Judiciary staff work related stress and its health consequences.

2015 TEMIDA study results.

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Introduction

In recent years, the issue of stress, which workers across all sectors of the economy are exposed to, has become more popular. Numerous psychological, occupational health, management, sociology or even law based studies and scientific publications, both in Poland and around the world, stand testament to this. It is not only research and scientific institutions which devote ever more time to work related stress, but also representatives of government agencies involved with occupational health and safety. The necessity to take into account the psychosocial conditions at work, significantly related to occupational stress, is also highlighted by every organisation involved with the problem of negative impact of work condition on the quality of an organisation's functioning and the health of its workers (such as WHO, ILO, NIOSH, Eurofund, EC, EU-OSHA, CIOP-PIB, et al). The awareness of workers and employers is also increasing, albeit slowly.

Unfortunately, the driving force behind the increasing interest in work related stress is not cognitive interest. Here, the motivation is much more pragmatic. In today's era of globalisation and rapid technological development, the lion's share of businesses and institutions are subject to nearly constant reorganisation in terms of their operations, performed with the aim of improving cost effectiveness And it is mind bogglingly easy to reduce the concept of costs solely to the level of direct expenditures, which can be disclosed in published financial reports. Unfortunately such an approach leaves out consequences increasingly more often experienced by the aging - we cannot escape the demographic changes - work force which is subject to the ever present pressure to achieve better and better results, primarily understood as those expressible quantitatively. Doctors' surgeries are beginning to bear the brunt of the short sighted managerial policy results which are consuming an increasingly larger share of health spending.

For a few years now, various reorganisation processes have been underway in Polish courts. New systems are introduced - both technical solutions based on new technologies as well as organisational concepts. By implementing various "HR management" ideas such as employee appraisals or development and training plans, the courts' administration is drawing on the experience of businesses, Unfortunately, the solutions adopted in courts, are not the new kids on the management block anymore. There is nothing to suggest that the courts' management realises the power of reorganisation as a source of occupational stress and the degree to which work related stress impacts the health of workers, including the correct functioning of cognitive processes. However, the judiciary and the business world are not the same.

The quality of courts' authority is key in the functioning of a democratic state. Therefore, any analysis of the occupational functioning of court workers, by default should take into account the qualitative aspect. And its significance for the populace at large can be demonstrated by analysing the number of complaints pertaining to the drawn out court procedures, public opinion surveys (CEBOS, 2013[1]), or even court mistakes resulting in injustice for citizens, lack of respect for the courts as well as measurable economic consequences not only for court proceedings participants, but the whole society, for example on account of costs incurred by the National Treasury, including those stemming from compensation awarded for unreliable or drawn out processes. Whereas the Ministry of Justice, in executing the "Workload analysis and determining work standards for all professional groups in the judiciary" project, co-financed by EU funds, found, that only

1 CEBOS (2013) *O przestrzeganiu prawa i funkcjonowaniu wymiaru sprawiedliwości w Polsce.* http://www.cbos.pl/SPISKOM.POL/2013/K_005_13.PDF

the quantitative aspect is significant in assessing the workload of judiciary workers (the number and time required for the performance of tasks). Such an assumption should be considered to be erroneous from the outset. General knowledge and a little imagination will suffice to notice, that writing up an X page transcript from a case in front of a commercial court will never constitute the same workload as writing up a transcript of the same length from a rape with extreme cruelty case. Thus, there is no doubt, that the workload stemming from the psychosocial aspects of judiciary work cannot be omitted, as it bears a direct relation to the quality of occupational tasks performed by workers of the judiciary.

In 2012, the OIP *[Regional Labour Inspectorate]* in Katowice, carried out the first study in Poland of occupational stress of judiciary workers within the scope of the "Stress and other work related psychosocial factors" campaign. A very small group of subjects were tested, nevertheless the results were alarming. Stress at discernible levels, at which it should be worrying from the point of view of human resource management, was experienced by 1.5 - 2 times as many judiciary staff as in the entire population of Polish workers and more than three times the EU average. Relations with a superior, workload and work pace represent particularly intense sources of stress. The fact that the aforementioned sources of stress do not stem from the technical work aspects, but its structure and personal skills of workers, including interpersonal skills, is significant.

Based on these results, MOZ „NSZZ" Solidarność Pracowników Sądownictwa *[Judicial Workers Inter-Company Trade Union Organization]* began cooperation with Stowarzyszenie Zdrowa Praca, *[Association for Healthy Work]* which gave rise to two research projects: one pertaining solely to a group of court officials in district and regional courts, and the second - a study of all groups of workers in a given work environment.[2] The former study, carried out systematically and using scientifically founded methodology, recognised by such authorities as the World Health Organisation and the European Commission, painted a more elaborate picture of the stressful working conditions in Polish courts. Unfortunately, it was just as unfavourable as that found by the OIP study in Katowice. The results demonstrate that the psychosocial working conditions overload in court administration is much more acute that for other professions, including staff in other national administration departments. It turned out, that court administration workers do not know whether they are performing their jobs correctly, what they should be doing and how. The results also suggested much worse psychological/physical well-being of this group of workers as compared to other groups, including national administration. These initial results indicated, that situations do occur, where the work structure forces court workers to break the law or, where judges rule whilst in a state of health indicating an inability to perform official duties. The conclusions, albeit terrifying, in no way validate any kind of generalisations of the findings across the entire judiciary. That is why a study was required, which would bring home the truths regarding the psychosocial working conditions in these specific and socially important work places to all interested parties: citizens and court workers, but also those workers who manage courts and court regulators.

This paper presents the results of the 2015 TEMIDA study, carried out with support from EEA Grants, within the framework of the "Citizens for Democracy" programme. Firstly, it pre-sents the study subjects - their characteristics and information on how a sample was selected, the structure of which, in terms of professional groups, is a true reflection of the employment structure in courts. The occupational stress in common judiciary in Poland is described in the two subsequent chapters, together with an analysis of the sources of stress, including those associated with bullying. The following two chapters demonstrate how court workers cope with stress and to what effect, that is, their current psychological/physical state and its significance in the context of tasks within the scope of the justice system. The last chapter, a report on the 2015

2 With the exception of probation officers, as the nature of their work could skew the results

Temida study, includes an analysis of court work related health risks and demonstrates the degree to which court workers' health problems, which might impact the quality of the justice system, may be traced back to the psychosocial working conditions prevailing in the judiciary. The final part of this work includes a synthesis of conclusions drawn from the study and recommendations for Regulators, which include the Justice Minister as well as other decision-makers, who might have an impact on systemic regulations affecting the working conditions in courts such as other members of the Council of Ministers and Members of Parliament. Recommendation addressed to employers, those managing general court staff as well as workers of those institutions have been put together as in a separate book in the form of a prophylactic programme outline.

In order to facilitate perception of the 2015 TEMIDA study, each chapter devoted to aspects of occupational stress in courts and its health consequences starts off with an outline of the background, so as to further understanding of why the study took into account the given issue, what the given part of the study entailed and what measurement tools were employed. Results follow this introductory part, with comments thereon in the subsequent section. Every chapter also includes a list of scientific sources, which the authors refer to in the text.

The report will not necessarily be a light, easy and pleasant read. However, a hope remains, that the content of this document will be worth the time needed to take it all in, and that the authors' efforts expended in putting it together will prove a useful link in the chain of positive changes.

dr Katarzyna Orlak

1. 2015 TEMIDA STUDY

KATARZYNA ORLAK

The 2015 TEMIDA study constituted the core of the "Monitoring of occupational stress among judiciary staff and its health outcomes" project, part of the "Citizens for Democracy" programme underway between 2014 and 2016.

The primary objective of this project was to obtain reliable data on psychosocial hazards / overload in the judiciary and the consequences thereof. The collected data were subsequently to be used as the basis for actions to improve the psychosocial working conditions in courts, by reducing the work stress levels or improvements in terms of protecting the health of judiciary staff against the negative effects of occupational stress.

During this time, apart from the project itself, a series of preventative actions were also carried out, such as information campaigns or seminars on stress and working conditions in Polish common courts. More details and information pertaining to the promotional activities undertakes within the scope of the project are available on the www.temida.zdrowapraca.org website in the News *[Aktualności]* tab. Furthermore, within the scope of psychological prevention, every judiciary worker participating in the project, was given personalised feedback pertaining to the occupational stress and the conditions conducive to bullying they are exposed to, a summary of the methods the given person makes use of in order to cope with stress as well as a subjective assessment of its wellbeing as compared to a normalised assessment of local and national government administration workers. Additionally, two publications on the prevention of negative consequences of occupational stress were drawn up based on the data acquired through the 2015 TEMIDA study, one each for common courts' employers and workers.

According to project objectives, the study carried out as part of the project aimed to determine:

- court work related stress,
- occupational stress sources for given groups of judicial workers, and
- the negative effect of judicial workers' occupation stress.

Contrary to initial objectives, it was not possible to study enough members of given court worker groups, so as to construct representative (stratified according to appeal courts) samples for defined professional groups. Nevertheless, the study did make it possible to construct a representative sample, stratified according to professional groups, of the overall population of common court workers in Poland. The detailed scope of the 2015 TEMIDA study, a description of the representative sample taking into consideration all judiciary workers and the obtained results will be presented in the subsequent part of the study.

1.1. Scope of the 2015 TEMIDA study

The scope of the 2015 TEMIDA study was determined by the objective, constituting a description of the stress stemming from psychosocial working conditions in general courts, the court work related stress sources and its health consequences. According to Lalonde's concept (1974, as cited in: Wysocki and Miller, 2003), it is lifestyle which is most significant, or even has the largest impact on health (53%), and it is made up of many elements, such as: professional activity, ability to cope with stress, use of stimulants (nicotine, alcohol, psychoactive drugs), factors associated with a given job type. The next types of health risk factors pertain to the physical environment, with its health impact estimated at 21%. In this group, alongside factors such as clean air and water,

a healthy workplace is also taken into account. Genetic factors (16%) and health care (10%) constitute the remaining 26%. Thus, based on those lifestyle and physical environment elements, which remain linked to stress and its consequences (Cox, Griffiths and Rial–Gonzalez, 2000; Heszen and Sęk, 2007; Leka and Jain, 2013), the study authors defined the target list of variables, which should be taken into account in the study and the psychological questionnaires which facilitate these variables to be measured. Only the psychometric tool designed to measure phenomena associated with stress at the workplace as well as wellbeing in terms of health already in existence and recommended by such authority figures as the World Health Organisation were taken into account.

Thus, the following comprised the subject matter of the study:

- psychosocial working conditions in common courts, including: work demands, control which a worker has over their own work and social support which they might experience at the workplace, which, taken together can be used to assess occupational stress levels (Karasek, Theorell, 1990; Widerszal-Bazyl, 2003), and make it possible to draw suggest work related sources of stress (Cieślak and Widerszal-Bazyl, 2000);
- exposure to organisational factors associated with the occurrence of bullying at the workplace (Einarsen, 2003);
- ways of coping with stress, as some may be particularly destructive to health (Juczyński, Ogińska-Bulik, 2009), and also exceptionally unsuitable for courts;
- psychological and physical wellbeing of the study subjects, facilitating an identification of both subjective perception of stress by workers as well as worrying psychosomatic signs and job satisfaction (Cieślak and Widerszal-Bazyl, 2000);
- intensification of health problems, determining the level of psychological distress, sufficient to ascertain that the experienced symptoms are serious enough to warrant a specialist medical consultation (Makowska and Merecz 2001; Małyszczak and Pawłowski, 2003);
- relation between the current state of health with the psychosocial working conditions[3].

The following criteria were used in selecting given methods (questionnaires) to measure the aforementioned work environment and study subjects' characteristics.

- the tool is designed for individual and group studies;
- it is in the form of a self-administered questionnaire;
- its psychometric accuracy and reliability are verified, which guarantees, that it measures the characteristic as per its declared objective and that the measurement itself is of a given, known accuracy;
- it is adjusted to Polish standards, making it possible to apply the results of the test subjects to these standards and as such interpret them reliably;
- facilitates comparisons between different countries (is based on generally accepted assumptions and there are equivalent questionnaires for populations of different countries).

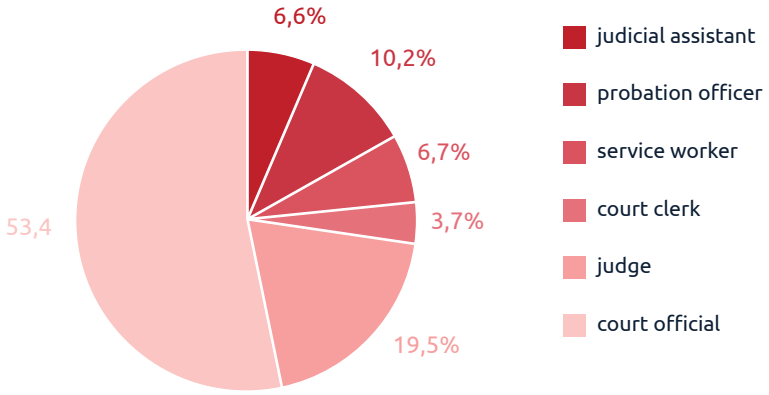
3 The study also takes into account traits of character, which science considers to be a significant factor moderating the occurrence of stress and ability to cope with it. This seems particularly applicable to professional groups, which are subject to psychosocial selection for their jobs, such as judges or probation officers. However, conclusions associated with traits of character ill-matched with the level / profile of occupational stress have been omitted from this study, as it is impossible to come to representative results pertaining to these groups.

The study was conducted from the middle of January 2015. Common court workers were encouraged to participate in the study. Numerous social partners representing the judiciary circles became involved in promoting the study.[4] Stratified sample (occupationally adjusted), the results of which are presented in this report, was drawn on 2 October 2015 in accordance with the information of the next chapter.

1.2. Sample description

Within the scope of preventative health care for staff, the tradition has it, that when it comes to protection against exposure to negative consequences of given working conditions, certain risk groups are taken into consideration, ordinarily understood as the performance of a given profession or job in given positions (cf. Harazin, 2003). Therefore, the report authors decided, that the most significant characteristic of the studied population, from the point of view of preventative health care against the negative work related stress consequences is membership of a defined judiciary workers professional group. Based on the basis available job title descriptions (Rostkowski, 2010) as well as earlier works on general judiciary stress (Orlak, 2015), six groups of workers have been identified employed in general courts: judges, court clerks, judicial assistants, probation officers, court officers and service staff. In order to determine the employment structure in each of the six groups, Ministry of Justice information was queried, as to how many people are employed in the aforementioned professional groups further categorised per appeal courts. On the basis of the replies obtained in July 2015 it was determined, that as at the end of 2015 Q1, there were a total of 51002.72 persons employed in common judiciary[5], including 9,934 judges, 3,341 judicial assistants, 1,883 court clerks, 5,188 probation officers, 27,237 officers and 3,420 other workers, or the so called service workers. The actual employment structure in the common judiciary is shown on Figure 1.1.

Figure 1.1. Employment structure according to professional groups in % (acc. do MJ data, March 2015, N = 51002.72)

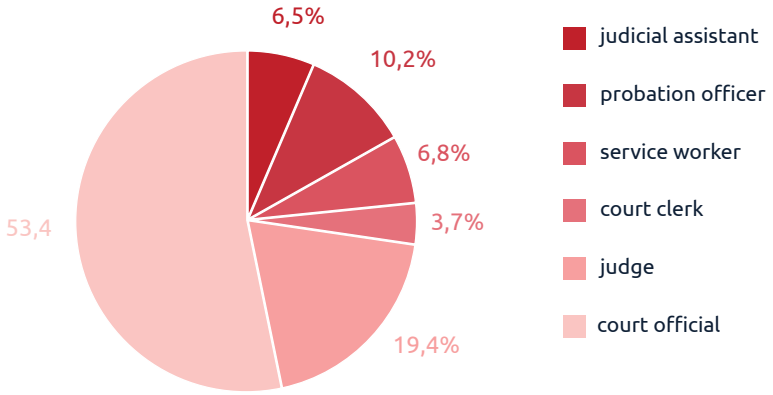


4 Apart from Międzyzakładowa Organizacja Związkowa NSZZ „Solidarność", the project's official partner, also the following organisations *[TN: A thorough representation of Polish judiciary trade unions, professional associations and industry specific organisations]*: Stowarzyszenie Sędziów Polskich IUSTITIA, Stowarzyszenie Sędziów THEMIS, Fundacja PROBARE, Krajowa Rada Kuratorów, Ogólnopolskie Stowarzyszenie Asystentów Sędziów, NSZZ Pracowników Wymiaru Sprawiedliwości RP, NZZ Pracowników Wymiaru Sprawiedliwości, NZZ Pracowników Sądów Okręgu Piotrkowskiego and NZZ Pracowników Sądów Rejonowych in Łódź.

5 expressed as full time posts according to limits and plans; excluding employees of Family Diagnostic and Consultation Centers

With 51003 persons employed, the size of a representative sample of judiciary workers, with a statistical error of 5%, is 382 persons. In order to ensure the employment structure is represented, the sample was selected out of the 1377 people who took part in the study up until the sample was drawn so that the strata of given professional groups, would reflect the structure of actual employment in common courts. The sampling results are shown in Figure 1.2.

Figure 1.2. Sample structure acc. to professional groups in % (2015 TEMIDA study, stratified sampling on 02.10.2015, n=382)



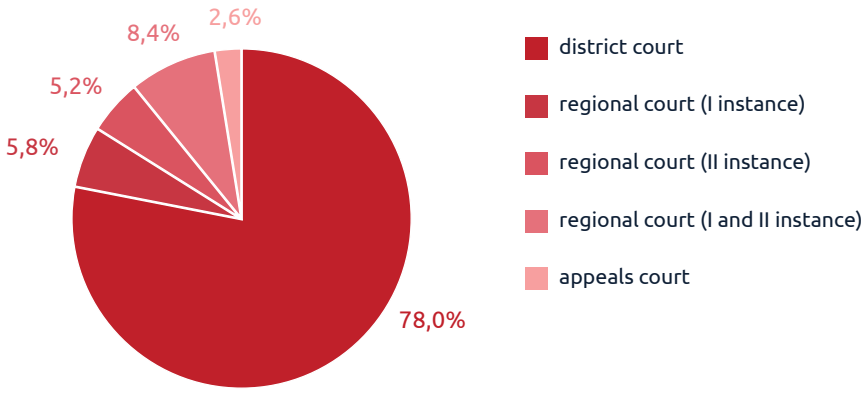
Comparing the structure of the sample constructed in the 2015 TEMIDA study with the actual employment structure in Polish common courts indicates, that differences pertain to three groups: judges, judicial assistants and service staff. However, in each case these are minimal and do not exceed one tenth of a percentage point. Thus, it can be considered that the sample constructed within the scope of the 2015 TEMIDA study representatively reflects the population in terms of the jobs performed in the judiciary[6] and can be used to make further deductions on court work related stress (but not on given professional groups).

A number of other characteristics were also controlled in the study, such as: court type, organisational unit, workplace location (town size and appeal court), performance of a managerial role, sex, age, work experience, but also if a person is suffering from a chronic disease - and if so - what type of disease.

As shown on Figure 1.3., 78% of the sample was made up by district court workers, 19.4% constituted workers of regional courts of both instances, with appeals courts employees constituting 2.6% of the sample.

