

Social Work & Education

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УДК 364:343.244

DOI: 10.25128/2520-6230.18.2.2

Article history:

Received: April 14, 2018

1st Revision: April 30, 2018

Accepted: May 21, 2018

Lisovets, O. (2018). Innovative practice of socio-educational work in probation service in Ukraine, *Social Work and Education*, Vol. 5, No. 2., pp. 19-27.

INNOVATIVE PRACTICE OF SOCIO- EDUCATIONAL WORK IN PROBATION SERVICE IN UKRAINE

Abstract. The implementation of the probation service in Ukraine has considerably activated the questions of working out the new approaches to the social work with different categories of the persons having the problems with the law. In this article we try to examine the essence and peculiarities of socio-educational work with the convicted persons as innovative practice for probation service and the efficiency of its implementation at present stage in Ukraine. The probation service we consider as the subject of the social work, because it includes the specific directions and functions, which are directed to the decision of the client's social problems, incl. it provides the socio-educational work implementation for the purpose of the convicted persons' correction. Having analyzed the experience of the probation service socio-educational work we can separate such main directions: consultative help, assistance in the job placement, attraction for study, participation in the breeding actions and socio-useful activity. We've formulated and characterized the basic possible problems and needs of the probation subject. With the help of diagnostic methodic we've analyzed the basic problems and needs of Nizhyn and regional probation service department clients and proranged according to the level of town criminology the dynamic factors of the risk.

The definition the client's problems and needs is an outgoing and necessary stage of one of the basic and innovative technologies of the socio-educational work with the probation subjects – the technology of the case-management. And one of the new practices in the probation service work the implementation of the probation programs becomes. The program includes a series of measures aimed at correcting social behavior or its individual manifestations, forming socially favorable changes in the individual.

The questions of the probation service personnel and methodical support in Ukraine need further scientific research, the interaction of the probation institutions with the other social institutions for the clients' problems decision.

Keywords: socio-educational work; correction; probation; probation service; a specialist in matters of social work with probation subjects; the technology of a case management; probation program.

Introduction

The implementation of the new socio-jurisdictional institution in Ukraine – the probation service that is caused by the necessity of the fulfillment of our state international obligations, concerning the broader introduction of alternative kinds of the punishment, has considerably activated the questions of working out the new approaches to the social work with different categories of the persons having the problems with the law. However, the character reference of the probation service essence let us regard this institution as a subject of social work, as far as it includes the specific directions and functions that are aimed at the considerable decision of the broad spectrum of the clients' problems among which there are social problems. Reforms in this area are far from complete, but the relevance of scientific research is indisputable. This will reveal the peculiarities of the formation of the probation service in Ukraine, the problems, prospects for further development.

Paying attention to the considerable experience of the analogous services abroad this problem is enough cleared up in foreign investigations (S. Verdun-Johns, D Witfield, M Geta, S Griffiths, M. Deia, G. Ditton, Ia. Kunova, P. Leilend, S. Lison, G. Mayer, M. Nellis, R. Ford, U. Chuia, and others), that take a view of the theory and practice of the alternative kinds of punishment implementation, raising the circle of jurisdictional, psychological and social problems. Among the Ukrainian investigators, we should distinguish O. Betsa, O. Bogatyryova, O. Djudja, A. Kyrlyuk, N Maksimova, D. Yagunov, I. Yakovets and others. But our native investigations in the sphere of the corrective work comparatively not long ago have passed into the social work flat (I. Zvereva, O. Karaman, V. Lyutyi, L. Onica, I. Pahomov and others), that's why the necessity of the essential investigation of probation activity aspects remains urgent, all the more, the essence of the socio-educational work has been legally secured as one of its directions.

In the context of this article, we put as a **purpose** the examination of the essence and the peculiarities of socio-educational work with the convicted persons as innovative practice for probation service in Ukraine and the examination of the efficiency of its implementation at present stage.

