



## Socio-educational aspects in the probation officer's work

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### Abstract:

The article presents specific aspects of probation officer's work against the background of social problems he encounters. The research on which the article is based was conducted during three-year service in one of probation officer's office in Warsaw. For the sake of the research, the auto ethnographic method, characteristic for qualitative and field tests, was used. The author of the text raises the topics of social problems by the example of families under her supervision, where

the wards struggle with violence, negligence, difficulties around the divorce, in the background of which conflicts, stimulants or addictions are clearly visible. The aim of the publication is to present the specifics of the work of a probation officer, which is often mistakenly associated with the stigmatization of dysfunctional environments, as well as showing still valid and often marginalized social problems, which despite the increasing living standard of society and the quality of life of Varsovians, are a daily routine for probationers.

## 1. Methodology of research

Social problems are a broadly understood and ambiguous phenomenon. External observation or review of statistics are not enough to understand them. They should be penetrated, examined from the inside or simply participated in. Unfortunately, few research methods allow for in-depth investigation of such a dynamic phenomenon.

Referring to Kamiński's definition, 'there is a tendency to understand the method of research as a set of theoretically justified conceptual and instrumental measures that broadly cover the whole of the investigator's efforts to solve a specific scientific problem' (Kamiński 1974).

Considering the type of phenomenon being researched, and possibilities which pursued profession gives to the author it was decided to use the autoethnographic method, also known as the method of qualitative field studies (Kruszewski 2008, p. 405-417).

As M. Angrosino mentioned (2010, p. 19). 'The ethnographic method consists in gathering information about material products, social relations, convictions and values of a given community.' The process of data collection uses a variety of techniques – it is even desirable to approach it from as many perspectives as possible in order to gain more certainty that things actually happen in a way they seem to us.

The ethnographic method is a method based largely on participant observation, using other techniques, such as interview or document analysis. This method enables to study a group or a phenomenon occurring in its natural environment (Flick 2010, p. 162). Paraphrasing Babbie's definition (2007, p. 316) ethnography is a study that focuses on an accurate description rather than explanation.

Presenting the research method, which is autoethnography, it is important to outline the definition of field and quality research, that is the methodological interpretation of the method chosen by the author.



Qualitative research is a research aimed at a deeper look at the phenomenon, its description, interpretation and explanation from an internal perspective (Flick 2011, p. 13). 'The practice of researchers doing their research, and writing it up, in explicitly self-aware and self-critical ways is particularly important in qualitative research, where it feeds into debates about the 'validity' of research findings' (Payne, Payne 2011, p. 191).

According to David Silverman (2010, p. 28) for many researchers quality research is much more attractive than quantity research because it moves statistical techniques aside. The author of the research cared about gaining a greater cognitive depth rather than superficial analysis of numbers and declarations. This is possible thanks to the field study, which allows the researcher to enter into the natural environment of the examined subject. This kind of research facilitates particularly deep observation and getting acquainted with the subjective opinion of people participating in a given phenomenon.

The authors' own research has been used for this article. These are field studies carried out mostly through participant observations, which have been supplemented with the analysis of documents. Observations used for research were carried out during work as a probation officer, in the course of monthly probation interviews – totally about 350 hours of participant observation, usually in the whereabouts of supervised children. Probation officer as a researcher actively participated in the observation, but he did not direct or lead the observed to specific actions but rather responded to the spontaneous behaviors of the observed, as it happens in 'in vivo' research (Odrowąż-Coates 2015).

There were no hypotheses formed before and during the research. Thus the final conclusions drawn from the observations were enriched with those from the analysis of documents. It should be highlighted that in autoethnographic research 'operationalization and analysis (...) is much more dependent on the researcher's narrative. Moreover, the hypotheses and final conclusions can be formulated only after the research is completed and they place great emphasis on the role and presence of the researcher in the process of collecting, interpreting and analyzing the collected data' (Odrowąż-Coates 2015).

The author, as a probation officer interacts with the charges and is obliged to create a bond with them and gain their trust. By interacting with the subjects of the research, thanks to entering and vaguely functioning in their natural environment, the researcher has the opportunity to obtain valuable, often hidden information, what would be impossible without such interaction. Thanks to the conducted research, the author of the article had the opportunity of meticulous and detailed familiarization with the phenomenon of social problems and understanding the subjective opinion of people struggling with them. She could learn about the causes of these problems and observe self-defense and problem solving mechanisms .

