

PERMANENT MISSION
OF THE REPUBLIC OF POLAND
TO THE UNITED NATIONS OFFICE
AT GENEVA



MISSION PERMANENTE
DE LA REPUBLIQUE DE POLOGNE
AUPRES DE L'OFFICE DES NATIONS UNIES
A GENEVE

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Geneva, the 25th of May 2005

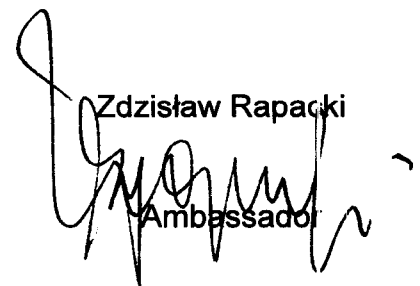
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Sir,

I have the honour to transmit enclosed a response information provided by the Government of the Republic of Poland to the questionnaire on countering violence against children in Poland.

I regretfully noticed, that we are missing the deadline for submission of the contributions, however, our intention was to address your appeal to the Governments to submit the report even with an considerable delay.

Please accept, Sir, the assurances of my highest consideration.


Zdzisław Rapacki
Ambassador

Mr Paulo Sergio Pinheiro
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31 MAI 2005

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Report on counteracting violence against children in Poland

I. LEGAL FRAMEWORK

International Human Rights Instruments

The Republic of Poland is a party to the major international human rights agreements, those originating in the United Nations framework as well as those created in the European framework.

The following documents contributed to the establishment of a new position of a child: Declaration on the Rights of the Child of 1924 (so called Geneva Declaration), International Declaration on the Rights of the Child of 1959 and finally the Convention on the Rights of the Child adopted by the UN General Assembly on 20 November 1989 – World's Constitution on the Rights of the Child.

The aim of the International Convention on the Rights of the Child was to inspire the new perception of a child – as a person of law and not as previously - only as an object of care and protection.

Furthermore the following international human rights instruments should be mentioned:

- Convention on the Protection of Human Rights and Fundamental Freedoms
- Universal Declaration of Human Rights
- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- Recommendations of the Committee of Ministers of the Council of Europe Parliamentary Assembly
- Recommendations of the Committee for the Protection of the Rights of the Child and the European Committee of Social Affairs
- The judgments of the European Court of Human Rights concerning the protection of children against violence and calling for the introduction of the ban on the application of corporal punishments
- The Protocol to prevent, suppress and punish trafficking in human beings especially women and children, complementing UN Convention against Transnational Organized Crime, adopted by the UN General Assembly on 15 November 2000, aiming at the protection and combating trafficking in human beings, especially woman and children, protection and assistance for the victims of such trafficking with the full respect for their human rights as well as the development of cooperation between the States Parties to this Protocol in order to achieve these goals. The adopted Protocol has become a binding instrument for the Republic of Poland since 25 December 2003.

The stipulations of those listed above international agreements are fully reflected by the Polish Constitution, Polish law and other legal documents in force in Poland.

On 4 February 2005 Poland ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography adopted in New York on 25 May 2000. The Protocol entered into force on 4 March 2005. The ratification of the Protocol by the Republic of Poland will have a major influence on the determination of the scope of child protection guaranteed by the Law of 6 June 1997 – the Penal Code, by way of introducing into the legal order a definition of child pornography.

Moreover art. 3 of this Protocol imposes on the States Parties to this Protocol an obligation to introduce into the penal law penalties for child pornography within the meaning of art. 2 point c) of this Protocol, i.e. pornography with the participation of minors, what consequently means, that the scope of the protection pursuant to the provisions of art. 200

paragraph 2 and art. 202 paragraph 2 and 3 of the Penal Code, was broadened and now covers the minors below the age of 18 years in accordance with the definition of a child adopted in art. 1 of the Convention on the Rights of the Child of 20 November 1989 (O.J. 1991, No 120, item 526 with further amendments). Additionally, this provision broadens the scope of child protection by introducing the responsibility for crimes against child's welfare, which were committed abroad, even if, in a place where these crimes were committed, they are considered to be lawful acts – the prosecution is based on so called “principle of global repression” (compare with art. 113 of the Penal Code).

The provisions of the Protocol constitute an essential supplement to the international legal instruments guaranteeing the protection of children against different forms of their abuse. For the purpose of the application of the provisions of the Protocol a definition of “trafficking in children” different from the definition of “trafficking in human beings” was adopted in art. 2 point a).

On 6 April Poland ratified the Optional Protocol to the CRC on the involvement of children in armed conflict. A Declaration with regard to article 3, paragraph 2 of the Protocol was enclosed. The Protocol entered into force on the 7 of May 2005.

2- 5. Legal provisions aiming at combating violence against children

- in accordance with art. 72 paragraph 1 of the Constitution of the Republic of Poland, the Republic of Poland shall ensure protection of the rights of the child. Everyone shall have the right to demand from the public authority bodies to protect children against violence, cruelty, exploitation and actions which undermine their moral sense;
- the Ombudsman for Children takes steps to ensure the protection of children against violence, cruelty, exploitation, deprivation, neglect and other maltreatment on the basis of art. 3 paragraph 3 of the Law of 6 January 2000 on the Ombudsman for Children (O.J. No 6, item 69);
- art. 47 of the Law of 12 March 2004 on the Social Service (O.J. No 64, item 593 with further amendments), which provides the non-financial assistance from the social service in a form of crises intervention which constitutes a set of actions undertaken for the benefit of persons and their families, including victims of violence, in order to prevent or limit existing dysfunctions. The crises intervention covers persons and their families regardless their income. The crisis intervention first of all consists in specialist counseling as well as the provision of twenty-four hours shelter for the violence victims. Crisis Intervention Centers are run within the framework of own tasks of *powiats* (regional administration authorities) (art. 19 point 12 of the Law on the Social Service);
- art. 107 paragraph 2 of the Law on Social Aid provides that in case of statement of family violence a social worker shall fill in a form „Social Service - Blue card” constituting an annex to the environmental inquiry concerning a given family;
- art. 2 paragraph 1 point 7 of the Law of 26 October 1982 on the on Upbringing in Sobriety and Counteracting Alcoholism (single text: O.J. 2002, No 147, item 1231 with further amendments) provides that the tasks of counteracting alcoholism (implemented by the state administration and local self-government authorities - *vide* art. 1 point 1 therein) shall be implemented by way of developing appropriate social policy, in particular by way of counteracting family violence;
- art. 4¹ paragraph 1 point 2 of the Law on Upbringing in Sobriety and Counteracting Alcoholism provides that activities relating to prevention and resolution of alcohol-related problems and to social integration of alcohol dependant persons shall constitute own tasks of local communities (*gminas*). In particular, those tasks shall include providing

psychosocial and legal assistance to families troubled with alcohol-related problems, focusing in particular on protecting them against domestic violence;