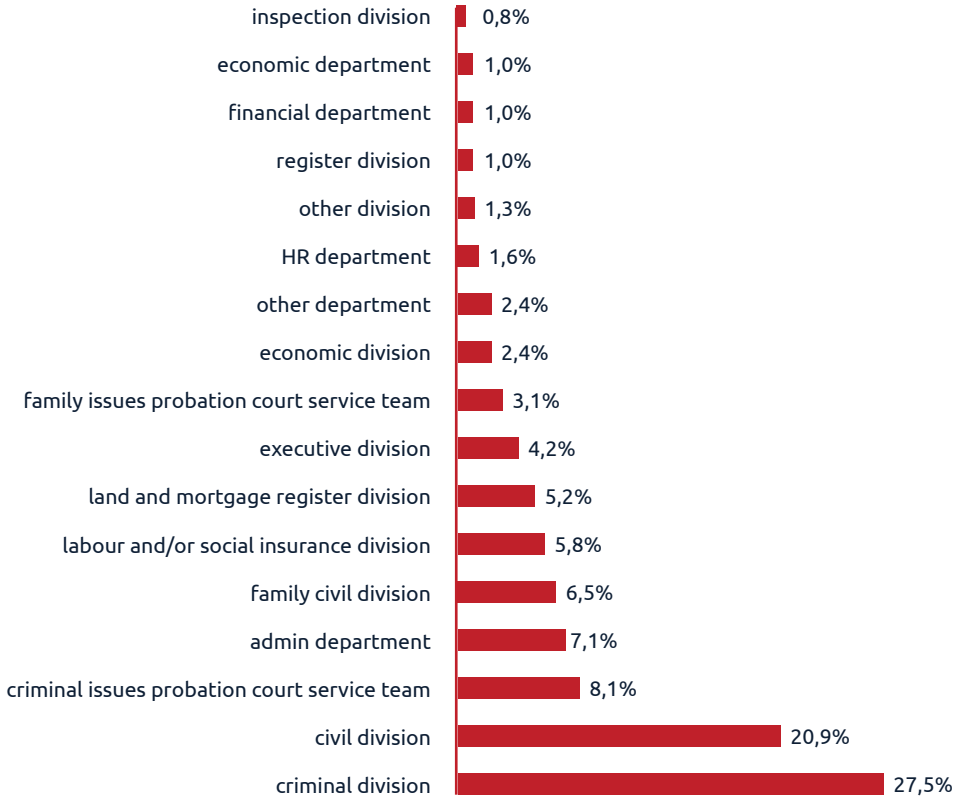
6 One of the methods to satisfy the representation postulate is judgemental sampling. A sample selected in accordance with judgemental representation is a quota sample. It is a sample, where the structure of the key characteristics reflecting that of the population is maintained. A quota sample is constructed by defining a list of characteristics, in terms of which the sample structure should be similar to the population and selecting individuals for the study in such a way as to ensure the sample structure is similar to that of the population. In the 2015 TEMIDA study, occupational stress was the subject of the research, and thus the prime characteristic was the profession.

Figure 1.3. Structure of the analysed sample in terms of court jurisdiction



All organisational units of common courts were represented in the study. The drawn sample included all units taken into account in the study. Those working in criminal divisions (27.5%), followed by civil divisions (20.9%) were the largest sets in the stratified sample. Other organisational units did not even breach the 10% mark of the sample. Inspection divisions workers constituted the smallest group (0.8%) in the tested sample. The precise structure of the analysed sample in terms of organisational units is shown in Figure 1.4.

Figure 1.4. Precise structure in terms of organisational units (in %).

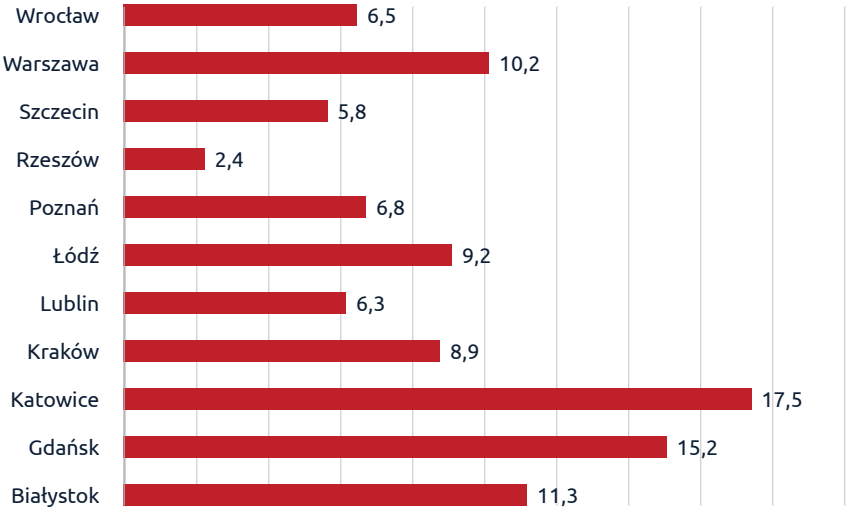


Court staff harbour certain convictions pertaining to the workload being dependent on court size. Therefore, apart from appeal court, the size of the town which is the venue for the court was also controlled in the study.

27% of the sample works in smaller towns (up to 50 thousand residents). The next 17% was employed in courts located in slightly larger towns, numbering between 50 and 100 thousand

residents. 31% worked in cities, where residents number from 100 thousand to half a million, and in courts which operate in the largest cities (more than 500,000 residents) - the remaining 26% of workers drawn for the sample. Workers from across the entire Poland participated in the study, a fact reflected by the sample. The appeal court with the largest representation in the sample is Katowice Appeal Court (17.5%), with Rzeszów Appeal Court (2.4%) on the other end of the scale. Comparing the structure of the drawn sample with the actual common courts employment data published by the Ministry of Justice, it may be said, that the Rzeszów and Lublin appeal courts remain slightly underrepresented, whereas the Katowice and Gdańsk appeal courts are slightly overrepresented in the sample[7]. Detailed share of staff from various territorial jurisdictions in the analysed sample is depicted by Figure 1.5.

Figure 1.5. Structure of the sample in terms of appeal courts (in %)



In the presented sample 74% of the sample population did not perform any managerial roles, with 26% performing such functions. Three quarters of the sample are women - respectively men constituted 25% of the drawn court workers. Such an overwhelming majority of women is typical for the Polish judiciary and remains consistent with other data on the general feminisation of the Polish general judiciary (cf. e.g. also KRS, 2012).

Data pertaining to the age and length of work experience of the drawn court workers, divided per length of time in their current profession, time working in the court the studied individual is working in at the moment and the length of experience in the court organisational unit are presented in Table 1.1.

7 This reflects the numbers of workers from given appeal courts which did not participate in the study at all and constitutes a consequence of the study partners' activity - traditionally the official partner, i.e. MOZ NSZZ Solidarność Pracowników Sądownictwa, has most extensive structures in the overrepresented appeal courts.

Table 1.1. Age and experience in the analysed sample

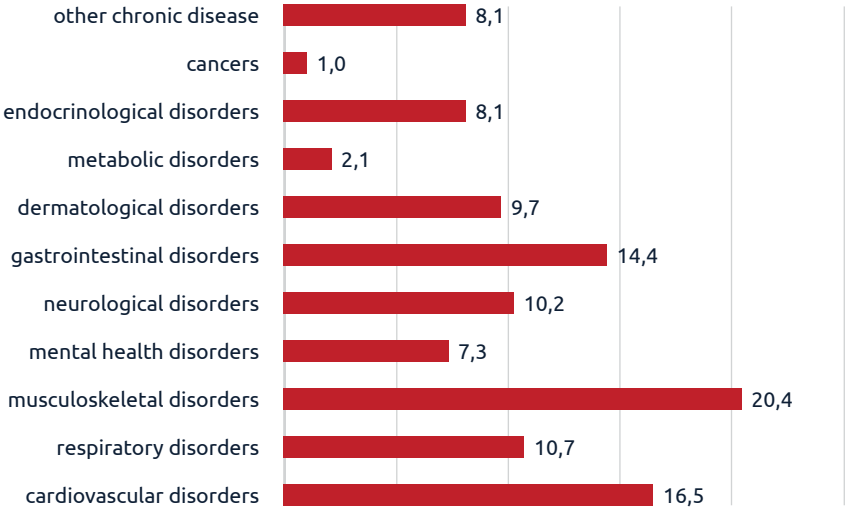
	age in years	**experience in current profession** (in years)	**experience in given court** (in years)	**experience in current organisational unit** (in years)
N Valid	329	382	382	382
No data	53	0	0	0
Average	39,21	13,59	12,10	8,73
Median	39,00	12,00	11,00	7,00
Standard deviation	8,21	8,38	7,74	6,74
Minimum	21	1,00	,50	,25
Maximum	61	36,00	36,00	36,00

As can be seen in Table 1.1, some individuals (13.87%) did not include information on their age. Amongst those, who did state their age, half were older than and half were younger than 39, with the average age at just over 39. The youngest person drawn for the sample was 21 years old, and the oldest - 61. The average experience in the current organisational unit was 9 years (oscillating between a quarter and 36 years). On average, the study subjects worked in a given court for just over 12 years: here the minimum is six months and the maximum 36 years. In the sample subject to analysis, average experience in the given profession was 8 years, whereas one year was the shortest and 36 years the longest.

Psychological literature indicates that struggling with a chronic illness may also be a significant source of stress (Heszen and Sęk, 2007). That is why, we also asked respondents whether they suffer from any chronic diseases, and if so what group of diseases does it or do these belong to. In the question on chronic diseases, the subjects were able to indicate more than one type of disease.

In the sample of common court staff, as many as 58% are affected by a chronic disease. More than a fifth suffer from musculoskeletal system diseases, followed by circulatory system (15.5%) and digestive system (14.4%) diseases. Cancers (1%) and metabolic diseases (2.1%) were the rarest in the analysed sample. Figure 1.6. depicts a detailed list of the types of chronic diseases declared by the studied judiciary workers selected for the sample.

Figure 1.6. Percentage of common court staff, who declare suffering from given chronic diseases (% of the analysed sample).



It is noteworthy, that in the analysed sample, on average, a judiciary worker suffers from more than two chronic diseases. More than 7% of the sample population also admitted, that they suffer chronic psychological disorders. This result is particularly significant in the context of court workers health risks discussed in Chapter 6.

All 2015 TEMIDA study results for the sample described hereinabove, constituting a representative group of common judiciary workers in Poland and which might be significant in terms of preventative actions in this group of working people are presented in subsequent parts of this work.

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2. Psychosocial working conditions in Polish common courts

DOMINIK GOŁUCH, KATARZYNA ORLAK

Psychosocial hazards are defined as significant, emerging work-related health risk factors (EU-OSHA, 2007). Occupational stress, associated with psychosocial hazards is considered to be the main challenge for work-related health and safety (EU-OSHA, 2007). Methodologies for managing this phenomenon, highlight the necessity to monitor psychosocial risks on the basis of work related stress models with a solid scientific foundation (Leka and Cox, 2008).

2.1. Job demand - control - support model.

The theoretic framework chosen for the presented work is the occupation stress concept by Robert Karasek and Töres Theorell (1990), on account of its practical implications and confirmation of its assumptions by numerous studies (cf. Orlak, Gołuch, Chmielewski, 2014; Widerszal-Bazyl, 2003). The basis for the model are interactions between psychosocial variables: job demand level - scope of control - social support. Job demands measure determines the degree to which it is necessary to perform a given type of work, in given conditions, but also in agreed volumes and pace. Job control determines the perceived possibility of influencing the working conditions, defined goals for instigated actions as well as their progress and consequences, The final measure, social support, refers to social interactions on the worker - superior plane as well as worker - colleagues plane; in particular it defines the degree to which a worker may count on help from others and the degree of its availability at the workplace. According to the authors of this concept, the most stressful working conditions occur, when a person has to square up to high job demands, and at the same time has no control over its work and no social support. Whereas, on the opposite end of the scale we have working conditions, within which a worker, despite a discernible tension, is motivated to act and learn new skills. These conditions are adequate demands (within the scope of a worker's psychological and physical capacity), a strong feeling of control over the work and a sense of social support (Cieślak, Widerszal-Bazyl, 2000; Widerszal-Bazyl, 2003).

Karasek's concept is useful not only for determining the psychosocial character of working conditions in a given profession. Research confirms, that awareness of the interactions between job demands, control and social support, makes it possible to foresee the possible consequences of work in given conditions on the physical, mental and social well-being of a worker. For more details information on well-being see Chapter 6 of this monograph. As pointed out by Widerszal-Bazyl (2003), the usefulness of the model was confirmed both in "subjective" (how members of staff assess their work) and "objective" (opinions of superiors; opinions of colleagues) tests. In conjunction with the above, application of the model in a study of psychosocial working conditions as the sources of stress and their health consequences is justified.

2.2. Stress measurement methods and the results

The *Psychosocial Working Conditions (PWC)* questionnaire by Cieślak and Widerszal-Bazyl (2000) was used for the study. The PWC questionnaire comprises five theoretical scales: job demands (JD), job control (JC), social support (SS), well-being (WB) and wish-list for change (WLC), whereas the present analysis focuses only on the first three scales (hereinafter: JD, JC and SS), which refer directly to the aforedescribed Karasek and Theorell (1990) model.

The tool also includes empirical scales, worked out on the basis of statistical analyses. For the JD measure, the demands are: intellectual (JD1), psychosocial and resulting from responsibility for safety (JD2), resulting from role conflict and overload (JD3). Scale JD1 result informs of the demands a job places on the engagement of intellectual resources, such as knowledge, skills, memory, attention focus, the ability to solve complex problems, keeping on top of professional literature, etc. Scale JD2 results indicate the degree to which a job is perceived as being demanding in psychological / physical terms, e.g. if a worker performs their tasks in a noisy atmosphere. JD3, the last scale, provides information on whether the worker knows precisely what their scope of duties entails and whether the worker's role in the organisational structure is clearly defined (e.g. as to the priority for the performance of instructions from a number of superiors).

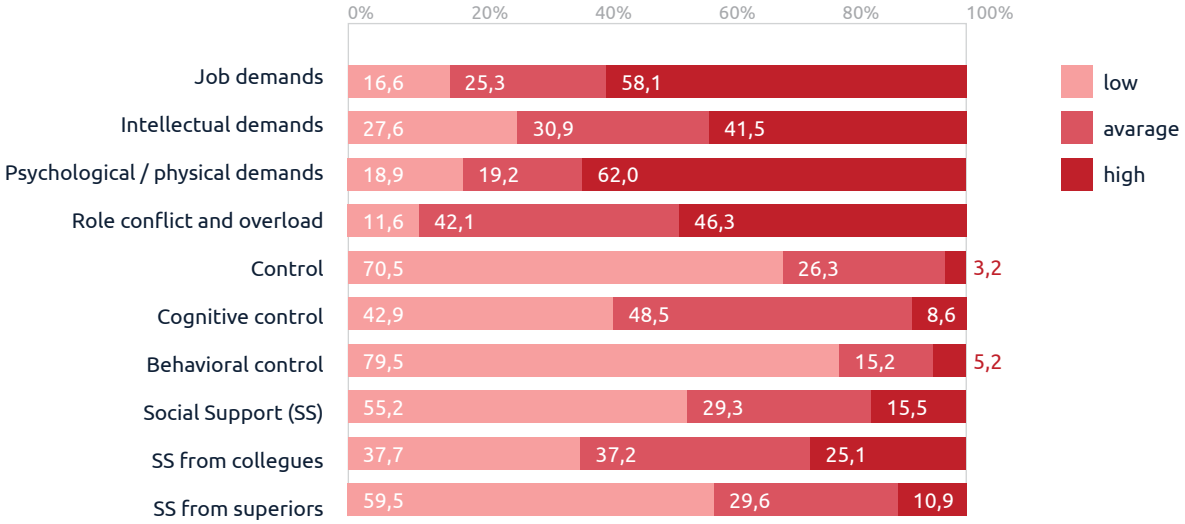
Behavioural control (JC1) and cognitive control (JC2) have been identified within the scope of the JC measure. The latter describes "the potential to make a difference through understanding events, awareness of their causes, consequences and associations with other events (Widerszal – Bazyl, 2003, pp. 92-93). Whereas behavioural control indicates the possibility of changing work by shaping its physical conditions. Two factors have been singled out for SS: support from superiors (SS1) and support from colleagues (SS2). Thus both scales define the degree to which a worker feels they are able to get support from appropriate groups (as per the name).

The results pertaining to psychosocial working conditions obtained during the study in question are shown below. The following logical structure was adopted to present the results: The percentage distribution of results achieved by the studied individuals in terms of given psychosocial variables and a simultaneous comparison with the standard results is presented in the first part. Cieślak and Widerszal-Bazyl (2000) normalisation for the population of national and local government officials was used. This makes it possible to interpret the results in "low", "medium" and "high" categories. The analysis is presented per institution type. This makes it possible to determine, how the individuals studied in a given subgroup perceive their psychosocial working condition in terms of stress, in the backdrop of the population of national and local government officials. The distribution of answers to all questionnaire questions was also analysed. Content of those questions, for which answers indicating a stressful character of the work were in the majority is also included in the presentation- percentage data are provided for all study subjects from the given institution. The average results achieved by the studied individuals, taking into account defined sociodemographic factors are presented in the next section. This analysis aims to define which demographic factors may be linked to a defined perception of working condition as being more or less stressful.

2.2.1. Court work-related stress

A percentage distribution of results for a group of individuals working in a court is shown in the figure below. The values tell us, what part of the group in question achieved results, which, when compared to the figures for national and local government officials, may be treated as low, medium or high.

Diagram 1. Percentage distribution of low, medium and average results, obtained for given psychosocial working conditions measures by individuals working in district courts.



The responses of the vast majority of judiciary staff, pertaining to psychosocial demands at work should be treated as high (58.1%). At the same time, for the overall level of control and social support, most respondents achieve low results (70.5% and 55.2% respectively). In accordance with the aforedescribed occupational stress model, such a psychosocial working conditions distribution is most stressful, and carries a risk of diseases, particularly of the cardiovascular and musculoskeletal systems (cf. Widerszal-Bazyl, 2003; Leka, Jain 2013; Orlak, Gołuch, Chmielewski, 2014).

