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## EDUCATIONAL MEASURE IN THE FORM OF REFERRAL TO A PROBATION CENTRE – CURRENT TRENDS, OPPORTUNITIES AND CHALLENGES\*

**Introduction:** Referral to a probation centre is still rarely adjudicated, i.e. against about 2% of juveniles, mainly those showing signs of demoralization (about 70%). So far, the activity of the centres has confirmed the effectiveness in working with minors, as well as lower cost of their stay in the centre, compared to 24-hour facilities, which may justify their further development.

**Research Aim:** The aim of the analysis is to present current trends, opportunities and challenges faced by probation centres and their staff in the context of recent (mainly legislative) developments and their consequences. The deliberations were based on statistical data from district courts having territorial jurisdiction over the Lublin area (with the largest number of probation centres). Answers were sought to the questions: how many juveniles were adjudicated with educational measure in the form of referral to a probation centre or supervision by a probation officer, and on what grounds was the measure adjudicated.

**Evidence-based Facts:** Recent legislative changes (including the introduction of the Act on the Support and Social Rehabilitation of Juveniles) have turned probation centres into educational and social rehabilitation facilities, enabling professionalization of activities (considering the narrowing down of the group of wards/probationers only to juveniles referred there by the court). The number of probation centres has increased in recent years, but they still do not operate at all courts (only 100 out of 318, about 31%), which means that not every district court has the capacity to adjudicate upon this educational measure.

**Summary:** Based on the analysis of statistical data from the territorial jurisdiction of Lublin, it can be concluded that in juvenile proceedings pending due to demoralization, the court was more likely to decide on the educational measure of supervision by a probation officer. Attending a probation centre brings a number of benefits to probationers, yet the potential of probation centres as facilities for minors who have not yet committed criminal acts appears to have been unexploited.

**Keywords:** probation centre, juvenile, probation officer, educational measure

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\* Suggested citation: Korona, K. (2025). Educational Measure in the Form of Referral to a Probation Centre – Current Trends, Opportunities and Challenges. *Lubelski Rocznik Pedagogiczny*, 44(1), 185–199. <http://dx.doi.org/10.17951/lrp.2025.44.1.185-199>



## INTRODUCTION

First probation centres in Poland (probation centres for working with juveniles) were set up in 1971 (Kozłowski, 2023). Their operation is governed by the Act on the Support and Social Rehabilitation of Juveniles (hereinafter ASSRJ; Journal of Laws, item 1700) and Regulation of the Minister of Justice of 2022 on Probation Centres (hereinafter RPC; Journal of Laws of 2022, item 2449; adopted pursuant to Article 173 of ASSRJ). Referral to a probation centre has been listed among educational measures (Article 7 of ASSRJ).

§ 6 of the Regulation specifies 5 areas of activity conducted by the centres: “education, social rehabilitation, therapy, prevention and control”. They are intended to “change juvenile attitudes into socially desirable, ensuring proper development of their personality” (Article 162 of ASSRJ). The 14 items of this Article detail tasks with which this activity could be implemented: counteracting – advancement of juvenile demoralisation, causes of crime or juvenile addiction; eliminating parental neglect; training for adherence to social and legal standards; developing social attitudes and social skills; training for self-reliant coping with life adversities; building the sense of responsibility and care; developing interests, talents and creativity; assistance and support in difficult life situations; solving emotional problems; developing proper ways of spending leisure time and collaboration with the family and local environment (§ 6 items 1.1 to 1.14 of RPC). There are three ways of putting these tasks into practice – using individual, group and community work (§ 6 item 2 of RPC). The legislator set out specific types of conducted classes – “psycho-education, social therapy, correctional and educational classes” (§ 6 item 3), not forgetting about classes often consuming most of staff’s time on duty – “organisation of leisure activities, recreational and sports activities and assistance in self-learning” (§ 6 item 3). Should a need arise, the classes may also be held outside the probation centre (§ 6 item 6 of RPC). The regulation also provides for the possibility to organise meetings of educators with parents/guardians of juveniles (§ 6 item 9), which allows to approach their problems in a more comprehensive manner. The staff is composed of probation officers – professional probation officers and voluntary probation officers, “professionals or other persons supporting the activity” (Article 165 of ASSRJ).

