



Convention on the Rights of the Child

Distr.: General
27 August 2015
English
Original: French
English, French and Spanish only

Committee on the Rights of the Child

Seventieth session

14 September-2 October 2015

Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the combined third and fourth periodic reports of Poland

Addendum

Replies of Poland to the list of issues*

[Date received: 26 August 2015]

Part I

1.1 Results of the implementation of the National Action Plan for Children for the period 2004-2012 “Poland for Children”

1. The plan as adopted in 2004 was not implemented, and therefore no report on its implementation was prepared. Measures for children were adopted in the framework of other strategies and programmes, in particular the National Development Strategy for the period 2007-2015. After a review of government guidance documents (2010-2014) those measures were added to the Human Capital Development Strategy 2020.

1.2 New strategy for children

2. The objective of the Human Capital Development Strategy 2020 is to develop human capital by helping individuals reach their full potential so that they can be involved in social, political and economic life at all stages of their lives. Information on measures for children included in the Strategy appears in the annex to the present document.

3. The Ministry of Labour and Social Policy intends to develop guidelines for State policies for families, including children. An interministerial group may be created and representatives of academia and local authorities may be invited as necessary.

4. The current priority is to implement previous commitments:

* The present document is being issued without formal editing.



- Creation of a parental benefit (“a zloty for a zloty”);
- Implementation of the decisions of the Constitutional Court regarding benefits for those caring for persons with disabilities;
- Audit of family benefit payments and of the income-based eligibility criteria;
- The “Toddler” programme.

2. Interministerial working group for the rights of the child

5. The working group provided a forum for exchanging information on measures for children. It had no formal mandate and was discontinued in 2013.

3.1 Coordination of national and local policies for protecting children’s rights

3.2 Compatibility of local authorities’ measures with the Convention

3.3 Assessments of local programmes implemented during the period covered in the report

6. The Convention is part of the national legal framework. As an international agreement ratified and subsequently embodied in a law, the Convention takes precedence over national laws if they are not compatible with it.

7. A review of the invocation of international human rights instruments in jurisprudence shows that the convention most invoked is the Convention for the Protection of Human Rights and Fundamental Freedoms. As a result of training and awareness-raising, references to international agreements, including the Convention on the Rights of the Child, are increasingly frequent.

8. Implementation of the Convention is the responsibility of the ministries concerned. Since 2014 the Ministry of Labour and Social Policy has played a coordinating role, ensuring that the provisions of the Convention are taken into account in the development of policies, laws and programmes, and lobbying for the elimination of any violations.

9. Local governments execute their tasks independently as authorized and in the context of their powers as set out in the Constitution and the law. The provincial governments (voivodeships) develop strategies to deal with social problems based on an analysis of the local social and demographic situation. The central Government supervises the local governments to the degree provided for by law. Additional information appears in the annex.

4.1 Complaints filed with the Ombudsman for Children

10. Most complaints involve:

(a) Health care: access to specialists, costs, respect for patients’ rights, vaccinations;

(b) Child-rearing and family issues: contact with both parents, exercise of parental authority, placement of children in foster care, procedures for interviewing children for court proceedings, operations of establishments providing childcare and educational services;

(c) Social conditions: child support obligations, family benefits, housing and eviction, protection of the rights of children with disabilities;

(d) Education: staff recruitment in schools and kindergartens, transportation to schools and kindergartens, cooperation between parents and school, closing and reorganization of schools, psychological and instructional assistance, implementation of guidelines on teaching children with special educational needs;

(d) Violence, immorality, other forms of ill-treatment: sexual violence and violence on the part of peers; negligence and violence in the family, in host families and in educational and other establishments.

4.2 Children's participation in the work of the Ombudsman for Children

11. Children may request the assistance of the Ombudsman in writing, by telephone and during in-person meetings. Children who call a toll-free telephone number are assisted by specialists and can report violations of their rights. The Office of the Ombudsman checks on the child's situation and reviews the steps taken by the competent authorities (within the framework of the Ombudsman's responsibilities).

5. Guidelines for applying the provisions of the Code of Civil Procedure relating to a child being heard in court proceedings

12. The law provides the only guidelines for the courts. Children are to be heard in accordance with the provisions of the Code of Civil Procedure: a court may hear a child's testimony if the latter's psychological development, health condition and maturity allow it. The court, bearing in mind the circumstances and the child's psychological development, health condition and maturity, may take into account his or her opinion and reasonable wishes. Such interviews are held outside the courtroom.

6.1 Use of child-friendly interview rooms

6.2 Mechanisms to ensure the use of child-friendly interview rooms

13. In accordance with the Code of Civil Procedure as amended in 2013 and with the Ministry of Justice order on preparing for an interview under article 185, paragraphs (a)-(c), of the Code of Criminal Procedure, children under the age of 15 and victims who are minors under the age of 19 are interviewed once only, in a child-friendly room, if there is a risk of harm to their psychological well-being. The interviews are video- and audio-recorded to preclude the need for a second interview.

14. Minors, whether victims or witnesses, must be treated with consideration and taking into account their age, gender and maturity. They must be made to feel comfortable in testifying, and they must be involved in the proceeding as little as possible. A psychologist must be present during the hearing.

15. In cases involving deliberate violence or offences involving a threat to freedom, sexual freedom, decency, the family or safety, a witness under 15 must testify by videoconference if there is a risk that the presence of the accused might affect the witness's testimony or psychological well-being.

6.3 Number of child-friendly interview rooms

16. In 2012 there were 344 child-friendly interview rooms, and in 2014 there were 779. By 31 December 2014, 86 had received certification.

17. The interview room may be located in a courthouse, a prosecutor's office, a police station, a public or territorial entity's office, or the office of an entity whose mission is to provide assistance to children and rape victims.

6.4 Training given to judges and other court staff on interviewing children

18. The following training for judges was delivered during the period 2011-2014:

- "Minors in the courts. Human trafficking. Polish and Ukrainian court practice and European standards";
- "Criminal law and psychological aspects of domestic violence, taking into account the situation of child victims of domestic violence";
- "Criminal law and psychological aspects of domestic violence, methodology of criminal proceedings in cases of offences against the family";
- "Criminal law and psychological aspects of offences involving domestic violence, violence against women and offences against sexual freedom and decency in which the victims are minors".

19. The following training is planned for 2015: "Justice and protection of crime victims", "Domestic violence", "Towards a child-friendly justice system".

20. The training programme for judges includes a role-play exercise involving a family-related case, including interviewing of minors and a meeting with a representative of the Ombudsman's Office or a psychologist and a teacher from the family diagnostic and consultation centre.

21. Training for police includes the following:

- Combating juvenile delinquency and measures to help minors;
- Operating procedures in cases involving minors;
- Training for criminal police officers who conduct investigations.

7.1 Databases on [cases of] ethnic discrimination

22. Complaints involving children cannot be disaggregated from the total number of complaints of discrimination on the basis of ethnic origin (2014-2013).

23. Convictions in cases of discrimination on the basis of ethnic origin involving children cannot be disaggregated from the total. Between 2015 and 2020 a central judicial system will be established, which will allow for direct access to the judicial registry. That will facilitate follow-up of cases involving violations of the principle of equal treatment.

24. The human rights protection unit of the Ministry of the Interior gathers information on hate crimes (reports from NGOs, individuals, the police, the press, and academia). The way those cases are handled in the judicial system is monitored. Such information is used to plan measures to combat hate crimes.

25. In the fourth quarter of 2014, in the context of the work of the Council for Combating Racial Discrimination, Xenophobia and Related Intolerance, a working group began work on a database of reports and statistics relating to ethnic discrimination.

26. The Public Prosecutor's Office ensures follow-up of proceedings involving crimes based on race, nationality or ethnicity. Data are available on the Office's website. It is not possible to disaggregate crimes committed against children.

7.2 Implementation of the National Programme for Combating Racial Discrimination, Xenophobia and Related Intolerance for the period 2004-2009

27. Examples of measures relating to or targeted at children:

- As part of the general school curriculum, children are made aware of the need to be tolerant and eliminate xenophobic attitudes. The curriculum and authorized textbooks have been reviewed in the light of the need to promote tolerance and respect for national and ethnic minorities;
- Content relating to human rights education in a culturally and ethnically diverse society, and addressing racism, xenophobia and related intolerance, has been added to teacher training programmes. The National In-Service Teacher Training Centre has provided training to teachers and published "Intercultural Education: A Guide for Teachers" (2004), "Combating Discrimination: Education Kit" (2005), "Let's Talk about Humanitarian Law" (2005), "Compass: Teaching Human Rights to Young People" (2005) and "Compass: Teaching Human Rights to Children" (2009);
- Subsidies were provided for projects on international cooperation involving young people and children in the areas of national and cultural identity and overcoming obstacles, clichés and prejudices;
- A preventive vaccination regime was launched for persons who enter Poland and remain for more than three months (including children).

7.3 Strategies and programmes to combat discrimination against children belonging to minority groups

28. The National Equal Treatment Programme for the period 2013-2016 envisages the following (planned or estimated launch dates appear in parentheses):

- Analysis of the reasons why there continues to be content contrary to the principle of equal treatment (2014);
- Distribution of material on equal treatment for educational programmes and training kits;
 - Promotion of textbooks that have significant educational value in the area of equal treatment (started in 2014);
 - Training for experts and teachers in combating discrimination (started in 2014);
 - Preparation of psychological and pedagogical assistance resource materials for teachers and professionals (started in 2013);
- Improving success rates for immigrant and Roma children:

- Development and implementation of a curriculum for teaching Polish as a foreign language (2015);
- Amendment of the regulatory framework (started in 2014);
- Review of training standards for teachers working with multicultural classes (started 2013; the standards relating to training for teaching multicultural classes have been applied since the 2012/13 university year);
- Promoting the use of “cultural assistants” (started in 2013; workshops for teachers held in 2013 and 2014);
- Posting of information on the Scholaris and Centre for Education Development websites about best practices, institutions for multiculturalism (started in 2013);
- Nation-wide studies on whether Roma children should be placed in schools for children with special educational needs; review of the system for deciding to place children in establishments for children with special educational needs (2015-2016).

