

ROUTLEDGE STUDIES IN  
CRIMINAL BEHAVIOUR



# Criminal Careers

Life and Crime Trajectories of Former Juvenile Offenders  
in Adulthood

Edited by Witold Klaus, Irena Rzeplińska and  
Dagmara Woźniakowska-Fajst



# CRIMINAL CAREERS

*Criminal Careers* follows the lives and criminal behaviours of 2,397 people in Poland who as juveniles committed a crime and received a form of punishment from the juvenile court between the late 1980s and the year 2000. Through combining quantitative and qualitative research, their criminal careers, the differences between men and women, risk factors, and reasons for nondesistance are analysed.

Uniquely, the authors have used an extensive database of former juveniles, in which as many as 40% were women. This book therefore makes a comparison between women and men in terms of their future life paths. Additionally, the researched group consisted of teenagers from two different periods: the 1980s (the transition generation) and 2000 (the millennial generation), which in the context of Central and Eastern European countries means that they entered adulthood in completely different realities. These differences are therefore also explored in depth within the book.

By focusing on Poland, the book provides a different perspective to criminal career research, which is generally limited to a few countries in Western Europe and the United States.

The book will be of great interest to academics and students who are developing their own research in the fields of criminal careers, juvenile delinquency, and antisocial behaviours by young people. It will also appeal to professionals, including juvenile judges, probation officers, staff in correctional facilities and social rehabilitation institutions, and social workers and employees of nonprofit organisations that support juveniles, people in crisis, and prisoners or ex-prisoners.

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*Edited by Witold Klaus, Irena Rzeplińska and  
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# 1

## INTRODUCTION

### Or why it is important to study criminal careers and how it can be done

*Witold Klaus and Dagmara Woźniakowska-Fajst*

#### **The need for and history of criminal career research**

In every society, there is a group of people who can be labelled *chronic criminals*. Different studies show that about 5–10% of people who commit criminal acts can be described as such (Moffitt 1993). The presence of multiple offenders is a serious problem, and their activities raise public concern. Hence, it is imperative to regularly research this group of individuals, especially in the context of the ever-changing world. The more extensive and recent the knowledge we gather about the reasons why they remain in crime, the more effective we become in addressing their motivations and working to interrupt their criminal careers.

The study of *criminal careers* of offenders dates back to the 1930s, when Eleanor and Sheldon Glueck (1943) introduced this concept into criminology to describe the unlawful path that some individuals follow in life. Today, this branch of criminology is also referred to as *developmental criminology* or *life-course criminology* (Piquero et al. 2007; Sampson & Laub 1992). In the Polish literature, individuals who commit crimes over a longer time span have also been described using terms such as *incorrigible offenders*, *professional offenders*, *persistent offenders*, *repeat offenders*, or, most commonly, *recidivists* (in the criminological rather than the criminal law sense of the term).<sup>1</sup>

The purpose of research on criminal careers has been, and continues to be, to answer the question of why some people commit crimes in the course of their lives (or over some extended period in their lives). However, behind this question lies perhaps an even more important one: Why do most people who have committed crimes abandon criminal activity at some stage in their lives? It is important here to map out the risk factors that are strongly correlated with the propensity for deviant behaviour and the deterrents, i.e., the factors that lead to desistance from crime.

In an effort to understand why some offenders commit crimes repeatedly, it is essential to uncover mechanisms and risk factors that are somewhat unique to each generation. One way to advance knowledge in this area is to conduct longitudinal research, oriented toward studying the subsequent lives of juvenile offenders (catamnesis) and the criminal and social past of adult offenders (anamnesis). However, there are many difficulties in following the lives of people who have committed a crime in the past on a long-term basis and researching how this has affected their future lives. Longitudinal studies use a variety of research methodologies. They may involve analysing available official data related to the individual (e.g., criminal case files, police data, prison data, or data collected by social workers). Another method, doing periodic self-report-type studies on the same group of people (Farrington et al. 2006; Wikström & Butterworth 2006), is one that has never been used in Poland. A third method is conducting biographical or narrative interviews with long-term perpetrators, which give us insight into their lives in retrospect. However, these are extremely subjective. Therefore, researchers often use different methods and combine them.

As we have mentioned, the pioneering catamnestic research was carried out from the 1940s to the 1960s by Sheldon and Eleanor Glueck, who placed juvenile offenders under long-term observation for their future life outcomes. Their research covered study groups of several hundred subjects and was conducted over periods as long as ten years (Glueck & Glueck 1930, 1943). The research material collected by the Gluecks during their study of 500 men was reexamined in the 1980s by Robert Sampson and John Laub (1995), who supplemented it with data from later criminal records and were able to trace the criminal careers of this group of offenders until they reached the age of 70. This research culminated in the emergence of an *age-graded theory of informal social control*.

Terrie Moffitt's novel approach in identifying the reasons for choosing a criminal life path was the pairing of social and biological factors. The scholar hypothesised that there are two main patterns of involvement in criminal activity in life: (1) one group is represented by chronic offenders who begin to engage in antisocial activity early on (in childhood or adolescence) and continue to do so throughout their lives, and (2) the other group is represented by people who commit deviant acts only during adolescence. In her view, antisocial behaviour is a consequence of psychological and neurological problems, and she links chronic criminality to certain genetic conditions (Moffitt 1993, 2006). In 2005, having investigated repeat offenders, Matt DeLisi (2005) identified two types of criminals who return to crime in the course of their lives: (1) 'minor offenders', whose trouble with the law is mostly rooted in family life, general living conditions or work, etc., and (2) 'serious offenders', i.e., violent offenders for whom breaking the law is a way of life, a chosen path.

It should be stressed that catamnestic studies on criminal careers of juvenile offenders also began very early in Poland. The first research on the recidivism of juvenile offenders was done as early as the mid-1950s in the Department of Criminology of the Institute of Law Studies of the Polish Academy of Sciences

(ILS PAS) and included 240 cases subjected to catamnesis over a span of six months and three years after the crimes were committed (Kołakowska 1960). Another study, following a group of 180 recidivists aged 15 and 16, was carried out in the 1960s by Zofia Ostrihanska (1965). In addition, Stanisław Szelhaus (1965, 1969) conducted research on 100 juvenile recidivists from the age of 18 to 25–28 and then on repeatedly convicted recidivists aged 26–35. In the 1970s, longitudinal studies led by Zofia Ostrihanska and Dobrochna Wójcik (1989) focused on socially maladjusted students during a seven-year period of catamnesis. In the 1970s and 1980s, Ewa Żabczyńska (1983) analysed the delinquency of the youngest juveniles along with catamnestic studies. A large cohort study of the criminal careers of those born in 1949 was conducted in the 1970s by Helena Kołakowska-Przełomiec (1977). This author also studied the onset of the criminal careers of juvenile offenders (Kołakowska-Przełomiec 1990).

After a long break, the Department of Criminology returned to catamnestic studies at the beginning of the 21st century. In 2004, Witold Klaus (2009) conducted research on juvenile delinquents (up to 13 years of age) and investigated their recidivism over a period of four years. In 2005, Irena Rzeplińska (2007) conducted limited research on the recidivism of juvenile offenders whose cases were heard by family courts in 2000. This research was repeated in 2010 (Rzeplińska, 2013). Also in 2010, Dagmara Woźniakowska-Fajst (2011) carried out a catamnestic study of the subsequent criminal careers of juvenile girls who perpetrated criminal acts in 2000. This research laid the foundation for and inspired a comprehensive survey of the criminal careers of former juvenile offenders, which we present in this book.

## The population studied

In the first decade of 21st century, the Department of Criminology of the ILS PAS conducted a large and comprehensive study of juvenile delinquency and examined court records of 2,506<sup>2</sup> juveniles, who can be divided into four main groups (for detail, see [Chapter 2](#) in this volume):

- 555 individuals aged 13–16 whose cases were heard in family and juvenile court in the 1980s (between 1985 and 1988),
- a representative nationwide sample of 771 people aged 13–16 whose cases were adjudicated by a family court in 2000,
- a representative nationwide sample of 873 girls aged 13–16 whose cases were adjudicated by a family court in 2000, and
- 307 minors who were under 13 years of age at the time of committing the delinquency and who were adjudicated in 2000 in ten family and juvenile courts located in the judicial districts of Warsaw and Warsaw-Praga.

In the course of the research, we collected detailed information on the acts committed by each of these individuals as well as any data on their backgrounds

and their family and school situations that we could obtain from court case files. This unique material has been the basis not only for many academic studies on juvenile delinquency in the early 21st century but also for current further analyses, the findings of which we present in this book. Because we have detailed personal data on this group of former juvenile offenders, we are able to follow their patterns of official contact with the justice system over the years. We refer to official contact because the only thing we are able to check is the data on their convictions as adults, i.e., court information proving that they committed a crime. Unfortunately, we do not have data on any criminal activity of this group that did not receive a formal response from the judicial authorities.

The data we have are unique for several reasons. First, they allow us to look at two groups of people:

- older people who grew up in the 1980s, whom we will refer to here as the *transition generation* and who were between 40 and 50 years old, on average, at the time of the current study, and
- younger people whose teenage years fell at the turn of the century, whom we will call the *millennial generation* and who were between 26 and 38 years old at the time of our research.

In addition, we have data on a large group of women who began committing crimes while they were still minors. Therefore, we can look at the unfolding of women's criminal careers as compared to similar behaviours of men. Third, we are able to cover a long period of time for the oldest subjects, whose cases were heard by the family court in the second half of the 1980s; the data on the criminal records of these subjects span over 30 years. The analysis presented here ends in mid-2017: this is when we received information from the National Criminal Register (NCR) about our respondents' convictions. This, of course, does not mean that we ended our research at this stage. We already have further information on convictions dating to mid-2021; hence, it has not been included in the studies discussed here and will be analysed separately in the future.

The data we gathered do have their limitations. We relied on information on adult convictions from the NCR, which does not include minor offences or those committed at the very beginning of their criminal activity as adults especially in 1990s. In those cases, the convictions were erased from official criminal register, leading to the deletion of information about them from the NCR. These data gaps concern especially the older generation and minor offences committed in the 1990s.

## **Brief overview of research methods**

As we have already mentioned, the cornerstone for our current research was the screening of our entire study group of juvenile offenders against the NCR for convictions in adulthood. The resulting criminal records were then coded and combined with information collected earlier that had been standardised so

that further statistical analyses could be done on the combined four databases. Because we wanted to learn more about our respondents during adulthood, we requested presiding judges to send us court records for the last or penultimate criminal acts of individuals who had been convicted at least twice in adulthood for committing at least three acts (we chose the more serious offence in the hope that there would be more information in the file on the offender's life, work, and family situation). Of the 582 individuals selected, we were ultimately able to examine 452. However, the files usually contained very little data.

In order to deepen our analysis and learn more about the stories of the people we surveyed, we decided to interview a sample group. However, we were able to reach only people who were serving prison sentences at the time of the study (i.e., in the second half of 2019). In the end, we managed to talk to 39 men (the only woman who was in prison at the time refused to participate in the interview) out of the 70 originally selected and meeting these criteria (for details, see [Chapter 2](#) in this volume).

In summary, the data we report in this book are grounded in information culled from our study of juvenile records, NCR data, criminal court records of those sentenced as adults, and qualitative interviews. While we combined the statistical data into one set and analysed them together, we analysed the interviews entirely separately. At no stage of the research did we combine the official data with the interviews or verify the stories we were told during the interviews (see [Chapter 2](#) in this volume).

## **A research perspective on interview analysis**

At this point, we would like to further clarify our perspective in analysing the interviews with convicted offenders—namely, the narrative perspective. Narrative criminology generally revolves around the stories of people whose lives are/were affected by crime in some way, including, in large measure, the stories of offenders (Muskala 2016, pp. 159–161). But the idea is not just to report on criminal events; rather, it is to look at the individuals and their motivations and opinions—in other words, the processes that occur inside and around them. The aim is to introduce and examine the vantage points of these individuals and to comprehend how those who commit crimes and struggle to stop doing so perceive the processes at the centre of which they find themselves (Presser 2009, pp. 178, 191). It is, in effect, a subjective outlook: the respondents' own appraisal of their lives, their attitudes toward their lives, and the changes they make to them. This includes their assessment of their criminal activity and any efforts to steer away from it. We believe that it is virtually impossible to understand these processes unless we hear how they are interpreted by the multiple offenders themselves (Helfgott et al. 2020, pp. 612–613).

After all, it is impossible to fathom a person's behaviour and attitudes if we do not know their opinions about themselves and how they describe their emotions and the hardships that came with making certain choices and,



eventually, taking certain actions. These opinions have often been overlooked in criminological research as personal, as too subjective and therefore unscientific. Meanwhile, it is clear that different people react and behave differently in similar situations because from their point of view, these situations are not similar whatsoever. Consequently, we cannot make sense of their reactions without at least trying to listen to their voices and asking about the motives behind their behaviours (Maruna 2001, p. 8). This is why, for some time now, the narrative perspective has been gaining ground in research on criminal careers and desistance from crime as a complement to quantitative research, research on large pools of more anonymous subjects, and aggregated data; without the individual voices and stories of the people behind the data, behind the numbers, we cannot interpret them properly (cf., e.g., van Koppen et al. 2020, p. 22).

Here many readers may ask how we know that the stories we heard were true, that our interviewees were not lying to us. We don't know that, of course. But we also did not look for the 'truth' in them; we did not ask, for example, what crimes they had committed (although sometimes the respondents told us themselves), so we did not ask about 'facts'. What interested us most of all was our interviewees' description of what had happened to them in their lives, what their perspective was on these events, and how they interpreted the facts (Presser 2009, pp. 180–181). And in this sense, their stories have always been and remain true (Sandberg 2010). In fact, what happened is not as important as how the situation was seen and construed by our interlocutors because it was their (highly subjective) perception of an event that caused them to behave in a certain way. Further, these respondents' discernment of a particular situation and the decisions they later made were obviously influenced by their life experiences; their social background; their perception of their opportunities, prospects, and chances at a particular moment; and other factors that were at play at the specific place and time when these decisions were made (Farrall et al. 2010, pp. 552–553). Hence, trying to learn about them is of paramount importance in understanding these actions.

At the same time, we realise that just like each of us, our interlocutors 'self-presented' themselves to us somehow, as they 'played' a specific role: a social role. This is normal behaviour in any meeting of at least two people. In this case, our meeting had additional, very unique elements: it was more formal, and its participants acted in strictly defined roles: the researcher and the interviewee, who was both a criminal and a prisoner, which was clear to both sides and was the reason why this particular person was chosen for the study. These roles therefore already mandated certain rules of behaviour—and thus narration. The interview was also recorded, and its purpose was clear and communicated to the interviewees beforehand. Finally, the terms of the meeting were unique, as the interviews took place in prisons. Undoubtedly, there was an element of self-creation, but this is present in every qualitative interview and even in every interpersonal interaction (Goffman 2010).

Renata Szczepanik's research further shows that for prisoners, 'playing' different roles and navigating between them are a natural part of prison life that they adapt to in order to survive in these conditions. One of these roles is self-presentation as a person deserving of freedom: showing oneself in a way that is expected by a representative of 'society' who comes to talk about the interviewee's history of living with crime. Hence, the prisoners perform and describe themselves using institutional language that they have adopted while residing in isolation or rehabilitation institutions for years (e.g., they talk about 'dysfunctions' and use this term while describing their families or peers). This role-playing sometimes leads to the situation described by one of the repeat offenders interviewed by Szczepanik: 'In prison one sometimes already ... tries so hard [playing different roles] that one does not know what is real' (Szczepanik 2015, pp. 267, 261–267, 356–373).

In this research, we sought individual stories and then attempted to understand them and connect them into some more general processes. We were careful to ask our interviewees open-ended, general questions about the stories of their lives and about particular stages of their lives. We did not ask explicitly about important or major changes or important people in their lives so as not to preempt answers (Carlsson 2012, pp. 2, 7). We tried to reconstruct this information only later in the analysis stage. On this point, we also note that we did not incorporate questions into the interview scenario about the prison experience and the situations associated with serving a prison sentence. In spite of this, however, these issues did appear in most of the stories told by our respondents and were mentioned at length. This is not surprising, of course, since being in prison was such a significant and large part of our interviewees' lives. This illustrates the sweeping influence of prison on the entire later life of incarcerated people, including whether or not they succeeded in desistance.

## Research objectives and hypotheses

The research we carried out was exploratory. Hence, the main objective was to learn about the processes that we tentatively called *criminal careers* in the research plan. In other words, we wanted to see what unlawful acts people who committed crimes as juveniles did later in life, after they had already reached adulthood. Afterward, we sought to discover if their life paths could be grouped somehow and if they fit into any patterns.

We adopted five specific research objectives:

1. To define factors during juvenile life that influence the onset of criminal careers of multiple offenders.
2. To define the risk factors affecting the progression and perpetuation of criminal careers of multiple offenders as well as the process of desistance.

3. To define the factors influencing different types of criminal careers of multiple offenders.
4. To analyse the effect of gender on the criminal career patterns of multiple offenders.
5. To analyse the crime trends of multiple offenders in two generations, the transition and millennial generations, against the general crime trends in Poland.

At the research planning stage, we adopted three main research hypotheses, which we decided to verify:

1. There are three types of multiple offenders: the first type is a perpetrator of less serious acts, where their trouble with the law is mainly due to problems in their family life, living conditions, or work; the second type is a perpetrator of serious, violent crimes, which are inherent in their way of functioning in society; and the third type is a mixed kind of perpetrator. This was intended to test DeLisi's concept about the existence of two types of criminals, which has been expanded somewhat.
2. Despite changing socioeconomic circumstances, the primary risk factors contributing to criminal careers remain the same for all repeat offenders, regardless of age or gender.
3. Despite the changing trends (structure) of crime in Poland, the nature of the crimes of the older multiple offenders (the transition generation) has remained unchanged throughout their criminal career, reflecting the crime structure observed in the 1990s, while the younger multiple offenders (the millennium generation) are adapting to the changing trends.

The study showed that the first and last hypotheses did not prove to be true. First, we distinguished fundamentally different types of criminal careers, or what we called *criminal trajectories*, depending on the length and the intensity of the acts committed rather than on the types of acts committed or the problems in their personal lives, since we simply did not have access to the latter information (see [Chapter 5](#) in this volume). As for the last hypothesis concerning trends, we found that the delinquency rates of the two generations are surprisingly alike and rather reflect general trends in overall delinquency (see [Chapter 3](#) in this volume). In contrast, the hypothesis regarding risk factors—both for entry into crime (see [Chapter 7](#) in this volume) and for desistance from it (see [Chapter 8](#) in this volume)—was largely confirmed. They do indeed remain constant irrespective of age, and they are also moderately affected by socioeconomic circumstances. However, we were not able to say much about gender, as we were not able to interview female convicts.

### **The problems with defining a criminal career**

One of the chief problems we faced was that of defining what a criminal career is. An analysis of the literature did not bring resolution to our dilemma. This is because virtually every author or writer entertained their own definition of

a criminal career. From the start, however, we were certain that we were not referring specifically to professional or career criminals, for whom committing crimes became their main income-earning occupation. We were drawing closer to a broad view of *criminal career* as a process in which a particular person lives surrounded by crime and other antisocial behaviour, perpetrating different acts at different times (Edelstein 2016). With that said, the type of act committed would matter less in this case, and most often one person will commit different types of acts. Furthermore, specialisation in committing a chosen type of crime (especially if we are talking about violent crimes) is unlikely to occur (Farrington 1992, p. 532).

Criminal behaviour (or, more generally, antisocial behaviour) is thus a constant in the life of the offender, and crime is a lifestyle for such a person. We posited, then, that such a career does not have a fixed course, unlike the classic professional career, since committing crimes was not a profession for the vast majority of our researched group, although it did bring financial benefits to some. It was rather a process of identity acquisition, whereby the individual becomes a criminal or comes to be perceived as such by society. This acquisition of identity originates, on the one hand, from a sense of being alienated from society, of being marginalised by it, and of being labelled by it. But also, on the other hand, it comes from a search for experiences shared with people whose stories are similar to that of the labelled criminal (Goffman 2007, pp. 66ff.). In our argumentation, we focused on the person rather than the deeds—in other words, on the criminal rather than on their ‘career’.

Thus, similarly to Christoffer Carlsson and Jerzy Sarnecki (2015, p. 11), we use the phrase ‘criminal career’ as an analytical tool; hence, it may not fully correspond to the narrow meaning of the individual words that comprise it, which is especially true for the word *career*. And this is why we use the phrase ‘trajectory’ rather than ‘career’ when referring to different criminal paths: to show the path or process and not necessarily its effect and vector.

However, such a broad definition requires operationalisation in the research process. We had to settle this problem at the very beginning in order to decide which individuals we should select for a more in-depth study. Hence, at the very outset, we adopted a working definition of *criminal career* just for the purposes of case selection. We decided that we would consider persons with potential careers to be those who committed criminal acts when they were juveniles (all of our subjects met this condition, for otherwise they would not have been included in the research sample) and then who committed at least three crimes in adulthood and were convicted of them at least twice in court. This is how we selected court records to study and respondents to interview in order to develop offender profiles.

During the analysis, we verified this definition, as it was necessary from a methodological point of view to chart criminal trajectories. For this purpose, we applied the broadest possible definition, following Alfred Blumstein et al. and assuming that a career is a series of criminal acts committed over a certain period of time. Those authors also claim that we can speak of a career even if someone

commits only one crime, but then this career is simply extremely short-lived (Blumstein et al. 1986, pp. 12–14). Our six-class model of criminal trajectories is based on this assumption (see [Chapter 5](#) in this volume). At the same time, it should be remembered that persons labelled therein as *non-offenders* are also, according to the above assumption, career offenders, as they have committed at least one criminal act during their youth. They are therefore people with short careers that ended before they reached adulthood.

Our research shows that multiple offenders, i.e., career offenders in the common sense of the word, represent a particularly small proportion of the offending population. When we add those we defined as chronic (i.e., committing crimes essentially throughout their adult lives) and as temporarily highly active (i.e., committing many acts but with declining criminal activity during a particular stage of their lives, like ages 19–22), they collectively accounted for only 2.5% of our total offenders (although they committed almost 25% of the crimes perpetrated by all of our researched group) (see [Chapter 5](#) in this volume). In the group of women, on the other hand, it is hard to talk about any ‘careers’ at all, since women who continued committing crimes as adults account for a small percentage of the total population under study, and those who committed at least two offences during this period of their lives were marginal (see [Chapter 6](#) in this volume).

Thus, returning to the title of our book, when we write about ‘criminal careers’, we simply mean to describe here the later lives of people who committed criminal acts as juveniles. To what extent did they remain tainted by crime; that is, to what extent did they commit crimes in adulthood, what kinds of crimes did they commit, and in what period of their lives did they commit them? Also, we consider to what extent, and in relation to which group, juvenile delinquency was an episode that they quickly grew out of (Laub & Sampson 2001).

## Structure of the book

Our book consists of this introduction and seven chapters on various aspects of criminal careers and trajectories. [Chapter 2](#), written by Monika Szulecka, is devoted to methodological issues. We refer to the methodology of our research in the book in several places, beginning with this introduction. The methodology is also briefly recalled by some of the authors in their chapters, on the assumption that some readers will read individual chapters rather than the whole book. Nonetheless, [Chapter 2](#) is a complete, in-depth analysis of the individual steps and (sometimes difficult) research decisions. This chapter is also important because as a team we used a number of research methods, both quantitative and qualitative, that allowed us to take a multidimensional look at the research problem we undertook (and is rare in current criminological research).

In [Chapter 3](#), Konrad Buczkowski and Paulina Wiktorska tackle one of our research hypotheses, which deals with the differences in crime structure between

the transition and the millennial generations. The chapter also discusses the crimes of our researched population in relation to the general statistics of crime in Poland during the transition period, bearing in mind the possible impact of these changes on the scale and nature of their acts. The authors also refer to case studies drawing on the qualitative analysis of juvenile case files and on the statements of respondents from both generations obtained through an analysis of narrative interviews.

The next two chapters, by Justyna Włodarczyk-Madejska and Dominik Wzorek, concentrate on the quantitative perspective. In [Chapter 4](#), the authors address a series of research questions: At what age do offenders most often start their criminal activity in adulthood? How long are the criminal trajectories of the individuals who belong to this population, and what percentage are trajectories of a certain length? Does earlier entry into the path of criminality (before the age of 21) increase the likelihood of a longer criminal trajectory? Is a sentence of imprisonment associated with a longer criminal trajectory? How many trajectories have been completed or are dormant so far? How many of the sample group have engaged in criminal activity in the course of their lives and at a particular age? How many crimes are committed by offenders of a certain age? And, finally, what is the frequency of committing crimes over the course of our offenders' lives? In [Chapter 5](#), these authors provide a practical analysis of the theoretical approaches to criminal trajectories. This is an innovative chapter not only in Polish criminology but also in global research. Włodarczyk-Madejska and Wzorek develop a model of the criminal trajectories of the millennial generation, dividing perpetrators into as many as six classes: non-offenders, accidental perpetrators, low-frequency temporarily active perpetrators, high-frequency temporarily active perpetrators, late-active perpetrators, and, finally, chronic perpetrators. They also described cases that exemplify their findings.

In [Chapter 6](#), Dagmara Woźniakowska-Fajst addresses one of the objectives of our research, which is to analyse the impact of gender on the patterns of criminal careers of multiple perpetrators and female offenders. Again, we have the opportunity to make use of unique data collected at the Department of Criminology of the ILS PAS. Longitudinal studies found in the literature are most often based only on mixed-gender groups (or focus exclusively on men as perpetrators of the largest number of crimes), and due to the small percentage of female participation, it is impossible to compare the trajectories and courses of male and female criminal careers. However, because we had a separate sample consisting of only women, the data were ultimately analysed in proportions of 40.7% female and 59.3% male. This has provided the opportunity to make valid comparisons between male and female experiences, as the proportion of female respondents is much higher than in other criminological studies.

The last two chapters of the book, by Olga Wanicka and Dagmara Woźniakowska and by Witold Klaus, are two sides of the same coin: together they form a story about what pushes young people to enter the path of long-term delinquency and what makes it difficult to desist from it. These chapters are

primarily based on the analysis of narrative interviews. The respondents' statements are shown against the background of quantitative research, criminological theory, and literature analysis.

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This book is the fruit of the work of the whole team of the Department of Criminology of the ILS PAS—not only the contemporary team but also the older generation of researchers whose work we have carried on. The collected material covers over 30 years, and we hope that it will constitute an original and important contribution to the development of criminology.

This book, however, is not simply the work of the entire research team of the Department of Criminology. Such wide-ranging research would not have been possible without the enormous support of other people with whom we have cooperated over the years. We have received both tremendous technical support in conducting the file research and in organising and transforming the databases and a number of important analytical comments from Wiesław Zajęc, Dorota Laskowska, and Maria Ożarowska-Wolder. Elżbieta Żebrowska and Dorota Popek were responsible for administrative assistance in the process of organising the research. We also had the assistance of the team during the interviews with convicted persons. Apart from some of the authors of this book (Olga Wanicka, Dominik Wzorek, Justyna Włodarczyk-Madejska, Monika Szulecka, and Witold Klaus), the interviews for this study were conducted and transcribed by Maria Niełacznna, Joanna Klimczak, Roksana Katryńska, and Marlena Kołek.

We would also like to extend our warm thanks to the staff of two institutions. We are grateful to the director of the Information Office of the NCR for granting us access to the conviction data of our researched group and to staff of the NCR for their assistance in providing all the materials and additional information we requested. We would also like to thank the director general of the Prison Service, General Jack Kitliński, for allowing us to interview the convicts and for providing information on their whereabouts, and Lt. Col. Magdalena Brodzińska-Patalas for all her guidance and invaluable support throughout the research process within the Prison Service. Our thanks also go to the directors and officers of the penitentiary facilities who let our researchers into their facilities and helped us arrange interviews with convicted individuals.

On behalf of the entire research team, we would like to thank all of the above-mentioned persons. Without your participation, support, and extremely valuable comments, conducting this research would have been impossible, and this book would certainly be inconceivable.

## Notes

- 1 In Polish criminal law, *recidivism* is strictly defined in Article 64 of the Penal Code. Rzeplińska (2012) writes about the meaning of this provision from the point of view of criminology. It is used to describe simply committing a crime again or even (in the case of minors) committing a single criminal act (cf. Ostrihanska 1965; Szczepanik 2019).

- 2 Finally, after merging all the databases and removing the so-called duplicates (names repeating in different databases), as well as removing from the database people with large data gaps, we used the records of 2,397 minors for further research.

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# 2

## ACCESSING INFORMATION ON CRIMINAL ACTIVITY OF INDIVIDUALS

Methodological aspects of our  
research on criminal careers

*Monika Szulecka*

There is no consensus on a single definition of a criminal career. Depending on the type and methodology of the research and the method of selecting participants, researchers formulate their proposals for such a definition or—without focusing on defining a criminal career—draw attention to a range of parameters of criminal activity of individuals.<sup>1</sup> In such a case, a criminal career is rather an analytical perspective on the delinquency of particular people, assuming that they may or may not be criminally active (or carry out illegal activities that are not crimes<sup>2</sup>) at different stages of life and that, in addition, the nature and intensity of their offences may change over time (Soothill, Fitzpatrick, and Francis 2013, 15–16). Whether we choose to use the term *criminal career* or employ a more descriptive name for the issue, such as *multiple offending*, *criminal activity over the course of a lifetime*, *criminal trajectory*, or *an individual's criminal history*, the challenges of studying the phenomenon of multiple involvement in crime, so named or otherwise, are the same. It is mainly a matter of accessing information about the role of delinquent behaviour over as long a period of an individual's life as possible and then competently interpreting the information gathered. The purpose of this chapter<sup>3</sup> is to outline these challenges from the perspective of our own research on multiple offenders conducted by the Department of Criminology of the Institute of Law Studies of the Polish Academy of Sciences (ILS PAS).

### **Possibilities and limitations in choosing methods for studying criminal activity and data sources**

The choice of sources that are useful for studying criminal careers is narrow, or the sources are available to a very limited extent. The knowledge about criminal activity of individuals captured in statistics, as specific and projected numbers, largely illustrates the effectiveness of law enforcement agencies or the judiciary

rather than the processes of involvement in crime of individuals. It is, however, knowledge that is structured, verified, and usually available—based on a well-founded request—and thus of great value. The study of the presence of criminal activity in the lives of individuals cannot be restricted to a statistically quantified number of acts or a criminal-legal profile of these acts. The interdependencies between the deeds of specific people (including those overlooked by the apparatus of formal social control) are of great importance. Other important aspects are the circumstances and times of committing the crimes as well as the actual formal and legal repercussions of these crimes (and the potential repercussions that did not materialise in the end). It is also important what these repercussions meant for the perpetrators. Actions that do not conform to social norms also play a significant role in the analysis of criminal trajectories, especially if the violations occur in the early stages of a person's life. However, official data (e.g., the content of criminal case files) and official statistics do not supply fully satisfactory knowledge in this respect. Such knowledge can be provided by the offenders themselves through self-report surveys—but with the caveat that those who engage in crime may not perceive their actions as contrary to the law or social norms, or vice versa: e.g., they may perceive crime in noncriminal actions. This, in turn, may diminish the validity of conclusions and impair the chances of a reliable analysis of the impact of crime in the lives of individuals.

In more or less unstructured qualitative interviews with people who commit crimes, it is also possible to elicit information about the links between different factors and delinquent behaviour and the circumstances of engaging in crime. But here, too, there is a risk that the reported information does not accurately portray actual criminal activity due to the intentional or unintentional omission of events that from the researchers' perspective are important in the investigation of criminal trajectories. Respondents may have difficulty reconstructing the sequence of events or cause-and-effect relationships. Nevertheless, interviews with offenders are a promising project mainly because they have the potential to provide insight into the facts of their lives (whether or not incorporated in documents from criminal and court proceedings) as seen through the eyes of these respondents. Such research can also lead to information on undisclosed criminal acts that would be valuable to criminologists. This information may not be available from official statistics, which track only offences that have come to the attention of law enforcement agencies.

Another challenge arising in the course of studying criminal trajectories is the question of how many individual stories need to be tallied in order for the conclusions of the study to apply to the wider population. This question is particularly relevant in view of the above notes on the difficulty of accessing data and the limitations of certain sources of information. If, following the lead of other researchers, we want to attempt to create our own typology of criminal careers, it is advisable to look at as many stories as possible, i.e., the criminal lives of many offenders, with the proviso, however, that the study of criminal careers cannot be confined to capturing the criminal activity of many offenders at one

point in their lives. A period of observation that is as long as possible is also crucial. However, a combination of these prerequisites intrinsically constrains the research possibilities. Research makes sense only when it is possible to repeat observations using the same sample, which, as the experience of longitudinal research shows, always diminishes over time (see Maxfield and Babbie 2017, 98–99).

When we decide that an individual involved in criminal activity will be the source of information and the objective of the research is to identify the relationship between particular actions and events in the individual's life, this usually means relatively small research samples and the use of qualitative techniques of data collection and analysis. This, in turn, requires special outlays in terms of organisation and time, at least because of the potential trouble in accessing interviewees: not only because of the physical situation (if they are incarcerated) but also because of the challenges in approaching them and then persuading them to share their experiences. A way to encourage respondents—especially inmates—to participate in research in such situations may be to involve them in the process of developing the research tools by consulting on the topics to be discussed and, if possible, to create a research setting that resembles natural conversations and natural interactions (Pękala et al. 2021, 3). Once the prospective interviewees have consented to participate in the study, it is essential to follow appropriate procedures to ensure an agreed-on level of anonymity for the participants and confidentiality of information (for more, see Maxfield and Babbie 2017, 53–80). This further raises a number of risks in terms of both ethics and research design. The latter relates to the issue mentioned earlier—namely, the fact that being involved in a criminal activity or the circumstances surrounding it can be arbitrarily interpreted or suppressed from the subject's consciousness. On the other hand, when it comes to research ethics, it is important to consider the psychological consequences of broaching topics that sometimes stir up raw emotions or a sense of injustice (e.g., when the sentences are seen as too harsh or undeserved<sup>4</sup>). These reservations alone show that information on criminal activity provided by the very individuals involved in it is not common knowledge or easily obtainable.

The guiding principle is 'not to harm the respondents'—but also not to cause other harm (e.g., to those carrying out the research tasks or the institutions providing information) by the very fact of conducting the research (Klaus et al. 2020). Data allowing for the identification of potential respondents, which are often available to researchers in the official documents analysed (such as private addresses of convicts, their place of work), cannot thus be liberally used in conducting research and should never be used under any circumstances for recruiting participants for further studies, especially if the respondents were not informed about such a prospect when making the first contacts. Reliable research is based on the honesty of the researchers toward the respondents, which naturally excludes approaching potential subjects by providing false information about the objectives of the research or the reasons why this particular person and

not some other was asked to participate. The issue here is not so much following the principles of personal data protection (although they are the foundation of research integrity) as preventing situations in which contact with researchers could be perceived as potentially harmful due to lasting stigmatisation (in this case with the label of a criminal) or inappropriate practices in recruiting subjects (for more, see Klaus et al. 2020; Maxfield and Babbie 2017, 53–80).

The above remarks on the various challenges, both substantive and ethical, of studying the criminal activity of individuals over the maximum possible lifespan lead to the conclusion that the recommended approach to studying criminal careers is to use both quantitative and qualitative research strategies as well as the most diversified data sources possible. Such an approach also guided the design of the 2017–2020 Criminal Careers Survey, the findings of which are presented in the following chapters. It is worth stipulating, however, that despite the inclusion of the qualitative component and the statements of convicts as a source of information (potentially also referring to undisclosed crime) and the use of various types of documents (criminal case files, the register of convictions), the studies that follow concern only disclosed and adjudicated crimes (or illegal acts). This limitation is due mainly to the adopted research procedures. We have decided to capitalise on the research carried out so far on the subject of juvenile delinquency, which has produced an extensive set of data that includes information collected by public institutions.

## Research procedures for the 2017–2020 Criminal Career Survey

The point of departure for further analysis was the data from previous research carried out in connection with the project ‘Juvenile offenders in the past and present’. The research was conducted between 2001 and 2004 by a team of criminologists from the ILS PAS.<sup>5</sup> Juveniles whose unlawful behaviour or behaviour indicating demoralisation was the subject of interest in the earlier research appeared before the juvenile court at different times. The older offenders, those born between 1966 and 1978 and called the *transition generation* for the purpose of this study, committed acts that were handled by the relevant divisions of district courts from 1985 to 1988, i.e., at the beginning of the political transformation in Poland. The younger offenders, those born between 1981 and 1994 and referred to here as the *millennial generation*, are those who had felony cases (and, for persons under 13, who perpetrated prohibited acts) in selected district courts in the year 2000. Screening the criminal records of these individuals in subsequent years (with a check done in 2017<sup>6</sup> for purposes of the analysis discussed in this book) allowed us to follow the further fate of criminally active individuals, using qualitative and quantitative research methods. The following paragraphs deal with the steps in the complex study of criminal careers, the starting point of which was the prior research on juvenile delinquency. The goals were to explain the phenomenon of their subsequent criminal offending, to develop a typology of

criminal trajectories, and to clarify the mechanisms behind their emergence, development, intensity, or cessation.

### ***Harmonisation of datasets from juvenile studies***

The research carried out between 2017 and 2020 drew on information obtained in the course of four studies of juvenile offenders or offenders with criminal records. These studies produced four separate quantitative datasets. One common feature of all the studies was that the data came from the analysis of selected (random or targeted) juvenile delinquency case files processed at different times. [Table 2.1](#) presents information on the size of each dataset and the general characteristics of the study.

**TABLE 2.1** Characteristics of the studies that were the source of the initial datasets<sup>7</sup>

	<i>Number of offenders</i>	<i>Number of cases</i>	<i>Number of courts where the cases were submitted</i>	<i>Sampling</i>	<i>Number of offenders included in the follow-up study<sup>8</sup></i>
Juvenile cases adjudicated from 1985 to 1988	555 minors (13–16 years old)	329	28	Nationwide sample; random sampling	530
Juvenile cases adjudicated in 2000	771 minors (13–16 years old)	550	62	Nationwide sample; random sampling	739
Juvenile girls' cases filed in district courts in 2000	873 girls (13–16 years old)	873	40	Nationwide sample; stratified random sampling (1 strata = territory covered by 1 appeal court)	836
Cases of younger juveniles adjudicated in 2000	307 'Younger juveniles' (under the age of 13)	199	10	Deliberate sampling: all cases filed in 2000 in all family and juvenile divisions in district courts under the jurisdiction (at the time of the study) of the Regional Court in Warsaw	292

Sources: Klaus 2006; Rzeplińska 2006; Woźniakowska-Fajst 2011.

The first step towards harmonisation of the data included in the four datasets was to analyse the tools used to examine the court files in each study in order to develop a single tool by which all data would be coded. If some information was collected only in one study and could not be obtained in the other studies or if information in several studies was collected using a coding key that could not be standardised years later, these issues were inevitably omitted from the tool. The range of information included in the questionnaire used to harmonise the databases from the four different surveys is shown in [Table 2.2](#).

**TABLE 2.2** Data collected after harmonising the datasets from the four studies

<i>Data category</i>	<i>Issues</i>
Data uniquely identifying the minor and the source study	Offender number, case number, source database symbol
Sociodemographic data of the minor	Gender, date of birth, main occupation (study, work, occupation)
Legal classification of the act committed when the person was a minor	Types of acts according to relevant legal classifications: <ul style="list-style-type: none"> <li>• theft,</li> <li>• burglary,</li> <li>• robbery crimes,</li> <li>• other crimes against property,</li> <li>• homicide,</li> <li>• bodily harm or participation in a fight,</li> <li>• other crimes against life and health,</li> <li>• crimes against sexual freedom,</li> <li>• insults or threats,</li> <li>• domestic violence,</li> <li>• crimes against the family and guardianship,</li> <li>• crimes against liberty,</li> <li>• offences against the person,</li> <li>• drug crimes—trafficking,</li> <li>• drug crimes—use,</li> <li>• driving under the influence of alcohol,</li> <li>• other traffic offences,</li> <li>• forgery of documents or money,</li> <li>• crimes against business transactions (e.g., extortion of loans or of compensation),</li> <li>• crimes against the state treasury,</li> <li>• public order offences,</li> <li>• crimes against the administration of justice,</li> <li>• offences against public officials or public institutions,</li> <li>• crimes against the Republic of Poland,</li> <li>• crimes against the protection of information,</li> <li>• crimes against public safety,</li> <li>• crimes against public order,</li> <li>• other</li> </ul>
Other information about the act committed	Number of acts, age at the time of each act Perpetration alone or as an accomplice (if as an accomplice, age and number of accomplices, relationship to the offender, e.g., family, friends)

*(Continued)*



**TABLE 2.2** Data collected after harmonising the datasets from the four studies  
(Continued)

<i>Data category</i>	<i>Issues</i>
Information on the minor and the circumstances of the offence	Age at the time of the act Repeating a school year, truancy, drug use, alcohol use, running away from home or from a foster care or correctional facility Previous cases in family or juvenile court (and type of ruling or measure imposed)
The minor's family	Type of family environment (biological, adoptive, or foster family; involvement of particular persons—mother/stepmother/guardian, father/stepfather/guardian—in the upbringing of the minor; involvement of immediate/further family in the upbringing of the minor; institutional upbringing) Number of siblings and opinions about siblings Basic information about parents (education, main occupation, opinions about parents)
Housing conditions of the minor	Housing conditions assessment based on analysis of court case files (including lack of permanent housing or living in institutions)
Judgment of the court	Type of measure imposed

*Source:* Based on a coding frame developed by a research team of the Department of Criminology of the ILS PAS.

The conceptual work to create a key for harmonising the datasets aimed at (1) preserving all information relevant from the perspective of criminal careers, (2) supplementing—as far as possible—missing information that was considered relevant (e.g., the number of criminal acts committed in juvenile life), and (3) eliminating (scarce) information that was deemed of little use in the analysis of criminal careers. The last includes, for example, information on whether the juvenile smoked cigarettes. Although smoking is perceived as a manifestation of demoralisation by educators and psychologists, the prevalence of smoking among minors, as research has shown, means that in criminological studies, smoking is no longer a feature that substantially differentiates individuals and thus is no longer a meaningful variable in terms of analysing signs of demoralisation (Czarnecka-Działuk, Drapała, and Więcek-Durańska 2011, 44).

During the work on the database, we also eliminated categories that had a significant percentage of missing data, thereby making it impossible to take certain variables into account in further stages of the study. Since the unit of analysis in previous studies was court cases involving juveniles, information regarding the same persons was sometimes repeated in the collections when they were involved in different acts. At the stage of data harmonisation and organisation, in which the basic unit of analysis was unique offenders, information on the same offenders was merged.

### ***Check and analysis of previous criminal record***

Using the personal data collected as part of the four studies described above (stored in separate files and not linked to the information from the study of juvenile court records), we were able to make enquiries about the criminal records of all *former juveniles*<sup>9</sup> to the National Criminal Register (NCR) in May 2017.<sup>10</sup> The answers to these enquiries were submitted to us in June 2017. This year is relevant in terms of the analyses shown in the following chapters, as our knowledge of the criminal record of offenders whose lifetime delinquency was under scrutiny in this study does not extend beyond mid-2017.

A total of 2,506 enquiries were sent to the NCR, covering personal data of the perpetrators included in the four databases. These queries were addressed to the NCR simultaneously with the work on harmonising the sets from previous research, i.e., before the databases were harmonised and the information on perpetrators featured in more than one case was merged. Effectively, the queries concerned 2,468 unique perpetrators. In order to obtain information from the NCR, it is necessary to provide the perpetrator's accurate and correct personal data, their parents' names, their family name, and the PESEL number uniquely identifying each individual.<sup>11</sup> Although it was possible to acquire such data when analysing court records during previous research, in a few cases the data were either incomplete or incorrect, which ultimately made it impossible to check the criminal records of 71 persons.

For some in the population, the enquiries made to the NCR in 2017 were not the first enquiries about their criminal records. Offending activity (disclosed and adjudicated) of subjects who had felony cases as juveniles in the 1980s was also checked in 2010 and 2016. Criminal record data of subjects whose juvenile criminal charges were tried in 2000 were verified by the Department of Criminology of the ILS PAS in 2005, 2010, and 2015. Data in the criminal records of women who had cases in court as juveniles were verified in 2010 and 2015. With regard to 'younger juveniles', verification of whether they committed criminal acts after 2000 was carried out by checking the registries of the courts in which the previously examined cases were made available between 2001 and 2004 (Klaus 2006, 204). The pooling of criminal record data obtained in earlier years and in 2017 reduced the risk that our findings would be compromised due to possible expungement of convictions. Nevertheless, when it comes to catamnesis of offenders whose cases were tried in the 1980s, this risk must be taken into account. The first review of the criminal records of juveniles born in the 1960s and 1970s did not happen until 2010, so information on most of the minor offences that they committed in the 1990s, i.e., in early adulthood, was removed from the official records. The criminal record information obtained from the NCR was analysed and coded according to the key developed earlier. [Table 2.3](#) shows the range of data collected using the criminal record information coding tool.

**TABLE 2.3** Data collected from the NCR for the analysis of the criminal activity of individuals

<i>Type of information</i>	<i>Encoded data</i>
Data uniquely identifying the offender	Source database symbol, offender number
Criminal record	Information on whether or not the offender has a criminal record (based on 2017 checks and previous available information from the NCR)
Data on convictions	<ul style="list-style-type: none"> <li>• Number of convictions</li> <li>• Proportion of convictions under reoffending legislation</li> <li>• Number of convictions abroad (including grounds for conviction and country where the conviction took place)</li> </ul>
Nature of the acts committed (basis for conviction) <sup>12</sup>	<p>Types of acts according to relevant legal classifications:</p> <ul style="list-style-type: none"> <li>• theft,</li> <li>• burglary,</li> <li>• robbery crimes,</li> <li>• other offences against property,</li> <li>• homicide,</li> <li>• bodily harm or participation in a fight,</li> <li>• other crimes against life and health,</li> <li>• insults or threats,</li> <li>• forgery of documents or money,</li> <li>• drug crimes—trafficking,</li> <li>• drug crimes—use,</li> <li>• crimes against sexual freedom,</li> <li>• driving under the influence of alcohol,</li> <li>• domestic violence,</li> <li>• crimes against the family and guardianship,</li> <li>• offences against business transactions,</li> <li>• other offences (including other road traffic offences, offences against public order).</li> </ul>
Other characteristics of the acts committed	Total number of acts, number of acts of a given type, date of convictions for acts of a given type (types and numbers of acts determined on the basis of legal qualifications indicated in criminal records)
Criminal penalties	<ul style="list-style-type: none"> <li>• Type of penalties imposed (with particular attention to the number of imprisonment sentences, the length of these sentences, probation, and decisions suspending or ordering the enforcement of imprisonment sentences)</li> <li>• Total length of imprisonment</li> <li>• Longest imprisonment imposed on the offender</li> </ul>

*Source:* Based on a tool for coding information from criminal records developed by a research team from the Department of Criminology at the ILS PAS.

The analysis of major parameters of criminal activity in the course of life is inextricably bound up with the number of offences committed and the number of convictions issued in a certain period of an individual's life (see [Chapter 4](#) in this volume). In our research, these two variables were also crucial due to the court files analysis that was planned to deepen the understanding of selected categories of offenders and their involvement in crime. This is because we reasoned that in the study of criminal careers, it is legitimate, first and foremost, to obtain the broadest possible knowledge (in a given situation, the data available to law enforcement agencies and courts that constituted the grounds for conviction) about former juveniles who committed at least three criminal deeds and were sentenced at least twice in adulthood. And these became the criteria for selecting the court files to analyse.

Whereas counting convictions based on an analysis of the criminal records was not a problem,<sup>13</sup> counting the offences for which the individuals under study had been convicted was a more challenging task. Although we use the term *criminal act* both in the tools for coding information from the criminal records and in the analysis presented below, we are aware that the information contained in the criminal records that we were able to access actually expresses the main legal qualifications of acts adopted and pronounced by courts. Thus, we were mindful that the legal qualification may cover a whole spectrum of behaviour, including repeated violations of legal norms. In cases tried in the 1980s, a fairly common criminal act committed by minors was multiple burglaries (of garages or basements). In court proceedings, these acts were sometimes treated as one continuous act (one charge) and sometimes as single incidents, which translated into multiple charges. This example shows that although the legal classification of acts included in the criminal records is specific and precise, it does not explicitly answer the question of whether the crimes ascribed to the perpetrators were a regular element of their everyday life or occurred incidentally. Sometimes it also happens that two apparently different acts constitute a single crime if there is a causal link between them: if one of the acts had not been committed, the other could not have taken place. However, it is difficult to deduce such a relation only on the basis of legal categorisation of the acts.

Knowing that the length of proceedings varies, as well as that the committed acts may be continuous, we should refrain from correcting data on the time of perpetration by taking into account the average duration of proceedings. This information does not allow for calculations that would result in precise data about the dates (periods) of offences. Furthermore, data from the NCR may not encompass information on all convictions that took place abroad. There have also been cases where, even if data on foreign convictions were included in the criminal record, the recording of the information was not sufficiently detailed or the differences in the law caused difficulties in analysis. For example, instead of a precise legal definition of the adjudicated act, the information on one foreign conviction contained a generic description of 'theft', which may correspond to several legal categories in the Polish Penal Code (as well as several categories

of acts singled out for the purposes of this research). Another example is drug offences. Not being able to ascertain whether it was dealing or using on the basis of the criminal records, we had to look for additional information on possible legal classifications in a given country and sometimes arbitrarily decide in which category of acts the drug offence could be included.

Data from the criminal records show that 4% of former juveniles were convicted abroad, with half of those offenders having committed a criminal offence in Germany. It is likely, however, that these figures illustrate not so much the frequency of the problem as the cooperation of institutions responsible for collecting data on crime in different countries. Owing to the European Criminal Records Information System (ECRIS), it is currently most efficient<sup>14</sup> to transfer these data (on an ongoing basis) between EU countries. For other countries, there may be delays in entering information into the national register, or the information may be missing.

### ***Analysis of recent court cases of multiple offenders***

Multiple offenders (as a reminder, those convicted at least twice for a minimum of three offences) were identified by looking at the information on the number of convictions and the number of offences committed in their criminal records. Subsequently, in the course of reexamining those criminal records, we located the reference number of the last criminal case in which the individual was found guilty. These findings initiated a study of court files designed to obtain information that was as current as possible about a multiple offender's family, work, and financial background.

The research was carried out between April 2018 and February 2019. The baseline number of cases to be studied was 582. Eventually, we managed to analyse the files of 452 cases of former juveniles convicted at least twice. It was impossible to examine some of the remaining cases because the court did not consent to make the files available for research. More often, however, such files could not be made available either because they had been (legally) destroyed or because they had been transferred to other proceedings.

In order to collect information from criminal case files in a standardised way, we developed a tool that became the basis for preparing an electronic form in LimeSurvey. Table 2.4 shows the information collected as part of the file survey. Since the sentences in the studied criminal cases were imposed in different years, and thus at different moments in the experiences of the individuals whose further lives were covered in our research, we also included information about the year of the documents that were the source of information about the offender in the analysis of the criminal case files. This information potentially allowed us to cross-reference, for example, the family situation of the convict at a given point in time with the time of the offences.

When discussing analysis of court files, it is worth noting a few issues that are important not only for research into criminal careers but also for any research

**TABLE 2.4** Information collected in the study of recent criminal cases of multiple offenders

<i>Category of information</i>	<i>Issues</i>
Data uniquely identifying the offender	Offender number, reference of the source study, personal details of the offender <sup>15</sup>
Details of the criminal case	Reference number, court
Information on the offender	<ul style="list-style-type: none"> <li>• Gender, age</li> <li>• Education</li> <li>• Main occupation</li> <li>• In case of employed people (also previously), the (last) occupation of the offender</li> <li>• Income of the offender</li> <li>• Formal marital status</li> <li>• The status of the offender's relationship</li> <li>• Number of children, including minors dependent on the offender</li> <li>• Number of persons other than the minors dependent on the offender</li> </ul>
Addiction problems, diseases, and disorders	<ul style="list-style-type: none"> <li>• Alcohol or drug abuse</li> <li>• Identified mental disorders and illnesses</li> <li>• Identified personality disorder</li> </ul>

*Source:* Based on a tool for collecting information from criminal records developed by a research team of the Department of Criminology of the ILS PAS.

focused on offenders' profiles. First, the court files of any given case contain only data relevant to the conviction, so they cannot be regarded as complete information for sketching a profile of the perpetrator. Second, criminal case files include a lot of material on how law enforcement and the judiciary acted following the disclosure of a prohibited act, which means that the 'unit of analysis' for the law enforcement personnel and judges is the specific act and not the person who commits it. For researchers, this sometimes means a time-consuming review of the files in search of what might appear to be basic information about the offender. Third, the file of a given criminal case is a kind of a 'photograph' (not always of the best quality) of a specific fragment of the life of a person who commits many prohibited acts (as was the case with the perpetrators we studied). In order to learn about the entire criminal history of a multiple offender, researchers would need to review—sticking to this metaphor—other 'photographs' showing the circumstances of other acts committed by that person, if these acts were even revealed in the first place. The knowledge that can be gleaned from the analysis of criminal case files, like the criminal records described earlier, brings us closer to learning about the criminal activity of offenders—but only to some extent; often we are not able to relate the information to a longer period of these individuals' lives. This demonstrates that the study of court files, although it has great potential, can at most be used as one technique in the process of studying criminal careers. This is particularly true of files in less serious cases, where information about the convict is often very scarce.

### *Preparation of a qualitative study in prisons*

In accordance with the hypotheses adopted at the research design stage, one of the components of the study was qualitative interviews with repeat offenders. The selection of the sample was purposive and based on data gathered from an analysis of the court records in previous studies, supplemented by data from the subsequent criminal record of offenders and offences. Given the protection of personal data, requiring full anonymisation of data obtained in the course of court file research in 2018 and 2019, reaching potential interviewees using as up-to-date data as possible on, for example, their place of residence or place of work was not an option.

Relying on information in the criminal records and other collected data on former juveniles, we asked the Central Board of the Prison Service about 346 subjects: this is how many people with at least two convictions and three offences have ever been sentenced to imprisonment.<sup>16</sup> At the time of preparing the qualitative study, there were 68 people in prison. Bearing in mind possible refusals or other problems in reaching the convicts in particular prisons, we decided that without formulating additional criteria (e.g., based on the length of imprisonment, age, or gender), we would try to contact all the people who were in prison at the time of the study. Among those incarcerated when the study was being planned, there were only two women whose juvenile delinquency cases ended in 2000.<sup>17</sup>

An indispensable element of the qualitative study was obtaining permission to conduct interviews in prisons. Such permission was granted by both the general director of the Prison Service and the management of individual prisons. The opportunity to conduct an interview was in any case ultimately dependent on the consent of the convicted person. Since we reached out to individuals whose stories we felt were important to include in our research on the development of criminal careers, it was expedient to adequately inform the prisoners about the research we were doing, the reasons for asking them and not others to help with the research process, the purpose of the research, and the procedures involved in compiling the material from the studies. Such information could be delivered only with the assistance of the administration of penal institutions. As can be seen from the notes of the researchers, not all prisoners had prior knowledge about the research: for some of them, the meeting with the researcher was a surprise, although after learning about the purpose of the meeting, the prisoners tended to agree to the interview.

According to the research design, the interviews could be carried out only when the researchers were given the opportunity to be alone with the respondent in rooms that facilitated relaxed conversation and confidentiality, meaning no other people were involved. In order to reproduce the interviews faithfully, we decided that we would interview only people who agreed to be recorded. In other cases, researchers were allowed to have only casual conversations, which, however, did not constitute sources of information, even if a trace of such conversations appeared in the study notes.

Out of 48 attempts to reach convicts for interviews, 39 were successful. The interviews were conducted in a total of 24 correctional facilities in different parts of Poland. The 48 attempts refer only to cases in which there were no obstacles posed by the prison administration; i.e., the interview was potentially feasible, and the respondent was in the prison. Only two of the nine people who refused to participate in the survey did so because of researchers' requests to record the interview. The others did not wish to devote time to the researchers. Considering the limited time for the interview (after five potential interviewees had already left prison), the refusal to participate in the interview communicated at the stage of setting a possible date for a visit to the prison (10 cases), and incidental circumstances preventing a meeting with the convict (escape, hospital stay, problem with finding out their whereabouts), it was not possible to conduct 20 interviews. In total, out of 68 potentially possible interviews, 29 could not be performed.

Based on the interview notes prepared by the researchers, it can be concluded that the interviews usually took place in a good atmosphere and without the participation of third parties. There were two exceptions to the rule of one-on-one meetings between the researchers and respondents. These were interviews during which supervisors of the inmates were present for all or part of the interview. This was justified in one instance by safety issues and in the other by logistical issues: there was no room in which a meeting of about an hour could be held undisturbed. In terms of the comfort of the conversation, everyday life in a penitentiary might have been a problem. Noise and unannounced entrances to the interview room were some of the elements of the interviews with the prisoners.

### ***Substantive and ethical aspects of conducting qualitative interviews with the imprisoned convicts***

The objective of the qualitative study was mainly to hear the respondents' narratives about the reasons why they found themselves in prison for the first or second/third time. The study also aimed to learn about the factors that, in the convicts' opinion, had an impact on their destinies (including criminal history) at different stages of their lives: during childhood, the teenage years, the transition to adulthood, and early and late adulthood and upon entering a mature age. The interviews used the format of casual conversations but were moderated with the help of a predesigned scenario. Thus, they were individual semistructured interviews. The range of issues covered in the scenario is presented in [Table 2.5](#).

In our interviews, we did not ask the subjects about the type of crimes they had committed, and we did not verify information from the criminal records of any particular respondent, as we believed that what is crucial in this study is not the description of an individual's delinquent behaviour but their narrative about how important criminal actions had been in their life and why, about the consequences of these actions, and about what factors influenced them to engage in



**TABLE 2.5** Subjects discussed during one-on-one interviews with multiple offenders incarcerated in penitentiary institutions

<i>Category of information</i>	<i>Subjects</i>
Juvenile period	<ul style="list-style-type: none"> <li>• Unlawful activities during the juvenile period</li> <li>• Reasons for engaging in illegal activities (and their possible link to family, school, and peers)</li> <li>• Consequences of engaging in illegal activities as a juvenile</li> <li>• The importance of school in the process of engaging in or abstaining from criminal activity</li> <li>• The importance of peers in the process of engaging in or abstaining from criminal activity</li> <li>• Characteristics of the peer group (size, structure, history of the friendships/acquaintances, ways of spending time together, and closeness of peer group relationships)</li> <li>• Reasons for maintaining/not maintaining contact with people from the juvenile peer group in adulthood</li> </ul>
Entrance to adulthood	<ul style="list-style-type: none"> <li>• The beginnings of independent living</li> <li>• Moving out of parents' home (circumstances) or staying in parents' home in adulthood, reasons and consequences</li> </ul>
Work	<ul style="list-style-type: none"> <li>• Experience connected with professional work and respondents' attitude toward their work</li> <li>• Nature and type of work (registered/unregistered work; permanent/occasional)</li> <li>• Financial satisfaction with work (or lack thereof)</li> <li>• Periods of unemployment: duration, circumstances, sources of subsistence during periods of unemployment (including the use of, for example, social assistance)</li> <li>• Experience of travelling abroad for work: countries of destination, length of stay, occupation during the stay abroad, evaluation of satisfaction with work (if it was undertaken abroad), reasons for returning to Poland</li> <li>• Criminal activity as a source of income</li> </ul>
Close relationship (marriage, civil partnership)	<ul style="list-style-type: none"> <li>• Being (at any point) in a stable relationship: circumstances, duration of the relationship, living together</li> <li>• Possible support from a regular partner (past or present)</li> <li>• Circumstances of the end of a stable relationship</li> <li>• The most important relationship in the life of the respondent and the reasons for the importance of the relationship</li> <li>• The functioning of the relationship while the respondent was in prison</li> </ul>
Other relationships	<ul style="list-style-type: none"> <li>• Maintaining contact with parents and siblings</li> <li>• The importance of relationships with parents and siblings</li> <li>• Parents, siblings as a source of support</li> <li>• Close friendship relations in adulthood: the beginning of friendship, friends as a source of support</li> </ul>
Fatherhood	<ul style="list-style-type: none"> <li>• Experience of fatherhood: the number and age of children, nature of contact with children</li> <li>• Relationships with the children's mother(s): ongoing relationship, casual relationship</li> <li>• The meaning of being a father: the changes that come with being a parent or no change</li> </ul>

*(Continued)*

**TABLE 2.5** Subjects discussed during one-on-one interviews with multiple offenders incarcerated in penitentiary institutions (Continued)

Category of information	Subjects
Desistance from a crime	<ul style="list-style-type: none"> <li>• Longer breaks from crime: factors, people or institutions that promote desistance from criminal activity</li> <li>• Attempts to end criminal activity: circumstances of the attempts, reasons for failure</li> <li>• Contacts with individuals who have stopped criminal activity and identification of factors that led them to do so</li> <li>• The system of assistance for people leaving prison: current assessment and recommendations (based on own experience and general observations)</li> </ul>
Future plans	<ul style="list-style-type: none"> <li>• Future plans: family plans, work plans, and plans to engage in criminal activity in the future</li> </ul>

Source: Based on a scenario developed by a research team from the Department of Criminology of the ILS PAS.

illegal actions (whether disclosed or not). We did not use the term *criminal career*: rather, we talked about the crimes in the convict's life, about what 'led' the person to prison, and about what might cause or does cause or will cause them not to want to return there. In practice, the respondents quite often spontaneously, without being asked by the researchers, commented on the crimes they had committed. The researchers, in turn, when making the interview notes, frequently referred to the type of crimes for which the convicts were responsible, although we did not require this information to be specified in the interview sheet template. This demonstrates that in research with people who have been repeatedly 'branded' as offenders, the type of crime committed is important enough that it appears in both interviews and their accounts as one of the key themes. Some respondents also view and define their lives through this lens. Excerpts from the statements of several convicts introducing themselves can be used as an example:

*My name is .... I ended up here, I have a crime record and a car accident, I killed a man, I don't know, well, I have a daughter ....* (Adam, 35 years old)<sup>18</sup>

*Well, I'm just a normal guy. That's all. Well, I'm serving a sentence, simply, for my, you could say, stupid behaviour. For driving under the influence and breaking into a car. I'm 37 years old, married, have five kids and .... And now I'm just waiting to go to court, because I've been in jail for 32 months.* (Adrian, 37 years old)

As the researchers' notes show, for some of the interviewees, the interview itself was one of the few occasions when they were encouraged to reflect more deeply on their behaviour, the risk factors they had identified in entering a criminal path, or the conditions that, if met, would in their opinion guarantee a 'break' from committing crimes. Some showed surprise that someone might be interested in their thoughts or their lives in general—and not just those of interest to law enforcement. Although the relatively small sample does not allow for any

generalisations, this additional commentary clearly shows the entrenched beliefs in the minds of the subjects that no one is interested in their lives, which may be rooted in the attention deficit experienced already in childhood.<sup>19</sup>

Sometimes the researchers observed little involvement of the respondents in the interview, and sometimes the respondents expected rewards (e.g., an additional visitation or a note in the documents about participation in such research, which could work to the benefit of the convict in the future), despite being informed at the outset that the research was academic and participation in it did not entail any gratification. Although convicts that participated in previous studies carried out by the team of the Department of Criminology of the ILS PAS did not receive gratification, various methods of rewarding the respondents or compensating them for the time spent in studies are becoming widespread, including in criminological research. Thus, it is worth paying due attention to possible benefits, including financial ones, for the respondents, although undoubtedly the fact that the research participants are in prison complicates matters (for more, see Klaus et al. 2020).

Not all respondents were self-reflective or ready to discuss topics that were difficult for them (such as experiences of violence in childhood, poverty, or feelings of exclusion). For some of the interviewees, it was difficult to understand more complex questions, such as those referring to cause-and-effect relationships or abstract concepts (such as support). Therefore, when conducting the interviews, the researchers had to be understanding and adjust the language to the intellectual capabilities of the interviewed, while maintaining the principle that the language should be as neutral as possible, free of scientific jargon or specialist vocabulary, but also free of colloquial terms (unless they were introduced and consistently used by the convicted person).

In carrying out the interviews, it was also vital to properly ask questions about potentially significant moments that influenced individuals' choices. Research to date has suggested that certain circumstances, such as moving away from home, leaving school, starting one's own family or having a meaningful emotional relationship, getting or losing a job, and going abroad, may be salient moments in people's lives and determine whether they become involved in crime (or refrain from it). Although ostensibly these events may be unrelated to delinquent activity, the task of the researchers was to establish whether and at what stage of life these occurrences took place and whether, and possibly how, they were associated with offending activity and the consequences the respondents may have incurred. It was crucial to introduce these issues in such a way that the respondents did not feel that they were being judged as having failed at something in their lives or that they had experienced something that—according to social expectations—should not have happened or—quite the opposite—should have happened by certain age. For example, dropping out of school is not the socially desired event in life of teenagers. In turn, leaving the family home is generally believed to occur in early adulthood. However, it may happen earlier (e.g., through placement in foster care), not at all, or only at a mature age. It was

key in the interviews with convicts to avoid stereotypical thinking about the life course of individuals and not to impose interpretations of certain events on the respondents. Instead, it was preferable to encourage them to point out important people or events on their own and comment on their connection with criminal activity.

## **General characteristics of the datasets analysed for criminal careers**

Applying the research procedures described above, we collected data through a comprehensive quantitative dataset and a catalogue of qualitative interviews. The following is a basic outline of these datasets. However, more detailed information emerging from the analysis of the qualitative or quantitative data can be found later in the book.

### ***Quantitative dataset including data of 2,397 former juveniles***

By harmonising the datasets and combining them with information on the criminal record and general profile of each offender included in the last criminal case analysed, we created a single database with unique cases of offenders who had court trials for the first time in their juvenile life. The age of these individuals at the time of adjudication is not always the same as the age of 'entry on the path of crime'. Hence, the age of 'initiation of delinquency' in juvenile proceedings should be understood in each case with the proviso that the initiation occurred no later than the time of adjudication. Data on previous juvenile court judgments were collected during primary research describing the profiles of our subjects as juveniles, but it was not determined at what age they started perpetrating illegal acts that met a formal reaction from state authorities (as it was often not possible to do so).

The harmonised database contains information collected in a standardised way, although coming from different sources: court records, the NCR, the PESEL database, and the Central Board of the Prison Service. On the one hand, this gives us greater opportunities for analysis, but on the other, it calls for caution precisely because of the diversity of sources. Although it seems that the predominance of official sources substantially restricts the possibility of making inferences about criminal activity in the course of life, the long period of catamnesis and the large number of observations are proof of the potential of this data pool. What adds to this potential is the extensive sample of variables on the situation of minors, which is promising for the analysis of risk factors. Due to the large number of observations, it is worth briefly discussing the structure of the studied population, or rather its subgroups. For greater clarity, this structure has been presented in a table (Table 2.6).

The dataset prepared for the quantitative analyses does not include personal data: it is fully anonymised, as identifying individuals would require referring

**TABLE 2.6** Basic characteristics of the studied population

Total number of people whose cases were adjudicated by family or juvenile courts in the past— <b>former juveniles</b>	<b>2,397 people</b> , including – 976 women (40.7%) – 1,421 men (59.3%)
Earliest and latest year of birth of the respondents	1966 and 1994
Participation of the transition generation and the millennial generation	<b>Transition</b> generation: <b>530</b> people (22.1% of the population) <b>Millennial</b> generation: <b>1,867</b> people (77.9% of the population)
Number of people listed in the NCR	<b>962</b> (40.1% of the sample), including – 195 women – 767 men
Number of people listed in the NCR by generations represented	Transition generation: 205 people Millennial generation: 757 people
Minimum and maximum number of convictions	1 and 25 convictions
Minimum and maximum number of acts	1 and 107 acts
Number of people whose recent criminal cases were included in the analysis of <b>criminal case files</b> (2018–2019)	452 people
Number of people who were in prison between April and October 2019	68 people
Number of people with whom <b>individual qualitative interviews</b> were conducted in correctional facilities	39 people

*Source:* Based on the dataset compiled by the Department of Criminology of the ILS PAS.

to source materials that are available only to the research team. Due to differences in sample selection at the stage of primary research in the 2000s, the whole set is not representative, although part of the data comes from research in which there was random sampling.<sup>20</sup> In the analysis performed with this set, the SPSS software was used, which supports organising and analysing numerical data.

### ***Individual qualitative interviews with prisoners***

The general characteristics of the sample of respondents who took part in the qualitative study can be reduced to two issues: the number of interviews and the gender of the study participants. As indicated earlier, we conducted a total of 39 interviews, all with men who were incarcerated in 24 penal institutions in Poland at the time of the study. The youngest interviewee was 27 years old, and the oldest was 50 years old (there were two interviewees of this age). In total, 8 out of 39 interviewees belonged to the so-called transition generation. The others grew up in the late 1990s and 2000s.

The dataset derived from the qualitative study includes interview transcripts,<sup>21</sup> recordings, and interview sheets (with basic information about each interview and about the convict participating in it). Analysis of the interviews

was conducted using Maxqda software to support content analysis. All materials were anonymised and coded to organise the collected data. The extracts of the respondents' statements quoted in the following chapters are labelled with randomly assigned names (which replaced the originally assigned codes) and information about the age of the perpetrators at the time of the research. We felt it was important to provide the latter information, as age at the moment of the study indicates the perspective from which the subjects see their past and present. For the oldest respondents, questions about their first conflicts with the law required looking back about 30 years, while for the youngest respondents it was about 15 years. This may be important both for the interviewees' assessment of the past—the ability to recall various persons, events, behaviours, and emotions—and for their assessment of the current situation.

### ***Approaches to combining quantitative and qualitative data***

It is worth recalling that quantitative data formed the basis for identifying potential interviewees for the qualitative study. The personal data of repeat offenders was also used to check which offenders were serving a custodial sentence at the time of the qualitative study. However, the researchers interviewing the convicts had no knowledge of their criminal activity, number of convictions, family situation as a juvenile, or date when they were last convicted. The only certain information available to the interviewers was that the respondents had committed at least one criminal act during their juvenile years, that at some stage in their life they were given a custodial sentence, and that their serving of this sentence fell during the period in which the qualitative study was conducted, which was mainly the third quarter of 2019. Interestingly, during the interview, six respondents denied committing criminal acts in their juvenile years. For example, Dariusz (40 years old) said:

*I just started my career, like, let's call it, in the later [period]. Well, the first time I went to prison was in 2012 .... And that was my first [crime]. Before that I was not actually ... [involved in illegal activities].*

Perhaps the respondents frame these acts in this way because they perceive them as trivial or, as Karol, for example, pointed out, because they blame their actions on youth or 'coincidence' (which in Łukasz's case was the grounds for his conviction for robbery). Denial can also result from forgetting what the respondent did and when, due to the passage of time, which Robert mentioned. Here are some sample statements:

*These were not crimes, but more some kind of pranks involving, I don't know, some graffiti on a wall, involving some petty theft, involving, I don't know, drinking alcohol. Going out to have fun, just more along those lines. Like every teenager, some first crushes, first discos. (Karol, 40 years old)*

*No, nothing happened [in my juvenile years]. It was pure coincidence in general.* (Łukasz, 31 years old)

*I don't remember it anymore, because I was young, you know. In fact, I don't remember anymore how I, how I committed, what I did. I don't remember it [sigh].* (Robert, 40 years old)

The decision not to combine the data from the quantitative study with the information obtained during the individual interviews was dictated by the wish to learn the narratives of the convicted persons without prior bias from reading their stories in criminal or juvenile court case files. Such knowledge could have influenced the way the interview was conducted and might have even caused the researchers to inadvertently compare the data obtained from the criminal files with the statements of the respondents. Avoiding such juxtaposition was one of the basic principles of the qualitative study.

We further assumed that who would ultimately be interviewed was the sum of many factors, which, in turn, meant that if qualitative data were to be treated as explaining the contribution of crime to an individual's life that was mirrored in quantitative data, it would result in an almost random sample due to the anticipated limited access to potential interviewees. The awareness that purposive sampling posed a number of challenges led us to treat the qualitative study as a separate study rather than as a supplement to procedures using questionnaires to examine court records or criminal records. Nonetheless, the purposive sampling was fully based on the data collected in the quantitative research.

Also at the stage of analysing data from both pools, information on individual interviewees was not combined with data on their criminal record and juvenile criminal history from the quantitative dataset. Depending on the examined issue, the quantitative data either are the foundation for the analysis presented, with the information from the interviews complementing them (see [Chapter 4](#) in this volume) or form the basis for formulating general conclusions as a background for in-depth analysis conducted with the use of individual interviews with convicts (see [Chapter 7](#) in this volume). Due to the range of data included in the individual sets, the information from the qualitative interviews served as the only source for the analysis of factors of departure from crime (see [Chapter 8](#) in this volume). Essentially, there is no methodological triangulation to verify information from different sources.

