

Violence Against Children in POLAND

Relevant extracts from an NGO alternative report presented to the UN Committee on the Rights of the Child

CRC Session 31, 16 September - 4 October 2002

Polish Forum for Children's Rights – English

www.crin.org/docs/resources/treaties/crc.31/Poland_ngo_report_eng.doc

[...]

Serious problem is not only **poverty**, but first of all a negligence carelessness of the State.

[...]

National monitoring system of children's situation still does not exist. Main Statistic Department justifies it by the lack of government order concerning collecting dates about feeding children, their health, violence etc.

[...]

Example of belittle children's situation is eliminating excess fare for care of handicap children, introduced for saving budget in autumn 2001.

[...]

In 1998 in Poland 10.070.000 children (people under 18) were living.

- under poverty level live 6-7 millions Polish, including 1 million children,
- 200.000 children are under surveillance of Care Courts,
- 90.000 children live only with mother,
- 72.000 children live in care centers,
- around 200 children is foreigner without care

[...]

With sorrow should be said that all governments - begins from 1989 from Government of T. Mazowiecki to Government of J. Buzek – belittle children's problems. If they reacted it was apparent. They never create long-term plan of development children's policy.

Political elite still could not reach an agreement for realizing the most important children's needs: of love and safety, of respect, of protection against inhuman treatment – like: violence in family, abuse and sexual crimes.

Children still are neglected and forgotten – as the latter take advantage of changes, and first are victims of not wise social experiments.

[...]

Unemployment rate of young people at age 15-24 towards total unemployment rate (**state in 1998**)

	Young people	Total
Poland	23,3 %	10,6 %
18 countries from Central Europe and WNP	29,5 %	14,4 %
15 countries of European Union	21,2 %	10,8 %

[...]

The biggest children's problem in Poland is violence at home and state helplessness towards providing protection for children.

[...]

Common problem in Poland is social beliefs that “**law itself and life itself**”. This is the effect of misunderstood justice procedure, which upset unambiguous and cohesion of norms. That is when compare the Convention on the Rights of the Child with Polish declaration connected to ratification on 30th of April 1991: “*The Republic of Poland thinks that execution of child’s rights defining in the Convention, especially rights describes in Art. 12-16 is made with respect of Polish habits and tradition concerning the child’s place in family and out of it*”. This record is not a justice norm but makes difficulties:

- in defining the justice range of the declaration – as a document,
- concerning possibilities of widening interpretation of record “*especially*” for different articles than just 12-16,
- in impossibility of describing positive context of “*Polish habits and tradition*” (Polish tradition is that children should not have any opinion).

Moreover there are **problems in respecting** other Convention concerning children like **European Convention on the Exercise of Children’s Rights** on 25/01/96. There are cases that courts rule against child’s interest.

[...]

In Poland, not numerous data arise that **more than 60% of parents use corporal punishment** as a form of discipline (Czyż,1992). During one year **200 thousands of children** experience violence but only 10% of these cases are registered by the Police. In 1998 there were **21 thousand cases of family members’ torments**¹ - it is 2 times more than in 1990. To the Public Prosecutor’s Office comes only **2,5 thousands cases**, mostly after the hospitalisation of the child abused.

4% of polish children have sexual contacts once in year (it means touching intimate part of the body) with an adult. **8,4% of children where persuaded to watching pornography films and magazines.**

35% of women and 29% of men where sexually abused in their childhood². **Almost 17% of women and 9% of men were abused by the family members. More than 10% of asked women and 3% - men they were raped in the childhood, more of these persons never told about this and did not use medical, psychological or legal help.**

In 1999 police statistics indicate 1659 cases of paedophilia - sexual abuse of children under 15 years. It is estimated that only 5% of cases of sexual abuse of children are revealed.

85% of respondents confirm that, one of the most general reason for violence is lack of social reaction when such things happens.

66% of Poles suggest that appropriate institutions very rarely react and cooperate in these cases.

85% of Poles state that, perpetrators should be penalise and cure at the same time.

Meanwhile, in Poland there is lack of institutions that are engaged in therapeutic work with perpetrators.

Only 15% of professionals state that Polish law properly regulate the intervention system for the problem of child abuse and violence.

Governmental report from the realisation of CRC in Poland (1993-98 years), according to the most important problem as child abuse is refers only in few words and in the manner that it is not a big problem (pages 37 and 50). Meanwhile, **we are talking about fundamental rights** – protection against inhuman and maltreatment – problem very severe and important.

Violence has important consequences in adults life – violence is inherited.

[...]

36 thousands of children in Poland that are victims of violence and totally neglect.

In different institutions there are 80 thousands of children and next 12 thousands are waiting for place.

Between children under 14 years in 1997, every fifth child was poor.

84% of children that are growing up in children’ house never visited a freeing in the city.

¹ Data from the Police

² Polish Sexuological Associations 1991r.

Since 1991 till 1998 the number of children in children' house systematically grown. In 1998 there were:

- **in 356 children' homes** there were **17.645 children** – between them only **610 orphans**; and **34% of the whole number came to institution because of poverty** in the family; the average cost of living in the institution stand for 2.200 zlotys,
- **in 150 family houses** there were 1300 of children – the average cost of living stands for 1.300 zlotys,
- **in foster families** there were 45 thousands of children (living costs: 500 zlotys).

