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Poland

Which authority decides on a claim for compensation in cross-border cases?

This information is currently unavailable.

Can I send my claim directly to the deciding authority in this country even in cross-border cases (without having to go via the assisting authority in my home country)?

The claim for compensation should, as a rule, be transmitted to the deciding authority by the assisting authority. However, the entitled person may also transmit the claim directly to the Polish deciding authority.

In which language(s) do the compensation authorities(s) accept the:

The deciding authority accepts correspondence in Polish and English.

The deciding authority accepts minutes of hearings conducted by the assisting authority of another country in the official language of that country.

If the compensation authority translates the claim/supporting documents from another EU country, who pays for this?

The costs of translating documents are covered by the State Treasury.

Are there administrative or other charges to be paid in this country for processing my claim (received from another EU country)? If so, how can I pay these?

People seeking compensation are fully exempt from the obligation to pay court costs.

If I need to be present during the procedure and/or when my claim is being decided upon, can I be reimbursed for my travelling costs? How can I claim them? Who do I have to contact?

You cannot be reimbursed for your travelling costs. You may, however, be heard remotely, i.e. without having to come to the deciding authority. You may make a request to the deciding authority to apply to the assisting authority in your country for assistance in organising a remote hearing. You must give your consent for such a hearing.

Is an interpreter provided, in case I have to be personally present?

If necessary, the deciding authority will appoint an expert interpreter. You will not bear the resulting costs.

Will medical certificates, given by doctors in my country of residence, be accepted or recognised – or will my health/injury have to be examined by your own medical experts?

The deciding authority will assess whether the examination conducted by doctors in your place of residence is credible. If it finds that a new examination is needed, you should undergo it. You will be required to pay only the travelling costs.

Will I be reimbursed for my travelling costs, if I have to undergo a medical examination in this country?

You cannot be reimbursed for your travelling costs, even if you had to come to this country to undergo a medical examination.

How long does it take approximately to get a decision on compensation from the authority/body?

There is no time limit provided for in the applicable provisions for issuing a decision on compensation claims. How long it takes will depend not only on how complex the case is and what evidence the deciding authority needs to take, but also on the number of cases currently being examined by the deciding authority.

In which language will I receive the decision on my claim?

The decision on compensation will be in Polish.

If I am not satisfied with the decision, how can I challenge it?

If you are not satisfied with the decision on compensation, you can appeal against it before the court of second instance (*sąd II instancji*). You will not bear any costs relating to the appeal.

Can I get legal aid (assistance from a lawyer) under the other country's rules?

Legal aid may be provided under Polish law. It is provided to people who demonstrate that they cannot afford a lawyer. Please remember: when seeking compensation, you can expect assistance from the public prosecutor conducting the proceedings relating to the crime for which you are seeking compensation.

Are there any victim support organisations in this country that can help me claim compensation in a cross-border case?

In Poland, there is the Victim Support and Post-Penitentiary Assistance Fund (*Fundusz Pomocy Pokrzywdzonym oraz Pomocy Postpenitencjarnej*), which collects funds allocated for, inter alia, helping crime victims and their next of kin. The fund is administered by the Minister for Justice. The support is organised in such a way that the fund administrator selects, in an open tender procedure, the organisations whose tenders it deems best and grants them earmarked subsidies for measures for crime victims.

The funds are used to finance legal, psychological and material aid. Legal aid may cover assistance in seeking compensation, including in cross-border cases.

If you wish to benefit from the aid, you should contact a non-governmental organisation that has received a subsidy from the Minister for Justice for this purpose, and demonstrate that you are a victim of a crime. A list of such organisations, together with their contact details, can be found on the website of the Ministry of Justice – <https://www.funduszsprawiedliwosci.gov.pl/>

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