

**An Assessment of the Rehabilitation of Convicts in Kazakhstan**

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## TABLE OF CONTENTS

<b>ABSTRACT</b> .....	<b>3</b>
<b>LIST OF ACRONYMS AND ABBREVIATIONS</b> .....	<b>4</b>
<b>INTRODUCTION</b> .....	<b>5</b>
<b>LITERATURE REVIEW</b> .....	<b>7</b>
<b>Kazakhstani background</b> .....	<b>7</b>
<b>Problems of ex-convict employment</b> .....	<b>8</b>
<b>International practice</b> .....	<b>10</b>
<b>RESEARCH METHODOLOGY</b> .....	<b>12</b>
<b>LIMITATIONS</b> .....	<b>14</b>
<b>FINDINGS</b> .....	<b>15</b>
<b>Results of secondary data analysis</b> .....	<b>15</b>
<i>System of probation in Kazakhstan</i> .....	<b>16</b>
<b>Results of interviews and surveys</b> .....	<b>17</b>
<b>DISCUSSION</b> .....	<b>23</b>
<b>Education</b> .....	<b>23</b>
<b>Entrepreneurship</b> .....	<b>24</b>
<b>RECOMMENDATIONS</b> .....	<b>26</b>
<b>Rehabilitation during imprisonment</b> .....	<b>26</b>
<b>Enhance Skills of Ex-Offenders</b> .....	<b>26</b>
<b>Improve employment and social acceptance</b> .....	<b>27</b>
<b>CONCLUSION</b> .....	<b>28</b>
<b>REFERENCES</b> .....	<b>29</b>
<b>APPENDIX</b> .....	<b>32</b>

## **ABSTRACT**

In the last five years, Kazakhstan faced a radical change in the penal system. One of the challenges was the introduction of the probation and rehabilitation program that helps to integrate convicts back into society. The research looked at the employment of ex-offenders because it helps to prevent issues with housing, health problems, and sustaining family. It reduces the major problem - recidivism.

Employment is a vital need for every individual that helps to feel included in society, to earn money, and feel self-worth. This study showed that there are barriers for some groups of people to be employed. One of the crucial obstacles can be a criminal past, which makes it problematic for employers to hire ex-offenders. Many reasons can influence the probability and chance to be employed. Several research studies have shown that incarceration makes a set of obstacles: type of job available in the market, individual motivation, remuneration, skills, and knowledge.

Paper discusses in detail the difficulties and barriers of ex-offenders in securing employment. Qualitative analysis of interviews and secondary data analysis were conducted for the research. The study focused on the correlation between employment and rehabilitation programs in Kazakhstan, with references to the practice of different countries. Then the recommendations were given as the measures to overcome the employment issues.

## LIST OF ACRONYMS AND ABBREVIATIONS

**Committee of Criminal-Executive System of the Ministry of Internal Affairs of the Republic of Kazakhstan** - Supreme body of Penal System of Kazakhstan that controls penal execution and other measures regarding criminal offenses.

**Ex-offenders** - people who were convicted of a crime and served time in prison.

**PRI (Penal Reform International)** - an international nongovernmental organization operating on criminal justice reform.

**Probation** - a system of activities and individually defined measures of a control and socio-legal nature, aimed at correcting the behavior of persons with defined categories, to prevent them from committing new criminal offenses.

**Recidivism** - commission by a person of a new crime after conviction for a previous act in the event that the criminal record has not been withdrawn and has not been extinguished in the manner prescribed by law.

**Rehabilitation program** - set of measures to facilitate social adaptation and employment/education of ex-offender

**Resocialization** - process of recovery into society after the release from prison.

## INTRODUCTION

Employment is a vital need for every individual that helps to feel included in society, to earn a living, and feel self-worth. However, there are barriers for some group of people to be employed. One of the critical obstacles can be a criminal past, which makes it problematic for employers to employ ex-offenders. Many reasons can influence the probability and chance to be employed. In our project, from the interviews, we witness a correlation between employment and rehabilitation programs in Kazakhstan and different countries.

In Kazakhstan, the problem is visible. The map below shows the data collected by April 1, 2020; the overall number of offenders is 23 544. The highest rate is in the East-Kazakhstan region, Karaganda region, and Almaty region. The lowest number is in the Almaty city and Turkestan region. Each offender has the opportunity to go through a rehabilitation program before the release. Nevertheless, after they are released, they face numerous issues that slow down their process of adaptation back to their life out of prison: housing, work, family, physical and psychological health (Fahey et al., 2006).

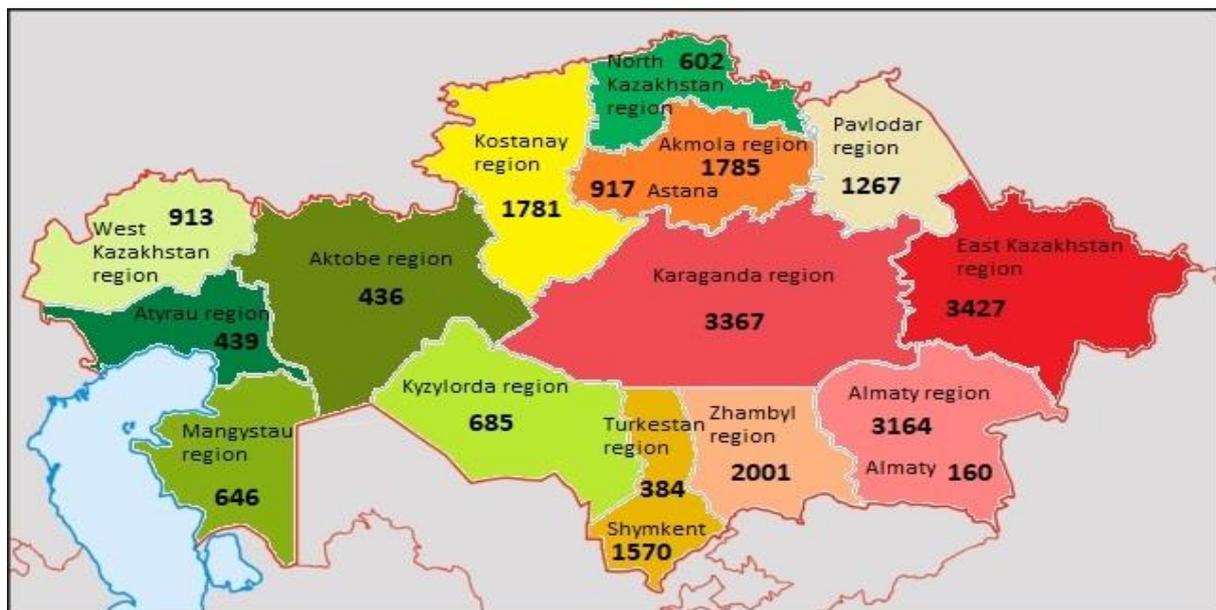


Figure 1. Amount of convicted individuals in Kazakhstan (Source: Committee of Criminal-Executive system of the Ministry of Internal Affairs of the Republic of Kazakhstan, 2020).

