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## **How to become a probation officer: education and new model of professional training for probation officers in Poland**

### **Jak zostać kuratorem sądowym: edukacja i nowy model szkolenia zawodowego kuratorów sądowych w Polsce**

The article presents the problem of access to the profession of a probation officer in the Polish legal system. In particular, it discusses the new model of professional training of probation officers created as a result of the 2022 amendment to the Act on Probation Officers. This amendment obliged the University of Justice to conduct the theoretical training of probationer trainees in the formula of hybrid training, containing both elements of distance learning and stationary training, as well as the probationer examination. The article discusses the first year of practical operation of this new model of probationary apprenticeship. It identifies both the main advantages of the application model and the elements that deserve improvement through legislative or organisational changes.

W artykule przedstawiono problematykę dojścia do zawodu kuratora sądowego w polskim systemie prawnym. W szczególności omówiono nowy model szkolenia zawodowego kuratorów sądowych powstały w wyniku nowelizacji z 2022 roku ustawy o kuratorach sądowych. Nowelizacja ta nałożyła na Akademię Wymiaru Sprawiedliwości obowiązek przeprowadzenia kształcenia teoretycznego aplikantów kuratorskich w formule kształcenia hybrydowego, zawierającego zarówno elementy kształcenia na odległość, jak i kształcenia stacjonarnego, a także egzaminu kuratorskiego. W artykule omówiono pierwszy rok praktycznego funkcjonowania tego nowego modelu aplikacji kuratorskiej. Wskazano zarówno główne zalety modelu aplikacji, jak i elementy, które zasługują na usprawnienie w drodze zmian legislacyjnych lub organizacyjnych.

## Introduction

The history of the Probation Service in Poland dates back to 1919<sup>1</sup>. Only one year after Poland regained its independence, the institution of a probation officer was established by the Decree of the Chief of State of 7 February 1919 (Journal of Laws of 8 February 1919, no. 14, item 171). In the following decades in Poland the political and legal systems changed, the models of the state's penal policy changed, as well as the very concepts of re-socialisation and re-adaptation, both of adults and juveniles<sup>2</sup>. And probation has persisted. Currently, the functioning of probation officers in the Polish legal system is defined by the Act of 27 July 2001 on Probation Officers (Journal of Laws 2001, item 1071)<sup>3</sup>.

In Poland, the institution of court guardianship realized by probation officers is identified with probation, which in turn is a rather vague concept in terms of definition. Probably these definitional difficulties are due to the fact that probation as a theory is secondary to probation as a practice, i.e. particular actions. In principle, however, it can be said that both probation and court guardianship imply that the offender remains at liberty under the supervision of a specific person, usually a guardian, for a specific period of time. Probation measures may also imply that the offender has to fulfill obligations specified by the court during that time<sup>4</sup>.

As of 5 April 2023, after a three-month *vacatio legis* period, the provisions of the Act of 1 December 2022 amending the Act on Probation

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<sup>1</sup> See more: K. Szymków, *Instytucja stałych opiekunów sądowych 1919–1929*, „Folia Iuridica Universitatis Wratislaviensis”, 2018, s. 61–82; N. Rapa, *Rozwój instytucji kurateli rodzinnej w Polsce*. „KUL: Rozprawy Społeczne”, nr 2/2012, s. 116.

<sup>2</sup> B. Stróżewski, *Instytucja kuratora sądowego w polskim wymiarze sprawiedliwości*, „Journal of Modern Science” nr 2 2019, s. 249–272.

<sup>3</sup> Act of 27 July 2001 on Probation Officers (Journal of Laws 2001, item 1071).

<sup>4</sup> The probationary obligations that the court may impose in the Polish legal system on the convicted person are set out in Article 72(1) and 2 of the Polish Penal Code. These include, inter alia: informing the court or the probation officer on the course of the probation period, apologising to the wronged party, performing the convicted person's obligation to support another person, performing gainful employment, taking up education or preparing for a profession, refraining from alcohol abuse or use of other drugs, undergoing treatment, in particular for rehab or rehabilitation, or therapeutic measures or participation in corrective-education programmes, refraining from staying in certain environments or places, refraining from contacting the victim or other persons in a certain manner, leaving the premises occupied jointly with the victim. These obligations are definitely of an educative nature and are actually related to the restriction of freedom by the person undertaking them. When probation measures are applied, they can be combined with probation supervision, which consists in appearing at the summons of the court or the probation officer, giving explanations about the course of the probation, informing the probation officer about changes in the place of employment, residence and stay and allowing entry to the dwelling (Articles 73-74 of the Polish Penal Code).