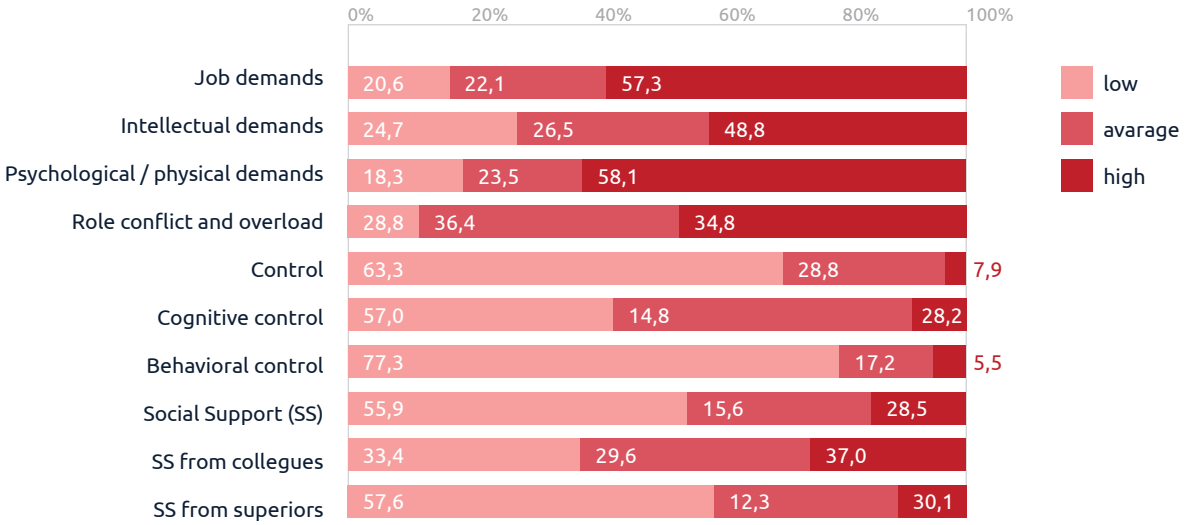
Analysis of the empirical scales provides more detailed information on the factors which might constitute sources of stress at the workplace. For job demands, most high results were obtained by the studied individuals within the scope of physical / psychological demands. Analysis of particular questions indicates, that the prime villain here is lack of time to complete work on time (16.4% of the respondents indicate that time is "usually a problem"; for 32.6% time is "always a problem"). With reference to intellectual demands, judiciary workers consider the following needs to be demanding: maintain high attention focus (71.1% of the respondents); high (43.6%) or very high (32,9%) qualifications and the need to learn something new (very often - 29.5%; almost constantly - 49.7%). An assertion by the respondents, that in order to perform defined tasks, regulations have to be broken seems an important aspect, particularly in the context of the justice system: for 15.1% of the respondents this is true in a limited scope, 3.4% say probably yes and for 1.7% this is definitely true.

Analysis of empirical scales within the scope of job control indicates that judiciary staff, both female (75.1%) and male (84.0%), have a low perception of cognitive control. The lack of certainty as to how to correctly plan a working day (80.5% of respondents) and lack of certainty as to whether the methods chosen for the performance of given tasks are correct (65.1%) seem particularly problematic. This might translate into less performed tasks or poorer quality of performed tasks due to ineffective use of working time or selection of inappropriate methods for their performance. Apart from that, 72.1% of the respondents indicate that they feel that they have no say when it comes to selection of colleagues and 60.4% notice, that they have no opportunity to participate when it comes to making decisions pertaining to the entire institution.

The last aspect of the analysis pertains to social support, as a significant elements which might alleviate stress. In the conducted study the low results are particularly noticeable when it comes to support from superiors. The area most often indicated by the study subjects is the very low (34.6%) or low (29.5%) degree to which superiors make them feel important and valued and the very low (26.8%) or low (26.8%) feeling of being appreciated by superiors. Neither do judiciary

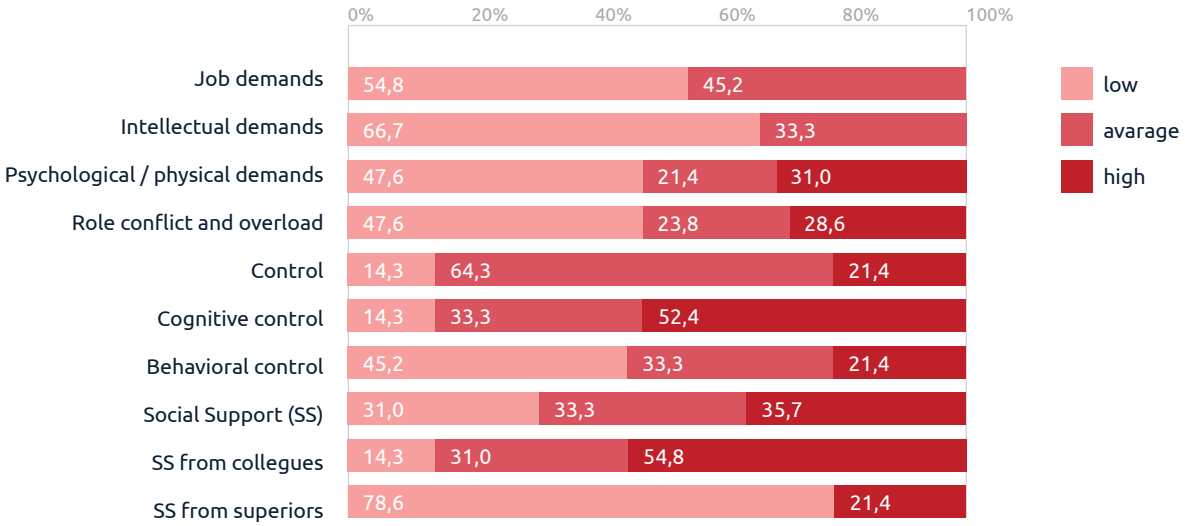
workers rest assured that in difficult moments they'll be able to find understanding and consolation in their superiors (29.9% to a very low degree and 25.2 to a low degree). They are sceptical as to whether superiors will be forthcoming with practical help if faced with a difficult situation (21.1% to a very low degree; 27.9% to a low degree) or whether superiors will help at all (22.5% and 25.8% respectively). Furthermore, district courts workers subject to the study, feel very insecure and not confident (19.5%) or slightly insecure and not confident (22.5%) in the presence of a superior.

Diagram 2. Percentage distribution of low, medium and average results, obtained for given psychosocial working conditions measures by individuals working in regional courts.



The percentage distribution of high - medium - low results for regional courts staff, are similar to those for district courts workers. The difference lies solely in specific values. The presented figures indicate, that when compared to a group of national and local government officials, results of regional courts workers within the scope of the overall job demands level is high (57.3% of women). Whereas the other measures: job control and social support are low (63.3% and 55.9% respectively). Such interactions mean that also for regional courts, in accordance with the Karasek and Theorell occupational stress model, the psychosocial working conditions are stressful - albeit to a lesser degree than for district courts. Nevertheless, they may still constitute a significant factor when it comes to the well-being of workers. In the group of regional courts workers, the distribution of empirical answers and in given questions remains similar to those for district courts ((*vide* diagrams 1 and 2).

Diagram 3. Percentage distribution of low, medium and average results, obtained for given psychosocial working conditions measures by individuals working in appeals courts.



The last analysis, presented in this work, pertains to individuals working in appeals courts. In this group the overall level of job demands as compared to national and local government officials can be taken as being low (54.8%) or medium (45.2%). As compared to the groups discussed previously, studied individuals in appeals courts have a medium (64.3%) perception of control over their work. Also, the level of perceptible social support is medium (33.3%) or high (35.7%) The following distribution: medium/low job demands, medium control over work and high/medium social support indicates that the psychosocial working conditions in appeals courts constitute a significantly smaller source of stress for the individuals working therein than in the other, lower instance courts. As part of further research, one may seek, whether such an assessment of working conditions stems from adequate selection of workers for the given job; perhaps other sources of stress should be identified as well as other factors, which will facilitate a more accurate estimate of the health disorder risk.

2.2.2. Psychosocial working conditions and demographic variables

This part of the analysis looks at which sociodemographic variables are associated with a given perception of psychosocial working conditions[8].

8 Due to group size differences, non-parametric tests were used for statistical analysis (not as much testing for differences between averages, but between the ranks assigned to them).

2.2.2.1. AGE

Table 1 Comparison of average results obtained by the studied individuals, according to age.

Psychosocial factor	up to 35 years old (N=123)	36 to 42 years old (N=101)	more than 43 years old (N=105)	X^2	p
Job demands	132,02	176,25	192,81	25,194	0,000**
Intellectual demands	134,46	175,00	191,16	21,802	0,000**
Psychological / physical demands & responsibility	139,52	170,00	190,04	16,427	0,000**
Demands associated with role conflict & overload	152,15	174,91	170,52	3,733	0,155
Control	163,82	171,67	159,97	0,811	0,667
Behavioural control	161,00	179,71	155,53	3,694	0,158
Cognitive control	162,26	165,48	167,74	0,193	0,908
Social support at the workplace	195,79	147,10	146,15	20,603	0,000**
Social support from colleagues	184,42	151,00	155,72	8,338	0,015*
Social support from superiors	198,31	150,08	140,33	24,689	0,000**

LEGEND: N - group size $X^2(2)$ – value of the Chi-squared statistic[9]; p - statistical significance level; „" means a 95%, and „**" a 99% probability of a difference in the perception of psychosocial working environment between workers in different age groups.*

Looking at the results in the table, one may conclude that when it comes to the age of the studied individuals, differences within the scope of perceiving psychosocial working conditions pertain to the job demands and social support. The obtained statistical values indicate a certain tendency: the older the studied subject, the more demanding it considers the working conditions, both in intellectual and psychological / physical terms. When it comes to social support, the situation is reversed - the older the studied subject, the lower its assessment of received support, both from colleagues as well as superiors. Thus, one may conclude that the older a court worker, the more occupation stress they are exposed to.

9 The larger the Chi-squared value, the bigger the differences between the results of groups being compared.

2.2.2.2. SEX

Table 2 Comparison of results (average ranks) obtained by the studied individuals, according to sex.

Psychosocial factor	**women** (N=285)	**men** (N=97)	**U**	**Z**	**p**
Job demands	190,07	195,71	13414,0	-0,435	0,664
Intellectual demands	189,62	197,04	13285,5	-0,573	0,567
Psychological / physical demands & responsibility	188,21	201,18	12884,0	-1,001	0,317
Demands associated with role conflict & overload	193,79	184,76	13168,5	-0,700	0,484
Control	191,88	190,39	13714,5	-0,115	0,908
Behavioural control	183,16	216,01	11445,5	-2,537	0,011*
Cognitive control	201,13	163,22	11079,0	-2,928	0,003**
Social support at the workplace	192,61	188,23	13505,5	-0,338	0,736
Social support from colleagues	190,22	195,25	13458,5	-0,388	0,698
Social support from superiors	193,19	186,55	13342,0	-0,512	0,609

LEGEND: Value of Mann-Whitney U statistic; Z – standardised difference coefficient[10]; p - statistical significance level; „" means a 95%, and „**" a 99% probability of a difference in the perception of psychosocial working environment between men and women*

In analysing differences between the sexes in the studied group, some differences were identified within the scope of assessment of the psychosocial working conditions. The only two significant relations pertain to behavioural (men returned higher results) and cognitive control (women returned higher results).

10 The values of the U and Z coefficients indicate the difference between the results for the compared groups.

2.2.2.3. EDUCATION

Table 3 Comparison of results (average ranks) obtained by the studied individuals, according to their education.

Psychosocial factor	higher [Master's degree and above] (N=334)	post-secondary or Bachelor (N=23)	secondary (N=23)	Chi-squared (2)	p
Job demands	198,43	113,83	151,96	15,793	0,000**
Intellectual demands	201,29	89,96	134,35	28,592	0,000**
Psychological / physical demands & responsibility	196,00	140,83	160,28	7,306	0,026*
Demands associated with role conflict & overload	192,13	170,41	186,91	0,876	0,645
Control	191,21	188,22	182,50	0,146	0,930
Behavioural control	191,69	188,70	174,96	0,509	0,775
Cognitive control	190,25	197,78	186,91	0,128	0,938
Social support at the workplace	189,01	238,98	163,70	5,916	0,052
Social support from colleagues	189,31	219,96	178,28	1,983	0,371
Social support from superiors	189,86	238,61	151,74	7,304	0,026*

LEGEND: N - group size $X^2(2)$ – value of the Chi-squared statistic[11]; p - statistical significance level; „" means a 95%, and „**" a 99% probability of a difference in the perception of psychosocial working environment between workers with different education levels*

For the studied individuals, their level of education is significantly related to their assessment of the work demand levels. Individuals with higher education assess working conditions as most demanding, both in intellectual and psychological / physical terms. One further significant difference pertains to individuals with post-secondary or Bachelor's education and their perceived social support from colleagues, which, according to them, they receive much more of than persons with higher or secondary education.

11 The larger the Chi-squared value, the bigger the differences between the results of groups being compared.

2.2.2.4. WORKPLACE LOCATION

Table 2.4. Comparison of results (average ranks) obtained by the studied individuals, according the size of the town which is home to the court.

number of residents **Psychosocial factor**	**more than 500,000** (N=94)	**from 100,000 to 500,000** (N=119)	**from 50,000 to 100,000** (N=65)	**less than 50,000** (N=104)	**Chi-squared** (3)	
Job demands	178,90	184,01	186,12	214,82	6,570	0,087
Intellectual demands	187,34	187,62	181,63	205,88	2,570	0,463
Psychological / physical demands & responsibility	177,24	189,57	182,84	212,01	5,610	0,132
Demands associated with role conflict & overload	186,92	166,71	206,99	214,32	12,001	0,007**
Control	189,64	209,05	193,89	171,60	6,455	0,091
Behavioural control	177,25	216,68	178,20	183,88	9,237	0,026*
Cognitive control	203,03	200,98	203,65	162,64	9,843	0,020*
Social support at the workplace	197,23	209,65	188,97	167,13	8,573	0,036*
Social support from colleagues	201,29	211,46	183,70	164,69	11,116	0,011*
Social support from superiors	192,65	202,61	195,38	175,32	3,536	0,316

LEGEND: N - group size $X^2(2)$ – value of the Chi-squared statistic[12]; p - statistical significance level; „" means a 95%, and „**" a 99% probability of a difference in the perception of psychosocial working environment between workers working in towns of various sizes;*

The presented results indicate that workplace location is related to different perception of the scope of control and social support. Individuals in towns between 100 thousand and 500 thousand residents have the largest sense of impact, including behavioural control. Whereas the lowest is represented by individuals from towns of less than 50 thousand residents, and this pertains to cognitive control; the lowest level of behavioural control is exhibited by individuals from towns between 50 thousand and 100 thousand residents. In terms of social support, individuals from towns between 100 thousand and 500 thousand residents have returned the highest results, whilst those from towns of less than 50 thousand residents, the lowest.

12 The larger the Chi-squared value, the bigger the differences between the results of groups being compared.

2.2.2.5. TYPE OF INSTITUTION

Table 2.5. Comparison of results (average ranks) obtained by the studied individuals, according the type of institution constituting the workplace.

Psychosocial factor	District Court (N=298)	Regional Court (N=74)	Court of Appeals (N=10)	Chi-squared (2)	p
Job demands	202,38	163,49	74,45	18,909	0,000**
Intellectual demands	196,28	189,70	62,50	14,269	0,001**
Psychological / physical demands & responsibility	201,08	164,34	106,85	12,637	0,002**
Demands associated with role conflict & overload	204,32	144,34	158,55	18,591	0,000**
Control	185,23	206,09	270,50	7,385	0,025*
Behavioural control	186,55	201,93	261,85	5,345	0,069
Cognitive control	186,66	205,89	229,25	3,012	0,222
Social support at the workplace	185,94	207,04	242,10	4,324	0,115
Social support from colleagues	188,40	197,99	235,95	2,117	0,347
Social support from superiors	185,26	214,55	207,05	4,385	0,112

LEGEND: N - group size $X^2(2)$ – value of the Chi-squared statistic[13]; p - statistical significance level; „" means a 95%, and „**" a 99% probability of a difference in the perception of psychosocial working environment between workers working in courts of different type.*

Analysis of the perception of psychosocial working conditions in relation to the type of institution, corresponds to the results frequency distribution, presented earlier, with statistically significant differences in the level of perceived job demands and overall control level. The following tendency is visible: the higher the instance, the higher is the assessment of the sense of control and the higher is the assessment of job demands, both intellectual and psychological / physical. Demands associated with role conflict are an exception to this rule. In this case, the studies individuals, working at an appeals court place them slightly higher than individuals working in regional courts, however, role conflicts are most prominent in district courts.

13 The larger the Chi-squared value, the bigger the differences between the results of groups being compared.

Commentary on the results

The conducted study aimed to assess the psychosocial working conditions in Polish common courts, in the context of their positive or negative association with the health of court staff. The results obtained within the scope of the project indicate a high or very high level of exposure of the study subjects to occupational stress, identified in accordance with the Karasek and Theorell (1990) model. This means that the performed job is not only associated with a certain discomfort (in a colloquial sense), but more importantly, carries a defined risk of health disorders. The presented results suggest, that the highest risk group includes individuals working in district courts. Workers of regional court are exposed to a slightly lower risk. Whereas the risk of negative health consequences for appeals courts workers can be defined as medium. It seems, that among the demographic variables taken into account by the study, age and education are most significant when it comes to the perception of working conditions. The older the test subjects and the more educated, the more often they assess their working conditions as more demanding. Whereas the location of the workplace is significantly related with the perceived level of job control and received social support. Interestingly, results show no differences between the sexes within the scope of the overall job demand level, job control and social support. To summarise, among the studied institutions, most tension is experienced by district court workers, and the least (which is not to say that this tension motivates and encourages learning) is experienced by appeals courts workers.

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3. Organisational factors relevant for the risk of bullying in the Polish judiciary.

KATARZYNA ORLAK, MAGDALENA WARSZEWSKA-MAKUCH

The term *bullying (or mobbing)* is generally recognised as a concept more at home in the legal sciences than psychology. Whereas it is predominantly a concept which takes its roots in occupational psychopathology, retrospectively introduced to regulations guaranteeing workers' health protection.

3.1. The psychological take on bullying

On the basis of occupational psychopathology, the phenomenon of bullying is currently understood as a chronic form of stress, constituting an occupational health and safety risk. It is associated with systematic exposure to negative actions with respect to single workers or small groups. It may entail various actions: from those as subtle and difficult to pin-point as gossiping behind the victim's back, or omitting them when sending out e-mails with important information, to ones such drastic as threatening to use physical violence. Both the behaviour of individuals as well as the work system, which may be used as a tool to victimise and degrade a worker or insult their dignity, can constitute elements of bullying. Bullying behaviours have a common goal: degrade, intimidate or punish the person or group against whom these actions are directed. Here the power imbalance and difficulty in defending against bullying type behaviours are also characteristic. The exposure to stress induced by bullying carries a significant risk of the occurrence of negative consequences of the endured violence in the form of health disorders (cf. also EASH, 2002; Warszewska 2012)

Numerous studies in the European Union as well as selected countries from outside of the EU confirm, that bullying at work is a serious problem, directly and indirectly affecting workers from across various professional groups and sectors. The 1999 International Labour Organisation (ILO) report points out, that for a long time, psychological violence at the workplace was a phenomenon ignored or seen as an unavoidable part of reality, which one just has to come to terms with. Only relatively recently, as since about thirty years ago, attention is paid to the serious costs of this phenomenon, not only incurred by the persons directly affected by it, but also by the organisations themselves and the society at large. Studies unambiguously show, that bullying at work has serious physical and psychological health consequences for persons affected by it (amongst others Hogh, Mikkelsen, Hansen, 2011). An unfavourable working environment, where a worker experiences violence, has negative effects on their effectiveness which then translates into worse performance of the business. Furthermore, results suggest, that there is a significant relation between bullying and the intention to change employers. Estimates by the European Foundation for the Improvement of Living and Working Conditions show, that psychological and physical violence at the workplace causes productivity to fall by 1-2% (ESWC, 2006). On the other hand, the effects of bullying associated with an acute deterioration of the workers' health are

linked with significant treatment and time off work costs, as well as expenses stemming from early retirement or allowance eligibility.

