

Łukasz Kwadrans

University of Silesia in Katowice [lukaszkwadrans@poczta.fm]

## Diagnosing, planning and methodology of work of probation officers

**Abstract:** The text is an attempt to describe and diagnose the activities carried out by probation officers in the area of methodology of their work on the basis of nationwide research. A team established by the Institute of Justice developed a questionnaire, conducted an empirical (file) survey on a sample of more than 500 court cases, a dogmatic, statistical, comparative analysis, and an analysis of the results of non-participant observation in the scope specified in the report. The article is only a fragment of the research concerning preparation for work and diagnosis, allowing to go on to indicate the way of planning, evaluation and selection of methods of rehabilitation, educational or preventive work by court welfare officers. The analysis shows that the casework method is not the dominant method of working with supervised persons, but one of the most popular ones, even if it is not directly characterized in the documentation. The basic method of influence is direct psychotechnics – most often identified with dialog, conversation, persuasion, motivation, awareness-raising, support, and above all educational conversation. Control, on the other hand, is one of the most common forms of influence. The study is concluded with the presentation of conclusions, recommendations, and methodological guidelines, as well as proposals for systemic solutions concerning also the possibilities of improving professional competence.

**Keywords:** Probation officers, diagnosis, methodology of rehabilitation work, evaluation.

### Introduction

The effectiveness of methodological procedure depends primarily on the principles and rules applied in the educational process. The basis for effective

prophylactic and rehabilitation activities are defined axiological and teleological assumptions which should be established before a certain method of action. The effects of educational methods, on the other hand, are determined by the level of the individual's demoralization, the family situation and the etiology of personal and social disorders. It should also be noted that the recognition of the symptoms of maladjustment and its typology, as well as the explanation of biopsychological and sociocultural determinants does not guarantee educational success. However, a proper diagnosis of the multi-faceted genesis of adaptation disorders is probably the first necessary stage before designing impacts.

Apart from studies on the rules of conduct, procedures, or methodology of work in the context of the applicable law, as well as the indications of science (Stasiak 2018), so far no studies have been conducted that would allow for the diagnosis and description of the methods of work used by probation officers. In view of the expectations of effectiveness (Kwadrans 2013), as well as in connection with the work on the law on probation officers, it seems justified to take up these threads in the context of equipping with appropriate work tools, as well as learning about the actual ways of implementing and enforcing court decisions.

Recognizing the need to describe and diagnose the activities carried out by probation officers in the field of the methodology of their work, nationwide research has been designed<sup>1</sup>. A team established by the Institute of Justice developed a questionnaire, conducted an empirical (file) survey on a sample of more than 500 court cases, a dogmatic, statistical, comparative analysis, and an analysis of the results of non-participant observation in the scope specified in the report. The study is concluded with the presentation of *de lege lata* conclusions and the formulation of *de lege ferenda*<sup>2</sup> postulates. In the text, I am going to present only a fragment of the research concerning preparation for work and diagnosis, allowing to go on to indicate the way of planning, evaluation and selection of methods of rehabilitation, educational or preventive work by court welfare officers. In conclusion, I have formulated conclusions and recommendations that can be implemented.

## Methodology of work of court welfare officers – guidance of learning, legal regulations, pragmatics of proceedings

Traditionally, there are three areas of influence in the methodology of social rehabilitation education: etiotropic – consisting in removing the causes of

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<sup>1</sup> Institute of Justice (hereinafter referred to as IJ) on behalf of the Minister of Justice organized and financed in 2018 the preparation of research and report on the following subject: *Methods of educational, rehabilitation and prophylactic work used by probation officers executing decisions in family and juvenile cases*.

<sup>2</sup> <https://iws.gov.pl/wp-content/uploads/2019/07/IWS-Kwadrans-%C5%81.-Metody-pracy-wychowawczo-resocjalizacyjnej-i-profilaktycznej-stosowane-przez-kurator%C3%B3w-s%C4%85dowych.pdf> [access: 12 September 2019].

disturbances in an individual's behavior mainly through the use of rewards and warnings, ergotropic – consisting in production of motivational habits competitive in relation to habits that encourage negative reactions, and semiotropic – serving to strengthen the immune system of an individual, strengthen the desired social rehabilitation results achieved in the course of ergotropic activities (Czapów 1978; Czapów, Jedlewski 1971).

