

THE ROLE OF THE EDUCATIONAL - CORRECTIONAL INSTITUTIONS IN THE RESOCIALIZATION OF CHILDREN: CHALLENGES AND OPPORTUNITIES

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Abstract

Our research explores the resocialization of children in the educational-correctional institutions, assessing the core strategies for rehabilitation and their efficacy in successfully reintegrating children into the society. The objective of this research is to investigate how psychological, educational, and vocational interventions influence the development of social skills and the personality of children who have exhibited delinquent behavior. The methodology of this study relies on a qualitative approach, involving 15 male children who were issued the measure of “referred to correctional-educational institution,” alongside the professional team who were interviewed using relevant research instruments. The findings highlight the chief obstacles in the resocialization process and show that multidisciplinary interventions have a positive impact on children's behavior and their skills to reintegrate into society. These findings will contribute in offering recommendations for improving current practices, thereby fostering the successful resocialization of children and reducing recidivism rates.

Keywords: resocialization, justice for children, correctional-educational institution, social reintegration

1. Introduction

The resocialization of children who have come into conflict with the law is a crucial process for their reintegration as responsible and productive members of society. Many of these children have been exposed to various risk factors, including poverty, abuse, school, peers, family neglect, neighborhood, and a family history of criminal activity, all of which have contributed to the development of their problematic behaviors.

Educational-corrective institutions play a vital role in facilitating positive changes and ensuring the successful reintegration of children into society through psychological support, education, and professional training programs. As such, this paper seeks to assess the effectiveness of resocialization strategies within these institutions and identify the factors that contribute to their success or failure, focusing on the evaluation of multidisciplinary interventions in the lives of these children. Additionally, the role of post-institutional support and its impact on the children's successful reintegration into society will be examined.

In the absence of proper interventions, many of these children risk remaining socially isolated, re-engaging in delinquent behavior, and missing out on opportunities for a stable and lawful future, free from actions that are conflict with the law.

1.1 Overview of child delinquency and resocialization

¹ Full Professor, Faculty of Law, University of Tetova, afirm.osmani@unite.edu.mk

² Teaching assistant, Faculty of Law, University of Tetova, nazmije.shaqiri@unite.edu.mk

Various terms are used in the literature to describe the reintegration process, including "resocialization," "reintegration," and "rehabilitation," all of which encompass strategies to support children involved in the penal system in returning to behavior that aligns with legal and social norms. Although it is commonly assumed that reintegration begins following sentencing, this perspective is limited. The process should, in fact, commence from the very first interaction with law enforcement and extend beyond the judicial phase. For reintegration to be successful, specialized programs and collaboration with psychologists and experts are crucial to prevent recidivism³. However, in the realm of crime prevention and criminal justice, the term social reintegration refers to interventions and programs (collaboration with social centers, NGOs, educational institutions, communities, and the families of offenders), aiming to prevent involvement in criminal activities or, for those already in conflict with the law, to reduce the likelihood of recidivism⁴.

To formulate an appropriate social response to child delinquency, it is first necessary to identify the underlying causes of the behavior to create favorable conditions for the resocialization of young offenders⁵. Although children have not reached full biological, psychological, and social maturity, which limits their capacity to fully comprehend or control their actions, they must still be held accountable for their offenses. However, sanctions must be specific and individualized, recognizing that children cannot be treated the same way as adults⁶. In this context, child criminal sanctions are not primarily punitive but are intended to provide protection, monitoring, and appropriate educational assistance⁷, including professional training and the development of their personality. These measures are aimed at strengthening personal responsibility and preventing recurrence of criminal offenses, supporting the process of rehabilitation and resocialization⁸. The reasoning behind this approach is that the ultimate objective of the social and legal response to delinquency is not merely to punish, but to rehabilitate and resocialize the children who exhibit delinquent behavior⁹. According to international standards, states should only resort to depriving a child of their liberty shall be used only as a measure of last resort and for the shortest appropriate period of time. Punishments for criminal offenses must consider not only the severity of the crime and the harm caused, but also the individual circumstances, such as the child's social background and family situation¹⁰.