### **The experience and competence of the researchers in addressing the research challenges**

The team of people who contributed to the studies discussed in this book is larger than just the authors of the chapters. The quantitative data that were finally used in the analysis presented here were originally collected as part of various research projects carried out by other teams—but always with the participation

of researchers also involved in studies described in this volume. Thus, there is an element of constancy in the research team, which guarantees a kind of 'methodological memory' that helps to understand the research challenges faced by the researchers almost two decades ago and today. The relatively large number of people involved in collecting and compiling data at different stages, on the one hand, means that the research can be done efficiently, necessitated by constraints such as the type of materials analysed. For example, court case files are sometimes made available for short periods of time, or it is possible to read them only at the seat of the court. Also, in the qualitative study, conducting interviews would not have been possible without the support of a team of several researchers who had the opportunity and time to travel to various penitentiary institutions in Poland at scheduled dates.

Involving many people in research may also have consequences in terms of content. Even good research tools and appropriate training of researchers do not guarantee that data will be collected in the same way when it comes to the level of detail. Obviously, the task of the main researchers is to prepare research tools and standardise them in such a way that the so-called interviewer effect has as little impact as possible. While this is possible in the case of newly planned research, it is difficult to eliminate this effect when using already collected data. Nevertheless, as part of the harmonisation of databases from different studies, we made an effort to ensure that the data that would eventually be analysed were unambiguous. We discarded variables that were questionable or contained subjective assessments that were difficult to interpret after time.

All researchers also recognise (or at least should recognise) the obvious principles of confidentiality of information and protection of personal data (Klaus et al. 2020) as well as of a neutral, nonjudgmental attitude toward the respondents. A key challenge here is the face-to-face contact between the researcher and the incarcerated subject. This situation leaves little room for free interpretation of the subject's unlawful behaviour. Even if, from the perspective of the persons participating in the study, the stay in prison is not a consequence of their involvement in criminal activity, for the people around them, including the researchers, this fact proves that the respondent was accused of a crime deserving a severe (prison) punishment. It may be regarded as a symptom of failure to move away from criminal activity and, in the case of repeatedly convicted offenders, failure of rehabilitation efforts. However, it need not be perceived in terms of failure by the respondents themselves.

On occasion, the subjects themselves made positive assessments of their offending behaviour, regardless of society's negative assessment confirmed by the conviction. The stay in prison became part and parcel of their life path, and despite the inconveniences, they seemed to have come to terms with it. It was not uncommon for the respondents to share their evaluation of their behaviour with the researchers on their own and to almost invite the researchers to comment on it. Already at the stage of coaching and then monitoring the qualitative study, however, the basic principle instilled in those conducting the interviews



was to avoid expressions that might contain a ‘moral’ judgment of what the respondent had said, regardless of whether these were to be unfavourable or favourable opinions, which the prisoners sometimes expected.<sup>22</sup> Maintaining a relaxed conversational atmosphere in such conditions can be a challenge. But the real problem (from the perspective of the standards and ethics of conducting research) is the situation in which a person in prison, already institutionally branded and dependent on the decisions of the staff of the institution, meets a researcher living outside of prison, who along with the request to participate in the study brings stereotypes, imposes patterns of thinking, and displays a kind of superiority toward the respondent (Szczepanik 2013, 183–186). These are undesirable situations.

Yet another issue that is related to research in a correctional institution and, at the same time, to the qualities of the researchers is the matter of trust between the researcher and the researched—and sometimes even of mutual familiarity. From our experience of conducting interviews in prisons, it does not appear that meetings between convicts and researchers reveal (mutual) distrust. Yet some interviewers observed distancing of the respondents with regard to certain topics. Young female researchers, in particular, met with attempts to establish contact that would continue after the interview, e.g., via social media. This sometimes raised doubts as to whether the prisoners took part in the study because they wanted to share their thoughts and were interested in the topic of the interview or because they found meeting someone ‘from outside prison walls’ a change from their daily routine but did not show any particular interest in the subject of the conversation (which ultimately affected the quality of the data). Sometimes, however, they showed the opposite: an enthusiastic attitude. In a few situations, the respondents opened up to the researchers, especially after the recording was completed, which was echoed in the copious interview notes.

## Conclusion

The above-described efforts to harmonise the data, organise them, and repeatedly check them for correctness resulted in a vast body of information on the criminal fates of 2,397 unique individuals, with approximately 2,000 variables. Both the analysis of these data and their interpretation involve many challenges. Some of these challenges are closely aligned with the merits of this collection—namely, the fact that the catamnesis period from the moment of adjudication for juveniles who have committed a criminal act is exceptionally long. This applies in particular to the transition generation included in the sample, i.e., those born between 1966 and 1978 who appeared before the juvenile courts between 1985 and 1988. The analysis of life paths in this group therefore extends not only to early but also to late adolescence and entry into adulthood, which is a particularly interesting period from the perspective of criminologists for the study of criminal activity.

The possibility of accessing information as to whether or not a person has a criminal record is very important, but it is not sufficient to increase knowledge of *criminal careers*, i.e., the participation and role of crime in the life of individuals as well as the actual time and nature of the offences. It seems that the only people with such knowledge are the individuals involved in committing the illegal deeds. However, it is well known that approaching them and then getting them to provide ample accounts of their lives, including incidents of offending, is a formidable challenge. Therefore, it comes as no surprise that researchers often turn to documents such as police or court files in their research on offenders, criminal acts, or victims. Such files contain, so to speak, a description that verifies whether an act can be attributed to a given individual and, if so, exactly what this act was, what the circumstances of its commission were, and also how, in the eyes of the law, this act should be classified. Thus, these are not arbitrary, spontaneous assessments and classifications but actions based on established patterns and taken according to established rules, which enhance the potential of this type of data, even if they reflect only a fraction of the offender's life and criminal trajectory. However, the data also comprise validated information about the offenders and their background, which is important when looking at the profile of the delinquent and the trajectory of their criminal career.

In the study described in this volume, it was possible (although not without difficulty) to use a variety of data sources, including data from studies carried out two decades earlier—which is highly desirable in academic research. We also succeeded in reaching respondents who, according to the official data analysed, had repeatedly engaged in criminal activities. Even if the short duration of some of the interviews or the limited involvement of some of the respondents in the conversation may be construed as undermining the quality of this material, it should be strongly emphasised that even the most laconic thought that a convicted person shared with the researcher may become very valuable in the analysis. The key point from the perspective of our research is that the data providing mainly the perspective of the justice system were successfully augmented with information that reflects the outlook of individuals: identified as perpetrators of crimes, convicted, incarcerated, but also acting within their own capabilities at different stages of their lives. Both the qualitative interviews and the outcome of almost three years of work—namely, the final dataset including information on the convictions of almost 1,000 individuals—may be the grounds for further research addressing issues other than those covered in this book or for a worthwhile continuation of research on criminal careers in the years to come.

## Notes

- 1 See also [Chapter 5](#) in this volume.
- 2 In the Polish legal context, this refers to criminal acts committed by minors or to signs of demoralisation recorded among persons under 13 years of age.

- 3 My special thanks for assistance in preparing this chapter go to Justyna Włodarczyk-Madejska, who supported me with detailed comments on the collected data and helped me reconstruct the many challenges encountered in the course of the individual research procedures. I would also like to thank Witold Klaus for his valuable additions and suggestions for quotations from qualitative research that perfectly reflect the methodological and ethical challenges in conducting research. I further wish to thank the authors of the other chapters in this book for all their comments and suggestions.
- 4 Such situations were encountered in qualitative research conducted in connection with the study of criminal careers, the results of which are presented in this book.
- 5 Project No. 2 H02A 017 22, run by Irena Rzeplińska, obtained from the State Committee for Scientific Research.
- 6 In 2021, we performed another criminal record check on the offenders included in that database. This check will be the subject of further analysis of the subsequent (criminal) lives of those who have faced juvenile courts in the past.
- 7 More information about sampling and methodology can be found in the articles encompassing primary analysis within these studies (for more, see Klaus 2006, 203–204; Klaus 2009, 94ff.; Rzeplińska 2006, 331–132; Woźniakowska-Fajst 2011, 171–172).
- 8 This refers to the study conducted by the Department of Criminology of the ILS PAS between 2017 and 2020.
- 9 A working term to describe the entire population that is the starting point for analysis of the continued criminality of individuals who have had delinquent or prohibited act cases in their juvenile years.
- 10 The national institution within the Ministry of Justice responsible for collecting and processing criminal record data. For more, see <https://www.gov.pl/web/krk-en>.
- 11 PESEL number contains 11 digits. It is a numeric symbol that uniquely identifies a specific individual registered in the PESEL database (the Common Electronic System of Population Register). The register contains details of persons residing permanently in the territory of the Republic of Poland and those registered for permanent or temporary residence. It is issued upon registration at local registry offices – to Polish citizens (usually upon obtaining birth certificate) and to eligible foreigners (registering their stay for more than 30 days). As a unique identification number, it is used in various formal situations (such as tax or employment issues). The register is run by the Ministry of Internal Affairs. For more, see <https://www.gov.pl/web/gov/czym-jest-rejestr-pesel>.
- 12 Crime groups were distinguished in a manner analogous to the crime groups included in the database harmonisation tool from the four different studies described above. In the tool for coding criminal history information, however, the list of these groups was reduced to the categories of acts that appeared in the criminal records. If certain types of acts occurred once or were not central to the analysis of criminal careers, these acts were placed in the 'other' category.
- 13 With the exception of criminal records of offenders who had several convictions (maximum 25) and whose criminal record was checked more than once. The analysis of such cards required concentration and careful verification of the extent to which convictions recorded in the files from different years were identical.
- 14 For more, see <https://ecris.eu/>.
- 15 Personal information was collected separately and only to allow data from the study of court files to be combined with information on offenders obtained during juvenile and criminal background checks.
- 16 These individuals accounted for 14% of the total population of former juveniles subject to criminal record inquiries.
- 17 Ultimately, however, it was not possible to speak with either woman. One was released just before the field phase of the study began, and the other refused to participate in the interview.

- 18 Quotes from the qualitative studies are annotated with information about the actual age of the convict at the time of the study and a random name assigned in the anonymisation process.
- 19 For more, see [Chapter 7](#) in this volume.
- 20 This refers to a study of juvenile girl cases and juveniles whose cases were heard by the courts in 2000, based on a random nationwide sample.
- 21 These are available only to the researchers and were collected only for quality control purposes with respect to the data collected. Consent of the respondents to participate in the study and to be recorded was also recorded. Usually interviews lasted about 40 minutes, although there were some interviews that lasted about an hour. In a few cases, the interviews lasted less than 20 minutes.
- 22 For example, one convict recounted that he only assaults men, which, from his perspective, put him in a much better light than other perpetrators of similar crimes who pay no attention to the identity of their victims.

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# 3

## CRIME STRUCTURE OF FORMER JUVENILE OFFENDERS DURING THEIR ADULTHOOD

The transition generation and the millennial generation

*Konrad Buczkowski and Paulina Wiktorska*

Our research covered a group of 2,397 former juveniles, from among whom we distinguished those who were convicted in adulthood (one or more times), who returned to crime sporadically or cyclically, and whose lives followed a trajectory from conviction to conviction—as well as those who did not return to crime after a criminal history or episode in their juvenile years. With regard to five categories of offences—four property-related offences (theft, burglary, robbery, and other offences against property) and bodily harm or participation in a fight—selected according to their highest frequency in the groups of both men and women, we undertook to check whether there was a ‘specialisation’ of offending behaviour, understood as committing the same types of offences in adulthood as in juvenile life. The idea was to examine whether the perpetrators who committed one of these five categories of offences while juveniles also committed the same type of offences in adulthood or whether they perhaps engaged in different types of criminal acts.

The statistical data are illustrated by the individual stories of the multiple offenders we studied. The quotes cited are derived from narrative interviews with persistent male perpetrators. Personal stories, reported from the perspective of people who have had criminal careers, offer a glimpse into the type of crime they committed but also provide insight into the motivation behind their actions or the circumstances that influenced or may have influenced them.

### Introduction

The purpose of this chapter is to analyse and describe selected aspects of the adult crime structure and the profile of offenders: former juveniles who committed criminal acts starting from either the 1980s (the transition generation) or the late 1990s and the 2000s (the millennial generation) and carried on their criminal

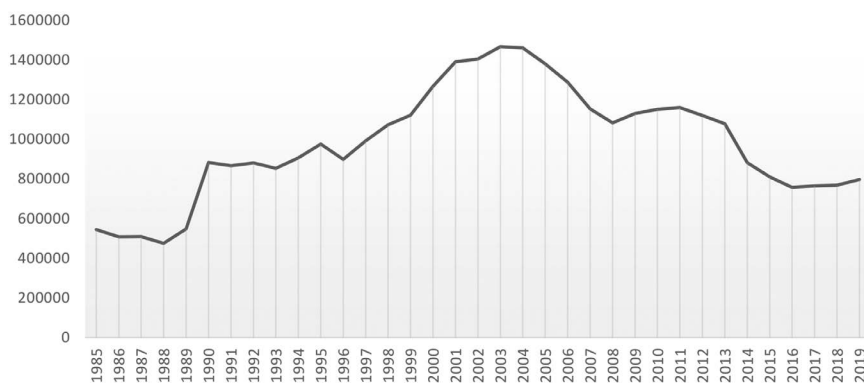
activity into adulthood. This chapter also charts their delinquency against the general statistics of crime in Poland during the transition period, whilst adopting a realistic approach to crime statistics, on the assumption that there is a variable relationship between disclosed and undisclosed crime and that formal data do not necessarily reflect actual crime (Błachut 2010).

The statistical data will be illustrated by the individual stories of the multiple offenders that we studied. The quotes cited come from selected narrative interviews with the male convicts chosen for the study on account of recurring felonies in their lives (for more, see [Chapter 2](#) in this volume). The personal stories, reported from the perspective of the inmates themselves who have had criminal careers, offer a glimpse into the type of crimes that the subjects committed, but they also provide insight into the motivation behind their actions or the circumstances that influenced or may have influenced them.

### General characteristics of the structure of crime in Poland during and after the transformation period

The criminal history of the convicts included in our study dates back to 1985 (for the transition generation) and 2000 (for the millennial generation) and continues until 2017 (for both generations), when their criminal records were last checked. The overall crime trend in Poland for this period and subsequent years is shown in [Figure 3.1](#).

The years from 1980 to 1989 were notoriously difficult for the People's Republic of Poland. It was a time of decline when the structures of the political system and the centrally planned economy were slowly crumbling and when the Communist authorities were mounting a last-ditch effort to save the country. The changes in penal policy led to a sharp increase in repression.



**FIGURE 3.1** Crimes adjudicated between 1985 and 2019 (Ministry of Justice of Poland) (total in absolute numbers) (x-axis–Year, y-axis–Number of acts). After 1988, the number of crimes adjudicated increased. It peaked between 2003 and 2004 and began to decline in subsequent years

The burgeoning crime rates observed in the first half of the 1980s culminated in the adoption of the so-called May Laws of 1985, which, in particular, raised the statutory limits on fines and restitution and partly excluded or restricted the application of conditional suspension of imprisonment, extraordinary mitigation of punishment, and conditional early release.<sup>1</sup> The drop in reported crime noted as a result of these changes (with the sole exception of offences against public security<sup>2</sup>) and the shift in the nature of the acts toward increasingly less serious offences were used by the authorities to legitimise the claim that harsh criminal repression can effectively curb the growth of crime (Buczowski 2013). It must be remembered, however, that crime statistics during the Communist period were an integral part of propaganda, so we must assume that actual crime rates were, in fact, higher than the official statistics indicated.

The turn of 1989 and 1990, which ushered in the sociopolitical upheaval and political transformation of the country, generated new problems. The social disorganisation occurring at that time brought about major changes in crime—not only in so-called common crime but also in economic crime (Buczowski 2017). In this period, there was a rapid increase in the number of adjudicated crimes, amounting to substantial percentages in some groups (80% for robberies, more than 50% for thefts, 30% for fights or beatings, and 80% for crimes against property) (Siemaszko 1999; Krajewski 2008).

During the same periods in which the perpetrators under study were involved in criminal activity, two different penal codes, originating from different ideological leanings, were in force: the 1969 and the 1997 codes. The punitive policy implemented in the early days of the new penal code was oriented toward moving away from excessively restrictive criminal law, but over the next 20 years of the code's binding force, its successive amendments, sometimes considerable, affected changes in the penalisation of particular crimes (often leading to a renewed increase in repressiveness). It also led to the introduction of new types of acts in the penal legislation, which caused a spike in the number of crimes committed and a general surge in crime (a 'flagship' example here is Article 178a of the Penal Code of 1997, Driving under the influence of alcohol or under the influence of a narcotic drug) (Witkowska-Rozpara 2020).

The changes affected not only the penal code as such. A wide range of amendments to toughen up repressive measures or to criminalise new behaviours was also introduced in criminal law outside the code, the most blatant example of which was the amendment to the legislation on counteracting drug abuse, which extended the spectrum of criminalisation and penalisation of individual acts. All this was mirrored in the structure of convicted crimes (and, consequently, of legally valid convictions). Their number soared until 2003–2004, followed by a downward trend. After another rise from 2010 until 2012 (but much lower than that in the early 2000s), a steady decline in the number of crimes committed was witnessed until 2017 (Buczowski and Bachmat 2021).

When considering the distribution of individual crimes from 1998 to 2019, we should note that most of the crimes perpetrated fall into the group of



common crimes, especially crimes against property. The percentage of offenders against property fluctuates slightly from year to year but always hovers around 50% of the total number of crimes committed (Gruszczyńska 2015). It should be mentioned that almost all crimes against property are premeditated. These crimes traditionally involve deliberate (intentional) infringement of the property of another person, are considered to be misdemeanours, and are punishable by imprisonment (Zawłocki 2015). They belong to the category of common offences and usually do not require specialisation. Crimes against property give an illusory sense of quick gratification of the incurred effort. The term *crime against property* is conventionally used in criminal law doctrine and criminological terminology to designate the following crimes: theft, burglary, and crimes of robbery, which include robbery, larceny, racketeering, and extortion (Gardocki 2011; Gruszczyńska 2015).

In the structure of crime, driving under the influence of alcohol or a narcotic drug—Article 178a of the Penal Code—comes next (accounting for about 7–12% of the total number of crimes committed, depending on the year). It is an exception, as it concerns only one type of crime, while the other types specified in the chapter—namely, crimes against public safety and road offences—constitute only about 2% of the total number of crimes committed (Gruszczyńska 2015).

A significant item in the general structure of crime since 1989 is offences under the Act of 31 January 1985 on Counteracting Drug Addiction. Crimes of this kind, which are related to dealing in or using psychoactive substances, are a novelty in statistics after the sociopolitical transformation in Poland. Although they comprise about 7% of the total number of offences, the rise in their incidence was incredibly fast: between 2003 and 2010, it was over 100% (Buczkowski 2017).

Crimes against life and health accounted for approximately 2–3% of the total number of recorded offences in the studied period; within this group, the largest number of offences (more than 50%) concerned the infliction of bodily harm and participation in a fight or beating (approximately 38%).

The data on changes in the crime rate discussed above refer to adult perpetrators. And what was the situation with juveniles? First of all, between 2000 and 2019 (these years can be compared due to the data we have), there was a 2.4-fold decrease in the number of juveniles tried for committing criminal acts, which can be blamed, in part, on the progressing demographic decline in Poland. As far as the structure of offences committed by juvenile offenders is concerned, it is not much different from that of adult offenders. Acts against property predominate (about 50% of all acts). However, the number of minors committing acts against life and health rose by about ten percentage points, and in 2018, these accounted for almost 25% of all criminal acts committed by minors. In the same year, acts against freedom, sexual freedom, and morality rose by about eight percentage points and accounted for more than 11% of all criminal acts committed by minors, and drug offences rose by about nine percentage points and accounted for more than 10% of all criminal acts committed by minors (Włodarczyk-Madejska 2021).

## **Crime in the life stories of respondents from the transition and millennial generations**

### ***Methodological notes***

The data presented in the following section include all the cases from the four studies described above and concern 2,397 juveniles, consisting of 1,421 males and 976 females (for more, see [Chapter 2](#) in this volume).

In order to carry out the analysis in terms of the types of offences committed by minors in the course of their criminal activity, the acts of crime committed by surveyed perpetrators were grouped according to a classification key into broader categories reflecting the nature of the crime and not just the legal name of the type of act. Moreover, because of the permanent nature of criminal careers, they include crimes codified in two penal codes, from 1969 and 1997, and the most serious offences. Detailed data are presented in [Table 3.1](#).

Our analysis answers the question of what percentage of individuals committed a particular type of crime at least once in their lifetime. The presented data do not add up to 100%, as each convict may have been involved in more than one type of act. Further analysis was carried out by taking into account the category of offences consistent with the typology adopted in [Table 3.1](#).

### ***The transition generation and the millennial generation— an attempt at comparison***

Our research covered a group of 2,397 former juveniles, from among whom we distinguished those who were convicted in adulthood (once or more times), those who returned to crime sporadically or cyclically, and those whose lives followed a trajectory from conviction to conviction (Rzeplińska 2014) as well as those who did not return to crime after a criminal history or episode in their juvenile years. The respondents belong to the population of legally convicted offenders selected according to the type of crime assigned to them (Błachut 2010).

The key lesson to be drawn from the analysis of our data is that around 60% of the studied former minors did not relapse into delinquency in adulthood—at least in the formal sense as reflected in the databases of the National Criminal Register (NCR)—which means that their possible criminal behaviour in adulthood was not disclosed and officially judged and the perpetrators themselves were not legally sentenced.

The structure of registered recidivism of the former juveniles is dominated by perpetrators of crimes against property, which is in line with the general trend observed for many years in the pattern of crime in Poland.

We found it interesting to examine the structure of delinquency when split between two generations, the transition generation and the millennial generation, in order to grasp any possible differences stemming from the transformation process underway in Poland at different stages of the respondents' lives (for

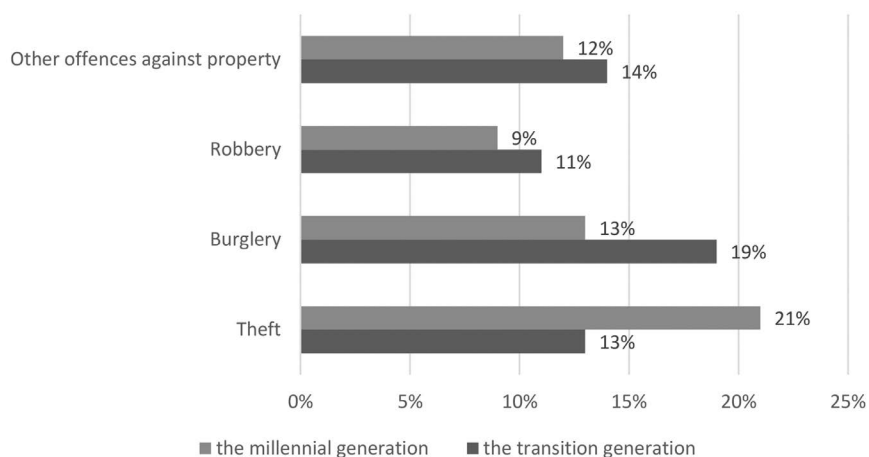
**TABLE 3.1** Categories of acts and types of offences attributed to them\*

Theft	K.K. 1969: Articles 199, 200, 201, 202, 203, 204 K.K. 1997: Articles 278, 289, 290 K.W.: Article 119
Burglary	K.K. 1969: Article 208 K.K. 1997: Article 279
Robbery	K.K. 1969: Articles 209, 210, 211 K.K. 1997: Articles 280, 281, 282, 283
Other offences against property	K.K. 1969: Articles 20, 212, 214, 215, 216 K.K. 1997: Articles 284, 285, 286, 287, 288, 291, 292, 293 K.W.: Article 124
Homicide	K.K. 1997: Articles 148, 149
Bodily harm or participation in a fight	K.K. 1969: Articles 155, 156, 157, 158 K.K. 1997: Articles 156, 157, 158, 159
Other offences against life and health	K.K. 1969: Articles 150, 151, 152 K.K. 1997: Articles 150, 151, 155, 160
Insults or threats	K.K. 1969: Articles 166, 167, 178, 181, 182 K.K. 1997: Articles 190, 191, 216, 217, 222, 224, 226, 245
Forgery of documents or money	K.K. 1969: Articles 227, 228, 229, 230, 231, 232, 265, 266, 267, 268 K.K. 1997: Articles 270, 271, 272, 273, 274, 275, 276, 310, 311, 312, 313, 314, 315 K.W.: Article 65
Drug offences—drug trafficking	Article 58 of the Act of 29 July 2005 on Counteracting Drug Addiction
Drug offences—use (possession) of drugs	Article 62 of the Act of 29 July 2005 on Counteracting Drug Addiction
Offences against sexual freedom	K.K. 1969: Articles 168, 169, 170, 173, 175, 176, 177 K.K. 1997: Articles 17, 198, 199, 200, 201, 202
Driving under the influence of alcohol	K.K. 1997: Article 178a K.W.: Article 87
Domestic violence	K.K. 1969: Article 184 K.K. 1997: Article 207
Offences against the family and guardianship	K.K. 1997: Article 209 (only the crime of nonmaintenance)
Offences against trading	K.K. 1997: Articles 297, 305
Other offences	Other crimes not included in the previous categories, including crimes against public order and traffic offences

\* K.K.—Penal Code; K.W.—Misdemeanour Code.

more, see [Chapter 5](#) in this volume). The transition generation consists of people born in the 1960s and 1970s, which accounted for 530 subjects in our study ( $T = 530$ ), while the millennial generation included 1,867 respondents born in the 1980s and 1990s ( $M = 1,867$ ).

Our findings show that overall respondents from the transition generation committed 1,917 acts ( $N_T = 1,917$ ) in adulthood, while those from the millennial generation committed 5,543 acts ( $N_M = 5,543$ ).<sup>3</sup> It should be noted, however, that these are only the acts that we had knowledge of, as information about



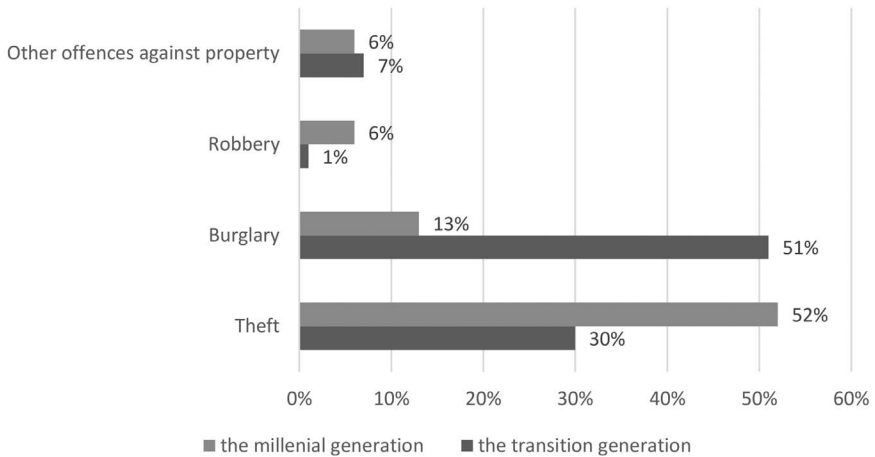
**FIGURE 3.2** Crimes against property committed in adulthood by offenders from the transition and millennial generations ( $N_T = 1,917$ ,  $N_M = 5,543$ ). In adulthood, the millennial generation primarily committed theft, while the transition generation primarily committed other types of property crimes

them was on file in the NCR database. In view of the long time span covered by the analysis, some convictions—especially for the more petty offences of the offenders from the transition generation—may have been erased. This may also partly explain the disproportion in the number of acts across both generations. Moreover, such a gap may result from the size of both populations, as the number of perpetrators from the transition generation constituted less than one-third that of the perpetrators from the millennial generation.

Figure 3.2 clearly shows that perpetrators from the younger generation were more likely to commit theft, while the crime of burglary prevailed among offenders from the transition generation.

It is worthwhile at this point to compare data on crimes against property committed in adulthood with data on such crimes committed in juvenile life, taking into account the breakdown by two generations ( $N_T = 1,336$ ,  $N_M = 4,109$ ), as illustrated in Figure 3.3.

During the first years of the respondents' involvement in crime, the trends were similar (perpetrators from the millennial generation mostly committed thefts, while those from the transition generation mostly committed burglaries). The changes in the rates of crime in the category of offences against property between individual generations may have been due to the tension that emerged during the transformation period, which led to the unification of Polish society, on the one hand, and to its polarization, on the other (Palska 2009). The supply of luxury personal goods and the easy access to them in the anonymous public space grew markedly, with a concomitant increase in the behavioural component of fear of crime (Ostaszewski 2014). This manifested itself, for example, in a



**FIGURE 3.3** Crimes against property committed in juvenile life by offenders from the transition and millennial generations ( $N_T = 1,336$ ,  $N_M = 4,109$ ). In juvenile life, the millennial generation primarily committed theft, while the transition generation primarily committed burglary

greater effort, mainly on the part of the wealthier part of society, to use more and more professional methods of protection against burglary in their homes, which, in turn, must have been established into changes in the statistics on the structure of property crime. Probably the development of electronic banking also played a role: it became much less of a risk to steal a debit or credit card or a mobile phone than to burglarise homes, shops, or offices, which gradually were becoming more often covered by professional monitoring.

The post-transformation era of the 1990s and the beginning of the 21st century brought a number of social upheavals. For many people, the life goal became increasing their wealth and acquiring a particular position in their social group. This kind of ‘social advancement’ was supposed to happen quickly, without many years of sacrifice or effort. Juveniles of the time also emulated such models. Their objectives had to be achieved quickly; therefore—in the pursuit of easy profit—they chose the ‘easier’ way of stealing, all the easier because there were more and more goods that could be sold for a profit (e.g., from cosmetics thefts and basement burglaries in the 1990s).

### **Tomasz, 30–35 years old**

*The end of eighth grade and I'd already started down the path of crime and began stealing, burglarising and the like. ... Partying and break-ins. And so it went.*

*Because as a kid, you always wanted the best stuff, the best clothes. And ... Mum gave us things, but it was never enough and ...*

*And that was pretty much the reason too ... well, also because of the drug use, there were so many convictions. Because there was no full control. Indestructibility came on and .... No, you know. One drug has a calming effect on one person and a stimulating effect on another. I got the stimulating effect. And I was all over the place and ... I wanted too much of everything at the same time.*

When talking about the onset and continuation of crime in their lives, respondents pinpoint the desire to obtain money as the most common motive. However, from the personal stories told by the inmates with criminal careers, it appears that the motives for gaining money varied from the need to meet basic life expenses, including the responsibility to support family members, through difficulties in paying off debts, difficulties in finding legal work, and the urge to buy drugs and alcohol due to addictions, to the wish to own certain items in order to impress friends and raise one's prestige.

### **Lukasz, 31 years old**

*It was pure coincidence actually. I was going to a friend's place, it was raining, I picked up a guy who was hitchhiking. I took pity on him, took him in the car. There were two friends riding with me. The man we picked up was drunk and insulted the girl. There was a little scuffle. He stayed, we drove on. The police stopped us in the car. It turned out that the man's jacket was left there. This is what it came to, that it was a robbery and for this three years in prison. ... When I was released from prison, I got three years sentence. After three months, I went back to prison to serve my sentence for theft. ... This theft was a very ridiculous theft. If one were to look deeper into it and see these documents, an ordinary person would not think that one could go to prison [for] such a thing.*

*I had another crime of the organised group type allegedly, in inverted commas. It was extortion of goods from companies. I signed the wrong documents. It was a group. We got six months, as long as we sat in the courtroom, because it turned out that someone else was doing it. We were just puppets. At that time it was exactly seven months of the sentence, which I served half a year under temporary arrest and a month in jail.*

### **Michal, 27 years old**

*My conflict with the law started at the age of 16 ... I started using drugs. At first, on weekends. Then the influence of the company I was hanging out with, because it was dysfunctional society.*

*I started using drugs habitually. Different drugs. I think I tried all the drugs that are available on the market. ... I started doing drugs, then I started stealing, school didn't interest me. Instead of going to school, I went with my friends to do different things. That's how it all happened .... After a year and a half, my life revolved around drugs and stealing.*

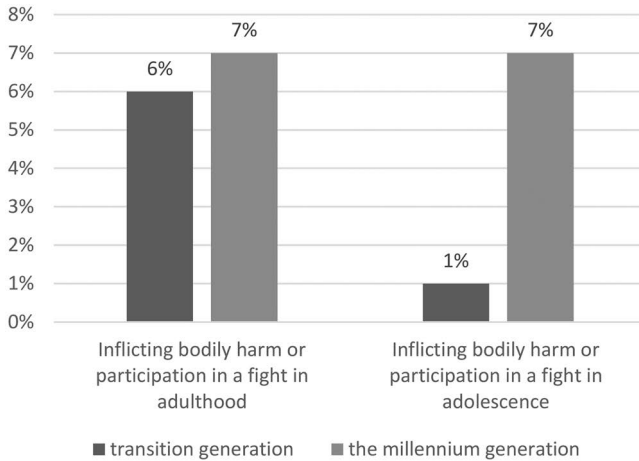
*What I earned in a month from such a legal job as a pallet truck driver, I could earn in a day. I calculated in my head that why should I work for a month, if it is not enough for me anyway, especially if I am a drug addict, if I need the money, if the money disappears like water, how can I earn it in one day?*

*If you do drugs, you have to have money for it. Let us not fool ourselves, it is difficult to earn money for drugs from a legal job. What you earn from a legal job, you can spend on drugs in a week.*

### **Krzysztof, 28 years old**

*Well, because I was running out of money, she (my partner) started to devote less and less time to me, she was always coming up with something, and I was working all the time, so I had all day to myself. So I would go to my friends' places to spend time with them, not to sit at home alone. There I bought something cheap, sold it for a higher price and worked extra. And I just hung out with my friends, they'd have a beer, then a little vodka, and later we'd come up with stupid ideas. ... For example, I got in the car after another beer. The police stopped us and I had been banned before.*

Another type of crime that featured prominently in the life stories of the respondents was bodily harm or participation in a fight or beating. The difference in the numbers of such offences committed by representatives of the transition generation and the millennial generation in adulthood is so slight that we may assume that they basically do not differ between the generations (6% for the transition generation and 7% for the millennial generation). Nevertheless, if we take a look at what acts they committed in juvenile life, it turns out that younger perpetrators committed such offences several times more often (Figure 3.4), and it was not possible to establish the reasons for this difference in our research.

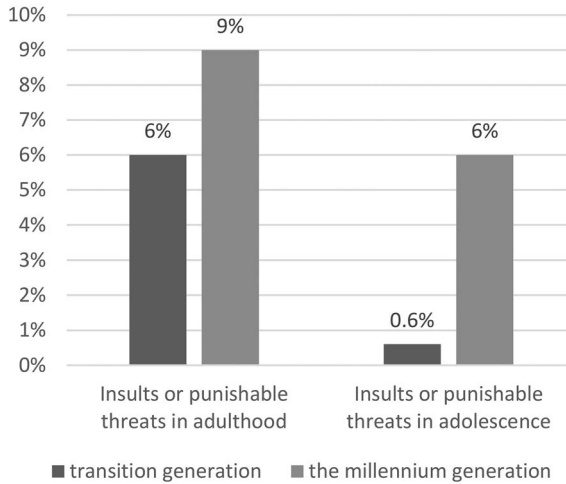


**FIGURE 3.4** Inflicting bodily harm or participation in a fight in juvenile life ( $N_T = 1,336$ ,  $N_M = 4,109$ ) and adulthood ( $N_T = 1,917$ ,  $N_M = 5,543$ ) in the transition and millennial generations. The millennial generation was more likely to inflict bodily injury or participate in a fight in both juvenile life and adulthood than the transitional generation

Other crimes against life and health, including homicide, occur sporadically in both generations. The situation is similar for crimes against sexual freedom, which are admittedly slightly more frequent (2%) than crimes against life and health—but only in the transition generation. An interesting trend is seen in the share of insults and criminal threats in the crime structure (Figure 3.5). While for the rates of these crimes committed in adulthood by representatives of both generations the differences are relatively small (6% for the transition generation and 9% for the millennial generation), in the period of juvenile delinquency, perpetrators from the millennial generation committed such acts far more often. Once again, it is difficult to pinpoint the reasons for this fact. Such differences can hardly be explained by social change. It is also impossible to blame biological reasons (increased production of hormones, including testosterone, associated with adolescence) because then the percentages in both generations should be roughly similar.

Perpetrators from the millennial generation were twice as likely in adulthood to commit offences involving forgery of documents and money than in juvenile life (3% in juvenile life, 6% in adulthood). In the group of perpetrators from the transition generation, crimes of this type hardly occurred in juvenile life (two cases among all respondents), whereas in adulthood, they amounted to 6%. In both groups, a surge in the number of such acts was noted in adulthood, which may be explained by the fact that the perpetrators gained full legal capacity and thus, for example, were able to sign loan agreements and forge documents necessary to obtain a loan.





**FIGURE 3.5** Insults or punishable threats in juvenile ( $N_T = 1,336$ ,  $N_M = 4,109$ ) and adulthood ( $N_T = 1,917$ ,  $N_M = 5,543$ ) in the transition and millennial generations. Both generations committed more insults or punishable threats in juvenile life than in adulthood. The transition generation basically did not commit insults or punishable threats in adulthood

Driving under the influence of alcohol, as well as offences against trading and offences against the family and guardianship, are visible in the structure of crime generally only during adulthood.

As regards the offence of driving under the influence of alcohol or a narcotic drug (Article 178a of the Penal Code), in the transition generation, this offence did not occur in juvenile life, while in adulthood, it occurred at the rate of 8%; in the millennial generation, it also began to occur only in adulthood (6%). There may be at least two reasons for this state of affairs: first, the lack of a record of this type of offence in the underage period of the transition generation is due to the lack of criminalisation of this act (it was not introduced to the penal code until 2000), and second, acts under Article 178a of the Penal Code are committed much more frequently by persons with driving licences. Although the age of driving licence eligibility varied over time, it was never lower than 16 (and even then, it was not possible to obtain a driving licence without parental consent).<sup>4</sup>

Offences against business transactions in both generations were absent in juvenile because a crime against trading can be committed only by adults), while they were recorded to a small extent in the period of adult criminal activity (2% in the transition generation and 1% in the millennial generation).

We recorded offences against the family and guardianship only in the transition generation during adulthood, with only 1% of offences.

## Criminal career by type of crime

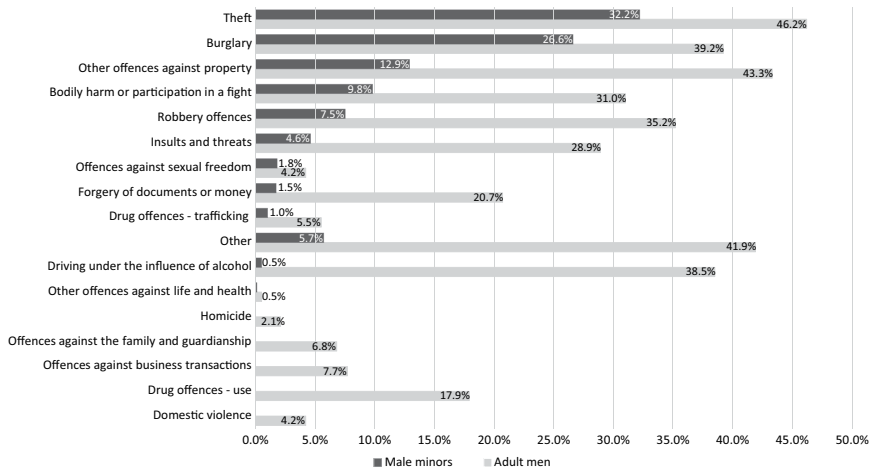
### *Crime in juvenile life and adulthood*

#### *Convicted men from the transition and millennial generations*

The 1,421 males who committed offences as juveniles were analysed. This group includes perpetrators from both the transition and the millennial generations. Therefore, the data presented in this section, given the different method of analysis, will show different results than those presented earlier. From the above group, only 767 men (approximately 54%) continued their criminal career into adulthood (they were listed in the NCR), and this group was subjected to further assessments.

The collected data (Figure 3.6) suggest that during juvenile life, the studied group of men mainly committed broadly defined crimes against property, with a prevalence of perpetrators of theft (over 32% of the subjects) and burglary (over 26% of the subjects). Another juvenile group was perpetrators of bodily harm or those involved in a fight (almost 10% of the subjects), those convicted of robbery offences (7.5% of the subjects), and those convicted of insults and punishable threats (4.6% of the subjects).

Concerning men with a history of juvenile delinquency, there were no perpetrators of such types of offences as crimes against the family and guardianship, domestic violence, drug use, or business crimes, which is attributable to the young age of the perpetrators. A small percentage were also perpetrators of



**FIGURE 3.6** Types of offences committed in juvenile life and adulthood—men ( $N_A = 767$ ;  $N_M = 1,421$ ). Data do not add up to 100%. Male minors committed only some of the offences against property, while adult males committed offences in all categories analysed

offences against sexual freedom (1.8%), forgery of documents or money (1.5%), or driving under the influence of alcohol (0.5%).

The percentages of offenders in adulthood look very different. This group is strongly dominated by perpetrators of theft (over 46%). Burglary was committed by more than 39%, robbery offences by more than 35%, and other crimes against property by more than 43%.

### **Jakub, age 35**

*I mean such minor offences, you know, thefts, car burglaries. Yeah. I did all this with friends, because I wanted to show off in front of them. That's what you do when you're a kid. ... The purpose was to get money. ... The first thing we did was to start breaking into basements, stealing bicycles, stuff like that. ... Everything was traded to get money for cigarettes, for such things.*

The percentages of adult men sentenced for crimes involving bodily harm or participation in a fight (31% of the respondents) and crimes involving insults and threats (almost 29% of the respondents) remained at an equally high level.

### **Jaroslav, age 34**

*Well, I don't remember it that much. Because the time flew by fast. I went to school, until I started stealing as a kid, and then I ended up in juvenile detention. I thought it wouldn't go any further, but it did, so when I came of age I was sent to a pretrial detention centre. I did time, got out, got a chance which I didn't take and started stealing again. I stole and stole and stole until I was sentenced. I served five years there. I got out. I was practically out of prison for ten years, I worked, I wanted to stay out of trouble with the law, but things turned out differently and after nine-plus years I ended up here again. Only before I was in trouble for thefts, burglaries, crimes against property, and now also for fights. A provocation, sort of, that's how it happened.*

A significant share in this group of adult men committed drink-driving offences (38.5%), which should be associated with the introduction of Article 178a to the Penal Code and the fact that it is possible to obtain a driving licence only after the age of 18. They were also perpetrators of document or money forgery, accounting for almost 21% of the adult male convicts.

### **Mateusz, age 34, criminal career**

He was first convicted at the age of 19 for driving a motor vehicle while intoxicated. Thereafter he had several suspended sentences and first went to the penitentiary, where he served a three-year sentence, but shortly after leaving, he was sent to prison again for battery. He is also serving a sentence for absconding from his place of work outside prison. The convict also was sentenced for alcohol-related battery (allegedly of a neighbour who beat his wife and the convict did so at her request; the neighbour died after three months in hospital as a result of this beating). He points to his addiction to alcohol.

We should also take note of a sizeable upturn in the number of adult perpetrators of offences related to using drugs (almost 18% of the adult male offenders) and to dealing drugs (5.5% of the adult male offenders), which was not observed when looking at the data on male juvenile delinquency (due to lack of data in this area). This may also be a result of the penalisation of drug possession in 2000 through amendments to the Act of 24 April 1997 on Counteracting Drug Addiction (Konikowska-Kuczyńska 2008).

### **Zbigniew, age 35**

The convict is serving a prison sentence mostly for theft, brawling, drink-driving, and arson. He was also sentenced to prison in the UK for dealing and growing cannabis, spitting on a bus driver, and stealing electricity.

*[In my youth] they happened. Theft, one arson at the time when I was 16, it was arson, 17 almost, it was arson, then I went to a correctional institution.*

*[I was abroad] six months. More like six months, eight months. And I got a sentence. I served my sentence, I still had nine months to go, because when I got out ... they caught me with a car. I had nine months and I came here ... so in Warsaw at the airport they arrested me right away to serve the sentence.*

*Because I had three charges. Because I had an accident with my car, I was growing this herb, I didn't live there for a year, so I stole electricity. Well, a lot of electricity, because it was a 150 VAT light bulb, and I spat on a guy on the bus. So I had three charges.*

He believes that committing crimes was a source of income for him.

*Well also theft. [And marijuana] Well that too. ... Well I didn't steal there. Because I didn't have to steal. ... Before here? Before here, it was my livelihood, you could say. I stole... to have money.*

Comparing the categories of male juvenile and adult perpetrators, attention should be drawn to the persisting share of perpetrators of acts against property (theft, burglary, robbery, and other crimes against property) in both groups. In the remaining categories, it was the adult offenders who much more commonly committed offences falling into different groups. This is particularly visible when it comes to driving under the influence of alcohol (38.5% committed such an act in adulthood compared to 0.5% in juvenile life).

Another noteworthy fact is the considerably higher percentage of adult perpetrators of crimes against the family and guardianship (almost 7% of the subjects), domestic violence (more than 4% of the subjects), and crimes against sexual freedom (also more than 4% of the subjects), which can be linked to the fact that the convicts had their own families (wives, concubines), which was not the case (due to age) in the juvenile group (at that time, these minors were victims of domestic violence, most often beaten by their fathers; for more, see [Chapter 7](#) in this volume). Almost 21% of the adult men also committed crimes related to the forgery of documents or money as well as offence against business transactions (almost 8% of the adult men), which was not recorded in the juvenile group.

### *Convicted women from the transition and millennial generations*

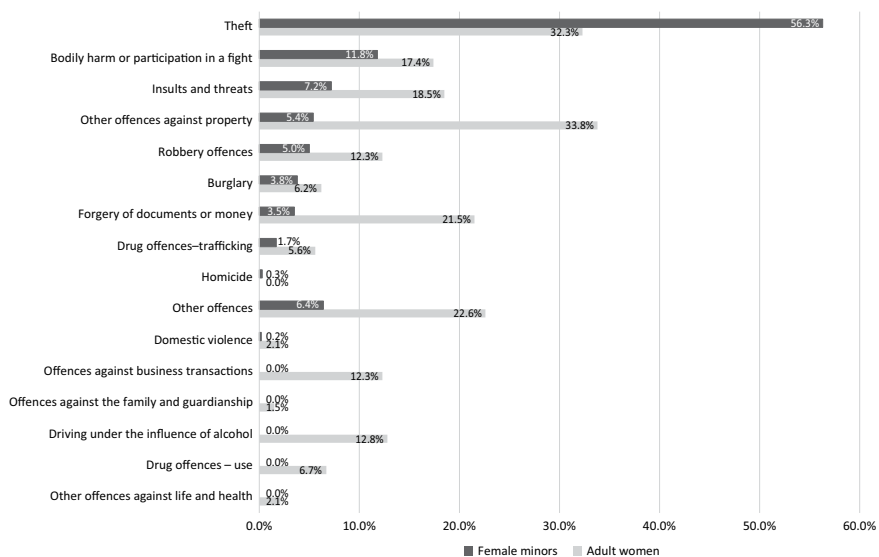
The 976 women who had committed criminal acts in their juvenile years were analysed. From this group, 195 women continued criminal activity into adulthood.

Female minors mostly perpetrated offences falling into the collective category of theft (within the framework of our research). Over 56% of them committed acts from this group. On a much smaller scale, they committed other offences against property: robbery, 5% of the respondents; burglary, less than 4%; and other offences against property, more than 5%.

Other types of offences either did not occur among female minors or occurred to a slight extent (3.5% of the women surveyed were convicted of forgery of documents, and just over 1% were convicted of drug trafficking).

With regard to the women who continued criminal activity into adulthood, we can see more diversity in the range of crimes committed. Property crimes still dominate among the female perpetrators: theft, committed by more than 32% of the women; robbery offences, by more than 12%; burglary, by more than 6%; and other property crimes, by almost 34%. The percentages of female perpetrators of acts related to bodily harm or participation in a fight (more than 17% of the women) and insults or criminal threat (more than 18.5%) increased substantially compared to the juvenile cases ([Figure 3.7](#)).

A high percentage of convicted women committed acts in the category of falsification of documents or money (21.5% of the women) as well as offence against business transactions (almost 13%), which can be largely associated with attempts to extort loans, including instalment loans and the so-called payday loans to provide for day-to-day living. Moreover, almost 7% of the women had convictions for possession of narcotic drugs. In addition, adult women were convicted of



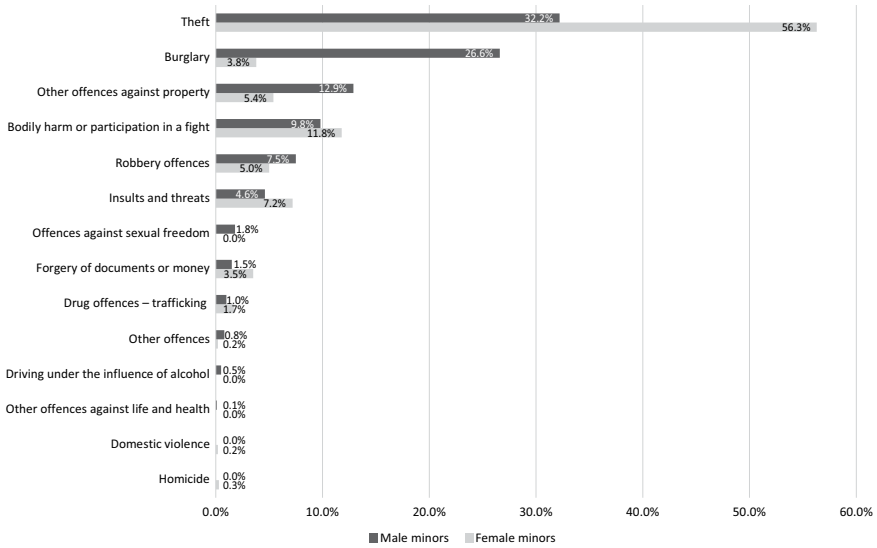
**FIGURE 3.7** Types of offences committed in juvenile life and adulthood—women ( $N_M = 976$ ;  $N_A = 195$ ). Data do not add up to 100%. Female minors committed only some of the offences against property, while adult women committed offences in all categories analysed but with less frequency than adult males

offences related to domestic violence (about 2% of the women), offences against the family and guardianship (less than 2%), and other offences against health and life (about 2%).

### *Female and male offenders in juvenile life and adulthood: A comparison*

To get a better picture of the crime trajectories of convicted offenders, it is interesting to compare the groups of juvenile and adult perpetrators by gender. This can help us observe the similarities and differences in the types of crimes committed by women and men at the same stages of life.

Criminal acts committed by female and male minors are of a similar type. Most of them were involved in thefts. While 56% of all the women were guilty of at least one theft, the number of male theft offenders was just over 32%. On the other hand, perpetrators of burglary and other crimes against property are vastly overrepresented in the group of male minors (over 26% and almost 13% of male minors, respectively) as compared to just under 4% and just over 5% of female minors. The percentages of perpetrators of robbery (7.5% for males and 5% for females), bodily harm or participation in a fight (less than 10% for males and almost 12% for females), and insults and threats (less than 5% for males and more than 7% for females) stayed roughly constant, regardless of sex. Juvenile



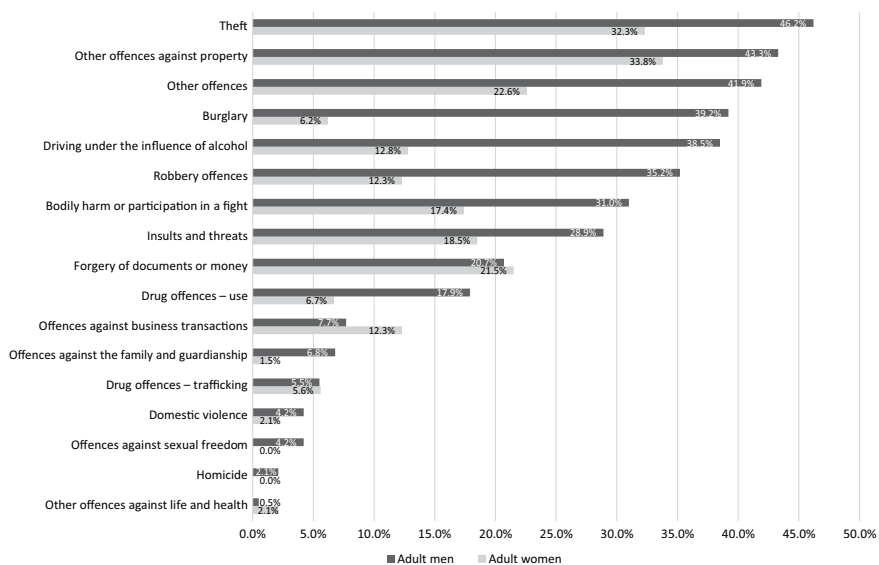
**FIGURE 3.8** Types of juvenile crime by gender ( $N_M = 1,421$ ,  $N_W = 976$ ). Data do not add up to 100%. Female minors primarily committed theft, while male minors committed various crimes against property, including violent crimes

women and men both committed forgery of documents or money and drug trafficking very rarely. In the other crime categories, the percentages of juvenile perpetrators were below 1% (domestic violence, homicide), or the crimes were not committed by the juveniles surveyed (e.g., crimes against trading). The details are shown in [Figure 3.8](#).

As for sentenced adults, in almost all categories (except offences against sexual freedom and homicide), both women and men committed offences, although—except for forgery of documents or money and offences against business transactions—the percentages of men sentenced for these types of acts are higher than those of women ([Figure 3.9](#)).

The starkest difference between the proportions of male and female offenders can be seen in burglary (over 39% and over 6%, respectively), driving under the influence of alcohol (38.5% and almost 13%, respectively), and robbery offences (over 35% and over 12%, respectively). Virtually as many adult women as men were convicted of trafficking in narcotic substances (about 5.5% each) and forgery of documents or money (about 21% each).

In the remaining categories (offences against trading, drug offences—use, offences against the family and guardianship, other offences against life and health, and driving under the influence of alcohol), representatives of both genders were basically inactive. This should be credited mainly to the specific character of these types of crimes and the young age of the perpetrators.



**FIGURE 3.9** Types of crimes committed in adulthood by gender ( $N_M = 767$ ,  $N_W = 195$ ). Data do not add up to 100%. Adult women and adult men committed crimes in all categories analysed, but adult men committed them with greater frequency than adult women

### *'Specialisation' in crime*

With regard to five categories of offences—four property-related offences (theft, burglary, robbery, and other offences against property) and bodily harm or participation in a fight—selected because they had the highest frequency in the groups of both men and women, we checked whether there was a ‘specialisation’ of offending behaviour, understood as committing the same types of offences in adulthood as in juvenile life. The idea was to examine whether the perpetrators who committed one of these five categories of offences in juvenile life also committed the same type of offence in adulthood or whether they perhaps engaged in different types of criminal acts. Detailed data are provided in [Table 3.2](#).

The breakdown in [Table 3.2](#) shows that the juvenile offenders continued their criminal activity only in about 48% of cases in the category of other offences against property and 35% in the category of offences of bodily harm or participation in a fight; in other words, in adulthood they went on committing the same offences as in their juvenile years. It is worth noting, however, that in the interval between 30% and 54%, they engaged in other acts against property: i.e., even if they did not commit the same offences as in their juvenile life, they remained in the same category of offences committed.

Remarkably, irrespective of the type of offence committed in juvenile life, the following groups of offences were still very common in adulthood: driving



**TABLE 3.2** Specialisation in crime in juvenile life and adulthood

<i>Offences committed in adulthood</i>	<i>Offences committed in juvenile</i>				
	<i>Theft</i>	<i>Burglary</i>	<i>Robbery</i>	<i>Other offences against property</i>	<i>Bodily harm or fights</i>
Theft	45.7%	50.0%	53.6%	40.8%	39.6%
Burglary	34.0%	42.4%	40.2%	40.0%	25.7%
Robbery	30.5%	38.8%	43.8%	29.6%	31.7%
Other offences against property	42.9%	51.1%	45.5%	48.8%	26.7%
Homicide	0.9%	2.5%	2.7%	1.6%	1.0%
Bodily harm or participation in fights	25.4%	34.9%	37.5%	33.6%	35.6%
Other offences against life and health	0.7%	1.4%	0.9%	3.2%	0.0%
Insults and threats	23.5%	32.0%	31.3%	24.8%	37.6%
Forgery of documents or money	22.6%	24.8%	25.9%	22.4%	17.8%
Drug offences—trafficking	5.8%	4.3%	8.0%	6.4%	5.0%
Drug offences—use	14.7%	15.8%	25.0%	19.2%	11.9%
Offences against sexual freedom	3.3%	4.7%	4.5%	0.0%	5.0%
Driving under the influence of alcohol	29.8%	37.1%	29.5%	37.6%	24.8%
Domestic violence	3.3%	5.0%	2.7%	4.8%	4.0%
Offences against family and guardianship	7.0%	8.3%	6.3%	3.2%	3.0%
Offences against business transactions	8.6%	9.0%	8.0%	7.2%	6.9%
Other offences	38.7%	41.7%	36.6%	40.8%	33.7%

*Note:* Data do not add up to 100%.

under the influence of alcohol (approximately 30% of offences on average), forgery of documents or money (approximately 20% on average), insults and criminal threats (approximately 30% on average), and bodily harm or participation in a fight (approximately 35% on average).

The figures also show that perpetrators of broadly defined property crimes committed in their juvenile years did not commit crimes against life or health or against the family, including violent crimes, when they became adults.

### **David, age 36**

Frequent incarceration was due to multiple crimes against property and possibly violent crimes. The inmate cannot stop stealing because he treats committing crimes not only as an addiction but also as a source of better income than working.

*Well, out of a wish to make money too. I am used to it. I'll go to work, if I do a night... For a night it'll be 10 thousand, for example, or 15. Two hours of work. Only 10 minutes of fear and... But it was also for profit, right? I also did a lot of amphetamine there. Well, yeah. I'm just about to go to drug therapy. I still have it from January. ... Well, I made a living out of it, I lived off it.*

*I worked. Come on, what is this 2,000 [zloty]? When I did a night job, I had 15 [thousand]. For two minutes of fear. A guy came: I'll take it.*

### **Wojciech, age 36**

Crimes against property were 'for profit' mainly. According to the respondent, the Gdańsk district, where he was born and raised, was a fertile ground for committing crimes, including drug trafficking. He himself was not averse to them.

*There was a group of people, mainly at school, because it started at school from stealing stuff.*

*I only stole during holidays, you could say, but then I started at the end of the school year, I already knew that I would pass, that I would get good grades, that nothing would threaten me anymore, so I started in May, then I was admitted, and the whole summer holidays I joined a good team, so to speak. And we drove around, we had cars, we drove around, and we stole in bulk, so to speak. And then I didn't have to anymore, I brought home money, I gave it to my one brother, to another one, my mum never wanted the money, but it was ok. Later there was juvie, but that was a year later.*

*[I supported myself] by stealing and dealing drugs, and I also worked odd jobs, but I worked at the shipyard, because I wanted to learn something.*

*My friend was released from prison in May, so I was with him in Przeróbka prison, an old acquaintance, so to speak. So we went for a walk and whatnot, and for a beer, a second, a third. We drank a few beers and wanted to steal a laptop from a car, we broke the window and they caught us right away, because we were too weak to run away.*

It should be pointed out that the members of the group analysed in our study do not differ in the acts they commit from the general population of offenders. Looking at their criminal careers, it is clear that they followed crime trends in particular time periods.

## Conclusion

The statistical data presented in this chapter lead to the conclusion that crime that began in juvenile life and continued into adulthood follows certain constant trends. Despite political, economic, and social changes and numerous legislative revisions, consisting not only of penalisation and depenalisation of particular acts but also of shifts in the philosophy of the principles of criminal responsibility, the structure of crimes occurring on the life path of the respondents varies to a fairly narrow degree. The unquestionable prevalence of crimes against property is visible in both the transition and the millennial generations, which is not surprising, as this type of crime largely dominates the statistics of recorded crime.

Only the proportions between the perpetrators of theft and burglary fluctuate very markedly, which can be directly linked to the processes taking place during the transformation. The acts committed have different motivations, some stemming from a desire to improve one's economic status and others being directly related to drug or alcohol addiction and the need to finance the purchase of these substances (although not only that, as alcohol abuse can trigger aggressive behaviour leading to participation in fights or beatings).

Some deviation in the statistics does, of course, occur and is associated, for example, with the age of the perpetrators, the criminalisation of new types of offences, and the actual possibility of committing certain offences (this mainly concerns driving under the influence of alcohol, drug offences, and offences against the family and guardianship).

We can speak about the continuation of particular types of offences in the adult career of a former juvenile offender in less than half of the cases in the group of offences against property. Such continuation is also seen with regard to bodily harm and participation in fights and, somewhat more rarely, with regard to driving under the influence of alcohol, insults and criminal threats, and forgery.

Notwithstanding the recurring delinquency of our subjects, the most serious crimes, including homicides, are committed very rarely (of course, also in this respect, the population under study does not differ from general population, as the most serious crimes also constitute a small percentage). In particular, we cannot conclude that the successive acts committed are becoming more brutal, as there is no discernible trend for the perpetrators of crimes against property to start committing crimes against life and health: they tend to continue with the type of crime with which they started their criminal activity.

## Notes

- 1 We are referring to the Act of 10 May 1985, amending certain provisions of the criminal law and the law on offences (Journal of Laws No. 23, item 100), and to the Act of 10 May 1985 on special criminal responsibility (Journal of Laws No. 23, item 101), which had the character of an episodic law.

- 2 This is related to the substantial increase in convictions for offences under the Act of 26 October 1982 on Combating Alcoholism and Promotion of Sobriety (Journal of Laws No. 35, item 230); in the group of offences against public order, convictions under this act accounted for a whopping 84% of the total in 1987.
- 3 However, we caution that in the case of our research the counting of acts was based on the counting of legal qualifications.
- 4 <https://info-car.pl/infocar/artykuly/historia-prawa-jazdy-czesc-2-od-1945-r.html> (accessed 22 May 2021).

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# 4

## HOW LONG AND HOW MUCH?

### An empirical analysis of criminal activity over the life course of the subjects

*Justyna Włodarczyk-Madejska and Dominik Wzorek*

#### Introduction

The purpose of this chapter is to describe criminal trajectories using selected parameters of criminal activity. We wish to verify some hypotheses on the course of these trajectories and, to a very limited degree, the relationship of these trajectories with other variables. We want to make it clear that we will analyse the criminal activity of former juveniles only in adulthood. Because of the methods used to collect and analyse data on juveniles, our analysis covers only those crimes for which information was entered in the National Criminal Register (NCR), a database that contains information on the acts for which a perpetrator was found guilty, the dates of conviction, and the penalties and punitive measures applied. (However, we did not obtain the dates on which the criminal acts were committed.)

We intend to show the criminal trajectories of the subjects: when they began, how long they lasted, and if so, in how many people, how intense they were, and whether they changed over the course of a person's life. And although criminal trajectories should be scrutinised against other life trajectories, we deliberately omit this issue due to the limited framework of the chapter. Nor do we address the factors that shape variation in criminal activity.

For the purpose of this analysis, we formulated the following research questions with corresponding hypotheses:

1. At what age are offenders most likely to begin their criminal activity in adulthood? We recognise, in line with a number of previous studies (Farrington et al. 2006a; Kyvsgaard 2003, 109), that the period of early adulthood (up to the age of 21) is characterised by the highest proportion of first-time offenders and that this proportion decreases with age. The peak of criminal initiation in adulthood is around age 18.

2. How long are the criminal trajectories of the individuals belonging to our population, and what proportion are trajectories of a certain length? We assume that very short trajectories, involving single criminal episodes, account for the largest share. The longer the trajectories, the smaller their proportion in the study group.
  - a. Does earlier onset of offending (before age 21) increase the odds of a longer criminal trajectory? We hypothesise that the proportion of individuals with longer trajectories in the group first convicted before age 21 is significantly higher than that of individuals in the group first convicted after age 21.
  - b. Is a prison sentence associated with a longer criminal trajectory? We hypothesise that the proportion of persons with longer trajectories is higher in the group of persons sentenced to mandatory imprisonment or against whom the execution of a conditionally suspended sentence of imprisonment has been ordered than that in the group of persons with no experience of a prison stay.
3. How many trajectories have been ended or are dormant so far? We assume that offenders whose trajectories have been ended are those who are now deceased. In addition to this group, there are those with dormant trajectories—that is, those who are not committing crimes at present and at a certain time (for various reasons, including not being able to commit crimes as a consequence of being in prison). We assume that there are few ended and dormant trajectories in our population (about 15%).
4. How many people among the study group engage in criminal activity over the course of their lives and at a particular age? We hypothesise that the largest group of people is active during early adulthood (around age 17); after age 20, the percentage of people engaging in crime decreases. Over the course of a lifetime, about half of those in our population have been convicted of at least one crime, with the percentage increasing rapidly during late adolescence and early adulthood and then slowing, so that it increases very slowly after age 30.
5. How many crimes are committed by offenders of a certain age? We assume that the highest levels of offending occur during late adolescence and early adulthood.
6. What is the frequency of crime over the life course of our offenders? We assume that it is highest at the beginning of the criminal trajectory and decreases thereafter.

### **Description of the population under study**

The group we analyse consists of 2,397 individuals, including 976 females (40.7%) and 1,421 males (59.3%). These individuals were studied by the Department of Criminology of the Institute of Law Studies of the Polish

**TABLE 4.1** Description of the study population by gender

	<i>Total</i>					
			<i>Women</i>		<i>Men</i>	
			<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Population	2,397	100%	976	40.7%	1,421	59.3%
Convicts in adulthood	962	100%	195	20.3%	767	79.7%

*Source:* Based on data from the NCR.

Academy of Sciences (ILS PAS) in connection with four research projects on juvenile criminal activity. As a result, they differ (e.g., with respect to gender and age), and these differences are important for our analysis, as they sometimes complicate it and at other times facilitate a broader analysis than hitherto found in the literature.

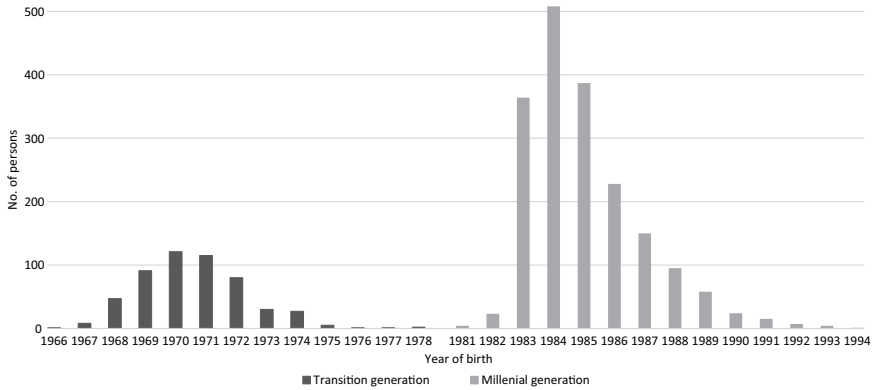
Of this entire population of subjects who came into conflict with the law in their juvenile years, 962 persons were convicted of committing at least one crime in adulthood, accounting for 40.1% of the total. Of those convicted in adulthood, 195 (20.3%) were female, and the remaining 767 (79.7%) were male. This narrower group of individuals sentenced in adulthood constitutes the community of adult offenders studied in this chapter. We assume that all individuals have criminal experience as juveniles and thus contact with the juvenile court. Admittedly, the crimes committed at that time and their intensities vary (see [Chapter 3](#) in this volume); however, only the fact of criminal episodes in juvenile life is important to us in this chapter ([Table 4.1](#)).

The percentage of women surveyed is much higher than in other criminological studies (unless women were the only subjects in them). However, their overrepresentation is a conscious intention of the researchers. Only in this way was it possible to show the trajectories of criminal women and men (which is discussed in [Chapter 6](#) in this volume). Apart from that, *life-course criminology* studies usually focus on one age cohort: people born in the same year. We, on the other hand, have studied people born in 27 different years. These are people born between 1966 and 1994 (see [Figure 4.1](#)) who are part of two generations: the transition generation and the millennial generation.

The transition generation is made up of 530 people born in the 1960s and 1970s. The millennial generation, on the other hand, includes 1,867 persons born in the 1980s and 1990s. The characteristics of the four studied communities of former juveniles, divided into two generations, are presented in [Table 4.2](#).

The fact that our research is multigenerational is a particular advantage of our work; however, we should bear in mind the limitations related to the method of collecting data for the transition generation. Criminal records of people from this generation were checked only in 2010. Therefore, it should be expected





**FIGURE 4.1** Births by year (based on data from NCR). The subjects born every year from 1966 to 1994 are divided into two generations: transition and millennial. The most persons belonging to the transition generation were born in 1970 (more than 100), whilst for subjects from the millennial generation, it was 1984 (more than 500 born)

that the majority of minor offences committed in the 1990s by the perpetrators of the transition generation were erased in accordance with Polish law and that information about the offences committed was removed. In comparison, the criminal record of the younger perpetrators, from the millennial generation, in most cases was reviewed several years after the case was concluded in juvenile court. The multigenerational approach is interesting, nonetheless, because no one has analysed and compared criminal trajectories in this manner. Taking into account that the sample is multigenerational in the analyses is necessary because

**TABLE 4.2** Description of the community of former juveniles by generation

		<i>Transition generation</i>		<i>Millennial generation</i>					
		<i>Older juveniles</i>		<i>Typical juveniles</i>	<i>Juvenile girls</i>	<i>Younger juveniles</i>			
<i>Characteristic of the sample</i>		<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Sex	Female	28	5%	61	8%	836	100%	51	18%
	Male	502	95%	678	92%	0	0%	241	82%
Age	Minimum		30		27		29		22
	Maximum		50		35		34		30
	Mean		45		32		32		28
Felony conviction	Yes	205	38%	485	66%	167	20%	105	36%
	No	325	62%	254	34%	669	80%	187	64%
N		530	100%	739	100%	836	100%	292	100%

Source: Based on data from the NCR.

the difference between the youngest and oldest respondents at the time of the onset of offending in adulthood (defined as the first offence registered with the NCR, discussed further below) is exactly 32 years. The youngest respondent was 17 years old at the time, while the oldest respondent was 47 years old. The structure of crime among respondents from different generations is also different (see [Chapter 3](#) in this volume).

The multigenerational approach in our study has another advantage—namely, it lets us compare the lives of the respondents and their peers at different stages of life. These stages are one possibility for analysing life paths, which we took as a pivotal point in our further considerations. It can be predicted that the trajectories of individuals embarking on a path to crime at different stages of life will vary.

For the purpose of our analyses, we distinguished four stages of life: 17–21, 22–29, 30–39, and 40 years and older. The density of the ranges results from the available data and the criterion for their analysis: the age of the respondents at the time of first conviction. We mainly wanted to distinguish the age category that is described by criminologists as generating the highest percentage of offenders (Blachut, Gaberle, and Krajewski 2004, 218–220) and the category of respondents who entered crime the latest. It also seemed important to us to distinguish two successive stages: before and after the age of 30. We consider the first of these as the period of education and the first job and the second as the actual beginning of adult family and professional life. At the time of the study, there were 568 persons in the 17–21 age group (59%), 244 persons in the 22–29 age group (25.4%), 119 persons in the 30–39 age group (12.4%), and 31 persons in the 40 years and older age group (3.2%). With full awareness of the differences in the size among these groups, we use percentages rather than absolute numbers in our analyses to make the possible differences easier to spot for the reader. It can be assumed that the first and second stages will be the most crime-intensive. This is also the period when the return to crime is the highest. Muskała, for example, points out that this reoffending can occur at any stage of life, but most often it takes place in the initial stage of criminal activity (Muskała 2016, 173).

The peak of criminal activity, as we have already written, usually occurs around the age of 20, after which it subsides, as most of the respondents grow out of crime (Woźniakowska-Fajst 2011, 173). Due to the fact of growing out of crime, but also due to the blurring of data in the NCR, it seems that delinquent activity of the respondents will be the lowest in the last stage of life.

## Respondents in comparison with their peers

The sociohistorical and economic background is also not without significance in our analysis. The respondents from two different generations were brought up in completely different times and also began committing offences at different times: the transition generation during the political transformation in

Poland and the millennial generation around the year 2000. Not only did the lives of the respondents look different, as reported by Mach (2003; 2005), but also crime in Poland was different (see [Chapter 2](#) in this volume).