When deciding on the design of an action project aimed, for example, at shaping the identity of minors or changing the functioning of the social system, appropriate methods of social rehabilitation work should be chosen. It is desirable to adopt a method of supervision which is characterized by an individual approach to people and their problems. Such a method of interaction is *casework*, which is a method of working with an individual case. Using the analysis of six selected cases from her practice, Mary Richmond distinguished the activities that make up *casework*. She considered that they take two forms: insight and deed. Insight is primarily about understanding individuality and understanding the environment. On the other hand, deed consists of: direct actions, including personal relations with the person under care, and indirect actions aimed at using the organized forces of the educational environment, neighborhood and community (Bębas 2015, p. 130).

In classical terms, we distinguish between anthropotechnical procedures (psychotechnical, sociotechnical) and culture-technical procedures (Czapów 1978; Czapów, Jedlewski 1971; Pytko 2005). In psychotechnics, a probation officer tries to influence the person under care/family through counseling (advising against), persuasion, explanation, conversation and discussion. This is a method based on direct contact and the so-called personal impact technique. It consists in influencing with an example of one's own attitude (behavior) towards someone or something. In educational sociotechnics, the tool of educational work is a group, used by a probation officer to achieve the assumed goals (used, for example, in work with minors in an attendance center). Socio-technical influences include: various types of group trainings (intra- and inter-personal training, group psychotherapy, family therapy) and methods based on society and targeted society (work for the disabled, socially useful work, therapeutic community) (Czapów 1978; Czapów, Jedlewski 1971; Jaworska 2012). In methods based on culture-technique, cultural elements can be used as a tool to achieve educational goals. It is a way of acting using a certain element of culture as a tool of influence. It also includes various activities covering religion, sport, music, theater, art, architecture, tourism, professional activation (Czapów, Jedlewski 1971; Konopczyński 2006; Konopczyński 2009; Pytko 2005).

The actions planned at this point in the process should lead to the elimination of undesirable behaviors (in the context of the entity itself and the surrounding environment). However, in the case of the diagnosis of positive areas, it would be necessary to specify possible, available ways of maintaining the current state

of affairs and effective stimulation increasing the level of satisfaction. Taking into account the potential of the entity of influence, it is possible to try to modify the existing way of functioning in such a way that will bring greater benefits to the individual and his/her social environment (Bajkowski 2010, 2013).

Therefore, in the diagnosis in practical sciences, where the fundamental problem is how to transform – improve the educational reality, two strategies can be applied. The first strategy will concern rational actions to prevent social malpractice or eliminate those that disrupt the functioning of a social system or subsystem. The second – improving strategy – concerns creative stimulation of social phenomena; creation of such a system which will correspond to a specific standard, models of systems operating within the adopted pedagogical reference system, consistent with the adopted theoretical concept, axiological and teleological assumptions.

In accordance with the law in force, the tasks entrusted to court welfare officers are subject to the provisions of the Code of Civil Procedure, the Family and Guardianship Code (consolidated text: Journal of Laws of 2015, item 2082 as amended), the Act on upbringing in sobriety and counteracting alcoholism (consolidated text: Journal of Laws of 2016, item 487 as amended) and the Act on juvenile delinquency proceedings (consolidated text: Journal of Laws of 2016, item 1654). The implementing acts, which indicate the duties and tasks of court welfare officers, but do not specify the methodology of their performance, except deadlines and activities of an administrative and control nature, include:

- Regulation of the Minister of Justice of 12 June 2003 on the detailed manner of exercising the powers and duties of probation officers;
- Regulation of the Minister of Justice of 24 June 2014 on the supervision of minors (Journal of Laws item 855);
- Regulation of the Minister of Justice of 16 August 2001 on detailed rules and procedures for conducting community interviews on minors (Journal. of Laws No. 90, item 1010);
- Regulation of the Minister of Justice of 10 April 2012 on the conditions and manner of conducting tests for the presence of alcohol or other substances used to intoxicate in a minor's body (Journal of Laws item 468);
- Regulation of the Minister of Justice of 5 October 2001 on probation centers.
- Regulation of the Minister of Justice and the Minister of Health and Social Welfare of 7 May 1983 on the principles and procedures for exercising supervision over persons who have been ordered to undergo addiction treatment (Journal Laws No. 25, item 110).

In addition, court welfare officers take actions in conjunction with the Act on Counteracting Violence in Family (i.e. Journal of Laws of 2015, item 1390), by participating in the works of interdisciplinary teams and working groups.

The number and problems of the above mentioned legal acts indicate a wide and diverse range of responsibilities and tasks entrusted to probation officers.

