**Replies to Section I “The Judiciary”**

**Re: 1.**

Table No 1 below features statistics reflecting the number of women who were convicted in 2015 – 2016. Statistics from the year 2017 are not yet available to the Justice Ministry.

**Table No 1.**

|  |  |
| --- | --- |
| Number of women who were convicted in 2015 | Number of women who were convicted in 2016 |
| 26 846 | 29 692 |

The tables in Annex 1a and 1b show the categories of offences for which women were most often convicted in 2015 and 2016 on the basis of the Criminal Code provisions.

The tables in Annex 3 show the number of women who were convicted, detained on remand and subject to a penalty in 2015-2017. The tables in Annex 4 show the structure of female prison population.

It is worth adding that in the period from **1 January 2017 to 31 December 2017**, 698 registered isolation preventive measures (detentions on remand), were applied at public prosecutors’ request.

In the period from **1 January 2018 to 31 August 2018**, 523 registered isolation preventive measures (detentions on remand), were applied at public prosecutors’ request.

The most frequent legal classifications of charges in the cases where women were subject to isolation measures are:

Art. 286 § 1 of the Criminal Code

Art. 280 § 1 of the Criminal Code

Art. 148 § 1 of the Criminal Code

Art. 207 § 1 of the Criminal Code

**Re: 2.** **Women sent to penitentiary facilities in 2015 – 2017.**

On the basis of statistics provided by the Central Board of Prison Service it can be concluded that in civil cases, in 2015 – 2017 women were sent to prison on the basis of Art. 1053 §1 and Art. 916 of the Code of Civil Procedure.

**Art. 916 of the Code of Civil Procedure:**

*§ 1. If the debtor fails, without good cause, to appear in court in order to submit a list or to make an oath, or if he appears in court but fails to submit a list or refuses to answer a question, or refuses to make an oath, the court may fine the debtor, issue a warrant for the debtor or order that the debtor be arrested for a period not exceeding one month, subject to the provisions of Art. 276 § 2. The debtor shall be advised of such consequences in the summons. If the debtor performs the actions or if proceedings are discontinued, any outstanding fines shall be cancelled.*

*§ 2. A court order concerning a fine or arrest may be appealed.*

**Art. 1053** **of the Code of Civil Procedure:**

*§ 1. When imposing a fine, the court shall rule that failure to pay the fine so imposed shall result in the fine being replaced with detention, with one day of detention corresponding to a fine ranging between fifty and one thousand and five hundred Polish zlotys. The total detention period in the same case may not exceed six months.*

*§ 2. If the debtor against whom the court order has been issued is a legal person or another entity, coercive measures shall apply to the employee who is liable for non-compliance with the order, and if it is difficult to identify such employee, coercive measures shall apply to the representatives of such legal person or another entity.*

Table No 2 shows the number of women who were given custodial sentences on the basis of the above-mentioned provisions.

**Table No 2.**

|  |  |  |  |
| --- | --- | --- | --- |
| Total | | Code of Civil Procedure  of 17 November 1964 | |
| Art. 1053 § 1 of the Code of Civil Procedure | Art. 916 of the Code of Civil Procedure |
| 2015 | Persons  Rulings | 2  2 | 0  0 | | 2  2 |
| 2016 | Persons  Rulings | 1  4 | 1  4 | | 0  0 |
| 2017 | Persons  Rulings | 2  2 | 0  0 | | 2  2 |

Source: Central List of People Serving Prison Sentences [*Noe.NET*](http://Noe.NET); 13-09-201815:35:49 (\*) Compiled on the basis of the main Article invoked in the ruling. By AZ

**Re: 3.**

Poland has a well-developed system of free legal assistance, which covers all citizens, irrespective of their sex. A general rule which applies both to civil and criminal proceedings is that people who are not able to cover the costs of a defence counsel / an attorney without prejudice to the necessary maintenance of themselves and their families are eligible for free legal assistance.

A suspect / an accused who is not assisted by a defence counsel of his own choice, may request the appointment of a defence counsel *ex officio*, if he can duly prove that he is unable to bear the costs of defence without prejudice to the necessary maintenance of himself, or his family (Art. 78§ 1 of the Code of Criminal Procedure). The provision applies accordingly to the appointment of the defence counsel for the purpose of accomplishing a determined procedure (Art. 78 § 1a of the Code of Criminal Procedure).

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A natural person may request to be exempted from the court costs and to be assisted by a defence layer *ex officio* if he declares that he is unable to bear these costs without prejudice to the necessary maintenance of himself, or his family (Art. 102 of the Act on Court Costs in Civil Cases and Art. 117 of the Code of Civil Procedure).

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Consequently, access to free assistance before the court is not impeded. All that needs to be done is to file a request to appoint a defence counsel / an attorney and to report on one’s financial situation. The parties have no major difficulty using their right to free legal assistance thanks to support from the personnel of client service centres who can instruct them on how to apply and prepare the documents (by helping to fill in a client-friendly form).

In addition, in accordance with Art. 79 of the Code of Criminal Procedure, in the criminal proceedings, the accused must be assisted by a defence counsel if:

1) he is deaf, mute or blind;

2) there is a justified doubt whether his ability to comprehend the meaning of his deed or to control his behaviour was not, at the time of committing the offence, excluded or significantly reduced;

3) there is a justified doubt whether the condition of his mental health allows him to participate in the proceedings or to conduct his defence in an independent and reasonable manner.

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In such cases, the only situation when a defence counsel *ex officio* is not appointed is when the accused is assisted by a defence counsel of his own choice. What is more, the accused must be assisted by a defence counsel also in the event when the court considers it necessary taking into account other circumstances which impede the defence.

If the accused is not assisted by a defence counsel of his own choice, the president or referendary of the court which is competent to hear the case appoints a defence counsel *ex officio*.

The provisions of the Code of Procedure in Cases Involving Minor Offences provide for a similar solution.

