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Effectiveness of the Execution of Vocational Education for Convicts in Georgia

[Skuteczność wdrażania programu kształcenia zawodowego skazanych w Gruzji]

Abstract

Vocational education is the most important segment of the educational system. It is an opportunity to acquire a profession at any age, completely for free and become a professional. In recent years, vocational education has become increasingly popular and its promotion has become one of the key elements for overcoming unemployment and fostering the economic development of the country. Development of the vocational education is one of the main important priorities of any state, experts and scholars of the educational sphere do not even debate above the mentioned.

Vocational education and its availability gain even more importance within the penitentiary system, as it is one of the main tools for resocialization and reintegration of the inmates. Vocational education in the penitentiary system is not only the part of sentence-serving process but a useful instrument as well. However, in order for the convicts to continue their education freely without any complications and get employed upon their release from the penitentiary system, it is essential that the vocational education received in the mentioned system be integrated with the educational system of the country and its vocational training programs. In general, obtaining education in the penitentiary establishments is characterized with specific features, and for this reason, it is very important to consider the way the administration of the penitentiary system provides the essential, accessible resources and appropriate services for the inmates' vocational education.

It should be noted that in the penitentiary system of Georgia, the provision of vocational training programs for convicts is ensured by two structural units under its authority. One is the Department of the Resocialization and Rehabilitation of the Convicts and the other is the Vocational Education and Training Centre for Inmates (VETCI). Taking this into account, when the authority of two structural units in the agency includes the real-

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ization of the right to vocational education for convicts, it is important to assess how effectively the penitentiary system fulfills its duty in this direction. More specifically, when the responsibility for the effective implementation of vocational education is divided between two governing bodies, it is crucial to determine how coordinated and qualitatively the process of vocational training/retraining of convicts is carried out. Is there an overlap of functions or inappropriate use of financial and organizational resources? Additionally, it is important to analyze where the line of responsibility lies between these two agencies and whose competence it is to determine the need for vocational programs for convicts, and then their implementation, monitoring, and evaluation. How effective is the current mechanism for implementing vocational education for prisoners in the penitentiary system? Does it help or hinder the process of rehabilitation for convicts?

To study these issues, the information requested from the Department of Resocialization-Rehabilitation of Convicts and Vocational Education and Training Centre for Inmates will be analyzed against both national legal norms and international standards, as well as best practices from foreign countries. The aim of this study is to evaluate the effectiveness of the administrative mechanism for the execution of vocational education for convicts and to highlight the problems that require complex adjustments in the penitentiary system in this regard. In line with this goal, using the requested information, existing experience, and inductive and deductive methods, recommendations will be developed to contribute to the effective implementation of vocational education for convicts in Georgia.

Keywords: convicted/inmates, penitentiary system, vocational education, resocialization, rehabilitation.

Introduction

Georgia is a social state,¹ and its duty is to take care of those persons who are hindered in their social development.² Convicted persons and those released from prison belong to such individuals,³ and it is important to give them the chance to actively participate in social life.⁴ In many cases, crime is associated

¹ Article 5 of the Constitution of Georgia.

² I. Schwambe, Decisions of the Federal Constitutional Court of Germany, Germany, transl. by E. Chachanidze, Tbilisi 2011, p. 315.

³ V. Muradashvili, *The Role of the State in the Process of Resocialization of the Convicted*, 'Herald of Law Journal' 2020, 2, 12, p. 75.

⁴ L. Izoria, K. Korkelia et al., *Commentaries on the Constitution of Georgia: Basic Human Rights and Freedoms*, Tbilisi 2005, p. 341.

with a low level of education,⁵ which affected the lives of convicts before their imprisonment and may have played a large role in their criminal behavior.⁶ The influence and power of education are undeniable;⁷ it can change an individual's outlook.⁸

Getting an education is necessary for convicts to have faith in their own abilities, that after release, they will have an education or profession that will help them find a job and earn an income.⁹ Education in prison is as old as the institution itself¹⁰ and serves much more than as a tool to reduce crime.¹¹ According to studies, acquiring an education reduces the risk of recidivism after release from prison.¹²

Education in the penitentiary system, including vocational education, is part of the resocialization process for convicts. For successful resocialization, it is necessary to provide appropriate education to prisoners and take care of their working environment, physical health, and mental well-being.¹³ It is believed that resocialization has been elevated to the constitutional level, indicating its great importance.¹⁴

According to international standards, education is considered one of the priority components in serving a sentence.¹⁵ In the special recommendations of the Council of Europe, the right to education in prison is viewed as a fundamental right, including vocational education, which is a part of the resocialization program and has a strict educational character.¹⁶

It is important that, while in the penitentiary system, prisoners develop the ability and desire to live independently. This will allow them, in the future, to live an honest life in a free society without committing crimes, taking advantage of the opportunities offered by this society, and taking the risks it entails.¹⁷ Understanding and overcoming the challenges mentioned above is practically impossible for a convicted person without receiving the vocational

⁵ G. Arsoshvili, G. Mikanadze, M. Shalikashvili, *Probation Law*, Tbilisi 2015, p. 121.

⁶ M. Khasia, *Handbook of Social Workers Employed in the Penitentiary System*, Tbilisi 2008, p. 182.

⁷ *Education in Prison: A Literature Review*, UNESCO Institute for Lifelong Learning 2021, p. 9.

⁸ R. Scott, *Using Critical Pedagogy to Connect Prison Education and Prison Abolitionism*, 'Saint Louis University Public Law Review' 2014, 33, 2, p. 402.

⁹ M. Khasia, *Handbook*, *ibid.*

¹⁰ C. Behan, *Learning to Escape: Prison Education, Rehabilitation, and the Potential for Transformation*, 'Journal of Prison Education and Reentry' 2014, 1, 1, p. 20.

¹¹ A. Key, M. S. May, *When Prisoners Dare to Become Scholars: Prison Education As Resistance*, 'Review of Communication' 2019, 19, 1.