29. Efforts to combat aggressiveness towards and intolerance of foreigners are undertaken at the provincial level. An example appears in the annex.

30. Training for police and border police is described in the annex.

8. Investigations of torture and mistreatment of children in detention centres (police detention centres for children, juvenile detention centres, juvenile shelters and young offenders’ institutions)

31. Educational centres for youth have since 2009 been gathering data on exceptional events (list in annex) that are used by the Ombudsman for Human Rights (a national preventive mechanism pursuant to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment) in its monitoring of mistreatment, the results of which are reported and serve as the basis for recommendations.

32. The reports of the Ombudsman for Human Rights indicate a positive trend in the atmosphere in those establishments; children stress that they feel safe and know which staff members they can trust.

33. The Ministry of Justice agrees with the Ombudsman’s conclusions on detention of minors in a temporary establishment beyond the statutory limit, tense relations with staff, the requirement for those who have attempted to escape to wear distinctive clothing, the installation of cameras in bathrooms, unauthorized forms of punishment, restrictions on the sending of correspondence and complaints, and restrictions concerning visits. In the light of the above, the Ministry sends letters containing recommendations arising out of the inspection visits. Those issues are discussed at meetings of the monitoring council, and inspections are made to eliminate irregularities. Staff training sessions on protecting children’s rights are held regularly.

34. A draft amendment to the law on the procedure for matters involving minors takes into account the conclusions of the Ombudsman for Human Rights and would prohibit personal searches and examinations to ascertain whether a minor has consumed alcohol or drugs, guarantee access to outdoor activities, prevent staff from being present during medical examinations and review how surveillance material is archived.

35. During the period 2012-2015 there were no complaints relating to inhuman or degrading treatment of minors in police detention centres for children. In 2012 the National Police inspected two such detention centres; the violations identified did not involve mistreatment of children.

36. During the period 2012-2014 no staff member of any juvenile detention centre or young offenders' institution was convicted of abuse. In 2012, a case against a female educator from the Stawiszyn shelter for minors, who was accused of striking a minor on the back and in the face, was conditionally dismissed.

37. The "Libra" information system of the Public Prosecutor's Office does not list proceedings relating to mistreatment of minors in detention centres. Obtaining that information would require studying the files for all proceedings, including those before the courts.

38. Proceedings in which civil servants are accused of a crime are launched by a prosecutor from an office other than the local office, a measure to guarantee impartiality. In 2014 the Public Prosecutor's Office circulated instructions to prosecutors on how to conduct investigations in cases of a death or cruel or inhuman treatment or punishment at the hands of police officers or other high-ranking public figures. The Office ensures follow-up in such cases.

9.1 Measures to prevent and combat violence against children, including corporal punishment

39. The conclusions of the review of children's perception of violence in the family and of how to seek help, undertaken in 2014 in the framework of the "Violence-Free Polish Family" project, can be found in the annex.

40. The results of the National Programme for Counteracting Domestic Violence for the period 2006-2016 (concluded in 2014) can be found in the annex.

41. The new Programme, for the period 2014-2020, includes the following measures to combat domestic violence against children:

- Specialized assistance and counselling in particular with regard to good child-rearing methods in families at risk of domestic violence;
- Dissemination of information on the types of assistance available to persons affected by domestic violence, including medical, psychological, legal, social and professional assistance and assistance for the entire family;
- A broader range of preventive measures aimed at children.

42. See section 9.4 as well.

43. In 2013 some 90 per cent of districts (*powiats*) were implementing programmes to combat domestic violence and protect victims, while 58 per cent were implementing specialized assistance programmes, in particular with regard to good child-rearing methods.

44. The objective of the Ministry of Labour and Social Policy programme "Combating domestic violence and gender-based violence", launched in 2009, is to reduce domestic and gender-based violence through:

- Raising public awareness of the issues;
- Improving the effectiveness of services that deal with cases of violence, strengthening preventive measures, and increasing the effectiveness of interventions and correctional and educational measures aimed at perpetrators;

- Adapting the assistance framework to the needs of victims of domestic violence.
45. The following nation-wide programmes have been implemented: “Violence-Free Polish Family”, “Strengthening Measures Aimed at Victims of Domestic Violence” and “Stop violence — A Second Chance”. Local authorities and NGOs have implemented an additional 19 projects.
46. The Ministry of Labour and Social Policy has the following programmes:
- Since 2011, “Supporting local governments in establishing a system to combat domestic violence”;
 - Since 2015, “Following up children’s stories — behaviour standards for social workers — a measure that protects children against domestic violence”;
 - Detailed information appears in the annex.
47. In 2013 the Ministry of Administration and Digitization launched various educational measures and preventive campaigns: “Internet safety for children and youth”, “Computer training”, “The digital society”, training for scout and youth group leaders and volunteers, and information sessions.
48. During meetings in schools and kindergartens the police talk about prejudice and violence against children. Examples appear in the annex.
49. As a result of an amendment to the Act on Counteracting Domestic Violence in 2010, the Family and Guardianship Code prohibits corporal punishment (“No person having parental or guardian rights who is responsible for protecting a minor shall use corporal punishment”).
50. The Criminal Code and the Code of Criminal Procedure were amended in 2013 to make rape automatically prosecutable. The method for hearing the testimony of victims of sexual crimes has been modified; victims only testify once, in special interview rooms. Minors who are victims of certain types of offences, including sexual assault, are required to testify only if their testimony is pertinent to the case at hand.

9.2 Access to remedies in cases of violence

9.3 Access to local support centres and other resources

51. Institutions that assist victims of domestic violence, 2013:
- 1,131 institutions at the municipality (*gmina*) level;
 - 251 institutions at the district level.
52. Children made up 12 per cent of persons who sought assistance in municipalities, 11 per cent in districts and 20 per cent in specialized centres for assistance to victims of domestic violence.
53. The Ministry of Labour and Social Policy and the Ministry of Justice jointly published the Domestic Violence Victim’s Rights Card (also available in English, French, German and Russian) in 2011 and the “Guide for victims of domestic violence” in 2012. The latter includes a CD-ROM containing sample case files.
54. In 2014 the Ministry of Health published:
- A communiqué on the obligation to report cases of domestic violence and rape, on the “Blue Card” procedure and on medical care for victims of sexual or domestic violence;

- The manual “Pregnancy and Birth” concerning medical care during pregnancy, childbirth and the postnatal period; midwives are obliged to report any signs of violence or other irregularities in caring for the baby.

55. Victims of domestic violence have access to legal assistance at centres run by NGOs and subsidized by the Victims and Post-Prison Assistance Fund. Psychological, health-related, school-related and material assistance are provided, as well as shelter. Some 60 to 80 per cent of clients are women with children who are victims of domestic violence.

56. In 2011 the Ministry of Health launched the “Know your rights — come out of the shadows — let us help” campaign. The Ministry’s website contains information for victims, including victims of domestic violence.

57. During the period 2013-2015 the Government Plenipotentiary for Equal Treatment launched a project involving a new systemic approach to safeguarding the rights of victims of sexual violence, including comprehensive information, training and actions. In 2014 new resources for victims of sexual violence and parents of minor victims were prepared.

9.4 Campaigns to prevent violence against children

58. The National Programme for Counteracting Domestic Violence for the period 2014-2020 provides for:

- Education programmes on domestic violence and prevention of violence, including against children;
- National and local campaigns to promote child-rearing without violence and increase awareness of the prohibition of corporal punishment;
- Steps to ensure that the mass media provide non-violent programming for children;
- Cooperation between local authorities and churches or religious communities to provide education about domestic violence at counselling centres run by churches or religious communities as well as during prenuptial proceedings;
- Dissemination of information about the assistance available.

59. In 2014 the Ministry of Labour and Social Policy sponsored the “Speak out against violence” campaign, which aims to:

- Improve awareness of the “Blue Card” procedure, telephone hotlines and other forms of assistance;
- Increase awareness about domestic violence, including the effects on children of witnessing such violence;
- Counter the attitude that domestic violence is a private matter.

60. In 2015, in the context of the “Violence-Free Polish Family” initiative, an awareness campaign about domestic violence will be launched that will include radio and television ads, brochures, posters, billboards and press conferences.

61. The Ministry of National Education has implemented the “Safe and Welcoming School” programme (2008-2013), aimed at:

- Making schools safer;
- Improving students’ social and emotional skills;
- Reducing anti-social behaviour (violence, drug use, alcoholism);

- Combating aggressiveness and deviance through sport;
- Detailed information appears in the annex.

10. Measures included in the “Blue Card” procedure

62. The Cabinet Order of 13 September 2011 on the “Blue Cards” and the model “Blue Card” forms specifies the services to be provided by social assistance offices, municipality-level alcoholism treatment committees, the police, the school system and the health system in cases where domestic violence is suspected. Detailed information is provided in the annex.

63. The number of such procedures initiated by all the services concerned was 63,820 in 2012, 73,119 in 2013 and 99,098 in 2014.

11. Coverage of the help lines for children

64. The framework for combating violence includes victims’ hotlines that can also be used by children:

- Local direct lines for assistance or information (2014): 31 and 62 lines in the districts and municipalities respectively, available around the clock; 48 and 247 lines with other operating hours in the districts and municipalities respectively;
- Four national hotlines, including the “Blue Line” (available all week at specific times).

65. A toll-free telephone hotline for victims of domestic violence will be launched in 2017.

66. Other national telephone hotlines:

- Free mental health emergency line, operating daily at set times; questions may be emailed around the clock;
- Toll-free hotline for children, operating daily at set times;
- AIDS hotline with the first minute toll-free;
- Drugs and addiction hotline, with a call costing one time unit, operating daily at set times;
- Hotline of the Ombudsman for Children, operating around the clock, toll-free.

12.1 Protection of the rights of children in shelters and foster families

67. The Act on Family Support and Foster Care of 9 June 2011 provides for monitoring of shelters and foster arrangements.

68. Territorial authorities have the right to:

- Request documents and data and provide information;
- Conduct around-the-clock visits to any establishment or the premises of any host family or family shelter in situations where there might be a risk to the health or life of a child;
- Monitor the situation of and interview children in day facilities.

69. The provincial government is responsible for shelters, regional rehabilitation and therapy establishments and pre-adoption centres. That monitoring includes ensuring

respect for the regulations relating to protection and education, meeting children's needs and respecting their rights.