Research highlights the main arguments that have an influence on the employment rate among ex-offenders. The most significant answers were motivation, level of education and skills, lack of government support, and low quality of rehabilitation programs. Nevertheless, the positive argument is that the crime rate is lowering each year, and there are opportunities for ex-offenders to find a job. Finding a job is a major problem, along with sustaining and keeping that working place. The labor market is developing each year due to technological

advancements. Demand and supply change gradually. It contributes to the argument that people have to adapt quickly to the new and modern world. Criminals spend time in isolation, without any possibility to adapt and be ready for the time when they go outside of prison.

Our project is concentrated on the problems that cause unemployment among ex-prisoners in Kazakhstan. Research shows the possible alternatives that have to be implied in order to develop rehabilitation programs that prepare offenders for the labor market when they are free are. A research question is: **“To what extent rehabilitation programs are effective in assisting with the employment of former offenders in Kazakhstan?”**. It is assumed that an effective rehabilitation program has minimum or zero unemployment among ex-convicts. The goal of the research is to find obstacles that slow a process for finding a job after the release and what can be done to improve the employment rate among ex-offenders. Based on the above, the hypothesis of the analysis is *“The better quality of rehabilitation programs - the less unemployed ex-prisoners.”* By the better quality of rehabilitation, it is meant to show what parts of the program need to be strengthened and revised.

There are three main goals and tasks that organize the work and help to understand what are the main problems of unemployment:

1. To study the rehabilitation process of convicts and major obstacles during the implementation program in Kazakhstan;
2. To identify the perspectives of social workers and representatives of NGOs on the main challenges in the area;
3. To understand whether having education or professional skills make a difference in finding a job.

The paper consists of the review of existing literature regarding the topic, description of the methodology used for the study, research findings based on the results of data from semi-structured interviews and data analysis, discussion of findings, policy recommendations to solve the problem, and limitations of study with implications for future research.

## LITERATURE REVIEW

### Kazakhstani background

In Kazakhstan, the legal basis for the implementation of the mechanism of resocialization has been created. One of the important aspects of prisoner rehabilitation is the probation service (Adilet.zan.kz, 2016). The government states the aims of probation service as following: correction of the convict, resocialization of convicts, social adaptation, and rehabilitation of the person released from the institution of the penal system. According to the statistics provided by Penal Reform International (2020), there are four stages of probation in Kazakhstan: pre-trial, sentencing, penitentiary, and post-penitentiary.

*“Pre-trial probation - activities and a set of measures to provide social and legal assistance to a suspect or accused, aimed at correcting their behavior. Sentencing probation is aimed to establish and implement probation control concerning persons sentenced to restriction of liberty, as well as conditionally convicted, and to provide them with social and legal assistance. Penitentiary probation is the activities and set of measures for the resocialization of persons serving a sentence of imprisonment in institutions of the penal (penitentiary) system. Post-penitentiary probation is meant to establish and implement probation control concerning persons released from institutions of the penal system, and to provide them with social and legal assistance”* (Egov, 2020).

Article 6 of the Law of the Republic of Kazakhstan “On Probation” provides measures of resocialization, social adaptation, and rehabilitation of persons for whom probation is applied. They are ensured by: *“1) providing social and legal assistance in matters of obtaining medical services; secondary education; mastering the profession; employment assistance; providing psychological support; receiving privileges and social payments established by the legislation of the Republic of Kazakhstan; 2) assistance in the restoration and formation of a supporting system of social ties, including socio-psychological and psychological counseling; social patronage; assistance in restoring family and other socially positive ties, subject to a mutual agreement of the parties; 3) social and domestic adaptation, including providing a place to stay; organization of rehabilitation measures; attraction to participation in cultural events; 4) providing advice on social and legal issues”* (Law on probation, 2014).

The following legislation regulates certain areas of state social assistance: the Code of the Republic of Kazakhstan “On Health of the People and the Health Care System,” laws of the

Republic of Kazakhstan “On Employment,” “On Pension Insurance of the Republic of Kazakhstan,” “On State Social Benefits for Disability, in the case of the Loss of the Breadwinner and by the age of the Republic of Kazakhstan,” “On special social services,” “On the social protection of persons with disabilities,” the program “Employment Roadmap 2020” and others. All of these regulations include the needs of former offenders, but as we see, there is a lack of separate legislation developed purposefully on ex-convicts’ issues. Further discussion is going to reveal how it affects our problem.

### **Problems of ex-convict employment**

After release, convicts face several challenges. Cecil et al. (2000, p.2) argue that with the release of a person from imprisonment, the legal status of him changes dramatically, and legal capacity is almost fully restored. There is a need to adapt to the conditions of life. It is necessary to resume social ties in a short time, resolve the issue of registration at the place of residence, find a job, learn how to rationally spend the money earned, provide yourself with food and necessary things. It is the responsibility of the penal institutions, representatives of employment centers, social services, and law enforcement agencies to prepare the convict for the future life out of prison. The rehabilitation program starts several months before the release. However, the complicated process has to be improved. The Criminal Executive Code of the Republic of Kazakhstan (2018) has Article 10, which informs of all the rights of the offenders. After release, the government provides a social pension, educational program, psychological support, and employment. Educational programs emphasize the idea that convicts remain as the members of the society, although temporarily isolated from everyday life.

Employment is known as one of the measures to diminish the recidivism of ex-convicts. Failure to find a stable and well-paid job forces them to commit a crime again. Incarceration makes a set of obstacles for people because of the loss of job and unwillingness to find another one after release (Ahmed & Lang, 2017, p.1). Supply and demand are two perspectives that characterize the barriers for ex-offenders in the labor market. According to Zakaria (2018, p.3), the supply side includes the personal values of ex-convicts, such as soft and hard skills, preferences, and experience. At the same time, the demand side comprises employers’ preferences and the economic environment, and also it includes government policy, which plays a vital role in providing employment to ex-convicts.

Researchers connect the problems of lack of skills and criminal records of ex-offenders with the high rate of recidivism among them. (Vacca, 2004, p.2). According to the previous studies,

problems with qualifications and educational background make them stay unemployed after release (p.3). Therefore, offenders without a job tend to be incarcerated again after release rather than barely survive outside. La Vigne et al. (2008, p.15) stated that employment after release has a huge impact on the success of a convict's reentry into society and reduces recidivism.

Attitude and willingness of ex-convicts to work are also faced with the type of job they are usually involved in. Nally et al. (2014, p.1), in their work state, that employment in low-paid and heavy work is usually for ex-offenders. However, according to Holzer, Raphael & Stoll (2003, p.13), with proper treatment, released individuals have high potential in "elite" industries, too. It is well-known that there is a huge underrepresentation of ex-convicts in respectful and perspective spheres like science, IT, finance, education, public policy, or healthcare (Lichtenberger, 2006, p.7) Moreover, they are not highly involved even in agriculture or mining sectors (p.10).

