

Ewa Jakubiak*

ORCID: 0000-0002-7849-2880

Urszula Staśkiewicz**

ORCID: 0000-0001-8321-8088

Security and Mediation in Prisons: A Case Study of Poland in the Context of Selected European Solutions

ABSTRACT

Security is one of the most fundamental needs of individuals, societies and states. To be secure means to be free and secure from potential or actual threats. There are many ways to achieve and maintain an acceptable level of security, and these vary depending on available resources and the specific security environment. One such environment is prison. The realities of incarceration require a particular approach to the protection of life and health, the maintenance of order, and the development of appropriate relationships between staff and prisoners, while simultaneously ensuring the security of society as a whole.

The aim of the article is to present the issue of mediation in prison settings, with particular emphasis on Poland as a developed case study, and to outline selected solutions implemented in other European countries: Belgium and Latvia. In pursuing this objective, several research methods were employed, including the dogmatic-legal method, content analysis, and the analysis of legal acts and relevant documents.

Keywords: mediation, restorative justice, prison, security

* PhD, University of Łomża, address: Akademicka 14, 18-400 Łomża, Poland, Email: jakubiakewa@wp.pl

** PhD, European University of Law and Administration in Warsaw, address: 21/29 Grodzieńska str., Warsaw, Poland, Email: ustaskiewicz@ewspa.edu.pl

I. Introduction

Security may be understood as the condition that enables the dignified existence and development of a human being as an autonomous subject.¹ When referring to the specific context of prisons, the most important dimension of security is its human aspect, which encompasses both prisoners and staff.

The aim of the article is to present the issue of mediation in prison conditions, with particular emphasis on Poland as a developed case study, and to outline selected solutions functioning in other European countries: Belgium and Latvia. In pursuing this aim, several research methods were used: the dogmatic-legal method, content analysis, and the analysis of legal acts and relevant documents.

Belgium and Latvia were chosen as comparative examples because they represent two distinct yet complementary approaches to implementing mediation and restorative justice within the European penitentiary context.

Belgium is an example of a well-established, systemic model of restorative justice. It has successfully integrated mediation and restorative practices into its prison system, employing dedicated staff to promote communication between inmates, victims, and society. It demonstrates how restorative justice can become a structural and cultural element of prison policy and management. Belgium thus provides a mature, institutionalized reference point for how mediation can effectively function as part of a broader security and rehabilitation strategy.

Latvia, on the other hand, illustrates a transformative and developmental model. Emerging from the legacy of the Soviet penitentiary system, it has been gradually introducing restorative justice and mediation through targeted reforms, international cooperation (e.g. the Norwegian Grants), and investments in infrastructure and rehabilitation programs. Latvia shows how mediation and restorative justice can serve as tools for modernization and humanization of the prison system, even in countries undergoing systemic transformation.

In summary, Belgium was chosen for its advanced, institutionalized restorative model, while Latvia was selected for its reform-oriented and evolving approach – together offering a comprehensive comparative background for analyzing Poland's position and potential in developing mediation within prison settings.

¹ Drabik, 2011, 51.

II. The role of mediation in building a safe environment in prisons

Bearing in mind that mediation is a voluntary process aimed at concluding an agreement beneficial to all parties to the conflict, in which the parties to the conflict and an impartial mediator participate,² the choice of mediation is a safe and rational solution. In the mediation process, the parties seek to identify and shape a comfort zone in pursuit of common interests. However, mediation involves various forms of feedback and interaction between parties representing distinct and specific interests; these dynamics constitute natural elements of the process. As a result, mediation can often prove more effective than arbitrary court proceedings, as it increases the chances of the parties reaching a compromise. Awareness of the real costs of the trial and the duration of the court proceedings, lack of knowledge and certainty as to the outcome of the court judgment, the necessity of engaging one's own resources in the form of money, time and energy, all speak in favor of mediation as a solution. It is simply faster and cheaper, and, most importantly, it is aimed at agreement.³

Voluntary mediation is an element of mediation. This principle means that each party, after the first meeting, may decide to withdraw from further mediation proceedings. As P. Waszkiewicz points out, voluntary mediation is understood as the absence of coercion from the outside that might compel the parties either to enter the mediation process, or to conclude a specific agreement.⁴

Mediation is a method of peaceful resolution of internal conflicts, one based on dialogue and respect, which allows the people involved to take responsibility for their behaviour. Mediation opens up the possibility to create a genuine space for resolving conflicts in a more democratic and lawful manner.