- Art. 40 of the Constitution of the Republic of Poland stipulates that **no one may be subjected to torture or cruel, inhuman or degrading treatment or punishment. The application of corporal punishment shall be prohibited.** This ban applies also to the relationships between parents and children. The provisions of art. 40 are also applied to all persons residing in the territory of Poland, including foreigners and stateless persons. The penalties for persons using corporal punishments to children are regulated by the Penal Code and the Petty Offences' Code. The provisions which allow the Court to limit the parental care and custody due to their misuse are included in the Family and Guardianship Code. The rulings which are allowed on the basis of art. 109 of the Family and Guardianship Code do not have the penal nature i.e. they are not repressive measures against parents but only means of child protection. The most repressive one is the deprivation of parental care and custody stipulated in art. 111 of the Family and Guardianship Code applied in cases of their abuse. It concerns especially the application of corporal punishments which threaten child's psychological and physical health.

If the child welfare demands so, the Guardianship Court may forbid parents, deprived of their parental care and custody, to have personal contacts with their child and, in particular cases, may limit such contacts if the parental care and custody of the parents is restricted (art. 113 of the Family and Guardianship Code). In such cases the Guardianship Court may take preventive measures.

6. The Penal Code does not stipulate any corporal punishments or capital punishment for offences committed against persons below the age of 18 years.

9. The Act on Aliens of 13 June 2003 (O.J. 2003, No 128, item 1175 with further amendments).

Within the framework of the legalization of the residence of foreigners in Poland there are no specific provisions concerning foreign children who were victims of violence. The Act on Aliens includes only general provisions which can refer to this subject matter. The Act of 13 June 2003 on granting protection to aliens within the territory of the Republic of Poland (O. J. 2003, No 128, item 1176 with further amendments). The provisions which can be considered as those introducing the protection of children against violence are included in the Division II therein. The Division II, chapter 4 includes provisions regulating the rules of proceeding within the procedures of granting the refugee status to aliens whose psychophysical state allows to presume that they have been victims of violence or to aliens with disabilities

Art. 54 stipulates that the proceeding for granting the refugee status to the above category of aliens, shall be effected in conditions assuring the freedom of speech and in a particularly tactful manner, adjusted to the alien's psychophysical state; the date of a hearing should be adjusted according to his/her mental and physical state, taking into consideration the dates of medical treatments undergone by such an alien; The proceeding should be conducted in the place of residence of the alien with the participation of a psychologist and an interpreter of the sex indicated by the alien or by a doctor. If it is justified by the mental or physical state of the alien placed in the center, he/she shall be provided with a transport in order to give testimonies and statements in the proceedings for granting the refugee status or to undergo the medical treatment.

Art. 55 stipulates that activities undertaken during the proceeding for granting the refugee status to an alien whose psychophysical state allows to presume that he/she has been a victim of violence or to an alien with disabilities, may be carried out by a person of the sex indicated by the alien, who has received a vocational training preparing to work with victims of crimes or violence and with persons with disabilities.

The amendments of the Act on Aliens concerning, among other things, the issue of trafficking in human beings, including children, are planned in the draft of the Act on the amendment of the Act on granting protection to aliens within the territory of the Republic of Poland as well as some other Acts (Parliamentary document No 3333). It results from the provisions of the Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been subjects of an action to facilitate illegal immigration, who cooperate with the competent authorities (O. J. EC L 261, 6.08.2004).

15. The minimum age of marriage for women and men. Since 1998 the age limit for men and women to contract a marriage is equal – 18 years. However, in case of serious reasons (e.g. pregnancy) the court may allow women to contract a marriage in the age of 16, on condition that this will be favour of the best family' interest (art. 10 par. 1 of the Family and Guardianship Code).

Counteracting sexual abuse of children

16. The issues concerning counteracting sexual abuse of children and youth in particular (art. 200 of the Penal Code) for the commercial purposes including prostitution and other illegal sexual acts are regulated by the Penal Code in the Chapter on crimes against sexual freedom and morality.

This article stipulates that whoever with use of force, threat or ruse induces another person to have sexual intercourse, may be punished with imprisonment from 1 year to 10 years. If a perpetrator, as described above, induces another person to submit her/himself to another sexual act or to complete such an act, may be punished with the imprisonment from 3 months to 5 years.

The Penal Code stipulates that whoever with the abuse of dependency relation or the use of critical situation induces another person to have sexual intercourse or to submit her/himself to another sexual act or to complete such an act, may be punished with the imprisonment up to 3 years. Whoever has a sexual intercourse with a minor under 15 years of age or induces such person to submit her/himself to another sexual act or to complete such an act, may be punished with the imprisonment from 1 year to 10 years.

Whoever with use of force, threat or ruse or using the relation of dependency or critical situation induces another person to work as a prostitute is subject to the imprisonment from 1 year to 10 years. Whoever for gain induces another person to work as a prostitute or facilitates it may be punished with imprisonment for up to 3 years. The same punishment may be imposed on a person who receives gain from another person's prostitution.

If a victim is a minor, a perpetrator may be punished with imprisonment from 1 year to 10 years.

Art. 205 of the Penal Code specifies that the prosecution of crimes, referred to in art. 197 or 199 as well as in art. 198, if the state of a victim determined in this provision is not a result of his/her psychological disability, is initiated on the request of the victim.

The Provisions of the Chapter on crimes against family and guardianship of the Penal Code stipulate that whoever abuses physically or psychologically a person – member of the closest family or any other, permanently or temporarily, dependent person, or a minor, or any other physically or mentally disabled person is subject to imprisonment from 3 months to 5 years. If this act is committed with extreme cruelty, the perpetrator is subject to the deprivation of liberty from 1 year to 10 years. If as a result of such act the victim attempts suicide the perpetrator is subject to imprisonment from 2 to 12 years.

The new regulations included in the Act of 10 January 2003 on the amendment of the Act - Code of Penal Proceedings, the Act - Introductory Provisions to the Code of Penal

Proceedings, the Act on the Key Witness as well as the Act on the Protection of Restricted Information have essential meaning for the child protection. These provisions came into force on 1 July 2003. These regulations include **the prohibition of repeated hearings of a child - victim of a sexual crime**, if, at the moment when the act was committed, she/he was under 15 years of age.