¹² L. M. Davis, R. Bozick et al., *Evaluating the Effectiveness of Correctional Education A Meta-Analysis of Programs That Provide Education to Incarcerated Adults*, Rand Corporation 2013, p. 1.

¹³ *Research report on the legal status, working conditions and satisfaction of the employees of the penitentiary system of Georgia*, Tbilisi 2020, p. 5.

¹⁴ E. Arians, *An Introduction to German Penal Law*, 'The Case of North Rhine-Westphalia' 2019, 2, p. 43.

¹⁵ *Educational-rehabilitation process of convicts in the penitentiary system*, desk research, 2018, p. 9.

¹⁶ *Recommendation of the Committee of Ministers No. R(89)12 to member states R(89) 12 on education in prisons*.

¹⁷ V. Muradashvili, *The Role...*, p. 76.

education stipulated by law.¹⁸ That is why promoting vocational education and its effective implementation should be considered a particularly high priority for individuals in conflict with the law, so that they develop respect for society and focus on their personal development.¹⁹ Otherwise, the normal functioning of the penitentiary institution and the resocialization of the convict will be hindered.²⁰

It should be noted that the provision of vocational training programs for convicts in the Georgian penitentiary system is one of the main functions of the Department of Resocialization-Rehabilitation of Convicts.²¹ At the same time, in order to promote the vocational training/retraining of convicts, the main functions of the Center for Vocational Training and Retraining of Convicts are as follows: On one hand, to determine the vocational capabilities and needs of convicts; and on the other hand, to develop, implement, and control the implementation of education/vocational training/retraining programs for convicts.²² Taking this into account, when the authority of two structural units in the agency includes the realization of the right to vocational education for convicted persons, it is important to assess how effectively the penitentiary system fulfills its duty in this direction.²³

Vocational education is important and should be universally available.²⁴ It should be integrated into the educational and vocational system of the country and conducted under the auspices of external educational institutions, so that after prisoners' release, they can continue their studies or vocational education without difficulty.²⁵ The prison administration should provide adequate material conditions and opportunities for physical, intellectual, and emotional stimulation,²⁶ as the opportunity to continue education in a penitentiary institution is often a difficult, if not impossible, prospect for convicted individuals due to their restriction of liberty.²⁷

¹⁸ A. Coyle, H. Fair, *Handbook for Prison Staff, A Human Rights Approach to Prison Management*, 3rd ed., London 2018, p. 98.

¹⁹ M. Shalikhvili, G. Mikanadze, M. Khasia, *Penal Law*, Tbilisi 2014, p. 192.

²⁰ M. Shalikhvili, *Criminology of Violence*, Tbilisi 2012, p. 39.

²¹ S. Kiladze, A. Firtskhalashvili, *Handbook of Social Work*, Tbilisi 2018, p. 230.

²² Article 3 of the Regulations of the Legal Entity of Public Law – Vocational Education and Training Centre for Inmates, approved by Order No. 492 of the Minister of Justice of Georgia of Dec. 31, 2019.

²³ Law of Georgia, Article 133 of the Penitentiary Code.

²⁴ M. Shalikhvili, G. Mikanadze, M. Khasia, *Penal Law*, 2nd ed., Tbilisi 2024, p. 223.

²⁵ European Prison Rules, Rule 28.7.

²⁶ Recommendation Rec (2003) 23 of the Committee of Ministers of the Council of Europe of 9 October 2003 to member states on the management of life-sentenced and other long-term prisoners by prison administrations, Recommendation 21.

²⁷ M. Barreiro-Gen, I. Novo-Corti, *Collaborative Learning in Environments with Restricted Access to the Internet: Policies to Bridge the Divide and Exclusion in Prisons Through the Development of the Skills of Inmates*, 'Computers in Human Behavior' 2015, 51, ss. 1172–1176.

National and International Standards of Vocational Education for Inmates

The importance of vocational education is emphasized in the government program, and its rapid development is an important priority for Georgia, as it is considered an effective means of eliminating social inequality, reducing unemployment, and ensuring decent employment in the country.²⁸ As for the importance of vocational education in the penitentiary system, on the one hand, it is part of resocialization, starting from the day the convict is placed in prison and continuing until final rehabilitation.²⁹ On the other hand, it is a learning process during which the convict learns to live and behave without crime.³⁰ Vocational education is one of the grounds that enable the convict to integrate into society using the knowledge acquired during their sentence.³¹ Accordingly, national legislation sets the standard for ensuring access to vocational education for the accused/convict. The law explains that prisoners in penitentiary institutions should have the proper conditions to receive vocational education. The list of professions, which should be prioritized during vocational education, is defined, and the professions that can be studied in a penitentiary institution are outlined.³² However, the above does not mean that the mastery of other professions should not be available, but rather that priorities should be ranked.³³ Additionally, the list of professions that convicts have access to, according to the law, should be established by a joint order of the Minister of Justice and the Minister of Education, Science, and Youth of Georgia.³⁴

In fairness, it should be noted that such a joint order does not exist, and the mandatory requirements related to the vocational training/retraining of convicts placed in penitentiary institutions and related activities are regulated by the Order of the Minister of Justice of Georgia No. 491 of December 31, 2019, which does not specify a list of vocational training programs.

The international standards established for receiving vocational education in the penitentiary system are noteworthy, and in this regard, the recommendations of the Special Council of Europe, which establish an international

²⁸ Report on the Action Plan of the Unified National Strategy of Education and Science of Georgia for 2022, 2023, p. 4.

²⁹ G. Arsoshvili, *Resocialization of the Offender as the Main Goal of Punishment* [doctoral thesis], Tbilisi 2018, p. 116.

³⁰ E. Goffman, *Asyle. Über die soziale Situation psychiatrischer Patienten und anderer Insassen*. Frankfurt am Main 1972, p. 17.

³¹ G. Arsoshvili, *Resocialization...*, p. 124.

³² United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), Rule 104, Part Two.