Probation centres operate all year round – for at least 20 hours per week, with the possibility to suspend their operations for a period not exceeding 3 months (in total) (§ 7 of RPC). If a professional probation officer works as an educator, he or she is obliged to conduct 8 hours of classes a week, whereas other staff – in accordance with provisions of their contracts of employment (§ 10). The staff also conduct ongoing observations of juvenile behaviour, identify their current needs and design relevant interventions. Information they obtain is reflected in the reports drawn up “not less frequently than once in 6 months or at court’s request” (Article 163 of ASSRJ) for each juvenile. The report contains information about

enforcement of the adjudicated educational measure in relation to a juvenile, his or her “attendance, activity, adherence to the rules and principles, presented attitudes” (towards other juveniles, adults and school obligations) (§ 11 of RPC), but also about staff’s demeanour – actions taken and their outcomes, cooperation with parents/guardians, as well as conclusions regarding further educational work. Relevant entries about a juvenile, that is description of juvenile’s behaviour, and conclusions, are made in an observation sheet (§ 12). Enforcement of this educational measure “lapses by law the moment the juvenile turns 18” (Article 93 item 1 of ASSRJ).

As emphasized by Kozłowski (2023), probation centres directly pursue all objectives of dealing with juveniles – counteracting juvenile demoralisation and juvenile delinquency, creation of living conditions or supporting the caring and upbringing function of parents, and their sense of responsibility. Their activity also satisfies the criteria of the optimum model of dealing with juveniles (cf. Kozłowski, 2023). At the same time, the centres are regarded as a “relatively neutral space” (Kozłowski, 2023, p. 196) enabling everyday meetings of professional staff with the juveniles, without the need to separate them from their family setting.

## RESEARCH AIM AND QUESTION

By performing relevant analyses, the author wished to investigate and apprehend judicial practice of adjudicating the educational measure in the form of referral to a probation centre by courts having territorial jurisdiction within the Lublin area – more specifically, the frequency of adjudicating this measure against juveniles in the period from 2011 to 2023. The aim of the presented analyses was to collect and interpret statistical data from the district courts having territorial jurisdiction within the Lublin area, with the focus on juvenile case law. Taking into account the recent legislative changes, special attention was paid to decisions about the use of an educational measure in the form of referral to a probation centre. Statistics were investigated in consideration whether a specific court operates a probation centre enabling enforcement of this measure. In addition, for purposes of comparison, decisions adjudicating another educational measure involving probation officers – supervision by a probation officer, were taken into account.

The addressed topic is important from the educational point of view, as it refers to educational and social rehabilitation facilities and activities conducted by the staff employed in the centres, primarily probation officers, frequently also working as social rehabilitation educators. The paper also attempts to answer the question whether the potential of probation centres has been fully used, considering legal provisions amended in 2022.



## EVIDENCE-BASED REVIEW

Act on the Support and Social Rehabilitation of Juveniles provides for two premises for the use of measures set out in the act – if “juvenile displays signs of demoralisation or has committed a criminal act” (Article 2 of ASSRJ). Pursuant to Article 1, criminal act is defined by the legislator as “infringement forbidden by the act – a criminal offence or fiscal offence, or misdemeanor or fiscal misdemeanor”.

In social rehabilitation pedagogy, demoralization is conceptualised somewhat differently than in legal terms. As pointed out by Mudrecka (2024) after Czapów, demoralisation is regarded as a type of social maladjustment resulting from exposure of a properly socialized child to different (moral/cultural) impacts, as well as the child's redefinition towards negative values. In legal terms, demoralization is conceptualised in accordance with the Act on the Support and Social Rehabilitation of Juveniles, extending the meaning of the term to behaviour contrary to moral or legal standards. Instead of a clear definition, it gives a list of acts giving evidence of juvenile demoralisation, however, demonstration of its signs can also take place at a judge's discretion.