The penitentiary institution, known as the primary institution for the rehabilitation of offenders, currently faces debates concerning its core objective: convicting or correcting. Nevertheless, the punishment, treatment and resocialization system of delinquent children should aim at social protection, prevention of new crimes and reintegration of convicted young people. In this context, re-education and resocialization represent the process of reorienting and reshaping of the child's behavior in alignment with acceptable societal norms and values¹¹. According to scholars Scott and Steinberg, when children are deprived of their freedom, they should receive comprehensive support aimed at their social reintegration, which includes personalized care and assistance across various dimensions-social, educational, vocational,

³ Khmelevska, N. (2023). Reintegration of minors in juvenile justice. *Analytical and Comparative Jurisprudence*, 430-434.

⁴ UNODC (2012). *Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders*. New York: United Nations.

⁵ Spasić, G. (2016). Criminal sanctions for juvenile offenders in the countries of the Former SFR Yugoslavia. *Law and Politics*, 159 - 171.

⁶ Koshaveliska, O., & Nanev, L. (2014). Adequacy of the New Terminology in the Law for Justice for Children. *Balkan Social Science Review*, 115-133.

⁷ Salihu, I. (2021). E drejta penale - pjesa e përgjithshme. Prishtinë: Universiteti i Prishtinës.

⁸ Spasić, G. (2016). Criminal sanctions for juvenile offenders in the countries of the Former SFR Yugoslavia. *Law and Politics*, 159 - 171.

⁹ Kostić, M. & Mirić, F. (2015). Juvenile delinquency or juvenile crime . *Law and Politics*, 45 - 50.

¹⁰ UNODC (2012). *Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders*. New York: United Nations.

¹¹ Sîrca, V. (2018). Social Reintegration Of Juvenile Delinquents In The Light Of The Restorative Justice. *FIAT IUSTITIA*, Dimitrie Cantemir Faculty of Law Cluj Napoca, Romania, 12(2), 256-274.

psychological, medical, and physical-while considering factors such as age, gender, and personality. Each child offender must be individually assessed, and interventions must be customized to their specific needs and circumstances, as these interventions significantly impact their successful transition to adulthood and reintegration into the community¹².

1.2 Challenges and opportunities of resocialization: Legal framework and implementation in practice

The resocialization department is a crucial component within both punitive-corrective and educational-corrective institutions, tasked with organizing individual and group treatments. Its role is to foster the participation of inmates in joint activities and implement various methods aimed at addressing and eliminating deviant habits in these individuals¹³. The resocialization department is composed of several units, including admission, assessment and observation, classification, education, and recreational activities¹⁴. According to the Law on the execution of sanctions¹⁵, every child who is issued the measure Referral to an educational-corrective institution is guaranteed certain rights during the execution of the measure, such as the right to accommodation, clothing and bedding, personal hygiene, food, medical treatment, rest, health protection, communication with the outside world (via correspondence, phone calls, visits), legal assistance, and the like.

Upon admission into the institution, the child spends up to 30 days in the intake ward, during which social-criminological, medical, and psychological-pedagogical assessments are conducted by psychologists, social workers, teachers, doctors, and, if necessary, other specialists¹⁶.

Based on assessments of the child's age, psychophysical characteristics, and educational background, the child is assigned to a specific ward and engaged in suitable activities, including educational and vocational training. The resocialization department also provides cultural, recreational, and sports activities aimed at fostering positive habits and assisting with social reintegration. These activities range from teaching literacy and completing primary education to fostering healthy relationships and maintaining family relationships. Another unit focuses on resocializing inmates through cultural, recreational, and sports programs, organizing both individual and group activities. These activities, grounded in scientific and professional research, seek to develop positive attitudes and facilitate social reintegration, aiming to reshape personalities, establish new work habits, and promote positive values and behavior¹⁷. The professional team in the intake ward develops a personalized program for each child based on their developmental potential and needs. This program outlines the key characteristics of the child and the methods to be used in promoting active participation in resocialization and educational activities during their stay in the institution. This team determines the methods for educational work with the child, coordinates work commitments with education at school and practical training in workshops and the economy, proposing measures for the success of the re-education process. Together with the head of the institution, the team implements the treatment plan, ensuring the child's engagement in work and activities based on the individualized program¹⁸.