The results obtained by the Fifth European Working Conditions Survey (ESWC, 2010) demonstrate that 1% of Polish workers declare that they are the victims of bullying at work (Table 1). These results are similar to the 2014 GUS (Central Statistical Office of Poland) study results, which find that harassment or intimidation are a source of occupational hazard for 0.8% of the working population in Poland (129 thousand). Note should be taken, that the apart from bullying and intimidation, the Fifth European Working Conditions Survey (ESWC, 2010) treats verbal violence as a separate from of bullying. This type of bullying may constitute violent behaviour from other workers as well as persons from outside of the organisation, such us customers or clients. As the results demonstrate (Table 3.1) it is verbal violence which is worryingly prevalent, i.e. a total of 11% of workers in the EU and nearly 8% of workers in Poland are affected by it.

Table 3.1. Percentage of Polish workers who suffer from physical violence, bullying and are sexually molested at work compared to the average figures for workers from across the entire European Union (source: ESWC, 2010)

	2010	
Type of violence	**% Poland**	**% UE-28***
Discrimination	2,9	6,2
Verbal violence	7,7	10,8
Threats and humiliating behaviours	2,4	5
Physical violence	1,1	1,9
Bullying or harassment	1,1	4,1

*EU-28 – 28 European Union member states

It is possible, that the said verbal violence is linked with harassment and intimidation, because as the most recent (2014) CBOS (Polish Public Opinion and Research Centre) survey shows, one in twenty workers claim, that over the last 5 years they were often harassed by their immediate superiors, and eight per cent claim frequent harassment by superiors or colleagues at the workplace. As such the harassment scale has not changed over the last 10 years (ibid.). Extrapolating these data to the number of the working population in Poland as indicated by GUS (2015) facilitates the assumption that almost 1,263,500 individuals from amongst the Polish workers may be victims of bullying, and as such the scale of the phenomenon may be up to ten times as serious as that shown in the 2914 GUS public statistics.

Studies show that bullying is more prevalent in the public sector (amongst others ESCW, 2010; Hoel and Cooper 2000; Leymann, 1996, Paoli, 2006), i.e. public administration, education or health care. However, cultural differences should also be taken into account (Milczarek, Vartia and Pakhin, 2010). For example - studies show that among Norwegian workers, individuals working for the industry are most prone to suffer from bullying (17%) as well as hotel and restaurant workers (12%) (Einarsen, Skogstad, 1996). On the other hand, studies carried out in Denmark show that highest percentages in terms of suffering from this phenomenon, are found amongst hospital (3%) and industrial plant workers (4%), whereas the lowest are reported by individuals working for large department stores (just under 1%) (Mikkelsen, Einarsen, 2002). In Ireland, bullying is most acute is sectors such as: public administration and national security (12%), education (13%) as well

as health care and social care (10.5%). Leymann (1993) demonstrated that in Sweden, bullying is a particularly frequent occurrence in education and public administration. GUS studies conducted in 2013 found that in Poland, the sector most affected by bullying is public administration and national security as well as obligatory social and health insurance (7.4%). Whereas for men, the percentage was as high as 11.9% (GUS, 2014).

It should be emphasised, that bullying at work is not only a problem for the workers affected by it, but a structural phenomenon, stemming from social, economic, cultural and organisational conditions. Research indicates that the organisation itself (organisational culture, conditions within which workers have to function, etc.) also, if not primarily, plays a great role in its occurrence.

On the organisational level, both the working environment as well as specific situations, which accompany the performed tasks may increase the risk of bullying. Experts (see Salin, Hoe, 2011) point out that the sources of bulling are predominantly found in the work structure and style of leadership at the workplace. Factors such as: role conflict, role ambiguity, too high job demands, organisational changes, work uncertainty, lack of satisfaction on account of leadership style, negative or hostile social climate can, directly as well as indirectly, by creating a highly stressful working atmosphere, influence the occurrence of psychological bullying.

Analysis of results of different studies (Hurley and Riso, 2008; Letho, 2009; Nicot, 2009 as cited in: European Foundation for the Improvement of Living and Working Conditions, 2010) made it possible to identify the following organisational factors directly associated with the occurrence of bullying: low autonomy, high work intensity (short deadlines, high work pace), as well as work where workers frequently have to contact clients, interested parties as well as other persons from outside of the organisation. Additionally, factors often cited in literature which are conducive to bullying include: managerial conflicts, instable work atmosphere, work structure problems, demotivation of workers, flaunting the principles of organisational justice and lack of respect towards workers (Zabarauskaite, 2006).

Talking about the causes of bullying, the particular role of changes the labour market is undergoing at the moment should be emphasised. As a result of these changes, a number of organisations are engaged in a never-ending transformation or are struggling with the effects thereof. External pressure, i.e. globalisation or the recession are forcing companies resort to reductions and restructuring (Littler et al, 1994). As a result, workers on all organisational levels, both in the public as well as the private sector, are facing ever increasing workloads, at the same time feeling uncertainty as to their current as well as future job (Stewart and Swaffield, 1997). At the same time superiors demand longer hours and exhibit autocratic behaviours, and sometimes even use violence in order to enforce the target productivity from their workers (Sheehan, 1999).

In Poland, studies on organisational causes of bullying were conducted, amongst others, by the Central Institute For Labour Protection - National Research Institute (Warszewska-Makuch, 2010a). The test subjects included public administration officials. Answers provided by this group during focus interviews seem particularly valuable. A group discussion identified the sources of bullying most important for the respondents which occur at the level of the organisation. Leadership style was one of them. Officials identified the following as a leader's desired traits which might limit the occurrence of bullying: the ability to admit to have made mistakes, observance of ethical standards, acceptance of different point of views. On the other hand they consider being given contradictory messages to be problematic. Respondents also consider empathy by their superior to be an important issue. They would also like their superiors not to marginalise issues significant to them. The second most frequently mentioned factor was excessive workloads, which the workers could not possibly complete on time, and which resulted in bonuses not being paid out. Significantly, this group, indicated the constant need to directly contact clients / interested parties as an important source of bullying. In extreme cases, such contact with a "difficult client" gave rise to anxiety for one's safety and life. Respondents highlighted, that this aspect of their work often generated acute stress, which then led to aggression directed at colleagues. Nega-

tive behaviours of clients / interested parties mentioned by officials include: obscene vocabulary, screams as well as invectives and threats aimed at the study subjects. Respondents pointed out, that in such situations more often than not they are on the losing side, in accordance with the "the customer is always right" adage. The above results are consistent with the results of studies carried out in New Zealand (Bentley et al, 2011), which demonstrate that when it comes to public administration, continuous and direct contact with clients / interested parties, the communication system, time pressure and excessive workloads constitute the main risk factors for the occurrence of bullying. It is worth pointing out, that the aforementioned group of governmental officials did not include judiciary workers.

The fact that the quality of the psychosocial working conditions constitutes a factor to a large extent responsible for bullying was already highlighted by Heinz Leymann (1990, 1993), the precursor to all other studies on this phenomenon. After years of studies on the interpersonal aspects of bullying, referring to the personalities of victims and perpetrators, after including organisational factors into the research it turned out, that in correctly managed organisations bullying was scarce, even if individuals whose traits are conducive to bullying are employed therein. (Einarsen et al, 2003). Bullying risk assessment constitutes the basis for preventative actions on an organisational level. Such an approach makes it possible to consider bullying as an organisational problem and emphasises the responsibility of management for its prevention and control.

The ORM *[TN: bullying risk assessment]* questionnaire (Warszewska-Makuch, 2010b) for consistent monitoring of the risk of the occurrence of bullying at the organisational level is one tool for such assessment. This questionnaire, apart from monitoring the risk of bullying, may be used to identify and improve working conditions. It identifies eight psychosocial working environment factors, which might be conducive to the occurrence of bullying at work. These are: role clarity and job control; social climate; organisational culture; training pertaining to bullying; relations with the immediate superior; leadership, job uncertainty and workload.

The discussed tool is predominantly designed to assess risk at group (organisational) level. The possibility of assessing bullying risk at organisational level may be helpful in setting out priorities when it comes to organisational changes. Taking into account the psychosocial perspective in the assessment of such a complex phenomena as bullying, facilities prevention and not only "treating" its consequences. It should also be highlighted, that the ORM questionnaire makes it possible to reliable predict bullying in organisations representing various sectors and professional groups, facilitating its general use in the Polish working environment. To make its application easier, standards have been worked out which make it possible to assess whether the degree of exposure of workers at a given workplace to factors conducive to bullying is high, medium or low. For this reason, after slight language adjustments implemented by Orlak and Warszewska-Makuch[14], this tool was used to study for the exposure to working conditions conducive to bullying in Polish common courts. The results of this study are presented hereinbelow.

3.2. Court staff exposure to factors conducive to bullying

Assessment of common courts workers' scale of exposure to working conditions conducive for the occurrence of mobbing requires an analysis of the level of exposure to given bully factors. This level was determined by applying the results obtained in the 2015 TEMIDA study to the standards for Polish workers.

14 In the original version the word "company" was used, which in pilot studies amongst common court workers was considered as inappropriate for the judiciary. Terms which the tested population associated with businesses were replaced by "institution", as more suitable for courts.

Figure 3.1. shows the level of exposure to factors conducive for the occurrence of bulling associated with the workload for individuals employed at common courts. Nearly 80% of the sample is in the high results bracket, 17% - average and only just over 3% - in the low bracket. The high result indicates an excessive amount of work, which stems both from employing insufficient numbers of staff, time pressure as well as lack of information as to the method for performing the tasks assigned to a worker.

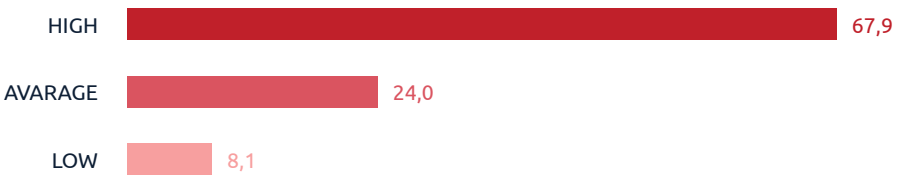
Figure 3.1. Court staff exposure level to excessive workloads

Another organisational area subject to assessment as role clarity and job control. Figure 4.2. indicates that nearly 54% of court workers obtained high results in this respect. The low result applies to 11.5% of workers and the level of exposure of the remaining 35% may be described as average. The high results obtained here signify lack of clarity as to the performed work and low level of control over the work one performs. This means, that more than half of court workers are not clear as to the objectives of their work, methods for its performance and without a significant say as to how their work is performed (cf. Figure. 3.2).

Figure 3.2. Level of court staff exposure to factors associated with lack of role clarity and job control.

The next area subject to analysis was the social climate. The relevant court workers results are shown in Figure 3.3. In the tested sample 8% returned a low result, 24% - average and 70% falls into the high results bracket. Here the high results are testament to a poor working atmosphere, a high degree of animosity among workers, lack of cooperation amongst colleagues, significant number of conflicts, tolerance and acceptance of negative behaviours of certain workers towards other workers

Figure 3.3. Court staff exposure level to a negative social climate

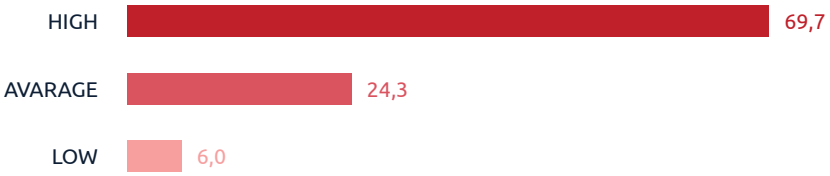


During the course of the study, the organisational culture factor was also analysed. The results obtained by court workers are presented in Figure 3.4. The results were high for almost 56% of test subjects. This indicates, that there is consent for certain workers to be bullied (exclusion from social life, harassment, intimidation) and that there are poor relations between different groups of workers. 7.8% of court employees returned a low result, For just over 36% the level of exposure to hostile organisational culture may be assessed as average.

Figure 3.4. Court staff exposure level to an organisational structure conducive for bullying

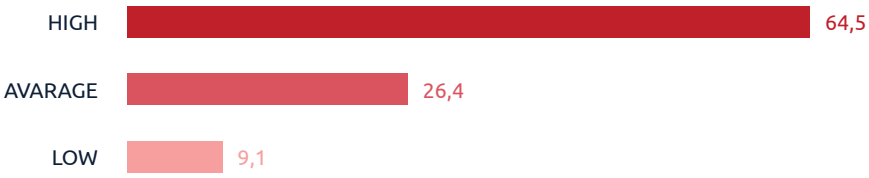
Figure 3.5. depicts the results of studies of court workers in terms of leadership quality at their workplace. The high results, obtained by nearly 70% of the study subjects, suggests, that the leadership style prevalent at courts is based in excessive control over subordinates, unfair treatment, lack of unbiased standards and rules facilitating equal treatment of all workers, as well as lack of abilities accompanied by sparse self-criticism by the management. Only 6% of common courts workers are exposed to such working conditions to a small degree. Average results are applicable to the remaining 24.3%.

Figure 3.5. Court staff exposure level to incompetent leadership



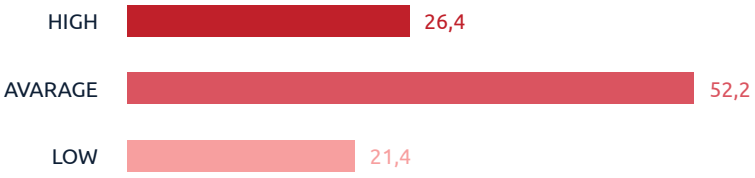
The next working environment aspect associated with the risk of bullying are relations with the immediate superior. Just over 9% of the test subjects are exposed to a low level of inappropriate relations with a superior, 26.4% are exposed to an average level with 64.5% to a high level (cf. Figure 3.6). The high results reflect poor relations of workers with their immediate superiors.

Figure 3.6. Court staff exposure level to inappropriate relations with an immediate superior



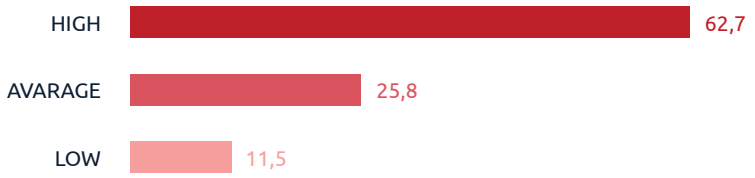
Another factor taken into account in the study was job uncertainty. here, a high result means a high degree of uncertainty as to the future of the organisation itself as well as one's own position. This is the only factor associated with working in a court where the average results (52.2%) group is larger than the high results (26.4%). 21.4% of common court employees returned a low result. Figure 3.7 depicts the discussed results.

Figure 3.7. Court staff exposure level to job uncertainty.



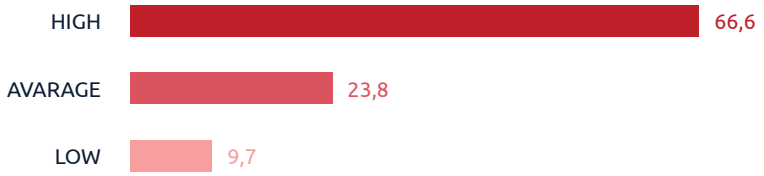
The next analysed factor, which may contribute to the occurrence of bullying is lack of knowledge on bullying and the methods for dealing with it. Figure 3.8 presents the level of exposure of court workers to personal incompetence in copying with bullying. The high results, applicable to almost 63% of the study subjects, indicate low awareness of workers when it comes to the risk of bullying, lack of knowledge and skills to deal with situations where bullying occurs. 11.5% of the respondents have a lot of knowledge and the ability to cope with bullying at work, whereas the knowledge and skills of the remaining 26% or so of court employees can be said to be average.

Figure 3.8. Court staff exposure level to lack of knowledge on bullying and lack of abilities to deal with it



The general exposure level to working conditions conducive to bullying among common court workers is illustrated on Figure 3.9. More than 2/3 of the sample remains exposed to a high degree, and less than 10% may be described as exposed to a low degree; ¼ of judiciary workers are exposed to average levels of working environment factors conducive to the occurrence of bullying.

Figure 3.9. Overall court staff exposure level to working conditions conducive to the occurrence of bullying.



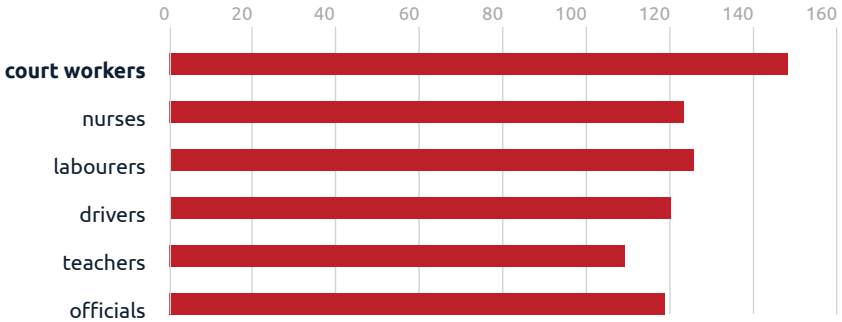
In order to compare court staff to available data on exposure to working conditions conducive to bullying in other professional groups, the average overall result obtained in the ORM questionnaire by court workers and its spread was calculated. Based on data acquired by the 2015 TEMIDA study, it was determined, that the average exposure level to working conditions favourable for bullying (overall ORM questionnaire results) is 148.40 points (SD = 27.86). The spread of this exposure is large, from 49 to 223 points. For a comparison with other professional groups in Poland see the results discussion section.

3.3. Commentary on the results

Based on the performed analyses, one may venture a conjecture, that most court workers are exposed to a large degree to psychosocial working conditions conducive to bullying. The area with the highest frequency of high level exposure is excessive workload. At the same time, more than half of the sample population remains exposed to a high degree to almost all work aspects, which are considered to constitute conditions where bullying can occur. The only exception to this rule is job uncertainty. It should be pointed out, that judges who are irremovable from office made up 1/5 of the sample. Furthermore, more than a quarter of the analysed sample (26%) was made up by individuals in managerial positions, and as such at least partially creating the working environment in courts, which, is probably not irrelevant in terms of their own lower level of exposure.

Comparing common courts workers with other professional groups studied to date in Poland using the ORM questionnaire, it can be said, that the working environment in courts is most conducive to the occurrence of bullying. A comparison of the average results obtained in studies on different groups is showed in Figure 3.10.

Figure 3.10. Average results obtained in the ORM questionnaire across different professional groups in Poland[15]



Comparing the average results in different groups to the standards, it has to be said, that only judiciary workers, as a professional group, achieves a high level of exposure to working conditions favourable to the occurrence of bullying. All other professional groups studied in Poland find themselves in the average results bracket. This indicates a particular need for preventative actions in the judiciary environment. The spread of the overall exposure result of court employees also shows that some employees work under extreme exposure to unfavourable working conditions which are conducive to the occurrence of bulling, whilst others do not. Thus it would be recommended to perform additional studies in order to further understand these differences and to check whether this low exposure level may be described as good practice.

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15 Group sizes were as follows: public administration officials (non-court) N=108; teachers N=61; professional drivers N=56; labourers N=119; nurses N=77; common court workers N= 382.

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4. Court workers' strategy for coping with stress

EWA SYGIT-KOWALKOWSKA, KATARZYNA ORLAK

Coping with stress currently constitutes one of the key concepts in works pertaining to the relationship between stress and negative health consequences. The present chapter elaborates on its essence and significance for the health of individuals and quality of the justice system.