Officers came into force<sup>5</sup>. This was the most extensive amendment to the legislation in the nearly twenty-two-year history of the act comprehensively regulating the system of the probation service. The legislator made significant modifications that affected the functioning of the professional group of probation officers.

During the legislative process, the probation community pointed to the need for legal changes, but tried to convince the drafters to take into account their own diagnosis of the problems related to the daily functioning of this public service. From the perspective of this text, the subject of which is the model of professional training for probation officers in Poland, the most important change was that the theoretical training of probation trainees was entrusted to the University of Justice, thus delegating there part of the responsibility for building the professional ethos of probation officers<sup>6</sup>.

This is why, as part of this new task, University of Justice has signed in May 2023 an agreement and have significant cooperation with the National Council of Probation Officers an organization that represents all probation officers in Poland and provides legal services to the Ministry of Justice<sup>7</sup>. In connection with the desire to ensure the highest possible level of probation apprenticeship, the next step was for the University of Justice to join the Confederation of European Probation which aims to promote the social inclusion of offenders through community

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<sup>5</sup> Act of 1 December 2022 amending the Act on Probation Officers (Journal of Laws 2001, item 1071).

<sup>6</sup> The University of Justice (Akademia Wymiaru Sprawiedliwości) was created on 31 August 2018 by the Minister of Justice, by the Regulation of 20 July 2018 (OJ 2018, item 1461). The University of Justice is responsible for an extended range of activities, taking into account, in addition to training of prison service officers, training of future staff of judicial authorities and other public security services. See: <https://www.cep-probation.org/new-cep-member-the-university-of-justice-poland/>

<sup>7</sup> A cooperation agreement has been signed between University of Justice and National Council of Curators: the aim of which is to cooperate in the field of specific tasks related to the optimization and effectiveness of the organization and the manner of conducting the probationary apprenticeship. As part of the implementation of the Agreement, the scope of joint activities of the University of Justice and National Council of Curators includes in particular: mutual exchange of specialized written materials in the field of scientific and didactic-methodological literature as part of mutual scientific and didactic assistance; mutual exchange of specialized information, observations, and experiences within organized curatorial applications; participation in seminars, conferences, and scientific meetings organized by the University of Justice and National Council of Curators dedicated to the subject of probation apprenticeship.; cooperation in the field of the possibility of implementing joint projects. See: <https://aws.edu.pl/porozumienie-o-wspolpracy-z-krajowa-rada-kuratorow/>

sanctions and measures such as probation, community service, mediation and conciliation<sup>8</sup>.

## Education and new model of professional training for future probation officers in Poland: legal aspects of the probationary apprenticeship

The probationary apprenticeship is one of the key elements of the Act on Probation Officers. At the same time, the Polish legislature, has regulated the sphere of training of probationary trainees in great detail, without leaving much discretionary power – both to the Minister of Justice and the University of Justice. In the amended Act on Probation Officers, the professional training for probation officers called «probationary apprenticeship» is described in detail in Chapter 6 covering articles 71 to 83. The statutory provisions are accompanied by a specialized provisions of Ordinance of the Minister of Justice of 7 March 2023 on the organization and manner of serving the probationary apprenticeship.

As it was already mentioned the responsibility for conducting the probationary apprenticeship was entrusted to the University of Justice. Therefore, University of Justice is the first institution in Poland to provide comprehensive education for trainee probationers in theoretical studies, both through on-site courses and through distance learning methods. The length of the probationary apprenticeship is specified by law. According to Article 71. of the analysed Act on Probation Officers, the probationary apprenticeship lasts for one year.