The standards of work of professional probation officers have been set out in the Regulation of the Minister of Justice of 9 June 2003 on probation officer's workload standards (Journal of Laws No. 116, item 1100), which indicates that probation officers enforcing decisions in family and juvenile cases can conduct up to 100 cases, including 50 own cases.

Table 1. Court welfare officers. Number of cases conducted (as at 31 December 2018)

Total number of cases	Supervision	Other cases	Community interviews
135,364	127,003	8,361	335,353

Source: Ministry of Justice, Strategy and European Funds Department, Report on the activities of the court probation service MS-S40 for 2018.

As we pointed out earlier, the duties of court welfare officers include: exercising supervision in custody cases, in cases of minors, supervision over persons obliged to treat alcohol addiction, participation of the officer in contacts between parents and minor offspring, taking away persons subject to parental authority, controlling the obligations imposed on minors and parents, filing motions to the court to initiate incidental proceedings, participation in court meetings, participation in the work of interdisciplinary teams and working groups.

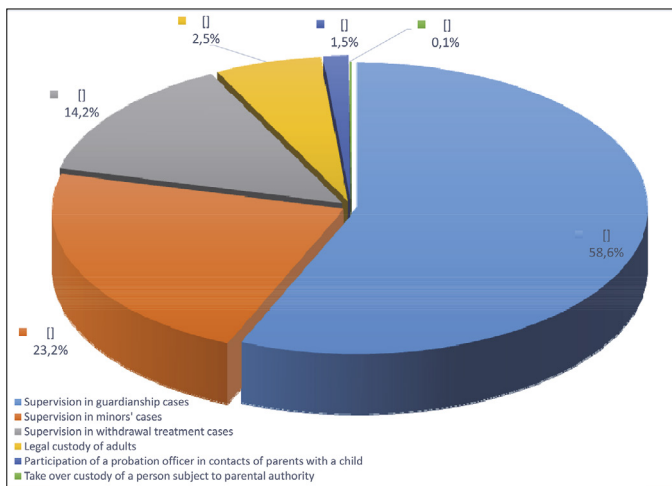


Chart 1. Structure of cases performed by court welfare officers

Source: Data based on MS-S40 report on the activities of the court probation service as of 30 June 2019. The total percentage of cases performed by social workers in the total number of cases performed by probation officers is 68.1% compared to 31.9% of cases performed by professional probation officers. Prepared by S. Stasiowski.

The generally formulated obligations are those under the law on probation officers (Article 11):

- 1) applying, in justified cases, for amendment or annulment of the measure ordered;
- 2) conducting community interviews at the request of the court or judge;
- 3) cooperation with the relevant local government and social organizations which are statutorily engaged in care, education, social rehabilitation, treatment and provision of social assistance in an open environment;
- 4) organization and control of the work of subordinate social workers and other persons authorized to exercise supervision or surveillance;
- 5) signaling to the court the reasons for the lengthiness of the enforcement proceedings or other failures in the activities of out-of-court entities executing the ordered measures.

In the performance of their official duties, probation officers have the right to (Article 9 and Article 87 sec. 3):

- 1) visit the persons subject to proceedings at their place of residence or stay as well as in secure institutions between 7 a.m. and 10 p.m.;
- 2) require the person subject to proceedings to produce a document enabling him or her to be identified;
- 3) demand necessary explanations and information from the clients under supervision, surveillance or other form of control ordered by the court;
- 4) reviewing court files and making copies of them in connection with the performance of official duties and accessing documentation concerning the persons under care and other persons subject to proceedings;
- 5) demand from the Police and other state bodies or institutions, local government bodies, associations and social organizations, within the scope of their activities, as well as from natural persons, assistance in the performance of their official duties.

The Act on probation officers indicates that they carry out their tasks in an open environment, in the place of residence of the persons under their care, in secure institutions and facilities where they stay, in particular in penitentiary, care and educational and therapeutic-rehabilitation facilities (Article 3). Therefore, the probation officers perform their duties primarily in the field, but they also perform court duties determined by the president of the district court after consulting the team leader. The working time of a professional probation officer is defined by the dimension of his/her tasks (Article 13). Probation officers, working in a specific area, cooperate not only with the persons under their care and their families, but also with local-government and non-governmental organizations, local authorities, state facilities and institutions that are statutorily engaged in care, education, social rehabilitation, treatment and provision of social assistance in an open environment. They undertake activities aimed at assisting and supporting people under their care, as well as prevention activities in a broad sense (e.g. through

active participation in the creation and operation of local aid, educational or social rehabilitation facilities). The clients are the persons subject to proceedings (Article 3 sec. 2). As far as court welfare officers are concerned, clients may include: minors or minors and their parents, persons requiring legal guardianship (minors and adults – completely incapacitated), as well as persons obliged to take up addiction treatment. Each court decision clearly indicates the persons subject to the proceedings and who will be the addressees of the officer's influence.