We would also like to portray our subjects by comparison with their peers to see what socio-occupational situation our subjects faced when they began offending in adulthood. This is a difficult task because, as we have already mentioned, we did not study people born in a single year but rather those born in 27 different years. Hence, we decided to focus on the ages that were most prevalent in our sample. Respondents in the transition generation were born in the late 1960s and early 1970s, with the largest number (121) born in 1970; in the millennial generation, born between 1983 and 1987, the largest number (508) was born in 1984. (See [Figure 4.1](#).) Thus, we assume that the respective life stages for the transition generation began in 1987, 1992, 2000, and 2010, while for the millennial generation, they began in 2001, 2006, and 2014 (cf. [Table 4.3](#)). The oldest of the latter generation have not reached the last age category, i.e., 40 years and older. We also have the least amount of information about this group in the transition generation. First, it is the most sparse group, and second—as we have already noted—respondents from this group were checked in the NCR for the first time in 2010, while most other respondents were checked earlier. This late screening was due to changes in the registry and in research capabilities. The NCR was established by legislative act in 2000. However, given the erasure of convictions by law, we have no information about some crimes, especially the less serious ones, committed early in their adult lives.

Circling back to comparisons of respondents to the general population at a given age, the best approach seems to be looking at how our respondents' peers lived as they entered particular life stages (i.e., at ages 17, 22, 30, and 40). The Statistics Poland data prevent us from reporting data by age range because the ranges are different for different variables. It would also be useful to show a somewhat broader comparative framework, such as when the respondents and their peers became parents, but the data we have do not lend themselves to such analyses.

**TABLE 4.3** The beginning of each life stage for the transition and millennial generations

<i>Stage of life</i>	<i>Transition generation (for those born in 1970)</i>	<i>Millennial generation (for those born in 1984)</i>
Stage 17–21	1987	2001
Stage 22–29	1992	2006
Stage 30–39	2000	2014
Stage 40 and over	2010	–

*Source:* Based on data from Statistics Poland and court records.

Such a comparison to the general population would give us an idea of what our subjects' peers were doing at the time. The data we have at our disposal—i.e., the Statistical and Demographic Yearbooks of Statistics Poland and the data from the NCR on final convictions—do not always permit such detailed analyses. In most cases, basic data on marital status, education, labour force participation, unemployment, and criminal record are given for certain age groups and less frequently for individual ages. These groups coincide only partially with our life stages; moreover, the ranges of the Statistics Poland and NCR data for particular years differ. We have made it a rule that where we do not have data for a particular year, we provide data for the closest year (earlier or later). On the other hand, where information is accumulated in intervals, we select the interval that corresponds to the beginning of the life stage under analysis: e.g., 30-year-olds are analysed in the 25–35 age group.

Seventeen-year-olds constituted less than 2% of the population of Poland in the years analysed. In 1987, there were 521,630 people aged 17 (1.4% of the total), while in 2001, there were 678,000 (1.8% of the total). The proportions of women and men in each generation were almost equal (51% and 49%, respectively). These are mainly unmarried individuals, comprising 99.4% of single men and 95.3% of single women in the transition generation (we quote data for 1984 for the group aged 15–19 years), while in the millennial generation, the figures are 99.8% and 98.6%, respectively). Getting married at such a young age was rare and usually more common among women, especially from the transition generation (the difference between generations was three percentage points). In terms of those aged 15–17 years, most were people with a primary education. Every fifth man and every sixth woman aged 15–19 were professionally active (we provide data for 1984 for the 15–19 age group). The millennial generation was more economically active. In 2001, 41.5% of men and 34.9% of women aged 19–24 were employed among this group, while 44.3% of the men and women in this age group during the 2000–2001 school year were studying. The legally convicted who were aged 17–20 numbered 20,706 in the transition generation and 53,796 in the millennial generation. Their share among total convicts in 1987 was 12.4%, while that among total convicts in 2001 was 24.1%, which shows a significant change in the age structure of convicts. This change may also come from increased law enforcement activity (cf. [Chapter 2](#) in this volume).

Twenty-two-year-olds numbered 519,647 in 1992 (1.4%) and 673,686 in 2006 (1.8%). In each generation, the proportions of men and women were similar: 49% and 51%, respectively. In 1992, almost half of all marriages in Poland were formed by persons between the ages of 20 and 24. In 2006, the share of marriages of this group among the total number of newlyweds was much lower (26%). Women more often entered into marriage at this stage of life, with the difference between the percentages of married women and married men in the millennial generation being larger than in the transition generation (it amounts to nearly 24 percentage points). Final convictions in the 21–24 age group in 1992 numbered

21,653 and accounted for 13.5% of the total convictions in that year, while in 2006, they numbered 69,829, which was 15.1% of the total.

Thirty-year-olds, as a reminder, are those in the transition generation who reached the age of 30 in 2000 and those in the millennial generation who reached the age of 30 in 2014. In 2000, this group of (25- to 34-year-old numbered 2,403,300 people and accounted for 6.3% of the total population, while in 2014, it numbered 3,252,400, or 8.5% of the total population. The rate of unemployment in each generation was similar. In 2000, there were 713,200 unemployed 25 – to 34-year-olds out of 2,702,600 total unemployed in that year, accounting for 26.4%. In 2014, there were 509,400 out of 1,825,200 total, or 27.9%. In 2014, the occupationally active in this group numbered 4,776,000 out of 5,544,000 included in this age group, or 86.1%. Thus, it can be said that the vast majority of Poles aged 25–34 manifested some activity in the labour market—or at least did not register as unemployed. On the other hand, continuing education after the age of 30 is rare. Such activity was recorded in less than 1% of those surveyed in 2014. In 2000, 25,128 30-year-olds out of 222,815 were convicted (11.3% of the total), while in 2014, 41,235 30-year-olds were convicted (14% of the total).

The last group analysed is those who were at least 40 years old in 2010. Statistical data reveal that there were 2,374,800 people aged 40–44 in the Polish population in that year, which is 6.2% of the total Polish population. Like the previous age group, this one has a high percentage of economically active people: 88% of those aged 35–44. Final convictions in the 40–44 group in 2010 numbered 38,412, which is 8.9% of the total convictions for that year. To compile the characteristics of our subjects' peers, we used the Statistical and Demographic Yearbooks of Poland for 1988, 1993, 2002, 2006, 2011, and 2015 and NCR data on final convictions in 2000, 2010, and 2014.

## Methodological notes

In order to define the different parameters of the criminal trajectories, we needed data on criminal activity. To reconstruct the history of delinquency, we used data from the NCR.

For the purposes of our analysis, however, only the dates of conviction and the applicable substantive criminal law provisions defining the criminal act were relevant. This is because we hypothesised that the date of conviction is the key moment in the analysis of criminal trajectories. Since we do not have such detailed information on criminal activity in juvenile life, we excluded this stage of our subjects' lives from our analysis. Previous research on juveniles concerned only single criminal episodes, not the entirety of criminal activity in juvenile life. We also do not dispose of any specific information on the dates of juvenile adjudications, which is a critical element for us in our analysis.

We have coded the information obtained by querying the NCR in a specially prepared database in the SPSS program. Based on it, we calculated the age of the offender at conviction for each crime and the number of acts for which the

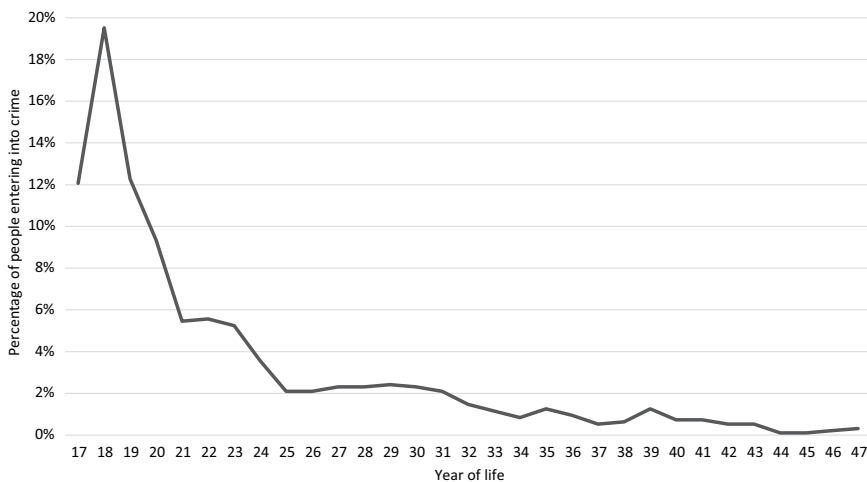
offender was convicted in each consecutive year of life. We also computed the values of the other parameters, which we report below.

## Crime trajectory parameters, 2017

### *Onset, desistance, and length of criminal trajectory*

To begin our analyses, we would like to consider the moment of onset and desistance (or potential dormancy) of criminal activity and to report the length of the trajectory to date. For the sake of these analyses, we assume that the moment of onset of criminal activity is the moment of conviction for the first crime in adulthood. It is apparent to us that each of the individuals included in our study committed acts in juvenile life, a fact that has already been the subject of exhaustive research (Klaus 2006; 2009a; 2009b; Rzeplińska 2006; Woźniakowska 2006; Woźniakowska–Fajst 2010). We are now interested in their criminal activity in adulthood, i.e., after the age of 17, that constitutes a condition (in principle) for criminal responsibility on the grounds of Polish criminal law.

The results of our research support the findings that most people begin their delinquent acts in early adulthood. The findings show that most frequently (almost in every fifth case) the respondents were first convicted in adulthood at the age of 18. A sharp decline is already observable in the years that follow: between the ages of 19 and 21. First-time convictions in adulthood between the ages of 21 and 23 display a relative stability of 5%. Onset of offending in adulthood in the subsequent years of the respondents' lives occurred much less frequently, as a decrease is visible up to the age of 25, and a stabilisation occurs after the age of 25 (see Figure 4.2).

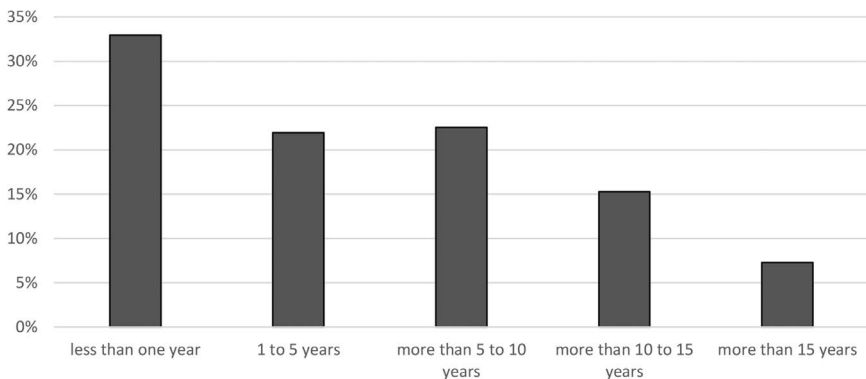


**FIGURE 4.2** Age of entry into crime (N = 962) (based on data from the NCR). The percentage of people entering into crime at every age of their adult lives from the age of 17 to 47 peaks at the age of 18

Another parameter of the trajectory that we examined is its length. We measured it by calculating how many years elapsed between the first conviction in adulthood and the last one about which we had information from the NCR at the time of the last cross-check, which took place in 2017.

The criminal trajectory of our subjects, at the time of their last verification in the NCR, lasted an average of 6 years. In half of the cases, however, its duration did not exceed 4 years. The shortest trajectory spanned less than a year (especially for those, who were convicted for only one crime), while the longest trajectory spanned 28 years. Trajectories of average length (1–5 years and 6–10 years), when combined, account for nearly half of all trajectories, with no category alone exceeding 25%. Offenders with a trajectory of 11–15 years account for about 15% of our study group, thus highlighting a clear trend of a smaller proportion of offenders with increasingly longer trajectories. Extraordinarily long trajectories (more than 15 years) are seen for 7% of the perpetrators in our study group (see Figure 4.3).

The age of the offender at first conviction in adulthood also affects the length of the trajectory. The data in Table 4.4 clearly demonstrate that offenders who were first convicted in the first stage of life (ages 17–21) develop longer criminal trajectories, on average, than do offenders who were first convicted in later stages of life. Offenders first sentenced after age 40 have not yet had a chance to develop longer trajectories, as the oldest of our subjects was 47 years old at the time of their last catamnesis. With the possibility of having their convictions erased, these perpetrators may have previously committed a crime for which they were proven guilty, but the information was removed from the NCR. Accordingly, these are individuals who are on record as having probably committed their first crime after the age of 40.



**FIGURE 4.3** Trajectory length (N = 962) (based on data from NCR). The trajectories are divided into five groups based on their length. One-third of the trajectories were shorter than one year, and only 7% were longer than 15 years.

**TABLE 4.4** Age at first conviction versus trajectory length in years (N = 962)

<i>Trajectory length so far</i>	<i>Age at first conviction</i>				<i>Total</i>
	<i>17–21</i>	<i>22–29</i>	<i>30–39</i>	<i>40 or older</i>	
Mean (yrs.)	8.03	3.17	2.49	0.55	5.90
Median (yrs.)	8	0	0	0	4
Minimum (yrs.)	0	0	0	0	0
Maximum (yrs.)	28	24	17	5	28

Source: Based on data from NCR.

The differences in the lengths of the trajectories between offenders who started to offend at different stages of life are statistically significant (see Table 4.4). Owing to the failure to meet the conditions of parametric tests, it was not possible to use one-way analysis of variance. Therefore, to analyse the differences between the groups, we used the Kruskal–Wallis test, which is a nonparametric equivalent of the analysis of variance. The result obtained is statistically significant at 0.05.

The stage of life of the offenders at the time of their first criminal conviction in adulthood versus the length of the trajectory defined using the four age categories is shown in Table 4.5. It is important to remember that we have information only from official data sources about final convictions at a given stage of the respondents' lives. Surely, the respondents committed acts that went undetected, and also some of the criminal proceedings against them in 2017 (at the time of our last check in the NCR) were still pending and did not have a final judgment, and, consequently, any information about subsequent convictions was not yet in the NCR. The length of the respondents' trajectories is also undoubtedly

**TABLE 4.5** Age at first act versus trajectory length (N = 962)

<i>Trajectory length so far in adulthood</i>	<i>Age at conviction for first act as an adult</i>				<i>Total</i>
	<i>17–21</i>	<i>22–29</i>	<i>30–39</i>	<i>40 and over</i>	
Less than 1 year	16.2%	53.0%	59.7%	77.4%	33.0%
1–5 years	21.1%	24.5%	19.3%	22.6%	21.8%
Over 5–10 years	29.3%	13.5%	15.1%	0.0%	22.6%
Over 10–28 years	33.4%	9.0%	5.9%	0.0%	22.6%
N	568	244	119	31	962

Cramér's V = 0.279, which is significant at the 0.05 level

Source: Based on data from the NCR.



influenced by their stay in prison, which makes it harder for them to commit crimes. However, the absence of crime in this case does not mean the end of the trajectory. Indeed, it is conceivable that they will resume their delinquent activities after being released.

We can plainly see the trend we mentioned earlier: offenders previously convicted of crime in early adulthood tend to have relatively longer trajectories. The link between these trajectory parameters is statistically significant, but the strength of this relationship as determined by Cramér's V coefficient is moderate.

We also examined whether there is a correlation between at least one stay in prison and the length of the trajectory. The information about stays in prison is based on entries in the NCR. There is information about absolute imprisonment sentences imposed and about orders of execution of suspended prison sentences. However, we have no information as to whether these punishments were actually carried out.

What is evident is that people who have prison experiences have longer trajectories than people without such experiences. This relationship is statistically significant, and its strength as measured by Cramér's V coefficient can be described as high (Table 4.6).

It proved difficult to identify offenders whose criminal activity can be viewed as completed or dormant. We have information on the deaths of 28 perpetrators. And only in relation to this group can we be sure that their trajectory has come to an end, although we do not know whether their trajectory was interrupted by death or whether the perpetrators ended it earlier. It is worth noting, however, that we were able to obtain information from the Universal Electronic System for Registration of the Population (PESEL) database (which includes the dates of birth and death of every Polish citizen) for only 63% of the subjects. We have also attempted to estimate how many of the living perpetrators have most likely suspended their criminal activity, and for this group, we are not sure whether

**TABLE 4.6** Serving a prison sentence versus length of the trajectory (N = 962)

<i>Trajectory length so far</i>	<i>Imprisonment</i>		<i>Total</i>
	<i>No</i>	<i>Yes</i>	
Less than 1 year	63.3%	4.8%	33.0%
1–5 years	20.5%	23.2%	21.8%
Over 5–10 years	12.7%	31.7%	22.5%
Over 10–15 years	3.5%	26.3%	15.3%
Over 15 years	–	14.0%	7.4%
N	463	499	962

Cramér's V = 0.672,  
which is significant at  
the 0.05 level

*Source:* Based on data from the NCR.

the suspension means the end of their career or whether it is only temporary and caused, for example, by their incarceration. In order to map the trajectory of the dormant criminals, we adopted a uniform criterion: the absence of a conviction for a crime registered at their life stage when they were last checked in the NCR, i.e., in 2017. However, given the fact that we made these estimates for individuals of different ages, we set two possible variants, one for each of the studied generations: transition and millennial. With respect to transition perpetrators, we assumed their trajectories can with some likelihood be viewed as dormant if they

- committed crimes in the first two life stages (ages 17–21 and ages 22–29) and their criminal activity was limited to a conviction in one year of this period or
- committed crimes only in the first stage of life (17–21) and their criminal trajectory was short-lived (one to five years).

In relation to offenders from the millennial generation, we assumed that offenders who were sentenced in one year of their adult life and only during its first stage (early adulthood, i.e., before turning 21) had already suspended (temporarily or permanently) their criminal activity. This is a total of 90 persons. Thus, we found that 118 offenders were most likely to have suspended their activity, which is 12% of the group of offenders from our collective (see [Table 4.7](#)). However, these estimates are only illustrative, as we realise that at a later stage of life our subjects may return to crime, as the very process of quitting and abandoning criminal activity is difficult and lasts for many years (Muskala 2016, 259; [Chapter 8](#) in this volume).

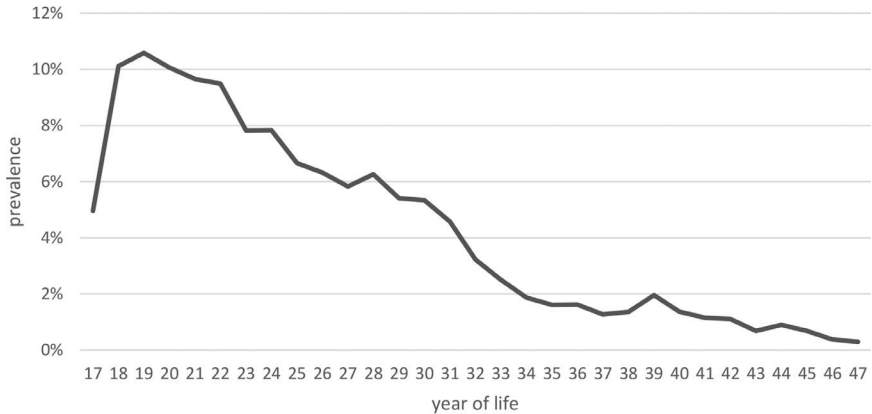
### **Prevalence**

Another parameter that we defined for our population is prevalence: annual and cumulative. By annual prevalence, we mean the percentage of people who have been convicted of committing a crime in a particular year of their life. Cumulative prevalence, on the other hand, means the percentage of people who have ever been convicted of a crime in their lifetime. The basis for calculating the prevalence is the total size of the sample population, i.e., 2,397 people. Since we have information on the date of death of at least some of the people we

**TABLE 4.7** Completed and dormant trajectories (N = 962)

<i>Trajectories that ended naturally - death of the subject</i>	<i>Trajectories considered suspended (dormant)</i>	<i>Total ended and dormant trajectories</i>	<i>Percentage of ended and dormant trajectories in relation to the total</i>
28	90	118	12%

Source: Based on data from the NCR.



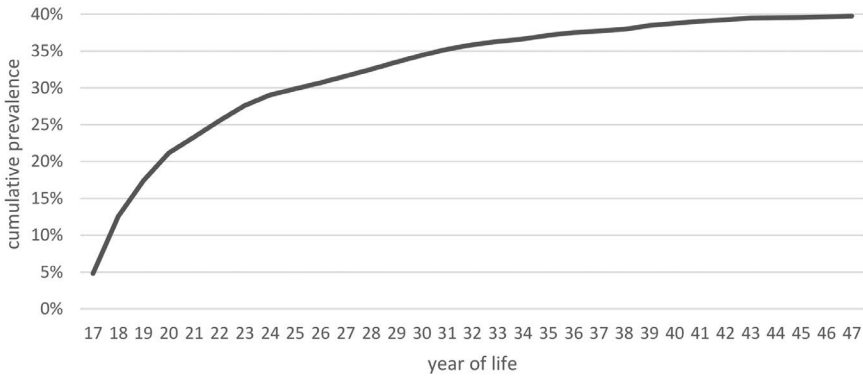
**FIGURE 4.4** Annual prevalence ( $N = 2397$ ) (based on data from the NCR). The annual prevalence is measured from the age of 17, peaks at the age of 19, and then slowly decreases until the age of 47.  $N$  is given for the initial state of the group. As age increases, deaths are taken into account, and the percentage is based on the number of people who lived to a given age

studied, we presume that in order to calculate the annual prevalence, the population is decreased by those who did not live to a given age.

As official data on convictions is usually relied on to establish the level of prevalence, when analysing [Figure 4.4](#), it should be factored in that the act was committed by the offender generally several months before the date of conviction, which means that offenders may, in fact, have been active somewhat earlier than shown by the graph based on dates of conviction (Kyvsgaard 2003, 67). As statistics show, the average duration of criminal proceedings in Poland is nearly 8 months for criminal cases heard in district courts and nearly 3.5 months for criminal and misdemeanour cases in regional courts (Department of Strategy and European Funds Division of Statistical Management Information of the Ministry of Justice 2017, 20–21).

[Figure 4.4](#) distinctly shows that the largest group of active offenders is found around the age of 19, after which the percentage of active offenders decreases gradually (except for the ages of 28 and 39, when slight increases in the percentage of active offenders are recorded). The decline in crime after the age of 19 may be due not only to ‘growing out of crime’ but also to the fact that some of these people have received sentences of absolute imprisonment, so their capacity to commit crimes has been significantly curtailed.

[Figure 4.5](#), cumulative prevalence, shows a markedly rapid increase in first-time offenders who committed crimes and were convicted in early adulthood between the ages of 16 and 20 and a somewhat slower increase between the ages of 21 and 24. The rate of increase in first-time convictions of adult offenders by criminal courts then decreases gently to a moderate but markedly slower increase around age 30.

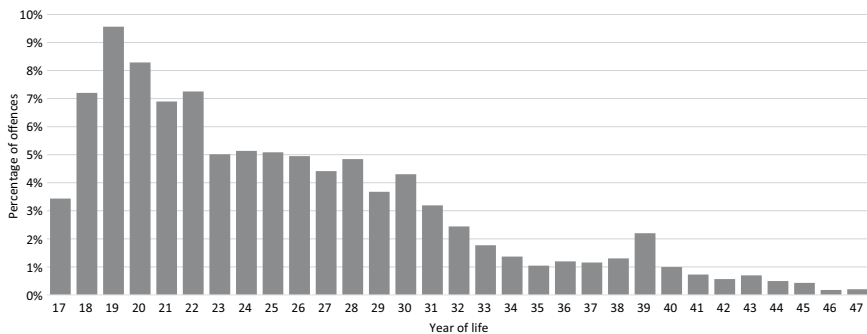


**FIGURE 4.5** Cumulative prevalence (N = 2,397) (based on data from the NCR). The cumulative prevalence grows rapidly between 17 and 24 years of age and then continues to increase, but slowly, through age 47

### *Absolute intensity of crime*

The next parameter we present is the absolute intensity of crime (see Figure 4.6). It is the percentage of acts committed by offenders of a given age in relation to all acts committed by the subjects under study.

Our study confirms earlier reports of the highest intensity of acts among younger offenders, with the following. In our sample, although the overwhelming majority of acts (nearly 10%) were committed by persons aged 19, perpetrators committed 35% of all acts over the entire first stage of life (17–21 years, i.e., a five-year period of life). This is not the highest percentage, however, because in the next stage of life (22–29 years, an eight-year period), the subjects committed the highest number of criminal acts for which they were sentenced (40% of all acts). By the age of 30, therefore, three-quarters of all acts had been perpetrated.



**FIGURE 4.6** Intensity of acts (N = 7,465) (based on data from the NCR). The most offences during adult life were committed at age 19 (more than 7%). The numbers of offences committed in the following years of life were lower, but at age 39, again, there was a very slight peak

**TABLE 4.8** Intensity of acts in life stages

<i>Life stage</i>	<i>Number of offences committed in different life stages</i>	<i>% share of offences committed in different life stages</i>
17–21	2,638	35.4%
22–29	3,010	40.4%
30–39	1,489	20.0%
40+	319	4.3%
Total	7,456	100%

Source: Based on data from the NCR.

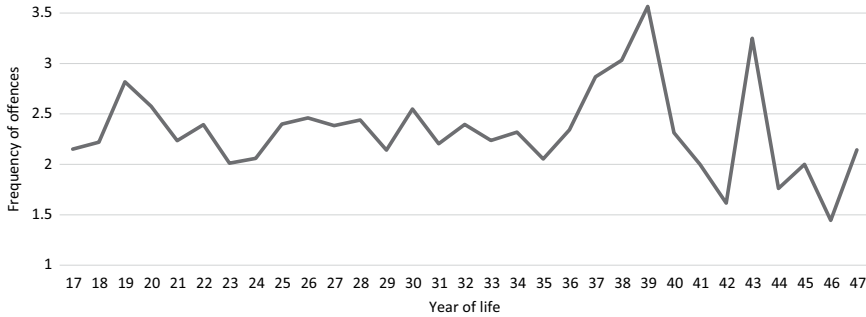
The high percentage of acts committed at age 39 seen in [Figure 4.6](#) is due to the fact that the group included one unusually heavy offender who committed as many as 50 acts at that age. We decided not to discard extreme values, including the number of acts committed by this exceptionally intensive perpetrator, because we wanted a fairly reliable description of the criminal activity of the population we studied (see [Figure 4.6](#) and [Table 4.8](#)).

These trends are also seen in other studies on the age of initiation into criminal activity, but they are linked to the analysis of another indicator: crime intensity. Offenders who begin offending before the age of 14 tend to have more convictions during their lifetime than do those who begin later (Carlsson and Sarnecki 2016, 100). Our study population is unique in this sense, as it includes individuals who faced juvenile court as juveniles. As such, it is reasonable to assume that they have experienced the initiation of behaviours that violate social or legal norms at this age.

The *Cambridge Study in Delinquent Development* showed that persons first convicted before the age of 21 commit significantly more offences during their life than did persons first convicted later (Farrington et al. 2006b, 24). The nonparametric U–Mann–Whitney test for independent samples was applied due to the fact that the variable number of offences committed did not meet the condition of normal distribution (the condition for the application of the parametric Student’s t-test for independent samples); the result, significant at the 0.05 level, allows us to reject the null hypothesis of equality of the average numbers of convictions in both groups. The statistical analyses therefore confirmed that the average number of acts in the group of offenders who were convicted of a crime before the age of 21 is higher than in the case of offenders convicted for the first time after 21.

### **Frequency**

Another trajectory parameter that we computed is frequency. This is the average number of acts per active offender. We have posited that an active offender is one who has been convicted of a crime in a particular year. We have used the number of these offenders as the baseline for calculating the frequency value. In our



**FIGURE 4.7** Changes in frequency of offending over the course of life (N = 962) (based on data from the NCR). The line marking the frequency of offences fluctuates within two offences per year, rapidly peaking at the age of 39, with more than 3.5 offences per active offender, and then decreasing at the ages of 42 and 46, with 1.5 offences per active offender

view, including offenders who commit crimes in a given year of life as the basis for the frequency calculation is more accurate than including all individuals who were convicted of crimes in adulthood, especially since we do not have exact information on the years in which the offenders were incarcerated. Therefore, we relate the frequency to individuals who were active, i.e., who were convicted of a crime, in a given year.

The highest frequency of offences in our sample is at age 39, which is associated with the presence of the intensive offender in the sample (who, as we have already mentioned, committed more than 50 acts just at age 39) and the relatively low number of other active offenders in that year of age (there were 46 active offenders at age 39). The situation is similar at age 43, except that the heavy offender is responsible for committing 10 acts, with only 16 other active offenders. However, [Figure 4.7](#) indicates that a slightly higher frequency of offences was recorded at age 19 than at other ages. The high incidence of offenders at this age and the low frequency of offending strongly suggest that in the first stage of life, a relatively large group commits relatively few acts, while a small group commits very many. At later stages of life, this is compensated for by a lower number of perpetrators, especially those committing an unusually large number of acts.

## Summary

Our goal was to report on the course of criminal trajectories of individuals who have been studied at the Department of Criminology of the ILS PAS for over 20 years. Starting from the assumption that criminal trajectories are an element of broader life trajectories of persons who belong to the population under study, we decided that *life-course criminology* provides an ideal theoretical and methodological context for us to place criminal trajectories in the perspective of other events and turning points in the lives of our subjects.

Our analysis validates a trend already noted in the world literature: the fastest increase in first-time offenders occurs during late adolescence and early adulthood (in our case, around age 19). In the population we analysed, as in other studies, the majority of the subjects are those whose criminal activity is limited to single and brief episodes of illegal behaviour (one-third of criminal trajectories span less than one year). Very long trajectories are relatively few in number. We also confirmed the hypothesis that an earlier onset of criminal activity in adulthood is a good indicator of trajectory length: these trajectories tend to last longer than those started later. Trajectory length is also positively correlated with the length of incarceration, since the careers of the subjects with prison experience also last longer.

It proved difficult to pinpoint the end of criminal activity and, consequently, to indicate the percentage of trajectories already completed. For the sake of simplification, we considered as dormant trajectories those in which the respondent was not convicted of a registered crime at the stage of life in which they were at the time of the last check in the NCR, i.e., in 2017. We treated as completed those that ended naturally, i.e., by the death of the respondent. With this assumption, we can conclude that for 12% of the offenders, their criminal activity is likely completed or suspended (dormant). It seems important to continue observing the fate of the respondents, former juveniles, to see how far our assumptions on this issue are correct.

The analyses carried out also showed that the highest intensity of acts committed by members of the studied group falls in the period of early adulthood. All these findings permit us to assume that our population, although unique due to the way the sample was selected, is part of a more general trend observed both in aggregate crime statistics and in other research projects devoted to criminal trajectories.

Analysis of crime frequency (considered in terms of crime intensity and annual prevalence) also showed that its relatively constant rate is associated with a large number of young offenders who commit a few criminal acts and older but less numerous offenders who engage in more intense criminal activity.

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# 5

## DIFFERENT PATHS, DIFFERENT PATTERNS

### Typologies of criminal trajectories

*Justyna Włodarczyk-Madejska and Dominik Wzorek*

#### Introduction

In the previous chapter, we discussed the parameters of criminal trajectories, which allow us to comprehensively describe the course of reoffenders' criminal activity. We used these parameters to analyse the criminal trajectories of the whole population studied in our project. The next step usually taken in longitudinal research on crime is to identify different types of criminal trajectories, and we do so in this chapter. Using one of the methods of estimating different types of criminal trajectories, we will distinguish these types and then describe them. For this purpose, we will use both quantitative data (mainly the data on the basis of which we defined the parameters of criminal trajectories in the previous chapter) and qualitative data (the stories of criminal activity in the lives of offenders retrieved from the file survey) ([Chapter 2](#) in this volume). The specific research questions that we hope to answer are as follows:

1. How many different types of criminal trajectories can we distinguish in the studied population?
2. What are the characteristics of each type of criminal trajectory?
3. What are their average parameters?
4. What variables differentiate offenders exhibiting of each type of criminal trajectory?
5. What are the stories behind each type of criminal trajectory?

#### Research methods

The literature on the study of criminal trajectories (*life-course and developmental criminology*) relies on specific statistical methods to estimate typical trajectory courses. The most popular approach at present (D'Unger et al. 1998; Bushway,

Thornberry, and Krohn 2003; Odgers et al. 2007; Lacourse, Dupéré, and Loeber 2008; Boers et al. 2014; Boers and Reinecke 2019; Payne and Piquero 2020; Campedelli et al. 2021) is *latent class growth analysis* (LCGA), as described by Daniel S. Nagin, Bengt Muthén, Tony Jung and K. A. S. Wickrama (D’Unger et al. 1998; Jung and Wickrama 2008; Muthén 2004; Nagin 1999; Nagin and Trembley 1999). This method is a special type of the *grow mixture model* (GMM). LCGA is a method for selecting a model that fits the available empirical data. Such a model includes the number of trajectories predetermined by the researcher and the allocation of each case (here the trajectory of each respondent) to one type according to the highest similarity to other cases within that type (a similar number of acts adjudicated in each year of a person’s life). This is done using precise statistical procedures. In this modelling, the individual trajectories belonging to a given type are homogeneous. The homogeneity of trajectories within a type of trajectory is a consequence of binding the estimates of covariance and variance of the increase in the number of acts in each type and fixed to zero (Jung and Wickrama 2008, 304).

After each model is estimated, the adjustment is checked using statistical tests. Typically, several models with different numbers of trajectories are estimated (for example, for one to four types, four different models of trajectory types are estimated). The researcher is then faced with the challenge of deciding which estimated model (with which number of trajectories) will serve as the basis for further analysis. We describe the criteria for selecting the optimal model below.

The procedures mentioned (LCGA as well as GMM) are available in specialised statistical software. Nagin, while developing this concept (Nagin and Land 1993), prepared an additional procedure for SAS statistical software called Proc Traj (Nagin 1999, 141). Another software that allows the use of both LCGA and GMM is Mplus, which was designed strictly for statistical modelling by Bengt O. Muthén and Linda K. Muthén and which we used to estimate the models in our study. A comprehensive overview of how to deal with longitudinal data in this software is presented in the literature (Muthén and Muthén 1998, 221 et seq.).

## Description of data and choice of model

The analysis we make in this chapter covers a selected group of 1,867 persons from the so-called millennial generation. We limited ourselves to identifying criminal trajectories only for this narrower group of people, excluding those from the so-called transition generation, because we decided that the already rather large internal differences between the two generations (the perpetrators were born in different years) could significantly affect the trajectory model we created. This, of course, is not a barrier to trajectory modelling. Some projects have successfully used information about individuals born in different years (Campedelli et al. 2021, 117–118). The second argument for limiting the analysis to the younger

generation of offenders was that, as we have already pointed out in earlier chapters, due to the way data on the transition generation are collected, we have only approximate information on the number of acts committed by these offenders in earlier stages of their lives: convictions for these acts may have been erased by the time of the first catamnesis. Accordingly, we wanted to analyse the trajectories of a relatively homogeneous cohort of offenders about whom we have a wider range of information. Therefore, we decided to include only the group of offenders who were coming into adult life at the beginning of the 21st century.

In this chapter, we have used several data sources. The first of them is the National Criminal Register (NCR), which provides information on the dates of convictions for specific acts and thus allows us to analyse criminal trajectories. The NCR also contains data on the legal classification of particular offences and the penalties that have been imposed. The only requirement to obtain information on the convictions of a specific person is personal data (name, date and place of birth, PESEL number, parents' names, mother's maiden name, address of residence, or nationality) (for more, see [Chapter 2](#) in this volume).

These data, i.e., from the listings of the same group of offenders in the NCR, had been collected at the Department of Criminology of the Institute of Law Studies of the Polish Academy of Sciences (ILS PAS) for many years: between 2005 and 2017. We used them to describe the parameters of criminal trajectories in the previous chapter, and these data (especially on the number of acts adjudicated in particular years of life) constitute the grounds for distinguishing different types of criminal trajectories.

The second source of data is the court files. Various types of personal information were acquired, e.g., through background checks or psychological or psychiatric assessments at the stage of juvenile proceedings (when the respondents were juveniles) and at the stage of criminal proceedings (for adults collected from the files of the last criminal case). As a reminder, all individuals from the millennial generation were included in the file survey in their juvenile years. A total of 347 individuals (56 females and 291 males) were subject to the file survey conducted in 2018–2019. Hence, we have slightly more accurate information about the adulthood of these individuals. The triangulation of these two sources, and therefore the use of data from different sources, will give us a slightly broader view of the different types of criminal trajectories.

Our population is made up of almost equal proportions of women and men ([Table 5.1](#)). The overrepresentation of women in relation to the share of women

**TABLE 5.1** Proportion of men and women in the population

<i>Sex</i>	<i>No.</i>	<i>%</i>
Women	948	51%
Men	919	49%
N	1,867	100%

**TABLE 5.2** Average offending activities between the ages of 17 and 33, with an average age of about 21

<i>Feature</i>	<i>Minimum</i>	<i>Maximum</i>	<i>Mean</i>	<i>Median</i>	<i>Dominant (most frequent)</i>
Age in 2017	22	35	31	31	32
Number of offences	0.00	107.00	2.96	0.00	0.00
Age of onset	17	33	21	20	18

in the overall statistics of offenders is due to the fact that the millennial generation consists of three separately studied samples, one of which is a women-only sample. With such an overrepresentation of women in this generation, it is perfectly possible to focus attention on specific trends in the criminal trajectories of female offenders (for more on the delinquency of the women studied, see [Chapter 6](#) in this volume). As far as other features of the generation we studied are concerned, it is worth pointing out that the individuals were between 22 and 35 years old at the end of the study, i.e. in 2017, with an average age of about 31.

These respondents had committed, on average, about three acts in the course of their lives, while it is worth noting the large group of subjects who had not committed any crime during their adulthood. The initial offending activity in adulthood occurred between the ages of 17 and 33, with an average age of about 21 ([Table 5.2](#)).

The method we used to define the number of trajectory types has another practical advantage. It is relatively easy to define the most appropriate model to match the pooled empirical data. We use appropriate statistical tests for this purpose, which guide us in what decision to make.

The first group of indicators includes the Akaike Information Criterion (AIC) and the Bayesian Information Criterion (BIC) as well as the adjusted Bayesian Information Criterion (adjusted BIC). Without going into the details of calculating these criteria, it should be noted that the better the model is, the lower the values of the criteria (in comparison to other models) (Nagin 1999, 147). The Lo-Mendell-Rubin Likelihood Ratio Test (LMR LRT) is used alongside these criteria (Muthén 2004, 356). It helps to choose between the model currently being tested and a hypothetical model with one less trajectory type. This test must produce statistically significant values: in other words, the *p*-value should be less than 0.05 (Jung and Wickrama 2008, 311). Another measure is *entropy*. It shows how accurately the study participants were assigned to the trajectory types. The closer the value gets to 1.0, the higher the accuracy (Odgers et al. 2007, 479). It is suggested that the number of cases belonging to each type should not be less than 1% of the total population. It is not specified when entropy reaches an acceptably high level (Jung and Wickrama 2008, 312). As the literature rightly reports, all these tests are only supportive. The choice of a model should always consider i.e. the theory behind

**TABLE 5.3** Number of offences between the ages of 19 and 28

<i>Age</i>	<i>Number of offences</i>	
	<i>Highest value</i>	<i>Maximum value after outlier reduction</i>
19	87	14
20	27 and 19	13
21	16	12
22	17	12
28	21	10

the phenomenon and the predictive value and the practical utility of the model (Muthén 2004, 356).

In order to model an appropriate number of trajectories, we decided to make some modifications to the data we collected. As the LCGA method tends to combine as many similar trajectories as possible into types, we chose to append the single outlier number of acts tried in consecutive years to the second (or third) largest value. For example, one offender was convicted at the age of 19 for 87 acts. Because he was the only one with such a high score, it is aberrant and makes modelling difficult. We assumed, but only for the purpose of estimating an adequate model, that he committed as many acts as the second most serious offender in that year of life, i.e., 14 acts. For the number of crimes committed at age 20, we reduced the values to the third-highest number of crimes, due to the unusually high numbers of adjudicated acts for the two offenders (Table 5.3).

With these data, we estimated seven models with from one to seven types of trajectories. The values of particular information criteria and tests for each of the models are shown in Table 5.4. Due to the fact that the model with seven types of trajectories has the lowest values of AIC and adjusted BIC and the model with six types of trajectories has the lowest value of BIC, we used the auxiliary indicators mentioned above.

Given the statistically insignificant LMR LRT values for the model consisting of seven types ( $p = 0.0876$ ) and an entropy value (0.769) lower than that for the other variants, we opted to discard this model in favour of the model with six types. It is also worth noting the unusual breakdown of the class proportions in the model with seven types: as many as five types each comprised less than 10% of the community. In the case of the model with six types of trajectories, only four such groups remained. Another point worth making is that the proportions in the estimated model may differ slightly from the proportions of cases actually assigned to each trajectory type.

### **Criminal trajectories of the millennial generation**

The model that we estimated and selected contains six types of trajectories. They differ in terms of the average number of acts that the subjects committed in the course of their lives, their length, and, most importantly, their frequency of

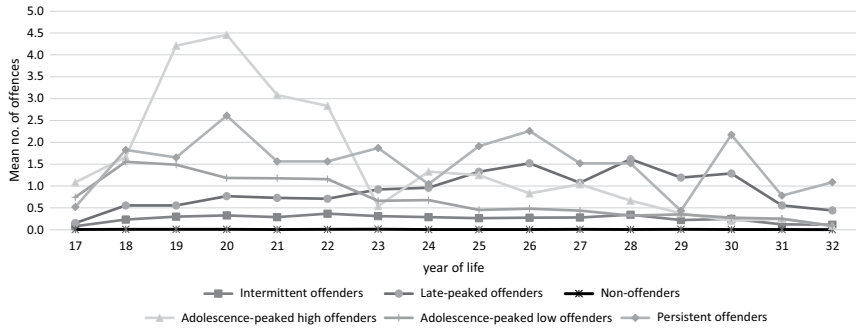
**TABLE 5.4** Information criteria and proportions of types for the estimated seven model variants (Modelling was performed using the LCGA method in the Mplus software)

<i>Test name*</i>	<i>Number of trajectories in the model</i>						
	<i>c1<sup>1</sup></i>	<i>c2</i>	<i>c3</i>	<i>c4</i>	<i>c5</i>	<i>c6</i>	<i>c7</i>
AIC	24,844.419	22,317.812	21,831.460	21,700.782	21,633.934	21,603.726	21,595.979
BIC	24,866.547	22,356.537	21,886.781	21,772.699	21,722.447	21,708.836	21,717.685
Adjusted BIC	24,853.840	22,334.298	21,855.011	21,731.398	21,671.616	21,648.473	21,647.791
LMR LRT		-12,418.21	-11,151.906	-10,905.73	-10,837.391	-10,800.967	-10,782.863
<i>p</i> -value		0.0000	0.0008	0.0021	0.021	0.006	0.0876
Entropy		0.887	0.862	0.821	0.820	0.817	0.769
Proportions of types							
1	100.00%	28.90%	68.45%	65.77%	2.14%	16.77%	9.58%
2		71.10%	7.48%	18.00%	3.87%	4.91%	11.15%
3			24.07%	13.47%	65.84%	65.53%	64.02%
4				2.76%	17.66%	1.25%	7.90%
5					10.49%	9.88%	1.14%
6						1.66%	1.63%
7							4.59%
Total	100.00%	100%	100%	100%	100%	100%	100%

Source: Based on NCR data.

\*AIC—Akaike Information Criterion; BIC—Bayesian Information Criterion; Adjusted BIC—adjusted Bayesian Information Criterion; LMR LRT—Lo-Mendell-Rubin Likelihood Ratio Test. C with number (c1 to c7) says how many classes (types of trajectories) were estimated in every single model. p-value—determined for LMR LRT

1 Number of classes in model.



**FIGURE 5.1** The trajectory in the six-class LCGA model (Based on NCR data; modelling was performed with the use of the Mplus program)

occurrence. The largest group is the non-offenders (68.44%), which include subjects who either have not been convicted of committing any crime in adulthood or have been convicted of at most one act. From a statistical point of view, there is no difference between these individuals. This group is responsible for just over 3% of the offences perpetrated by the whole population.

The second-largest group is intermittent offenders (16.39%). These perpetrators are responsible for almost 23% of the deeds committed by the millennial generation. The third group is temporarily active perpetrators with a lower intensity of criminal activity. These perpetrators committed almost 40% of all crimes. The fourth group is temporarily active perpetrators with a higher intensity. This group constitutes 1.29% of the surveyed population and is responsible for more than 12% of the acts. The fifth group includes those from the group of temporarily active perpetrators whose highest criminal activity shifted to late

**TABLE 5.5** Trajectory type versus number of offenders and acts: Six-class LCGA method model (Modelling was performed with the use of the Mplus program)

Type of trajectory	Number of offenders						Number of offences	
	Women		Men		Total		No.	%
	No.	%	No.	%	No.	%		
Non-offenders	840	88.60%	438	47.66%	1,278	68.44%	168	3.04%
Intermittent offenders	83	8.76%	223	24.27%	306	16.39%	1,261	22.78%
Adolescence-peaked low offenders	15	1.58%	169	18.39%	184	9.86%	2,101	37.95%
Adolescence-peaked high offenders	1	0.11%	23	2.50%	24	1.29%	677	12.23%
Late-peaked offenders	8	0.84%	44	4.79%	52	2.79%	752	13.59%
Persistent offenders	1	0.11%	22	2.39%	23	1.23%	576	10.41%
Total	948	100%	919	100%	1,867	100%	5,535	100%

Source: Based on NCR data.

**TABLE 5.6** Basic parameters of the types of trajectories\*

<i>Type of trajectory</i>	<i>Length of trajectory</i>					<i>Number of offences</i>					<i>Age on onset (first conviction in adulthood)</i>				
	<i>Min.</i>	<i>Max.</i>	<i>Mean</i>	<i>Med.</i>	<i>Dom.</i>	<i>Min.</i>	<i>Max.</i>	<i>Mean</i>	<i>Med.</i>	<i>Dom.<sup>†</sup></i>	<i>Min.</i>	<i>Max.</i>	<i>Mean</i>	<i>Med.</i>	<i>Dom.</i>
Non-offenders	0	0	0	0	0	0	1	0	0	0	17	33	24	23	23
Intermittent offenders	0	15	5	4	0	2	15	4	4	2	17	32	21	20	18
Adolescence-peaked low offenders	0	16	8	8	8	3	27	11	11	11	17	26	18	18	18
Adolescence-peaked high offenders	0	13	7	8	11	7	107	28	27	27	17	22	19	19	18
Late-peaked offenders	0	15	8	9	0	5	31	14	13	9	17	32	20	19	18
Persistent offenders	2	15	9	9	7	12	46	25	22	15	17	20	18	18	18

Source: Based on NCR data.

\* Min.—minimum value; Max.—maximum value; Mean—average value; Med.—median (middle value); Dom.—dominant (most frequent value).

†There are multiple values of the dominant, and the lower one is given here. For example, the dominants of the number of acts for late-peaked offenders are 9 and 12, so the lower one, 9, is given.



**TABLE 5.7** Social characteristics of perpetrators

<i>Number of people</i>		<i>306</i>		<i>184</i>		<i>24</i>		<i>52</i>		<i>23</i>	
<i>Court records examined</i>		<i>144</i>	<i>47%</i>	<i>136</i>	<i>74%</i>	<i>18</i>	<i>75%</i>	<i>32</i>	<i>62%</i>	<i>17</i>	<i>74%</i>
Marital status formal	Single	123	86%	118	87%	17	94%	28	88%	16	94%
	Married	15	10%	12	8%	1	6%	2	6%	1	6%
	Divorced	5	3%	5	4%	0	0%	2	6%	0	0%
	Widowed	1	1%	1	1%	0	0%	0	0%	0	0%
Relationship status	In a relationship	57	40%	39	29%	5	28%	11	34%	4	24%
	Not in a relationship	59	41%	66	49%	7	39%	17	53%	9	53%
Has dependent children		72	50%	59	43%	5	28%	17	53%	10	59%
Education	Incomplete primary and primary	66	45%	81	59%	11	61%	19	58%	7	40%
	Middle school	20	14%	19	14%	3	17%	4	13%	3	18%
	Vocational	34	24%	26	19%	2	11%	5	16%	4	24%
	Incomplete middle and high school	24	17%	9	7%	1	6%	4	13%	3	18%
	Higher	0	0%	1	1%	0	0%	0	0%	0	0%
Main occupation of the offender	Permanently employed	40	28%	38	28%	1	6%	6	19%	3	18%
	Temporarily employed	42	29%	34	25%	4	22%	9	28%	5	29%
	Studies	3	2%	3	2%	0	0%	0	0%	0	0%
	Does not work, does not have any occupation	50	36%	55	40%	13	72%	16	50%	9	53%
	Raises children/takes care of the house	4	3%	0	0%	0	0%	0	0%	0	0%
	Social benefits/pension	3	2%	3	2%	0	0%	1	3%	0	0%

*Source:* Based on data from court records.

**TABLE 5.8** Characteristics of offenders' social problems

<i>Aspects analysed</i>	<i>Intermittent offenders</i>		<i>Adolescence-peaked low offenders</i>		<i>Adolescence-peaked high offenders</i>		<i>Late-peaked offenders</i>		<i>Persistent offenders</i>			
	No.	%	No.	%	No.	%	No.	%	No.	%		
Number of people	306		184		24		52		23			
Court records examined	144	47%	136	74%	18	75%	32	62%	17	74%		
Imprisonment	At least once in a lifetime		129	42%	158	86%	22	92%	40	77%	23	100%
	Average total sentence (in months)		35		73		109		85		123	
Alcohol	Abuse		82	57%	67	57%	9	53%	21	75%	8	50%
	Nondrinking alcoholic		2	1%	0	0%	0	0%	0	0%	0	0%
Drugs	Abuse		23	16%	26	22%	6	35%	7	25%	6	38%
	Nonusing drug addict		3	2%	2	2%	0	0%	0	0%	0	0%
Diagnosed mental disorders and illnesses	1	1%	1	1%	1	6%	0	0%	0	0%		
Diagnosed personality disorder	30	21%	29	25%	8	47%	8	29%	4	25%		

*Source:* Based on data from courts' records.

adulthood. For this reason, we have called this group late-peaked offenders, although this wording is not entirely accurate. These people may have started their criminal career earlier, but their main illegal behaviour takes place at a later stage of life. This group accounts for nearly 3% of the sample and for almost 14% of all offences. The perpetrators belonging to the third, fourth, and fifth groups not only were largely active throughout the entire period under study but also had criminal activity levels of varying intensity at different stages of their lives. We should recall that each of them started committing crimes in their juvenile years. The least numerous group is the perpetrators classified as persistent or chronic. These 23 persons are responsible for committing as much as 10% of the total number of crimes.

For some of the individuals assigned to these trajectory types, we have additional information about their lives in adulthood obtained from the file survey. The number of offenders who were part of the file study carried out between 2018 and 2019 is shown in [Table 5.5](#). Because people falling into the category of non-offenders did not meet the criterion we adopted for the selection of cases for the file study even if they were sentenced for a crime in adulthood, we do not have any supplementary information about their adult lives (for more on the selection of individuals for the file study, see [Chapter 2](#) in this volume).

### ***Non-offenders***

As already mentioned, the group of non-offenders includes both those who have not committed any crime in adulthood (representing 87% of this group) and those who have been convicted of at most one crime (13%). It is the largest of the groups we are analyzing ([Table 5.9](#)).

Members of this group who have been convicted of a single criminal offence have committed it in the course of their entire life, between the ages of 17 and 33, although most often the conviction occurred at the age of 23 (see [Table 5.6](#)). Speaking about a career length in this group is unjustified, as either the criminal trajectory did not start, or because the offender had only one conviction in adulthood, it included one year of delinquent activity. However, these individuals did commit some criminal acts in their adolescence, and it is worth looking at their life stories. Below are two of them: Michał's and Anna's.

**TABLE 5.9** The group of non-offenders

<i>Group</i>	<i>No.</i>	<i>%</i>
Convicted of one offence	168	13%
Not convicted	1,110	87%
Total non-offenders	1,278	100%

*Source:* Based on NCR data.

*Michał, 32 years old*

At the age of 15, Michał committed an act of robbery on the premises of a primary school. At least 17 times over the course of almost a year, he threatened to beat and did beat his 11-year-old friend, making him defenceless, and then stole some money by searching his pockets (he took less than 18 PLN (zloty), or about €4). During this period, he also attempted to steal from another school-mate but failed to do so because the victim did not have any money. He committed these acts on his own. His motive was purely material: the money was small compensation for a flat tyre on his bike. The second victim, according to Michał, was only a witness when he was collecting his money from the first boy. His case was an incident: he had never had a police record before, and he had no other juvenile court proceedings. Michał was brought up in a complete family. His parents had a high school education. They both worked. Neither of them had any problems either with the law or with alcohol. The father was ill and required hospitalisation. The family lived in a two-room flat in an old tenement house. Michał shared a room with his sister, who was a few years old. He had his own bed, desk, and computer. The family's financial situation was good. Learning was not a problem for Michał. He was an intelligent boy, and according to the school, he stood out from others. He graduated from music school and served mass as an altar boy and later as a reader. However, he was sometimes overexcited and tried to get his own way. Nevertheless, he was considered a well-behaved child.

His mother cared for him and his younger sister. She was interested in the boy's future and was in regular contact with the school. Michał did not have any behavioural problems. The file shows that he was thinking seriously about his future. He wanted to go to high school. He was strongly attached to the parish and wanted to become a priest in the future. He spent his free time with his family: in the garden, on trips, or playing sports. The probation officer wrote that in an interview Michał 'makes a very good impression, which is completely unsuited to the alleged act'.

The proceedings against him were discontinued by the juvenile court. He had no criminal record as an adult.

*Anna, 31 years old*

At the age of 13, Anna broke into a shop twice and stole groceries, a phone, and money worth a total of 535 PLN (about €120). The incidents took place over two consecutive months. Then she also made a third attempt at burglary, which failed. She committed these acts together with her friends, including a girl and three boys. They were of different ages, ranging from 13 to 40. They used a crowbar to commit the burglaries. Anna was persuaded to commit the burglaries by her friends, although she was also motivated by a desire to possess certain items.

Anna grew up in foster care, as did her siblings. Her parents did not work and abused alcohol. Her mother had a primary education and her father a vocational

education. They did not live together. They each took on a new partner. The children were left with their mother, who could not cope with raising them. Juvenile court records show that she grossly neglected them, as she was unable to meet their social and psychological needs. The housing conditions were described as ‘lacking in conveniences and in need of renovation’; the toilet was outdoors. The sources of support were family allowance, alimony, and the income of the mother’s partner. A guardian was appointed for the family.

Anna studied at a special-education school, repeated classes, and was already four years behind in school at the age of 13. She had run away from foster care, had smoked cigarettes, and was described as a socially maladjusted child. The assessment report showed that she had a mild mental disability, lacked critical thinking skills, and did not anticipate the consequences of her behaviour. She had anxiety and also engaged in magical thinking. She did not differentiate clearly between good and evil.

In adulthood, Anna was convicted once: for the crime of nonpayment of alimony. She was 28 years old at the time.

### ***Intermittent offenders***

The second most numerous group consists of people that we have described as intermittent offenders. They have an average career length of 5 years, but the longest career in this group lasted 15 years. These persons have committed a relatively small number of acts in the course of their lives: from 2 to 15, with the mean number of crimes being 4 and the most common number being 2. Individuals from this group began their criminal activity at different times of their adult life: most often at the age of about 18 and, on average, at 21 (see [Table 5.6](#)). The characteristic feature of this type of trajectory is that these perpetrators committed relatively few crimes altogether, but their involvement in crime is spread over their entire lives. The course of this type of trajectory is perfectly illustrated by [Figure 5.1](#) in the form of a gentle wave.

With regard to the social situation of intermittent offenders assessed by means of a file survey, in which a selected group of offenders participated (for the record, this group included 47% of offenders from the group of intermittent offenders), it is worth pointing out that intermittent offenders—in comparison with offenders from other groups—were in relationships far more often (the highest percentage among all offenders in relationships was recorded in this group). They also had a higher level of education. As many as 17% had secondary education, and 24% had vocational education. They also worked more often: the percentages of perpetrators working permanently (28%) and temporarily (29%) are among the highest in our sample (see [Table 5.7](#)). These perpetrators were least frequently incarcerated (42% of them have at least one such episode in their life), and the average total length of imprisonment pronounced against them was 35 months, the lowest among the groups. Let us recall again that the file study did not cover the group of non-offenders.

More than half of the intermittent offenders abused alcohol, while 16% had a drug problem. Again, these percentages are the lowest compared to other types of offenders. Thirty offenders in this group (21%) whose court records were examined between 2018 and 2019 were found to have personality disorders. These included childhood behavioural problems, alcohol and other substance abuse, and depression or emotional instability (see [Table 5.8](#)). The stories of two intermittent offenders, Łukasz and Monika, are described below.

### *Łukasz, 32 years old*

At the age of 14, Łukasz broke a window in a car and took a tape recorder from it. He did it together with two friends, and the motive was to get money. As an adult, he was convicted twice: at the age of 19 for burglary and at the age of 22 for destruction of property. He was handed a suspended prison sentence on two occasions. The second of the suspended sentences was later revoked, and Łukasz was sent to prison. He served a sentence of one year's imprisonment, and at the age of 28, he was released on parole.

Łukasz's parents divorced when he was four years old. They were both alcoholics. The father started a new family, and the mother struggled to support and bring up her three children. She looked for new partners and drank alcohol at home and outside the home while leaving her minor children unattended. Łukasz has always remembered his mother being drunk. He also remembers her various partners, whom she often brought home. He was raised by his older siblings: a brother and sister who replaced his parents. However, each of them had problems: the brother had a criminal record, and the sister received psychiatric treatment. It was a poor home. There was not enough food. Łukasz was not accepted by friends from so-called decent families. However, he found acceptance among friends who were as poor as he was, but more corrupt and notorious. In order not to be rejected by 'a thieving and robbing gang of pseudo-friends' (a phrase used in a probation officer's interview), he committed criminal acts as a minor.

Because of the illegal deeds he committed as a minor, as well as his mother's drinking and his brother's delinquency, the probation officer was almost always present in his life. Thanks to the probation officer, he passed his secondary school leaving exam and found a job. The probation officer wanted to get him out of his family's and friends' circles while he was still on probation after his first conviction at the age of 19. At that time, he helped Łukasz enlist for compulsory military service. After this, Łukasz was to stay in the army as a professional soldier. This was his dream.

However, it did not materialise because at the age of 22 he committed another crime: destruction of property. He did this under the influence of alcohol, which he had consumed with a friend who was on leave from the army. He regretted what he had done and apologised to the victims. As we read in the probation officer's interview, he said of himself that he had reached rock

bottom again and was ashamed. At the age of 16, after he got drunk to the point of unconsciousness, he made a resolution not to use alcohol again, and he stuck to it for six years.

At that time, Łukasz had a girlfriend with whom he would spend his free time. He was the only one in his family who had a steady job. He worked a manual job. The financial and housing situation of the family was difficult: the bills were not paid, there was no electricity, and the furniture was old, dilapidated, and dirty. Łukasz bought food for his mother and siblings. Social assistance was an additional support. According to the probation officer, Łukasz is an ambitious boy, but the social environment he lives in is not conducive to his rehabilitation.

### *Monika, 32 years old*

At the age of 14, Monika and her cousin stole goods worth less than 8 PLN (about €2) from a supermarket. The motive was purely economic motive: the desire to own the stolen items. In adulthood, she was convicted twice: at 23 for fraud and at 26 for criminal threats and participation in a fight. On two occasions, the court ordered her to serve a suspended sentence. The first of these was carried out under an electronic supervision system.

Monika and her siblings (four older brothers and a younger sister) were brought up only by their mother. The father had no contact with them. He never saw Monika. The mother did not work. The family had financial problems, as evidenced by rent arrearages. They were supported by social assistance but also by Monika's older brothers who took on part-time jobs.

Monika had learning difficulties. She repeated the early grades of primary school and, like her siblings, attended a correctional education institution. She also had behavioural problems. She finished her education at lower secondary school level.

At the age of 27, Monika was the mother of three children from two informal relationships that had already ended. She did not have a permanent job. She was raising her children. She lived with her mother and some of her siblings (several brothers were in prison at the time). The housing she occupied was in need of renovation. She was self-sufficient and lived off alimony and child benefit. During the winter heating season, she received coal from social welfare, and her children received free lunches at school. She could not count on financial assistance from her family.

### ***Adolescence-peaked low offenders***

The next group of offenders we have identified is those whose criminal activity was concentrated in early adulthood and then slowed down somewhat. This does not mean, however, that individuals in this group did not commit crimes throughout their lives. This group consists of 148 individuals who perpetrated a

total of 2,101 offences and includes people with some of the longest trajectories, up to 16 years, with the average and also the most frequent trajectory in this group being 8 years. The perpetrator with the highest record committed 27 acts, while, on average, each of the members of this group committed 11 crimes in their lifetime. These perpetrators started their criminal activity at the latest at the age of 26, but most often they started around the age of 18; in other words, they can be said to have smoothly transitioned from juvenile delinquency to adult delinquency. A trajectory of this type is characterised by a high number of offences committed between the ages of 18 and 19 (about 1.5 offences per year), after which the rate of offences decreases (see [Table 5.6](#)).

The court files show that out of all types of perpetrators, this group has one of the lowest levels of education: 59% of the perpetrators had at most a primary school education, and another 14% had a lower secondary school education. What is noteworthy is that there was only one person with higher education in this group. As in the case of intermittent offenders, more than half of adolescence-peaked low offenders work: 28% permanently and 25% on a casual basis (see [Table 5.7](#)). An overwhelming majority of offenders from this group (86%) have the experience of staying in prison following their criminal activity. Their average total term of imprisonment was more than twice as high as for the group of intermittent offenders and totalled six years and one month.

Offenders in this group struggled with alcohol and drug addiction to a comparable extent. About a quarter were also found to have personality disorders, mainly related to addiction problems and more broadly to a malformed personality structure (see [Table 5.8](#)). In our view, these offenders are well represented by the stories of Piotr and Marcin.

### *Piotr, 33 years old*

As a nearly 16-year-old boy, Piotr stole branded sports shoes worth 200 PLN (about €45) from a changing room at the swimming pool. He committed the crime on his own. His motive was the desire to have such shoes. The victim of the theft was a 51-year-old man. It was not the first theft in Piotr's life. The previous one—stealing fruit from a shop—took place a year earlier. In response to his behaviour, the juvenile court ordered probation supervision and obliged Piotr's mother to provide him with psychological counselling.

As an adult, Piotr was convicted ten times. His first conviction was at the age of 19, while his last was at 28. The first four years of his criminal career were the most intense. He was convicted eight times during that period. He was involved in various crimes. The most serious one, robbery, was the earliest. He also perpetrated, for example, theft, burglary, fraud, forgery of documents, and failure to appear for military training. Most often the court sentenced Piotr to imprisonment: four times without parole and four times with suspended sentences. The suspended sentences were usually activated and served.



Piotr was brought up by his mother. His parents divorced when he was ten years old. His father had no interest in either Piotr or his older sister. He started a new family. He had a criminal record for theft. The mother had vocational training and worked as a saleswoman in a shop. She was interested in Piotr's situation and contacted the school every week. She was caring but also overprotective. She exhibited a lack of parental consistency and helplessness. She was not always an authority figure for Piotr. She had little influence on him because Piotr spent most of his time at the housing development with his friends and destroyed staircases with them.

Piotr was not interested in learning; he skipped lessons and repeated the same classes over and over again. He was an arrogant boy. He smoked cigarettes in front of teachers. He openly admitted to several shoplifting incidents. He stole clothes and food out of boredom.

As a 27-year-old male, he reported in his probation officer's interview that at that time in his life, he had 'tried almost everything, including drugs'. He has a middle school education. He started his education at a vocational school. He attended it systematically because he wanted to finish school and obtain a specific qualification. However, he did not graduate, as he ended up in prison.

Formally, Piotr is single, but he is in a relationship with a woman who is several years older. They are raising her several-year-old child together. He works occasionally. He wants to work, and he wants to be financially independent. He worked between stays in penal institutions. He travelled abroad twice for work. He completed several vocational courses and is planning to enrol in others. Because of his commitment to work, he gave up his usual pastimes, such as meeting up with friends and going to concerts together. Piotr admits to having acted inappropriately, but he wants to put the past behind him. He has no contact with his peers. Most of them have moved away or are in prison.

### *Marcin, 33 years old*

At 15, Marcin punched his classmate and broke his nose. He did it out of frustration at receiving a failing grade. He was given a warning by the court. Marcin was also transferred to another school. This was his first case in juvenile court.

As an adult, he has been convicted five times, the first time when he was 18 and the last when he was 23. The first two convictions were for acts similar to his juvenile offence of causing bodily harm. Others included forgery of documents as well as attempted burglary and robbery and aggravated robbery. The motive was usually the desire to get money. On three occasions, the court handed down suspended prison sentences against him. His criminal record does not show that the suspended sentences were served.

He grew up in a complete family. His mother had a secondary education and his father a vocational education. They both worked: his mother as a railway technician and his father as an electrical fitter. Marcin also had two adult sisters. He lived with his parents in a three-room flat in a new building. He had his own

room and good conditions for studying and leisure. The financial and housing situation of the family was good.

According to the school's opinion, Marcin did not have major behavioural problems, although he was known to dominate in his peer group and tried to influence others by bullying. His school performance was satisfactory. According to his parents, he did not seem to have any difficulties. He was a bit restless, but he was obedient and polite. He went to the swimming pool and attended tutoring in mathematics. He started high school, but due to numerous absences, he did not complete it. He also tried his hand at technical secondary school but failed again.

From the age of 19, he took up to three grams of amphetamine a day. Because of the problems he started to cause, his father threw him out of the house. At the age of 22, he was diagnosed with amphetamine addiction and received drug treatment.

A background check shows that he got married at the age of 27. He has two children: a younger daughter from his marriage and an older son from a previous cohabiting relationship. Marcin pays for his maintenance.

He completed his undergraduate studies. He is employed and works as a furniture upholsterer. His wife also works. They bought a flat using a mortgage where they live together. His parents help to take care of their granddaughter. In an interview, the probation officer wrote that there are harmonious relations in Marcin's family. His mother praises him and is proud of him.

### ***Adolescence-peaked high offenders***

Another group consists of individuals who also reach the peak of their criminal activity in early adulthood. This group includes 24 individuals responsible for committing 677 acts. The trajectories that fall into this group are the shortest of all those identified—but also the most intense. The record offender was convicted of as many as 107 acts, and, on average, the individuals in this group committed 28 acts each. We would like to reiterate here that we understand the term *act* to be a single legal classification applied to a given behaviour of the perpetrator (for detailed comments on this issue, see [Chapter 2](#) in this volume).

They started at a very early age, as all individuals in this group were first convicted of a crime committed in adulthood by age 22 at the latest, and, on average, they were convicted by age 19. However, the most frequent age of conviction was 18 (see [Table 5.6](#)).

Such a trajectory resembles the trajectory of adolescence-peaked low offenders. However, the peak of criminal activity is shifted to the period between 19 and 20 years of age. The perpetrators committed more than four acts per year, on average, during this period. Their offending activity, however, later decreased, and around the age of 23, it was similar to the other trajectories (averaging slightly more than one act per year). Regarding this group, we can reasonably surmise, as we do for adolescence-peaked low offenders, that these trajectories are coming

to an end and most individuals have probably retired from crime permanently. A closer look at the life histories of our respondents, nevertheless, reveals that the decline in the intensity of delinquency for some of the offenders in this group may be linked not to voluntary desistance from crime but to a temporary cessation of their delinquency activity or even an impediment to that activity due to prison stays. This is because the study shows that 92% of the people in this group have had at least one episode associated with a stay in a penitentiary unit, and the average total prison sentence for this group is nine years and one month.

Within the group of adolescence-peaked high offenders, we noted the lowest percentage of offenders who were in a relationship: only 28%. These perpetrators, like the adolescence-peaked low offenders, have less education than the other groups of perpetrators. Of those researched, 78% attained a middle school education, and only one person attained a high school education. Offenders in this group were by far the least economically active. Only five people were working, and four of these were occasional workers (see [Table 5.7](#)). More than half of the individuals in this group abused alcohol, while more than a third abused drugs. Personality disorders were found in almost half of the individuals. These included abnormal personality traits, aggressive behaviour, and a wide range of substance abuse issues (see [Table 5.8](#)). Paweł and Tomasz are examples of adolescence-peaked high offenders.

### *Paweł, 33 years old*

At the age of 15, together with three friends, Paweł broke into an elementary school and took backpacks, travel bags, clothes, Walkmans, tape recorders with CD players, CDs, and cosmetics. The victims were several years younger than the perpetrators. It was not the first case in Paweł's life. He had a previous police record, and the family court had ordered him, at one time, to be placed in juvenile detention.

As an adult, Paweł was convicted 18 times for committing more than 30 acts. His first conviction was at age 19, and his last one was at age 31. He was most active before age 25. He committed more than 20 acts during that time. He was guilty of a variety of crimes. He started with theft and burglary. Later he began to engage in many other offenses, such as damaging property, making criminal threats, committing robbery offenses, driving under the influence of alcohol, insulting a public official, and fighting and engaging in battery. The first conviction resulted in a sentence of restriction of liberty, whereas the subsequent ones usually ended with imprisonment. In total, the court sentenced him 11 times to suspended imprisonment, including 5 times when it ordered that the sentence be executed. Paweł was sentenced three times to absolute imprisonment. On several occasions, the court imposed custodial sentences against him, which were usually converted to alternative custodial sentences.

Paweł was raised by his grandmother. His father committed suicide when Paweł was still a child. His mother abused alcohol. He has siblings. He studied

poorly. He caused problems, which was the reason why he was placed in different juvenile institutions.

Paweł has never started a family. He has no children. He finished his education at the elementary level. He has periodically taken jobs. He has also run his own business.

He abused alcohol, drinking daily. He had withdrawal symptoms, which he relieved with alcohol. At age 31, he was diagnosed with alcohol dependence syndrome. He had a history of exposure to cannabinoids, amphetamines, and opiates. He has also used solvents to intoxicate himself. He has been diagnosed with abnormal personality traits, manifested, in particular, by a low threshold for provoking aggressive behaviour and a tendency to passive-aggressive behaviour as well as unchanging behaviour despite interventions and disregard for the consequences of his actions.

### *Tomasz, 33 years old*

At the age of 16, together with his friends, Tomasz committed two criminal acts: he destroyed property in a restaurant and stole a passenger car for short-term use. He treated the latter as a joke: he wanted to take a joyride and give the car back. These were not his first offences as a juvenile. He was listed previously in the police register, and the court had conducted several proceedings against him that ended in, for example, an order of probation supervision.

As an adult, Tomasz was convicted seven times: the first time when he was 21 and the last time when he was 27. In total, he committed 16 crimes, 12 of which occurred when he was 21 to 24 years old. These included domestic violence, robbery offenses, theft, burglary, and fighting and battery. For the first offense, domestic violence, he was sentenced to probation. The sentence was suspended. His subsequent convictions were for an absolute term of imprisonment. Other custodial sentences were commuted to alternative custodial sentences. He spent several years in prison.

He was raised by his mother and a cohabiting partner. He had three brothers: an older one and two younger ones. The mother had an elementary education and did not work. The five of them lived in a one-room city-owned apartment, modestly furnished but clean. There was no study nook. Tomasz did not get along with his mother's partner, and he was angry with his mother for living with him. He was arrogant at home, did not listen to his mother, and did not help her. He was a problematic child. He was influenced by his peers.

Tomasz also had problems at school. He was of average ability and unsystematic. He had poor academic results and rarely did his homework. He was disruptive in class and truant. He was not promoted to the second grade of middle school and continued his education in the youth centre. He had a lowered grade for behaviour. According to the probation officer, Tomasz's problems at that time could have resulted from a difficult relationship with his mother's partner. Tomasz completed his education at the vocational level.

Tomasz is single and has not started a family. He has not taken a job. Before his last incarceration, he lived with his mother and younger brothers in a two-room apartment with a kitchen. He did not provide for his livelihood. He lived at the expense of his mother, whose income was small. The probation officer's interview showed that he behaved outrageously at home. He often returned home under the influence of alcohol and was aggressive. He called his mother names and beat his younger siblings. His mother did not know how to deal with him, so she filed a lawsuit for eviction.

While out of prison, Tomasz consumed alcohol when he had the money to do so. When he was granted a pass from the prison, after just a few hours, he started a brawl under the influence of alcohol that ended with police intervention. According to the community interview, the family has been living peacefully since Tomasz has been in prison.