According to Beijing Rules, Professional education, in-service training, refresher courses and other appropriate modes of instruction shall be utilized to establish and maintain the necessary professional competence of all personnel dealing with children cases. Minors in

¹² UNODC (2012). *Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders*. New York: United Nations.

¹³ Osmani, A. (2017). *Penologjia*. Shkup: Furkan ISM.

¹⁴ Halili, R. (2010). *Penologjia: Shkenca mbi ekzekutimin e sanksioneve penale*. Prishtinë: Universiteti i Prishtinës.

¹⁵ Article 155 of the Law on the Execution of Sanctions

¹⁶ Article 349 of the Law on the Execution of Sanctions

¹⁷ Halili, R. (2010). *Penologjia: Shkenca mbi ekzekutimin e sanksioneve penale*. Prishtinë: Universiteti i Prishtinës.

¹⁸ Article 350 of the Law on the Execution of Sanctions

these institutions must be protected and provided with social, educational, vocational, psychological, medical, and physical support, considering their age, gender, and personality, to ensure their healthy development¹⁹. The insufficient level of specialization and training of professionals as well as the lack of services needs to be addressed to improve the treatment and protection of children in the justice system. This includes development of counselling, rehabilitation, reintegration, resocialization and support programmes to be implemented by the existing services and structures in the justice and social welfare systems. For a child in conflict with the law, the process of rehabilitation, resocialization and reintegration may take place during the stay of the child in the correctional educational facility, after he/she has left the institution, and during the time when alternative measure is being implemented²⁰.

In our country, the educational measure of "referral to an educational-correctional institution" is enforced at the educational-correctional institution. According to the Law on the Execution of Sanctions²¹, boys and girls are placed separately, though vocational training programs, educational, social, and recreational activities may be conducted together. Under the new Children's Justice Act (2024) the court may impose the measure of "referral to an educational-correctional institution" on a child to whom permanent and reinforced measures for education and re-education and complete separation from his/her current environment must be applied. In determining whether to impose this measure, the court will consider the severity and nature of the committed offense, as well as whether previous educational measures or children sentences have been imposed. The child remains in the institution for a minimum of six months and a maximum of five years, or until they turn 23. The court reviews the extension of the measure, including time spent in detention. The educational-correctional institution submits a report every six months, or 60 days before the expiration of the measure determined by the court. The court shall review the need for placement in a correctional home, ex officio, upon the proposal of the public prosecutor or defense attorney, which may not be submitted before the expiry of six months from the final court decision. On the basis of this report, the court shall decide in a closed session to continue, terminate or replace this measure with another measure or sanction²².

The educational-correctional institution is a specialized educational institution that operates under a specific professional educational program and a specialized security regime. It functions as a school-prison type measure, where children are deprived of their liberty and enrolled in general educational or vocational training programs²³. The treatment of children within the institution must be humane and decent, in line with their age, level of spiritual development, and individual abilities. Children should be encouraged to develop a sense of personal responsibility and participate actively in their own education and re-education²⁴. The challenges of resocializing children who have violated the law are longstanding, with their placement in various institutions for temporary periods until a final solution is found for male children. Until 2001, children were placed in the Tetovo educational-correctional institution.

Since 2001, this measure has been executed by sending male children to the "Skopje" prison located in the Shuto Orizari neighborhood of Skopje. The fact that this institution operated within the premises of an adult prison demonstrated that it functioned under extraordinary conditions, offering limited real opportunities to meet the specific rights and needs of the children housed there. This situation has adversely impacted the creation of

¹⁹ Buzarovska - Lazetik, Gordana, Nanev, Lazar & Kosevaliska, Olga. (2012). Меѓународни документи за спроведување на малолетничката правда - Современи текови во постапувањето со малолетниците. Кавадарци: СППМД-Кавадарци.

²⁰ Unicef. (2021). TERMS OF REFERENCE Technical assistance for the development of the capacities of institutions and professionals in the justice for children system in the Republic of North Macedonia.

²¹ Article 291 of the Law on the Execution of Sanctions

²² Article 48

²³ Kambovski, V. (2007). E drejta penale - Pjesa e përgjithshme. Shkup: Furkan ISM.

