staff, low level of pedagogical culture of parents, other family members and persons in loco parentis and the lack of an integral system of pedagogical support in general.

The results of our research let us to make up a generalized professional and personal portrait of Correctional Service staff. The majority of the penal staff working with juvenile delinquents are mainly women succeed as penal officers. More than half of them are between the age of 31 and 40 and have work experience in corrections (65% have work experience up to 5 years or more), the level of professional education is high enough (all employees have a higher education). However, only one out of ten employees has pedagogy education. About 20% of specialists have psychological and pedagogical knowledge and competences in the field of preventive, correctional, rehabilitative, social psychology and pedagogy to a greater or lesser degree. It is obvious that without effective pedagogical support it is difficult for such employees to achieve high results in the correction of juvenile offenders.

The efficiency of pedagogical support depends on the study and consideration of the personality characteristics of a juvenile delinquent (his sociodemographic, criminal, pedagogical, psychological and other characteristics, which make up his whole social portrait). In the process of the pilot study it was revealed that among the minors who are registered in the penal services boys at the age of 16-17 years old make the majority of juvenile

delinquents (only one girl pro ten boys) in proportion of 64.6%, living in Russian cities and convicted for the first time (96.1%). The family and or its absence had a negative influence on the development of these juveniles: 92% of them lived in single-parent families or were under the care of other people, and every seventh convicted juvenile is an orphan or a social orphan whose parents were deprived of parental rights. Family disadvantages, unfavorable microenvironment combined with other external negative factors negatively influenced the process of development and socialization of juvenile delinquents' personalities: almost half of them (49%) were vagrants before conviction, and 5.6% were trained according to the special education programs (corrective treatment). Many of them communicated or were members of "risk groups", easily and quickly mastered antisocial norms and elements of their subculture. The behavior of these juveniles is characterized by a demonstrative opportunistic style, they demonstrate a tendency to avoid failures and mistakes, as well as seek for protectorship by strong persons, including criminals. Their personal features include high accentuation, inadequacy of self-esteem and such features as aggressiveness, tendency to disobedience, bravado, high sensitivity in relation to the surrounding or falsely perceived injustice (Andreev, 2016).

Minors sentenced to imprisonment without deprivation of liberty are characterized mostly neutral and even positive in comparison with juveniles sentenced to imprisonment. Most of them deplore former errors and regret committing a crime, but however they does not consider the committed crime as a dangerous act and do not feel guilty and demonstrate lack of compassion to the victim, but hereby show concern with their own destiny. The criminal deformation of their personality is minimal, combined with other positive personal characteristics and environmental potential it creates favorable prerequisites for their successful correction (Kuznetsov & Luzgin, 2018).

The investigated characteristics of the social portrait of a juvenile offender bring up to day the necessity of an integrated approach to solving problems of juvenile delinquents correction.

The important role in the correction process is imposed on employees of the territorial bodies of the Federal Penal Service of Russia, on the internal affairs bodies on the issues of juvenile cases, on family or persons in loco parentis, child protection services, educational authorities and educational organizations, commissions on juvenile affairs and crime prevention, public organizations and associations. The staff of the penal service performs the largest amount of professional duties by execution of various types of punishments against minors. Being the main organizer and executor, the penal staff directs and coordinates the educational work of all other subjects of correction, closely interacting with the internal affairs bodies on juvenile cases. Since their professional activity should be based on subject-subject relationship,

the personal characteristics of the penal staff and their level of readiness for work with juvenile delinquents are of considerable importance.

The results of our research, proved by scientific data of other scientists, make clear that the family, which we consider as one of the most important subjects of juveniles' education, does not have the necessary correctional potential, in which the educational culture of parents and other family members plays a systematic role. Analysis of the current state of the real level of the educational culture shows that it is mostly low. Half of the investigated families are single-parent families living on a stringent budget, the members of these families pay attention to children's education only occasionally. They hardly know merits and demerits of their children, they estimate their interests, hobbies, and social surrounding formally. Two thirds of them (about 67%) use hard, unsystematic, situational forms of control, emotional type of communication or show complete trust and lack of control in the educational process. The study lets note that there is a considerable lack of the pedagogical experience of parents or persons in loco parentis, they do not seek to enrich their pedagogic and psychological knowledge, and often excuse themselves on the ground of pressing engagements. Mostly in the educational process they rely on their own abstract ideas and their parents' experiences. At the same time some of them (almost 50%) after their son's or daughter's conviction make occasional attempts to change and improve their prohibitive educational practice, however as before they are "short of time", "they do not know what else can be done" or they "are sure that the child is not little and will cope with his difficulties himself".

In our opinion one of the ways of solution of the above mentioned pedagogical problems is development and realization of a scientifically based pedagogical model of correction process support of juvenile convicts registered by penal inspections of the Federal Penal Service of Russia.

