

Węgliński Andrzej

Maria Curie-Skłodowska University [awegliński@poczta.umcs.lublin.pl]

## Style and methods of impact of court probation officers in their work with the supervised qualified to various recidivism risk groups

**Abstract:** The article assesses the style and methods of influence of court probation officers in their work with the supervised qualified to various groups of recidivism risk. The classification of supervised persons in risk groups is intended to improve public security and to adjust the nature and intensity of the measures applied by probation officers to the profile of the convicted persons. This creates the possibility of adapting the methodological measures of court probation officers to the work strategy of global probation services based on the case management model. The empirical part presents a description of the style and methods of work of court probation officers in the perception of the supervised. The information presented is unique against the background of the hitherto unilateral analyses of the work of probation officers based mainly on the evaluation of records of activities prepared by the officers themselves. It has been shown that probation officers, regardless of the object of their measures, prefer mainly an indirect style, situated between the autocratic and democratic style.  
**Keywords:** style of applying measures by court probation officers, supervised persons classified into recidivism risk groups, probation service.

### Introduction

Probation supervision, as a basic form of probation, means promoting the idea of social rehabilitation and education of people who have committed antisocial acts and violated the current legal order with their behavior. Instead of

prison exclusion and isolation, the probation officers, in conditions of supervised freedom, try to introduce the convicts into the mainstream society and eliminate the threats and risk factors that have contributed to their criminal derailment

Social rehabilitation in the conditions of supervised freedom means an individual approach of the probation officer to each ward with very precise diagnosis and correction of crime inducing factors that led to the crime. The essence of probation measures lies in the assumption of a positive individual forecast, the legitimacy of which is verified during the probation period (Kordik, 1998). The assessment of the risk of recidivism of a specific offender determines the level of intensity of corrective interventions of the court probation officers.

Apart from attempting to answer questions concerning the causes and conditions of criminal acts committed by the supervised persons, the probation officer designs and implements direct methodological measures that create a chance for the wards to constructively and pro-socially pursue life's goals and tasks without the "temptation" to commit a crime. In addition to the preventive and control aspects of supervision, the probation officer must take steps to define the criminal sanction being executed in terms of stimulating strategies aimed at a pro-social way of meeting the needs of the convicted entrusted to them by the court. Thus, it can be assumed with a high degree of probability that probation officers, in the process of social rehabilitation of the supervised persons, will develop a specific, characteristic, unique style of educational measures. According to Dobrochna Wójcik, the style of work is "[...] **a comprehensive way of exercising supervision**, manifested in the curator's actions towards the supervised person, and in particular towards their problems and problems of the environment in which they function" (2010, p. 301).

The literature distinguishes three styles of educational guidance: *autocratic, democratic and liberal* (laissez-faire or "free hand" style). However, the liberal style is treated as an interim, "transitional" one, between the main styles of guidance; autocratic and (or) democratic (White, Lippitt, 1968). The characteristics of the basic educational styles; autocratic and democratic, require the distinction of the main components that make up the diverse and often opposing ways of exercising influence on the people being educated. In the course of the in-depth studies A. Janowski, relying on the findings of N. A. Flanders – distinguished four categories of behavior, which determine the methods of democratic guidance. These included the following methods of: *expressing sanctions; addressing the norms and opinions of persons subject to educational measures; making decisions and treating the wards* (1974, pp. 122–125). The distinguished detailed ways of exerting educational influence provide a solid basis for an empirical identification of the democratic or autocratic style of working with wards. In the basic styles of educational guidance, clear antinomies are visible and established; *from compulsion to freedom; from obedience to autonomy; from imposing decisions to seeking consensus; from domination to partnership; from rigor to self-control; from*

*forcing respect to stimulating sympathy; from distance to trust* (Przetacznikowa, Włodarski, 1980; Łobocki, 1992).

When working with a supervised person, the probation officer has to find a balance between the attitude typical of being a “*law officer*” and an educator supporting the ward in dealing with a crisis situation. When control, repression and retaliation functions begin to dominate in the work with the supervised person, then the convicted person perceives the probation measure as another form of sentence, and this reduces the educational value of the supervision. The supervision, as a probation measure, should serve to promote social rehabilitation and reintegration of convicts in an open environment.

While emphasizing the educational measures of court probation officers in own supervision, it should first be decided for which category of perpetrators of such measures can and should be addressed. Moreover, it should be precisely examined for which category of persons placed under the supervision of the probation officer a positive educational prognosis can be assumed. It is not simple to construct a rational educational prognosis for adults with long criminal development processes and diverse criminogenesis. Of course, it is possible to deliberately select the perpetrators for whom this prognosis is dubious or even highly uncertain due to accumulated, individual and environmental risk factors in the form of e.g. alcohol addiction, homelessness, lack of professional qualifications and education, symptoms of personality disorders or ostracism of the nearest environment, etc. (Wójcik, 2010, p. 261 et seq.). However, such a targeted selection of negative risk factors presupposes a certain amount of environmental determinism and loses protective resources and hidden development opportunities for each individual.

Recently, the Ministry of Justice has carried out works aimed at linking the programmed social rehabilitation effects in the conditions of supervised freedom with the assessment of the risk of recidivism and the necessity to classify the convicted to the adequate groups of recidivism risk. Pursuant to legal acts issued, the probation service begins to play a key role in the process of estimating the return to crime of persons subjected to probation measures (see Ordinance of the Minister of Justice of 2013, item 335; Ordinance of the Minister of Justice of 2016, item 969; Executive Penal Code, Journal of Laws of 1997, no. 90, item 557. Prepared on the basis of the Journal of Laws of 2007, item 665, 666, 768).