12.2 Preventing the separation of children from their families, including for social and economic reasons, and preventing the abandonment of newborn babies

70. In 2011 the Code of Civil Procedure was amended to regulate the issue of visits with children: individuals required to permit a visit who attempt to prevent or hinder that visit can be ordered to pay an indemnity to the person having visitation rights.

71. The Act on Family Support and Foster Care requires local and national authorities to support families in caring for and raising their children. That includes the provision of:

- Consultations and specialized counselling;
- Therapy and mediation;
- Services for families with children;
- Legal aid;
- Meetings to exchange information and avoid isolation.

72. Such assistance is provided at centres open during the day.

73. The Act creates the position of family assistant, responsible for improving the family's situation, solving social, psychological and child-rearing problems and helping with household management. Assistance provided by a host family might include help with caring for and raising the child, and with household management.

74. Family support is provided through the system of psychological and pedagogical counselling centres, which provide:

- Therapy for children and their families;
- Help for parents in recognizing and meeting a child's developmental, educational, psychological and physical needs, and in resolving child-rearing challenges.

75. The Act on Counteracting Domestic Violence authorizes removing a child from the family if there is a direct threat to life or health because of domestic violence. Such a decision must be taken jointly by a social worker, a police officer and a doctor or nurse. The court is notified immediately. In such cases the parents or guardians are notified that they have the right to contest the decision in court. Such decisions were contested 10 times in 2013 and 12 times in 2014.

76. The number of newborns in hospital for reasons other than their health was 758 in 2011, 1,021 in 2012 and 847 in 2013.

77. The Act on Family Support and Foster Care requires adoption centres to provide psychological services to pregnant women and patients in gynaecological and obstetric wards who, after giving birth, indicate that they wish to give up their child.

12.3 Deinstitutionalizing children and promoting family- or community-based care

78. The Act on Family Support and Foster Care gives priority to family-based care. Families are guaranteed assistance for child-rearing, including financial assistance. Efforts have been made to promote placement of children in host families.

79. Children are placed with a family only when risks to their well-being cannot be addressed otherwise, and only until conditions allow returning them to their own families or it is possible to place them with foster families. The placement options are placement with a family (a foster family, a family shelter) and placement in an institution.

80. There are limits on the age and number of children placed in rehabilitation establishments: a maximum of 14 children, who must be at least 10 years old, may be placed in a socialization or social intervention centre or a specialized therapy centre if they require special care or have difficulty adapting to family life. Placement of a younger child in a centre is possible only in exceptional cases.

81. In 2012 the number of children in an institutional care setting dropped by 8,000 relative to 2011, with a 7:3 proportion of children in a family as opposed to in an institution. That proportion did not change in 2013-2014.

82. Measures aimed at deinstitutionalization adopted for the period 2014-2020 include:

- Developing tools to analyse the relative benefits (social and financial implications) of the territorial authorities' policy regarding family placement;
- Training territorial authorities on the cost-effectiveness of the changes;
- Training employees of the family support and foster care system, including coverage of the rights of children in family placements.

13.1 Protection of children with intellectual and/or psychosocial disabilities; prevention of forced hospitalization

83. See also issue 12.2.

84. In accordance with the Act on the Educational System, any child diagnosed with a disability is eligible for early developmental support from birth to the start of school. In kindergartens, other early education settings, schools and centres or psychological and pedagogical counselling centres, an early development support team may be formed in order to:

- Design a programme and a timetable for early developmental support and for assistance to the child's family;
- Implement, in cooperation with the child and his or her family, an individual early support programme and coordinate the efforts of specialists working with the child in an educational setting;
- Cooperate with a medical facility or social assistance centre to provide the child with rehabilitation services, therapy or other assistance.

85. Up until the end of 2012, the National Rehabilitation Fund for Persons with Disabilities (PFRON) ran an "Early assistance for children with disabilities"

programme. In 2013 and 2014, support was provided by NGOs as authorized by the Fund and the provinces and districts.

86. A legal basis for hospitalization (meeting the right to health care) is provided by the Act on the Professions of Physician and Dentist and the Mental Health Care Act. In principle health care, including hospitalization, is provided with the consent of the patient or, in the case of a minor, that of the minor's legal representative. Minors who are 16 or older must give their own consent. In exceptional cases treatment may be provided without the consent of the patient if authorized by a court, or sometimes without court authorization. Detailed information is provided in the annex.

13.2 Appeal of decisions about forced health care

87. According to the Code of Civil Procedure, a judicial decision ordering treatment may be appealed.

88. The judge has the right to visit a psychiatric hospital at any time to verify whether the decision to admit and commit the patient was justified.

89. The patient's rights are protected by the Ombudsman for Patients' Rights, whose responsibilities include investigating violations of patients' rights and reviewing patient complaints with a view to identifying risks in the health care sector.

90. The ombudsmen for patients in psychiatric hospitals ensure respect for the rights of patients in the context of admission, treatment, hospitalization and discharge.

13.3 Inclusion of children with disabilities in mainstream education

91. Detailed information appears in the report of Poland on the implementation of the Convention on the Rights of Persons with Disabilities (CRPD/C/POL/1).

92. The inclusion of children with disabilities in all types of schools and other educational establishments is possible thanks to a flexible school system that allows parents and legal guardians to choose the type and place of education (open-access schools, integrated schools or schools for children with special needs).

93. In 2011 a new type of educational programme for children with special needs, aimed at providing psychological and pedagogical support, was introduced to implement Ministry of National Education decrees concerning:

- Ways of organizing training, education and care for children and young persons with disabilities or who are socially maladjusted in kindergartens, schools and open-access or integrated schools;
- Ways of organizing training, education and care for children and young persons with disabilities or who are socially maladjusted in kindergartens, schools and school departments and centres for children with special needs;
- Ways of providing and organizing psychological and pedagogical support in public schools, public kindergartens, and schools and establishments for children with special needs.

94. Support for a child with a disability is based on an individualized educational and therapeutic plan. Kindergartens and schools ensure:

- Implementation of the recommendations contained in the plan for the child with special needs;

- An educational environment, equipment and pedagogy adapted to the child's needs and capabilities;
- Specialized and rehabilitation classes;
- Other classes adapted to the child's developmental and educational needs and mental and physical capacity.

95. The Ministry of National Education implemented the "Improving the effectiveness of education for students with special needs" project in 2010-2011, with a view to providing psychological and pedagogical support and improving the quality of the educational and training system available to special needs students. The "Safe and Welcoming Schools" programme included the following measures:

- In 2012, "Inclusive education in the context of teaching students with special educational needs in open-access schools with integration sections and in inclusive schools";
- In 2014, "Welcoming and safe schools for students with special educational needs — projects to promote and share activities relating to safe and effective integration of special-needs students in open-access schools and inclusive schools by providing individualized study programmes in a welcoming and safe school environment".

96. Since the 2012/13 school year, pursuant to the relevant regulations of the Ministry of Scientific Research and Higher Education on the programme of study for teacher training, students, including at the graduate level, are taught how to work with students with special educational needs.

97. The Parents' Forum has been working with the Ministry of National Education since 2012, in particular on issues relating to children with disabilities. The Forum is consulted on any changes to the relevant legislation. In 2013 the Forum published a guide, "Local and central governments working to help persons with disabilities".

14.1 Access to education on sexual and reproductive health

98. In 2012 the Ministry of National Education amended its regulations relating to teaching methods for, and the content of, classes on sexual health, including responsible and aware parenting, the importance of the family, prenatal life, and methods and means of controlling procreation to be provided in the context of the general school curriculum, which improved the teaching of classes on preparation for family life.

99. Teacher training institutions provide courses on sexual education, including how to talk about love and sexuality, the problems of children with disabilities during adolescence, prevention of early sexual activity and sexual violence.

14.2 Percentage of students not attending family life education classes

100. The decision on whether to attend such classes is the responsibility of the parents or the student, if he or she has reached the age of majority. Refusal to participate must be communicated in writing.

101. Percentage of students not attending, as at 30 September of the school year.

<i>Level</i>	<i>2012/13</i>	<i>2013/14</i>	<i>2014/15</i>
Primary	27.05 %	26.50 %	26.48 %

<i>Level</i>	<i>2012/13</i>	<i>2013/14</i>	<i>2014/15</i>
Intermediate	24.83 %	25.06 %	25.72 %
Secondary	56.39 %	55.48 %	52.58 %

15. Access to abortion services and post-abortion care for adolescent girls

102. The Act on Family Planning, Protection of the Human Fetus and Conditions of Admissibility of Abortion provides that persons having social insurance as well as those entitled under other provisions to free medical care have the right to an abortion free of charge. The schedule of services relating to abortion is set out in the annex to the Ministry of Health regulation of 22 November 2013 on guaranteed coverage for hospital services. Information on the conditions relating to abortion for minors appears in the annex to the present document.

103. Measures intended to facilitate access to abortion (2012-2015) include:

- Preparation of an amendment to the Act of 6 November 2008 on the Rights of the Patient and the Ombudsman for Patients that would allow the patient to contest the recommended treatment or diagnosis, thereby strengthening patients' rights (adopted by the Cabinet in January 2015);
- Database on cases in which doctors have claimed a conscientious objection;
- Dissemination of information on the use of conscientious objection by doctors: referral to a national consultant and province-level consultants in the fields of gynaecology and obstetrics, meetings with the national consulting team and publication on the Ministry of Health website and in the Polish Association of Gynaecologists magazine of a communiqué on the use of conscientious objection by doctors.

16.1 Adequate living conditions: public policies, strategies and programmes to fight poverty

104. See also issue 12.2.

105. The family benefits scheme set out in the Act on Family Benefits provides basic support for families with children.

106. The Act of 4 February 2011 on childcare for children under the age of 3 established criteria to facilitate the development of various types of childcare for under-3 children, which has improved the quality of childcare.

107. The Act on Family Support and Foster Care created "streetworking" day support centres offering leisure and social therapy activities.

108. The "Childcare — children — work" programme (2011-2015) aims to promote the services available in day support centres that can help eliminate the risk of social exclusion. The social therapy, educational and inclusive activities in such centres is aimed at children from families with poor child-rearing skills.