4.1. Introduction

Stress, even though there are numerous ways to approach it, is defined in psychology as *overload, pressure, psychological tension,* which might cause significant changes in the functioning of an individual (Moryś and Jeżewska, 2006). According to the World Health Organisation (2003) definition, occupational stress, is the human body's reaction, which may occur in a situation when a person is subject to work-related demands and pressures, which do not match their knowledge and skills, and constitute a challenge in terms of their perception of being able to cope (WHO, 2003; as cited in: Orlak, 2014).

It has been proved that high demands with respect to a worker, low control over a job and its conditions as well as an imbalance between the effort made and received remuneration constitute psychological and somatic health risk factors (Kivimäki et al, 2006; Melchior et al, 2007; Rosengren et al, 2004; Stansfeld, and Candy, 2006; Tennant, 2001). Occupational stress is one of the most serious contemporary challenges within the scope of workers' health and safety and at the same time a health problem (Surdykowska, 2007; Łodzińska, 2010). Experiencing psychological tension may lead to numerous medical conditions. B.S. Mc Ewen's studies, published in 1993 contain a long list of negative consequences of stress. It includes: increased susceptibility to viral infections, intensified build-up of atherosclerotic plaques, faster onset of type 1 diabetes and faster development of type 2 diabetes, asthma attacks, ulcers of the digestive tract, more rapid metastasis (Goleman, 1997). Studies show, that the psychosocial working conditions also have a negative impact on the human body. They may constitute a cause for states of anxiety and depression, burnout, may impair a workers ability to make decisions and their attention processes (Cox, Griffiths and Rial-Gonzalez, 2000). Psychosocial hazards in the working environment affect four physiological systems. By the same they contribute to: the development of high blood pressure, heart diseases, impaired healing of wounds, musculoskeletal disorders, stomach and intestine disorders and immune system damage (Cox, Griffiths and Rial-Gonzalez, 2000, as cited in: Orlak, 2013). A person experiencing stress is motivated to take remedial actions. These aim to restore the disrupted equilibrium between the situational demands and the ability to cope (Bargiel – Matusiewicz et al, 2004). The concept of coping may be understood in three ways: *as a process, as a strategy and as a style. The process of coping entails "the constantly changing cognitive and behavioural efforts, which aim to overcome given external and internal demands, judged by the individual to be burdensome or as exceeding their resources" (*Lazarus and Folkman 1984, as cited in: Wrześniewski, 2000*).* The authors indicate two functions of such efforts: the first pertains to reducing untoward tension, the second - acting in order to solve the problem (Chmiel - Baranowska, 2008). A strategy to cope with stress is a form of behaviour, used by individuals in order to change a situation or to alleviate its consequences. The style of coping with stress is

a relatively constant tendency, specific to the given individual, setting out the course of coping with stress. According to R. Lazarus' theory, which is currently the most popular psychological theory on stress, the criterion for the occurrence of a stress state is cognitive appraisal. It occurs on two levels (Kulmatycki, 2008): primary and secondary appraisal. Primary appraisal entails a better understanding of the significance of a situation for the given person (is this a difficult, demanding situation for me?), whereas secondary appraisal classifies the degree of the threat seen through the prism of one's own abilities together with a selection of the method to cope with the situation. Coping with stress is a dynamic process and constitutes a response to a given situation (Ogińska - Bulik, Juczyński, 2008). N. S. Endler and J. D. A. Parker identified the following styles of coping with stress (Terelak, 2008; Sheridan, and Radmacher, 1998): style focused on the task; style focused on emotions; style focused on avoidance. Manifestation of the style focused on the task constitutes making an effort when faced with stress, to solve the problem. This is possible by changing a difficult situation or by cognitive transformations, e.g. changing one's beliefs as to the particular event. That is why, individual ability to cope with stress may contribute to a change in the long term presence of stress (Chojnacka - Szawłowska, 2009; Mietzel, 2008). An individual with a dominant emotional style concentrates in itself and on its own reactions. If the strategies, which it adopts - stimulate and maintain positive emotions, than an analogous function may be attributed to them. On the other hand an avoidance style means that an individual experiencing difficult, stressful problems, does not think about the problem. Its actions are concentrated on diverting attention away from the source of stress or seeking social support (Kuczyńska and Janda - Dębek, 2002).

Every individual manifests a certain specific method when it comes to reacting to stressful situations. Their state of health and psychological condition depend on the character of stressful events and on the efforts made in order to successfully transform them (Makowska, & Poprawa, 2001). Constructive and unconstructive strategies for coping with stress can be identified, however literature points out, that when it comes to coping with stress, the flexibility of how one copes is more significant. This means that the strategy is adjusted to the given satiation, made possible by the individual's broad arsenal of methods for coping in difficult situations (Heszen and Sęk, 2007). S. Moos and A. Schaefer research and analyses conducted by C.S. Carver demonstrated, that individuals using avoidance strategies obtain worse adaptive results than persons more likely to apply strategies entailing problem solving (Makowska, 2002; Hobfoll, 2006). Venting anger, frustration onto the surroundings, not accepting reality, are potentially destructive reactions (Salmon, 2002). Professions, where contact with people is required, demand a high level of competence within the scope of coping with and understanding emotions (Yate, 1977). A demanding working environment - in the form of work in contact with other people - forces one to control emotions in order to effectively make decisions when solving problems (Hülsheger and Schewe, 2011). As indicated by S. Konrad and C. Hendl (2000), the ability to control feelings is possible through self-awareness, that is the skill to identify an emotion being experienced. Other methods for dealing with emotions is submission to the *amygdala hijack* - which is outside of your control - or denial, suppression of emotions, which cuts you off from your emotional being. A phenomenon, which is particularly harmful to an individual's well-being is suppressing negative emotions. There is a connection between excessive control of anger, hostility and fear and the occurrence of such somatic diseases as asthma, rheumatoid arthritis and migraines (Luban – Plozza et al, 1995). In order to experience the constructive benefits of emotions they should be controlled.

Thus far, psychology has not found an answer to the question of whether there is an optimal and at the same time universal method for coping with stress. According to I. Heszen - Niejodek, the superiority of any one style for coping with stress has not been unambiguously demonstrated. The situational context should be taken into account, as well as the criterion which leads to the assessment of an individual's actions (Heszen - Niejodek, 2000). For a person to adapt to stress successfully, they need to be able to draw on various strategies and be flexible in the application

thereof. The benefits of the chosen strategies for coping with stress may only be measured by their results. For example, coping with stress may be linked with unhealthy actions, e.g. the use of potentially addictive substances. The use of intoxicants in order to cope with stress performs the primary functions of regulating the emotional state. The outcomes include, amongst others, reducing, stimulating tension, increased feeling of inner strength (Makowska and Poprawa, 2001; Bargiel – Matusiewicz et al, 2004). Thus far the most thoroughly researched and comprehensively discussed addiction in Polish literature is alcohol addiction. As indicated by A. Kacprzak (2011), alcoholism is understood both as a particular type of a psychological / physical disease as well as a social problem. Its scale is difficult to capture, due to, amongst others, the tendency to justify, transfer remorse to the surroundings, experience consciousness and memory disorders (distorting the image of one's own behaviours) by the sick person , the alcoholic not aware of the alcohol problem, but also the alcoholic or persons from their closest surroundings hiding the problem. Using addictive substances, in the face of stress is considered an escape - avoidance strategy as it is not conducive to seeking a constructive solution the difficulty. As a consequence, the resources for coping with stress diminish, are permanently blocked. Gambling is seen in an analogous light, as well as compulsive food binging, or watching television (Makowska and Poprawa, 2001; Chmiel - Baranowska, 2008).

The studies presented in the next part of the chapter aimed to describe the process of coping with stress by common court workers, identify the dominant strategies among the study subjects and to capture possible differences in coping, which might occur depending on the place of work (district, regional or appeals courts) or sex. Results within the scope of strategies unfavourable for adapting to the demands of working in courts were subjected to thorough analysis, i.e. Focus on and venting of emotions (uneasiness in terms of one's own emotions and venting them) and Use of Alcohol or Other Psychoactive Substances. As may be concluded from the Chapter introduction, they can have serious health as well as professional consequences.

The tool used in the study was COPE - the multidimensional coping inventory to asses stress response, the Polish adaptation by Z. Juczyński and N. Ogińska-Bulik. This questionnaire was chosen because it is relatively best for understanding stress coping methods (Juczyński and Ogińska-Bulik, 2009), facilitates strategy identification and - indirectly - draws conclusions on preferred styles for coping. It makes it possible to assess 15 stressful situations reaction strategies. Strategies focusing on the task at hand, considered to be the healthiest, include:

1. **Active Coping** (or taking actions with the aim of getting rid of, reducing the stressor or its consequences)
2. **Planning** (which means trying to come up with a way to deal with the stressor)
3. **Suppression of Competitive Activities** (suppressing actions not associated with the problem, in order to cope better)
4. **Positive Reinterpretation and Growth** (finding sources for growth in the event, seeing it in a positive light)
5. **Restrain Coping** (refraining from acting prematurely, waiting for the right moment)

The group of strategies alleviating emotions comprises:

6. **Seeking Social Support for Instrumental Reasons** (looking for advice, help or information)
7. **Seeking Social Support For Emotional Reasons** (looking for moral support, sympathy and understanding)
8. **Turning to Religion**(religion as a source of support, a map for transvaluation and growth)
9. **Focus on and Venting of Emotions** (uneasiness in terms of one's own emotions and venting them)

Whereas the remaining are considered to be part of the avoidance strategies group:

10. **Acceptance** (accepting that what has happened cannot be changed, getting used to it and learning to live with it)
11. **Denial** (ignoring, acting as though it hasn't happened)
12. **Mental Disengagement** (avoiding thinking of the consequences of the event, turning to other activities, such as sleep, watching TV)
13. **Behavioural Disengagement** (helplessness, giving up on making attempts to achieve goals)
14. **Alcohol-Drug Disengagement** (use of alcohol to think less about the situation)
15. **Sense of Humour** (treated as a way to think less about the situation).

4.2. Stress coping strategies used by judiciary staff

The studied judiciary workers apply Planning and Active Coping as the dominant strategies in their repertoire of stress induces behaviours. Alcohol-Drug Disengagement and Denial were found to be used least frequently. Table 4.1. presents detailed descriptive statistics.

Table 4.1. Results values for given coping strategies of the study subjects

	Average	Median	Minimum	Maximum	Standard Deviation
Active Coping	2,86	2,75	1,75	4,00	0,36
Planning	2,98	3,00	1,75	4,00	0,41
Seeking Social Support for Instrumental Reasons	2,70	2,75	1,00	4,00	0,62
Seeking Social Support for Emotional Reasons	2,65	2,75	1,00	4,00	0,73
Suppression of Competitive...	2,69	2,75	1,50	4,00	0,46
Turning to Religion	2,02	2,00	1,00	4,00	0,95
Positive Reinterpretation	2,75	2,75	1,25	4,00	0,50
Restrain Coping	2,61	2,50	1,50	4,00	0,41
Acceptance	2,47	2,50	1,00	4,00	0,58
Focus on and Venting of Emotions	2,77	2,75	1,00	4,00	0,55
Denial	1,65	1,50	1,00	4,00	0,49
Mental Disengagement	2,18	2,25	1,00	4,00	0,51
Behavioural Disengagement	1,77	1,75	1,00	4,00	0,51
Alcohol-Drug Disengagement	1,55	1,00	1,00	4,00	0,72
Sense of Humour	1,68	1,50	1,00	4,00	0,61

On average a male court worker resorts to stress coping support methods less frequently than other men studied in Poland, and he is more likely to use Alcohol-Drug Disengagement and Denial than other men. (Table 4.2.). The differences in results were largest in relation to these strategies. In terms of the use of these strategies, men working in courts exhibit the largest differences as compared to other male Poles.[16]

Table 4.2. Selected results for studied men compared to textbook values

	male (standardisation data)	male - court worker
Use of instrumental suport	2,75	2,58
Use of emotional support	2,57	2,3
Alcohol-Drug Disengagement	1,47	1,6
Denial	1,8	1,6

The data also made it possible to determine, that an average female court worker, resorts to stress coping support methods less frequently than other women, she is more likely to use Alcohol-Drug Disengagement and an average she is less likely to use Turning to Religion than other women. (Table 4.3). The differences in results were largest in relation to these strategies.[17]

Table 4.3 Selected results for studied women compared to textbook values

	female (standardisation data)	female - court worker
Use of instrumental suport	2,91	2,74
Use of emotional support	2,84	2,76
Alcohol-Drug Disengagement	1,2	1,5
Turning to Religion	2,2	2,07

Analysing the differences between the sexes among judiciary staff, it may be said that men working in common courts in Poland are less likely than women in those institutions to Focus on and Vent Emotions and are more likely to use Sense of Humour (Table 4.4). The studied women, are more likely than their male colleagues in courts to seek forms of support and use Mental Disengagement. It turned out that the differences described here are statistically significant.

16 Results obtained in the study of court workers were compared to results collected during normalisation of the Polish COPE version on a sample of N=814 men.

17 Results obtained in the study of court workers were compared with results collected during normalisation of the Polish COPE version on a sample of N=716 women.

Table 4.4. Differences between the studied sexes in terms of given strategies.

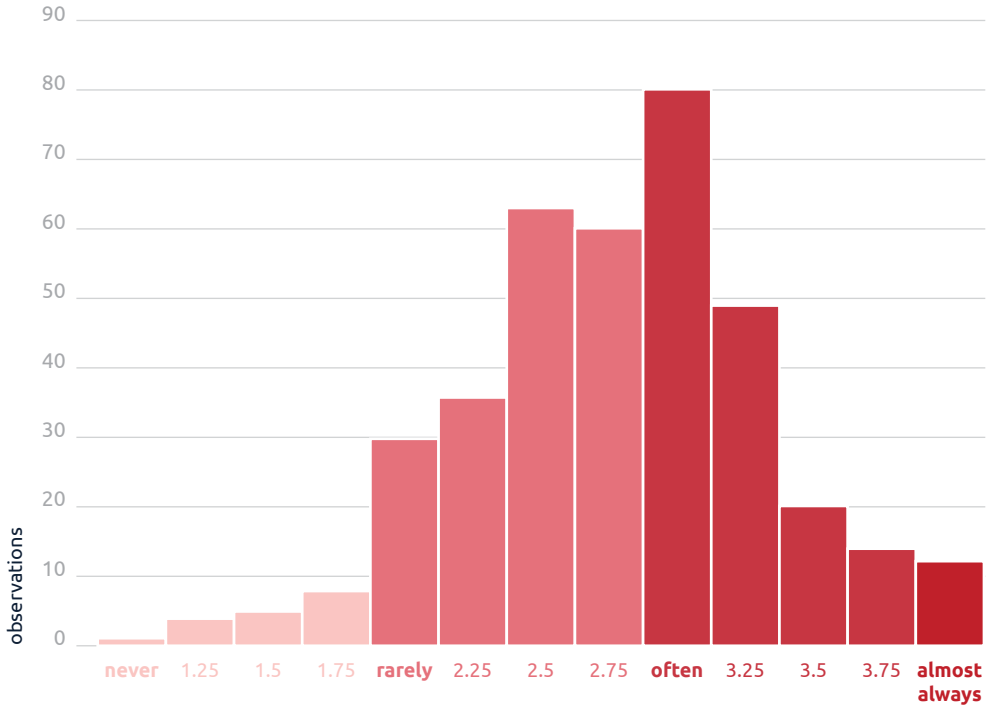
T-test for groups: men and women

	Mean women	Mean men	T-value	Df	p level
Active Coping	2,8535	2,9124	-1,361	380	0,1744
Planning	2,9746	2,9948	-0,358	380	0,7203
Seeking Social Support for Instrumental Reasons	2,7465	2,5876	2,168	380	0,0308
Seeking Social Support for Emotional Reasons	2,7675	2,3067	5,519	380	0,0000
Suppression of Competitive...	2,6719	2,7732	-1,854	380	0,0646
Turning to Religion	2,0746	1,8763	1,767	380	0,0781
Positive Reinterpretation	2,7640	2,7448	0,324	380	0,7464
Restrain Coping	2,6079	2,6314	-0,479	380	0,6323
Acceptance	2,4728	2,4923	-0,285	380	0,7756
Focus on and Venting of Emotions	2,8474	2,5696	4,332	380	0,0000
Denial	1,6482	1,6598	-0,198	380	0,8431
Mental Disengagement	2,2193	2,0928	2,097	380	0,0366
Behavioural Disengagement	1,7912	1,7345	0,943	380	0,3461
Alcohol-Drug Disengagement	1,5316	1,6366	-1,230	380	0,2194
Sense of Humour	1,6351	1,8273	-2,683	380	0,0076

Particular attention was paid to the frequency strategies not conducive to well-being were used. Results of two such strategies are presented below, i.e. Focus on and Venting of Emotions and Use of Alcohol or Other Psychoactive Substances. As these strategies seem particularly inadaptable in the context of a judiciary worker's professional role demands, where rationality, well oiled criticism or the ability to control emotions are required.

Figure 4.1 illustrates particular answers selected from the Focus on and Venting of Emotions strategy. This indicates, that among those judiciary workers who use this strategy, most apply it often.

Figure 4.1. Frequency of behaviours under stress focusing on and venting of emotions.



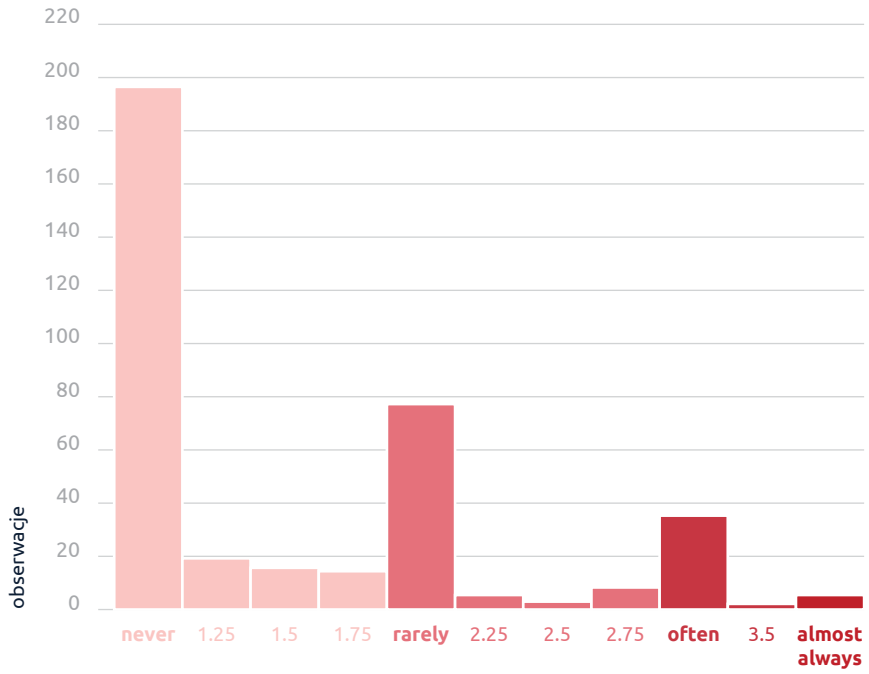
Answer categories	% answers
1 almost never	0,26
1.25	1,05
1.5	1,31
1.75	2,09
2 rarely	7,85
2.2	9,42
2.5	16,49
2.75	15,71
3 often	20,94
3.25	12,83
3.5	5,24
3.75	3,66
4 almost always	3,14
Invalid results	0,00

Table 4.5. Results of answers to questions on focus on strong negative emotions in stressful situations

The results shown in Table 4.5. indicate that the *often* and *I almost always do this* in total constituted more than 45% of all answers of the study subjects. In total there were more than 12% of answers as to the focus on strong negative emotions strategy, which were in the 1 to 2 range (where 1 = I almost never do that, 2 = I rarely do that).

