

## **Summary of the doctoral dissertation**

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**titled: Organisation and functioning of the prosecutor's office in the jurisdiction of Wrocław Appellate Court during the years 1945-1950**

The subject of the doctoral dissertation is the organisation and functioning of the prosecutor's office in the jurisdiction of Wrocław Appellate Court. The period covered by the dissertation refers to the activity of the prosecutor's office from the moment of its establishment in 1945 until its reform, which came into force on September 1, 1950.

The dissertation is aimed at presenting the evolution of this institution through the prism of legislative changes affecting the public prosecutor's office and its interactions with other institutions as well as grasping the slow changes aimed at developing it to be an effective tool with which to strengthen the new political system.

The dissertation proved that despite maintaining in the post-war period the system of common courts of law which existed till 1 September 1939, due to which the prosecutor's office functioned in an unchanged form too, the judiciary during the first years of the post-war Poland was a temporary model. The work of public prosecutor's offices and common courts of law were gradually paralyzed. On the one hand, these were restrictions directed personally at prosecutors, such as the duty of allegiance to the political system and the new government. On the other hand - new legal acts, many of which contained procedural provisions that would regulate the criminal process differently than in the code of criminal procedure, which allowed for a gradual limitation of the role of the investigative judge, and then also of the prosecutor in favour of other institutions. Law schools became the way to solve another problem, i.e. staff shortages, which delayed changes. They allowed for complementing the staff, and then gradually replaced the "uncertain elements" with people having an appropriate social class approach. The methods of complementing and exchanging personnel as well as increasingly propagated ideology gradually degraded the institutions of the judiciary, as the new staff were, in the overwhelming part, inexperienced and subjected to indoctrination people. The next step was the announcement of the legislation dated April 27, 1949. The most important changes from the point of view of the activities of the prosecutor's office included the abolition of the institution of investigative judge, transferring preparatory proceedings into the hands of the prosecutor, as well as vesting them with powers of preventive



measures, including detention. At the same time, the authorisation of militia officers and the staff of security agencies to conduct investigation was sanctioned. This was an introduction to profound political changes in the prosecutor's office, introduced by the Act of July 20, 1950 on the Prosecutor's Office of the Polish People's Republic.

Apart from the introduction and ending, this work includes a number of chapters, an annex and tables containing statistical data.

The introduction outlines the problems specific to appellate proceedings that prosecutors had to face in connection with the organisation of prosecutor's offices.

Chapter I contains information on the organisation of judiciary in Lower Silesia. It describes the legal basis on which the division of jurisdictions was based, along with their changes resulting from shifts in the administrative division of the country. The issues related to the creation of specific courts of law and prosecutors' offices were discussed in detail.

Chapter II, concerning the personnel of the prosecutor's office, discusses the regulations on the basis of which the post-war prosecutor's office and selected issues regarding the employment of prosecutors. This chapter includes data on the staff of the jurisdiction of Wrocław appellate court, and in particular the proposals for its changes caused by changes in legal regulations modifying the prosecution system and other factors. In addition, this includes information on the prosecutors' affiliation to political parties, social organisations, as well as general information on changes in basic remuneration and additional salary elements, as well as data on the financial situation of the employees of jurisdiction of Wrocław appellate court as well as information on the subject of prosecutors' additional employment.

Chapter III discusses issues related to the creation and functioning of individual prosecutors' offices of the jurisdiction of Wrocław appellate court. They describe in detail all aspects of the work of individual prosecutor's offices of the district court in the examined period.

Chapter IV describes the division of responsibilities applied both in the appellate prosecutor's office and district prosecutor's offices subordinated to it. They contain general information resulting from the legal regulations being in force at that time and describe the division of duties in individual prosecutor's offices. This allowed for documenting the scope of activities of individual prosecutors and officials and their modifications resulting from the adjustment to emerging transformations in individual units and changes in legislation.

Chapter V deals with the cooperation of individual prosecution units with district and municipal courts. This chapter covers issues related to preparatory, judicial and executive

proceedings. This chapter presents, among others, problems and deficiencies that were noted in the individual phases of proceedings.

Chapter VI discusses issues related to the cooperation of the prosecutor's office with the militia, State Security Agency, administration bodies, special commission and others. This chapter also includes information on the functioning of the prison system in Lower Silesia and analyses special actions in which the prosecutor's office participated.

The annex contains biographies of prosecutors of the jurisdiction of Wrocław appellate court. They cover the period up to 1950.

The part of statistical data concerning activities taken in the prosecutor's offices of the district court and the prosecutor's office of the appellate court is included in the tables attached to the dissertation. They concern, among others, the manner of settling inquiries and investigations, applying the preventive measure of pre-trial detention, participation of prosecutors in hearings and secret sessions, as well as judiciary statistics or submitted appeal instruments.

The dissertation is closed with a final chapter which contains conclusions.

Analuzi include