³³ M. Shalikhvili, G. Mikanadze, M. Khasia, *Penal Law*, (2nd ed.)..., p. 226.

³⁴ Law of Georgia, Part 2, Article 133 of the Penitentiary Code.

standard in this direction, are very important. According to the recommendations, the purpose of vocational education should be the general development of the personality, which should correspond to the requirements of the labor market.³⁵ School and vocational education, cultural, sports, and other types of education, as well as access to the library, must be provided for all prisoners. All prisoners must have access to education, which consists of school subjects, vocational education, creative and cultural activities, physical education and sports, social education, and the library.³⁶

It should also be noted that on January 11, 2006, the Committee of Ministers of the Council of Europe adopted a new version of the European Prison Rules, which emphasizes that the penitentiary system must strive to provide inmates with access to educational programs, which should be as diverse as possible and respond to the inmates' individual needs, taking into account their aspirations.³⁷ Education should not be given less status than work within the prison regime, and prisoners should not be placed at a financial or other disadvantage for participating in an educational program.³⁸ In addition, as far as practicable, the education of prisoners should be integrated with the country's educational and vocational education system in such a way that, after release, prisoners can continue their studies or vocational education without difficulty under the auspices of external educational institutions.³⁹

Thus, as a result of the analysis of international and national legislation, it can be said that education is a complex activity that is difficult to organize in a penitentiary institution. This is especially true when the resources allocated to it are limited, and the state must maintain a balance when making decisions to regulate access to education. On one hand, it must consider the educational needs of those under its jurisdiction, and on the other hand, it must take into account the challenges of the labor market and the right to education, which is expressly protected by the Convention.⁴⁰ Here, it should be noted that, from a formal point of view, the national legal regulations that govern the standard of receiving vocational education in the penitentiary system are in line with international legislation. However, in light of international best practices, it is important for the penitentiary system to introduce vocational training programs that are in demand in the market and tailored to the interests of convicts. This will allow convicts to gain employment with the vocational education they received in the institution and aid in their further resociali-

³⁵ Recommendation no. R(89)12 of the Committee of Ministers to member states R(89) 12 on education in prison, ninth recommendation.

³⁶ *Ibid.*

³⁷ Recommendation R (2006) 2 on the European Prison Rules, Rule 28.1.

³⁸ Recommendation R (2006) 2 on the European Prison Rules, Rule 28.2-28.4.

³⁹ Recommendation R (2006) 2 on the European Prison Rules, Rule 28.7.

⁴⁰ *Elio Velev v. Bulgaria* [ECTHR], no. 16032/07, judgment of 27 May 2014, para. 33.

zation after their release.⁴¹ For many prisoners, their time in prison may even be their first opportunity to acquire vocational skills and work regularly. The main purpose for which prisoners are required to work is to prepare them for release from prison. This approach is crucial to ensure that individuals do not leave prison in worse condition than when they entered.⁴²

Types of Vocational Educational Programs for Convicts and Assessment of Need

Vocational education development policy in Georgia is related to the country's economic and social development priorities. In light of the global challenges of the 21st century, the rapid development and improvement of human capital is a challenge for both developed and developing countries. Consequently, the tools that Western countries use to meet the demands of a modern and rapidly growing labor market are related to the convergence of the employment market and education systems. To achieve this goal, vocational education is the best tool. Accordingly, the vision of the development of vocational education in Georgia is related to the convergence of the system with the single European educational space,⁴³ and one of the important components of fulfilling this task is the provision of quality vocational education in the penitentiary system.

The offer of effective vocational programs for convicts and the mechanism for implementing these programs in the penitentiary system of Georgia are characterized by certain peculiarities. In particular, according to national legislation, planning and facilitating the implementation of vocational programs for convicts, based on the study of their needs, is the responsibility of the Department of Convict Resocialization-Rehabilitation of the Special Penitentiary Service, a state sub-agency institution operating under the Ministry of Justice of Georgia.⁴⁴ At the same time, determining the professional capabilities and needs of convicts and planning/conducting their vocational training/retraining and vocational programs is one of the main functions and tasks of the legal entity of public law—the Center for Vocational Training and Retraining of Convicts.⁴⁵

⁴¹ E. Coyle, *Managing the Penitentiary System from a Human Rights Perspective*, Tbilisi 2007, p. 93.

⁴² A. Costelloe, *Learning for Liberation, Teaching for Transformation: Can Education in Prison Prepare Prisoners for Active Citizenship?*, 'Irish Journal of Applied Social Studies' 2014, 14, 1, pp. 30–36.

⁴³ https://vet.ge/ge/about/policy-papers/OtFeNncBn0YVN3tm3_U4 [accessed: 07.01.2025].

⁴⁴ Subparagraph 'n' of Article 8 of the Order No. 418 of the Minister of Justice of Georgia of Jun. 10, 2019, On Approval of the Regulations of the Department of Resocialization and Rehabilitation of Convicts of the Special Penitentiary Service.

⁴⁵ Subparagraphs 'a' and 'd' of Article 3 of the Order No. 492 of the Minister of Justice of Georgia of Dec. 31, 2019, On Approval of the Statute of the Legal Entity of Public Law – Vocational Education and Training Centre for Inmates.

