



Fair Trials is a non-governmental organisation that works for the right to a fair trial according to internationally-recognised standards of justice.

This factsheet covers:

- Definitions of key legal terms;
- Information about criminal proceedings and defence rights in Poland; and
- Useful Links

We have prepared this factsheet with the assistance of local criminal lawyers, who tried to describe how things happen in reality. Even within one country, however, practice can vary greatly from one place to another your own experience could differ from the descriptions below. This document does not constitute legal advice and only provides general information. If you need advice in relation to your specific case, or if you are concerned about a possible violation of your rights, you should discuss this with your local lawyer.

If you think an important question is not covered by this note, please let us know by filling out the sheet attached at the end. We would also appreciate it if you could also take a few moments to give us some feedback about this note. Your comments will help us to improve our services.

"Fair Trials" comprises Fair Trials International and Fair Trials Europe. Fair Trials International is a registered charity (no. 1134586) and in 2010 was incorporated with limited liability in England Wales (no. 7135273). Fair Trials Europe is a registered public foundation in Belgium (registered number 0552.688.677). We were initially founded in 1992 with the name "Fair Trials Abroad".

IMPORTANT

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DEFINITIONS OF KEY LEGAL TERMS

Appeal (*apelacja*): An opportunity to dispute a decision made at trial (either on guilt or on sentence) by asking a higher court to review it. This can result in the decision being overturned or changed.

Bail: The temporary release from police custody or from prison of a person accused of a crime and awaiting trial.

Bar Association (*Okręgowa Rada Adwokacka*): An organisation whose role is to represent lawyers and help people in their dealings with lawyers.

Charge/Indictment (*zarzuty/akt oskarżenia*): A statement (often in writing) accusing a person of carrying out an offence. In Poland, such information is often given in writing.

Consulate (*konsulat*): The section of an embassy whose task is to assist its citizens.

Court of Appeal (*sąd odwoławczy*): A court that is competent to hear appeals (i.e. challenges) made to decisions of the lower courts.

Court of First Instance (*sąd pierwszej instancji*): A lower court where a trial is initially heard.

Embassy (*ambasada*): The office of a government official who resides in a foreign country and represents his/her government's interests.

Judge (*sędzia*): A person with authority to hear and decide on cases in a court of law.

Lawyer (*adwokat*): A person whose profession is to give legal advice and assistance to clients and represent them in court or in other legal matters.

Judgment (*orzeczenie*): A decision on a case provided by a judge or jury in a court of law.

Legal Aid (*pomoc prawna z urzędu*): Financial assistance provided to a person who needs a lawyer and who cannot afford to pay for one.

Offences (*przestępstwa*)

Plea Bargain (*dobrowolne poddanie się karze*): A procedure which allows the defendant to plead guilty in exchange for a less severe sentence.

Police Custody (*zatrzymanie*): Detention of a suspect by the police after arrest.

Power of Attorney (*pełnomocnictwo*): Written authorisation provided by one person to another, allowing them to make decisions on their behalf. This can include matters of business or private affairs.

Pre-trial Detention (*tymczasowe aresztowanie*): Detention in police custody or in prison during the investigations (and often during the trial itself as well), which happens before the decision on guilt or innocence is made by the court.

Sentence (*wyrok*): The punishment assigned to a person convicted of a crime as fixed by a court of law.

Victim (*pokrzywdzony*)

Warrant (*postanowienie o przeszukaniu/zatrzymaniu*): A document issued by a legal or government official authorising the police to make an arrest, search premises, or carry out some other action relating to the administration of justice.

Witness (*świadek*)

INFORMATION ON CRIMINAL PROCEEDINGS AND DEFENCE RIGHTS IN POLAND

Q1. WHERE DO THE LAWS OF POLAND APPLY?

The laws of Poland apply throughout Poland.

Q2. WHAT ARE MY RIGHTS UPON ARREST?

