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SOCIAL ADAPTATION OF JUVENILE PRISONERS IN THE POST-PRISON PERIOD: THEORY AND PRACTICE

Abstract. The article has developed mechanisms for post-prison adaptation of juvenile offenders. The problems of successful post-prison adaptation of a minor released were identified.

Keywords: post-prison adaptation of convicts, resocialization, post-prison adaptation measures for juvenile offenders, the penal system of Russia, educational colony of the Federal Penitentiary Service of Russia, fundamental rights and freedoms of convicted persons, principles of humanism in penitentiary institutions of the Federal Penitentiary Service of Russia.

At present, from the point of view of achieving the goals of punishment, the issue of ensuring the post-prison adaptation of juvenile convicts and preventing recidivism in this environment is of significant importance. This is especially important due to the fact that there is no proper system for individual prevention of relapse, as well as a special pre-trial study of the identity of a minor offender.

Work out today, clear recommendations have not been formulated to the court of general jurisdiction regarding the election of a measure of punishment for him in the form of real imprisonment of a minor defendant in Russia, juvenile courts do not fully work as an independent judicial body. There are no regulated standards for juvenile technology. There is only the legislative base of international practice (experience) of friendly justice in the relations of the child.

In addition, at present, the relevant state bodies do not properly monitor and supervise the behavior of minors, conditionally convicted, released on parole from serving a criminal sentence, and there is no mechanism for providing social assistance to convicts in the post-prison period after serving their sentence. Convicted adolescents are left to their fate again.

The result of the lack of rehabilitation activities, vocational guidance (real employment), post-prison adaptation of convicts, as well as systematic preventive work with them is often their socio-psychological degradation, the spread of criminal subculture and the growth of recidivism in modern Russian society. We believe that the process of introducing people who have been released from the FSU “Educational Colonies” of the Federal Penitentiary Service of Russia into the social environment should be not only voluntary, but also forced (total) in nature (control, supervision, etc.). No matter how the juvenile convict spent this day, it is important what and how he learned from it¹.

International experience indicates the advisability of creating a special public probation service to solve the problems. The main goal, which is to facilitate the post-prison adaptation of juvenile convicts who have served their sentences, whether or not connected with isolation from society (assistance in restoring socially useful ties, social, domestic, employment, providing psychological support, establishing relationships with relatives and relatives), as well as preventing them from committing new recidivism.

¹Nesterov A. Actual issues of the rights and freedoms of juvenile convicts serving sentences of imprisonment: sociological aspect // Power. 2016. N 1. P.88–94.

Such an approach generally reduces the level of crime (including recidivism) in society, prevents the criminalization of the individual, reduces the burden on the Russian penitentiary system and contributes to the achievement of the goals of punishment (correction and formation of the individual on the right path).

The probation service should be authorized to interact with various interested bodies, organizations, as well as with the families of juvenile prisoners and the public in order to involve them in the process of effective correction, post-prison adaptation and social rehabilitation, especially of juvenile prisoners. In this regard, it is also necessary to develop a set of measures to prepare juvenile convicts for release from places of deprivation of liberty, including by creating special adaptation sections with semi-free conditions in institutions of the Federal Penitentiary Service of Russia. That will facilitate the process of post-prison adaptation of juvenile prisoners¹. For juvenile prisoners, lectures should be organized on social and political changes in modern Russian society, legal culture, aimed at correcting their behavior.

And some categories of juvenile convicts can be given the opportunity to transfer to lighter conditions of serving their sentences with the permission of short-term trips to the place of intended residence. In addition, under the auspices of the probation service, it is necessary to create social centers for the post-prison adaptation of convicts, aimed at social and rehabilitation assistance, the re-socialization of persons released from prison, and the prevention of recidivism.

We also note that from the point of view of preventing recidivism and improving the functioning of the penal system, it is imperative that the country's penitentiary institutions, with the assistance of the probation service and internal affairs agencies, monitor the level of post-prison relapse among released minors within three years after their release.

Based on the foregoing, it is necessary to adopt at the federal level and at the level of the constituent entities of the Russian Federation legislative acts aimed at regulating the problem of post-prison adaptation of minors released from prison.

