INSTRUCTIONS

**for a person under probation supervision**

Pursuant to the Criminal Enforcement Code:

**Article 5.** § 2 A sentenced person is obliged to comply with the instructions given by the competent authorities to enforce the ruling.

**Article 169.** § 1 A sentenced person under the obligation, who is placed under supervision, is obliged to comply with the obligations imposed by the Court for the duration of probation or obligations related to supervision.

§ 2 A sentenced person placed under supervision is obliged to report without delay, and at the latest within 7 days of becoming aware of the placement under supervision, to the probation officer of the District Court in whose district the supervision is to be carried out.

§ 3 A sentenced person is obliged to appear as summoned by the Court or the probation officer and provide explanations as to the course of supervision and the performance of obligations imposed on them, cannot change their permanent residence without the Court's consent, has to allow the probation officer to enter their house, and to inform the probation officer of any change in their place of employment.

§ 4 Supervision is carried out at the permanent residence of the sentenced person.

Pursuant to the Act of 27 July 2001 on probation officers:

**Article 9.** When performing their official duties, the professional probation officer has the right to:

1. visit, between 7:00 am and 10:00 pm, the persons involved in the proceedings at their place of residence or stay, and in secure institutions
2. require the person involved in the proceedings to produce an identity document,
3. require the necessary explanations and information from persons under supervision, or any other form of control ordered by the court,
4. inspect and take copies of court files in connection with the performance of their duties, and to have access to records concerning the person under their supervision and other persons involved in the proceedings,
5. request assistance from the Police and other state bodies or institutions, local government bodies, associations and social organisations within the scope of their activities, and from individuals in the performance of their official duties.

In connection with the performance of their duties, the social probation officer has the powers referred to in Article 9. (Art. 87(3) of the aforementioned Act).

**RIGHTS**

* A sentenced person retains their civil rights and freedoms. They can only be limited when the law so provides and by a non-appealable judgement under the law (Article 4 § 2 of the Criminal Enforcement Code).
* a sentenced person may apply for and participate in proceedings before the Court as a party, and file an appeal in the cases provided for by law against orders rendered in the enforcement procedure, unless the law provides otherwise (Article 6 § 1 of the Criminal Enforcement Code),
* a sentenced person may file applications, complaints and requests to the enforcement authorities. When filing an application, complaint or request, the sentenced person is obliged to substantiate the demands contained therein to the extent that allows for them to be considered, in particular to attach relevant documents (Article 6 § 2 of the Criminal Enforcement Code).
* a sentenced person may appeal to the Court against a decision of the President of the Court, an authorized judge, a penitentiary judge, head of the probation service, or professional probation officer on the grounds that it is unlawful, unless the law provides otherwise (Article 7 § 1 of the Criminal Enforcement Code).

**Declaration**

**of a person under probation supervision**

I, ........................., (full name) **PESEL** (national id no.) …………………………, declare that pursuant to Article 172 § 1 of the Criminal Enforcement Code and § 5 of the Regulation of the Minister of Justice of 13 June 2016 *on the manner and procedure of activities performed by court probation officers in criminal enforcement cases* (Dz.U.2016.969) concerning:

* obligations and rights under probation, supervision, obligations imposed, manner and dates of fulfilling the obligations, and the consequences of evasion, and classification in a specific risk group for recidivism,

I declare that during the supervision period I will reside at:

. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

(exact residence address indicated by the supervised person)

phone no.:

e-mail:

and I consent to communication by telephone and e-mail.

I declare that I was advised that any letters sent to the above address will be deemed to have been served by the Court.

**I will notify the probation officer immediately if I change my residence address, telephone number or e-mail address, and if I intend to travel abroad.**

I declare that these instructions were explained by the probation officer and I understand them fully.

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| |  | | --- | | Drawn up in two copies for: | | - 1 copy. - person under supervision;  - 1 copy. - file record. | | (date) | (full name of supervised person) |