The introduction of the division of perpetrators remaining under the supervision of a probation officer into groups of risk was to be a milestone on the way to reforming the probation service in Poland and bringing it closer to the model of operation of probation bodies in “*countries advanced in civilization*”. Three groups of risk of recidivism are established for persons under supervision: 1) *reduced-risk* group (A); 2) *basic-risk* group (B); 3) *high-risk* group (C). Reliable estimation of the risk of recidivism of the wards of court probation officers means that the officers must be equipped with standardized tools to identify static and

dynamic risk factors. Meanwhile, the rules developed by the ministry for the qualification of convicts to risk groups are very subjective and unclear. The probation officer assesses the risk based on their own knowledge and practice without the support of diagnostic tools.

Recognition of static risk factors is connected with case anamnesis, i.e. examining something that precedes states of: illness, failure, crisis, otherness, deviation, criminality of the supervised person. The anamnesis is an attempt to answer the question: *how long is the period preceding the manifestations of violation of norms or social values?*, it is an analysis of difficult situations occurring in the past, certain toxic individual or social environment factors that preceded the criminal act. Anamnestic studies, which are connected with the analysis of an individual's functioning in particular stages of development, take the form of biographical and life history studies. Analyses carried out by A. Bałandynowicz (2012) show that recidivists commit their first crimes at the age of 9–10 years, i.e. in the phase before their social awareness is formed. The identification of dynamic risk factors is connected with the catamnesis of the case, the analysis of the period in which the first symptoms of social maladjustment and the transition of the supervised person into the role of a criminal began to appear. A. Bałandynowicz (2012) demonstrated that during the period of catamnesis the degree of criminalization of persons subjected to probation measures increased further; on average, each recidivist committed ten crimes and stood trial at least four times. At the same time, the total number of people who did not continue their criminal activities was reduced by 60%.

In the process of classifying the supervised into a risk group, probation officers shall take into account two groups of specific characteristics; *personal characteristics*, including historical, individual and situational characteristics of the supervised person, and *substantive characteristics*, including characteristics of acts committed by the supervised person, with particular reference to offences during the probation period. In addition, the Ordinance of 26 February 2013 distinguishes three specific types of supervision against: *the perpetrator of a crime committed in a state of limited sanity or in connection with alcohol, drugs or psychotropic substances addiction (§ 19); the perpetrator of domestic violence (§ 20); the perpetrator manifesting aggressive behavior (§ 21).*

In the process of qualifying a supervised person to the high-risk group (C), (art. 169a of the Executive Penal Code), the probation officers take into account only eight negative features, out of which only three, using a rather liberal formula of assessment, can serve as dynamic risk factors (*addiction to alcohol, drugs or psychotropic substances; domestic violence; association with criminal subcultures or groups with a criminal background*), and the others are static characteristics resulting from the criminal past of the supervised person (*basic and repeated recidivism; repeating the crime after the sentence; crimes against sexual freedom; mental disorders; previous criminality and anti-social life style*), (Sztuka, 2016, p. 85).

In qualifying for risk groups, probation officers have not been equipped with standardized tools that allow them to reliably identify the characteristics and recidivism risk level of convicted persons. Meanwhile, there are proven actuarial diagnostic tools. For example, using the Level of Service Inventory – Revised (LSI-R) technique, 54 static and dynamic risk factors for recidivism can be diagnosed. A score of 0 to 54 points qualifies convicted persons into four risk categories: low (low), moderate (medium), high (high) and very high (very high), (Robinson, 2002, pp. 21–21). Since recently, we possess the Predictive Scale for Assessing the Risk of Undertaking Criminal Behavior – PSARUCB / Skala Prognostyczna do Oceny Ryzyka Podjęcia Zachowań Przestępczych – SPORPZP developed by Bruno Hołyst (2013, 39–45). This technique allows us to gather information on 29 static factors and 23 dynamic factors, grouped in five subscales; *general biography, criminal biography, tradition/environment, character traits and addictions*. Each item representing a specific risk factor has a corresponding point value. The overall risk measure (raw scale score) takes the form of a numerical value ranging from “0” to 52 points (Hołyst, 2013, p. 43; Sztuka, 2016, p. 86). The model of estimating the risk of recidivism proposed by the author quoted above may be an interesting alternative to the procedure for qualifying convicts to three risk groups developed in the Ministry of Justice; A – *reduced-risk* group; B – *basic-risk* group; C – *high-risk* group (see: Ordinance of 2016, item 969; *Executive Penal Code*, art. 169b; Węgliński, 2018).

The assessment of the risk of recidivism of supervised persons combined with the need to classify the convicted in the adequate recidivism risk group places local probation officers in a new work strategy of the probation services based on case management procedure, developed within the framework of a new approach to social rehabilitation called *the “what works” movement in corrections*, aimed at identifying the conditions for effective corrective measures. In the English literature, also known as *evidence based criminal policy*. The child of this “movement” is a risk estimation model (of recidivism) assessment based on scientific evidence (*Evidence-based tools*). The risk model is based on detecting and managing the risk of repeat crime. The main emphasis is placed on estimating the extent to which the risky behavior of the offender poses a threat to the community. In the risk management model, the basic criterion for assessing the effectiveness of corrective measures is the criminal recidivism indicator, the so-called juridical correction (Andrews, Bonta, 2010; B. Stańdo-Kawecka, 2010; Wójcik, 2013; Barczykowska, Dzierżyńska-Breś, 2013; Dziadkiewicz, 2016).

In a *case management*-based strategy, the probation officer collects information on the crime-inducing needs of the ward, qualifies the supervised person into the appropriate risk group, plans individual measures, arranges services appropriate to the problems of the ward, monitors the scope of tasks and activities performed, supports the process of change and assesses the results achieved (Sztuka, 2013).

