




Specialist support centres for victims of domestic violence in the legal and organisational structure of the support system for individuals and families in crisis¹

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Abstract: The article describes specialised centres for individuals experiencing domestic violence. The starting point of deliberations undertaken is describing the term of violence, its forms and changes regarding legal regulations concerning counteracting said problem. Next, means of aid were demonstrated to an individual afflicted by domestic violence, as well as tasks of the specialised centres for individuals experiencing domestic violence, entities running these as well as other entities providing shelter to individuals experiencing domestic violence and solutions aimed at aiding them. The purpose of this article is demonstrating the role, tasks and position in the system regarding specialised support centres for individuals experiencing domestic violence. The following research problem has been engaged: what spot in the system of aid to individuals experiencing domestic violence leading to crises is occupied by specialised support centres for individuals experiencing domestic violence, what tasks are they assigned, what is the standard of basic services provided? Analytical and synthetic method of reviewing literary and legal sources has been used. Important tasks assigned to specialised centres for individuals experiencing domestic violence and their spot in the support system after introducing changes to legal regulations concerning these should be familiar to society at large and be a valid research subject. A perpetual necessity of educational influence occurs for the reason of building and broadening awareness of the scope of family and individual support in crisis caused by domestic violence.

Keywords: violence, means of aid to individuals afflicted by domestic violence, tasks of specialised centres for individuals experiencing domestic violence, crisis intervention centres, homes for mothers with minor children and pregnant women

Introduction

Violence in families takes on various forms, causes and aftermath. Regardless of details, interpersonal relations or consequences it is a manifestation of a crisis that demands intervention. One of its components is support for individuals experiencing violence. Said support encompasses complex activities of various public and private institutions. They together form specialised system of support based on specific solutions regulated by law.

Fundamental significance is ascribed to regulations of the Act dated 29 July, 2005 regarding counteracting domestic violence (Journal of Laws 2021, Item 1249 with later amendments). Originally the bill was titled “on counteracting domestic

violence”. However, with the Act dated 9 March 2023 concerning amending the act on counteracting domestic violence and various other acts (Journal of Laws 2023, Item 535) its title as well as terminology were altered, changing “violence in families” to “domestic violence”, said change becoming law on the 22 July, 2023. As indicated in governmental substantiation of said amendment, “previous title of the bill stigmatised families and indicated that they are the only environment where acts of violence occur. Violent behaviour can occur also between former spouses not being legally related as well as among people living in informal relationships”.²

1 Article in Polish language: https://stowarzyszeniefidesetratio.pl/fer/62P_kraj.pdf

2 <https://www.sejm.gov.pl/Sejm9.nsf/druk.xsp?nr=2799>

The term “violence in families” or “intra-family violence” has been used for years to describe actions and omissions occurring in various interpersonal relations. More than two decades ago it was indicated that it encompasses all forms of violence in situations in which perpetrators and victims are in a relationship of some kind or have been in the past. It is to be seen as all active and passive forms of maltreatment of family members that threaten individuals’ personal freedom and cause them mental or physical harm, contrary to social standards of familial relations. Its forms are physical, mental, sexual and neglect (Jarosz 1999, pp. 220-221). The term “violence in families” has been established in social discourse and scientific studies. As an example one can give a statement that family violence is any such behaviour directed towards a relative. Family violence is typified as follows: it is intentional; directed towards controlling and subordinating victims; occurs in conditions of power imbalance, since perpetrators have physical, mental or economic advantage over victims; leads to violating the basic rights and freedoms of victims; entails suffering and pain while endangering life and limb of victims severely (Kanios 2016, p. 79).