Due to the nature and importance of the tasks performed and the scope of responsibility for persons under the custody of an officer, high requirements are placed on candidates for this profession in terms of proper education, psychological competence, intellectual, moral and ethical skills, professional knowledge, physical and mental health. However, apart from the practice during the apprenticeship, which is generally laid down in the Act and implemented at the level of court districts, it is not possible to develop the methodology of work of a probation officer. Appointment for a professional probation officer can be received by a person who: has Polish citizenship and enjoys full civil and civic rights; is of impeccable character; is able to perform the duties of a professional probation officer due to his state of health; has completed higher MA studies in pedagogical-psychological, sociological or legal sciences or other higher MA studies and postgraduate studies in pedagogical-psychological, sociological or legal sciences (Article 5). There is no mention of methodical preparation for the duties related to the supervision of clients. There is no central application run e.g. by an entity which would be best prepared for this, i.e. the National School of the Judiciary and Prosecution Service. Usually, both the course of the application (conducted at the district or appeal level), i.e. the practical training of the profession, as well as the theoretical preparation concerns procedures related to the implementation of legal regulations, and does not contain methodological indications resulting from the scientific achievements of such disciplines as psychology or pedagogy. Also a popular and important publication which is a compendium of knowledge for future candidates for the profession, as well as trainees or probation officers, is primarily a reference to the current regulations, procedures and recommendations (Stasiak 2018). Among the few publications on the methodology of work of probation officers, one can distinguish *Wybrane programy resocjalizacyjne w praktyce kuratorów sądowych* (*Selected rehabilitation programs in the practice of probation officers*) (Wirkus 2017).

Before proceeding to perform their duties, both a professional probation officer and a social worker take an oath in which they undertake to perform the duties of a probation officer in accordance with the law, conscientiously and fairly, and to follow the principles of professional ethics, bearing in mind the welfare of the Republic of Poland and the welfare of persons under their care (Articles 6 and 85). These ethical standards of the profession of a probation officer and the moral dimension of the job as a person of public trust have been formalized by the

National Board of Probation Officers in the Code of Ethics of a Probation Officer (Kodeks...[2018]; Samek 2013, p. 129–142), which was adopted in conjunction with Article 46 sec. 1 item 1 of the Act on probation officers.

Art. 5 of the Code of Ethics of a Probation Officer indicates the freedom of choice of methods of work by a probation officer: in carrying out his/her statutory tasks, the probation officer is free to choose methods and means of influence, consistent with the current state of knowledge in the field of pedagogy, psychology, social rehabilitation and social work. Only the two above-mentioned Regulations of the Minister of Justice: of 12 June 2003 on the detailed manner of exercising the powers and duties of probation officers and of 26 February 2013 amending the Regulation on the detailed manner of exercising the powers and duties of probation officers and additionally the Regulation of the Minister of Justice of 24 June 2014 on the supervision of minors, contain indications as to certain administrative duties and time frames for their performance. Only the Regulation of the Minister of Justice of 5 October 2001 on attendance centers contains indications on the methodology, or in fact only mentions the methods of work, tasks and methods of their implementation.

## Author's own research, procedure

In the preliminary part of the research, the results of which are presented in this study, a pilot experiment was performed taking into account the objectives of the project. This allowed to improve the tool in the form of a questionnaire, to define the tasks of probation officers and to identify the basic groups of clients for whom the supervision of a probation officer is ruled – using a statistical analysis of case law on the basis of MS-S 40<sup>3</sup> and other data. The basic groups were defined: supervised minors due to reasons for applying supervision, clients in care supervision due to reasons for limiting parental authority, types of supervisions in minors' cases and other educational measures applied under the Act with the participation of probation officers. The research objective was primarily to determine the basic tasks and methods of work of probation officers in the performance of an educational measure in the form of supervision of a probation officer, referral to an attendance center, supervision in care-related cases, supervision over the method of alcohol addiction treatment. The subject of interest for the researchers was also temporary supervisions, their purpose and method of conducting, as well as the methods used by probation officers. An analysis of the number of cases, the type of activities performed by probation officers in court districts – analysis of statistical data was performed. This allowed for a fair selection of