After your arrest, you can be held in police custody without charge for up to 48 hours. After you are charged, the Prosecutor can apply to the court to keep you detained in prison before your trial starts. If this happens you can be kept in police custody for a further 24 hours before you are transferred to a prison.

(a) Right to information:

(i) Will the police inform me of my rights? Will this be done orally or in writing?

After your arrest, the police should inform you of your rights orally and in writing at the police station. In practice however, there are many cases where people are only informed about their rights in writing.

You must be informed about your rights in writing before the police interview is conducted and you will be asked to sign a document in Polish confirming that you understand your rights. If you do not understand Polish, you are entitled to an interpreter, who will translate the statement for you orally.

Your right to be informed about your rights does not depend on the seriousness of the offence that you are suspected of having committed.

In a nutshell, the rights you will be notified are that:

- You have the right to a lawyer;
- You have the right to an interpreter;

- You have the right to inform your consulate of your arrest if you wish to do so;
- You have the right to inform your family or friends of your arrest;
- There are, in general, no negative consequences if you fail to tell the truth (there may, however, be negative consequences if for example, you make false statements in order to falsely incriminate another person);
- You have the right to remain silent and that you can refuse to answer questions from the police;
- You have the right not to incriminate yourself (i.e. the right not to say anything that can work against your case);
- You have the right to ask for any investigation you think necessary;
- You have the right to provide the police with any evidence you think is necessary; and
- You have the right to lodge an appeal whenever it is possible according to the law

There are certain types of medical examinations that you may refuse when you are arrested, if they are particularly serious or intrusive, but you are not entitled to refuse certain examinations which pose no threat to your health (such as giving a blood sample, hair sample, providing fingerprints, being searched or psychiatric examinations).

You will also have to sign a protocol of the arrest, which explains the reasons for your arrest. A copy of this must be given to you.

Even if the police obtains evidence against you in violation of your rights, it may still be used in some situations against you at your trial. Polish law does not prevent unlawfully obtained evidence from being used by the prosecution.

(ii) Do I have the right to be informed of the allegations/charges against me?

Yes, you have the right to be informed of the allegations/charges against you as soon as you are arrested. If you are charged with an offence, you will be given an accusation statement by the police or the Prosecutor's office. This statement contains your personal information, information about the allegations against you and the parts of the law that you are suspected of breaking. The statement will be translated into a language you can understand but it may take some time until you receive this written translation.

(b) Do I have a right for the consulate or family members to be informed of my arrest?

You have the right to provide the name of a person you wish inform about your arrest and the place where you are being detained. The police will then call that person on your behalf.

If you are not a Polish citizen, you also have the right to have your embassy or consulate informed of your arrest. You should ask your lawyer to contact the consulate if you do not believe that this has not been done by the police.

(c) Do I have a right to a lawyer?

Yes, you have the right to a lawyer at any stage.

Under Polish law, anyone can authorise a lawyer to represent you in criminal proceedings. This does not have to be your relative or even your friend. It can be anyone, including a person from your embassy or consulate. However you will need to acknowledge them as your lawyer when you contact each other for the first time, if you want him/her to continue acting for you. Your lawyer may be present during police interviews, in which s/he may play an active role. This means that he can also ask you questions during your interrogation.

You must be given the opportunity to speak to your lawyer as soon as possible after your arrest and this can be done over the telephone. However police may be present during your conversation with your lawyer.

The police officer or the prosecutor may supervise all your correspondence with your lawyer during your first two weeks of your detention. This period of time includes your initial arrest and detention. They will not be able to supervise your correspondence once you are released during the two week period.

In practice, it is unlikely that your communication with your lawyer will be supervised if you are suspected of committing a minor crime. However, in more serious cases (such as drugs offences and murder) it is much more likely that oral correspondence will be supervised.

(d) Do I have a right to a translator/interpreter?