Putting into question the substantive legitimacy of the change from “family violence” to “domestic violence”, as well as its significance for the effectiveness of counteracting violence, but without going into details related to it, it is worth perceiving it as an incentive to look at the newly shaped or newly defined anti-violence solutions. Among them, an important spot is occupied by an instrument to support people and families experiencing violence from their relatives and other household members. The purpose of this text is therefore to indicate changes in the legal regulations regarding domestic violence, in particular the role and tasks of specialist support centres for individuals experiencing domestic violence. They are situated as entities that particularly support people and families experiencing domestic violence, although they are not the only ones in this traumatic experience. The structure of the text is based on the adopted research problem: what spot in the support system for people experiencing domestic violence do specialist support centres for people experiencing domestic violence occupy, what tasks are assigned to

them, what is the standard of basic services provided by them? The starting point is to define the concept of violence, its forms, changes in the legal regulations concerning this problem. Then, the forms of assistance to a person affected by domestic violence, the tasks of specialist support centres for people experiencing domestic violence, the entities running them, as well as other entities providing shelter to people experiencing domestic violence and solutions aimed at supporting them were indicated.

According to Article 3 Section 1 of the Act, a person affected by domestic violence is provided with free assistance, in particular in the form of: 1) medical, psychological, legal, social, professional and family counselling; 2) crisis intervention and support; 3) protection against further harm by preventing the person using domestic violence from using a shared flat with the person suffering from domestic violence and prohibiting contacting and approaching the person suffering from domestic violence; 4) providing a person suffering from domestic violence with a safe shelter in a specialist support centre for individuals suffering from domestic violence; 5) medical examination in order to determine the causes and type of bodily injuries related to the use of domestic violence and to issue a medical certificate in this regard; 6) provide assistance to a person suffering from domestic violence who does not have a legal title to a flat occupied jointly with an individual using domestic violence in obtaining a flat. Thus, it is a whole set of support activities of a counselling nature, separating victims and perpetrators of domestic violence, documenting the injuries suffered and providing assistance in obtaining housing. They have a different scope and importance for the safety of people and families experiencing domestic violence, including their protection from perpetrators.

1. Tasks of the centres and people providing support in them

Before the act was changed, these centres were called “specialist support centres for victims of violence in families”. The change of their name to “specialist support centres for people experiencing domestic violence” is related to the aforementioned change in

the nomenclature of the entire bill from “violence in families” to “domestic violence”, and also from the departure from the use of the term “victim of violence” in favour of the term “person experiencing violence”. This should be associated with the conviction that the term “victim” unnecessarily stigmatises, strengthens victimisation and hinders support for people experiencing domestic violence. However, it is impossible not to notice that the term “victim” sounds stronger, and thus more clearly places the individual in the spot where they actually are after experiencing domestic violence, while the term “experiencing violence” seems to blur its negative connotation.

From the beginning of their existence, these entities were perceived as much-needed support institutions for both the family and the child, performing various functions, in particular care, compensatory and counselling, and thus falling within the circle of pedagogical entities, as well as social work institutions. At the same time, attention was drawn to a certain excessiveness of their name in connection with their description as “specialist”, which did not add anything substantive and still does not add anything because each entity of this type is specialised, proposing to define them as “support centres for victims of violence in families”. (Krajewska 2012, pp. 65-66). This postulate remains valid, therefore it is possible to propose, in accordance with the current conceptual apparatus, the name of these entities as “support centres for people experiencing domestic violence”, and even better as “support centres for individuals suffering from domestic violence”. “Suffering” in this respect seems to correspond to the actual state of affairs, because “experiencing” is rather associated with positive experiences, which do not include experiencing domestic violence.

Article 4, Section 1 of the Act concerns specialist support centres for individuals suffering domestic violence. According to it, such people are provided with shelter in such a centre offering at least basic services in the field of intervention, therapeutic and supportive services and living needs, which are aimed at ensuring the safety of such individuals, as well as providing assistance and support in accordance with their needs, adjusted to their life situation.

Section 2 of this article states that the assistance and support in question are provided by specialists in the field of counteracting domestic violence, who guarantee high-quality services, employed in a specialist support centre for people experiencing domestic violence, including psychologists, educators, social workers, lawyers and therapists. Therefore, the subjective and objective scope of the support provided in such centres is wide. This is to result in its best possible dimension adjusted to the individual situation of each individual and each family experiencing domestic violence.

