Criminal Detention in the EU Conditions and Monitoring

National Standard

Country	Detention Issues	Key provision	Legal Instrument	NPM Recommendation	NPM Recommendation year	NPM report URL
Poland	Children and young adults	A person under the age of 17 who has committed an offence is generally recognized not to be able to incur criminal liability or be imprisoned. In case of severe crimes (murder, group rape, and deprivation of liberty), the minimum age of criminal responsibility might be set at the age of 15 years. In such cases, a family court decides whether a juvenile might be tried as an adult. Children who have committed an offence before their 17th birthday (in some cases 15th), may face educational measures, including deprivation of liberty for educational purposes and correctional measure – placement in a correctional facility. In case of educational measures there is no minimum age. Such measures have been applied towards children as young as 6 years old. Correctional measures might, however, be applied only towards children who were at least 13 years old while committing an offence. Juvenile offenders are held in penitentiary units designed for young prisoners (those who are younger than 21 years old).	Criminal Code (Ustawa z dnia 6 czerwca 1997 r. Kodeks karny)			

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http://fra.europa.eu/en/databases/criminal-detention/

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