The evidence-based risk estimation model provides a framework for rational social rehabilitation measures aimed at limiting future criminal behavior. In the described model, the social rehabilitation measures are based on three leading principles of: *risk, need and responsivity*, defined by the principles of effective social rehabilitation (Andrews, Bonta, 2010). Risk principle – is based on the assumption that criminal behavior can be reliably, empirically predicted and forecasted, which allows for a conscious choice of the level of control by the social worker, the probation officer over the supervised person in order to effectively prevent future criminal acts. According to this rule, social rehabilitation measures should focus on individuals with a high probability of future criminal activity. The second principle underlines the importance of precise identification of *crime-inducing needs (need principle)*, which are the basis for determining the objectives of social rehabilitation measures in the methodology of performing supervision. The responsivity principle, on the other hand, defines specific methods of corrective work adapted to the problems of the supervised person. It sets out methodological recommendations concerning effective social rehabilitation measures. Within the described rule, the *principle of general responsivity* has been distinguished, which requires the use of behavioral techniques developed on the basis of the social learning model and cognitive-behavioral strategy in the work with the supervised person. In terms of specific responsivity, attention is paid to individual and situational factors characteristic for the object of social rehabilitation. This way, the style of corrective measures depends on a number of variables such as: age, gender, level of interpersonal and cognitive competence, anti-social traits, level of environmental support and many others (Andrews, Bonta, 2010; Sztuka, 2013; Wójcik, 2013; Stańdo-Kaweczka, 2014; Muskała, 2015). The assessment of the risk of recidivism of a specific offender determines the level of intensity of corrective interventions of the probation officers. According to this model, correction programmes should be addressed to perpetrators who have many problem areas that correlate with repeat crime.

Within the framework of the R N R model, empirical justification of effective corrective measures related to the search for answers to the following questions was developed: (1) *who should be the recipient of social rehabilitation measures?* (2) *which elements of the recipient's situation are to be modified?* and (3) ***which style of measures should be applied taking into account the individual characteristics of the recipient?*** (Sztuka, 2017, p. 20). The empirical material collected and described in the article will constitute an attempt to answer the last of the distinguished questions.

## Research intentions

The subject of the research will be the analysis of the style and methods of educational measures adopted by probation officers for adults in the assessment

of supervised persons from different groups of recidivism risk. Therefore, attempts have been made to address the following specific research problems:

1. What is the style of educational measures of probation officers in the opinion of supervised persons?
2. What are the methods of applying measures by the officers in the assessment of supervised persons?
3. Are there and what are the differences in the style and educational measures of probation officers in working with supervised persons from different recidivism risk groups?

In response to the third question relating to the individualization of the methods of applying measures by probation officers in their work with supervised persons with different risk of recidivism, the following working hypothesis has been formulated – *it should be expected that probation officers in direct methodological measures, regardless of the category of supervised persons, will prefer the autocratic style of educational guidance. This means that, especially when working with wards from the group of high risk of recidivism, they will focus on rigorous methods of education, on disciplining and controlling the duties and tasks imposed by the court, and on anticipating formal sanctions in the event of failure by the supervised persons to comply with them.*

This hypothesis results from research which proved that regardless of the probation officer's status (family or adults) and the object of educational measures, probation officers prefer a controlling and rigorous method of supervision (Heine, 1982, p. 39; Ostrihanska and Greczuszkina, 2000, pp. 32–380; Wójcik et al., 2010, p. 258; Węgliński, Kuziora, 2018, p. 142 et seq.).

## Research method and techniques

Any activity which is intended to achieve a specific objective requires the adoption of appropriate measures. A cross-sectional design of empirical research identified with the survey model was used in the paper (Nachmias, Frankfort-Nachmias, 2001, p. 113). In the diagnostic survey procedure, the possible selection of research techniques is used to collect information about the structural and functional attributes of the examined social phenomena, described on the basis of opinions and views of specially selected groups of respondents (Pilch, 2001, p. 80). The own research involved techniques adapted to the scope of the analyzed phenomena and diverse research groups.

To assess the style and educational measures of probation officers in the perception of the wards, the Questionnaire of Educational Measure Style (QEMS) developed by J. Bielski was used (1996, p. 54–55). The QEMS allows to distinguish two aspects of styles of educational measures applied by a probation officer: democratic and autocratic. The questions in the questionnaire are structured in

such a way that they allow to assess the frequency of certain behaviors and actions of the curators in the assessment of the wards. The supervised persons, when evaluating the work of a probation officer, could, on a five-stage scale, specify whether the probation officer “*has always or very often done this*” (4 points), or “*has never done this*” – (0 points). The questions contained in the QEMS, in addition to a general assessment of the basic educational styles, also allow us to recognize four specific ways of working of probation officers with regard to the following tendencies; a) *the method of expressing sanctions* (Scale No. 1), b) *the method of making decisions* (Scale No. 2), c) *the method of treating the ward* (Scale No. 3), d) *the method of addressing the opinions, assessments and standards reported by the supervised person* (Scale No. 4). Each of the above mentioned categories was assigned 10 questions (Bielski, 1996, p. 54–55).

Taking into account the content of the questions assigned to the different categories of applying measures by probation officers, and the answers indicating a preference for the democratic style, they can be briefly described; “*the method of expressing sanctions*” indicates that the probation officer avoids the use of orders and prohibitions against the ward, is flexible in the use of rewards and penalties, supports the ideas put forward by the supervised person, adjusts the requirements to their abilities, maintains intensive contact with the supervised person without the need for excessive control or strict punishment for behaviors deviating from the stereotype of obedience, avoids excessive discipline and strict threatening with consequences for the negative behavior of the ward; “*the method of making decisions*” – means that the probation officer tries to carefully motivate the decisions made, arrangements and decisions are made in the course of a conversation with the ward, in a friendly and welcoming atmosphere, the probation officer is open to discussion or negotiations on contentious or controversial issues, respects the ward’s opinion, showing them interest, warmth and care, tries to control their actions without excessively restricting their initiative; “*the method of treating the ward*” – suggests that the probation officer prefers to acknowledge and approve of the behavior of the ward, encourages them to be independent, active and to take initiative, maintains subjective and partnership relations with the ward with emphasis on the influence of the ward on the course of the probation, the probation officer avoids commanding, ordering, making statements or moral judgements that are harsh or offensive to the ward; “*the method of addressing opinions and judgements of the supervised person*” – means that the probation officer listens carefully to what the supervised person has to say, respects their position, opinions, expectations, emphasizes the right of the ward to express their own beliefs and views, even if they are different from the officer’s position, supports the ward’s personal decisions, gives the supervised person courage to overcome difficulties, guarantees the ward a large margin of freedom, tries to ensure the atmosphere of security, emphasizes the permissive attitude to the arguments, beliefs and rights of the ward during the supervision.