Methodology of the Research

To achieve the goal we used complex methods of research: general scientific methods of analysis, synthesis, comparison and synthesis of existing scientific material on the study. In the process of empirical research the diagnostic methodic "The assessment of the risk of repeated criminal offense" was used. This methodic is a questionnaire, which includes questions from 11 groups of dynamic factors and was conducted with clients of Nizhyn city and regional probation service department (the selection – 136 persons). It allowed identifying the main problems and needs of respondents, identifying criminogenic and non-criminogenic factors.

Results

Having learnt the preconditions of the probation service emergence and its formation process we have discovered that this institution genesis has been traced from the 19th century when the questions of alternative kinds of the penalties for the transgressors were activated. And during the 20th century probation as a kind of penalty or as a kind of releasing from serving a sentence with probation gradually has extended in a majority of countries of the world and is realized by the state and in some countries non-state specialized institutions under different subordinations. Regarding our country we can state that having come through some stages this process was marked by adoption the Law of Ukraine "On Probation" (On Probation, 2015), that made the start for building up of this institution in Ukraine. Properly speaking, we'll at once

lead up the legislative interpretation of the concept “probation”, which consists in the “system of supervising and socio-educational actions, that are applied according the court sentence and according the Law of sentenced, the execution of some kinds of criminal penalties not connected with imprisonment and supplying the court with the information that characterizes the convicted person (On Probation, 2015). As we see, the probation is considered not only as criminal-juridical but so as a socio-educational institution, which essence is on the one hand is the supervising and control, on the other hand is the individual work with the transgressor, his escort and support, and concentrated more on his correction than on the punishment of the person. Let’s add that the introduction of a separate post of the specialist in matters of social work with the probation subjects once more underlines the meaning of the social work in the probation service practice. It allows considering it as the subject of the social work and affirms the necessity of the scientific research and analysis of the present-day socio-educational work in the given social institution.

In general, the socio-educational work takes an important place in the system of correction and re-socialization of convicted persons that have been regulated by the criminal-executive legislation, in which it is interpreted as “purposeful activity of the institution personnel and the personnel of the penitentiary institutions for the achievement of the purpose of the correction and re-socialization of the convicted persons”(Criminal Executive Code of Ukraine, 2003) and includes a moral, law, labor, esthetical, physical, sanitary-hygienic upbringing of the convicted persons, and also its other kinds that help them to form the life-position responding the norms of law and demands of socially useful activity (Golina & Stepanyuk, 2011). In the context of the probation activity the essence of the socio-educational work as the special socio-legal, psychology-pedagogical system of the influences on the client has its own specification relatively all the components of this system (an object, a subject, a purpose, directions, an essence, technologies, a result). That’s why we think it is necessary to characterize these components that will allow to clear up the specificity of the socio-educational work in the probation service.

Defining the object of the socio-educational work we must accentuate that it is conducted with all the categories of probation subjects excepting persons as to which the pre-trial report is being prepared and persons sentenced to restraint of liberty that are going to correction centers for the serving a sentence. So the objects are persons sentenced to the deprivation of the right to hold definite posts or to be engaged in a definite activities, to public works; the persons for which the sentence to restraint of liberty or imprisoned for a certain period is changed for the punishment for a certain period of public or corrective works; exempt from punishment with trial, exempt from punishment pregnant women and women having children under 3 years old. Apart we must accentuate the attention on the underage persons (from 14 till 18 years old) as the objects of socio-educational work probation accomplishment about which gives the possibility to avoid the negative moral, psychological, and physical results of isolation (in terms of educational colony), as far as the skills of the social interaction are preserved and develop under social environment influence and with the active help of the probation institution personnel at an alternative punishment.

