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**SUMMARY OF
DOCTORAL DISSERTATION**

**„Jurisprudence and executive practice of penal suspension
against the background of the views of the doctrine and jurisprudence”**
written under the guidance of dr hab. Magdalena Budyn-Kulik, prof. of University

The subject of the doctoral thesis is the analysis of jurisprudential and executive practice regarding the institution of suspended sentences, which dominated the structure of imposed penalties until 2015 but failed to fulfill its function, resulting in serious problems with overcrowding in Polish prisons, despite its placement in the criminal code, which suggests that the consequences of its imposition should be fundamentally different. According to the assumptions of the creators of the 1997 Criminal Code, the conditional suspension of imprisonment was intended to remain an alternative to absolute imprisonment, serving as a purposeful measure when the execution of an isolating punishment lacks rational justification for a specific offender.

The effectiveness of this criminal response to the offense remains contingent on its application in accordance with the assumptions of the statutory sentencing and execution model, which makes a positive criminological prognosis towards the offender a mandatory condition for the conditional suspension of imprisonment. Only after nearly twenty years did the legislature recognize the problem of abuse of this institution, particularly in relation to repeat offenders for whom a positive criminological prognosis cannot be formulated. As a result, the possibility of suspended sentences was limited, and it was excluded for offenders convicted of imprisonment at the time of the offense. The legislator's response yielded the intended result. However, the nature of the introduced changes to the statutory model of sentencing for suspended sentences argued for the need to identify the real problems that arise in jurisprudential and executive practice concerning suspended sentences.

The subject of the research influenced the definition of the research goal. The focus was on seeking answers to the question of whether the current model of sentencing and

execution for suspended sentences, outlined in the provisions of the Criminal Code and the Execution of Criminal Sentences Code, is implemented in practice?

The specificity of the research problem necessitated the application of several research methods and the identification of two research areas - theoretical and empirical. The historical and legal-dogmatic methods were used in the theoretical part to present the evolution of suspended sentences and the currently applicable statutory model of their sentencing and execution. The analysis of subject literature, international legal standards concerning suspended sentences, and case law allowed for the consideration of guidelines for the preferred model of sentencing and execution of this institution in practice. The theoretical deliberations were supplemented by the analysis of the results of the author's own research (documentary and survey-based).

Ula Dradowska