Since the empirical material presented below includes an evaluation of the style and methods of educational work of probation officers for adults in the perception of the supervised persons, the basic socio-pedagogical characteristics of both the assessing group (the supervised) and the assessed group (the probation officers) will be presented.

The research was carried out on a group of 90 convicted men under the supervision of probation officers. In the group of the supervised persons, the majority were persons under 30 years of age (47%) and persons between 31 and 40 years of age (33%). The average age of the wards was 33 years. The majority of the supervised persons were bachelors (57%). Only every fifth convict is married (20%). The respondents live in the city (78%). 58% of the convicts live in the city with more than 50,000 inhabitants and only 22% of the wards live in rural areas. The supervised persons described above committed common crimes (57%) and violent crimes (43%). In the surveyed group, 35% of the supervised persons *had one criminal record* and 30% *had a suspended sentence*. On the other hand, more than every fifth convicted person *had two or three criminal records* (23%). In addition, 17% of the supervised persons *had more than three criminal records*, and 12% have had over three years of *non suspended sentences* and up to three years of *non suspended sentences* (10%). Only one convicted person was in a *correctional facility* when as a minor.

The supervised persons assessed the style and methods of applying measures by 90 probation officers, 56% of whom are professional probation officers and 44% are social workers. The study group is dominated by women (80%). Among the probation officers, there is a prevalence of people between 41 and 50 years old (35%) and people between 30 and 40 years old (28%). The average age of the probation officers surveyed was 44 years. The majority of the probation officers have graduated with a master's degree in pedagogy (55%). In the discussed group 33% of the surveyed persons had a degree in social rehabilitation. Moreover, 10% of the surveyed probation officers had graduated from psychological studies and 7% from sociological studies. The probation officers have varied professional and pedagogical work experience. Over ten years of general professional experience was recorded in 90% of the curators. The average general professional experience in the studied group was 25 years. 48% of the surveyed persons work as a probation officer for more than 10 years, and 13% have more than 20 years of work experience. However, 18% of the probation officers perform this function for up to 5 years. The average work experience as a probation officer in the studied group was 16 years.

In accordance with the current legal regulations, probation officers for adults have classified the supervised persons into one of three groups of recidivism risk: 1) reduced-risk (group A); 2) basic-risk (group B); 3) high-risk (group C), (see: Ordinance of 2016, item 969; *Executive Penal Code*, art. 169b).

Comparative analysis of the scores of the supervised from three risk groups (A, B and C) was carried out using a single-factor ANOVA variance analysis, choosing the **Tukey's HSD**, *post hoc* test, recommended for comparison of peer groups, for *post hoc* comparison. In the absence of grounds for assuming normal distribution, which was verified with the Shapiro-Wilk test, the Kruskal-Wallis non-parametric H test was used instead of the ANOVA to compare more than two independent groups, and pairs of groups were compared using the Mann-Whitney non-parametric test.

For quantitative compilation of the empirical material, methods from the SPSS PC statistical package were used. The normality of distribution of scores was verified using the Kolmogorov-Smirnov test. Based on the scores obtained and the assumption that non-parametric tests are less effective than parametric tests, parametric tests were used (Brzeziński, 2002, p. 264).

## Analysis of results

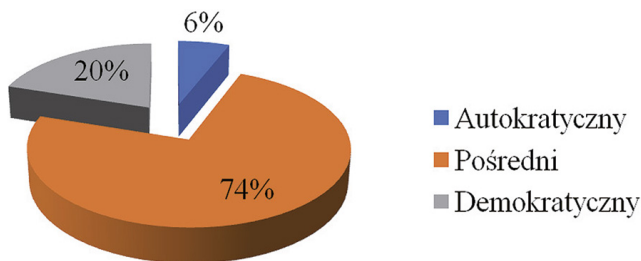
To assess the direct educational measures of probation officers, the Questionnaire of Educational Measure Style (QEMS) developed by J. Bielski (1996, p. 54–55) was used. The questions in the questionnaire are structured in such a way that, apart from a general assessment of the style of educational guidance, it is also possible to determine what is the frequency of particular behaviors and activities of the probation officer in working with the ward. The supervised person assesses the behavior of the probation officer on a five-point scale (from 0 to 4). Marking “4” means that the probation officer “*has always or very often done this*” and “0” – that they “*have never*” done this.

The QEMS questionnaire consists of 40 questions, therefore the overall assessment of the probation officer's style of work is in the range from 0 to 160 points. Obtaining a maximum number of points indicates full “*democratism*” in the curator's measures, and receiving a minimum number of points indicates maximum “*autocratism*”. The total number of points was divided into point ranges, which allowed for the identification of three educational styles of a probation officer:

- a) autocratic (0 – 80 points)
- b) intermediate style (81 –120 points)
- c) democratic (121 – 160)

The results calculated in this way are shown in the chart 1.

On the basis of the information obtained, it can be concluded that in the opinion of the 90-person group of the supervised, in the work of probation officers the *intermediate style* definitely dominates (74%). Only five convicts described the style of direct methodological measures of “their” probation officer as “*autocratic*” (6%). In contrast, every fifth probation officer, in the opinion of their wards, prefers the *democratic style* (20%).



