

## **Abstract**

### **Personal Safety of Inmates During Incarceration**

The subject of this doctoral dissertation is the analysis of the personal safety of inmates during incarceration. The choice of topic stems from the author's significant interest in penal enforcement law and the lack of comprehensive studies on the selected issue in the literature, which has rendered this topic theoretically appealing. Additionally, numerous visits to correctional facilities have highlighted the issue of inmates' personal safety and prompted an attempt to analyze the topic of personal safety for individuals in penitentiary isolation.

The aim of the doctoral dissertation is to present the level of personal safety of inmates during penitentiary isolation in Polish and German correctional facilities, utilizing knowledge from Polish and German penal enforcement law, as well as criminology. The work particularly focuses on the threats to personal safety of inmates, their sources, and forms of prevention. The dissertation attempts to evaluate the effectiveness of penal enforcement law in ensuring the personal safety of inmates and to explore new ways of preventing threats to their safety. In my work, I also address the scale of the threat to inmates' personal safety in German correctional facilities and, through an analysis of the sources of these threats and prevention methods, as well as statistical data, attempt a comparison with the Polish system. To achieve this goal, I conducted a theoretical characterization of the personal safety of inmates during incarceration through the study and analysis of both Polish and foreign literature.

The thesis of the dissertation posits that the personal safety of inmates is a crucial social aspect that affects not only those serving prison sentences but also the entire society. Ensuring the personal safety of inmates is one of the fundamental factors for the proper execution of the isolation penalty, influencing the rehabilitation process of inmates and their adherence to legal norms after release, thereby preventing recidivism and enhancing the safety of society as a whole.

The doctoral dissertation is based on the dogmatic-legal method, through which I described and systematized legal norms, considering applicable legal regulations. I employed the empirical-legal method to assess legal acts. Additionally, I used the comparative-legal method to compare the Polish and German penitentiary systems. Furthermore, I conducted

quantitative research, presenting statistical data using official governmental data, and qualitative research, analyzing the case law of the European Court of Human Rights.

The dissertation begins by defining personal safety and its specific threats. Subsequently, it describes the mechanisms of supervision and control over enforcement proceedings that impact the level of inmates' personal safety. The following sections focus on the systemic solutions in penal enforcement law and procedural measures that enhance the personal safety of inmates. The next stage covers international mechanisms ensuring the personal safety of inmates. Subsequently, the personal safety of inmates in German correctional facilities and remand centers is characterized, based on a comparison with the Polish penitentiary system. The final, crucial element of the work is the original research presenting statistical data and an analysis of the European Court of Human Rights' case law regarding the personal safety of inmates during incarceration. The dissertation concludes with findings that analyze the considerations discussed.

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