

According to information submitted by the Vice-President of the District Court Poznań - Old Town in Poznań, in the case no. VIII K 423/17 pending before this court, which concerns Anna Wilk, the defendant, a judgement was passed on 24 May 2019. As at the date of preparing this information (17 June 2019), the judgement was not final. The case involved offences under Art. 212 (1) and (2) of the Penal Code and was processed in camera. Right now, the proceedings are at the stage of delivering a copy of the judgement with reasons to the parties. By letter of 4 July 2019, the Vice-President of the District Court Poznań - Old Town in Poznań furthermore announced that the fact that the proceedings were being held in camera made it impossible to make available other materials than the photocopies of the indictment and a non-final judgement.

Anna Wilk-Baran was sued by Amica Spółka Akcyjna for two acts alleged to impute to Amica S.A., registered office in Wronki, conduct that may discredit the said company in the face of public opinion or result in a loss of confidence necessary for its type of activity. The offences were alleged to have been committed among others through: 1. The publication by Anna Wilk-Baran in *Tygodnik Gazeta Powiatowa*, a title she publishes in Wronki, as well as on its Facebook profile, of the words: “Considering the aforementioned events and acquaintances, the Wronki-based company should seriously consider whether it should still be called a joint-stock company. Perhaps an organised crime group would be a more apt name?” and 2. The publication by Anna Wilk-Baran in *Tygodnik Gazeta Powiatowa* of the phrase: “It’s a fact, there are plenty of thugs around Amica.”

In its judgement of 24 May 2019, passed in the case no. VIII K 423/17, the District Court Poznań - Old Town in Poznań:

- held the defendant Anna Wilk guilty of the acts she was sued for, qualifying the two acts as offences under Art. 212 (1) and (2) of the Penal Code, and sentenced the defendant to 130 daily fines of PLN 15 each, for each of the offences,
- sentenced the defendant to a total penalty of 150 daily fines of PLN 15 each,
- ordered that the defendant make the judgment public by publishing its conclusion in *Tygodnik Gazeta Powiatowa*, published in Wronki, on its Facebook profile, in *Tygodnik Gazeta Szamotulska*, and in *Goniec Ziemi Wronieckiej* monthly,
- adjudged that the defendant pay to Koło Pomocy Dzieciom Niepełnosprawnym (Help Association for Children with Disabilities), registered office in Wronki, exemplary damages of PLN 5,000,

- ruled that the defendant be prohibited from pursuing the profession of journalist, exercising publishing activity, and from holding posts at entities involved in publishing activity, for the period of three years,
- ordered the defendant to pay the costs of proceedings and the amount of PLN 600 to the private prosecutor Amica S.A. on account of registering the case,
- adjudged that the Treasury pay PLN 723.24 to a court-appointed lawyer on account of the costs of free public defence,
- ordered the defendant to pay the amount of PLN 225.

It must be noted that, as follows from the judgment, during the proceedings Ms Anna Wilk-Baran had access to an officially appointed lawyer. The judgement passed in the case is not final. Should an appeal be made, the grounds of this judgement will be re-examined by a court of second instance.