109. One of the objectives of the National Programme to Combat Poverty and Social Exclusion 2020 — A New Level of Active Integration, launched in 2014, is to create favourable conditions for children through:

- Development of various types of childcare arrangements;
- Support for families with children with disabilities;

- Coordinated educational, social and professional activities: increased emphasis on social aspects and availability of specialized schools at an early age, preventive and social therapy services, job training, bridging the digital divide, securing a first job.

110. Examples of objectives:

- Provide meal supplements to 1.1 million children;
- Increase the number of families covered by the family assistant programme;
- Increase to 33 per cent the proportion of children up to the age of 3 in some form of childcare;
- Increase to 90 per cent the proportion of children between the ages of 3 and 5 in kindergarten;
- Include all newborns in the demographic and diagnostic studies programme.

111. Other activities appear in the annex.

16.2 Expanded coverage of family benefits and access to benefits for large families, single-parent families and children with disabilities at risk of poverty

112. Amendments to the Act of 28 November 2003 on Family Benefits are listed in the annex.

113. Between November 2011 and December 2014 persons eligible for services received a supplement in accordance with government programmes to assist persons receiving services.

114. The Act of 4 April 2014 on Calculation and Payment of Benefits to Caregivers amended the procedures for the granting of the special caregiver benefit: the benefit is provided to individuals who are not employed because they are caring for a person with a disability.

115. The family income taken into account for the calculation of the amount of the benefit was increased by 6.9 per cent on 1 November 2012 and 6.5 per cent on 1 November 2014. The family benefits for children were increased by 13.2 per cent for children under the age of 5, 16.5 per cent for children aged 6 to 18 and 17.3 per cent for children aged 19 to 24.

116. A planned amendment to the Act on Family Benefits would create a parental benefit to be paid for one year following the birth of a child (longer for multiple births) to parents not eligible for the maternal benefit (for example, the unemployed, students, and persons employed under private law contracts).

117. In 2014, 41 per cent of families entitled to social assistance had children; most of the families receiving assistance had two children. Single-parent families receiving assistance made up 13 per cent of the total.

17. Child asylum seekers and unaccompanied children entitled to legal aid

118. Any entity that accepts an unaccompanied child's request for refugee status must petition a court to appoint a legal guardian to represent that child in refugee procedures and to place that child in an educational care establishment or with a host family.

119. In February 2015 the border police service organized a meeting of representatives of such establishments with a view to increasing capacity and organizing training on working in a multicultural environment.

120. Planned amendments to the Act on the Protection of Aliens on the Territory of the Republic of Poland and related laws will strengthen protection for children in particular. Proposed solutions are listed in the annex.

121. The Aliens Act of 12 December 2013:

- Establishes alternatives to detention: the requirement to live in a designated location, the requirement to report to the authorities at specified intervals, payment of a financial guarantee, deposit of a travel document with the entity that ordered placement in a holding centre. A court, when deciding to place a foreign national who has a child in a holding centre, takes into account the child's physical and mental development, personality, the circumstances surrounding detention, and personal factors that influenced the decision to place the alien and the child in a holding centre;
- Eliminates the automatic three-month extension of the period spent in the holding centre; currently detention is extended only if the court is of the opinion that the request for asylum was made to delay or render impossible a decision to return the alien;
- Shortens the holding period for persons requesting refugee status from 12 to 6 months;
- Requires a medical examination to determine the real age of an alien claiming to be a minor about whom there are doubts, with the consent of the alien or his or her legal representative.

122. In order to improve childcare arrangements and meet the obligation to educate, in 2013 some holding centres were designated specifically for placement of foreign nationals who have children, including two centres for school-age children and one for children not of school age.

123. Holding centres provide schooling (primary, intermediate and secondary levels) for groups of children, taking into account their age and knowledge of Polish. Leisure and educational activities are provided. The centres have childcare facilities. The libraries have children's books.

124. Children placed in holding centres are entitled to the same health care as Polish children. The children are entitled to regular check-ups and receive required vaccinations.

125. Additional information and statistics appear in the annex.

126. The Office for Foreigners cooperates with the following entities:

- European Refugee Fund: projects "Material support for foreigners requesting refugee status. Purchase of school supplies and baby clothing", "Educational assistance for children of foreigners who are requesting refugee status";
- European Refugee Fund and International Organization for Migration (IOM): training project "Improving the competency and effectiveness of guardians and the protection of unaccompanied minors requesting refugee status in the Central European countries";
- European Asylum Support Office: training on holding hearings for minors who are requesting international protection.

18.1 Access to education for Roma children

127. Children of Roma origin are guaranteed access to education on the same basis as all Polish citizens.

128. Since Roma children may have special educational needs, schools are authorized to organize activities to maintain and strengthen their attachment to their ethnic identity and support their education (training and remedial classes and other special classes including remedial classes, speech therapy).

129. The Programme for the Roma Community in Poland 2004-2013:

- Appointed teaching assistants and teacher tutors for Roma children who had been trained to work with students in a multicultural and multilingual setting;
- Funded preschool classes, in-school remedial classes, textbooks, school supplies, lesson packets, vacation periods, sporting activities, Roma childcare establishments, etc.;
- Established a scholarship programme for Roma children from primary school to university.

130. In 2014 some 100 teaching assistants and 100 teacher tutors worked with Roma children.

131. Responsibility for the scholarship fund for Roma university students and particularly gifted pupils was assigned in 2004 to Roma NGOs. In 2013-2014 scholarships were paid to 131 university students and 50 particularly gifted pupils. Since 2011 scholarships have also been available for secondary students; 136 were awarded in 2013-2014.

132. Measures are being implemented in the context of the Programme for the Integration of the Roma Community in Poland for the period 2014-2020 (follow-up to efforts begun in 2004); education is a priority.

18.2 Kindergartens for Roma children

133. There are no kindergartens for Roma children. Under the Programme for the Roma Community in Poland the State pays the cost of kindergarten and compulsory additional classes. The cost of teaching materials and supplies is shared between the State and the parents.

134. Statistics are provided in the annex.

18.3 Awareness of Roma culture

135. In accordance with the Act on National and Ethnic Minorities and on Regional Language, the State supports the protection, preservation and development of the Roma minority's cultural identity. The amounts provided in subsidies in 2011-2014 were:

- 4,572,000 Zł to preserve and develop the cultural identity of the Roma minority;
- 2,700,000 Zł for culture, maintaining ethnic identity and increasing awareness of the Roma community (in the context of the Programme for the Roma Community in Poland).

136. Those funds were used to organize cultural days, concerts, expositions, open-air events and workshops. The organizers of those activities were generally Roma associations. The artistic and cultural activities were aimed mainly at people who rarely have contact with the Roma.

137. Preschool and school teaching programmes include recommendations on including information about national and ethnic minorities (historical, cultural and social approach) in lessons about the Polish language, history and society, history, social sciences, geography, cultural studies and art. Roma teaching assistants have the important task of transmitting knowledge about Roma culture in the schools.

19.1 Implementation of the National Programme for Combating and Preventing Trafficking in Persons

138. Measures adopted in 2011-2012 include:

- Materials published:
 - Procedures for including a minor of foreign origin in the support and protection programme for victims and witnesses of trafficking, in the context of a pilot project in Mazovia province;
 - Guidelines for police officers concerning identification and recommended procedures in cases of suspected human trafficking;
 - Analysis of the legal and family status of foreign minors who are victims of human trafficking;
- There are shelters for minor victims of human trafficking in four provinces; staff have been trained to recognize and support child victims of human trafficking;
- Activities to inform foreigners about the issue of forced labour.

139. The National Action Plan to Combat Human Trafficking for the period 2013-2015, which is being implemented, provides for:

- Increasing knowledge about and awareness of human trafficking;
- Offering more services to victims of trafficking and improving the standard of the services offered;
- Improving the effectiveness of institutions responsible for prosecuting crimes involving human trafficking (strengthening legal provisions, implementing best practices);
- Improving the qualifications of representatives of institutions and organizations, including through training for staff in the various social assistance offices;
- Strengthening international cooperation.

140. Measures are described in the annex.

19.2 Prosecutions and convictions of perpetrators of offences relating to trafficking in persons and child pornography

141. Polish legislation is in line with the Council of Europe Convention on Cybercrime and Council Framework Decision 2004/68/JHA of 22 December 2003 on combating the sexual exploitation of children and child pornography.

142. In 2014, the Criminal Code and a number of other laws were amended to bring them into line with the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse and Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating sexual abuse and sexual exploitation of children, and child pornography, replacing the Council's Framework Decision 2004/68/JHA. The following actions are punishable:

- The display of pornographic materials to persons under the age of 15 years;
- Proposing or engaging in a sexual act with a person aged under the age of 15 for the purposes of personal sexual gratification or that of a third party;
- Forcing pornographic materials upon other persons in public;
- Displaying pornographic materials produced with the participation of a minor or depicting violence or the use of animals; displaying images created or modified to show minors participating in sexual acts.

143. Sanctions will be taken against any person who:

- For the purposes of sexual gratification, takes part in the display of pornographic materials produced with the participation of a minor;
- Stores, owns or accesses pornographic materials produced with the participation of a minor;
- Benefits from the sexual services of a minor under the age of 18 years, regardless of who initiated sexual contact.

144. The time period specified in the statute of limitations for sexual offences committed against minors has been extended.

145. Statistical data appear in the annex.

19.3 Protection of child victims of trafficking and forced prostitution

146. In the light of the 2014 and 2015 amendments to the provisions of the Code of Criminal Procedure:

- Restraining orders have been introduced as a part of police monitoring measures;
- Victim/witness data confidentiality measures have been implemented;
- Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order has been implemented. Thus persons moved to another member State are protected through measures implemented at their new place of residence that are identical to those implemented in the issuing State.

147. The Act on Protecting and Assisting Victims and Witnesses of 28 November 2014 ensures that protection and assistance are provided in connection with criminal proceedings and in situations where the health or life of an individual is at risk (protection relating to procedural acts, individual protection and assistance when changing place of residence and in response to needs in terms of daily life, accommodation and health care).