It should be noted that the enforcement of vocational education for convicts in the penitentiary system, using a ‘dualistic’ mechanism, was put into effect on January 1, 2020, after the establishment of a legal entity under public law— Vocational Education and Training Centre for Inmates. This entity was assigned to provide vocational education services within the penitentiary system.⁴⁶ Thus, as of today, there is a rule according to which the resocialization of convicts—determining the convict’s need for involvement in vocational education by the rehabilitation department—takes place within the framework of case management. A request is then sent to Vocational Education and Training Centre for Inmates. To some extent, the department also organizes craft training in workshops located in penitentiary institutions and implements educational programs in the fields in demand.⁴⁷

It should be noted that before January 1, 2020, a different practice was followed in the penitentiary system. According to this practice, the Department of Resocialization-Rehabilitation of convicts conducted a survey of convicts twice a year through special questionnaires, in order to involve them in social activities. Based on the analysis of survey results, the department planned and implemented in-demand vocational programs twice a year, in the spring and autumn seasons.⁴⁸ However, despite the ease of surveying convicts, studies from this period confirm that the implementation of vocational education programs for persons in conflict with the law was delayed at the beginning of each new cycle due to multi-stage program approval procedures (e.g., agreement between ministries, approval of courses, admission of teachers to institutions, and other technical issues). The lengthy process in some cases caused the beneficiaries to lose interest in the vocational programs, as they were surveyed and expressed interest before the course was offered. Further delays led to an insufficient number of participants required to implement the programs (at least five people are needed to form a group). The search for new applicants and the reorganization of the group further extended the time needed to begin implementation.⁴⁹ It was also a challenge for the system during this period to offer predetermined programs to convicts, limited to those that could be studied under the conditions of the penitentiary. This meant that the convicts’ interest in a specific profession and, consequently, the program, was not always satisfied.⁵⁰

⁴⁶ Resolution No. 635 of the Government of Georgia of Dec. 23, 2019, On Amendments to Resolution no. 227 of the Government of Georgia of Mar. 13, 2014, On the Establishment of Legal Entities of Public Law in the Sphere of Governance of the Ministry of Justice of Georgia.

⁴⁷ Letter no. 349438/01 of the Special Penitentiary Service dated Nov. 21, 2024.

⁴⁸ *Ibid.*

⁴⁹ Analysis of existing educational and employment programs for persons in conflict with the law, Georgian Farmers Association, Research, Tbilisi 2017–2018, pp. 6 and 7.

⁵⁰ Analysis..., p. 20.

To assess the issue of the supply of professions in demand in the market for convicts and its diversity, as well as to determine how much has changed for the better and eliminated problems in the penitentiary system under the new structural redistribution, we requested information from both the Center for the Training and Retraining of Convicts and the Department of Resocialization-Rehabilitation of Convicts. According to the information received, the following types of vocational education can be accessed in penitentiary institutions: professional orientation; graphic design; vocational course ‘small business producer; computer graphics; computing and information literacy; languages (English, Turkish, German, Georgian, Russian); vocational course ‘accounting’; entrepreneurship/social entrepreneurship; woodcarving; stylist course; embroidery and cutting-sewing course; agronomy course; short-term program for a Georgian-speaking tourist guide. Agricultural education courses include: beekeeping, fight against desertification, winemaking, viticulture, plant protection, wheat cultivation, hazelnut, strawberry, and raspberry care. It is also important that, according to data kept at the center, 495 convicts participated in vocational education programs in 2021, 765 in 2022, 652 in 2023, and 528 in 2024 (including October).⁵¹

At the same time, we received different data and information from the Department of Resocialization-Rehabilitation of Convicts, according to which the statistics of vocational education provided to convicts, by years and programs, are as follows:⁵²

Type of Training	Training Subtype	2024	2023	2022	2021	2020	2019
Vocational Education	Vocational Education (VETCI)	196	230	313	0	0	0
Vocational Education	Vocational Education	216	199	187	27	3	563
Vocational Education	Computer Programs		28	29	0	0	
Vocational Education	Learning Languages	113	148	70	0	0	
Vocational Education	Educational Training	190	141	17	37	94	529
Total		715	746	616	64	97	529

As a result of analyzing the provided information, it is determined that the statistics on convicts, particularly data on who received vocational education in the penitentiary system and with which program, are run simultaneously by both the Center for Training and Retraining of Convicts and the Department of Resocialization-Rehabilitation of Convicts. It should be noted that the statistics provided by the agencies and the names of the programs are not identical,

⁵¹ Letter no. 01/756 of Nov. 15, 2024, from the LEPL – Vocational Education and Training Centre for Inmates.

⁵² Letter no. 349438/01 of the Special Penitentiary Service dated Nov. 21, 2024.

which clearly indicates that there is no complete, accurate, and unified database in this area of the penitentiary system—an issue critical for accurate analysis. Differences in statistical data also point to problems in information exchange and data confusion, which ultimately affects the validity of the information, since analyses based on such data will lead to false conclusions.

In addition to statistical data, it appears that the method of assessing the need for vocational education programs for convicts has changed. Previously, the types of vocational education programs needed for convicts were determined jointly twice a year through a special questionnaire. According to the current rule, this process is now determined individually during the case management of the convict. This approach contributes to the development of the convict's correct competencies, offering a vocational education program tailored to him and ensuring that the convict has the opportunity to pursue a profession best suited to his abilities, interests, and future needs. However, this process is longer and more difficult, requiring more time and resources. While the individual approach provides much more potential in terms of personal development and consideration of specific needs, a unified, systematic approach, such as existed previously, would have more easily ensured the determination of the need for vocational education programs on a larger scale and included the entire system. Therefore, for the successful implementation of this process, it would be appropriate to effectively combine both individual and standardized approaches, which would better ensure the qualified provision of vocational education to convicts at both the individual and systemic levels.

From the perspective of vocational education programs in the penitentiary system, it should also be noted that these programs are short, mostly 3 months in duration, which is not enough to master many professions but is useful for maintaining and developing qualifications. At the same time, for penitentiary institutions, the shorter duration of the programs makes process administration relatively convenient, and the result is more or less achievable. This is because convicts leaving the institution and moving have a more or less negative impact on the process.⁵³ The duration of vocational courses designed for persons in conflict with the law is not sufficient to fully study most professions. Within 2–3 months, beneficiaries can only gain basic knowledge of these professions. Vocational educational programs lasting 2–4 years, which issue a diploma upon completion, will need to be adapted for persons in conflict with the law, while 2–4 month courses will still be held. After completing the courses, a certificate is issued.⁵⁴ Additionally, vocational education programs in penitentiary institutions are characterized by a lack of diversity and sporadic availability.⁵⁵

⁵³ Analysis..., pp. 5 and 6.