## 1.2. How to define a social problem?

According to the Polish Language Dictionary, the problem is 'a difficult situation from which a way out should be found' (Słownik Języka Polskiego PWN – problem) or 'a serious matter that requires consideration and resolution' (Słownik Języka Polskiego PWN – problem). When a given problem concerns a larger community, we usually talk about a social problem. According to sociologist Janusz Sztumski, a social problem is a phenomenon that is perceived as undesirable and which meets with critical assessment of people. What is more, it seems to them impossible to overcome even by collective action (Sztumski 2005). Consecutively, sociologist Jacek Wódz (2000) in his definition emphasizes that social problems should not be confused with social pathology . According to J. Wódz, social pathology is associated with breaking the social order, mostly by people who are related to this pathology, while social problems are usually not the fault of people who deal with them. Furthermore, he claims that social problems '(...) often occur as a result of either the very functioning of the social system or certain social external phenomena, and are not deliberate social order breaking' (Wódz 2000). The above definitions are complemented by the definition cited by M. Pacholski and A. Słaboń (2010) in the Dictionary of Sociological Concepts, where the social problem is 'a phenomenon that for a larger or significant part of a collective is a burdensome and demanding counteraction fact'.

## 1.3. Who is a probation officer?

*Polish Language Dictionary* defines probation officer as 'a person appointed by the court to supervise a person convicted of suspended prison sentence or a juvenile offender/ or a representative of a person incapable of



legal action established by a court' (Słownik języka Polskiego PWN – kurator). Additionally, the profession of a probation officer is presented more closely by the Act on Probation Officers established in 2001, in which 'Probation officers perform educational and resocialization tasks, as well as diagnosis, prevention and control of the conditions connected with the execution of court decisions. (Act on probation officers 2001). 'Probation officers in the Polish justice system – as the authors of the report by K. Sawicka emphasized – perform a service function. 'They perform numerous and varied tasks for the criminal and family courts, supporting the issuing of judgments and their effective implementation.' (Jedynak, Stasiak 2014, p. 83). Based on the previously mentioned definitions, probation officer is a court representative, that supervises the person who is a subject of court judgement. It should be noted, that probation officers can be divided into parole officers and probation officers. Their responsibilities are quite similar to each other, however, their rights vary significantly. Apart from The Act on Probation Officers (2001), the item 'An outline of the methodology of a probation officer's work' edited by T. Jedynak and K. Stasiak is undoubtedly recognized as a source of knowledge about probation officers' profession. (2014). This is a monograph presenting the evolution of court guardianship, the person of the probation officer including his rights and duties, the methodology of acting in the work of a probation officer and most importantly issues related to the performance of supervision.

Among probation officer's responsibilities there are:

- 1) occurrence in justified cases with a request to change or repeal the ordered measure,
- 2) conducting environmental interviews commissioned by the court or judge,
- 3) cooperation with the right municipality and social organizations, which statutorily deal with care, upbringing, resocialization, treatment and provision of social assistance in an open environment,
- 4) organization and control of the work of subordinate social probation officers and other people authorized to perform supervision,
- 5) notifying the court about the reasons for the length of the enforcement proceedings or other irregularities in the activities of out-of-court entities implementing the ordered measures' (Act on probation officers 2001).

Each parole officer can cooperate with several social probation officers who, at his command, supervise a given matter and usually once a month report their activities to the court files. Parole officer can assign a maximum of 10 cases at the same time, to a social probation officer.

With regard to the duties fulfilled, each probation officer has specific rights that authorize him to take specific actions.

Every probation officer while performing his duties has the right to:

- 1) visit from 7:00 – 22:00 people, who are subject to the proceedings in their place of residence or stay, as well as in closed establishments,
- 2) demand that the person covered by the proceeding submits the document proving the identity, 3) demand necessary explanations and information from charges subject to supervision or other form of control ordered by a court,
- 4) review court files and making allowances from them in connection with the performance of official duties and access to documentation regarding the person and other persons subject to the proceedings,
- 5) demand from the Police and other state bodies or institutions, local self-government bodies, associations and social organizations in the scope of their operation, as well as from physical persons assistance in performing official duties' (Act on probation officers 2001).

Regardless of whether the candidate for a probation officer plans to become a parole officer or social probation officer, he or she must meet the requirements specified in the act and have appropriate education – usually psychological, pedagogical, legal or sociological. Candidate for probation officer must first and foremost possess full civil and civic rights, cannot have criminal record or there cannot be any criminal proceedings brought against him, he should be able to practice his profession due to his health condition, have an impeccable character and the appropriate education. Additionally, it is required that parole officers perform curatorial applications and pass the final exam (Act on probation officers 2001).



## 2. Background of the research

The work of a probation officer is rightly associated with difficult conditions, often critical and even pathological cases requiring immediate intervention and help. The author, as a probation officer having her practice in Warsaw, was often confronted with the question 'what kind of issues does the probation officer deal with in the capital?'