148. Assistance provided by the Fund for Victim Assistance and the Fund for Former Inmates — see point 9.2.3.

149. Where interviews relating to the granting of refugee status uncover evidence that an unaccompanied child may be a victim of trafficking, an immigration official

informs the border police and the child, if he or she agrees, is placed in the support and protection programme for victims and witnesses of trafficking.

150. During the period 2011-2012, no minors seeking refugee status were identified as victims of trafficking. In 2014, one unaccompanied minor applying for refugee status was identified as a victim of trafficking.

151. Training courses delivered during the period 2011-2014:

- A seminar for family and juvenile court judges on “The status of foreign minors victims of trafficking in cases before the guardianship courts”;
- Training for family and juvenile court judges on cases of unaccompanied foreign nationals;
- “Minors before the courts. Trafficking in persons. The experiences of Polish and Ukrainian judges and European standards”;
- “Preventing trafficking in persons and tackling discrimination based on nationality, ethnicity, race and religion”;
- “Aspects of ongoing efforts to combat child pornography and paedophilia”.

152. Since 2011, the border police service has participated in the FIGAS project “Filling the gaps in the system of combating human trafficking in Poland”, which covers:

- Studies, including on the cross-border flow of children;
- Studies carried out in detention facilities;
- The preparation of a long-term anti-trafficking strategy.

19.4 Children receiving assistance from the National Consulting and Intervention Centre for Victims of Trafficking in Persons

153. During the period 2012-2014, assistance was provided to 51 potential child victims of trafficking.

154. The Centre provides help with finding safe shelter, health care and psychological support, the regularization of legal and family status, translation and interpretation, and safe return to the country of origin.

20.1 The juvenile criminal justice system

155. The 2013 law on the juvenile criminal justice system has been amended to:

- Replace the previous formal procedure with a single procedure based on a model prepared in line with the provisions of the Code of Civil Procedure. The procedure also retains some provisions of the Code of Criminal Procedure on the collection, registration and obtaining of evidence by the Police, the presence and activities of the public defender, legal proceedings involving young persons who are not minors, and seized items;
- Regulate the holding of children in police detention centres for children and cases in which minors must be released immediately and handed over to their parents or guardian;
- Introduce a four-week period of psychiatric assessment of minors, extendable for a maximum of six weeks upon request by a medical establishment.

156. The courts monitor all activities.

157. Detailed information appears in the annex.

20.2 The possibility of placing children aged 13 years or older in correctional centres

158. Minors may be placed in a correctional centre if they have committed a punishable act and if the nature of the act, the circumstances surrounding it and the gravity of their delinquency justify placement and if other correctional measures have proved ineffective or do not give grounds for hope of reintegration into society.

159. There are several types of correctional centre. Minors are placed in the establishment that corresponds to the gravity of their delinquency.

20.3 Safeguards to ensure compliance with due process of law before the family court in the cases set out in paragraphs 174 and 176 of the report

160. The law on the juvenile criminal justice system provides for procedural safeguards. The provisions of the Code of Criminal Procedure apply to the collection, registration and obtaining of evidence by the police, the presence and activities of the public defender, legal proceedings involving young persons who are not minors, and seized items.

Part II

(a) New relevant laws

161. (Not mentioned elsewhere):

- Act of 19 August 2011 on Sign Language and Other Means of Communication;
- The regulations of the Minister of National Education:
 - Of 1 February 2013 on the procedures governing the operations of public centres providing psychological and pedagogical support, including specialized centres;
 - Of 27 August 2012 on the preschool curriculum and the general curriculum in different types of schools;
 - Of 8 March 2013 on the organization of training, and the conditions and types of supervision and educational activities in schools for children with special educational needs set up in health-care facilities and social assistance units;
 - Of 30 April 2013 on the procedures for granting and organizing psychological and pedagogical support in preschools, schools and public educational establishments;
 - Of 11 October 2013 on the organization of early support for child development;
- The regulations of the Minister of Labour and Social Policy of 22 February 2011 on the essential services provided by specialized support centres for victims of domestic violence, the skills set of the staff in those centres, the specific

guidelines on rehabilitation and education activities for perpetrators of domestic violence, and the skills set of those running the rehabilitation and education activities;

- The regulations of the Minister of Sport and Tourism of 19 September 2011 on financial support for the sports activities fund for students.

(b) New institutions and their mandates; institutional reforms

162. In 2011 the Minister of Labour and Social Policy set up a team to monitor activities to combat domestic violence. Its mission is to:

- Adopt and support measures to combat domestic violence;
- Issue opinions in cases brought under the Act on Counteracting Domestic Violence, and initiate legislative amendments;
- Prepare guidelines on assistance for victims of domestic violence and on working with perpetrators of domestic violence.

(c) Recently introduced policies, programmes and action plans, and their scope and financing

163. In the framework of the “Toddler” programme to develop childcare facilities for the under-3s, operational since 2011, educational childcare facilities operating under the Act on Care for Children under Three receive support, and their functioning has improved.

164. In accordance with the Act of 5 December 2014 on the large-family card programme, the card grants large families (with a minimum of three children) priority access to goods, services and various kinds of activities, which increases children’s development opportunities and promotes the model and image of large families. The card is proof of such families’ right to discounts offered by public bodies and private businesses. The regional programme for large families (which encompasses the regional card and the large family card) is aimed at the local community and is based on cooperation with local providers of goods and services. More detailed information appears in the annex.

165. To increase pupils’ participation in sports activities, the following programmes were implemented in 2014:

- “Little champion”, “I can swim”, “Multisport”, “Physical education is cool” (to strengthen physical skills, develop healthy lifestyles, and provide teacher support);
- The widespread introduction of sports activities to children by Polish sports associations (athletics, basketball, volleyball, cycling, speed skating, biathlons, skiing, rugby, figure skating).

(d) Funding for measures by various ministries and local authorities to promote the realization of children’s rights

166. See part III, issue 1.1.

(e) International agreements on the rights of the child

167.

- 2011 — ratifications:
 - Protocol on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;
 - International Labour Organization Maritime Labour Convention;
- 2012 — ratifications:
 - Convention on the Rights of Persons with Disabilities;
 - Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction;
- 2013:
 - Withdrawal of the reservations concerning articles 7 and 8 of the Convention on the Rights of the Child;
 - Amendment of the declaration on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;
- 2014 — ratifications:
 - Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;
 - Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances;
- 2015 — ratifications of Council of Europe Conventions:
 - On the Protection of Children against Sexual Exploitation and Sexual Abuse;
 - On Cybercrime, and the Additional Protocol to the Convention on Cybercrime, concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems;
 - On Preventing and Combating Violence against Women and Domestic Violence.

Part III**1.1 Budgetary expenditure for children's and social affairs****1.2 Percentage of State budget and GDP per type of expenditure****Expenditure per budget line**

(In millions of zlotys)

	2011	2012	2013
State budget			
Schools and education	1.697 per cent (0.0	1.847 per cent (0.1	2.350 per cent (0.1 per

	2011	2012	2013
	per cent of GDP)	per cent of GDP)	cent of GDP)
	503 (0.0 per cent of GDP)	509 (0.1 per cent of GDP)	590 (0.0 per cent of GDP)
Educational childcare			
Local administration budget			
Schools and education	52.957	55.542	56.338
Educational childcare	4.372	4.579	4.754

Spending on children cannot be distinguished from the overall spending in the following areas: social assistance and measures to combat domestic violence, justice, internal affairs, culture and national heritage, sport.

National Health Insurance Fund spending on benefits for children (0 to 18 years)

(In millions of zlotys)

2011	2012	2013
7 986	8 103	8 109

Family benefits

(In millions of zlotys)

	2011	2012	2013
Family allowance	2 842.9	2 651.5	2 782.7
Supplements			
Birth allowance	160.9	132.7	133.3
Childcare during parental leave	456.6	380.2	316.8
Bringing up a child in a single-parent family	272.8	252.6	234.1
Education and rehabilitation for a child with disabilities	148.9	138.9	133.2
Start of a school year	202.6	184.3	172.4
Attending a school outside the child's catchment area	190.9	171.4	154.2
Bringing up a child in a large family	443.6	401.8	367.5
Lump-sum birth allowance	8 397.0	9 373.1	272.6
Care allowance	1 648.9	1 684.7	1 702.8
Care benefits	1 030.8	1 363.2	1 072.4
Special care allowance	-	-	35.7

The implementation of the Act on Family Support and Foster Care by local governments (with funds from the State budget), 2012: 108.5 million Zł; 2013: 92.1 million Zł; 2014: 111.3 million Zł.

Benefits from the Maintenance Fund

(In millions of zlotys)

2011	2012	2013
1 330.5	1 413.4	1 475.1

2. Statistical data

2 (a) Children under the age of 5

Population census, 2011

		<i>Number</i>	<i>Percentage</i>
Total		2 057 998	100.0
Sex	Men	1 055 902	51.3
	Women	1 002 096	48.7
Place	Urban area	1 190 555	57.9
	Rural area	867 443	42.1

2 (b) Children belonging to ethnic, religious and language minorities

Population census, 2011, children between 0 and 17 years of age

Children belonging to national and ethnic minorities, or communities using a regional language, within the meaning of the National and Ethnic Minorities and Regional Language Act, by minority group

Total		44 510
Sex	Men	22 964
	Women	21 546
Place	Urban area	18 037
	Rural area	26 473
Minority group	Belarusian	3 766
	Czech	431
	Karaim	*
	Lithuanian	1 022
	Lemko	1 049
	German	11 831
	Armenian	359
	Roma	4 822
	Russian	726
	Slovak	387
	Tatar	216
	Ukrainian	4 811
	Jewish	440
	Kashubian	14 639

* Not available due to the low number of minority members; an estimate is not reliable.

