

THE BLUE CARD - B

INFORMATION FOR PEOPLE AFFECTED BY DOMESTIC VIOLENCE

What is domestic violence?

Domestic violence is a one-time or repeated deliberate act or negligence that violates the rights or personal interests of family members, as well as other people living or running a household together, in particular exposing these people to the risk of loss of life or health, violating their dignity, bodily inviolability, freedom, including sexual freedom, causing damage to their physical or mental health, as well as causing suffering and moral harm to people affected by violence.

Who may be a victim of domestic violence?

- spouses
- partners in informal relationships
- children
- elderly people
- disabled people

The most common forms of domestic violence are:

Physical violence:

- beating, pushing, kicking, choking, hitting with objects, burning, slapping ...

Psychical violence:

- deriding, mocking, insulting, disrespecting, constantly criticising, controlling and limiting contact with loved ones ...

Sexual violence:

- forcing sexual intercourse, forcing unacceptable sexual practices, forcing sex with other people ...

Another type of behaviour:

- forcing someone to give up their financial resources, preventing employment, not satisfying basic material needs ...
- destroying personal belongings
- demolition of the apartment
- taking home appliances and selling them
- leaving unattended a person who, due to illness, disability or age, cannot meet their needs on their own

- forcing someone to drink alcohol
- coercing the use of narcotic drugs, psychotropic substances or medications

REMEMBER!!!

The law prohibits the use of violence and harm to your loved ones. If you or someone close to you is a victim of violence by a relative or friend, do not hesitate to ask for help. The law is on your side!

If you experience such behaviour, notify:

- the police by calling 997 or 112,
- the public prosecutor's office.

The police officer has a duty to:

- **ensure safety** (Article 15a of the Act of 6 April 1990 on the Police - police officers, when performing activities, have the right to arrest perpetrators of domestic violence posing a direct threat to human life or health);
- **provide information about the intervening police officers** (rank, name and surname and identification number of police officers, name and headquarters of the unit in which they serve);
- **transfer, at the request of the court or the public prosecutor's office, the police documentation as evidence in the proceedings;**
- **participate, at the request of the court, as witnesses in the related criminal case.**

During the preparatory proceedings, the public prosecutor has the right to:

- put the suspect under the supervision of the Police, with the prohibition of contacting the aggrieved party;
- put the suspect under the supervision of the Police instead of applying temporary arrest, provided that the accused leaves the premises shared with the aggrieved party within the prescribed period and determines their place of stay;
- order the suspect to leave the premises shared with the aggrieved party - if there is a reasonable concern that the accused will again commit a violent crime against that person, especially if he or she has threatened to do so.

Polish law prosecutes perpetrators of crimes against close persons for:

- physical or mental abuse of a close person or another person remaining in a permanent or temporary relationship depending on the perpetrator, or a minor or a person helpless due to their mental or physical condition - Article 207 of the Penal Code;
- hitting a person or violating their bodily inviolability in another way - Article 217 of the Penal Code (the prosecution of the crime is carried out on a private charge);
- deprivation of human liberty - Article 189 of the Penal Code;
- threatening another person with a crime to their detriment or the detriment of their next of kin, if the threat raises a reasonable concern in the person threatened that it will be met - Article 190 of the Penal Code (prosecuted at the request of the aggrieved party);