### *Late-peaked offenders*

We labelled the next group of offenders late-peaked. They were sentenced for the first time in adulthood just as early as those belonging to both groups of temporarily active offenders. What is striking about them, however, is that their peak of criminal activity tends to occur well into adulthood, or, more precisely, in the second half of their thirties. Their engagement in crime in early adulthood is rather low, although it does occur. Hence, such trajectories last as long as those of adolescence-peaked offenders of both types (with a maximum of 15 years and an average of 8 years). It should be pointed out that within this group there is also a sizable percentage of offenders who are convicted for the first time at a somewhat later date. On average, the first conviction happens at age 20 and most often occurs at age 18 (see [Table 5.6](#)). The graph for this type of trajectory is a mirror image of the trajectory of the adolescence-peaked low offenders. For reference, this group consists of 52 individuals responsible for committing 752 acts.

The data from the court files help to illuminate the social situation of this group of offenders as well. One-third of the subjects were in a relationship at the time of their last court case, and more than half had dependent children. This group was slightly better educated than the two types of adolescence-peaked offenders: almost 58% had primary education, but 16% had vocational training. Another four perpetrators (13%) had secondary education (see [Table 5.7](#)). Two-thirds of the offenders in this group were serving prison sentences, with an average total length of 85 months. It may be therefore inferred that the activity of these offenders is concentrated in the second half of the third decade of life due to previous stays in correctional institutions (juvenile detention centres and prison, successively), where criminal activity is limited. Of all the groups of offenders, this one has the highest proportion of alcohol addicts. As many as three-quarters of this group were struggling with alcohol dependence. In turn, one-quarter were addicted to drugs, and almost one-third were diagnosed with

a personality disorder (see Table 5.8). Katarzyna and Krzysztof are examples of late-peaked offenders.

### *Katarzyna, 33 years old*

At the age of 16, Katarzyna and her sister threatened to beat up a friend from the same school. Katarzyna explained the incident as provoked by the circumstances: the girls had been calling each other names. The court obliged her to complete her schooling, behave correctly at school and dormitory, and stay away from demoralised people. She was to be placed in foster care. Previously, she had had no problems with either the juvenile court or the police.

In adulthood, Katarzyna was convicted twice: at the age of 24 and 25. The first conviction was for insulting a public official. The second one involved three acts committed over two days. This was an attempt to defraud three institutions (a bank, a mobile phone company, and a household goods shop) in order to obtain a loan and to buy several items—a mobile phone, a cooker, and a refrigerator, in instalments. To do this, Katarzyna used fake certificates of employment. She was acting with a friend.

Until the age of 14, she had been brought up at home with her mother, her mother's partner, and her sister. The mother was out of work and not entitled to unemployment benefits. The mother's partner worked odd jobs. They both abused alcohol. They lived in two rooms with a kitchen. The flat was substandard. It was dirty and neglected. Katarzyna and her sister had their own room in an extension. The financial situation of the family was difficult. There was a shortage of coal for heating. The family had a poor reputation among their neighbours. At the age of 14, Katarzyna was placed in a children's home, where she stayed until she was 16 or 18. At school, Katarzyna was an average student. She did not have any behavioural problems.

She completed a vocational training course. She is a saleswoman by profession but does not work. She is not in a relationship. She has three children against whom the court has limited her parental authority. They have been placed with a foster family.

Katarzyna's first contact with alcohol was at the age of 16 and with drugs at the age of 17. According to the forensic-psychiatric report, she was taking amphetamines and drinking alcohol continuously for months. Once she was taken to a sobering-up station. At the age of 23, she received drug treatment. She has a diagnosis of polytoxicomania, or alcohol and drug addiction.

### *Krzysztof, 34 years old*

At the age of 16, Krzysztof and three friends stole a satellite dish converter. It was not the first theft in Krzysztof's life. Previously, the court had ordered him to be placed in juvenile detention.

In adulthood, Krzysztof was sentenced three times for committing ten acts. His first conviction was at the age of 24, and his last was at the age of 31. He

mainly committed drug offences—possession and trafficking—but also theft. Each time the court sentenced him to a suspended sentence of imprisonment. At the age of 31, in addition to the sentence, the court ordered him to undergo drug treatment for addiction to narcotics and psychotropic substances.

Krzysztof grew up with his mother and stepfather. He has a younger half-brother. His parents separated before he was born. He has no contact with his father. His mother remarried but divorced after 20 years. His stepfather was a compulsive alcoholic. Krzysztof had a bad relationship with him.

Krzysztof finished vocational school. He did not repeat classes but had behavioural problems. He worked in his profession for half a year. He also took other jobs. In total, he worked for about four years.

He has not started a family of his own. He has no children. From the age of 19, he was in an informal relationship that dissolved after his first two convictions. Krzysztof was 26 years old at the time.

Krzysztof has been taking drugs since the age of 15: initially marijuana and amphetamines. When he was 18, he turned to heroin. As a 26-year-old, he was placed in an addiction centre. His treatment lasted 1.5 years. Afterward, he remained abstinent for just under 2 years. He has been taking amphetamines sporadically since he was 29 years old. He is addicted to psychoactive substances. He has been diagnosed with an abnormal personality with dissocial features.

### ***Persistent offenders***

The last group consists of 23 persistent offenders responsible for committing 576 acts. These individuals have an average trajectory of nine years, with seven, nine, and ten years being the most common lengths. These offenders are also very intense and have committed an average of 25 acts in their lifetime, with 15 or 18 acts being the most common. They started their criminal careers the soonest of all the offenders. Indeed, all of their careers started by the age of 20, and their average initiation age was 18. This trajectory, due to its severity and changeable pace, reaches some of the highest values at three points: at the ages of 20, 26, and 30 (see [Table 5.6](#)).

The court files study shows that the group of persistent perpetrators includes the smallest percentage of individuals in a steady relationship (only 24%), but also has the largest percentage of those with dependent children. The perpetrators in this group are better educated, with 40% having completed only primary education. Half of the offenders in this group have not worked or performed other work-related activities (see [Table 5.7](#)). All of them have served a prison sentence at least once in their lives. The average length of this sentence is 123 months, or 10 years and 3 months! These offenders are likely to be in prison very often. After serving a short sentence, they are released, commit further crimes, and return to prison very quickly. Unfortunately, we do not have such precise information as to confirm this hypothesis, but given the sinusoid-like criminal activity

of these individuals and the long period of incarceration, this is one possible scenario—and seems to be confirmed by the in-depth interviews conducted with the detainees. For more certainty, it would be necessary to carry out an analysis of the history of their stays in prison and compare this with periods of increased delinquency. At the moment, we do not have such data.

Half of the people in this group were addicted to alcohol and more than one-third to drugs. One-quarter had personality disorders, including addiction problems and disorders related to organic changes in the central nervous system (see Table 5.8). Damian and Rafał are certainly chronic offenders.

### *Damian, 30 years old*

At the age of 13, in order to gain financial profit, Damian threatened to attack his younger friend if he didn't hand over his property: a computer or money in the amount of 100 PLN (about €22). The court ordered a probation officer to supervise him. He had no previous cases in the juvenile court and no police record. At the age of 15–16, he was sent to a juvenile detention centre and later to a juvenile penitentiary, where he stayed until he was 20.

In adulthood, Damian was convicted 20 times for committing 41 acts: the first at age 17 and the last at age 28. Half of his offending activity took place abroad, in the UK. He was convicted ten times by UK courts, mainly for theft but also for possession of drugs, failure to appear in custody, possession of weapons, and criminal threats. He was also convicted in Poland, mainly for property crime such as theft, burglary, robbery, fraud, and extortion of credit as well as for drug possession and forgery of documents. With the exception of the first drug crime case, when the court conditionally discontinued the proceedings, he was always sentenced by Polish courts to imprisonment, including five times to an absolute sentence. His conditionally suspended sentences were served. British courts equally often pronounced financial and imprisonment sentences as well as custodial sentences. The total length of incarceration sentences against him was about 12 years.

He was brought up by his grandmother. His mother left Damian and his siblings when Damian was two years old. She had no interest in them. She did not pay alimony. She was deprived of parental authority. Damian lived with his father until he was ten and then with his grandparents because his father had gone to prison. After leaving prison, he moved with his children to live with Damian's grandparents. The five of them had a two-room shack. Damian shared a room with his brother and uncle.

He was not a good student. He skipped school. He had contact with older people who were in conflict with the law. He sniffed glue. He cheated his grandparents. According to the probation officer, the grandparents were not in control of Damian's educational situation.

Damian is a bachelor. For several years, he was in a relationship with the mother of his several-year-old son. They separated when Damian was 23.



He has vocational training. While he was out of prison, he managed to pass only the first year of vocational school. He became a carpenter during his stay in a correctional institution. He took various odd jobs. In total, he worked for about two years.

He was drinking alcohol from the age of 16–17. He would go on alcoholic binges lasting up to a week. He would take a break for two days and then start drinking again. From the age of 13, he was taking drugs: cannabis and amphetamines. He used designer drugs several times a week. He received drug treatment when he was 14 or 15 years old. He has attempted suicide four times. He has a diagnosed dissociative personality and addiction to psychoactive substances.

### *Rafał, 33 years old*

At the age of 16, at a petrol station, Rafał stole car plugs worth 120 PLN (about €27). He committed the crime on his own. The court did not institute proceedings against him because in an earlier case a probation officer had already been appointed to supervise him.

As an adult, Rafał was sentenced 22 times for committing 50 acts. He was first convicted at the age of 17. Further convictions followed in almost every other year of his life. In some years, he was convicted more than once. He was guilty of various offences: most frequently theft but also robbery (extortion, robbery, and theft), handling stolen goods, fraud, burglary, causing damage to health, participating in a fight and a beating, insulting a public official, extorting public office documents, and extorting credit. Each time the court sentenced him to imprisonment. In 16 cases, it was an absolute penalty. All the suspended sentences were served. He spent almost ten years in prison.

He grew up in a single-parent family. His father left when Rafał was three years old. His mother got involved with another man.

Rafał is a bachelor, but he lives with his partner, with whom he has a several-month-old child. He plans to get married. He has a vocational education. He completed school under the standard curriculum, but that happened during one of his stays in prison. He is an electrician by profession. He does not have a permanent job. He works occasionally.

Rafał had his first encounter with alcohol at the age of 13. Although he had conflicts with the law after drinking, he is not an addict. Experts, on the other hand, have diagnosed a dissociative personality disorder, as he has a well-established pattern of disrespect for the rights of others, which started when he was a minor and manifests itself, for example, in disregard for social norms, committing crimes, dishonesty, cheating others, and lack of responsibility and remorse: he is unconcerned about hurting other people.

## **Conclusion**

The purpose of this chapter was to create a typology of criminal trajectories of the community we studied. For the analyses, we have chosen only people from

**TABLE 5.10** Offenders with a criminal career

<i>Group</i>	<i>No.</i>	<i>%</i>
Non-offenders	1,110	59%
Convicted of one offence	168	9%
Criminal career	589	32%
<b>Total</b>	<b>1,867</b>	<b>100%</b>

*Source:* Based on NCR data.

the millennial generation due to its relative homogeneity. The sample group consisted of 1,867 individuals.

The analysis shows that the most adequate model to fit our empirical data is one consisting of six types of criminal trajectories. We distinguished the following types: non-offenders', i.e., subjects who did not commit crimes in adulthood or who committed at most one crime; intermittent offenders; adolescence-peaked offenders at two levels of intensity—low and high—whose highest criminal activity occurred in early adulthood; late-peaked offenders, whose highest level of activity occurred in the second half of the third decade of life; and persistent offenders, who frequently committed crimes throughout their lives. The different types of criminal trajectories vary mainly in terms of the moment when offenders started their criminal activity in adulthood as well as the length and number of offences they committed. Significant differences also relate to the fact of being in prison and to different social characteristics (level of education, employment, and being in a relationship). We have also presented sample life histories of each type of offender (Table 5.10).

The largest group was individuals assigned to the non-offenders category, which accounted for almost 70% of the population. These individuals, even if they committed one crime in adulthood, do not, in our opinion, meet the criterion of 'offenders with a criminal career'. Those who had never been convicted of any crime accounted for nearly 60% of our group, while another 9% were those convicted of a single act. In fact, people in this group can be considered to have grown out of crime at some point: usually during adolescence or early adulthood. The remaining slightly more than 30% of the subjects—namely, those convicted of committing at least two acts in adulthood—were assigned to five types of trajectories. It seems to us that it is precisely this group that we can speak of as 'offenders with a criminal career'. We believe that public authorities should pay more attention to this group.

What distinguishes our typology from others, with the exception of, for example, the Philadelphia study (D'Unger et al. 1998, 1611), is that the so-called persistent perpetrators in our sample are not responsible for the largest number of acts committed. It is the adolescence-peaked offenders who committed the majority of the crimes in our sample. The persistent offenders should be of particular interest to criminal policy. They are habitual offenders, often not very serious but rather socially disruptive. Simultaneously, they struggle with various

problems such as severe addictions to alcohol and other psychoactive substances. These problems are the ‘trap’ that does not allow them to break away from their delinquent behaviour. Due to a series of deficits dating back to their childhood and teenage years, they also lack anchor points like significant people in their lives, stable relationships, and family, which prevents them from leaving their previous way of life. All these problems can appear at different stages of life and entrench these individuals’ antisocial lifestyles. The snares, such as, for example, addictions, have also appeared in other perpetrators’ lives (see [Chapter 8](#) in this volume).

What is certainly common to each of the types that we have identified is institutional careers (Szczepanik 2015). With the exception of the non-offender and intermittent offender groups, perpetrators in each group have had such a career. The presence of an institutional career markedly differentiates persistent offenders from the rest of the respondents. Every person in this group has been in prison, and many of them have spent ten or more years in a penitentiary institution. It can thus be assumed that many of these offenders have been in prison almost since the beginning of their adult lives.

We should also remember that the types we have identified are neither fixed nor unchangeable. They are valid for a given moment in the lives of our subjects. As the years of our subjects’ lives go by, their criminal trajectories may change, and these changes may go in different directions. This means that perhaps in a few years the typology we have proposed will be outdated. However, this risk should be regarded as a specific element of life-course criminological research. Undoubtedly, this risk should be acknowledged and kept in mind. Moffitt (2006) provides a good example of how a concept can be revised after years of research. Nothing remains to be done, then, but to follow up on the lives of our subjects to see, years later, where their trajectories are heading.

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# 6

## WOMEN'S CRIMINAL CAREERS

*Dagmara Woźniakowska-Fajst*

### Introduction

'Seeing men as the human default is fundamental to the structure of human society', writes Caroline Criado-Perez (2019, 1), showing how in many fields of social life the female perspective is overlooked, ignored, or (sometimes even unintentionally) neglected. It is difficult not to apply this insight to the issue of crime as well. Danielle Marie Carkin and Paul E. Tracy (2017, 612) point out that most criminological research on crime fails to address the most vital demographic factor—gender—and focuses instead on differences such as age, ethnicity/nationality, and social class, which are actually much less relevant. Both crime and deviant behaviour by women are sometimes lost in male patterns, and only by examining the acts committed by women can they be better understood and analysed. This also applies to a long-term perspective. Another key point is that when writing about female delinquency, we should refer not so much to biological sex as to cultural gender, for it is cultural gender that influences the functioning of women in society to a much greater extent than biological sex. The cultural gender is made up of a constellation of social, historical, and cultural influences, which have a profound impact on both life and social institutions.

For centuries, women's criminality went unnoticed, ignored, and uninvestigated. When attention was drawn to deviant acts by women, they were associated with madness or inherent evil rather than rational choice (Silvestri and Crowther-Dowey 2008, 24). To this day, women's criminality fades into the background of men's criminality, so it is generally discussed in isolation from it, without comparing the rates, structures, or trends of criminal behaviour of the two sexes. The same is true of the study of criminal careers. On the one hand, it is not the case that women's criminal careers are not mentioned at all,

but on the other hand, criminological analysis of this issue often omits women's perspective (Carlsson and Sarnecki 2015, 117). Despite the reemergence of the topic of criminal careers in Polish research (see Kotowska 2019; Muskała 2016; and Szczepanik 2015), authors tend to focus on the male image of crime.<sup>1</sup> The international literature stresses that just as female crime stands out from male crime, women's chronic crime is also somewhat different from men's. First of all, chronic crime is much more common among men than among women, with chronic female offenders being even rarer than chronic male offenders (Broidy et al. 2015, 122). Furthermore, women's criminal careers tend to be shorter than men's, and the acts perpetrated in their course tend to be less serious (Broidy et al. 2015, 136). Elizabeth Cauffman, Kathryn C. Monahan, and April G. Thomas have also found that women's criminal activity is less varied than men's (although it does show signs of variation [Cauffman, Monahan, and Thomas 2015, 250]).

In this chapter, I will look at the extent to which our research team's findings are consistent with those of other scholars, check what similarities and differences emerge between men's and women's criminal trajectories, and compare the social and family circumstances during the juvenile years of girls who were never charged with a crime in adulthood, those who came into conflict with the law just once, and those who committed two or more crimes.

## Study group

The group of women under study (836 persons) consists of all girls whose juvenile cases were analysed by the Department of Criminology of the Institute of Law Studies of the Polish Academy of Sciences in the early 2000s. It includes persons whose felony case for a criminal act was submitted to the family and juvenile court in 2000 (the 'juvenile girls' database).<sup>2</sup> In addition, the research group includes women who had a criminal case in 2000 but were included in other research groups (a group in which both boys and girls were researched [the 'typical minors' database] and a group of younger juveniles who were under 13 at the time of the act [the 'younger minors' database] [for more on the methodological aspects, see [Chapter 2](#) in this volume]) and women who were accountable to the court as minors in the 1980s (the 'older minors' database). We combined all these groups of women because there was a small proportion of women in the three previously studied groups of juveniles in which both boys and girls were surveyed. The exact numbers and percentages of respondents by gender appear in [Table 6.1](#).

Because of the low proportion of women, relying solely on mixed-gender groups for the longitudinal study would not have made it possible to compare the trajectories and criminal careers of men and women. However, with a separate sample consisting of only women, the final analysed group consists of 2,397 individuals, including 976 women (40.7%) and 1,421 men (59.3%). This is a unique

**TABLE 6.1** Gender of respondents in each group

Name of the group	Girls		Boys		Total	
	Number	Percentage in the group	Number	Percentage in the group	Number	Percentage
Typical minors	28	5.3	502	94.7	530	100
Younger minors	51	17.5	241	82.5	292	100
Older minors	61	8.3	678	91.7	739	100
Juvenile girls	836	100	0	0	836	100
Total	976		1,421		2,397	

opportunity to make real comparisons between male and female experiences, as the proportion of female respondents is much higher than in other criminological studies (and higher than their share of total crime).

Of all the girls who committed a criminal act as juveniles, 58 met our technical sampling criterion (committing at least three acts and having at least two convictions<sup>3</sup>), and for all these women, we were able to examine recent criminal records and collect some information about their adult lives (e.g., education, occupation, relationships, children, income, and potential substance abuse problems).

## **Crime in adulthood: Incidence of criminal careers, duration and intensity of crime**

### ***Recidivism and the incidence of criminal careers***

Male recidivism is significantly higher than female recidivism (Warren and Rosenbaum 1986, 394), a conclusion that emerges from virtually all studies over time, with the measure of recidivism varying according to the data being compared, the country in which the comparison was made, and the time period. There are American studies that indicate a 50% return of men to prison compared to a 10% return of women (C. Spencer and J. E. Beracochea, *Recidivism among Women Parolees* [Sacramento: California Department of Corrections, 1972], quoted in Warren and Rosenbaum 1986, 394). Polish research also corroborates this observation (see Błachut 1981; 1988). Between 2005 and 2017, the proportion of women sentenced under special recidivism legislation was between 1.3% and 2.4% (Marczewski 2019, 8), so despite some increase, it remains very small (for comparison, the proportion of women in the nonrecidivist sentenced population in 2017 was 11.4% [Marczewski 2019, 8]). Jana Chojecka (2013, 183), who estimated the level of risk of recidivism among women, found that for more than half of female offenders, the risk of recidivism was minimal or moderate and that the group of women with high risk was the smallest. Margueritte Q. Warren and Jill Leslie Rosenbaum (1986, 394) also note that a woman's conviction may be linked to her children's future offending behaviour, yet she herself rarely breaks the law again. If she does, her acts are less serious (e.g., shoplifting).

**TABLE 6.2** Female and male reoffending

<i>Gender</i>	<i>Unconvicted in adulthood</i>	<i>One criminal act in adulthood</i>	<i>Criminal career</i>	<i>Total*</i>
Women	781 (80%)	84 (8.6%)	111 (11.4%)	976 (100%)
Men	654 (46%)	136 (9.6%)	631 (44.4%)	1,421 (100%)

\* The data relate to both the millennial generation and the transition generation.

These findings are in line with the outcomes of our study: the difference in propensity for a criminal career is four times higher for males than for females. Most importantly, 80% of the girls who were liable for a criminal act in their adolescence were never convicted of a criminal offence in adulthood, while in the case of former juvenile male offenders, more than half came into conflict with the law in adulthood (see Table 6.2). Moreover, most of the boys were responsible for more than two criminal acts. For the purposes of this study, we have assumed that subjects with a criminal record are those who have committed two or more acts in adulthood, regardless of the number of convictions and the period over which the offences took place.

### Duration of criminal careers

As noted above, criminologists who study the life paths of offenders observe that women's criminal careers tend to be shorter than men's. This is also supported by our research. The highest number of individuals who committed two or more felonies in adulthood did so within one year, and this applies to more than half of women and only one in five men. The longest career among our respondents was a 28-year career of a man, while the longest career for a woman was 14 years. The average length of persistence in crime for women is quite short, only 2 years, while the average length of career for men is 7 years (Table 6.3).

The length of careers can also be viewed in terms of their duration per time interval (see Table 6.4) and the frequency of a time interval for a given gender (see Figure 6.1).

Figure 6.1, illustrating the data in Table 6.4, looks completely different for women and men. When it comes to women, one can hypothesise that if we understand criminal careers in terms of both the number of acts and their

**TABLE 6.3** Length of criminal careers of women and men (in years)

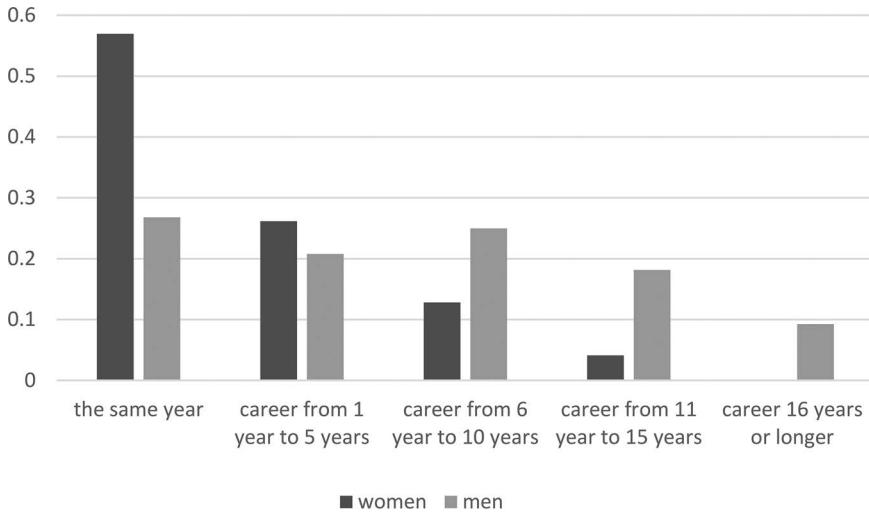
	<i>Minimum</i>	<i>Maximum</i>	<i>Mean</i>	<i>Median</i>	<i>Dominant*</i>
Women	0	14	2	0	0
Men	0	28	7	6	0

\* The dominant is 0 because for both men and women who committed at least two criminal acts most often these incidents were cumulated in one year.



**TABLE 6.4** Length of criminal careers of women and men by time interval

	<i>Career up to 1 year</i>		<i>Career between 1 and 5 years</i>		<i>Career of 5 to 10 years</i>		<i>Career of 10 to 15 years</i>		<i>Career of 15 years and over</i>		<i>Total</i>
	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>
Women	111	56.9%	52	26.7%	24	12.3%	8	4.1%	0	0.0%	195
Men	206	21.4%	159	16.5%	193	20.1%	139	14.4%	70	7.3%	962



**FIGURE 6.1** Length of criminal careers of men and women by time interval. Bar chart showing the length of criminal careers of men and women by the time interval: the same year, from 1 to 5 years, from 6 to 10 years, from 11 to 15 years, and 16 years or longer.

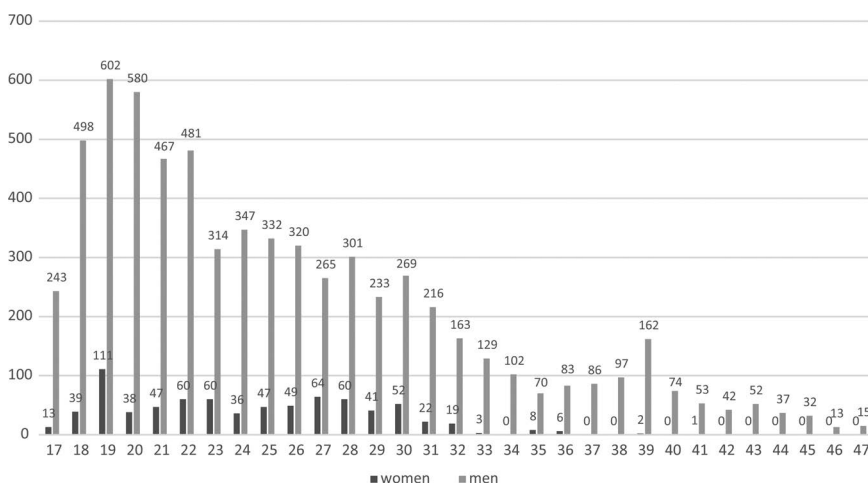
duration, their occurrence in the female population is absolutely exceptional. Whereas in regard to men, we can observe various lengths of criminal careers, similarly distributed in the entire group of respondents, we cannot even speak of a career in more than half of the women,<sup>4</sup> as their criminal acts were concentrated in just one year. It is even debatable whether involvement in crime for less than five years deserves to be called a career. If we assume for a moment that we define a career as a period of criminal activity longer than five years, we would be left with only slightly over 16% of the women who were defined as repeat offenders only on the basis of the number of acts. In the group of men, however, this would be almost 42%.

Criminologists also point out that for women, remaining in crime is associated not so much with different risk factors than for men but with a unique accumulation and intensity of those factors. In other words, women with criminal careers experience more co-occurring risk factors that are more severe than men do. These include serious social problems such as long-term poverty, parental alcohol and drug dependency (Estrada and Nilsson 2012, 198), physical and emotional neglect, and sexual violence. Many female recidivists also struggle with their own addiction, especially drug addiction. The inclination to reoffend is also strongly linked to the time when the criminal career started. For women, the risk of recidivism is three times higher among those who committed their first criminal acts as minors (Vere van Koppen 2018, 108); it has to be stressed that in our study we observe only people who began their criminal activity as juveniles.

The women that I have described therefore belong to a special risk group, and the tendency to chronic delinquency may be greater for them than for women who did not commit criminal acts while they were teenagers.

## The intensity of crime

In [Chapter 4](#) of this volume, on the course of criminal careers, Justyna Włodarczyk-Madejska and Dominik Wzorek refer to the issue of the intensity of crime (the number of acts committed by perpetrators in a given year of life) of the studied group. The authors calculated that the largest number of acts in the studied group (40% of all acts) was committed by offenders aged 22–29 and that three-quarters of all acts were committed by offenders under 30 years of age. However, as is usual in such cases, the quantitative picture of female offending disappears, with male offending dominating. What are we going to observe, then, if we broaden these analyses, divide the studied group into men and women, and track the intensity of acts in these two groups? This is illustrated in [Figure 6.2](#). At this point, it should be explained that the number of offenses of women in [Figure 6.2](#) and the percentage of offences committed by women in the 22–29 age bracket presented in [Table 6.5](#) have been adjusted slightly. One woman (case DWF 275), who committed as many as 87 acts at the age of 19, was removed from the dataset (all other women in the study group committed between 1 and 5 acts at this age). The data after excluding this one person are reported in [Table 6.5](#) in the Women 2 column, while the figures in the Women 1 column are the original data, without any adjustment.



**FIGURE 6.2** Intensity of male and female acts after adjustment

Bar chart showing the intensity of male and female acts after adjustment for all ages ranging from 17–47 years.

**TABLE 6.5** Intensity of acts for men and women at different life stages

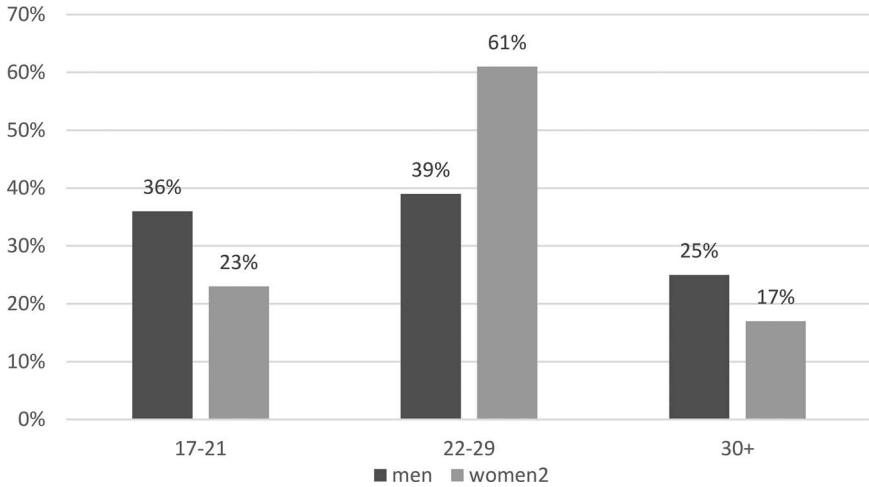
Age	Men		Women 1		Women 2	
	Number of acts	Percentage of acts	Number of acts	Percentage of acts	Number of acts	Percentage of acts
17–21	2,396	36	249	32	153	23
22–29	2,592	39	417	54	409	60
30+	1,639	25	113	14	113	17
N	6,682	100	779	100	675	100

Even a first glance at [Figure 6.2](#) and [Table 6.5](#) reveals that the intensities of male and female crime differ. For both genders, the highest crime rate occurs between the ages of 22 and 29, but for women, the frequency of criminal acts is so high at that age that it accounts for more than 60%.<sup>5</sup> At this point, I must make an important methodological remark: namely, only in [Figure 6.2](#) do I show the intensity of acts in the 17–47 age range. As we mentioned earlier in the book, the oldest person surveyed (male) was 47 at the time of committing the last offence. This was obviously a man from the transition generation. In this study group, there were only 61 girls, and only 1 of them perpetrated a crime (against property) when she was older than 39. Therefore, in order to make clearer comparisons, I abandoned the age categories of 30–39 and 40+ previously used in this book and combined them into a single category of 30+.

Polish statistics between 1990 and 2017 consistently show that juveniles account for the largest number of male convicts per 100,000 population in a given age group. The situation is different for women: most of the time indeed the largest number of convicted men was in the 17–20 age range, but in eight annual periods (1993, 1994, 1996, 2002, 2003, and 2010–2012), the largest number of convicted women per 100,000 population was in the 21–24 age range (Siemaszko, Gruszczyńska, and Marczewski 2015, 97–98; ‘Statystyka Sądowa’ 2019, 72–73). It should be borne in mind that the group we studied is not the same as the one depicted by statistics. This is because all the women we surveyed were on record as minors. The trajectory of their crimes, though, reaches its peak in the 22–29 age bracket, as is the case with men; yet, it has a different pattern (see [Figure 6.3](#)).<sup>6</sup> The criminal activity of women between the ages of 22 and 29 is very high, but its decline in the next age range is steeper. This may be related to the nature of women’s crime and their motivations, as discussed in more detail below in the section titled ‘Structure of male and female crime’.

The intensity of acts at particular periods of life for the women we studied is also closely related to the age at which they were convicted of their first crime in adulthood.

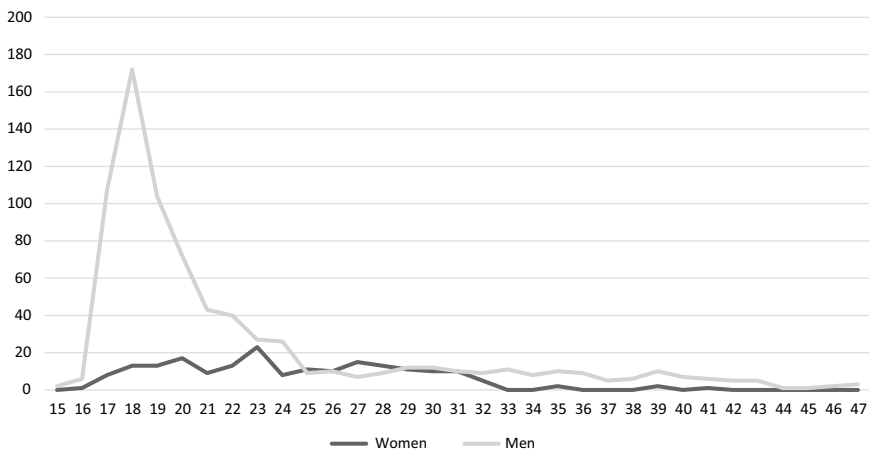
[Figure 6.4](#) shows that men’s criminal activity is strongly linked to youth. Almost every fourth boy we surveyed who committed crimes as an adult committed his first crime immediately after entering adulthood. In this group, no gap in offending behaviour can be seen between juvenile and early adulthood;



**FIGURE 6.3** Intensity of acts at different life stages for men and women (percentages)

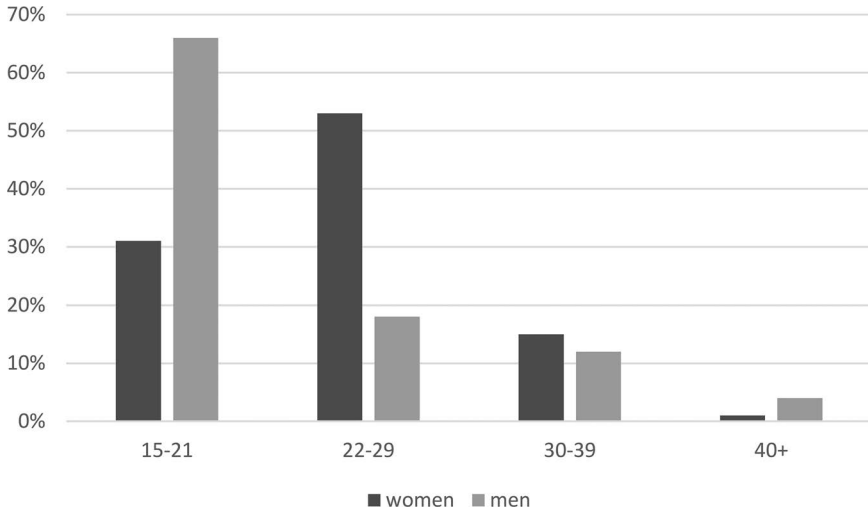
Bar chart showing the intensity of acts at different life stages for men and women in percentages in the 17–21 years, 22–29 years and 30+ age ranges.

moreover, two-thirds of men convicted in adulthood were first sentenced before the age of 22. For women, the figures are different: not only the intensity of criminal activity but also its adult onset occurs between the ages of 22 and 29. This is a time of more conscious adulthood and also often a time of independence. In the study group, we had 30 women who committed their first crime in adulthood practically in complete isolation from their acts in juvenile life, several years later, after they turned 30. In this group (unless they engaged in criminal



**FIGURE 6.4** Age at first conviction by gender

Line chart showing the age of the first conviction by gender for the ages 15 to 47.



**FIGURE 6.5** Life stage at first conviction by gender

*Bar chart showing the age of the first conviction by gender for the age range 17–21, 22–29 and 30+.*

activity without punitive consequences), the break in criminality was so long that, in my opinion, we cannot speak of a continuity of criminal behaviour at all (see [Figure 6.5](#)).

Danielle Marie Carkin and Paul E. Tracy, who studied women born in 1958,<sup>7</sup> found that female offenders who committed four or more acts of crime as juveniles were ‘condemned’ to a criminal career in adulthood, with a considerably higher risk of becoming frequent or even chronic offenders (Carkin and Tracy 2017, 620). All of the subjects in our study also committed punishable offences when they were minors, but our data make it impossible to make the exact same observation. However, when the object of observation is to determine whether a particular girl, apart from a family court hearing on a criminal offence, has had previous hearings in that court,<sup>8</sup> it does indeed seem that the intensity of contact with the justice system during the juvenile period translates into a later propensity to persist in delinquency in adulthood.

According to [Table 6.6](#), amongst the girls who had no previous contact with the family court, only 14% had a criminal record in adulthood, and for more than half of them, it was a one-off incident. The picture is quite different for girls with repeated dealings with the family court. Almost 40% of them were found guilty of an offence in adulthood, with two or more offences being far more common.

Clearly, the response of the juvenile justice system to girls and women is correlated with their later criminal activity (see [Table 6.7](#)). Unfortunately, we never know what is cause and what is effect. The results of the Philadelphia study indicate quite clearly that girls who received lighter penalties were less likely to be arrested as adults. The researchers, then, conclude that educational measures and probation are a much better option than placing girls in an institution (Carkin

**TABLE 6.6** Girls' previous family court cases and criminal careers in adulthood

	<i>Unconvicted in adulthood</i>		<i>One act in adulthood</i>		<i>Criminal career</i>	
	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>
Previous cases in family and juvenile court	131	61.2	26	12.1	57	26.6
No previous cases in family or juvenile court	641	85.7	56	7.5	51	6.8

*Note:* All results shown in this table are statistically significant: chi-square = .000.

and Tracy 2017, 622). For the women we studied, incarceration was also almost always linked to having committed two or more acts (only two women who had committed only one act were serving prison sentences). On the other hand, it is evident (at least in Poland) that detention measures are imposed on minors who exhibit the most behavioural problems, whose families are severely dysfunctional, and who have committed more serious crimes. These children are therefore at the highest risk of remaining on the criminal path into adulthood. Investigating the link between placement of minors in detention or correctional centres and their criminal activities in adulthood can thus be interpreted in two ways.

It is easy to draw the simplest conclusion: the harshest educational and correctional measures are positively correlated with the propensity to commit crimes in adulthood. I disagree with Carkin and Tracy, cited above, who argue that the use of a more lenient measure is a better solution. Sometimes it is, and sometimes it is not.

In Polish juvenile proceedings, detention measures are used rather rarely and cautiously by the courts and only against a special category of minors, whom Justyna Włodarczyk-Madejska (2019, 268) characterises as minors 'known [to the justice system], and sentenced to be brought up'. She goes on to describe such a juvenile as

a child who usually has a history of petty crime: they started out with minor offences, but their most recent court cases usually end with an isolation measure (placement in a juvenile detention centre or a correctional facility) and thus a 'sentence to be brought up' until the age of 18 or 21 at the most. None of the previous interventions proved to be effective, and the acts committed justified the need for such measures rather than others.

(Włodarczyk-Madejska 2019, 268)

However, it is also noteworthy that more than half of the female residents of detention facilities will never once be punished for a crime in adulthood. Knowing how difficult the girls were (most of them had committed criminal acts for some time, and their families often did not function properly), their

**TABLE 6.7** The relationship between criminal career in adulthood and the imposed detention measure in juvenile life\*

	<i>Women</i>								<i>Men</i>							
	<i>Unconvicted in adulthood</i>		<i>One act in adulthood</i>		<i>Criminal career</i>		<i>Total women</i>		<i>Unconvicted in adulthood</i>		<i>One act in adulthood</i>		<i>Criminal career</i>		<i>Total men</i>	
	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>
Detention sentence**	53	55.2	9	9.4	34	35.4	96	100	62	23.6	16	6.1	185	70.3	263	100
No detention sentence	728	82.7	75	8.5	77	8.8	880	100	592	51.1	120	10.4	446	38.5	1158	100

\* This relationship is statistically significant. For both men and women, chi-square test = .000.

\*\* The detention measures at the time of the study were: placement in detention centre, a youth education centre or a correctional institution.



conformist behaviour in adulthood (or at least the lack of official convictions) can be considered not a failure but perhaps even a certain success of the Polish juvenile justice system. It is also interesting to point out that in both groups (women against whom the detention measure was applied in juvenile life and those against whom such measure was not applied), committing one criminal act in adulthood occurred almost just as often. What differentiated the two groups was the proclivity to commit multiple acts.

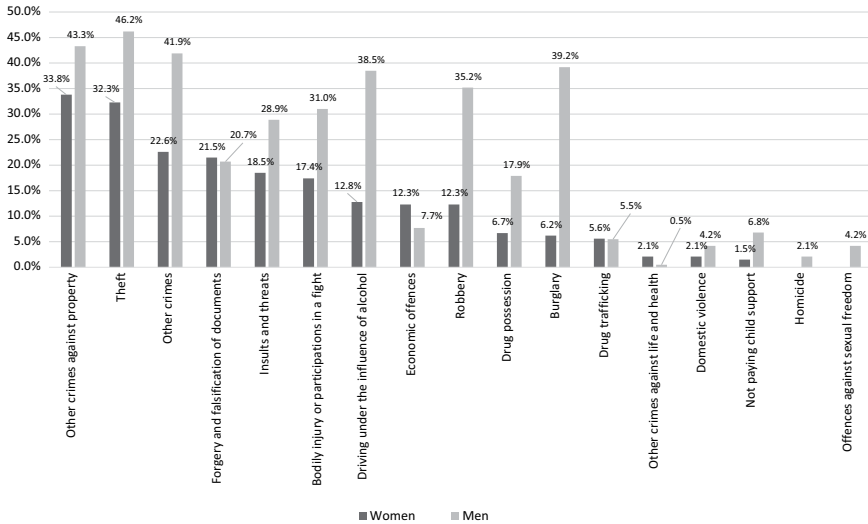
However, the above remarks concern only criminal careers of women. The situation is altogether different in the case of men. A stay in a juvenile detention centre or correctional facility has much less rehabilitative power, and the difference in the propensity to pursue a criminal career is much higher in men who were subjected to detention measures when they were minors.

### Structure of male and female crime

Regarding the structure of male and female criminality, as I mentioned above, the literature indicates that the acts committed by women during their criminal careers are less serious and their criminal activity is less diverse. The general differences in the structure of criminal behaviour between male and female respondents are discussed in [Chapter 3](#) of this volume), but since this chapter deals with women who have committed more than one act in their adult life, I limit the analysis to this group. On the basis of [Figure 6.6](#), let us try to answer this question: Do women really commit less serious crimes?

The structure of Polish crime among women with criminal records supports the above statement. Women's crime is dominated by acts against property, while robbery offences, committed by almost every fifth woman in the sample, are more than twice as rare as in the population of men. More serious crimes include bodily injury or participation in a fight, committed by one in four women (the share of these acts in the structure of men's reoffending is only ten percentage points higher). In contrast, other serious acts, especially such as domestic violence, other crimes against life and health, homicide, and offences against sexual freedom, occurred in single cases or not at all in the group of women with criminal careers. However, we are looking at data from consecutive checks of the National Criminal Register (NCR) database up to 2017, and by that time, none of the women had been convicted of homicide. In the course of further research, when carrying out a qualitative study in 2019, however, we found out that one of the women in the study group is serving a prison sentence for homicide.

The crime patterns of women who perpetrated only one crime in adulthood and those who committed more are by and large similar, although two points are worth noting. First, driving under the influence of alcohol was more common among single offenders (17.9%) than among multiple offenders (9%). This means that among women whose contact with the justice system was a one-off event, there is a noticeable group of offenders with an alcohol problem, and being recorded in the NCR is probably a consequence of risky drinking—and in some



**FIGURE 6.6** Crime structure of male and female respondents with criminal careers

Bar chart showing the crime structure of male and female respondents with criminal careers in order for the following crime groups: other crimes against property, theft, other crimes, forgery and falsification of documents, insults and threats, bodily injury or participation in a fight, driving under the influence of alcohol, economic offences, robbery, drug possession, burglary, drug trafficking, other crimes against life and health, domestic violence, not paying child support, homicide, offences against sexual freedom.

instances perhaps even addiction. As for women convicted of drug possession, there is no such correlation. All women but one who were punished for drug possession had other types of offences on their record. This is not a coincidence, as the association between drug use and crime is fairly well documented in the literature. There are several reasons for this: The effects of drugs themselves can have a disinhibiting effect, disturb perception, increase aggression, and lead to violent crimes (although this is also the effect of alcohol). Some addicts are in constant need of funding for more drugs and can no longer work due to the severity of their addiction. Such situations are mainly connected with crimes against property. Finally, many drug users are somehow entangled in drug trafficking, which is not only a crime in itself but also linked to organised crime, violence, stealing from dealers and clients, and bribing the police (Newburn 2017, 525).

Second, violence against family members was committed only by women who engaged in more than one criminal act. There were only four of them, so this comment is merely an observation and not a definite conclusion.

Our research may indicate that women's criminality is slightly less heterogeneous than men's. Only the most serious acts are missing from the acts committed by women, which are also few in the case of men.

I mentioned above the intensity of female and male crime with criminal careers, but we know that the propensity to commit certain types of crime is correlated with the age of the perpetrators. Violent crime and robbery are very

typical of young people, and then their intensity drops sharply. Economic offences appear later in the course of criminal careers but continue with similar intensity for a longer time span (see Siemaszko, Gruszczyńska, and Marczewski 2015, 64; Smith 2002, 711–712). Let us then examine the relationship between age and the inclination to commit certain offences in the studied population of women and compare it with the same relationship in the population of men. In the analysis, I have included acts that are relatively frequent for women: crimes against property, forgery of documents, insults and threats, bodily harm or participation in fights, and robbery offences. The mere breakdown of the frequency of certain types of offences by age brackets shows the differences in the involvement of men and women in a particular offence at a particular stage of life. However, it is only when we analyse the percentages of a certain category of offences in relation to all offences committed by women and men with criminal careers that we get a more complete picture.

With respect to property crimes (theft, burglary, fraud and other property crimes), there are actually no differences in the engagement of men and women at the very early and early stages of adulthood (see Table 6.8). For both sexes, this type of crime becomes surprisingly less frequent over time. This is an important finding because traditionally property crime is seen as more pervasive in female crime than in male crime. However, the peak of property crime occurs at different times of life in both sexes. For men, it is up to the age of 22, while for women it happens later, between the ages of 22 and 29, although these are not very large differences on the whole. The possible reasons for this trend are discussed further in the section titled ‘Motivations for female criminality’. A closer look at women’s participation in property crime also reveals that fraud is much more common in their group than in that of men. Fraud accounts for nearly half of all female property crime at age 22–29 and for more than half at age 30–39. As regards men, it is about a quarter of acts against property in these age groups.

Forgery is also a crime specific to women. This mainly concerns the forgery and falsification of documents with the intention of using them as authentic. This crime is more and more common these days, which also has to do with the fact that many of the acts take place on the internet (Nastuła 2018, 80ff.). Table 6.9

**TABLE 6.8** All crimes against property (except robbery) in the careers of women and men by age

<i>Age</i>	<i>Women</i>		<i>Men</i>	
	<i>Number of persons</i>	<i>Percentage of offences against property relative to total offences in a given age category</i>	<i>Number of persons</i>	<i>Percentage of offences against property relative to total offences in a given age category</i>
17–21	114	46.0	1,202	50.5
22–29	202	48.4	1,150	44.4
30+	46	40.2	755	42.6

**TABLE 6.9** Forgery of documents in the careers of women and men by age

Age	Women		Men	
	Number of persons	Percentage of offences involving forgery of documents relative to total offences in a given age category	Number of persons	Percentage of offences involving forgery of documents relative to total offences in a given age category
17–21	57	23.0	94	3.9
22–29	52	12,5	115	4,4
30+	11	9,7	79	4,7

shows the significant difference in the relative participation of women and men in this crime. In the case of women, however, these acts also decline with age, while in the case of men, they climb up to the age of 40 (although it should be taken into account that we are dealing with small numbers).

Aggressive behaviour is strongly correlated with age. While in most of the charts, the intensity of aggressive acts is highest in the juvenile years and very early adulthood (up to the age of 21), it is worth mentioning that, in fact, the youngest children, those of preschool and early primary school age, display the most aggressive behaviour. However, in such young children, aggression is treated as a behavioural problem and by no means a criminal one, and its manifestations are usually not the subject of a formal reaction by law enforcement agencies. Aggressive acts are officially recorded later. As a matter of fact, the whole process of socialisation consists precisely in unlearning the individual's innate aggressive behaviour (Tremblay 2007, 167). Physical aggression in young girls is quite high, but it also decreases rather quickly during childhood, whereas in adolescent girls, indirect aggression, such as excluding others from a peer group or spreading malicious rumours, increases more rapidly (Cote 2007, 188). For many years, however, criminological literature has been reporting a narrowing gap between male and female violent crime. This phenomenon is especially noticeable in the group of young girls (Silvestri and Crowther-Dowey 2008, 28–29). The older the perpetrators are, however, the more this gap widens again. This is because adult women, compared to men, have a much higher capacity to inhibit physical aggression (Cote 2007, 187) and to substitute psychological aggression. In this context, it is interesting to first look at the involvement of women and men with criminal careers in the offence of insult (see Table 6.10).<sup>9</sup> Its percentage is highest for more mature women, those over the age of 30, and represents a significant proportion of all criminal acts committed by women of this age.

The so-called robbery offences, i.e., robbery, aggravated robbery, and aggravated extortion, are officially categorized as offences against property. From a criminological point of view, however, they should be viewed as violent crimes, since each of them is typified by a direct confrontation between the perpetrator and the victim, and the victim hands over their property under the influence of direct violence or a threat of violence. The participation of women in this

**TABLE 6.10** Insult in the careers of women and men by age category

<i>Age</i>	<i>Women</i>		<i>Men</i>	
	<i>Number</i>	<i>Percentage of insult offences relative to total offences in a given age category</i>	<i>Number</i>	<i>Percentage of insult offences relative to total offences in a given age category</i>
17–21	14	5.6	184	7.7
22–29	27	6.5	214	8.3
30+	18	16.1	128	7.6

crime is low: in Poland in 2015, women accounted for 20.2% of suspects, a result identical to the median for all European countries (Aebi et al. 2021, 78). Also in our study of subjects with criminal careers (see Table 6.11), the share of robbery offences in the female crime structure is almost twice as low as that of men for the youngest women, more than twice as low for women aged 22–29, and almost three times as low for women 30 and older.

As far as the total number of offences against life and health is concerned (Table 6.12), obviously their rate decreases with the age of the perpetrators, but the percentage of these acts in relation to the total crime rate remains almost unchanged among men, while it increases among women. It is difficult to comment on this except to say that in the case of women with criminal careers, we are talking about small numbers of female offenders in general. The largest number of violent acts occurs among female perpetrators aged 22–29, but the largest percentage in the crime structure is found in the next age bracket: 30 years of age and older. Other reasons mentioned in the literature for the narrowing gap between female and male violent crimes point not so much to an actual increase in this kind of female offending as to a decrease in the number of violent crimes committed by men or to changes in social control and justice policies that make female violent crime more likely to become the subject of formal law enforcement and judicial interventions (Snipes, Bernard, and Gerould 2019, 33).

I discuss the motivations of female perpetrators to commit violent crimes in the next section.

**TABLE 6.11** Robbery offences in the careers of women and men by age category

<i>Age</i>	<i>Women</i>		<i>Men</i>	
	<i>Number of persons</i>	<i>Percentage of robbery offences in relation to total offences in a given age category</i>	<i>Number of persons</i>	<i>Percentage of robbery offences in relation to total offences in a given age category</i>
17–21	20	8.1	339	14.2
22–29	15	3.6	220	8.5
30+	3	2.7	117	6.9

**TABLE 6.12** Crimes against life and health in the careers of women and men by age category

Age	Women		Men	
	Number of persons	Percentage of offences against life and health in relation to the total number of offences in a given age category	Number of persons	Percentage of offences against life and health in relation to the total number of offences in a given age category
17–21	14	5.6	168	7.0
22–29	28	6.7	184	7.1
30+	9	8.0	105	6.2

### Motivations for female criminality

Can we try to understand the reasons that push women and men into delinquency by looking at the types of criminal careers and the patterns of crime? Many theories on female offending are centred around the problem of the socialisation of girls and boys (and hence the different social control exercised over women and men), which results in women having more conformist behaviour than men and being less willing to take risks (cf. Charness and Gneezy 2012). Regrettably, it is difficult to locate research findings in the literature that address women's motivation for persisting in chronic delinquency. As a matter of fact, we do not know whether it is different than when committing any offence for the first time. In fact, the literature does reference risk factors or factors that help to end a criminal career (or make it more difficult to quit), but we know little about the motivation itself. I hypothesise that the motives of repeat offenders are the same each time as those of single offenders. The differences between these groups lie in the factors that cause offenders to pursue certain needs or act on certain impulses many times through illegal behaviour, since deterrents such as self-control or economic stability are lacking in the first place.

Some preponderance of property crimes in the structure of female offending indicates its more utilitarian profile. In 1970s, in the context of strain theory, Lisa M. Broidy and Robert Agnew wrote that strain affects both men and women, except that the reasons for it vary. Financial and personal conflicts are more often associated with men, whereas women's strain is more often related to family problems and gender discrimination. This results in male strain more often leading to criminal behaviour (Snipes, Bernard, and Gerould, 2019, 324–325, quoting Broidy and Agnew, 'Gender and Crime: A General Strain Theory Perspective', *Journal of Research in Crime and Delinquency* 34, 1977).

However, it seems that much has changed since then in the lives of women in the countries of the Global North, including Polish women. Nadia Campaniello (2019, 1) writes that advances in both technology and social norms have liberated women from the home, thus increasing their participation in both the labour market and crime. It should be added, however, that the author is a British

researcher and investigated British and American reality. The fact is that in Poland the participation of women in the labour market has been growing since the 1950s, climbing to about 48% in 2000 (from 31% in 1950). However, stagnation followed. This level did not change for another decade ('Kobiety i Mężczyźni Na Rynku Pracy' 2014, 2). The situation remains the same today, with Polish women still working less frequently than women in the European Union and much less frequently than men.<sup>10</sup> In other words, over the past 20 years in Poland, there have been no spectacular changes in the labour market, and the professional activity of women has not increased. Based on Polish data, it is also unclear how much the participation of women in crime in general is increasing. On the one hand, we know that in 1990 women accounted for 8% of all suspects (Siemaszko, Gruszczyńska, and Marczewski 2003, 47), and in the first decade of the 21st century, one in ten suspects in Poland was a woman, while in 2015 it was already one in five.<sup>11</sup> However, this sharp statistical rise in the share of female suspects in the total number of suspects may also have to do with a change in the data generation system of the Polish police since 2012. On the other hand, data on convictions tell a different story. In 2003, the share of women among convicted persons was 7.2% and rose to 8.2% in 2006, and in 2015, it was 10.3%, so some growth has occurred,<sup>12</sup> but at a much lower rate than police data on suspects might suggest.

If women's participation in crime is on the rise (albeit slowly) and labour market participation remains unchanged, there must be other reasons behind this. First, economic inactivity is not always a conscious choice. Officially, the rate of unemployment among women in Poland is only marginally higher than that among men,<sup>13</sup> but researchers draw attention to the discrimination against women in the labour market, which can be seen, for example, in the problems of lower pay for work of equal value (Rybicka 2013, 52) and low flexibility of employment, which is important particularly when one has children (Kotowska 2015, 42) and when, as in Poland, it is mainly women who are responsible for childcare in households (*Rynek Pracy i Wykluczenie Społeczne w Kontekście Percepcji Polaków Diagnoza Społeczna 2015* 2015, 45). Being unemployed is not only a matter of not being able to find a job. Many women are not even registered as unemployed or looking for work. In the *Social Diagnosis* ([Labour market and social exclusion in the Polish people's perception] Social Diagnosis 2015; Ministry of Family, Labour and Social Policy, 2015), only women mention the need for childcare as a reason for not taking up employment. Other reasons included taking care of the home and supporting elderly or disabled household members, which, according to sociologists, indicates that there are still 'strong cultural conditions linking professional work and household duties, especially caring duties' (*Rynek Pracy i Wykluczenie Społeczne w Kontekście Percepcji Polaków Diagnoza Społeczna 2015* 2015, 75). Polish women, more often than men, accept poorly paid jobs, which are regarded as less important and prestigious and which do not offer opportunities for development, promotion, and satisfaction (Tracz-Dral 2013, 22).

Second, more and more women in Poland are bringing up children on their own. Eurostat data<sup>14</sup> show that single mothers in Poland account for 19.4% of Polish families, which is one of the highest percentages in Europe. The motivation for women's economic delinquency (as for that of men) may simply be poverty. Anna Czwojda (2017), who studied fraud committed by women, notes that the stolen money was most often used for day-to-day consumption and that the motive for theft was, in particular, financial responsibility for children and other dependents (e.g., an ailing father).

In our research, we do not have data on the material situation of all women who committed crimes in adulthood; rather, we have data only for those 58 whose case files were surveyed. The majority of these women had very low education (as many as 40 completed junior high school at most) and were not professionally employed (also 40 women, of whom only 1 was on a disability benefit). Their declared income<sup>15</sup> was, on average, 1,300 PLN (zloty) per month<sup>16</sup> (with a median of 1,000 PLN). In this group, 19 mothers (41%) were raising their children on their own. Nadia Campaniello (2019, 1–2) puts forward the thesis that women's criminality (or at least their participation in such acts as theft, fraud, and embezzlement) could be potentially reduced by providing women with better access to the labour market and to child benefits. Our findings may indicate a problem with obtaining satisfactory incomes in early adulthood (between 22 and 29 years of age), when there is a need to become independent, to take responsibility for one's own livelihood, and sometimes also to provide for the family, especially children who are born at that time. Simultaneously, as toddlers are very dependent in the first years of life, they often prevent mothers from taking and maintaining a decent paid job. Between the ages of 22 and 29, almost two-thirds of criminal acts committed by women were precisely those related to attempts at acquiring material goods (crimes against property, forgery, and relatively rare robbery offences).

The involvement of women in violent crime deserves separate consideration. The cultural gender approach, mentioned at the beginning of this chapter, explains why different cultural expectations and ways of socialising men and women (and previously girls and boys) result in men's higher involvement in violent crime and women's higher involvement in other types of deviant behaviour, such as prostitution (Miller 2000, 28). A biological explanation is also proposed, according to which the emotions associated with aggressive behaviour are anger (triggering aggression) and fear (inhibiting it), with both sexes experiencing anger to the same extent but with women experiencing fear more strongly. Women are also less risk-averse, and these facts mean that they are more likely than men to be able to refrain from aggressive behaviour (Grzyb and Habzda-Siwiek 2013, 97–98). It is the gender disparity between men's rate of engagement in such acts and women's much lower rate of engagement that is most often discussed in the literature.

What is more relevant in the context of this chapter, however, is the factors that trigger women's aggressive behaviour. This is also interesting because, as



I wrote above, our research shows that, within the structure of female crime, the proportion of crimes against life and health not only does not decrease but also actually increases slightly up to the age of 39. There seem to be at least two explanations for this. First of all, the reasons for the chronic criminality of women and men are very similar, with people from disadvantaged backgrounds engaging in crime (and being punished for it even more often). As I mentioned, it seems that stronger biological and social inhibitions are responsible for women's lower violent crime rates. Therefore, women who commit violent acts differ from other women in that for some reason they have weaker biological and social inhibitions. The first explanation for the higher proportion of women in the group of chronic offenders may therefore be a low level of self-control. However, while self-control as such is gender neutral, it is statistically higher in women as a result of the higher parental control to which girls are subjected (Grzyb and Habzda-Siwek 2013, 100). If one assumes that the causes of lower control over daughters are parental inefficiency, lack of interest in the child, alcohol dependence of either parent, and restriction and deprivation of parental authority, it turns out that lower levels of parental control in our study have no effect on adult participation in such acts as bodily harm and participation in a fight or beating. Such acts were committed by 34 women, of whom only 18 were less supervised in their juvenile years. This does not mean, of course, that the above hypothesis is false—only that our study does not support it.

Another explanation for female aggressive behaviour can be found in strain theories, both the classic theory of Robert Merton (which focuses on the structural aspect) (cf. Błachut, Gaberle, and Krajewski 1999, 108ff) and especially the slightly later general strain theory of Robert Agnew (1992, 47) (which deals more with the individual aspect). Agnew writes that strain (identified with severe stress) occurs when an individual experiences failure in achieving their desired goals, when they are deprived of positive stimulation (e.g., experience material or emotional loss), and when they are exposed to negative stimulation (e.g., experience violence). This kind of stress causes violent anger and feelings of injustice and harm (Habzda-Siwek 2017, 189). Lisa Broidy and Agnew (2004, 5–7) explain that women's lower involvement in crime cannot be explained simply by the fact that they experience less stress. Of course, they suffer stress equally, but the authors also point out that perhaps women's stress has slightly different causes than men's. They suggest that women experience more strain when they feel that their interpersonal relationships are failing. In addition, their stress may be due to the social situation of women, including gender discrimination, less respect at work and at home, and pressure from the expectations and demands of relatives. Women are also more likely to be victims of domestic violence. Interpersonal conflicts, especially family conflicts, are the most common cause of violent crime (Broidy and Agnew 2004, 6). The authors explain that women and men face equally strong feelings of anger as a result of the strain they feel and that the violent crime rate among women is lower because they react to their own anger with guilt, depression, or anxiety more often, which leads to

more frequent self-aggression and running away (Broidy and Agnew 2004, 11). However, this is not the only pattern, and there are certainly women who show their anger in ways that are more common for men: by venting it and by being violent toward other people.

### Family situation in juvenile life and later life

The first approach in positivist criminology was a biological, individualistic approach, focused on the characteristics of an individual. It was only later that the problem of factors that drive crime started to be viewed more broadly, through the lens of social characteristics. Interestingly, this change of perspective primarily concerned male criminality. In the first half of the 20th century, social theories of crime were almost exclusively concerned with men, while attempts to explain female criminal behaviour were still mainly based on personal characteristics (such as mental disorders) (Giordano and Mahler Rockwell 2000, 4).

With regard to both embarking on criminal activity in youth and remaining in it later in life, the classic differential association theory of Edwin Sutherland and Donald Cressey (2009) is of some help. The authors argue that people learn criminal behaviour like any other: by acquiring patterns of action from primary groups—most notably, their own family.<sup>17</sup> Imitating people who are significant to them may lead individuals to break the law or adhere to conformist rules. According to Sutherland, a person becomes delinquent because of an excess of definitions (relationships) favourable to violation of law over definitions (relationships) unfavourable to violation of law (Błachut, Gaberle, and Krajewski 1999, 121). We know that many adolescents engage in illegal behaviour, including criminal acts, but most of them 'grow out' of criminal activity and act in accordance with the law in their adult life. Only some juvenile delinquency is modelled on unlawful behaviour in the family home. Hence, Sutherland and Cressey's theory may be even more relevant in explaining the reasons for remaining in crime.

Interestingly, in the 1980s, Eileen Leonard questioned the applicability of differential association theory to women, arguing that women are more protected than men from learning criminal behaviour. Even when in the same criminal social group, a boy and a girl will receive different messages and will be taught different attitudes. Girls will more often be kept away from norms that justify crime, will less often be taught how to commit crime, and will more often be required to obey the law. The double standard of socialisation of girls and boys, according to Leonard, also applies to the acceptance and teaching of criminal behaviour (Leonard, *Women, Crime and Society: A Critique of Theoretical Criminology* [New York: Longman, 1982], quoted in Giordano and Mahler Rockwell 2000, 7). This is certainly an interesting approach, but in the context of remaining in a criminal career, it was already refuted in the 1990s. In 1982, Peggy Giordano and Sharon Mahler Rockwell interviewed 127 girls who made up the total population of a juvenile facility in Ohio at

the time, and in 1995, they interviewed most of them again (the women were, on average, 29 years old at the time). These girls had committed fairly serious crimes in their juvenile years, and for most of them, these were the beginnings of criminal careers: 82% were rearrested in adulthood, and the average number of arrests was 18 (Giordano and Mahler Rockwell 2000, 8). In relation to this specific group of women remaining in crime, the conclusion of the research was unambiguous: the subjects were virtually 'immersed in a deviant lifestyle', and all the close people around them—fathers, mothers, siblings, aunts, uncles, and cousins—were permanently violent and committed crimes (Giordano and Mahler Rockwell 2000, 22).

A parent's stay in prison is also correlated with later delinquency, with research showing that if 'the person with a criminal record was the mother, the children came into conflict with the law five times more often than when the father was a repeat offender' (J. Maciaszkowa, *Z teorii i praktyki pedagogiki opiekuńczej* [Warszawa: WSiP, 1991], quoted in Barczykowska, Dudek, and Golińska 2008, 346). Unfortunately, this insight is difficult to verify on the basis of the data we collected. Only 1 mother and 26 fathers of our studied girls (during their juvenile years) were convicted, and we do not know how many of these individuals were serving prison sentences. The daughter of the convicted mother did not commit a crime as an adult. As for fathers, 7.3% (15) of fathers of women who had not been convicted in adulthood and 15.4% (11) of fathers of women who had been convicted at least once were convicted.<sup>18</sup> It seems, however, that with such small numbers, it is unjustified to draw any far-reaching conclusions.

We can, however, look at the correlations of women's criminal paths with the negative reputations of their parents. In earlier studies, a bad reputation of the parent included alcohol dependence, previous criminal record, violence, and lack of interest in the child as well as some characteristics that were not necessarily the fault of the parent but that were likely to affect the girls' development and emotional stability, such as parental mental illness and parenting inefficiency. Taking all these factors into account, negative maternal attitudes and behaviours affected 23% of women with a criminal record as juveniles who did not commit a crime in adulthood and 43% of women who committed at least two criminal acts as adults. Nevertheless, the impact of negative attitudes concerning the father on the daughter's criminal career is weaker. As many as 32% of the fathers of women with no criminal record in adulthood and 45% of the fathers of women with a criminal career had a bad reputation, and in the case of fathers, parenting inefficiency as the sole rationale for a negative reputation was extremely rare (although in the case of mothers, it occurred in almost half the cases). The types of behaviour of fathers that harmed their daughters were therefore more serious than lack of child-rearing competence.

As a side note, it is worth mentioning that an unfavourable family environment had a profound impact on the women with multiple criminal convictions whose court records we examined. When it comes to chronic female offenders,

the finding that criminal careers are accompanied by various other types of deviant behaviour was confirmed. Of the 58 female recidivists whose criminal records we scrutinised (for more on this topic, see Woźniakowska-Fajst 2020), more than half were alcohol dependent, and one in five struggled with drug addiction. In several cases, the criminal records indicated that the subjects were cross-dependent. For the 30 female offenders whose criminal records showed that they were addicted to psychoactive substances, alcohol and drugs were present in their lives quite early on. Regarding the 12 girls, during their juvenile years, it was reported that they most definitely abused alcohol; six of them used drugs, and three of them were already addicted as teenagers. Most of their parents did not create a proper family home, with two-thirds of the mothers either being inefficient or having a poor reputation. Also, 70% of the fathers had a negative reputation (Woźniakowska-Fajst 2020, 128).

Meda Chesney-Lind and Karlene Faith ('What about Feminism?', in *Explaining Criminals and Crime*, ed. Raymond Paternoster and Ronet Bachman [Los Angeles: Roxbury, 2000], quoted in Snipes, Bernard, and Gerould 2019, 324) are not the only ones who report that women's propensity to crime is firmly linked to their previous victimisation. In the Polish context, this problem is described by Agata Matysiak-Błaszczyk (2020), who researched the family history of young women in prison with their children. Their statements often included memories of their caregivers' addiction to alcohol and of psychological, physical, and sexual violence. Perhaps this is an area that lends itself better to qualitative than quantitative research. Assuming that childhood victimisation can be evidenced by factors such as parental alcohol dependence, abuse, and deprivation of parental authority,<sup>19</sup> childhood victimisation was experienced by just over 17% of the women who joined our study as minors. There is, of course, some difference in the past victimisation experiences of women who have not been convicted in adulthood (16.5% had such experiences when they were minors) and those who have committed two or more acts (20.7%), but it is not significant. Naturally, based on the data at our disposal, we can only study this aspect. The experiences that we did not learn about from the court records and the victimisation that the women surveyed suffered in adulthood remain outside our knowledge.

## Women's criminal careers and imprisonment

Arguably largely due to their crime patterns and lower recidivism, women in Poland are sentenced to absolute imprisonment less frequently than men. While in 2015 their share among suspects was 20.2%, in 2016 they accounted for 3.4% of prisoners (Teleszewska 2018, 133). By and large, the proportion of incarcerated women has been rising since 1999, but when considering criminal careers, Magdalena Teleszewska's (2018) analysis of the age distribution of incarcerated women is instructive. The author carried out an analysis for the time period from 1999 to 2016. At this time, the indicator of the dynamic structure of the population of adult women (over 21 years of age) serving a prison sentence was

327.4%, but the indicator for juveniles was only 26.8% (Teleszewska 2018, 136). Moreover, the rates are on a downward trend not only for juveniles but also for women from 15 to 30 years of age. Only after the age of 30 do the rates increase: 147.6% for ages 30–39, 130.7% for ages 40–48, and as high as 256% for women over 48 (Teleszewska 2018, 138–139). This may imply that the courts rarely impose absolute imprisonment for women for a first offence. In our sample, among women who had committed only one criminal act, only two were serving prison sentences, and these were very low sentences of one month and six months. This represented 2.4% of the women in this group. In the case of men who had committed a single act, 4.4% were incarcerated. However, the situation was different for women recidivists: 46 of them (41.4%) served a prison sentence. This is, on the one hand, common but, on the other hand, still much less frequent than for men. Among those who had committed at least two criminal acts, as many as 70.5% were in prison.

However, the stories of incarceration of women and men support the earlier researchers' conclusions: not only are women sentenced to absolute imprisonment less often than men, but also the terms of their sentences are much shorter (see Table 6.13). This is mainly because judges rule on custodial sentences against women when they commit a very serious crime (e.g., murder), and as we know, such offences were in the minority in our study. In our subjects who were sentenced to imprisonment, we mostly observed the prevalence of minor offences, although committed as repeat offenders. Hence, low sentences were imposed due to the nature of these acts (see Chesney-Lind and Rodriguez 2004, 207; Toroń 2013, 195). Three parameters are noteworthy here: the maximum length of all imprisonment sentences served, which was three times longer among men; the median, which was slightly more than 2 years for women and almost 5.5 years for men; and the dominant (i.e., the most frequent length of imprisonment), which was 0.5 years for women and 2 years for men.

Our findings show that regardless of gender, remaining in crime greatly increases the risk of imprisonment. However, in focusing on female crime in this chapter, it is worth noting that imprisonment affects women who have been through a lot in their lives and who are struggling with social inadequacy, sometimes with addictions, and with single parenthood.

Therefore, imprisonment affects the most vulnerable individuals. Incarceration is a harsh punishment irrespective of gender, but it is noted that women suffer in prison more than men. The physical and mental health of female prisoners

**TABLE 6.13** Length of stay in prison for women and men with criminal careers (in months)

	<i>Minimum</i>	<i>Maximum</i>	<i>Median</i>	<i>Average</i>	<i>Dominant</i>
Women	3	134	27	37	6
Men	3	414	65	81	24

is abysmal, and often they are sent to prison in this condition. Their physical health is damaged as a result of the poverty and addictions they have experienced. They are also plagued with anxiety, neuroses, and depression, which are rooted in their previous life experiences, including domestic and sexual violence. In addition, mental illnesses only worsen as a result of imprisonment, and women who were not previously mentally ill sometimes become ill in prison (*Handbook on Women and Imprisonment* 2014, 15). Furthermore, Polish prisons cannot cope whatsoever with the issue of prisoners with mental disorders. Therapy programmes are not dedicated to mentally ill people in any prison, the staff are not properly trained to work with such people, and the only response to mental problems is pharmacotherapy. All people who go to prison with a mental illness or become ill in prison will be released into society with this illness.<sup>20</sup> Another problem is that women are more affected than men by the stress of being separated from their families and leaving their children behind, but they also have more problems returning to their role as mothers, which is not helped much by the social stigma and the label of 'being a bad mother' (Zhao et al. 2021, 1516).

