## Effectiveness of investigation index

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<td>Republic of Poland 2020-2021</td>
<td>4.58</td>
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### General
- **Problems with the collection of objective evidence**
  - No problems with identifying perpetrators, but bringing them to justice can be a challenge
- **Punishment is not proportionate to the gravity of the crime**
- **Gaps in official data**
- **Torture is not criminalized as an independent offense**

### Prohibition of torture index

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<td>Republic of Poland 2020-2021</td>
<td>82.7</td>
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### Population
- **Population**: 38 268 000
- **Prison population (convicted)**: 61 075
- **In pre-trial detention** (under investigation): 8 878
- **Detainees** (under administrative arrest): 164 534, including 14 879 women and 3 583 minors

### Law enforcement budget
- Law enforcement budget: 2 990 229 430 EUR (penitentiary service and police force combined)

### Number of penitentiary personnel
- Number of penitentiary personnel: 28 588

### Number of police officers
- Number of police officers: 402 619 (criminal and preventive services combined)

### Judgments documenting the problem of torture
- Judgments and decisions of international bodies documenting the problem of torture and ill-treatment: Two ECtHR judgments in 2020
- Judgments of Polish courts: No data
- Judgments excluding evidence obtained under torture: No data

### Criminalization of torture and ill-treatment
- **Explicit prohibition of torture in criminal law**: There is an explicit prohibition in the Constitution
- **Criminalization of acts falling within the definition of torture**: Criminalized. Sanctions are poorly defined
- **Definition of torture consistent with international treaties**: Not consistent with relevant Conventions

### Government body investigating allegations of torture and ill-treatment
- **There is a body authorized to investigate torture**: No separate body.
- **Number of investigators**: 5 039
- **Investigator workload**: No data
- **Jurisdiction**: Cases of torture and ill-treatment are below 50%
- **Geographic coverage**: Represented in all administrative units
- **Budget**: Sufficient and covers unplanned expenses
- **Number of complaints of torture and ill-treatment**: No statistics collected or maintained

### Ratification of relevant international treaties
- **Relevant conventions**: All relevant conventions ratified
- **Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2002)**: Signed and ratified
- **Istanbul Protocol**: Not implemented in national legislation

### Procedural guarantees
- **Documenting the actual detention start time**: Yes, but applied selectively in practice
- **Lawyer notification at the actual detention start time**: Notified after 3 hours, applied selectively
- **Family notification**: Applied selectively in practice
- **Medical examination**: Required medical examination is performed selectively

### Preventive mechanisms
- **Independent external review mechanism**: Available in all provinces, financed from the public budget
- **Video surveillance**: Not all facilities are equipped with video surveillance. Private sanitary areas are excluded from video surveillance
- **Access to, and safekeeping of video evidence**: Video archives are protected and accessible to officials at places of detention. Liability for tampering is minimal