

### **Description for the general public**

This research project aims to legal analysis the measures related to preventive deprivation of liberty. Preventive deprivation of liberty is one of the possible reactions to be taken against the danger from a particular person to various legally protected interests. This includes cases in which deprivation of human freedom is not a reaction to a committed offense, but solely to the danger from a certain person, even if no criminal act have yet occurred. In Poland the category includes, among others, situations of forced hospitalization of people with mental illness or certain infectious diseases or placing foreigners in detention centers, and - after the amendment of the Criminal Code - the use of psychiatric detention as postpenal means.

The planned research is to establish a minimum standard of protection of human rights of people isolated, especially in terms of proportional restriction of personal liberty in relation to the imminent danger for that person and the protection of other human rights in the course of isolation. The project aims also to develop a general model of legal regulation preventive deprivation of liberty, which would guarantee respect for human rights at the appropriate level.

Theoretical analysis shall be the applied research method. The analysis of literature and judgments in Poland and other countries is applied with the aim to determine the basis for the use of preventive imprisonment and a model of application of legal measures from this category with respect of the protection of human rights.

So far, the legal measures which are preventive detention have not been thoroughly analyzed, particularly from the perspective of the standard of human rights protection. The study of axiological basis for the use of preventive imprisonment and the minimum standard of human rights protection in the case of preventive deprivation of liberty will be addressed to both the dogmatists and practitioners of law. On the one hand, it can be a contribution to the debate on the method and scope of regulations of preventive deprivation of liberty in Polish law, on the other – it will allow to evaluate the existing legal solutions from the point of view of the adequate standard of human rights. The study, due to the interdisciplinary and comparative character, will also feed into the European and global debate on the guarantee of human rights protection during the preventive deprivation of liberty.