The experience of imprisonment raises major problems of reintegration into society after release from prison. Former female detainees, like men, experience stigmatisation and are sometimes rejected by their families (*Handbook on Women and Imprisonment* 2014, 15). Once released, women have to find help in many areas of their lives: obtaining substance abuse treatment, taking care of their physical and mental health, dealing with previous traumas, finding a safe place to live that is free from violent people, reconnecting with their families, and especially fitting in as mothers (Richie 2004, 233–239). These are formidable challenges for people with rather poor social skills. Thus, it is not surprising that they often fail to overcome all their problems and reenter the community, which sometimes leads to engaging in further deviant behaviour, committing further crimes, and suffering the consequences, including going back to prison. A custodial sentence therefore not only may be a consequence of women's previous life choices but also may directly lead to a return to crime. (In the context of men, see [Chapter 8](#) in this volume.)

## Conclusion

Criminal careers for women do happen, but they are exceedingly rare. Even the vast majority of women who have committed criminal acts as juveniles (80%) are not convicted as adults. Of the former juveniles, only one in ten women committed two or more criminal acts later. Moreover, our research also corroborates that even if women have criminal careers, these are much shorter than in the population of men. The average length of remaining in crime for women is quite short, at only two years, while the average length of a male career is seven years. Moreover, even when women perpetrate more than one crime, their acts are generally concentrated in a short time span. This is also not the case where a

woman stops committing crimes because she is serving a prison sentence because (as I write in this chapter) the women we studied went to prison very rarely. If we are to assume that we count as a career not only the commission of two or more acts in adulthood but also a period of more than five years during which these acts took place,<sup>21</sup> the percentage of women with a criminal career in our study drops from 11.4% to only 3.3%.

There are also clear differences in the intensity of crime between men and women at different stages of life. For both sexes, the highest intensity occurs between the ages of 22 and 29, but for women, the frequency of criminal acts is then so high that it accounts for more than half of all acts. Moreover, the onset of adult criminality also occurs at this age for many women. The transition from youth to adult offending is smooth for men. For women, we observe some decline in criminal activity in very early adulthood, followed by intensification. In the case of the 14% of women who committed their first adult act when they were over 30 years of age, the question is whether it is possible to speak of any connection with criminal acts in their juvenile years and whether such a life path deserves to be called a 'criminal career'.<sup>22</sup>

The structure of Polish criminality for women with a criminal career supports the thesis that not only women in general but also female reoffenders commit less serious acts than do men. Interestingly, the crime patterns of women who committed only one act in adulthood and those who committed more are essentially not that different.

Unfortunately, there was some disappointment in the analysis of women's propensity to remain in criminal careers in relation to their family situation during their juvenile years. The only significant factor positively correlated with later multiple offences is a bad reputation of their mother during childhood. Negative maternal attitudes and behaviours affected 23% of the girls who did not engage in crime in adulthood and 43% of those who committed at least two criminal acts as adults. However, there is not much difference in the impact of fathers' negative attitudes, and due to the scarce data, it is impossible to assess the impact of a parent's stay in prison on the subsequent fate of the subjects in quantitative studies. It was also not possible to establish a clear link between previous victimisation and remaining in a criminal career.

Women, including those who commit crimes repeatedly, are sentenced to prison much less commonly than are men and serve shorter sentences. However, our findings show that regardless of gender, remaining in crime clearly increases the risk of imprisonment. It is also worth noting that imprisonment affects women who have suffered a lot of hardship in their lives and have struggled with social inadequacies, sometimes with addictions, and with single parenthood. Imprisonment, as a deeply traumatising event, therefore affects particularly vulnerable individuals.

Concluding this chapter, it is perhaps worth reiterating that quantitative research has its limitations, and further research into women's criminal

careers should be conducted using qualitative methods, which was not possible in the case of our study for reasons described in the [Chapter 2](#) on research methodology.

## Notes

- 1 However, Barbara Toroń (2013) presents a female perspective based on qualitative biographical research.
- 2 Criminal careers of this particular group of women are described in the article by Dagmara Woźniakowska-Fajst (2020).
- 3 For the technical criterion for the selection of the sample for further research and the adopted definition of a *career*, see [Chapter 2](#) in this volume.
- 4 I am, of course, referring to their formal criminal acts, i.e., acts that have been detected and recorded in the National Criminal Register.
- 5 Without adjustment, crime by women aged 22–29 accounts for more than half of all acts all women committed.
- 6 The figure excludes the case of woman DWF 275, which I mention above.
- 7 This is part of the so-called Philadelphia study mentioned in previous chapters. See Wolfgang, Figlio, and Sellin 1987.
- 8 I am taking into account both the criminal and the demoralisation cases as well as the custody cases involving this girl. Every type of family court intervention is indicative of behavioural problems or problems with the proper functioning of the family.
- 9 Robbery and offences against life and health, as other forms of violent behaviour, are discussed below.
- 10 The economic activity rate for women aged 15–64 was 63.0% in Poland compared to 68.8% in the EU28; for men, it was 78.2% compared to 79.5%, respectively. See *Sytuacja kobiet i mężczyzn na rynku pracy w 2019 roku* [Situation of women and men on the labour market in 2019] (Warsaw: Ministry of Family, Labour and Social Policy, Labour Market Department Analysis and Statistics Division 2020), 1.
- 11 In 2003, women in Poland accounted for 9% of suspects (Aebi et al. 2006, 68); in 2006, 10% of suspects (Aebi et al. 2014, 78); and in 2015, already 20% of suspects (Aebi et al. 2021, 69).
- 12 Based on Aebi et al. 2006, 114; 2010, 176; 2021, 177.
- 13 Economic Observer, <https://obserwatorgospodarczy.pl/gospodarka/19-polska/541-kobiety-uciekaja-z-ryнку-pracy>, ('Informacja o Rynku Pracy w Pierwszym Kwartale 2021 roku (Dane Wstępne)' 2021, 3) [Information on the labour market in the first quarter of 2021] (preliminary data), Central Statistical Office, 2021.
- 14 The structure of families in the European Union countries in 2011. [https://ec.europa.eu/eurostat/statistics-explained/images/c/cb/Family\\_nuclei%2C\\_national\\_averages\\_and\\_capital\\_regions%2C\\_2011\\_%28%25\\_share\\_of\\_all\\_family\\_nuclei%29\\_PITEU17.png](https://ec.europa.eu/eurostat/statistics-explained/images/c/cb/Family_nuclei%2C_national_averages_and_capital_regions%2C_2011_%28%25_share_of_all_family_nuclei%29_PITEU17.png) [accessed 15 February 2021].
- 15 The court file generally contains information on income that the suspect provides when first questioned by the police. In most cases, this information is not subsequently verified in any way by the court.
- 16 In June 2022, 1 euro  $\approx$  4.7 PLN.
- 17 The theory of differential association is a classic theory in criminology and is discussed in so many studies that it will not be described in detail in this chapter.
- 18 Chi-square test = .078, so this is not a statistically significant difference.
- 19 While the curtailment of parental authority can be linked to the mere inefficiency of the parents' competences due to, for example, their intellectual disability, the termination of parental authority in the cases we studied was always linked to acts that were harmful to the child and to the use of violence against the child.



- 20 Maria Gordon, 'Mentally Ill and Intellectually Disabled Prisoners: Results of Own Research' (presented at the Scientific Meeting of the Department of Criminology and Criminal Policy, Institute of Social Prevention and Rehabilitation, University of Warsaw, 14 May 2021).
- 21 This is not generally the assumption we made in our book, but I wanted to show this perspective as worth considering.
- 22 Although we do not know what their lives were like, we can assume that, at least in some cases, they lived on the edge of the law.

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# 7

## NO ROOTS, NO WINGS

### Risk factors in the assessment of chronic offenders

*Olga Wanicka and Dagmara Woźniakowska-Fajst*

#### Introduction

There is a saying that the best thing you can give a child is roots and wings: roots so that they have a story, a place, important people, and a safe haven; wings so that at some point in their lives they have the courage to spread them and fly away. The stories of adults whose lives have been affected by crime from an early age are the stories of people who didn't get a solid foothold when they were growing up or a strong enough incentive to follow their dreams.

It seems that virtually everything there is to say has been written about risk factors for juvenile delinquency. An analysis of findings from decades ago, as well as more recent studies carried out in Poland and other countries, leads to surprisingly consistent findings. What we can propose today is a shift of perspective in looking at risk factors: moving away from assessing them from the position of an academic who draws their knowledge from case files, psychological research, or the opinions of various institutions and focusing instead on the perception of these factors by the subjects themselves.

Traditionally, biological and psychological burdens, the structure and functioning of the family, the influence of the peer group, and social factors such as the neighbourhood and the closest community outside the family have been cited as major risk factors (see Carlsson and Sarnecki, 2015; Farrington, 2002; Ostrihanska, 1978; Ostrowska, 1981; Wikström and Butterworth, 2006). Referring to critical criminology, we could also add the issue of stigmatisation (Klaus, 2018, p. 89) as a factor influencing the fate of a young person who is considered 'bad' and is labelled as a juvenile troublemaker. David Farrington defines risk factors as circumstances occurring early on that increase the risk of such events as the decision to step onto the path of crime, the persistence of remaining on it, the frequency of committing

criminal acts, and the length of a life with crime as an immanent part of life (Farrington, 2002, p. 664).

On the other hand, however, there are protective factors that can counterbalance risks. These include, for example, high intelligence; support in the family (from at least one positive, caring family member); the presence of significant people in the child's life who are important to them (positive family and school influences), who function properly in society, and who can set a good example or provide a point of reference (Kim et al., 2020, p. 112); and support from institutions established for that purpose.

A life path in which criminal behaviour occurs continuously or occasionally is the product of many factors. Remarkably, the factors that are cited by researchers and scholars on the subject of juvenile social misconduct are also recognised by the offenders themselves. In 1960, the summary of a study of juvenile recidivists conducted by Stanisław Szelhaus and Zofia Baucz-Straszewicz (1960, p. 198) included the subjects' own personal insights into the situation in which they found themselves. The most common reasons for the minors' troubled lives and failures included problems at home caused by family breakdown; hostile attitudes of the closest family members, including their parents' new partners; 'being raised on the street'; a deviant peer group; and a difficult material situation connected with parents' inability to afford entertainment. One might be tempted to conclude that 60 years ago the identification of possible causes of delinquency by outside researchers and by the minors themselves was very similar. This is still the case today.

If we were to use a metaphor, our subjects are like trees planted in weak soil and left to the elements, without a gardener to protect, support, or heal them. And when the trees have grown a little and are swaying in the wind, without any firm support in their weak trunks, they find no fences, no walls, nothing to hang onto. The delinquents' lives are a sum of major and minor difficulties, bad luck, coincidences, and poor choices combined with an absence of steady guidance, help, and care. Do men who have lived in the shadow of crime since their early teens see their situation in the same way? Are they aware of what went wrong? Answers to these and other questions will be sought in this chapter.

## Methods

We describe the risk factors and circumstances deterring criminal behaviour for a sample of 39 respondents whose delinquent cases were tried in family and juvenile courts in the 1980s and in 2000. The oldest interviewee was 50 years old, while the youngest was 27.

In the introduction to this chapter, we mentioned that in describing the risk factors, we also looked at the perspective of the respondents themselves. We have supplemented the results of the quantitative research with statements from men who, according to the guidelines we adopted<sup>1</sup>, were identified as multiple offenders continuing criminal behaviour into adulthood. The large age

differences among our interviewees affect their perspective on how they saw themselves when they were teenagers. In the case of the oldest ones, up to 35 years have passed since then; hence, they do not always remember themselves from that period well. They are often more preoccupied with present-day problems or those from the recent past. This indisputably has an impact on their narration: they were often unable to refer to their childhood or early youth at all or did so only vaguely, while they were willing and able to talk a lot about the most recent offences committed, their family relationships now, and their future plans. The perspectives of the youngest, on the other hand, were probably also influenced by the assessment of their ‘difficult’ period in life by the staff of the institutions to which they were sent as minors.

Regardless of the decision to consider the outlook of the respondents classified as chronic offenders<sup>2</sup>, we also felt that referring to the knowledge gained from the quantitative analysis of the court cases of the entire group of juveniles under study would be a valuable background for the qualitative analysis.

The rationale for including the information from the quantitative research in this chapter was to get a broader picture of the problem. When possible, we also examined the significance of the results analysed. Sometimes, owing to the paucity of complete information on the subject under analysis, we referred only to those groups for which we had data, e.g., on parental employment. We have also cross-referenced the knowledge that was available about the juveniles from the institutions that intervened in response to their actions. Court records contain data about their acts as juveniles, their social profile, their family structure, and their school performance. The outcomes of the file-based analysis, which comprises 2,468 cases, provide a point of reference for the respondents’ statements. The data, however, concern a wider group of perpetrators than those who took part in the qualitative study.

### ***Control as a deterrent to crime***

Most people’s lives begin in the primary, fundamental social group that is the family. Its control functions are important in the prevention of disorderly behaviour. One of the most important theories of control was developed by Travis Hirschi in 1969. He argued that unlawful conduct occurs when an individual’s ties to society are broken or weakened (Hirschi, 2002, p. 16), so again we are talking about a lack—this time a lack of ties to the conformist part of society). Hirschi argued that a person is bonded to society in four ways: through *attachment*, *commitment*, *involvement*, and *belief*. Although this concept is now 50 years old, it is (together with the self-control theory of Travis Hirschi and Michał R. Gottfredson) one of the most frequently tested concepts in empirical criminology. The results of these tests vary: some elements of this theory seem more robust than others (Newburn, 2017, p. 252), but this seems to be independent of gender and cultural conditions (cf. Özbay and Özcan, 2008, pp. 134–157). At this point, we just want to briefly discuss what Hirschi meant by these four terms.

We will refer to the different bonds later in our chapter and confront them both with the findings of the quantitative research and, most importantly, with the narratives of the respondents.

The core premise of the *attachment* component is that humans are sensitive to how they are judged by others. Here Hirschi was referring to the individual's strong connection to those closest to them (mainly the family) and was stressing the internalisation of the norms that family and friends follow (Hirschi, 2002, pp. 16–19). He assumed that a person would not flout the basic social norms professed by those close to him or her, as this would put that person at risk of losing their trust and love. The emotional connection with properly socialised individuals thus becomes the cornerstone for self-control of one's own behaviour (Hirschi, 2002, pp. 16–19). The trouble with this theory, however, is that Hirschi presupposed that a person's social environment would be conformist, which, after all, does not hold true in many cases for people who commit criminal acts (Siemaszko, 1993, p. 237). We will return to this issue when describing the stories of our interviewees.

Before we turn to the factors that may have fostered deviant behaviour among young people, we would like to start, perversely, with the factors that may have deterred it. The more we analysed the interviews with the respondents, the more we became convinced that the origin of a criminal life lies not so much in a specific action but in its absence: lack of supervision; lack of love; lack of parenting competence; lack of responsibility and lack of time from adults; lack of absorbing, well-chosen extracurricular activities; and lack of well-socialised friends. And it is precisely these deficiencies that push a young person to stray from the main trail onto shortcuts, tempting but also dangerous, serpentine, and often strewn with obstacles.

Hirschi's second form of bond, *commitment*, is close to the rational choice theory developed by Ronald V. Clarke and Marcus Felson (Clarke and Felson, 1993). It is based on the assumption that a violation of the law should be seen as the result of the calculations of the offender, who decides to break the law because their estimates show that the consequences of being caught and even punished do not outweigh the benefits and profits of the crime. The offender's experience and values, their need for money, the degree to which the potential target is protected, the threat of punishment, and the likelihood of capture are all at stake. Clarke and Felson's concept assumes that the perpetrator, taking all these factors into account, makes a rational choice about their behaviour. Hirschi looks at this rational choice mainly in terms of the potential loss, should the perpetrator have to suffer the consequences of their act. These consequences are not only the punishment but also the loss of prestige, prospects for the future, reputation, and possessions (Hirschi, 2002, p. 21). Most people who are well integrated into society will rationally calculate that the losses incurred by committing a crime exceed the benefits flowing from it. Consequently, people who do not have much to lose, whose position in society is relatively low, and who have accumulated neither high social capital nor material goods will be more inclined to deviant behaviour (Siemaszko, 1993, p. 241).



The third component of Hirschi's theory is *involvement*. In Hirschi's theory it is a derivative of commitment. People leading conformist lives are so absorbed by them that they simply do not have time for nonconformist activities (Hirschi, 2002, p. 22). Concentration and dedication to activities such as studying (and participating in school or extracurricular activities), working, and raising children also strengthen self-discipline, which helps one resist impulses that lead to deviant behaviour. The lack of areas in life that inspire a person's sincere involvement opens up space for becoming bored and searching for new activities, which may become unlawful acts in adverse conditions. However, involvement as a deterrent to crime is one of the weaker points of Hirschi's theory. Even the author himself recognised this (Burke, 2005, p. 210). When testing his theory, he observed that boys who worked and were highly involved in various conformist activities also committed many deviant acts in adolescence (Newburn, 2017, p. 252). Even children who have good academic results and extracurricular interests behave in inappropriate ways, such as bullying at school or in another peer group (e.g., a sports club). However, children with higher social capital are more likely to avoid the formal consequences of their behaviour (Chambliss, 2003, p. 195).

The last element of social bonding defined by Hirschi is *belief*. It is no less than the internalisation of conformist attitudes held by the majority of society. The more an individual is internally convinced of the validity of these norms, the more difficult it will be for them to disobey them. However, there are again reservations about this component of the theory. First of all, one should consider what is the cause and what is the effect: Is youth delinquency the result of a weak belief that certain rules apply, or is a weak adherence to rules a corollary of engaging in criminal behaviour (Newburn, 2017, p. 252)? Against all appearances, very few juveniles are internally utterly unconvinced of fundamental social norms. For this reason, when they commit criminal acts, they have to use neutralisation strategies (Newburn, 2017, p. 252), as described by Grasham Sykes and David Matza (1957), which minimise the sense of psychological discomfort (remorse) after the offence.

However, what lies behind the belief in the need to conform to the social norms inherent in a conformist society is the assumption that most people share the same axionormative values. Hirschi was aware that his concept had limitations. In our study of criminal careers, we interviewed respondents who came precisely from backgrounds in which normative beliefs differed from the socially widespread ones.

The second important criminological theory that will be referred to further in the chapter is the general theory of crime that Hirschi developed with Gottfredson. According to this concept, criminal behaviour is supposed to be the result of too little self-control, which, combined with a tendency to hedonistic behaviour that allows the quick satisfaction of immediate needs, is the consequence of inadequate upbringing. The authors first explain what kind of immediate benefit comes from committing a crime. First of all, it is the very quick satisfaction of specific needs without much effort (obtaining money without

working, sex without courting, or revenge without a long wait for a court verdict). Moreover, committing a crime generally does not require any special qualifications or planning ability (Gottfredson and Hirschi, 2009, p. 242). It is a very attractive option for people who have problems with deferred gratification (which is in general quite characteristic of children and adolescents); who are less consistent, hard-working, and persevering; and who do not have or value elaborate cognitive functions (Gottfredson and Hirschi, 2009, p. 242). The authors argue that low self-control is strongly linked to the socialisation process and educational deficiencies, which we will return to later in this chapter.

### ***Biological burdens, school failures, and violence in respondents' lives***

Much of today's research into the course of criminal careers harkens back to old, positivist criminology-based ideas about the impact of biological determinants on child and adolescent behaviour. Children's behavioural problems due to biological conditions cast a shadow over school opportunities and achievements (McAra and McVie, 2017, p. 629). Academic failure, in turn, is associated with school avoidance, truancy, or prolonged absenteeism, resulting in the child's deepening exclusion. As the two areas (biological burdens and school failures) are closely interrelated, we have decided to discuss them together.

The awareness of the influence of mental dysfunctions on the functioning of children has a long history in Polish criminology. In 1926, Leon Wachholz, an eminent physician and forensic specialist, wrote a textbook whose objective was 'to acquaint parents, educators and teachers with the abnormalities of mind which, contrary to the general misconception, occur very often in children and adolescents and are the cause either of their failures in acquiring school knowledge or of certain offences not only against home and school discipline, but sometimes also against the norms of criminal law' (Wachholz, 1927).

Terrie Moffitt has written extensively about the influence of biological factors on delinquency, indicating that there is compelling evidence that neuropsychological deficits are closely associated with antisocial behaviour and that for chronic offenders, law-breaking begins in early childhood and is compounded by other problem behaviours such as temper tantrums and hyperactive episodes and attention deficits (Moffitt, 1993, p. 680). *Attention deficit hyperactivity disorder* (ADHD) is a neurodevelopmental disorder caused by abnormalities in the functioning of the central nervous system. It is a disease with criteria in the ICD-11 and DSM-5. ADHD begins in early childhood and involves three main clusters of symptoms: hyperactivity, attention deficit hyperactivity disorder, and excessive impulsivity. Some of the symptoms of ADHD can severely impede school performance, especially in a conservative school where children are expected to be constantly focused, attentive, quiet, and still. A hyperactive child cannot 'sit still' and is hyper-talkative and loud. Attention deficit means that the child is impatient, does not pay attention to details of tasks, and makes mistakes that

result from oversight or failure to read instructions. They have difficulties following instructions and planning tasks, and they lose school supplies. If a task is not interesting, the pupil is unable to concentrate on it, so they often appear not to be listening and are distracted by various external stimuli.<sup>3</sup> Depending on the research, it is reported that ADHD affects between 4% and 12% of early school-age children (Lipowska, 2011, p. 55). Even today, when educators and other professionals working with children pay more attention to various types of disorders, including ADHD, the problem remains undiagnosed in many children or is sometimes diagnosed too late. When our study participants were of school age, children with ADHD were rarely diagnosed (and in the 1980s, there was no mention of such a diagnosis whatsoever). Moreover, in families with deficits, parents were probably unaware of the existence of ADHD at all, so they did not seek a diagnosis or, if one was made, they may have downplayed it. Parents from such families may also have not been taken seriously in counselling centres, and their children were more likely to be labelled ‘naughty’, ‘retarded’, or ‘incapable’. One respondent said:

*I always used to do something unruly. Generally you know what, I think when it comes to this, this hyperactivity of mine, I think they used to not diagnose something like ADHD or something like that, in children, and I just had it. I was punished for it every time, where I probably shouldn't have been, right? (Arkadiusz, 35 years old)*

Properly diagnosed ADHD is just the beginning of the struggle to enable a student to function better at school. It takes a lot of effort, willingness, and goodwill on the part of the school and the teachers—and, above all, a great deal of educational and supportive work on the part of the parents—to achieve success. In the rest of the chapter, we write about various abnormalities and dysfunctions in the families of minors, especially those who have continued criminal activity as adults. Many of our subjects grew up in homes where they could not count on sufficiently strong parental support and assistance. The consequences of not properly managing a child with ADHD can be severe. Failure to treat the child often results in poorer academic performance (or even grade repetition) and difficulty applying what they have learned in and out of school. By the age of 8–11, unsupported children with ADHD start to stand out from their peers, which can lead to a sense of rejection and more frequent absences from school. Untreated children may also display aggressive behaviour toward other people (Srebnicki and Wolańczyk, 2010, p. 13). It is estimated that about 50–60% of children with ADHD are suspended from school, and about 10–30% drop out of school and do not go on to secondary school (Srebnicki and Wolańczyk, 2010, p. 13). Failure to finish school is, in turn, a very strong predictor of future delinquency (Żabczyńska, 1983, p. 123). It is worth stressing that it is easy to find, name, and count school problems studies on minors. ADHD, on the other hand, cannot be retrospectively diagnosed.

According to Moffitt, chronic offenders, in addition to the neurological problems mentioned above, have learning problems (Moffitt, 1993, p. 685). Robert (40 years old) describes such school difficulties:

*I did go to school. I went to the first grade. Well, I went to the first grade as a kid and there, you know. ... But I remember, I used to go to school, and it was annoying, you know. Because I was a nervous boy from birth, you know, a nervous boy, a nervous boy. I don't know what happened to me there, you know. When I was a kid, it was even worse, you know, like there was something wrong with my head.*

Other types of problems in children's functioning, stemming from biological deficits, were noted by David Nagin and Kenneth Land. They observed a group of offenders who had been committing offences for a long time but with fairly infrequent incidence, who were rather gentle and docile, and who had low IQs. This was the reason why they either got involved in criminal behaviour by mistake or were easily persuaded by others (Nagin and Land, 1993, p. 355). Children's reduced intellectual capacity or other mental health problems are mentioned by many authors as risk factors for maladjustment and delinquency in juveniles and young people (Ostrijanska, 1978; Ostrowska, 1981; Żabczyńska, 1983). Our respondents additionally cited chronic illnesses, which were not psychiatric conditions but also contributed to their poorer functioning:

*The bad company, home, broken family—these were the factors. In my case there was also another factor, a medical factor: I had an upper respiratory tract obstruction since childhood. ... I didn't finish normal school, I am demented and sleepless to this day, because I even had a broken septum. (Mariusz, 48 years old)*

*What did I have? From 8 or 9 years old, when I was already sick. An epileptic seizure, you know. And it got worse too, because there was an accident, a car accident, you know. And then I also had my head cut, stitched up. And my epilepsy got worse and worse, and I got even more epilepsy, you know. Because my head was cut. Post-traumatic, so I had epilepsy. (Robert, 40 years old)*

In the following section, we note that school delays may also be caused by family violence, which may result in a fear of gaining new experiences or a lower motivation for achievement (Błachut et al., 1999, p. 337). Violence can also cause cognitive impairment. Children experiencing violence have difficulties in expressing emotions and understanding speech, while impaired concentration and a lack of motivation can directly affect school performance (Komender, 2001, p. 65). A child who perpetrates violence is most often a victim of their fate, marked by different varieties of aggression and failure (Bińczycka, 2001, p. 9). And indeed there was a lot of violence in the lives of the people we studied, especially in the lives of those who committed crimes over a long period of time. What we know from the studies of other authors concerns mainly the violence experienced by minors in their homes by their families.

We know for a fact that some form of violence occurred in the families of the chronic perpetrators studied in almost every fifth case (19%<sup>4</sup>). However, it seems that mentions of parents' violent behaviour only feature in the files when it is acutely obvious: e.g., when there are serious alcohol problems or physical violence. According to the file research (most often from the probation officer interviews), one of the signs of abnormal family functioning. Janina Błachut, Andrzej Gaberle, and Krzysztof Krajewski write that 'by far the worst socialising effects come from a style of chaotic despotism, in which harsh sanctions are not explicitly linked to the violation of precise expectations, but are applied more or less randomly' (Błachut et al., 1999, p. 336). The use of chaotic despotism, combined with the use of physical punishment, has two consequences. One of them may be the development of the learned helplessness syndrome in a young person. Learned helplessness is defined as adopting a completely passive attitude that blocks any activity that might lead to acquiring new experiences. The intellectual development of such a person is slowed down or even inhibited. The motivation for achievement is lost or strongly attenuated, which causes, for example, poor performance at school (Błachut et al., 1999, pp. 336–337). is also violent arguments. The statements of our respondents indicate that their cause may be alcohol abuse, as in Przemysław's (36 years old) recollection:

*My father ... he used to drink, he used to cut himself, call my mother names, beat us, it was always there in the back of my head. That's how it is.*

Sometimes violence was used as a way to reinstate discipline:

*I was hit with a belt, with a belt more than once. But it was by my dad. By dad, you know. By my dad, you know. Because my mum yes, you know. A mum's a mum, right? But when I messed up or something, or my brother or sister messed up, I'd get spanked with a belt. The spanking was with the belt. There was no way it wasn't [Laughs]. (Robert, 40 years old)*

Violence as a means of disciplining children is still quite common in Poland. The results of the 2014 study of fathers show that 37% of the surveyed fathers had spanked their children several or many times, 22% had hit them with an open hand, and 5% had hit them with a belt (Włodarczyk, 2014, p. 130). To make things worse, these are the findings of a study done on a particular group of respondents, urban residents, for whom the role of the father is rather important (Włodarczyk, 2014, p. 135). One can only speculate that in the group of fathers who are less engaged but present in their children's lives, violence against children may occur more often. Maria Braun-Gałkowska created the concept of a 'poisonous father', who does not love his children unconditionally, and this attitude is the source of his aggressive behaviour toward his children. The fathers explain psychological and physical violence as acting 'for the good of the child' (Braun-Gałkowska and Kornas-Biela, 2001, p. 205).

When it comes to violent behaviour, the perpetrators of abuse were both biological fathers and mothers' partners.

Adrian (37 years old) was reluctant to talk about his biological father's abuse:

*I was more estranged from my father.*

***What does that mean?***

*He had a heavy hand. In parenting.*

***Was he very strict?***

*He was very strict. But I will not talk about that.*

On the other hand, Patryk (35 years old) experienced violence from his mother's partner:

*My mother's [partner] ... maybe if he hadn't tortured me so much, maybe things would have been a bit different. Maybe it would have worked out a bit differently.*

Although our research shows that violence was indeed much more often used by fathers or male partners, there were cases of violent mothers, including those who used very severe physical punishments:

*My mother used to beat me like a dog. Well, because I went hungry and stole, and mum tried as hard as she could. Mum didn't drink, but she also tried, but she beat me like a dog when I messed up, and I often messed up. (Artur, 50 years old)*

Children's reactions to violence they experience at home can vary. One of them is learned helplessness, which is the most obvious defensive reaction of a young child (Grygorczuk et al., 2009, p. 63). However, the situation changes with time, when young people (especially boys) grow up and become physically stronger than their tormentors, as in the story of Patryk (35 years old), who was additionally afraid that someone might discover that he was being beaten at home.

*But to be afraid to take off your T-shirt during P.E. because your back is blue is also shocking for a child .... Until I grew up [my stepfather used to beat me], because when I grew up, I didn't allow it anymore .... When I was already 14 or 15, it was a bit better, because I knew how to defend myself, that's all, I could defend myself. ... So when I see that a 15-year-old boy lets himself be raped by a priest, for example, I feel like laughing, because at the age of 15, I try to go back in time, at 15, if someone tried to hurt me like that, I ... could even go to prison for murder, because I would kill him, because I wouldn't let him.*

Two views clash in science. The first, espoused by distinguished psychiatrist and psychologist Alice Miller, says that if one has experienced violence in childhood, one is very likely to be violent in adulthood (Miller, 1999). This claim is also partly supported by Murray Arnold Straus and Denise A. Donnelly, who, based

on their research, found that overuse of corporal punishment correlates not with a decrease, but precisely with an increase in such behaviours as aggressive behaviour and street and school violence in people disciplined in this way (Straus and Donnelly, 2017, 99ff).

The second view is that people who were victims of violence in childhood harm themselves much more often than do others in adulthood. They are more likely to enter into violent relationships, are more prone to self-harm and more likely to make suicide attempts, and suffer from depression and abuse alcohol (Straus and Donnelly, 2017, pp. 67–79). However, the impact of childhood violence on antisocial behaviour is small (J. L. Herman, J. C. Perry, and B. A. van der Kolk, quoted in Herman, 2003, p. 123). This problem affects women more than men, but the risk of depression caused by childhood violence is still high for men (Straus and Donnelly, 2017, pp. 71–72).

It is important to note, however, that even researchers who claim that the majority of victims of violence do not use violence themselves do not doubt that there is a smaller group of people who suffered violence in childhood who do perpetrate violence themselves. This transmission of violence, nevertheless, is much more common among men (E. H. Carmen, P. P. Rieker, and T. Mills, quoted in Herman, 2003, p. 123). Straus and Donnelly, in the preface to the third edition of their book on child spanking (published in 2017), admitted that while in the first edition (published in 1994) they argued that, having examined the vast body of research, there is no conclusive evidence that physical punishment causes behavioural disorders, the evidence that has now accumulated clearly establishes that physical punishment does cause harm (Straus and Donnelly, 2017). The issue here is not just the simple intergenerational transmission of aggression. People who experience childhood violence harbour a great fear of abandonment and are unable to build properly functioning relationships, not only intimate but also interpersonal ones in general, as even ‘ordinary interpersonal contacts can cause intense anxiety, depression or rage’ (Herman, 2003, p. 121). A child’s experience of violence also causes lowered self-esteem and interferes with their normal social development, which results in having reduced sensitivity to the feelings of others as well as in misinterpreting their behaviour (e.g., as aggressive) and responding accordingly (albeit due to their misinterpretation) (Komender, 2001, p. 65).

When minors become defensive and respond with aggression to aggression, they commit criminal acts against their guardians (even if they are never formally prosecuted). A pattern emerges in which a former perpetrator of violence becomes its victim, which most often happens with the so-called domestic tyrants. A young person’s aggression is the aftermath of remaining in a long-term threatening situation. One of the respondents also admitted that the violence at home was an impulse to look for a place outside the family: *‘Well, I couldn’t stay at home, because I’d get a beating. Like the black sheep, later I was at home and I’d get a beating for what everyone did. I didn’t really want to go back home’* (Daniel, 36 years old).

Being aware of the limitations (our data from juvenile court records are not complete, and the information on criminal activity in adulthood is only about

acts that made it to the formal justice system), we looked at the correlation of violence experienced by the respondents in childhood and their later propensity for violent behaviour in adulthood. The findings of this analysis showed that although those committing violent acts in adulthood were slightly more likely to have come from violent families, the differences were generally a few percentage points with fairly small numbers and were not statistically significant.

## Family

Social researchers distinguish a family structure in even the smallest and least complex human communities around the world (Burszta, 2017, p. 120). It is the basic social unit and, in most cases, represents the primary group in which human beings function from the first days of their lives (Fulcher and Scott, 2005, p. 495). In the literature, inadequate functioning of the family in which a child is raised has traditionally been identified as a risk factor. In older studies, it was pointed out that ‘in principle, only a complete family can function properly’ (Kołakowska-Przełomec, 1978, p. 325). This is a view that can still be found today, but it seems to be an unjustified, naive simplification. Any family type can be both functional and dysfunctional. It can either support the child growing up in it or act to their detriment. In fact, it is not the structure of the family that determines its child-rearing capacity but rather the character, parenting skills, intuition, and strain (or lack thereof) of individual family members. This is confirmed, for example, by self-report studies by Per-Olof Wikström and David Butterworth, who found that in the group of boys studied, the family structure in which they were brought up had practically no impact on whether (or not) they engaged in criminal behaviour. The criminal involvement of adolescents who grew up with two biological parents was only marginally lower than that of adolescents living in other family types (reconstructed, single parent, or alternate custody). The only group whose delinquency was significantly and positively correlated with their residence was children raised in foster families and children’s homes (Wikström and Butterworth, 2006, pp. 68–69). Nevertheless, it should be borne in mind that in most studies there is a correlation of family type with juvenile criminal behaviour. It is perhaps also a matter of a generational shift, with the number of divorces and parental separations now more frequent than before. However, we are describing the lives of people who were children and teenagers in the 1980s and 2000s, when traditional families were still more common in Poland.

According to Hirschi’s theory of social bonding, one of the most key components that influences the decision (or not) to engage in criminal behaviour is attachment (Hirschi, 2002, pp. 16–19). Echoing the earlier thoughts, the family, as the basic social unit with which an individual comes into contact at the earliest stage, has the greatest influence on how a child’s future will unfold. Probably the values and models that are passed on in the family also have a major impact on whether a minor decides to abide by the rules and norms of social conduct or whether they embark on a criminal path.



**TABLE 7.1** Family structure in childhood and adolescence of the subjects and their subsequent criminal trajectory\*

	<i>Both biological parents</i>		<i>Single mother</i>		<i>Single father</i>		<i>Reconstructed with stepfather</i>		<i>Reconstructed with stepmother</i>		<i>Lived outside the biological family</i>		<i>Institutional upbringing</i>		<i>Total</i>
	<i>Number</i>	<i>Percentage*</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	
No convictions in adulthood	865	64.2	274	20.3	29	2.1	83	6.2	29	2.1	32	2.4	36	2.7	1,348
One act in adulthood	127	62.0	45	22.0	5	2.4	15	7.3	5	2.4	2	1.0	6	2.9	205
Criminal career	354	53.0	165	24.7	18	2.6	56	8.4	18	2.6	28	4.2	30	4.5	669

\* The percentages refer to the family structure in a specific career type (no convictions in adulthood/one act/career) and sum to 100 in the rows. The number of juveniles for whom we obtained family structure data was 2,222.

### **Family structure of respondents**

As we wrote above, many studies demonstrate a correlation between minors' delinquency and their upbringing in incomplete families. This correlation does indeed exist (cf. Carlsson and Sarnecki, 2015, p. 81; Woźniakowska-Fajst, 2017, p. 133). There is also a convergence of deviant behaviour with multiple-children families and low socioeconomic status (cf. Wikström and Butterworth, 2006, 50ff). Looking at our findings, it can be seen that there is indeed a difference in family structure between those who have had a criminal record in adulthood (once or repeatedly) and those who have not. This is shown in Table 7.1.

Almost half (47%) of later multiple offenders were brought up in family arrangements or institutional conditions other than the full biological family. More than half of this group (24.7%) was raised by single mothers, and although we write about this in more detail further on, it can be mentioned here that this must have had some influence on the fact that the juveniles felt more input and involvement in their upbringing from their mothers than from their fathers.

When describing a group of underage girls who had criminal records in 2000 (regardless of their later criminal career or lack thereof), Dagmara Woźniakowska-Fajst noted, in turn, that the men with whom the girls' mothers were involved after separating from their fathers were very disruptive. Almost two-thirds of stepfathers had a negative assessment (for fathers, it was half). In this group, 71% abused alcohol, and one in five was aggressive and violent (Woźniakowska-Fajst, 2010, p. 237). The men with criminal careers interviewed during the study had widely varying relationships with their stepfathers. They ranged from situations where the stepfather fully, competently stepped into the role of father (as in the case of 30-year-old Paweł), through cold, indifferent relationships (as in the case of 30-year-old Kamil), to circumstances where the stepfather's demeanour had a negative effect on the minor. There were slightly more stories of this third kind. The respondents related the feeling of being a less loved and rejected child (through explicit narrations of violence quoted later in this chapter) to all situations in which the minors chose to leave the family or run away from home because of a conflict with their stepfather (as in the statements of Jarosław, Jacek, and Sławomir):

***I'm just going to ask you a question, because you said so emphatically 'stepfather'.***

*I do not know my father .... I mean I don't know my father, my mother split up with my father when I was about a year old, so I heard, and my stepfather was there all the time. By the way, I always call my stepfather dad, I don't know any other guy. He brought me up, he lived with me through both the difficult moments and the better ones. (Paweł, 30 years old)*

***And your stepfather? Your mum's husband? You said he was in the military.***

*I never had any contact with him. I saw him a few times, but somehow I didn't feel the mental need to have contact with him. ... Two different worlds. He was well-adjusted, good. Not my world at all .... The resentment remained. He also saw*

*what I did. He heard, saw and saw how my mother sometimes cried because of me. He didn't want to have anything to do with me. And now it is what it is. And I don't need to see him now .... He may be good, well-mannered, cultured, nice, but for me he has no character.* (Kamil, 30 years old)

*It is the concubine's sister, right? And it was always like I was kind of sidelined, because there's him, a new partner, right? Sister, sister everything better, me worse, right?* (Jaroslaw, 34 years old)

*Mum found a boyfriend and we moved in there. But things started to get complicated there. This guy didn't sit well with me. I simply left. I ran away.* (Jacek, 35 years old)

*We didn't like each other with this quasi-stepfather. ... I had no tolerance for that man.* (Slawomir, 48 years old)

In research involving the analysis of juvenile court records, it is difficult to capture motifs that come up in qualitative interviews, such as the instability of the family home. The instability of the reconstructed families and the fact that the respondents' mothers would periodically change partners also surfaced in the statements of our respondents. For example, Patryk (35 years old) remembered: *'Because mum used to change partners too and that's how it was. I was beaten when I was little, that's why later I became so nervous and simply couldn't cope with some things.'*

More than 8% of the mothers of repeat adult offenders had a relationship with a man other than the subject's father. However, the empirical material on the structure of juvenile families that we have at our disposal is not complete, mainly due to large data gaps (e.g., regarding the respondents' stepfathers).

On the other hand, the situation in which a child grows up without its biological mother is very rare in Poland. Where the parents of a child do not live together on a daily basis, the child is more often left in the care of the mother. Although the shared custody model of both parents is becoming more common nowadays, it was not popular two decades ago, i.e., during the childhood of our respondents. In the case of our subjects, the scenario where the mother was unable to care for the child rarely involved the father taking over the responsibility for the child (alone or, less commonly, with a new partner). Instead, children were more often handed over to other family members (sometimes under foster care) or strangers, or they were brought up in institutions, usually children's homes. The impact of the actual absence of the mother in the lives of the respondents on their further fates, including especially their later criminal career in adulthood, is illustrated in [Table 7.2](#).

Those with a criminal career were slightly more likely to have been brought up without mothers in adulthood than were those with no criminal record or only one act, but this is not a significant difference. We also have too few data figures to conduct reliable tests of statistical significance. There is no sufficiently detailed data on the nationwide situation of children with which to compare our results. All we do know is that in 1998, the children in 2.25% of families were being brought up by a single father, a figure similar to that in our sample (*Small*

**TABLE 7.2** Absence of the mother in the lives of the subjects and trajectories of delinquency in adulthood\*

	<i>Single father</i>		<i>Reconstructed with stepmother</i>		<i>Lived outside their biological family</i>		<i>Institutional upbringing</i>		<i>Growing up together without a mother</i>	
	<i>Number</i>	<i>Percentage*</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Total Number</i>	<i>Percentage</i>
No convictions in adulthood	29	2.1	29	2.1	32	2.4	36	2.7	93	9.3
One act in adulthood	5	2.4	5	2.4	2	1.0	6	2.9	18	8.7
Criminal career	18	2.6	18	2.6	28	4.2	30	4.5	94	13.9

\* The percentages refer to the absence of the mother for a specific career type (no convictions in adulthood/one act/career) and are extracted from [Table 7.1](#).

*Statistical Yearbook*, 2000, p. 109). What is markedly different about children raised without mothers who committed multiple offences in adulthood is that they were more often raised by distant relatives or foster families or grew up in institutions.

The role of the mother is of great importance in every situation, especially when for some reason the father is missing from the family. This may be both a real absence (connected with his death, his leaving the family, or his serving time in prison) and a spiritual absence (meaning the lack of any financial, protective, and educational involvement within the family). Our research shows that every fifth minor (20.3%) who did not commit crimes in adulthood and every fourth (24.7%) who committed two or more crimes in adulthood were raised by single mothers.

The absence of the father (both physical and emotional) often means that the responsibilities of both parents fall on the mother. She has less time for the children and their problems and less time for leisure activities with the children, which results in insufficient parental care (Sosnowski, 2011, pp. 80–81). The literature says that this may be the reason why children raised by single mothers are slightly more likely to get into conflict with the law (cf. Jarosz, 1979, p. 69; Ostrihanska, 1978). It is interesting to note, however, that more recent research does not support this theory (Schroeder et al., 2010, pp. 579–604; Woźniakowska-Fajst, 2010, pp. 225–228). In our study, this conclusion is also not so clear-cut. In 2002 (more or less at the time when some of the minors in the study group came into conflict with the law), 22% of children in Poland were raised by single mothers (*Small Statistical Yearbook*, 2006). This is practically the same percentage as in the group of minors who joined our study after committing a criminal offence (with regard to underage girls, 23.1% were raised by single mothers; cf. Woźniakowska-Fajst, 2010, p. 230).

The functioning of the family is a complex process, and we already know that factors such as a full or incomplete family are secondary to the most important ones: parental inefficiency, especially the lack of adequate supervision of children and well-understood discipline (consistent and not associated with the use of violence); conflicts within the family; and neglect and violence (including sexual violence) toward the children (McAra and McVie, 2017, p. 629). A disadvantageous situation at home, family breakdown, parents' alcohol abuse, improper parental behaviour or hostile behaviour between the parents witnessed by the children, faulty upbringing methods, and insufficient control of the child's behaviour are all factors that may have influenced the 'demoralisation' of children and have been mentioned in the publications of many researchers dealing with the determinants of juvenile delinquency that we mentioned earlier. We describe them in detail later in this chapter.

### ***Parenting inadequacy and lack of control as risk factors***

The right and constructive child-rearing environment has an immense effect on the development of an emotionally stable, mature member of society. In criminology, a great deal of attention is devoted to research studies on the impact of the diligence of parental care and, consequently, the parents' upbringing style

on juvenile delinquency. Hanna Malewska and Vincent Peyre list four parenting styles (Malewska and Peyre, 1973, p.78.):

- protective (characterised by diligent care and the use of lenient punishments),
- authoritarian (careful supervision combined with severe punishments),
- laissez-faire (poor or no care and lenient punishments), and
- chaotic despotism (poor care alternating with periods of no care combined with harsh punishments).

Eleanor Emmons Maccoby and John A. Martin additionally list the rejecting-neglecting style (Wysocka and Ostafińska-Molik, 2015, p. 59), characterised by a lack of parental involvement, a failure to show affection and make demands, and a lack of support, including a lack of information. This is the so-called inconsistent upbringing. Kazimierz Pospiszyl and Ewa Żabczyńska (1981, p. 55) also discuss this latter parenting style, suggesting that it is typical for families in which the parents have divergent views on parenting. The child is sometimes treated too leniently and gently and sometimes too harshly. The features of such upbringing are clearly shown in the words of Piotr (35 years old):

***And how did parents react to what was going on?***

*It's not that they didn't give a fuck, they just were a little concerned, they didn't say 'don't go to school', they told me to study, but I did my thing. Sometimes my father hit me with a belt, as you used to be able to do.*

Because of these contradictory messages, the child does not know which rules to follow, which leads to inevitable behavioural problems. These two styles of parenting can be considered abnormal parenting masquerading as inefficiency (or ineptitude). The term is readily used by educators and family courts. It includes inconsistency in upbringing, where unrestrained love for the child, resulting in a lack of boundaries, is combined with lack of interest in the child's needs and world, as well as lack of support.

The failure to supervise the leisure time of minors, which has an impact on their later delinquency, was observed much earlier. Describing research conducted in the first half of the 1970s on a group of 100 recidivist minors, Zofia Ostrihanska claims that the problem of spending leisure time in socially disapproved patterns was an effect of insufficient supervision by adults over the minors' activities (Ostrihanska, 1975, pp. 129–154). Our findings show that although fathers of minors have a more frequent unfavourable assessment in the files than do mothers, the accusation of 'parenting ineptitude' is much more frequent with respect to mothers. This is likely because fathers are entirely absent from the lives of many minors in terms of upbringing or because the accusations made against them are more serious. One might also be inclined to conclude that it is mainly women who are expected to nurture and, more often than not, a certain parental role model associated with 'ineptitude' is attached to them. If, as in the case of

our study, the probation officer writes that the father drinks and uses violence against family members, they generally no longer comment on the father's parenting insufficiency, although it is difficult to consider an alcoholic who beats his wife and children to be a coping parent. The fact is that the ways in which the surveyed recidivists spent their free time with others were not always widely approved of by society. One of the key problems was precisely the lack of proper control over the minors' leisure time activities on the part of their parents or legal guardians. It turns out, however, that the lack of parental control is not necessarily something that occurs in dysfunctional families but is perhaps the experience of a large group of contemporary youth. A study by Marta Dragan conducted in 2013 with 86 junior high school students (48 girls and 38 boys) found that almost half of the respondents (44%) claimed that parents were not at all interested in the way they spent their free time (when it came to monitoring their free time, the respondents indicated an interest by 34% of parents, 13% of grandparents, and 9% of siblings) (Dragan, 2013, p. 26). According to the author, the absence of proper supervision and parental involvement is linked to the risk of inadequate transmission of positive values and role models. In such a situation, the obligation to raise the child is transferred from the parents to the social environment of the child, including the 'street', leading to the inculcation of socially unacceptable behaviour (Dragan, 2013, p. 27).

Przemysław (36 years old) indicated his mother's efforts to control how he spent his time away from home:

*They always came for me, they always whistled. I lived on the fourth floor, my mother never wanted to let me outside, I would run away barefoot. Let's say I slept at my friends' house, we went to some allotments, to some swimming pools, for some out-of-town excursions, to the seaside, because it's close from my house to the sea. We used to spend time like that, er, playing Pegasus, which used to be trendy, Mario Bros. And drugs, first of all, solvent, that was kind of the main trigger in my young life.*

In contrast, 30-year-old Kamil and 36-year-old Grzegorz described abject lack of supervision, which involved actual abandonment by their mother in their teenage years:

*That's when the party started for me, because I already had my own flat. And at the age of 16 you know how it was. ... And I had a flat to myself every day. When I had the place to myself, someone came over every day. It was a huge temptation to drink, to have parties, and so on. That didn't turn out to be a good thing either. But nobody can take away my experiences (Kamil 30 years old).*

*I mean, it was, but when she [mother] went to that friend's place to drink, she wasn't there anymore because she wasn't interested in me, e.g., I went to her place, where she was drinking at that friend's place, I went to her place, and sometimes she asked me: Why did you come here? (Grzegorz, 36 years old)*

Neglecting the fulfilment of parental roles, while at the same time failing to apply constructive punishments<sup>5</sup> for misconduct, may contribute to social maladjustment. Sometimes the respondents themselves, in retrospect, assessed that there was too little parental control in their lives, as in the case of Damian (33 years old):

*My mum always wanted to be nice, as mums always do, and she also allowed me to do too much in my life, as a teenage child. I think so now, from this perspective. Because she could have kept me on a bit shorter leash, so to speak. Well, but she wanted to be a good mum I guess. Well, yes, she wanted to be.*

The analysis of the quantitative data (Table 7.3) shows that some of the parents of juveniles who had cases in family court had low parental competences. However, there is no statistically significant difference<sup>6</sup> between those who committed crimes in adulthood and those who were not punished for them: the parents of those who continued to commit crimes in adulthood did not have inferior parenting skills.

As for parenting ineptitude, it is all the more troublesome if it is a feature of the parents of a 'difficult' child. Children who, due to neurological deficits, suffer from ADHD and are therefore prone to angry outbursts need firm and consistent discipline more than others, which helps them to function better. Unfortunately, sometimes their parents are inconsistent, impatient, and easily irritated, which makes their child's problems worse instead of helping them (Moffitt 1993, p. 681).

When describing how they were brought up or not brought up by their parents, the respondents also named lack of parents' interest in how and with whom they spent their free time, insufficient supervision, and non-existent transmission of moral and cultural patterns. Parents either were not interested in their children or had a very superficial interest, they were inconsistent, and their behaviour toward the child was passive and somehow resigned.

**TABLE 7.3** Parental inefficiency and the continuation of criminal careers into adulthood

	<i>Parenting incompetence of the mother</i>		<i>Parenting incompetence of the father</i>	
	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>
No convictions as an adult or committed one crime	218	59*	42	11**
A criminal record	161	59***	29	14****

\* Percentage calculated from 371: all persons in this category for whom there was the mother's assessment.

\*\* Percentage calculated from 384: all persons in this category for whom there was the father's assessment.

\*\*\* Percentage calculated from 270: all persons in this category for whom there was the mother's assessment.

\*\*\*\* Percentage calculated from 207: all persons in this category for whom there was the father's assessment.



These observations are very much in line with the findings of Hirschi and Gottfredson, who in their general theory of control showed that the problem of lack of self-control is closely related to inadequate parental care: insufficient care, discipline, and socialisation. They clearly state that the main cause of low self-control leading to delinquency is ineffective parenting (Gottfredson and Hirschi, 2009, p. 244). They consider the minimum actions that should be taken by parents and guardians to be the constant supervision of the child's behaviour, the recognition of the child's deviant behaviour when it occurs, and the readiness to punish the child in such a situation (Gottfredson and Hirschi, 2009, p. 245). Low self-control is found in children whose parents do not adequately fulfil their roles: they may not care about their child's life and functioning, or they may be interested in their child but for various reasons may not have the time or energy to supervise them properly. Even parents who are attentive and watchful may see nothing wrong with their children's behaviour, trivialise it, or lack the will or resources to punish them (Gottfredson and Hirschi, 2009, p. 245). Examples of such inefficiency in parenting were constantly manifested in the stories of the men we interviewed.

Insufficient attention to the fate of the child and inability to seek help were also symptomatic of the stories of respondents who said that their families tacitly consented to their use of psychoactive substances and did not make the necessary immediate attempts to fight the addiction, as Rafał (32 years old) mentioned:

*And I had a loose rein, too. ... So within six months I lost my father and my brother. And ... I ... I also got into this, I guess you could say, this kind of rebound. Those drugs and thievery, right? (...) Well, I smoked nonstop then. Until I was locked up at the age of 11. [Laughs]*

In a recent study by Justyna Włodarczyk-Madejska, 32 (out of 397) minors whose cases were examined<sup>7</sup> were addicted to various substances. Most of them were addicted to alcohol, followed by intoxicants (marijuana and synthetic street drugs). In more than 40 of the subjects, a correlation between unlawful behaviour and the use of stimulants was observed, and in 28 of them, the problem of the use of psychoactive drugs, which are harmful to health, was identified (Włodarczyk-Madejska, 2019, p. 114).

Our research yielded yet another conclusion. It was evident from the interviews that, at least in some instances, parents behaved as if they were aware that their child was turning to crime and yet pretended not to know about this (and sometimes even profited from it, as the proceeds fed into the household budget). Respondents interpreted their parents' turning a blind eye and not trying to react as a clear sign of their acceptance of crime being an element of their lives. This was the comment made by Paweł (30 years old) when asked when his parents started to realise that the money he was bringing home probably came from crime:

*I think that earlier, much earlier, when we were still living in that rough housing estate, when they saw that I had money, and at the same time I was going to school,*

*passing from class to class, and they saw that I wasn't working anywhere, they knew where I got this money. But I think they didn't want to talk about it.... They tried to find out where the money came from, where I got a new phone, new shoes, new clothes, etc. ... They didn't want to know where the money came from. ... They didn't want to believe me, but they just left it at that.*

Arkadiusz (35 years old), who recalled his parents' reaction years later, made similar comments:

*And my father always just says: 'Don't do this or that'. That's it. That was the end of it. He would say something like that from time to time, but they also benefited from it when I brought money from crime, you know. My parents ..., when I brought money, ... they didn't ask where it came from. It wasn't important anymore, was it?*

Helena Kołakowska-Przełomieć was right to point out that if a minor causes behavioural problems, the parents become discouraged. They react to such misconduct with anger, punishment, and emotional rejection, and this, in turn, amplifies the behavioural disorders in the minor and provokes them to run away from home and to engage in unruly behaviour (Kołakowska-Przełomieć, 1978, p. 323). The lack of bonds, and hence the lack of parental social control over the child, is one of the most salient factors causing the child to enter the criminal path (Kacprzak, 2014, pp. 7–8). The impaired bond with parents, which, as a consequence, subjects the child to being raised by other socialising communities such as a peer group, can have a negative impact on the formation of the individual's personality.

A further symptom of helplessness was the parents' abandonment of all efforts, as indicated by the respondents, in the belief that 'someone else will bring up their child' or that the only good and effective punishment, as well as an educational method, will be placing the juvenile in a penal or correctional institution. Simultaneously, the parents' withdrawal meant that their fears about the criminal future of their children, whom they were unable to deter from delinquency, came true. The respondents saw this attitude as a critical point that the parents reached and a sign of their total surrender in further child-rearing efforts, so they were left to fend for themselves. The interviewees' perspective on the moment of their parents' 'giving up' is well illustrated by the statements of Paweł (30 years old), Krzysztof (28 years old), and Wojciech (36 years old):

*I think they didn't want to talk about it, they thought that someday, someday I would be sent to ZK [a penal institution] and I would stop doing it, I think that's what they were hoping for. (Paweł)*

*Well, later my mum started to get annoyed, she started to make comments. But finally she said that if I don't take care of myself, no one will. That I wouldn't be a child forever and that in the end, I would end up in prison when I turned 18. (Krzysztof)*

*My mother, not grandma, but mother worked all the time, she realised that this would happen one day. My father was also in prison almost all my childhood, I think, I can see it now, that she realised then that it would happen eventually. There wasn't any great surprise, of course there was crying and talking, why. (Wojciech)*

To sum up, it was the absence of suitable role models at home, as well as the failure to spend enough time with parents, that recurred in the respondents' statements in the context of factors influencing their lifestyle choices. This was well summarised by 30-year-old Paweł: *'Nobody spent that time with me and I ended up where I ended up'*.

From the analysis of the data collected in the research, it is possible to distinguish other difficulties that cropped up especially in the families of the men we interviewed. The subjects raised the following points in particular: alcohol abuse by parents, behavioural problems, deviant behaviour and sometimes even delinquency of siblings, lack of proper role models and authorities in the family, parents' tolerance of their children's deviant behaviour (e.g., using stimulants), parents' 'turning a blind eye' to their children's behaviour that should be a cause for concern (e.g., money appearing from unknown sources), and in exceptional cases even introduction of minors to illegal activities.

A very important finding of our study is that almost none of the risk factors we identified (parental alcoholism, parenting inefficiency, lack of interest in the child, family abuse, previous criminal record of the parent, deprivation or restriction of parental authority<sup>8</sup>, and other factors such as mental illness of the parent) were individually statistically significant<sup>9</sup> in whether or not the person committed two or more criminal acts in adulthood. What was statistically significant,<sup>10</sup> however, was the conglomeration of these negative characteristics that amounted to the poor reputation of the parents. Thus, it appears that individual risk factors within the family may be balanced by other factors but that their accumulation considerably increases the risk of becoming a chronic offender.

### ***The role of the mother in the respondents' lives***

Persons surveyed in 2015 judged the stereotype of the 'Polish Mother' to be utterly anachronistic and associated it mainly with the image of a woman-sufferer, sacrificing herself entirely to the affairs of her husband and children. In their opinion, in modern days, a good mother must be tender and loving and build good relationships with her children, but she must not be overprotective and must set boundaries for her children, while giving them increasing freedom with time (*Společna rola matki* [the social role of the mother] 2015, p. 9). Social expectations of the role of a mother are enormous therefore, and sometimes women find it difficult to meet them for various reasons: they were incompetent parents, they lacked of proper role models from home, or they were the only parent responsible for the maintenance and upbringing of children. Our interviewees often emphasised that only the mother was in charge of raising them.

Sometimes the father did not live at home while they were growing up because, for example, the parents had separated or the father was in prison or was dead. One of the most highlighted differences in the interviews was the different role parents took toward the children's misdemeanours and unlawful behaviour. The attitude of parents to the minor's gradually progressing and deepening demoralisation was what differed most. The respondents were much more likely to observe and recollect their mothers' attempts to support them than those of their fathers. The mother, in the eyes of the respondents, was usually the one who tried to stop them from becoming criminals, tried to take care of their basic needs, and guarded them against skipping lessons and ultimately dropping out of school or becoming addicted to psychoactive substances. Drawing on their memories and impressions of their mothers' attitudes, they described them as follows:

*My mother was always very supportive of me and would go out of her way to rescue me, to dress me ... (Kamil, 30 years old)*

*After some time, mum started to realise that something was wrong, because I would start to be aggressive, I felt bad, I would disappear, I would be gone for three days, or for a month, or for two days, because I would rent a room or a hotel, if I earned more money from stealing. My mum tried to straighten me out. (Michał, 27 years old)*

While respondents did not identify the very breakdown of the family as a factor in their deepening conflicts with the law, the absence of the father and being raised only by the mother, in their opinion, contributed to her lack of success in helping them. Based on the testimonies of our interlocutors, the burden rested on mothers not only to raise them but also, most of all, to provide for the family. As women very often spent most of the day at work, they had no real control over how their children organised their time. One respondent commented astutely on how he perceived his mother's and his friends' parents' efforts to help him when he was a teenager. He described the meagre impact of their outreach as follows:

*I know from experience that as there are 50 of us on the ward here, at least 40 of us have the same story, that mum is supportive, mum follows you to the police station, picks you up when you're young, fights for you, tells you don't do that. You see your mum an hour a day in those days, of course, and the rest you spend with your friends. Mum has no influence on anything. (Kamil, 30 years old)*

There was one more issue that emerged in the interviews. The respondents also pointed out that although their mothers had made attempts at parenting, they felt that these were largely fruitless.

Some of the subjects' mothers had no idea how their sons were spending their time. There were various reasons for this, ranging from the minors'

deliberate concealment of what they were doing (usually to avoid having to admit to behaviour that the parents had never approved of) to the mothers' failure to notice the children's growing demoralisation due to her busy schedule or total absorption in other activities. Our respondents described this situation as follows:

*My mother usually only found out at the last moment, when the police detained me. So I rather didn't tell my mum, I didn't want to upset her. (Krzysztof, 28 years old)*

*Too much free time, well, my mum brought me up on her own, she didn't supervise me .... In my opinion, it was a bit of a dysfunctional situation. Not on the part of my mum, because my mum couldn't do anything, I would run away from home, she simply had no control over me, but I was brought up in such surroundings that I took the example of older people, older friends. (Maciej, 31 years old)*

*There were no authority figures. There was no such thing. I was my own authority. I loved my mum, I respected my mum and so on. But I felt like an adult at that time and I claimed that no one had the right to tell me anything, that I knew how I was going to act and whatever my mum said, I claimed that I was not a child and I was going to choose my own path. (Kamil, 30 years old)*

Using the quantitative data collected, it was possible to observe a very significant regularity when it comes to the attitudes of the mothers of the subjects studied (Table 7.4). In the perspective of further criminality in adulthood, it is statistically significant whether the mother had a positive or negative parenting assessment issued by the various services involved in juvenile court proceedings. In our research, a negative assessment is not always tantamount to the social image of a 'bad mother'. In 2015, the Regional Centre for Social Policy of the Silesian Voivodeship conducted a qualitative study about the social role of mothers. Its participants believed that the term can be applied to mothers who neglect their children, who are selfish, but who are also overly protective.

According to the respondents, a 'bad mother'<sup>11</sup> is also an alcoholic, an immature person, and one who lacks adequate knowledge on how to care for

**TABLE 7.4** Parenting assessment of the subjects' mothers and the subjects' subsequent criminal record in adulthood

	<i>Assessment of the mother</i>					
	<i>Positive/neutral</i>		<i>Negative</i>		<i>Total</i>	
	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>
No convictions in adulthood	780	71.6	310	28.4	1,090	100
One act in adulthood	117	66.5	59	33.5	176	100
Criminal career	256	48.8	269	51.2	525	100

a child or is aggressive toward a child (also verbally). Men<sup>12</sup> who took part in the same research were more reserved in their judgments, pointing out that a mother's mistakes do not exclude her love for her children, and, therefore, as long as they do not endanger the child's life, there is no reason for such a label (*Spoleczna rola matki* [the social role of the mother] 2015, p. 9). In our study, which was based on a quantitative file analysis, we classified as negative characteristics of the mothers any features that adversely affected the daily functioning of the children in some way. These were ineffective parenting, alcohol abuse, lack of interest in the child<sup>13</sup>, imprisonment<sup>14</sup>, child abuse, and limited or no parental rights. Furthermore, the 'other' category (referring only to isolated cases) included characteristics such as no reaction to the child's delinquency, prostitution, and frequent change of partners. We also assigned a negative assessment to 25 mothers who struggled with mental health problems or had personality disorders, although this was the sole reason for assigning such an assessment in only seven cases. We believe, however, that the mother's schizophrenia or neurosis, mentioned in court records as a significant factor when describing the woman's daily functioning, must have a negative impact on their relationship with their child, even if the onset of the illness is by no means the mother's fault or conscious choice. As we mentioned above, the assessment about the mother and the presence or not of a criminal career is statistically significant.

Mothers serving prison sentences also have very different relationships with their children, ranging from a sense of strong connection with them to complete indifference (Błachut, 1981, p. 150). The reason for this variation may be, for example, that the child has to be placed in the care of other people. This, in turn, implies their different defensive attitudes. Some women, for example, may experience and perceive separation very strongly as a loss and be unable to come to terms with it, while others may be relieved to know that the child is being provided with everything that they could not provide (Schinkel, 2019, pp. 378–379). Some studies show that many women who were sent to prison did not do well in their role as mothers prior to their arrest, did not fulfil their responsibilities to their children, did not take sufficient (or any) care in raising them (Rzepliński, 1981, p. 34), or chose not to give up their criminal path, e.g., because of the need to earn a living for themselves and their children (e.g., in drug trafficking) (Schinkel, 2019, p. 377). In the case of our respondents, it is difficult to draw any conclusions, as only 11 mothers were serving prison sentences and 6 were raising their children<sup>15</sup> (these women's prison stays were in the past). Among the convicted mothers, two had abused their children, three had abused alcohol, and one had no interest in the child. Children of mothers with a criminal record had a difficult family situation: as many as eight of them had a father with a bad reputation, and six were brought up in poor housing conditions or in a children's home. Six of them committed two or more crimes as adults. Contemporary research also shows that having a mother who is serving a prison sentence has a stronger correlation with a child's later incarceration and

the experience of multiple forms of exclusion than does having a father in prison (Lee et al., 2016, p. 215).

### *Father's role in respondents' lives*

In Poland, practically until the 1990s, the role of the father was very conservatively perceived. His task was mainly to ensure the family's material well-being, while the roles of caregiver, educator, and nurturer fell to the mother (Włodarczyk, 2014, p. 94). This model began to shift some three decades ago not so much as a result of changes in the professional roles of women (who very often worked professionally in the postwar period, regardless of their social class) but mainly due to moral and social changes occurring in Poland as women aspired to more emancipation and the ability to pursue their interests outside the family. Many Polish studies show that the contemporary Polish father model is changing: father-child interactions, which used to be one-sided, are now increasingly bilateral, and the father is becoming more involved in family life and contacts with his children (Sosnowski, 2011, p. 210). Although Polish fathers are becoming increasingly committed to childcare and their relationship with their children is becoming more important to them (Włodarczyk, 2014, p. 136), their role still differs from that of mothers. They certainly dedicate less time to their children than mothers do, and their parenting methods more often leave much to be desired, as we write a little further on with reference to our study.

As far as the functioning of fathers who are physically present in their children's lives is concerned, Tomasz Sosnowski defined three models of fatherhood: the model of conscious and responsible fatherhood, which is characterised by active participation in bringing up and taking care of children and not dominated by the function of the breadwinner; the pragmatic model, in which the father's most important responsibility is to provide material security for the family and further their own professional career; and the emotionally absent father (Sosnowski, 2011, p. 213).

A very significant problem in the lives of our respondents, visible both in the quantitative research and in their statements, was the absence of the father: both total physical absence as well as emotional absence. Indeed, one in four minors (25.8%) who did not come into conflict with the law in adulthood and one in three (32.2%) of those who were sentenced as adults grew up<sup>16</sup> without fathers. On top of this, 8.3% of those convicted as adults and 6.3% of those without convictions grew up with stepparents. As for those with a criminal career, 34% were raised fatherless. It can therefore be seen that the physical absence of the father is correlated with the subsequent increase in illegal behaviour.

The absence of the father may be due to various reasons, including his death, the birth of a child outside a formal relationship, and the parents' permanent or temporary separation (Sosnowski, 2011, p. 79) (caused, for example, by the father's work abroad or by his stay in prison, as was the case for some of our study participants). When there is no father in the family, most of the responsibility for

the child falls on the mothers, as we wrote above. The findings of contemporary research clearly show that, compared to children whose parents have never served a custodial sentence, the children of incarcerated persons experience a much higher risk of economic exclusion, subsequent imprisonment, and many other forms of exclusion (Lee et al., 2016, p. 215).

As we mentioned above, the experience of having a parent in prison was (across all respondents) very rare. There were 88 fathers (5.8%) and 11 mothers (3.2%) serving prison sentences.<sup>17</sup> A father's stay in prison can have different effects on a child depending on the child's age, the attitude of the child's mother, and the quality of previous contact with the father (Rzepliński, 1981, pp. 30–36). An earlier study by Andrzej Rzepliński on long-term inmates revealed that the majority of prisoners assessed their relationship with their children as being the same as before the arrest, and there were even some who felt that this bond had strengthened. On the other hand, every fifth father admitted that his relationship with his children had weakened as a result of his stay in prison, and 7% had lost it altogether (Rzepliński, 1981, p. 107). It seems that in many cases the time factor was important: the longer the father stayed in prison, the more he disappeared from the children's lives, and the more they forgot him and gained new experiences in adolescence without his presence (Rzepliński, 1981, p. 108). Rzepliński (1981, pp. 119–120) writes that it is difficult to establish whether (and possibly how much) the father's imprisonment affects the behavioural difficulties and social misconduct of his children. His research shows that one in four children of the surveyed detainees had serious learning difficulties and truanted, and one in six caused problems at school (most often through aggressive behaviour toward other children or teachers). Only a small group (5 children out of 81) exhibited severe symptoms of social maladjustment, such as alcohol abuse, stealing, and prostitution. However, even in these cases, it is difficult to say whether the behavioural abnormalities were solely linked to the fact that the father was in prison, as in our study we could tap only into their own perspective, which was often highly idealised and which they probably copied from their fathers. For example, 34-year-old Sebastian made a clear connection between his father's imprisonment and the strong impact on the economic situation of the whole family and the beginning of his own delinquency:

*Dad just stole so we could have something to eat. And then he was in prison.*

***And how old were you when your dad went to prison?***

*Just at that age, six, seven years old, right? So he just went to jail and we didn't have anything to eat. And that's how it started.*

An incredibly significant experience, although not very common among teenagers in general or those in our study group, is the physical absence of the father caused by his stay in prison.<sup>18</sup> The imprisonment of the father, and thus the complete absence of his authority, was of great importance for a possible future criminal career. In families where the father is imprisoned, he is excluded from his child-rearing roles, and his authority declines. The entire burden of raising



children then usually rests on his partner, the child's mother, who may later become overprotective toward her children to compensate for the absence of the father, although our study participants did not mention the mother's overprotectiveness (Sosnowski, 2011, p. 83). The fathers of the respondents spent different amounts of time in prison, but there were also those who were permanently absent from their children's lives because they were serving sentences or consecutive prison terms, as in the case of Jarosław (34 years old):

*I didn't, I didn't know my father because I grew up without him? So.*

***So how old were you when your dad went to prison?***

*When I was born. My father served my whole life, 28 years.*

Wojciech (36 years old) had similar experiences: *'It's not that my dad is dead, it's just that my dad was in prison for the long haul, he was in prison all my childhood'*. Life writes various scenarios. One of the respondents, who was unable to get to know his father in childhood, met him as an adult in the prison where they were both serving their sentences. This encounter led to meetings, familiarity, and the birth of an emotional bond between father and son. We write a little more about the stay of the respondents' immediate family members in prison in the following section.

The physical absence of the father at home results in the children feeling lonely and lacking a male role model in the process of their upbringing (Sosnowski, 2011, pp. 80–81). This absence was often emphasised by the respondents who identified as the reason for their conflicts with the law their lack of a male role model and their 'different' upbringing model. Interestingly, the respondents could not fully explain which other parenting methods they were referring to, but they wondered how their lives could have turned out if the father had actually been present in their lives. They also often expressed the belief that their father's presence while they were growing up could have had a positive impact on their future lives. This was the point made by Bartłomiej (30 years old):

*I lost my parents when I was little. ... You always have a different upbringing, without a father, but it wasn't such an easy childhood, I didn't have one, when my father was gone, I had to cope somehow. ... I missed my father because of that. ... In the sense of upbringing.*

The respondents also described the palpable absence of one of the most important male role models in their lives during the most crucial period for the formation of a young person. They remembered the father only showing up to settle legal or financial issues with the mother, such as alimony duty. Dominik (36 years old) said:

*He used to come and there I remember that there were times when he would give some kind of cut-outs so that mum wouldn't report that he wasn't paying and so he would come, I think, amicably, to sort out the alimony issues. That is how well I knew my father.*

**TABLE 7.5** Assessment of the subjects' fathers and the subjects' subsequent criminal record in adulthood

	<i>Assessment of the father</i>					
	<i>Positive/neutral</i>		<i>Negative</i>		<i>Total</i>	
	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>
No convictions in adulthood	577	59.2	397	40.8	974	100
One act in adulthood	80	51.3	76	48.7	156	100
Criminal career	185	38.9	290	61.1	475	100

As with the mothers of our study participants, it is statistically significant for criminal behaviour in adulthood whether the father manifested certain negative traits. As far as individual undesirable characteristics are concerned, as we mentioned above, only limitation or deprivation of parental authority was statistically significant.

Although more than half (56.3%) of the fathers of juveniles in the entire study population had a positive or neutral assessment, only 39% of the fathers in the group of subsequent recidivist offenders had a positive or neutral assessment (Table 7.5).