Autokratyczny – Autocratic; Pośredni – Intermediate; Demokratyczny – Democratic

Chart 1. The style of work of probation officers in the perception of the supervised

The supervised persons assessed the work style of 50 professional probation officers and 40 social workers. The assessed professional probation officers and social workers did not differ significantly in terms of overall assessment of the style of work in self-perception of supervised persons ( $M_1=105.32$ ;  $M_2=106.13$ ). Higher scores were achieved by a subgroup of social workers, which means that voluntary probation officers slightly outperform the professional ones in terms of the tendency to prefer the democratic style in working with supervised persons.

Against the backdrop of previous research, the small percentage of probation officers adopting the *autocratic style*, which relies on the desire to maintain domination, control and one-way communication with the wards, is a great surprise. In addition, it turned out that one in five of the probation officers assessed by the supervised persons has a *democratic style* of applying measures in working with the wards in the conditions of the supervised freedom. The analysis of the records of activities of probation officers for adults so far showed that the control style was preferred by 47.3% of the evaluated probation officers (D. Wójcik 2010, p. 305). On the other hand, in the opinion of supervised persons, the autocratic style dominated as much as 55% of social workers working with families (Węgliński, 2012, p. 50).

On the basis of the presented results, it should be concluded that the assumed working hypothesis of preference for the autocratic style of guidance in direct methodological measures of probation officers did not find confirmation in the assessment of the supervised persons. The general analysis of the style of work of probation officers clearly shows that the vast majority of the examined professional probation officers and social workers prefer the *intermediate style* in direct methodical measures. The results presented may indicate a significant change in the style of applying measures by probation officers in the perception of the supervised persons.

The further part of the analysis of the collected empirical material included the identification of the style of work of probation officers in the perception

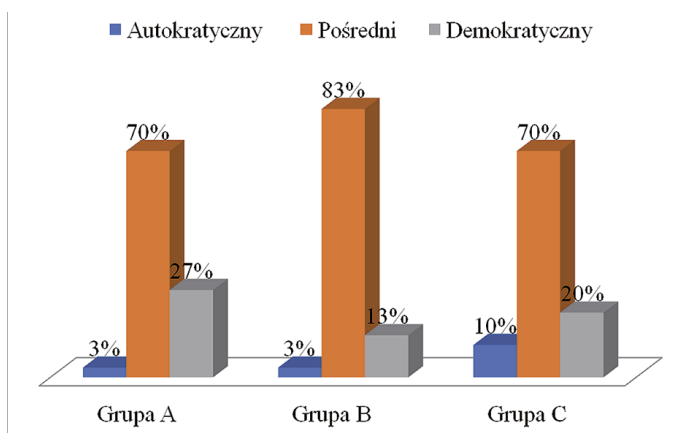
of supervised persons classified into three risk groups; A – *reduced-risk group*; B – *basic-risk group*; C – *increased-risk group*. The compiled results are presented in the table below.

Table 1. The style of work of the probation officers in the perception of the supervised persons, differentiated by risk groups

Style	Group A		Group B		Group C	
	N	%	N	%	N	%
Autocratic	1	3	1	3	3	10
Intermediate	21	70	25	83	21	70
Democratic	8	27	4	13	6	20
chi2=3.41; df=4; p<0.49						

The information presented in the table indicates that supervised persons from a reduced risk group (A) most often experience democratic guidance from their probation officers (27%). On the other hand, three high-risk group (C) convicts and a few individuals from other groups (10%) experienced *the autocratic style* in the measures of the probation officers. The presented differences in working styles with supervisors from different risk groups did not reach the level of statistical significance (p<0.49). In each of the risk groups there was a predominance of the intermediate style of organizing direct methodical measures of probation officers in own supervisions.

The obtained results are particularly well visible in the graphical form presented below.



Autokratyczny – Autocratic; Pośredni – Intermediate; Demokratyczny – Democratic; Grupa – Group

Chart 2. The style of work of the probation officers in the perception of the supervised persons, differentiated by groups of recidivism risk

The supervised persons from the reduced-risk group most often experienced democratic relations with a probation officer during their supervision (27%). On the other hand, the wards from the basic-risk group (group 2) most often informed about the *intermediate style* (83%) of guidance and and the least frequently encountered the *democratic style* (13%) of supervision by the probation officer assigned to them. Moreover, it turned out that the convicts from the group of higher risk of recidivism (group 2) most often experienced a tendency to *autocratic style of applying measures* by probation officers (10%). It can also be noted that in this group of wards there is the greatest variety of basic styles of guidance during the supervision.

In general, court probation officers, working with supervised persons from three groups of risk of repeat crime prefer behaviors characteristic of *intermediate style*, “*transitional*” between the main styles of guidance; *autocratic* and (or) *democratic*. In addition, the information presented shows that the surveyed supervised persons very rarely observed in probation officers a tendency for the autocratic style of guidance manifested in the desire to limit their freedom, rigor, imposing decisions from above, preferring control activities, imposing requirements, enforcing respect and obedience through verbal warnings and promised sanctions in the event of failure to comply with the officer’s expectations.

An important supplement to the presented results regarding basic styles of guidance will be the analysis of specific behavior of probation officers in contacts with supervised persons. The questions contained in the QSEM make it possible to identify four specific methods of work of a probation officer in terms of: a) *expressing sanctions* (scale 1), b) *making decisions* (scale 2), c) *treating the wards* (scale 3), d) *dealing with opinions, assessments and standards reported by the ward* (scale 4). Each of these scales is assigned 10 questions from the questionnaire. The supervised persons selected the answers on a 5-point scale. Selecting the number “0” meant that “*the probation officer has never behaved this way*”, while selecting the number “4” meant that “*the probation officer has always or very often behaved this way*”.