Measures:

The program on the Improvement of Safety of Citizens - „Safe Poland” was adopted by the Council of Ministers on 28 August 2002 and included, among other things, the need to continue the interdisciplinary, detailed programs on the prevention against pathologies and (if needed) to develop and implement new ones.

This task was implemented within the framework of the Program for the Prevention of Social Exclusion and Crime among Children and Youth which was developed by the inter-ministerial group consisted of the representatives of the Minister of Home Affairs and Administration, Minister of Justice, Minister of Health, Minister of Economy, Labour and Social Policy, Minister of National Education and Sport as well as the Commander-in-chief of the Police. This program was adopted by the Council of Ministers on 13 January 2004. The list of recommended preventive programmes which constituted a part of the above mentioned Program included programs run by the Foundation “Nobody’s Children” (“A child under the umbrella of law” as well as “The Mazowiecka Centre of Assistance to Children in Warsaw”) dealing with the issue of sexual violence against children.

Counteracting pornography and dissemination of harmful contents

17. &18. Considering that it is necessary to broaden the scope of protection of children under 15 years of age against the harmful influence of pornographic materials disseminated in particular through information networks, the scope of penalties for the dissemination of such materials in a dangerous way which means in a way enabling a minor to know them, was broaden.

Referring to international legal regulations as well as considering that the use of minors, even above 15 years of age, to produce pornographic materials in a professional manner, is very reprehensible, the scope of penalization was broaden onto some activities undertaken in order to disseminate this type of pornographic contents.

In the Polish law the provisions concerning the prevention of production, possessing and distributing child pornography are included in the Penal Code. These provisions coexist together with the provisions on pornography in general. Art. 202 of the Penal Code stipulates that whoever presents to a minor under the age of 15 years pornographic materials or makes such objects available to him/her or disseminates pornographic contents in a way enabling a minor to know them is subject to a fine, penalty of restriction of liberty or imprisonment for up to 2 years. Whoever, in order to disseminate, produces, records or imports or disseminates or publicly presents the pornographic contents with the participation of a minor or pornographic contents connected with the presentation of violence or the use of animals **is subject to imprisonment from 6 months to 8 years. Whoever records, imports, stores or possesses the pornographic contents with the participation of a minor under 15 years of age is subject to imprisonment from 3 months to 5 years.**

This provision allows the Court to adjudicate the confiscation of tools or other objects which served to or were intended to commit the crimes referred to in this article, even if they do not belong to the perpetrator.

The dissemination of child pornography in Poland is penalized in an unequivocal manner. The www. pages on this subject appear but are successively eliminated. The Police in such cases undertakes actions to identify the perpetrators. It is much more difficult to identify persons who transmit such photos among individual internet users.

The elimination of www. pages with pornographic contents is possible thanks to the cooperation between the Police and the internet service providers. That is why the national servers became dangerous for the perpetrators of these offences who were forced to use foreign servers which makes their identification more difficult. In such cases the identification of persons responsible for the introduction of child pornography into the network is possible thanks to the information received from the Police from other countries.

Scientific Academic Computer Network NASK - an institution responsible for monitoring the internet resources was created in Poland.

In this context, it is worth to mention a public campaign "Child in the web"- conducted in the media on the initiative of the Foundation "Nobody's Children" (the campaign was launched on 25 February 2004). The aim of this campaign is to raise the awareness of the society, especially parents, on the threats which result from the use of Internet by their children, to show children what Internet contents may be dangerous for them, and how they can avoid them as well as how they should react if they find such contents in the Internet. The aim of the campaign is also to raise the awareness of specialists on the safety of the youngest children in the web, in particular by promoting the Internet label.

II. INSTITUTIONAL FRAMEWORK AND RESOURCES TO ADDRESS VIOLENCE AGAINST CHILDREN

26. The Ombudsman for Children is responsible for the protection of widely understood children's rights including the protection of children against all forms of violence in Poland. (www.brpd.gov.pl).

The State Agency for the Prevention of Alcohol Related Problems (PARPA) has been running a program on Counteracting violence in families with alcohol problems - „**SAFETY IN FAMILY**”. The main aim of this program is to reduce the scale of family violence including violence against children; to increase the efficiency and availability of assistance for victims of violence in families with alcoholic problems (adults and children) as well as to increase efficiency of repelling violence perpetrators;. (*More in chapter V –Policies...*)

In accordance with the provisions of the Law on Upbringing in Sobriety and Counteracting Alcoholism, counteracting family violence constitutes own tasks of *gminas* (local authorities). On that account at the local level, within the framework of prevention and solving alcohol related problems, local authorities undertake actions in order to „*provide families with alcohol related problems with psychological, social and legal assistance and in particular the protection against family violence*”.

The implementation of these tasks is carried out in a form of Local Program of Prevention and Solving Alcohol Related Problems. PARPA recommends that within this program it is necessary to undertake such initiatives as: establishment of centers for victims of family violence (adults and children), interdisciplinary groups for counteracting family violence as well as violence against children, organization of trainings for professionals who help the victims.

The local Commissions for resolving alcohol related problems operate in more than 2,500 local communities (*gminas*). Their task consists in, among other things, undertaking initiatives connected with prevention and solving alcohol related problems.

The procedure of home intervention against family violence which is practiced by the Police under the name of “Blue Cards” is also used within the framework of these actions.

The “Blue Cards” procedure was introduced into practice in 1998 and modernized on 31 December 2002 by way of the Ordinance of the Commander-in-Chief of the Police.

The modernized provisions concerning the above mentioned procedure underline the necessity to visit systematically homes where family violence occurs in order to check the perpetrator’s behavior towards his/her family. **In case of suspicion of violence against children a police specialist for minors shall be also introduced into action.**

The Police aims also to ensure the crimes victims, especially the victims of crimes of sexual origin, “friendly conditions” in the premises where they undergo the police proceedings. In order to do so, special rooms – called “Blue rooms”- which are equipped in an appropriate manner, intended especially for children and which resemble in their interior the child environment are being prepared now. Such rooms can be already found in dozens of police units as well as in institutions and organizations of social service. (There are more than 150 “Blue rooms” in Poland)

The main aim of preparing such rooms was to minimize the number of hearings of children (the use of video recordings by the Court). PARPA has been implementing the **above mentioned “Blue cards” procedure of intervention in cases of family violence** into the activities of local Commissions since 2 years. The aim of this procedure is to undertake interventions in families suffering from acts of violence, to stop the violence, provide support and assistance to the victims including, in particular, children, undertake intervention procedure against violence perpetrators and to initiate the cooperation between different services. A similar procedure (besides the Police) is also binding for social services.