It is therefore worth examining the model of the absent father as described by Sosnowski, cited above. According to his research, fathers from this group are physically present in their children's lives; however, they neither sufficiently support the family financially nor are involved in the care and upbringing of their children, and they do not show any affection to their children (Sosnowski, 2011, p. 213). Moreover, they do not perform any or almost any household duties, and some of them abuse alcohol. Fathers who are emotionally absent try to establish their authority by using punishment: shouting, name-calling, and humiliation (Sosnowski, 2011, pp. 217–218). Likewise, some interviewees did not notice their father's physical presence at home exactly because of the lack of any relationship with their father, which resulted, for example, from his alcohol abuse and his complete dissociation from the family and its problems, as mentioned, for example, by Daniel (36 years old):

*My dad wasn't a criminal and all that, but he drank. He didn't take care of me either.*

***And did your dad work?***

*Yes, he worked in the underground car park.*

***And your mother?***

*Mum was at home with us.*

***And dad wasn't at home with you?***

*He was, but he was away often, he worked three shifts, night shift and slept at home. (...) And on top of that, he drank.*

We know from research that alcoholism affected at least<sup>19</sup> one in five fathers. As far as the problem of alcohol in the respondents' families is concerned, when describing quantitative data, it should be borne in mind that they come mainly from probation officer interviews. The information about any family member's habitual drinking probably appeared only when the problem was so serious that family members were ready to share such information with the probation officer or when the people around them, such as neighbours, knew about the alcohol abuse. Nevertheless, there is a large discrepancy between the alcohol abuse of fathers and mothers. Alcohol abuse occurred in 20% of the fathers and less than 7% of the mothers, with half of the families in which the mothers drank also experiencing alcohol abuse by the father. Other than Daniel, also Andrzej (50 years old) and Rafał (32 years old) mentioned such situations in their interviews:

*With my father, no. Yeah, we used to meet, but my father was a compulsive alcoholic. He didn't work at all, he just ... drank, drank. He drank heavily. (Andrzej)*  
*There was alcohol in the house, you know? Mum was already drinking, dad wasn't at home when he was working. But when he came he sometimes drank too. (Rafał)*

The issue of the father's drinking, however, is more often mentioned in the statements of the research participants in the context of his palpable absence. His alcohol addiction made it impossible to establish rapport and bonds with the underage child. *'And my old man drank too. He would drink it all. He died, he dropped dead like a dog at the age of 52. I don't talk about him at all, because it's a waste of breath, he's out of my mind'* (Artur, 50 years old). It is worth recalling here that quantitative studies show that the single factor of alcohol abuse by either parent was not statistically significant in the context of engaging in criminal behaviour in adulthood.

Not all minors were brought up by a single mother, but when the father was present in their lives, according to the respondents, his role was much smaller or even nonexistent, which often had to do with the weak parent-child bond and the difficulties in establishing it.

The father's spiritual absence may result from lack of time (e.g., heavy workload) or unwillingness to take up the role of a father as well as from poor parenting skills. This may be caused by the father's emotional immaturity or his low education (Sosnowski, 2011, p. 87) or his lack of appropriate upbringing patterns from his home. Although traditionally 'parental inefficiency' is ascribed to mothers (e.g., by probation officers), in our study the father's parental inefficiency was found in 152 cases (approx. 10%). One of the respondents, when asked what contributed to the fact that he ended up in a detention facility, replied: *'Well, because my parents did not take care of me at all, they drank. And then I started drinking too, that's how it started'* (Radosław, 34 years old).

On the other hand, two respondents spoke of being drawn into crime by both their father and their mother's friends:

*I used to go with my dad. Dad pulled the wires off the pole, and I stood guard. That's the only way he taught me. (Arkadiusz, 35 years old)*

*When dad hung himself and mum was all alone, that's when I started. My mum's friends started coming there. Older ones, you know, but they were already thieving, not really thieving. That sort of nonsense. And once they took me on a job. I earned money. I liked it. Easy, quick cash. Without this job, I would have had to work for a whole month, and here I had it in a week. Let's say PLN 1,500. Just like that. (Jacek, 35 years old)*

Interestingly, one of our interviewees poignantly recounted his father's lack of interest and identified it with being unable to turn to him with any problem as a child. In his view, his father's involvement in family life could have protected him from going down the criminal path:

*Father wasn't interested at all back then. I don't think he was at home even then. And the lack of such a father also caused ... I ... instead of .... For example, now, if my son had a problem, which he doesn't have but maybe he will one day, I would look into the matter and sort it out, like a father would, and it wouldn't be like he would go to his friends and try to talk to some pinheads who would say 'OK, let's have a drink and everything will be fine tomorrow' or 'let's have a cigarette' or 'let's do something', 'you'll see, we'll make some money, it'll be fine'. (Karol, 40 years old)*

### **Crime, problems, and deviant behaviour of siblings**

Piotr Kryczka writes that 'major life problems do not occur in children and adolescents by chance. Leaving aside the very rare cases of mental disorders, they are mainly created by the family environment' (Kryczka, 1976, p. 177). In Polish literature, a *multi-problem family* is defined as a family with many abnormalities in the sphere of social functioning. Many authors consider alcohol abuse by family members, involvement in criminal or deviant activities (e.g., prostitution), and neglect of young children to be the most burdensome. It is also crucial that these dysfunctions in a multi-problem family do not affect just one member, but several of them—and sometimes even all or almost all of them, including children (Kossowska, 1982, p. 291). The issue of multi-problem families in English-speaking countries, however, is viewed mainly through the angle of social welfare rather than criminology. Authors point to the simultaneous occurrence of such features as neglect, domestic violence, substance abuse, educational failure of children, and mental illness in these families (Asen, 2007), not to mention crime. According to Hirschi, cited above, the *laissez-faire* style was the most common in this specific population, in which not only the studied offenders but also their parents and siblings have problems with the justice system and with conformist life in society. In the lives of the respondents we interviewed, the problems of teenage siblings were mainly related to common contacts with degenerate groups, stays in correctional and resocialisation institutions, educational problems including repetition of grades and studying in a special school, and alcohol or drug abuse as well as committing crimes. The

occurrence of multiple problems in the families of minors, with respect to both their parents and their siblings, was highlighted by Włodarczyk-Madejska, who analysed 397 minors against whom the courts imposed final detention measures in 2014. One of the scholar's most significant insights was the similarity between the fates of the respondents and their siblings, which manifested in the stay of the minors' siblings in correctional institutions (64 examined cases) and in juvenile detention institutions (62 examined cases) (Włodarczyk-Madejska, 2019, pp. 115–116). Similarly, some of the men participating in our study drew attention to specific behaviours and traits characterising their siblings and indicated that they had committed minor or major crimes together, as well as staying together in different institutions, as mentioned, for example, by 34-year-old Radosław:

*The third brother is somewhere in a foster family, so I don't even know where he is .... I think I only saw him once when I got out of prison, but I never saw him otherwise. So many years have passed already.*

The men also mentioned other problems that affected their siblings such as substance abuse, causing trouble, and even conflicts with the law:

*I mean, I have a younger brother, he's ... 28 years old. An alcoholic. He has already had alcoholic epilepsy for 9 years. He has also been drinking for quite a long time. (Radosław, 34 years old)*

***So one more time, you started causing trouble at the age of 11, how old were you when your father died?***

*Eleven. But before that, I'd already done some ... offences, and some excesses, because my brother was still alive and, in a way, he introduced me to the older crew. (Rafał, 32 years old)*

***Has anyone else in your family gone down this criminal path?***

*My brother ... got two years suspended for three, and three years absolute, and my friend was still underage. (Bartłomiej, 30 years old)*

During the interviews, Bartłomiej (30 years old) and Jacek (35 years old) mentioned that they sometimes took full responsibility for not only their own offence but also that of their siblings:

*And my brother was hanging out somewhere with junkies, I told him 'don't go for it, it's because of them', right? Because of them, if it wasn't for him and some other guy, I wouldn't be in prison either. Because they came over, and so it started .... We were walking home and the fight started. With the neighbours who moved in recently, right? It wouldn't have happened like that, my brother wouldn't be locked up here with me, I mean I took it all the blame. Because I saved my brother and my friend back there. And so I'm locked up here, so I mean, I'll take it all on myself, because my brother's not like that yet.*

*Yes, and my brother too, my brother left the children's home. I haven't had any contact with him for eight years either. And with this one, with this one sister (...) there's also a situation that she was on job 10<sup>20</sup> with me. I took it the blame for her, so that she would not go to jail.*

Another feature that was evident in the interviews with our respondents was the search for a kind of authority in older siblings, which was lacking mainly from parents but also from other persons and institutions. The inappropriate role model of an older brother or sister, from whose behaviour the minors drew their example, was a frequent theme during our interviews. Men mentioned imitating their siblings and treating them as their 'idols'. Sometimes they were also the people who introduced them to the world of crime: *'Only earlier I had, I had already committed crimes and, and also such excesses, because my brother was still alive and, in a way, he introduced me to the older crew'* (Rafał, 32 years old); *'Maybe I wanted to become a bit like him [my brother], maybe it was also influenced by that, truancy, messing around, maybe it was also influenced by that'* (Piotr, 35 years old).

### ***The socioeconomic status of the family***

Folk wisdom says that 'poverty makes the thief'. However, the outcomes of criminological research are far from unequivocal, positive validations of this claim (Kiersztyn, 2008, p. 15; Klaus, 2013, pp. 114–139). Self-report studies of British youth show that the socioeconomic status of families in which juvenile offenders were brought up generally did not differ significantly from that of youth who did not come into conflict with the law. Crimes were committed more often by children of the unemployed and working class (but not of the lower working class) and slightly less often by children growing up in the lower and upper middle class. The only significant difference concerned theft. In this case, the lower the economic status of the family, the more often the children committed this act (Wikström and Butterworth, 2006, pp. 64–65). This finding is therefore consistent with the concept of relative deprivation as a risk factor for crime. In fact, as early as the 1960s, it became apparent that it may not be poverty, including the shortage of necessities such as food (absolute deprivation), but social inequalities and the lack of things expected in a peer group, such as designer clothes (relative deprivation), that influence crime. The point is that the individual evaluates their material situation not objectively but in relation to other members of society. The sense of deprivation is born from the belief that others have more valued goods. This, in turn, breeds jealousy and anger, which are all the more powerful, the more inequalities are perceived as unjust or irreversible (Kiersztyn, 2008, pp. 51–52).

In studies on minors from the beginning of the 21st century, detailed data on the material situation of their families were not collected. This would not have been useful, first of all, because even where information on monthly family income was provided, it was based solely on declarations by the parents, so it would be difficult to consider it as reliable and comparable. We know from the description of studies

from that time that, with regard to girls, in 65.5% of cases where it was possible to collect data on family income, the income per person in the family did not exceed PLN 400. In only 13% of families, the monthly income per person was higher than PLN 700 (Woźniakowska-Fajst, 2010, p. 242). The results of Rzeplińska's research from that period also suggested that the material situation in the families of minors tried for committing criminal offences was worse than in average Polish families.<sup>21</sup> Hence, a more objective factor that was used by researchers at the time to assess the economic situation of the families of minors was information on the housing conditions in which they were brought up.<sup>22</sup> Individuals who lived in poor or very poor conditions, as well as those whose living conditions were better (functioning toilets, access to running water, or secured electricity) but who lived in institutions such as children's homes or single-mother homes, were statistically notable groups. In the transition generation, it was every fourth person and in the millennial generation, almost every third person, with the situation of underage girls seeming to be the best (only 19% lived in poor or very poor conditions or in institutions) and the situation of the youngest minors being the worst (44% lived in such housing).

A disadvantaged material situation could thus be one of the reasons why minors commit crimes against property. In the group of underage girls, cases have been observed where the motivation to steal was the underprivileged material situation at home and the desire to possess an item that could not be purchased with the family budget. On the other hand, Witold Klaus, who studied the prohibited acts of the youngest minors (up to 13 years of age, i.e., youngest minors with the worst prognosis) notes that in 44% of the perpetrators' families, the living conditions were described as 'bad' or 'very bad'. This means that there were many people living in one room, the minors sometimes did not even have their own bed or a separate place to do homework, and the flat was equipped only with basic appliances, dilapidated, or neglected (Klaus, 2009, p. 248). During the interviews, some of our interviewees openly stated that the thefts they committed when they were minors were due to poverty. Occasionally, the stolen goods were the only means of survival for some of the respondents. The basic needs of children, whose fulfilment was dependent on committing thefts (both from shops and from allotments, private orchards, or ponds), included absolute deprivation and the need to satisfy acute hunger, as our respondents Rafał (32 years old), Sebastian (34 years old), and Dominik (36 years old) indicated:

*Because when I was young, if I didn't steal, I didn't eat lunch, breakfast or dinner. I had to go and steal ... (Rafał)*

*there was some poverty at home and we started to steal, right? Just to survive. Not to be hungry, you know? (Sebastian)*

*Yeah, well, mum did everything to make it as good as possible, but there wasn't enough, there wasn't enough, because mum was alone, and there were three of us, so there wasn't anything to eat, for example, right? There were moments like that. So I think, I don't know where it [committing crimes] came from, I wonder myself sometimes and I don't know. I think out of poverty, out of poverty and well ... (Dominik)*

Very young boys also felt sometimes that they should contribute to the support of their family, which was struggling with a difficult financial situation. Men participating in the study mentioned that they helped to pay their parents' bills (electricity, gas) or financially supported their younger siblings who were still dependent on their mother and father. This help was accepted by the parents, and as we wrote above, the parents did not always wonder where the teenager actually got the money. Nevertheless, apart from such extreme cases, poverty was one of the motivations for stealing also in situations where it was not a matter of satisfying hunger and the adolescents showed different signs of relative deprivation, as 30-year-old Paweł confessed:

*You know how it is when you're 13, you want new shoes, you want a new ball, you want a new phone and so on. Everybody at school had one, but I didn't. And that's how it was. And that's what it was like. And this crime ... then I started stealing with my friends, [because] they were in a similar situation too.*

Paweł's recollection is a perfect illustration of the concept of Hirschi and Gottfredson, who argue that people with low self-control seek immediate gratification of immediate needs with little effort. Of course, such a deed involves risk, but while the gain is obvious and immediate, the risk is less obvious and more abstract, and the possible consequences are remote (Gottfredson and Hirschi, 2009, p. 243).

The family's economic situation, especially poverty, unemployment, and the mother's lack of professional career, was already studied by researchers of juvenile delinquency in the 1960s. Ewa Kiliszek (2013, pp. 215–216), who reviewed the most important Polish research on the risk factors of adolescents entering the path of crime, identified the studies of many authors who considered a difficult material situation to be the root cause of later criminal careers of minors (Batawia et al., 1958; see Ostrihanska, 1978; Ostrowska, 1981; Woźniakowska-Fajst, 2010; Żabczyńska, 1983).

Parents' lack of regular work was a problem in many families in our sample population of minors. Parental unemployment, however, was different for the transition generation and the millennial generation. The state economy before 1990 was actually governed by the obligation to work. In January 1990, the unemployment rate in Poland was 0.3%<sup>23</sup>, while in 2000 it reached 14%, on average, for the whole year.<sup>24</sup>

However, the official unemployment rate does not capture the actual number of people who are out of work. We should add the unregistered unemployed to the registered unemployed, along with those on a disability benefit or a pension. In the population of women, there is also the group who do not work because of the need to care for children or dependent family members.<sup>25</sup> Such situations were also indicated by our interviewees:

*My mother. She didn't go to work either. Because she had to take care of everything. She had to take care of dad, didn't she? (Dominik, 36 years old)*

*My father worked, my mother didn't work .... There were six of us. So there was a lot to do. (Zbigniew, 35 years old)*



Our research shows that one in four mothers did not work in the transition generation (however, more than half of this group was retired or on pensions), and 29% of fathers were unemployed (22.5% were on pensions). In the millennial generation, almost half of mothers (47%) and 31% of fathers were without work, while the group of pensioners was a minority (Table 7.6).

If we compare the group of people who committed crimes one or more times in adulthood and those who did not, we see that, in the case of both mothers and fathers, the parents of future offenders were unemployed more often than were the parents of those whose unlawful activity was limited to the juvenile period, and this is a statistically significant relationship.<sup>26</sup>

Thus, the difficult financial situation of the family was often characterised by permanent or temporary unemployment of one or both of the parents. The absence of work by both the mother and the father was remembered by the respondents as a consequence of untreated alcoholism (resulting in the loss of work), the performance of only simple seasonal work (e.g., fruit picking), and chronic illnesses or accidents.

With regard to the male subjects who continued intense criminal behaviour into adulthood, having one parent supporting the family was an important characteristic of their financial situation. In their recollections of how the one parent was coping, the men indicated that they were busy (working several jobs or in several places) or on social welfare.

Another aspect of relative deprivation is the exclusion of the poor child from the school and peer group and its stigmatisation. It should also be added that relative child poverty is defined by UNICEF differently (and more broadly) than adult poverty. It is measured by the absence of only 2 of the 14 items on the list of indicators.<sup>27</sup> Some respondents actually indicated a lack of funds in the household budget to pursue leisure activities or passions:

*Nobody gave me the opportunity to go and play football or go climbing because I simply didn't have the money. That's why I stole. Because I couldn't pursue what I wanted to pursue anyhow. (Paweł, 30 years old).*

In the statements of the survey participants, there were sporadic expressions to suggest that theft was associated with the desire to live in affluence or to have better living standards. More often, however, it was the wish to possess the same goods as peers (for example, mobile phones, brand-name clothes and shoes, sports accessories, or access to stimulants):

***Do you remember ... your first crime, do you remember the beginning?***

*My first crimes started in basements, small burglaries, stealing bicycles, things like that.*

***Alone or with friends?***

*Actually, it was with friends.*

***But you guys were selling some of this stuff, then? The idea was to ...***

**TABLE 7.6** Employment of the subjects' parents

	<i>Mother* works</i>		<i>Mother unemployed</i>		<i>Mother on pension/ disability</i>		<i>Father** works</i>		<i>Father unemployed</i>		<i>Father on pension/ disability</i>	
	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>
No convictions in adulthood	770	59.4	406	31.3	122	9.4	772	71.0	183	16.9	130	12.0
One act in adulthood	111	57.8	67	34.9	14	7.3	106	66.3	22	13.8	20	12.5
Criminal career	327	52.5	242	38.8	54	8.7	307	62.7	108	22	75	15.3

\* Data collected for 2113 individuals.

\*\* Data collected for 1735 individuals.

*Yes, everything was traded to get money for cigarettes. (Jakub, 34 years old)*

*Alcohol also appeared at that time, maybe not in the sense that we drank vodka on a spree, but beer and wine were common. Also, in order to get money for it [alcohol] ... this is where these petty thefts came from. These thefts were some petty things from a shop, or, for example, there was a bigger theft of a bicycle. (Sławomir, 48 years old)*

## **The social environment: backyard and peers**

The social environment can imply a certain system of norms, values, and behaviours that regulates the functioning of individuals in a given place and can translate into a sense of obligation toward one's own space (Nóžka, 2016, pp. 120–121). The interviewees' total identification with the place in which they were raised, as well as their immersion in this local community's life, was evident in their interview statements.

What we mean by *social environment* is the people who surrounded our subjects (but from circles further than the family) and the places where they lived, as described mainly in the interviews. This is because the factors that have been defined by many researchers as contributing to the persistence in criminal activity included growing up in run-down, disadvantaged neighbourhoods and places where social disorganisation and neglect were prominent as well as having friends who were involved in unlawful activity (McAra and McVie, 2017, p. 629).

### ***Living space***

When analysing the social environment of the adolescents who participated in our research as adults, it is important to start with the space around them, especially the architectural space. The place where juvenile delinquents grew up was often an element influencing their attitudes and their leisure activities in a particular circle of friends. In studies on juvenile criminals, the living space of these teenagers is often described as heavily dilapidated and neglected. This situation is mainly caused by insufficient social control in the closest community. The lack of supervision is especially noticed by residents of poorer neighbourhoods, who associate security features (especially mechanical ones) such as gates, intercoms, or the constant presence of security guards with greater control over the flow and behaviour of people—and thus an increased sense of security (Nóžka, 2016, pp. 130–131). In social disorganisation theory, social disorganisation is said to occur in places that are characterised by the presence of litter in public spaces, derelict buildings, abandoned vehicles and car wrecks, groups of adults and adolescents loitering idly on street corners, drinking alcohol in public places, catcalling women, drug use, and the presence of prostitutes and beggars. In terms of social functioning, these physical signs of disintegration imply weak interpersonal bonds (among family, friends, and neighbours), the presence of numerous disorderly adolescent groups, different value systems, poverty, and frequent use of social welfare (Schneider,

1997, p. 21). Bogdan Jankowski and Wielisława Warzywoda-Kruszyńska also discussed the declining social interaction in disadvantaged communities and stressed that neighbours in such areas are more often a source of concern and struggle for access to goods than a source of support. This is exemplified by members of youth peer groups, which eventually become youth criminal groups (Janowski and Warzywoda-Kruszyńska, 2013, pp. 86–88).

The people we interviewed did not often mention the dilapidated elements of the local neighbourhood (perhaps they did not notice them). However, they did point out the presence of the so-called hot spots<sup>28</sup> near their places of residence where a much higher crime rate could be observed, along with a higher concentration of people who showed signs of demoralisation. When describing their area of residence, our subjects used terms such as ‘rough’, ‘difficult’, ‘aggressive’, ‘dangerous’, ‘pathological’, and ‘peculiar’:

*I would say, well, I ... come from such a district where seven out of ten people were in jail, you know? Yeah, there's no doubt about it' (Dawid, 36 years old); 'I live in such a ... neighbourhood, where only thieves live' (Arakdiusz, 35 years old); 'Because this was the group I grew up with from a young age. Yes. A block of flats. A lot of people. We used to sit on a bench. We grew up on a bench' (Dariusz, 40 years old).*

*To put it this way, I grew up in a rather rough area of Warsaw, in a rather dysfunctional community. ... Before that I was a typical boy from a dangerous neighbourhood, where aggression was commonplace and nothing mattered but us, our group. (Paweł, 30 years old)*

*Anyway, it was like we were standing there by the gate. Mum would always yell at me, she'd come back from work and fetch me from under the gate. We always went back to the gate anyway, you know?*

***And what did you do at the gate?***

*Nothing, we stood there. We stood there and that was it, that was the meeting, kind of. (Dominik, 36 years old)*

Poland is one of the countries where the so-called peer group syndrome is often strongly linked to the place of residence. Neighbourhoods typical for members of marginalised communities in cities are usually scattered in areas such as the environs of former state-owned farms and heavy industry centres, which 48-year-old Mariusz referred to:

*There are districts like Katowice Szopienice, Katowice Załęże .... Katowice is full of poor districts, because that's where they shut down, a lot of them, I used to count how many factories they shut down in Katowice and I knew more or less loads of people. So these people had to go somewhere. And they just took up something else, like coal or something, different, different things. And that kind of company, nothing else there, vegetating and living from day to day.*

is also a street convergence of smaller streets or alleys and run-down, old, and overcrowded tenement houses, as mentioned by 35-year-old Arkadiusz: *I live on*

*such .... Zakaczawie in general. Such a district, where only thieves live in general'. The atmosphere in these housing estates is well captured in the words of 30-year-old Paweł: 'It was common that we had perhaps 12 drug dealers in one housing estate, so in fact sooner or later I would find drugs'; and 50-year-old Andrzej: 'I lived in a rough neighbourhood, because I lived here in the ZWM quarter. It's peaceful now, but it used to be a rough neighbourhood. You ate your lunch and you hung out in this ZWM and you would scrounge for a beer for something'.*

Such areas usually mirror the scale and intensity of deprivation of their inhabitants, most of whom benefit from social welfare offered by local institutions situated nearby (Janowski and Warzywoda-Kruszyńska, 2013, p. 42).

In the literature, a typical Polish peer group with features indicating strong demoralisation are the *blockers*. This term refers to residents of blocks of flats who have certain characteristics, though it is not used to refer to all residents of blocks of flats. This group, which was also mentioned earlier by one of the respondents, is usually composed of people who live in prefabricated housing estates built mainly in the late 1970s and early 1980s. The residents are described as persons who are devoid of aspirations to become independent and whose only perspective for the future is often the same view from the staircase of their unchanging, deplorable neighbourhood. Blockers also have a very strong sense of community within the group and experience poverty, aggression, lack of education, and a sense of failure, which can be triggers for criminal activity (Michałowska, 2012, p. 160).

These, and other places where our respondents gathered (such as a bench, a gate, a street, a football pitch, a staircase, a block of flats, a type of school, or even a whole neighbourhood), were in their view already stamped with a kind of exclusion and were to determine their social position and later fate.

## **Peers**

The personality of minors is considerably influenced and affected by their immediate social environment: the community in which they live (Znaniński, 2001, pp. 85–86). The importance of the impact of the peer group on human development was already stressed by Florian Znaniński, who believed that '[m]embers of such a group bring into it the influences to which they themselves were subjected in their own family or neighbourhood or institutional environment. Although these influences partly neutralise and balance each other out, some of them, through accumulation or predominance, may underlie the social fabric of a group of adolescent peers' (Znaniński, 2001, pp. 85–86). Hirschi, critical of the social bond theory that he himself developed, wrote that it overestimates commitment and belief as deterrents to crime and underestimates the influence of friends engaging in deviant behaviour (Burke, 2005, p. 210).

Juvenile delinquency can be regarded as group-oriented in nature. To prove this claim, we should cite the research conducted by Rzeplińska, which revealed that two-thirds of the minors studied, i.e., the majority, committed

crimes together with another person, most often of the same age as the respondent, i.e., between 13 and 16 years of age (Rzeplińska, 2006, p. 338). Similarly, Woźniakowska-Fajst, when analysing the delinquency of underage girls, reports that as many as 56.7% of female perpetrators committed a crime with a co-perpetrator. This author indicates that the vast majority of accomplice offenders (69.8%) were peers of the female subjects, while 11% were slightly older than them, between 17 and 21 years of age (Woźniakowska-Fajst, 2010, pp. 266–267). Following the above examples, minors most often committed acts with peers of a similar age or not much older.

When characterising the social environment of juvenile delinquents, we should start with the profiles of those who were closest to them during their childhood and teenage years. The interviews show that the social circle of underage offenders usually displayed certain features: seniority (older friends), criminal past (recidivist friends), and high expectations of community members (the belief that one has to ‘buy into’ the society). The powerful influence of the group on the decision to engage in crime was mentioned by 34-year-old Radosław: *‘Sometimes they urged me to go somewhere, to help or whatever. And when I went to help someone, for example to beat someone up, we also robbed him in the process’*.

The above-mentioned characteristics had a profound bearing on the sense of group cohesion. The men we interviewed functioned in such groups during their teenage years. It is worth noting that most adolescents (including those who are well socialised and do not commit crimes) are nonconformists almost by definition and rebel against any form of subordination to the general population. However, they are radically conformist within their own groups, and conformism is a prerequisite for group membership and the price one pays for a sense of belonging and position (Zebrowska, 1976, p. 747). One of the major fears leading to this extreme conformist attitude toward group rules was the fear of exclusion. Contemporary research on fear of rejection carried out by Małgorzata Michel and Sylwia Opozda-Suder further confirms that this fear is much stronger in socially maladjusted adolescents growing up with intellectual disabilities than in socially maladjusted adolescents without intellectual disabilities. This is connected with the more frequent experience of rejection in the peer relationships of the first group—and thus their higher tendency to conformism (Michel and Opozda-Suder, 2019, pp. 142–143). Nevertheless, the stress of being perceived as low-ranking in the peer group is a major motivator of adolescents’ social functioning and also affects intellectually able adolescents.

In our study, it usually caused a strong need in minors to impress their peers, which was usually expressed by showing off and the ‘impressing’ took various forms, for example:

*Maybe I wanted to show off that I can do it. In front of guys who were older than me. What, he can and I can’t? ... It was such an ... old gang of ... thieves ... Maybe when I was young, he managed to impress me. ... And he used to take me here and there. Here to some wagons, for coal. You made money here, you made*

*money there. I was happy, because there was money. I got this 200 zloty, that was nice. (Jacek, 35 years old)*

*You know, all my friends, my neighbourhood, etc. and peers, I looked up to them, they all had cars, money, clothes, girls, they were Rockefellers for those times. I remember many times when I was sitting in the neighbourhood, a friend came by, a young man called me and said 'what are you doing', ... he said 'go to the shop', gave me e.g. 100 zloty, 'buy me some water and a packet of gum', I said 'fine, no problem', I went to the shop, did some shopping for 10 zloty, gave him the change and he said 'keep the change'. And it was so cool for me. And that made me sit and watch, and observe, and see where, and what, and how, and then try myself. (Karol, 40 years old)*

Another issue was the competition and constant intragroup rivalry discussed by Joseph W. Messerschmidt (Grzyb and Ostaszewski, 2018, p. 126), who stressed that an important element of the process of formation and functioning of male peer groups (including gangs) is not only friendship and support of other group members but also, most of all, competition and endless creation and affirmation of one's masculinity among other men. Dawid (36 years old) spoke about the incessant efforts to prove oneself and to outdo one another in illegal, risky, and aggressive behaviour: *'And back when I was young somebody would say: "I stole that". And someone wanted to be better than him and stole something bigger.'* Bartłomiej (30 years old) additionally pointed out the external rivalry between the groups he participated in: *'And then the boys' company started .... They wanted to show off from village to village, right? One stood behind the other ... and you know, if you got beaten up, you beat them back, so you could show which village was stronger.'* Notably, the expectations of group membership should be regarded as a sort of interdependence, or even symbiosis, between the leaders and the members. For both, membership in the group was to bring specific benefits. For the leaders, who set the rules of the group, the benefits meant profits from the opportunity to take advantage of conformist members, especially if they were younger and had not yet been punished. This process was especially obvious when older members of the group used minors to their advantage. Such a situation was reported for example by Grzegorz (36 years old) and Arkadiusz (35 years old):

*They were stealing cars there, they were dismantling old cars for scrap, I mean, they dragged me into it, because they were stealing cars and they were also looking for someone, I think, who was brave, for example, to protect them, so that they wouldn't get caught there, to send someone first. (Grzegorz)*

*After I came back to these childhood friends of mine, yes, in fact now I've made a general reckoning, when I was in this therapy, right? They never had any ideas to steal anything. They always counted on me and on my friend Manek, who was my age, you know. A few months younger. And we always thought of something to steal, we always contributed to the whole group. ... I mean, when I thought about it, generally Zdzisiek was such a 'driller', he never had any initiative to go and get something, they always counted on us. They were older colleagues, that's why they also used us in general. (Arkadiusz)*

The gratifications that the minors found to be so attractive were mainly the feelings of appreciation and recognition by older members of the group as well as safety and acceptance by their peers, who were the most important people for them in their childhood. Male participants in the study mentioned several examples:

*I did what he did. That is, bad things. He earned money from it, I also earned money, and that is how it started, that I took the wrong path, that is, the criminal path. (Damian, 33 years old)*

*[My friends] impressed me, I do not know, I felt cool in their company, it is hard to say now what the main impulse was that made me become what I have become. (Przemysław, 36 years old)*

*Drugs appeared in this company. Over the years I sometimes think that I don't know what I wanted. I didn't want to be worse, so I started doing drugs. Or they were taking and I wanted to be like them. I don't even know how to phrase it. I did not want to stand out from the group. (Michał, 27 years old)*

Satisfying the social needs of group members was supposed to be a reward for conformist behaviour. While our interviewees were unlikely to mention actual punishment for behaviour other than that expected in the group, it is worth noting that their total compliance may have been subconsciously dictated by fear of a peer boycott or exclusion (Hnatów, 2012, p. 489).

The already mentioned exploitation was strongly related to the age of the persons who were the main instigators of unlawful behaviour. The respondents often mentioned that during their teenage years their closest people were adult men who were not their legal guardians or other authorities, such as teachers or educators. Remarkably, among the older friends there were also people in their twenties, just a few years older, as we wrote earlier and as was mentioned by Rafał (32 years old) and Zbigniew (35 years old):

*I always had older friends than my brother, that's right. My role models. To ... emulate, as I put it. And what, I followed them so much that I ended up like I did, right? (Rafał)*

*Well ... I don't know. They drank, they drank wine, so we did. So there was always some older company. (Zbigniew)*

The minors called them their friends and saw nothing unusual in the fact that instead of playing with their peers, they were hanging out at a gate or on a bench with older men, who often provoked them with their behaviour and attitude to unlawful behaviour.

### **Concept of masculinity and deviant behaviour in juvenile boys**

It is symptomatic of the social life of the respondents that, in describing the structure of the families of the minors surveyed, we referred to the frequent absence of fathers: physical or symbolic. Being around men (especially adult and mature



men or at least ones a few years older) may also have been a way of looking for male role models or of filling the void left by the male authority. In criminology, the deviant behaviour of underage boys and young men has long been associated with a particular concept of masculinity. We have pointed out that the deficit of masculinity in the family had a negative impact on the participants' development of a positive image and role not only of fathers but also of men in general, as the interviewees stressed. During the interviews, our subjects spoke of their special position as boys in homes where the father was absent (physically or spiritually). This is because the position of boys is different in families where all responsibility for their functioning and the upbringing of the children falls on the mothers.

Walter Miller in his work in the 1950s on the deviant culture of the lower classes identified several values that were important for its representatives and that he called focal concerns (Siemaszko, 1993, pp. 154–164). One of these values was toughness, construed as physical and mental strength, masculinity, courage, resistance to pain, and lack of scruples and sentiments. Miller explained that the glorification of toughness, masculinity, and brutality was linked directly to the family structures often found in the lower classes, which were characterised by the marked dominance of women in the family. This was due to the total absence of men from the home (caused by separation of parents, more frequent in those days in the lower than in the middle classes; having illegitimate children brought up by independent mothers; or fathers serving prison sentences) or the lack of involvement of fathers and husbands in family matters, including child-rearing. In the absence of a stable male role model, which is indispensable for the development of the social role of men, boys construct their masculinity on the basis of an anti-model, which is the antithesis of femininity. They reject behaviours stereotypically regarded as feminine—tenderness, caring, expressing emotions—replacing them with traits stereotypically viewed as masculine—striving for dominance, toughness, lack of emotions, and committing illegal acts (Grzyb and Ostaszewski, 2018, pp. 124–125). The insistence on masculinity and toughness thus constitutes a kind of posturing reaction that, apart from the aforementioned traits, can be seen as 'a particular condemnation of signs of weakness, softness, femininity and an almost obsessive negative attitude towards homosexuality' (Siemaszko, 1993, p. 157). William Chambliss, in turn, argued that low-class boys tend to behave violently and to glorify delinquency because the middle-class paths to the exercise of masculinity are closed off to them (participating in the school council, playing on sports teams, spending their parents' money). Consequently, they create models of masculinity that are accessible to them: they reject education and intellectual work and glorify doing physical work, skipping school, and opposing the 'system' by, for example, engaging in illegal activities (Chambliss, 2003).

More recent research also shows what we outlined above: single parents (both mothers and fathers) have more problems disciplining their children than do full families, and they have fewer instruments for exercising that discipline (Bates, Bader, and Mencken, 2003, p. 182). This is likely due to the overwhelming

number of responsibilities they face not only as parents but also as breadwinners for their families. Independent parents<sup>29</sup> are required to perform many duties that go beyond the stereotypical masculine and feminine roles; however, in societies where male dominance is historically and culturally embedded, another mechanism of family functioning is observed: that of sons (especially the oldest ones) taking on the role of the father or the dominant male in the family. One of our interviewees, Mariusz (48 years old), mentioned his role, which he believed was to provide ‘bread’ at home:

*There were four of us: my mother and my sisters, my three sisters and my mother. My father committed suicide. At home there was sometimes a shortage of something. I would go out, do whatever I wanted, I was the only man in the house, so I'd been stealing since I was a kid.*

American researchers Sinikka Elliott, Joslyn Brenton, and Rachel Powell coined the term *brothermothering* to describe this situation<sup>30</sup> (Elliott et al., 2018, p. 442). According to them, in patriarchal settings there is a belief that a punitive and authoritarian parenting style (identified with the paternal style) is necessary to keep children safe, to discipline them, and to prevent them from going down the criminal path. This belief in the importance of the father's role (combined with the reduced authority of the mother) leads to a situation where single mothers push their eldest sons into the role of the ‘adult male in the family’. This strategy allows mothers to introduce ‘male authority’ into the family and strengthen the attachment of the son to the family and home (also out of concern for his safety) while rebuilding the model that is closest to the model of two parents raising children. It seems that in such a model, the mother may accept her son's income-earning employment and agree to the teenager co-parenting the family, as in the case of Bartłomiej (30 years old):

***And when you started working so early, was the money just something you wanted for yourself, or did you try to help your mother?***

*I brought it home. So home for myself, but most of it home. For things like food, electricity, or something.*

However, Wojciech (36 years old), in his interview, shows that, paradoxically, such a parenting style may also lead to tacitly accepting the child's delinquency and to failing to ask questions about the source of the money appearing in the hands of the teenager, but using it: *I used to bring home money, I gave some to my one brother, some to the other brother. Mum never wanted the money, but that was ok*.

On the other hand, in the brother-mother model, older sons are supposed to be authority figures for younger siblings: they are supposed to co-parent them. This family model reinforces male dominance in the family through behaviours such as older brothers controlling the sexuality of their younger sisters and using punishment against their siblings (Elliott et al., 2018, pp. 451–452). The roles of

caregiver and child are blurred, which must affect the upbringing of all children in this family model.

We have written above about the grief expressed by the respondents connected with the lack of a father, accompanied by the thought that his presence could have made their lives turn out differently. This regret may be the cause of various scenarios: too early entry into stereotypical male roles and the necessity to perform roles in the family that are not stereotypically male. The first model deprives the child of childhood but is also associated with the loss of parental control (the son starts to play the role of an adult, an equal partner of the mother, as his task becomes controlling younger siblings). The second model may lead to the need to prove one's masculinity 'outside', among peers. Playing 'tough', being masculine, drinking alcohol, swearing, or vandalising (we discuss this in the next subsection) may be a manifestation of the desire to rebound from the situation with which they are confronted at home where they must perform 'nonmasculine' roles and do 'feminine' household chores. These boys generally come from backgrounds where there are no egalitarian families. They do not observe situations among their cousins or friends in which it is the fathers who do the laundry, cook, and take care of the children. Hence, they may perceive forced egalitarianism as undesirable and degrading and feel the need to publicly emphasise their masculinity, which is displayed (according to Walter Miller's concept) in a caricatured, exaggerated way.

### ***Ways of spending leisure time***

The previous section of this chapter cited one of the four components of Hirschi's theory of social control: involvement. One of its tenets is the conviction that boredom and a lack of engaging forms of leisure activities may push children to seek forbidden and socially disapproved occupations. The men taking part in our interviews, when asked about their forms of spending free time as minors, gave various answers. When asked about the most common ways of spending leisure time, a few respondents mentioned entertainment typical for teenagers:

*Generally there used to be three old brickyards in my street. There were ponds with fish in them. We used to go fishing, play tag, hide-and-peek and things like that. (Łukasz, 31 years old)*

*I also had friends who used to spend their free time in such a way that we would go and play football, for example, right? ... Well, when we'd sit in the yard, we played hide-and-peek, or some kind of normal games, right? (Dominik, 36 years old)*

The activities these respondents undertook were in no way equated with a need to kill time or a lack of extracurricular activities, understood as conformist activities requiring commitment. They found these out-of-school pastimes with friends to be both attractive and engaging.

Hirschi identified involvement with legal activity. The statements of our respondents show that this is just one possibility. Young people can be deeply engrossed in activities that are not legal. Examples of statements confirming the above conclusion are vivid descriptions of minors' involvement in various activities that they did not understand as illegal:

*Alcohol was maybe not so important. Alcohol was like having a conversation while smoking a cigarette. (...) It was so normal that instead of going to the cinema, we went to have a drink, to play truant. (Kamil, 30 years old)*

*We would all go camping, have a drink, like teenagers do. (Damian, 33 years old)*

*We were regular secondary school students. We went to school and after school somewhere, you know, if we were short of money we went somewhere and stole. (Paweł, 30 years old)*

*My mum used to nag me to go to school. But I went to work and somehow the year flew by. No one came to us from the school board for a year, I don't know if they realised that I wasn't going to school. No one from the government office or from any educational institution came to me to tell me that I wasn't going to school. (Michał, 27 years old)*

Regarding the subjects described in this chapter, one might be tempted to say that their knowledge of social relations was often based mainly on their closest social environment: the peers with whom they spent most of their time outside of school. Those peers were their role models also in terms of ideas for spending leisure time. It is worth remembering that children's leisure time activities are not necessarily perceived as positive by the general public, in spite of the fact that they seem exciting and stimulating to minors. An example that illustrates this situation is minors who sometimes decide to spend their free time in an eminently destructive way (Dragan, 2013, p. 17).

Pastimes such as playing sports, learning to play an instrument, reading, travelling, and scouting were not listed very often by the respondents. Men taking part in the study more frequently indicated joint consumption of psychoactive substances, including alcohol and drugs (as well as sniffing glue and paint thinner), excessive partying and risky behaviour at discos and house parties, brawling with children living in another housing estate, theft, robbery, burglary, driving without a licence, or playing slot machines. With the exception of the few statements quoted above, in which the convicted men mentioned playing hide-and-seek or beachcombing, more often than not their statements indicate that the leisure activities they chose did not even have the trappings of useful educational or recreational content.

In conclusion, it should be borne in mind that although some studies suggest that young people commit crimes mainly in their free time, this is a simplistic view. Juvenile delinquency cannot be solely equated with misuse of leisure time. On the one hand, as shown in the study by Dragan cited above, junior-high-school youth who do not commit crimes also often spend their free time unproductively, and their activities sometimes bear features of deviant behaviour. On the other

hand, many other criminogenic factors influence the decision to commit prohibited acts. Although most crimes are committed by juveniles at a time when no one is supervising them, leisure time should be seen as a moment when these other factors come into play rather than as a factor in itself (Mirić, 2016, p. 443)—as a moment when frustration, loneliness, and the need for acceptance can well up in young people. In their statements, 30-year-olds Kamil and Paweł underlined the link between the surroundings (place) and their subsequent criminal activity as well as the difficulty of breaking away and leaving the dysfunctional society:

*I have observed that a person in a given social environment, for example Mr. Kowalski in a block of flats, there is a certain threshold of each family in a block of flats.... One's own to one's own. It is unlikely that someone from a poor family will get together with someone from a rich family. This is normal. My friends were what they were. We were all on the same level of social dysfunction. Another person, Mr. Iksiński, who is brought up in a good home, where there's money, doesn't have to look for ways to get ahead. If you're young—let's say you're 15 and life goes on as it does, you get used to it and you think that this is all normal, that this is how life is, because all your friends are the same way. Everyone is trying to get ahead, everyone is doing strange things. First of all, I think it is specifically about that. The neighbourhood in general. The mates. (Kamil)*

*Coming from a rough neighbourhood myself, I know how hard it is to get out of the fucking gate, to get out of the housing estate to other people. To meet other people and say, fuck it, it's not worth hanging around with these people, because you can live a completely different life, in normal company, without committing crimes. (Paweł)*

### **Institutional help: support or failure?**

When minors act in contravention of current legal norms, they are subjected to resocialisation measures by various institutions (juvenile courts, probation officers, correctional centres, etc.), whose aim is to modify their habits, point out their mistakes, reinforce their correct socialisation and, ultimately, punish them. The natural course of events should therefore be for institutions to provide individualised and positive action toward a child who has not found such support and assistance in the immediate family. It is probably not possible, however, despite the best intentions of educational, resocialisation and welfare institutions, to influence juvenile delinquents. Even if some efforts are taken, they are not able to cater to all the needs of minors with a tailor-made approach to their specific problems.

Given that one of the first institutions that children encounter is the school, it is at school that abnormal behaviours and dispositions of minors should be noticed and corrected as early as possible. Children's biggest problems with school life are learning difficulties and, as a consequence, escaping from home or institutions, skipping lessons (truancy), or repeating classes. Rafał (32 years old) mentioned the first problem: *'I had no help, I guess. I ran away from there six times, then the seventh time all the time, well ... then the seventh time I ran away on my own*

*and I supported myself until I was 13. And there was already a letter of arrest issued for me in the juvenile detention centre’.*

Katarzyna Drapała and Roman Kulma (2014, p. 219) surveyed 243 wards from 19 correctional institutions in Poland in 2014. They found that the overwhelming majority of minors, as many as 214 (95%), had problems in acquiring knowledge and attending school systematically: 94% of the minors skipped school, 93% had learning difficulties, and more than 86% had to repeat a class for failure to be promoted to the next one. School problems also featured in the quantitative data analysis of other researchers’ studies. The most severe of these include noncompliance with compulsory education, falling behind in school, and truancy (Woźniakowska-Fajst, 2010, pp. 245–249). Furthermore, when analysing the educational problems of minors, Klaus also listed aggressive behaviour (which occurred most frequently: in 26% of the respondents), fights, disrupting lessons, and profane behaviour as well as arrogance toward teachers and problems in contacts with other students (Klaus, 2009, p. 206).

School difficulties also reverberated in our research. Artur (50 years old), Michał (27 years old), and Maciej (31 years old) mentioned, for example, difficulties in concentration (caused by intensive drug and alcohol use), lack of self-confidence, and being interested in things other than school:

*I was studying to be a mechanic, but learning was not going well. There it was more important to drink wine, punch someone in the face, take money from their pocket. (Artur)*

*I went to an electronics technical school and did drugs in the first [class]. I was in technical school for six months. Then for another six months I went to a vocational school, because I already had only failing grades in the technical school, and she told me I wouldn’t pass. So I changed schools: I’ll go to a vocational school, somehow it will be easier to finish. But I didn’t graduate either. (Michał)*

*Well, I did, I even had a probation officer at school, the [school] psychologist was my probation officer. But they were not able to handle me. The way I look at it now, I doubt if anyone could cope with a child like I was. I did what I wanted, I smoked cigarettes, someone reproached me, I answered him, zero inhibitions. (Maciej)*

One of the participants of the study was very close to fully completing his secondary education:

*Because I didn’t even take the final exam, because I wouldn’t have passed it. Because I just didn’t feel very confident, the oral exam you know, the oral exams. Those written exams I think I would have passed them without a problem. I think, I don’t know what it would be like, maybe it would be hard, right? (Dominik, 36 years old)*

It is difficult to judge whether Dominik would have passed the school-leaving examination or not, but clearly there was no one around him who believed in him and persuaded him to take the test. Two other respondents talked about such

people who were a kind of pedagogical authority. Piotr (35 years old) met such a person at a boarding school, while Jakub (34 years old) met one at school:

*School was like a brake on all that. I went to a boarding school and I also got into a bit of trouble there, but not as much, but the boarding school changed things a little. I can honestly say that I enjoyed going there. I mean, the teacher at the boarding school also helped me. (Piotr)*

*I had a teacher who would come home for me if I didn't come to school. She was all right, she always made sure I came to school, but I still did what I wanted to do. (Jakub)*

Similar to the finding of Drapala and Kulma that truancy was the most common school problem of minors, our study showed that truancy was a common practice among teenagers. Although the subjects rarely mentioned the actual reasons for truancy in interviews, the motives for their notorious skipping of classes were probably both anxiety and fear of having arrears difficult unmanageable material, the influence of the people around them (friends, siblings), and other occupations (more important from their point of view, e.g., those used to gain money). As adults, the respondents said, e.g.:

***Did you get along with your brothers or ...***

*Yes, with the older one, yes.*

***And he also dragged you a little bit [into crime], you might say?***

*Maybe I wanted to become a bit like him [my brother], maybe it was also influenced by that, truancy, messing around, maybe it was also influenced by that. (Piotr, 35 years old)*

***You said ... that it was mainly about showing off in front of people, when it comes to starting to commit crimes. Could anything else have been a factor here?***

*For example, the lack of any activity, right? I didn't go to school, at school I didn't know what was going on at all. I was always hanging around the backyards, I don't know. (Bartosz, 32 years old)*

***What could you point to as having had the greatest influence on you becoming involved in crime?***

*What had the greatest impact. ... [The convict mused] the desire for money I think.*

***How did you manage at school?***

*At school pretty much normally, I didn't have any problems with school there. Then I started truanting and school got kind of sidetracked. (Damian, 33 years old)*

Furthermore, Piotr and Bartosz, for reasons known only to them, felt reluctant to spend time in school, which could be connected with the need to conform to imposed patterns and routines that are typical of Polish education. Also Grzegorz (36 years old) mentioned ignoring school duties, especially compulsory attendance at classes:

***And did you go to school?***

*I mean, I did, but I repeated the sixth grade, well, four times.*

***And why was that?***

*Well, it was my own fault, you know, I slacked off ... so, for example, I went to two lessons, walked out of school because I didn't feel like hanging around anymore, you know. Then I came back to school two days later, because I felt like it. ... I repeated 6th grade four times. I mean, I repeated the grade, so it was in the middle, my dad died when I was repeating the grade, and my mum died in 2000. And why did she die, she drank herself to death after father died.*

The repercussions of persistently flouting school rules, frequent truancy, and running away were usually conditional promotion or having to repeat an entire year's worth of material—and thus having to attend the same class again. Repeating the same material over and over again and hanging out with other problem students, who often encouraged delinquent behaviour, were signs of a complete lack of commitment to school. Referring again to Hirschi's social bond theory, it is worth mentioning that he believed that juvenile delinquency was highly correlated with low school aspirations and poor academic performance (Newburn, 2017, p. 252). Having to repeat the same grade from one year to the next may also have caused a great deal of frustration and even a complete lack of desire to continue education, although these reasons were not specifically given by the respondents.

It is an entirely misguided idea for a school to deal with 'difficult students' by gathering them together in one classroom. One of our subjects told us about a class that brought together all students with learning difficulties and behavioural problems:

*Well, it started in the fourth grade, I was already acting out, I don't know, maybe I wanted to impress others, or whatever .... And it was from that grade that it got worse. I went from fourth to fifth grade on such conditions, I mean, it was a conditional promotion to the next grade. And that group was made up of some of the worst students from the school. ... It was in that classroom that it [school problems] started. (Dominik, 36 years old)*

In cases of utter and definite inability to learn and attend lessons, minors are also sent to so-called special schools or classes. Admission to such a school is very often a cause of social stigmatisation. In practice, sometimes considerations of misbehaviour rather than learning problems justify placement in a special class or school, although one heavily influences the other. One of our interviewees recalled that both he and some of his siblings were placed in such a school:

*We went to a special class. First she [the twin sister] went because she didn't pass or something, I don't remember. They sent her to .... And then they sent me. They only sent me there out of spite, for causing trouble, you know? (Bartłomiej, 30 years old)*

Curiously, being placed in resocialisation institutions, such as youth education centres or juvenile correctional facilities, was, in the perception of some of our



interviewees, tantamount to the end of their education. This was probably influenced by the diminished educational aspirations of those who had to complete their compulsory education in lower-level schools<sup>31</sup> (as in the case of Sławomir [48 years old] and by the fact that adolescents who lived a delinquent life would interrupt their education (as in the cases of Tomasz [35 years old] and Jarosław [34 years old]):

*I mean, first I went to a vocational school, but unfortunately I didn't stay there too long, only six months. Then I went to a vocational school, yes, I was thinking about learning a profession, I was thinking about the future a bit. I went to OHP [Voluntary Labour Office], I remember, and I only spent one year there, unfortunately, so my education at that time ended at that point. (Sławomir)*

*I finished primary school. I attended ... a catering school, but I was expelled from that school after three months because I didn't feel like going to practical training. I didn't go anywhere until the end of the year. Then I started, I took up trade school. I had two and a half years of trade school. Temporary detention. Expelled from school and ... I ended up with primary school education. (Tomasz)*

*Because when I went to er ... not to high school, but to a vocational school, for bakers, well in the first year, they threw me out, because I went to jail, right? Detention. And I lost. Later I regretted that, when I was serving my sentence, not doing school. (Jarosław)*

There is a never-ending debate in academia on the legitimacy of rehabilitation measures, including their quality, form, and efficiency (Sztuka, 2011, pp. 129–144). Between the positivist current in criminology, which places great hope in resocialisation, and the neoclassical current, which rejects resocialisation as a form of influence on the offender, there is a plethora of opinions, ideas, experiments, and examples of incredible successes of resocialisation—as well as its spectacular failures. The individuals whose stories we are telling have had to deal with various types of institutional interference in their young lives (apart from, of course, school). Fortunately, the experience of being brought up outside the family and in an institutional setting (most often in a children's home) affected only 72 of the people interviewed.<sup>32</sup> This was 36 each of the nonconvicted and convicted in adulthood, with this experience being more frequent in percentage terms for the later convicted (4.2%) than the nonconvicted (2.7%). In the population of our interviewees, however, their so-called institutional career was most visible. The respondents, while trying to tell us about different stages of their lives, built a large part of their narration around their stay in educational institutions, as in the case of 36-year-old Przemysław:

*You know, it is hard for me to say, because I was being transferred from one centre to another. When I was fourteen, I was in the first facility in Warsaw, then I ran away, I slept in some hideouts, you know how it is with young boys, in some allotments, in gazebos. Then there was another facility, then a shelter, then a juvenile detention centre, then a shelter for minors, then a correctional institution, another reformatory.*

*From an early age, from the age of three or four, I was more of a guest at home than a household member. I would get passes, come home, then run away. I think I caused a lot of grief to my family, my parents, nonstop police and searches. So there's not much to be proud of. I should be ashamed rather than proud of it. Also, you know what, I went through the whole hierarchy you could say.*

Transfers from juvenile institutions straight to adult institutions, on the other hand, were recalled by Krzysztof (28 years old) and Bartosz (32 years old):

*Also thefts, I was given a chance, at first I got a probation officer, later the court applied such harsher and harsher measures, the juvenile detention centre, the children's home, and it just went on and on. Later I turned 17 and did a few things, these were crimes against property. So it started like that. At first they gave me suspended sentences, a probation officer, and then it came to a situation where I simply got into a fight with someone, someone went to report it to the police, and I went to a temporary detention centre ..., I spent there four months, I got out when the sentence became final, because I had a year to serve, and I didn't show up in prison, the police detained me, later they took me in, and it was eight months at first. And finally, the court saw that I was already in custody, and it started to revoke all my previous suspended sentences, and from eight months I got five years and two months. (Krzysztof)*

*I will tell you this, I was 12 years old when they took me away from my mother. They took me to an emergency care centre and it's still going on today, isn't it? I spent a year in the emergency centre, then 3 years in the Youth Welfare Centre, 3.5 years in a reformatory, 1 year in a youth hostel, 3 years in the prison on Petka Street, and now I have already been in prison for 4 years as a reoffender. (Bartosz)*

Some young people already had previous family court cases on their record at the time they were brought before the juvenile court. For those who had criminal charges later on, this was almost half (48.7%), while among those who had no criminal record in adulthood, one in five minors (18.8%) had a previous family court case.

A small proportion of those we studied had been subjected to various forms of institutional control following a family court decision. These included referral to a probation youth centre, probation supervision (over the minor alone or over the whole family<sup>33</sup>) and detention measures such as placement in a correctional education centre, a juvenile correction centre<sup>34</sup>, or a detention facility.<sup>35</sup>

Table 7.7 shows that those who were punished in adulthood were more often subjected to institutional control during their juvenile years, and this relationship is statistically significant.<sup>36</sup> Does this mean that the system failed because it was not able to counteract the adverse influences from home, from school, and from the community? The answer to this question is not conclusive. Some of our interviewees spoke of the institution as a place that aggravated their demoralisation, and others saw it as a place that gave them hope and had a positive effect, even if it did not protect them completely from returning to crime. Those who

**TABLE 7.7** Application of educational and correctional measures of institutional supervision to juveniles versus type of criminal career

	Probation officer supervision		Placement in correctional education facility		Placement in juvenile detention centre	
	Number	Percentage*	Number	Percentage	Number	Percentage
No convictions in adulthood	135	9.5	78	5.5	15	1.1
One act in adulthood	32	14.7	14	6.4	7	3.2
Criminal career	177	24.0	104	14.1	59	8.0

\* 100% are all subjects in a particular career type.

had bad memories of their stay in different types of institutions stressed the detrimental impact of the institutional setting to which they had been exposed:

*Let me put it this way, we were all supposed to go to prison, for example, or go to an institution where they would teach us something, anything. In my opinion, it doesn't work that way in the slightest. That's where the gangs get together and everyone brags about what they stole, what they stole. That is what it all looks like. It's not like they go there, learn, leave and ... if it was like that, there would be no repeat offenders, like me. ... it's worse in a reformatory than in prison, I can tell you that.*

***And what happened in that youth shelter, was there something that made you reconsider?***

*It was even worse there, because there were worse people than me. There were juvenile murderers there, even worse. (Daniel, 36 years old)*

Additionally, an inherent element of the negative feelings associated with staying in institutional care was usually the frequent escapes of minors. The respondents said that although the situation in the family was often tough, it was home that they missed, that wanted to return to and did return to; however, it is worth emphasising that some of them also ran away to friends from their closest circle:

*As soon as they brought me to the centre, to the emergency room, I ran away. Then they put me in juvenile detention, because I had already turned thirteen. From the age of nine I was jumping out of a third-floor window in my pyjamas and running away with my friends. And so I lived my life on the run forever. We slept wherever. (Mariusz, 48 years old)*

*From every place where I was sent ... an escape is an escape, but an escape home, not somewhere far away, somewhere to roam the dens. But nonstop, where did the police pick me up from, from my family home. So it must have had some influence on me, that after escaping from such and such an institution, the first thing I did was to go home. So you could say that ... [silence, he stopped talking]. (Bartosz, 32 years old)*

According to the literature, the reasons for escapes from institutions include inefficient organisation (the lack of an attractive offer of activities and their low quality, no interest in the life of the young people on the part of educators and their incorrect or unsympathetic attitude) as well as the mutually demoralising behaviour of minors (Wolan, 1999, p. 28). Other potential causes are the minor's difficult experiences involved in their placement in the centre (having to stand trial, being called to testify, and being separated from the family) and the stress of uncertainty about their future fate, which may be further fuelled by fears of being transferred to another centre (Migala, 2005, p. 87). In the case of our interviewees, the reasons for escapes tend to vary, although they mainly seem to be correlated with the personal disposition of the minors. Our respondents ran away because they did not want to live in confinement, they missed their closest peers with whom they felt emotionally connected and from whom they sought support before law enforcement, and they missed some family members.

On the other hand, those of our subjects who saw positive aspects of their stay in the institution cited the possibility of continuing their education and the staff's interest in their plight. For them, the stay in the correctional institution meant a definite change for the better.

*I have good memories of the correctional institution, I finished my schooling. It taught me a lot. A lot of good stuff there in my life and everything. Well, because I finished my courses. (Rafał, 32 years old)*

*Well, I don't know, if I hadn't been sent to that reformatory from the age of 13 to 16, if I hadn't stayed there, I think I would have done an even worse thing. Overall, it really made me a different person. I wised up, when I was in the institution, I thought over some things. Thanks to this institution, I passed my exams, I finished school, I became a decent person, I had a lot of thoughts. Now I look at it a bit differently. I was the kind of person who ... I simply didn't know what kind of psychologist or psychiatrist could have helped me. The only option was to put me in a reformatory. Otherwise they couldn't help me, as I look back now. (Maciej, 31 years old)*

The partly positive image of the correctional institution as a place that could help some of our respondents to get off the criminal path in comparison with other resocialisation institutions (and especially the penitentiary, from which it differs the least) seems interesting to us. According to social researchers, including Andrzej Gaberle and Marianna Korcyl-Wolska, the correctional institution as a means of intervention against minors, which are listed in the Act, is one of the most severe and rigorous (Noszczyk-Baransiewicz, 2010, p. 80). When pondering the potential failure of the institution, it must be borne in mind that harsher correctional measures are applied to minors whose behaviour raised the judge's particular concern, i.e., children encumbered by various environmental factors. Even though judges rather variably and arbitrarily decide to place minors in a youth correctional education centre or a juvenile detention facility, those

with a difficult background—who come from incomplete families with manifest alcoholism of both father and mother and whose fathers had a criminal episode in the past or were serving a prison sentence—were placed in institutions more often (a difference of several percentage points) (Włodarczyk-Madejska, 2016, pp. 150–153). When it comes to people whose family members and friends are the anchors dragging them down, the educational work of an institution, even in conditions of temporary isolation from a dysfunctional family, may not be enough to change the minors' lives.<sup>37</sup>

On the other hand, it is worth looking at the data presented in [Table 7.7](#) from another angle: the 2 young people participating in the activities of the probation centre for youth, 133 young people under the supervision of a probation officer, 78 young people placed in correctional education centres, and 15 young people made wards of juvenile detention facilities are the rescued ones. These are the ones whose institutional criminal careers ended in adolescence. Once again, we lack the grounds to conclude that rehabilitation success is based solely on various forms of institutional supervision and care. But this may have been one of the factors that contributed to the change in young people's attitudes. There is no conclusive answer to the question in the heading of this section. Most certainly, already at school—the institution minors encounter at the very beginning of their life—they sometimes learn and reinforce undesirable behaviour, which is not rectified by anyone. However, based on qualitative research it is not possible to clearly answer the question whether, for example, the stay in a correctional institution or youth detention centre had a favourable impact on the minor or whether it exacerbated his or her demoralisation.

## **Conclusion**

It is no surprise that the problems leading a young person to embark on a path of crime, stay on it, and continue a life of crime into adulthood are complex. Moreover, it is almost impossible to isolate the most important risk factors. According to Farrington, the main problem in defining them is that they are interrelated and interdependent. For example, a young person who lives in a physically and socially disordered environment is disproportionately more likely to grow up in a family with poor parental supervision and inconsistent parenting strategies. They are also more likely to struggle with organic problems such as lower intelligence or high impulsivity. The concentration and coexistence of such adversities make it difficult to tell which of these factors, independently of the others, was the dominant influence on this person's delinquency and antisocial behaviour, as all factors may have acted with varying force and in different ways (Farrington, 2002, p. 680). Thus, for each young person, a different factor (or rather a different confluence of factors) will create the circumstances that push them to commit crime.

What new contributions does our research bring to criminology, since we have known for years what risk factors drive young people to commit crimes?

In our opinion, the propensity to pursue a criminal career is mainly the result of the inadequacies, negligence, and passivity of adults in the young person's life—especially parents but also other adult guardians (teachers, educators)—and the deficiencies of educational institutions.

In the introduction to this chapter, we wrote that the juveniles we studied, especially those who have committed several crimes in adulthood and can be regarded as having a criminal career, are like trees that no one has cared for. They have not been looked after, nurtured, or supported. The African proverb 'it takes a whole village to raise a child' illustrates how much effort must be put into shaping a young person. Children, in order to develop and socialise properly, cannot be left on their own. They must be loved, kept safe, fed, talked to and listened to, given time and attention, shown valuable activities, constantly corrected for bad behaviour, and supported with all our might when they come across difficulties (e.g., arising from their innate neuropsychological structure or character traits). This is a daunting task, and there probably isn't a parent in the world who accomplishes it 100%. But when it comes to people with criminal careers, the parents' handling of these challenges has been negligible, and the institutions appointed to support the family have failed to rectify at least some of the most egregious neglect.

We believe that one of the most compelling findings of our research is that the causes of chronic delinquency are secondary to upbringing deficits. The cause of delinquency is not the child's overaggression but the factors in the child's life that triggered that aggression or failed to adequately suppress it. The cause is not dysfunctions, such as intellectual disability or ADHD, but lack of proper treatment and support for the child's development. The cause of theft is not inherent evil in the child but lack of sufficient attention, lack of love, lack of care, and sometimes just lack of food. The cause is not addiction to psychoactive drugs but deficits in the family that have pushed the child not to experiment with drugs once but to seek a regular escape in them. The cause is not the child's rebelliousness and 'difficult character' but the absence of constant attention and constructive and consistent supervision of their behaviour. Finally, the cause of delinquency is not the wrong friends but the situation at home, which pushes the child to these friends.

Our next observation is that it needs to be clearly stated that in the majority of cases (there are, fortunately, exceptions) all educational and pedagogical institutions are not able to remedy, overcome, or correct the educational deficiencies of the family. One of the reasons may be that such places rarely have an individual approach to the child. They are more like factories that are supposed to shape the child, but because of the number of children, the scarcity of teachers, and the lack of time, they do not deal with 'sophisticated sculpture, but with coarse chiselling'. A child who has already walked into the school without problems will be a successful 'product' of the school. If a problem student walks into the school, the school has no chance of correcting their attitude without enormous support from that child's home. And in the case of later chronic offenders, this support generally cannot be hoped for—sometimes the school even faces obstruction of its

influence by the parents. Children's homes, foster care centres, and correctional facilities also often fail. They can never fully sever a child from the baggage they carry from their home. And almost always the child will eventually leave the institution and return to the family. This does not mean that these institutions should be closed, but we simply cannot believe that they will work miracles.

If there is a conclusion to be drawn from our analysis of the factors of entry into a criminal career, it would be the recommendation that the Polish state, when speaking of pro-family policy, should focus less on symbols and encouraging fertility and instead should put more effort into rescuing children growing up in families that are not coping well enough. However, it must be done not by taking children out of these families but by offering solid support to parents who lack the ability to raise children, who lack the means to make a decent living, and who are sometimes in the grip of addictions. Children from disadvantaged families need family-friendly policies beyond 500+ and trade-free Sundays. They need fast and free access to specialist clinics, reeducators, psychologists, and child psychiatrists. They need social assistance and probation that does not rely on low-paid (or, as in the case of social probation, unpaid), overburdened employees. They need a broad network of probation youth work centres and day-cares and access to free after-school activities (which includes providing transportation for children to and from these places in the afternoon). Without far-reaching and expensive changes in the Polish system of supporting families with problems, we will be throwing up our hands helplessly for decades, accepting the fact that in each generation and each year group, there will be children who have been doomed from the very start.

## Notes

- 1 This topic is dealt with in [Chapter 2](#) in this volume.
- 2 As we are also relying on qualitative research findings in this chapter, we use the term *criminal career* not in the quantitative sense described in other chapters of this book but in the context of multiple offences committed by those we interviewed.
- 3 National Health Service. <https://www.nhs.uk/conditions/attention-deficit-hyperactivity-disorder-adhd/symptoms/> [Accessed 21 June 2022.]
- 4 However, violence was also experienced by minors who had no criminal record in adulthood and who had committed only one crime (15%). The difference in experienced violence between these groups is therefore not large and not statistically significant (using the chi-square test).
- 5 For more on the use of the so-called positive discipline method, which aims to use a technique that encourages positive behaviour and discourages negative behaviour, see 'polite and firm' parenting (Kyriazos and Stalikas, 2018, pp. 1764–1765).
- 6 Chi-square test for mothers = .446, for fathers = .543
- 7 Włodarczyk-Madejska studied the cases of juveniles who had been sent to youth education centres and correctional institutions, i.e., children who were already causing quite a lot of behavioural trouble (Włodarczyk-Madejska, 2019, p. 112).
- 8 The chi-square test showed statistical significance regarding the restriction and termination of parental authority of the father (.004 and .039, respectively), but there were few such cases.
- 9 The chi-square test for individual characteristics ranged from .856 to .159.

- 10 The chi-square test for negative characteristics for both mother and father was .000.
- 11 Female residents of the Silesian agglomeration aged 20–48 took part in focus interviews. The sample selection was purposeful. Some participants had children, and some did not.
- 12 As in the case of women, the sample selection was purposive: the men interviewed lived in Silesia, they were between 20 and 48 years old, and some of them were fathers.
- 13 The term *lack of interest in the child* had a different meaning in our study. It includes mothers who were physically present in their children's lives but who showed no interest in what their children were doing on a daily basis, what their needs were, who they spent time with, or how they did at school as well as mothers (more rarely) who did not live with their children and had no interest in their children's fate.
- 14 In the file research, this fact was actually revealed only if the mother was serving a prison sentence at the time of the interview or, more often, in the past.
- 15 Two children were being raised by third parties, two were in foster care, and there was no information about one child.
- 16 This includes minors being raised by single mothers, by extended family, and in institutions.
- 17 Percentages refer to groups for which we had father and mother assessments.
- 18 In our study, there were 85 fathers with a criminal record in the whole community, but we do not have data on how many of them were serving a prison sentence.
- 19 We deliberately use the phrase 'at least' here because our data come from juvenile court records, primarily from probation interviews. It is therefore very likely that there were many more drinking fathers (as this fact is quite easy to conceal from the probation officer), although this was not reflected in the research material.
- 20 The Polish word *dziesiona* (meaning '10') comes from Article 210 of the former penal code and is criminal slang for theft with beating. Cf. Urban Slang Dictionary: [https://www.miejski.pl/slowo\\_Dziesiona#:~:text=S%C5%82owo%20pochodzi%20od%20numeru%20210,karnego%20oznaczaj%C4%85cy%20kradzie%C5%BC%20z%20pobiciem.&text=Oznacza%20pobicie%20kogo%C5%9B%20celem%20przyw%C5%82aszczenia%20jego%20d%C3%B3br%20materialnych](https://www.miejski.pl/slowo_Dziesiona#:~:text=S%C5%82owo%20pochodzi%20od%20numeru%20210,karnego%20oznaczaj%C4%85cy%20kradzie%C5%BC%20z%20pobiciem.&text=Oznacza%20pobicie%20kogo%C5%9B%20celem%20przyw%C5%82aszczenia%20jego%20d%C3%B3br%20materialnych) [Accessed 18 September 2020.]
- 21 I. Rzeplińska, Juvenile offenders past and present (unpublished research report), p. 10.
- 22 The analysis of the file material from the 1980s and from 2000 shows that the material situation of the families of juveniles has, however, improved considerably over the 15 years. 'Bad' and 'very bad' housing conditions meant different situations for the transition generation and the millennium generation. In the 1980s, descriptions of families living in extremely poor conditions could often be found in the files: in basements, in wooden extensions to houses or in attics, sometimes without access to a toilet. There were also children growing up in such difficult material conditions in 2000, but these cases were extremely rare.
- 23 Central Statistical Office (CSO). <https://stat.gov.pl/obszary-tematyczne/rynek-pracy/bezrobocie-rejestrowane/stopa-bezrobocia-rejestrowanego-w-latach-1990-2020,4,1.html> [Accessed 07 July 2020.] This is the oldest unemployment indicator reported by the CSO.
- 24 Ibid.
- 25 Since 1990, the lack of professional work of a mother who was not registered as unemployed may have been both an issue of family model and hidden unemployment.
- 26 Chi-square test for mothers = .047, for fathers = .001.
- 27 The 14 indicators mentioned are (1) three meals a day; (2) at least one meal with meat or fish (or a vegetarian equivalent); (3) fresh fruit or vegetables every day; (4) books appropriate to the child's age and knowledge (apart from textbooks); (5) leisure equipment to use outside the home (e.g., bicycle or rollerblades); (6) regular active leisure activities (swimming pool, playing an instrument, membership in a youth organisation); (7) indoor games, toys to play with at home (e.g., building blocks,



- board games, computer games—at least one for each child); (8) money to participate in trips and school activities; (9) a quiet place to do homework; (10) an internet connection; (11) some new clothes; (12) two pairs of properly fitting shoes (including one pair of all-season shoes); (13) living arrangements that allow the child to invite friends over from time to time; and (14) the opportunity to celebrate special occasions such as birthdays, name days, and religious holidays (Adamson, 2012, p. 2). In 2009, among the 29 economically advanced countries, Poland was in 24th place. Inability to meet at least two of the needs on the list affected every fifth Polish child (Adamson, 2012, p. 2).
- 28 In the criminological literature, *hot spots* are understood to be small places where the frequency of crimes is high and predictable at least during one year. A hot spot will be an intersection or a single house, a street quarter, or a section between intersections. This is a much smaller area than a neighbourhood or housing estate (cf. Sherman, 1995, p. 36).
  - 29 Throughout this section, we are referring not only to the physical absence of the other parent but also to the other parent's failure to take a significant role in the family, whether it is earning an income, caring for children, or running the household.
  - 30 Although the authors' research focused on single black American mothers from poor backgrounds, the authors say that this model also occurs in other communities with similar characteristics.
  - 31 It is worth noting that even if an adolescent or teenager was placed in a youth education centre and had previously attended a postgymnasium school—even if the YOI allowed for postgymnasium education—the children were never directly placed in the first grade. They were first given tests and an assessment of their actual academic level. In spite of this, even after such an assessment and the possibility of attending a secondary school, there are still not enough places for the children in the YOI (cf. Kulesza, 2013).
  - 32 At the same time, it should be borne in mind that these persons were brought up in an institution at the time of the commission of the act that was the subject of our analysis. Among the general population of respondents, there may be individuals who had such an experience at another time in their lives.
  - 33 In some cases, the family and juvenile court applied the measure stipulated in Article 6(11) of the Act on Juvenile Delinquency Proceedings (allowing the application of other measures reserved in the Act on Juvenile Delinquency Proceedings to the jurisdiction of the family court as well as measures provided for in the Family and Guardianship Code) and, on the basis of this measure, ruled on the supervision of the probation officer not only over the minor concerned but also over the whole family.
  - 34 At the time of the study on minors, there were facilities of this kind to which minors could be sent. At present, a family and juvenile court can refer a minor only to a youth education centre as an educational measure.
  - 35 In the following discussion, only nonsuspended sentences of a correctional institution, i.e., sentences that resulted in the juvenile actually being placed in an institution, have been taken into account.
  - 36 Chi-square test = .000 for placement in juvenile detention centres, correctional facilities, and probation supervision of the juvenile. Statistically insignificant variables were referral to a probation youth work centre and placement of the entire family under probation supervision.
  - 37 Klaus writes about factors hindering departure from crime in Chapter 8 of this volume.