One of the justifications for this claim is the case of the state of Virginia in the USA. According to Lichtenberger (2006, p.7), there are five key industries in Virginia where they can be employed. These industries include administrative and support services, manufacturing, retail trade, construction, and accommodation and food services. Among them, the industry of construction has the largest weight. Therefore, the most stable option for ex-convicts is in this sector. The second relatively largest industry in Virginia is manufacturing, and the rest industries equally hold the third position. The ratio of the employment of ex-offenders is distributed, respectively (Lichtenberger, 2006, p.6). Share of Virginian former convicts in "blue-color" jobs is minimal and even not considered by the authors.

The reason for the unsatisfactory level of employment or employment in low-paid jobs is tightly connected with the attitudes towards former offenders. Ahmed & Lang (2017, p.17) state that there is hiring discrimination existing among employers and its level differs across occupations. In other words, discrimination is higher in high-skilled positions. Besides, according to their findings, the gender of an ex-prisoner has a significance for employers, i.e., female-dominated occupation is highly discriminated amongst ex-offenders (p.18).

To conclude, this review observed the existing literature on the role of employment in the rehabilitation of former prisoners. All the researchers agree upon the extreme importance of finding a stable and well-paid job after release in order to facilitate resocialization and minimize the risk of recidivism. Another point is that the need for a high-skilled job from the

supply side and unwillingness to provide it from the demand side create vast problems. The next part focuses on the brightest examples of rehabilitation measures in different countries.

### **International practice**

The study of international practice is an essential part of our research. The adoption of foreign policy is usually the best solution to a policy problem. In our case, it plays a key role since many states have already gone through the problem of rehabilitation and have got certain regulations.

As established by the Committee of Ministers of the Council of Europe (1984, p.1), *“a crime policy aimed at crime prevention and the social reintegration of offenders should be pursued and developed.”* European Court of Human Rights claims that the accent in the European penal system needs to be shifted from punishment towards the rehabilitative purpose of imprisonment, especially the elimination of a long prison sentence. Human dignity needs an opportunity to redeem for his crime and go through rehabilitation; therefore, the perspective of release is needed. Also, they state that it is necessary to arrange a review of long sentences, as, throughout the sentence, detention for a long time may become unjustified. (Ovey, 2020, p.4).

Incarceration practices of Scandinavian countries are usually perceived as a role model for world society. Norwegian example is particularly exceptional, with a 20% recidivism rate, which is the lowest in the world. The main reason is that Norway makes focus on rehabilitation rather than punishment (Deady, 2014, p.3). The principle of normalization is taken into service in Norway's penal system. "Inmates are provided with simple amenities like a private bathroom, mini-fridge, flat-screen TV, and access to an outdoor environment" (p.3). In addition, the “sense of family” among inmates is created through a shared kitchen and living zone, and there are no common prison uniforms. All of these significantly facilitate the rehabilitation process in Norway. Measures of rehabilitation include education, professional training, workshops on trading, as well as therapy together with proper treatment by personnel who need three years of training in order to be hired for prison guards (Erwin, 2013). Norway’s rehabilitative system based on making conditions for the successful integration of inmates into society after release. It fully corresponds with their unofficial motto, which is “Better out than in.”

Hong Kong pays special attention to the employment of ex-offenders. There is a special organization for that purpose, which is called the Society of Rehabilitation and Crime Prevention (SRACP).

*“They provide four employment services that include pre-vocational training, job matching, social enterprise, and entrepreneurship guidance. These services aim to enhance the competitive capacity of ex-offenders in the labor market, to find the job that meets employer's requirements, to increase ex-offenders initiative income, and to support them in starting their small businesses” (Lo, 2014).*

Singapore pays huge attention to the probation service as the tool of rehabilitation. The Probation Service of Singapore operates under the Rehabilitation and Protection Division of the Ministry of Community Development and Sports (Kamal, 2006, p.1). The core idea of the Singaporean probation service is in the belief that an offender can be changed and grow personally under the appropriate conditions and support. The basis for probation is the community-based framework. The core objectives of Singaporean probation service are to advise the Courts and assist the offenders in dealing with them, provide the involvement of offenders into the community, minimize the risk of re-offending, plan and achieve sufficient results in the employment of ex-offenders (p.3).

Russian experience is quite interesting in terms of a possible adoption. For instance, continuing professional and economic education is conducted in the correctional facilities of Volgograd (Dmitriyev & Kazak, 2007, p.681). Every convicted has a right to obtain several professions and increase qualifications. The program is realized in five professional institutions. Also, according to the authors (2007, 682), a subsidiary of Aksenov School of Business has opened at the correctional facility of Perm. Two faculties of accounting and management operate at these schools. Such examples can serve as a role model of a collaboration of educational and penal institutions.

## RESEARCH METHODOLOGY

The purpose of the research is to study how the rehabilitation program influences employment after release. Methodology explains how Policy Analysis Exercise was managed to carry out the goals of the topic (Wisker, 2001). Coding and secondary data from interviews were used to highlight the most relevant answers for the research question: **“To what extent rehabilitation programs are effective in assisting with the employment of former offenders in Kazakhstan?”**

Interviews and surveys were used to analyze the issue. The topic is narrow and touches upon a vulnerable group of society. That is why the number of the respondents does not exceed nine respondents: three representatives of the NGOs who work directly with the convicts and help them after the release, two representatives from the academic sphere, who study the penal system in Kazakhstan, and four employers who have employed ex-convicts and provided them with workplaces. Employers are social workers that represent small and medium enterprises or the private business sector: bakery, public catering, tailoring, furniture assembly services. Moreover, non-governmental organization – Penal Reform International (PRI) and Committee of Criminal-executive system of the Ministry of Internal Affairs of the Republic of Kazakhstan provided a database and statistics of criminal records over the regions in Kazakhstan. Obtained data includes official documents, reports, articles, and statistical data. Due to the specifics of the topic, there were limitations in data collection, and it affected the number of respondents. In this regard, secondary data analysis was used in order to extend the database and have more or less a wide picture of the issue. Secondary data is the primary source that consisted of the overview of the existing data (statistics, strategy, protocols, and other research) that was shared by other professionals in the area of the penal system and those who employed ex-convicts. Secondary data is useful for the research that studies under-represented social groups with a limited database and open-sources available for the deep analysis (Donnellan & Lucas, 2013).

Each respondent was provided with information about the research. Four main areas were discussed during the interviews: prospects of employment among ex-convicts, problems of work motivation, rehabilitation program before the release, and potential solutions that should be implied in the penal system of Kazakhstan. Respondents had a chance to give more information on their experience in that area. Each interview was conducted in person with the respondent in the private room (Fong Ki, 2015, p.9). All answers were used anonymously in the research. In ethical considerations, we were not able to interview ex-convicts due to the vulnerability of their situation. However, most of the respondents were directly related to the

topic. At the same time, some organizations refused to provide information and to be interviewed due to the politics of their entities. Interviews were recorded voluntarily, with the permission of the respondent. The results of the surveys and interviews used to find a pattern and identify what the root cause is in the low quality of the rehabilitation program. Information is collected using questionnaires for a number of people available and suitable for the interviews. All answers were analyzed using Microsoft Excel. For analyzing qualitative data, it is important to code main topics in order to categorize and identify a pattern. Coding helped to see what the most frequent answers for different questions among the respondents are.