⁵⁴ Analysis..., p. 32.

⁵⁵ Recommendations for Improving the Rehabilitation Process of Convicts in Penitentiary and Probation Systems, Package of Recommendations, 2019, p. 5.

When discussing the provision of services to beneficiaries, including the process of receiving vocational education, one cannot ignore the criminal subculture, which is a hindering factor in providing vocational education to convicts. In general, the social order in the penitentiary system is shaped by various factors, including the historical experience of system management, institutional culture, criminal subculture, existing infrastructure, and personnel qualifications.⁵⁶ The subculture of prisoners, as a 'governing body'⁵⁷ of convicts, is a significantly sophisticated criminal group independent from the outside world within the 'total institutionality' of the prison.⁵⁸ This group offers inmates a form of security and grants some inmates a valued status and meaningful identity within the prison environment.⁵⁹ Research shows that, according to the rules existing in the criminal subculture, participation in educational-rehabilitation programs is considered bad form among certain groups of prisoners. This factor may affect the motivation of the beneficiaries.⁶⁰

As for the compliance of vocational education programs with the requirements of the labor market in the penitentiary system, this is a very important issue because the employment of convicts is a difficult task for the state. After leaving the penitentiary system, they often face various difficulties, such as their criminal past and the stigma of being labeled a criminal.⁶¹ In society, the general opinion is that if a person 'sits in prison', they will commit a crime again.⁶²

Another challenge is the limited opportunities for convict education in relation to the demands of the labor market. However, it must be noted that the employment of not only convicts but also individuals with vocational education is a general issue for the state of Georgia.⁶³ The problem lies in the fact that educational programs are less relevant to the current and future demands of the labor market. These programs are implemented for which employers have little demand for persons with vocational education. Additionally, a significant portion of people with higher education are unemployed in the relevant fields. According to the results of a survey conducted by an audit group, only 35% of graduates from vocational educational institutions are employed

⁵⁶ A. Kelbakiani, N. Tsagareli, D. Chkoidze, *Management of High-Risk Penitentiary Institutions*, 2024, p. 4.

⁵⁷ W. Gratz, *Voraussetzung und Möglichkeiten wirksamer Autoritäten im Strafvollzug*, 'Zeitschrift für Strafvollzug und Straffälligenhilfe' (ZfStrVo) 1999, 48, 1, p. 9.

⁵⁸ E. Goffman, *Asyle...*, p. 16.

⁵⁹ G. Slade, A. Kelbakiani, N. Tsagareli, *Influence of Criminal Subculture on The Management of A Penitentiary Institution, Main Findings 2020*, p. 13.

⁶⁰ A. Kelbakiani, *Educational and Rehabilitation Process of Convicts in the Penitentiary System, Desk Research 2018*, p. 7.

⁶¹ M. Shalikhashvili, *Criminology*, 3rd suppl. and rev. ed., Tbilisi 2017, p. 44.

⁶² M. Panjikidze, N. Nishnianidze et al., *Factors Contributing to the Commission of Crimes by Former Convicts, Research 2018*, p. 92.

⁶³ State Audit Office Performance Audit Report, Tbilisi 2021, pp. 5 and 6.

in their field of study. A significant portion of the surveyed graduates are not employed in the area for which they were educated, which, alongside other factors, is due to the mismatch between training programs and the labor market's needs.⁶⁴

Looking at practices in other countries, only 46.5% of prisoners in France have a job or participate in full-time vocational training, while in Germany this figure is 53.6%, and in England, it is less than 45%.⁶⁵

This is why it is very important that the vocational education programs in the penitentiary system align with the real needs of the labor market, so that convicts can adapt and be employed in relevant fields. Teaching and learning should be outcome-based.⁶⁶ Moreover, vocational education should provide individuals with the competencies required by a specific profession and/or the labor market, and it should aim at the vocational, social and personal development⁶⁷ of a person throughout their life. Research consistently shows that there are many services that can help ex-offenders reintegrate into their communities and reduce recidivism. Among these are programs focused on vocational training. The most successful programs tend to focus on high-risk offenders, are intensive in nature, begin in a penitentiary, and continue upon their return to the community.⁶⁸ Furthermore, working with such programs facilitates their integration into society.⁶⁹

The Process of Execution of Vocational Programs for Convicts

Education in penitentiary institutions is a convict's right, not a privilege.⁷⁰ Its realization takes on even more significance within the penitentiary system,⁷¹ where it contributes to the convict's correction.⁷² Involvement in educational activities, whether vocational education, compulsory schooling, higher education, or participation in foreign language learning groups, is an

⁶⁴ Ibid.

⁶⁵ P. Naksi, Research on General Standards of Work in Penitentiary Institutions in the European Union Countries 2014, p. 5.

⁶⁶ A. O'Donnell, Unfamiliar Voices: A Review of the Legacy of NCAD's Art Programme in Portlaoise Prison, 1987-2010, Introduction, 2012, p. 13.

⁶⁷ Law of Georgia on Vocational Education, Article 3, Subparagraph 'k'.

⁶⁸ N. Aliashvili, M. Baramia et al., Fundamentals of Crime Prevention and Probation: A Practical Guide for Specialists and Vocational Training, Tbilisi 2021, pp. 159 and 160.

⁶⁹ P. Paulson, The Role of Community Based Programs in Reducing Recidivism in Ex-Offenders, 2013, pp. 55 and 56.

⁷⁰ C. Behan, *Learning...*, p. 20.

⁷¹ Analysis of existing educational and employment programs for persons in conflict with the law, Georgian Farmers Association, Research, Tbilisi 2017-2018, p. 8.

