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Selected aspects of interpersonal violence in the perspective of social security

Abstract: By the time Google created a doodle titled “Stay Home, Save Lives: Help Stop the Coronavirus”¹ news about the increase in domestic violence cases all over the world had started coming in. Counselling services through phones and helplines have increased. In Poland, but also in many other countries in the absence of a national policy to deal with increased instances of domestic violence, women’s and children rights organizations, were stretching themselves to act as the main support service. A lot of new initiatives to deal with the problems of domestic violence in the crisis period, from other than governmental sources, have started. In April, the UN Secretary General called for a global ceasefire and an end to all violence everywhere so that attention and resources could be focused on stopping the raging pandemic². According to the reports, crowded homes,

¹ <<https://www.google.com/doodles/stay-home-save-lives>>

² The Shadow Pandemic-Violence Against Women and Girls and COVID-19, <<https://www.unwomen.org/en/digital-library/multimedia/2020/4/infographic-covid19-violence-against-women-and-girls>>.

substance abuse, limited access to services and reduced peer support are exacerbating these conditions. It may be relevant to mention, that in any situation of crisis, economic uncertainty or disaster, historically there has been a rise in domestic violence, as well as a long-lasting gendered impact on women

Keywords: COVID-19, Domestic Violence, Convention on the Prevention of Violence against Women and Domestic Violence, Public policy, Polish government

1. Introduction

the literature dealing with the problem of violence is interdisciplinary in nature and concerns the historical, legal, but also ideological and social dimension. Violence is a social process. It is a series of interrelated social phenomena affecting both individuals and larger communities. Violence results in permanent and irreversible socio-cultural transformations. In addition, the fact is that declaring condemnation for violence is very often superficial and decreases with a subjective sense of security threat.³

Important is to underline, that the current pandemic-related situation often breaks the taboo of protecting the most vulnerable members of society from the potential threat of violence, depreciating the lives of segregated groups that are considered less important or less socially productive. The forthcoming changes, focus on how we will perceive the status of victims of violence.

Violence gains various faces and occurs in very different forms. In addition, defining violence is just as difficult as preventing

³ SAKSON-SZAFRAŃSKA, I.: Prawo do zabijania w perspektywie przemocy zbiorowej – ujęcie prawno-socjologiczne. [Unpublished doctoral dissertation]. University of Warsaw, 2019, s. 399.

it. Violence can also be analysed in terms of its scope and extent in specific, people-created social institutions. This is probably the most common and obvious form that citizens of each country encounter on a daily basis. The ability to influence other people and communities appears to many people as a particularly rewarding and valuable asset. It is also worth pointing out that on the most elementary, interpersonal level, violence is connected with the influence that people close to each other have on each other, when there is no possibility to “escape”.

2. Faces of violence

Violence is an intentional, deliberate act aimed at causing harm and can be both hostile and instrumental. It can cause both physical and psychological damage, as well as material, moral or social damage. Violence acquires all “sorts of faces” and occurs in various forms⁴. In the case of domestic violence, we are dealing with an action that is not only intentional, but is based on strength and directed against family member(s). Domestic violence violates the well-being and personal rights of family member(s) and is intended to cause damage and harm to those affected⁵. On the other hand, institutional violence, is most often about taking away power and it is a communication that uses patterns of rulership and

⁴ Ibidem, s. 13.

⁵ Domestic violence promotes fear, anger, regret, shame, terror and guilt in those who suffer it. Its effects include the occurrence of depression, a decrease in self-esteem, a limitation of the ability to participate in society, a disorder of feelings of security, trauma. Ms Dąbkowska pointed out that the abuse experienced by children in adult life resulted in an increased risk of addiction to psychoactive substances (4.7 times), alcohol dependence (2.2 times), suicide attempts (3.7 times). OGIŃSKA-BU-LIK N.: Objawy stresu pourazowego i potraumatyczny wzrost u kobiet doznających przemocy w rodzinie. In: *Psychiatria i Psychoterapia*, 2016, tom 12, s. 17.

domination, disregarding the interest and opinion of the person to whom it is applied⁶.

Starting from the definition of domestic violence, basic forms of violence should be taken into account: physical, mental, sexual, economic. The first two forms of violence are most common⁷ Physical violence, although more visible through bodily effects, leaves fewer traces than the psychological violence from which the victims of the violence can't escape from for years.

