

EDUCATION OF SOCIAL PEDAGOGY STUDENTS FOR REHABILITATIVE WORK WITH CONVICTED PERSONS WITHIN PENAL SYSTEM

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Summary:

Penological rehabilitation problems make the part of the teaching programme at the Faculty of Defectology Department for Behavioral Disorders for already some twenty odd years. The subject is taught within the frame of two courses: Penological Rehabilitation I and II. In this article the authors have tried to describe these two courses, their objectives, contents and connection with other related courses. The two above mentioned courses are methodically oriented, with an emphasis on allowing the students to master the working skills on three levels of both, institutional and out-of-institution treatment: the general methods of treatment; methods of treatment for special groups of convicted persons and small rehabilitative programmes. The basic prerequisite for mastering of those skills is the necessary knowledge about new systems of classification in accordance with the criteria of risks and needs, which are now generally accepted all over the world. The said courses include also some experiences from abroad in implementation of alternative sanctions which have not been as yet accepted in our country, but it is expected that they will be introduced by the new Criminal Law and the Law on Execution of Sanctions which are now in the process of being officially approved by the parliament.

Key words: *penological rehabilitation, students' education*

1. INTRODUCTION

Although the various definitions of social pedagogy mostly refer to children and young people (see Uzelac, 1995:65-70), we believe that many of their elements are applicable also in certain areas of work with adult population, particularly the criminal offenders.

In both cases, whether it is a question of out-of-family education processes and correction of behaviour of young people or correction of adult behaviour, there is the same objective - social reintegration with an optimal measure of autonomous functioning.

Problems of penological rehabilitation form an integral part of the teaching programme at the Faculty of Defectology Department of Behaviour Dis-

orders for already twenty odd years. The subject is taught within the frame of two courses, which were in the beginning entitled Penological Andragogy with Methodics I and II, and now are named Penological Rehabilitation I and II.

In the last few years it became apparent that it is necessary to move away from pedagogical (andragogical) starting points for conceptualization of behaviour disorders treatment, including the treatment of adult delinquents, and to modernize the outdated terminology in the area of social pedagogy.

The changes in terminology were made in such a way as to make it as compatible as possible with the contemporary trends in other countries, in order to both, facilitate communication and "cover" in the best possible way the content of the terms.

While there were certain dilemmas present in regard to the most adequate name for this particular branch of study (Social Pedagogy or Behaviour Disorders), in the case of, then, Penological Andragogy there was much less doubt, since the term rehabilitation is now quite well established in the field of penology in the West and used by majority of authors, so that there are several quite consistent definitions. One of the best known is the definition by Sechrest, White and Brown (1979:20-21), who define rehabilitation as bringing the criminal back to the law abiding way of life - through treatment.

Rehabilitation is the result of any planned intervention directed at criminal offender, which is aimed at reducing that person's criminal activity through changes achieved in the area of either his/hers personality or skills, value system or behaviour. From such planned rehabilitation intervention are excluded all those effects which are based on intimidation and fear - that is, on prevention of crime by intimidation - as also those based on maturation or aging, which makes the older offenders cease with their criminal activity.

Therefore, the name Penological Rehabilitation I and II immediately came up as the most adequate name, which was later corroborated by the efforts to change the name of the whole faculty into Faculty of Education and Rehabilitation.

The course Penological Rehabilitation I and II is, generally speaking, the learning programme dealing with the methods of adult convicted persons treatment. So, the emphasis is on various components of the treatment: diagnosing, classification, programmes within general methods of treatment, work with special categories of convicted persons, small rehabilitation programmes, follow up and evaluation of treatment, personnel problems.

2. COURSES SUPPORTING THEMATIC OF PENOLOGICAL REHABILITATION

Theoretical contents supporting the contents of Penological Rehabilitation are included into the following courses: Criminology, Penology, Penology with Penal Law, Penological Psychology, and Basics of Criminal Law and Criminal Proceedings.