There are also some units, operating within the structures of social service, which are established (on the basis of the Act on Social Service) in order to deal with the issues of violence and to help the violence victims. Local or Municipal Social Service Centers operating in *gminas* or towns and in *poviats* (regions) - the Regional Family Assistance Centers - are obliged to provide this type of activities.

Besides the above mentioned entities also some NGOs, whose statutory aim is to counteract the violence against children, operate on local level. It is necessary to mention the following ones: The Committee for the Protection of the Rights of the Child (with 36 local branches), Foundation “Nobody’s Children”, Foundation „Children’s letters to the World”, the Chance Society for Developing Children’s Activities (8 local branches).

27. The Ombudsmen for Children was appointed to represent the interests of children and to ensure that they rights are respected in Poland. (www.brpd.gov.pl).

However we can not say that this office coordinates all actions undertaken within the country for the benefit of children as well as that it deals with the issue of violence against children in a comprehensive manner.

There are many NGOs and other institutions which independently from the Ombudsman for Children deal with this issue and undertakes cooperation within the framework of implementation of programs protecting children against violence and neglect.

28. & 29. The State Agency for the Prevention of Alcohol Related Problems (PARPA) receives every year financial means from the state budget for the implementation of tasks connected with the prevention and solving alcohol related problems, including counteracting family violence.

These financial means are allocated among other things for granting subventions to NGOs implementing programs concerning family violence – therapeutic, educational, corrective and publishing programs - as well as own tasks which aim to reduce domestic violence. PARPA undertakes also initiatives aiming at improving the competences of persons working on the issues of violence against children. The School for Counteracting Family

Violence operates on the assignment of PARPA. The curriculum covers 120 hours of training. There are already 1,300 graduates. The trainings and seminars for the police officers, court inspectors, judges as well as conferences for persons helping the violence victims are also organized. (see more in the Chapter: „*Awareness, advocacy, training*”).

The regional and local authorities have at their disposal incomes from the fees for permits to sell alcohol (on the basis of the Act on Upbringing in Sobriety and Counteracting Alcoholism) which they allocate for the implementation of tasks which are determined annually in the regional and local community programs for prevention and resolving alcohol related problems. These programs include among other things activities connected with counteracting violence in families with alcohol related problems as well as with helping children from these families.

In 2003 the local authorities' income (*gminas*) was 471,219,692 PLN. And 23,051,403.14 PLN of this sum was spent on the implementation of the tasks connected with counteracting the family violence. The Regional authorities spent 41,688,816 PLN. Moreover the state budget allocates also financial means for NGOs undertaking actions in order to prevent violence against children. These matters are regulated by the Act of 24 April 2003 on the public utility activity and voluntary service (O. J. No 96, item 873, with further amendments).

32. The Offices of the Ombudsman for Children (www.brpd.gov.pl) as well as the Ombudsman for Citizens (www.brpo.gov.pl) operate in Poland.

The Group for counteracting violence against children was established in the beginning of October 2004. It consists of: the Government Plenipotentiary for Equal Status of Women and Men, the Ombudsman for Children and the representatives of the Ministry of National Education and Sport, Ministry of Home Affairs and Administration and the Ministry of Justice.

33 & 34. Presently in the Polish Parliament there is not a special commission or group which would deal **exclusively** with children's issues. Nevertheless there are some Senate and Sejm (*lower chamber of the Polish Parliament*) Committees which cover issues of widely understood children's rights and the situation of children and family, etc.

In the Sejm:

- Justice and Human Rights Committee
- Education, Science and Sport Committee
- Social Policy and Family Committee

In the Senate:

- Social Policy and Health Committee
- Legislation and the Rule of Law Committee
- Education, Science and Sport Committee

Recently the following initiatives aiming at counteracting violence against children were launched in the Parliament: **The draft of the Act on the prohibition of promoting violence in mass media as well as the draft of the Act on the amendment of the Act on the Penal Code and the Punishment Execution Code which expresses the state reaction to pedophilia.** The Parliament is also working on the draft of the Act on counteracting family violence which was submitted by the Deputy Prime Minister Ms Izabela Jaruga-Nowacka. The Parliamentary Group working on this draft consists of the representatives of the Legal Department of the Ministry of Home Affairs and Administration as well as the representatives of the Government Legislation Center and the Ministry of Justice

III. ROLE OF CIVIL SOCIETY IN ADDRESSING VIOLENCE AGAINST CHILDREN

35. The National Agreement of Persons and Organizations helping victims of family violence - "Blue Line" is one of the most important public initiatives undertaken in recent years. It is a civic movement which gathers persons, institutions and organizations and public services involved in counteracting domestic violence.

The Agreement was established during the III Conference against Family Violence in 1996. It has 2,200 individual members and 800 institutional ones. The members of the Blue Line Agreement meet annually at conferences against family violence, during which they have the possibility to acquire new knowledge, skills and to exchange their experiences. These conferences are organized and co-financed by PARPA. The IX Conference will be organized this year.

The important public initiatives include also the involvement of the representatives of local communities (NGOs, local authorities) in activities complementing the campaign „Childhood without violence“. During this campaign run by PARPA, Foundation „Nobody's Children" and the National Emergency Service for Victims of Family Violence - „Blue Line" (see more in chapter VII) the trainings of so called ambassadors of the campaign (572 persons) who organized in their communities local debates with the participation of authorities and persons dealing with family violence, took place. Approximately 230 debates were organized. Many of them had notable results – new centers providing assistance for children suffering damage and neglect, including 17 Socio-Therapeutic Clubs and 13 Crisis Intervention Centers, 62 Local Communities Commissions for counteracting violence against children were established. During the campaign 847 entities established a coalition for the support of the campaign.

- Besides the above mentioned undertakings it is necessary to list the following ones:
- At the turn of 2002 and 2003 the Foundation „Nobody's Children", the National Emergency Service for Victims of Family Violence - „Blue Line" and TVN television were involved in the activities complementing the campaign "Bad touch".
- In August 2003 the Foundation „Nobody's Children" and the International Society for the Prevention of Child Abuse and Neglect (ISPCAN) organized **IX European Conference on the Violence Against Children**.
- In February 2004 the campaign „Child – witness deserving special care" was launched by the Foundation „Nobody's Children" and the Ministry of Justice. This campaign is addressed to prosecutors, judges, policemen, court experts, psychologists, pedagogues who work with children – crime victims.
- In 2004 the Foundation „Nobody's Children" and the Foundation KidProtect run a campaign "Child in the web", which aimed at protecting children against sexual abuse through Internet.
- In January 2004 International Federation of Medical Students' Associations IFMSSA organized a conference "Stop family violence". PARPA supported the organizers with educational materials.
- In October 2004 „Fundation Mederi – let's help children" organized a conference **„Prevention and therapy of child victim syndrome" which was addressed to medicine doctors and nurses**. The participants of this conference received publications on the domestic violence and violence against children addressed to family doctors and pediatricians.

