

Justyna Jastrzębska <https://orcid.org/0000-0001-6889-4141>  
Institute of Psychology  
Cardinal Stefan Wyszyński University  
in Warsaw

## Preventing Domestic Violence in Poland. Problems of Application and Evaluation of Methods

### Przeciwdziałanie przemocy domowej w Polsce. Problematyka stosowania i ewaluacji metod

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**Abstract:** Domestic violence is a widespread phenomenon affecting both women and men. It takes a variety of forms ranging from physical, psychological and economic violence to neglect. The wide spectrum of events that may indicate violence, often quite non-specific, makes it sometimes difficult to identify it and take appropriate action against it. People experiencing violence develop some adaptive mechanisms that make it difficult to get out of such a situation. Violence is an extremely frequent phenomenon, as evidenced by, for example, police statistics. In Poland, there are legal mechanisms to prevent such events and to support the victim. Despite developed methods of preventing violence, problems arise with their correct application - which may result from errors or the perspective of the people who are to implement them or from the perpetrators and victims themselves. The issue of correct evaluation of actions taken is also important, without which the real picture of violence in Polish families and the effectiveness of implemented assistance is invisible.

**Keywords:** family, domestic violence, preventive programs, evaluation

**Abstrakt:** Przemoc w rodzinie jest zjawiskiem dość powszechnym, dotyczącym zarówno kobiet jak i mężczyzn. Przyjmuje ona różnorodne formy, począwszy od przemocy fizycznej, psychicznej, ekonomicznej, aż po zaniedbanie. Szerokie spektrum zdarzeń mogących świadczyć o przemocy, często dość niespecyficznych sprawia, że czasem trudno jest ją zidentyfikować i zastosować wobec niej odpowiednie działania. U osób doświadczających przemocy rozwijają się pewne mechanizmy adaptacyjne, które utrudniają wydostanie się z takiej relacji. Przemoc jest zjawiskiem dość często występującym, o czym świadczą chociażby policyjne statystyki. W Polsce istnieją prawne mechanizmy przeciwdziałania takim zdarzeniom oraz wsparcia ofiary. Mimo rozwiniętych metod zapobiegania przemocy, pojawiają się problemy z poprawnym ich zastosowaniem - mogące wynikać z błędów lub perspektywy osób mających je wdrażać lub też perspektywy samych sprawców bądź ofiar. Istotna jest również kwestia poprawnej ewaluacji podejmowanych działań, bez której rzeczywisty obraz przemocy w polskich rodzinach i skuteczności wdrożonej pomocy nie jest znany.

**Słowa kluczowe:** rodzina, przemoc domowa, osoba doświadczająca przemocy, osoba stosująca przemoc, programy prewencyjne, ewaluacja

#### 1. Introduction. Domestic violence as a social problem

Domestic violence is a widespread phenomenon. The variety of its forms and roles of individuals involved in a violent situation indicates that it can apply to both women and men (Melibruda, 2005). Although statistics show different proportions, representatives of both sexes may be victims or perpetrators of violence. Women and children experience

violence more often than men, although this form of violence also occurs in society (see Różyńska, 2013). Researchers indicate that a small percentage of experiences reported by men may be related to the perception of their social position and roles, and at the same time accompanying them feelings of shame and humiliation (Paymar, 2000; Johnson, 2005; Hines, Brown, Dunning, 2007).

Several main types of violence are distinguished in the literature (e.g. Niaz, Hassan, Tariq, 2002; Tolan, Gorman-Smith, Henry, 2006; Meyersfeld, 2010; Ciesielska, 2014). These include:

- 1) physical violence involving actions that cause injury, health deterioration, and in extreme cases death,
- 2) psychological violence consisting of controlling, arousing anxiety, deprivation of a sense of security, lowering self-esteem, etc.,
- 3) sexual violence manifested by forcing to engage in or take part in unwanted sexual behavior,
- 4) economic violence which means economic dependence on the perpetrator,
- 5) negligence is the failure to meet physical and mental needs, usually observable to children or the elderly.

