

Introduction

21 Volume of “Białostockie Studia Prawnicze” [Białystok Legal Studies] focuses on the presence of social factors in the justice system. Scientific articles published herein are the continuation and development of the research initiated under a scientific project “Pilot implementation of the ‘Community Court’ model in Poland as an institutional bridge between the judiciary, self-government bodies and social organizations facilitating the implementation of restorative justice in practice” carried out in 2014-2015 and funded by the Polish National Council for Research and Development within the framework of the programme “Social Innovations”.

A purpose of the project was the creation and pilot implementation of the model of cooperation between social organizations and courts, and in particular working out the procedure of establishing restorative programs for defendants which may be applied by the court when imposing a penalty. The project was based on the Anglo-Saxon model of the community court characterized by close cooperation between the justice system and social organization as well as a wide application of the principles and procedures of restorative justice to increase a role of non-custodial sentences, probation and compensatory measures.

The authors of texts submitted to “Białostockie Studia Prawnicze” are not only direct contractors of the above mentioned project but also acclaimed scientific experts in the field of criminal and restorative justice from leading scientific centres in Poland. The studies included in this volume reflect the state of discussion on key issues depicted in “Białostockie Studia Prawnicze”.

The issue of a social factor in the justice system is extremely important because it embraces a possibility of community participation in the criminal procedure, which entails democratization of judicature. Responding to expectations and discussions about the role of a social factor in the criminal procedure, general assumptions of restorative justice and model assumptions of community justice have been analyzed. They introduce further considerations on detailed issues providing a reader with theoretical foundations to a more effective analysis of subjects presented in this volume. The participation of a social factor in the justice system has been thoroughly depicted with regard to the following perspectives: historical and legal comparative studies,

constitution, case-law, the principle of audience (open trial), juvenile and executive proceedings. Moreover, considerations herein have been focused on specific issues regarding participation and role of non-governmental organizations in the criminal procedure and implementation of probation as well as social factor in the context of victim-offender mediation in labour law cases.

We sincerely hope that the subsequent issue of “Białostockie Studia Prawnicze” and articles published herein will considerably contribute to scientific studies and considerations on social factor in the justice system whereas our readers will find inspiration for further scientific reflections.

Cezary Kulesza, Dariusz Kuźelewski, Stanisław Burdziej
Volume Theme Editors