Exactly the probation institution personnel is the subject of socio-educational work according Ukrainian legislation (On Probation, 2015), among regular units of which we accentuate the attention on the specialist in matters of socio-educational work with the probation subjects post. The introduction of this post testifies the possibility of the socio-educational function competent realization in the work with probation clients, taking their social situation development, psychological characteristics etc. into consideration. We must add that the specific subject of the socio-educational work in the probation service is so-called “the

volunteer of probation” – the physical person which reached eighteen-year age, authorized by body of probation and the volunteer organization on accomplishment of the separate tasks connected from probation on voluntary and non-paid basis (Order of the Ministry of justice of Ukraine, 2017). The probation volunteers’ main tasks are the assistance the probation institution in the supervision under the convicted persons and realization of socio-educational work under supervision of the probation institution personnel. We can affirm that it is enough innovative approach to the organization of close cooperation in the direction of transgressors’ socialization. At the same time it opens the broad possibilities for the involvement the students – future social workers (as trainees, volunteers) for their pre-professional training, professional self-determination and establishment; knowledge and practice skills of the socio-educational work mastery; obtaining of individual and group work experience with different categories of clients etc.

Separately we’ll accent when the matter is in the underage probation client then at the same time the subjects of the socio-educational work can be the institutions and services for children that realize their social defense and crime prevention, and the underage persons’ parents or their legal representatives too. But, as V. Pekarchuk directs, we must understand that in families of convicted under age persons, who have committed a crime, the emotional contacts between parents and children could be broken, what the reason of the teenagers’ crime was. Also the negative influence could be in the parents’ indifference, absence of mutual understanding, difficult financial conditions and disorder of living conditions, power education method (Pekarchuk, 2016, p. 113). Taking into consideration the outlined before we can ascertain, that there is a difficult task before probation institution workers: on one hand, to use the family relationship influence at maximum, on the other hand, to level possible misunderstanding from the parents side, not to allow the unfavorable family situation by the understandable explanation of the administrative and criminal law actions of the influence on the parents which don’t execute their children’s breeding in properly manners.

Moving to the appointment of the socio-educational work in the probation service its general purpose is the correction of the convicted person, that is the process of positive changes, that are going in his/her personality and create his readiness for self-directed properly regulated behavior (Criminal Executive Code of Ukraine, 2003). Practically, this is purposeful process of the determination of unlawful behavior factors and the direction of the further work with the clients by creating the favorable conditions for the personality socialization or re-socialization, the all-round development, self-development of the personality, the neutralization of the negative factors through the intensification of the personality recourses, the integration of the state institutions and public recourses.

Having analyzed the experience of the probation service socio-educational work (and in particular, the work of Nizhyn city and regional probation service department in matters of probation of the Central interregional department for the execution of criminal punishments) we can separate such main directions of the socio-educational work: consultative help, assistance in the job placement, attraction for study, participation in the breeding actions and socio-useful activity.

But let’s accent, that the basis of the effective socio-educational work with the probation service clients is a detailed examination of their main problems and needs. So, having defined the the main factors that influence the formation of the probation service clients (the education, the environment, the habitation, the finances, the health, the availability of dependencies, the level of legal awareness) we’ve formulated and characterized the basic possible problems and needs of the probation subject that we’ve united in such groups: ” the habitation”, “the education”, “the work”, “the financial position”, “the control under the behavior and thoughts”,

“psychological state”, “the alcohol abuse”, “the use of narcotic drugs, psychotropes or equivalent substances”, “the relations in society”, “the relations with the family and friends”, “the attitude to the offence”, “readiness for changes”. For example, the habitation problems connected with the absence or the dissatisfaction of the living place, unfavorable environment, accordingly are directed to the search/renting of the living place, the place in the hostel etc.