Individual forms of violence may co-occur (Capaldi, Shortt, Kim, Wilson, Crosby, Tucci, 2009; Johnson, 2011). At the same time, the variety of forms of activity specific to each of the above types of violence is so large that it is often difficult to identify which forms of violence occur. It also happens that the roles of people involved in a violent situation are mistakenly perceived. A distinction must be made between the victim's violence as a form of defense and actual domestic violence (Dutton, 1993).

The main characteristic of domestic violence is the disproportion of strength between the person experiencing it and the perpetrator who seeks to control and completely subordinate himself to another person (Murrell, Christoff, Henning, 2007). This property distinguishes violence from other forms of conflict, e.g. interpersonal conflict.

Experiencing violence is associated with specific phenomena and mechanisms in a person experiencing violence (e.g. Grygorczuk, Dzierżanowski, Kiluk, 2009; Widera-Wysoczańska, 2010; Ciesielska, 2014). One of the most observable is the mechanism of learned helplessness. It can occur in both adults and children, which results in irreversible changes in their functioning in later life. This mechanism is based on passive tolerance of violence, despite the awareness of the destructive nature of these events (e.g. Grygorczuk, Dzierżanowski, Kiluk, 2009). Learned helplessness is dynamic. Initially launched in the context of the occurrence of traumatic situations, it still largely affects specific functioning in all spheres. There is also a brainwashing phenomenon in a violent situation (Taylor, 2006; Stein, 2012). It consists of many behaviors of the perpetrator - including isolation, fear, monopolization of victim's attention, rewards and punishments, humiliation, demonstration

of own strength - aimed to develop specific behaviors in the victim. Brainwashing often occurs with the Stockholm syndrome, where the victim's paradoxical response is to defend or adore the perpetrator. Such behaviors are associated with the ongoing process of victimization, which means becoming a victim by changing beliefs about yourself, the world and other people, until they are completely consolidated (Schewe, Riger, Howard, Staggs, Mason, 2006). Identification with the role of the victim may be even stronger if the person experiencing violence is exposed to inappropriate reactions of the environment, e.g. family, friends, employees of social institutions.

## **2. Domestic violence in Poland**

As knowledge about domestic violence and its effects developed, international institutions, such as the United Nations, the Council of Europe or the European Union, recognized it as a violation of fundamental human rights, a serious social problem that occurs extremely often (Hassellbacher, 2009; Montoya, 2009).

In Poland, the perception of domestic violence as a dysfunction of family relations is still observable (Nowakowska, Żywolewska-Ławniczak, 2013). Such a perspective significantly affects the forms of action taken. As the authors indicate: "we try to help the family, we build a help plan, we focus on mediation between conflicted people, we say that the victim [woman] must change, undergo therapy. We generally demand a lot from victims: she should be consistent, not demand too much, cooperate with the services and implement their action plan, work, take care of children and protect them. When she is unable to fulfill her obligations, she may be accused of a lack of cooperation. When it comes to light that her aggressor is also lashing out on the child, she may be accused of failing to help at least" (ibidem, p. 7). It is clear how the perception of violence as a dysfunction in a relationship negatively affects the overall prevention of it.

### **2.1. Preventive methods. Legislation**

Introduced at the beginning of the 90s by the UN The Vienna Declaration was one of the first international documents on violence. Its content focused particularly on violence against women, stating that the perpetrator commits a particular form of human rights violation (Nowakowska, Żywolewska-Ławniczak, 2013). Based on this document, many minor legal regulations have been created, introduced in subsequent years in member countries. The so-called Platform of Action was particularly important. This document specified the methods that could be introduced in the public and administrative sphere to prevent violence against women (Obiegło, 2012). The current legal act functioning in European countries, including Poland, is the Council of Europe Convention on the

Prevention and Combating of Violence against Women and Domestic Violence (Czarny, 2013).