Religious affiliation

Total	7 202 273
Number of persons answering the question on religious affiliation	6 648 557
Persons with a religious affiliation	6 538 917

Catholic Church — Latin rite (Roman Catholic Church)	6 462 924
Orthodox Church	21 355
Jehovah's Witnesses	20 098
Evangelical Lutheran Church	11 774
Catholic Church — Byzantine-Ukrainian rite (Greek Catholic Church)	4 743
Pentecostal movement	6 233
Mariavite Church	1 746
Polish Catholic Church	1 372
Christian Baptist Church	1 341
Other	7 330
Persons with no religious affiliation	109 640
Persons refusing to answer the question on religious affiliation	463 786
Undetermined	89 929

2 (c) Roma children in the education system

	<i>Covered by compulsory schooling*</i>	<i>Attending school*</i>	<i>Covered by compulsory schooling and attending school*</i>	<i>Attending additional education classes</i>
2011/12	3 224	2 800	86.8 per cent	2 595
2012/13	3 359	2 962	88.2 per cent	2 575
2013/14	n/a	n/a	n/a	2 547

* Estimate.

2 (d) Percentage of children (0 to 17 years) at risk of poverty

	<i>2011</i>	<i>2012</i>	<i>2013</i>
Legal poverty threshold	11.2	11.9	20.3
Subsistence level	9.7	9.8	10.1

The legal poverty threshold is the threshold for receiving social assistance benefits.

The subsistence level includes less immediate needs.

2 (e) Support centres for victims of domestic violence

	<i>2012</i>	<i>2013</i>	<i>2014</i>
Advice units	1 014	1 071	716*
Crisis intervention centres	209	193	144
Specialized support centres	35	35	35
Interdisciplinary teams to prevent domestic violence	2 467	2 489	2 542
Working groups	48 510	57 207	71 856

* Some functions have been transferred to social assistance centres.

3. Statistics

3 (a) Children removed from their homes pursuant to the Act on Counteracting Domestic Violence

2011	474
2012	500
2013	571

3 (b) Children in foster care

	<i>Institutions</i>					<i>Pre-adoption intervention centre</i>
	<i>Socialization centres</i>	<i>Intervention centres</i>	<i>Specialized and therapeutic care centres</i>	<i>Family setting</i>	<i>Regional care and therapy centres</i>	
2012	15 967	2 217	109	2 232	49	23
2013	15 626	1 927	366	2 030	115	41
2014	15 324	1 801	429	1 963	144	36

3 (c) Children under the age of 7 placed in educational childcare facilities

	<i>Institutions</i>					<i>Pre-adoption intervention centre</i>
	<i>Socialization centres</i>	<i>Intervention centres</i>	<i>Specialized and therapeutic care centres</i>	<i>Family setting</i>	<i>Regional care and therapy centres</i>	
2012	1 840	541	4	317	41	23
2013	1 607	408	72	293	102	41
2014	1 412	436	82	302	103	36

3 (d) Children placed in foster care

	<i>Foster families</i>			<i>Shelters</i>
	<i>Related</i>	<i>Non-professional</i>	<i>Professional</i>	
2012	33 769	16 383	6 454	1 476
2013	33 306	16 431	6 727	2 106
2014	32 405	15 890	6 773	2 583

3 (e) Children adopted

	<i>2012</i>	<i>2013</i>	<i>2014</i>
Total	3 486	3 537	3 492
Adopted by persons living abroad	274	312	294

4. Children with disabilities

Population census, 2011

	0 to 19 years	0 to 14 years	15 to 19 years		
			Total	15 years	16-19 years
Total	247 716	169 121	78 595	15 727	62 868
Legal disability	190 232	129 950	60 282	12 264	48 018
Biological disability only	57 485	39 172	18 313	3 463	14 850
Men	145 777	101 094	44 683	9 023	35 660
Legal disability	112 820	78 260	34 559	7 149	27 411
Biological disability only	32 959	22 835	10 124	1 875	8 249
Women	101 939	68 027	33 912	6 704	27 208
Legal disability	77 413	51 690	25 723	5 115	20 608
Biological disability only	24 526	16 337	8 189	1 588	6 601

Children (0 to 15 years) with a legal disability

Total	142 214
Urban areas	79 195
Rural areas	55 466

4 (a) Raised in families

Not applicable.

4 (b) Placed in institutions

	Children with mental disabilities living in social assistance homes	Children with a declared disability	
		living in a foster care centre	living with a foster family
2011	5 244	-	5 581
2012	5 471	220	5 700
2013	3 928	325	5 733

4. Children attending

(c) Regular primary schools

(d) Regular secondary schools

(e) Schools for children with special needs

Children attending State schools as a percentage of all children with disabilities in school, as of 30 September

2012	2013	2014
46.31	48.7	50.45

Pupils with declared special educational needs

<i>Type of school</i>		<i>2012/13</i>		<i>2013/14</i>		<i>2014/15</i>	
		<i>Total</i>	<i>Girls</i>	<i>Total</i>	<i>Girls</i>	<i>Total</i>	<i>Girls</i>
Primary	State	31 800	11 653	33 991	11 958	37 484	12 875
	For children with special educational needs	22 069	7 731	22 158	7 742	22 307	7 693
Middle	Regular	19 945	7 645	20 197	7 762	20 598	7 820
	For children with special educational needs	20 991	7 984	19 765	7 496	18 598	7 059
Secondary	Regular	7 123	2 903	7 585	3 059	8 617	3 527
	For children with special needs	25 849	11 260	24 583	10 629	24 734	10 711

4 (f) Out of school

Not applicable.

4 (g) Abandoned by their families

Not applicable.

5. Other statistics

There is nothing to add to the information provided in other sections.

6. List of child-related issues considered to be of high priority

There is nothing to add to the information provided in other sections.

Annex

Cf. 1.2

1. Human Capital Development Strategy — measures to benefit children and examples of actions taken in 2013:

- Improvements in the quality of institutional care and care outside the family setting for children up to 3 years of age: amendments have been made to the Act on Care for Children under Three and certain other laws; measures have been taken to promote the continuous development of the childcare system; two phases of the “Toddler” programme to develop childcare facilities have been implemented through the Citizens’ Initiatives Fund; and projects have been carried out to support parents of children under 5 years of age and foster families;
- Improvements in access to and the quality of preschool education, especially in rural areas: the Education System Act has been amended; all children have been guaranteed a place in preschool; the amount charged by public preschools for classes over and above the standard number of hours of free childcare has been reduced (thanks to subsidies paid to municipalities from the State budget); and new admissions criteria and procedures have been established for public preschools, other forms of preschool education, schools and public institutions;
- The fight against marginalization and social disintegration of the family and the establishment of a system that meets the need for foster care: programmes have been carried out to support families and develop the foster care system; funding has been provided to local authorities to pay the salaries of family assistants and foster care coordinators; standards for day-care institutions have been strengthened; and various actions have been taken with respect to foster care;
- Non-financial support for families with children with disabilities and access to disability support services: arrangements for the provision of early child development support have been updated;
- Higher standards of protection for mothers and children: the following programmes have been implemented: a programme to provide comprehensive diagnostic services and prenatal treatment to prevent ill effects and complications related to deformities and disorders of the fetus, so as to improve the health of fetuses and newborns (2009-2013); a screening programme for newborns (2009-2014); and the POLKARD national programme for equal access to prevention and treatment of cardiovascular disease (2013-2016);
- A focus in general education on key skills and the fostering of know-how and creativity among students: changes have been made to the curriculum and the organization of the education system, so as to improve the quality of education and better prepare students for life in modern society (by developing their competence in key skills, diversifying the forms of general education and vocational training offered, and adapting to changes in the job market);
- Support for the development of computer skills: the “Digital school” programme has been implemented to develop skills among students and teachers in the use of information and communications technology;
- The modernization of the external examinations system with a view to adapting it to the new general education curriculum and focusing it on the assessment of key skills: the Minister of National Education has issued regulations on the

criteria and assessment methods to be used, the classification and promotion of pupils and students as well as the administering of tests and examinations in schools, and an amendment to the Education System Act as it concerns student evaluations has been drafted;

- The personalization of the learning process: the legal solutions adopted between 2007 and 2013 have been implemented; the work of educational and psychological counselling centres has been strengthened; and projects relating to education for children with disabilities, the personalization of educational and learning processes and the adaptation of exams to the needs of students with disabilities have also been implemented;
- The development of a model based on working with students, especially gifted ones, which includes individualized curricula and additional courses to develop students' talents and interests, in accordance with the legal measures adopted in 2012; also, the programme titled "The development and implementation of a comprehensive system based on working with students" (2010-2014) has been implemented;
- The development of a new model of education and vocational training: the implementation of the new curriculum in vocational schools is being monitored; new teachers' manuals have been prepared; and a training programme for counsellors and other persons who provide educational and vocational guidance in schools has been developed;
- The development of a new teacher training model: new educational standards have been implemented in accordance with the regulations issued by the Minister of Scientific Research and Higher Education in 2012 on the standards for teacher training;
- Strengthening the appeal of the teaching profession and improving the quality of teachers' work: an amendment to the Teachers' Charter has been drafted;
- The establishment of a new system to support schools and further improve quality control in education: the provisions relating to monitoring in education and the organization of the work of school inspectors have been amended, and training courses are provided for employees in the education system;
- The strengthening of the social role of schools and early intervention: the provisions on State aid for students have been implemented, as has a programme providing essential school supplies; benefits to cover unforeseen accidents and targeted one-time benefits are now paid to students; and educational and therapeutic trips have been organized in connection with major weather events;
- The encouragement of behaviours that are more health-promoting and environmentally sound: the following have been implemented: a national anti-smoking programme, a national programme to prevent and resolve problems associated with alcoholism (2011-2015), and projects titled "Education, promotion and prevention related to oral health, targeting young children and their parents, guardians and caregivers", "Preventing overweight, obesity and chronic diseases by raising public awareness about healthful nutrition and physical activity" and "Programme to prevent addiction to alcohol, drugs, tobacco and other psychoactive substances".

Cf. 3.1 to 3.3

2. The monitoring of local authorities by the Government:

- The Minister of Labour and Social Policy ensures monitoring of the work carried out by local authorities under the National Programme for Counteracting Domestic Violence. Oversight is the responsibility of the provincial governor, who assesses local programmes. The results of these assessments are used to improve the programmes and their implementation;
 - The Minister of National Education oversees the work of school inspectors. Tasks related to the administration and funding of preschools, schools and other educational establishments are the responsibility of local authorities. Provincial governors monitor legal aspects of these activities, while regional audit offices monitor financial aspects.
3. The provincial governors have the right to declare a resolution or decision issued by a municipality, district (*powiat*) or province null and void, in application of:
- The Act of 8 March 1990 on municipal authorities;
 - The Act of 5 March 1998 on district authorities;
 - The Act of 5 March 1998 on provincial authorities.