If you do not speak Polish, you have the right to an interpreter, who will be provided free of charge. S/he should be present during your police interview and any other stage of the proceedings that you may or should take part in. The authorities are required by law to appoint an interpreter for you if you do not have good command of the Polish language.

You are also entitled to receive written translations of the charges made against you, including any later changes to them.

(e) Do I have to talk to the police or can I remain silent during police interrogation? Will it work against me if I am silent?

You have no obligation to talk to the police and you cannot be forced to answer any of their questions. You should be informed of your right to remain silent by the police, but it is not always made clear that anything you do say can be used as evidence against you.

When deciding whether or not to talk to the police, you should follow the advice of your lawyer. If you have not seen a lawyer, do not have a consistent story or do not fully understand the accusations against you, it is generally advisable not to talk to the police.

If you make a statement, it will be very difficult to withdraw it at a later stage, therefore you should think carefully about any information that you wish to share with the police.

Q3. WHEN WILL I KNOW ABOUT THE CASE AGAINST ME?

You will be informed immediately about the accusations that led to your arrest and detention.

You and your lawyer will have full access to your case file before your case is brought before a court for trial and you may also be given access to the file if you need to challenge your detention before your trial takes place. However the time at which the file becomes available depends on a number of factors.

If for example, your access to the file will undermine the criminal investigations against you, you will not normally be given the file before the conclusion of the investigation. It is also likely that you will be denied access to your file, if it is believed that this would pose a threat to the life, physical/psychological integrity, or the freedom of another individual taking part in the criminal proceedings.

Q4. HOW DO I FIND A LAWYER? WHAT IS THE ROLE OF MY LAWYER?

(a) How do I find a lawyer?

Lawyers in Poland are divided into two types, advocates (*adwokat*) and “*radca prawny*”. Only advocates and trainee advocates (*aplikant awokacki*) may represent you in criminal proceedings.

If you are not a Polish citizen, your local embassy may also maintain a list of lawyers who speak your language and can provide you with their details.

(b) I cannot afford to pay for a private lawyer, what should I do? (Is there legal aid? How should I apply? What are the criteria to be eligible? What is covered by legal aid?)

You may have the right to free legal advice, depending on your financial circumstances.

In order to apply for legal aid, you need to obtain the relevant forms. If your case is at the investigation stage, you can return the completed application to a police officer or prosecutor.

If your case is already reached trial, you can return the completed application to the court. In both cases your application will be assessed by the President of the Court, who will decide whether you qualify for legal aid based on the evidence you provide. If you qualify for legal aid, the court will appoint a lawyer for you and you have no right to choose your representative.

Criminal legal aid must be granted in the following cases, regardless of your financial situation:

- If you are under 18 years of age,

- If you are deaf or blind,
- If there are concerns about your mental health and you have to be examined by psychiatrists in this regard,
- If you are charged with a more serious offence (a felony) and your trial takes place in the District Court (the court of first instance that tries serious cases),
- If you cannot defend yourself because you have a physical or mental disability.

If you have a right to legal aid for any of the reasons above, you have the right to choose your own lawyer.

(c) What is the role of my lawyer? Will s/he investigate the case?

Your advocate may represent at every stage of the proceedings, advise you, submit evidence and use any rights that you have in the criminal proceedings for your defence. Trainee advocates can also do this but only as a substitute of an advocate who is authorised to represent you. Trainee advocates cannot appear before the Supreme Court.

S/he has no power to conduct investigations of his/her own, but can ask the police or the prosecutor to order specific investigations (such as making arrangements to search certain places or asking a witness to attend court).

(d) I am unhappy with my lawyer: How can I change lawyer? How can I complain about my lawyer?

A good first step is to speak to your lawyer about your concerns. If that does not resolve the issue, then you can complain about your lawyer and seek to have another lawyer appointed.

If you are paying for your lawyer, you may change your lawyer by simply telling him/her that you no longer wish to be represented by him/her. If you have a court appointed lawyer, you do not have an automatic right to change your lawyer. You may need to give good reasons to the court about why you are unhappy with your lawyer and it will be decided whether you should be appointed a new lawyer.