Sampling is one of the portraits that used to define nine respondents out of the overall population. Purposive sampling is appropriate because respondents were chosen before since it is impossible to interview the entire population of employers and NGOs related to the penal system in Kazakhstan. Purposive sampling is not probability sampling, and it is deliberate. It is used mostly for narrow and small in-depth research that uses secondary qualitative data (Mnqwazi, 2017).

## LIMITATIONS

We faced certain limitations during our research. The first constraint is related to the lack of transparency and willingness of respective institutions, organizations to cooperate. During data collection, we faced significant problems with access to respondents who were competitive enough in this sphere. First of all, it was difficult to get in touch with the representatives of the Committee of Penal System due to bureaucratic processes. Second, the representatives of NGOs and other entrepreneurs hardly communicated by denying our requests. The main reason for that was the fear that the private information of the organizations would be used publicly. Several companies refused to cooperate due to the vulnerability of the topic that could influence the reputation. In this regard, a more detailed analysis could be conducted if our sampling was sufficient. Furthermore, the research could be more detailed, with enough access to information.

The second limitation lies in the essence of the topic, as it is connected with prisoners. Ethical limitations did not allow us to contact convicts. It is a crucial aspect since the problems with rehabilitation, first of all, affect the offenders. The perspective of government and employers is not enough to see a full picture. Further research with a multi-stakeholder approach is needed in order to widen the scope of the issue.

## FINDINGS

This chapter presents the findings of the study, which are the results of the interviews and observations. As it was mentioned in the methodology section, findings are based on the secondary data obtained from official bodies and the results of conducted interviews.

### **Results of secondary data analysis**

On the initiative of the General Prosecutor's Office, in 2014, the project “10 measures to reduce the prison population” was launched. The following statistics is based on the data on Almaty region. Firstly, the courts began to appoint alternative punishments (not related to deprivation of liberty). In 2015, their share was 63.9%, and imprisonment - 36.1%. This indicator is a record low. Secondly, the courts began to release convicts significantly earlier on parole or to replace the punishment with a milder form, not related to imprisonment. The expansion of the practice of applying a fine in the form of a penalty has a “triple effect,” since prisoners are not only encouraged to behave lawfully and pay damages but also significantly replenish the state budget. They also save money on their maintenance. Moreover, after paying the fine, convicts are exempted from further state control (the probation service is not loading). As a result, since the start of the project, the prison population in the region has decreased from 3,574 to 2,946 people, or by 18%. In general, the task was: by the end of 2015, to withdraw Kazakhstan from the number of 50 states leading in the “prison index” and reach the level of countries such as Latvia, Estonia, Israel, the United Arab Emirates, which, as a result of the measures taken, also reached Kazakhstan from 41 places moved to 55th place. In the long run, there is a new task - to get out of the first hundred of such states. Unfortunately, in society, a person serving a sentence in prison is perceived as an inveterate criminal or as a person with a broken psyche and poor health. It is difficult for a person from prison to find a place in a society where such an opinion exists. It is necessary to change these stereotypes and reconsider the approach to the execution of criminal punishment. Therefore, on December 12, 2014, the Prosecutor General's Office launched a new project - “Employment in the Colonies-2017”. In January 2015, the Department of Penal System (DPS) concluded a memorandum of understanding and cooperation with the Akimat of the Almaty region to attract orders, load production capacities of the branches of “Enbek” RSE and increase the employment of convicts through interaction with government agencies, utilities, and other enterprises. Also, between the DPS in Almaty and the Almaty region, representatives of the “Enbek-Zhaugashty” RSE and business entities, an agreement was reached on undertaking work aimed at opening enterprises in the territories of these institutions. Last year, a branch of the “Enbek-Zhaugashty” RSE created 39 jobs, such

as producing pasta, manufacturing reinforced concrete products and cinder blocks, processing cereals, and producing dried fruits. By the measures taken in the colony, four entrepreneurs opened their production facilities, where 18 convicts were employed for paid work (“Itaeva” IE - 4, “Aigul Line” LLP - 11, “Goroformlenie” LLP - 2, “Kos Kanat Zhetysu” NGO - 1).

The goal of the project “Employment in the Colonies-2017” was to increase the employment of prisoners to 75% by 2018. As of July 1, 2019, 11.3 thousand convicts were employed countrywide, of which 4.4 thousand were sentenced at Penal System enterprises, almost 3 thousand were engaged in the maintenance of institutions, and 3.9 thousand were engaged in other paid work.

### *System of probation in Kazakhstan*

As it was mentioned above, the probation system plays an important role in the rehabilitation process in Kazakhstan. According to the PRI report, the probation service of the Committee of Penal System of the Republic of Kazakhstan comprises 1494 employees, including the Committee itself and its Departments. The overall statistics on the number of inmates and probationary convicts by regions are shown in Table 1. The full version of the table is given in Appendix (part C).

<b>Region</b>	<b>Limit of correctional facility</b>	<b>Amount of inmates in the region</b>	<b>Amount of probationary convicts</b>	<b>Ratio of probationary convicts to inmates</b>
Almaty, Almaty region	6115	4784	9685	2
Astana, Akmola region	5185	3269	7134	2.2
Shymkent, Turkestan region	3220	2453	3555	1.4
Other regions	31959	18510	35729	1.9
<b>Overall</b>	<b>46479</b>	<b>29016</b>	<b>56103</b>	<b>almost 2 times</b>

Table 1. Amount of inmates and probationary convicts in Kazakhstan (PRI, 2020)

The numbers mentioned above show the high ratio of probationary convicts. It means that probation allows the Penal System to keep a number of inmates within the limits of the correctional facility. Probation is just one of the tools of rehabilitation, and it faces numerous problems. By itself, probation cannot be considered as full rehabilitation, as well as probationary convicts are not necessarily employed, convicts. Because of that and the lack of information from official bodies, responses for the interviews were taken into account. According to the respondents, there are no clear definitions of “resocialization” and “readaptation” in law that are crucial parts of probation. Kazakhstani probation differs significantly from established foreign models. If the essence of probation is the test of convicts, and the goal is to reduce the “prison population,” then our probation is the provision of social and legal assistance, and the goal is resocialization. These differences are quite fundamental and suggest that in our case, there was a substitution of probation for resocialization. Although these two concepts intersect, they differ in nature, probation is a more legal category, and resocialization is social. With probation, resocialization should not be a goal but a way to reduce the recurrence of crimes, and therefore the “prison population.”