The law also specifies in detail who can become a trainee probationer. It sets fairly strict prerequisites. In accordance with Article 72(1) probationer trainee may be a person who: is a Polish citizen and enjoys full civil and civic rights; has not been validly convicted of an intentional offence prosecuted by public indictment or an intentional fiscal offence; is of irreproachable character; is capable, due to his state of health,

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<sup>8</sup> CEP was founded in 1981 as the ‘Conférence permanente Européenne de la Probation’. Since October 2013, CEP is an acronym of Confederation of European Probation. CEP is committed to enhance the profile of probation and to improve professionalism in this field, on a national and a European level. CEP therefore promotes pan-European cooperation by organising conferences on actual topics in probation. See: <https://www.cep-probation.org/about-confederation-of-european-probation/>

of performing the duties of a probationer; has a professional degree: Master's degree obtained after graduation in psychology or law or in a field related to education in psychology, pedagogy, sociology or law or Master's degree, Master's degree in engineering or equivalent -obtained after graduation in another field of study and has completed postgraduate studies in psychology, pedagogy, sociology or law and will submit information from the National Criminal Register concerning him.

The competition for the probationary apprenticeship is subject to certain rules. Pursuant to Article 72(2), the president of the Regional Court<sup>9</sup> shall inform about the competition for the probationer's apprenticeship by placing an announcement in a publicly accessible place at the court's seat, in the Public Information Bulletin on the court's subject page and may inform about the competition in other ways, in particular by placing an announcement in the press. The competition for the probationer's apprenticeship is conducted by a competition commission appointed by the president of the Regional Court. The competition commission consists of a chairman, who is the president of the Regional Court or a vice-president appointed by him, and three members.

After the competition for a trainee has been held, pursuant to Article 73, the President of the Regional Court, after consulting with the Regional Probation Officer, employs the trainee probationer on the basis of a contract of employment, concluded for a fixed term, taking into account the possibility of its termination before the end of the term. When determining the duration of the contract with the trainee, the duration of the apprenticeship, the time necessary to take the probationary examination and obtain its result is taken into account. Within seven days of signing the employment contract, the president of the Regional Court shall inform the Rector-Commandant of University of Justice of the employment of the trainee. The president of the Regional Court may extend the duration of the contract with the trainee, at the trainee's request, for a period not exceeding six months if the trainee has failed to take the examination for reasons beyond the trainee's control or has not passed it on the first term. In justified cases, the president of the Regional Court,

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<sup>9</sup> In Poland's judicial system there are: 1. District Courts (Sądy Rejonowe) which are courts of the first instance and they handle most cases, except cases reserved for other courts. Their jurisdiction usually covers an area of several Communes, 2. Regional Courts (Sądy Okręgowe) are functioning as both first and second instance courts and handle serious cases and appeals. Their jurisdiction covers an area of several district courts and 3. Appeal Courts (Sądy Apelacyjne) which are the second instance courts and their jurisdiction covers a territory of at least two regional courts.

after consulting with the Regional Probation Officer, may also terminate the contract with a trainee at an earlier date if the course of the trainee's training indicates the trainee's unsuitability for court probation service. Before taking up their duties, a trainee probationer shall – according to Article 74 – take the oath of office before the president of the Regional court and the Regional Probation Officer in accordance with the following oath: „I solemnly swear to conscientiously fulfill the duties of a trainee probationer, to be guided in my conduct by the principles of dignity and honesty and to keep legally protected secrets”.

Probationary apprenticeship has several specific objectives in relation to probation. C75(1), the probationary apprenticeship aims to: 1) familiarisation with the organisation and activities of the court, juvenile institutions, care and treatment institutions and penitentiary institutions; 2) theoretical and practical preparation for the practice of the profession of probation officer ; 3) verification of suitability for the profession of probation officer.

Entrusting by law the necessity to organise the probationary apprenticeship to the University of Justice has a number of consequences. As it was indicated before, pursuant to Article 75(2), theoretical classes within the probationer's apprenticeship are conducted by the University of Justice. The costs of theoretical classes conducted by University of Justice are covered by the Regional court on the basis of an agreement concluded with the University. Moreover, guided by the need to ensure an appropriate level of training for trainee probationers, the Rector-Commandant of University of Justice has the right specify by regulation, the amount of the costs of theoretical courses for one trainee.