The research method used in this study was document analysis. The author focused on publicly available information, organising and interpreting data in a manner relevant for the addressed research problem.

What is more, public information requests for statistical data concerning probation centres and their wards, as well as supervision by a probation officer, were submitted to the Circuit Court in Lublin and Circuit Court in Zamość. The following information was of interest to the author:

- the number of probation centres in the period from 2011 to 2021 (as of the last day of the reporting period);
- the number of juveniles referred to probation centres and released therefrom in the period from 2011 to 2021 (actual figures in the reporting period for specific years);
- the number of juveniles against whom the court adjudicated an educational measure in the form of supervision by a probation officer, in the period from 2011 to 2021 (actual figures in the reporting period per specific years);
- statistics concerning the grounds for referral to the centre – commitment of a criminal act or demoralization in the period from 2011 to 2021 (actual figures in the reporting period for specific years);
- statistics concerning adjudication of an educational measure in the form of supervision by a probation officer – commitment of a criminal act or demoralization in the period from 2011 to 2021 (actual figures in the reporting period for specific years);
- in case the court kept detailed statistics, information about age and gender of the juveniles was also requested.

Obtained answers are presented in Table 1. Unfortunately, the response obtained from the Circuit Court in Zamość was incomplete. It was reduced merely to electronic statistical records. In previous years, these records were drawn up in a paper-based version. It was decided to complement these data using statistical information available on websites of individual district courts. The study focused on MS-S40 Reports on operations of the Probation Service for the period from 2011 to 2023.

Table 1.

*Changes in adjudicating referral to a probation centre by courts having territorial jurisdiction within the Lublin area*

Analysed data	Circuit Court in Lublin/Zamość	As of 31/12/												
		2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Number of probation centres	CC L	11	12	12	12	12	12	12	12	12	13	13	13	13
	CC Z	nda*	nda	nda	nda	5	7	7	7	6	6	6	6	6
Number of juveniles referred to PC	CC L	216	249	199	168	167	196	200	202	197	174	76	66	115
	CC Z	nda	nda	nda	29	32	38	25	50	24	25	13	23	37
Number of juveniles released from PC	CC L	93	116	158	118	106	105	92	100	98	165	85	71	102
	CC Z	nda	nda	nda	47	44	32	34	30	30	31	25	16	34
Number of juvenile defendants subject to supervision in the proceedings	CC L	2,068	1,783	1,765	1,648	1,577	1,514	1,363	1,258	1,095	1,039	969	880	864
	CC Z	nda	nda	nda	217	266	165	155	164	142	119	98	123	288

Note: nda – no data available, PC – probation centre, CC – circuit court.

Source: Author's own study based on (Ministerstwo Sprawiedliwości, Departament Strategii i Funduszy Europejskich. *Sprawozdania z działalności kuratorskiej służby sądowej MS-S40 za lata od 2011 do 2023*) and on received replies to public information requests (Circuit Court in Lublin and Circuit Court in Zamość).

Over the last 12 years, the number of probation centres operated by courts having territorial jurisdiction within the Lublin area has risen. For many years, this



number has been the highest Poland-wide, currently amounting to 21 (Ministry of Justice, 2024). Wrocław area has been the second best, with 20 centres. At the same time, courts having territorial jurisdiction within the Warsaw area have operated only 4 centres, whereas, for instance, Szczecin operates 6 probation centres. This clearly points to unequal access to justice, considering high numbers of courts of domestic relations having no possibility to adjudicate the statutory educational measure in the form of referral to a probation centre, although the interventions conducted therein have been proved highly effective. This *status quo* has been maintained for many years, which was indicated by, among others, Kwadrans and Stasiorowski (2022), although it appears that in recent years the situation has been gradually improving. The type of changes appears to indicate an attempt to address the existing discrepancies.

The number of persons subject to juvenile proceedings with probation officer's supervision has been falling steadily, which is clearly reflected in the statistics of the Circuit Court in Lublin. From 2,068 juveniles reported on in 2011, their number fell down to 864 in the last published report (2023). This *status quo* is indeed significant for educational measures adjudicated by the courts.