²⁴ Article 310 of the Law on the Execution of Sanctions

optimal conditions for a genuine resocialization process²⁵. Since 2015, the measure has been implemented by transferring male children to the children's prison in Ohrid, where it has been impossible to prevent communication and contact between children and convicted inmates. According to the Ombudsman's report²⁶ there has been a lack of specialized professionals, such as special pedagogues, educators, rehabilitators, and psychotherapists, who could provide a more holistic approach to child treatment. Additionally, the absence of ongoing staff training, and use of modern methods, setting a regular educational process (children followed a program adapted to Macedonian language and mathematics), coupled with inadequate health services, limited additional facilities, and material and technical conditions for the rational use of children's free time and recreation, difficulties in maintaining contact with family and relatives have hindered the resocialization process, making it ineffective and without expected results.

In our country, prior to the recent legal amendments, male children who were referred by a binding decision to be placed in an educational-correctional institution in 2020 were transferred from the Ohrid Children's Prison to the village Volkovija - Tetovo. Female children sentenced to the same educational measure were placed in the educational-correctional institution in Idrizovo - Skopje, which was the only facility with a designated ward for female minors sentenced to prison or an educational measure of "placement in an educational-correctional institution". For the latter, adjustments were made to their living conditions, resulting in the creation of a new and updated section within the women's ward. This change allowed for complete separation between the female minors and the adult female prisoners, ensuring there was no contact during their stay or outdoor activities.

In March 2024, amendments to the Law on the Execution of Sanctions were approved, stipulating that female minors with a corrective measure would be sent to the Tetovo educational-correctional institution²⁷. This change is expected to resolve previous issues such as inadequate living conditions, lack of proper healthcare, and insufficient educational and resocialization processes.

The women's ward did not have conditions and programs for fulfilling their free time, because the yard does not offer space for exercise and recreation, except for walking and running, so due to the small space and insufficient conditions for adapting to weather conditions, these activities are also limited²⁸. In Idrizovo, the girls had very limited activities, which mainly included drawing and walking in the shared yard with other prisoners. They had to wait for their turn to access these limited activities. As for the resocialization professional staff, the girls only had one educator, who also served the other prisoners, making it difficult to provide the necessary individual care and resocialization.

In the educational-correctional institution, children must be provided with the necessary conditions for both primary and secondary education, the development of positive habits, and training for special professions and jobs. Children qualifying for the educational-correctional institution receive a certificate that must not indicate that it was issued by the institution²⁹. According to the Law on the Execution of Sanctions³⁰, if the educational-correctional institution does not offer certain lessons or levels of education, children are permitted to attend these lessons outside the institution. It is crucial to note that entities face challenges with legal solutions to ensure regular education for children placed in educational-correctional and punitive- correctional institutions.

²⁵ Information on the implementation of the educational and corrective measure referral to a juveniles educational-corrective institution. (2008). Skopje: Ombudsman

²⁶ Special report on the assessment of the situation from the follow up visit to the Tetovo Educational - Correctional Institution (operating in the Ohrid Children's Prison). (2019). Skopje: Ombudsman.

²⁷ Annual Report 2023. (2024). Skopje: Ombudsman of the Republic of North Macedonia

²⁸ Djugumanova et al. (2021). Прв извештај за состојбата и условите во казнено-поправните и воспитно-поправните установи во Република Северна Македонија за периодот од 1 август до 1 октомври 2020 година. Скопје: Хелсиншки комитет за човекови права

²⁹ Kambovski et al., (2018). Коментар на Законот за правда за децата со практикум. Скопје: Совет за превентива против малолетничка деликвенција.

³⁰ Article 347 of the Law on the Execution of Sanctions

Formal education at the educational-correctional institutions was suspended from September 2021 to July 2022, following the conclusion of a project between UNDP and the Ministry of Education and Science. As a result, children were deprived of their fundamental right to education, which is critical for their resocialization process. The educational process was later resumed with the support of another UNDP project. The lessons were conducted within the institution by teachers assigned from the "Makarenko" school for adults in the municipality of Čair, Skopje. Unfortunately, this educational process was informal, and students were awarded certificates at the end of the year, which did not hold the same validity as formal certificates issued to children attending regular schools. Consequently, the education provided within this institution was not equivalent to the standard education children receive outside, creating challenges in employment, passing driving exams, etc³¹.