The Rector-Commandant of University of Justice, in consultation with the National Council of Probation Officers, is obliged to draw up a programme of theoretical courses and submit it to the Minister of Justice, who may submit binding comments within seven days of its delivery. After taking into account the Minister of Justice's comments on the programme of theoretical classes, the Rector-Commandant of the University of Justice must forward the programme to the presidents of the Regional Courts and the National Council of Probation Officers. So we can see plainly that the Act imposes a number of responsibilities on Rector-Commandant, who must cooperate with the National Council of Probation Officers in doing so.

But the Rector is not the only one with responsibilities. Pursuant to Article 75(12), the Minister of Justice is responsible to determine the organisation and manner of the course of the probationary apprenticeship, the scope of theoretical classes and practical training and the specimen document confirming the completion of the probationary apprenticeship, having regard to the need for a uniform and objective assessment of the knowledge and qualifications of probationer trainees.

And what happens after the apprenticeship is complete? According to Article 78, a trainee probationer could take the curatorial examination before an examination commission which is appointed by the Rector-Commandant of the University of Justice. In doing so, the law stipulates that the composition of the commission should be strictly defined. Pursuant to Article 79, the examination committee should consist of: 1) a chairman, who shall be the Rector-Commandant of the institution or a person appointed by him from among the academic staff of the institution who holds at least a doctoral degree; 2) four members, including at least one representative of the Minister of Justice and at least one representative of the National Council of Probation Officers. The chairman of examination commission shall notify the Minister of Justice and the Chairman of the National Council of Probation Officers of the need to identify the representatives described.

The timing and procedure of examinations are also strictly regulated. The composition of the examination committee and the date and place of the examination must be notified by the chairman of the commission to the Minister of Justice, the Chairman of the National Council of Probation Officers, the members of the committee and, through the presidents of the Regional courts, the trainees at least one month before the date set for the probationary examination. According to Article 80, the probationary examination should be held 4 times a year on dates designated by the Minister of Justice after consultation with the Rector-Commandant of the University of Justice. The applicant should take the probationary examination on the first possible date after completing the probationary apprenticeship. The President of the Regional court shall inform the Rector-Commandant that the applicant has completed the probationary apprenticeship within 7 days from the date of its completion.

What does the examination look like? The law is very precise in setting out both the elements of the examination and the assessment system

for probationary trainees. The written examination shall be held in the presence and under the supervision of at least 2 members of the examination commission, and the oral examination – before the examination commission. The following grading scale shall be used: (a) very good, b) good, c) sufficient; 2) unsatisfactory. In the event of an unsatisfactory result of the exam, the applicant may take the exam once to retake it, within 6 months from the date of the previous exam. The written examination shall consist of the preparation of an analysis of the case file and the preparation of a relevant procedural motion or other letter, the preparation of which is the task of the probation officer. The condition for admission to the oral examination is obtaining a positive grade from the written examination.

What is the purpose of organizing an oral examination? According to the Act, an oral exam shall include verification of knowledge of the methodology of the work of a probation officer court probation officer's work methodology, organization of the judiciary, legal regulations on the activities of court probation officers, and other knowledge necessary for practice of the profession of a probation officer. And how do committee members assess trainees in the exam? The resolutions of the examination committee are to be adopted by a majority of votes, and in the event of an equal number of votes, the vote of the equal number of votes, the chairman's vote is decisive. Furthermore, it should be noted that results of the examination shall be drawn up and signed by all members of the examination commission.

Having defined the detailed course of the examination, it is also important to say how the law defines the trainee probationer's duties. According to Article 83, a trainee probationer is required to: 1) participate in training, both (a) theoretical, with particular emphasis on the methodology of the work of a probation officer court, organization of the judiciary, legal regulations pertaining to the activities of court probation officers and other knowledge needed to practice the profession of a probation officer, and (b) practical, with particular emphasis on participation in court hearings and in the hearing of juveniles by the judge; 2) evaluate the progress of cases that are in the process of exploratory and executive proceedings as part of the team's work; 3) familiarize himself with the work area of the superintendent-patron and the tasks arising from the from his scope of work; 4) assimilate the principles of curatorial record keeping; 5) establish contacts with institutions dealing with upbringing,



prevention and re-socialization; 6) familiarize themselves with the organization and forms of work of the probation center.