3. Worldwide violence

Domestic violence is mainly affecting women. According to data collected by the United Nations⁸, 243 million women and girls aged 15 to 49 have been subjected to sexual or physical violence by their partner in the last twelve months. In other words, one in three women⁹ experienced physical or sexual violence at some point in their lives.

Scientific studies conducted at different times and in different parts of the world clearly indicate that domestic violence is exacerbated during disasters. For example, in 1992, after

⁶ PŁATEK, M.: Prawnoporównawcze aspekty projektu ustawy o przeciwdziałaniu przemocy w rodzinie. In: *Studia Iuridica*, 2005, nr XLIV, s. 307-331.

⁷ OGIŃSKA-BULIK N.: Objawy stresu pourazowego i potraumatyczny wzrost u kobiet doznających przemocy w rodzinie. In: *Psychiatria i Psychoterapia*, 2016, tom 12, s.15-29.

⁸ COVID-19 and Ending Violence Against Women and Girls, <<https://www.un-women.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>>

⁹ UN WOMEN: Press Release: COVID-19 risks creating and exacerbating women's vulnerabilities and gender inequalities in Palestine, warns UN Women, 06.05.2020, <https://palestine.unwomen.org/en/news-and-events/stories/2019/3/rapid-gender-analysis>

Hurricane Andrew, which hit southern Florida, there was a 50% increase in reports of abuse against a spouse. In New Zealand, after the Canterbury earthquake, were 53% more¹⁰.

4. Global violence during the COVID-19 Pandemic

Paradoxically, when governments around the globe, have implored residents to stay home to protect themselves and others from the new coronavirus disease, COVID-19, for domestic violence victims, the vast majority of whom are women, children, and senior individuals, home is a dangerous place. A. Jaworska-Wieloch and O. Sitarz believe that the traumatic experience of the victims of violence, which results from the necessity to be in the same place with the torturer, "is a symptom of a certain social pathology and inefficiency of the family support system"¹¹.

4.1 How have lockdowns influenced rates of domestic violence?

Data from many regions already suggests significant increases in domestic violence cases, particularly among marginalized populations. Take for example the Middle East and North Africa, which have the world's fewest laws protecting women from domestic violence. Examples include the Middle East and North

¹⁰ PARKINSON, D.: Investigating the Increase in Domestic Violence Post Disaster: An Australian Case Study. In: *Journal of Interpersonal Violence*, 2019, Vol. 34, Issue 11, p. 2333–2362.

¹¹ JAWORSKA-WIELOCH, A., SITARZ, O.: Funkcjonalność i adekwatność środka karnego i obowiązku probacyjnego nakazu opuszczenia lokalu zajmowanego wspólnie z pokrzywdzonym. Czy regulacje prawnokarne odpowiadają potrzebom osób pokrzywdzonych?. In: *Archiwum Kryminologii*, tom XII, nr 1, s. 318.

Africa, which have the world's fewest laws protecting women from domestic violence. An analysis by UN¹² in the Palestinian territories found an increase in gender-based violence and warned that the pandemic will likely disproportionately affect women, exacerbate pre-existing gendered risks and vulnerabilities, and widen inequalities. In Latin American countries such as Mexico and Brazil, a spike in calls to hotlines in the past two months suggests an increase in domestic abuse¹³.

Meanwhile, according to the official United Nations and local prosecutors, the decline in formal complaints in countries such as Chile and Bolivia is likely due to movement restrictions and the inability or indecision of women to seek help or report through official channels. Victims are locked in houses with their tormentors and it is more difficult for them to seek help, this situation is especially affecting single mothers who do not have with whom to leave their children.

In China, police officers in the city of Jingzhou received three times as many domestic violence calls this past February as in the same time in 2019¹⁴. Some high- and middle-income countries, such as Australia, France, Germany, South Africa and the United

¹² UN WOMAN: COVID-19: Gendered Impacts of the Pandemic in Palestine and Implications for Policy and Programming. Findings of a Rapid Gender Analysis of COVID-19 in Palestine. Palestine: UN Women Palestine Office, 2020, <<https://www2.unwomen.org/-/media/field%20office%20palestine/attachments/publications/2020/4/covid%2019%20-%20un%20women%20rapid%20gender%20analysis.pdf?la=en&vs=4626>>.

¹³ SIGNAL L. et al.: Another pandemic In Latin America, domestic abuse rises amid lockdown, <https://www.reuters.com/article/us-health-coronavirus-latam-domesticviol/another-pandemic-in-latin-america-domestic-abuse-rises-amid-lockdown-idUSKCN2291JS>.