Analogously, Alcohol-Drug Disengagement strategy results were considered (Figure 4.2.). Judiciary workers were most likely to declare, that the *almost never* resort to psychoactive substances in the face of difficulties. However, the study identified a group of individuals, who indicated, that in stressful situations they *often* reach for stimulants.

Figure 4.2. Frequency of alcohol and other psychoactive substance use when faced with stress



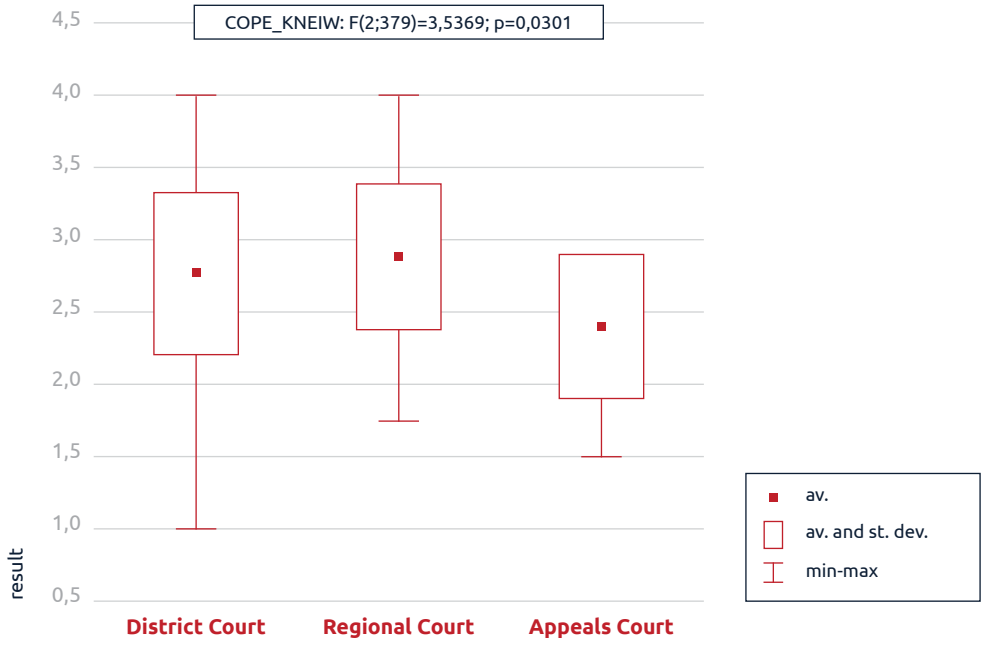
Answer categories	% answers
1 almost never	51,57
1.25	5,23
1.5	4,18
1.75	3,92
2 rarely	20,15
2.2	1,57
2.5	0,52
2.75	2,09
3 often	9,16
3.5	0,26
4 almost always	1,30
Invalid results	0,00

Table 4.6. Alcohol and other psychoactive substance use when faced with stress answer percentages

Information shown in Table 4.6 shows that in total there were more than 84% answers which were in the 1 to 2 range (where 1 = I almost never do that, 2 = I rarely do that). In total, in terms of this strategy more than 10% of answers were in the 3 to 4 bracket (3 = I often do that, 4 = I almost always do that).

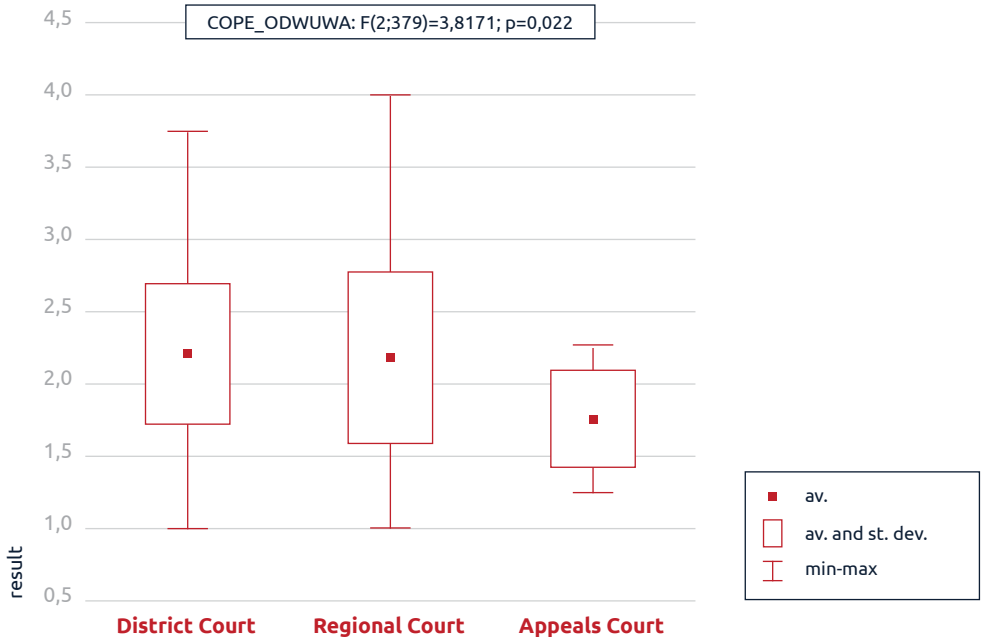
Detailed analysis identified that for two strategies which are considered as not necessarily adaptable, i.e. *Focus on and Venting of Emotions and Mental Disengagement there are significant differences depending on the court type (district, regional or appeals)* (see: Figures 4.3 and 4.4).

Figure 4.3. Results of studies of workers per type of court pertaining to focusing on and venting of emotions in stressful situations.[18]



The results depicted on Figures 4.3. and 4.4 indicate that on average, appeals courts workers exhibit concern with regards to and vent their own emotions, avoiding thinking of the consequences of an untoward event and turn to other activities when faced with stress less often.

Figure 4. 4. Results of studies of workers per type of court pertaining to Mental Disengagement



18 The graph known as a "box and whisker plot" depicts whiskers which represent the (min-max) values obtained in the study. The boxes include centrally marked mean values for the given court type. Upper and lower sides of the box represent the standard deviation indicating the spread of the presented strategy results around the mean.

4.3. Commentary on the results

The results made it possible to ascertain, that the dominant methods for dealing with stress for court staff are strategies oriented at eliminating the consequences of the stressor (Planning and Active Coping). At the same time, a group of respondents was identified in the study, who declare resorting to inadequate, unhealthy methods for reacting to stress. Alcohol-Drug Disengagement should be considered one such strategy. As shown by Ministry of Health (2009) data, in the Polish population, such behaviours are clearly more frequent amongst people in their working age, and for males pertain to the 30-39 year olds, whilst for females to 18-29 and 30-39 year olds. According to I. Pospiszyl (2008), loss of control over drinking may lead to an addiction and generate damage on many planes of human functioning. In the professional filed, it may lead to neglecting duties, and as an effect - decreased occupational abilities. On that account, it is important to analyse data which suggest coping with stress with resort to addictive substances.

The present studies are compliant with the analyses published to date within the scope of inter-sex differences in coping with stress. Court workers represent similar pattern as other studies groups. Men - according to literature - are more analytical and in stressful situations focus more on the task at hand (Juczyński and Ogińska-Bulik, 2009). Whereas women have a tendency to avoid thinking of the consequences of difficult situations and exhibit a tendency to focus on their own emotions. As indicated by researchers, phenomena of resistance to and avoidance of stress as a rule carry a serious risk for a person's well-being, in the form of experiencing negative health consequences (Holahan and Moos, 1986). They argue, that the strategy in question may assume to form of helplessness, withdrawal or use of stimulants when experiencing a difficult situation. Both scientific works from the turn of the 1980s, as well as more recent ones, indicate, amongst others, that reluctance to resort to avoidance strategies in coping together with availability of family support protects people against the negative consequences of daily life stress (Hyojung, Yang Min et al, 2014). Numerous reports on studies indicate, that resorting to strategies entailing seeking support in others in occupational stress situations, may be significant for the process of a healthy adaptation to stressful situations at work. This method for coping, described, amongst others by de Jonge et al as *emotional job resources* makes it possible for an individual to deal with job demands, which effectively facilitates the elimination of negative workload consequences (de Jonge et al, 2007; Van de Ven et al, 2013). Skilful use of social support permits one to enjoy better health and disposition. (Karasek et al, 1982; Cox et al, 2000; Syme, 1997). However, when compared to the overall results of Polish studies, on average court workers are less likely to seek support, both in the form of advice or help, as well as psychological understanding. Undoubtedly it would be important to understand such a state, be it in through the specifics of succinct work (e.g. single-judge ruling) or in the conviction and expectation as to the role of the environment in a court worker's professional life, or the specifics of available help at the workplace. The results presented in the chapter devoted to psychosocial working conditions in Polish common judiciary indicate, that the perceived social support at the workplace, in courts is significantly lower than for other professional groups.

As shown by the said studies, a strategy entailing becoming absorbed in strong, negative emotions in stressful situations, *often* or *almost always* pertains to more than 45% of the study subjects. Meta-analysis of results from 36 different studies conducted for the significance of coping using this method found, that for more than 9000 study subjects, a more frequent use of the focusing on emotions style exposes them to professional burnout. Whereas coping focused on the task at hand, is less likely to be associated with burnout (La Fauci and Marotta, 2011). Studies on a group of policemen found, that restraining from emotional engagement in investigations facilitates more effective functioning and focus on the adopted case objectives and reduce the risk of post trauma stress (Burns et al, 2008).

A common characteristic for most judiciary staff is being around the problems of other people, which require a formal adjudication by the court and is also associated with a certain expectation as to the content of rulings, affecting their futures (Orlak, 2015). At the same time, judiciary workers function in a relatively rigid working environment, where detailed legal regulations enforce a series of elements pertaining to their work. From the psychological point of view, this might mean functioning under chronic stress; as this work is associated with an effort stemming from the complexity of tasks, major attention focus, the need to overcome one's own needs and feelings (e.g. in a situation where a court session lasts for hours and an official has no say on breaks in the hearing) whilst faced with significant demands. Working conditions may become a hazard for a worker, as long as they do not work out the most optimal methods for coping, including how to handle their own emotions as well as others' emotions (parties to the proceedings, witnesses, colleagues, superiors, etc.) The high stress levels experienced in this professional environment may constitute a constant challenge for persons functioning within it, which requires particular steps to be taken in order to square up to those challenges.

It has to be said, that there is no one optimal way to cope with work-related demands, but every worker should be aware which is best suited for their disposition, and, at the same time, most conducive for the performance of work tasks. In the literature on the subject one may find an opinion, that for a person to adapt to stress successfully, they need to be able to draw on various strategies and be flexible in the application thereof, each time adjusting to the situation at hand (Cheng et al, 2014; Riolli and Savicki, 2010; Carver and Scheier, 1994). Coping is a dynamic process, and despite certain preferences in terms of coping stemming from a person's traits of character for example, effective development of the skills necessary to cope with stress is possible.

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5. Judiciary workers' well-being in the context of the justice system

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The primary concept discussed in this chapter is the subject of health and its significance for the job performed by an individual. The chapter presents study results pertaining to the psychological / physical well-being of court staff in Poland.

5.1. Introduction

The concept of well-being pertains an assessment of the quality of life, booth in emotional and well a as cognitive sense (Diener, 2000). There are various definitions of well-being in psychological literature. Terms such as: *happiness, disposition, psychological wellbeing, utility, meaning of life* and *health (*Pilarska, 2012) are used in the literature to describe it. Consistently, numerous psychological works, still use the lack of psychopathology symptoms as a measure of well-being, which presumable is a consequence of the fact, that the term well-being was used to define the concept of health in the now classic World Health Organisation (WHO, 1948) definition[19]. However, contemporary understanding of health, is leaning ding towards a more holistic approach, and assumes that a person is made up of physical, psychological, social and spiritual dimensions (Nagase, 2012). It accepts the mutual interactions between the psyche and physical health. Well-being of an individual is their state of health maintained on numerous levels of their functioning. In the definition presented by the WHO, health is treated as the strength resources a person has within their disposition and grasp. It does not focus solely on the biological sphere (injuries), but emphasises a person's inner and social lives (Chopra, 1987; Korporowicz, 2006; Heszen and Sęk, 2007). The concept of health introduced by the World Health Organisation facilitated the development of studies within the scope of health psychology and sociology. Despite criticism from the medical circles[20], health began to be looked upon from the social perspective (Sokołowska, 1990). Fulfilment of professional roles is also a factor affecting health, particularly if performed in specific working conditions (Leka, Griffiths and Cox, 2003).

Health may constitute unique growth potential for an individual. It is decisive in terms of the possibility of all encompassing human development. Today, its protection and promotion are

19 However, it should be noticed, that the psychological concepts of well-being seem to correspond quite closely to the conceptualisations of positive mental health appearing in medical literature. Vaillant (2012) presents seven takes on that concept, i.e. mental health above the norm attested to be a >80 result in the Global Assessment of Functioning scale, mental health as the presence of many human strengths and not as a lack of weakness, mental health as maturity, mental health as dominance of positive emotions, mental health as high social and emotional intelligence level, mental health as subjective wellbeing and mental health as mental flexibility.

20 Traditional medical circles presented the point of view, that health is a domian of medicine. However, it was already pointed out by Hippocrates, that health requires an equilibrium between the effects of the environment, lifestyle and various elements of human nature (as cited in: Kronenberger, 2003).

at the heart of medical sciences, health sciences and social sciences fields of interest (Nowak-Starz et al., 2013). Data unambiguously demonstrate a growing requirement to tackle this problem. For example, publications by the World Health Organisation (WHO) indicate, that approximately one quarter of all diseases occurring around the world pertain to populations of working people (Barański, 2008). Empirical studies confirm the significance of the effects of health on human productivity (Lis and Magda, 2014). Importantly, the relationship between health and productivity and earnings is not one sided: better health facilitates more efficient work and leads to improved productivity and income, and the higher income makes it possible to invest more in health.

According to materials of the National labour Inspectorate (2012), among the most often reported occupational health problems are musculoskeletal ailments and stress. Within the European Union, the consequences of work stress are experienced by almost one in four workers and it is linked with 50-60% of sickness absences. Long term stress has a negative impact on health and may lead to breach of occupational health and safety regulations and contribute to a growing number of accidents at work. Economic costs stemming from sickens absence, accidents and occupational diseases are detrimental to economic growth and constitute a burden for the social security system (Malińska et al, 2012).

Functioning of an individual in challenging and hazardous situations at the workplace exposes them to health problems. S. Leka and A. Jain (2013) indicate, that researchers of the health at the workplace issue were able to identify ten different categories pertaining to the job characteristics, work structure and management as well as other organisational and environmental factors, which carry a health risk. Currently these work related areas, where stress factors may appear include: work content, work volume and pace which it is to be performed at, schedules, worker control over the work they perform, physical environment and workplace equipment, organisational culture, interpersonal relations at work, role at the organisation, course of professional career (including employment conditions) as well as the impact of work on private life.

Detailed work specifications for the aforementioned areas may constitute a source of stress, when the worker's abilities are not sufficient to effectively cope with the job demands and the specific work characteristics (Leka et al, 2003). Among the negative consequences of work related stress in terms of health well-being, consequences such as: depression and other generally occurring mental health disorders, corrosion of social ties and intensification of unhealthy habits (incorrect diet, lack of exercise, stimulants) as well as consequences to somatic health such as musculoskeletal ailments, heart and cardiovascular diseases are cited, which no longer raise any doubts among researchers (Leka and Jain, 2013). Cancers are also mentioned increasingly more often in literature.

Not many studies have been published to date pertaining to stress specific to the judiciary, or in a broader sense, the justice system, and even less on the health consequences of that stress.[21] Most published studies had been conducted in the USA, the lion's share of worldwide research pertains to judges and policemen, and a small percentage of research pertains to other individuals working in these structures. In the last twenty five years, there has only been one published study on judiciary administration workers.

In Poland there are no publications treating the health of common court staff. The following conclusions can be drawn from the few studies published worldwide within the scope of the justice system workers well-being:

- judges, as a result of occupational stress, exhibit symptoms of secondary post trauma stress and occupational burnout (Hunter i Lynn, 2007, Chamberlain i Monica, 2009);

21 The review encompassed all EBSCO databases using the following search criteria: peer-reviewed scientific papers, keywords: judiciary, occupational stress, psychosocial working conditions, judges, court administration. Papers available in Polish and in English were analysed.

- the longer the judges track record in terms of issuing rulings (the older they are), the more stressed they are - particularly if the rule in criminal cases (Marcinkowski et al, 2010) and suffer from occupational burnout - however this also depends on their traits of character and the repertoire of strategies for coping with stress (Hou et al, 2007)
- stress in judges causes disruptions to the quality of their work, as a result of increased irritation, anxiety, difficulties with concentration and sense of isolation (Miller, 2007); this is not without effect on the judges conduct in court and the content of rulings (Marcinkowski et al, 2010)
- analysis of relations of the psychological / physical well-being of workers in lawyer professions indicates, that despite different stress levels depending on the subject of cases, persons who work in liberal professions (attorney-at-law) exhibit no differences in terms of well-being and job satisfaction,
  which suggests that a significant factor affecting the well-being of persons professionally associated with the justice system is their job control
  (the scope freedom of decisions, for example seen as the ability to refuse to take a certain case on);
- in Poland - apart from the aforementioned Marcinkowski et al (2010) study, no other research on stress characteristic to the judiciary was published. Faced with the lack of peer-reviewed publications, the available albeit not published studies concluded in Poland were also queried. Such studies were conducted amongst court administration workers by the Katowice Regional Labour Inspectorate in 2012, within the scope of the National Labour Inspectorate "Stress and other work-related psychosocial factors" information campaign. The study found as follows: 93% of court administration staff, who participated in the study experience stress at discernible levels, at which it should be worrying from the point of view of human resource management. This may affect their work quality, its pace and the number of mistakes made. This is particularly applicable to a group of 72% of workers, who experience intensive and chronic stress - for comparison high levels of stress in the EU are experienced by 27% of all workers (EU-OSHA, 2007), in Poland high or medium stress levels pertain to 56% of all jobs (PIP, 2009).

The well-being of judiciary staff is not solely a private matter of the 50 thousand common court employees[22]. Effective court functioning is a function of the well-being of individuals working therein. Every year, approximately one million new cases are brought to court (The Ministry of Justice 2015), this stress induced errors in the work of those institutions may affect a significant part of the society. For that reason, the well-being of court workers should be viewed as a common good.

The aim of the studies presented hereinbelow in this chapter is to assess the psychological / physical well-being of common court staff taking into account the sex of the study subjects and structure of the common judiciary system.