### **Results of interviews and surveys**

In addition to the problems of probation, respondents answered the questions regarding the other issues of rehabilitation. Topics and sub-topics were created from the transcripts of the interviews and surveys that were answered. Due to the limitations discussed above, only nine respondents managed to take part in the research. According to the questions, we divided the responses into four groups: motivation, employment and working issues, Kazakhstan case, and recidivism. As it is customary with research work, the respondents are given the right to pass a question or discontinue the interview at will, and as they please for ethical reasons.

Interviews were interpreted in the numeric results in Table 2. Questions were related to the factors that influence the employment and rehabilitation process in Kazakhstan (Appendix part A and part B). Moreover, respondents provided measures that could be used to prevent the problems listed below.

<b>Motivation</b>	<p>90% said that remuneration motivates convicts for better working;</p> <p>And 50% chose working conditions as the second factor.</p>
<b>Employment</b>	<p>80% of respondents answered that ex-prisoners are able to find jobs independently: work that does not require special skills and knowledge.</p> <p>Low-paid jobs:</p> <ul style="list-style-type: none"> <li>- Trade bases;</li> <li>- Road companies;</li> <li>- Loader;</li> <li>- Cleaning;</li> <li>- Carpentry;</li> <li>- Sewing factory;</li> <li>- Social canteen, etc.</li> </ul>
<b>Main and least obstacles in employment</b>	<p>100% decided that unwillingness to employ individuals with criminal record is the main problem;</p> <p>60% stated that documentation is the least problem for employment.</p>
<b>Reasons for recidivism</b>	<p>80% of respondents chose social unacceptance, stigmatization;</p> <p>50% voted for psychological instability and lack of professional skills as the second reason.</p>
<b>Rehabilitation program in Kazakhstan</b>	<p>80% of respondents reflected that rehabilitation works poorly in Kazakhstan;</p> <p>100% of interviewers highlighted that there are not enough organizations that help ex-prisoners with employment.</p>
<b>Effect of prison conditions on resocialization</b>	<p>100% that prison conditions influence the rehabilitation process.</p>
<b>Government support</b>	<p>90% of respondents answered that there is a lack of government support in that area.</p>
<b>Attitude of employers</b>	<p>70% of respondents answered that employers have a negative attitude towards released prisoners.</p>
<b>Causes of problems occurred during the work of ex-offender</b>	<p>90% of respondents chose lack of motivation and professional incompetence to be the main reason that cause problems during the work by ex-offenders.</p>

<b>Measures to prevent problems</b>	<p>90% of respondents chose professional training before the release is the most important measure that prevents problems in the workplace;</p> <p>As the second measure, 80% of respondents said that financial incentives could be the possible measure to prevent conflicts at work;</p> <p>60% of respondents also chose regular control by authorities and psychological assistance as one of the measures.</p>
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Table 2. Summary of interview findings

According to the answers received from respondents, 80% of them answered that ex-prisoners are able to find a job independently. However, in most of the cases, it is a low-paid job that does not require special skills. It occurs since there is stigmatization towards individuals with criminal records. All interviewees decided that it is the main issue in the employment process. From several studies, it was mentioned that companies fear to lose reputation and have no capacity for training ex-offenders. A survey by Holzer in California (2003) analyzed that companies mostly hiring ex-offenders are those that do not require communication with customers and no need to use a computer or any technology (Fahey et al., 2006, p.3). In our survey, this argument was supported by the respondents. They suggested that it includes trade bases, construction, manufacturing, cleaning, and social service. Those examples of work are low-paid. It demotivates the convicts to work legally. The main motivating factor for ex-prisoners during their work is financial incentives, i.e., remuneration. 90% of respondents indicated this factor as a dominating one. Along with it, personal values, working conditions, and new knowledge play important roles, though less decisive.

Following the answers from the interview, scarcity of money after the release leads to recidivism. 80% of our respondents answered that social unacceptance is the main reason for recidivism. Moreover, the second top answers were a lack of professional skills and psychological instability. It means that the rehabilitation program does not fulfill its requirements due to repeated criminal activity. Ex-offenders do not feel included in society. Once ex-offenders can not handle unemployment, there is an escalation of the problem with family and housing.

Rehabilitation in Kazakhstan faces significant difficulties. It was discussed through the previous chapters. According to the interviews, 80% of respondents replied that rehabilitation programs work poorly in Kazakhstan. It may be connected with the lack of organizations helping ex-prisoners with employment. It was pointed out by 100% of respondents. Moreover, almost all of them found their job unsatisfactory. However, apart from organizations,

respondents agree that support and interference from the side of government are crucial. 90% of interviewees claimed that there is a lack of proper attention of the government towards the problem of conditions of imprisonment and further rehabilitation. Then it directly affects the quality of the whole process. It was indicated that prison conditions directly affect the rehabilitation process. All the respondents gave respective answers. According to the responses for interviews, harsh prison conditions, lack of psychological and healthcare support, lack of personal development make obstacles for effective rehabilitation.

## Education of criminals in prisons

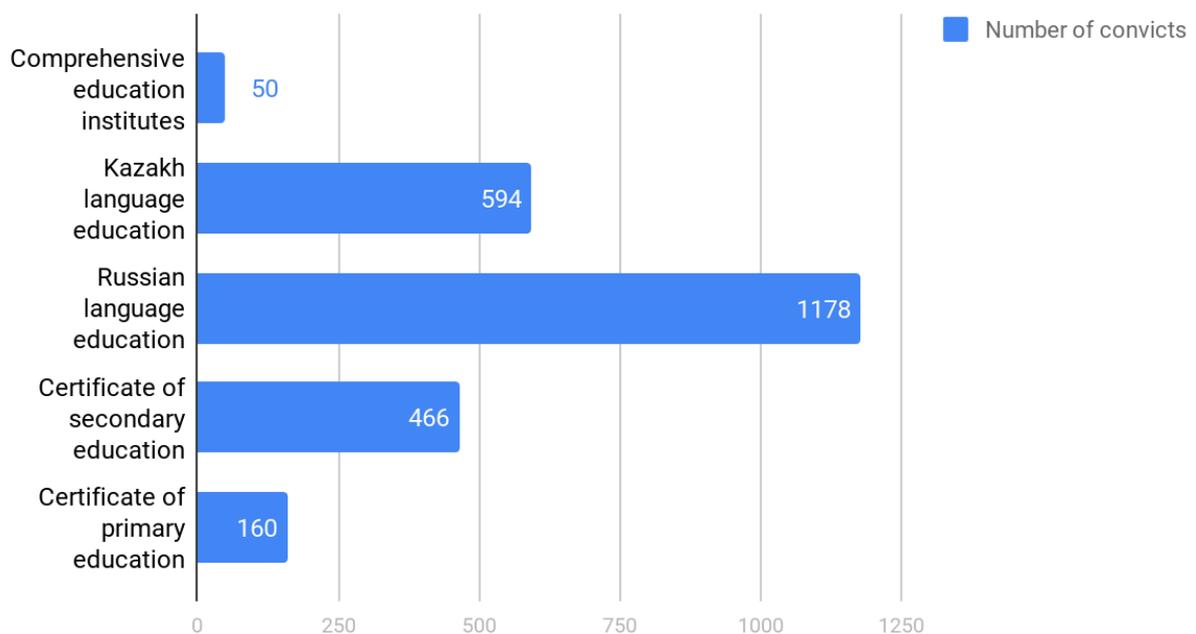


Figure 2. Source: Penal Reform International, 2019

From the overall prison population, it is obvious that not everyone has the opportunity to get a certificate of education. One of the reasons is the lack of educational institutes that are integrated into the overall rehabilitation program. By 2019, 626 prisoners gained the certificate after the completion of primary education (160 offenders) and secondary education (466 offenders). In Figure 2, it represented that most education is comprehended in the Russian language (1178 offenders) and Kazakh language (694 offenders). Institutes are focused on the basic knowledge that does not offer the study of modern knowledge and science.