It is because in the opinion of many, such a large and developed city, as Warsaw is considered to be too rich to have any social problems. The explanation should begin with correcting often erroneously repeated information that social problems concern people who are poorer, dysfunctional in life and that they are the group for which the superintendent's supervision is dedicated.

At this point, the reader should be asked to return to the definition of social problems cited at the beginning of the article – a social problem is not just poverty – as it is often mistakenly associated with. Among social problems there are also wars, prostitution, violence, addictions, homelessness, unemployment, social inequalities or civilization diseases (Rysz-Kowalczyk 2001). These phenomena can reach all people – regardless of social status, wealth or profession.

From the author's experience (on the basis of the statements of clients and colleagues), it can be stated without any doubt that the assignment of a probation officer is treated as stigmatization in society. Despite 21st century and highly developed social awareness, most people still associate the probation officer as something stigmatizing, associated with life dysfunction or even with pathology.

Summarizing the previous considerations, because of the range of problems with which the probation officer fights everyone may be a charge – not only a poor, alcoholic, or a single mother, but also an overworked lawyer who drowns his problems in alcohol, a doctor who after a stressful duty vents his frustrations and aggressions on his wife, or the family of actors, in which the daughter goes through a period of rebellion and who bunks off.

### 2.1. Autoethnography

Warsaw – the capital of Poland, located in the central-eastern part of the largest city in the country. The total area of Warsaw is 517.24 square kilometers, and it is inhabited by nearly 1.7 million inhabitants. The average salary in January, 2018 was about 5 941 pln with unemployment rate of 2% (Report of the Statistical Office in Warsaw 2018). Warsaw is also the author's- probation officer's workplace.

The first cases of the author were assigned to her in one of the central districts of Warsaw – the Śródmieście district.

As indicated by 'Outline of the court probation officer's methodology' (Jedynak, Stasiak 2014), the work of a probation officer very often begins with a factual and meticulous diagnosis, in which the probation officer, apart from legal knowledge has to show knowledge in the field of psychology and pedagogy. In the work of the probation officer, the diagnosis is so significant that 'it can be used to make individual decisions towards these units or to carry out longer social and educational work with an individual case' (Jedynak, Stasiak 2014, p. 229). Diagnosis helps the probation officer to define the client's problem, make decisions about the methods used, and more importantly define the goals of the actions. 'Turning to discussing practical issues related to the diagnostic work of a probation officer, it is impossible not to emphasize the need to be aware of the purpose of actions and decisions that the diagnosis should serve (...)' (Jedynak, Stasiak 2014, p. 240).

In her three year service, the author was in charge of 16 family supervisions. Seven out of sixteen supervisions concerned families with blue cards, which testifies to the use of violence in the family – physical or psychological.

The blue card is documentation established by the police most often during interventions in a crisis situation. This document consists of two parts A and B. In the A card, the police officer describes the situation that he encountered during the intervention, details of the victims, the perpetrator and witnesses of the incident, the actions taken and the manner of termination of the intervention. The B card contains information for victims of violence, including addresses and telephone numbers to institutions and organizations providing help.

Working with family in which there is violence is one of the most serious cases – on one side there is a perpetrator who often denies the accusations. On the other hand there are victims – partners, children, family



– intimidated, terrified by the situation itself and the presence of a probation officer and police, often denying the family situation in fear of the consequences.

In five out of seven cases, investigated by the author, the family hid the culprit claiming that it was a one-time situation that has never happened before and ensuring that it will not happen again or claiming that psychological harassment – screams, intimidation, abuse is not violence.

This type of behavior hinders the work of the police, social welfare, probation officers, but above all makes it impossible to provide help. Pretending that there is no problem, without admitting what is happening, the victims prevent the referral of both themselves and the torturer to the appropriate institutions, in which unpaid help from specialists is provided. Intimidated victims ignore contacts to appropriate institutions left by the probation officer, do not put up with appointments with a psychologist and prohibit children from participating in them, without realizing that they are the ones who suffer the most in the whole situation. Probation officer's work in such situations is extremely difficult, especially to offer, because the person who needs it simply does not want it. It is probation officer's duty to empathically approach not only to the victims, but the whole family and to show that they are not judged. Probation officer should prove that he is an ordinary person who is able to help, support, but above all is able to provide a safe and comfortable solution to the problem for the whole family – so as to strengthen the family, not break it down. It should be borne in mind that the case does not always end so positively, as mentioned above – three cases have not been completed in the desired way. Lack of understanding and willingness to cooperate in the family – usually clearly visible from the torturer's side – caused that the only reasonable solution that the probation officer could propose was to free the victims from the perpetrator.