According to the polish Ombudsman [RPO] reports, in 1994 in institutions for children many of child rights was not respected, especially: right to information about themselves and their rights, protection against maltreatment, right to gathering, to explain themselves in matters affecting them. Pupils of those institutions are passive and not ready to independent life, thinking and act.

[...]

34% of children are placed in institution because of poverty of their parents or mother. The system replace parents in their functions and obligations, this situation leads to pathology.

[...]

We observe non equal treating of foster families (low material status of 90% of those families) and national institution (e.g. children houses).

[...]

- 1) Destabilisation of medical research, prophylaxis interventions and inoculations. **In Poland there are regions that medical research and inoculations of children decreased** from almost 100% (in 1980) **to 60% nowadays!**
- 2) In 1995 year – 61,9% of children between 6 and 7 years have stature defects³. Actually, statistics shows that 80% of polish children might have stature defects.
- 3) Through the liquidation of medical cabinets in school and the posts of school nurses led to the very poor realisation of the right to medical care. MEN finds that medical care should be realised by parents – in practise not every parents could take care of their children in the manner they required (families in poverty, dysfunctional families, etc.)

[...]

There is no state comprehensive program of help for “street children” in Poland. There are specialized agendas, busy with selected subjects like PARPA, Office for Drugs' Takers. But Ministry of Labor and Social Policy even in 1998 was belittling problem – recognizing it as not important and composed. Problem is with Rome children, prostitute children, children escaping from home, children not realizing school duty (1966 children in 1998), children working on the street – about 3.9% (begging, small robberies, washing car's glasses). NGOs estimates⁴, that problem of children living on the street concerning 1% of children, 5.1% of children play truant and 11.4% spend most of time on the street. Children who are not going to school often are leading to care centers from which they escape. Moreover in care centers there is lack of places – in Warsaw about 400 and in Katowice – 600.

[...]

there is an out-of-proportion high percentage of young people of poor families, with ethnical minority background and physically handicapped in group of people leaving school education early or not attending school at all.

In 1999 one of **each ten families decided not to buy necessary handbooks for children**, one of each nine families is not paying their parental committee fees, **one of each five gave up any sort of courses outside school.**

³ A stand point of participant of the conference “System of social help for children. Health protection and prophylactic”. Lanckorona - 28.12.1995-1.01.1996

⁴ Pleta Jarosław - report for Foundation for Poland concerning street children - 1997

The number of people starting education on high school and technical school level is decreasing. Reasons for this are increasing costs of education: formal fees, informal costs of individual courses, prices of handbooks.

[...]

From examined group of 450 pupils **85% pointed out overloaded school programs, 87% remarked that the content of these programs is delivered in a very formal way**⁵. During the lessons the discontent of a teacher is often showed by stigmatising students and making fun of these who are unable (due to many different reasons) to cope with their tasks.

[...]

Answering to the question: *“What is the way of addressing children by the teachers?”* more than a half of students emphasised **unfriendly attitude towards less talented students** that was taking away their dignity. Students punctuated also lack of simple kindness and ability to see a pupil as a human being. **Impersonal treating of students is the prevailing habit**: “they read out numbers from the class register.” It is clear to see from the survey that school fears are deepened by different types of punishment: i.e. pulling by the ears, striking hands with a ruler. 33% of surveyed children were victims or witnesses of such actions. **In school only obligations of students are talked about**, not a word is spoken about their rights. That’s the reason for antipathy to school, distrust towards teachers, lack of faith in their goodwill growing among pupils.

[...]

CHILD’S PROSTITUTION

In Poland there is still a lack of data on this issue – but it is acknowledged the problem is a real one. Help and assistance for young prostitutes is provided in Warsaw by “La Strada” Foundation. In January 2001 Polish Ombudsman came out with a question to the Minister of Justice regarding the possibility of legalising brothels in Poland – which would help in collecting the necessary knowledge on the scale of the problem of prostitution and also in creating legal tools to combat child’s prostitution.

[...]

Network “Blue Line” (against violence) registered 7 thousand phone calls, 2/3 of which came from victims of a violence and 500 of which came from children.

[...]

There is a necessity of educating adults in the field of recognising the problem, intervention and help in critical situation. A system of specialised institutions is needed, which was not yet created. Also a training for teachers, doctors and judges in this matter is necessary – to protect the victims of sexual abuse

[...]

“La Strada” Foundation and Foundation “A child” have data confirming trafficking of children in Poland. There are also cases of kidnapping children by their parents. Cases of trafficking before 1995 were related to institutions organised by the state, the catholic church and physical persons who were collaborating with organised crime structures outside Poland. Children were sold directly after birth (transactions with mother before the birth) or after the obtainment of rights – by the directors of care facilities – mainly to Sweden, the Netherlands and France.

[...]

Emergency Care Units structure needs elementary changes, i.e. separating victims from perpetrators – by separating intervention in critical situations units; diminishing the number of children/youngsters in units; training of personnel to raise their qualifications; introducing monitoring system to control the use of direct force.

[...]

⁵ Halina Górecka, Magdalena Górecka “Child rights protection in the international law and its realisation in Poland”, Krakow-Olsztyn 2001