

Contents

Acknowledgements	9
Introduction	11
Chapter I Social and individual significance of religion	15
Chapter II Religious freedom of adults and children: a reconstruction of international and Polish standards	47
2.1. Significance of religious freedom	47
2.2. Religious freedom of adults and children: international standards	57
2.3. Religious freedom of adults and children: Polish standards	65
Chapter III Religious freedom of adults and children deprived of their liberty in post-criminal isolation units: international standards	75
Chapter IV Religious freedom of adults and children deprived of their liberty in post-criminal isolation units: Polish standards	85
4.1. Statutory grounds for religious freedom of persons deprived of their liberty in Poland	85
4.2. Religious freedom of adults deprived of their liberty declared in legal instruments of a lower rank than a law	89
4.3. Religious freedom of adults deprived of their liberty declared in prison internal rules	90
4.4. Significance of the registration of the church of a religious association for the scope of prisoners' religious freedom	92
4.5. Scope of prisoners' religious freedom: should faith be manifested only in mandated forms in prison or also in forms recommended by a given denomination?	93
4.6. Diversity of situations of convicted persons in different types of prisons, including dangerous convicts	94

4.7. Diversity of situations of convicted persons and pre-trial detainees in terms of scope of religious freedom in prison	96
4.8. Scope of informing prisoners about the rights relating to religious freedom and the possibility of collecting declarations of faith from prisoners	99
4.9. Representatives of religion in prisons	101
4.10. Detailed elements of professing a religion and worship in the prison	102
4.11. Religious freedom of juveniles placed in post-criminal isolation units	115
4.12. Summary of the Polish regulations on individuals incarcerated in post-criminal isolation units	119
 Chapter V Religious freedom of adults and children deprived of liberty in post-criminal isolation centres in the Federal Republic of Germany	121
5.1. Constitutional standard	121
5.2. Religious freedom in the Basic Law of the Federal Republic of Germany and selected statutory regulations	125
5.3. Federal system reform (<i>Föderalismusreform I</i>) and its criticism	144
5.4. Religious freedom of adults deprived of their liberty	148
5.5. Religious freedom of children deprived of their liberty ..	164
 Chapter VI Exercise of religious freedom in penitentiary facilities, correctional facilities and youth educational centres: results of a survey	179
6.1. Research objectives	179
6.2. Methodology	180
6.3. Characteristics of the study group	182
6.3.1. Convicted persons and pre-trial detainees	182

6.3.2. Educators in penitentiary facilities and detention centres	185
6.3.3. Juveniles in youth educational centres and correctional facilities	185
6.3.4. Educators in youth educational centres and correctional facilities	186
6.4. Description of the institutions surveyed	186
6.5. Survey results	189
6.5.1. Prisoners in penitentiary institutions: penitentiary facilities and detention centres	189
6.5.2. Roman Catholic prisoners	191
6.5.2.1. Catholics before the pandemic while serving a sentence or in detention	192
6.5.2.2. Catholics during the pandemic while serving a sentence or in detention	196
6.5.2.3. Participation in practices at liberty	197
6.5.3. Prisoners of other confessions	198
6.5.4. Non-believing prisoners	199
6.5.5. Educators in penitentiary institutions: penitentiary facilities and detention centres	200
6.5.6. Juveniles in post-criminal isolation centres: youth educational centres and correctional facilities	203
6.5.7. Educators in juvenile institutions: youth educational centres and correctional facilities	210
6.6. Discussion	213
6.6.1. Religion and how it is practiced: a point of view of adult prisoners	213
6.6.1.1. Opinions of incarcerated Catholics	217
6.6.1.2. Opinions of prisoners of other denominations	220
6.6.1.3. Opinions of incarcerated non-believers	221

6.6.1.4. Issue of providing information 223

6.6.2. Religion and how it is practiced: a point of view of educators in penitentiary facilities and detention centres 224

6.6.3. Religion and how it is practiced: a point of view of juveniles in youth educational centres and correctional facilities 227

6.6.4. Religion and how it is practiced: a point of view of educators of juveniles in youth educational centres and correctional facilities 231

6.7. Data on chaplains and religious organizations cooperating with the Prison Service 232

Conclusions 243

References 249

Notes on contributors 277