In particular, it is necessary to create a legislative and legal base to ensure the activities of the probation service in the Russian Federation for juvenile offenders (following the example of the foreign experience of "Friendly Justice for the Child").

The legal basis for the activities of the probation service in Russia may be the Federal Law "On the Federal Probation Service", the Regulation on the Federal Probation Service, as well as the introduction of appropriate amendments to the Criminal Code of the Russian Federation, the Criminal Procedure Code of the Russian Federation and the Criminal Executive Code of the Russian Federation and other regulatory legal acts juvenile technology in Russia.

The problem of post-prison adaptation of a minor released to conditions in a normal social environment at large is connected with the fact that for some time they have been torn out of the process of social development. Teenagers were deprived of their liberty, limited in independence of decision-making, and during this period they formed executive discipline (in the Russian penitentiary system), and such quality as self-organization was lost by 80% - 97%.

It is also important that many of the offenders were deprived of normal conditions of upbringing (they were brought up in boarding schools for orphans or in a "dysfunctional family"). So, the deformed value system was the result of various negative deviations in the process (primary or secondary) of socialization and became one of the reasons for their crime². Namely, the solution of the problems of socialization, the process of becoming an individual (convicted) socially active person through training and familiarization with those cultural, social and legal values and relationships that form the basis of citizenship and social life in a modern legal state, should become the main activity of specialists working with this category of minors.

The process of post-penitentiary adaptation of a convicted juvenile can be considered successful if socially useful contacts in the main areas of life are restored at the prisoner who has returned from places of detention, and ties with the criminal environment are broken.

¹Nesterov A. The essence and basic principles of social work in prisons for juvenile convicts // Human capital. 2015. N 4(76). P. 160-168.

²Nesterov A. The essence of institutional socialization of children and adolescents without parental care // Human capital. 2011. N 3(27). P. 134-138.

The characteristic features of the post-prison adaptation of juvenile offenders are the following:

1) the process of successful post-prison adaptation, which is as follows: normal relations in the family, housing, a permanent place of work, useful leisure activities are provided;

2) this socio-psychological process begins with the release of juvenile offenders from punishment and ends with the achievement of a correspondence between expectations - the requirements of society (individual social groups) and the appropriate behavior of a previously convicted teenager in society;

3) the task of post-prison adaptation in this category of people is to introduce them to life without the right restrictions associated with punishment in a new or changed, previous social environment, implying their free and voluntary submission to the regulatory requirements of this environment and criminal law norms;

4) the post-prison adaptation of those released from punishment also depends on the adaptation skills and abilities inherent in the individual initially and brought up in the conditions of the execution of the sentence (in the penitentiary institution of the Federal Penitentiary Service of Russia);

5) the success of the post-prison adaptation of those released from serving their sentences largely depends on the correlation of the system of personal settings of the released person and the requirements of the environment (the collective in the educational environment (comprehensive school, vocational school), the labor collective, the closest domestic environment, family);

6) the post-penitentiary adaptation of those released from punishment can be ensured only if there is a positive interdependent social orientation of the microenvironment and the personality of the convict, compatibility of social expectations of the environment and moral positions, value orientations of the individual [1, 2, 6, 9, 11].

Work with a minor preparing to be released from prison may be carried out in the following areas:

1) Diagnosis of the current level of development in order to determine the degree of development, personal resources of the minor convicted to successful post-prison adaptation in non-custodial settings;

2) Educational work in the field of resources of the territory where the minor is going to live at large, in the field of education and employment, in the field of a healthy lifestyle (help in solving medical problems, if any?);

3) Work with psychological problems of a minor convict (including sexual orientation);

4) Work to solve legal, social problems;

5) Work with the family and social environment of the minor convict;

6) Assistance to a minor convict in employment and professional education in a non-prison system.

Educational work can be carried out in the form of interactive lectures and trainings. Also, booklets and posters can be issued in each of its directions. Since research data and practical training experience show that for the most part juvenile offenders are better able to perceive vivid information and difficult to master texts and lectures, it is desirable that the classes take place interactively, including elements of training and role-playing games.