The table below presents the results illustrating the methods of applying measures by court probation officers to the self-perception of supervised persons from the three groups of repeat crime risk. The comparative analysis was carried out using a single-factor ANOVA variance analysis, selecting the Tukey’s test for post hoc comparisons. The compiled results are summarized in the table 2.

The obtained values of the Levene’s test prove the homogeneity of variance of the results of the examined groups of people in the scope of the assessed methods of work of probation officers.

Table 2. Methods of applying measures by court probation officers to the self-assessment of supervised persons from different risk groups

Method of	Levene's test	p	Group A		Group B		Group C		F	p
			M1	Sd1	M2	Sd2	M3	Sd3		
Expressing sanctions	0.37	0.70	26.03	4.86	26.60	4.97	25.97	5.29	0.14	0.87
Making decisions	0.55	0.58	26.63	3.82	26.07	3.15	25.57	4.09	0.62	0.54
Treating the ward	2.52	0.09	27.10	3.49	26.97	3.74	26.93	4.72	0.02	0.98
Addressing the opinions and assessments made by the supervised person	2.86	0.06	27.73	5.98	26.47	4.31	24.97	6.40	1.81	0.17

The surveyed wards from the three risk groups, in terms of the tendency to democratic guidance, gave the best assessment of the probation officers in the scope of *“treating the supervised person”* (M1=27.10; M2=26.97; M3=26.93).

It can be seen that the differences between the averages within each group were small. It should be assumed that the probation officers described by the supervised persons, regardless of the classification of the ward into different risk groups, equally often tried to maintain a personal relationship with the supervised persons and to express their approval for the proper behavior of the ward, while encouraging their independence, activity and initiative during the supervision.

The highest results in terms of the method of making decisions, treating the supervised person and addressing the opinions and assessments expressed by the wards were recorded in the group of supervised persons with a reduced risk of repeat crime, which indicates the tendency of the probation officers to adopt the democratic style of guidance in working with this group of convicts. On the other hand, the lowest results were recorded in the group of the supervised with a higher risk of recidivism, which indicates a greater tendency of probation officers to adopt the autocratic style. Nevertheless, the value of the F test proves that the observed differences in the methods of applying measures by court probation officers in the assessment of the supervised persons did not reach the level of statistical significance. The methods of applying measures by probation officers do not vary significantly in terms of their assignment to a particular risk group.

Then, detailed analyses were conducted on the methods of applying measures by court probation officers, including inter-group comparisons. The Tukey's HSD test was used to assess the statistical significance of differences between the three risk groups of supervised persons, which is suitable when the groups being compared are equal in numbers of participants. The obtained results are summarized in the table below.

Table 3. Intergroup comparisons of the methods of applying measures by probation officers in the self-assessment of the supervised persons

Risk group	Methods of	Tukey's test HSD	
		Difference of averages	Significance
Group A – Group B	expressing sanctions	-0.57	ni
	decision making	0.57	ni
	treating the ward	0.13	ni
	dealing with the opinions and assessments made by the supervised person	1.27	ni
Group A – Group C	expressing sanctions	0.07	ni
	decision making	1.07	ni
	treating the ward	0.17	ni
	dealing with the opinions and assessments made by the supervised person	2.77	ni
Group B – Group C	expressing sanctions	0.63	ni
	decision making	0.50	ni
	treating the ward	0.03	ni
	dealing with the opinions and assessments made by the supervised person	1.50	ni

In general, the inter-group comparisons carried out show that in the perception of the wards, court probation officers, as regards the method of *expressing sanctions, making decisions, treating the supervised person, addressing their opinions and assessments*, do not significantly differentiate between statistically preferred methods of applying measures when working with supervised persons from different risk groups.

In order to better illustrate the differences in the methods of exercising supervision, the statements from the QEMS questionnaire will be presented, which significantly differentiate the behaviors of court probation officers in their work with supervised persons from the described groups of recidivism risk. The obtained results are summarized in table 4.

Out of the 40 statements contained in the QEMS describing the methods of work of court probation officers in their relations with supervised persons, statistically significant differences were noted in only five categories. The most diverse approach of the probation officers was observed in relations with supervised persons from the *high-risk group* (group C).

Table 4. Inter-group comparisons of the detailed methods of applying measures by the probation officers in the assessment of supervised persons from the three risk groups

Risk groups	Methods of	Tukey's test HSD	
		Difference of averages	Significance
A-B	If the officer gives the supervised person any instructions, do they try to explain why they consider it desirable to follow this instruction?	0.70	0.02
A-C	Sometimes the supervised person offers the probation officer some of their ideas that they would like to pursue in life. Does the officer support such ideas suggested by the supervised person?	0.53	0.02
A-C	Does the probation officer reward the supervised person for: a) good conduct, b) good preparation for the meeting with them, c) proper performance of tasks, d) professional (school) activity, or other situations occurring during the supervision?	0.87	0.01
B-C	Does the probation officer reward the supervised person for: a) good conduct, b) good preparation for the meeting with them, c) proper performance of tasks, d) professional (school) activity, or other situations occurring during the supervision?	0.97	0.002
A-C	Do the probation officers demand an immediate and absolute obedience to their decisions from the supervised person?	0.70	0.05

It has been found that when dealing with supervised persons with the highest risk of criminal recidivism, the court probation officers experience fundamental differences in their views on the method of carrying out the supervision. The convicts from group C significantly more often disagree with the expectations and opinions of the probation officers, proposing their own solutions, which are rejected or omitted, and which are taken into account when working with the supervised from the *reduced-risk group* ( $p < 0.02$ ). In addition, the wards with the highest risk of recidivism are significantly less often rewarded for their conduct compared to those in the reduced-risk group ( $p < 0.01$ ) and the basic-risk group ( $p < 0.002$ ). It can also be observed that supervised persons from the high-risk group are significantly more likely to experience a tendency of their probation officers to rigorously make them comply with the formulated requirements and expectations compared to the supervised persons from the reduced-risk group ( $p < 0.05$ ).