Article 5 of the Act provides that the minister competent for social security issues shall define, by way of a regulation, the standard of basic services provided by specialist support centres for people suffering from domestic violence, as well as the qualification requirements for individuals employed in specialist support centres for people suffering from domestic violence, taking into account the need to adjust the scope of assistance to the situation and needs of individuals experiencing domestic violence, as well as the effectiveness of services provided by specialist support centres for people experiencing domestic violence. As of June 22, 2023, the content of the relevant provision was amended in connection with the latest revision of the Act, and based on this, the Minister responsible for social security issued a new regulation.

This is the Regulation of the Minister of Family and Social Policy of June 20, 2023, concerning the standard of basic services provided by specialist support centres for victims of domestic violence and the qualification requirements for staff employed in these centres (Journal of Laws of 2023, Item 1158).

This regulation defines the standard for basic services delivered by specialist support centres for individuals experiencing domestic violence. In the scope of intervention, it includes providing shelter to the victim and their children for a period of up to three months, with the possibility of extension in cases justified by the situation of the victim—particularly when necessary to ensure their safety. It also includes protection of the victim from the perpetrator, immediate and comprehensive assistance (including psychological and legal support), and urgent access to medical assistance where the victim’s health condition requires it. Moreover, it involves assessing the situation

of the victim and evaluating the risk to their safety or that of the children in their care. In the therapeutic and supportive dimension, the standard covers preparing a diagnosis of the victim's situation and that of their children staying in the centre. It also includes providing specialist counselling-particularly legal, psychological, social, and medical-organizing support groups and therapeutic groups for victims of domestic violence, and offering individual therapy aimed at both supporting the victim and helping them acquire skills to protect themselves from the perpetrator. Furthermore, the standard guarantees access to medical assistance, assessment of the children's situation based on a family environmental interview, and the provision of parenting consultations by specialists employed in the centre. As for material and living needs, the standard includes round-the-clock temporary accommodation for up to thirty individuals, with the possibility of exceeding this number depending on the centre's capacity and following approval by the governing authority. It requires the provision of sleeping rooms for a maximum of five people, with consideration for the family circumstances of the victim; a communal dayroom with a play area for children and space for studying; a shared bathroom suitable for both adults and children for no more than five users; at least one laundry and drying room; and a shared kitchen or kitchenette with food preparation stations (one per ten residents), each equipped with a stove, sink, refrigerator, kitchen furniture, and cooking and dining utensils. The standard also includes rooms for storing baby strollers (where feasible), private consultation rooms for individual work with victims, and the provision of food, clothing, footwear, personal hygiene products, and cleaning supplies.

As part of the amendment, Article 6a was added, according to which the persons managing specialist support centres for individuals suffering from domestic violence are required to have a specialisation in the field of social assistance organisation and at least 3 years of work experience in institutions or facilities that carry out tasks for counteracting domestic violence, or at least 3 years of work experience work experience in social assistance, including at least one-year work experience in institutions or facilities that carry out tasks to counteract domestic violence.

2. Entities operating the centres, providing room in them and their actual functioning

It is the responsibility of counties to create and run specialist support centres for people suffering from domestic violence. These are tasks in the field of government administration. This is stated in Art. 6 sec. 4 point 1 of the Act. However, pursuant to par. 3 point 3 of this article, providing places in such centres for people experiencing violence is also the task of counties, but it is their own task.

However, few counties fulfil these tasks, especially when it comes to creating such support centres. According to their official list, in 2022 there were only 37 such entities. Considering that there are 308 counties in Poland and 65 cities with county rights, such a centre functions only in every tenth county. This is a very poor result.

The specialist support centres for victims of domestic violence, divided by voivodeships and cities, are presented in Table 1.