When discussing mediation, it is impossible to ignore the concept of restorative justice. Restorative justice⁵ is a process that allows those harmed by crime and those responsible for the harm, provided they voluntarily consent, to actively participate, with the assistance of a trained and impartial third party, in addressing the matter arising as a consequence of the offense. Restorative justice often takes the form of a dialogue (direct and indirect) between the victim and the perpetrator

² Godlewski and Śliwa, 2015, 86.

³ Jakubiak and Rybacka, 2023, 200.

⁴ Waszkiewicz, 2018, 187.

⁵ Recommendation CM/Rec (2018)8 of the Committee of Ministers to Member States concerning restorative justice in criminal matters, 3 October 2018.

of the crime, which may involve, if appropriate, other persons directly or indirectly affected by the crime. These may be persons supporting victims and perpetrators of the crime, competent services, or members or representatives of communities affected by the crime.

Restorative justice⁶ is most often presented as a viable alternative to imprisonment for many criminals. From this perspective, restorative justice interventions can serve many of the functions typically expected of incarceration, such as deterring crime and preventing reoffending. Further, teaching prisoners conflict resolution skills helps them transition more successfully back into society.

As John Braithwaite emphasized in his work *Crime, Shame and Reintegration*,⁷ restorative justice has been found to have the potential to prevent crime more effectively than traditional retributive justice. He argued that tolerance of criminal behaviour increases the likelihood of further offenses, while stigmatizing and socially excluding offenders – treating them with disrespect or social outcasting – also serves to exacerbate criminal conduct. In contrast, “reintegrative shaming,” which involves expressing disapproval of the criminal act while maintaining respect for the individual, and which culminates in acts or rituals of forgiveness, helps reintegrate offenders into society and reduces the risk of reoffending. This approach highlights the moral and social dimensions of restorative justice, focusing on accountability, empathy, and community healing rather than punishment alone.

There are three pillars of security in prisons: physical, procedural and psychological security.⁸ Physical security includes walls, bars and direct coercive measures. Procedural security is any number of practices (originating from legal regulations and internal documents of the penitentiary unit), the use of which supports the maintenance of order and security, i.e. the procedure for issuing keys, the procedure for counting inmates, the procedure for visits with prisoners. Psychological safety is the youngest pillar - its origins can be traced to the broader evolution in approaches to penitentiary practice⁹ and the development of resocialization concepts. It is based on the principle that “prevention is better than cure” (stop trouble before it starts).¹⁰ Psy-

⁶ Venice Declaration of the Ministers of Justice of the Council of Europe Member States on the role of restorative justice in criminal matters, 14 December 2021.

⁷ Braithwaite, 1989, 54-68.

⁸ Recommendation Rec (2006)2-rev of the Committee of Ministers to Member States on the European Prison Rules, rule 51.2, 11 January 2006 [Revised and amended by the Committee of Ministers on 1 July 2020 - see Rec(2006)2-rev].

⁹ Dawidziuk, 2013, 22.

¹⁰ Staskiewicz and Gmurowska, 2022, 106-107.

chological security, meanwhile, is the implementation of the principles of dynamic security¹¹ and the concept of restorative justice, including the use of mediation.