Educational work should occur adequately to the interests and situation of the colony inmates for whom it is carried out. For example, a convicted person who still has to serve a long term of punishment is not interested and meaningless to organize classes on education in the field of employment. Interactive educational trainings are well accepted by adolescents if the number of participants in them is limited to 10-12 people.

Educational work can be carried out in the following areas:

1) Education on the resources of the territory in which the minor lives "free".

The list of organizations about which the inmates of the colony will be informed should include:- healthcare organizations;- organization of employment;- educational organizations; - psychological and social centers;- leisure centers;- organizations within the municipality.

2) Education in the field of rights and obligations in labor relations, in the field of employment.

Most teenagers have very little idea of where and how they will get a job. Moreover, they believe that getting a job is simple enough that they can easily cope with this task as soon as they are free. The convicts do not have clear plans for where they will go, what they will do first.

At the same time, they understand that the fact that they were serving a sentence in a colony can greatly interfere with their employment, because for employers they will appear in an unfavorable light. These two conflicting opinions prevent teens from thinking in advance about their future employment,

identifying for themselves the steps that they will take immediately after release, and studying their rights and obligations in detail.

There are a number of things that they would need to know. In addition to employment for a number of posts for which one of the requirements indicates the absence of a criminal record (Ministry of Internal Affairs, Federal Security Service, Ministry of Emergencies, Federal Security Service), refusals to hire on the basis of a criminal record in other cases constitute a violation of human rights and labor law (Article 2 and 3 of the Labor Code of the Russian Federation).

3) Education in the field of education. Convicted juveniles need to gain knowledge about what methods exist to acquire additional education or to continue what they started, how and where to study, what forms of education exist, and so on [2, 4, 8, 14-16].

4) Education in the field of a healthy lifestyle.

The peculiarity of this direction of educational work is that it should not cause or increase the interest of the adolescent in what it is directed against. Sometimes, for example, a lecture on the dangers of drugs can cause interest in trying these drugs.

It is very effective when lectures and trainings are not built in the form of a ban, but allow the teenager to get more information about the mechanisms and consequences of various kinds of addictions, so that, with this information, he can make the right choice. The main work with a freed minor must be systematic, properly planned, carried out by all specialists in a single algorithm.

Work with a minor must necessarily begin with establishing contact with a specialist so that the teenager learns to receive help from him. Measures to prepare juvenile convicts for release must pursue a common goal and be surely interconnected.

An indispensable condition for the success of the rehabilitation process is the interest of adolescents themselves in the results, as well as their families, the state as a whole. The main goal of preparing minors for release is to help them successfully integrate into society, to realize their place in life. Thus, the post-prison adaptation of juvenile offenders should be preventive, rehabilitative and restorative in nature and should be aimed at their socio-economic, cultural, moral, psychological and legal well-being.

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**КӘМЕЛЕТКЕ ТОЛМАҒАН СОТТАЛҒАНДАРДЫ ӘЛЕУМЕТТІК БЕЙІМДЕУ
ПОСТПЕНИТЕНЦИАРЛЫҚ КЕЗЕНДЕ: ТЕОРИЯ ЖӘНЕ ПРАКТИКА**

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**СОЦИАЛЬНАЯ АДАПТАЦИЯ НЕСОВЕРШЕННОЛЕТНИХ ОСУЖДЁННЫХ
В ПОСТПЕНИТЕНЦИАРНЫЙ ПЕРИОД: ТЕОРИЯ И ПРАКТИКА**

Аннотация. В статье выработаны механизмы постпенитенциарной адаптации несовершеннолетних осуждённых. Дается полная характеристика постпенитенциарной адаптации. Выявлены проблемы успешной постпенитенциарной адаптации несовершеннолетнего освобождённого.

Ключевые слова: постпенитенциарная адаптация осуждённых, ресоциализация, меры постпенитенциарной адаптации несовершеннолетних осуждённых, уголовно-исполнительная система России, воспитательная колония ФСИН России, основные права и свободы осуждённых, принципы гуманизма в пенитенциарных учреждениях ФСИН России.

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