Penal Reform International developed the pilot version of the distance education program based on case technologies on physics, mechanics, and probability theory specialties. By 2019, the overall number of people who participated in the project was 13 inmates (PRI, 2019). Convicts studied every day for 4 hours. After all, participants successfully passed the test. Most

other criminals expressed their interest in distance education. However, most of the challenges occur due to lack of the provision of new technologies, the design of the special program in the Universities, and at the same time need to keep necessary prison rules (caravan.kz, 2018).

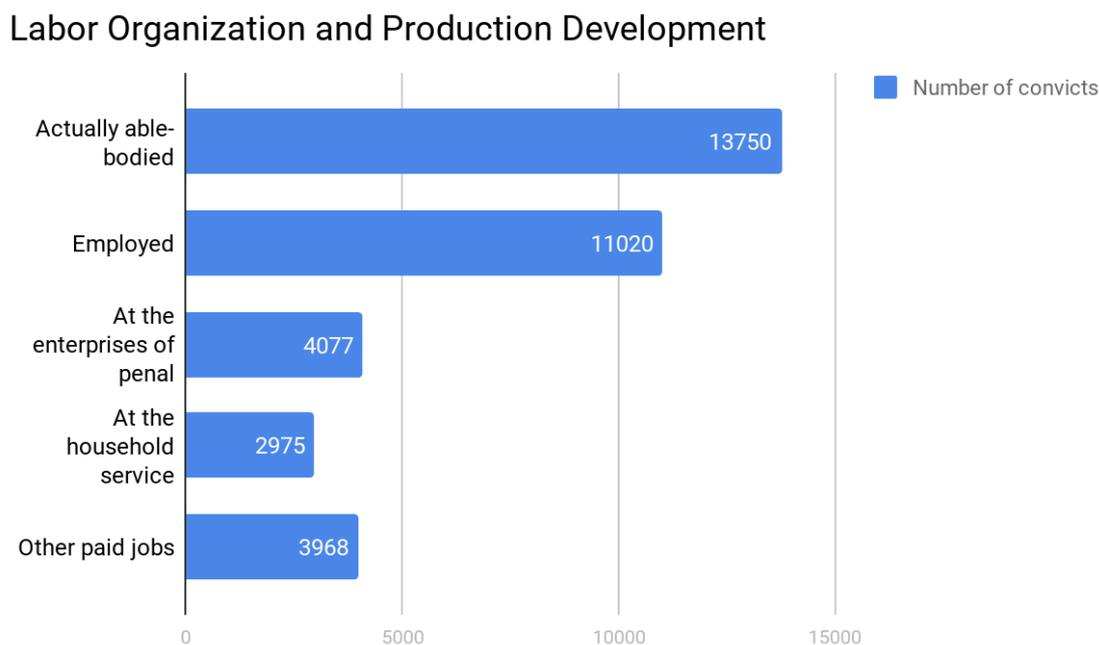


Figure 3. Source : Penal Reform International, 2019

After all, data in Figure 2 can negatively affect the statistics in Figure 3. It means that education affects the employment rate. From the number of employed prisoners and ex-prisoners (11 020 offenders) - 4 077 offenders work at the enterprises of penal correctional system; 2 975 offenders work at the household service, and 3 968 offenders on the other paid jobs. From the interviews, all nine respondents emphasized that work offered is low-paid jobs - a cleaner, loader, canteen and shop worker, carpentry, road companies, and sewing factories. People in that range do not earn enough, and most are with no education and professional knowledge. In the case of Kazakhstan, employees always check the background of the potential employer, work experience, and education. According to Steven Raphael (2007), there is often stigmatization of ex-offenders in the labor market. By his research, employees “probably not” and “definitely not” employ individuals with criminal records (Raphael, 2007). It is harder to enroll for the ex-offenders when they spend 5-10 years in prison and go out with no proof of their education. Time spent in prison does not provide offenders with an opportunity to develop new skills that can help them to find a well-paid job after the release. Respondents shared that most of the prisoners have a chance to work in a factory, cleaning, or canteen. However, the modern world is changing rapidly, and intellectual work is more valued. It means that there is

a need to increase mandatory education with the issuance of certificates and improvement of the program that would include up-to-date knowledge.

From the data, it is assumed that the rehabilitation program is not effective in assisting with employment due to the statistics that show that there are unemployed ex-convicts or have issues in sustaining the workplace.

## **DISCUSSION**

Following the information given above, a thorough analysis of the interviews helped to define the importance of employment in rehabilitation. This section will focus on identifying and evaluating different ways in which the employment of ex-convicts can be provided properly and effectively. According to this evaluation, the respective recommendations will be provided.

### **Education**

The main problem of the employment of convicts is the low level of education, which was not obtained promptly due to reluctance, or the lack of the possibility of obtaining it before the time of conviction. This problem leads to issues with a lack of skills, work experience, desire for work. The need for labor appears after conviction, so the lack of legal income leads to the commitment of new crimes and a new conviction. In addition, most of the people who went to places of deprivation of liberty sometimes do not even have primary education, not to mention their skills and experience. Despite organized programs of compulsory education for convicts in correctional institutions and organized production, these programs cover less than half of all prisoners, and the level of education received is so low that it is practically impossible to put it into practice. In the case of young criminals, it is obvious that after time in prison, not many of them continue their education. Life after prison can not be the same without solid support and active participation of the appropriate government officials. The country does not provide ex-offenders with subsidies for free education in higher institutes. It was indicated in the previous section that lack of educational institutes in prisons creates the obstacles to obtain a proper education. Therefore, prisoners are left without professional knowledge and any certificate. It leads to an escalation of the problem after the release: recidivism.

We have to admit the fact that remuneration plays an important role for ex-offenders. The available workplaces are low paid jobs, as it was stated from the interviews: cleaner, sewer, loader, canteen, and shop worker. It directly arises from the problem mentioned in the previous paragraph. Mostly it is a job that does not require special skills and knowledge. The reason why ex-offenders have to choose a low-paid workplace is that they do not have professional skills that are up to date and help them to adapt to the modern world with technological advancements. Interviewees noted that most of them even didn't know how to use smartphones. The isolation has a twofold meaning. From the one side, it is obligatory for sentencing and punishing the criminal, from the other side isolation blocks them from the outside world. Our world requires more soft and intellectual skills. Modern society is more digital and high-tech.