The objective of the course Basics of Criminal Law and Criminal Proceedings is to allow the students to acquaint themselves with the basic concepts of Criminal Law and Proceedings, since this is the basis for the material and procedural legal problems studied within the frame of later courses. The basic contents of this course are: the subjects and the methods of criminal law; basic development stages of the science of criminal law; the

Criminal Law and its function (criminal act and criminal responsibility, accessory, sanctions), criminal proceedings in accordance with the Law on Criminal Proceedings (purposes, principles, subjects and instruments, and stages of criminal proceedings). The course consists of lectures only.

Criminology course objective is to give scientific and expert information on etiology, phenomenology and prevention of criminality as an individual and mass phenomenon, perceived in the context of deviant and socially unacceptable behaviour.

The course content deals with the concept and subject of criminology, with the methods used in criminology and with the role and importance of comparative criminology. The phenomenology of criminality is elaborated through definitions of concepts, the review of dimensions, dynamics, structure and costs of the dark number of criminality. Etiology of criminality is discussed through theories about the causes. Special attention is given to criminality as an individual phenomenon (clinical criminology and its transdisciplinary aspect, learning of criminal behaviour, criminal careers, case studies and usefulness of information for the treatment of delinquents). The course content includes also the fields of victimology and prevention of criminality. A special part of the course is related to the typology of criminal behaviour and delinquents. The course is organized in lectures and students' research work conducted in seminars.

The objective of Penology course is to inform the students of the basic laws of penological science and its contemporary achievements. Acquiring of this knowledge is the necessary condition for successful application of various models of penological treatment aimed at rehabilitation of perpetrators of criminal acts or offenses. The course content includes defining of the subject, objectives, tasks and methods of penology, its historical development, connections to other sciences, types of sanctions (concept, way and principles of their execution; purposes and objectives of punishment and execution of other sanctions), introduction, development and types of prison punishment and other sanctions, and contemporary tendencies in legislation and penological practice with the special reference to the so called alternative sanctions. Special attention is paid to the international rules, declarations and conventions on convicted persons' human rights. The course is organized in lectures and students work in seminars.

The objective of the course Penology with Execution Law is to provide the students with the knowledge on contemporary Croatian and international normative solutions in the area of execution of sanctions. The contents include classification of convicted persons and categorization of institutions for execution of sanctions. The emphasis is on the Croatian system of execution of sanctions deter-

mined by court sentences for criminal acts and offenses (positive regulations), which includes: basic characteristics and principles of execution of sanctions, Law on Execution of Sanctions - structure and division, the conveying of convicted persons to penal institutions, internal organization of penal institutions and reformatory institutions for juvenile delinquents, duties of workers in penal institutions, control of their work,

summoning of convicted persons to report for serving of the prison term; delaying of the beginning of prison term, admission of convicted persons into the penal institutions, allocation of cells, meals, clothing, prisoners' working activities and education courses, correspondence and regulation of mail receipt and visits, obligations, rights, privileges and medical services, transfer and discontinuation of prison sentence, maintaining of order and discipline (disciplinary measures and penalties, solitary confinement measure, material responsibility and the use of coercive means), probation, release of prisoners and post-penal assistance, execution of sanctions for minor offenses: security measures and other sanctions. A comparative analysis of normative solutions in the area of sanctions execution is also included. The course is organized in a form of lectures and seminar work.

The objective of the course of Penological Psychology is to give students the knowledge of the psychological aspects of penological treatment and the process of personality transformation in the function of convicted persons' social reintegration. The content of the course includes definition of penological psychology, methods of penological psychology, possibilities of its practical application and penological psychology in the noninstitutional treatment. The special problems discussed in this course are: psychosocial interaction and its mechanisms, types and definitions of groups, group dynamics, concept of social power, election of group leader, forming of groups among the prison population, peculiarities of prisoners' groups, psychosocial climate within the penal institution, prisoners' code, behaviour changes, theories of learning, behavioral therapy, cognitive behavioral therapy, attitudes in the function of effecting changes of behaviour, cybernetic models of behaviour changes and selected chapters from industrial psychology, related to the convicted persons working activities. The course is organized in a form of lectures and seminar work.