Cf. 7.3

4. The provinces take action to combat aggression and intolerance against foreigners. For example, in 2015 the authorities of Mazovia province carried out the following activities:

- Held a conference for inspectors, school principals, teachers and parents;
- Conducted an educational and awareness-raising campaign to combat aggression and intolerance in preschools and primary and secondary schools;
- Offered in-service training for teachers and employees of educational and psychological counselling centres: a survey was conducted on the types of training sought on working with children from racial and ethnic minorities, and combating racial discrimination, xenophobia and related intolerance was made an integral part of the in-service training programme for teachers.

5. The Law Enforcement Officer Training Programme for Combating Hate Crimes, which is intended for police officers and border guards, aims to build officers' capacity to deal with hate crimes and to adopt appropriate attitudes when dealing with victims. The programme also aims to raise officers' awareness of discrimination issues through training courses offered by the provinces, the Warsaw police department and police academies. Officers who have received this training have subsequently trained their colleagues in the regional police departments, following a cascade model. A total of 77,000 persons have completed the course since 2006.

Cf. 8

6. Data have been collected on the following types of exceptional cases in shelters for young people: accidents resulting in the death of a child or another person, serious physical injury, rebellion, collective action, suicide, attempted suicide, serious disruption of order and security, rape, abuse, escape, use of a prohibited form of punishment, degrading or inhuman treatment, the application of direct corrective measures. Since 1 April 2014, at the request of the Ombudsman, data have been collected on the following types of cases: the death of the child or another person, suicide, rape, beatings resulting in serious bodily injury.

Cf. 9.1

7. Following are the results of the study on children's perceptions of domestic violence and opportunities for them to seek assistance, conducted in 2014 as part of the "Violence-Free Polish Family" project:

- Six per cent of respondents may be affected by violence (possibly an underestimation);
- Physical violence was the type mentioned most often (31 per cent), followed by neglect (19 per cent) and psychological violence (11 per cent), with sexual violence mentioned the least often (4 per cent);
- Eighty-nine per cent of respondents have not been affected by domestic violence;
- Thirty-two per cent of respondents know at least one victim of violence, while 24 per cent are convinced that no one around them has been affected by domestic violence;
- The respondents affected by violence had sought assistance from their teachers, guardians, teachers or school psychologists, doctors, nurses, friends, family members or relatives.

8. The implementation of the National Programme for Counteracting Domestic Violence for the period 2006-2016:

- Raised awareness about the issue of domestic violence;
- Launched a public debate on zero tolerance of domestic violence;
- Raised awareness about reporting acts of domestic violence to the relevant specialized services;
- Changed mindsets about the use of corporal punishment.

9. The programme "Support for local authorities to establish a system to combat domestic violence":

- Stepped up activities to improve the situation of families at risk of violence;
- Increased assistance for children from families at risk of violence and affected by violence;
- Improved access to benefits;
- Adapted support services to meet the needs of persons affected by domestic violence.

10. The programme "Monitoring children's life history — a standard of conduct for social workers — a tool for protecting children from domestic violence":

- Established a standard for monitoring the life history of children at risk of violence;
- Included four regional meetings to develop the standard, and a final version was drafted;
- Included dissemination of the standard to 3,000 institutions working to combat domestic violence.

11. Examples of police action at the local level: as part of the programme "NO to violence, YES to power" (2014, Lubusz province), police officers considered how to

identify cases of domestic violence and seek assistance, as well as positive models of family life. A video spot competition was held in secondary schools.

Cf. 9.4

12. Actions to be taken under the programme “A safe and friendly school” for the period 2014-2020 include:

- Strengthening security in schools;
- Resolving conflicts and combating violence;
- Combating addiction (to alcohol, drugs, so-called designer drugs, over-the-counter medicines, tobacco, video games or the Internet).

13. The programme includes:

- Education and prevention programmes and psychological support;
- The development and implementation of crisis management procedures;
- The development of principles for cooperation between schools, the police and local law enforcement bodies;
- Teacher training and conferences, including one on combating violence among children and young people with special education needs who attend public schools.

Cf. 10

14. Measures taken under the “Blue Card” procedure:

- Launching of the procedure: The “Blue Card A” form is filled out in the presence of a parent or guardian (or, if that person is suspected of violence, in the presence of another adult who is close to the child). Any action that involves the child should be taken in the presence of a psychologist, under safe conditions in which freedom of expression and respect for dignity are guaranteed;
- The victim of violence receives the “Blue Card B” form (statement). If the victim is a child, the form is sent to a parent, a guardian or the person who reported the suspected violence;
- The completed “Blue Card A” form is forwarded to the chair of a multidisciplinary team, who in turn sends it to the members of a multidisciplinary team or a working group. The team or group decides on the measures to be taken in relation to the person affected by domestic violence, the person who committed the acts of violence and other members of the family. Measures are taken by representatives of social services, the education system, the health-care system, the police and communal committees to address alcohol-related problems, and by NGOs and judicial review services, prosecutors or other persons working to combat violence.

Cf. 13.1

15. Health care is provided:

- With the consent:
 - Of a legal representative;

- And additionally of the patient, if he or she is at least 16 years of age;
 - Without consent: when patients require immediate assistance, their health condition or age make it impossible for them to express their consent, and they have no way of communicating with their legal representative or guardian;
 - With the prior consent of the court:
 - If the legal representative is absent or communication with him or her is impossible;
 - If the patient is at least 16 years of age and refuses to undergo medical procedures;
 - If the legal representative refuses consent.
16. Surgery and high-risk procedures for treatment or diagnosis are performed:
- With the consent:
 - Of a legal representative;
 - And additionally of the patient, if he or she is at least 16 years of age.
 - With the prior consent of the court:
 - If the patient does not have a legal representative or if communication with that representative is not possible;
 - If the legal representative refuses to consent to actions needed to eliminate the danger of death or disability;
 - Without the consent of the court: when any delay would put the patient at risk of death, serious physical injury or disability. The doctor immediately informs the legal representative or the court about the actions taken.
17. Patients are admitted to a psychiatric hospital:
- With the consent:
 - Of a legal representative;
 - And additionally of the patient, if he or she is at least 16 years of age;
 - With the consent of the court, when the patient and the legal representative give contradictory statements;
 - Without consent: when patients' behaviour indicates that, due to mental illness, they pose a threat to their own life or to the life or health of others. Within 72 hours of admission to the hospital, the latter notifies the court, which handles the admission procedures. The court may also hear the case:
 - At the request of the patient or his or her legal representative, spouse, parents or siblings or a person who has custody of the patient;
 - On its own initiative;
 - With the prior consent of the court: when patients' behaviour indicates that, if not admitted to a hospital, their psychological health will seriously deteriorate, or they are unable to meet their own basic survival needs, and there is reason to believe that the treatment will improve their health. The court decides on the admission to the hospital at the request of the patient's parents, siblings or legal representative or someone who effectively acts as the patient's guardian.
18. In cases where patients are admitted to a psychiatric hospital without their consent, they must be heard by a judge no later than 48 hours after notification is

given. Before issuing its decision, the court must obtain an opinion from one or more psychiatrists. If the judge deems it necessary, he or she notifies the prosecutor that the latter must participate in the proceedings. The court may hold a hearing at the hospital. If the admission to the hospital is manifestly groundless, the court orders the patient's immediate release.

Cf. 15

19. A minor who wishes to terminate her pregnancy must obtain the consent of her legal representative.

- If the minor is at least 13 years old, her consent is also required;
- If the minor is under the age of 13, the consent of a child protection court is required, and the minor has the right to express her views.

Cf. 16.1

20. Food aid and supplementary feeding for children are provided by municipalities with State assistance. The programme titled "State support for supplementary feeding" is being implemented from 2014 to 2020.

21. The European Union food aid programme for the period 2014-2020 is being implemented and offers support to those in greatest need (by providing food and meals free of charge).

Cf. 16.2

22. The following amendments have been made to the Family Benefits Act:

- 2011: The method of calculating income to determine who is entitled to family benefits was adjusted;
- 2012:
 - A new benefit was added, which consists of a special childcare allowance for persons who give up their job or professional activity to care for a child with disabilities. Pension and health insurance contributions are paid for people who receive this allowance;
 - Procedures for granting care benefits were amended: the benefit is paid if the disability manifested itself before the person turned 18 or, for those enrolled in school or higher education, before they turned 25;
 - The amount of the care benefit was increased;
- 2014: Starting in 2017, the amount of the childcare allowance will be adjusted annually.

Cf. 17

23. When considering a request to place a child in a detention centre, the court, acting in the interests of the child, takes into account the child's physical and mental development and personality, the circumstances of the arrest and any personal circumstances that might justify placement in a detention centre.

24. To ensure the best possible living conditions for children and guarantee their access to education, detention centres have been classed into categories, and it has been decided that children may be placed only in the Kętrzyn and Biała Podlaska centres (which are family centres) or, if they have no room, in the Przemyśl centre (a general centre for preschool-age children). Unaccompanied children are placed only in the Kętrzyn migrant detention centre.

25. The children's right to education is ensured through an individual learning programme. They are taught by teachers from local schools using the general education curriculum. The principals of the designated schools conduct a placement test to ensure that the students are enrolled in classes of an appropriate level. The subjects taught include the Polish language as well as mathematics, geography and nature studies. In addition, the children can participate in academic and educational, leisure and sports activities and can take Polish, English or Russian language classes taught by employees of the detention centre. The Ministry of the Interior has approached the Ministry of National Education about taking additional measures to improve access to education and adapting educational requirements to the needs and abilities of children placed in detention centres, taking into account their specific situation, the short duration and purpose of their stay in such centres, the difficulty of placing them in an appropriate level, the lack of continuity in their education, and their linguistic and cultural diversity.