The process of reintegrating children into society plays a crucial role in reducing recidivism and aiding young offenders in their successful transition to productive life in their adulthood. However, this process is often impeded by several factors. The primary obstacles include inadequate resources in institutions, inconsistent rehabilitation programs, and limited access to educational, professional, and psychological services. Another significant challenge is the focus of the justice system on punishment, which often overlooks restorative practices and continuous support necessary for full reintegration, thereby exacerbating recidivism. Additionally, social stigma and insufficient support from both the community and families further complicate this transition for children³².

Retributive justice focuses on convicting the offender for their crime without addressing the conflict with the victim, which can increase the likelihood of future conflicts. On the other hand, restorative justice focuses on mediating between the offender and the victim, aiming to restore the victim's relationships and well-being. This approach has both preventative and resocializing goals for the child, providing compensation for the victim, and meeting the community's needs to prevent further crimes³³. While the sentence imposed on a child punishes the offense, its primary purpose is to serve as a deterrent for others who may commit similar acts. Given that children are still developing, a balanced and rehabilitative approach is crucial, aiming not only to penalize the crime but also to prevent and rehabilitate children offenders³⁴. Recidivism among children signals a failure in resocialization measures, as criminal sanctions or alternative measures, along with society's response to criminal behavior, have not produced positive outcomes. Children recidivists continue to exhibit delinquent behaviors and commit crimes into adulthood³⁵. Thus, it is recommended that specialized inspectors work with children, possessing expertise in psychology, pedagogy, criminology, and law. These professionals, in conjunction with documenting and preventing criminal activities, can positively influence the resocialization process of children³⁶.

The Law on the execution of sanctions and the Guidelines for determining treatment methods for convicted persons clearly define the resocialization process, emphasizing that this is the primary role of both punitive-correctional and educational-correctional institutions. The resocialization sector was established to implement the educational process and coordinate activities related to the education, training, and rehabilitation of offenders and minors. During the execution of the sentence, the aim is for offenders to develop a sense of responsibility and be encouraged to actively engage in their treatment, focusing on re-education, skill

³¹ Djugumanova et al. (2021). Прв извештај за состојбата и условите во казнено-поправните и воспитно-поправните установи во Република Северна Македонија за периодот од 1 август до 1 октомври 2020 година. Скопје: Хелсиншки комитет за човекови права.

³² Agarwal & Sundaram. (2022). Juveniles in Conflict with the Law: Challenges in Reintegration and Social Stigma. *Neuroquantology*, 20(17), 2454-2471.

³³ Kambovski, V. (2007). E drejta penale - Pjesa e përgjithshme. Shkup: Furkan ISM.

³⁴ Grbić, B. (2023). Juvenile imprisonment. *Pravo - teorija i praksa*, 40(4), 155-173.

³⁵ Buljubašić, S. (2011). Recedivizam u maloletничкој delinkvenciji. *Zbornik radova Islamskog pedagoškog fakulteta*, 173-187.

³⁶ Velkova, T. (2016). Правда на децата (малолетничка правда) - терминологијско усогласување или чекор кон стварна имплементација. *Македонска ревија за казнено право и криминологија*, Скопје.

development, and the adoption of positive values. This approach is designed to accelerate their reintegration into the society³⁷.

In addition to deficiencies in non-formal education, which negatively affect the resocialization process of children, it is noteworthy that, with the exception of one judge, children's judges and social workers do not make regular visits to the institutions to engage with the children and staff. This lack of oversight prevents proper monitoring of the implementation of educational-correctional measures and the assessment of their impact on the children. Social work centers also do not provide temporary accommodation for children who lack a place to go during school breaks, holidays or weekends. Moreover, insufficient efforts are made to assist some children in improving their family relationships with their parents. Children's judges base their decisions on the child's placement or release from the educational-correctional institution solely on the documentation provided by the institution to the competent court. They do not visit the children in the institution nor conduct individual interviews with them, which are essential for making fair and informed judicial decisions³⁸.

