

Summary of doctoral dissertation

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The title : Convicts who pose a serious threat to society or a serious threat to the safety of the facility

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The doctoral dissertation deals with the issue of convicts classified as prisoners posing a serious social threat or a serious threat to the security of a prison. Within the literature on the subject and in penitentiary practice, the terms "dangerous prisoner", "dangerous convict", and "N-category" are used interchangeably for this category of prisoners.

In this dissertation, the author analyzed the current model of dealing with inmates who pose a serious social threat or a serious threat to the security of the prison, with particular emphasis on the procedure for imposing and verifying the "N" status, penitentiary interactions, the adequacy of security measures taken towards this category of inmates and the impact forced isolation and restrictions resulting from the prisoner regime "dangerous to the psychophysical condition of convicts.

The doctoral thesis evaluates the implementation of international recommendations issued by national and international institutions. The research procedure used the historical method, analysis of legal acts, literature analysis and the diagnostic survey method. Based on the research methods used in the dissertation, a comprehensive analysis of the current practice of dealing with convicts classified as "dangerous" was made in the context of empirical research and applicable international regulations and standards.

The doctoral dissertation consists of four chapters preceded by introductory considerations and concluded with conclusions. Chapter I of the dissertation contains a terminological analysis of the concept of a "dangerous" convict applicable in the literature and legal regulations. The following section presents the evolution of dealing with "dangerous" prisoners, showing the development of the model of dealing with this category of prisoners.

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Chapter II presents the development of the idea of protecting the rights of "dangerous" convicts in the context of applicable international standards. An important part of this study is devoted to international and domestic entities that control the observance of the rights of prisoners classified as "N". The activities of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) were analyzed in detail based on visits to penitentiary units carried out in the years 1996 - 2022. A thorough review of the case law of the European Court of Human Rights regarding cases of prisoners with the "N" status was also carried out, and covering the years 2008 - 2022. Attention was also paid to the activities of the Ombudsman in the context of visits to penitentiary units in the years 1998 - 2022 and the National Mechanism for the Prevention of Torture operating within the Office of the Commissioner for Human Rights. The results of inspections carried out by the National Preventive Mechanism in prisons and pretrial detention centers in the years 2008-2022 were analyzed. The inspection activities of the Helsinki Foundation for Human Rights were also assessed in the context of ensuring guarantees of protection of the rights of persons deprived of liberty.

Chapter III is devoted to a discussion of the current model of dealing with "dangerous" convicts. Attention was paid to the practical implementation of the functions and objectives of imprisonment in the light of the Executive Penal Code of 1997. The procedure for qualifying convicts as requiring placement in a designated section or cell of a closed prison was also assessed. Particular attention was paid to the legal nature of the decision qualifying prisoners as posing a serious social threat or a serious threat to the security of the facility. Attention was also paid to the issue of the conditions for qualifying convicts to the category of "dangerous" prisoners and to checking the correctness of the procedures for qualifying inmates requiring placement in a designated unit or cell. Particular attention was paid to the legal nature of the decision qualifying inmates posing a serious social threat or a serious threat to the security of the institution to the category of inmates. Attention was also paid to the issue of the conditions for qualifying convicts to the category of "dangerous" prisoners and to checking the correctness of the procedures for qualifying prisoners requiring placement in a designated unit or cell of a closed prison. The applicable legal regulations regarding treatment of convicts with the "N" status and their implementation in penitentiary practice were also analyzed. An assessment of the penitentiary interventions used in dealing with "dangerous" convicts was also carried out.

Chapter IV presents the results of research on the treatment of convicts who pose a serious social threat or a serious threat to the security of the facility. The results were preceded

by considerations including the presentation of the method of carrying out the research, as well as the characteristics of the studied populations.

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