¹⁴ FENG J.: COVID-19 fuels domestic violence in China, 28.03.2020, <<https://supchina.com/2020/03/24/covid-19-fuels-domestic-violence-in-china/>>.

States, have also reported a significant increase in reports of domestic violence since the COVID-19 outbreak. An increase of 30 to 50 percent of violence was recorded in France, the UK, Spain, China, Australia and New Zealand¹⁵.

According to Wan Fei, founder of an anti-domestic violence non-profit¹⁶, the epidemic has had a huge impact on domestic violence”. He also added that “According to our statistics, 90% of the causes of violence are related to the COVID-19 epidemic.”

It’s important to remember that domestic violence was a global pandemic long before the COVID-19 outbreak.

Today, increasing number of patients, growing unemployment, increased anxiety and financial stress, and a scarcity of community resources prepared the ground for an exacerbated domestic violence crisis. Many victims find themselves isolated in violent homes, without access to resources or friend and family networks. Abusers could experience heightened financial

pressures and stress increase their consumption of alcohol or drugs, and purchase or hoard guns as an emergency measure. Experts have characterized an “invisible pandemic” of domestic violence during the COVID-19 crisis as a “ticking time bomb” or a “perfect storm”¹⁷.

¹⁵ COVID-19 and Ending Violence Against Women and Girls, <<https://www.un-women.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>>

¹⁶ Wan Fei is retired police officer who is now the founder of an anti-domestic violence nonprofit in Jingzhou, a city in the central Hubei province.

¹⁷ The term “perfect storm” refers to a situation where a rare combination of different factors and circumstances drastically and surprisingly increases the strength of an event. This term was made in the early 90s, with regard to the unexpected hurricane that developed in the Atlantic as a result of the weave of unusual circumstances.

5. The impact on social services for domestic violence victims

Cities and villages around the world, have seen a dramatic increase in demand for social services and other types of assistance, especially from vulnerable people who may not legally qualify for social assistance. Meanwhile, social, health and legal services – such as shelters, food banks, legal aid offices, childcare centres, health care facilities and crisis centres – are either closed or overcrowded and understaffed. Some of them have been converted into health centres or isolation places.

As prisons have become hotbeds for the spread of COVID-19, some criminal justice authorities are halting arrests and releasing inmates.

These are critically important public health measures that should be accompanied by alternative means to prevent and interrupt domestic violence, such as individualized risk assessments, efforts to notify victims of pending inmate releases, and safety-planning support for victims. Unless governments provide sufficient guidance, resources and training for local authorities, people will continue to be more vulnerable to domestic violence.

6. The phenomenon of violence in Poland

The level of violence correlates with social beliefs about the position of a man and a woman in a given culture. A 2016 survey revealed that 49% of Poles believed that a victim of violence accepted their situation and 9% said that a husband had the right to decide who his wife was dating. With research, 26% of women are in relationships with violent people and 59%

of women stressed the ineffectiveness of judicial assistance to victims of violence¹⁸.

Researchers indicate, that it is difficult to estimate the scale of violence in Poland. I. Gumowska noted that violence against children already described throughout Polish scientific literature was estimated at 2-4% to 70-90%. In the 1980s, 34% of men and 24% of women admitted to the use of violence against intimates. In 2012, the Social Opinion Research Centre indicated that every ninth Pole admitted that he was the perpetrator of violence. Significant differences in research results indicate a problem with the adopted research methodology and definition of violence¹⁹.

It is worth to mention the statistics of recorded violence in Poland against the European background. Data from the European Union Agency for Fundamental Rights (FRA) for people aged 15 and above in Poland and Sweden and the average for the European Union as a whole (2017) showed twice as high in the proportion of women who experienced physical violence by a partner in Sweden (24%) than in Poland (12%), with an average of one in five women in the Union admitting psychological harm. On the other hand, sexual violence by a partner affected one in 10 Swedish citizens, with a lower proportion of the EU average (7%) vs Poland (4%). On the other hand, sexual violence by a partner affected every tenth Swedish citizen, with a lower percentage of the EU average (7%) and data from Poland (4%). A high percentage of reports of violence in Sweden is associated with public awareness of the

¹⁸ ONET.PL: Przemoc domowa wobec kobiet. Co statystyki mówią o sytuacji w Polsce? [INFOGRAFIKA] <<https://kobieta.onet.pl/zdrowie/przemoc-domowa-wobec-kobiet-co-statystyki-mowia-o-sytuacji-w-polsce-infografika/xqe4w74>>.