Despite the extraordinary detail of the statutory regulation of the organisation and intercourse of the probationary apprenticeship, some of the legal issues related to the apprenticeship have been regulated at the level of the ordinance Ordinance of the Minister of Justice of 7 March 2023 on the organisation and manner of serving the probationary apprenticeship. First of all, the ordinance determines the organization and manner of serving a curatorial apprenticeship, the scope of theoretical classes and practical training, as well as the model document confirming the completion of the curatorial apprenticeship.

The Ordinance of the Minister of Justice of 7 March 2023 on the organisation and manner of serving the probationary apprenticeship clarifies that the University of Justice should conduct theoretical classes referred to in Article 75 (2) of the Act of July 27, 2001 on Probation Officers, with the use of an e-learning platform and in a stationary – face-to-face mode – in the form of a convention, in which a trainee probationer must participate once during the entire probationary apprenticeship. The Ordinance also specifies that University of Justice shall provide, through the President of the Regional Court, the probationary trainee with the data necessary to participate in theoretical classes on the e-learning platform and to use the training materials on the platform. The forms of the trainee's participation in theoretical classes are also strictly defined. A trainee probationer has to participate in theoretical classes on the e-learning platform on working days from Monday through Friday, to the extent of at least 8 hours per week, at times agreed upon with the patron and the head of the probation service team – „team leader”. At the same time – working days from Monday to Friday – a probationary trainee must receive practical training.

What is important, a trainee may participate in each lesson unit multiple times. The obligation of a probationary trainee to participate in theoretical classes is fulfilled if he has attended at least once in all lesson units provided for in the e-learning platform. Verification of a trainee's participation in a given lesson unit shall consist in his/her confirmation of his/her attendance on the e-learning platform. Information on the probationary trainee's participation in theoretical classes must be sent by the The Rector-Commandant of the University to the President of the Regional Court.

An other very interesting aspect of probationary training is that the online theoretical classes are supplemented by – organized at the University of Justice campus – special convention, during which the trainees could meet face-to-face with each other and their lecturers who teach them during probationary apprenticeship. The date and place of the convention referred is determined by the Rector-Commandant of the university who should inform the trainee, through the President of the Regional Court, about the date and place of the convention no later than 30 days before the scheduled date of this convention. Attending in it is obligatory. The President of the Regional Court shall order the probationary trainee to attend the convention.

The scope of the theoretical courses provided by the University of Justice is not determined by the University on its own, but is described in detail by the Ordinance of the Minister of Justice of 7 March 2023 on the organisation and manner of serving the probationary apprenticeship. In fact, so is the dimension of the practical classes that the trainee takes at the Regional Court. According to Ordinance, the theoretical classes should include: 1) the system of common courts and the organization of the internal office of common courts; 2) principles of organization and functioning of the probation service; 3) selected issues in substantive criminal law, criminal procedural law and criminal executive law; 4) selected issues in civil procedure, family law and juvenile proceedings; 5) pedagogical and psychological aspects of the work of a probation officer; 6) selected issues in the field of addiction and mental health; 7) methodology of the work of the probation officer; 8) the principles of cooperation of the probation officer with other entities, including services, institutions and non-governmental organizations, in the performance of official duties; 9) ethical aspects of the work of a probation officer.

And the practical training at the Court includes: 1) familiarization with the patron's work area; 2) familiarization with the record-keeping facilities maintained in the secretariats of the probationary teams; 3) attendance at court hearings and sessions; 4) familiarization with the activities of diagnostic, foster care, rehabilitation, therapeutic and penitentiary institutions; 5) learning about the ways in which probation officers carry out their tasks; 6) to learn the technique of conducting and drawing up their interviews; 7) to acquire skills in creating documentation, the preparation of which is the responsibility of a probation officer; 8) acquiring practical skills in working with wards.