5.2. Workers' well-being assessment methods and results

The study used the "Psychosocial working conditions" questionnaire by Cieślak and Widerszal-Bazyl (2000), which, amongst others, assesses the health well-being of workers. Data collected on the basis of: general well-being scale (scale D) and 2 subscales (D1 and D2) pertaining to physical

22 In accordance with public information released pursuant to a request by Stowarzyszenie Zdrowa Praca current as at the end of March 2015 in common judiciary in Poland

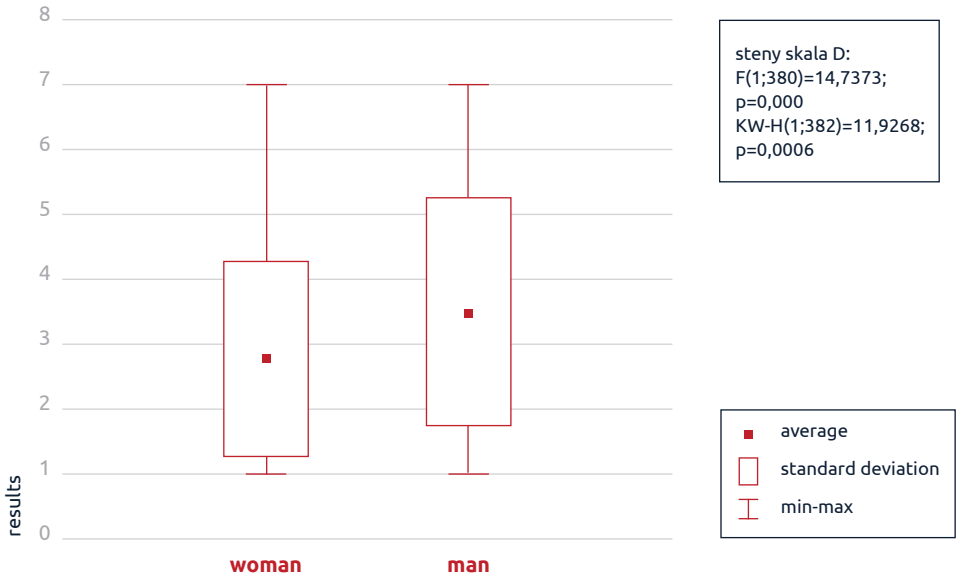
and mental disposition respectively (jointly referred to as psychological / physical disposition) was subject to analysis. Physical disposition measurement includes: a general assessment of physical health and stress, occurrence of somatic symptoms such as: headaches, stomach problems, heart problems. Mental disposition assessment comprises: negative emotional states, life and job satisfaction, self-confidence. As part of the analyses the collected data were referenced against the standards as drawn up for national and local government administration workers.

A whole section of results analysis is devoted to an assessment of the numbers of answer to given questions on the study subjects' disposition. A qualitative description of the questions which disclosed a high percentage of answers indicating well-being deficiencies is also included with the results presentation section.

Analysis of the data collected as part of the 2015 TEMIDA study demonstrated that only 0.8% of judiciary staff exhibits a high level of general well-being. As much as 81.95% of court workers obtained results indicating a low level of general well-being. The well-being of the remaining 17.27% of court workers may be said to be average as compared to public administration staff. More than 80% (80.57% to be exact) of the study subjects exhibits a low level of physical well-being, 18.58% - average and less that 1% - high. And when it comes to psychological well-being, low level pertains to 77.22% of judiciary staff. The smallest group comprises individuals with a high level of psychological well-being, which makes up 4.71% of all the study subjects. Workers, whose psychological well-being may be assessed as average make up 18.06% of the sample population.

The gathered data made it possible to ascertain, that the men employed in courts, have a higher average overall well-being than the women (see: Figure 5.1.) and that on average they have a better perception of their physical and mental states. Whereas differences were not found within the scope of disposition between the studied workers when it came to court instance (district, regional, appeals).

Figure 5.1 General well-being per sex



During a qualitative analysis, the frequencies of particular answers being given to questions comprising the "Psychosocial working conditions" questionnaire pertaining to physical and mental disposition were studied. The results are discussed in the references to data from studies

conducted on a group of local and national government administration officials, which were described in detail in the guidebook to the used questionnaire.

answers	%
quite rarely	11,78
quite often	34,82
sometimes	30,37
never	0,79
very often	22,25
Invalid results	0,00

Table 5.1. Distribution of answers to the question: How often do you experience stress?

Table 5.1 presents the frequency of answers to the question on experiencing states of stress by the study subjects. The data indicates that 22.25% and 34.82% of the respondents are *very often* and *quite often* respectively in a state of tension, anxiety and nervousness. Only 12% of individuals employed in courts rarely notices being in a state of stress.

As compared to the group of local and national government administration officials, court workers are twice as likely to declare that the *very often* experience stress (9.4% in the group of officials).

answers	%
quite good	31,41
average (the same as others)	38,48
quite bad	14,40
very good	12,83
very bad	2,88
Invalid results	0,00

Table 5.2. Distribution of answers to the question: What is your state of health as compared to others?

Table 5.2 demonstrates that more than 38% of individuals are those who assessed their state of health as average, i.e. the same as other people. In total more than 44% of judiciary workers assess their health to be good (*quite and very good)* and 17% as *quite and very bad* as compared to the health of people in their surroundings of a similar age.

Compared with the group of officials, there are almost 3 times as many court workers who assess their state of health unfavourably.

answers	%
from time to time	38,74
quite often	35,08
constantly	5,76
quite rarely	19,90
never	0,52
Invalid results	0,00

Table 5.3. Distribution of answers to the question: Are you nervous at work?

Analysis of the results in Table 5.3 demonstrates that only 0.5% of the tested sample declared never to feel nervous at work. In total, 35.08% of respondents indicated that they experience this state *quite often,* and 38.74 indicate *from time to time.*

Thus, the presented data shows, that in courts there are almost 3 times as many people who are constantly nervous as in national and local government structures (1.8% for all officials as compared with 5.7% for the court sample).

answers	%
quite rarely	48,43
from time to time	31,94
quite often	13,61
constantly	3,93
never	2,09
Invalid results	0,00

Table 5.4. Distribution of answers to the question: How often do you find in difficult to collect your thoughts or to concentrate?

As can be seen in Table 5.4, 3.93% of individuals mentioned constant concentration difficulties. The most numerous group of court workers were individuals who rarely experience a state of deconcentration (48.43%).

Compared to officials, there are 3.5 times as many individuals in the common judiciary who are *quite often* deconcentrated at work as in local and national government administration (3.8% of officials as compared with 13.61% for court workers in question). The results matching most closely those of the group of officials are for the *quite rarely* answer (49.1% of all officials as compared with 48.43% of analysed court workers).

answers	%
quite rarely	25,65
quite often	23,04
almost never	15,45
constantly	4,19
from time to time	31,68
Invalid results	0,00

Table 5.5. Distribution of answers to the question: How often do you suffer from headaches?

The questionnaire completed by the study subjects also included questions pertaining to, amongst others, headaches. As can be seen in Table 5.5, approximately 4% are constantly suffering from this health problem.

This result is five times higher relative to the local and national government administration officials (0.8% of answers by administration workers). The *quite rarely* answer was chosen by ¼ of the respondents. 88 individuals from the group suffer from *frequent* pains.

answers	%
with great difficulty	100,00
Invalid results	0,00

Table 5.6. Distribution of answers to the question: Do you fall asleep easily?

Table 5.6. presents answers to the question *Do you fall asleep easily?* As it turned out, all respondents selected the *with great difficulty* answer. This result is surprising, particularly if taking into consideration that the analogous answer was selected by only 2.2% of national administration officials.

answers	%
I almost do not sleep at all	39,27
I wake up 2-3 times	26,70
I wake up once in the night	27,49
I wake up 4-5 times	6,54
Invalid results	0,00

Table 5.7. Distribution of answers to the question: Do you sleep well?

To the *Do you sleep well?* question, 40% of the respondents selected the *I almost do not sleep at all* answer. The percentage of this answer in the group of officials was 0.6%, or 65 times less relative to court workers results. Almost same size groups (102 and 105 individuals) selected *I wake up 2-3 times in the night* or *I wake up once in the night* answers respectively (Table 5.7.).

answers	%
quite rarely	65,18
from time to time	10,73
always	21,47
quite often	2,62
Invalid results	0,00

Table 5.8. Distribution of answers to the question: How often do you think that you perform your daily work well?

Analysis of answers to the question *Do you think that you perform your daily work well?* demonstrates that the largest group, i.e. 65.18%, comprises individuals who rarely assess their work performance as good (Table 5.8.).

This answer is selected by 1.4% of the officials in the group. 2.62% of the respondents quite often think they perform their jobs well. 21.47% of the study subjects declare always performing their work well (as compared to 33.9% of all local and national government officials)

5.3. Commentary on the results

The common court workers health well-being studies discussed here are the first of its kind in Poland. Therefore, it is not possible to compare the results of the conducted analyses to other studies pertaining to individuals employed within justice system structures.

Data obtained from questionnaires, suggests that most court workers consider to be in a poor state of health, both in terms of physical health and stress, as well as mental disposition. The largest group of the tested sample declares experiencing stress quite often. The frequent occurrence of somatic type ailments, such as pains and sleep disorders, is somewhat alarming. Data obtained in the study indicate that relative to the local and national government administration officials, court workers are a few times more likely to experience headaches. Based on J.S. Meyer and J. Thornby works, it was found that suffering from pains may significantly weaken cognitive functions (i.e. memory, perception, thought), which has an unfavourable effect on the performed work. The causes of these dysfunctions may be found in symptoms which accompany pain or taking medicines (as cited in: Stępień, 2004). Furthermore, migraine headaches are in the top twenty diseases, which have a negative impact on life and at the same time constitute a cause for missing between two to four working days in a month (Stępień, 2009).

Based on the collected data, one may draw a conclusion, that all judiciary staff experience difficulties with falling to sleep, with most of the sample indicating that they *almost do not sleep at all.* As demonstrated by works dedicated to insomnia, the occurrence of chronic sleep disorders, which last for at least a month, has a negative impact on the quality of life and the functioning of an individual (Wichniak, Wierzbicka, & Jernajczyk, 2008). Most often, symptoms of chronic sleep disorders include: a feeling of permanent tiredness, lack of energy, deterioration of the ability to focus attention and cognitive abilities, mood swings, irritability. The three factor insomnia model (according to A. J. Spielman) indicates that one of the predisposing factors is excessive physiological arousal, and stress, including work related stress may be a precipitating factor (Grabowski, 2011).

As shown by the studies discussed hereinabove, women working in judiciary structures, on average - as compared to the men - have a lower perception of physical and psychological well-being. S. Borkowska (2010) argues, that women constitute just one of the groups most affected by disruptions to the work - life balance (next to, amongst others, highly specialised , difficult to substitute professionals, persons at risk from a job loss, the disabled) *The work - life balance is achieved* - writes the author - *when work does not dominate private life, and in particular an individual's time of rest and vice versa, when private life does not interfere in work* (Borkowska, 2010). Consequences of disruptions to the work - life balance include stress, less sleep, worse performance at work, family life problems, increased susceptibility to illnesses and more frequent addictions.

Results pertaining to nervousness and deconcentration at work as well as self assessment of the performed work should also be discussed. According to studies, 3 times as many court workers are affected by difficulties in focusing attention and in calmly performing job related tasks as the studied groups of officials. The analysis presented in this chapter do not identify the sources of such states, which might take root, in prolonged stress. Stress stimulates the nervous system in order to prepare our body for increased activity and has adaptive significance (Selye, 1960; Łuczak, & Żołnierczyk-Zreda, 2010). However, chronic stress may be extremely damaging to our health. At the same time, literature includes the working environment, job satisfaction and performance of work as factors affecting the assessment content of work quality performed by individuals (Lowe, 2007). It is possible, that these elements also constituted basis for just such a work assessment carried out by the studied court staff. The health shortcoming described above, and particularly those pertaining to nervousness and focus, are worthy of particular attention in light of justice system workers' job role demands. Both judges, as well as other court workers, particularly those who come into contact with clients of those institutions, are obligated to behave in a way reflecting the severity of the court. In practice, this requires them to remain in control over their emotions. Therefore, one could have doubts as to the full capacity to work for 38% of the workers, who are constantly or very often nervous at work.

Attention focus also seems indispensible in the performance of justice system tasks. It is difficult to imagine, that court proceedings may be conducted reliably by distracted judges and their colleagues. And 18% of judiciary workers declare frequent problems with attention focus, with 4% claiming to experience such problems at all times. In reality the problem may be much more serious, taking into account declarations pertaining to sleep quality taken together with the current state of knowledge on the consequences of chronic sleep deprivation.

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6. The health risks of workers, stemming from exposure to psychosocial hazard in a common court

KATARZYNA ORLAK

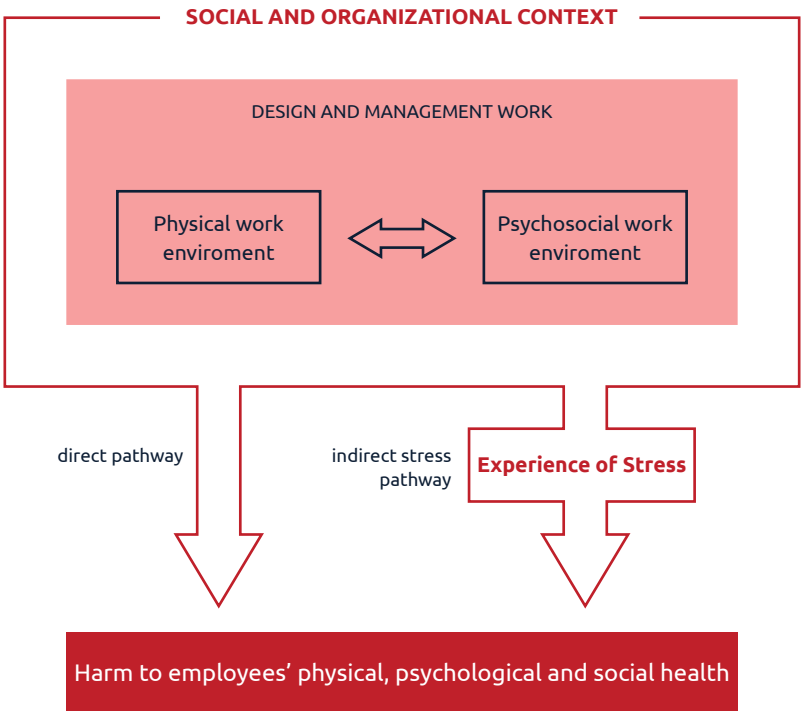
Particular care should be paid to the health risks facing court staff. As it is significant when it comes to the interest of the society as a whole. Individuals, who have the power to affect matters crucial in the lives of others, and who exercise that power predominantly through issuing rulings on the basis of analysis and assessment of facts presented to them, should be particularly protected against excessive occupational stress. As, in the first place, health consequences associated with excessive psychosocial pressure manifest themselves as disorders in the cognitive sphere. The aim of the studies of the presented in this chapter was a risk assessment of well-being disruptions, the character and intensity of which suggest that it may impart consequences on the justice system.

6.1. Occupational risk concept and assessment methods

The term occupational risk is used to describe the probability of the occurrence of unfavourable health consequences in relation with a prior exposure to some environmental factor, referred to as a hazard. The International Labour Organisation (ILO, 1986) defines the psychosocial risk factors as interactions among job content, management, work organisation and other organisational and environmental conditions on the one hand, and the workers' needs and competencies on the other. As such, they refer to those types of interactions that prove to have a hazardous influence over workers' health through their perceptions and experience (ILO, 1986). There is also a simpler definition of psychosocial hazards: those aspects of the design and management of work, together with its social and organisational contexts that have the potential for causing psychological or physical harm (Cox and Griffiths, 2005). Exposure to psychosocial dangers, in the understanding described hereinabove, is inextricably linked with the possibility of workers experiencing psychosocial stress. Occupational stress, as the human body's reaction, may occur in a situation where a person is subject to work-related demands and pressures, which do not match their knowledge and skills, and constitute a challenge in terms of their perception of being able to cope (WHO, 2003; cf. and: Lazarus and Folkman, 1984).

Psychosocial hazards go hand in hand with other health risk factors (chemical physical and biological), present in the working environment. Studies show, that occupational risk factors may affect health in at least one of two ways: directly, but also indirectly, through stress. This relation is depicted on Diagram 6.1. These two mechanisms do offer complimentary explanations of the hazard-health association and in most hazardous situations both operate and interact to varying extents and in various ways (Cox & Cox, 1993; Levi, 1984). Levi (1984) further noted that both additive and synergistic interactions are possible. The outcome of effects that interact additively is simply the sum of the separate effects; however, the outcome of effects that interact synergistically is other than the sum of the separate effects. It may be greater, where one set of effects facilitates or enhances another, or it may be smaller, where one set attenuates or weakens another (Cox, Griffiths & Rial-González, 2000).

Figure 6.1. Psychosocial working environment



Source: Adapted from Leka and Jain, 2010.

Ten separate categories of environmental stressors are identified among psychosocial hazards. These are: job content, workload and work pace, work schedule, control (in accordance with the Karasek model presented in Chapter 2), environment and equipment, organisational culture and function, interpersonal relationships at work, role in organisation (role ambiguity or role conflict), career development and home - work role interface. Whereas the consequences are grouped into direct, constituting a worker's reactions under stress and postponed, which manifest themselves as health disorders such as: professional burnout, depressions, states of anxiety, addictions, vascular diseases or musculoskeletal ailments (Leka and Jain, 2010).

The general aim of occupational risk analysis associated with exposure to hazards present in the working environment is to characterise the relations (if such exist or is possible to define) between the exposure level and adverse health effects frequency (Pałczyński et al, 2010, p. 18).

There are a number of models for estimating the risk of the occurrence of psychosocial hazards (referred to as psychosocial risks) and the impact on workers' health and safety and the state of the organisation (i.e. productivity, quality of products and services and the overall organisational atmosphere) in use around the world. For practical reasons, estimating staff risk exposure to hazards in the working environment assumes two forms: qualitative and quantitive.

Qualitative estimations are performed within the scope of occupational risk assessment for factors, for which the HSE is not able to perform a qualitative measurement. Within the scope of occupational risk assessment, risk is defined as the probability of the occurrence of undesired events associated with the work carried out causing losses and in particular the occurrence of adverse health effects in members of staff as a result of occupational hazards occurring in the work environment (PKN, 2011). In accordance with the guidelines of the Polish Committee for Standardization, occupational risk assessment should be performed for given positions or homogenous groups thereof at a given workplace. Occupational risk is assigned points and usually described as low, medium or high risk.

However qualitative occupational risk assessment methods are not well adapted to psychosocial hazards. Referring to the Risk Score method, often used in Poland, it may be demonstrated, that assuming its principles in the basic form we will always obtain an incorrect assessment of risk: it will either be overestimated - when the hazards are assessed jointly under the guise of occupational stress, or underestimated - when the assessment takes into account particular sources of psychosocial hazards. Therefore, estimating risk using this method requires it to be modified; the situation is similar for the methodology described in the PN-N-18002 standard (Orlak, 2008; Cukrowska 2011).