¹⁹ GUMOWSKA, I.: Skala i struktura zjawiska przemocy w rodzinie. In: Przemoc w rodzinie – ujęcie interdyscyplinarne, Wirkus, Ł., Kozłowski, P. Kraków: Oficyna Wydawnicza IMPULS, 2017, s. 103-110. ISBN: 978-83-7850-973-8.

phenomenon of violence and women's rights. Statistical data from Poland is questioned not only by third sector organizations, but also by specialists²⁰. According to police reports, approximately 90,000 women become victims of violence every year. Research results of prof. B. Gruszczyńska from the Institute of Justice, University of Warsaw, indicate about 800,000 women²¹. The issue of the results of the FRA research was raised by the Ombudsman in an alternative report to the government's commitment to the implementation of the Istanbul Convention. The Ombudsman cites information on how research is carried out in Poland. The RPO report reads the objections of the report's authors: "for some countries, e.g. Poland, Austria – respondents were willing to disclose in the survey only those cases of violence that were considered as serious and as such came to the attention of law enforcement authorities. The authors of the report point out that Poles and Austrians were less likely to identify as victims of violence, while they note that in more than 60% of cases, the most serious cases of domestic violence resulted in injuries"²². The Ombudsman points out that the Ministry, in its report to GREVIO (Group of Experts on Action against Violence

²⁰ The Ordo Iuris Institute for Legal Culture Foundation, which is an important but secret friend of the ruling party in Poland, argues that the campaign to collect signatures for an international petition against the Istanbul Convention is based only on FRA research (...) all available research clearly shows that among the most common causes of violence are situations of family breakdown and addiction (to alcohol, drugs, gambling, pornography, sex). Moreover, according to research by the EU Agency for Fundamental Rights, in countries where gender-based ideology is implemented, the incidence of violence is very high" < <https://stopgenderconvention.org/>>.

²¹ ONET.PL: Przemoc domowa wobec kobiet. Co statystyki mówią o sytuacji w Polsce? [INFOGRAFIKA], <<https://kobieta.onet.pl/zdrowie/przemoc-domowa-wobec-kobiet-co-statystyki-mowia-o-sytuacji-w-polsce-infografika/xqe4w74>>.

²² RZECZNIK PRAW OBYWATELSKICH: Raport alternatywny Rzecznika Praw Obywatelskich do sprawozdania Rządu Rzeczypospolitej Polskiej z działań podjętych w celu wprowadzenia w życie Konwencji Rady Europy o zapobieganiu i zwalczaniu przemocy wobec kobiet i przemocy domowej. Warszawa: Biuro Rzecznika Praw Obywatelskich, 2020, s. 22.

against Women and Domestic Violence), omits the results of the “Nationwide diagnosis of domestic violence” carried out in August 2019 on behalf of the Ministry of Family, Labour and Social Policy. It states that more than half of Poles have experienced violence in their lives. Most victims of domestic violence do not seek help. “As many as 30% of respondents confirm being the perpetrator of domestic violence. At least once – 9%, repeatedly 17% and 3% repeated (equivalent to 9 million). The most common evidence was psychological violence (24%), physical (11%). In-depth interviews indicate that the perpetrators share common attitudes: the need of power and control, a sense of impunity, and a failure to recognise their guilt”²³. Also 72% of Poles believe that the law does not sufficiently protect against domestic violence, and 79% “that many families do not receive the help they need (institutional, but also from family, neighbours, friends). At the same time, there is a strong belief that violence is a private family matter – this is indicated by a high percentage (18%) people claiming that they did not take action against the person experiencing violence because they did not want to interfere with their affairs. In the Ombudsman’s view, the above-mentioned data show that the scale of violence in Poland is underestimated and that the public awareness of citizens remains inadequate”²⁴.

7. Violence during the COVID-19 pandemic in Poland

A few weeks after the announcement of the lockdown, which meant home isolation due to the coronavirus threat, it became clear what

²³ Ibidem, s. 23.

²⁴ Ibidem.

side effects of the pandemic would have. Violence is generally not uncommon in Polish homes, but new, unique conditions have exacerbated it. The victims were locked under one roof with their tormentors, and in many homes already existing conflicts escalated. This may be due to isolation, fear of potential infection, but also a lack of control. In addition, the uncertain political and, in many cases, economic situation may be conducive to aggression attacks. In addition, perpetrators of violence now feel more impunity because they are aware of the fact that the police dealing with other cases, so the victim is isolated from outside help. The Social Assistance Centres where Family Assistants and Social Workers currently do not work in the field, so they do not reside in many family environments that need inspection. Also Through the isolation of families with children, and online education, the number of cases of “missing students” who have stopped responding to the messages on the learning platform is increasing. Most of these students come from families affected by domestic violence. It is also important, that the contact cannot be established not only with children but also with their parents.