The urgency and basis of the development of this model is determined by the social order which demands to form a law-abiding and rehabilitated person after serving a sentence without imprisonment. The purpose of the pedagogical model is the correction of minors sentenced to punishment without imprisonment. The theoretical and methodological basis includes the systemic, personality-oriented, psychosocial approach, reflexive and activity approach. These approaches predetermined the system of interrelated ways of investigation of the category of pedagogical support of the correction of juvenile delinquents sentenced to punishment without imprisonment: psychological, social, educational and professional.

The model of pedagogical support of correctional process in penal service also includes social and pedagogical conditions of pedagogical support of the correction of juvenile delinquents sentenced to punishment without imprison-

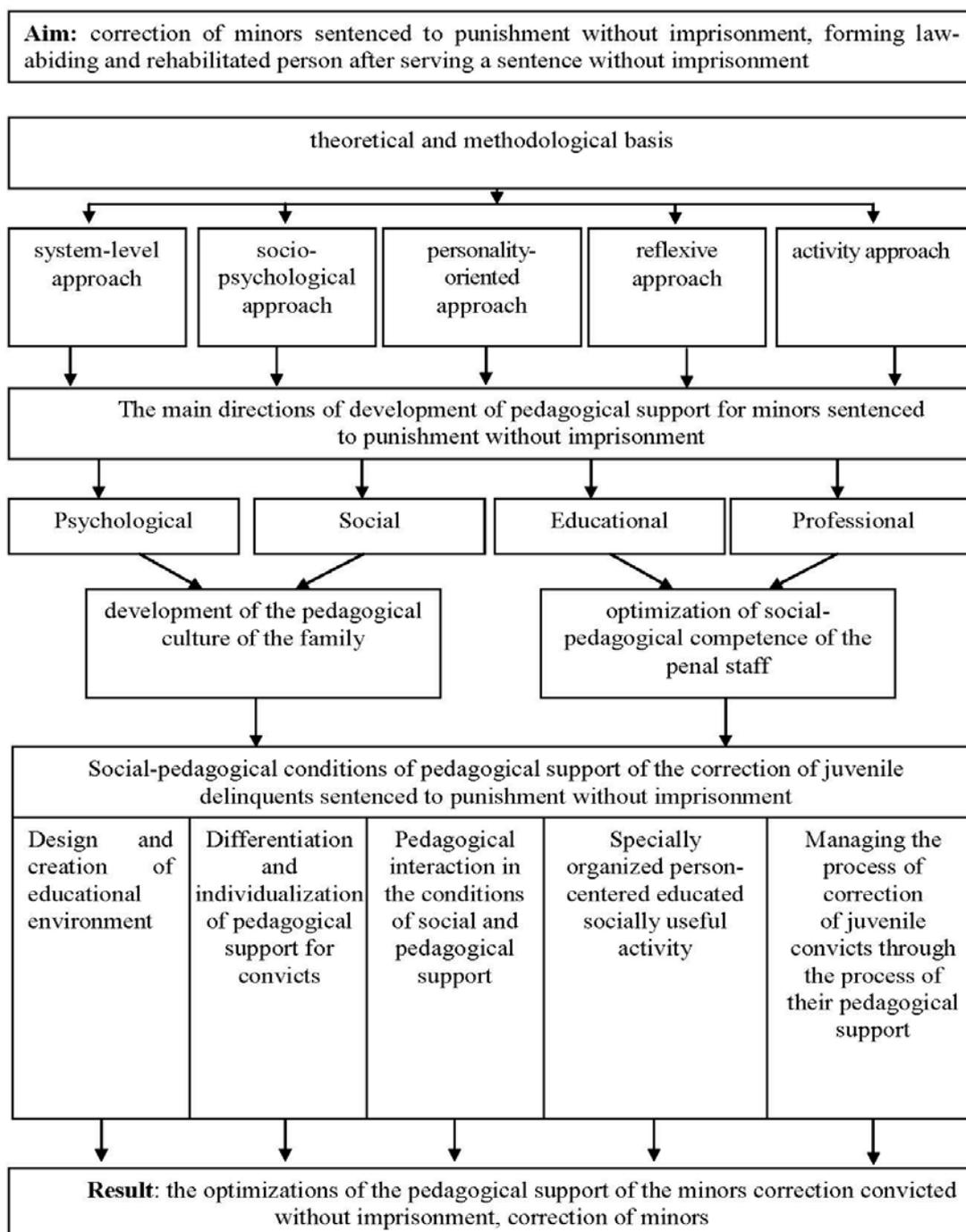
ment, specially developed differentiated pedagogical programs and levels of juvenile delinquents correction, indicators of the correction dynamics in the pedagogical process. The social and pedagogical conditions of pedagogical support of the juvenile delinquents correction consist in the pedagogical design and creation of the developmental and educative environment; the differentiation and individualization of pedagogical support of various categories of convicts; the interaction of the main subjects of support in the process of social and pedagogical support; the engagement in a specially organized personality-oriented educating socially useful activity; management of the correction process of juvenile delinquents through their pedagogical support including the improvement of social and pedagogical competence of employees of the penal inspections of the Federal Penal Service of Russia. The pedagogical model for correction support of juvenile delinquents who are registered by the penal inspections of the Federal Penal Service of Russia is presented in figure 1.