The basics of Criminal Law and Criminal Proceedings are taught during the second term, Criminology during the third and the fourth, Penology during the third, fourth and fifth, Penology with Execution Law during the seventh and the eight, and Penological Psychology during the fifth and the sixth term.

3. EDUCATION OF STUDENTS FOR REHABILITATIVE WORK WITH CONVICTED PERSONS WITHIN THE PENAL SYSTEM

As we have already said, the courses Penological Rehabilitation I and II are predominantly oriented at rehabilitative component within the frame of execution of penal sanctions.

The objective of the course Penological Rehabilitation I is to give students through lectures and seminars the theoretical basis for formulation of general methods of treatment, programmes for work with special groups, and small rehabilitation programmes. Through exercises and observation visits to penal institutions students are learning skills of treatment programming, realization procedure and methods of treatment evaluation.

Time-table of the course Penological Rehabilitation I consists of two hours of lectures and two hours of seminar work (weekly?) in the fifth term, and two hours of lectures and two hours of exercises (weekly?) in the sixth term. Additionally, the course programme includes one week of observation in one of the penal institutions.

The lectures are giving the students theoretical basis of penological rehabilitation, information about other systems applied in some of the countries in the West, selected parts of international and European regulation regarding convicted persons treatment. Further, the lecturers present the comparative analysis of rehabilitation models within penal sanctions execution systems (Anglo-Saxon and European systems). The basic themes are: Pre-suppositions in the basis of penological rehabilitation; Penological rehabilitation in comparison with intimidation; Rehabilitation - pros and cons; Misuse of rehabilitation models; Programming of penological treatment on various levels: phases of penal procedure, diagnostic center, useability of information for the treatment; Treatment programmes: education programmes, work activities programmes, Metadon programmes, individual therapy programmes, programmes of work on particular cases, environment therapy, group counselling programmes and programmes of work with the families; Problems of evaluation of a treatment model, Convicted person in crisis; Rebellions and incidents; Suicides within penal institutions; Reaffirmation of penological rehabilitation; Future of penological rehabilitation; Models of rehabilitation treatment for special categories of convicted persons.

Seminars are elaborating certain specific themes, that is, more precisely, students are preparing and presenting reviews of Croatian and foreign scientific and expert studies, the subject of which is then discussed in the seminar.

As the course Penological Rehabilitation II is the logical continuation of Penological Rehabilitation I, it is necessarily oriented on in-depth elaboration of penological rehabilitation problems, including the following subjects: international trends in penological rehabilitation, development of institutional and noninstitutional rehabilitation programmes - except for probation which is already covered - with special emphasis on systems and instruments of classification. Thematic material related to the development of institutional and noninstitutional rehabilitation

programmes in Republic of Croatia, with special emphasis on systems and instruments of classification, remains for now in the phase of planning. The reason for this is the fact that, as yet, there is no developed system of alternative, noninstitutional penal sanctions in Croatia and the introduction of contemporary systems of classification is presently only conceptualized as a plan.

3.1 Interconnection between teaching material in both courses and penal institutions through exercises, observation visits and practice

Already Knežević (1987) considered the treatment personnel to be the greatest obstacle in the process of opening of penal institutions, since this process demands introduction of new forms of work, imposes special responsibility, requires explicit rehabilitative orientation and additional knowledge, i.e. education. This author maintains that the, then, existing system of education, based on traditional ex cathedra approach with a few badly organized exercises and lacking stronger connection with the real situations and practice, could not produce adequate workers for this type of work.

Today's teachers of courses Penological Rehabilitation I and II, aware of these shortcomings, make efforts to achieve a stronger interconnection between theory and practice by making it possible for the students to spend more time in penal institutions. Programmes of exercises, visits and practical work allow the future experts to acquaint themselves with the system while they are still studying. Since they have to decide during their studies with which population they wish to work, such practical experience could help them choose their proper field of work, could lower the number of wrong decisions and strengthen or intensify their interest in this specific type of work. The proper selection of treatment personnel is undoubtedly one of the essential factors, without which it is not possible to talk about the rehabilitative function of a penal institution. Since this is a very demanding job, both physically and psychologically, it is extremely important that the students know what to expect and prepare themselves for all the difficulties that they will have to face.