The number of juveniles referred to probation centres in the period from 2011 to 2020 fluctuated around 200. A significant fall was recorded in the two years that followed, with the number of referrals being merely 89. This result, however, was significantly impacted by the COVID-19 pandemic. At that time, some centres operated remotely or even temporarily suspended their operations. This situation has been gradually changing, however, 152 referrals in 2023 have rapidly impacted the situation in particular centres. Low number of referrals, and consequently, small number of juveniles/probationers attending classes may threaten the existence of some of them. Particular concerns appear to apply to the majority of district courts that operate more than one centre in their territory. The more so, when we consider the capacities of individual centres provided in the List of 2019 – from 12 to 20 juveniles/probationers. It is hard, however, to use this information to formulate Poland-wide conclusions, as for instance in the Białystok area, majority of probation centres could admit up to 10 juveniles, whereas, e.g. in the Kraków area, some centres could admit up to 40 juveniles.

The number of referrals makes only one part of the problem. The situation of probation centres cannot be investigated without taking into account the number of persons released from the centres, which is mainly related to the fact of juveniles turning 18 (Article 93 of ASSRJ). The percentage of the released in relation to the referred in the period from 2015 to 2019 (excluding years for which no data is available) ranged from 52 to 57%. In 2020, this value went up to as many as 98%, reaching a record-breaking result of 124% in 2021. In the past two years, the situation has appeared to be taking hold, however, if the number of juveniles released from a given centre reaches 90–98%, many centres struggle with the problem of

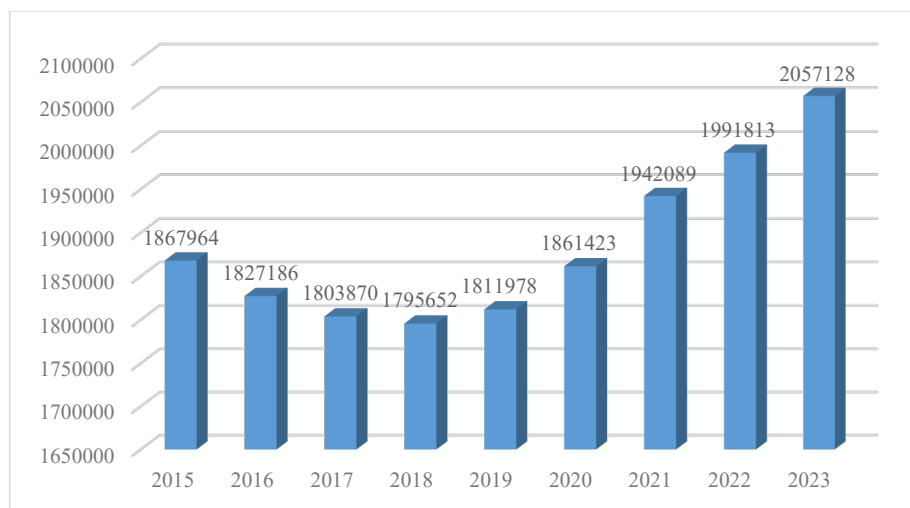
low class attendance. In the short run, this allows to make classes more personalised, however, in the long term, it impedes the process of integrating the juveniles into their peer group and conduct of group classes, but it also may induce deliberations about viability of some centres.

Courts failed to collect detailed data concerning age and gender of juveniles adjudicated with educational measures in the form of referral to a probation centre and supervision by the probation officer, therefore, the data were not considered in further analyses.

An important context for the analysed data has been the demographic situation in Poland. The study was focused on the period from 2015 to 2023 (excluding years for which no data was available). Following the example of Kwadrans and Stasiowski (2022), the analyses were focused on a group of juveniles who were held liable for criminal acts/criminal offences in the proceedings (aged 13 to 17 years). Data collected and presented in Figure 1 come from Statistics Poland (*Główny Urząd Statystyczny*, GUS) and refer to the group of children in this age bracket.

Figure 1.