According to official data in Poland, the number of “Blue cards”²⁵ set up by police officers in March 2020 decreased by more

²⁵ The Blue Card procedure is an institutional tool that “covers all activities undertaken and carried out by representatives of social assistance agencies, municipal alcohol problem solving committees, police, education and health care, on the grounds that domestic violence may occur.” The provisions of this amendment indicate to the Council of Ministers, as the body which defines the shape of the procedure and develops model forms used in its implementation.” BAZYLUK E., KULKA M.: Rozporządzenie w sprawie procedury Niebieskiej Karty-komentarz, <<http://www.niebieskalinia.info/index.php/zadania-sluzb/59-rozporzadzenie-w-sprawie-procedury-niebieskie-karty-komentarz>>; Rozporządzenie Rady Ministrów z dnia 13 września 2011 r. w sprawie procedury Niebieskiej Karty i wzorów formularzy Niebieska Karta. Dz.U. 2011 Nr 209, poz. 1245.

than 1000 compared to the same period 2019²⁶. According to the Centre for Women's Rights, only in March, the helpline received 50% more calls than in the same period a year ago. Although there are still no data for April, estimates indicate that these calls will also be much more.

Despite the government's announcements, insufficient action has been taken to urgently assist those affected by the violence despite the outbreak of a pandemic across many Polish provinces, and potential severe impact of the virus in a few months.

8. What can countries do to protect those at risk of domestic violence amid the pandemic?

As the United Nations have emphasized, countries must incorporate a gender perspective in their responses to the COVID-19 crisis. Several countries and nongovernmental organizations (NGOs) have already taken innovative steps in this direction. New campaigns also use social media to spread awareness of resources available to survivors, including hotlines, text message-based reporting, and mobile applications.

In Poland, for those at risk of domestic violence, the Office of the Ombudsman, acting in cooperation with experts of the Feminoteka Foundation, the Centre for Women's Rights and the Blue Line IPZ, has developed assistance during

²⁶ In March 2019, in Poland, the police set up 6,373 Blue Cards. In the entire first quarter of last year, there were 18,481. In the same period of 2020, this was 17 077. In March alone – 5307. Both the number of completed forms initiating the procedure (5235 in March 2019 to 4369 in March 2020) and the number of forms for further cases of domestic violence during the ongoing procedure decreased (1138 to 938) <<https://statystyka.policja.pl/st/wybrane-statystyki/przemoc-w-rodzynie/50863,Przemoc-w-rodzynie.html>>.

the pandemic for all those who experience violence in their homes²⁷. Women who experience domestic violence but are controlled by their abusers may seek help ‘undercover’. One of the natural cosmetics stores, which acts as an intermediary for the Women’s Rights Centre²⁸, is modelled on initiatives taken in other countries such as France (fictitious ordering of mask at a pharmacy) or the United States (fictitious ordering of pizza in an organization helping people experiencing violence)²⁹. On the other hand, the Canadian Women’s Foundation came up with a Signal for help, which is a simple one-handed sign someone can use on a video call³⁰.

²⁷ RZECZNIK PRAW OBYWATELSKICH: Plan awaryjny- jak szukać pomocy, gdy doświadczamy przemocy domowej w trakcie epidemii. BIURO RZECZNIKA PRAW OBYWATELSKICH, 11.04.2020, <https://www.rpo.gov.pl/pl/content/plan-awaryjny-przemoc-domowa-pomoc-w-epidemii>.

²⁸ On April 12, 2020, during the Easter period, 17-year-old Polish woman, Krysia Paszko launched on Facebook a fictitious natural cosmetics store “Romanians and pansies”, through which victims of domestic violence can apply for help under the so-called. Guise. The message concealing that the primary purpose is to help victims of violence is included in the information about the activity of the store: “Especially the place in our hearts has skin prone to irritation, reddened, tired.” Chamomile and pansies” were created with the most sensitive skin in mind – they act on it like a dressing. No matter how old you are or what gender you are – our natural cosmetics store definitely has something for you on offer – just trust us.” (<https://www.facebook.com/rumiankiibratki>). Krystyna Paszko put the real message on her Facebook profile:” f you are in quarantine or isolation with a toxic, violent partner/other person, write to the fictitious company Rumianki and pansies–natural cosmetics SHOP or by mail: rumiankiibratki@gmail.com with an inquiry about Natural Body Cosmetics (which of course I do not have), and I will keep checking how are you doing”

²⁹ CZARNECKA, K.:18-latka wymyśliła szyfr dla ofiar przemocy domowej. In: Polityka, 19.04.2020, <<https://www.polityka.pl/tygodnikpolityka/spoleczenstwo/1953158,1,18-latka-wymyslila-szyfr-dla-ofiar-przemocy-domowej.read>>.