In Poland, the most important document is the Act on Prevention of Domestic Violence<sup>1</sup>. Following art. 2 domestic violence is defined as "one-off or recurring intentional act or negligence violating the rights or personal rights of family members or people living or managing together, in particular exposing them to the risk of loss of life, health, violating their dignity, physical integrity, freedom in sexual, causing harm to their physical health, as well as causing suffering and moral harm to people affected by violence " (ibidem, p. 1).

This perspective is the starting point for implementing preventive and intervention methods (Kiełtyka, Ważny, 2012). The legal basis is art. 207 of the Penal Code, concerning mental and physical abuse (Spurek, 2012). However, to qualify a given act as a crime, there must be certain premises, i.e. (1) the perpetrator's advantage over the victim, the impossibility of opposing him, (2) the intention of the perpetrator to harm the other person, (3) the duration of the events - in a criminal law perspective there is doubt as to the nature of a single incident as domestic violence, (4) the intensity of the perpetrator's activities (Gruszczyńska, 2007; Kucharska, 2016). Besides, the so-called Blue Cards procedure has been operating in Poland since the late 1990s. (Sasal, 2005; Banach, 2014). It is a set of actions taken in case of suspicion that violence is taking place in a given family. The name comes from the forms (currently four types of cards are in use - A, B, C, D), which are completed depending on the stage of operation. In principle, the procedure involves various units, i.e. the police, social assistance centers, and educational centers to jointly remedy the situation. The so-called Working Groups and Interdisciplinary Teams that gather for meetings, including inviting separately a person suspected of using violence and a person who may experience it (Jaszczak-Kuźmińska, Michalska, 2012). According to data from the National Police Headquarters, 74313 Blue Cards were established in 2019, which is a larger number compared to the previous years.

## **2.2. The problems of evaluation and implementation of methods for preventing domestic violence**

The Blue Cards procedure is more frequently used every year. It should be remembered that the statistics provided annually by the General Police Headquarters relate to initiated procedures, new cards created. At the same time, the procedure may be ongoing in a large number of families, which is, however, ignored in official statistics. Blue cards, from the perspective of professionals, are a useful tool for preventing violence (du Vall, 2014).

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<sup>1</sup> Dz. U. 2005 Nr 180 poz. 1493.

The assumption is that the procedure is to oblige to specific actions to prevent the occurrence of violent events in the future (Jaszczak-Kuźmińska, Michalska, 2012). Its main purpose is to protect a person who has experienced violence. The problem is, however, enforcing real actions - although, during individual meetings both the victim and the perpetrator together with the Interdisciplinary Team are developing an action plan to which the person is to undertake, there are no legal grounds or tools to check progress (Szalkiewicz, 2012).

Meetings with the victim that take place are often separated by several weeks from the start of the procedure. At such intervals the dynamics of the cycle of violence in a given family may change - usually, the procedure is started at the time of real, often physical, violence. This stage is followed by the so-called honeymoon (Bell, 2003). In this period relations between people involved in violence become milder, victims usually believe in improving the situation, refuse any help and even try to "delete" the card. Depending on the members of the Interdisciplinary Team, it happens that violence is considered a one-time "case", after which, after a short period and few actions are taken, the procedure is completed. Doubts are also raised by the issue of the legitimacy of starting the procedure for each intervention of security services. It happens that the procedure is started for people who do not live together, which in turn determines its total groundlessness to continue. Data on the duration of the procedure, the number of procedures in the same procedures in the same families, the number of cards continued in the estimated year could not be reached. This lack of data means that the true picture of violence in Polish families is not visible.

A person experiencing domestic violence may experience great difficulties in ensuring themselves and their loved ones when the perpetrator of violence is not isolated (see: Kucharska, 2016). However, this is a particularly complex issue from a legal perspective, which often requires lengthy action by probation officers or lawyers. It happens that the perpetrator of violence can be removed from the place of residence only by eviction.