Then with the help of diagnostic methodic “The assessment of the risk of repeated criminal offense” we’ve analyzed the basic problems and needs of Nizhyn city and regional probation service department clients (the selection – 136 persons) and pranged according the criminogenicity level the dynamic factors of the risk of repeated criminal offense. As a result, it was discovered that the most influential there are such groups of factors: “the relations with the family and friends” (67% don’t have got the own family, 25% committed domestic violence and etc.), “the work” (69% are officially unemployed), “the financial position” (90% have declared the financial and material problems), “the education” (69% have only the secondary or incomplete secondary education), “the alcohol abuse”, “the use of narcotic drugs, psychotropes or equivalent substances”. So the detection the probation service clients’ problems is a top priority task and an initial stage of the socio-educational work system of the specialists of probation service. Assessing the level of the risk of repeated criminal offense and the detection of criminogenic factors concerning this or that convicted person they must follow three generally accepted principles (Yakovets & Volik, 2015):

the principle of the risk: the higher is the risk of repeated criminal offense the higher must be the intensity of the given services (the quantity of the kinds of services, their duration, the frequency of the communication, the level of the control etc.) the intensive help is overseen for the cases of the higher risk, because the successfulness is higher as a respond for exactly such kind of help in this cases in comparison with less intensive, at the time as in cases with less pronounced risk the better results are achieved exactly with minimal level of intrusion;

the principle of the needs: the concrete kinds of help must response the criminogenic transgressor’s needs. Under such problems the characteristics of the convicted person are being understood, his/her environment, those if are changed into positive direction reduce the probability of the committing of the new crime;

the principle of the possibilities: the kinds and methods of the help, concrete services are given to the accordance with the possibilities (resources) of the rehabilitation space and the concrete transgressor. In other words, such a kind of help must be proposed, that responds not only criminogenic needs but those person’s qualities and possibilities (biological, psychological, social and spiritual), for which the exactly such kind of help can be the most useful.

However, the definition the client’s problems and needs is an outgoing and necessary stage of one of the basic and innovative technologies of the socio-educational work with the probation subjects – the technology of the case-management. Thoroughly filled and analyzed risk assessment directs to the right formulation of the problem, then the needs and look of the resources that is expedient to attract for the decision of the situation around the transgressor. As a result of the work has been done is the next stage of the technology: the development of the individual plan of the work with the convicted person that must include the name of the service (the content of the event); the service provider (own or affiliate recourses: material, human, informative etc.), periodicity/deadline; the full name of the worker/ the person which was involved; the state of the achievement (has been achieved, in the process, changes are made), the client’s signature about the fulfillment or the acquaintance with changes (Yakovets & Volik, 2015, p. 33). The implementation of the plan is realized not only during the direct meetings with the probation service specialist, but by the client redirection to one or the other

services having got bigger potential in granting of the definite help. But the redirection doesn't exclude the carrying out of the further consultations, coordination and the monitoring of the quality and the quantity of the provided services. After the work completion it is necessary to hold the analysis of the results according to the items of the developed and implemented plan. It is done in order to understand exactly how it was done or why the scheduled hasn't been done, what difficulties arose in the process of the implementation and what experience the convicted person has got. It will let not to allow the negative results and to direct the plan implementation into more rational and expedient course both the probation specialist and his client.

For the purpose of the confirmation of the theoretic positions of the individual socio-educational work with probation clients, verification of effectiveness of the work forms and methods within of the case-management technology we've developed and implemented the individual plan of the work with one of Nizhyn city and regional probation service department in matters of probation client. The work done with 21 year old M. has witnessed the efficacy and effectiveness of the case-management technology with probation service clients, the importance of the inter departmental interaction in the concrete problem decision. After all, except the specialist in social work the probation service psychologist was involved (for the client's increase self-esteem, his communicative skills); the social teacher of the social hostel the client lived in (for the help in the right organization of everyday life and self-service); the employment centre specialists (for the acquaintance with the data bank of vacancies and required specialties, the consideration of the training in professional courses possibility) and etc.

Without analyzing the content of all listed above socio-educational work in the probation service directions let's generalize that it is carried out with the account of the individual, differentiated and prophylactic approaches:

1) the individual approach is in the communication with every person, who is convicted, the account of all his qualities as the individual for the purpose of his adaptation in the society;

2) the differentiated approach forces to give the consultative and psychological help for the transgressor in every specific case, to promote his employment, engaging in learning, socially useful work etc.;

3) the prophylactic approach is concentrated on the warning of the repeated unlawful actions committing, the convicted person rehabilitation and re-socialization (Markiv, 2016).