³⁰ Signal for help, <<https://www.youtube.com/watch?v=nUJV-9wvdB8&feature=youtu.be>>.

The Polish Ministry of Family, Labour and Social Policy has issued instructions and recommendations to local governments regarding support for people experiencing domestic violence. It also called for local authorities to respond to domestic violence. According to the Ministry, research carried out by the EU Agency for Fundamental Rights has shown that Poland is the country with the lowest rate of violence against women among the Countries of the European Union, and at the same time there is an integrated system in Poland to support people experiencing domestic violence and there are a number of institutions providing assistance to those who are harmed. Social distancing has increased people's reliance on technology and changed the way mental health, legal, and other social services are provided to survivors unable to leave their homes. With disruptions to the criminal justice system, countries have shifted to virtual court hearings, facilitated online methods for obtaining protection orders, and communicated their intentions to continue to provide legal protection to survivors.

In the district court in Warsaw, the largest court of this level in Poland, 12,210 cases were cancelled from the beginning of March to the end of May, while 18,147 new cases were filed there. This means a decrease by 18.4 percent compared to the same period last year. The largest drop in the impact of new cases was recorded in the criminal division of this court. Here, the number decreased by almost 37 percent compared to the previous year. Importantly, fewer new cases were also recorded in the family division (a 26 percent decrease)³¹.

³¹ <<https://bip.warszawa.so.gov.pl/artykuly/1788/lista-spraw-rozpoznawanych-w-sadzie-okregowym-w-warszawie-w-okresie-od-16-marca-2020-r-do-23-maja-2020-r-w-ktorych-biegly-terminy-procesowe-i-sadowe>>.

9. How is the pandemic likely to affect long-term progress toward ending domestic violence?

The general public are now more aware of this invisible pandemic than before, and the connection between physical insecurity and economic insecurity is suddenly more tangible for people who might otherwise have been less attuned to domestic violence.

There is now a unique opportunity to shine light on the economic dimensions of domestic and gender-based violence, create financial safety valves for victims, and consider public health-oriented, non-carceral approaches that address prevention and root causes.

At the same time, this pandemic has the potential to continue to marginalize domestic violence survivors in dire need of support amid what could become the greatest global economic crisis in modern history. For survivors, particularly those who are marginalized or underserved, the pandemic could reinforce their mistrust in formal systems and alienate them further. Repairing those relationships would be an enormous challenge that would require an overhaul of conventional approaches to prevention, response, and treatment. Governments, NGOs, and the private sector need to incorporate a human rights and gender lens into all of their COVID-19 responses and funding structures to address this new reality.

10. Solutions in Poland

Legislative action has also been taken. On 30th April the Sejm passed an amendment to the regulations allowing for the acceleration of proceedings for the isolation of perpetrators of violence. The Act provides for the introduction of separate, quick proceedings in cases where a violent person is obliged to leave

a jointly occupied apartment and is prohibited from approaching it. All parliamentary clubs supported the project. However, we do not know how long it will take for the legislative process to be completed and for solutions to come into force, but certain initiatives can be carried out immediately

The Ministry of Family, Labour and Social Policy and the Ombudsman propose, among other things: to create an accurate and publicly available list of available support services for people experiencing domestic violence and to supplement the contact databases on the Ministry's website with up-to-date data, to make available information about support units which have the possibility to provide shelter in a specialist support centre, to specifically indicate units which can provide psychological, legal, social, professional and family counselling by means of distance communication, taking into account the needs of people with disabilities – in particular deaf and hard of hearing – and to ensure their uninterrupted operation, as well as to interdisciplinary teams dealing with combating domestic violence.

HumanDoc also came up with an interesting proposal, which is called "One-click help". The Polish Police should create a path of quick and safe contact, thanks to which a person experiencing violence will be able to notify the nearest police station, other way, than by calling the emergency number 112 or 997. The idea is certainly worth the realization.