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<sup>3</sup> Ministry of Justice, Strategy and European Funds Department, Report on the activities of the court probation service MS-S40.



the court districts from which it was intended to obtain the executive files of probation officers, and the files were then requested from these courts via the IJ. The selection of the sample concerned supervision files (of professional officers or social workers) of successively completed cases in 2017. (from 31 December backwards). The four main types of files in certain proportions were: 1) Opm; 2) Nwk, 3) Alk, 4) executive files of cases with the application to a minor of an educational measure in the form of referral to an attendance center. Over 500 case files from different categories and court districts were analyzed, including 260 Opm cases (47%), 160 Nwk cases (29%), 65 Alk cases (12%), 65 executive files of cases with the application to a minor of an educational measure in the form of referral to an attendance center (12%). The sample was selected with about 10% reserve related to a possible underperformance. The results of the file research and the summary were prepared. An attempt was made to determine methods and techniques of data collection, information for diagnosis and environmental interviews, as well as methods and techniques used by probation officers. The aim was to indicate whether probation officers carry out various social rehabilitation and educational activities on the basis of methods adapted to the specific category of minors at risk of demoralization or committing penal acts, as well as in care supervision and supervision over alcohol addiction treatment.

## **Analysis of examined cases, diagnosis in the work of probation officers**

Before a detailed presentation of the data obtained during the file analysis, it seems appropriate to refer to some general information on the enforcement proceedings in progress. Most often the reason for initiation of a proceeding by the court, and thus performing supervision, was the threat of demoralization (32.6%), family dysfunctions (33.2%), addictions (29.8%), parental ineptitude (23.8%), criminal offenses (16.6%), family violence (16.4%). It seemed that a change of a supervisor would be a variable that could affect the way the probation officers choose their working methods. However, as it turned out, this did not affect the type of methods used, their number or the proper selection. In addition, it must be acknowledged that this change represented less than 30% for all types of cases. Over 70% of the cases were supervised by one probation officer. The court usually specified the frequency of reporting on supervision (57.2%), and if not (42.8%), 6-month, and sometimes even 3-month, intervals were assumed for the submission of information by the probation officer on supervision. A difference in this respect can be noticed, resulting from the local specificity connected with the case law or its implementation by probation officers.

Therefore, the correlation and reference to independent variables contained in the part of the questionnaire containing personal details was abandoned.

This would require to address the subject more broadly than just in the research report. The most important variables were considered to be those concerning the methodology of work of probation officers.

The research shows that the diagnostic activity of probation officers was based primarily on interviews (93.6%) and community interviews (54.2%), observations (70.6%) and analysis of files (56.8%) as well as desk research, analysis of opinions and decisions (33%). This assumption was made already before undertaking the research. Standardized tools, tests, surveys, etc. are rarely used at this initial stage (0.8%). The contact between the probation officer and the wards consisted mainly of control (75.8%) and conversations on the indicated subject (66.2%). Such elements of work as: counseling, support, information (35.8%) or motivational interview (35.6%) were mentioned only in the following places. The analysis of the files also shows that collective interviews (9.4%) and dialog (10.2%) are used. On the other hand, the data collected indicated that the meetings with the wards were usually held at the place of their residence (85.4%). The contact with supervised persons or members of their families in other places, such as: court (6%), school (2.2%), medical and rehabilitation center (0.6%), workplace (0.4%), took place less frequently.

## **Planning – evaluation**

### **– working methods for family probation officers**

By constructing a tool for file research in the form of a questionnaire, members of the team mainly wanted to verify (according to the order) whether they would find work plans prepared in the documents (reports, activity sheets, opinions about the wards). It was important not only to confirm the creation of plans of social rehabilitation and educational as well as preventive impacts, but also their possible evaluation, and above all the methods of work included in them.

It may be pointed out that in about half of the analyzed files, probation officers prepared the plan of work in cases of guardianship, supervision over minors and supervision over the method of alcohol addiction treatment. In the documentation, most often in reports on the supervision over the exercise of parental authority by the probation officer, the plan of work with the wards appeared in 53.6% of the examined files, in 32.5% of cases the original plan was additionally referred to and modified. It is significant, however, that the reports in as much as 11% of the files examined did not contain a clear construction of the plan of work with the family. About 3% of the files did not contain the plan at all.