⁷² M. Rybak, Resocialization of Persons Sentenced to Imprisonment, Saratov 2002, pp. 17 and 18.

integral part of rehabilitation and resocialization.⁷³ Successful rehabilitation is crucial for the positive long-term outcome of the convict and their family.⁷⁴ As mentioned, the purpose of education in prison is to promote rehabilitation,⁷⁵ as education is one of the key tools that can help convicts overcome and alleviate the challenges of imprisonment.⁷⁶

For the effective delivery of vocational education programs for convicts, it is not only important that they are involved in these programs, but also that they are properly implemented. However, it should be noted that vocational training in the penitentiary system is not equally available in all institutions.⁷⁷ The process itself, according to current legislation, follows several stages.

The process begins with the director of the penitentiary institution requesting the director of the vocational training and retraining center for convicts to assess the need for vocational training/retraining for a convict. Following this, an authorized employee of the center collects and processes the necessary information to select the appropriate vocational training/retraining program or course for the convict. In doing so, the employee is authorized, within the scope of their competence, to review materials related to the vocational training/retraining of the convict, including information contained in the convict's personal file and individual sentence-serving plan. If necessary, the employee may request information from the institution, relevant agencies, organizations, and close relatives of the convict.⁷⁸

Once a program/course is selected, the center employee informs the convict about the chosen program/course and offers them the opportunity to participate. The employee then records the convict's consent or refusal in the relevant protocol. If the convict refuses, a new vocational training/retraining program/course may be proposed. Additionally, the employee notifies the institution's director, the center, and the resocialization-rehabilitation department about the results of the activities related to the convict's inclusion in the program/course.⁷⁹

Thus, in the penitentiary system, three structural units are directly involved in providing vocational education to convicts. The first is the vocational training and retraining center for convicts, the second is the penitentiary

⁷³ N. Aliashvili, M. Baramia et al., *Fundamentals...*, pp. 159, 160, 129.

⁷⁴ Vera Institute of Justice, *Investing in Futures Economic and Fiscal Benefits of Postsecondary Education in Prison*, 2019, pp. 1 and 2.

⁷⁵ K. Warner, *Against the Narrowing of Perspectives: How Do We See Learning, Prisons and Prisoners?*, 'The Journal of Correctional Education' 2007, 58, 2, pp. 170–184.

⁷⁶ L. Higgins, *Exploring the Relationship Between Education and Rehabilitation in the Prison Context*, 'Journal of Prison Education and Reentry' 2021, 7, 2, p. 150.

⁷⁷ *The Employment Market and Professional Opportunities and Needs of Persons in Conflict with the Law*, Sida, Tbilisi 2017, p. 5.

⁷⁸ Subparagraphs 1–3 of Article 2 of Order No. 491 of the Minister of Justice of Georgia of Dec. 31, 2019, On Approval of the Rules for Professional Training and Retraining of Convicts.

⁷⁹ *Ibid.*, sub. 4–6.

institution where the convict is serving their sentence, and the third is the resocialization-rehabilitation department for convicts. Accordingly, it can be assumed that the involvement of these three structural units, particularly the establishment of the vocational training and retraining center for convicts, aims to ensure that the penitentiary system delivers effective and high-quality services to the convicted in a short period of time across various areas (education, psychological support, social assistance). Additionally, this cooperation allows the agencies to better oversee the education delivery process and monitor each other's activities.

However, the risks associated with the involvement of these three agencies are equally important. For instance, such participation might complicate communication and information sharing between the agencies, and could also lead to an artificial increase in the duration of already protracted processes, as well as a duplication of administrative resources. Therefore, if coordination between the agencies is not sufficiently effective, situations may arise where each structural unit acts independently and fails to create synergy among the penitentiary institution, the vocational training and retraining center, and the resocialization-rehabilitation department. This lack of synergy would ultimately impact the interests of the convict. Furthermore, there is a significant risk that the resocialization and rehabilitation department may not be able to fully assess the results of the programs if the vocational training and retraining center is unable to provide the necessary resources. On the other hand, if the penitentiary institution does not timely request a program for a convict, the vocational training and retraining center may struggle to manage the process.

Looking at the practices in other countries, since 1987, prisoners in French prisons have had the right to work according to their own preferences, providing them with the opportunity to earn income, acquire vocational skills, and obtain qualifications. Some inmates are also involved in paid vocational programs (approximately 3,300 inmates per year, which is about 5% of the inmate population), while others work outside the prison as part of a modified sentence (this number reached 3,900 in 2011).⁸⁰ It is important to note that the execution of vocational education programs for convicts in French prisons is overseen by the Agency for Social Work and Professional Integration.⁸¹

In Lithuania, vocational programs are available for individuals serving prison sentences. If the prisoner wishes, programs can be organized within the prison to improve existing skills or acquire new ones.⁸²

⁸⁰ P. Naksi, Research..., 2014, p. 14.

⁸¹ <https://www.justice.gouv.fr/> [accessed: 07.01.2025].

⁸² The process of preparing prisoners for release from penitentiary institutions as a component of 'transitional management', Research report 2018, p. 142.

As for Estonia, the penitentiary school system includes basic education (compulsory and secondary), additional education, vocational training, and higher education.⁸³ The prison department of the Ministry of Justice includes a rehabilitation department,⁸⁴ which aims to prepare prisoners for reintegration into society. The department addresses issues such as education, social work, healthcare, and drug addiction prevention and rehabilitation.⁸⁵

Denmark has an interesting practice, with 4,900 people working in the country's penitentiary institutions and probation services. Of this number, 35% are social and education workers. Prison and probation services are managed by one organization: The Department of Prison and Probation, which is subordinate to the Ministry of Justice.⁸⁶ Here, too, great attention is paid to education. Prisoners have the opportunity to study both inside and outside the prison (the latter requires special approval). There is a wide variety of training courses within the prison, and there are also opportunities for higher education outside of it.⁸⁷

The practice of the Norwegian penitentiary system is different. Services critical to rehabilitation and reintegration for inmates in correctional institutions are provided externally by local and municipal providers. The penitentiaries themselves are not staffed to provide health, education, employment, chaplaincy, or library services to inmates. These services are provided by external providers, which has the following positive aspects:

- ◆ **Continuity of service provision:** The offender establishes contact with the service provider in prison.
- ◆ **Community involvement:** This helps improve the image of both the prison and the prisoners.
- ◆ **Non-state funded services:** Services not funded by the state are funded by other parties, and prisoners are entitled to them as Norwegian residents.