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# 8

## SNARES AND PAINS, OR WHAT STANDS IN THE PATH TO DESISTANCE FROM CRIME

*Witold Klaus*

*This chapter presents the different types of snares and pains that await people leaving prisons that were identified based on our research (the narratives of 39 interviewed persistent offenders) and on the academic literature. The snares are mainly structural (they result from the structure of society and the relations between its members) and systemic (they mainly involve the justice system and social welfare in the broad sense). All these factors combined are the reason why the process of desisting from crime will not succeed. And, it should be stressed, we cannot blame the offenders for this while completely ignoring the social environment in which they live. Snares are very difficult to overcome because their sources are often exogenous but have effects on the offender's psyche and on their social relations. The pains, on the other hand, are an additional burden and often result from the presence of the snares—that is to say, from the action of public institutions. But it is a burden that, with sufficient support, the ex-prisoners are able to handle on their way to desist.*

*On the path away from crime, it is highly likely that the ex-prisoners will stumble more than once and make bigger or smaller mistakes—and possibly even commit a new crime. The fundamental question to be asked is this: How should the state and the authorities respond to these slip-ups? The contemporary system, with very poor postpenitentiary support and the institution of recidivism, adds to the problems instead of solving them. And this is ultimately counterproductive. It is also important to remember that people who are convicted of criminal offences often come from disadvantaged and marginalised backgrounds. Their path through life is generally difficult and rocky, and they have more limited opportunities in life. They are forced to fight on many fronts in order to live with dignity (and sometimes to live at all). The state and its institutions most often do not support them on this road or do so insufficiently. This is why, for many people who have committed crimes, the key in life is to get by, and their main goal is not to give up crime but just to make a life for themselves. Leaving crime can happen incidentally if the system creates the right opportunities.*

*It is impossible not to notice that the vast majority of the described snares and pains are caused by punishment, especially imprisonment and the way it is administered. All these factors largely influence how people released from prison behave and how they arrange their lives at liberty. However, these issues usually do not appear, or are mentioned only marginally, in the discussion of crime, its causes, and its prevention. This chapter tries to change that and calls for the opening of a public debate (or at least a broader academic one) on those issues.*

## Introduction

One of the most important questions in criminology, asked since its inception, is why some people commit crimes while others do not. For a long time, criminologists have tended to focus on the former group of people, those who carry out unlawful acts, which constitute a significant minority of the population, and have tried to understand what drives them to such behaviour. In this chapter, I would like to return to this question, but with a slight modification, in order to consider why some criminals desist from crime and stop committing further offences while others do not and instead go on to pursue criminal careers.

Research shows that desistance from crime is a natural process. In fact, the vast majority of people who have had the experience of committing (one or more than one) crime in their lifetime stop engaging in this behaviour at some point. In one of their publications, John Laub and Robert Sampson actually argue that desistance from crime is a natural part of the criminal path (Laub and Sampson 2001, 13). Some researchers even say that desistance is not necessarily premeditated and that for some people it is a spontaneous event that ‘just happens’ to them (Maruna and Farrall 2003, 172). Moreover, most people desist from crime, regardless of whether they have been subjected to any state interventions such as punishment or rehabilitation. They ‘simply’ stop offending at a certain age (most often this cut-off point is around 30 years of age), or they commit crimes significantly less often (Maruna 2001, 20–22; Moffitt 1993). Andrzej (50 years old)<sup>1</sup>, one of our interviewees, when asked why he stopped committing crimes, said:

*How should I know? Maybe age. First of all, now I didn't feel like joining this [criminal 'operation'] too much. ... Well, I'm already 50, and it's hard in prison, isn't it? I'm not as young as I used to be, you know?*

He pointed out not only his age but also the discomforts of long-term imprisonment. Paweł (30 years old), who was serving a suspended sentence<sup>2</sup> for crimes he had committed in the past—for what he called ‘past mistakes’—expressed a similar opinion:

*At that time, even after I had been released from prison for three years, I was still committing various crimes, I was still a bit of a rogue. But, I am still young. At that*

*time, I was twenty-something and I really still wanted to be wild. Now, when I talk to my friends, my girlfriend, they say that it is completely different, that I have changed a bit, you can see that I have settled down a bit.*

Since cessation, quitting, or desistance from crime is a ‘natural’ process for the overwhelming majority of people, what happens to those who do not quit and carry on criminal careers. Are they what we might call ‘born offenders’ (Batawiah 1984, 76–81)? Why do they fail to desist from crime? In this chapter, I focus on this very question: What factors stop persistent offenders from leaving crime? This question is all the more warranted because many studies show that, in terms of social characteristics, there are basically no differences between those who choose to desist (*desisters*) and those who stays in crime (*persisters*) (Carlsson 2012a, 3; Kazemian 2007, 17). Thus, it can be hypothesised that what determines the change in their behaviour—and by implication, in their lives—is whether or not certain challenges and opportunities come their way at some point and whether and how these individuals handle the challenges or seize the opportunities.

Because I have already used (and will continue to use) the term *desistance from crime* several times in this text, I would like to briefly explain my understanding of the term. There are many definitions of this concept, and I prefer not to quote all of them, especially since this has been done many times before (see Kazemian 2007; Maruna and Farrall 2003). In this chapter, I assume that this term means a certain *process* starting from a decision made by a particular person that they want to make changes in their life in the sense that they would like to live without breaking the law. This process is long and arduous, and there are many obstacles for the offender to overcome. The process has a clear direction and goal, which is to stop committing crimes, but further crimes may ‘happen’ in the course of the process. To put it in other words, perpetrating another crime is often a natural part of desisting and overcoming (or not overcoming) the hurdles that come with the process. This is what Jakub (34 years old) told us about his experience:

*How to say it, a leopard doesn’t change its spots. Opportunity makes the thief, as they say. So when something is just out there, then what? You’ve been stealing your whole ... maybe not whole, but half your life. It’s out there, and what, you’re not going to take it? (...) Once you’ve been in prison, you can’t declare that you’ll never [commit a crime] again. Never say never. A lot of people said that, never say never: I will never end up here, I will never come here, I have had enough.*

Radosław (34 years old) expressed a similar sentiment:

*I wanted [to walk away from crime] so many times and it never worked out ....*  
***And what was that thing that you wanted and it didn’t work out?***  
*Like I told you, the clash with freedom. It could be the same now, that I could be out and I could be doing drugs and alcohol again. And assault people.*



There is an interesting overlap between the process of desistance and persistence that has been pointed out by many researchers. One element of desistance may be committing further crimes. On the other hand, periods of intermittency, or interruption in crime, are also a part of a criminal career. Many scholars even speak of a zigzag path where both processes occur simultaneously, overlapping and intertwining (Carlsson 2012a, 4; Ouellet 2019, 631).

The process of desistance is difficult to study and discern insofar as its success is not evidenced by the occurrence of a specific event. Instead, success is measured by the absence of a certain event, by abstention from committing crimes (Maruna 2001, 17). It is also a very long process: we can even say that it can be interrupted only by a person's death because only then can we be confident that the person has finally desisted from crime: that they have not committed a crime since a given moment in time and certainly will not commit another one. This is what distinguishes the concept of being in the process of stepping back from crime from the final departure or desistance (measured by the last criminal act one commits)<sup>3</sup>. Shadd Maruna argues that the process of *termination of criminality* occurs continuously, as every day a particular person repeatedly makes the decision not to commit a crime (Maruna 2001, 23). It is therefore necessary to distinguish between the effect of the termination and the path that leads to it (Laub and Sampson 2001, 11–12). It is precisely this path and its study that is one of the most intriguing and fundamental challenges faced by criminology in order to understand the process of desistance (Kazemian 2007, 19).

## Research perspective

This chapter is based mainly on an analysis of the qualitative part of our research—namely, the study of 39 in-depth interviews with men, multiple offenders, who were serving prison sentences at the time of conducting the study. This is thus a uniquely specific group of people with criminal careers. Not only have they committed many criminal acts during their lives and have been sentenced many times, but also they started their careers early, being juveniles—and some of them even very early, before they turned 13. Furthermore, they have had the experience of serving prison sentences, most of them many times (for more on the methodological aspects, see [Chapter 2](#) in this volume).

Because of the combination of the length of their criminal career and its intensity, this group is very well suited to analysis of desistance (Laub and Sampson 2001, 10), especially as most respondents have made attempts to live without crime. Sadly, most of them failed along the way: they did not manage to persevere without breaking the law. Consequently, our group of respondents offers an excellent opportunity for looking into the reasons why the process of leaving crime failed in their cases and what prevented them from leading an 'honest life' (as they called it).

When quoting the interviewees' statements, I include their age in brackets. I believe that this is important because it often helps to illustrate or better

contextualise the answers of our respondents and the road they have travelled or the stage in their lives at the time of the interview. This is especially significant because there were substantial age differences among the representatives of the researched group, with the youngest being 27 at the time of the interview and the oldest being 50.

Some may say that I portray the respondents with too much compassion and forbearance; after all, they are criminals, they have committed a prohibited act, and many of them have hurt a lot of people. This is, of course, true, and I do not intend to absolve anyone of their misdeeds. But we must remember that these people are being punished for their actions by serving the prison sentence that the courts handed down to them. And serving it should end the process of continuing to blame them for past mistakes (even serious ones). In this chapter, I want to concentrate on their future and the hardships that we, as a society, are piling up in front of ex-convicts, which are holding them back from the path of crime and from joining the ranks of law-abiding citizens. In other words, in describing the process of desistance with its snares and pains, I am writing about ex-offenders trying to find their place in society.

### **A theoretical perspective on the process of moving away from crime**

To understand and study desistance from crime, it is necessary to understand the processes and reasons that cause people commit crimes. In describing the process of leaving crime, many authors emphasise the role of both subjective (internal, psychological) and social factors and their mutual interactions (Laub and Sampson 2001, 48–49; Maruna and Farrall 2003, 186–189).

One of the most recent criminological theories that elucidates these complex mechanisms and brings together various previous theoretical approaches, and one that I would like to propose here as a theoretical framework for my further discussion, is Per-Olof Wikström's (Wikström 2019, 5–14) modification of *situational action theory*. Wikström extends this theory by a *developmental ecological action model*. In simple terms, situational action theory states that the reasons for engaging or not engaging in illegal activity are the same for every person, regardless of their age or criminal career. They spring from the overlapping of psychological propensities to commit crimes (grounded in moral beliefs and self-control processes) with criminogenic inducements that depend on the social context of a situation or event (these inducements consist of a moral assessment of a given behaviour in a given situation and an assessment of the obstacles or the possibilities of taking such action in a given place and time). Only the combination of all these factors leads to the decision whether or not to commit an unlawful act (in that particular place and time). This process occurs each time a criminal act is committed. It is not a continuous process, as it rests on the convergence of many different forces, which always act in a specific situation and at a specific time.

Therefore, for a person to stop committing offences, at least one of the above two factors must change:

1. There must be a process of psychological change as a result of a person's moral education (i.e., a change in their evaluation of certain behaviours or attitudes) or as a result of cognitive nurturing. Importantly, this process does not involve physical adolescence but rather a certain mental–emotional state that can sometimes occur very late in life, even after the age of 60 (Carlsson 2012b, 928). In this case, therefore, we may be dealing with the effects of institutional upbringing (e.g., at school) or rehabilitation (e.g., in a penitentiary or probation institution) as well as changes in attitudes caused by other influences (family, partner, and peers) or simply the process of 'growing out of crime' and settling down (Laub and Sampson 2001; Muskała 2016, 148–151). Whatever the cause, however, what lies (and must lie) at the root of these changes is the person's willingness and desire to change (Paternoster et al. 2016, 1219–1221). This was also mentioned explicitly by our respondents:

*Also, simply, in my opinion, if you yourself do not want to settle down, let's say, sit on your ass [and not commit crimes], then no one will help you, no probation officer, no psychologist. (...) As I told you, this is my opinion, if the convict doesn't want to change on their own, it's really hard for anyone to motivate them. (Grzegorz, 36 years old)*

*You simply have to want to [give up crime]. This is my opinion about it at the moment. I am 30 years old and I think that I could have changed my life much, much earlier, only then I just didn't want to. And now I want to, when it's already too late. (...) Well, it's not too late, it's not, but this is the third time in this prison and the years are flying by. (Paweł, 30 years old)*

For many chronic offenders, however, finding the will to change can be highly problematic, as they do not feel that change is attainable and do not believe that it is within their reach. This is because in their own view and from their own perspective, their agency is very limited. This judgment is virtually independent of their age, which means that, unfortunately, agency does not increase with age (although this is most often a natural process that progresses with maturing and gaining more experience and skills) (Maruna 2001, 76–77).

However, many authors point out that it is an absolute prerequisite for success: without making a decision about wanting to change one's life, the process of desistance from crime is unlikely to start, as it usually does not happen by accident, without the person's will and commitment (Farrall, Bottoms, and Shapland 2010, 547–549). It is not uncommon for this decision to be made in prison, where many people decide (or at least verbalise their intention) to end with crime and not return to that institution. As Renata

Szczepanik has written, in prison ‘A re-offender lives with the idea of a “resolution to change” at liberty’ (Szczepanik 2015b, 256).

2. Structural, social factors that make it impossible for a person to persist in criminal behaviour need to change, through either
  - positive reinforcement: e.g., education, work, and a stable and meaningful relationship. Most research on desistance emphasises the importance of both a valuable relationship and a lasting and satisfying job—and most often the combination of both (Carlsson 2012b, 916); or
  - negative reinforcement: e.g., becoming cut off from the previous social circles with a criminal lifestyle.

However, it is not just the social environment itself that is important here; also (and again) it is the *agency* of a person, very often conditioned by society, that influences the real possibility of making certain decisions or the lack thereof (Wikström 2019, 5–14; Farrall, Bottoms, and Shapland 2010, 562–563). This is how Bartosz (32 years old) described this process:

*Because if someone leaves prison, and he has been in prison for at least two years, well, there is already a moment when he has been affected by prison and it will take some time for him to acclimatise at liberty.*

In other words, the first step in the process of desistance is, on the one hand, the will, the desire to embark on this difficult path, the desire to change, which must be accompanied by the right social and structural conditions: the presence of adequate support and the absence of obstacles. Otherwise, we cannot say that a particular person is on the road to renouncing crime. However, and this needs to be reiterated, the issue at stake here is not the outcome of the process; it is not whether a particular person succeeds, i.e., whether they actually stop their illegal activity. What is at stake at this stage is the beginning of the process, being willing to embark on this path at all.

Christoffer Carlsson’s (2012b) research on intermittency in crime shows this combination of both intention and circumstance. Based on interviews with persistent offenders (thus a group similar to the one we are also dealing with in the research presented here), he distinguished two forms of intermittency in crime.<sup>4</sup> The first occurs most often in the teenage years and early adulthood (up to about age 40), when periods of interruption happen but are not accompanied by a desire to change one’s life, to desist from crime. This is, for example, the story of Jacek, who, at 35 years of age, had spent more than 17 years locked up in prison, with very short breaks between sentences:

***And how much time have you spent in total so far? Can you tell us what that was like, roughly?***

*Total? With the time I’ve served now, that’s going to be 19 years. And I have a year and a half left. The first time was (...) in Cracow. (...) Then I left after nine*

*months. I got a suspension. On the 18th of December I got out, and on the 1st of January I was already locked up in Warsaw. I was sentenced there for 3 years. So I was in prison in Warsaw for 3 years. After that I was released. I was free for half a year. But I did some shit there. I was sentenced to 6 years. Then I got out. For a year and a half. And then I was released and now I'm serving 9 years. And now this sentence is almost over. (Jacek, 35 years old)*

Simply put, these individuals accept crime as part of their lives, and breaks (longer or shorter, though more often shorter) are a natural part of it. Some of the subjects, like Jacek, are prison careerists, with institutional careers (Szczepanik 2015b, 107ff.). After a long stay in prison, they almost treat this place like home, as they do not know any other life outside prison and its rules. Instead, they have learned and mastered the rules of prison life, which can be illustrated by the statement of Radosław (34 years old), who describes his institutional path in the following way: *'When I was first [time in prison], I was afraid of it, then I got used to it, and now I treat it like a home'*. However, the road Radosław took was very long because, as he admitted further on: *'In fact, I have been incarcerated intermittently since I was 10 years old until today, so it has already been 24 years'*.

However, people like Jacek and Radosław are in the minority. Most of the stories of our respondents—similar but different—show that crime was rather an 'add-on' to other life activities, an 'emergency' means of acquiring money:

*When I had money, when I worked, when I had extra money from other jobs, odd jobs, of course, then I didn't need anything. And when I lost this one job, or I needed more money for something, well then, after some more thought, a crime happened to me. So it was just to make ends meet. (...) Well, it was an emergency measure (...), when my situation was so bad, then I decided to do it as a last resort. (Krzysztof, 28 years old)*

*When there was no money, when money was missing, I stole. Once I did a burglary, then I stole. That was the logic, not to make a living out of it. (Marek, 48 years old)*

*I had some odd jobs, I apprenticed a bit in the studio [place of work], then I worked a bit in the studio. But there was not enough money, so I simply resorted to stealing and extorting. (Paweł, 30 years old)*

Even chronic offenders do not devote their entire lives solely to committing crimes. To use an interesting comparison, perpetrating a crime is not a continuous and uninterrupted activity. It is not like breathing, where inhaling and exhaling always immediately follow one another (Koppen, Rodermond, and Blokland 2020, 5). This means that criminals often lead ordinary lives, ones that resemble those of the rest of society in many respects, except that they also occasionally engage in unlawful behaviours (Carlsson 2012b, 915; Kazemian 2007, 17).

The second form of intermittency, according to Carlsson (2012b), is the beginning of a process that can be described as a desistance. What accompanies

these periods of nonoffending is a desire for change. Most often, however, despite these intentions, change does not come so soon, and maintaining a life without crime is incredibly difficult. This is why there are setbacks in this process and people fail along the way and go back to crime. It is up for debate how much of this is due to their own, fully autonomous decision, i.e., the urge to commit crime, as it brings certain profits (Ouellet 2019, 632, 635–36; Maruna and Farrall 2003, 179), and how much is due to a mixture of factors, including socioeconomic ones, and limited options—however much the offenders themselves would like to ‘go legit’ (Maruna 2001, 74–75). This process is best described by Karol (40 years old):

*Well, what can I say about my life, well, I'm generally happy with my life, if it weren't for these stumbling blocks right, which brought me here to prison for many years. Well I try to cope in every situation and in every area of my life, I think I am coping. Which doesn't change the fact that I spent a lot of time behind bars at a time when everyone achieved something at large, I don't know, started a family, started a business, I don't know, tried to educate themselves and so on, I was the one who spent those years in prison.*

***And why do you think you failed?***

*I think it's all a matter of choices, just choices, the surroundings, the peers, the neighbourhood for sure, the influence of friends. But you know, the older you get, the more you distance yourself from everything, the wiser you are. And I'm like that, I always tried to assess the pros and cons and only then make a decision, but it often happened that I acted spontaneously and because of that, I don't know, maybe I'm a bit unlucky, maybe it's also a matter of luck, misfortune.*

Many stories of our interviewees include unsuccessful attempts to desist and the regrets of having failed along the way as well as the interplay of various elements that contributed to that failure:

*Well, I try to behave in such a way here [in prison] so that I can 'get out' of here as soon as possible. Erm ... Well, to finally take care of myself, because I'm already at an age when it's high time to. ... Although I thought with my previous sentence that I would succeed, but that's how it was ... I learned that life is so fickle that you have no influence on some things. Because back then with that sentence, I know what I did, what I was in jail for. I realise that. And now this, because it's so ... [he gets upset] I didn't have to end up here. (Dariusz, 40 years old)*

*Well, I tried to stop committing crimes, but again I was in jail for these, for driving offences. And it was when I was drunk that they caught me, and then I didn't have a licence, I took risks, I drove without a licence, then I had a ban again, then they caught me while I was banned, then I was banned for three months, three years ago. (...) I didn't have a driver and I had to take risks to make a living somehow. I needed a car to go to work, there was nowhere to get a driver from, so I took*

*the risk myself. Sometimes I did, mostly I had a driver, but when there was no driver, I took the risk myself, and it all turned out as it turned out (Marek, 48 years old)*

***Maybe this is a private question, but you ... you had family commitments, your fiancée, children, work. What made you want to ...***

[Sighs] *Gee, well. I'll tell you this. I know, I, because I know what you mean ... I mean I understand [with much embarrassment]. I'm asking myself this question. Because, you know, for those three years, where I didn't even have the power to think about anything, anything at all. ... Because it was non-stop grind [working on construction sites abroad]. I was so tired of it that I took the easy way out. So to speak. And so it happened that this year, I guess you could say, out of that freedom which I had last year, I allowed myself to return to my old ... old lifestyle. (Rafał, 32 years old)*

These stumbling blocks, i.e., relapses into delinquency, are not infrequently the consequence of the life situation and the particular socioeconomic circumstances of those who try to leave. It is not easy to lead a law-abiding life when you have no family support, no education, no savings, and a full criminal record (Maruna 2001, 73). When asked about support in the process of desistance, Dominik (36 years old) said:

*Who is helping me? What is helping me? Nobody is helping me, nothing is helping me. I was just forced by the situation to come back to doing it. And ... someone persuaded me, you could say that.*

Patryk (35 years old) tells a similar story about the lack of support from any person or institution:

*Well, but then she [my mother] did a number on me and I was left without a flat. From one day to the next. I also had to deal with it quickly, and that's why these crimes happened. You know, you don't have money in two minutes and you have to do something, because if you don't, you'll sleep on the street. (...) And [when I went to prison for the third time], it was a stupid story, because I had just drunk vodka and went into a shop [and] took some money and left. That is such a stupid thing to do on my part.*

Nonetheless, the intervals between offences become longer and longer, and persistent offenders themselves make further attempts to persevere in their lives away from crime. This is accompanied by other changes in their lives: in their relationships with people (Carlsson 2012b, 924–925, 932–933).

It is worth noting at this point that although for most offenders desistance is a natural process, some have no intention of quitting. One of them is Artur, who described himself as 'rotten to the core' and, therefore, despite being 50 years old, he has never tried to change because he could not find any motivation to

do so. Kamil (30 years old) is a completely different case. He, too, did not try to desist before going to prison. As he said:

*I was comfortable [in life]. It was fun. I enjoyed it [committing crimes] at the time. I didn't see anything wrong with it. I couldn't imagine a different life. (...) I enjoyed it, I did what I wanted, when I wanted. I went on holiday whenever I wanted, for as long as I wanted, I was not held down by any job, I did not have to wait for any holidays. I did not care about anything. I lived for the moment. I got in the car, I was supposed to go with friends to a lake—change of plans, we're going to the seaside. And just like that we went to the seaside. In a way, those were nice times in terms of crimes, of course, but that you could do whatever you wanted.*

However, Kamil was at a different point in his life back then. At the age of 23, he was sentenced to seven years in prison (he had been sentenced before but to noncustodial sentences), and it was only his stay in prison that affected his perception of the world. You could say that it was only there that he had time to grow up. That is why he did not try to stop committing crimes earlier (but at the moment we had a conversation with him, he had made detailed plans not to return to prison anymore).

A group that does not desist is people who are repeatedly sentenced, people who 'live the prison life', including 'prison careerists', as Szczepanik calls them, for whom it is punishment and prison that have become an everyday reality, a reality with which they do not try to fight and to which they adapt. It is also a reality from which they derive certain benefits: short-term benefits while in prison or long-term benefits that go beyond their release and involve exploiting the connections made in prison (Szczepanik 2015b, 246–253). Being a criminal is part of their identity, of who they are (by their own description). And even if they have some interruptions in their criminal behaviour, this does not change much; they are still part of the process of being a criminal and living a life of crime, with perhaps brief and minor breaks along this path. These perpetrators are 'seduced' by criminal activity: they are comfortable in this life (like Kamil was) (Carlsson 2012b, 921–924). And although it happens that they also manage to eventually desist, this process actually happens without their making such plans: they simply stop committing crimes at some point in their lives for various reasons. Desistance may be a goal for them, but a very distant, theoretical one; and in their everyday life, the question of not committing crimes is not an important element that would occupy their attention because they are dealing with other problems that are more important for them (Schinkel 2019, 383).

Another group for whom desisting from crime is not the answer to their needs is those involved in organised crime groups. They do not and do not want to plan a different life because for them remaining in crime means a higher social position and a better quality of life with higher standards of living. That holds true even if this life is 'interrupted' by periods in prison, which they treat as a 'revolving door': they leave it and enter it again. Alternatively, they plan some change



in their offending methods to reduce the likelihood of returning to prison, e.g., switching from drug crime to economic crime, which is more favourable, as the sentences are shorter (at least in the opinion of some interviewees) (Kotowska 2019, 431–439, 499–500). We can therefore speak of professional criminals, for whom committing crimes is a form of professional career. Nevertheless, this is a rather insignificant portion of all those who commit crimes—or even of all those who have had criminal careers.<sup>5</sup> Nor will people who manage to avoid being caught or punished by the criminal justice system be eager to move away from crime, as they reap the benefits of their actions without any of the side effects and distress associated with them (Ouellet 2019, 648–649).

However, the cases of Artur and Kamil are exceptions among our respondents. The other interviewees tried to ‘live an honest life’ (as Robert called this). And sadly, they failed on this path, unable to persevere without committing crimes. Therefore, in the following pages, I will focus only on people who wish to desist. Most probably these were the ones—as can be seen from our findings—who wanted to talk to us and agreed to take part in our study. And even if they do not succeed, they are at least taking steps in this direction. Thus I would like to describe the obstacles that keep them from desistance.

### Hooks, snares, and pains on the way of desistance

In describing the process of desistance, authors most often focus on the positive aspects of this process, looking, for example, for *turning points* that changed the person’s life trajectory. The most frequently cited turning points are a stable and meaningful relationship (or marriage), a permanent job, and parenthood (although it is motherhood more often than fatherhood). However, such a turning point can usually be identified and mapped only retrospectively: in hindsight. And the role of this one event or occurrence may be exaggerated (especially looking back on it and recounting it several years later). In my opinion, these points are rather milestones on the path in the process of desistance, on the road to change, that confirm this change has taken place but that in themselves do not produce the change: they are not the cause of it. It is rare to find a truly ground-breaking event, a kind of epiphany or a moment when one hits rock bottom, that becomes the beginning of a new life (Szczepanik 2015b, 257–258; Maruna 2001, 25). In the overwhelming majority of cases, the occurrence of a so-called turning point and the attribution of a certain importance to it in the overall process of change, of desistance, are possible only because a number of other, smaller and less noticeable processes have already taken place beforehand and after. However, these processes—which occur both psychologically and socially—are difficult to grasp, whereas turning points seem easy to identify, or rather to reidentify, especially after some time (Carlsson 2012a, 10–13; Laub and Sampson 2001, 49).

Hence, the interpretation of certain events not as a turning points but as ‘hooks for change’ is more adequate in my opinion. A person can ‘hang’ on these hooks, which can cause a change in their life trajectory depending on

their earlier and later situations (Carlsson 2012b, 916). Such hooks may be people, relationships, or institutions that support the person and the changes they want to make or have already made in their lives. Szczepanik writes about these events in similar terms when she speaks of 'getting hooked on freedom'. And although she has a slightly different behaviour in mind because she discusses the reoffenders' efforts to break away from their institutional careers and find a place for themselves after leaving prison, their common goal is to try to build some kind of life outside of prison, to find such a hook of change. This hook can then evolve into anchoring if the circumstances are favourable (Szczepanik 2015b, 277–278, 293–294).

In spite of these hooks, turning points can happen in the lives of people who are desisting from crime but with an opposite tendency, causing them to get off the hook and return to crime. These usually stem from the loss of an important point of support (a hook), such as the loss of a permanent job (as in the case of Sławomir), the end of a relationship that they appreciate only after a break-up (as in the case of Artur), or the death of a significant and close person (as in the cases of Damian and Rafał).

*I worked for a year and a half, and unfortunately the old problems resurfaced. One time I was walking in the winter, I slipped, and fell, which aggravated my old injury. It was so bad that I was on sick leave for six months. And unfortunately, this break meant that when I came back, I was fired. So the gang [of friends] came back together again. (...) And unfortunately it [was] a bit different then. It was no longer trivial stuff, fooling around, because there was alcohol, it was a different life. (...) I became a football fan (...) and I met a lot of fans. And it started there, maybe not with some big brawls or something, but with small ones, or maybe some fights with other fans, of course. And then it turned into, you could say, a group of people who trusted each other enough to do something more. We started thinking about more serious robbery, which would help us improve our financial status. And that's where it started. (Sławomir, 48 years old)*

*I used to have a girlfriend, but I didn't appreciate what I had. It wasn't until I lost her that I opened my eyes, it was all too late, and the fact that I was, no, I couldn't shake it off when she left. I didn't need anything else to do with my life, I just punched people in the face and drank Amarena [a cheap and poor quality fruit wine] and went around stealing and so on. That was in 1998 and since then I've been in prison non-stop. (...)*

***So you could say that your world collapsed.***

*Collapsed, I guess you could say, collapsed, collapsed. (Artur, 50 years old)*

*Later I worked on various construction sites. I worked for my uncle. I was laying paving stones, as a cobbler. I think I worked there the longest. I liked it there and everything. Then my uncle died (...), an unfortunate accident. And again everything went wrong. (...) Well, my uncle, he was my role model. I admit, he shouted a lot, but ... but he was all right, despite everything. (Damian, 33 years old)*

*I lost my father and my brother over a period of six months. And ... I ... I also got involved in this, I guess you could say, this kind of escape. Those drugs and stealing, right?* (Rafał, 32 years old)

In this text, however, I do not want to focus on individual events in the lives of our subjects that cause them to ‘get off the hook’. I would like to demonstrate the systemic problems, the processes in which the respondents took part and which result in the shallow anchoring of hooks or their gradual loosening, after which an offender ‘slipped’ from them. I also want to demonstrate that some people do not find such hooks on their way, so they do not have an anchor point around which to start building their lives. After all, desistance from crime is, as I have mentioned many times before and as Maruna has aptly written, a process of maintaining a law-abiding life despite the obstacles and frustrations present in it. It is a process in which not everything always goes as planned and not infrequently someone ‘gets a slap in the face’, i.e., one stumbles and commits another criminal act (Maruna 2001, 26).

In order to describe the processes that make it difficult or impossible to leave and persist in change, in good behaviour, I will use the concept of *pains*. It was first introduced in the classic work of Gresham Sykes, in which he identified and described five ‘pains of imprisonment’. These were the deprivation of liberty itself, the deprivation of access to goods and services, the deprivation of access to contacts and relations with people of the other sex (not only being deprived of sexual contacts but also having to spend practically all the time in a masculine and strongly masculinised culture), the deprivation of agency and autonomy, and the deprivation of safety and the feeling of security, as the prisoner is threatened by both other prisoners and officers (Sykes 1958, 63–83). Sykes concentrated solely on showing the collateral effects of serving a custodial sentence (using the example of a maximum security prison). He did not differentiate or valorise the pains that he described; he simply revealed them.<sup>6</sup>

Since then, many authors have used this metaphor (for it can hardly be called a theory), developing it in different directions. Kevin Haggerty and Sandra Bucerius (2020), in their paper summarising and grouping together various studies on pains (selected because the authors referred to Sykes’s concept as the theoretical background on which they built), noted that they can be divided into four groups, based on whether they are

1. adding new types of pains to those identified by Sykes, e.g., relating to the various psychological pains resulting from imprisonment;
2. breaking down the original pains into smaller parts, primarily indicating their impact on different groups of people in prison and showing the intersectional impact of pains, e.g., on women prisoners or on the elderly or sick people;
3. showing how the pains of imprisonment also spread outside the prison walls, into life at large—affecting both convicted persons after they are released

- (which I will discuss in more detail below) and their families while they are serving their sentences; or
4. suggesting a new understanding of pains, albeit also linked to pains outside of prison, but with different elements such as the systemic *pains of mass imprisonment*, but also the pains associated with rehabilitation interventions and *risk assessment* practices underpinning release from prison or other rehabilitative measures. (Haggerty and Bucerius 2020, 3–8)

The authors of this classification say it is a suggestion that does not exhaust all the possibilities, and while it seems they have used fairly clear categories in the design of this classification, the assignment of different studies and concepts to their categories can sometimes be arguable. However, I do not intend to enter into a serious polemic with the authors because that is not the purpose of this chapter. I have cited these categories to indicate the directions in which Sykes's concept has been evolving and, in particular, its infiltration beyond the walls of the prison.

In fact, what I find most interesting, and what I would like to focus on below, is the question of the pains that are inherent in imprisonment as a punishment but that go beyond the confines of prison. This process was already noted more than 100 years ago by Oscar Wilde, who described his experiences after leaving prison in a letter to a friend. He lamented that he experienced suffering and punishment all the time, even at liberty: both physically (he suffered from illnesses he contracted in prison) and intellectually and socially (he faced ostracism) (Warr 2016, 586).

In addition to the concept of pains, which is widespread in many works, however, I would like to introduce a second concept, that of *snares*, in the following analysis. Both stand in the way of living (or sometimes even starting) a nonoffending life and cause at least discomfort and often suffering and burden on the part of those who experience them. So how are they different?

I understand *snares* as systemic changes (but including those in the social environment) that are essentially impossible for the individual to surmount, such as the public stigma attached to ex-offenders. The only thing they can do about them is to accept their existence and try to cope with life despite them or in defiance of them. This is a similar approach to that of Terrie Moffitt (who, however, mentions other types of snares alongside systemic ones, such as addiction, teenage parenting, and leaving school). However, while Moffitt has in mind events that took place in adolescence and that entrap young people in delinquency (Moffitt 1993, 684, 691; McGee et al. 2015, 347), in this chapter I would like to concentrate mostly on adulthood and look for similar snares in this period of life, during the attempts to move away from delinquency.

I understand the term *pains*, on the other hand, to be those problems and challenges that stand in the way of people desisting from crime and that, although also difficult and painful, nevertheless carry the potential for change. In other words, the desisting person can cope with and overcome these either alone or with the help of other supportive people.

What is important is the overlapping and intersecting of these two types of problems—namely, pains and snares—in the experience of each person leaving

crime. I divide pains and snares into four groups, building further discussion on them and analysing the findings of our research through them:

1. The pains and snares resulting directly from the conditions of imprisonment and the organisation and functioning of the whole penitentiary and postpenitentiary systems (the pains of isolation and self-creation within the prison). Another important element is the issue of the difficulty of maintaining relations with the outside world during the period of imprisonment and, in general, of maintaining interpersonal relations when deprived of contact with the outside world (the pains of loneliness), which can lead to a negative impact of relationships and 'cellmates' on life after the release (the snares of debt).
2. The snares connected with the stigma of being a criminal, resulting from the way the criminal justice system works and the way perpetrators of criminal acts are punished, i.e., the social stigma of crime (and of being an ex-convict), which limits the possibility of rebuilding one's life after leaving prison, including taking a job. This group also includes the impact of crimes committed earlier on the size of punishment (recidivism) and the issue of particular crimes, such as nonpayment of alimony, penalized in Poland with imprisonment, which does not let one get out of the spiral of debt.
3. The pains related to the lack of relationships and a support system, i.e., the pain of loneliness, of (self-)isolation outside prison walls. This is due to a number of reasons: lack of support from family and friends, interruption or failure to build close relationships and loss of illusions about other relationships, and, finally, the need to stop old criminal or deviant contacts in order to build a new life. This group of issues also includes the lack of a place where the person could stay that would be a starting point for them or, more generally, the inadequacy or even nonfunctioning of the postpenitentiary system.
4. Personal and psychological pains, related to self-identification (as a criminal or a law-abiding person) and a sense of personal failure related to the possible breakdown of plans to leave crime (pain of goal failure), the question of agency and the possibility of making certain decisions, and also the fear of oneself and the difficulty of exercising agency after a long term of imprisonment, when there is no possibility of deciding about oneself and when every minute of one's life is decided by someone else and controlled by someone else (an officer or another inmate). I call this last element the pain of independence, the pain of self-governance, i.e., the fear of whether the person will be able to handle life at liberty on their own and not return to crime or addictions.

The classification I have proposed is not isolated or fixed. I am aware that many of these elements intersect and have points of contact that are interrelated and

interdependent. In fact, it is difficult to isolate ‘pure’ forms and processes from human life and social phenomena, especially because many of them are intertwined in everyone’s life. I also realise that not all people have to experience all forms of pains and that individuals will experience pains to varying degrees. This is because it depends on their history and their attitudes to life and motivations (including motivations for desistance) (Haggerty and Bucerius 2020, 10–11; Listwan et al. 2013, 148; Ginneken and Hayes 2017).

So how do obstacles to desistance differ from pains and snares? In my view, obstacles are often some single events or decisions that people face during their attempt to desist and that cause them to stray from their previously chosen path. Obstacles can arise from pains or snares when one is not able to bear them. Pains and snares are therefore longer, tougher, and more permanent, so to speak, and involve not only physical hardships but also the need to overcome psychological barriers.

I would like to stress once again that in this study I will be describing only those pains and snares that are related to the process of desistance when a given person had the will to desist. The breakdowns of the various pains and snares are based on interviews with men from our research (supplemented by other criminological research), so it is likely that not all points discussed below will be applicable, or at least to the same extent, to women who wish to desist. This issue requires separate research, without a doubt.

## **The pains of imprisonment that go beyond prison**

### ***The role of the severity of punishment in crime prevention***

The criminal justice system was created to inflict, on behalf of the state, a certain type of suffering, called punishment, on a person who violates the legal order. The types of punishment that may be inflicted for the commission of a particular offence are detailed in the laws under which judges exercise their discretion. The purposes of punishment vary and are defined differently in each piece of legislation, but one purpose is always to inflict some form of suffering on the offender as a form of retribution for the breach of the law. Nils Christie writes that ‘imposing punishment within the institution of law means the inflicting of pain, intended as pain’ (Christie 1981, 1).

In Polish legislation, the objectives of punishment are listed in Article 53 § 1 of the Criminal Code, which defines them as preventive and educational both for the convicted person and for society (the punishment is to take into account ‘the needs for shaping the legal awareness of society’). Thus, apart from the rehabilitative function, the preventive function of punishment at the individual and general levels has been emphasized. The legislation also assumes that the punishment is supposed to be unpleasant, to make a person suffer, and that the punishment recommended is to be adequate to address the blame and the degree of harm caused by the act: in other words, the legislation refers to an appropriate form of retribution. These considerations are accurately summarized by the

Court of Appeal in Wrocław, according to which the severity of a penalty should be influenced by

the degree of culpability of the perpetrator and the proper relation between the nature of the offence committed by him or her and the mentioned social sense of justice, which the imposed penalty should satisfy as a just retribution.<sup>7</sup>

The *pains of punishment* can be defined as ‘a personal experience of physical, mental, or emotional suffering by a penal subject, arising from their punishment by agents of a criminal justice system’ (Hayes 2018, 239). Many people (mainly politicians but also so-called ordinary representatives of society) believe that punishment should be severe and that the current legislation is too lenient and should be tightened so that perpetrators are punished more harshly. Depending on the survey, the percentage of respondents from Polish society who shared this view in July and August 2018 ranged from 58% to 73.2% (Klimczak, Ostaszewski, and Siemaszko 2020, 550). This influences the laws proposed by politicians. Although the new Polish Criminal Code (hereinafter PCC), passed in 1997, was adopted under the slogan of liberalising criminal law, at the time it was already one of the strictest European codes. What is more, in subsequent years and through subsequent amendments, the regulations were mainly tightened, especially when politicians from the Law and Justice Party were in power (some of these changes were even introduced under the slogan of ‘the mace of repression’) (Marek 2009; Muszyńska 2020). In particular, the especially broad and far-reaching recent amendment of 2019 basically aims in one direction: to tighten the severity of punishment, even by limiting judicial discretion and introducing mandatory aggravations in certain situations or further increasing the stringency of criminal sanctions. The explanatory memorandum indicates that the aim of this regulation is to increase the punitive severity of the Polish criminal law system, ‘taking into account the need for severe repression against perpetrators of such acts, which evoke a strong social need for retribution and stigmatisation’.<sup>8</sup> This trend is by and large in line with societal expectations, as, on average, about half of Poles surveyed in opinion polls believed that the aim of the reform of the penal law should be to punish offenders more severely. On the other hand, however, retribution as the main objective of punishment was recognised by only 19% of respondents, while another 31% claimed that punishment should function to protect society from offenders (Szymanowski 2012, 298, 250).

It is also assumed that the punishment meted out to persons for the same (or similar) acts should be similar. In practice, however, the application of this principle varies. Judges declare that during the process of adjudicating the punishment, they pay great attention to the personal circumstances of the perpetrator (which is also prescribed by the provisions of the PCC) and that at the same time, when imposing the punishment, they are only slightly guided both by

what punishments their colleagues impose for similar acts and by the opinion of academics in this area (Królikowska 2018, 388–394). Thus, large differences in the severity of sentences can be observed between different judicial districts in Poland (Mycka 2010).

It should also be borne in mind that, as research shows, the same punishment is going to cause different levels of suffering for different offenders. This depends on the convict's experiences and lifestyle but also on the social setting in which the sentence is served, especially a custodial sentence (some studies even show that offenders prefer to serve a short-term custodial sentence to certain types of probationary sentences) (Ginneken and Hayes 2017, 69–75; Durnescu 2011, 532).

According to the opinion polls, punishment, especially imprisonment, should be severe; after all, prison is not a hotel or a spa resort.<sup>9</sup> According to about one-third of Polish men and women surveyed, punishment should serve mainly as a deterrent (Szymanowski 2012, 250). This is also the opinion of the majority of Polish judges: 19.4% of them identified this function as the main one, and another 31% identified a combined educational and preventive role for punishment (Królikowska 2018, 382–383). Meanwhile, punishment, and especially its execution, can be counterproductive, possibly even contributing to an increase in the rate of offenders' return to crime.

Indeed, research by Shelley Listwan et al. (2013, 162–163) and Michael Windzio (2006, 354–355) shows that, at best, prison sentences can hardly be said to have deterrent effects. Moreover, if the prison conditions are extremely harsh and the inmate faces victimisation, either as a victim or as a witness, i.e., when they see that the place is not safe for them (lack of personal security in prison was one of the pains already identified by Sykes), this increases the likelihood that they will reoffend after leaving prison. One of the inmates interviewed by Barbara Toroń explicitly said that not only did the prison not frighten him but also it caused him to become 'even worse, more ruthless' after leaving (Toroń 2013, 276). Tough prison conditions and irrational restrictions lead to increased aggression and to hatred. They also lead to a sense of deprivation and humiliation (Crewe 2011a, 510–511). What the prisoner 'learns' in prison is a specific way of thinking and behaving, driven by fear, that often provokes anger and aggression. Bartosz (32 years old) talked about the feelings that prison evokes in him:

*I am sick of this prison, I am sick of it. I get up in the morning and I'm pissed off. I should get up happy, smiling, but I get up in the morning, I look at the bars and I'm pissed off all day.*

This statement shows the feelings of hopelessness, fatigue, aggression, and anger that prison triggers in Bartosz.

Isolation therefore perpetuates negative social attitudes rather than changing them and contributing to rehabilitation. This is in line with Robert Agnew's general strain theory, according to which excessive stress and negative emotions (caused by the prison and its system) are relieved by committing a crime (or using



psychoactive substances, which are also often associated with crime<sup>10</sup>). They lead to a release of tension (and may also contribute to rebuilding the image of the perpetrator in their own eyes after years of humiliation and to showing their strength or agency) and may be a form of revenge, a revenge on society for what the person experienced in prison. Criminal acts may also result from a lack of self-control skills, which are reduced as a result of prolonged strain (Listwan et al. 2013, 148–149).

Also Polish practice and studies of imprisoned people show that both the supposedly deterrent and preventive role of prison and the harsh punishments do not work. This is because ‘for prison to act as a “deterrent”, one has to have something to lose’ (Muskala 2016, 234). The inmates themselves see clearly that prison as an institution does not work. Patryk pointed this out about the people who work with him in prison and who sentenced him to this punishment:

*They don't want to find a reason why I keep coming back here. They just think they punish severely ... they punish severely all the time. They think they're going to achieve something that doesn't work. And it hasn't worked for many, many years.*  
(Patryk, 35 years old)

Research thus reveals a different function and a different face of prison: as a place where some people exacerbate their anger and aggression, ‘learn’ about crime, and make connections that they can use in the future to raise their status in the criminal world (Moffitt 1993, 684; Ouellet 2019, 633; Szczepanik 2015b, 251–252; Toroń 2013, 276–277). It also shows that the constant struggle against the fear and humiliation that a particular person has had to endure in prison damages their psyche, which was often already very fragile, and instils and exacerbates antisocial behaviour in which aggression plays a central role.

### ***The pain of prison beyond the prison walls***

In our research, interviewees highlighted the same pains of isolation arising from imprisonment as already reported by Sykes and later raised by Ben Crewe and Jason Warr. They spoke of inactivity and boredom, of being cut off from the world, and of the difficulty of returning to it after years in prison when life outside the walls is rapidly moving forward (Sykes 1958, 65–66). They were referring both to the advancing technical changes and to the resulting lack of knowledge, e.g., how to use a smartphone but also how to validate a bus ticket in modern ticket machines, the lack of a bank account, and the inability to use a payment card.

Respondents also spoke of *the pain of loneliness and distance*, as relationships established in prison are rather impermanent and people met there are not even considered colleagues, let alone friends. In general, the level of mistrust toward fellow inmates is extremely high. Thus, prisoners are often left alone with their problems and emotions (Crewe 2009, 304–306, 364–365; Windzio 2006,

344–345). They do not want to share them with their fellow inmates or with the staff (including psychologists). This is how our interviewees described their relationships with other people in prison:

*Here, it's only acquaintances, here I don't have any friends. (Maciej, 31 years old)*  
*I just don't have any friends at the moment. Generally they are convicts for me, who can still get me in trouble or hurt me. (Arkadiusz, 35 years old)*

*Despite the fact that I live here, I try not to participate in it all. I don't chat with them, I don't meet up with them, I don't establish any deeper relations. I am here because I am, simply because I have to be somewhere. (Paweł, 30 years old)*

*I always suppress everything inside me. I deal with it myself. Why should I tell anyone anything? As I say, in prison nobody cares about anyone's business, what do they care that I tell someone, what they say to me, it doesn't help that someone will say that they feel sorry for me or something. (Radosław, 34 years old)*

These relations with 'comrades', as Szczepanik calls them, are superficial, but they are nevertheless necessary for many people, as they constitute a substitute for social relations and satisfy, to some extent at least, the need for contact with other people, even if it is founded on detachment and mistrust. Inmates simply spend time together, even if these shared relationships focus only on minor, everyday matters (Szczepanik 2018, 149–152). These acquaintanceships do not last in prison and most often do not go beyond its walls. In fact, this is not a new phenomenon, and similar conclusions can be drawn from research conducted by Teodor Szymanowski in the 1980s, which shows that only about a quarter of former inmates kept in touch with people they met in prison after their release and that only for 6% did these contacts provide a ticket to enter a new social circle (probably mostly a criminal one) (Szymanowski 1989, 168).

Such contacts made during imprisonment can be dangerous and turn into snares. This is shown, for example, by the stories of members of organised crime groups. Many of them, during their first stay in prison, established relationships that resulted in their permanent association with organised crime (Kotowska 2019, 418–420). This is because they saw prison as a way to 'make a name for themselves' in the criminal world, to improve their skills.<sup>11</sup> Or they were simply planning their future, knowing that other opportunities and avenues were hardly available to them due to the scarce social resources (social capital) our respondents had in the noncriminal world. Relationships in prisons are more often established, moreover, by people who have no one behind the walls, so they compensate for their lack of interpersonal relationships with contacts inside prison, thus overcoming their loneliness (Szczepanik 2015b, 309–310, 251–252; Toróń 2013, 276–277).

Others began relationships with fellow inmates because they needed favours, protection, money, or access to goods that they did not have and could not otherwise obtain. And they thus incurred a kind of debt that they had to repay upon release. A similar obligation could also be created by maintaining contact with

criminal acquaintances while in prison. This is what Paweł (30 years old) did, helped by his sister who was in direct contact with his friends outside. He said:

*These are people who have connections, who can get things done. These are not people who steal or commit crimes. However, these are people who have more opportunities than I do at the moment and are able to arrange something, for example, cheaper cigarettes or some top-ups. I don't care where the top-ups come from, I'm interested in the top-up. I am not interested in where it comes from.*

Paweł's lack of interest in the source of the top-up or the cigarettes may indicate a lack of desire to look to the future. After all, this kind of relationship and 'support' received from his friends will probably need to be repaid, to be reciprocated once he is released from prison. These obligations may be enforced by his 'friends' even during his stay in prison.

In cases of such relationships, it is certainly not possible to speak of colleagues or friends 'from the cell' but rather of a relationship of dependence that haunts a person and, even if they wanted to leave crime in the future, will be a snare (*a snare of debt*) that will not allow them to do so. This is because they will have to pay their debts back, usually by participating in illegal activities (Szczepanik 2018, 146–148; 2019, 115–117). Life in prison, however, makes them unable to refuse to enter into these arrangements, as in the short term, they are one of the few possibilities to survive in these conditions. Some of the respondents, like Jacek, are aware of the commitment they will have to repay but accept the deal. Others—like Przemysław—prefer not to enter into this kind of relationship for fear of returning to prison. It is not clear whether he fears owing the debt or simply returning to the bad 'company' or both, but he cuts off the relationship with the wrong person just in case.

*As a matter of fact, I only have one new friend who used to be locked up here with me. An older guy. He was released for a break about a year ago. And for a year now he's been helping me financially—every month he sends me a couple of zlotys for a package, a hundred. I don't get any help from my family. But, of course, I will get out and I will have to pay him back. In instalments for helping me. Because it may happen that I will leave and he will come back here. So I will have to help him. If you're honourable, then, then the next person will remember this. ... Just like he remembers me, I'll remember him when I leave and he'll come here. (Jacek, 35 years old)*

*One has left this place, my partner from the outside world, he is my friend. He's at large now. It's just that I don't want to make a commitment to him that I'll get out, that I'll do something. Because [although] I could count on his support, I know that he's set in his ways, still doing bad business, still making money. And I know that if I continued that relationship, after I got out I would definitely come, I would have fun, and that's kind of a fuse for me, and I'd rather cut him out of my life than risk it. I just don't want to be in prison anymore. I'm honestly fed up with prison, with this crap (Przemysław, 36 years old)*

However, for some people (like Jacek), the freedom of choice and the freedom to decide not to use the ‘help of friends’ are very limited. And afterward, such a person is essentially deprived of the opportunity of breaking free from the arrangement by which they are bound. This begs the question of whether the offender is always fully aware of the implications of this deal and the services expected of them later on. Jacek, for example, thinks—and hopes—that after getting out he will somehow be able to repay the debt he has incurred. To do this, however, he will need to find a properly paid job. And what if he can’t find one? Or if his friend demands another form of ‘payment’? At that point, Jacek will probably not be able to ‘honourably’ withdraw from the deal and will do what he is asked to do. What the consequences of such commitments will be cannot be foreseen beforehand.

The inmates also think of their loved ones whom they left when they went behind bars and with whom contact in prison is very scarce—with infrequent visits, letters, and phone calls being no substitute. They also feel that life at liberty happens outside of their control, and they are sometimes informed of decisions made there, including those with profound repercussions for their lives, such as the fact that they have been left by their partner, which at best they will hear about from her and at worst from third parties (Crewe 2009, 440–443; Warr 2016, 594–595). On the day of the interview, one of our respondents, Jakub, was waiting for a phone call from his wife about whether their 11-year relationship would continue or whether she wanted to end it. It was evident that this was causing him a lot of stress (which affected the whole interview with him). He talked about his helplessness in this situation and his inability to change or influence the circumstances in any way:

*If she doesn't want to be with me, for example, and wants to make a life for herself with someone else, then I won't keep her by force. What can I say to her on the phone: 'If you leave me, I will do something to you?' Come on. (...) What can I do? Threaten to do something to her? (...) Well, if she wants to leave, let her leave, whatever. (Jakub, 34 years old)*

Sometimes our respondents even encouraged their partners to settle down with someone else because they were convinced that while in prison they would not be able to provide her and their children with adequate support:

*I told her to leave so that my children would not go hungry. I told her to find a boyfriend, I couldn't, the kids were 4 and 2 years old, so they wouldn't go hungry. Winter was coming, we had instalments to pay, there was no coal, so I told her to find a farmer. So she wrote me, sorry, but you asked for it yourself, and she wrote that she met Artur, also Artur like me. Good, after two weeks he bought her a car, the kids didn't go hungry. And I said to her during the family visit, fuck our love it's not important, the important thing is that the children don't go hungry. She started crying, 20 minutes and the visit was over, I went to the cell to cry, and she left the visit crying. And that was it. (Artur, 50 years old)*

Another important thing that the detainees miss out on is their children growing up. Of course, this applies to those who want to be fathers and for whom this role is important.<sup>12</sup>

*I did not have the opportunity to change my son's diapers, the second one. I just didn't get the chance. Janek [my son] was born in May 2017, and I've been in jail since January, so I haven't really had the opportunity to take care of this boy. All I can do is look at pictures and that's it, plus visits. For me, that is not enough. For me, it's not much. I call home, it's Michaś [my older son] he simply, now a little less, but the beginning was terribly hard, he howled into the receiver for me. (...) [He was] 3 years old, 3.5 years old, when I got into prison. (Paweł, 30 years old) When Krystian [my son] was ... born, I was serving a prison sentence ... I mean, I was in the pretrial detention centre. But... because, because they locked me up when she was eight months pregnant. (...) With Patrycja [the older daughter] I got to experience [something from] those best years. Those two to three years, because I got out of it [prison] quite fast. And I still spent a little bit of her childhood with her, I guess, didn't I? And with Krystian, well, I've already been released, eight years in total. Like that ... those best years, they've already passed. (Rafał, 32 years old)*

Some of our respondents feared that their children would not recognise them at all after they have been released, especially if they were incarcerated when they were very young.

*Well, my child is six years old now. And I have been in prison for three years almost, so. So the child, you could say, didn't know me, as a three-year-old. But he remembers me, no doubt. (Dawid, 36 years old)*

These types of concerns, reflecting Dawid's, were mainly expressed by people whose relationships with their children's mothers are superficial or poor; hence, they have no contact with their children. They do not even see their photos or meet them at family visits. There were also instances where the fathers had never met their children, such as Michał (27 years old), and were afraid the children would not want to have any contact with them:

*I have such concerns too, whether she [my daughter] will even want to find me. By the time I get out, if I do the full sentence, she'll be almost ten years old. She will be a fully aware girl, maybe not a grown-up, but fully aware. I have concerns about how it will go, this first meeting.*

But there were also people who themselves restricted contact with their children during their prison sentence because they simply did not want their children to come and see them in prison and experience what the institution was like: not to see the bars, the barbed wire, or the uniformed officers so that it

does not cause a trauma. Prison also has a large influence on the families of inmates, who also suffer its pains: the bars, the waiting, and the humiliation (Haggerty and Bucerius 2020, 6). And that's what Dawid (36 years old) wanted to spare his daughter:

*When [my daughter] first came here to see me, she saw that kind of tower [watch-tower on the outer walls] there, there's one there, right? [I tell her then,] 'You know there's no princess in that tower'. She thinks, I don't know, that it's a fairy tale or something. I think she understands it now, because she sees it too. [She asks,] 'And who are these police officers?' because they're walking around there in uniforms during the family visit. 'They're making sure that everyone is well-behaved.' [Laughs] I say, 'Behave yourself or the officer will come and shout at you'.*

Finally, while serving their sentences, inmates go through the death of loved ones. But they were not around at the end of their lives and could not say goodbye to them.

*[Mum] died when I was in prison for the first time. (...) Well, always, always ... I had very close relations with mum, you know. Then mum got (...) lung cancer, after which she didn't tell anyone about, right? (Rafał, 32 years old)*

There is nothing that prisoners can do to avert any of these pains. In general, the influence of prisoners on anything that happens outside prison walls is practically negligible, especially when we consider the relationships or emotions of their loved ones or their health issues. While incarcerated, offenders are unable to deal with anything outside (Warr 2016, 594). In fact, the pain is most severe for those who have a support network on the outside, who have an emotional connection with loved ones that they have built while at liberty (Windzio 2006, 346–347, 354). Consequently, the role of these relationships can be ambivalent: on the one hand, it causes more pain while serving the sentence; on the other hand, however, such offenders are most likely to deter permanently upon release. For this reason, one of the first priorities of the prison staff should be to focus on maintaining prisoners' relationships with their families. This is especially true for those who have not lost touch with their families, which is seldom the case for persistent offenders. Research carried out by Aleksandra Szymanowska shows that the persistent offenders have rather shallow relations with their families: on average, one-third did not make use of visits or telephone contact with their families (Szymanowska 2003, 204). Meanwhile, there is a correlation between the frequency of family visits and the decrease in reoffending (Friedrich 2020, 152), even if these visits take the form of video meetings, or virtual visits. The beneficial effect of such virtual visits is somewhat lower than with traditional, face-to-face visits, but it also occurs, especially when these visits are more frequent (Duwe and McNeeley 2020).

Virtual visits are all the more important because traditional visits are infrequent (according to Polish legislation, they are granted, on average, twice a month, but they are less frequent in practice). They are also expensive, especially when the person resides in an institution far from the family's home. This was pointed out by Jarosław (34 years old), who said:

*I don't ask [my mother to visit me] because it costs money. You have to drive 100+ kilometres. (...) This is also a burden, in terms of time, but also in terms of costs, isn't it? Nobody sleeps on money.*

Theoretically, it is possible to have longer visits: to combine them as a reward, but, first, this is not a common practice in Polish prisons. Second, inmates talk about the widespread indifference of the prison administration to the efforts of the prisoner's family to come to the facility: sometimes, as a result of administrative errors, the visit was much shorter than promised or was cancelled altogether (Niełaczná 2017, 87). Telephone contacts with relatives are also limited in terms of both their frequency (usually once a week) and their length (on average, calls are between 5 and 15 minutes) (Niełaczná 2011, 92).

Hence, the virtual form of visits should be promoted. This practice started during the COVID-19 pandemic, when Polish prisons were closed to visitors for a few months and traditional visits were replaced with online ones. But it didn't occur without some problems (Dawidziuk and Kotowska 2021). The question is whether they will stay as a permanent part of the penitentiary practice. If so, they should be an addition, a complement to traditional visits and not their replacement (Duwe and McNeeley 2020, 17).

Moreover, other forms of contact with relatives should be encouraged, e.g., in the form mentioned by Łukasz, which will compensate for the negative effects of visits and prevent the loss of relationships that the inmate had before entering the prison.

*It would make a big difference if there were trips, so that it would be possible to do the family visit outside the prison area for at least two or three hours. To step outside the premises. Even with a supervisor, I could arrange with my family to go to the old town (...) so that I could talk to my child, because everyone keeps suppressing it (...) What are you going to do? Talk on the phone? It all gets destroyed. Later all these relationships fall apart. (Łukasz, 31 years old)*

Such a form of visitation would eliminate the fear that some prisoners have of bringing their children to prison, which I wrote about above and which Dawid spoke about. Unquestionably, it would also encourage the forging of parental relationships in neutral and 'ordinary' conditions.

Many of the pains described above are arguably difficult to avoid, as they are a direct result of isolation from society and the way in which imprisonment is carried out. In other words, these pains are, as it were, built into the very

essence of imprisonment (Crewe 2009, 449–450), although, as Sykes points out, they should, as far as possible, be mitigated and reduced. And there are many such possibilities (Sykes 1958, 82). In practice, however, not only are they not mitigated, but also in some cases they are multiplied by the ordinary, everyday, and seemingly minor humiliations suffered by the detainees. It is difficult to say whether these are intended to make the prisoners' lives miserable (or perhaps to show them the punishment is severe and who is in charge in the prison) and to add to their suffering (as the detainees themselves certainly perceive them) or whether they are simply a matter of the proliferation of technical and bureaucratic procedures that make daily life difficult, as they make it necessary to constantly request something, to ask for even the smallest thing. This is what we might call the *pain of bureaucracy*, with its power over prisoners, its enormous discretionary power, with its lack of stability, predictability, and certainty of decisions (Warr 2016, 592–593; Crewe 2011a, 512–514, 518). This is how Łukasz (31 years old) describes his experiences in this respect:

***What is difficult here in the prison?***

*Making people miserable. For anything. For such a small thing, to get a request, you have to write ten requests. These requests are all rejected, so it's hard to get anything done. (...) Can you imagine that we can't have photographs? We have to write a request for photographs. When a letter comes to us with a photo of a child or someone, this letter is automatically sent back. I don't know whether this violates our dignity or not, but such things happen here. It seems to me that this should be handled in a different way because such things only provoke aggression in us and hatred for everything else.*

These norms in prisons are incomprehensible to prisoners and are often perceived as inhumane and designed to humiliate them. It is difficult to bear being at the mercy of the prison administration and constantly having to ask for the smallest things (Windzio 2006, 346). This soft power of the officers—even the lowest officials—is called 'the power of the pen'. Not only does it refer to giving permission for every element of prison life, but also it shows the importance of the written word: the officers can write anything they want in a prisoner's file, and, in practice, that prisoner has no possibility of challenging the events described therein (Crewe 2011b, 464–465). A prisoner will not be able to enter anything they like into the prison records, but these will have far-reaching consequences, as they will determine the penalties and rewards, such as longer or more frequent family visit or bigger parcels, and, in the long run, the possibility of early conditional release.

The way prison operates requires and teaches inmates a specific type of behaviour. This was described in detail by Szczepanik in her research on self-presentation and playing different roles in prison: simultaneously adopting different roles toward fellow inmates and the administration, constantly 'pretending' or creating/playing a role, and constantly controlling oneself



(Szczebanik 2015b; Warr 2016, 590–591). These reflections are perfectly summed up by 35-year-old Patryk, whom we met while he was serving his third prison sentence. He said:

*We have a bad attitude towards everything (...) and we are forced to lie and cheat all the time, because if you don't lie, you don't have anything. (...) They [the prison administrators] teach us that. We have to lie and cheat because if you don't, you'll get nowhere. And then, after learning this here in prison, then what? If you are in prison, for example, for five years, and you learn it, you get through it, what do you do when you get out? You do the same thing you do here, which is you lie and cheat. They cause it themselves, the fact that people come back here like boomerangs.*

Prisoners therefore learn to navigate the prison space, which is combined with unlearning both compassion toward others and empathetic reactions to someone else's suffering. These emotions are shut off (Warr 2016, 591). Thus, while this learning of prison life may help one to get by and survive in this institution, it has a long-term negative effect on ex-convicts once they are released. Thus, the Polish penal system not only fails to teach social functioning but also, on the contrary, teaches the skills and behaviours that interfere with such functioning (Listwan et al. 2013, 148). They become the *pain of self-creation*, which is expected by the prison system and the persons functioning in it (Crewe 2011a, 515–517) and which has to be overcome after release. But in order to overcome it, it is first necessary to recognise it, i.e., to become aware of the damage done to the psyche and behaviour by the stay in prison. These steps should be taken not only by the ex-prisoner themselves but also by the system, e.g., in the form of work or education during the prison sentence that takes place in the open society, outside the walls. This is because such contacts teach the relationships in the 'real' world anew (Warr 2016, 599).

### **The snares of stigma created by the justice system and by contact with it**

David Hayes calls the above-described pains of imprisonment and isolation the direct pains of punishment. However, he also refers to the existence of oblique pains, which, although they are not usually considered part of the ordeal of punishment, are usually unavoidable, as they result from the functioning of society as a whole and from the criminal justice system within it. This author even thinks that these indirect effects of punishment should be taken into account by judges when imposing it: as inevitable and constituting an inherent element of it, albeit extralegal, but inscribed in the whole system of exercising power and imposing punishment (Hayes 2018, 240–244, 248–250; Laub and Sampson 2001, 58).

Most of these consequences result from the imposition of stigma on the convicted person (Goffman 1990), which is embedded in the infliction and serving of punishment, particularly imprisonment. This stigma causes shame connected with serving the sentence and disclosing this fact in front of family, friends, and other members of the community.

*I am ashamed that I am in prison, that I was in prison, that I still have to stay in this prison. I hope that my children, I have two sons, that my children will never find out that I was in prison. I am ashamed of this. I am ashamed that my partner has to come here to see me, that in some way this is holding us down. I am tied to her costs, to her money, it is very embarrassing for me and I am ashamed that I am here, where I am. (Paweł, 30 years old)*

Apart from the social stigma, shame is also associated with the feelings of dependence on other people during the stay in prison (Szymanowski 1989, 163) and of pushing them into the system, sharing with the inmates in some of the pains of imprisonment (Haggerty and Bucerius 2020, 6).

The stigma, however, follows a person for years, ensnares them, and goes far beyond the time of the sentence itself. Perhaps, after all, this is the role of incarceration. Loïc Wacquant even argues that the existence of stigma is an important element in the construction of a punitive criminal justice system based on neoliberal values. Its purpose is to frighten the lower classes of society and keep them ‘in check’, to increase control over them, because the privileged upper classes fear the members of the lower classes (Wacquant 2010, 217–218; Garland 1991, 111–130).

When it comes to juveniles and their contact with the justice system, this stigma starts during adolescence and affects their entire later life, as it can, for example, prevent them from finishing a better school—and thus from getting further education and ultimately a better job—or sometimes from finishing school at all. It is enough to label a person ‘bad’ or ‘evil’ (Moffitt 1993, 684; Laub and Sampson 2001, 57). The justice system plays a special role in this, as mere contact with the courts and their intervention leads to a higher likelihood of reoffending in later stages of life (McGee et al. 2015, 349–350, 359–360). This is precisely because a young person is stigmatised as a criminal and is later viewed by various institutions and individuals mainly through this lens (Becker 1966).

Theoretically, a particular person should serve a sentence for breaking the law and then, as it were, reenter society with a ‘clean sheet’ and become part of it again. After all, the purpose of punishment is to atone for one’s act and precisely to rejoin society. Meanwhile, after the sentence is passed, social exclusion deepens, and the person leaving prison not only does not receive support from institutions set up for this purpose or from local communities but also is encumbered with another burden, a snare that limits their ability to start and continue a life without crime.<sup>13</sup>

The imposition of punishment itself is a symbolic imposition of stigma: it takes place in a courtroom, a formal, solemn setting. This imposition of stigma is combined with a symbolic degradation of the status of the person in question: as a less moral, incomplete member of a community. What is missing, however, is the ceremonial removal of the stigma, the reintroduction of the particular person into the community, that allows them to regain their place in the community and shows that we are no longer dealing with a criminal but with a person who is starting life again as a law-abiding citizen (Maruna 2012, 78–79; Maruna and Farrall 2003, 190–192).

Meanwhile, society continuously instils a sense of stigma, and therefore shame, in people returning from prison—shame from which they are unable to free themselves. Bartłomiej (30 years old) told us that after leaving prison he would like to start a family. And as he said, it *'is not now, now, now difficult to get a girl pregnant with a kid, right'*. But what he feared most was raising this child later—or, rather, how he and his child would be perceived in society: *'because they will look at it differently right away, because his father is a thug'*. This internalised shame of being in prison and of being a criminal, which extends beyond the penitentiary, has three major consequences: affecting social relations, self-identification, and the perception of the person by the state apparatus. This shame is reinforced by society as a whole: its members and its institutions.

### ***Public stigma imposed by society***

The problem facing people leaving prison is that they are publicly stigmatised as ex-prisoners and that the stigma attached to their sentence is replicated and extended (even more than the criminal act they committed previously) to all the other activities they would like to do after release. Instead of teaching the offender how to take the blame for the crime committed and the harm inflicted (which leads to positive outcomes and has a positive effect on reducing recidivism), this stigmatisation perpetuates shame, whose effects are just the opposite (Friedrich 2020, 170).

Some authors point out that shame may carry some positive functions. Indeed, the fear of it, of its imposition, may be one of the reasons for refraining from committing crimes. Most often, however, this applies to people who have not yet started criminal activity (Laub and Sampson 2001, 45). John Braithwaite indicates that shame may also have reintegrative functions. In that case, however, it is the opposite of stigmatisation. This theory assumes that shaming can be deep and serious. However, it has to be connected only with the act committed, not with the person who committed it. Furthermore, reintegrative shaming has two key and mandatory elements: a limited time (it has a predetermined duration, followed by mandatory absolution, which may take the form of a ceremony) and an effort to rebuild the link between the offender and society. This effort, we should stress, must come largely from the community and must be underpinned by mutual respect—and thus respect for the

offender who has already served their sentence (Braithwaite 1989, 100–101). It is therefore important what kind of reintegrative shame is built into the fabric of society (Braithwaite 2020, 106). But this is an appealing theory that has not been widely applied in practice.<sup>14</sup>

The stigma attached to incarceration means that a person leaving prison not only does not receive special support but also faces additional difficulties in reentering society and is often thwarted in their efforts to lead a law-abiding life. One example of this is the fact that, in virtually every country, a person with a criminal record is less likely to be hired, as many employers expect a clean criminal record when recruiting, even if the law does not require it or prohibits such a requirement outright. In Poland, for example, an employer has the right to demand a clean criminal record from an employee only in certain strictly defined situations envisaged in the law. In other circumstances, they do not have the right to do so. Therefore, a person applying for a job is theoretically not obliged to present such a certificate, but if it is not included in the application documents, they will not get the job. Many of our respondents told us about this:

*I tried to take up a job anywhere ... I visited companies to ask for a job as an assistant in whatever. There was no work anywhere, because the first thing (...) was the question about the criminal record. A certificate. How am I supposed to find this job, when I'm leaving prison after eight years? (...) In every single company, there is [the question] about a clean criminal record. (Tomasz, 35 years old)*

But sometimes you don't even need a certificate to see the past: there are people who have it literally written all over their bodies, including their faces, like those who got prison tattoos. A youthful mistake or peer pressure from prison can mark them for life. As Radosław (34 years old) said: *'In this world outside of prison, they don't accept anyone with a tattoo or anything. They write him off right away'*. Sometimes there is no way of removing these tattoos, especially if they cover the face or head or even a visible part of the hand. Besides, it is a costly procedure that hardly anyone can afford and does not remove the tattoo; it only bleaches it a little, so it still remains visible.

It can also be the case that even if a person manages to get a job, their criminal record can be exposed by the probation officer under whose supervision they are placed, e.g., if they require an employment certificate or if they demand to see the ex-offender during working hours, which means that they have to take time off regularly. Both of these things can, in extreme situations, even lead to dismissal for the disclosure of a criminal record or excessive absences; after all, probation usually lasts for several years. Thus, probation that leads to the loss of a job contradicts its function, which is to support desistance from crime and reintegration into society (Durnescu 2011, 537, 539).

As a result, most people try to conceal their stay in prison, if possible, because honesty on this point usually does not pay off (as in the case of Dominik).

However, some take a different strategy (like Patryk): being perfectly aware of the stigma and the limitation of their chances of finding a job, they openly talk about their criminal record in order not to be disappointed later on and not to become attached to a job they might lose if their former convictions were disclosed.

*I used to go to the probation office, we spent half a year there (...) and looked for some kind of a job for me (...). When I went for a job interview, I spoke normally [about the prison], I felt that I had to say simply that I had been in prison, because my CV, my resume was quite poor. At the age of 28, I had only worked for a year and a half. So I simply said that I was in prison, I didn't work and I wanted to live a normal, legal life. So [the reaction was] 'we'll get back to you, we'll get back to you'; and so nobody ever did. Eventually the probation officer told me not to mention it at all. Yeah. (Dominik, 36 years old)*

*[After coming to see the employer I would say directly] 'I've just left prison and it's either OK with you or not'. (...) so that there wouldn't be such a situation later that, for example, I wouldn't tell the truth, and someone would find out and say 'Sir, you were in prison'. So what is the point of this? And I'd better let him know right away that I was in prison, because this way, even if someone denounces me, he knows. (Patryk, 35 years old)*

The paradox of this situation is that permanent employment with the possibility of earning a living is precisely one of the essential prerequisites for staying on the path to desistance (Maruna 2012, 75). Meanwhile, the ex-convict who is not able to find a job for structural reasons and those caused by social stigma—such as the need to present a certificate of no criminal record<sup>15</sup> or other practices that the state authorities do not combat, even if, as I stated above, they are illegal—loses the chances of recovering from crime and staying on this path. Sometimes this even pushes them back into criminality because they have to earn their living somehow.