The possibility to receive free legal assistance at the extra-judicial stage is laid down in the Act of 5 August 2015 on Free Legal Assistance and Legal Education, which became effective on 1 January 2016.

There are no stereotypes present in the justice system which could have a negative impact on the situation of women in the course of criminal, civil and administrative proceedings.

**Re: 4.**

The statistics compiled by the Central Board of Prison Service allow us to conclude that **the year** **2017** marked an **increase in the number of women who were placed** in prison facilities **in comparison to the year 2016**. There are no available research data that could explain this evolution.

The analysis of statistics from 2015 and 2016 allows us to conclude that there was a rise in offences committed by women (in 2015, 26,846 women were convicted by operation of a final judgement compared to 29,692 women convicted in 2016). These statistics show that women commit offences that carry serious penalties (e.g. Art. 148 k1 of the Criminal Code, Art. 286 § 1 of the Criminal Code – fraud, Art. 280 § 1 of the Criminal Code – robbery, Art. 207 § 1 of the Criminal Code – mistreatment), which is reflected in the type and length of the sentence. This explains why women receive prison sentences.

It is worth noting that in the period from **1 January 2017 to 31 December 2017**, 4,061 registered non-isolation preventive measures were applied towards women by public prosecutors.

In the period from **1 January 2018 to 31 August 2018**, public prosecutors applied 3,070 registered non-isolation preventive measures towards women.

The most frequent legal classifications of charges in the cases where women were subject to non-isolation measures are:

Art. 258 § 1 of the Criminal Code

Art. 207 § 1 of the Criminal Code

Art. 286 § 1 of the Criminal Code

Art. 278 § 1 of the Criminal Code

Non-isolation measures which were applied most often were police surveillance (52,39 %) and bail (19,44%).

**Annex No 1a** – categories of offences for which women were most often convicted in the year 2015 on the basis of the Criminal Code provisions.

1.

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| PROPERTY | 12 534 |
| Art.278 §1 of the Criminal Code | 3 026 |
| Art.278 §2 of the Criminal Code | 18 |
| Art.278 §3 of the Criminal Code | 216 |
| Art.278 §5 of the Criminal Code | 38 |
| Art.278 §5 of the Criminal Code in conjunction with §1 | 279 |
| Art.278 §5 of the Criminal Code in conjunction with §3 | 20 |
| Art.279 §1 of the Criminal Code | 500 |
| Art.280 §1 of the Criminal Code | 187 |
| Art.280 §1 of the Criminal Code |  |
| (to the detriment of a minor) | 5 |
| Art.280 §2 of the Criminal Code | 20 |
| Art.281 of the Criminal Code | 39 |
| Art.282 of the Criminal Code | 15 |
| Art.283 of the Criminal Code | 2 |
| Art.283 of the Criminal Code  in conjunction with Art.279 |  |
| §1 of the Criminal Code | 36 |
| Art.283 of the Criminal Code  in conjunction with Art.280 |  |
| §1 of the Criminal Code | 10 |
| Art.283 of the Criminal Code in conjunction with Art.281 |  |
| of the Criminal Code | 9 |
| Art.283 of the Criminal Code in conjunction with Art. 282 |  |
| of the Criminal Code | 2 |
| Art.284 §1 of the Criminal Code | 169 |
| Art.284 §2 of the Criminal Code | 741 |
| Art.284 §3 of the Criminal Code | 216 |
| Art.285 §1 of the Criminal Code | 2 |
| Art.286 §1 of the Criminal Code | 5 808 |
| Art.286 §2 of the Criminal Code | 21 |
| Art.286 §3 of the Criminal Code | 379 |
| Art.287 §1 of the Criminal Code | 14 |
| Art.288 §1 of the Criminal Code | 262 |
| Art.288 §2 of the Criminal Code | 32 |
| Art.288 §3 of the Criminal Code | 1 |
| Art.289 §1 of the Criminal Code | 12 |
| Art.289 §2 of the Criminal Code | 13 |
| Art.289 §3 of the Criminal Code | 2 |
| Art.289 §4 of the Criminal Code in conjunction with §1 | 3 |
| Art.289 §4 of the Criminal Code in conjunction with §2 | 2 |
| Art.290 §1 of the Criminal Code | 1 |
| Art.290 §1 of the Criminal Code in conjunction with |  |
| Art. 278 §1 of the Criminal Code | 2 |
| Art.290 §1 of the Criminal Code in conjunction with |  |
| Art. 278 §3 of the Criminal Code | 1 |
| Art.291 §1 of the Criminal Code | 225 |
| Art.291 §2 of the Criminal Code | 11 |
| Art.292 §1 of the Criminal Code | 103 |
| Art.292 §2 of the Criminal Code | 1 |
| Art.293 §1 of the Criminal Code in conjunction with |  |
| Art. 291 §1 of the Criminal Code | 1 |
| Art.293 §1 of the Criminal Code in conjunction with |  |
| 291 §2 of the Criminal Code | 1 |
| Art.294 §1 of the Criminal Code | 1 |
| Art.294 §1 of the Criminal Code in conjunction with |  |
| Art. 278 §1 of the Criminal Code | 4 |
| Art.294 §1 of the Criminal Code in conjunction with |  |
| Art. 284 §1 of the Criminal Code | 6 |
| Art.294 §1 of the Criminal Code in conjunction with |  |
| Art. 284 §2 of the Criminal Code | 9 |
| Art.294 §1 of the Criminal Code in conjunction with |  |
| Art. 286 §1 of the Criminal Code | 64 |
| Art.294 §1 of the Criminal Code in conjunction with |  |
| Art. 291 §1 of the Criminal Code | 5 |
|  |  |