According to the modern approach to ensuring security, a correctional facility requires not only the skills of careful observation and rapid response, which help prevent problematic situations and allow early intervention (even before a prisoner's aggressive behaviour manifests), but also the skills of mediation and amicable conflict resolution – both between the prisoners themselves and between the prisoners and visitors (e.g. families). Unfortunately, the lack of sufficient knowledge about the concept of mediation, mediation techniques or, indeed, restorative justice, is the main barrier to their use, despite their great potential.¹²

Abraham Maslow, after identifying the basic physiological needs and those related to safety, defined the need for positive social interactions as the third fundamental human need.¹³ However, it should be highlighted that prisons are environments where individuals with a wide range of backgrounds and challenges converge, including people struggling with addiction, those with intellectual disabilities or mental health disorders, as well as individuals who have committed offenses such as theft, fraud, or corruption, including from positions of authority. It is a place where the entire cross-section of society comes into sharp focus. In such an environment, it is very easy to experience conflicts; where even a small spark can trigger a long chain of collective aggression that is difficult to contain.

Prison¹⁴ is a closed environment in which inmates are subject to an institutional framework of prescribed disciplinary and interpersonal relationships which can give rise to internal conflicts. The prison context influences the emergence and development of such conflicts in multiple ways. It is necessary to consider structural factors, including the number of inmates, their accommodation, their loss of autonomy, and the experience of deprivation, as well as the institutional balance between rehabilitation and security. Conflicts in everyday prison life therefore emerge within a complex interplay of these conditions.

¹¹ Recommendation Rec (2003)23 of the Committee of Ministers to Member States on the management by prison administrations of life sentences and other long-term prisoners, 9 October 2003.

¹² Staśkiewicz and Gmurowska, 2022, 109.

¹³ Maslow, 2013, 41-52.

¹⁴ The national regulations that regulate the activities of the Polish prison system are: The Code of Criminal Procedure of 6 June 1997 and the law "On the Prison Service" of 9 April 2010. Other provisions are the regulations of the Minister of Justice, while legal acts of an internal nature play a role in the functioning of the prison system.

If conflicts within the system can also be understood as a signal of poor integration of the system with the environment, then conflicts in the penal system refer to the quality of links between the “prison system” and society. Occupancy rates, the number of available staff in the prison, and the resources accessible for the practical implementation of the prison’s objectives, become conditions determining the situation in the prison, and thus the likelihood, nature and potential development of conflicts.¹⁵

Conflicts can escalate significantly, in part because a prisoner has no influence over external circumstances (e.g. an isolated prisoner may want to reconcile with their family, but the family does not want to have contact) and is subject to procedures they may be unwilling to follow.

Mediation offers a positive interaction experience at different levels. Being a flexible process that adapts to difficult conditions, it can help the parties involved resolve conflicts, and can reconcile estranged family members. Its purpose is to teach prisoners communication and conflict resolution skills, improve the quality of life within prisons, and facilitate transition back to the community for the offender. The mediation process allows the parties to express their feelings and points of view, identify needs, and explore, resolve and negotiate an agreement that is satisfactory to both parties.

Improving the prisoners’ problem-solving abilities is essential for their success in social rehabilitation and reintegration into society. Such skills affect their ability to think rationally, control impulses, and solve any issues they may face. Mediation serves as a model for developing emotional maturity in conflict resolution, and holds significant potential for application within the prison setting.

By gaining valuable experience in problem-solving and conflict resolution in a prison environment, prisoners can transfer their mediation skills back to family communities after release, providing them with a useful strategy for reintegration into society. In this respect, the mediation process ensures the effective rehabilitation of prisoners.

In applying this understanding of security to the field of penology/criminology, it can be observed that the mediation process forms an integral part of the safety pillars within the penitentiary unit.

¹⁵ Baładynowicz, 2019, 27.

III. Mediation in Polish prisons

In Poland, the concept of mediation within prisons has not yet become widespread enough to be considered popular,¹⁶ however, as A. Lewicka-Zelent points out, constructive methods of conflict resolution are increasingly being adopted in Poland. Mediation, as one such method, no longer concerns only juvenile cases (from which it originated in Poland): due to its values, it is now conducted in various spheres of Polish life, among them politics, religion, and education.¹⁷

The institution of mediation was introduced into the Polish criminal law system more than 25 years ago. Intended to reflect a new perspective on the role of the victim of a crime, it sought to strengthen the position of the injured party in criminal proceedings, and simultaneously to serve as an alternative method of conflict resolution. Moreover, the institution of mediation, in addition to jurisdiction and preparatory proceedings, also appeared in enforcement proceedings, being introduced to the Code of Criminal Procedure of 1997¹⁸ in Article 23a, added by the amendment of 10 January 2003, which entered into force on 1 July 2003.¹⁹