Cooperation between scientific and educational

institutions and penal system should be of significant benefit to both sides. The system is getting an expert, well prepared and young personnel and the scientists are getting the possibility to enrich their theoretical perceptions with practical experiences.

The semi-open and open institutions are particularly suitable for this type of cooperation, since there are greater possibilities for inclusion of students into the institution life, the population is less problematical and the organization more adaptable to such cooperation.

At the same time, this type of cooperation represents new obligations for institution personnel, so that they may look upon it as an additional burden and disturbance. Still, it can bring an useful element of change into the monotone everyday life inside the penal institution, offer an opportunity for reexamination of one's own work and it can possibly also relieve the workers of some of the simpler tasks, which can be performed by students. The final decision, however, about the benefits and possible damages of such cooperation, should be left to the institution workers.

The exercises are oriented at some semi-open institution located nearby. The specific areas of students' inclusion into the programme of exercises are as follows:

a) Within Penal Institution:

- drawing section
- editing of an informative bulletin
- sport activities
- education (helping those convicted persons who are already included into elementary school programme and motivating them for learning, and possibly motivating others to join some of the education courses)
- work in the library (possibility of organizing a literary section and motivating convicted persons to read)
- preparation of programme for Statehood Day
- work with the older members of institution population (free-time structuring, specifically designed interviews)
- work with drug addicts (free-time structuring, specifically designed interviews)
- attending micro-teams meetings
- inclusion into the work with alcoholics
 - inclusion into two of existing groups and attendance at group meetings
 - participating in the work with precisely defined tasks:
 - help in education for exam within the frame of the programme for breaking of the habit

- help in other tasks within the frame of the programme (writing of letters to the family and similar).

b) Outside of Institution

- establishing of contacts with KLA in the hospital and the community
- establishing of contacts with individuals or organizations (clubs) outside of institution with a purpose of organizing joint activities (sports and similar)
- establishing of contacts with social work centers and local employment agencies (especially in the case of post-penal assistance for convicted persons who will be soon released)

c) Technical tasks:

- preparation of various schedules (i.e. scheduling of duties related to maintaining of hygiene)
- following of documentation of new arrivals and recidivists.

d) Possible small programmes suggested by the students

In organization of those exercises special efforts are being made to avoid as much as possible any disturbance of the normal work within the institution: students are sent in smaller groups, with various tasks and at various times (approximately, two hours weekly per student).

Observation visits (the student is accompanying an institutional worker in performing his/hers tasks and observing the work which is being done) are scheduled for the end of the third year, when the students have already acquired certain fund of information and are therefore able to perceive, comprehend and critically evaluate the offered contents.

The visits are organized in such a way as not to disturb the normal life inside the institution by sending too many students, so that on the average two to three students are sent at one time to one institution.

Apart from gaining an insight into the organization and various other aspects of life and work within an institution, the students' task is also to test in practice the concepts and the instruments they have acquired through the lectures.

4. IN LIEU OF THE CONCLUSION

Faculty of Defectology is the only educational institution providing courses on the subject of penological rehabilitation.

The students acquire both, theoretical and empirical knowledge of traditional contents, but along with the traditional, they are also offered a number of modern contents, which are often in contradiction with traditional notions. Practical preparation and evaluation of individual and group rehabilitation programmes, the use of new instruments based on the criteria of risks and needs, and similar, depend on the future developments of Croatian penal system and whether these developments will follow the international trends. In other words, the content of the courses prepares the students of social pedagogy for innovations, enabling them to take an active part in the introduction of new strategies and procedures in accordance with the new trends.

We believe that discussions about the pros and cons of rehabilitation are now the matter of the past and that the basic problem now is to find the most effective ways of practical application of theoretical conceptions. The courses of penological rehabilitation try to follow this idea by incorporating the results of contemporary international practice - the concrete contents of those methods and work with convicted persons adapted to the specific conditions in Republic of Croatia, along with the evaluation of their effectiveness, which is the only indicator that can help find the answers to the essential theoretical questions.

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