You can have up to 3 advocates of your own choice acting for you at the same time. You should however inform your existing lawyer before appointing a new one.

If you want to make a complaint about your lawyer you can make a formal complaint to the National Bar Association or the District Bar Association. Depending on the stage of the criminal proceedings, you can also make a complaint to the prosecutor or the court about your lawyer.

Q5. WILL I HAVE TO STAY IN PRISON UNTIL MY TRIAL STARTS? IF SO, FOR HOW LONG?

The information given below is specific to Poland. For general information and tips about how to obtain your release prior to your trial, please refer to our note of advice on *Applying for Release Pending Trial*.

(a) Will I have to stay in prison until my trial starts? What are the alternatives?

Although there is a presumption that people should be given bail (i.e. that they should be released pending trial), but it is often harder for most foreign nationals to get bail. There is a common tendency to assume that if you do not have a place of residence in Poland, you are more likely to flee if released before your trial.

You may be kept in detention for a number of other reasons, for example:

- In order to prevent you from tampering with evidence, or interfering with witnesses,
- In order to ensure that you attend your trial,
- To prevent you from committing another serious crime.

If you are suspected of committing a serious crime, it is less likely that you will be released.

You may appeal against both the arrest and the temporary detention, each of them separately and independently.

The prosecutor or the court may impose various measures to ensure, for example, that you attend your trial, or that you do not engage in activities which could potentially affect the evidence to be used in your trial, but only the court can order your detention pending trial.

You can be released pending your trial with or without conditions. Your release may be accompanied by one or more of the following restrictions:

- reporting at the police station at specified times
- not making contact with the victim of the crime
- paying money as security

- remaining in Poland
- refraining from driving
- not engaging in certain economic activities
- being prohibited from visiting certain places

(b) How and when can I apply for release while waiting for trial?

You can apply for release from detention at any time. Your application will be granted if the reasons for your detention are no longer valid.

To be released you should apply to the prosecutor at the pre-trial stage or to the court if your case has reached trial.

If you are denied release from detention, you can appeal from that decision. At pre trial stages, you can appeal only 3 months after the last decision that refused your release.

(c) How long can I be kept in prison before my trial starts?

There is no maximum time limit for detention pending trial in Poland.

(d) Can I go back to my home country if I have been released pending my trial?

Yes, unless you have been expressly forbidden to do so, you may leave the country while on bail.

However you must keep the prosecutor informed about any change of your place of residence lasting over 7 days. A failure to do so may result in the prosecutor requesting your extradition, to force you to go back to Poland.

You also have an obligation to appear before the Prosecutor or the Court should you be summoned by them. Failure to do so may also result in arrest and detention.

(e) What will happen if I breach the conditions of my release?

If you breach the conditions of your release, you may, depending on the seriousness of your behaviour, be arrested, detained or extradited from a foreign country to Poland.

Q6. HOW LONG BEFORE MY CASE GOES TO TRIAL?

There are time limits for the investigative stage of your criminal proceedings or for your trial to take place, but they can and they are easily extended.

(a) There are always delays with my case, does that mean my lawyer is doing a bad job?

Delays may happen at each stage of the proceedings, but this is not necessarily because your lawyer is not doing a good job. The police or the prosecuting authorities may, for example, need additional time to collect evidence and locate witnesses. Sometimes, your lawyer may request additional time so s/he will have more time to prepare your defence.

You should expect further delays in July and August, when courts are not operational and only urgent cases are heard.

Q7. CAN I PLEAD GUILTY? WHAT ARE THE CONSEQUENCES OF PLEADING GUILTY?

You are entitled to plead guilty and, if this is accepted, it may limit some of your evidence at the trial. If you plead guilty, this may mean that you receive a less severe sentence.