One more, perhaps the least obvious aspect must not be forgotten. Many new perpetrators of domestic violence emerge during the pandemic. This is due to various reasons as described above. Perhaps some of these situations could have been avoided if a person showing negative behavioural tendencies had been given psychological support quickly enough. People who cannot obtain it in a traditional way, under the National

Health Fund or privately care, are supported by the organization Psychologists and Psychotherapists for the Society, under which specialists provide free advice. Here the best rule is that it is better to prevent than to deal with the consequences, which are usually very costly.

Extensive psychological, legal and psychiatric help for victims is provided by volunteers and specialists as part of the National Emergency Service for Victims of Domestic Violence “Blue Line” run by the Institute of Health Psychology of the Polish Psychological Society. Witnesses of domestic violence can also obtain useful guidance from this organization.

On the other hand, there are signs that the Polish government intends to denounce the Istanbul Convention³².

³² The Istanbul Convention or the anti-violence convention, or rather the “Convention on the Prevention of Violence against Women and Domestic Violence” (CETS No.210), was established in 2011. In 2015 it was ratified by the then president B. Komorowski. A year later, it became effective. The Convention was adopted by 45 countries. It is a document that guarantees legal protection for victims of violence regardless of gender. It applies to all victims of violence: women, children and men. He says, among other things, about access to free legal and psychological assistance, suggests for example to create a hotline for victims. It clearly calls stalking, psychological violence, rape or forced abortion a crime. It is based on the idea that there is a link between violence and unequal treatment. It involves taking all measures to raise public awareness of domestic violence, such as through social campaigns. It commits to the regular and reliable collection of data on domestic violence in the country concerned. (Szczegółową analizę na temat zakresu zapisów konwencji w odniesieniu do polskiego prawa w momencie podpisania jej przez Polskę, można odnaleźć w: SEŃKOWSKA_KOZŁOWSKA, K.: Ściganie i karanie sprawców przemyocy wobec kobiet i przemyocy domowej – Konwencja Stambulska a polskie prawo. In: Przeciwdziałanie przemyocy wobec kobiet, w tym kobiet starszych i kobiet z niepełnosprawnościami. Analiza i zalecenia, Warszawa: Biuro Rzecznika Praw Obywatelskich, 2013, s. 28-40.) A detailed analysis of the scope of the convention with regard to Polish law at the time of its signature by Poland can be found in: SEŃKOWSKA_KOZŁOWSKA, K.: Prosecution and punishment of perpetrators of violence against women and domestic violence–Istanbul Convention and Polish law. In: Combating violence against women, including older women and women with disabilities. Analysis and recommendations, Warsaw: Office of the Ombudsman, 2013, pp. 28-40.

10.1 Public policymaking

It is worth to explain how the public policy is created in Poland. This can be more useful and easier to understand the current declaration of the government to withdraw from the Istanbul Convention

The streaming model of the American political scientist J.W. Kingdon (1995) is very often used in the course of creating public policies in Anglo-Saxon countries. Kingdon, while observing the legislative process in the United States, undertook the task of tracing the path of recognition and analysis of given problems, which precedes the final creation of legal regulations. Kingdon did not focus on the analysis of the decision-making cylinder, but on the cause of the decision makers' involvement in a given social problem at a particular time.

As a result of the above analyses, Kingdon extracted three process streams. The first is to define the problem (problem recognition/problem stream), the second is a proposal for a policy stream, the last is a political stream. The definition of the problem results from arousing public interest in the phenomenon, followed by the government, as the priority of politicians is to focus public attention. The stream of problems is a critical moment throughout the process of struggling to get interested in the issue. When the three streams are "merged", it comes to the point that Kingdon called the open policy window, which allows for legislative changes. The window does not remain open for long. If the opportunity is not used, the problem must wait for "another occasion", unless it falls off the agenda of the decision. The open window mobilizes public policy participants to pay attention to their problems and proposals to solve them. This has resulted in an analytical model of agenda setting for the analysis of the problem classification

process. They are divided into significant and less significant³³. However, A. Zybala (2015), indicates that in Poland we are dealing with a different model of creating public policies. In Poland, there is still a strongly rooted traditional model of unilateral state action (originating in the previous socialist system), without respect for non-governmental organisations and analytical knowledge. The top-down implemented laws and regulations are becoming the main tool for solving social problems by the state, eliminating the effects of possible nongovernmental initiatives or public activities. At the same time, it affects their low efficiency, with rising costs of public action. According to Zybala, the process of creating Polish public policy is usually characterised by a phase course, characteristic for the law-making process, when after defining the subject of legal regulation, consultations and implementation, an evaluation is carried out in order to examine the impact and effectiveness of the newly implemented legal regulations³⁴.