The state-level data for the past ten years on the imposition of the measure Referral to the educational-correctional can be seen in Table 1. Of the total 99 children who have had this measure imposed, the lowest number was recorded in 2009 (3 children). In contrast, 2021 had a higher number (21 children). Years with equal representation include 2016 and 2023 (5 children each), 2017 and 2018 (8 children each), 2015 and 2020 (10 children each), and 2022 with a total of 6 children.

Table 1. Children who have been imposed the measure Referral to an educational-correctional institution for the period 2014-2023³⁹

Entity measure educational-correctional institution	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
	9	10	5	8	8	3	10	21	6	5	99

The process of reintegrating former offenders faces psychological challenges, as success is not solely determined by their behavior, but also by the attitude of the society that receives them, which must play an integrative role. To ensure long-term reintegration, it is insufficient to merely provide them with employment; they also need the opportunity to thrive in socio-emotional aspects. This is due to the fact that the social stigma faced by former offenders from the moment of their arrest serves as a significant psychological barrier to their full rehabilitation⁴⁰. They need to rebuild their trust in life, adapt to family dynamics, continue their education or work, and restore their interpersonal relationships. Due to their prior isolation, their social competencies are weakened, and research indicates that the likelihood of recidivism is higher within 1-3 years after release. This period is particularly challenging for adolescents, as they encounter difficulties in reintegration and are at risk of reoffending, creating a challenge to social harmony⁴¹.

According to the Law on the Execution of Sanctions, the institution where the measure is enforced must inform the social work center at least three months before the child's

³⁷ SPECIAL REPORT on the overall situation regarding the realization of the rights of women serving prison sentences in the "Idrizovo" Prison. (2016). Skopje: Ombudsman.

³⁸ Djugumanova et al. (2021). Прв извештај за состојбата и условите во казнено-поправните и воспитно-поправните установи во Република Северна Македонија за периодот од 1 август до 1 октомври 2020 година. Скопје: Хелсиншки комитет за човекови права.

³⁹ The data were obtained from the annual reports of the State Statistical Office for the ten-year period www.stat.gov.mk

⁴⁰ Sîrca, V. (2018). Social Reintegration Of Juvenile Delinquents In The Light Of The Restorative Justice. FIAT IUSTITIA, Dimitrie Cantemir Faculty of Law Cluj Napoca, Romania, 12(2), 256-274.

⁴¹ Yu, P. (2023). The Research of The Resocialization on Released Juvenile Delinquents Under Stigma. Journal of Education, Humanities and Social Sciences, 10, 37-42.

departure, and recommend the necessary measures for their continued education⁴². The Center for social work, in collaboration with the child's parent or guardian and involving them in the admission preparation, is responsible for arranging the child's family situation, providing accommodation and food if not provided by the family, clothing, medical care, selecting an appropriate environment, as well as ensuring their education and employment⁴³. Post-penal assistance will also depend on the success of treatment in the institution⁴⁴.

2. Methodology

The methodology of this study is based on a qualitative approach, including 15 male children who were issued the measure of "educational-correctional institution referral", as well as a valuable source of data in this research were the professional team, since they are directly involved in the process of resocialization of children in conflict with the law and were the most competent to answer the questions of this study about the measures they offer as a professional service within the institution for the resocialization of children starting from the point of view of their profession.

2.1 The sample and instruments

Sample: The participants of the research were intentionally selected - children who were involved in criminal offenses and who were issued the measure "educational-correctional institution referral" - Tetovo. The participation in the study was voluntary, and all 15 children agreed to participate in the study. All were male. At the time when the research was carried out, there were no female children to whom this sanction was imposed. The professional team at the educational-correctional institution was also participating in the qualitative part. The team included 8 professionals from different fields, including: psychologists, pedagogues and social workers. The semi-structured and structured interview was conducted during November 2022.

Instruments: a structured interview for the professional team in the educational-correctional institution and a semi-structured interview for the children interviewed.

2.2 Findings

The findings show that two-thirds of the children report a positive experience with the treatment they received, indicating that their resocialization has developed effectively. They feel supported, have regretted their actions and are oriented towards a successful integration into society, however, despite their commitment, it was noticed that the process of resocialization seems not entirely successful. The following are some statements:

"... I am very sorry. The institution has helped me a lot in my resocialization and as soon as I get out of here I will start going to school."