One of the new practices in the probation service work the implementation of the probation programs becomes, the order and realization of which were approved in 2017 (Resolution of the Cabinet of Ministers of Ukraine, 2017). The probation program is appointed by the court decision for the person released from serving a sentence with a trial, and provides the complex of actions that directed to the social behavior correction or its separate manifestations, the formation of the socially favorable personality changes (the psychological correction and adaptation programs that are directed to the negative factors elimination that influenced and can influence further the transgressor's behavior). The main program specificity is that it is not the simple totality of the actions but the system of the specialists' educational effects, that is directed to the stimulation the own socially approved client's activity according the well-defined plan and the appropriate timing (from a month to a half of a year). According to the program fulfillment results the convicted person receives the definite degree the encouraging acts, in particular, for the conscientious behavior and the responsible attitude to the study, work, active participation in the public activity etc., i.e. the formation of the social favorable personality changes that can be objectively verified.

Conclusions

So, the new institution for Ukraine – the probation service we consider as the subject of the social work, because it includes the specific directions and functions, which are directed to the decision of the client's social problems, incl. it provides the socio-educational work implementation for the purpose of the convicted persons' correction. The conducted research doesn't exhaust all the aspects of the socio-educational work in the probation service problem. The questions of the probation service personnel and methodical support in Ukraine need further scientific research, the interaction of the probation institutions with the other social institutions for the clients' problems decision; the study of the perspectives of the implementation probation service in Ukraine, which would satisfy the needs of society and meet world standards.

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ІННОВАЦІЙНА ПРАКТИКА СОЦІАЛЬНО-ВИХОВНОЇ РОБОТИ В СЛУЖБІ ПРОБАЦІЇ УКРАЇНИ

Лісовець Олег, кандидат педагогічних наук, доцент, докторант кафедри соціальної педагогіки Національний педагогічний університет імені М. П. Драгоманова, м. Київ, Україна
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Анотація. Запровадження в Україні служби пробації значно актуалізувало питання розробки нових підходів до соціальної роботи з різними категоріями осіб, які мають проблеми із законом. У даній статті ми розглядаємо сутність й особливості соціально-виховної роботи із засудженими як інноваційної практики для служби пробації в Україні. Службу пробації ми розглядаємо як суб'єкт соціальної роботи, оскільки включає специфічні напрями та функції, що спрямовані на вирішення соціальних проблем клієнтів, в т. ч. передбачає здійснення соціально-виховної роботи з метою виправлення засуджених.

Основними напрями служби пробації є: консультативна допомога, сприяння працевлаштуванню, залучення до навчання, участь у виховних заходах та суспільно-корисній діяльності, індивідуально-профілактична робота.

Ми сформулювали й охарактеризували основні можливі проблеми та потреби суб'єкта пробації. За допомогою діагностичної методики «Оцінка ризиків вчинення повторного кримінального правопорушення» виділили основні проблеми й потреби клієнтів Ніжинського міськрайонного відділу з питань пробації та прорангували за рівнем криміногенності динамічні фактори ризику вчинення повторного правопорушення. Визначення проблем та потреб клієнта є вихідним та обов'язковим етапом технології ведення випадку (кейс-менеджменту). Однією з нових практик у роботі служби пробації стає і впровадження пробаційних програм. Програма передбачає комплекс заходів, спрямованих на корекцію соціальної поведінки або її окремих проявів, формування соціально сприятливих змін особистості.

Подальшого наукового пошуку потребують питання кадрового та методичного забезпечення служби пробації в Україні, взаємодії пробаційних органів з іншими соціальними інститутами для вирішення проблем клієнтів та ін.

Ключові слова: соціально-виховна робота, виправлення, пробація, служба пробації, фахівець з питань соціальної роботи із суб'єктами пробації, технологія ведення випадку, пробаційна програма.

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Стаття надійшла в редакцію: 14 квітня, 2018