26. The draft amendment to the Act on the Protection of Aliens on the Territory of the Republic of Poland and certain other acts offers new solutions for children:

- The expedited processing of applications for international protection, the submission of the application and the statement of intent to submit such an application by a foreign national on behalf of a child, including an adopted child who is not married: applications for international protection submitted by unaccompanied children may receive expedited processing if the child poses a threat to State security or public order or has previously been expelled from Poland for that reason;
- Immediately upon receipt of an application for international protection from an unaccompanied child, efforts are made to find the child's parents, and help with contacting international NGOs and beginning the search for the child's relatives is provided;
- The application for international protection may be filed on behalf of an unaccompanied child by a guardian or a representative of an international organization or NGO that assists foreigners;
- If the medical examination to determine whether the applicant is an adult is inconclusive, the applicant is considered to be a minor;
- Proof of identity can be issued at the request of a parent for their children who are at least 6 years old, which will enable those children to access the educational system;
- The court immediately appoints a guardian to represent the unaccompanied child, no later than three days after receipt of the application;
- If the application for international protection concerns a person who may require special treatment, and especially if that person is a child, the director of the Office for Foreigners considers whether such treatment is needed during the procedure for granting international protection or social assistance;
- In providing social assistance to the child, the need to protect the child's interests is to be taken into account, including the possibility of family reunification; the

child's well-being and social development; security and protection measures, especially in cases where the child might be a victim of human trafficking; and the child's own views, depending on his or her age and stage of development.

27. Neither the Aliens Act nor the Act on the Protection of Aliens on the Territory of the Republic of Poland contains a definition of persons requiring special attention, nor do they specify methods for identifying such persons. A procedure was therefore developed to determine how border guards should deal with foreigners belonging to groups that require special attention. Persons requiring special attention are those who, because of their health condition or personal circumstances, require special treatment, and unaccompanied children belong to this group.

28. The draft support programme for foreigners awaiting return provides for support in the form of a basic needs and social assistance package (including housing, food, medical care, hygiene kits, and the appointment of a project coordinator and guardians for each individual). The programme will also cover persons from countries to which returns were suspended because of an unstable political situation, as recommended by the Office of the United Nations High Commissioner for Refugees.

29. The Office for Foreigners is working with the Nobody's Children Foundation to establish principles for the protection of children placed in migrant detention centres who apply for international protection and to implement those principles in the detention centres in Linin and Dębak. Standards for protecting children from violence will be developed, along with response procedures, a handbook for professionals working to protect children from harm, and information packs about the phenomenon of violence. A series of briefings is planned for the staff of the migrant detention centres, as is the institution of periods of custody in the presence of a lawyer and psychologists.

30. Statistical data are provided below.

Children for whom an application for refugee status has been filed

<i>Age</i>	<i>2012</i>		<i>2013</i>		<i>2014</i>	
	<i>Females</i>	<i>Males</i>	<i>Females</i>	<i>Males</i>	<i>Females</i>	<i>Males</i>
0-13	1 835	1 995	3 310	3 615	1 495	1 490
14-17	200	265	300	340	150	210

Unaccompanied children placed in educational childcare institutions

	<i>Girls</i>	<i>Boys</i>
2012	0	8
2013	4	22
2014	1	24

Most of the persons placed in institutions are 16 to 17 years old.

Cf. 18.2

31. Kindergartens and primary schools with kindergarten classes that are attended by Roma children.

	<i>Number of schools</i>	<i>Number of Roma children</i>
2012	114	289
2013	105	286
2014	107	337

Cf. 19.1

32. Measures taken under the National Action Plan to Combat Human Trafficking for the period 2013-2015:

- 2014:
 - The system for identifying victims of human trafficking among unaccompanied foreign minors was reviewed;
 - The staff of educational childcare institutions in Warsaw were trained in protecting unaccompanied foreign minors, who are vulnerable to human trafficking;
 - A new procedure for determining how law enforcement officials should proceed when they identify cases of human trafficking entered into force in the second quarter of 2015;
 - A specialized course on preventing and combating human trafficking was offered to police officers;
 - The police carried out an information campaign titled “Don’t look away — be aware and take action in cases of sexual exploitation of children in tourism”, and an Internet portal for reporting cases of commercial exploitation of children was created (www.stopsekssturystyce.fdn.pl);
 - The National Police established a division to combat human trafficking. It deals with human trafficking and associated crimes, including paedophilia, child pornography and illegal adoption. The division has established two new lines of communication to help combat human trafficking (an e-mail address and a telephone hotline), which can be used to provide information (including anonymously) on cases of human trafficking, paedophilia and child pornography;
- 2015: Training was provided to police officers.

Cf. 19.2

	<i>Cases identified</i>	<i>Child victims</i>	<i>Requests for indictment</i>
Art. 202, para. 2, of the Criminal Code — presenting, disseminating or making available pornographic material to a minor under the age of 15 ¹			
2011	377	1 316	75
2012	231	860	66
2013	152	116	91
Art. 202, para. 3, of the Criminal Code — producing, recording and disseminating or publicly presenting pornographic material to a minor under the age of 15			
2012	1 309	18	1 090
2013	1 857	536	1 809

	<i>Cases identified</i>	<i>Child victims</i>	<i>Requests for indictment</i>
2014	2 181	1 480	40
Art. 202, paras. 4 and 4 (a), of the Criminal Code — recording, importing and storing pornographic material with the participation of a minor under the age of 15			
2012	284	72	174
2013	425	139	339
2014	504	450	86
Art. 189 (a) of the Criminal Code — human trafficking			
2012	61	0	59
2013	186	9	99
2014	76	1	15
Art. 211 (a) of the Criminal Code — human trafficking — illegal adoption			
2012	1	0	1
2013	2	0	2
2014	9	1	2

¹ The provision was repealed pursuant to the amendment to the Criminal Code adopted in 2014.

Final convictions

<i>Type of infraction</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>
Art. 202, para. 2, of the Criminal Code	16	14	18
Art. 202, para. 3, of the Criminal Code	50	55	35
Art. 202, para. 4, of the Criminal Code	12	12	7
Art. 202, para. 4 (a), of the Criminal Code	98	82	79
Art. 202, para. 4 (b), of the Criminal Code	1	3	1
Art. 189 (a), para. 1, of the Criminal Code	16	12	9
Art. 189 (a), para. 2, of the Criminal Code	0	0	0
Art. 211 (a) of the Criminal Code	0	3	0

Cf. 20.1

33. The procedure for extended stays in police detention centres for children is as follows:

- The placement and detention of children in police detention centres for children: police officers or border guards may arrest a child and then, taking the circumstances into account, place him or her in a police detention centre for children if there is reason to suspect that the child has committed a punishable act or is likely to go into hiding or hide evidence, or if the child's identity cannot be established. Children who are arrested during a temporary release from a children's home, a shelter or correction centre may be placed in a detention centre for a maximum of 5 days. In addition, children may be held in such custody for a justified short period of no more than 24 hours while being escorted or when they are brought before the court. They may also be held for a maximum of 48 hours under an order from the family court while proceedings are being conducted;
- Children should be released immediately and transferred to their parents or guardian if the reason for the detention no longer applies, if the court orders the

release, or if the court was not notified of the child's arrest within 24 hours. They should be immediately released and transferred to their parents or guardian if they are not informed within 48 hours from the time when the court is notified of the arrest about the decision to place them in a children's home or, on a temporary basis, in a shelter for young people, in foster care or in a treatment centre. The 48 hours granted to the court are to be used to analyse the evidence, conduct the proceedings and determine whether the child's placement in a children's home or the application of some other temporary measure is justified. Upon notification of such a decision, the child may remain in the police detention centre for the period of time needed to transfer him or her to the host family or to a competent health-care institution, a home or a centre. That period must not exceed 5 days.

34. The regulation issued by the Minister of the Interior on 9 February 2015 amending the regulation on detention facilities, sobering-up cells, temporary cells, provisional temporary cells and police detention centres for children; the regulation on stays in such facilities, cells and centres; and the procedure for making sound and image recordings in those facilities, cells and centres:

- Does away with solitary confinement cells in police detention centres for children;
- Establishes procedures for taking decisions on the placement of children in holding cells, taking into account their safety, the effectiveness of the police operation and respect for the rights of the child.

35. In police detention centres for children:

- Male and female children are separated;
- Children must not be placed in a cell with an adult;
- Children who are under the influence of alcohol are separated from children who are not;
- Children who are under the influence of narcotic or psychotropic substances or designer drugs are separated from children who are not;
- Children who pose a threat to their own life or health or that of others are not placed in cells with other children;
- Children who show symptoms of communicable diseases are placed in a separate cell or in a cell where there are no other children, and a doctor is immediately informed.

Cf. Part II (e)

36. Discounts to holders of the large family card may be offered by bodies operating under the competent ministries or by private businesses:

- On presentation of the card itself:
 - Reduced train fares for parents and their spouses;
 - Reduced passport fees for children, parents and the spouses of parents;
 - Free access to national parks;
- Pursuant to agreements on granting privileges to members of large families:
 - By State culture and sports agencies;

- By public companies with ties to the public sector that offer tourism and recreational services;
- By rail companies;
- By non-State actors in the food, chemical, textile and medical industries, the banking and insurance sectors, the oil industry, the publishing, telecommunications, tourism and culture sectors, and the service sector (hairdressers, legal and counselling services, the automotive industry, childcare, language courses and computer services).

37. Members of large families residing in Poland — in other words, parents and their spouses who are raising at least three children — are eligible for the large family card if those children are:

- Under the age of 18;
- Under the age of 25, if the child is attending school or university;
- Of any age, if the child holds proof of a moderate or severe disability.

Persons who care for children in a family environment (adoptive parents or persons who run a family shelter) are also eligible for the card.

38. Entities that provide discounts have the right to use the “large family card accepted here” logo in their publicity and informational materials. Places that provide discounts display that logo. The website of the Ministry of Labour and Social Policy (www.mpips.gov.pl) and the sites www.rodzina.gov.pl and www.empatia.mpips.gov.pl display a list of discounts available to cardholders.

39. A team for the promotion of regional large family cards is working to expand the use of such cards among local authorities. The team has developed a manual that lists good practices in the use of the large family card by local authorities.

40. A project to establish a system of discounts for large families, on the basis of a personal and secure large family card, has been implemented. The software system will enable more effective cooperation among the public administration services involved in carrying out the tasks required under the Act on the Large Family Card and will enable members of large families to obtain the card through an electronic service.