In the reports on the supervision over the minor by the probation officer, the plan of work with the wards appeared in 49.7% of the examined files, in 24.1% of cases the original plan was additionally referred to and modified. It is worrying that more than 20% of the files examined did not contain a clear construction of

the plan of work with a minor. About 6% of the files did not contain the plan at all. It should be indicated that the adoption of the plan of work with a minor is a requirement under the Regulation.

In the reports on the placement under supervision, as well as in those documenting the course of supervision over the method of alcohol addiction treatment by the probation officer, the plan of work with the participant appeared in 55.8% of the examined files, in 26.9% of cases the original plan was additionally referred to and modified. On the other hand, in the reports of more than 13% of the files examined, no clear construction of the plan of work with the participant was found. About 4% of the files did not contain the plan at all.

On the basis of the documentation prepared at the moment of placement under supervision or its course in cases concerning *guardianship, minors and alcohol*, which was analyzed in the file research, the plan of work with the wards appeared on average in 52.3% of the examined files, in 28.5% of cases the original plan was additionally referred to and modified. It is significant, however, that reports in more than 15% of the files examined did not contain a clear construction of the plan of work with the family. In addition, more than 4% of the files did not contain the plan at all.

The preparation of the plan of work with the wards is expected and most often required due to the regulations in force, and also results from the work methodology of the probation officer. However, the evaluation of actions by the probation officer themselves, or by a team of probation officers or a supervisor (which is more desirable) gives greater certainty of the proper selection of methods of social rehabilitation and educational as well as preventive work. Below I will refer to this issue and present the results of the file research on the question of evaluation of the work plan by the probation officers in three categories of cases I am interested in (Opm (guardianship cases), Nwk (minors under the custody), Alk (alcohol addicts cases)).

In the analyzed files of guardianship cases, the planned social rehabilitation and educational impacts were rarely evaluated, as only in less than 12% of cases. In almost 85% of the analyzed files, probation officers did not refer to previously prepared plans in activity sheets or reports, did not assess the effectiveness of the undertaken actions and did not change the working methods or reflect on the actions carried out, nor did they present changes in the situation of the wards.

The situation looked a little better in the documents on supervision in cases of minors, as almost 15% of the files contained information on the evaluation of the plans of work with the wards. It is significant, however, that in over 85% of the analyzed files no reference was found to previously prepared plans, implemented activities and work with a minor. Again, it should be pointed out that this is specifically indicated and required by the existing and previously cited Regulation.

The lowest percentage of supervision files, in which elements of work plan evaluation were found, concerned cases of alcohol addiction treatment, there

was less than 6% of such files. On the other hand, over 94% of the analyzed files did not contain any references to previously prepared and intended forms of influence on the participants. A far-reaching conclusion is to draw attention to the purposefulness of using probation services in the context of the imposition by the courts of compulsory alcohol addiction treatment. Within this scope there are a number of practical problems, such as the refusal to provide information by addiction treatment facilities and therapists themselves.

To sum up this part, I would like to point out that, on average, in all examined categories of cases, on the basis of file analysis, elements of work plan evaluation were found in slightly over 12% of cases. This seems a worrying trend, especially as the diagnosis and forecast in social rehabilitation should be continuous.

The basic aim of the described file research was to determine the most frequently applied methods of works of probation officers in the field of social rehabilitation and education as well as prevention. However, the team also searched for an answer to the question of whether the differences in methodological approach to the wards in different categories of cases will be confirmed, and whether the dominance of the individual case method will be noticeable, or whether other approaches, including classical methods of social rehabilitation pedagogy, will also emerge. It was also expected that, among the different methodological approaches, the dominant method of influence would be one's own example, and the obligations imposed by the court would be most often controlled by probation officers and the supervision would have a control and repressive dimension. It was also assumed that probation officers would conduct a number of conversations with the wards of a warning, educational, motivating or informative nature. In addition, it was decided to try to analyze whether group work or culture-based methods were used in the work with the wards.

The analysis of reports and other documents from custody files confirmed that the dominant working methods of probation officers in this category of cases are the control (60.8%), motivating conversations (53.2%) and *casework* only in third place (38.8%). The use of culture-based method was not confirmed, and group methods were used to a very minor extent. The impact containing cultural elements accounted for 0.42%, similarly to the impact with the use of a group. Warning conversations were used in 15.5% of cases, verifying and control conversations in 26.6%, informative/prevention conversations in 34.6%. The contract did not appear at all in the files under analysis. Educational conversations constituted 32.1%, rewards and penalties 0.4%, conflict resolution by negotiations 6.3%, work with the environment (network) 22.4%, educational counseling method 33.3%, educational persuasion method 18.1%, one's own example method 11.4%.