In accordance with Article 162 of the Act of 6 June 1997 Code of Criminal Procedure,²⁰ the penitentiary court hears the representative of the prison administration, as well as the professional court probation officer, if they have submitted a request for conditional release, and takes into account the settlement concluded as a result of mediation. In the case of a convicted person connection with disorders of sexual preferences, as specified in articles 197-203 of the Penal Code,²¹ conditional release cannot be granted without consulting experts. Seeking the opinion of experts in such cases is mandatory.

The current legal solutions related to settlement concluded as a result of mediation were incorporated into the Code of Criminal Procedure as a result of an amendment made by the Act of 24 July 2003. However, these solutions have raised reservations since their inception. The necessity of mediation in enforcement proceedings

¹⁶ In June 2022, the research project “Pilotage of a program implementing the idea of restorative justice in the District Inspectorate of the Prison Service in Lublin” was completed. The implementation of the project is to contribute to increasing the number of experts in criminal mediation, including in public administration. More about the project: <<https://mediacjaiprawiedliwoscnaprawcza.pl>> [13.07.2025].

¹⁷ Lewicka-Zelent, 2020, 13.

¹⁸ Code of Criminal Procedure of Poland, 6 June 1997.

¹⁹ Law on amendment to the Code of Criminal Procedure of Poland, 10 January 2003.

²⁰ Code of Criminal Procedure of Poland, 6 June 1997.

²¹ Penal Code of Poland, 6 June 1997.

was highlighted by experts during the drafting of amendments to the Code of Criminal Procedure. The aim was to define the mediation procedure in detail, particularly during the imprisonment phase. However, when the Code of Criminal Procedure was amended, no extensive modifications were made to adapt mediation to the specific characteristics of enforcement proceedings. The draft law does not even clearly indicate the purpose of introducing this institution.²²

In the Code of Criminal Procedure,²³ the institution of mediation is explicitly specified in Article 23a § 1, which currently provides that the court or court clerk, and in the preparatory proceedings the prosecutor or other authority conducting these proceedings, may, on the initiative or with the consent of the accused and the victim, refer the case to an institution or person authorized to conduct mediation proceedings between the victim and the accused. The parties are informed about this, including the purposes and principles of mediation proceedings, as well as the content of Article 178a of the Code of Criminal Procedure (which concerns the examination of a mediator as a witness – this article prohibits questioning the mediator as a witness regarding facts learned from the accused or the victim in the process of conducting mediation proceedings, with the exception of information about offenses referred to in Article 240 § 1 of the Penal Code, which relates to the punishable failure to report a prohibited act).

However, the situation is different in the Code of Criminal Procedure. Here, the issue of mediation is only briefly mentioned in a single article, which states that the penitentiary court will take into account an agreement reached through mediation. The assumptions behind the project of introducing mediation to the Code of Criminal Procedure aimed to clarify the concept of mediation in enforcement proceedings. The intention was to specify in detail the procedure for conducting mediation at the stage after the verdict had already been issued.²⁴

While, to date, none of these assumptions has come into force, mediation in the Code of Criminal Procedure could play an important role in influencing convicts, resulting in, among other things, efforts to change their behaviour.²⁵ The issue of mediation in the Code of Criminal Procedure has, since its introduction, generated a number of critical positions in the doctrine of executive criminal law.²⁶ These posi-

²² Dąbkiewicz, 2013, 67-68.

²³ Code of Criminal Procedure, 6 June 1997.

²⁴ Szymanowski, 2004, 39.

²⁵ Dąbkiewicz, 2013, 14.