As can be seen from the preceding paragraphs, viewed even from a purely legal point of view, the probationary apprenticeship is no piece of cake. An apprentice may always prove to be unsuitable for the probation officer profession. Otherwise, if the course of the apprenticeship does not indicate the unsuitability of the trainee for the probationary service, the President of the Regional Court, within 7 days from the date of obtaining information about the trainee probationer's passing the obligation to participate in theoretical classes and receiving the opinion of patrons about the trainee probationer, shall issue a confirmation of the trainee probationary apprenticeship, the model of which is set forth in the Annex to the Ordinance.

## Education and new model of professional training for future probation officers in Poland: organisational aspects

In the previous chapter, much has been said about the legal aspects of the organisation and conduct of the probationary apprenticeship. It is now the turn of the chapter to describe what the practice of setting up a probationary apprenticeship looks like from the perspective of the University of Justice and its Rector. How do we teach future Probation Officers at the University of Justice? Why do we use a special online learning platform? What are the advantages and disadvantages of this new model of professional training and challenges for the future. These are the questions I will try to answer.

The new model of professional training for future probation officers in Poland could be described as a «blended learning» which combines face-to-face learning with e-learning<sup>10</sup>. But instead of speaking blended learning, it is much more useful to see this type of professional training designated for adults as «complementary education». The author of the concept of «complementary education» is Maciej Tanaś, while Jakub

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<sup>10</sup> See: K. Lothridge, J. Fox, & E. Fynan, *Blended learning: efficient, timely and cost effective*, „Australian Journal of Forensic Sciences,” no 45/2013, p. 407–416.

Jerzy Czarkowski creatively develops this concept in his works<sup>11</sup>. It is also worth pointing out the differences between e-learning, blended learning and complementary learning<sup>12</sup>. The term «e-learning» is associated with the use of online technologies for educational purposes, while complementary learning involves the use of different forms of delivery, including face-to-face communication. Thus, with regard to the probationary apprenticeship, a necessary condition is the complementarity of the teaching means used with each other, obviously also with the educational needs of the trainee and the possibilities and readiness of the teacher<sup>13</sup>.

Used in the realization of probationary apprenticeship, the concept of complementary learning is an extension of the concept of b-learning, also referred to as blended or hybrid learning. It is the result or effect of demands for the integration of different forms of educational delivery. However, the mere alternation (mixing) of different forms of delivery is not sufficient in the implementation of the postulates. A necessary condition is the complementarity of the means used with each other and with the educational needs of the student. The concept of complementary education supplements the existing principles of classical didactics and media education with additional assumptions.

In its essence, the concept of complementary education seeks to preserve the qualities of traditional forms of education while making creative use of what modern technology offers to education. The main protagonists of the educational process are the student and the teacher, both of whom are subjective. Together they create and search for knowledge, taking advantage of the benefits of technological development and at the same time being aware of the risks associated with technology. Thus, in the concept of complementary education used in probationary apprenticeship, people are at the centre of the learning process, the teacher and the applicant being seen as a conscious subject and at the same

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<sup>11</sup> Professor Maciej Tanaś is Director of the University of Justice Doctoral School, while Professor Jakub Jerzy Czarkowski is Vice-Chancellor for Teaching at the University of Justice. See: J.J. Czarkowski, *Kompendium komplementarnego kształcenia dorosłych*, Warszawa 2024; J. J. Czarkowski, *Kształcenie komplementarne człowieka dorosłego*, „Rocznik Andragogiczny”, no 1/2009, p. 39–54. M. Tanaś, *Edukacyjne zastosowania komputerów*, Warszawa 1997. Tanaś M., *Cywilizacja globalna, społeczeństwo informacyjne a kształcenie*, [in:] „Kultura i Edukacja”, 1999, nr 1/99. M. Tanaś, *Dydaktyczne granice użyteczności komputerów*, w Tanaś M. (ed.), *Technologia informacyjna w procesie dydaktycznym*, Warszawa 2005.

<sup>12</sup> See: K. Thorne, *Blended Learning: How to integrate online and traditional learning*, London 2003; M.J. Rosenberg, *E-learning Strategies for Delivering Knowledge in the Digital Age*, London 2003, p. 1.