*Population of children aged 13 to 17 years in the period from 2015 to 2023*



Source: Author's own study based on (*Główny Urząd Statystyczny. Baza Demografia. Wyniki badań bieżących. Ludność według płci i roku urodzenia 2015–2023 [stan w dniu 31.12]. Ogólnopolskie*. Retrieved 13, August, 2024 from: <https://demografia.stat.gov.pl/bazademografia/Tables.aspx>)

Data obtained from courts having territorial jurisdiction over the Lublin area only partially reflect the tendencies observed in the entire population. Court statistics, however, point to demographic change manifested by the decreasing number of children and juveniles violating the law (Kwadrans, 2024). Most probably,



the conclusion formulated by Kwadrans and Stasiorowski (2022) may also be accepted that the currently changing trend of the decreasing number of adjudicated educational measures observed for this relatively narrow data, can account for the slowly growing number of centres. At the same time, creation of new facilities may point to an expected growing number of referrals.

Obtained responses contained merely two pieces of information requested by the author. In view of the above, statistical reports for the period from 2019 to 2023 – MS-S16/18 Reports on family and juvenile cases heard in 19 district courts having territorial jurisdiction within the Lublin area, irrespective of whether or not they operate a probation centre, were analysed. The author focused on information included in sections 1.1.2.c. – settled in relation to persons entered in Repertory Nkd (related to juvenile cases of suspected commitment of a criminal act or demoralization) and 1.1.7. Nw (measures enforced against juveniles) – 1.1.7.a. Register “a”. Information from the reports was accumulated and presented in Table 2.

Table 2.

*Educational measures – referrals to a probation centre and supervision by a probation officer – enforcement and grounds for adjudication in the period from 2019 to 2023*

Territorial jurisdiction within the Lublin area					
Analysed data	2019	2020	2021	2022	2023
Total juveniles	3,723	3,339	3,329	3,662	4,313
Demoralization	1,846	1,671	1,743	1,718	1,836
Criminal act	1,877	1,668	1,586	1,944	1,542
Educational measures adjudicated D*	1,029	790	836	829	956
Educational measures adjudicated CA*	746	618	601	751	917
Juveniles referred to a centre D	73	61	62	50	85
Juveniles referred to a centre CA	40	22	16	20	38
Supervision by a probation officer D	396	280	316	305	392
Supervision by a probation officer CA	185	176	157	191	219
Enforced measures (last day of the reporting period)	3,370	3,159	2,983	2,999	3,189
Probation centre	270	246	227	224	321
Supervision by a probation officer	1,831	1,663	1,522	1,506	1,552

Note: D – demoralization, CA – criminal act.

Source: Author's own study based on (Ministerstwo Sprawiedliwości, Departament Strategii i Funduszy Europejskich, *MS-S16/18 Sprawozdania w sprawach rodzinnych i nieletnich z 19 sądów rejonowych z Apelacji Lubelskiej, za lata od 2019 do 2023*).



The grounds for adjudication of a given educational measure may be commitment of a criminal act or demoralization. This factor was taken into account while analysing changes in the number of referrals to probation centres. It was also decided to compare the number of referrals to a centre with the other measure involving participation of a probation officer – supervision by probation officer.

The number of juvenile cases (Repertory Nkd) remained fairly static at above 3,000. This number grew to 4,313 in the past year. Initially, the grounds for adjudication were split nearly in half into demoralization and commitment of a criminal act. More proceedings concerning criminal acts were only recorded in 2022. In 2021 and in 2023, more proceedings concerned juvenile demoralization. Educational measures were adjudicated on average in 50% of cases concerned with demoralization of juveniles, and in about 40% of cases concerned with commitment of a criminal act. A growing trend was observed in the past year (52% demoralization, and 60% criminal act). The court decided about supervision by a probation officer five times more often than about referral to a probation centre when a juvenile showed signs of demoralization, whereas seven times more frequently in case of commitment of a criminal act. The discrepancies are more distinct when we analyse the enforced educational measures at the end of the reporting period. In recent years, we have seen a nearly seven-fold increase in the number of juveniles supervised by a probation officer when compared to the number of juveniles referred to a probation centre. The shift occurred in 2023, but this difference is still clear.