²⁶ Sowiński, 2022, 77-89.

tions referred to the manner in which the institution was introduced into the Code of Criminal Procedure and to the objectives of this mediation. Apart from a brief mention of mediation, the Code of Criminal Procedure does not provide for this institution in its regulations. Therefore, it would be necessary to refer to the regulations on mediation contained in the Code of Criminal Procedure, and yet mediation regulated in the Code of Criminal Procedure serves completely different purposes than mediation in enforcement proceedings. For example, the directives in Article 53 § 3 of the Penal Code, stating that when imposing a sentence, the court will also take into account the positive results of mediation conducted between the victim and the perpetrator, or an agreement reached between them in proceedings before the court or the prosecutor, do not apply in enforcement proceedings. As such, there is no unified position in the doctrine to this day as to whether mediation in the Code of Criminal Procedure is an autonomous institution for this procedure, or whether mediation can take place at all. Most of the doctrine holds that the obligation to consider a settlement concluded as a result of mediation refers only to an agreement concluded at an earlier stage, i.e. at the stage of preparatory or jurisdictional proceedings.²⁷

There is also the view that mediation is a competent institution for enforcement proceedings, because the fact of concluding a settlement in these proceedings is the basis for granting conditional release from the remaining sentence of imprisonment. However, in this respect, too, it is necessary to refer to the content of Article 1 § 2 of the Code of Criminal Procedure, which stipulates that, in enforcement proceedings, in matters not regulated by the Code, the provisions of the Code of Criminal Procedure apply accordingly. Therefore, some authors currently point to the appropriate use of mediation in enforcement proceedings under the provisions of the Code of Criminal Procedure regarding the consensual method of resolving a conflict. Hence, it is accepted to apply mediation not only to persons serving a custodial sentence, but also to convicts in another way, that is, regardless of the type of sentence imposed. It is also noted in the doctrine that it is unjustified to link the admissibility of mediation proceedings only to conditional early release from serving the remainder of the sentence of imprisonment.²⁸

As evidenced by the high recidivism rates among released prisoners, the current rehabilitation system within Polish criminal justice system is failing. No amount of educational or vocational training will improve the problem posed by the return of prisoners to social life without the ability to make reasonable decisions and resolve

²⁷ Lachowski, 2021, 598.

²⁸ Rękas, 2011, 8-9.

conflicts in a peaceful and lawful manner. The institution of mediation in prison will enable prisoners to make better decisions and improve their problem-solving skills. Although the research conducted by Agnieszka Lewicka-Zelent shows that persons serving a prison sentence are characterized by a low level of readiness to compensate the victims of the crimes committed, this does not mean that they lack the desire to undertake restorative actions.²⁹

IV. Mediation in other European countries

Mediation within prison walls is possible. Belgium is an example of a country where the idea of restorative justice (including mediation) has been included in systemic solutions. Each prison employs a person whose task is to introduce a model of restorative justice not only to the penitentiary unit itself, but also to its environment. The programme has three objectives³⁰:

Preparing communication structures between internal and external services;

Raising prisoner awareness of cases, needs, positions, issues of victims and restorative justice;

Raising awareness among victims and society about the realities of imprisonment and restorative justice.

Other countries are also beginning to apply the idea of restorative justice, including mediation.

Latvia, like other Baltic states, is struggling to fully free itself from the remnants of the Soviet system. As indicated in a 2013 report, the Latvian penitentiary system still has many problems that Latvia has been trying to face since the beginning of its independence. These include: poor living conditions in prisons, old buildings (some over 100 years old), too large cells (up to 30 prisoners), overcrowding, strong internal hierarchies among prisoners, and non-compliance with human rights.³¹

Aware of the problem, Latvia intensified efforts to improve its penitentiary system. In 2013, the Latvian government decided to allocate LVL 55,000,000 (about EUR 78,000,000) over five years for the construction of a modern prison, and issued Regulation of the Council of Ministers No. 191 on the procedure for the implementation of rehabilitation of convicts.³² Since then, the documents of each prisoner contain a

²⁹ Lewicka-Zelent, 2016, 56.

³⁰ Jakubiak, 2022, 48.

³¹ Kamenska and Ilvija, 2013, 15-30.

³² Regulation of the Council of Ministers of Latvia No. 191 of 9 April 2013 “On the Procedure for the Implementation of Rehabilitation of Convicts”.

section on rehabilitation, and their rehabilitation plan is developed together with the prisoner - including the possibility of education, employment, consultation with a social worker, psychologist, chaplain, etc.