- evoking a sense of threat in another person, justified by circumstances, or violating their privacy by persistent harassment – Article 190a § 1 of the Penal Code (prosecuted at the request of the aggrieved party);
- the use of unlawful violence or threats in order to force another person to act, refrain from acting or endure a specific condition - Article 191 of the Penal Code;
- perpetuating the image of a naked person or person during sexual activity, by the use of violence, an unlawful threat or deception against them, or disseminating the image of a naked person or during sexual activity without their consent - Article 191a of the Penal Code (prosecuted at the request of the aggrieved party);
- forcing another person to a sexual intercourse through violence, unlawful threat or deception (rape) and causing another person to subject to or perform other sexual act - Article 197 of the Penal Code (prosecuted at the request of the aggrieved party); /CAUTION! This crime is also committed by a spouse who rapes their spouse!;/
- causing serious bodily harm in the form of: depriving a person of sight, hearing, speech, the ability to procreate or other severe disability, severe incurable or long-term disease, a real life-threatening disease, permanent mental illness, total or substantial and permanent inability to work in the profession or permanent, substantial disfigurement or deformation of the body - Article 156 of the Penal Code;
- causing a violation of the organ function or health disorder, with the closest person being a victim - Article 157 § 1 and 2 of the Penal Code (prosecuted at the request of the aggrieved party);
- persistent avoidance of the duty of care imposed by statute or a court decision by not contributing to the maintenance of the next of kin or another person and thus making them unable to meet basic life needs (avoidance of the alimony obligation) - Article 209 of the Penal Code (prosecuted at the request of the aggrieved party, social welfare body or other competent authority);
- theft or theft with burglary to the detriment of the closest person - Article 278 of the Penal Code and Article 279 of the Penal Code (prosecuted at the request of the aggrieved party);
- destroying, damaging someone else's property or making it unusable - Article 288 of the Penal Code (prosecuted at the request of the aggrieved party);
- abandonment in breach of the obligation of care for a minor under the age of 15 or for a person vulnerable due to their mental or physical condition - Article 210 of the Penal Code;
- abduction or detention of a minor under the age of 15 or a person vulnerable due to their mental or physical condition, against the will of the person responsible for care or supervision - Article 211 of the Criminal Code;
- sexual intercourse with a minor under the age of 15 or committing other sexual activity against such a person or causing them to subject to to such activities or to perform them - Article 200 of the Penal Code;
- inducing a minor to drink by supplying them with an alcoholic drink, facilitating its consumption, or persuading them to consume such a drink - Article 208 of the Penal Code

You also have the right to report a crime committed by a person who harms you and your family to the Police or the public prosecutor's office.

REMEMBER!!!

The perpetrator of violence against close persons, when feeling that they can get away with their wrongdoing, will probably not change their conduct, they will continue to use violence, regardless of the promises made; and next time it could be much worse.

However, if you trust their declarations about changing their behaviour towards you/your family and decide to withdraw, remember that the evidence you have given so far will not be used by legal institutions operating to help you. Therefore, before making such a decision, consider and consult a psychologist, therapist or other person helping victims of domestic violence, e.g. in a specialised support centre for victims of domestic violence or a crisis intervention centre.

REMEMBER!!!

It is possible to stop domestic violence - you can fight it and get help for yourself and your relatives.

How is it possible?

Take two steps:

1. Step one - write down the course of the event (memory can be unreliable):

Who hurt you? (first name and surname).....

Who is the perpetrator of domestic violence for you? (Specify who - husband, wife, partner, father, mother, brother, sister, son, daughter, other)

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.....
.....

When did it happen? date hour place

.....
What was the violence? (row, screaming, scolding, hitting, kicking, throwing objects, destroying objects, hitting children, beating threats, killing threats, throwing out of the house, other - please specify)

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Who saw or heard the course of the event?

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.....

Who intervened? (name and surname of the police officer, their service number, unit).....

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.....

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.....
Is this the first time the police has intervened in your home in such an incident?

YES [] NO []

How often does violence happen in your home? (once a month, once a week, more often)

.....
.....
.....
When was the last time it happened?

Is domestic violence accompanied with drinking alcohol?

YES [] NO []

Is it always the same perpetrator that hurts you?

YES [] NO []

Has the perpetrator been convicted for a similar act?

YES [] NO []

Has the court applied the supervision of a probation officer to the perpetrator?

YES [] NO []

2. Step two - who can you contact for help?

Have you ever used the help of institutions or organisations obliged to provide help?

YES [] NO []

If: "YES", which institutions or organisations?