It makes it difficult for ex-offenders to find suitable work without professional skills. The rehabilitation program should include education of technology, a study of modern social demand and supply, internet, and global trends. Correctional institutes have to prepare convicts for the rapid changes that happen within the country and adapt the knowledge for the time inmates are released.

### **Entrepreneurship**

Significant attention in terms of employment is paid for the entrepreneurship prospects. First of all, it is related to the attraction of entrepreneurs in the penal system. Particularly, they can do their business based on correctional facilities. For all businessmen who want to work in penal institutions, it is possible to open production without rent, by entering into a trust management agreement without the right of subsequent redemption. According to the Business Roadmap 2020 program, you can additionally take advantage of state benefits. For example, by grants, subsidizing interest rates on loan, or getting a bank loan under state guarantees. For those entrepreneurs who have a desire, but have no ideas, the departments of the Ministry of Internal Affairs of the country have developed a list of “1000 business ideas” for small and medium-sized businesses. For example, it has projects for growing mushrooms, table greens, medicinal herbs or strawberries year-round, for the production of medicinal pectin, fodder for decorative birds or animals, the manufacture of packaging for mobile phones, handheld stun guns, a project for organizing dry cleaning and others. For the convicts themselves, a methodological manual, “100 businesses for prisoners,” was created. It should help people not only not to lose their skills acquired at large, but also to use them for individual work. Such activities are not considered to be entrepreneurship. Before starting production, entrepreneurs should understand that the equipment in correctional facilities can be worn out, and the quality of communications remains unknown. If a businessman is faced with the task of increasing production productivity, he can upgrade existing equipment or at least repair it. In order to open a business, an entrepreneur needs to prepare a business plan, which will indicate the number of prisoners who will be employed. This option lets prisoners be involved in activities requiring certain skills and helps to stay learned. It should significantly ease the process of rehabilitation.

Another aspect of entrepreneurship is the possibility of starting their own business after the release. *“Employment for released individuals is an important incentive to extinguish a criminal record. Equally important is the creation of jobs for this category of people, that is, the development of entrepreneurial activity,”* - says one of the respondents. The interviewees gave numerous examples of such cases. For instance, approximately twenty ex-convicts started

small businesses in 2017, and they are mostly service stations, retail outlets, construction crews, etc. Along with benefits for ex-convict him/herself, starting a business allows them to help other released persons who struggle with employment. Despite such positive shifts, the problem with the reliance on entrepreneurship is in its small scale. First of all, there are very few ex-convicts who got successful in business, and its ratio hardly covers the need for workplaces. Second, negative attitudes towards convicts and their problems with qualification prevent the willingness of entrepreneurs to employ them.

## RECOMMENDATIONS

### Rehabilitation during imprisonment

*“It is not correct to start rehabilitation before the release. Rehabilitation needs to be started from the moment of incarceration with the regular support of various specialists”* (From interview).

Rehabilitation of Kazakhstan is aimed at released individuals. In other words, they try to adapt a person after several years of incarceration, who loses all his social ties, professional and social skills, and has serious problems with health. Of course, this person will face significant obstacles in society. In the process of interviews, an interesting point of view was mentioned several times. It states that "rehabilitation after release would be unnecessary if the offender is treated properly during imprisonment." In other words, the rehabilitation process or basis of it should be started from the moment of incarceration. From the beginning, the inmate needs to be observed by a psychologist, sociologist, professional developer, doctor, and other respective specialists. Then, throughout the whole imprisonment, the convict will be prepared for release and life after prison. In addition, it is crucial to provide prisoners with access to education and other self-development tools, so they do not lose the necessary skills.

### Enhance Skills of Ex-Offenders

*“Most of the inmates do not know how to use smartphones due to the prolonged time spent in prison. The rehabilitation program needs to include the study of innovations, new technologies, and soft skills”* (From interview).

Respondents and researchers agree that while hard skills are important, soft skills are an absolute requirement and, therefore, of paramount importance. Some noted that many ex-offenders do not possess basic job skills such as time management, dressing appropriately, following directions, and communication skills. Others expressed concern about ex-offender employees being unable to accept constructive criticism, lack of interpersonal and conflict resolution skills, and overall difficulty with effective communication. Improving soft skills would increase self-confidence in their professional skills, develop job performance, positively affect the attitude of ex-offender toward job responsibilities and relationships with colleagues (Fong Ki, 2015, p.25). It is necessary to begin to develop soft skills while incarcerated but, in order for these skills to relate to the workplace, skills training should continue after release.

Ideally, ex-offenders would receive on-the-job training in a controlled environment, such as apprenticeship programs in the prisons, followed by organized transitional employment that is part of a pre-release program or provided in the community. Also, respondents acknowledged the importance of hard skill training. One suggestion in this area involved institutions offering industry training and certifications to inmates before release. For instance, it can be a small business to teach hands-on employment skills, including both hard and soft skills. One of the respondents claimed that something similar should be created, or made available, to inmates immediately after release, along with the necessary training and support services. He stressed the importance of a holistic approach to training since the needs of ex-offenders are multi-faceted and interdependent.

### **Improve employment and social acceptance**

*“Non Acceptance of the business environment, fear of negative consequences of cooperation with ex-offenders is a present problem in Kazakhstan. Psychological aspect: most employees need immediate income, they are not ready for the process of education; unwillingness to wait”*  
(From interview).

Although we improve prison conditions and provide convicts with education, they will still face significant obstacles in employment after release. It is mainly related to the readiness of employers to work with ex-offender. The crucial factor is a negative perception in society and a lack of social ties. In order to increase the number of employed prisoners, it is necessary to create conditions for increasing the efficiency of production activities, for this to attract small, medium, and large enterprises, to develop individual forms of employment of convicts, to open new types of production in penal institutions. It is important to encourage and provide conditions for ex-convicts to start their own business. Elimination of stigmatization based on a criminal record in employment needs to be ensured by limiting the circle of persons entitled to familiarize themselves with information about the presence or absence of information on special records of the General Prosecutor's Office of the Republic of Kazakhstan.

For the work of “social bonds,” the opportunity for a private investor to conduct social adaptation of the convicted person by providing him with work, housing, and other resocializing tools, including after release, should be worked out. After a certain period, the investor returns the funds spent on the resocialization of the convicted with a certain bonus. At the initial stage, the possibilities of institutions of minimal security need to be used more widely for the resocialization of prisoners, even at the stage of serving a sentence.

## CONCLUSION

To sum up, this PAE is aimed to reveal the problem of rehabilitation of ex-offenders in Kazakhstan. Employment was chosen as a core factor that has a huge impact on the success of rehabilitation. A review of existing literature showed that the loss of skills and lack of education due to imprisonment create significant obstacles for the employment of ex-convicts. In addition, employers tend to discriminate against such a category of people during hiring. Many scholars in literature review highlighted the problem of recidivism that occurs because of the unemployment of ex-convicts after release. Researchers point out the utmost importance of this issue and the need to find a better solution.