V. POLICIES AND PROGRAMMES TO ADDRESS VIOLENCE AGAINST CHILDREN

41. In Poland the key role in counteracting family violence and in particular violence against children is played by local authorities and their partners. On the basis of, the above mentioned in the Chapter „*Institutional framework and resources to address violence against children*”, art. 4¹ of the Act on Upbringing in Sobriety and Counteracting alcoholism the local authorities (*gminas*) are legally obliged to protect families against violence and on the basis of art. 18² are obliged to use the incomes from the fees for permits to sell alcohol beverages to finance activities connected with such protection. It creates a big but not fully used opportunity to develop a system of counteracting family violence and to raise the effectiveness of undertaken activities. But still we can not speak about a system of helping children – violence victims. There is also lack of so called comprehensive state policy within this field. Some initiatives to protect children against violence, protect child-violence witness/or victims against recurring victimization are undertaken by the police and the administration of Justice (e.g. by establishing child-friendly premises for the purpose of hearings, by introducing into the Penal Code provisions concerning the limitation of number of hearings of a child) as well as initiatives undertaken within the framework of the work of interdisciplinary groups which aim at providing a child with a comprehensive assistance. It is recommended to develop and introduce into practice of different services the intervention procedures in cases of violence against children, which determine step by step what should be done if the violence against children is suspected or stated. The “Blue Cards” which are obligatory for the police and social services may constitute an example of such procedures – (see more: point II „*Institutional framework...*”).

42. In Poland there is also a number of national programs among which the following should be listed:

1. **National Program for Women 2003-2005**, coordinated by the Office of the Government Plenipotentiary for the Equal Status of Women and Men.
1. **National Action Plan for Children 2004-2012 - ”Poland for Children”**, adopted by the Council of Ministers on 27 July 2004 and implemented by the Ministry of National Education and Sport in cooperation with social sectors and the Ombudsman for Children.
2. **The Program for the Prevention of Social Exclusion and Crime among Children and Youth** adopted by the Council of Ministers on 13 January 2004 and coordinated by the Ministry of Justice and Administration.

These programs determine among other things the tasks of state government and local authorities bodies connected with counteracting violence. Individual ministries submit reports on the implementation of these programs to the coordinating entities which present analyses and reports to the Parliament of the Republic of Poland. The inter-ministerial groups undertaking initiatives in order to prevent violence and provide effective assistance to children suffering damage and neglect, e.g. the above mentioned Group for Counteracting Violence against Children are also established.

It is worth to mention that the **National Action Plan for Children is a form of the implementation by the Republic of Poland its commitment resulting from the provisions of the Declaration and Action Plan included in the document „World for Children”, which was adopted during the 27th Special Session of the UN General Assembly on children’s matters, which was held in New York from 8 to 10 May 2002. The adopted provisions concerned the improvement of the situation of children in four areas: promotion of healthy life style, provision of quality education, protection against abuse and exploitation and combating HIV/AIDS.**

The document „World for Children” was adopted by all states participating in the Special Session of UN General Assembly including Poland. At the same time the government of the Republic of Poland committed itself to the implementation of the tasks included in this document and to develop the Action Plan for Children. On 18 April 2002 the Prime Minister handed over to the Minister of National Education and Sport the coordination of the implementation of the tasks ensuring the full execution of the rights of children and youth as well as the improvement of their life conditions and resulting from the international agreements which the Republic of Poland is the Party to, in particular the Convention on the Rights of the Child as well as the recommendations of international organizations acting for the benefit of children and youth

The Minister of National Education and Sport coordinates actions concerning the implementation of the provisions of the Convention on the Rights of the Child as well as development of *the National Action Plan for Children 2004-2012 - “Poland for children”*.

The Council of Ministers approving *the National Action Plan for Children 2004-2012 - “Poland for children”* obliged individual ministries to implement the tasks which are included in this Action Plan.

In *the National Action Plan for Children 2004-2012 - “Poland for children”* the following priorities were set in the area of actions connected with the protection of children against abuse, exploitation and violence:

- Public and legal awareness raising.
- Counteracting helplessness in upbringing and dysfunctions in families.
- Improving legal system.
- Using mass media in combating violence
- Improving the system of institutional reactions for violence against children.

VI. DATA COLLECTION, ANALYSIS AND RESEARCH

45. - 47. Operating within the structures of the Ministry of Health the State Agency for Prevention of Alcohol Related Problems (PARPA) supports the activities undertaken within the framework of the program of counteracting violence in families with alcohol related problems, among other things by granting subventions to NGOs, publishing educational materials concerning the family violence and violence against children (leaflets, booklets, books, translation of reports published in foreign languages, etc.), developing and implementing pilot programs which aim at reducing family violence, including violence against children, organizing trainings for the representatives of different services and institutions. The program “Safety in Family” is based on the following assumptions:

- although it is designed to counteract violence in alcohol dependent families, it is executed in such a way to make its effects available to all persons who need help, even if family violence is not related to alcohol.
- the program objectives include many domains of social and institutional life. The State Agency for Prevention of Alcohol Related Problems is focusing mainly on initiating and supporting promising actions connected with the provision of help to victims of family violence provided by other institutions and organizations.
- in order to implement the program it is necessary to build coalitions for counteracting domestic violence, including violence against children, in local communities.

The tasks of the program “Safety in Family” include:

- Implementation of specific monitoring and intervention procedures in cases of family violence, including violence against children, into the practice of different services and institutions.
- Improving the competences of the representatives of special services working with violence victims.
- Increasing the number of consulting centers providing help to the victims of violence.
- Provision of educational activities
- Improving the cooperation between services dealing with counteracting family violence and helping children.

The issue of violence against children is from time to time a subject of surveys on the scope of this problem as well as the attitudes of general public towards it:

- Family conflicts and violence – opinions of the Polish and Hungarian societies (CBOS'2003)
- Opinions of the Poles on the safety of children (CBOS'2003)
- Family conflicts and violence in selected countries of Central and Eastern Europe (CBOS'2002)
- Family violence - facts and opinions (CBOS'2002)
- Opinions on the child upbringing and the campaign „Childhood without violence” (OBOP'2001) – done on behalf of PARPA
- Corporal punishments in child upbringing (CBOS' 2001)
- Child upbringing and care in family (CBOS'98)

The issue of sexual abuse of children is more and more discussed in Poland. Some Higher Education Institutions in cooperation with NGOs specializing in helping the victims of this category of crimes try to answer the question about the scale of sexual abuse of children. The Foundation "Nobody's Children" is the leading organization which deals with this problem. The foundation, besides the nationwide research, conducted also local diagnosis concerning the issue of sexual abuse of children.

In 2001 PARPA commissioned a research project concerning the opinion of the Poles on child upbringing. The survey covered a sample of 1.116 Poles above 15 years of age. The aim of the survey was to collect information on:

- Public opinion on the universality of parents' behavior towards children
- The opinion of the Poles on the child upbringing
- Public perception of the campaign „Childhood without violence”

The selected results of this survey are presented below:

The universality of parents' behavior towards children:

More than half of the Polish society (54%) accepts beating a child few times with the use of a belt, 77% accepts shouting at children and threatening them.

At the same time the Poles are convinced that in families that they know:

- Parents respect their children (86%)
- They listen to and understand their children (76%)

The opinion of the Poles on the child upbringing:

- 44% of the respondents agree with the statement that "a child is parents' property and only parents may take decisions concerning their child"
- 24% of the respondents believe that "a child should be afraid of his/her parents, and there is no upbringing without beating"

- 30% of the respondents think that "the severe upbringing makes a child stronger and is beneficial for the child"
- 27% of the respondents agree with the statement that "children deserve corporal punishments".

PARPA commissioned also to conduct a survey among students of Medical Academy and the Higher School of Social Psychology. The survey concerned, among other things, the use of stimulants and psychotropic drugs, students' home situation regarding alcohol abuse by family members and domestic violence. The results of the survey are presented below:

- Question: *Did any unpleasant situations related to alcohol, that you can not forget, happen in your family?* - 29% responding students answered - yes.
- Question: *Were there any cases of physical violence in your family?* - 33% of students answered - yes and 19% said that such situations were related to alcohol.
- Question: *Were there any cases of psychological violence in your family?* - 48% of students answered - yes and 14% said that such situations were related to alcohol.
- Question: *Were you a direct victim or/and a witness of such violence?* - 43% of responding students said yes.

In the area of violence against children and youth a survey on "Youth 2003" was carried out by CBOS on behalf of the National Bureau for Drug Prevention. Pupils were asked the following questions:

1) Are there, in your school, any acts of violence committed by older students against younger ones?

6.6% of responding pupils said – very often, 8.9 %, - quite often, 40.3 % said that there were no such cases at all.

2) Are there, in your school, any cases of threatening teachers by pupils?

1.7% of responding pupils said – very often, 2.4%, - quite often, 73.5 % said that there were no such cases at all.

The survey covered youth from the last classes of post primary and upper-secondary schools. 1,323 questionnaires were analyzed.

The analysis of the results of the survey showed that the existence of different forms of violence depended and still depends on the type of school – most frequently it happens in vocational schools, very rarely in general upper-secondary schools. The acts of violence against younger students committed by older ones also happen more frequently in vocational schools.

The comparison of this survey with the analogous ones conducted by CBOS few years ago shows that the number of violence cases in schools has decreased during the last five years. The results which were obtained within the framework of this survey are also confirmed by surveys conducted in this area on behalf of the Ministry of National Education and Sport.

Three editions of the comparative studies on the aggression and violence at schools were financed. The studies were carried out by the Methodological Center of Psychological and Pedagogical Assistance in cooperation with the University of Eichstedt in Bavaria and the Institute of Social Prevention and Rehabilitation of the University of Warsaw.

- I edition in 1997: the results were presented in the publication prepared by K. Ostrowska and J. Tatarowicz „Agresja i przemoc w szkołach polskich i niemieckich” (*“Aggression and violence in Polish and German schools”*). CMPP-P, MEN 1998.
- II edition in 2000: the results were presented in the monography by J. Surzykiewicz „Agresja i przemoc w szkole” (*„Aggression in school”*), CMPP-P, 2001.

- III edition in the school year 2003/2004. The results were presented in the publication prepared by prof. Krystyna Ostrowska and prof. Janusz Surzykiewicz. „Zachowania agresywne w szkole” („Aggressive behaviors in school”), CMPPP, 2005.

The surveys were conducted on the big sample of pupils (3,500 persons) and teachers (1,500 persons).

The questions concerned aggression in relations: pupil – pupil, pupil - teacher, teacher - pupil. The results of the previous surveys showed that the aggression of pupils is most frequently addressed against teachers whose behaviors can be described as polar opposites: the aggressive, applying severe restrictive measures and the helpless from the pedagogical point of view (pretending not to see some wrong behaviors, asking somebody else to solve a problem). The results obtained in this survey constituted the basis to determine the necessary forms of assistance for teachers within the scope of acquiring new pedagogical and preventive skills.

52. It is difficult to answer the question concerning the scale of violence against children in Poland. This phenomenon is covered by so called dark number which does not allow to specify the exact number of children who are victims of violence. The only statistic data which is available comes from the Police sources (it includes the number of police interventions in cases of family violence with the use of the „Blue Cards” procedure) as well as the judicial data concerning convictions for committing acts of violence against children. PARPA possesses the police data concerning domestic violence which are presented below:

The number of victims of domestic violence

	1999	2000	2001	2002	2003
total	96,955	116,644	113,793	127,515	137,299
Including: women	55,241	67,678	66,991	74,366	80,185
men	4,239	5,606	5,589	7,121	7,527
Children up to 13 years of age	23,929	27,820	26,305	30,073	32,525
Minors 13-18	13,546	15,540	14,908	15,955	17,062

The Ministry of Justice and the Police Headquarter possess the data concerning the number of convictions and reports on different categories crimes of violence against children. Most of the statistical data concerning the Polish society is collected by and presented in the reports of the Central Statistical Office (*GUS*).

VII. AWARENESS, ADVOCACY AND TRAINING

54. & 55. In 1997 PARPA conducted a nationwide campaign „Stop domestic violence?”. It was the first campaign in Poland on the issues of family violence. The main aim of this campaign was to draw the society’s attention to the problem of domestic violence and to mobilize different services to counteract this problem in an effective manner. The campaign was addressed to the representatives of local communities, decision-makers, representatives of different services and broadly understood general public. The information and educational contents were disseminated through press (posters in magazines and daily newspapers), radio and televisions (radio and television commercials) as well as on billboards. A big part of information materials were delivered directly to the representatives of special services and institutions which had contacts with the victims of family violence. These materials included posters, leaflets on the issue of family violence, legal provisions on the protection of adults and children-violence victims, information on places where these victims may obtain

assistance. These materials were also disseminated during seminars and conferences (organized on national and regional level).

In 2001 PARPA in cooperation with the National Emergency Service for Victims of Family Violence and the Foundation "Nobody's Children" run a campaign on counteracting violence against children "Childhood without violence". The aim of this campaign was to increase civic participation in activities aiming at counteracting violence against children, to provide society with knowledge on violence against children and forms of counteracting this problem, to motivate local communities and institutions to undertake actions for children suffering damages and their families, to improve the system of assistance for families and to develop skills and create constructive parental attitudes. This campaign was addressed to the representatives of services and institutions working with children and helping children suffering damages (pedagogues, employees of the Administration of Justice, psychologists, social workers, policemen, employees of health service, priests and others), representatives of local communities, parents. Similarly to the previous campaign the information was disseminated through press, radio and television, posters were displayed on billboards and city lights. The public opinion survey conducted after the campaign showed that:

- Almost 2/3 of the Poles above 15 years of age (62%) noticed that the campaign against childhood violence and neglect - "Childhood without violence" was conducted in Poland.
- 95% of the respondents said that this campaign was needed
- Public perception of different forms of media information:
 - 2/3 of the respondents saw the television spot,
 - 1/3 of the respondents noticed a billboard,
 - every fifth respondent remembered the information from the posters displayed on bus stops,
 - 30% of the respondents noticed the radio spot „Respect me, so I can respect the others”.

Recently the educational campaigns for counteracting violence against children are often organized by NGOs. Also individual ministries and governmental institutions get involved in the activities of such campaigns. Since 2001 the Ministry of National Education and Sport has been organizing, in cooperation with the Catholic Association KARAN, international conferences on counteracting violence against children - „Stop violence". Moreover the Association run socio-therapeutic activities addressed to children from communities with high level of pathology. The Socio-Therapeutic Centers operate in 14 towns and annually provide assistance to 600 children who regularly participate in the activities as well as 716 children who take part in such activities from time to time. Meetings for parents are also organized in such centers. The subjects of these meetings include the issues of communication in family, providing children with support and acceptance, restoring safety in family. Since mid 90s the Association KARAN has been cooperating with an Italian organization Casa Familia Rosetta which is also involved in helping children suffering damages. The Association implemented also, within the framework of the PHARE 2001 project "Development of civic society" - a project "Academy of Creative Activity" aiming at involving persons who have already finished their professional careers in preventive and pedagogical activities. Many elderly people, who used to be lawyers, pedagogues, teachers, social workers, doctors, nurses, actors, engineers could use, in a creative way, their own intellectual and emotional potentialities in order to teach proper life attitudes and to limit aggressive behaviors among children and youth. Involving elderly people in the voluntary activities the Association gave them also an opportunity of further personal development. They could feel that they are useful and needed. Presently, on the initiative of the Association KARAN and within the framework of the program "Stop violence", the Fair Play Clubs are being created in Poland. These clubs allow

children and youth to acquire, under the supervision of qualified trainers, skills how to deal with own anger, how to express their emotions, how to communicate and solve conflicts without violence. The public campaign “Combat aggression. Start from yourself” is also a part of the program “Stop violence”. The following representatives of mass media are partners to this campaign: Telewizja Polska S.A. (*Polish Television*), MTV Polska, MTV Classic, Radiostacja, Victor, Gimnazjalista, Cogito, Filipinka, Gazeta Szkolna as well as local media.

56. The School for Counteracting Family Violence has been operating on behalf of PARPA since 1995. The curriculum consists of 120 hours. It is an interdisciplinary training which aims to increase the number of people who are professionally prepared to provide effective assistance to families with violence related problems; to broaden the knowledge and raise awareness within the scope of family violence among people implementing local programs; to develop practical skills necessary in undertaking interventions and helping the victims as well as to initiate and support local actions for the victims of family violence. One of the three training modules – approximately 40 hours – is dedicated to the preparation to work with a child-victim or/and witness of domestic violence. The participants of the training mostly consist of social workers, policemen, employees of counseling centers, NGOs, employees of Drying Out Centers, pedagogues, psychologists, lawyers, members of local communities’ Commissions for resolving alcohol related problems. 102 graduates finished the School for Counteracting Family Violence in 2003. 1,300 graduates have finished the School since its establishment in 1995.

PARPA organizes also trainings for specific professional groups. The trainings for court appointed curators, especially for the employees of the Guardianship Centers within the scope of working with youth from families with alcohol related problems and youth-violence victims may be an example of such trainings. An important task is to improve the competences of persons working in Socio-Therapeutic Centers, in particular taking into account issues connected with undertaking interventions in cases of violence against children and therapeutic work with children suffering damage in families with alcohol related problems.

Similarly to educational campaigns – different types of trainings are organized and run by NGOs and individual ministries. It is estimated that during last 10 years more than 200,000 persons have participated in trainings organized for different professional groups on counteracting violence in families with alcohol related problems, including violence against children.

It is also worth to mention that the results of surveys, both Polish and International ones, concerning aggression and violence in school environment are used in training programs addressed to teachers and parents. The aim of these trainings is to improve pedagogical competences, eliminate aggressive reactions and teach constructive attitudes. At the same time the Ministry of National Education and Sport recommends and finances the implementation of valuable programs against aggression, violence and addiction among pupils. The data base of recommended programs is available on the internet pages of the Methodological Center of Psychological and Pedagogical Assistance which is a depended unit of the Ministry of National Education and Sport specializing in the organization of different forms of in-service teacher training as well as in supporting parents in proper fulfillment of their parental responsibilities. The information is available at: www.cmppp.edu.pl

Many programs for teachers, besides the training on basic pedagogical skills, include also a module concerning the legal provisions. Similarly, the thematic modules constitute a compulsory element of vocational courses for educators approved by the Ministry of National Education and Sport.

The in-service teacher training courses organized in 2000-2004 by the Methodological Center of Psychological and Pedagogical Assistance in agreement with the Ministry of National Education and Sport within the area of preventing aggression and violence in school environment included:

- “A training of replacing aggression” (ART) developed by A. Goldstein (for teachers working with aggressive pupils),
- “How to cope with aggressive behaviors of pupils” (workshop for pedagogical councils),
- “School in face of aggression and violence” (workshop for pedagogical councils),
- “Preventive intervention in schools” (a cascade training for pedagogical councils),
- “School for parents and pedagogues” (training on pedagogical skills for teachers and parents),
- “Counteracting violence and help for child in critical situations”,
- „Diagnosing problematic pupils’ behaviors”,
- „Communication without violence”.

Approximately 2,000 teachers participated in these trainings in 2000-2004.

Many tasks within the area of protection of children against violence the Ministry of National Education and Sport implemented also in 2004 within the framework of the Program for the Prevention of Social Exclusion and Crime among Children and Youth.

One of the modules of this program concerns „The procedures of teachers’ conduct and the methods of cooperation with the police with regard to children and youth at risk of crime and demoralization”. This module specifies actions which a school should undertake if pupil’s behavior has features of criminal offence. “The procedures” were promoted in mass media and during specially organized conferences addressed to headmasters and employees of pedagogical supervision. Also all educational superintendents were obliged to disseminate these procedures in all types of schools with the use of publication addressed to every school in their voivodeship (*province*).

A program of in-service trainings for interdisciplinary groups operating in local communities, involved in preventive activities, including, in particular, assistance for family in critical situations and children at risk of social exclusion was developed and prepared for the implementation.

From 30 June to 30 September 7 editions of this training have been organized, on average with 48 participants each. 336 persons were trained in total.

The training is addressed to: the employees of pedagogical supervision, pedagogues and psychologists from psychological and pedagogical centers, school pedagogues, representatives of authorities which run schools, resocialization as well as educational and guardianship establishments, the representatives of the police departments of prevention and the municipal police, court appointed curators, social workers employed in social assistance centers, regional centers of family assistance, resocialization as well as educational and guardianship establishments and the representatives of NGOs.

One of the most important aims of this training is to:

- create a platform in order to initiate and deepen cooperation between the representatives of different institutions and organizations established to help families at risk of social pathology and children at risk of social exclusion,
- know the possibilities and rules of providing support by social workers, employees of the Police, courts, counseling centers, schools as well as to know mutual expectations of the representatives of these institutions,
- develop rules of undertaking common actions within the scope of prevention against any signs of social pathologies which occur or may occur in a given area,

- develop coherent and feasible strategies concerning problem solving on local and regional level (*gmina, powiat, voivodeship*)

The trainings were conducted by academic teachers and practitioners – psychologists, therapists, lawyers, specialists with certificates within the scope of specific subjects.

These trainings will be continued in future, due to the very big interest in participation in such training especially from the side of regional authorities (*starostwo powiatowe*) (more than 1,000 persons on the waiting list).

The local initiatives e.g. local intervention groups which declare their willingness to participate in future trainings improving their knowledge and skills in selected areas are the results of the trainings which were conducted last year.

The trainings connected with further dissemination of the method „Training on Replacing Aggression/ART”, developed by Arnold Goldstein, among employees of schools and educational establishments were organized during the same period.

The aim of the trainings was to prepare teachers implementing the „Training on Replacing Aggression/ART” in school and educational establishments. The trainings groups were established in cooperation with Regional Educational Authorities (*Kuratoria*). Two teachers from each type of school were appointed to take part in this training. Teachers from school and educational centers as well as from youth centers of socio-therapy were appointed directly by the directors of these centers (two teachers from each centers).

16 groups of teachers from public schools - 214 persons as well as 8 groups of teachers from Special School and Pedagogical Centre (*SOSW*) and Youth Socio -Therapeutic Centre (*MOS*) –112 persons took part in these trainings. 326 persons were trained in total.

Taking into consideration the nature of the training (12 – 14 persons in each group) as well as the small number of trainers in Poland this task will be continued in the years to come (in 2005 mainly in Youth Educational Centers).

The implementation of a preventive and pedagogical program „Bridge between childhood and adulthood”, which was developed in cooperation with the Regional Educational Authority of Podkarpacie region, has started in lower-secondary schools all over Poland.

This program constitutes a part of the tasks which were assigned to the Ministry of Education within the Program on Prevention of Social Exclusion and Crime among Children and Youth (it adds to the curriculum basis of general education some elements of legal knowledge, negation of behaviors with features of criminal offence, knowledge about norms and values, etc).

The program „Bridge” (*„Pomost”*) was developed by the interdisciplinary group of specialists dealing with prevention against risky behaviors among children and youth.

The program is a proposal for lower-secondary schools which integrate education and prevention against problems. It is addressed to pupils of lower secondary schools, teachers and parents. It is implemented mainly by teachers supported, if needed, by specialists.

This offer constitutes a proposal to supplement the curriculum basis of general education and to strengthen some of its fields /e.g. the development of pupils’ life competences useful in resolving daily problems or legal education for pupils/.

It gives a possibility to broaden the activities undertaken within the frameworks of adopted pedagogical program for lower-secondary schools and first and foremost it allows to replace the incidental preventive actions with systematic work enhancing the elimination of risky behaviors among pupils including aggression and violence. The pilot educational and preventive program “Mediation as a tool of communication and solving conflicts without

violence” was implemented in cooperation with the Mediation Center in selected lower-secondary schools. The results of this program shows the need of its continuation. This task will be implemented in a much more broadly manner within the framework of the Program on Prevention against Social Exclusion and Crime among Children and Youth.

It is worth to mention, among activities fostering the prevention against aggression and violence, including protection of violence victims in school environment, a system solution, introduced by the Ministry of National Education and Sport which consists in the obligatory introduction from 1 September 2002 into all types of schools - the school program of prevention against children and youth problems.

The following tools fostering the establishment of proper conditions for the implementation of this task should be mentioned:

1. Diagnosing the scale of problematic behaviors and risk of social exclusion of pupils.
2. Supporting teachers and parents within the scope of acquiring pedagogical skills.
3. Providing psychological and pedagogical assistance in schools, educational establishments and psychological and pedagogical centers.
4. Implementation of preventive and educational program which aim at promoting healthy life style, acquiring life competences facilitating communication, establishing proper relationships in a group of peers as well as solving conflicts without use of force.

That is why each school has an obligation to diagnose periodically problems and undertake preventive actions, appropriate to the threats existing in a given school. The adopted, within the framework of the school preventive program, strategies concerning solving problems which exist in a given school cover all school community: pupils, teachers and parents. These actions may improve social atmosphere in a school and constitute an opportunity to remove some reasons of negative behaviors of pupils but they require constant monitoring connected with school reality which changes every year (new pupils and very often new problems).