<sup>13</sup> Thus, the concept of complementary education is – according to J. J. Czarkowski – situated in the optics of the value system proper to the personalism created by Emmanuel Mounier or Jacques Maritain. J.J. Czarkowski, *Kompendium komplementarnego kształcenia dorosłych*, Warszawa 2024, p. 14.

time the object of educational activities. Complementary education is a concept that assumes that in the course of the teaching-learning process we should flexibly combine traditional education and its characteristic face-to-face communication with remote education using the Internet.

This is why, the framework program for the probationary apprenticeship envisages conducting classes on 13 subjects, totaling 380 hours. This includes a 40-hour on-site session during face-to-face convention and 340 hours through an e-learning platform. The University of Justice offers trainees the opportunity to study theoretical aspects by participating in classes conducted by an experienced teaching staff. This program for the probationary apprenticeship is based on specialized knowledge in various fields of law, as well as psychology, pedagogy, and probationer's methodology and practice<sup>14</sup>.

Additionally, within the Academic Educational Platform of the University of Justice, a dedicated area has been allocated exclusively for the trainees. This section has been graphically designed to resonate with judicial themes, ensuring a high level of visual appeal for the shared content. The materials dedicated to the theoretical part of the curatorial application are based on a rich set of tools provided by the Moodle teaching system, supplemented by available computer software. These prepared materials include various activating exercises, such as true-false tasks or multiple-choice questions. After each thematic unit of theoretical classes, the trainee probationer has the opportunity to verify the acquired knowledge through designed knowledge tests. The trainee probationer is also able to navigate through the area with materials freely and repeatedly access the prepared content, enhancing their level of competence.

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<sup>14</sup> In the first historical edition (2023/2024) of the probationary apprenticeship at the University of Justice, individual theoretical classes were conducted primarily by practicing probation officers, judges and academic lecturers: 1) The system of common courts and the organization of the internal administration of common courts – judge Selected issues in the field of substantive criminal law – judge; 2) Selected issues in the field of criminal procedural law – Ph.D., judge; 3) Selected issues in the field of executive criminal law – specialist probation officer 4) Selected issues in the field of civil procedure – Ph.D., academic lecturer 5) Selected issues in the field of family law – attorney 6) Selected issues in the field of proceedings in juvenile cases – Ph.D., academic lecturer 7) Selected issues in the field of addiction and mental health – Ph.D., academic lecturer 8) Pedagogical and psychological aspects of the work of a probation officer – specialist probation officer, deputy Regional probation officer 9) Rules of cooperation of a probation officer with other entities, including services, institutions and non-governmental organizations, as part of the performance of official duties – specialist probation officer 10) Principles of organization and functioning of the court probation service – specialist probation officer 11) Ethical aspects of the work of a probation officer – judge 12) Work methodology of a probation officer – specialist probation officer.

An additional element of the theoretical part of the application are the lecture recordings available for the trainees to play back at any time.

The statistics with regard to the first historical edition 2023/2024 of the probationary apprenticeship carried out at the University of Justice after the introduction of the new model of professional training for future probation officers in Poland by the amended Act on Probation are as follows – the total number of trainees was 130, while 125 people took part in stationary – face-to-face – convention at the University campus. The first ever written examination for the trainees after the probationary apprenticeship held under the amended Act on Probation Officers took place on 4-5 July 2024<sup>15</sup>. The written part of the examination took place using offline computer sets. It was necessary to adapt the University's room for the examination of probationary trainees by preparing 12 tables with a complete computer set (without internet access) and 2 printers with the possibility to print from each computer. On 5 July 2024, the examination commission completed the first ever round of probationary examination (both written and oral) held under the amended Act on Probation Officers. Twelve trainees took the exam on this first possible date. All the trainees passed the examination with a positive result.