There were also statistically significant differences in the methods of working with supervised persons from the reduced-risk group (group A) and the convicts from the basic-risk group (group B). In the opinion of the supervised persons, court probation officers are significantly more likely to explain their decisions to the supervised from the reduced-risk group than to the supervised from the basic-risk group ( $p < 0.02$ ).

The detailed analysis of behavior presented shows that the convicts classified in the group of reduced risk of criminal recidivism are significantly more likely



to experience a tendency to democratic guidance in direct methodical measures applied by court probation officers. However, the supervised persons from the high-risk group are exposed to more disciplinary and rigorous methods of work of the probation officers during their supervision.

## Summary and conclusions

The article presents the opinions of supervised persons with different risk of return crime on the style and ways of work of court probation officers for adults. From the empirical material described, it appears that, in the opinion of the supervised persons, court curators, regardless of the subject of their measures, prefer the ways characteristic of the indirect style between the autocratic and democratic style. It should be noted that an *indirect style* can mean occasional ways of directing a supervised person. It is a variation of the “*inconsistent, non-intrusive, passive*” style, which often involves putting the case of the supervised person off the hook without the long-term and deliberate activity and leadership initiative of the probation officer. In the described indirect style, it may be that the probation officer works only under the pressure of immediate situations. He/she prefers passivity and incidental interventions. There is insufficient control over the behavior of their wards. The care over the wards is unsatisfactory and the requirements are insufficiently enforced (Czapów, 1968, p. 146 et seq.; Janowski, 1974, p. 122 et seq.; Karłyk-Ćwik, 2009, p. 221; Wójcik, 2010, p. 305).

In addition, it has been found that supervised person from the high-risk group in their relations with probation officers are much more likely to experience the sanctions expressed in the disciplining attitude of the probation officer and the rigorous, formal enforcement of the convicted person’s obligations imposed by the court. In their work with supervised persons from the high-risk group, probation officers are more apodictic, dominant, disciplining, determined in pushing their own arguments and beliefs about the conduct of convicts. In the work of probation officers with supervised persons from this risk group, a shift of emphasis can be observed from corrective measures to prevention and control objectives, which may lead to the use of an exclusion instrument based on the exclusion of convicts from functioning in an open environment with the possibility of transfer to institutions of an isolation and prison nature.

In the risk management model, probation officers focused on the formal and legal criterion of the effectiveness of social rehabilitation based on the recidivism index may omit important spheres of supervised persons’ functioning in terms of social maturation, moral or personal development in order to recognize static risk factors of recidivism, which may be a source of social stigmatization of convicts and an instrument of their social exclusion.

Meanwhile, in the RNR model the assessment of the risk of recidivism of a specific perpetrator determines the level of intensity of corrective interventions. According to the rules of conduct developed in this model, correction programs should be addressed to perpetrators exhibiting numerous problem areas correlated with return crime. In addition, the basic priority of social rehabilitation measures based on the return crime risk management method must be to support the wards in discovering and exploiting development potentials and to identify and facilitate access to resources in the environment. In the course of supervision, the court probation officer, having identified the static and dynamic risk factors determining the level of risk of recidivism, must plan individual corrective actions tailored to the needs of the supervised persons. Supervisors using risk management solutions particularly emphasize the need for self-direction and development of the supervised person's agency in pursuit of social reintegration, which is the essence of social rehabilitation in an open environment.

## References

- [1] Andrews D.A., Bonta J.L., 2010, *The Psychology of Criminal Conduct*, New Providence.
- [2] Andrews D.A., Bonta J., Hoge R.D., 1990, *Classification for effective rehabilitation. Rediscovering psychology*, „Criminal Justice and Behavior”, 17, s. 19–51.
- [3] Bałandynowicz A., 2011, *Destygmatyzacja tożsamości dewiantów jako zmiana czasowa i interpersonalna w polifunkcyjnym modelu probacji*, [w:] *Tożsamość osobowa dewiantów a ich reintegracja społeczna*, cz. 1, pod redakcją naukową A. Kieszkowskiej, Kraków.
- [4] Bałandynowicz A., 2012, *Reintegracja społeczna skazanych wsparta na paradygmacie tożsamości osobowej, społecznej i kulturowo-cywilizacyjnej*, [w:] *Problemy resocjalizacji penitencjarnej i niedostosowania społecznego*, „Niepełnosprawność”, nr 8.
- [5] Barczykowska A., Dzierżyńska-Breś S., 2013, *Profilaktyka oparta na wynikach badań naukowych (evidence based practice)*, „Resocjalizacja Polska”, nr 4.
- [6] Bielski J., 1996, *Uwarunkowania efektywności pracy nauczyciela wychowania fizycznego*, Kielce.
- [7] Brzeziński J., 2002, *Metodologia badań psychologicznych*, Warszawa.
- [8] Dziadkiewicz K., 2016, *Kategoryzacja skazanych oddanych pod dozór kuratora sądowego, w świetle aktualnych zmian prawa karnego wykonawczego i przesłanek praktycznych stosowania taksonomii w pracy ze skazanym pozostającym w okresie próby*, [w:] *Resocjalizacja – czarno na białym*, (red.) A. Karłyk-Ćwik, D. Rybczyńska-Abel, Toruń.
- [9] Frankfort-Nachmias Ch., Nachmias D., 2001, *Metody badawcze w naukach społecznych*, Warszawa.
- [10] Heine M., 1982, *Warunki efektywności resocjalizacji nieletnich poddanych dozorowi sądowych kuratorów społecznych*, Wrocław.
- [11] Hołyst B., 2013, *Podstawy i zakres indywidualnej prognozy kryminologicznej*, „Probacja”, 1.