According to a decision by the Norwegian government, those who have served their sentences are guaranteed reintegration. They are guaranteed access to employment and education, convenient housing, some form of income, health and addiction treatment services, and debt management counseling. Reintegration coordinators hired by the penitentiary service will select the necessary services and ensure their delivery to facilitate reintegration. This guarantee has no legal effect. It is a political type of guarantee, reflecting the desire of the government and public institutions for mutual cooperation on this issue.⁸⁸

⁸³ <https://www.diva-portal.org/smash/get/diva2:702625/FULLTEXT01.pdf> [accessed: 07.01.2025].

⁸⁴ Ministry of Justice, Estonia. <https://www.just.ee/et/ministry-justice> [accessed: 07.01.2025].

⁸⁵ Ministry of Justice, Estonia. Department of Prisons, <http://www.vangla.ee/en/intitutions/prisons-department-ministry-justice> [accessed: 07.01.2025].

⁸⁶ N. Longhadze, *Rehabilitation of Former Prisoners and Probationers: Study of International Experience*, 2017, p. 24.

⁸⁷ Kriminal Forsorgen.Arbejde, uddannelse og behandling. <http://www.kriminalforsorgen.dk/Arbejde--uddannelse-og-behandling-5742.aspx> [accessed: 07.01.2025].

⁸⁸ N. Longhadze N., *Rehabilitation...*, p. 33.

The German penitentiary system is based on the principles of resocialization and rehabilitation. The importance of rehabilitation is determined by legislation. According to Germany's 1977 Prison Code, the sole purpose of imprisonment is to enable ex-prisoners to lead a crime-free and socially responsible life after release. To achieve this, it is necessary to make life in prison as similar as possible to life in society (a concept sometimes called the principle of normalization) and to organize prison life in a way that facilitates the integration of prisoners into society.⁸⁹ Both education and work are necessary and paid in Germany. Respect for the private life of prisoners is considered a form of respect for their dignity.⁹⁰

There are 16 federal states (Länder) in Germany, and each one controls the prisons within its borders.⁹¹ For example, the penitentiary system of Lower Saxony shares the principle that conditions in penitentiary institutions should facilitate the reintegration of prisoners into society. Therefore, prisoners have many opportunities to improve their qualifications, receive vocational education, engage in anti-aggression or social training, or join psychotherapeutic treatment groups. A special emphasis is placed on education, as it is believed that a low level of education is one of the determining factors of criminal behavior. Prisoners have the opportunity to continue training courses even after release. The training areas are aligned with the labor market, which is ensured by coordinated work with the regional directorate of the Federal Employment Agency and education providers. The aim of this activity is to quickly integrate ex-prisoners into the labor market after release.⁹²

Taking into account all of the above and the practices of European countries, it can be concluded that the mechanism for enforcing the vocational education of convicts in Georgia, in its current form, cannot be effective. It is commendable that the Center for the Training and Retraining of Convicts and the Resocialization-Rehabilitation Department of Convicts simultaneously work on the further socialization of the convicted; however, prolonged or incorrectly selected vocational training cannot be effective, efficient, or of high quality. The involvement of three agencies under one administrative umbrella, on the one hand, may promote a seemingly multilateral approach and mutual control; on the other hand, it will hinder effective communication, stretch processes over time, lead to the duplication of resources, result in untargeted spending of funds, and create problems with organizational coordination. In general, it should be noted that excessive bureaucracy and resource duplication are ineffective for all agencies.

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ The process of preparing prisoners for release from penitentiary institutions as a component of 'transitional management', Research report, 2018, p. 136.

⁹² <https://www.justizportal.niedersachsen.de/justizvollzug/justizvollzug-10505.html> [accessed: 07.01.2025].

Conclusion

In the penitentiary system, obtaining vocational education is one of the important rights of convicts, which, on the one hand, implies the integration of convicts into public life, and on the other hand, requires an effective management mechanism for this right. Acquiring vocational education serves not only personal development and the acquisition of professional skills by convicts, but also reduces the risk of committing repeated crimes and promotes their final resocialization and rehabilitation process.

Despite the high importance of this, the mechanism for enforcing the vocational education of convicts is not unequivocally effective. Under one agency, with almost the same authority, two different structural units—the Department of Resocialization and Rehabilitation of Convicts and the Center for Vocational Training and Retraining of Convicts—are responsible for providing and supervising the process of receiving vocational education for convicts. These two structural units work in parallel, and while each unit performs its own tasks, they take little account of the activities of the other unit. This leads to overlapping competencies, coordination problems, and the absence of uniform statistics production and accurate information exchange, which is also confirmed by the statistics requested from these agencies, as they are not in agreement with each other. Such a structural arrangement reduces the administrative efficiency of the aforementioned bodies and complicates the optimal distribution of human resources. Since each unit separately requires human and administrative resources, this artificially increases untargeted budget funds and bureaucratic procedures. The presence of overlapping functions in both agencies also creates time management issues, as each unit independently plans and implements different stages, making it even more difficult to achieve the necessary goals in an efficient and timely manner. Additionally, none of the agencies has full responsibility for this matter, and under these conditions, mediation and cooperation between agencies cannot be sufficiently harmonious and pragmatic. All of these factors combined reduce the effectiveness of the mechanism for enforcing the right to vocational education for those convicted in the penitentiary system.