The successful realization of the first historical edition 2023/2024 of the probationary apprenticeship carried out at the University of Justice after the introduction of the new model of professional training for future probation officers in Poland by the amended Act on Probation does not mean that during the application itself, possibilities of its improvement were not discussed. Both the University of Justice and the National Council of Probation Officers see the need to introduce a number of improving changes with future probation officers in mind. Therefore, both mentioned institutions, fulfilling the obligations arising from the provisions of Article 75 of the amended Act on Probation Officers (Journal of Laws of 2023, item 1095) and the content of the provisions of the cooperation agreement concluded between the National Council of Probation Officers and the University of Justice, turned to the Minister of Justice with a kind request to consider updating the implementing

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<sup>15</sup> The next three dates provided for by the Act as part of the first edition of the probationary apprenticeship will take place on the following dates: 1) September 23, 2024 (written); September 30 – October 2, 2024 (oral) 2) October 28, 2024 (written) November 4 – 6, 2024 (oral) 3. December 17, 2024 (written) and December 19 – 20, 2024 (oral). Approximately the same number of students will take part in each of these dates, because the exam date is adjusted to the entire application process and the date when the applicant started his or her training at the University of Justice.

act regulating the probation process and the method of examining candidates for the profession of probation officer.

The University of Justice main aim is to ensure the highest possible level of education for future professional probation officers. The professional self-government of probation officers in the form of the National Council has also repeatedly called for the unification and centralization of the training system, which, in our opinion, would translate into an increase in the competences of the new probation staff and facilitate the conduct of human resources policy in Poland. Due to demographic changes that cause side effects, a professional probation application is a valuable argument to make probation presentations more attractive.

### Education and new model of professional training for future probation officers in Poland: fractures and possible improvements of the probationary apprenticeship

However, the University of Justice and the National Council of Probation Officers recognize the need to introduce changes in the process of training and examining trainees. According to the University of Justice and the National Council of Probation Officers, the possibility of using stationary training forms (i.a. face-to-face convention) cannot be overestimated, as they not only provide the opportunity to obtain and thus gain access to the material from the subject, but also to create an interpersonal connection, which has an impact on the future message from employer, and in the case of work infection in the Probation Service. In the opinion of the University and the National Council, it is justified to expand the number of classes conducted on a stationary basis, which should take place during at least two conventions. The current form of one convention, on the one hand, makes it impossible to exhaust the material of individual subjects, and on the other hand, it overloads trainees with a significant number of teaching activities in a short period of time. Increasing the number of conventions will not only make learning more comfortable, but will also provide a real opportunity to introduce additional subjects, the scope of which is part of the everyday work of professional probation officers.

In order to improve the efficiency of the process of training and examining trainees, the University of Justice and the National Council of Probation Officers also propose that the Minister of Justice use the powers granted to him by the legislator in Art. 31a of the amended Act on Probation Officers, covering the process of training and examining trainees under the supervision of a professional probation officer delegated for this purpose. The University of Justice and the National Council of Probation Officers also propose introducing organizational changes consisting in organizing two editions of theoretical training, which will enable all trainees employed in a given calendar year to undergo training. At the same time, in the long term, this model will enable District Probation Officers to conduct a personnel policy in such a way that the employment of new trainees is correlated with the dates of probation training and examinations, which in turn will facilitate the management of probation staff in all judicial districts. In the opinion of the University of Justice and the National Council of Probation Officers, technical aspects of organizing the probationary examination also require clarification – including obtaining the files necessary to conduct the written part of the examination.

## Summary

The new model of professional training of probation officers created as a result of the 2022 amendment to the Act on Probation Officers obliged the University of Justice to conduct the theoretical training of probationer trainees in the formula «complementary education» which means hybrid training, containing both elements of distance learning and stationary training, as well as the probationer examination. The first year of practical operation of this new model of probationary apprenticeship has identified both the main advantages of the apprenticeship model and the elements that deserve improvement through legislative or organisational changes.

The proposed changes presented in the previous paragraphs are the result of the analysis of conclusions and observations resulting from the first edition (2023/2024) of the probationary apprenticeship conducted after the amendment of the Act on the Probation Officers. What is very important is the willingness of the University, the National Council and



the Ministry to cooperate in any modifications regarding the probation officer application, recognizing the enormous potential in this form of educating future professional probation officers. Refining the currently existing solutions will allow us to create a very high-quality final product, which will be a strong basis for building a comprehensive program of continuing training for probation officers. Moreover, the Academy of Justice itself wants to further develop the probation application as part of the comprehensive education of personnel for the justice system.

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