In 2014, Latvia launched a project implemented under the Norwegian Grants mechanism (EEA and Norway Grants for 2014-2021), which aimed to familiarize the Latvian Prison Service with solutions, such as electronic surveillance and the concept of restorative justice and mediation. The aim was also to promote practices that facilitate the prevention of lawbreaking – especially among juvenile offenders – which is crucial for improving the effectiveness of the penitentiary system and social reintegration.³³

Latvia's actions are having a positive effect. Prisons are no longer overcrowded, the prison population has decreased significantly, and modern solutions, which were implemented with some concern, are proving successful.³⁴

V. Conclusion

Mediation in prison settings represents an essential element of the modern penitentiary system, combining the goals of security, rehabilitation, and social reintegration. The Polish case demonstrates that, although the legal framework provides for the possibility of mediation, its practical application remains limited. The incorporation of mediation into the Code of Criminal Procedure and the Penal Enforcement Code reflects an awareness of its potential to humanize criminal justice and improve safety within prisons, yet the lack of detailed procedural regulations, and the persistence of traditional punitive approaches, continue to hinder its full implementation.

The comparative analysis of Belgium and Latvia highlights two complementary perspectives on how mediation and restorative justice can function in correctional environments. Belgium serves as an example of a systemic and institutionalized approach, where restorative justice is deeply embedded in prison management and culture. Latvia, in turn, illustrates a transformative path of gradual reform, in which mediation supports the modernization and humanization of penitentiary institutions. Both models show that mediation can enhance not only the effectiveness of rehabilitation, but also the overall sense of safety within prisons, by reducing conflicts and promoting constructive communication.

³³ <<https://eeagrants.org/news/introducing-alternatives-imprisonment>> [13.07.2025].

³⁴ U. Staśkiewicz, *Profound change or just a facade? Legal transformation of the Estonian and Latvian penitentiary systems*; The Legal Commission Proceedings of the Polish Academy of Sciences, Lublin Branch, vol. XVIII, 2025, No. 1, 431-447.

In the Polish context, mediation should be perceived as a tool for building a culture of dialogue and responsibility among inmates, as well as between prisoners and staff. It fosters personal development, emotional maturity, and social competence – key factors for successful reintegration after release. Expanding the use of mediation in penitentiary practice requires not only legislative refinement, but also educational efforts aimed at increasing awareness among prison staff, inmates, and society about the benefits of restorative approaches.

Ultimately, mediation in prisons is not merely an alternative to disciplinary or punitive mechanisms: it is a comprehensive process that strengthens security through understanding and cooperation, turning conflict into an opportunity for transformation. By promoting dialogue, empathy, and mutual respect, mediation contributes to the creation of safer penitentiary environments, and supports the broader goal of restorative justice: rebuilding social harmony disrupted by crime.

References

- Bałandynowicz A., *Probacja. Resocjalizacja z udziałem społeczeństwa. Konteksty antropologiczno-fizjologiczne*, Warsaw, 2019.
- Braithwaite J., *Crime, Shame and Reintegration*, Cambridge University Press, 1989.
- Dawidziuk E., *Traktowanie osób pozbawionych wolności we współczesnej Polsce na tle standardów międzynarodowych*, Warsaw, 2013.
- Dąbkiewicz K., *Mediacja w postępowaniu wykonawczym – refleksje na tle historii pewnej nowelizacji (art. 162 § 1 of the Code of Criminal Procedure.)*, journal “Probacja”, No. 4, 2013.
- Drabik K., *Bezpieczeństwo personalne i strukturalne*, Warsaw, 2011.
- Godlewski T., Śliwa J., *Negocjacje i mediacje*, Warsaw, 2015.
- Jakubiak E., *Mediacja jednym z fundamentów bezpieczeństwa i rozwiązywania konfliktów w zakładach karnych [Mediation as one of the foundations of security and conflict resolution in penal institutions]*, in: *Mediacja szansą na porozumienie*, edited by K. Jurewicz-Bakun and E. Jakubiak, FNCE, Poznań, 2022.
- Jakubiak E., Rybacka R., *Instytucja mediacji i jej znaczenie dla bezpieczeństwa jednostek penitencjarnych [The institution of mediation and its significance for the security of penitentiary units]*, journal “Law, Education, Security”, No. 120, Warsaw, 2023.
- Kamenska A., Pūce I., Laganovska, Kristīne, *Prison Conditions in Latvia European Prison Observatory. Detention Conditions in the European Union*, Rome, 2013.
- Kitler W., *Bezpieczeństwo Narodowe RP. Podstawowe kategorie, Uwarunkowania, System*, Warsaw, 2011.
- Code of Criminal Procedure, Commentary*, edited by J. Lachowski, Warsaw, 2021.
- Lewicka-Zelent A., *Gotowość osób pozbawionych wolności do zadośćuczynienia pokrzywdzonych*, Lublin, 2016.
- Lewicka-Zelent A., *Mediacje z udziałem członków rodziny z problemem przemocy – możliwości i bariery*, “Probacja”, No. 1, 2020.