.....
.....
• If: "NO", then please find below the names of institutions and organisations that you can use and address:

- **Social welfare centres** - they will help you in social, living and legal matters.
- **District family support centres** - they will help you in legal, social and therapeutic matters or provide information on local institutions operating in this field in your place of residence.
- **Crisis intervention centres** - they will provide shelter for you and your family if you are a victim of domestic violence, provide you with help and support in overcoming a crisis situation, and will develop an assistance plan.
- **Support centres** - will provide shelter for you and your family if you are a victim of domestic violence, they will provide you with help and support in overcoming a crisis situation.
- **Specialised support centres for victims of domestic violence** - will provide free shelter for you and your family if you are a victim of domestic violence, and will provide you with specialist assistance, including psychological, legal, social, therapeutic and medical assistance, and with support in overcoming the situation crisis, and will develop an assistance plan.
- **Public Prosecutor's Office, Police** - this is where you can report of a crime of abuse committed to your detriment or to the detriment of your relatives and ask for basic legal information.
- **Family and guardianship court** - this is where you can submit a petition in family matters or your children's guardianship.

- **Health protection** - this is where you can obtain a medical certificate of sustained injuries, ask for medical help, and ask for addresses of specialist medical clinics.
- **Municipal Alcohol Problem Solving Committee** - if in your case domestic violence is accompanied by drinking, you can ask them to send the offender to addiction treatment or get other help related to alcohol abuse.

There are local centres in your area that provide assistance to victims of domestic violence:

No.	Name of the institution / organisation	Address of the institution / organisation	Telephone	E-mail address
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

You can also dial the following telephone numbers:

Nationwide Ambulance Service for Victims of Domestic Violence - "BLUE LINE" 24-hour and toll-free telephone: 800 - 120 - 002 including: **duty in English** - Mondays from 6 p.m. to 10 p.m.; **duty in Russian** - Tuesdays from 6.00 p.m. to 10.00 p.m.; **legal duty** - Wednesdays from 6 p.m. to 10 p.m. and on toll number **22 - 666 - 28 - 50** Monday and Tuesday from 5 p.m. to 9 p.m. SKYPE - duty in sign language - **pogotowie.niebieska.linia** (Mondays from 1 p.m. to 3 p.m.) and contact via e-mail counselling centre - niebieskalinia@niebieskalinia.info

* **Police Helpline phone: 800 120 226** (free line when calling from a landline, daily from 9.30 am to 3:30 pm, the machine is on from 3.30 pm to 9.30 am).

IMPORTANT

As a result of initiating the "Blue Card" procedure, information about your family situation will be forwarded to the president of the interdisciplinary team, who will take further action.

You can always call the Police for an intervention, inform the public prosecutor's office and ask for help from the entity/organisations that carry out activities to counteract domestic violence.

You can also ask your community police officer to come to your home and give you the necessary help and information.

Glossary of names of institutions/organisations:

Interdisciplinary team for Counteracting Domestic Violence for the (name of the district) District of the Capital City of Warsaw, Warsaw District Police Headquarters (number - e.g. I)	Zespół interdyscyplinarny ds. Przeciwdziałania Przemocy w Rodzinie dla Dzielnicy (nazwa dzielnicy) m.st. Warszawy Komenda Rejonowa Policji Warszawa (numer - np. I)
(name of the district) Warsaw Police Station	Komisariat Policji Warszawa (nazwa dzielnicy)
Social Welfare Centre of the (name of the district) District of the Capital City of Warsaw	Ośrodek Pomocy Społecznej Dzielnicy (nazwa dzielnicy) m.st. Warszawy
Counselling Centre for Counteracting Domestic Violence	Poradnia ds. Przeciwdziałania Przemocy w Rodzinie
Warsaw Crisis Intervention Centre	Warszawski Ośrodek Interwencji Kryzysowej
Alcohol Problem Solving Committee of the Capital City of Warsaw, (name of the district) District Complex	Komisja Rozwiązywania Problemów Alkoholowych m.st. Warszawy Dzielnicy Zespół (nazwa dzielnicy)
Psychological and Pedagogical Counselling Centre	Poradnia Psychologiczno-Pedagogiczna
Warsaw- (name of the district) Independent Complex of Public Open Healthcare Establishments	Samodzielny Zespół Publicznych Zakładów Lecznictwa Otwartego Warszawa-(nazwa dzielnicy)
Information and consultation point	Punkt informacyjno-konsultacyjny
Non-governmental organisation	Organizacja Pozarządowa