Such centres operate in towns of various sizes, both larger and smaller ones. They are most often run by counties, sometimes by county family support centres, two of them by associations and one by Caritas. Actual access to them by people suffering from domestic violence may be limited due to the distance of their place of residence from the seat of the centre and the related communication difficulties. Therefore, it is necessary to postulate the development of such places of support, which requires the will of county that have not undertaken to create them so far, in which financial resources may be one of the obstacles. Undoubtedly, this state of affairs is strongly influenced by the fact that the creation of such centres is not obligatory. Therefore, it is necessary to consider changing the regulations towards the obligatory nature of such a task on the part of counties. It could alternatively be formed in the form of creating such a centre in each county or by concluding an agreement by neighbouring counties on joint creation of such a centre.

Table 1. The specialist support centres for victims of domestic violence in Poland

voivodeship	city
dolnośląskie Lower Silesian Voivodeship	Wrocław Wałbrzych
kujawsko-pomorskie Kuyavian-Pomeranian Voivodeship	Inowrocław Tuchola Włocławek
lubelskie Lublin Voivodeship	Lublin Tyszowce
lubuskie Lubusz Voivodeship	Gorzów Wielkopolski
łódzkie Łódź Voivodeship	Łódź
małopolskie Lesser Poland Voivodeship	Kraków Tarnów Zakopane
mazowieckie Masovian Voivodeship	Warszawa Mława Piastów
opolskie Opole Voivodeship	Opole Kędzierzyn-Koźle
podkarpackie Subcarpathian Voivodeship	Gorzyce Nowa Sarzyna Krasieczyn Lesko
podlaskie Podlasie Voivodeship	Suwałki Kolno
pomorskie Pomeranian Voivodeship	Gdynia Rusocin
śląskie Silesian Voivodeship	Wodzisław Śląski Świętochłowice Chorzów
świętokrzyskie Świętokrzyskie Voivodeship	Kielce
warmińsko-mazurskie Warmian-Masurian Voivodeship	Elbląg Olsztyn Olecko
wielkopolskie Greater Poland Voivodeship	Zduny Piła Poznań
zachodniopomorskie West Pomeranian Voivodeship	Świnoujście Białogard

Source: <https://www.gov.pl/web/rodzina/baza-kontaktowa-specjalistyczne-osrodki-wsparcia-dla-ofiar-przemocy>.

3. Other entities providing shelter to people experiencing domestic violence and other solutions to support them

Specialised support centres for people experiencing domestic violence are not the only entities where such people can receive shelter and other types of support. In addition to them, there are other such places, which are even more and, consequently, access to which is wider.

These are primarily crisis intervention centres. They also operate on the basis of the Act of 29 July 2005 on counteracting domestic violence. Its Article 6 Section 3 Point 4 states that it is counties' own task to provide places for people suffering from domestic violence. The provisions of the Act of 12 March 2004 on social assistance (i.e. Journal of Laws of 2023, Item 901) are also important for their existence, which in Article 6 Point 5 lists these centres among organisational units of social assistance. Its Article 19 Point 12 provides that running them is a task specific to counties.

For the victims of domestic violence, which are most often women and children, the precedent goal of their functioning is to provide them with extensive help, their support towards regaining a sense of security and making decisions related to the reorganisation of their life situation, but also taking care of children who can rest from chaos and constant fear and experience relationships based on respect and trust (Rzesoś 2006, p. 182). Their feature is that people who are in a crisis situation can use their support immediately, i.e. without the need to carry out the procedure. Moreover, every person and every family is entitled to it, regardless of income, which is a criterion sometimes required for other social assistance benefits (Krajewska 2018, p. 62, 65).

Pursuant to the Act of 12 March 2004 on social assistance, there are also homes for mothers with minor children and pregnant women. According to its Article 47 Section 4 mothers with minor children and pregnant women experiencing domestic violence or in another crisis situation can find shelter and support in homes for mothers with minor children and pregnant women as part of crisis intervention.

Fathers with minor children or other persons with legal custody of children may also be admitted to these homes. The details of their operation are regulated by the regulations issued on the basis of the delegation contained in sec. 5 of this article, the Regulation of the Minister of Family and Social Policy of 17 January 2022 on homes for mothers with minor children and pregnant women (Journal of Laws of 2022, Item 159).