In order to analyze the situation in Kazakhstan, we conducted a series of semi-structured interviews with the representatives of NGOs, representatives of the academic sphere, and private employers. They are involved in the rehabilitation program and job provision for ex-offenders. It allowed us to see the picture from a close perspective. Secondary data analysis was provided by the Penal Reform International and Criminal-Executive System Committee. Such data let us study the problem in detail since interview responses were limited due to the specifics of the topic.

The main goal of the research was to show how a proper rehabilitation program influences the ability to find a job. Respondents stated that the present rehabilitation program does not take into account modern demand in the labor market. It is the reason for the occurrence of unemployment and low motivation to search for a job after time in prison. Interviewees said that there is a need to provide convicts with the good quality education program that grants them with certificates. Moreover, training on soft-skills has to be introduced. It would expand the knowledge that can help ex-offenders in work and raise personal motivation, self-esteem.

Looking at the problem from different angles, it is important to increase government support and help from the private sector. Stigmatization creates barriers for the ex-convicts to be accepted and integrated back into society. A criminal record is a reason why employees do not hire ex-offenders. As it was stated, it should not be the obstacle to resocialize and to be employed.

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## APPENDIX

### Part A. Interview Questions

1. How do the conditions in prison affect former inmates' rehabilitation process?
2. What are the main challenges in the employment and work processes?
3. What are the factors that influence these problems?
4. Could you tell the possible measures to improve the situation? How to increase effectiveness of the rehabilitation programs?

### Part B. Survey Questions

Questions	Notes
1. What does motivate convicts for better working?	a. remuneration b. personal virtue c. good working conditions d. new knowledge e. other _____
2. Name usual workplaces, where convicts are employed?	
3. What is the main problem in the employment and work process?	a. documentation b. work experience c. physical (health) disabilities d. psychological barrier e. lack of job places f. unwillingness to employ g. unwillingness to be employed h. lack of support in searching for the job i. other _____
4. What is the least problem in employment?	a. documentation b. work experience

	<p>c. small number of open vacancies, knowledge of how to find a job</p> <p>d. physical (health) disabilities</p> <p>e. psychological barrier</p> <p>f. other_____</p>
5. What kind of assistance do you provide to convicts?	<p>a. psychological assistance</p> <p>b. medical support</p> <p>c. educational trainings</p> <p>d. other _____</p>
6. What are the reasons for the high recidivism rate?	<p>a. social unacceptance</p> <p>b. psychological unstableness</p> <p>c. lack of professional skills</p> <p>d. disabilities</p> <p>e. other _____</p>
7. From scale 1 to 5, how do you grade the work of rehabilitation programs in Kazakhstan?	1 - very poor, 2 - poor, 3 - ok, 4 - good, 5 - very good
8. Prison conditions influence on the former inmates' rehabilitation process	Yes/no/no response
9. Lack of government support influences on the inmates' rehabilitation process	Yes/no/no response
10. Ex-prisoners are able to find a job independently?	Yes/ no/no response
11. Which problems do prisoners face the most after the release?	<p>a. social adaptation</p> <p>b. employment</p> <p>c. risk of recidivism</p> <p>d. health issues</p> <p>e. other_____</p>
12. What is the attitude of employers towards released prisoners?	<p>a. positive</p> <p>b. negative</p> <p>c. neutral</p> <p>d. no response</p>
13. Are there enough organizations in Kazakhstan to help ex-prisoners with employment?	Yes/no/no response
14. How do you assess their job?	1-5 (where, 1 - very poor, 2 - poor, 3- okay, 4 - good, 5 - very good)

15. What kind of problems are caused by ex-prisoners during their work?	a. missing workdays b. professional incompetence c. conflicts on workplace d. lack of motivation (efficiency) e. other_____
16. What are the possible measures to prevent problems caused by ex-prisoners?	a. regular control by authorities b. psychological assistance c. professional training before release d. financial incentives e. international support f. other_____

### Part C. PRI data

#### 1) Number of inmates and probationary convicts in Kazakhstan (Full version)

Region	Limit of correctional facility	Number of inmates in the region	Number of probationary convicts	Ratio of probationary convicts to inmates
Almaty, Almaty region	6115	4784	9685	2
Akmola region	3165	1960	3223	1.6
Aktobe region	1725	670	3461	5.2
Astana	2020	1309	3911	3
Atyrau region	1140	619	1721	2.8
East Kazakhstan region	6908	3861	5645	1.5

<b>Karaganda region</b>	6540	3915	4346	1.1
<b>Kyzylorda region</b>	1490	885	1965	2.2
<b>Kostanay region</b>	3006	2151	4532	2.1
<b>Mangystau region</b>	1205	889	2197	2.5
<b>North Kazakhstan region</b>	2100	812	2104	2.6
<b>Pavlodar region</b>	3000	1487	3425	2.3
<b>Shymkent, Turkestan region</b>	3220	2453	3555	1.4
<b>West Kazakhstan region</b>	1530	1051	2935	2,8
<b>Zhambyl region</b>	3315	2215	3398	1.5
<b>Overall</b>	46479	29016	56103	almost 2 times

## 2) Statistics on penal system

### ТЮРЕМНЫЙ РЕЙТИНГ

По данным ICPS (Международного Центра тюремных исследований) Казахстан занимает в мировой таблице:



55 100 (156)



Уровень рецидива на учете Службы Пробации

2017 | 15,88% → 16%

2018 | 14,3% → 15%

2019 | 12,1% → 14%

Социально-правовая помощь

2017 | 69,9% → 45%

2018 | 65,8% → 50%

2019 | 60,9% → 55%

Учреждения УИС заключили 761 договор доверительного управления с субъектами частного предпринимательства



9 000 осужденных (трудомест)





## Part D. Strategy on the rehabilitation

Below is given a brief content of the Strategy on social rehabilitation of offenders, adopted according to a decree of the President of the Republic of Kazakhstan.

1. Analysis of the current situation and the conditionality of social rehabilitation of citizens released from places of deprivation of liberty and registered with the probation service:

- 1.1. Content of the rehabilitation process of persons released from places of deprivation of liberty and registered with the probation service;
- 1.2. Problematic aspects;
- 1.3. International practice;

2. The purpose and objectives of the Comprehensive Strategy;

3. Conceptual directions for the social rehabilitation of citizens released from places of deprivation of liberty and registered with the probation service:

- 3.1. Improving the organizational foundations of resocialization and the regulatory framework;
- 3.2. Creating conditions for improving the process of resocialization of citizens released from places of deprivation of liberty and registered with the probation service;
- 3.3. Improving the mechanism of social adaptation of convicts through building a system of social support;
- 3.4. Development of human resources and scientific foundations of the process of resocialization;

4. Monitoring and evaluation of the implementation of the Integrated Strategy.

Full document is available (only in Kazakh and Russian) via link <http://adilet.zan.kz/rus/docs/U1600000387>.