*If there are no prospects, [the person released from prison] does what? He goes into the dark. So here is quick money, here is quick money, so he does it. Because he won't go to work, because of his criminal record. They won't hire him anywhere. He won't sweep the streets, because he's not going to fucking work on the street for a thousand zlotys [approximately 250 euro] a month. So he prefers to take the easy way out. And this is what makes us all come back here. In my opinion. (Bartosz, 32 years old)*

On the other hand, work can give a sense of pride and become a motor for life changes, an impulse or a hook on which to build a new identity:

*No, I haven't even worked a minute in my life. I'm doing time for robbing jewellery stores mostly, fast money. Never, not even a minute. Here now, as I*

*am [in prison], this is where I am employed. And for the first time in my life I'm earning honest money. And I will tell you frankly, I am proud of this, I am proud of myself, because this is my first honestly earned money.* (Przemysław, 36 years old)

Przemysław's case shows pride of work in prison, on which he can build a positive self-image as a person who has changed, who has broken with criminal activity, who is no longer a criminal, who can be entrusted with 'honest' work—who can persevere in this change even after leaving prison. This kind of pride, which Braithwaite (2020, 113) calls 'humble pride', has many positive aspects and fosters social bonds as long as it is based not on reinforcing feelings of superiority toward others but on achieving goals together with others. It then has preventive features, deterring reoffending.

The mere willingness to engage in a legitimate, noncriminal occupation that is known to be less well paid and usually much harder compared to the effort and earnings that can be obtained from crime is a big and important step taken by people desisting from crime (Carlsson 2012b, 928). However, it must also be noted that work alone is most often not sufficient to desist. In order to be successful in this process, one usually also needs family commitment (a meaningful relationship or children), but without work, it is impossible to maintain a family: both these elements are therefore intrinsically linked. As Szczepanik said:

The peculiar dedication and motivation to keep a low-valued and low-paid job is rather the outcome of other events in the recidivist's life that inhibit his socially deviant activity (love of a woman, starting a family) than a condition that provides a starting point for attempts to break with crime. (Szczepanik 2016, 89)

Thanks to working and being busy, an ex-prisoner also has less space to return to a group of peers, especially the 'problem' peers (I will elaborate more about this element below).

Interestingly in our research, however, many people declared that they do not and did not have problems finding work after leaving prison. A common way to find a job was to work in a company where a friend or family member worked or was in charge. Nowadays, the situation is different than in the 1990s, when there was high unemployment in Poland and there was hardly any work for anybody. Most often, however, it quickly became clear from the interviews that the work was illegal, without a contract, and often low-paying (there were exceptions, but these were rather isolated). Indeed, without education and without specialised skills<sup>16</sup>, ex-prisoners' chances in the labour market are severely limited (Farrall, Bottoms, and Shapland 2010, 554–555). As a result, some people were scammed: they were promised a certain hourly rate before starting work and were paid much less afterward. Regardless,

however, the jobs identified by respondents were most often characterised by three elements:

1. Low pay, as in the case of Bartłomiej, (30 years old): *'The company did not take [us] so seriously, you know, it was not solvent, you know, the company. (...) Well, the money didn't arrive on time, you know how it is. On top of that we earned 5.50 [per hour—1.20 euros]'*.
2. Difficulty, as these were often jobs in various kinds of construction and repair work.
3. Dangerous conditions, as 50-year-old Andrzej remembered about his employment at the construction site: *'Well, sometimes it was very scary, you know. You had to be really careful, know. Because, all it took was one mistake and you'd be dead on the spot, right?'* In the company where he worked, there was no use of protective clothing or any kind of safety equipment.

Those stories mirror the global phenomenon of the working poor, whose jobs could be characterized by three (or four) Ds: dirty, dangerous, demeaning, and difficult (Gans 1971). It is worth noting that dull, unwanted, sporadic, temporary, and poorly paid work does not lead to any lasting change in the lives of those wishing to desist. Even if an ex-prisoner does take such a job, it is often only a brief stopover followed by a return to crime (Laub and Sampson 2001, 24). Many people who undertook such work after leaving prison reported a sense of humiliation connected mainly to low wages, low social standing, and a sense of failure in life (Szczepanik 2016, 82, 85; Kotowska 2019, 393–394, 507–508). However, such opinions did not appear in our study.

Exceptions to the pattern described above (at least to some extent) were jobs abroad, which, although also hard, were well remunerated:

*I was working for an Englishman for six months, earning £110 a day, you know. I worked six to seven hours. It was hard work because it was pouring concrete, you know. I wasn't trowelling yet, I was shovelling sand into the machine, you had to shovel in 30 tons of sand. But they paid me 110 pounds per day. Nett. Wow. Back then, a pound cost over 5 zlotys, you know. (Dawid, 36 years old)*

Hence, many of our interviewees dreamt of working abroad, which seemed like a solution to most of their problems, although in practice these were usually fantasies rather than real plans and opportunities. In the opinion of the interviewees, the trip could solve two problems at the same time: it could increase their income opportunities and also free them from the local community and give them a clean start in a new place, without having to feel the breath of law enforcement on their necks. Leaving was therefore seen as a way to escape stigma (Szczepanik 2015b, 300, 305–306, 379).

The whole institutionalised process of public shaming means that former prisoners have no chance to prove that they have changed, that they are no longer

who they were before. There is no way of demonstrating the transformation that has taken place. In the eyes of society, redemption is also rarely guaranteed by the pro-social activities of ex-prisoners who want to show they have changed and to redeem their guilt by engaging in voluntary work. Such efforts are by no means an exception among convicts, despite the fact that prison can and should be considered a place that dulls the feelings of solidarity and selfless generosity (Muskala 2016, 252–254). In our study, Paweł, for example, recounted that for a year and a half he supported an organisation working with children from poor families. He not only worked with them but also supported them financially, e.g., by funding trips for poorer kids. He also showed them his own example (he gave testimony): how failing to get out of a bad neighbourhood can end. So he did what no one had done for him in his life:

*I used to hang out with these kids. I said, 'Listen, I'm a reoffender, I've been to prison twice', I said, 'I'm waiting to serve another sentence because I won't escape it, the past will catch up with me eventually'. I say, 'Listen, but this is not the way, if you don't want it to be'. I say, 'Come to our foundation on Friday, after classes, after this whole week of school really. Come', I say, 'We can meet, we can hang out, we can go to the city (...) and you will see that you don't have to spend your time in this fucking housing estate. Because I am almost from the same neighbourhood as you'. I told them what my teenage life was like, I said, 'Look, you can do things differently, you really can'. (Paweł, 30 years old)*

The past caught up with Paweł because we met him in prison while he was serving his outstanding sentence. His social activism had no bearing whatsoever on how that sentence was served. Nor was Paweł's work with children from disadvantaged families intended to exonerate him or to improve his situation. His objective really seems to have been to do something good: to prevent others from making the same mistakes he had made or perhaps to help others break out of the snares in which they were trapped. Although Paweł did not expect to be treated differently while serving his sentence (or to have it pardoned), it is worth considering whether putting him back in prison did anyone any good.

### ***Internalized shame as a brake on change***

As I mentioned above, in the process of desistance, the willingness to change is crucial. This must be accompanied by a reconstruction of the identity of the desisting person: by the ability to see oneself as a non-offender and as a person who is not 'doomed' by their past to offending (Carlsson 2012b, 932). Meanwhile, the stigma imposed by society leads to a continuous internalisation of shame in ex-prisoners and to a pattern of thinking that Maruna (2001, 74–80) calls the 'condemnation script'. It means a person has a deepening inner conviction that they will not achieve anything in life, that they will not succeed, that they are a loser, or that life is lost to them—in other words, that their



story has already been written, so no matter what they do next in life, nothing will change that; that they are doomed to crime, doomed to lose, no matter how hard they try. This is what Patryk (35 years old) said: *'It's a chosen path. When I stole for the first time, when I was 6 years old, that's when the path from crime to where I am now started'*. Thus, it is not worth making any effort to change, since the path has been mapped out.

Most often convicts talk of some unspecified superior force that has laid down this path. In such a perspective, one can even say that our interviewees are victims of the fate that has befallen them, and they deny any responsibility for what has happened to them.<sup>17</sup> This is a convenient strategy, but it may also be a way of coping with stigma, or perhaps it is, as Maruna argues, a testament to realism: an awareness that the world works this way and a proper perception of one's own (lack of) opportunities in it (Maruna 2001, 83–84).

Ex-prisoners embrace this stigma and try to wear it (down), for example, by saying that they are 'spoiled to the marrow of their bones' (Artur, 50 years old), that they are 'black sheep' (Adrian, 37 years old). This justifies their situation—especially in the case of Artur, who has basically spent most of his life in prison and feels that he has lost his life and there is nothing left for him. And when he gets out, *'it'll be the same again, and I'll be punching people in the face again, and I'll be drinking those fucking Amarens [a kind of cheap fortified fruit wine] again'*.

Only individuals like Przemyslaw have come a long way and, without denying the past, are keen to build a new life despite what has happened in their past. This is what he said about this process of coming to terms with who he is:

*I was always in the company of thieves, bandits and it has stayed that way until today. (...) All in all, I am the same. I only hope that this time it will be different. You know, I'm not ashamed to talk about it in general, because it's my past, it's a piece of my history. It wasn't something good, but it was a piece of my life, yes. And I wouldn't want to change my identity, my story, my life. I am not proud of it, I am not happy about it, but I identify with it and I accept it as it was. (Przemysław, 36 years old)*

This script of condemnation and this shame become entrenched in a person as a result of contacts with representatives of various institutions. Among these are probation officers or, more broadly speaking, employees of probation agencies, who often remind the offender of the fact that they have committed a crime (or the very place of meetings, e.g., the court building, reminds them of it) (Durnescu 2011, 537). This script can also be perpetuated by the family, by loved ones who more or less openly say or show that this person deserves nothing, that they are 'trash'. They do not believe that the former prisoner can ever change. And this attitude acts as a self-fulfilling prophecy. Nobody is interested in what the ex-convict is doing now, what they are like now—he is judged all the time through the perspective of his past deeds. And since no one believes in the possibility of change, the ex-convict does not and will not believe in it either (Farrall,

Bottoms, and Shapland 2010, 560; Maruna 2012, 74–75, 81–82). This is the story of 35-year-old Patryk:

*My family will never see [a different person] in me, when I do things normally, I go to work, I work, I behave normally, I don't do drugs, I don't drink. And [although] my family now saw that I was normal and everything, they wouldn't. They immediately started saying that I'm doing drugs and I wasn't. So, when they say I do drugs, I started doing drugs. Because they say I do drugs anyway, what difference does it make whether I do drugs or not. It makes no difference. (...) I also have a heart, although maybe you can't see it, but I helped her [my grandmother in taking care of my grandfather], then she accused me of being a thief. And you see, there was already a reason and a thought in my head that why am I behaving right? If people conclude that I'm bad and do it all wrong anyway, so it's not the fault here either, but those people who surround us and instead of helping us, they dig the first half meter of the hole to bury us.*

On the other hand, former inmates are very appreciative of the fact that someone trusted them, gave them a chance, saw them as a good person. This is what Sławomir (48 years old) said when describing the time when he did not commit crimes, worked, and got engaged, or, as he put it, when he 'lived a normal life': *My mother certainly noticed this change in my behaviour and was happy and, in a way, a little proud of me, that I was able to turn the corner. At least at that time*. This confidence and lifting of the stigma is a springboard for many to change and a hook on which they can 'get hooked' on the path to desistance (Muskala 2016, 244–245). And even if they don't succeed, like Sławomir, who stumbled on this path, they recall this moment of seeing the change in themselves as significant and recognise it as an important part of their lives.

### **Further aggravation of stigma by aid agencies, law enforcement, and criminal justice institutions**

Lasting public stigma leads to another dangerous situation: when ex-prisoners refuse to use help, especially from public institutions, because they fear that they will be shamed, their stigma will be exposed and highlighted, and they will be forced to confront it again. The second reason for refusing to use these resources is the fear of humiliation because using social assistance is a problem for many men and is perceived as degrading, as unsuitable for men, who should manage on their own in life. Hence, many do not take advantage of the offer of assistance from institutions (Farrall, Bottoms, and Shapland 2010, 563). Practically all of our respondents, when asked whether they applied for social assistance after leaving prison, unanimously stated that they did not do so. This is how Bartłomiej (30 years old) explained it:

*I didn't use [social assistance], I don't know, maybe I was ashamed. I don't know, I guess, to go and ask for help, I have two arms, I'd rather work illegally for*

*example than go and ask for help from some MOPS [Municipal Social Assistance Centre] or something.*

Sometimes they also justified this with an ingrained sense that they did not deserve this kind of support. In this case, they spoke of the priority in support: that it should go to those more in need, such as single parents, but their own perception of themselves—as those who are not entitled to support and do not deserve it—shines through in these narratives.

*So let's not exaggerate, let's not give social benefits to people who don't deserve them, let's give them to those who don't have help, who haven't done anything wrong to other people, but their life situation is such that they simply don't have money. There are many cases where a mother raising a child on her own is left homeless overnight, so let's give her a flat, and not to a reoffender who, after being released, the first thing he thinks about is where to find cheap vodka. (Paweł, 30 years old)*

Nevertheless, social assistance should help everyone, regardless of their past. In Paweł's statement above, there is a neoliberal undertone of an undeserving person, who, after all, has himself to blame for the fact that he has not succeeded in life because if he had been better, been more resourceful, and made different decisions (e.g., not drinking, not committing crimes), he would not be in this situation. In other words, it is his own fault, and he should bear the responsibility for it rather than burdening society with his failure. These are the arguments that have been made by the neoliberal part of society for some time now, and they generally apply to poor people who, in their view, do not deserve help (Gans 1994; Klaus 2015). But this lack of assistance can lead to ex-prisoners returning to crime with no other options.

Our respondents also indicated that the reason they did not turn to social welfare institutions was the illusory nature of this assistance, the very little financial support they could count on. This perception is shared by many poor people who have had contact with these institutions, pointing to the inadequacy of the support offered in relation to their real needs—and not only financial needs (Warzywoda-Kruszyńska and Jankowski 2013, 81–83). This may also be due to the way the assistance system is set up, the way it is supposed to reproduce the stigma of being a poor person (and also the stigma of a poor person benefiting from social assistance) and to provide a certain illusion of support—but without solving the underlying problems causing poverty and exclusion (Gans 1994, 278).

Respondents who asked for help from social assistance institutions talked about indirect contact: when it was their partner or mother who sought help for the family. This is, by the way, a traditional division of gender roles, when taking care of the family, including obtaining funds from social assistance, is the domain of women because for men these tasks are too 'embarrassing' and precisely shameful (as men they should be able to manage on their own and

still provide for the family and not humbly ask for support). As a result, more than 80% of those applying for this type of assistance are women, but they often act in this process as representatives of the whole family (Pokrzywa 2017, 133–134).

The enduring social stigma of previous criminal records in any contact with criminal justice institutions and law enforcement agencies is also a problem. First of all, the latter are especially sensitive to people with criminal records. This is due to the very structure of their operation. Police officers carry out more frequent checks on people who have been in conflict with the law in the past and monitor them more closely because no one believes that they may have walked away from crime, that they no longer belong to the group of ‘troublemakers’. They are thus always potentially guilty, always suspects. And because they are well known to the police, the police target them first when there is any suspicion of crime. This ‘familiarity’ with ex-offenders involves not just specific officers but also the whole precinct, since this kind of information is passed on within the precinct as a kind of institutional memory (Schinkel, Atkinson, and Anderson 2019, 640–644; Szczepanik 2015b, 373).

*Once someone gets out of prison, they have this label stuck to them. If something happens, the police go to him, right. Whether it's a burglary, a beating, or some kind of theft, who is to blame first? The one who was in prison. (Jakub, 34 years old)*

Moreover, this interest of the police is displayed in public. Ex-convicts are easy targets, so, for example, when the police want to ‘boost’ their statistics, they raid ex-convicts in the ‘hope’ that they may be carrying something that would warrant an arrest. Officers approach ex-convicts on the street, stop them in the presence of family and friends, and sometimes visit them at work (Schinkel, Atkinson, and Anderson 2019, 640–645; Szymanowski 1989, 170–171). This perpetuates the stigma—and sometimes even extends it to new people or groups who may not have known about the former prisoners’ past.

Some variation of this stigma is the very change in the way the police interact with a person who, for various reasons, finds himself in their sights if it is discovered that they have a previous criminal record. It radically changes the attitude and behaviour of officers, as Adrian mentioned:

*We are sentenced to life in prison, you could say. Because once someone has been sentenced, (...) they will come back here [to prison] every time. Whether it's for crossing a street or for a ticket, they don't look at it the same way as the first time. (Adrian, 37 years old)*

Another problem raised by our interviewees was the use of various types of violence by officers against them, which occurred, e.g., during detentions, and the ‘adding’ of more acts to the allegations or exaggerating them. Faced with such actions, former detainees were completely defenceless, as no one

believed their version of events (Schinkel, Atkinson, and Anderson 2019, 644–645).

*Plus if the policeman doesn't like you, he can wind up such a person [the other side of the conflict], 'listen, well you say this and not that'. And he says yes. And the court reads it and it's in black and white. So if someone wants to screw someone over ....* (Karol, 40 years old)

*We are standing in the street, the police stop me, the other guys beat me up, I had a medical examination. My clothes were torn, I was bruised all over. They charge me with assaulting a uniformed officer and 580 hours of community service, a 1000 PLN fine. And for what? For the fact that I was kicked, I was lying beaten. Two police cars pulled up, I was standing [with friends], they grabbed me, threw me in like a sack of rye, didn't they? They kicked me. I go to this prosecutor in the morning, I show her, and she says: 'Whoa, that's going to be your beating'. I lose the case in court.* (Jarosław, 34 years old)

This problem is broader and applies to police functioning in general. It is therefore not limited to Polish agencies, as very similar narratives can be found, for example, in Scottish research (Schinkel, Atkinson, and Anderson 2019, 640–647).

Police officers, moreover, have a sort of seventh sense for detecting ex-convicts based on the way they dress or behave. Hence, some people with criminal records use mimicry techniques in public places just to avoid suspicion, and therefore any incidental contact with law enforcement, because they anticipate that this may have a negative outcome. This is what Krzysztof used to do, for example. He loved to drive cars or motorbikes but had his licence revoked. His tactic for not arousing suspicion was to drive during the day and change his clothes:

*[I only drove] during daylight hours, I didn't drive at night. I dressed normally, not in tracksuits. (...) I dressed differently, I wore shirts, jeans, and I was less conspicuous. And the police didn't stop me. I didn't drive at night, because, you know, you can draw attention to yourself at night.* (Krzysztof, 28 years old)

Other people simply choose to stay at home, not to show their face in public places, so as not to provoke any, even potential, encounter with police officers. This self-isolation is acute and oppressive and is part of the pain of loneliness, about which I write more in the next section (Nugent and Schinkel 2016, 572, 576).

Old convictions also continue to haunt former prisoners and influence the severity of future penalties imposed on them. This is not only how the Polish criminal justice system is set up, as taking previous criminal records into account when imposing a sentence and aggravating it as a consequence. It is characteristic of many penal systems (Schinkel, Atkinson, and Anderson 2019, 645). On the one hand, when imposing a sentence, the court is obliged to take into account the defendant's life prior to committing a crime (Article 53 § 2 of the PCC),

which most often means that responsibility is increased due to a previous criminal record. In fact, an obligatory element of building each criminal case file is information on previous convictions taken from the National Criminal Register. On the other hand, the institution of recidivism (Article 64 of the PCC) in principle results in an obligation to increase the subsequent penalty (particularly 2 of this provision), although in practice the courts use this option rather rarely. § Criminological research has indicated for years that there is no need for such provisions in criminal law because reoffenders commit particularly dangerous acts only exceptionally: these are rather medium-calibre acts, as Irena Rzeplińska called them (Rzeplińska 2012). Stanisław Batawia even drew attention to the large number of reoffenders who are socially disruptive, not truly dangerous (Batawia 1965, 34). However, historical conditions (the existence of this type of legislation for over a century), as well as strong politicalisation of the issue, contribute to the persistence of this system, despite the lack of rational reasons to maintain it.

Thus, the previous criminal record of the perpetrator results in a more severe punishment than would be implied by the seriousness of the act committed. This correlation is particularly strong, and the penalty is increased for relatively minor acts. Indeed, whereas a severe punishment is imposed for a serious act regardless, and a previous criminal record, even if of some importance, does not significantly affect the magnitude of the punishment, in the case of acts against property, for example, the impact of previous convictions visibly increases the punishment imposed by the court (Cassidy and Rydberg 2018). This leads to paradoxical consequences: individuals who stumble and commit a new but not overly serious crime during their way to desistance from crime will pay a very high price. And yet, as I said, these ‘stumbles’ are a natural part of the process of desistance. Therefore, it can even be said that this design of the criminal justice system makes the process of desistance from crime impossible or, at best, significantly more difficult.

The impact of a previous criminal record on their lives was mentioned several times by our respondents, who pointed out both the disproportion between the amount of the punishment in relation to the act they committed (which they called trivial, at least in their opinion) and the long time that had passed since the previous criminal record. In Jarosław’s case, it was almost ten years (he was just a few months short of wiping out his previous conviction from the official register), but it nevertheless had an impact on the sentence for the next offence.

*Why are they punishing me for my previous criminal record? As these are penalties that have been served. And the fact that I worked, tried not to have conflicts with the law, no one sees it. It just bugs me. (...) This is what I can’t understand, that if it wasn’t for the previous criminal record [then I wouldn’t be in prison now]. I’ve served time for every punishment or something and it shouldn’t be taken into account anymore, you understand me? (Jarosław, 34 years old)*

*In my opinion it's like that, if someone has already been here in prison, then this concocted recidivism doesn't give the person any chance at all. This theft was a very ridiculous theft. If you looked into it and saw these documents, an ordinary person would not think that you can go to prison for such a thing. And it is because of this recidivism that a person has no chance. He's immediately disqualified, he goes to prison for two to three years, there's no chance at all. ... It's completely unimaginable what happens in this court. (Łukasz, 31 years old)*

As Szczepanik accurately wrote about this phenomenon:

The system appeals to the values of law, justice and fairness and applies sanctions to recidivists on their basis. The *unfair* game is that the participants only theoretically have the possibility to use the same means and legal instruments that the system offers. Judgments are a compilation of the letter of the law and its interpretation, which is strongly influenced by the level of authority. This means a 'battle with windmills' for the recidivists, in which they place themselves in a lose-lose position due to the social unreliability they are branded with and the low possibilities of defence. (Szczepanik 2015b, 269)

Another problem is the way in which previous sentences—especially noncustodial and probationary sentences—are enforced. In theory, every convicted person should know what sentence they have received and what obligations they are required to fulfil under it. In practice, however, we are talking about people who are not always fully aware of their situation, who are excluded to varying degrees, who have less agency, and who may be addicted. And while reminders are sometimes sent about obligations that have not been fulfilled, it is questionable whether the address to which they are sent is correct and whether they really reach the person concerned. In Polish law, the principle of legal fiction of delivery is accepted (Article 133 § 2 of the Code of Criminal Procedure). It means that a letter sent to the address indicated in the court records shall be deemed received, even if its addressee has not actually received it, after the relevant period of time (14 days) during which the letter was waiting for the addressee at the post office has passed. This means that after this period, it is assumed that the addressee has received the letter and read it. This provision certainly simplifies proceedings, but it can often lead to a distortion of 'justice'. This is because no one investigates whether a given person actually resides at a given address. And although the person should inform the court of a change of residence, they are not always aware of this, and, besides, they may simply not have a permanent address. Consequently, fines are often converted into custodial sentences. This raises the question of what purpose and who such actions serve, as they are unlikely to achieve the objectives of the punishment, which is the rehabilitation of the ex-offender.

*I got a year suspended for four, and a thousand zloty fine. I forgot about the fine altogether. For me, a thousand zloty wasn't much, when I worked at large. And when I was imprisoned here, I heard that I had one more year to serve, because I hadn't paid the fine. (...) In fact, I'm locked up here for such stupid things that I neglected. I didn't... how shall I say it, I didn't attend to these things, that is, this therapy and this repayment in time. (Maciej, 31 years old)*

Another problem mentioned by Maciej is the obligation to undergo therapy. It is often an issue because the number of centres where therapy can be provided free of charge is generally low and the queues are long. Many of the facilities that offer such therapy are also located far from the place of residence of the convicted persons (this is the case, for example, for therapeutic facilities for persons with sexual preference disorders: there are only three in Poland, and they have a relatively small number of available beds). It may therefore happen that a convicted person is practically unable to fulfil the obligation imposed on them by the court and for reasons beyond their control. Breaching these injunctions may, however, result in the commutation of the custodial sentence to a sentence of imprisonment or in the ordering of the execution of a conditionally suspended sentence.

Finally, the system often fails to notice the change that has taken place in the life of the convicted person, and public officials just *strictly* adhere to the rules, completely ignoring the social environment in which the person functions. Such restrictive actions not only lead to a distortion of the idea of justice but also torpedo the educational goals of the sentence: the rehabilitation of the offender, achieved with great effort and often without the support of the state. This is particularly true when old suspended sentences are revoked due to a convicted person's failure to comply with formal requirements and when they are threatened with this eventuality. Thus, the wards are kept in a constant state of fear, which can hardly be regarded as a resocialising mechanism. The awareness that some minor slip-up, even if not necessarily connected with breaking the law, may lead the ex-offender back to prison is hardly a motivation to endure all the pains of changing one's behaviour and desisting from crime. Instead, it incentivises them to try to 'cheat the system', for example, by using self-creation strategies learned in prison for the purposes of probation. However, if this 'stumbling block' is a breach of the law, the punishment for it will be extraordinarily harsh: apart from receiving a harsher punishment for the new offence (because the court will take into account the previous criminal record), such a person will have the suspended sentences for previous acts revoked; hence, they may end up in prison for many years even for a relatively minor act (Durnescu 2011, 538, 542).

Pawel's meetings with his probation officer are telling, as is her role in the fact that, although he had a well-ordered life, a good job, and an important relationship with a woman with whom he had two children and although he had not committed any crimes for three years, he was put in prison. All his accomplishments were not important in the face of his formal obligations to the system.



*I haven't really committed any crime since I was 14. Now I'm serving my sentence for the mistakes of the past that hadn't come out until the last time I served my sentence. I've accumulated some of these suspended sentences etc. I wasn't meeting with probation officers because I just didn't have time for that. Some sentences were suspended and now in 2017 I went to prison normally because I lacked the time to meet with probation officers. (...) The probation officer obviously tried to reach me by phone [to make an appointment with me], I say to her, 'I can't take a break because I'm dependent on third parties, on clients'. I say, 'Sorry, I'm not going to reschedule a client I'm going to work with for six of seven hundred [zlotych], I'm not going to reschedule a client because I have to meet you [for] 10 minutes at home'. I said, 'Come to my work, it's not a problem for me, and I can take a break'. The probation officer, on the other hand, was a person who seemed to be reluctant to cooperate, (...) it was impossible to get along with her in any way. I said, 'I don't have time, we can meet on Saturday and you can do the fucking interview'. 'But I don't work on Saturday' [she said]. 'Fuck,' I say, 'but I work until 8pm Monday to Friday, do you understand that?' (...) So the lady decided 'I'll revoke the suspended sentences for you'. 'So go ahead and revoke them. You think you're the only one who wanted to revoke them? Go ahead and try'. Later I regretted these words a bit because when she started revoking them, there was a lot of them [laughter]. I didn't think there was that much and that there could be that much, but they did revoke them. (...) My past simply caught up with me, the mistakes I had made in my life. (Paweł, 30 years old)*

But Paweł's story is not unique. There were more similar stories—even people with longer periods of life without crime, like Robert (40 years old), who recounted: *'I was out for eight years. For eight years at large with my children, you know, with my wife. And they came and revoked my suspended sentence, you know'.*

Paweł's story shows yet another thing—the *pains of probation*. The necessity to comply with the court's or probation officer's orders significantly limits an individual's autonomy, often (as in the above story) they are highly discretionary; and it is not entirely clear how they are supposed to help the supervised person. Their effect is the opposite: the life of such a person must be organised around these punishments (Durnescu 2011, 534–535).

The aforementioned operation of both law enforcement and the criminal justice system agencies, which punishes offenders for breaking the law, all the while keeping in mind the history of convicted persons—i.e., punishing them, as it were, twice (or repeatedly) for acts once committed—is designed in contradiction to the findings of research on persistent offenders. I have already pointed out in this chapter that the process of desistance is a zigzag path. Thus, a desister will encounter stumbling blocks along the way, some of which will be breaches of the law of a very different kind, and sometimes also trivial. However, the punishments for these deeds are often quite severe, erasing, as it were, all the endeavours and successes that the person has managed to achieve in life. Therefore, they turn the ex-offender away from the path to desistance and push them back 'into the

clutches' of the system, which—as I described earlier on—brings with it many pains that can end in the loss of everything positive the person built in their life, including the hooks they managed to fix and around which they built the process of leaving. Hence, the automatic and punitive response of the criminal justice system to a person's slip-ups does far more harm than good in the long run (Farrall, Bottoms, and Shapland 2010, 560). And it is not a matter of waiving punishment but rather of changing the way punishments are administered: dispensing them wisely, taking into account the progress made by the desister and the time when they were not committing offences, which is also changing the way the risk of reoffending is measured (Carlsson 2012b, 933).

Another problem is the construction of the system itself and the punishment for certain acts. One of these that raises doubts, in my opinion, is nonpayment of alimony and the ways of reacting to it. Imposing prison sentences for nonpayment of child maintenance leads basically nowhere. Once the offenders are in prison, the allowance to the second parent is paid by the state agency on behalf of that person. So not only their debt but also the interest on it grows—sometimes it goes so high that the convicted person will never be able to repay it, even if they try very hard. With so much debt, they will also never choose a fully legal job, lest the bailiff take their earnings. At best, they will work without a contract, on the black market, and at worst, they will commit criminal acts. Many offenders who end up in prison for this act are addicted to alcohol or psychoactive drugs, and it is this addiction, resulting in an inability to hold down a legal job and therefore to pay maintenance regularly, that has led to their incarceration. There are even people whose only criminal 'career' is nonpayment of alimony; such is, for example, the story of Piotr (35 years old), all of whose convictions (at least that he told us about) were for nonpayment of alimony. But our other respondents told similar stories:

*I have alimony adjudged. (...) Right, the maintenance debt is growing. I am currently in prison and I have no way to pay it off because I am locked up. But my debt is growing. (Michał, 27 years old)*

*The best thing is that [my alimony duty ended in] 2000 [laughs]. They passed judgment against me in 2018, again for alimony and it's a bit complicated, you know. Well I got a total of 20 months [of imprisonment] for alimony. (...) I would have taken up employment, but they're collecting alimony, right? And there's nothing left from my wages. I have to work illegally, you know? (Andrzej, 50 years old)*

*Well, these alimony payers, they don't do anything wrong, but they are in jail. (...) Here half of them are child supporters, who've never been in prison, and they are locked up, for many years. And the debt is growing. They're stuck here and they'll never dig themselves out of this debt, right? (...) They should have electronic monitoring and serve their sentence at large. They should go to work and pay off this debt, and not be locked up here and have no work, the state maintains them and there is a bigger debt every month. (Jarosław, 34 years old)*

It can also be inferred from the interviews that Piotr is probably addicted to alcohol. This is also one of the reasons why he loses more jobs and does not remember to pay his alimony regularly. The same is true for Michał, who is a drug addict. This is not to excuse any of these men, just to look at their lives from a broader perspective than just their failure to pay maintenance and to consider using other means of intervention against them, including social policy measures, instead of triggering criminal law and punishment.

We are talking about a sizable group of people. At the end of December 2019, there were 5,296 persons in Polish penitentiary institutions due to nonpayment of alimony, which accounted for 7.5% of the total number of inmates (CZSW 2020, 11). In recent years, moreover, the number of persons punished for nonpayment of alimony has increased remarkably due to stricter criminal law provisions. In 2018, 42,220 people were convicted for this offence (accounting for 15.3% of all offenders). This number increased more than 5.5 times compared to the previous year and peaked at the highest value in Polish history since collection of statistical data on convictions began in 1956 (Ostaszewski 2020, 193). The change in the law meant that even people who tried to pay overdue alimony (like Andrzej) and thus tried to avoid going to prison again did not manage to protect themselves from incarceration. This is what he said:

*Yes, I would have had a longer break [from committing crimes], too, because I paid that alimony. Only this law changes every now and then, doesn't it? Well, and all in all I was ... I wasn't trying to get into this prison, it's just this law changes. Because I had everything documented that I was paying this alimony. Pennies, only pennies, because I paid 50 PLN each time, right? But I did, I didn't dodge that. But the law changes from one moment to the next. I just didn't want to go to prison, right? (Andrzej, 50 years old)*

And, of course, it is not that failure to pay alimony is 'nothing wrong', as Jarosław described the practice: it is a reprehensible act because it deprives a man's children, and often also their mother, of their livelihood. Hence, this is not neutral behaviour that does not harm anyone. The question is, however, how the state should respond to such behaviour or, rather, how it should not. And in my opinion, imprisonment for nonpayment of alimony is indisputably not an appropriate form of criminal law response, as it achieves little or no purpose (Ostaszewski 2020, 203).

### **The pain of loneliness outside of prison and with no support system**

The biggest problem faced by a person leaving prison is the issue of rebuilding bonds with loved ones: both family and friends. As I wrote above, one of the most important pains of isolation is loneliness, separation from relatives, at best watching their lives from a distance, in rare contacts during visits or short

phone calls. Those people who have felt loneliest in isolation, however, also have the best chance of quickly rebuilding relationships because they had them before; in other words, they had someone to miss in prison and someone waiting for them outside (Windzio 2006, 354). So these people are not threatened by loneliness.

*The pain of loneliness* most affects the ex-convicts who do not have anyone close to them outside of prison walls: they have no relations with the family, their closest ones have died (this was a frequent situation among the respondents), or their relations with the family are so shallow that they cannot actually count on support from any of its members.

*Yes, I call, I call [my sister], we keep in touch. But I would go like that after I leave, [only] to come [for a short] visit.* (Mariusz, 48 years old)

*They do not visit me, nor do I visit them. Besides, they don't really want me to visit them. It would be best to leave them alone, everyone, to leave them alone* (Wojciech, 36 years old)

*[Parents] are already dead. They drank themselves to death. (...) Sometimes I wrote to them, sometimes they wrote back, but rarely. Maybe I did not want to keep in touch with them either.* (Radosław, 34 years old)

Various kinds of support from the family are what prisoners most expect after leaving a correctional facility. And this concerns widely understood and diverse forms of support: from psychological to material help (Szymanowski 1989, 181). Arkadiusz (35 years old) said: *'When you leave prison, the most important thing is generally some help from your relatives or something, you know, if someone from your family helps you or something'*.

Another lonely group is those who, although they have a family, do not want to return to it because it would mean a return to a life of crime or to a life of addiction, as there is alcohol abuse in their family home.

Apart from their parents, the significant others who were waiting outside for our interviewees were their female partners. Their role cannot be overestimated in the process of desistance (Laub and Sampson 2001, 20–22, 50–51; Szczepanik 2015a). Adrian (37 years old) described the role of his wife in his life as follows: *'I just need [support] very much because at least I know that someone is there and she is waiting for me. And most of all, I have someone to come back to, that someone simply cares'*. He emphasised the role of his wife both during his imprisonment (because he knows that someone is waiting for him, that someone cares about him) and after his release (because he has somewhere and someone to go back to). Many interviewees spoke of their partners or wives who were waiting for them and who forgave them another stay in prison (like Wojciech's wife). Others reminisced with resentment (though also often with understanding) about the partners who did not wait for them and decided to leave them while they were serving their sentence (such as Andrzej, Damian, and Arkadiusz).

It is important that the process of (re)building relationships begin in prison (Maruna and Farrall 2003, 190). This may be one of the factors that will influence a particular man's decision to start changing, which, as I wrote above, is a key element to starting the process of desistance. Indeed, a partner is an extremely important 'hook' to deter a return to the path of crime after leaving prison (Szczepanik 2015b, 307). This is what Tomasz (35 years old) said about a woman he met on another occasion: *'I suspect that if I had met this girl straight away [after] leaving ..., there is a high probability that I would not have ended up in prison'*. Unfortunately, at the time he met her, he had already committed other crimes, which then brought him back to prison. But Tomasz's relationship with this woman continued during his incarceration, and his partner regularly came to see him. There is a chance, then, that this relationship will continue when he is released and will become a hook for Tomasz to keep him from returning to crime.

The presence of a partner (as long as she is someone the prisoner loves, cares about, and is therefore prepared to make an extra effort for [Carlsson 2012b, 925]) helps to maintain a distance from an abusive peer group, something that Sebastian mentioned. On the other hand, the loss of such a relationship can easily and quickly lead to a return to old company (as in Krystian's story) (Carlsson 2012b, 929).

*I met a woman, it ... made it even easier for me to bounce back from all that, all the bad company. (Sebastian, 34 years old)*  
*Well, she was my other half, I loved her with all my heart and thought she was the one. And I was wrong. (...) When she dumped me, I started doing drugs again. Until I met the next one, well, I don't know, for a year I was doing drugs and drinking, for a year. (Krystian, 32 years old)*

Some women are aware of this great responsibility and great trust on the part of their partners. However, some of them may not be able to bear this burden of expectation (Nugent and Schinkel 2016, 577).

Part of the stay in prison should therefore be a real preparation for life on the outside in the form of controlled stays at liberty. This is because during such stays, the prisoner may have the opportunity to meet new people, including women, who have nothing to do with criminal activity. This is the only way to ensure that, upon release from prison, such a person will have an anchor point, a hook on which he will be able to start building their future (Szczepanik 2015b, 307, 375). Kamil (30 years old) pointed out that leaves are an extremely important element of serving a prison sentence. They should be integrated into the penitentiary system so that prisoners have a chance to build (or rebuild) a social space they can go out to. Kamil told us about friends who, thanks to their time spent on leaves, met girls who *'help them at the beginning, at the start'* after getting out. And thanks to this, *'they have all managed so far'*. This shows the importance and purposefulness of such activities in the process of desistance and the necessity to incorporate them into the postpenitentiary system and to support the inmates

in order for them to be able to establish such relationships at liberty, as some of them may not be able to do it because nobody has taught them how.

However, regrettably, the role of leaves is not sufficiently appreciated by the prison administration. As Kamil went on to say bitterly: *'Someone from the administration will say: "I don't have time to stamp leaves and write to the penitentiary court or to the director to take care of such a leave for him". This is stupid'*. In light of many other studies, it is difficult to disagree with this view. The issue here is not only leaves but also all activities undertaken by prisoners at large, such as going to school or working outside the prison (Warr 2016, 599). It was at school that Kamil met his fiancée, with whom he was able to develop a relationship and who is now one of the key people in his life. Together with her, he has also built his future after his release, which, in addition to his partner, includes a job (a company they created together while he was still in prison and now managed by his partner) and a new non-offending circle of friends (while ending old friendships). This extensive system of hooks leads one to believe that they will effectively keep Kamil out of crime. Unfortunately, compared to the general population of our interviewees, Kamil's situation was an exception.

A key consequence of loneliness in prison is that, once released, the former prisoner does not know what to do with themselves because there is nobody waiting for them. Marcin (35 years old) summed it up very well: *'you just have to have somewhere to go back to, and if you have nowhere to go back to, you have no family, then it is difficult for such people to do anything outside of jail'*. The pain of loneliness is not just the lack of kind and supportive people around. It is often the lack of even a place to return to. This was the experience of many of the people we interviewed:

[Support is needed] for those who have difficulties. They just go out and have nothing (...) just get some accommodation on the spot. They [the administrators] will only give us the address at Barka.<sup>18</sup> It is obvious that we won't go to a night shelter for homeless because most of them are bums there. That's how it is. And it looks like prison cells because there are the same beds, all the same. And we don't want the same beds. (Daniel, 36 years old)

If people leave after ten years and don't have a family, many people like that, who have no support, no money, nothing, no home, they have to go under a bridge. If you are released in the summer, it's okay, in the summer you can sleep on a bench, under a tree, but if you go out in the winter, it's hard, you can't go under a bridge. (...) That's why many people return here, to crime, because it's easier, right, even though there are some consequences, it's easier, right. Why should I go begging when I can steal and get money out of it. (Przemysław, 36 years old)

But there [outside of prison] I have nowhere to sleep. I can't go to a night shelter with these stinkers. I'd rather steal and rent something. Recently I rented a hostel in Warsaw for a week and I stayed there. Recently, when I was leaving prison, they gave me 400 PLN [about 100 euro]. After seven years in prison. Now go and try to get by. (Radosław, 34 years old)

Radosław did not manage to get by, since we meet him again in prison. But this is a fairly typical story, affecting, as the above quotes show, many people. Homelessness, it should be stressed, does not always mean living on the street but simply the lack of a permanent, safe, legal, and stable place to live.<sup>19</sup> Hence, people who live at a friend's place are also homeless. What is also lacking is real support from the prison administration or other services (as mentioned by Daniel) in finding a place to live (Warr 2016, 599–600).

For many former prisoners, the option of using a homeless shelter (whose residents Radosław referred to as 'stinkers' and Daniel as 'bums') was not an option. This is hardly surprising, as these institutions are not in any way designed to be used by people who find themselves in a temporary housing crisis. For them, only night shelters are available, where it is not even possible to leave things during the day: they offer only a place to sleep for the night. On top of that, they can look like prisons because of the metal bunk beds and the lack of privacy in collectively shared rooms. All-day shelters for the homeless are a kind of luxury that has to be earned and waited for. Another problem is that they require absolute sobriety: showing up under the influence of alcohol results in the loss of a place (Lech 2007). So ex-prisoners look for some 'den' in which to spend the night (like 50-year-old Artur) because many people, after leaving prison, need to unwind, to recover the lost time. Often this means wanting to get drunk in the company of friends (Szczepanik 2015b, 304–305; Maruna 2001, 78–79; Kotowska 2019, 506). Unfortunately, many people experiencing homelessness have the experience of being in prison. Such people often circulate between homelessness institutions and prisons. In general, their lives have often been built around life in different institutions: they are institutional careerists (Szczepanik 2015b, 246–247).

A lack of friends after release from prison results not only in a short-term lack of a place to live but also in a lack of social capital on which to build a new life, including a place to find work or meet new people (Maruna and Farrall 2003, 182). And in general, the social capital of people from disadvantaged backgrounds is not very high, especially in terms of access to legal work, official business, etc.

Leaving prison can also be part of a process of sloughing off old friends with whom the individual had maintained contact prior to being incarcerated and who often contributed to their being there (Carlsson 2012b, 927; Laub and Sampson 2001, 49; Muskała 2016, 242–243). This is because the isolation itself often caused these relationships to break down (and some of our respondents even said that they had broken them off before they went to prison). Living in a decrepit neighbourhood or an area with a lot of marginalised people, with whom you naturally form relationships, is a snare that makes it very difficult to break away from crime or addictions (McGee et al. 2015, 347, 359). Basically, the only way to avoid continuing relationships with former friends who have had a negative influence on persistent offenders is to move to another neighbourhood and often even to another city (Muskała 2016, 230–231). Many of our interviewees

talked about the attempts and the need and importance to break away from their old company and surroundings:

*Well, now I've completely detached myself from my friends, from all that. (...) I don't have any contact with them, I've completely weaned myself off them. (...) I don't want to meet them at all. (Adam, 35 years old)*

*I avoid this [contact]. I park my car in front of my block of flats, when I drive up in my car I enter the building, the staircase and I avoid them. Fortunately, I have no friends in my block of flats. (...) I just don't have any contact. (Kamil, 30 years old)*

*I moved away from the housing estate 13 years ago. I don't visit that area, I don't meet those people, I don't keep in touch with them on Facebook, I've cut myself off from the company completely. (...) At this point, I would not want to have anything to do with them. (Paweł, 30 years old)*

*Well, I will say on my own example that the best thing to do when you get out of prison is not to go back to the same place as your former friends. When you leave prison, stay for two or three days, say hello to your family, and then move somewhere else, not abroad, but at least to another city. Well, that helps a lot. And not to run into old companions, who have committed crimes with you before. On my example, this is an idea, so that those who leave don't return to their former companions (Krzysztof, 28 years old)*

Unfortunately, the process of building a life in a new place is often costly: it requires renting a flat or even a room, so it means investing a certain, often not inconsiderable amount of money that people leaving prison often do not have (Farrall, Bottoms, and Shapland 2010, 556–557). But if the person has nothing and no one in their old place of residence anyway then it does not matter where they start again to build their life outside prison: they will face similar financial challenges everywhere. At least they will partly avoid the snares of the stigma I described above.

One way of cutting oneself off from peers is to move abroad. I wrote about it above as a sort of dream of better pay, but such a trip also holds a very important promise of severing oneself from old friends (Szczepanik 2015b, 284, 299–300, 375). It can be an escape from the previous social circles and even a hiding place abroad (this was especially true for members of organised crime groups [Kotowska 2019, 425])—provided, of course, that these old friends are not the people one may meet when travelling. This was what Krzysztof worried about: bumping into his previous friends and the consequences of this chance encounter, despite the fact that, as he claimed, his friends living in England had cut themselves off from crime.

*I have a few friends in England, just a few, some of these friends who are in England, they're the ones from my childhood who committed crimes. So they just cut themselves off from crime and they tried to invite me there, but I felt it might be a bad idea. (Krzysztof, 28 years old)*



Most of our respondents conceived of going abroad in the context of desistance. In principle, they did not seem like places where a criminal career could be pursued. In the interviews, our subjects often talked about the fact that they had relatives abroad: usually one of their siblings and their spouses. In most of these narratives, these were people who had been living for some time in other EU countries (most often in Germany, the UK, or the Netherlands) and were leading ordinary lives there. Having such a starting point, such a hook, in the new place is essential (as mentioned by Bartłomiej, for example).

*My sister urges me to leave right away, when I'm released from jail, not to meet those old friends in the housing estate. She says that sooner or later it'll happen that I'll avoid meeting them 20 times, and one time it might turn out that ... (Michał, 27 years old)*

*Only I would like to travel to have someone there, and not as they say 'empty handed'. So that I, well, why should I go, if I knew someone who was already there and had a job. And I go and he arranges it for me, I'm already working, how do you say? The first day. Or wait until someone arranges it for me, right? (Bartłomiej, 30 years old)*

Such a trip is thus an opportunity not only to work but also to work for a relatively high salary (especially compared to the Polish reality). This gives an opportunity to pay off outstanding financial debts that the person has in Poland (e.g., child maintenance debts or old loans taken rashly, rent arrears, etc.) as well as to earn money for a new start in Poland by, e.g., moving to another place.

Some obstacles to going abroad may be due to commitments that are related to the criminal justice system. Jarosław (34 years old) told us that although he wanted to travel, he couldn't *'because of the suspended sentence and the probation officer always blocked it'*. This is not only a Polish problem (Durnescu 2011, 534), although it is puzzling. If travelling abroad entails both opportunities (well-paid, often legal work) and fewer temptations (separation from a peer group), why do probation officers restrict the exercise of this right? Some may be reluctant to try new measures such as remote guardianship and meetings via instant messaging. Others do not believe that the person will live 'lawfully' abroad. In this case, one could at least consider using the instrument of Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions. It has been in place since 2011 and allows the probation services of another EU state to take over the supervision of a specific person (Durnescu 2011, 540). Unfortunately, in Poland it is most likely not used in practice, although as many Polish studies show, migrating is an important factor in the process of desistance.

For some, there is no need to cut off from the old friends because they are already dead: they overdosed on drugs or alcohol (Muskala 2016, 248). Some respondents said that thanks to going to prison, they are alive, as they freed

themselves, albeit forcibly, from the influence of this group and did not share the fate of their friends.

*Half [of my neighbourhood friends] are in jail, half are dead. Maybe the bigger half. (...) Five friends committed suicide. A few drank themselves to death. A few died in accidents and so on. (Kamil, 30 years old)*

Prison is often an eye-opening place where people start to realise how superficial their previous relationships were. This is particularly true of the friendships formed during the teenage years or early adulthood, which consisted in having fun together, usually combined with drinking together (or taking other drugs). These relationships were usually formed in the closest vicinity to their place of residence.

*It is really only when you get here that you see what people are really like, who is really loyal to one another. (Marcin, 35 years old)*

*I cut myself off from my friends. When I was at liberty, everything was beautiful, nice, because there was money. You had a drink here, a cigarette there. But when you go to jail, your friends forget about you, they don't give a damn. You only have friends when you have money, and if you don't have any money, then ... they won't even send you a postcard or anything, that's the kind of friends they are. (Jakub, 34 years old)*

This disillusionment with relationships makes it easier (at least to some degree) to detach oneself from former friends. It is a very bitter awakening, but it also has another side to it: it leads to the belief that no one is worth trusting. This lack of trust is also reinforced by prison as an institution as inmates learn to keep a distance from the people they meet there and the relationships they establish, which I also wrote about above (Crewe 2009, 306–314). Yet this general lack of trust in other people can sadly militate against building any new relationships, including with loved ones or partners, whether while still in detention or after release.

*I mean, I would like everything to work out, but I don't know, I don't trust people too much. I don't know ... I don't trust her [my partner] too much either, right? And I would like things to be okay, that's how it is. There is some kind of block, you know. (Dominik, 36 years old)*

Summing up these analyses, it should be noted that withdrawal from the peer group is very painful, as it is part of the process of deepening loneliness. It is a tremendous task even for people with family support, whereas for those who do not have such support, it is especially hard. Severing ties can lead to self-isolation: sitting at home to avoid seeing old friends or even hiding from them, not answering phone calls, and sneaking stealthily through the neighbourhood. Take Daniel (36 years old), who said:

*I tried to avoid [old friends]. I did not visit them anyone. Well, in those 1.5 years that I was hiding, I will tell you that I did not do anything [against the law]. (...) I cannot show myself there [in the district].*

This isolation is especially acute in the process of desistance: the ex-prisoner has no old friends because he has abandoned them, but he also does not have any new ones because he has not met people without contact with the criminal world; he has never been in such company (as Radoslaw, 36 years old, said, for example), and he does not even know how to talk to such people (as Arkadiusz, 35 years old, told us). But he also has nowhere to meet them, especially if he does not find a new job. But even if he does find one, relationships at work are built slowly. So he may travel between work and home and be lonely all the time. Hence, such people are once again largely deprived of any interpersonal relationships, just like when they are locked up in prison, and often the only connection they have left is with their family or partner. And while their support is vital and allows the person not to return to crime, at the same time many people are left with a certain sense of loneliness and longing for other nonfamilial relationships that would be valuable and not lead to a path of crime (Nugent and Schinkel 2016, 573).

This cutting oneself off from former friends must, however, be radical because even fleeting and accidental contact with them quickly turns into reverting to old habits.

*I always cut it off [these relations with former friends], I kept my distance, you know? And now, I got too familiar with them and ... you know, I was craving for drugs at that moment, because I had such a period that I got into drugs again. (...) So, well, you know, that's the kind of company it is, yeah? Well, I went to some party. We went too far. Here we went too far ... and I didn't have the brake. (...) So I stayed with them, I let them into ... so to speak, into my circle. And I got involved myself. For example, they had something to do and I got involved in that too. Like, why can't I do it too, right? And for example they wanted to do a burglary. I joined them and we did the burglary, right? (Rafał, 32 years old)*

*I used to avoid the company with whom I used to do drugs. For eight months I avoided them. (...) But then came the day when I had a weaker moment, out of boredom, I said—what the hell, once I can do it again. I haven't been doing drugs for so long, so if I get high once, then .... Once, twice, three times. (...) With every month, it became more and more frequent, until I got addicted and started stealing and doing various things again (Michał, 27 years old)*

The stories of Rafał and Michał are typical of many of our respondents: attempts to reconcile the two worlds, a return for just 'one beer', a seemingly brief encounter that turns into going back to this lifestyle. Similar stories were told by Sławomir (48 years old) and Krzysztof (28 years old). It often starts with alcohol, and then other things just 'happen'. 'Stupid ideas come to mind', as Krzysztof put it.

The processes described above were also pointed out by the people studied by Briege Nugent and Marguerite Schinkel (2016, 572, 575–577). The researchers called this state the *pain of isolation*. In the framework I have outlined, it is an element of the pain of loneliness: in this case, deliberate and planned by the person who wants to desist.

## The psychological pains of desistance

As I have repeatedly stressed in this chapter, the process of desistance must begin with a change that occurs in a person's psyche and makes them willing to make the attempt and thus to embark on this difficult and zigzagging path (Carlsson 2012b, 924). This attempt not only means making a number of logistical changes in one's life (getting a job, severing ties with colleagues, entering or committing to a relationship) and therefore overcoming many pains and snares but also requires internal transformation (Paternoster et al. 2016, 1219). This involves a change of identity, putting on

a new—alien and never worn—identity costume that is produced in the course of various interventions based on coaching or rehabilitation therapy. It is not a form of conscious deception or bluff used by the recidivist, but a manifestation of his optimism in the success of his actions, driven by the specific effort of a fraudster to believe in his own deception and to conform to the expectations of the world around him even at the cost of losing his identity. (Szczepanik 2015b, 378)

This means confronting the desister with the stigma of internalised shame that society imposes on former inmates (which I wrote about above).

The problem with achieving and maintaining this internal change is that, as I try to show in this chapter, the success of desistance is influenced by many different factors, largely beyond the control of the desister. Moreover, in very many cases these external obstacles and difficulties mean that this success will not be permanent: that is to say, in many situations one will stumble and will commit some criminal act because this is a constant part of the process of leaving delinquency (after all, it is a zigzagging path). But these slip-ups resonate deeply in the psyche of the ex-convict. They cause a state of what we might call the *pains of changing and maintaining a new identity*: i.e., the anguish of former persistent offenders trying to repeatedly overcome the high bar set before them and repeatedly knocking it down while jumping over it. They set it up before themselves, but so did society and public institutions. When you fail, it is difficult to keep a new identity or even to recognise that you have a new identity.

This pain then leads to this question: Who am I—a criminal or a noncriminal? And to further questions: If it takes so much effort to succeed in desisting and there are so many failures on the way, maybe it is not worth the effort? Maybe it is better and easier to assume from the outset that one will fail, so then

the disappointment in oneself will be smaller? (Maruna 2001, 78). Nugent and Schinkel call this inability to break with an old identity (criminal, convict) and acquire a new one (partner, parent, and especially employee and member of society) the *pain of goal failure* (Nugent and Schinkel 2016, 573–574, 577–578). This goal is the new identity, which not only will be a self-identity but also will be confirmed and recognised by other members of society, although showing the change that has occurred in a person is very difficult to signal and show on the outside. This validation by those around is crucial, as most people trust the judgment of others about themselves more than their own (Maruna 2012, 80).

These constant failures are coupled with another pain: *the pain of hopelessness*. This is the belief of ex-prisoners that they will never achieve what they set out to achieve, i.e., a normal, decent life without crime. They do not see any chance or prospect of change in their lives. They think that their life is pointless and that it is remarkably similar to the life they led in prison, so they don't really live at all. It seems to them that if they return to prison, they will basically lose nothing. This pain leads to apathy and despondency. After all, if there is no chance of success, why bother trying (Nugent and Schinkel 2016, 574–575, 578–579)?

Part of the above pains is probably due to the inflated expectations that former detainees have of themselves, but also to those that the people helping them have of them. Many professionals in support institutions, even if they know and understand the above-described snares and pains, fail to recognise them in practice in relation to the individual (Maruna and Farrall 2003, 190). Hence, they expect the individual to be exceptionally proficient and resourceful, to prove their agency in dealing with life outside the walls of prison. This is a rather absurd and often contradictory expectation that begins while still in prison, where the inmate is expected to take responsibility for their past (i.e., the crime they committed), their present (thus the stay in a facility), and their future (i.e., the time after leaving prison). At the same time, the imprisoned person is infantilised, deprived of any influence on the surrounding reality in practically all aspects of life (or at least in their vast majority) because everything is decided by the prison administrators and everything must be requested from them (as I mentioned above). Additionally, the prisoner's self-confidence is undermined when psychological labels defined by the prison administrators are imposed on them, thereby formalising and institutionalising their personality (Crewe 2011a, 515–516, 523–524). This, in essence, deprives prisoners of any decision-making power and authority over themselves (Warr 2016, 593; Windzio 2006, 346). Bartosz spoke of this total 'care':

*It's hard outside of prison. Here the only thing is that they take away our freedom. And there you have to do everything yourself. Here you don't have to worry about anything. If your back hurts, they'll tell you to lie down to make it better. If you need a doctor, they will take you there. They think of everything. And when I look at these persistent offenders, I think they get used to everything. And that is why they come back. (Bartosz, 32 years old)*

As Bartosz points out, it is difficult outside of prison. After getting out, an ex-prisoner is immediately supposed to become highly proactive, to be a super-agent, skilful in managing himself and in navigating the external world, which is often alien to them (Maruna and Farrall 2003, 179). Meanwhile—as Bartosz further admitted—they are unprepared for life at liberty:

*I don't even have a bank account. (...) I don't know how to go to the office, how to deal with the simplest matters, I've never done such things. I'm 32 years old, and if I go out now, it's like I've been born again.*

It is not possible therefore to transform oneself from a helpless person, whose helplessness is often learned over the years, to an exceptionally active and independent individual in a single moment, as when passing through the prison gates. It is simply impossible. Radosław spoke about it directly:

*I was overwhelmed by this freedom. (...) Well, no money, no accommodation. Because when you get out of prison after so many years, they let you out and you don't really know where to go, you know. Because where to go? (...) The movie 'Shawshank Redemption' shows everything as it is. That when you're released, you don't know how to live. Here I have instructions: breakfast, then I'll exercise, go somewhere and talk. And when you are free, it is so overwhelming. (Radosław, 34 years old)*

This is seen by people leaving prisons, for one of the fears they raise is the fear and *pain of self-governance*.<sup>20</sup> After being fully controlled and having their every move closely watched, ex-prisoners are now expected to control themselves and make the right choices themselves.

If they stumble and make a wrong choice, a punishment may await them right away—although not necessarily immediately a criminal punishment. This can be particularly acute if they are under supervision or if they are on parole or on probation; then any mistake can lead to a return to prison. The fear of this is strongly felt by those on probation (Durnescu 2011, 538). So the right of ex-convicts to make mistakes is very limited in reality (Ginneken and Hayes 2017, 74). The role of probation officers is also paradoxical, as it turns out that due to the increasing bureaucratization of this service, instead of providing real support to their wards in overcoming snares and pains, they add new forms of pains, resulting only from the inadequate guardianship and leading to further difficulties in life outside of prison (Durnescu 2011, 534–536).

The pain of self-governance has another important dimension—namely, the fear of relapsing into substance abuse. Many inmates had problems with stimulants and misused them in the past. And they are afraid that they will return to their old habits, which will end up with them returning to prison. Indeed, in many cases alcohol or drugs have been linked in various ways to the commission of crimes. This is what our interviewees said on the subject:

*Well, there were so many convictions because of drug use. Because there was no full control. Indestructibility was activated and (...). One drug has a calming effect on one person, and a stimulating effect on another. I got the stimulating effect. And I was all over the place and ... I wanted too much of everything at once. (Tomasz, 35 years old)*

*For example, I took amphetamines when I went, as they say, to steal at night. Such heightened senses. One was not so afraid to steal. (Dawid, 36 years old)*

*It's just that alcohol blurs the line between control and lack of control. (...) if someone says they drink alcohol to have courage, what courage, it just... (...) it blurs control, that line between controlling and not, this one. And it's all not about courage. (Sławomir, 48 years old)*

*Well, maybe it's easier, it's easier to reach for something like that, a person is braver than, than without alcohol. I committed crimes like that, too, because without alcohol you're not brave and you don't jump into the fire, and that makes you a bit more stupid, right? And then you just stay in prison, right? It wouldn't be like that without alcohol. (Bartłomiej, 30 years old)*

During their incarceration, many people underwent compulsory rehab, and some additionally chose to take part in addiction therapy, which gave them new knowledge, skills, and self-awareness (Szczepanik 2015b, 259, 287–288; Toroń 2013, 302). But all this does not diminish their fear of whether they will be able to manage on their own after getting out. Michał was very articulate about this:

*I am full of fear in general. On the one hand, I am afraid of this freedom. I would like it very soon, but I am afraid if I will manage. After so many years of lying around, doing nothing, it is such a shock—this, that and work. I don't know if I can cope, if this routine doesn't ... (...) if the routine doesn't kill me. (...) This is my fear, that one day there might come a worse day when I'm free, that something might go wrong and I'll slip back into drugs, into some kind of diversion. Of course, I won't want to all the time, but once you try it once, it comes back like a boomerang. (Michał, 27 years old)*

In Michał's statement, all the fears of self-governance combined with the fear of relapse are clearly visible. Hence, some of our interviewees were planning to go straight to a facility for addicts after leaving prison; that way, as Arkadiusz said, it would be

*a kind of prolonged therapy, right? And in general, it will be more like an adaptation to freedom, right? Because I will have to go to work there, pay for this facility. (...) I'll be able to live there, I'll have to go to meetings generally connected with drugs, things like that, and discuss various topics, and then I'll have to go to work, of course. It will be a kind of adaptation to freedom. (Arkadiusz, 35 years old)*

This facility is not only a solution for some kind of external control against returning to addiction. It is also likely to be an opportunity to avoid homelessness after leaving prison. But it is also a source of expectations: a buffer between isolation and freedom, which will better prepare a person to live outside prison.

Addiction, even when cured, is one of the snares that make it very easy to relapse, and with it often comes a return (like the boomerang that Michał referred to above) to crime as well (McGee et al. 2015, 350–351). Many respondents have spoken about these different links between drugs and alcohol and crime, but one of the main links between addictions and criminal acts is that drugs or alcohol simply costs money and you have to find the funds to buy them.

*I did drugs and stole. Well, because you have to pay a lot for drugs and you can't do it from your monthly salary. (Patryk, 35 years old)*

*To get alcohol, I would borrow or steal. (Jakub, 34 years old)*

The different types of psychological pains described above have an impact on the process of desistance, as they cause stress in the individual, which they are often incapable of eliminating or overcoming. Difficulties in coping with stress also originate from the other pains, such as the lack of a support network, i.e., loneliness, which means that the ex-prisoner has no one to confide in and talk to about their experiences and problems—like Jakub, who said:

*I don't have anyone like that [who can support me]. Apart from my mum, my brothers who have their own stuff to deal with. I don't have anyone to talk to like I am with you now. That's what I miss the most, such conversations. Sometimes just saying something out loud. (Jakub, 34 years old)*

However, Jakub's story shows that even his mother or brothers are not so close that he can or wants to talk to them about himself or that he simply does not want to burden them with his problems, since the family has a lot of its own 'issues' anyway. But even if the ex-prisoner has someone who is close to him, they often do not have the ability to share their emotions, to put them into words, and they lack trust in people. Meanwhile, suppressing emotions and accumulating stress and negative experiences can influence a return to the path of crime. Because of the lack of ability to properly vent emotions, avoidance strategies, such as turning to alcohol or other psychoactive substances, may be used (Friedrich 2020, 167). And this, as I mentioned above, is a straight path to returning to old friends and old habits.

## Conclusion

Desistance from crime is a long and zigzagging road with many hurdles and traps. In this chapter, I call them snares and pains. On this path, it is highly likely that the ex-convict will stumble more than once and make bigger or



smaller mistakes, possibly even commit illegal acts (Carlsson 2012a, 5). The fundamental question begging to be asked is this: How should the state and the authorities respond to these slip-ups? The contemporary system, with very poor postpenitentiary support and the institution of recidivism, adds to the problems instead of solving them. And this is ultimately counterproductive. It is also important to remember that people who are convicted of criminal offences often come from disadvantaged and marginalised backgrounds. Their path through life is generally difficult and rocky, and they have more limited opportunities in life. They are forced to fight on many fronts in order to live with dignity (and sometimes to live at all). The state and its institutions most often do not support them on this road or do so insufficiently. This is why, for many people who have committed crimes, the key in life is to get by, and their main goal is not to give up crime but just to make a life for themselves. Desistance from crime can happen incidentally if the system creates the right opportunities (Schinkel 2019, 383).

In this chapter, I wanted to show the different kinds of snares and pains that await ex-convicts leaving prisons, based on our research and on the academic literature. The snares I have described are mainly structural (they result from the structure of society and the relations between its members) and systemic (they mainly involve the criminal justice system and social welfare in the broad sense). All these factors combined are the reason why the process of desistance will not succeed. And, it should be stressed, we cannot blame the offenders for this while completely ignoring the social environment in which they live. The snares are very difficult to overcome because their sources are often exogenous, but they have effects on the offender's psyche or on their social relations. The pains, on the other hand, are an additional burden that often results from the presence of the snares—that is to say, from the action of public institutions. But it is a burden that, with sufficient support, the ex-prisoner is able to handle.

The snares and pains were described on the basis of interviews with men. It is a serious limitation of this study, as the conclusions can apply to women only to a limited degree. It is important to take into account the gender aspect of these processes, as for women, some of them may be less acute and others may be even more acute (such as the pain of loneliness and separation from loved ones, especially children, or the greater public stigma for certain types of socially conceived 'unfeminine' crimes but also the stronger hook that is the experience of motherhood for many women).

It is impossible not to notice that the vast majority of the described snares and pains are caused by punishment, especially imprisonment and the way it is administered. This leads some researchers to conclude that it is the punitive penal system itself—the imposition of harsh punishments and, in particular, incarceration—that causes reoffending (Hart 2017, 283). I myself would perhaps not go that far, but one

cannot be oblivious to the fact that all these factors are far from neutral and largely influence how people released from prison behave and how they arrange their lives at liberty. However, these issues usually do not appear, or are mentioned only marginally, in the discussion on crime and its causes and prevention.

Of course, there were also voices in our research (although not many) who admitted that prison had changed their lives for the better. The interviewees mostly stressed that they had finished school there or acquired professional qualifications. Kamil (30 years old) said that if he had not been incarcerated in time, he would not have managed to control himself and would have continued committing crimes, which could have ended with a really serious offence:

*My immortality was activated, I could do whatever I wanted, wherever I wanted, nobody had the right to [say anything] to me, and so on. (...) That's why I'm very glad I went to prison, because if it hadn't been for prison, I would have ended badly or I wouldn't be in prison now for seven years, as I am now, but I would have a much longer sentence or a life sentence.*

Paweł (30 years old) made a similar comment, also pointing to the role of prison in isolating him from his friends and from drugs. This last point—isolation from drugs, which saved their lives—was also emphasised by other interviewees such as Michał (27 years old), who bluntly admitted: *'If I had kept on doing drugs [as I did], I would probably be dead by now. How long can you go on? The body has its limits'*. However, we must ask ourselves whether there were really no other ways to help these men with the addiction earlier in their lives or to support them in other ways than putting them in prison.

Imprisonment should be a measure of last resort because of the immense pain this punishment causes for the individual, which goes far beyond the time spent in isolation and scars the convict (and their loved ones) for a long time, as I have tried to demonstrate in this chapter. This was already pointed out 100 years ago by a Polish scholar Juliusz Makarewicz, who wrote that a person leaving prison will not easily return to 'normal life'. However, '[n]o one can leave them on their own, because the work of criminal infection, which started in prison, will be fully accomplished' (Makarewicz 1922, 147). This problem raises many questions, starting with the most important one—namely, whether such a person should go to prison at all. And if they do go, 'where does the punishment stop and when does the rehabilitation process start?' (Durnescu 2011, 539). That is, at what point should the focus be not on the hardship of the punishment but on supporting the offender in (re)building a life outside prison? And can this process occur at all in isolation from society? Hence, the role of imprisonment, as well as the way it is carried out, and the whole process of postpenitentiary measures should be thoroughly reconsidered and reformed.

## Notes

- 1 At the time of the interview, Andrzej was serving a sentence for nonpayment of alimony. More on the impact of this offence on the process of (un)desistance from crime appears in the subsection of this chapter titled 'Further aggravation of stigma by aid agencies, law enforcement and criminal justice institutions'.
- 2 This suspension was due to a conflict and dispute with the probation officer, about which I will write in more detail further on.
- 3 This does not necessarily correspond to the notion of the end of a criminal career, as here, too, authors set different caesuras, wondering how long the period between offences has to be in order for one criminal career to be considered to have ended and possibly another to have begun with the commission of another offence after a certain period of time (Koppen, Rodermond, and Blokland 2020).
- 4 Some other classifications were also proposed (see Koppen, Rodermond, and Blokland 2020; Ouellet 2019).
- 5 Yet, according to Arnon Edelstein, it is only professional criminals that we can call *career criminals* (Edelstein 2016).
- 6 However, their importance was later described and classified by other authors (e.g., Hayes 2016, 738–740).
- 7 Judgment of the Court of Appeal in Wrocław of 13 October 1994. II AKr 316/94, LEX no. 24476.
- 8 Compare Explanatory Memorandum to the Government Bill on Amendments to the Act: Penal Code and Certain Other Acts, Parliamentary Paper No. 3451, p. 1, available at <http://orka.sejm.gov.pl/Druki8ka.nsf/0/996CE307123D03FEC-12583FA0069E8F2/%24File/3451-uzasadnienie.DOCX> [accessed 27 August 2020].
- 9 This is how it is portrayed by media reports, completely indifferent to the actual conditions and the actual effects prison have in causing stress and trauma (Warr 2016, 588).
- 10 This is exactly the kind of story our respondents cited in describing the different relationships between drug or alcohol addictions and crime; for more on this, see the section titled 'The psychological pain of desistance'.
- 11 I would like to stress that we did not find this type of information in our research. Perhaps this was due to the way the whole narrative was conducted during our interview, in which we focused primarily on the outside world: on the past and the future of the respondents rather than on their prison life. And although we asked about relationships with fellow inmates, this was one of many questions and was not explored in any depth by the researchers. We also focused the study on relationships that were important to our interviewees. Perhaps, therefore, the lack of mention of prison friends in the interviews meant that they did not consider these relationships to be particularly important in their lives. However, taking into account the findings of other authors I have cited (who studied life inside prison in detail), I do not doubt that our respondents also had such relationships and experiences; they just did not share them with us.
- 12 Indeed, it is worth emphasising that fatherhood has a varying but, for most people, not very significant impact on desistance from crime. Many—it could even be said the majority—of men with the experience of committing crime, including those in our study, did not perceive the fact of having children as an important element in their lives. In this respect, one can see a very big difference between the experiences of fatherhood and motherhood (Monsbakken, Lyngstad, and Skardhamar 2013; Schinkel 2019, 379–383).
- 13 This stigma also applies to those serving their sentences under the electronic monitoring system. They also try to hide the electronic bracelet for fear of social reaction, being ashamed of it and fearing the reaction of others. In fact, there have even been cases reported of such persons who were beaten up by 'law-abiding' members of the community (Durnescu 2011, 531–532).

- 14 Except perhaps in some indigenous communities (Considine 1995).
- 15 In the UK, this process has gone even further, and such a certificate, in addition to the recruitment process, must be presented for other activities of daily life, such as an insurance or a credit application. This results in the stigma of the sentence spilling over into other spheres of the ex-convict's life (Warr 2016, 601).
- 16 Interestingly, the courses offered in prisons did not provide a solution to this problem. Although some of our respondents took part in them and the courses seemed to be useful (they were often related to construction skills), the stories of our interviewees showed that, after their release, only a few people used what they had learned in prison in vocational courses and rather took other kinds of work. These courses act more as a form of occupational therapy:

*I completed a lot of courses in prison. A one-year drywall course, a gardening course. I completed some courses in interpersonal communication, ART [aggression replacement training], self-aggression, I completed therapy, another course in construction, how to lay tiles. At the beginning I went there to occupy my time in prison and to learn something, because in fact I have no profession. (Michał, 27 years old)*

Such course-collecting, known as *hoarding*, is one form of adaptation to prison conditions (Szczepanik 2015b, 265).

- 17 This is similar to the theory of Walter Miller, who argued that deviance, including crime, is simply part of the culture of the lower strata of society, so individuals themselves are not responsible for their fate.
- 18 The Barka Foundation supports people recovering from homelessness as well as former prisoners.
- 19 Compare the definition developed by the European Federation of National Organisations Working with the Homeless (FEANTSA) using the European Typology of Homelessness and Housing Exclusion (ETHOS): <https://www.feantsa.org/en/toolkit/2005/04/01/ethos-typology-on-homelessness-and-housing-exclusion?bcParent=27> [accessed 24 June 2022].
- 20 I use the term in a different sense than Crewe, who understood it as a certain amount of freedom that prisoners receive while serving their sentence. It is coupled with an expectation on the part of the prison administration regarding appropriate behaviour from inmates—but in the absence of a definition of what exactly such behaviour would be. In this context, the pains of self-governance are a kind of trap where any behaviour can be potentially beneficial or detrimental depending on the subsequent interpretation given to it by the prison administration, over which the prisoner has no influence (Crewe 2011a, 518–520). Szczepanik writes about this process as a self-presentation of a person deserving freedom (Szczepanik 2015b, 261*ff.*).

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