Another problem in the implementation of help for victims of violence is the directive way of providing help, focusing mainly on the behavior of this person and not the perpetrator, which can lead to victimization (Nowakowska, Żywolewska-Ławniczak, 2013). Besides, the perpetrator's frequent behavior is to attempt to manipulate people involved in a given case of violence to present themselves in a favorable light and raise doubts about the credibility of the victim (Dutton, 2011). For this reason, helpers should know the psychological mechanisms of violence. Based on our knowledge and observations, it is possible to build effective help and help programs. It also makes it possible to objectively identify the offender's acts in a legal and criminal context.

#### **Bibliografia:**

Banach, S. (2014). Przemoc w rodzinie - procedura „Niebieskie Karty”, *Kwartalnik Prawno-Kryminalistyczny Szkoły Policji w Pile*, 43, 43-47.

- Bell, H. (2003). Cycles within cycles: Domestic violence, welfare, and low-wage work, *Violence against Women*, 9(10), 1245-1262.
- Capaldi, D. M., Shortt, J. W., Kim, H. K., Wilson, J., Crosby, L., & Tucci, S. (2009). Official incidents of domestic violence: Types, injury, and associations with nonofficial couple aggression, *Violence and Victims*, 24(4), 502-519.
- Ciesielska, M. (2014). Mechanizmy przemocy w rodzinie. *Kultura Bezpieczeństwa. Nauka – Praktyka - Refleksje*, 16, 61-70.
- Ciesielska, M. (2014). Rodzaje, formy i cykl przemocy w rodzinie, *Zeszyty Naukowe Państwowej Wyższej Szkoły Zawodowej im. Witelona w Legnicy*, 3 (12), 7-16.
- Czarny, P. (2013). Konwencja Rady Europy w sprawie zapobiegania i zwalczania przemocy wobec kobiet i przemocy domowej: wybrane problemy konstytucyjnoprawne, *Przegląd Prawa Konstytucyjnego*, 1 (13), 93-107.
- du Vall, M. (2014). *Konwencja Rady Europy o zapobieganiu i przeciwdziałaniu przemocy wobec kobiet i przemocy domowej w świetle polskiego prawa i statystyk*,  
pobrane z:  
[https://repozytorium.ka.edu.pl/bitstream/handle/11315/440/Du\\_Vall\\_Konwencja\\_Rady\\_Europy\\_2014.pdf?sequence=1&isAllowed=y](https://repozytorium.ka.edu.pl/bitstream/handle/11315/440/Du_Vall_Konwencja_Rady_Europy_2014.pdf?sequence=1&isAllowed=y)
- Dutton, D. G. (2011). *Rethinking domestic violence*, UBC Press.
- Dutton, M. A. (1993). Understanding women's responses to domestic violence: A redefinition of battered woman syndrome, *Hofstra Law Review*, 21(4), 2.
- Gruszczyńska, B. (2007). *Przemoc wobec kobiet w Polsce: aspekty prawno kryminologiczne*, Wolters Kluwer Polska.
- Grygorczuk, A., Dzierżanowski, K., & Kiluk, T. (2009). Mechanizmy psychologiczne występujące w relacji ofiara-sprawca przemocy, *Psychiatria*, 6(2), 61-65.
- Hasselbacher, L. (2009). State obligations regarding domestic violence: The European Court of Human Rights, due diligence, and international legal minimums of protection, *Nw. UJ Int'l Hum. Rts.*, 8, 190-215.
- Hines, D. A., Brown, J., & Dunning, E. (2007). Characteristics of callers to the domestic abuse helpline for men, *Journal of Family Violence*, 22(2), 63-72.
- Jaszczak-Kuźmińska, D., & Michalska, K. (2012). *Zespoły interdyscyplinarne: procedura "Niebieskie Karty"*, Warszawa: Wydawnictwo Edukacyjne PARPAMEDIA.
- Johnson, M. P. (2005). Domestic violence: It's not about gender – or is it?, *Journal of Marriage and Family*, 67(5), 1126-1130.
- Johnson, M. P. (2011). Gender and types of intimate partner violence: A response to an anti-feminist literature review, *Aggression and violent behavior*, 16(4), 289-296.
- Kiełtyka, A., Ważny, A (2012). Ustawa o przeciwdziałaniu przemocy w rodzinie. *Komentarz*,  
pobrane z: <https://sip.lex.pl/komentarze-i>