When analyzing files on cases related to the supervision of minors, it was noticed that the predominant methodological approach was the use of educational conversations (56.4%), followed by control (46.7%) and also frequently used motivational conversations (44.6%). It was only in fourth place that work with an

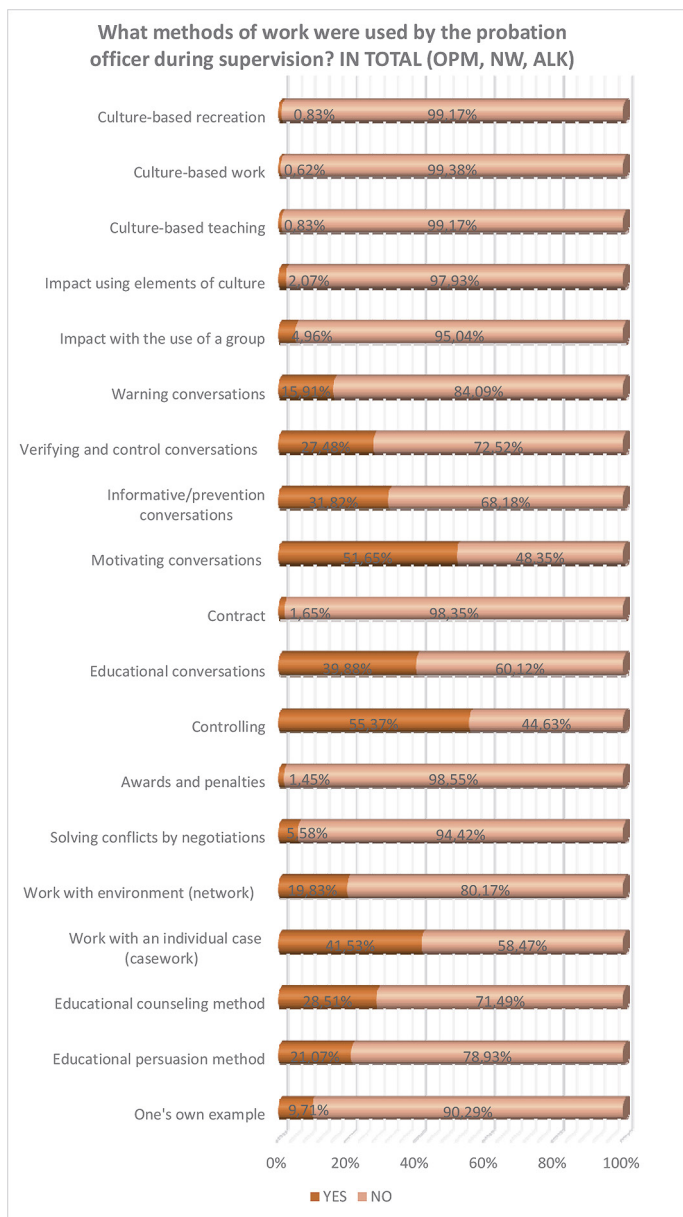


Chart 2. Working methods used by the probation officer during supervisions (Opm (guardianship cases), Nwk (minors under the custody), Alk (alcohol addicts cases))

Source: author's own study.

individual case is placed (43.6%). Slightly less frequently, but still, culture-based and group work methods were used 11.8% (especially in the case of educational measure in the form of a referral to a probation center). Interactions containing elements of culture constituted 4.6%, culture-based recreation 2.1%, culture-based work 1%, culture-based teaching 2.1%. Warning conversations were used in 14.9% of cases, verifying and control conversations in 27.2%, informative/prevention conversations in 28.2%. In the analyzed minors' cases files, the contract appeared in 4.1% of enforcement proceedings. Rewards and penalties constituted 0.4%, conflict resolution by negotiations 5.1%, work with the environment (network) 19.5%, educational counseling method 27.7%, educational persuasion method 28.2%, one's own example method 9.7%.