"... Before coming here, I had no regrets. When I'm here I constantly think that I didn't have to get this far, but to earn honestly. I want to get a job when I get out of here, continue with school."

" I have watched documentaries and programs where they go to prison, related to revenge. Therefore, if someone harms my family, I will take revenge. I don't plan to go to school. But, I will join my friends when I leave, because we have sworn to each other that we will be together "

" I regret it, I will start working when I get out, I will clean basements, I will sell iron in exchange for money."

" We need support when we go out, to be useful to society

⁴² Article 339 of the Law on the Execution of Sanctions

⁴³ Ibid, article 340

⁴⁴ Comprehensive Report on Reforms in the Penitentiary System in the Republic of North Macedonia. Skopje: (2023). Helsinki Committee for Human Rights.

The only goal for all staff members, with particular focus on those in the resocialization department, is undoubtedly the successful resocialization of the children in the institution. Educators are precisely the bearers of all the activities carried out by children. For this reason, they have individual work plans with children. Educators facilitate both group and individual workshops, which are psychologically oriented and help children in managing negative emotions, programs for the prevention of drug use, alcohol, infectious diseases and other activities. They do this through the TOPS program, which is a rehabilitative program and aims to teach children how to think and act responsibly through improving social skills, self-control and improving motivation and the ability for a helpful approach among peers. This contributes to a lower rate of recidivism. Among other things, they say:

"The measures we offer are: individual work with each child, group and counseling work, various programs such as: the TOPS program, preventive programs for the prevention of drugs and alcohol use, for the prevention of anger and aggression, education, various crafts, free time for sports that serve for a better resocialization of children."

"We, as a professional service, with programs we try group and individual conversations with children, a critical attitude towards crime, a positive attitude towards work. Each child's individual program consists of a program part, namely education, training, personal development, leisure activities and post-penal acceptance (with work and family support)."

"Professionalism, the proper approach to the implementation of the resocialization process, especially in the sphere of personal development, building positive habits, changing attitudes towards criminal offenses, are only some of the ways to influence the change of awareness and attitude towards criminal offenses and consequently of recidivism."

Conclusion

The results of this research indicate that the resocialization measures for children in educational-correctional institutions have proven ineffective over the years due to a lack of qualified professionals and their proper training, the absence of modern, professional methods to work with children, and the unfavorable conditions that contribute to creating a harmful environment for their development. Unfortunately, achieving successful resocialization and reintegration of institutionalized children has been challenging to attain due to several persistent obstacles. These challenges continue to hinder the efforts of these institutions to prepare these children for successful societal reintegration. This study shows that the institutions face significant challenges (lack of resources, specialized staff, and difficulties in involving families and communities in the rehabilitation process) up to the relocation of children to the educational-correctional institution in Volkovija (for boys), while girls continue to face similar difficulties until they are transferred to the same institution.

For successful resocialization of children, it is recommended to engage in frequent discussions with children and their family members, develop crime prevention programs, organize creative workshops, structured leisure programs, sports activities, and personal development and social skills programs. Additionally, social work centers should be involved to help prevent recidivism in children. According to the data from the qualitative study, it was observed that many children do not participate in education, which is essential for their resocialization and reintegration into society. Some have not started primary education, while others have abandoned it. This highlights the urgent need for primary education to be implemented in educational-correctional institutions, in line with the Educational Strategy of the Ministry of Education and Culture. Education is particularly important, as many children in these institutions have not even completed primary education. The low level of education negatively impacts the effectiveness of educators during the resocialization process, as they face challenges in helping children manage negative emotions and prevent issues such as drug and alcohol use, and transmission of infectious diseases.