**2.**

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| --- | --- |
| OFFENCES AGAINST |  |
| SAFETY |  |
| IN TRAFFIC | 3 493 |
| Art.174 §1 of the Criminal Code | 2 |
| Art.174 §2 of the Criminal Code | 1 |
| Art.177 §1 of the Criminal Code | 506 |
| Art.177 §2 of the Criminal Code | 241 |
| Art.178 §1 of the Criminal Code | 2 |
| Art.178 §1 of the Criminal Code in conjunction with |  |
| Art. 177 §1 of the Criminal Code | 16 |
| Art.178 §1 of the Criminal Code in conjunction with |  |
| Art. 177 §2 of the Criminal Code | 5 |
| Art.178a §1 of the Criminal Code | 2 494 |
| Art.178a §2 of the Criminal Code | 10 |
| Art.178a §4 of the Criminal Code | 181 |
| Art.180 of the Criminal Code | 2 |
| Art.180a of the Criminal Code | 33 |

**3.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| ECONOMIC CIRCULATION | 2 519 |
| Art.296 §1 of the Criminal Code | 11 |
| Art.296 §2 of the Criminal Code | 1 |
| Art.296 §3 of the Criminal Code | 5 |
| Art.296a §4 of the Criminal Code | 1 |
| Art.297 §1 of the Criminal Code | 518 |
| Art.297 §2 of the Criminal Code | 2 |
| Art.298 §1 of the Criminal Code | 2 |
| Art.299 §1 of the Criminal Code | 18 |
| Art.299 §5 of the Criminal Code | 11 |
| Art.299 §5 of the Criminal Code in conjunction with §1 | 4 |
| Art.300 §1 of the Criminal Code | 9 |
| Art.300 §2 of the Criminal Code | 98 |
| Art.300 §3 of the Criminal Code | 8 |
| Art.301 §1 of the Criminal Code | 2 |
| Art.302 §1 of the Criminal Code | 5 |
| Art.303 §1 of the Criminal Code | 1 |
| Art.304 of the Criminal Code | 1 |
| Art.305 §1 of the Criminal Code | 3 |
| Art.306 of the Criminal Code | 3 |

**4.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| THE CREDIBILITY  OF DOCUMENTS | 2 076 |
| Art.270 §1 of the Criminal Code | 1 475 |
| Art.270 §2 of the Criminal Code | 4 |
| Art.270 §2a of the Criminal Code | 82 |
| Art.270 §3 of the Criminal Code | 7 |
| Art.271 §1 of the Criminal Code | 76 |
| Art.271 §2 of the Criminal Code | 2 |
| Art.271 §3 of the Criminal Code | 89 |
| Art.272 of the Criminal Code | 154 |
| Art.273 of the Criminal Code | 10 |
| Art.273 of the Criminal Code in conjunction with Art.271 |  |
| §1 of the Criminal Code | 1 |
| Art.274 of the Criminal Code | 3 |
| Art.275 §1 of the Criminal Code | 110 |
| Art.275 §2 of the Criminal Code | 2 |
| Art.276 of the Criminal Code | 57 |
| Art.277 of the Criminal Code | 4 |

**5.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| LIFE AND HEALTH | 1 902 |
| Art.148 §1 of the Criminal Code | 56 |
| Art.148 §1 of the Criminal Code |  |
| (to the detriment of a minor) | 3 |
| Art.148 §2 subpar. 1 of the Criminal Code | 1 |
| Art.148 §2 subpar. 2 of the Criminal Code | 1 |
| Art.148 §2 subpar. 3 of the Criminal Code | 1 |
| Art.148 §4 of the Criminal Code | 1 |
| Art.149 of the Criminal Code | 2 |
| Art.152 §2 of the Criminal Code | 7 |
| Art.155 of the Criminal Code | 11 |
| Art.155 of the Criminal Code  (to the detriment of a minor) | 1 |
| Art.156 §1 subpar. 1 of the Criminal Code | 2 |
| Art.156 §1 subpar. 2 of the Criminal Code | 44 |
| Art.156 §1 subpar. 2 of the Criminal Code |  |
| (to the detriment of a minor) | 1 |
| Art.156 §2 of the Criminal Code | 3 |
| Art.156 §3 of the Criminal Code | 9 |
| Art.157 §1 of the Criminal Code | 162 |
| Art.157 §1 of the Criminal Code |  |
| (to the detriment of a minor) | 4 |
| Art.157 §2 of the Criminal Code | 193 |
| Art.157 §2 of the Criminal Code |  |
| (to the detriment of a minor) | 8 |
| Art.157 §3 of the Criminal Code | 11 |
| Art.157 §3 of the Criminal Code |  |
| (to the detriment of a minor) | 1 |
| Art.157 §3 of the Criminal Code in conjunction with §1 | 4 |
| Art.157a §1 of the Criminal Code | 1 |
| Art.158 §1 of the Criminal Code | 282 |
| Art.158 §1 of the Criminal Code |  |
| (to the detriment of a minor) | 3 |
| Art.158 §2 of the Criminal Code | 4 |
| Art.158 §3 of the Criminal Code | 5 |
| Art.159 of the Criminal Code | 15 |
| Art.160 §1 of the Criminal Code | 29 |
| Art.160 §1 of the Criminal Code |  |
| (to the detriment of a minor) | 1 |
| Art.160 §2 of the Criminal Code | 186 |
| Art.160 §2 of the Criminal Code |  |
| (to the detriment of a minor) | 46 |
| Art.160 §3 of the Criminal Code | 7 |
| Art.160 §3 of the Criminal Code |  |
| (to the detriment of a minor) | 1 |
| Art.160 §3 of the Criminal Code in conjunction with §2 | 4 |
| Art.162 §1 of the Criminal Code | 14 |