Statistics collected from courts having territorial jurisdiction within the Lublin area confirm conclusions drawn up by Stasiak (2023). Referral to a probation centre is primarily adjudicated to juveniles showing signs of demoralization. According to the author, the juveniles in question include those who: require care and educational support, present minor signs of demoralization or require specialist (social rehabilitation or therapeutic) interventions, however, showing promising outcomes of social rehabilitation when released from the centre. Author's review of court statistics shows that acts showing signs of demoralization have served as the primary grounds for adjudicating educational measures (Stasiak, 2023).

## SUMMARY

Referral to a probation centre is an educational measure allowing to work with juveniles without changing their educational setting, and providing for administration of educational and social rehabilitation interventions, diagnosis, preventive work and support (Kwadrans & Stasiowski, 2022). Research by the National Board of Probation Officers demonstrated the effectiveness of this educational measure (Kwadrans & Stasiowski, 2022). Advantages of probation centres include: multiple methods of working with juveniles – individual and group class-



es, possibility of making a more in-depth and systematic diagnosis, working with deficiencies, with simultaneous development of juvenile capacities. Kwadrans and Stasiorowski (2022) also pointed out the effectiveness of preventive measures, primarily “with respect to preventing demoralization of children and adolescents, and juvenile relapse into criminal behaviour” (p. 168).

The Lublin area has had the largest number of probation centres, however, in order to draw up countrywide conclusions, the analysis would need to include data from all district courts from across the country. The up-to-date list prepared by the Minister of Justice (2024) includes 144 centres Poland-wide. Table 3 presents changes in the number of probation centres over the period of the last 5 years.

Table 3.

*Number of probation centres in Poland*

Territorial jurisdiction	Number of centres as of 23 April 2019	Number of centres as of 25 February 2022	Number of centres as of 1 February 2023	Number of centres in January 2024
Territorial jurisdiction within the Białystok area	8	8	9	8
Territorial jurisdiction within the Gdańsk area	9	14	14	17
Territorial jurisdiction within the Katowice area	12	13	14	13
Territorial jurisdiction within the Kraków area	10	17	18	18
Territorial jurisdiction within the Lublin area	18	19	20	21
Territorial jurisdiction within the Łódź area	9	12	12	12
Territorial jurisdiction within the Poznań area	7	8	10	12
Territorial jurisdiction within the Rzeszów area	4	6	10	13
Territorial jurisdiction within the Szczecin area	1	2	4	6
Territorial jurisdiction within the Warsaw area	4	4	4	4
Territorial jurisdiction within the Wrocław area	15	18	19	20
TOTAL	97	121	134	144

Source: Author's own study based on (Ministerstwo Sprawiedliwości. *Wykazy Ośrodków Kuratorskich w Polsce za lata 2019, 2022–2024*).



It appears that the situation has been gradually improving, although before 2001, the number of the then probation centres for working with adolescents was more than 260 (Kwadrans, 2019). It should be mentioned here, that a district court is allowed to set up and operate more than one centre (Article 164 item 2 of ASSRJ).

Bearing in mind a significant fall in the number of referrals to probation centres, a question emerges whether setting up of new facilities will be continued. At the same time, this raises doubts concerning costs of maintaining individual centres, which are hard to define taking into account discrepancies in the maximum number of admitted juveniles (from 10 to as many as 40). Many district courts have not had recourse to the full list of available educational measures (cf. Kwadrans, 2024; Kozłowski, 2023). Currently, there are 144 probation centres across Poland, set up by 108 districts courts (Ministerstwo Sprawiedliwości. *Wykazy Ośrodków Kuratorskich w Polsce za lata 2019, 2022–2024*). Considering the existence of 317 district courts (Załącznik do obwieszczenia Ministra Sprawiedliwości z dnia 16 grudnia 2022 r.), only 34% of courts are able to recourse to this educational measure. Most probably, this *status quo* has been maintained due to financial standing of the facilities which depends on the distribution of funds in particular district courts (cf. Kwadrans & Stasiorowski, 2022). The authors proposed to introduce an obligation to set up at least one centre by each district court and this stipulation is still relevant today (Utrat-Milecki, 2023).