Children should benefit from measures that help them reintegrate into society, family, education, and employment after their release. Relevant authorities must provide services that aid in the rehabilitation of minors and reduce societal prejudice. These services should ensure housing, employment, and the means for self-sufficiency following release, thus facilitating reintegration⁴⁵. Consequently, social reintegration strategies, similar to preventive ones, should be developed at the national level, and specific tasks should be assigned to every institution or organization that can contribute to the reintegration of children, in order to avoid creating a society that is “afraid of its youth”⁴⁶. Successful resocialization means that the convicted individual has no disciplinary offenses, regularly uses the opportunities offered by the institution, shows remorse for the offense committed, and builds positive relationships with others, respecting the order and the staff of the institution. These factors help in reducing the likelihood for recidivism. On the other hand, resocialization fails when the individual repeats the offense, frequently violates disciplinary rules, and neglects rehabilitation opportunities. In such cases, the individual faces difficulties in being accepted by their family and reintegrating into society. Resocialization requires time and continuous intervention by educators to correct behavior⁴⁷. The staff must be qualified and include specialists such as educators, instructors, counselors, social workers, psychiatrists, and psychologists. They should receive regular training to ensure they can effectively perform their duties, which should include training on child psychology, human and child rights, and relevant regulations. They must maintain and improve their professional knowledge and skills throughout their careers, through regular training⁴⁸.

The most challenging aspect for children in conflict with the law is their reintegration into family and society after leaving an institution or children prison. The Center for Social Work is obligated to maintain continuous contact with the child, their family, and the institution where they are serving their sentence to provide ongoing support, (firstly to improve family conditions, facilitating education, offering healthcare, and helping to find employment). Post-penal assistance is significant in the process of treatment and resocialization (providing food and shelter, medical care, counseling on choosing a place to live, regulating family relationships, finding work, completing vocational training, offering financial aid for elementary needs, and other forms of assistance)⁴⁹. The qualitative study revealed that despite the individual and group work of educators with children, and the positive effects of these activities, if children do not receive institutional support after leaving the children institution/prison, they are likely to return to the environment that led them to criminal behavior, repeating criminal acts. To prevent future criminal activities and to help children become valuable members of society, this institutional support is more than necessary.

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⁴⁵ United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), 1985

⁴⁶ Sîrca, V. (2018). Social Reintegration Of Juvenile Delinquents In The Light Of The Restorative Justice. *FIAT IUSTITIA*, Dimitrie Cantemir Faculty of Law Cluj Napoca, Romania, 12(2), 256-274.

⁴⁷ SPECIAL REPORT on the overall situation regarding the realization of the rights of women serving prison sentences in the "Idrizovo" Prison. (2016). Skopje: Ombudsman

⁴⁸ United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The *Beijing Rules*), 1985

⁴⁹ Article 258, Law on the Execution of Sanctions

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УЛОГАТА НА ВОСПИТНО – ПОПРАВНИТЕ ДОМОВИ ВО РЕСОЦИЈАЛИЗАЦИЈАТА НА ДЕЦАТА: ПРЕДИЗВИЦИ И МОЖНОСТИ

Апстракт

Нашето истражување ја испитува ресоцијализацијата на децата во воспитно-поправните домови, оценувајќи ги основните стратегии за рехабилитација и нивната ефикасност за успешно реинтегрирање на децата во општеството. Целта на ова истражување е да испита како психолошките, образовните и стручните интервенции влијаат врз развојот на социјалните вештини и личноста на децата кои покажале деликвентно однесување. Методологијата на оваа студија се потпира на квалитативен пристап, кој вклучува 15 деца од машки пол на кои им е изречена мерка „упатување во воспитно-поправен дом“, заедно со стручниот тим кои беа интервјуирани со релевантни инструменти за истражувањето. Наодите ги истакнуваат главните пречки во процесот на ресоцијализација и покажуваат дека мултидисциплинарните интервенции имаат позитивно влијание врз однесувањето на децата и нивните вештини за реинтеграција во општеството. Овие наоди може да послужат како основ за понатамошни препораки за подобрување на сегашните практики, а со тоа поттикнување на успешна ресоцијализација на децата и намалување на стапките на рецидиви.

Клучни зборови: ресоцијализација, правда за децата, воспитно-поправен дом, социјална реинтеграција.

⁵⁰ Редовен професор, Правен факултет, Универзитет во Тетово, afirim.osmani@unite.edu.mk

⁵¹ Асистент, Правен факултет, Универзитет во Тетово, nazmije.shaqiri@unite.edu.mk