- Maslow A., *Motywacja i osobowość*, Warsaw, 2013.
- Rękas A., *Mediacja w polskim prawie karnym*, Warsaw, 2011.
- Sowiński P., W sprawie realizacji zasady lojalności procesowej w stosunku do stron procesowych biorących udział w postępowaniu mediacyjnym w sprawach karnych. uwagi na tle art. 23A § 1 I § 4 ORAZ ART. 300 § 1- 2 I § 4 K.P.K; *ROCZNIKI NAUK PRAWNYCH*, Vol. XXXII, No. 2, 2022.
- Staśkiewicz U., Gmurowska, A., *Ochrona dynamiczna oraz mediacja jako koncepcje konsensualnego rozwiązywania sporów w polskim systemie penitencjarnym [Dynamic security and mediation as concepts of consensual conflict resolution in the Polish penitentiary system]; The Prison Systems Review*, No. 115, Warsaw, 2022.
- Staśkiewicz U., *Profound change or just a facade? Legal transformation of the Estonian and Latvian penitentiary systems; The Legal Commission Proceedings of the Polish Academy of Sciences, Lublin Branch*, Vol. XVIII, No. 1, 2025.
- Szymanowski T., *Kodeks karny wykonawczy po nowelizacji z 2003*, journal "Państwo i Prawo", No. 3, 2004.
- Waszkiewicz P., *Zasady medcji*, in: *Mediacje. Teoria i praktyka*, edited by E. Gmurzyńska and R. Morek, Warsaw, 2018.

Legal Acts

- Code of Criminal Procedure, 6 June 1997.
- Law on amendment to the Code of Criminal Procedure of Poland, 10 January 2003.
- Penal Code, 6 June 1997.
- Recommendation CM/Rec(2018)8 of the Committee of Ministers to Member States concerning restorative justice in criminal matters, Adopted by the Committee of Ministers on 3 October 2018.
- Regulation of the Council of Ministers of Latvia No. 191 of 9 April 2013 "On the Procedure for the Implementation of Rehabilitation of Convicts.
- Regulation No. Dz.U. 2015 poz. 716 of the Minister of Justice of 7 May 2015 "On Mediation Proceedings in Criminal Matters".
- Recommendation Rec(2003)23 of the Committee of Ministers to Member States on the management by prison administrations of life sentence and other long-term prisoners, adopted on 9 October 2003.
- Recommendation Rec(2006)2-rev of the Committee of Ministers to Member States on European Prison Rules, 11 January 2006.
- The Act "On the Prison Service", 26 April 1996.
- Venice Declaration of the Ministers of Justice of the Council of Europe Member States on the role of restorative justice in criminal matters, 14 December 2021.

Internet Sources

- <https://bip.brpo.gov.pl/pl> [13.07.2025].
- <https://eeagrants.org/news/introducing-alternatives-imprisonment> [13.07.2025].
- <https://mediacjaisprawiedliwoscnaprawcza.pl> [13.07.2025].