- [12] Hołyst B., 2013, *Skala Progностyczna do Oceny Ryzyka Podjęcia Zachowań Przepęczych – indywidualna predykcja kryminologiczna*, „Probacja” 2013, 2, 39–45.
- [13] Janowski A., 1974, *Kierowanie wychowawcze w toku lekcji*, Warszawa.
- [14] Konopczyński M., 2016, *Misja Kuratorskiej Służby Sądowej w społeczeństwie obywatelskim*, [w:] *Polska kuratela sądowa na przełomie wieków – nadzieje, oczekiwania dylematy*, red. nauk. M. Konopczyński, Ł. Kwadrans, K. Stasiak, Kraków.
- [15] Kordik A., 1998, *Warunkowe zawieszenie wykonania kary w systemie środków probacyjnych i jego efektywność*, Wrocław.
- [16] Łobocki M., 1992, *ABC wychowania dla nauczycieli i wychowawców*, Warszawa.
- [17] Muskała M., 2015, *Służba kuratorska w Anglii i Walii*, „Probacja”, nr 1.
- [18] Ostrihanska Z., Greczuszkin A., 2000, *Praca z indywidualnym przypadkiem w nadzorze rodzinnego kuratora sądowego*, Lublin.
- [19] Przetacznikowa M., Włodarski Z., 1980, *Psychologia wychowawcza*, wyd. 2, Warszawa.
- [20] Robinson G., 2002, *Exploring risk management in probation practice. Contemporary developments in England and Wales*, „Punishment and Society”, nr 4(1).
- [21] Stańdo-Kawecka B., 2010, *Ruch „What works” i „nowa resocjalizacja” – nowa perspektywa w polityce karnej?*, [w:] *Węzłowe problemy prawa karnego, kryminologii i polityki kryminalnej. Księga pamiątkowa ofiarowana Profesorowi Andrzejowi Markowi*, (red.) V. Konarska-Wrzosek, J. Lachowski, J. Wójcikiewicz, Warszawa.
- [22] Stańdo-Kawecka B., *Wybrane problemy profesjonalizacji organów probacyjnych i klasyfikacji sprawców oddanych pod dozór do grup ryzyka*, Nowa Kodyfikacja Prawa Karnego. Tom XXXIII AUWr No 3617, Wrocław 2014.
- [23] Sztuka M., 2013, *Anachronizm i aktualność. Idea resocjalizacji w sporze o nowoczesność*, Kraków.
- [24] Sztuka M., 2017, *O doniosłości postulatów uwspólnotowienia systemu instytucjonalnej resocjalizacji*, [w:] *Horyzonty pedagogiki resocjalizacyjnej. Księga Jubileuszowa Profesora Wiesława Ambrozika*, (red.) A. Barczykowska, M. Muskała, Poznań.
- [25] Sztuka M., 2016, *Szacowanie ryzyka w pracy kuratora Polskie rozwiązania i ich odpowiedniki w rozwiniętych systemach zachodnich*, [w:] *Polska kuratela sądowa na przełomie wieków nadzieje, oczekiwania, dylematy*, (red. nauk.) M. Konopczyński, Ł. Kwadrans, K. Stasiak, Oficyna Wydawnicza „Impuls”, Kraków.
- [26] Sztuka M., 2018, *Wymagająca powinność (współczesne uwagi na marginesie artykułu Roberta K. Mertona „Rola intelektualisty w instytucjach państwowych”)*, [w:] *Kuratela sądowa w Polsce. Analiza systemu. Księga pamiątkowa dedykowana Doktorowi Tadeuszowi Jedynakowi*, (red. nauk.) K. Stasiak, Toruń.
- [27] Utrat-Milecki J., 2010, *Etos pracy kuratora sądowego*, [w:] *90. lat kurateli sądowej w Polsce. Historia – terażniejszość – przyszłość*, Warszawa.
- [28] Utrat-Milecki J., 2006, *Podstawy penologii. Teoria kary*, Warszawa.
- [29] Węgliński A., Kuziora G., 2016, *W poszukiwaniu wychowującej kurateli sądowej*, Lublin.
- [30] Węgliński A., 2018, *Resocjalizacja w środowisku otwartym z zastosowaniem metody zarządzania przypadkiem w dozorach kuratorskich*, [w:] *Współczesne dylematy resocjalizacyjne – w stronę twórczej resocjalizacji*, (red.) W. Ambroziak, A. Kieszkowska, K. Sawicki, Oficyna Wydawnicza „Impuls”, Kraków.
- [31] White R.K., Lippitt R., 1968, *Leader behavior and member reaction in three „social climates”*, [w:] *Group dynamics: Research and theory*, 3rd ed., (eds.) D. Cartwright, A. Zander, New York, s. 318–335.

- [32] Wójcik D. i in., 2010, *Kuratela sądowa. Sukcesy i porażki*, Warszaw.
- [33] Wójcik D., 2013, *Stosowanie w postępowaniu karnym narzędzi diagnostyczno-prognostycznych służących oszacowaniu ryzyka powrotności do przestępstwa*, „Prawo w Działaniu Sprawy Karne”, 16.

### List of legal acts

- [34] Kodeks Karny Wykonawczy, Dz.U. 1997, nr 90, poz. 557.
- [35] Rozporządzenia Ministra Sprawiedliwości z dnia 13 czerwca 2016 r. w sprawie sposobu i trybu wykonywania czynności przez kuratorów sądowych w sprawach karnych wykonawczych, poz. 969.
- [36] Rozporządzenia Ministra Sprawiedliwości z dnia 26 lutego 2013 r. W sprawie sposobu wykonywania obowiązków i uprawnień przez kuratorów sądowych w sprawach karnych wykonawczych, poz. 335.