You may also make a deal with the authorities in what is called a plea bargain. This is a deal made between you and the police or the Prosecutor. If you make a plea bargain, this usually means that you are making a guilty plea, or at least you do not dispute your involvement in the incident for which you are being tried. You will be offered a certain punishment to accept, and this could be a shorter sentence than what you may get if you are convicted following a trial. If the deal is accepted by the Court it will limit the trial to usually one hearing and there may be no evidence presented at all at trial.

The Court will accept the deal only if:

- the facts of the case are not disputed;
- the punishment agreed between the parties reflects the seriousness of the crime and the level of your responsibility in the crime; and
- the victim does not oppose the deal.

However, pleading guilty does not automatically mean that you will not have a full trial, as the court may consider that your guilty plea may, for example, conceal someone else's crime, or that the proposed sentence is too severe. It is very important to ask your lawyer for advice before deciding whether or not to make a guilty plea, as it can be very difficult to withdraw a guilty plea in future proceedings.

Q8. WHAT HAPPENS AT TRIAL?

During the trial, the court assesses the evidence to decide whether you are guilty of the crime with which you have charged. You and your lawyer will also be able to address the court.

The trial is almost always open to the public and the media.

The trial starts with the Prosecutor reading the charges made against the defendant.

As a defendant, you must usually be present at this stage of the trial.

You have the right to address the charges, present a statement and answer any questions that the Court or other parties may have. You may also remain silent and refuse to say anything at all. This is the final opportunity to make a guilty plea and enter into a plea bargain.

In most cases, you may not need to be present at the later stages of the trial.

Next the evidence is presented. The prosecution presents its evidence first, followed by you and your lawyer. There is no requirement for you to produce any evidence at the trial.

The witnesses are called to the courtroom but they may not be present during each other's hearings and the victim should be examined as the first witness. The witnesses are examined first by the prosecutor, the victim, and finally by the defence. The court may address witnesses with questions at any time.

If the court wants to use the evidence collected at the investigative stage by the police or the prosecutor, the court has to notify that it intends to do so to the parties.

After all the evidence has been presented the court closes the trial and lets the parties to present their arguments.

The verdict is delivered openly and publicly but you do not have to be present at this point.

(a) Are there fast-track trials?

Yes there is a fast track procedure and this may be used if you are caught red-handed with a minor offence (such as minor theft or for getting involved in a fight) or if you are arrested by the police just after you have committed a minor criminal offence.

You will be taken to the court with an indictment within 48 hours after your arrest and your case will be tried at trial that will take no longer than 14 days. In most cases, cases under the fast track procedures are tried in one session and the proceedings take no longer than 2-4 days.

Your case will be transferred to be dealt under normal procedures if the court sees the possibility of a prison sentence of more than 2 years, or if the case is of a complicated nature. The court may also decide to have your case heard under normal procedures if there is a need to collect more evidence.

(b) Do I have to be present?

You usually have to be present at the beginning of the trial but after that, there is no obligation for you to appear for the rest of the trial. However, it is advisable that you attend court hearings, especially if you do not have a lawyer.

You will be informed about the place and time of your hearing. As a general rule your absence does not prevent the court from trying your case, but in practice this does not happen often. The court is usually reluctant to make a verdict on your case in your absence, if you do not speak Polish.

(c) Is there a jury?

Poland does not operate a jury trial system. In the majority of cases, the court will consist of a single judge, or sometimes one judge and two lay people (who do not have legal qualifications). The court deciding on serious crimes, (i.e. crimes punishable with life imprisonment) consists of two judges and three lay people.. More complicated trials cases can be heard by three judges.

(d) Can my lawyer call and cross-examine witnesses?

Yes, s/he can both call and examine witnesses.

(e) I don't speak the language of the court, do I have a right to an interpreter? Is it free?

You have the right have the services of an interpreter at the trial free of charge and to receive translations of:

- The indictment,
- Any decision or verdict that is subject to appeal (which includes decisions depriving you of liberty),
- Any decision that closes the proceedings, especially the final verdict.