Despite numerous legislative developments, referral of a juvenile to a probation centre is regarded as an “oddity by majority of courts of domestic relations across Poland” (Kwadrans & Stasiorowski, 2022, p. 157). Limitation of probationers merely to juveniles adjudicated with this educational measure has considerably impeded preventive actions in relation to juveniles at risk of social maladjustment (cf. Kwadrans & Stasiorowski, 2022; Utrat-Milecki, 2023). An argument in favour of such changes was shifting the social approach towards professionalisation of activities, with the focus on social rehabilitation activities and proper selection of participants (cf. Utrat-Milecki, 2023). This change has limited the possibility of responding to the needs of the local community, increasing the need to establish local government facilities of different type, or community services many cities have been missing (cf. Utrat-Milecki, 2023). Consequently, we have observed a shortage of local government facilities or funds for their establishment, whereas in cities in which such centres operate, despite considerable demand for their activities, staff employed in many centres has been struggling with a small number of juveniles. On the one hand, the problem has been a small number of referrals and on the other, the actual number of probationers to whom the staff can deliver daily interventions. At times, juveniles referred to a given centre live in distant places with restricted travelling options to attend classes, or they learn in schools located far away from their place of residence, which means they live in dormitories. A recurrent idea for changing this *status quo* has been the possibility to use classes

offered by probation centres by juveniles subject to supervision by probation officers. A development of this idea would be giving probation officers the power to refer juveniles to probation centres (Goworko-Składanek & Prymak, 2023), in consideration of limiting parental authority through supervision by a probation officer. Another idea was to treat the centres as an alternative for an isolation measure – placing in a Youth Educational Centre (*młodzieżowy ośrodek wychowawczy*, MOW) (Goworko-Składanek & Prymak, 2023), also for the period of adjourning this measure.

Another proposed solution has been the establishment of separate court boards composed of probation officers in charge of the centres and employed therein (Goworko-Składanek & Prymak, 2023). This idea was to recognise the work of staff employed in the centres, and at the same time enable them to concentrate strictly on work and to relieve them. The authors also proposed to extend the intervention offer of probation centres to include therapy or trainings as part of independent educational measures – commitments, as well as to fulfil similar obligations in case of parents of juveniles (cf. Article 18 of ASSRJ); Article 109 § 2 item 1 of FGC – Family and Guardianship Code). This would justify a further need to establish new centres and could, perhaps, solve the problem of a small number of wards. Unfortunately however, in case of probation centres not struggling with attendance problems, this could lead to staff overloading and imposing extra duties that could actually limit their time for working with the juveniles.

## CONCLUSION

Probation centres have become an important part of the system for social rehabilitation of juveniles in Poland (Wirkus, 2023) offering work in an open environment. They are regarded as the least expensive educational measure (with reference to closed facilities) and “one of the most effective measures preventing demoralization of juveniles” (Wirkus, 2023, p. 98). They are more highly valued than supervision by probation officer alone (Grześkowiak, 2023).

Taking into account tasks implemented by court probation officers in probation centres, it may be presumed that the legislator expects employment of workers having comprehensive skills. After all, in reference merely to the duties of juvenile probation officers extending supervision and actions taken, he is referred to as an “expert whatever the circumstances” (Miśkiewicz, 2024, p. 301). Other listed characteristics included flexibility, “lending a hand”, engagement going beyond professional duties and the use of the private social and cultural capital in actions taken by probation officers (Miśkiewicz, 2024), although the research literature rarely uses these expressions in reference to activities carried out in probation centres. These facilities significantly consolidate the work of a probation officer. They

have even been regarded as a kind of probation service exercised by a group of probation officers working at a given centre (Grześkowiak, 2023) and by other professionals.

In the amended Act (ASSRJ), probation centres were given more attention (Wirkus, 2023), which highlighted their meaning and which may contribute to a more common use of this measure. Recent legislative changes organised a number of aspects of probation centres' operation: indication of funding provided for in the budget of district courts (Article 164 of ASSRJ), providing for implementation of tasks in the centres not only by juvenile (professional and voluntary) probation officers, but also extension of this group onto adult probation officers (Article 170). The Regulation, on the other hand, settled payroll issues with regard to probation officers employed at probation centres, or the contents of periodical juvenile reports (Kozłowski, 2023).