**6.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| STATE |  |
| AND LOCAL GOVERNMENT |  |
| INSTITUTIONS | 1 193 |
| Art.222 §1 of the Criminal Code | 312 |
| Art.223 §1 of the Criminal Code | 24 |
| Art.224 §1 of the Criminal Code | 32 |
| Art.224 §2 of the Criminal Code | 196 |
| Art.224 §3 of the Criminal Code | 1 |
| Art.224a of the Criminal Code | 13 |
| Art.225 §1 of the Criminal Code | 2 |
| Art.225 §2 of the Criminal Code | 12 |
| Art.226 §1 of the Criminal Code | 312 |
| Art.227 of the Criminal Code | 3 |
| Art.228 §1 of the Criminal Code | 14 |
| Art.228 §3 of the Criminal Code | 8 |
| Art.228 §4 of the Criminal Code | 3 |
| Art.229 §1 of the Criminal Code | 23 |
| Art.229 §2 of the Criminal Code | 5 |
| Art.229 §3 of the Criminal Code | 98 |
| Art.230 §1 of the Criminal Code | 12 |
| Art.230a §1 of the Criminal Code | 86 |
| Art.230a §2 of the Criminal Code | 4 |
| Art.231 §1 of the Criminal Code | 7 |
| Art.231 §2 of the Criminal Code | 25 |
| Art.231 §3 of the Criminal Code | 1 |

**7.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| THE ADMINISTRATION  OF JUSTICE | 833 |
| Art.232 §1 of the Criminal Code | 1 |
| Art.233 §1 of the Criminal Code | 420 |
| Art.233 §6 of the Criminal Code | 3 |
| Art.233 §6 of the Criminal Code in conjunction with §1 | 9 |
| Art.234 of the Criminal Code | 8 |
| Art.235 of the Criminal Code | 4 |
| Art.238 of the Criminal Code | 5 |
| Art.239 §1 of the Criminal Code | 38 |
| Art.240 §1 of the Criminal Code | 1 |
| Art.242 §2 of the Criminal Code | 3 |
| Art.242 §3 of the Criminal Code | 20 |
| Art.244 of the Criminal Code | 298 |
| Art.244a §1 of the Criminal Code | 1 |
| Art.245 of the Criminal Code | 22 |

**8.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| THE FAMILY  AND GUARDIANSHIP | 752 |
| Art.206 of the Criminal Code | 1 |
| Art.207 §1 of the Criminal Code | 377 |
| Art.207 §1 of the Criminal Code |  |
| (to the detriment of a minor) | 36 |
| Art.207 §2 of the Criminal Code | 3 |
| Art.207 §2 of the Criminal Code |  |
| (to the detriment of a minor) | 1 |
| Art.207 §3 of the Criminal Code | 3 |
| Art.207 §3 of the Criminal Code |  |
| (to the detriment of a minor) | 1 |
| Art.207 §3 of the Criminal Code in conjunction with §1 | 2 |
| Art.208 of the Criminal Code | 2 |
| Art.208 of the Criminal Code  (to the detriment of a minor) | 2 |
| Art.209 §1 of the Criminal Code | 310 |
| Art.210 §1 of the Criminal Code | 3 |
| Art.211 of the Criminal Code | 11 |

**9.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| FREEDOM | 696 |
| Art.189 §1 of the Criminal Code | 7 |
| Art.189 §3 of the Criminal Code | 2 |
| Art.189 §3 of the Criminal Code in conjunction with §1 | 1 |
| Art.189a §1 of the Criminal Code | 4 |
| Art.190 §1 of the Criminal Code | 332 |
| Art.190 §1 of the Criminal Code |  |
| (to the detriment of a minor) | 4 |
| Art.190a §1 of the Criminal Code | 120 |
| Art.190a §2 of the Criminal Code | 16 |
| Art.191 §1 of the Criminal Code | 32 |
| Art.191 §2 of the Criminal Code | 33 |
| Art.191a §1 of the Criminal Code | 3 |
| Art.193 of the Criminal Code | 142 |

It is worth adding that in the year 2015 women were also convicted for:

- offences against the Act of 29 July 2005 on Countering Drug Addiction (Journal of Laws No 179 item 1485) – 773 women

- offences against the Act on the Tax Criminal Code – 1,488 women.

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*Source – extract from a record of statistics provided by the Section for Management Statistics of the Ministry of Justice*

**Annex No 1b** – categories of offences for which women were most often convicted in 2016 on the basis of the Criminal Code provisions.

**1.**

|  |  |
| --- | --- |
| OFFENCES |  |
| AGAINST PROPERTY | 13 979 |
| Art.278 §1 of the Criminal Code | 3 577 |
| Art.278 §2 of the Criminal Code | 5 |
| Art.278 §3 of the Criminal Code | 256 |
| Art.278 §5 of the Criminal Code | 36 |
| Art.278 §5 of the Criminal Code in conjunction with §1 | 174 |
| Art.278 §5 of the Criminal Code in conjunction with §3 | 5 |
| Art.279 §1 of the Criminal Code | 558 |
| Art.280 §1 of the Criminal Code | 215 |
| Art.280 §2 of the Criminal Code | 21 |
| Art.281 of the Criminal Code | 53 |
| Art.282 of the Criminal Code | 8 |
| Art.283 of the Criminal Code | 5 |
| Art.283 of the Criminal Code in conjunction with Art. 279 |  |
| §1 of the Criminal Code | 43 |
| Art.283 of the Criminal Code in conjunction with Art. 280 |  |
| §1 of the Criminal Code | 10 |
| Art.283 of the Criminal Code in conjunction with Art. 281 |  |
| of the Criminal Code | 8 |
| Art.284 §1 of the Criminal Code | 200 |
| Art.284 §2 of the Criminal Code | 759 |
| Art.284 §3 of the Criminal Code | 293 |
| Art.285 §1 of the Criminal Code | 3 |
| Art.286 §1 of the Criminal Code | 6 463 |
| Art.286 §2 of the Criminal Code | 15 |
| Art.286 §3 of the Criminal Code | 478 |
| Art.287 §1 of the Criminal Code | 25 |
| Art.287 §2 of the Criminal Code | 4 |
| Art.288 §1 of the Criminal Code | 294 |
| Art.288 §2 of the Criminal Code | 20 |
| Art.289 §1 of the Criminal Code | 16 |
| Art.289 §2 of the Criminal Code | 8 |
| Art.289 §4 of the Criminal Code in conjunction with §2 | 2 |
| Art.291 §1 of the Criminal Code | 257 |
| Art.291 §2 of the Criminal Code | 16 |
| Art.292 §1 of the Criminal Code | 109 |
| Art.292 §2 of the Criminal Code | 2 |
| Art.294 §1 of the Criminal Code | 4 |
| Art.294 §1 of the Criminal Code in conjunction with |  |
| Art. 284 §2 of the Criminal Code | 4 |
| Art.294 §1 of the Criminal Code in conjunction with |  |
| Art. 286 §1 of the Criminal Code | 30 |
| Art.294 §1 of the Criminal Code in conjunction with |  |
| Art. 291 §1 of the Criminal Code | 3 |