There is no right to have all the evidence translated into your language.

(f) Why is the victim taking part in the trial?

The victim, called the 'injured party' in Polish criminal proceedings plays a very important role. S/he is usually examined as a witness and may play an active role during the investigative stage. The victim may also take part during the trial, as his/her right to compensation could depend on the verdict and s/he may oppose a deal called the plea bargain.

Q9. I AM NOT HAPPY WITH THE DECISION, CAN I APPEAL AGAINST IT? HOW DO I APPEAL?

Yes, you can appeal against your sentence and conviction. You should always seek advice from your lawyer if you want to make an appeal. In theory, you can make an appeal without the assistance of a lawyer but it is advisable to get legal advice, where possible.

You can file an appeal against the entire judgment or only part of it, but an appeal against a conviction is considered to be an appeal against the whole judgment. Your appeal must be made in writing within 14 days of the judgment being delivered to you with the written reasons for the decision (in fast track proceedings within 7 days).

However, you must always file an application to the Court for the verdict to be delivered to you with the written reasons for the decision, as the written decision is not automatically given to you when it is handed down. You must file this within 7 days of after the verdict is delivered (or within 3 days in fast track proceedings). It is usually very difficult to challenge a verdict successfully without the written decision.

If you wish to challenge a decision issued during the proceedings (e.g. a decision refuse bail) you may file an appeal within 7 days of the decision being made.

(a) Could things get worse during the appeal? If I am acquitted, can the prosecution appeal?

Things cannot get worse if you are the only one to appeal. If the prosecutor or the victim also appeals, then you can be given a longer sentence. The prosecution can appeal against your acquittal.

Q10. I HAVE EXHAUSTED ALL LEGAL REMEDIES. WHAT OPTIONS DO I HAVE?

If your appeal did not succeed you may make an application to have your trial reopened. This procedure however, is used only in a limited number of circumstances e.g. when there is important new evidence.

Q11. WHAT RIGHTS DO I HAVE AS A PRISONER?

(a) Do I have rights as a prisoner? Where can I find out about my rights?

Yes, you have rights and privileges as a prisoner (e.g. the right to food and water, a minimum amount of space, the right to security and healthcare). Your lawyer can provide you with more information about your rights and privileges.

These rights are respected in practice but only to a limited extent. For example, it is not unusual for prisoners to be detained in very small cells with limited access to healthcare.

(b) What can I do if my rights are violated? Where can I get assistance regarding my welfare issues, regarding abuse and mistreatment?

If your rights as a prisoner have been violated, you may wish to may wish to complain to:

- the director of the prison where you are being detained,

- the court,
- your embassy or consulate (if you are a foreigner),
- your lawyer (the court may appoint a lawyer for you the same way as in the criminal proceedings),
- the ombudsman,
- non-governmental organisations, or
- a legal clinic of a university.

Your lawyer should be able to assist you. Some local organisations may also be able to assist.

Q12. CAN I GET MY SENTENCE REDUCED?

There are no procedures in Poland which may enable to you have your sentence reduced, but you can get an early release.

(a) What would help me get an early release?

Early release can be granted if you have served at least half of your sentence. If you have prior convictions, then you will be expected to serve more time in prison before you are eligible for early release. Your behaviour and activities in prison will also be taken into account when considering your eligibility for early release.

Q13. CAN I GO BACK TO MY HOME COUNTRY?

(a) Can I serve my prison sentence in my home country?

You can ask to be transferred to your home country, if Poland has an agreement with your country allowing such transfers.

Transfers are usually at the discretion of both the country where you are detained and the country to which you want to be transferred. This means that even if you qualify for a transfer, your application may still be refused. For more information on prisoner transfers, please request our note of advice on prisoner transfer.

(b) Can I be expelled instead of serving my sentence?

No.