They are commonly referred to as single mothers' homes, and they play a very important role in the child and family support system. The stay in them is only temporary and applies to extreme situations when a woman expecting a child or being the mother of a minor child or children cannot count on the help of her relatives. The reasons for this are complex and often overlap (Krajewska 2023, p. 271). One of them may be domestic violence, of which a woman is a victim and often her children or a child are also victims.

It should not be the case that people experiencing violence always have to run away from home. It is the perpetrator who should leave, which is the purpose of specific legal regulations, thanks to which victims of domestic violence are going to be safe in their home without the need to seek shelter outside it.

Based on Article. 15aa Section 1 of the Act of 6 April 1990 on the Police (i.e. Journal of Laws of 2023, Item 171 with later amendments), in regard to an individual engaging in domestic violence posing risk to life and limb to the victim, a police officer has the right to issue an order to immediately leave the jointly occupied apartment and its immediate surroundings and a ban on approaching the jointly occupied apartment and its immediate surroundings. The injunction and ban expire after 14 days from their issue, unless the court issues a provision extending them, according to Article 15ak Section 1 of said legal act.

Based on Article. 11a Section 1 of the Act of 29 July 2005 on Counteracting Domestic Violence, if a person using domestic violence who is cohabiting makes cohabitation particularly onerous with their behaviour involving the use of domestic violence, a person experiencing this violence may demand that a civil court oblige them to leave

together occupied apartment and its immediate surroundings or forbid approaching the dwelling and its immediate surroundings.

A criminal court may order the perpetrator of domestic violence to temporarily leave the premises occupied jointly with the injured party or with the injured parties. Such a possibility exists pursuant to Article 41a §1 of the Act of June 6, 1997 of the Penal Code (Journal of Laws of 2022, Item 1138 with later amendments). This applies to a person convicted of a violent crime against close relatives.

It is not known to what extent these solutions are consistent with each other and to what extent people experiencing violence are informed about them. Meanwhile, there should be coordination of solutions and institutions aimed at providing assistance to individuals and families in situations of experiencing domestic violence. The need of jointly removing this crisis by individualising the problem and using institutional support and help from other people in solving it (Mazur 2002, p. 144).

Summary

Violence is a phenomenon that, according to some researchers, occurs widely in our society. It is present in everyday life, in the workplace, in schools, in mass media, and within the family. In analyses of this issue, one can even find the assertion that it has become a norm of social relations (Kawula, Brągiel, Janke, 2005, p. 286). Violence in general, and family violence in particular – or, as the current legislator terms it, domestic violence – is nonetheless a pathology, a deviation from the norm, which should be based on healthy interpersonal relationships free from violence.

What is particularly distressing and raises many concerns is the situation in which the home becomes the most dangerous place in the modern world. This dimension and meaning of violence is highlighted by A. Giddens, who notes that statistically, a person regardless of age or gender is more likely to suffer a physical attack at home than on the street at night (Giddens, 2006, p. 214).

A home that harms ceases to be a safe place-one that a person wants to return to and feel comfortable in. Therefore, if someone must flee from such a home and seek shelter elsewhere, one of the places offering protection is a specialist support centre for victims of domestic violence.

The objective of this study has been achieved, as it outlines the changes in legal regulations regarding domestic violence, with particular emphasis on the role and tasks of specialist support centres for victims. It presents their place in the support system for individuals experiencing domestic violence, the responsibilities assigned to them, and the standard of basic services they pro-

vide within the scope of intervention, therapeutic and supportive functions, as well as in terms of meeting material needs. A practical exemplification of the theory concerning specialist support centres for victims of domestic violence is the indication of the towns and localities where such centres operate, places where victims can find real help and support. These centres are a part of the broader system of support for individuals and families in crisis, a system that requires continuous improvement, as unfortunately, many individuals and families affected by various negative experiences, including intra-family violence, are in need of such assistance.

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