Representatives of the ruling Law and Justice party and the NGOs that support them have been criticizing the Istanbul Convention for many years. Already in 2013 prof. The petal pointed out that "The weakness of implementation and the poor knowledge of government officials and officers can only be explained by the cumulative attack on the Convention on the Prevention of Violence against Women as a document that takes on tradition. Therefore, it is worth explaining immediately that where the tradition is about closeness, respect, sensitivity and openness to the needs and values of people regardless of their sex, age, health situation or sexual orientation, there is a chance

³³ SOSNOWSKA, M., Prostyucja. Między dewiacją a normą. Niepublikowana rozprawa doktorska. [Unpublished doctoral dissertation]. University of Warsaw, 2019, s. 73-76.

³⁴ Ibidem, s. 77-79.

that the Convention will serve to consolidate them even more fully. However, where tradition justifies views, practices and interpretations of the law that contribute to the welfare of people's lives by virtue of their characteristics (being a man/woman), there decency and convention dictates that they be changed"³⁵. Prof. M. Fuszara, (on the day of the big protests of Polish women in 30 Polish cities against plans to denounce the Istanbul Convention), on tok fm radio, pointed out three reasons for the government policy³⁶. The first is the cultural expectation that the topic of domestic violence should be explained in the family. The second is an attempt to maintain gender inequality in Polish society. And the most important for the current action – the different rhetoric of the report on the implementation of the tasks imposed by the Convention, which is apparent from a document presented by the government in March 2020 and an alternative ombudsman's document, which identified irregularities related to the actions of government representatives³⁷. Termination of the Convention will protect the government from the obligation to report further on the initiatives taken. Both reports were received by GREVIO, which announced an evaluation visit to Poland.

³⁵ PŁATEK, M.: Ochrona prawna przed przemocą wobec kobiet i przemocą domową. in: Przeciwdziałanie przemocy wobec kobiet, w tym kobiet starszych i kobiet z niepełnosprawnościami. Analiza i zalecenia. Warszawa: Biuro Rzecznika Praw Obywatelskich, 2013, s. 28.

³⁶ LEWICKA, K.: Piękłokobiet. Rząd chce wypowiedzieć konwencję antyprzemocową. TOK FM, 24.07.2020, <<https://www.tokfm.pl/Tokfm/7,103085,26157129,nie-rozumie-jak-katolik-moze-sie-oburzac-zapisem-o-religii.html>>

³⁷ RZECZNIK PRAW OBYWATELSKICH: Raport alternatywny Rzecznika Praw Obywatelskich do sprawozdania Rządu Rzeczypospolitej Polskiej z działań podjętych w celu wprowadzenia w życie Konwencji Rady Europy o zapobieganiu i zwalczaniu przemocy wobec kobiet i przemocy domowej. Warszawa: Biuro Rzecznika Praw Obywatelskich, 2020.

The Ombudsman, in his reports, pointed to the incomplete and inadequate implementation of the demands for anti-violence measures. He raised the issues of priority tasks carried out by the Ministry of Family, Labour and Social Policy. The ministerial guidelines focus on the health regime in the shelter facilities and treating victim support as a secondary problem. However, on the Ministry's website, there is still no list of centres providing assistance to people experiencing violence, which is crucial in isolation and from the point of view of victims of violence.

11. Conclusions, suggestions and recommendations

So, going further, the key issues are:

- ▶ To support the development of alternative reporting mechanisms;
- ▶ The options for shelter should be extended;
- ▶ Strengthen the potential of the security and justice sectors;
- ▶ Maintain the necessary services where victims of domestic and sexual violence are often identified and supported;
- ▶ Support independent women's and self-help groups;
- ▶ Financing measures to ensure economic security for working women, especially those on the front line of a pandemic or in the grey economy, and other groups that are strongly affected by the pandemic in a stronger way, such as migrant women, refugee, homeless and addicted;
- ▶ And most importantly, we should collect as comprehensive data as possible on the impact of COVID-19 on gender.

There is no general research from our backyard, but experts and teams are alarmed that we are not a "green island", and

the epidemic is rather under the sign of the police Blue Card procedure. The Ombudsman reacts, social organisations are sounding the alarm. We can only suspect how these statistics look in Poland. However, there is no reason to believe that the scale of this problem is less important for us.

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