USEFUL LINKS

ORGANISATION	MANDATE	CONTACT DETAILS
LAW GOVERNING BODIES		
Naczelna Rada Adwokacka National Council of Advocates	This is the governing body for Polish advocates.	Website: www.nra.pl T: +48 (0)22 505 2501 ul. Świętojerska 16, 00-202 Warszawa
Krajowa Izba Radców Prawnych <i>National Chamber of Legal Advisors</i>	This is the governing body for Polish legal advisors (<i>radca prawny</i>). Legal advisors' main function is to provide legal assistance, prepare legal opinions but they are not authorised to defend people charged in criminal trials. <u>Languages:</u> Polish	Website: www.kirp.pl E: kirp@kirp.pl Al. Ujazdowskie 18/4 00-478 Warszawa
OMBUDSMEN		
Rzecznik Praw Obywatelskich <i>The Human Rights Defender</i>	Human Rights Defender is the authority for legal control and protection of Human Rights in Poland. In his activities, the Human Rights Defender is independent from other state authorities. The Human Rights Defender safeguards human and civic freedoms and rights specified in the Constitution and other legal acts. The Defender investigates whether actions taken by authorities, organisations or institutions which are required respect human rights and freedoms have not led to breaches of the law or the principles of	Website: www.brpo.gov.pl T: + 48 (0)22 55 17 700 F: + 48 (0)22 827 64 53 Aleja Solidarności 77 00 - 090 Warsaw

	<p>social coexistence and justice, and takes appropriate actions.</p> <p>Human Rights Defender is assisted by the Office of the Human Rights Defender.</p> <p><u>Languages:</u> Website available in Polish and English.</p>	<p>There are regional offices in Wrocław, Gdańsk, Częstochowa, Kielce, Cracow, Lublin, Olsztyn, and Wałbrzych.</p>
NGOs		
LEGAL ADVICE		
<p>Stowarzyszenie Interwencji Prawnej</p> <p><i>Association for Legal Intervention</i></p>	<p>Provides free legal assistance to:</p> <ul style="list-style-type: none"> - refugees and those seeking refugee status; - prisoners, ex-prisoners and their families; - families with adopted children and those seeking to adopt children; <p>The foreigners assistance centre provides assistance with the following:</p> <ul style="list-style-type: none"> - understanding Polish laws; - educating foreigners about Polish culture; - drafting letters and petitions for court proceedings; - help in dealing with administrative bodies; - volunteers can also help with everyday tasks such as acting as interpreters during visits to the doctor. <p><u>Languages:</u> Website in Polish. Advice available in English, Russian, French, and Spanish</p>	<p>Website: www.interwencjaprawna.pl</p> <p>E: interwencja@interwencjaprawna.pl</p> <p>T: +48 (0)22 621 51 65</p> <p>00-391 Warszawa Al. 3-go Maja 12 lok. 510</p>
HUMAN RIGHTS		
<p>Centrum Pomocy Prawnej im. Haliny Nieć</p> <p><i>Halina Nieć Legal Aid Centre (HNLAC)</i></p>	<p>HNLAC is a non-profit non-governmental organisation established in 2002 in Kraków. HNLAC's main objective is to protect human rights by providing free legal aid to persons at risk of social exclusion and discrimination, including the poor, victims of domestic violence, foreigners, asylum seekers and refugees. The HNLAC also monitors the compliance to standards of human rights, takes on legal interventions and advocacy activities, and pursues research and educational projects. The Centre also undertakes activities aimed at preventing and tackling human and child trafficking by organising social campaigns and offering legal aid to the victims.</p> <p><u>Languages:</u> Website in Polish and English</p>	<p>Website: www.pomocprawna.org</p> <p>E: biuro@pomocprawna.org</p> <p>T: +48 (0)12 633 72 23 F: +48 (0)12 423 32 77</p> <p>ul. Krowoderska 11/7 31-141 Kraków, Poland</p>
<p>Helsinki Foundation for Human Rights (Warsaw)</p>	<p>The Helsinki Foundation is an organisation founded in 1989 by the members of the Helsinki Committee in Poland. Its mission is to promote the development of a culture based on the respect of freedom and human rights in Poland and abroad. Since 2007, we hold consultancy status with the United Nations Economic and Social Council.</p> <p>Helsinki Foundation's main areas of activity involve the monitoring of the legislative process, as well as of public institutions (e.g. the operating conditions of Polish courts, of the police, and the availability of legal assistance), by the Foundation's legal programs, as well as the granting of cost-free legal assistance to Polish citizens, refugees and members of national minorities.</p> <p><u>Languages:</u> Website in Polish and English</p>	<p>Website: www.hfhr.pl</p> <p>E: hfhr@hfhrpol.waw.pl</p> <p>T: +48 (0)22 828 10 08 F: +48 (0)22 556 44 50</p> <p>Zgoda 11 Street, 00-018 Warsaw, Poland</p>