**2.**

|  |  |
| --- | --- |
| OFFENCES |  |
| AGAINST SAFETY |  |
| IN TRAFFIC | 4 060 |
| Art.173 §1 of the Criminal Code | 2 |
| Art.173 §2 of the Criminal Code | 2 |
| Art.173 §4 of the Criminal Code | 1 |
| Art.174 §1 of the Criminal Code | 3 |
| Art.174 §2 of the Criminal Code | 2 |
| Art.177 §1 of the Criminal Code | 615 |
| Art.177 §2 of the Criminal Code | 292 |
| Art.178 §1 of the Criminal Code | 2 |
| Art.178 §1 of the Criminal Code in conjunction with |  |
| Art. 177 §1 of the Criminal Code | 11 |
| Art.178 §1 of the Criminal Code in conjunction with |  |
| Art. 177 §2 of the Criminal Code | 1 |
| Art.178a §1 of the Criminal Code | 2 719 |
| Art.178a §2 of the Criminal Code | 9 |
| Art.178a §4 of the Criminal Code | 151 |
| Art.179 of the Criminal Code | 1 |
| Art.180 of the Criminal Code | 5 |
| Art.180a of the Criminal Code | 243 |
| Art.180a §1 of the Criminal Code | 1 |

**3.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| ECONOMIC CIRCULATION | 2 641 |
| Art.296 §1 of the Criminal Code | 4 |
| Art.296 §2 of the Criminal Code | 6 |
| Art.296 §3 of the Criminal Code | 6 |
| Art.296 §3 of the Criminal Code in conjunction with §1 | 1 |
| Art.296a §1 of the Criminal Code | 4 |
| Art.296a §2 of the Criminal Code | 1 |
| Art.297 §1 of the Criminal Code | 464 |
| Art.298 §1 of the Criminal Code | 1 |
| Art.299 §1 of the Criminal Code | 21 |
| Art.299 §5 of the Criminal Code | 25 |
| Art.299 §5 of the Criminal Code in conjunction with §1 | 5 |
| Art.299 §6 of the Criminal Code | 1 |
| Art.300 §1 of the Criminal Code | 15 |
| Art.300 §2 of the Criminal Code | 106 |
| Art.300 §3 of the Criminal Code | 11 |
| Art.301 §3 of the Criminal Code | 1 |
| Art.302 §1 of the Criminal Code | 2 |
| Art.304 of the Criminal Code | 1 |
| Art.305 §1 of the Criminal Code | 2 |
| Art.306 of the Criminal Code | 1 |

**4.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| THE CREDIBILITY  OF DOCUMENTS | 2 358 |
| Art.270 §1 of the Criminal Code | 1 724 |
| Art.270 §2 of the Criminal Code | 7 |
| Art.270 §2a of the Criminal Code | 87 |
| Art.270 §3 of the Criminal Code | 10 |
| Art.271 §1 of the Criminal Code | 69 |
| Art.271 §2 of the Criminal Code | 4 |
| Art.271 §3 of the Criminal Code | 123 |
| Art.272 of the Criminal Code | 142 |
| Art.273 of the Criminal Code | 6 |
| Art.273 of the Criminal Code  in conjunction with Art. 271 |  |
| §1 of the Criminal Code | 1 |
| Art.273 of the Criminal Code  in conjunction with |  |
| Art. 271 §3 of the Criminal Code | 1 |
| Art.274 of the Criminal Code | 1 |
| Art.275 §1 of the Criminal Code | 127 |
| Art.275 §2 of the Criminal Code | 3 |
| Art.276 of the Criminal Code | 51 |
| Art.277 of the Criminal Code | 2 |

**5.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| LIFE AND HEALTH | 1 993 |
| Art.148 §1 of the Criminal Code | 37 |
| Art.148 §1 of the Criminal Code |  |
| (to the detriment of a minor) | 4 |
| Art.148 §2 subpar. 2 of the Criminal Code | 4 |
| Art.148 §2 subpar. 3 of the Criminal Code | 1 |
| Art.148 §3 of the Criminal Code | 1 |
| Art.148 §4 of the Criminal Code | 2 |
| Art.149 of the Criminal Code | 1 |
| Art.152 §1 of the Criminal Code | 1 |
| Art.152 §2 of the Criminal Code | 2 |
| Art.155 of the Criminal Code | 13 |
| Art.155 of the Criminal Code  (to the detriment of a minor) | 3 |
| Art.156 §1 subpar. 1 of the Criminal Code | 2 |
| Art.156 §1 subpar. 2 of the Criminal Code | 51 |
| Art.156 §1 subpar. 2 of the Criminal Code |  |
| (to the detriment of a minor) | 3 |
| Art.156 §3 of the Criminal Code | 10 |
| Art.157 §1 of the Criminal Code | 152 |
| Art.157 §1 of the Criminal Code |  |
| (to the detriment of a minor) | 4 |
| Art.157 §2 of the Criminal Code | 217 |
| Art.157 §2 of the Criminal Code |  |
| (to the detriment of a minor) | 6 |
| Art.157 §3 of the Criminal Code | 7 |
| Art.157 §3 of the Criminal Code |  |
| (to the detriment of a minor) | 2 |
| Art.158 §1 of the Criminal Code | 271 |
| Art.158 §1 of the Criminal Code |  |
| (to the detriment of a minor) | 2 |
| Art.158 §2 of the Criminal Code | 7 |
| Art.158 §3 of the Criminal Code | 2 |
| Art.159 of the Criminal Code | 8 |
| Art.160 §1 of the Criminal Code | 23 |
| Art.160 §1 of the Criminal Code |  |
| (to the detriment of a minor) | 1 |
| Art.160 §2 of the Criminal Code | 145 |
| Art.160 §2 of the Criminal Code |  |
| (to the detriment of a minor) | 49 |
| Art.160 §3 of the Criminal Code | 9 |
| Art.160 §3 of the Criminal Code |  |
| (to the detriment of a minor) | 1 |
| Art.160 §3 of the Criminal Code in conjunction with §2 | 3 |
| Art.161 §1 of the Criminal Code | 1 |
| Art.162 §1 of the Criminal Code | 13 |

**6.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| STATE |  |
| AND LOCAL GOVERNMENT |  |
| INSTITUTIONS | 1 365 |
| Art.222 §1 of the Criminal Code | 341 |
| Art.223 §1 of the Criminal Code | 27 |
| Art.224 §1 of the Criminal Code | 32 |
| Art.224 §2 of the Criminal Code | 236 |
| Art.224 §3 of the Criminal Code | 1 |
| Art.224a of the Criminal Code | 15 |
| Art.225 §1 of the Criminal Code | 6 |
| Art.225 §2 of the Criminal Code | 11 |
| Art.225 §4 of the Criminal Code | 1 |
| Art.226 §1 of the Criminal Code | 375 |
| Art.227 of the Criminal Code | 1 |
| Art.228 §1 of the Criminal Code | 28 |
| Art.228 §3 of the Criminal Code | 34 |
| Art.228 §4 of the Criminal Code | 6 |
| Art.229 §1 of the Criminal Code | 47 |
| Art.229 §2 of the Criminal Code | 2 |
| Art.229 §3 of the Criminal Code | 105 |
| Art.229 §4 of the Criminal Code | 1 |
| Art.230 §1 of the Criminal Code | 21 |
| Art.230 §2 of the Criminal Code | 1 |
| Art.230a §1 of the Criminal Code | 31 |
| Art.230a §2 of the Criminal Code | 1 |
| Art.231 §1 of the Criminal Code | 19 |
| Art.231 §2 of the Criminal Code | 22 |
| Art.231 §3 of the Criminal Code | 1 |

**7.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| THE ADMINISTRATION  OF JUSTICE | 932 |
| Art.233 §1 of the Criminal Code | 491 |
| Art.233 §1a of the Criminal Code | 6 |
| Art.233 §6 of the Criminal Code | 1 |
| Art.233 §6 of the Criminal Code  in conjunction with §1 | 7 |
| Art.234 of the Criminal Code | 13 |
| Art.235 of the Criminal Code | 8 |
| Art.238 of the Criminal Code | 7 |
| Art.239 §1 of the Criminal Code | 41 |
| Art.240 §1 of the Criminal Code | 1 |
| Art.242 §1 of the Criminal Code | 4 |
| Art.242 §2 of the Criminal Code | 6 |
| Art.242 §3 of the Criminal Code | 17 |
| Art.244 of the Criminal Code | 314 |
| Art.245 of the Criminal Code | 16 |

**8.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| FREEDOM | 724 |
| Art.189 §1 of the Criminal Code | 12 |
| Art.189 §3 of the Criminal Code | 2 |
| Art.189a §1 of the Criminal Code | 3 |
| Art.190 §1 of the Criminal Code | 385 |
| Art.190 §1 of the Criminal Code |  |
| (to the detriment of a minor) | 3 |
| Art.190a §1 of the Criminal Code | 108 |
| Art.190a §2 of the Criminal Code | 22 |
| Art.191 §1 of the Criminal Code | 30 |
| Art.191 §2 of the Criminal Code | 28 |
| Art.191a §1 of the Criminal Code | 3 |
| Art.193 of the Criminal Code | 127 |
| Art.193 §1 of the Criminal Code | 1 |

**9.**

|  |  |
| --- | --- |
| OFFENCES AGAINST |  |
| THE FAMILY  AND GUARDIANSHIP | 705 |
| Art.206 of the Criminal Code | 1 |
| Art.207 §1 of the Criminal Code | 335 |
| Art.207 §1 of the Criminal Code |  |
| (to the detriment of a minor) | 38 |
| Art.207 §2 of the Criminal Code | 2 |
| Art.208 of the Criminal Code | 2 |
| Art.208 of the Criminal Code  (to the detriment of a minor) | 1 |
| Art.209 §1 of the Criminal Code | 308 |
| Art.210 §1 of the Criminal Code | 7 |
| Art.211 of the Criminal Code | 8 |
| Art.211 of the Criminal Code  (to the detriment of a minor) | 3 |

It is worth adding that in the year 2016 women were also convicted for, among others:

- offences against the Act of 29 July 2005 on Countering Drug Addiction (Journal of Laws No 179 item 1485) – 932 women

- offences against the Act on the Tax Criminal Code – 1,654 women.

|  |
| --- |
|  |

*Source – extract from a record of statistics provided by the Section for Management Statistics of the Ministry of Justice*

**Annex No 3**

**The number of people who were detained on remand, convicted and subject to a penalty**

**Table No 1**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |
| Date | **Total** | | Persons detained on remand | Convicted persons | Persons subject to a penalty | Including women | | | | |
|  |  |  |  | **Total** | | Women detained on remand | Convicted women | Women subject to a penalty |
|  | 2014 | **2015** |  |  |  | 2014 | **2015** |  |  |  |
| 31.01.2015 | 80 129 | **77 872** | 6 216 | 70 408 | 1 248 | 2 660 | **2 561** | 287 | 2 200 | 74 |
| 28.02.2015 | 80 582 | **78 013** | 6 199 | 70 574 | 1 240 | 2 699 | **2 603** | 283 | 2 233 | 87 |
| 31.03.2015 | 80 887 | **78 139** | 6 043 | 70 843 | 1 253 | 2 746 | **2 627** | 280 | 2 260 | 87 |
| 30.04.2015 | 79 936 | **77 221** | 5 828 | 70 188 | 1 205 | 2 694 | **2 649** | 277 | 2 278 | 94 |
| 31.05.2015 | 79 307 | **76 145** | 5 681 | 69 325 | 1 139 | 2 677 | **2 615** | 278 | 2 241 | 96 |
| 30.06.2015 | 78 959 | **75 691** | 5 300 | 69 206 | 1 185 | 2 641 | **2 631** | 251 | 2 282 | 98 |
| 31.07.2015 | 78 403 | **74 184** | 4 669 | 68 399 | 1 116 | 2 649 | **2 556** | 240 | 2 243 | 73 |
| 31.08.2015 | 77 933 | **73 062** | 4 535 | 67 498 | 1 029 | 2 627 | **2 554** | 245 | 2 235 | 74 |
| 30.09.2015 | 78 178 | **72 609** | 4 364 | 67 150 | 1 095 | 2 654 | **2 490** | 217 | 2 189 | 84 |
| 31.10.2015 | 78 067 | **72 195** | 4 356 | 66 732 | 1 107 | 2 607 | **2 481** | 219 | 2 190 | 72 |
| 30.11.2015 | 78 094 | **71 806** | 4 329 | 66 356 | 1 121 | 2 599 | **2 470** | 212 | 2 172 | 86 |
| 31.12.2015 | 77 371 | **70 836** | 4 162 | 65 664 | 1 010 | 2 527 | **2 379** | 203 | 2 114 | 62 |
| **On average** | **78 987** | **74 814** | **5 140** | **68 529** | **1 146** | **2 648** | **2 551** | **249** | **2 220** | **82** |

**Table No 2**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |
| Date | **Total** | | Persons detained on remand | Convicted persons | Persons subject to a penalty | including women | | | | |
|  |  |  |  | **Total** | | Women detained on remand | Convicted women | Women subject to a penalty |
|  | 2015 | **2016** |  |  |  | 2015 | **2016** |  |  |  |
| 31.01.2016 | 77 872 | **71 250** | 4 158 | 65 889 | 1 203 | 2 561 | **2 431** | 207 | 2 131 | 93 |
| 29.02.2016 | 78 013 | **71 764** | 4 305 | 66 267 | 1 192 | 2 603 | **2 495** | 220 | 2 166 | 109 |
| 31.03.2016 | 78 139 | **71 786** | 4 395 | 66 230 | 1 161 | 2 627 | **2 483** | 207 | 2 192 | 84 |
| 30.04.2016 | 77 221 | **71 884** | 4 674 | 66 063 | 1 147 | 2 649 | **2 496** | 213 | 2 213 | 70 |
| 31.05.2016 | 76 145 | **71 315** | 4 782 | 65 435 | 1 098 | 2 615 | **2 498** | 221 | 2 193 | 84 |
| 30.06.2016 | 75 691 | **70 945** | 4 746 | 65 029 | 1 170 | 2 631 | **2 504** | 222 | 2 205 | 77 |
| 31.07.2016 | 74 184 | **71 227** | 5 018 | 65 164 | 1 045 | 2 556 | **2 529** | 237 | 2 217 | 75 |
| 31.08.2016 | 73 062 | **70 951** | 5 192 | 64 758 | 1 001 | 2 554 | **2 487** | 238 | 2 175 | 74 |
| 30.09.2016 | 72 609 | **71 357** | 5 324 | 64 901 | 1 132 | 2 490 | **2 554** | 245 | 2 214 | 95 |
| 31.10.2016 | 72 195 | **71 696** | 5 460 | 65 112 | 1 124 | 2 481 | **2 551** | 250 | 2 227 | 74 |
| 30.11.2016 | 71 806 | **71 765** | 5 552 | 65 122 | 1 091 | 2 470 | **2 569** | 252 | 2 245 | 72 |
| 31.12.2016 | 70 836 | **71 528** | 5 396 | 65 079 | 1 053 | 2 379 | **2 581** | 237 | 2 265 | 79 |
| **On average** | **74 814** | **71 456** | **4 917** | **65 421** | **1 118** | **2 551** | **2 515** | **229** | **2 204** | **82** |
|  |  |  |  |  |  |  |  |  |  |  |