Therefore, in order to address the issues of duplication of functions, time management, financial resources, coordination, and administrative procedures in the execution of vocational education for convicts in the penitentiary system of Georgia, and to choose an effective and rational management model, it is important to implement the following recommendations:

1. In the penitentiary system of Georgia, it is advisable to introduce a centralized management model for the execution of vocational education for convicts. Specifically, it is important to manage all relevant vocational education programs through the structural unit of the penitentiary system that searches for, determines, and evaluates the need for vocational education for convicts—that is, the Department of Resocialization and Rehabilitation of Convicts—centrally. This approach will solve the problem of coordination and duplication of unnecessary functions, contribute to the production of uniform and accurate statistics, save human resources, and prevent the system from spending budget funds inappropriately.
2. The assessment of the need for vocational education programs for convicts should preferably be carried out both within the framework of case management, individually, and systematically through special questionnaires. It is important to have both an individual and a standardized model for evaluating the vocational education programs needed by convicts, which will ensure better planning and delivery of vocational education at both the individual and system levels.
3. Since there is no clearly defined agency monitoring the vocational training of convicts in the penitentiary system, it is important to centrally optimize the complex monitoring and evaluation system for vocational education. This system should ensure the implementation and evaluation of vocational programs while taking into account the individual needs of each convict.
4. It is necessary for the vocational education courses offered to convicts, together with the existing conditions and infrastructure in the penitentiary institutions, to consider the requirements of the labor market. These courses should be based on real employment opportunities gained through vocational education. This process will help convicts acquire skills that are relevant to modern labor market trends and will contribute to their successful rehabilitation.
5. By implementing the aforementioned recommendations, particularly by establishing a centralized management model for enforcing the vocational education of convicts in the penitentiary system of Georgia, both the management of the process and the monitoring and evaluation of education will result in the rational use of human and financial resources. This, in turn, will lead to a reduction in the non-targeted spending of budget funds. Additionally, the chances of convicts' successful integration into the labor market and their employment opportunities after release will increase.

Abstrakt

Kształcenie zawodowe jest najważniejszym segmentem systemu edukacyjnego. Daje ono możliwość zdobycia zawodu w każdym wieku, całkowicie bezpłatnie, i zostania profesjonalistą. W ostatnich latach kształcenie zawodowe zdobywa coraz większą popularność, a jego promowanie stało się jednym z kluczowych elementów walki z bezrobociem i wspierania rozwoju gospodarczego kraju. Rozwój kształcenia zawodowego jest jednym z głównych priorytetów każdego państwa, co nie podlega dyskusji wśród ekspertów i naukowców zajmujących się sferą edukacji.

Kształcenie zawodowe i jego dostępność zyskują jeszcze większe znaczenie w systemie penitencjarnym, ponieważ jest to jedno z głównych narzędzi resocjalizacji i reintegracji osadzonych. Kształcenie zawodowe w systemie penitencjarnym jest nie tylko częścią procesu odbywania kary, ale także użytecznym instrumentem. Jednak aby skazani mogli swobodnie kontynuować naukę bez żadnych komplikacji i znaleźć zatrudnienie po opuszczeniu systemu penitencjarnego, konieczne jest zintegrowanie kształcenia zawodowego otrzymywanego w tym systemie z systemem edukacyjnym kraju i jego programami szkolenia zawodowego. Ogólnie rzecz biorąc, zdobywanie wykształcenia w zakładach karnych charakteryzuje się specyficznymi cechami, dlatego bardzo ważne jest, aby rozważyć sposób, w jaki administracja systemu penitencjarnego zapewnia niezbędne, dostępne zasoby i odpowiednie usługi w zakresie kształcenia zawodowego osadzonych. Należy zauważyć, że w systemie penitencjarnym Gruzji zapewnienie programów szkolenia zawodowego dla skazanych jest realizowane przez dwie jednostki strukturalne podlegające jego zwierzchnictwu. Jedną z nich jest Departament Resocjalizacji i Rehabilitacji Skazanych, a drugą – Centrum Kształcenia i Szkolenia Zawodowego dla Osadzonych (VETCI). Biorąc to pod uwagę, gdy kompetencje dwóch jednostek strukturalnych w agencji obejmują realizację prawa skazanych do kształcenia zawodowego, ważne jest, aby ocenić, jak skutecznie system penitencjarny wypełnia swoje obowiązki w tym zakresie. Mówiąc ściślej, gdy odpowiedzialność za skuteczne wdrażanie kształcenia zawodowego jest podzielona między dwa organy zarządzające, kluczowe znaczenie ma określenie, w jakim stopniu proces kształcenia zawodowego/przekwalifikowania skazanych jest skoordynowany i jak wygląda jego jakość. Czy dochodzi do nakładania się funkcji lub niewłaściwego wykorzystania zasobów finansowych i organizacyjnych? Ponadto ważne jest, aby przeanalizować, gdzie leży granica odpowiedzialności między tymi dwoma agencjami i do kogo należy kompetencja w zakresie określania zapotrzebowania na programy zawodowe dla skazanych, a następnie ich wdrażania, monitorowania i oceny. Jak skuteczny jest obecny mechanizm wdrażania kształcenia zawodowego dla więźniów w systemie penitencjarnym? Czy pomaga on w procesie resocjalizacji skazanych, czy też go utrudnia?

Aby zbadać te kwestie, informacje uzyskane od Departamentu Resocjalizacji i Rehabilitacji Skazanych oraz Centrum Kształcenia Zawodowego i Szkolenia Osadzonych zostaną przeanalizowane w świetle zarówno krajowych norm prawnych, jak i standardów międzynarodowych, a także najlepszych praktyk stosowanych w innych krajach. Celem niniejszego badania jest ocena skuteczności mechanizmu administracyjnego służącego realizacji kształcenia zawodowego skazanych oraz wskazanie problemów wymagających

kompleksowych zmian w systemie penitencjarnym w tym zakresie. Zgodnie z założonym celem – opierając się na uzyskanych informacjach, dotychczasowych doświadczeniach oraz metodach indukcyjnej i dedukcyjnej – zostaną opracowane zalecenia mające na celu przyczynienie się do skutecznego wdrożenia kształcenia zawodowego dla skazanych w Gruzji.

Słowa kluczowe: skazani/więźniowie, system penitencjarny, kształcenie zawodowe, resocjalizacja, rehabilitacja.

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