Fair Trials would like to thank the law firms and individual practitioners who have generously given their time and expertise to help produce these legal guidance notes.

For a full list of our funders see
www.fairtrials.org/get-involved/supporters/



Fair Trials aims to help people accused of crimes to understand and exercise their fair trial rights by providing information and referrals. We do not charge for any of our assistance.

If you complete this form, we may be able to:

- Send you general information, including advice about the local legal system that could be helpful to you;
- Provide answers to any specific questions you might have; and
- Refer you to local sources of support (for example, referrals to local lawyers, if appropriate).

We cannot provide any legal advice or representation that is specific to your case, and we are also unable to provide any welfare support or financial assistance.

Please fill out this form and send it back to:

By Post: Fair Trials, Temple Chambers, 3/7 Temple Avenue, London, EC4Y 0HP, United Kingdom
By Fax: +44 (0)20 7822 2371

All information will be treated confidentially, and in accordance with our privacy notice set out overleaf.

A) Personal Information

Full Name	
Nationality	
Your current address (your prison address, if you are in custody)	
Prisoner Number (if applicable)	

B) Legal Representation

Would you like referrals to local lawyers? Yes ☐ No ☐

Are you able to pay for a lawyer? Yes ☐ No ☐

Depending on the country, you may not be able to choose your own specific lawyer, if you cannot pay for one.

C) Fair Trials

How did you hear about us?	
How did you receive this form?	
If you have already seen any of our materials (e.g. 'Arrested – Practical Guidance'), please let us know, and tell us which you have seen.	

D) Further Information / Questions

We have printed materials on a range of topics where we are most often asked for help. Please tick on any of the following topics on which you would like further information.

Applying for Release Pending Trial ☐
The European Arrest Warrant ('EAW') ☐
INTERPOL Red Notices ☐

Prisoner Transfers ☐
Criminal Records in the European Union ☐

Use the space below to:

- Request clarifications on any information from us that you have already seen;
- Highlight any specific information, or referrals that you believe could be helpful to you; and
- Give us feedback or comments

Please be specific with any questions or requests you have.

E) Nominated Contact

It can sometimes be difficult for Fair Trials get in touch directly with people in prison. In such cases, it can be helpful if we are provided with the name and contact of a family member or a friend whom you are happy to nominate as Fair Trials' point of contact. Please provide their details below:

Full Name: Relationship to you:

Address:

Telephone: Email:

F) Privacy Notice

We collect information about you when you complete and return this form. We use this information to assist you and otherwise provide support in relation to your case. Fair Trials will retain your information for up to six years after: 1) if we are notified about the end of your legal proceedings, from the date of notification; or 2) if we are not notified, the date of the last correspondence with you about your case. For more information about how we handle your personal information, please see the privacy policy on our website (www.fairtrials.org/privacy-policy). Please sign here to confirm that you have read and agree to the Privacy Notice in this form.

Full Name: Signature: