

In response to questions concerning protection orders and shelters I would like to give some information about these institutions in Poland.

Shelters:

- Legislative framework and/or guidelines regulating shelters' operations procedures and their shortcomings;

In Poland there are two kinds of shelters:

- 1) Shelters run by NGO;
- 2) Shelters run by the State – theoretically one shelter should exist in each county (powiat); there are 314 rural counties and 66 town counties. Existence of the shelter is regulated by Social Assistance Act which ensures assistance to women and their underage children as well as pregnant women within crisis intervention. From this regulation results that women with their underage children and pregnant women who are victims of violence can find shelter and support in house for mother with underage children and pregnant women /House/. This help is also provided for another women who are in difficult situation as well as for another person who takes care of children and if in critical situation.

Many of the State's Houses are run by institutions of Catholic Church and are financed by a State or even some associations which do it in the name of the State (narcotics, violence, AIDS/HIV, alone parenthood, etc.).

- Types of shelters and number of shelters in a given State, their territorial allocation and their financing;

There is no exact statistics about number of Houses in Poland, but according to information provided with web pages for parents there are at least 62 Houses. One county can share the House with another county and share costs. There are provinces with more than 1 million citizens and with only one House, on the other hand there are at least 11 Houses in Warsaw and other 7 in surroundings, which makes 18 Houses in area populated by app. 3 million citizens.

Payment for staying in the House is determined by the State. The payment is described on the basis of scope of services and obligations/work of a person who stays in the House.

- Conditions to access shelters for women with their children (in particular boys and specific age restrictions and children with special needs);

We have law which regulate in detail who can stay in the House. Person who wants to use this assistance should submit motion, certificate that he/she does not have healthy counter-indications, certificate about any potential disability, background interview which is conducted by worker of Social Institutions, birth certificate if there are any children and opinion of Social Institutions.

In the room might be placed only persons of the same sex; the same principle regards pregnant women, i.e. in one room should be placed only pregnant women. Each of those Houses should have no more than 30 people. Number of people depends on condition of a House.

There are not any restrictions with sex of the children – both girls and boys are treated equally, sex of the child does not give any advantage or disadvantage to be allowed to live in the House.

There are not any restrictions with age of children – they are allowed to live in the House until they reach age of 18 (only exclusion is when a girl aged between 16 - 18 gets married – which is possible only with acceptance of the court – than she becomes adult and must leave the House).

- Length of stay in shelters;

According to Social Assistance Act person can stay at the House till the end of reason which caused this person's placement in the House but no longer than one year.

Parents who are underage or they have not any possibility to return to home can stay longer in the House, i.e. till the moment when they finish education or became financially independent.

In special cases parents with children can stay in the House longer than one year, but it is always subject to administrative decision of Municipality.

- Availability of alternative accommodation and of second and third stage housing
- Landmark jurisprudence and good practices.

The situation of women who are victims of violence improved in the moment of ratification of Convention on preventing and combating violence against women and domestic violence by Poland. But there is still a lot to be done in this field. Unfortunately, there is the risk that the current authorities may terminate Istanbul Convention.

Protection orders:

- Legislative framework and/or guidelines regulating them as well as their shortcomings;

Protection orders are provided by Criminal Code and Act on Counteracting of Family's Violence.

We have the following protection orders:

- Ban to hold a position, occupation or economic activity for a period determined by the court (with limits given by the law);

- Ban to hold activity connected with upbringing, treatment and education underage children or take care of them for a period determined by the court (with limits given by the law);
- Ban of being in certain places, ban of contacting a victim, ban of being closer than certain distance from the victim, ban to leave certain place without court's acceptance;
- Order to leave apartment which is occupied together with a person being a victim;
- Our State ensures psychological and legal aid. for Person who are victim of violence.
- Practicalities on how protection orders work, who can issue them , types and length of protection or barring orders;

Protection orders are issued by Court on the basis of circumstances of each specific case.

- Efficiency or lack thereof of protection orders;

I have not found statistics which would allow me to judge efficiency of protection orders. I only can say that violence of protection orders constitutes a crime for which the person can be punished up to 3 year imprisonment.

In Poland there is a State's organ which monitors cases concerning violence in family.

- Legal consequences of the non-respect of protection orders;

Violence of protection orders constitutes a crime for which the person can be punished up to 3 year imprisonment.

- Landmark jurisprudence and good practices.