- publikacje/komentarze/przeciwdziałanie-przemocy-w-rodzinie-komentarz-wyd-ii-587673660.
- Kucharska, A. (2016). *Polskie prawo wobec przemocy w rodzinie. Próba analizy wybranych zagadnień*, pobrane z: <https://wydawnictwoexante.pl/2017/10/20/polskie-prawo-wobec-przemocy-rodzinie-proba-analizy-wybranych-zagadnien/>
- Melibruda, J. (2005). *Charakterystyka zjawiska przemocy w rodzinie*, pobrane z: [https://www.niebieskalinia.pl/przewodnik\\_ustawa/poradnik\\_-\\_eksperci\\_radza/01.\\_Jerzy\\_Melibruda.pdf](https://www.niebieskalinia.pl/przewodnik_ustawa/poradnik_-_eksperci_radza/01._Jerzy_Melibruda.pdf)
- Meyersfeld, B. (2010). *Domestic violence and international law*, Bloomsbury Publishing.
- Montoya, C. (2009). International initiative and domestic reforms: European Union efforts to combat violence against women, *Politics & Gender*, 5(3), 325-348.
- Murrell, A. R., Christoff, K. A., & Henning, K. R. (2007). Characteristics of domestic violence offenders: Associations with childhood exposure to violence, *Journal of Family Violence*, 22(7), 523-532.
- Niaz, U., Hassan, S., & Tariq, Q. (2002). Psychological consequences of intimate partner violence: Forms of domestic abuse in both genders, *Pakistan Journal of Medical Sciences*, 18(3), 205-214.
- Nowakowska, U., Żywolewska-Ławniczak, J. (2013). *Niezbędnik sędziego. Przemoc wobec kobiet w rodzinie*, Warszawa: Centrum Praw Kobiet.
- Obiegło, A. (2012). Polityka europejska w kwestii przemocy w rodzinie wobec kobiet, *Przegląd Zachodniopomorski*, 2, 205-226.
- Paymar, M. (2000). *Violent no more: Helping men end domestic abuse*, Hunter House.
- Różyńska, J. (2013). *Niezbędnik Pracownika Socjalnego. Przemoc wobec kobiet w rodzinie*.
- Sasal, H. D. (2005). *Niebieskie karty: przewodnik do procedury interwencji wobec przemocy w rodzinie*, Warszawa: PARPA.
- Schewe, P., Riger, S., Howard, A., Staggs, S. L., & Mason, G. E. (2006). Factors associated with domestic violence and sexual assault victimization, *Journal of Family Violence*, 21(7), 469-475.
- Spurek, S. (2012). *Przeciwdziałanie przemocy w rodzinie. Komentarz*, Wolters Kluwer Polska.
- Stein, A. (2012). Terror and Love: A Study of Brainwashing, *Anthropology Now*, 4(2), 32-41.
- Szałkiewicz, A. (2012). *Ocena procedury „Niebieskie Karty” –problematyka administracyjnoprawna*. Pobrane z: <http://dspace.uni.lodz.pl/xmlui/bitstream/handle/11089/1959/181-189.pdf?sequence=1&isAllowed=y>
- Taylor, K. (2006). *Brainwashing: The science of thought control*, Oxford: University Press.
- Tolan, P., Gorman-Smith, D., & Henry, D. (2006). Family violence, *Annu. Rev. Psychol.*, 57, 557-583.
- Widera-Wysoczańska, A. (2010). *Mechanizmy przemocy w rodzinie. Z pokolenia na pokolenie*, Warszawa: Wydawnictwo Difin.