In the case of supervisions in alcohol treatment cases, the analysis of files showed that the most frequently used methods of work of probation officers were motivating conversations (71.6%), the controlling approach was also dominant (63.5%), and work with an individual case placed third (46.6%). The use of culture-based method, contract method or group work was not confirmed. Warning conversations were used in 21.2% of cases, verifying and control conversations in 32.7%, informative/prevention conversations in 32.7%. The contract did not appear at all in the files under analysis. Educational conversations constituted 13.5%, rewards and penalties were not used, conflict resolution by negotiations 3.9%, work with the environment (network) 9.6%, educational counseling method 9.6%, educational persuasion method 7.7%, one's own example method 1.9%.

The chart below is a summary of the file research on the methods used by probation officers in all categories of cases. It is clear that the following was used most often: control (55.4%), motivating conversations (51.7%) and work on individual cases (*casework*) – 41.5%.

## Summary, conclusions and recommendations

The conclusions should first and foremost signal the need for the changes that are necessary in the probation service and especially in family guardianship. It is necessary to pay attention to the proper diagnosis, which allows for the selection of appropriate methods of social rehabilitation-educational and preventive work, as well as organizational changes, introduction of specialization, evaluation and supervision, appropriate *feedback* in the form of precise indications for work. In addition, it may be particularly important to use the probation center as a form of work with wards, their families and cooperation with the local community. The idea of this particular institution operating at every district court is possible. Such a facility could become a development of the capacity of the probation service teams, equipping them with the possibility of conducting diagnostic activities, as well as many methods of work not available during supervision, such as the

use of culture-based methods or group dynamics during the work with families. The probation center could become an element of the system of early response to social pathological phenomena in the micro and meso dimension, as well as a point of crisis intervention, an institution supporting family guardianship and an institution of local support for people at risk of social maladjustment. These conclusions will be developed and justified below.

## **Preferred methods used by probation officers and their effectiveness**

Despite detailed research, it is not possible to precisely indicate which specific methods of influence used by probation officers towards their wards in the three main categories of supervision cases led to the socially desired effect of their activities, e.g. fulfillment of obligations imposed by the court, proper exercise of parental authority, execution of the educational measure and change of the minor's behavior, or refraining from alcohol consumption and completing the therapy by the participant.

The Act on probation officers, among the tasks of a probation officer, it lists those of an educational and social rehabilitation, diagnostic, preventive and control nature, while other general regulations indicate specific tasks which I have described in the first part. Currently, 2067 professional family probation officers, supported by 11,885 social workers, work directly with the wards. Each of them, in each case entrusted to them, makes an autonomous choice of the appropriate, specific method and way of working, with a total of approximately 313 000 people remaining under their influence. This way of working makes it possible to conduct individualized interactions, usually within the framework of a general working method, referred to as the *casework* method. The analysis shows that it is not the dominant method of working with supervised persons, but one of the most popular ones, even if it is not directly characterized in the documentation. The basic method of influence is direct psychotechnics – most often identified with dialog, conversation, persuasion, motivation, awareness-raising, convincing or support, and above all educational conversation. Control is one of the most common forms of work. It turns out that influences carried out in this form, while meeting the function of a social rehabilitation diagnosis, relatively low frequency of contact with supervised persons and the use of external resources led to positive changes in the lives of persons under the influence of a probation officer. The most important tool, most often used in the work of a family probation officer, is still their internal resources (Kwadrans 2013), i.e., for example, knowledge of and ability to use methods of social rehabilitation work, their own predispositions, sensitivity and emotional intelligence, empathy, interpersonal skills, mental resilience, accuracy in the selection of methods and

diagnostic skills, from which we should begin. The question remains, however, how to improve the effectiveness and sustainability of the interactions conducted by family probation officers? In the light of the research carried out, it seems that this development can be achieved primarily through continuous improvement of the professional competence of individual probation officers, through the implementation of the following systemic elements:

- 1) central preparation of applicants for service, as well as the provision of a central system of continuous training;
- 2) improvement of the functioning of probation service teams by improving the management of the service, increasing the competence of managers, proper selection of cases used for papers, specialization of probation officers;
- 3) implementation of tools facilitating work, systemic approach to work with the family, use of probation centers in each district court;
- 4) implementation of supervision in the case of: educational, social rehabilitation, prevention work as well as the work connected with social reintegration,
- 5) developing an optimal evaluation tool for family probation service,
- 6) adjustment of individual and group impact programs to the needs of probation officers enforcing decisions in family cases.

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- [16] Act of 26 October 1982 on Proceeding in the Case of Minors (consolidated text: Journal of Laws of 2016, item. 1654).
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