Merecz et al (2011) propose the use of statistical methods facilitating the definition of exposure - consequence relations in order to determine psychosocial risk. They also suggest using correlation, indicating, that the value of the correlation coefficient between stress measurement results and the used measures for its consequences exceeding 0.3 is significant. In the opinion of these authors, if the values of correlation coefficients between the stress intensification measures and its consequences ate such, then we may say that psychosocial risk is significant, which carries the necessity of anti-stress intervention (Merecz et al., 2011, p. 19). A proposal formulated in such a way cannot be accepted in its entirety, as the correlation coefficient (r=0.3) does not say anything about statistical significance **p** (i.e. the probability that there is actually a relation between the analysed variables). However, even the assertion that there is a statistically significant relation (p>0.05) of at least moderate strength (r>=0.3), still seems insufficient to determine the health risk stemming from exposure to occupational stressors. As is pointed out by Szymczak (2000), a qualitative risk assessment, pertaining to health risk, entails determining the probability $0 \leq p \geq 1$ of the occurrence of defined negative health consequences as a result of exposure to a given adverse factor of a known concentration or intensity, acting on a worker over a given period. Therefore, clearly correlation analysis may only constitute an initial step in occupational risk assessment. From the methodological point of view, the correct way of determining the exposure - consequence relation by calculating probability $0 \leq p \geq$ requires calculating relative risk measures, e.g. the odds ratio statistic. Thus, apart from correlation analyses, it is also necessary to perform a full logistic regression analysis, just as is the case for epidemiological studies (see Beaglehole, Bonita and Kjellstrom, 1996).

To sum up, results of health risks assessments are the result of quantitative studies and are based on various types of mathematical models describing the dose - body response function. At the same time, as pointed out by Harazin (2003), estimating the actual occupational health risk may only be performed on the basis of results of studies on the workers. This third type of health risk estimation, entailing verification of the selected dose - body response relation mathematical model using tests (medical or psychological), pertains to given staff members and professional groups which they make up, working in defined exposure conditions with individual professional career paths.

Table 6.1. shows a comparison of the exposure to adverse factors in the environment risk assessments described hereinabove.

Table 6.1. Types of risk assessments which workers are exposed to in conjunction with performance of work.

	occupational (traditional OHS)	health based on mathematical models	health verified by medical tests
Assessment subject	Individual work positions, groups	Individuals, professional groups with exposure assessment	Individuals, professional groups with exposure assessment compared to the studied persons
Assessment methods	Qualitive estimation	Quantitive assessment based on population data mathematical models	Quantitive assessment based on workers' medical tests
Time period of exposure taken into account	Shift, week of work	Employment duration under exposure	Employment duration of studied workers under exposure
Assessment results	Hygienic assesment	Expected health exposed	Actual health of exposed

Source: Adapted from Harazin, 2003

For health risk stemming from work related stress, it is that third assessment method - an assessment which verifies mathematical models using studies of a given, psychosocial working environment and studies on the health of those working therein, seems most appropriate.

The health risk assessment and its results for court workers performed on the basis of the 2015 TEMIDA study are presented hereinbelow.

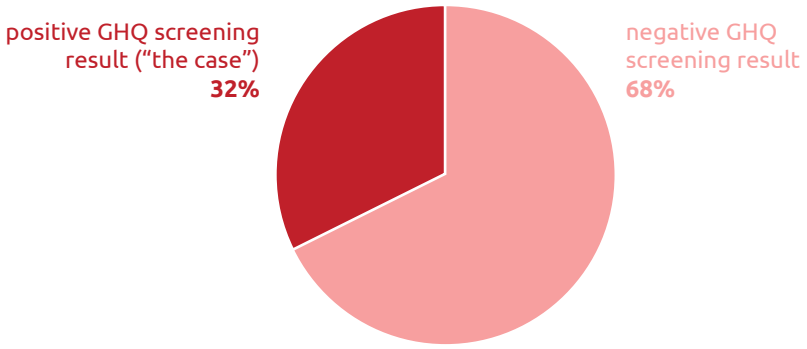
6.2. Measurement methods and the results

For the health risk assessment of common court workers in Poland, psychosocial working conditions data was used which affect the occurrence of occupational risk in the understanding of R. Karasek and T. Theorell (1990) model, presented in greater detail in Chapter 2. The said data was collected using three part of the Psychosocial working conditions questionnaire, by R. Cieślak and M. Widerszal- Bazyl (2000), i.e. job demand scale, job control and social support at the workplace. The tool satisfies all the requirements of psychometric quality criteria and is recommended in World Health Organisation publications to measure work related stress (Leka and Jain, 2010). The state of health of court staff was determined on the basis of the general health GHQ-30 screening questionnaire. Psychiatrists developed a Polish version of this tool. It was also verified in psychometric terms (Małyszczak, 2003; Małyszczak and Pawłowski, 2003, Frydeckaet al, 2010). David Goldberg's General Health Questionnaire (GHQ) is a screening instrument used to assess the mental health of adults in the general population (Goldberg, 1972; Makowska and Merecz, 2001; Frydecka 2010). It makes it possible to estimate the intensity of psychological function disorders not associated with a psychiatric illness and to identify individuals for whom there is a significant risk of psychological dysfunctions. The total score also depends on individual sensitivity, the way an illness is experienced and perceived, that is why it is considered that the GHQ can also be used to study nonspecific psychological distress. The questionnaire has been translated into nearly 40 languages and after assessing its validity and reliability across various cultures, it was increasingly used in various types of studies in many countries. It was also demonstrated, that it can be used

for more than just screening purposes, as it can also be relied upon to assess the changes in a psychological state over time.

The population of the occupationally-adjusted sample was tested for the GHQ screening test pass rate (cf. Chapter 1). Figure 6.1. depicts the results of this study.

Figure 6.1. Percentage of judiciary workers meeting the GHQ screening criteria.



The observed 32% figure for persons exhibiting an increased level of psychological distress is such, that a thorough diagnosis would be recommended as well as a consultation with a specialist doctor, is similar to the values obtained in Poland for the population as a whole (cf. Makowska and Merecz, 2001).

An analysis of the correlation between the state of health (intensification of health disorder symptoms) with given psychosocial working environment measures indicates that some work characteristics are related with an intensification of health disorders for court workers. In terms of the demands which judiciary staff face and their association with health, results of correlation analyses indicate that the overall level of demands is slightly (r=0.178) correlated with health, in a way that higher work demands result in more health disorders. Nevertheless, this is a statistically significant correlation (p>0.01), which means, that despite the effect of increasing job demands on health disorders of the overall population of court staff not being overly forceful, it is almost certain to occur (99% confidence level). This relation is even more visible when it comes to role conflict and workload (r=0.284; p>0.01). Thus, we may be 99% certain that the state of health of persons employed in a court deteriorates together with increasing work volumes, more conflicts in the working environment and conflicts stemming from professional and private role collisions.

Studies of relationships between health and stressors in the field of the freedom of decisions and participation indicates that, in a statistically significant manner, an increase in the general level of control over a job is linked with a better state of health (r=- 0.307; p>0.01). Not only is there almost full certainty (99%) that this relationship occurs, its power indicates that the decision freedom margin level, that a worker has at their disposal, may remain an important instrument for shaping the working conditions in a manner conducive to employees' health protection against the negative effects of occupational stress. A thorough analysis of relations within this scope provides information to the effect that an even stronger relationship occurs on the cognitive control area (r= -0.312, p>0.01). This means that the clearer the workers are about their job objectives, correct methods for its performance, knowledge of its assessment methods and the easier access to information required to perform the job, the healthier the workers are. A slightly weaker relationship, nevertheless still statistically significant (r=-0.182, p>0.01) was found within the scope of a relationship between health and behavioural control. Thus, it turns out, that in courts, such opportunities to shape the physical working conditions and adequate equipment at the workplace are related to the health of the workers.

The last measure of the Karce and Theorell (1990) model, which is considered significant for the occurrence of stress and workers' health is the social support at the workplace perceived by the worker. Correlation analysis of the relationship between an intensification of health disorder symptoms of court workers with support provided evidence to support an assertion of the buffer effect of social support. Based on studies of judiciary workers the existence of a statistically significant ($p>0.01$) relationship was found, between the general level of social support at the workplace and workers' health, indicating, that health improves together with more support. This relationship is stronger than for demands addressed to workers and a little weaker than that found for freedom of decisions ($r=-0.249$). A significant relationship, albeit just a little weaker than that for the general level of support also occurs between state of health of Polish common court employees and support from colleagues ($r=-0.232$, $p>0.01$).

The results presented thus far, fully confirm the mathematical rules pertaining to relationships between health and stress experienced at work, disclosed by the Karasek and Theorell model. Thus, there are no obstacles for estimating the health risk levels, i.e. the level in which an intensification of negative health symptoms among workers may be actually attributed to the psychosocial working conditions taken into account by the study.

The odds ratio was used to quantify the risk of health damage in the form of psychological distress as a result of exposure to the psychosocial working conditions (and the associated occupational stress) prevailing in courts, and the assessment was conducted subject to the regime stated in Box 6.1.

Box 6.1.
The statistical analysis was based on logistic regression. Apart from particular dimensions of the psychosocial work environment such as the level of demands, control and social support, the model also incorporates occupational stress in the form of job demands - control interaction, job demands - social support interaction as well as the subjects' length of experience and age. The analysis was conducted subject to the forward selection approach based on the likelihood ratio test for the entire model.

Detailed regression results facilitate an assertion that the model was well matched to the data, and thus it is possible, on its basis, to draw conclusion on the occurrence of negative health risks in conjunction with exposure to defined psychosocial hazards, which were taken into account by the analysis. All in all, it can be used to explain 9% of workers' health damage. Taking into account the character of analysed health consequences, i.e. the polyetiological nature of mental disorders, it should be considered that an explanation of a 9% difference in the result solely using working conditions is a lot. Two working environment measures are responsible for the occurrence of negative health consequences: job control and social support at the workplace. Social support is more significant - persons, who can rely on more social support are on average 40% less likely that their health will suffer than those who cannot resort to such support (OR=0.535; CI 95%: 0.398-0.718). After including job control in the model, the significance of support falls slightly but still, on average it provides a 35% chance of marinating good health (OR= 0.635; CI 095%: 0.460-0.877). Whereas job control reduces the chances of workers suffering from intensified psychological functioning disorders on average by 57% (OR=0.469, CI 95%: 0.261-0.842).

6.3. Commentary on the results

In general, the frequency of the occurrence of intensified psychological distress for judiciary workers, remains at a similar level to the entire Polish population. However, this should not put us at ease, when we consider, that the tested population comprised court workers. Firstly, as is

evident from the employment structure presented in Chapter 1, more than one third of the study subjects are judges and probation officers. This is significant in as much as theses groups, within the scope of the preventative psychological selection tests in Poland, are subject to psychological tests which - at least in theory - also include stress resistance tests. Thus, it is reasonable to expect, that stress disorder symptoms would be less prevalent in the constructed sample than in the population as a whole. Furthermore, other studies carried out among common court workers using the same methods show, that in some courts the situation may be even worse in this respect (Orlak, 2015). It should also be mentioned, that among the studied court workers, 8% admitted to a diagnosed psychological health disorders - that is a quarter of the individuals who satisfy the screening criteria for these types of disorders.

The scale and nature of the studied health disorders probably do not leave the functioning of the justice system unaffected. The methods used to measure health have made it possible to identify at least a sub-clinical form of disorders grouped into such factors as: "anxiety and depression", "interpersonal relations" and "overall functioning". On a practical level, this means that the psychological functions required to perform professional tasks correctly may be disrupted for more than one third of staff members, and three quarters of those most probably did not consult this with a doctor. The study did not provide grounds to draw justified conclusions as to which professional group experiences problems and to what degree, but if we were to assume, that problems only occur in the group of workers performing auxiliary roles in courts (e.g. secretariat, logistics), mistakes in their work may also be reflected in the functioning of the courts, e.g. in the time it takes to close cases.

The study also found, that Polish court workers' psychological health disorders are linked with their working conditions across all psychosocial working environment measures. Work volume is the most significant problem within the scope of demands, which usually influences the work-home interface and contributes to deteriorating relations, also at work. However, it is not decisive in terms of the well-being of workers in the sense that statistically speaking, everyone suffers "equally" from excessive workload. Working environment factors, which are crucial in terms of health protection under such tremendous workloads, are social support in the workplace, particularly from colleagues and the scope of freedom of decisions.

The obtained results remain in accordance with earlier studies carried out amongst judiciary workers, including in particular with the use of the same methods. Therefore, it may be expected, that similarly to earlier studies (Orlak, 2015), the health risk for court workers in conjunction with exposure to psychosocial hazards is even higher, after taking into account the aspect of an individual's traits of character matching their job specification as defined in the Karasek and Theorell model. A comparison of the scales of health disorders of two samples: all Polish and representative of a single court, whereas on the level of the result of correlation tests both studies correspond to one another, the level of psychosocial risk is different and such risk creates a different environmental profile. This means that it is necessary to estimate risk on the level of given working environments (particular courts) Currently this conclusion is subject to additional verification through studies of number of additional courts, which decided to make a more thorough estimation of psychosocial risk. Also, further studies devoted to exploring the differences in working conditions psychosocial profiles and psychosocial risk among different professional groups in courts are needed. It may be expected that these profiles will vary on account of the differences in the content of professional tasks. Currently there is insufficient basis to draw warranted conclusions within this scope.

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7. Conclusions and recommendations

The following conclusion can be drawn on the basis of the 2015 TEMIDA study carried out as part of the "Monitoring of occupational stress among judiciary staff and its health outcomes" project:

FACT # 1

In general, the psychosocial working conditions in courts, should be considered unacceptable and requiring urgent improvements, as the stress levels induced therein are much higher than those in other local or national government administration departments for example, and this is reflected by health of common court workers.

- *A remedy programme should be implemented as soon as possible.*

FACT # 2

Excessive work volume is currently the biggest problem for judiciary staff.

- *An audit of the actual workload should be conducted and work processes should be analysed, taking into account not only the quantitative aspect, but also the psychosocial with particular emphasis on tasks not directly related to the professional role, but, for example, stemming from procedures, restructuring, introduction of changes, etc.*

FACT # 3

The current situation in terms of psychosocial working conditions points to a "stress spiral" - the level of stress associated with work contributes to experiencing given ailments (consequences of stress), which in themselves constitutes an additional source of stress (e.g. a strong headache). An attempt to perform professional duties in such a state, generally seen in courts, exposes to further stressors, for example in the interpersonal sphere. Furthermore the spiral is already visible at the organisational level. Most stress is found in district courts, and the higher the court instance, the less stress there is. This means that the biggest risk of errors and mistakes occurs where there are most cases. Errors in district courts, to a certain extent, impact the work of regional courts. If the errors made by the first instance are corrected by the second instance - the case may find its way back to the district, putting secondary pressure on the workload of the first instance. Thus, cases may not be dealt with effectively. Differences between the instances are also noticeable when looking at health care costs - despite there being no statistically significant differences in the level of general well-being between the different court types, a possible explanation for this situation under the different workloads is the difference found in unconstructive strategies for coping with stress. In district courts, staff are more likely to avoid thinking about the consequences, and in

regional courts - they are more likely to vent emotions in a destructive manner. This means that the method for coping with stress in district courts systemically increases the risk of errors, and in regional courts, the risk of bullying.

- *A remedy programme should be implemented as soon as possible. Theses should be actual actions, and not virtual, meticulously, professionally and comprehensively prepared by an interdisciplinary team of experts.*

FACT # 4

Subject to such a workload, it turns out that the factor protecting the workers' health is support from colleagues and freedom of decisions and participation. >> The judiciary structure should be analysed in terms of possibilities to increase control, particularly cognitive, amongst workers and workers' participation as well as a change of the organisational structure to one which is more supportive.

FACT # 5

The type of ailments experienced by court staff generates worry about the quality of the Polish justice system. The lion's share of workers does not make appropriate use of sick days. Even when sick, they come to work, despite being in a state, which might impair the ability to perform tasks associated with the justice system properly (lack of concentration, reduced mental capacity, nervousness, headache, sleep deprivation).

- *The cause of such a state should be analysed and preventative measures should be taken as soon as possible.*

FACT # 6

Judiciary staff work in inappropriate physical / psychological state, which, at least partially, results from their experience of work-related stress, and affects their performance of important professional tasks, despite almost one quarter being subject to psychological selection for their jobs.

- *Current functioning of the workers preventative psychological care system should be verified. Clearly, the system in place at the moment is insufficient.*

FACT # 7

There are deficiencies in courts associated with knowledge on psychosocial hazards, deficiencies within the scope of coping with occupational stress are visible and serious stress consequences occur, such as, for example, behavioural health disorders, demonstrated by the fact that both women and men working in courts are more likely to use psychoactive substances, including alcohol, as a strategy to cope with stress.

- *Improvement of the psychosocial working conditions in courts has to entail interventions both on individual and institutional levels, as well as systemic changes. The changes*

should apply to, among others, the structure of courts' works in order to reduce the risk at source, the training system in order to increase the awareness of the exposure to psychosocial hazards and the available means to combat the negative health consequences of work related stress in courts, as well as a system of workers' health and psychological care, which takes into account prevention of problems associated with abuse of psychoactive substances.

FACT # 8

At the moment, we do not know what fraction of this dire situation is found in ruling echelons and which in the auxiliary departments. Despite the fact that the entire judiciary is in need of an immediate improvement to its psychosocial working conditions, knowledge on whether and how the circumstances described in the current report are distributed across given professional groups is significant for the possibility of implementing preventative measures. It suffices to say, that in creating o prophylactic programme for workers, the fact that judges are not able to make use of prevention and rehabilitation programmes offered by the Social Insurance Institution (ZUS) should be taken into account.

- *Further studies of court workers should be conducted in order to gain more thorough knowledge on stress in given professional groups.*
  Taking into account that despite engagement in the Project and its promotion among court workers at numerous social entities representing all professional groups employed in common courts, the workload faced by the workers makes it difficult for them to be able to make full use of this quite a sizeable study. Thus, it would be desirable for further studies to be conducted upon the initiative and in cooperation with the Ministry of Justice and were treated as one of the initial steps to tackle the problem of psychosocial risk management in the judiciary.

FACT # 9

Thus far, employers in courts are not paying interest to the hazards associated with work related stress. They do not comply with the obligation to assess, document and make workers aware of occupational risk which they are exposed to in conjunction with working in courts. The situation made clear by this study stands testament to this. This thesis is also supported by another experience obtained during the Project - in reply to the few hundred invitations to take part in information seminars on stress in courts, only a few dozen people expressed interest, who took part in free seminars organised as part of the project. Among those few dozen individuals, only a few employers showed further interest, expressing a desire for a more accurate estimation of occupational risk.

- *Actions should be instigated to motivate employers to respect the basic statutory obligations within the scope of workers' health protection. Also, further education of common courts employers and workers is necessary within the scope of hazards which they are exposed to in conjunction with occupational stress and its possible consequences, as well as within the scope of prevention of the negative consequences thereof.*

On the basis of an interesting and inspiring TEMIDA 2015 research project , the Authors of the paper presented and justified in an orderly manner the relationship between psychosocial work conditions in relation to stress and health of judiciary staff. (...) Without a doubt this is valuable research. Being a pioneering work in Poland it shows health risks for judicial staff resulting from exposure to psychosocial hazards at the workplace. Another important value of the work which shluud be stressed are preventive guidiances. Practical implications should be threated as compliance with the expectations from the public towards science. Considering the above, I recommend that the reviewed work is published as soon as possible.

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