



### **General Information**

- Number of inhabitants: 38.10 million at the end of October 2009.<sup>1</sup>
- Prison population rate per 100,000 inhabitants: 224.
- Link to Probation Service:
  - [www.ms.gov.pl/ministerstwo/org\\_dwoip.php](http://www.ms.gov.pl/ministerstwo/org_dwoip.php) (Ministry of Justice, Department of Enforcement of Judgements and Probation).
- Links to websites:
  - <http://bractwowiezienne.bydgoszcz.pl> (Association of Probation Services clients);
  - <http://probacja.w.interia.pl> (Association of Probation NGO services);
  - <http://kurator.webd.pl> (Association of Probation Services workers).
- Member of the CEP in: 2007.

### **Characteristics of the Probation Service**

- Being a government agency, the Probation Service is closely tied to the structure of the courts of ordinary jurisdiction subordinated to the Ministry of Justice.
- Within the Ministry of Justice, the Department of Enforcement of Judgements and Probation, headed by the Director of Department of Judgements and Probation, exercises the administrative and organisational supervision over the Probation Service. District probation officers, located in the district courts (45), have surveillance over the probation/guardian service (an advisory body, which is involved in, amongst others, the preparation of recommendations), excluding the qualifications reserved to the Chief Justice of District Court and the Chief Justice of the Regional Court. On the regional level, teams of regional probation officers, located in the regional courts (322), carry out a court decision based on criminal or family law.
- The District and Regional Probation officers are appointed and removed by the District Court.
- An important body in probation is the National Board of Probation Officers. The Board, which consists of chosen delegates from all the districts, amongst others, establishes the officers' ethic codes, gives opinions of the legal acts concerning the probation officers and initiates research regarding the Probation Service. The opinions are not binding

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<sup>1</sup> International Centre for Prison Studies (2009), *Prison Brief for Poland*. London: King's College. Available online at: [www.kcl.ac.uk/depsta/law/research/icps/worldbrief/](http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/)

for the Government. If the legislator decides to reject the opinions, specific grounds must be given.

- Voluntary probation officers (also known as social court probation officers) are also involved in probation work. The manager of a team of regional probation officers gives instructions to the voluntary worker. These instructions are laid down in an agreement between the manager and a professional probation worker with whom the volunteer is going to work with. The Chief Justice of District Court and the Chief Justice of the Regional Court can appoint and dismiss the volunteer.
- Both professional and voluntary probation officers can deal with adults as well as with juveniles. Professional probation officers for juveniles are called guardian probation officers or family probation officers.
- Polish law allows non-governmental organisations (NGO's) to deal with probation work, but the law does not regulate the form of payment for the undertaken activities. Therefore, the NGO's are not involved in probation tasks on a large scale.

### **Tasks**

The role of the Probation Services in the pre-trial phase is strictly limited to the preparation of pre-trial reports (community inquiry reports) on the order of the Public Prosecutor. These inquiries, which provide information regarding the defendant, can also be ordered by a court during the trial phase. During the enforcement phase, an important task of the Probation Service is the supervision of adult persons. Professional probation officers can for instance supervise a person while the enforcement of the sentence is suspended and when a person is conditionally released from imprisonment. Furthermore, the probation officers prepare convicted persons to a life after release from prison, organize and control the execution of the penalty of limited liberty and community work and control the probe period without imposed supervision. During the probe period, probation officers do not work permanently with a client. Once per half year they are involved in an inquiry (which has to be ordered by a judge) at the clients domicile. Voluntary probation workers, who are present in large numbers, mainly take care of supervision tasks under the authority of professional probation workers. They can for example supervise convicted persons who are going to be released from prison and who have submitted an application for supervision.

### **Number of staff on 31 December 2007**

Professionals	5,019
Volunteers	30,163
Administration	297
<b>Total</b>	<b>35,479</b>

- Daily average number of clients on probation: 1.000.292.

## New developments

The Probation System is currently reformed (the reformation is not yet finished). Point of attention within the reform are:

- To strengthen the administration service of the probation teams, so that probation officers have more time to spend on their actual probation work;
- To elaborate the efficiency validation factors and the affectivity of probation activities, so that the efficiency of the Probation system can be examined better (a plan regarding efficiency indicators has to be worked out);
- To enlarge the role and the participation of the non-governmental organizations in enforcing the probation measures. It is assumed that the effectively specialized non-governmental organizations will stimulate the free market competition with regard to the enforcement of probation measures.
- To introduce the legal changes when it comes to widen the possibility to apply the preliminary conditional release.

## Probation during the different stages of the criminal procedure

	<b>Pre-Trial Phase</b>	<b>Trial and Enforcement Phase<sup>2</sup></b>	<b>Post Release Phase</b>
Preparing a Social Enquiry report	x	x	x
Supervision / assistance etc. to offenders whose cases were conditionally waived		x	x
Supervising / organizing etc. community service		x	
Supervising / organizing training or learning projects			x
Supervising etc. drug/alcohol treatment programs. (Measures provided by other institutions)		x	x
Supervising etc. other community sanctions		x	x
Pre - sentence report		x	
Supervising etc. sanction of probation		x	x
Supervising etc. suspended sentence		x	x
Supervising etc. semi-liberty		x	x
Supervising etc. special measures for drugs addicts		x	x

<sup>2</sup> Most activities may take place within the enforcement phase.

(Measures provided by other institutions)			
Supervising etc. conditional sentence		x	x
Assistance / support to prisoners in prison		x	
Supervising etc. conditional release/parole			x
Advisory report with respect to amnesty / pardon		x	x

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This summary is based on the country chapter in the book *Probation in Europe*, the most comprehensive survey of probation systems and services in Europe today. If you wish to order it, please click [here](#).