According to statistics, most of the abusers are men. When the abuser is a woman, man's role as a victim is very often diminished (Gryszka 2010). In a study carried out by the author, in one, out of seven supervisions, it was a woman who was the perpetrator of violence.

Supervisions that the probation officer often deals with are supervisions regarding divorce cases, when guardianship is a form of judicial protection until the end of the divorce case and granting parental care to both or one of the parents. It should be mentioned here that in matters related to perinatal law, matters of parental rights are often dealt with – parents fight with each other to exercise full custody of their children. The author of the article supervised three perinatal affairs, when the presence of a probation officer was to guarantee the safety of children, most often during a meeting with one of the parents during the divorce process. In all cases, it was a father who was a subject of supervision. These are supervisions in which the probation officer must show empathy as well as eloquence.

Pericircuitary supervision is, in the absence of complications, usually a short supervision.

If there are not any additional factors, the divorce is given after few hearings. Periodontal situations are situations in which the children suffer the most, even though these are the parents who are in trial. That is why most of the attention of the probation officer is focused on helping minors. The third group constitute the cases with which even an experienced probation officer always has the biggest problem. These are supervision due to the negligence of parental responsibilities.

According to the law, parents are obliged to '(...)care for the physical and spiritual development of the child and prepare them to work for the good of society according to his or her aptitudes' (Family and caring code, art. 96§ 1. ).

Such supervision often involves other factors, which are often the cause of negligence – addictions, violence, unemployment, poverty. Matters related to the negligence of parental responsibilities are difficult mainly because the victims are always children. Probation officer, as a person whose task is to help, is obliged to follow the welfare of the charges and to use every possible alternative to help the family – from the therapy to helping to find the job for the parents of the minors.

In her three-year career, the author struggled with three negligence cases. Despite the great efforts and work of both the probation officer and the charges, two of them ended with the application for the withdrawal of parental rights.

Regardless of the probation officer's experience, the decision to take steps to ensure minors safety is always difficult, especially if the only good decision is to take the children away from their parents. In such situations, regardless of whether it is the third or thirtieth case, the probation officer can never be sure whether the decision made is a good choice for minors. Supervisions caused by negligence of parents, in contrast to perinatal



supervisors are matters that often last years. The main reason for such long-lasting supervision is the amount of work that needs to be done and most often the willingness to help the superintendent to protect the family from the most difficult solution.

The last group of supervisors is supervision due to the negligence of compulsory education by minors or youngsters. These matters could theoretically be placed within parental negligence cases, however, from the perspective of the author's time and experience, these matters are often caused by other factors, and their course is completely different from the parental negligence cases.

During the three-year practice, the author conducted four cases connected with the negligence of compulsory schooling and only one of them was directly associated with parental negligence – minors were not taken to school by parents who often forgot about the school duty of children.

However, in other cases, the guilty ones were minors themselves who, using for example the morning hours of their parents' work, avoided going to school. Avoiding school is often associated with a period of rebellion but sometimes it is caused by problems at school, with which the child is unable to cope independently.

In such situations, although the subject of the supervision is the child's, probation officer works with the whole family. Understanding the causes of negligence, formulating a diagnosis, the probation officer can take further steps, which most often need cooperation of all family members – a minor who needs to be motivated to return to school, siblings whose job is to support and parents who have the responsibility to ensure that the situation will change and will not happen again.

### 3. Summary

The article presents several social problems that were subjects of supervision during the three-year work of, one out of several hundred probation officers in Warsaw. The article shows a small percentage of problems faced by people every day, in this case the inhabitants of Warsaw. The research comes from the experience and observations acquired during the three years of the probation officer's service, but matters such as those presented in the article are common for many people, not only those in the Polish capital. The specificity of the probationer's work has been captured by means of the autoethnography research method, a method based on qualitative and field research – in this case carried out using participant observation, where 'the presence of a researcher (...) fits in the paradigm of practicing involved science, close to the study subject, personified and strongly embedded in the tendencies of humanizing social research' (Odrowąż-Coates 2015).

The aim of the author was to show that social problems are constantly present and dynamic phenomenon of our time, which despite the actions taken and specific institutions established to fight them still affects too many people, and what is important, can reach everyone, regardless of their origin, social status or whereabouts.

The problems presented in the above article are only a small part of what the probation officer copes with every day. The author of the article wanted to point out how important guardianship, which main goal is to prevent and help in the fight against social problems, is and that social problems are often overly belittled phenomenon. The author tries to show the multidimensionality of the work of a probation officer, who often has to combine legal knowledge with psychological and pedagogical knowledge, and above all life experience.

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