To solve the abovementioned pedagogical problems a training seminar program for employees was developed and implemented. Within this program framework issues of adolescent correction were studied using active and interactive methods and technologies. For example, in the process of studying the topic “Methods for correcting adverse conditions” the employees mastered such methods as suppression, repression, ignoring, authorizing, focusing on the positive experience and features of their use in educational process. Group classes were held in the framework of service training with the wide use of independent forms of work on individual programs that stimulate personal and professional self-development and self-improvement (Luzgin, 2018).

In order to improve the pedagogical culture of the parents, family pedagogical counseling was organized. Its subject matter was caused by the typical and individual problems of the relatives of convicts - teenagers. Group counseling included such topics as “Features of the development of the emotional sphere of a teenager”, “Ways to create a favorable socio-psychological climate in the family”, “Personal dignity of a teenager”, “Pedagogical rules for encouraging and punishing a teenager”, “A teenager in the family and among peers” and others. The substantive basis of the consultations was constituted by specific pedagogical family situations the participants of which were adolescents registered in penal institution.

In the experimental groups of adolescent offenders who are registered in a penal institution in the amount of 103 people differentiated programs of their pedagogical support were implemented on the basis of programs of psychological and pedagogical trainings. For example, in the framework of the programs “To be healthy at Your Own Will” and “Start to Success”, group sessions, trainings, role-playing games on teaching communication skills with other people and the ability to solve conflicts with parents and peers, and to

prevent the manipulative influence of criminal leaders and media, especially the Internet. In addition, adolescents mastered the skills of video editing, photo and video film creation, journalism skills, and also learned the fundamentals of acting and managing skills. According to the adolescents' opinion, these activities helped them to understand how interesting life can be, being able to communicate with people.



*Figure 1 Pedagogical model for correction support of juvenile delinquents who are registered by the penal inspections of the Federal Penal Service of Russia*

The next program “How to become successful in the labor market” helped minors to orient themselves in the world of professions and get a job. They were given training and advisory sessions on how to behave themselves when they come for an interview, how to dress, what to say, how to behave themselves and talk, express gratitude and say goodbye leaving a favorable impression about themselves and increasing their chances for successful employment.

In the process of implementing vocational guidance programs adolescents, especially from those sentenced to compulsory and corrective labor, gained a broad understanding of the various prestigious and necessary professions in the labor market, mainly related to working specialties. Games, trainings, conversations, discussions were complemented by excursions to manufacturing enterprises, schools, colleges and technical schools where teenagers directly see the work of specialists and craftsmen, and the processes of “birth” of consumer products. They were given the opportunity to test themselves, to participate in the performance of individual operations.

Group work was successfully combined with individual tasks based on the results of diagnostics of adolescents who are registered in criminal executive inspections. Individual work was based on individual preventive programs.

Practical approbation of the pedagogical model of supporting of the correcting process of juvenile delinquents who are registered by the penal inspections of the Federal Penal Service of Russia proved its effectiveness. The results of the implementation of the developed model are represented in table 1.

*Table 1 Dynamics of juvenile delinquents’ correction during the experiment in 2014-2017*

	Total amount of released after realization of the model of pedagogical support of educational process in penal service	Recidivism during the approbation of the model of pedagogical support of educational process in penal service	Correction level of released			
			low	acceptable	medium	high
Control group (103 juvenile delinquents / 100%)	82 (79,6%)	21 (20,4%)	41 (39,8%)	82 (79,6%)	12 (11,7%)	6 (5,8%)
Experimental group (105 juvenile delinquents / 100%)	87 (82,9 %)	18 (17,1%)	18 (17,1%)	87 (82,9 %)	21 (20,1%)	12 (11,4%)

## Conclusions

Thus during the investigation the aim of the research was achieved. The pedagogical problems of correcting minors sentenced to punishment without deprivation of liberty were identified and the way of their solving through the realization of a scientifically grounded and practically tested model of pedagogical support was found and experimentally proved.

The main pedagogical problems pedagogical problems of correcting minors sentenced to punishment without deprivation of liberty include low level of pedagogical competence of the penal staff, low level of pedagogical culture of parents, other family members or persons in loco parentis which are the results of the lack of an integral system of pedagogical support. One of the ways to solve them is to implement the developed models of pedagogical support of correction of minors convicted for punishment without imprisonment. The results of the implementation of the proposed model of pedagogical support for correctional work indicate that increasing of the level of pedagogical training of corrective services staff, improving of the pedagogical culture of adolescents' relatives have optimized the process of re-socialization of convicts in total. The proof of the positive dynamics in the decrease of crime of convicts who have served their sentence without imprisonment is presented above.

The success of juvenile delinquents rehabilitation depends mostly on its pedagogical support, on the provision of the penal staff with scientific and methodological tools which were tested and proved during the empirical study conducted in six regions of the Russian Federation with about 500 people including penal staff, juvenile convicts serving sentences without isolation from society, their relatives, experts and others.

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