**Table No 3**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |
| Date | **Total** | | Persons detained on remand | Convicted persons | Persons subject to a penalty | including women | | | | |
|  |  |  |  | **Total** | | Women detained on remand | Convicted women | Women subject to a penalty |
|  | 2016 | **2017** |  |  |  | 2016 | **2017** |  |  |  |
| 31.01.2017 | 71 250 | **72 677** | 5 572 | 65 909 | 1 196 | 2 431 | **2 654** | 262 | 2 297 | 95 |
| 28.02.2017 | 71 764 | **73 470** | 5 737 | 66 524 | 1 209 | 2 495 | **2 682** | 290 | 2 304 | 88 |
| 31.03.2017 | 71 786 | **74 313** | 5 971 | 67 168 | 1 174 | 2 483 | **2 766** | 289 | 2 380 | 97 |
| 30.04.2017 | 71 884 | **73 997** | 6 154 | 66 871 | 972 | 2 496 | **2 767** | 309 | 2 389 | 69 |
| 31.05.2017 | 71 315 | **74 030** | 6 252 | 66 666 | 1 112 | 2 498 | **2 791** | 320 | 2 374 | 97 |
| 30.06.2017 | 70 945 | **73 858** | 6 331 | 66 454 | 1 073 | 2 504 | **2 849** | 323 | 2 424 | 102 |
| 31.07.2017 | 71 227 | **73 736** | 6 404 | 66 311 | 1 021 | 2 529 | **2 861** | 335 | 2 436 | 90 |
| 31.08.2017 | 70 951 | **73 417** | 6 608 | 65 883 | 926 | 2 487 | **2 813** | 341 | 2 406 | 66 |
| 30.09.2017 | 71 357 | **73 717** | 6 897 | 65 881 | 939 | 2 554 | **2 836** | 343 | 2 420 | 73 |
| 31.10.2017 | 71 696 | **74 154** | 7 207 | 65 938 | 1 009 | 2 551 | **2 837** | 356 | 2 409 | 72 |
| 30.11.2017 | 71 765 | **74 490** | 7 321 | 66 132 | 1 037 | 2 569 | **2 890** | 349 | 2 467 | 74 |
| 31.12.2017 | 71 528 | **73 822** | 7 239 | 65 769 | 814 | 2 581 | **2 873** | 372 | 2 436 | 65 |
| **On average** | **71 456** | **73 807** | **6 474** | **66 292** | **1 040** | **2 515** | **2 802** | **324** | **2 395** | **82** |

*Source: Office for Information and Statistics – extract from Annual Statistical Information*

*Statistics are also available on: https://www.sw.gov.pl/strona/statystyka-roczna*

**Annex No 4**

**The structure of female prison population**

**Table No 1**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Date | | **Total** | | | | Women detained on remand | | | | | | | | Convicted women | | | | | | | | Women subject to a penalty | | | | | | |  | |
|  | | **2014** | | **2015** | | juvenile women | | | | adult women | | | | juvenile women | | | | adult women | | | | juvenile women | | | | adult women | | |  | |
|  | | 2014 | | **2015** | | 2014 | | **2015** | | 2014 | | **2015** | | 2014 | | **2015** | | 2014 | | **2015** | | 2014 | | **2015** |  | |
| 31.03 | | 2 746 | | **2 627** | | 25 | | 11 | | 344 | | 269 | | 24 | | 34 | | 2277 | | 2 226 | | 9 | | 5 | | 67 | | 82 |  | |
| 30.06 | | 2 641 | | **2 631** | | 17 | | 13 | | 324 | | 238 | | 23 | | 32 | | 2209 | | 2 250 | | 2 | | 3 | | 66 | | 95 |  | |
| 30.09 | | 2 654 | | **2 490** | | 22 | | 11 | | 327 | | 206 | | 21 | | 23 | | 2214 | | 2 166 | | 3 | | 4 | | 67 | | 80 |  | |
| 31.12 | | 2 527 | | **2 379** | | 16 | | 11 | | 268 | | 192 | | 26 | | 31 | | 2148 | | 2 083 | | 1 | | 1 | | 68 | | 61 |  | |
| **Table  No 2** | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  |  | |
| Data | **Total** | | | | Women detained on remand | | | | | | | | Convicted women | | | | | | | | Women subject to a penalty | | | | | | | |  |
|  | **2015** | | **2016** | | juvenile women | | | | adult women | | | | juvenile women | | | | adult women | | | | juvenile women | | | | adult women | | | |  |
|  | 2015 | | **2016** | | 2015 | | **2016** | | 2015 | | **2016** | | 2015 | | **2016** | | 2015 | | **2016** | | 2015 | | **2016** | |  |
| 31.03 | 2 627 | | **2 483** | | 11 | | 9 | | 269 | | 198 | | 34 | | 38 | | 2226 | | 2 154 | | 5 | | 7 | | 82 | | 77 | |  |
| 30.06 | 2 631 | | **2 504** | | 13 | | 14 | | 238 | | 208 | | 32 | | 37 | | 2250 | | 2 168 | | 3 | | 2 | | 95 | | 75 | |  |
| 30.09 | 2 490 | | **2 554** | | 11 | | 18 | | 206 | | 227 | | 23 | | 30 | | 2166 | | 2 184 | | 4 | | 4 | | 80 | | 91 | |  |
| 31.12 | 2 379 | | **2 581** | | 11 | | 14 | | 192 | | 223 | | 31 | | 30 | | 2083 | | 2 235 | | 1 | | 2 | | 61 | | 77 | |  |

**Table No 3**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Date | **Total** | | Women detained on remand | | | | Convicted women | | | | Women subject to a penalty | | | |
|  | **2015** | **2017** | juvenile women | | adult women | | juvenile women | | adult women | | juvenile women | | adult women | |
|  | 2016 | **2017** | 2016 | **2017** | 2016 | **2017** | 2016 | **2017** | 2016 | **2017** | 2016 | **2017** |
| 31.03 | 2 483 | **2 766** | 9 | 11 | 198 | 278 | 38 | 40 | 2154 | 2 340 | 7 | 7 | 77 | 90 |
| 30.06 | 2 504 | **2 849** | 14 | 17 | 208 | 306 | 37 | 36 | 2168 | 2 388 | 2 | 2 | 75 | 100 |
| 30.09 | 2 554 | **2 836** | 18 | 22 | 227 | 321 | 30 | 28 | 2184 | 2 392 | 4 | 6 | 91 | 67 |
| 31.12 | 2 581 | **2 873** | 14 | 20 | 223 | 352 | 30 | 27 | 2235 | 2 409 | 2 | 1 | 77 | 64 |

|  |  |
| --- | --- |
| *Source: Office for Information and Statistics,  Central Board of Prison Service*  *– statistical data for the years 2015, 2016, 2017- Annual Statistical Information*  *Statistics are also available on: https://www.sw.gov.pl/strona/statystyka-roczna* |  |