The number of probation centres in Poland has been growing steadily, however, referral to such centres is adjudicated relatively rarely. It primarily occurs in relation to juveniles showing signs of demoralization. Some countrywide tendencies may be observed when analysing a relatively narrow data from courts having territorial jurisdiction within the Lublin area. This area was chosen for the study due to the largest number of probation centres. The conducted analysis of documentation confirmed information about referrals and number of wards admitted to the centres. It also showed that this educational measure has been used much less frequently than supervision by a probation officer, although working with juveniles in the probation centre setting appears to offer much broader intervention options.

Despite a number of presented advantages of probation centres' operation, they also struggle with many adversities. These primarily involve the changing needs of participants, mainly related to their mental health, considerable juvenile turnover and problems with employing highly qualified staff – psychologists in the first place (despite favourable changes in recent years, rates offered by courts are still not competitive when compared with the private sector). Increasing the number of probation centres appears to be a step in the right direction. Improved accessibility of probation centres comes as the first stage in this process. Dissemination of information about the work of the centres and effectiveness of offered activities may accelerate introduction of new solutions to specific problems in their functioning.

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## ŚRODEK WYCHOWAWCZY W POSTACI SKIEROWANIA DO OŚRODKA KURATORSKIEGO – AKTUALNE TENDENCJE, MOŻLIWOŚCI I WYZWANIA

**Wprowadzenie:** Skierowanie do ośrodka kuratorskiego nadal jest orzekane rzadko (względem ok. 2% nieletnich), głównie wykazujących przejawy demoralizacji (ok. 70%). Dotychczasowa działalność ośrodków potwierdziła ich skuteczność w pracy z nieletnimi i niższy koszt pobytu w nich, w porównaniu do placówek całodobowych, co może uzasadniać ich dalszy rozwój.

**Cel badań:** Celem dokonanej analizy jest przedstawienie aktualnych tendencji, możliwości i wyzwań, jakie stoją przed ośrodkami i ich kadrą w kontekście bieżących zmian, głównie prawnych i ich następstw. Podstawą rozważań stały się dane statystyczne z sądów rejonowych apelacji lubelskiej (apelacja z największą liczbą ośrodków kuratorskich). Poszukiwano odpowiedzi na pytania: względem ilu nieletnich orzeczono środek wychowawczy w postaci skierowania do ośrodka kuratorskiego lub nadzór kuratora sądowego oraz jaka była podstawa orzeczenia danego środka.

**Stan wiedzy:** Ostatnie zmiany przepisów (m.in. wprowadzenie Ustawy o wspieraniu i resocjalizacji nieletnich) uczyniły z ośrodków kuratorskich placówki wychowawczo-resocjalizacyjne, umożliwiając profesjonalizację działań (uwzględniając zawężenie grona podopiecznych jedynie do nieletnich skierowanych tam przez sąd). Ich liczba w ostatnich latach zwiększyła się, jednak nadal nie działają one przy wszystkich sądach (tylko 100 spośród 318, ok. 31%), co sprawia, że nie każdy sąd rejonowy ma możliwość orzekania tego środka wychowawczego.

**Podsumowanie:** Na podstawie analizy danych statystycznych apelacji lubelskiej, można stwierdzić, że u nieletnich, których postępowanie toczyło się w związku z demoralizacją, sąd częściej decydował się na środek wychowawczy w postaci nadzoru kuratora sądowego. Uczęszczanie do ośrodka, niesie ze sobą szereg korzyści dla podopiecznych, jednak potencjał ośrodków kuratorskich, jako placówek dla nieletnich, którzy jeszcze nie dopuścili się popełnienia czynów karalnych zdaje się być niewykorzystany.

**Słowa kluczowe:** ośrodek kuratorski, nieletni, kurator sądowy, środek wychowawczy



