Magiczny Kraków

Important definitions

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Familiarize yourself with the list of terms and regulations important in the prevention of domestic abuse.

Art. 3.1 of the Act on Counteracting Domestic Abuse:

A person affected by domestic abuse shall be provided with free-of-charge assistance, in particular in the form of:

- medical, psychological, legal, social, vocational and family counseling;
- crisis intervention and support;
- protection from further harm by preventing violent persons from using the dwelling they share with other family members and prohibiting contact and approaching the victim;
- providing a victim of domestic abuse with safe shelter in a specialist support center for victims of domestic abuse;
- a medical examination to establish the causes and nature of injuries related to domestic abuse and a medical certificate in this regard;
- ensuring that a victim of domestic abuse who does not have legal title to the premises jointly occupied with the perpetrator is assisted in obtaining housing.

Familiarize yourself with the list of terms used for specific actions to address domestic abuse.

- Family
- Abuse
- Close relative or partner
- Individual support plan for victims of domestic abuse
- Safety plan for victims of domestic abuse
- Victim of domestic abuse
- Perpetrator of domestic abuse
- Restraining order
- Order to vacate premises
- Intervention
- Crisis intervention
- Notice of suspected domestic violence
- Evidence
- Medical certificate
- Medical examination
- Blue Card
- Interdisciplinary team for prevention of domestic abuse
- Diagnostic and support groups

- Correctional-educational program

Family

means - according to the definition included in the Social Assistance Act - related or unrelated persons who have a de facto relationship, live and run a household together.

Abuse

means a single or repeated intentional act or omission using physical, mental or economic advantage, which violates the rights or personal interests of another person. A violent person puts their close relative or partner in danger of losing their life or health. He/she violates their dignity, bodily integrity, freedom, including sexual freedom, causing damage to their physical or mental health, as well as causing suffering and moral harm. He/she restricts or deprives access to financial resources or the ability to work or become financially independent. He/she violates privacy or arouses feelings of threat, humiliation or anguish, including through electronic communications. We are talking about different types of abuse: physical, psychological, economic or sexual. Intentional neglect is also one of its forms.

Close relative or partner

According to the law, your close relatives and partners are your husband, wife, father, mother, grandmother, grandfather, child, grandson or granddaughter, siblings, father-in-law and mother-in-law, brother-in-law, sister-in-law, a person in an adoption relationship and their spouse, as well as a person in cohabitation - your life partner.

Individual support plan for victims of domestic abuse

is a set of actions that are planned and undertaken by professionals in a diagnostic and support group together with a victim of domestic abuse, in order to improve the situation of that person. The plan should be tailored to the specific situation, simple, feasible, and modifiable if necessary. The main objective of the plan is to stop the abuse and support the victim.

Safety plan for victims of domestic abuse

is a prepared and developed course of action in the event of a threat of another act of abuse. It will ensure that victims of abuse know how to respond in the event of imminent danger in order to remain safe.

Victim of domestic abuse

is a person who suffers because of intentional acts or omissions of a family member or a person with a history of an enduring emotional or physical relationship, regardless of cohabitation. He/she is at

risk of losing his/her life or suffering harm to his/her physical and mental health.

Perpetrator of domestic abuse

is a person who uses various forms of physical, psychological, economic, and sexual abuse, including by means of electronic communication, towards a family member or a person with a history of an enduring emotional or physical relationship, regardless of cohabitation, and poses a danger to their life or health by an act or omission.

Restraining order

is an order prohibiting a perpetrator of abuse from being in certain environments or places where the person experiencing abuse usually spends time, and contacting or even approaching that person. A restraining order is issued to a violent person by the Police for a period of fourteen days, which may be extended at the request of the victim of abuse) or by a court.

Order to vacate premises

is an order prohibiting a perpetrator of abuse from being in certain environments or places where the person experiencing abuse usually spends time, and contacting or even approaching that person. The purpose of the order is to isolate the violent person from the victim of abuse so as to ensure the safety of the injured person. Such an order may be issued by the Police for a period of 14 days, which may be extended at the request of the victim of by a court.

Intervention

is a multi-stage effort by representatives of different institutions to provide safety and assistance to people experiencing domestic abuse or witnessing it (children). An intervention is also action against a person who commits abuse. They are intended to cause a change in that person’s behavior so that, in effect, he or she no longer poses a danger to those close to him or her.

Crisis intervention

is action taken by professionals in order to provide immediate psychological, legal, and social support and provide shelter for a person in crisis, due for instance to domestic abuse. The essence of crisis intervention is its accessibility, its effectiveness, and creating conditions for the recovery of psychological balance and a sense of agency in people experiencing abuse.

Notice of suspected domestic abuse

is an oral or written report of a suspected criminal offence made at a police station or prosecutor’s office by a victim or witness of domestic abuse. If this report is filed, the Police can start investigations to confirm whether a crime has occurred. In addition, when a victim of domestic abuse

reports a crime, the Blue Card procedure is initiated, if it has not already been initiated, or a new Blue Card is drawn up if there has been a further incident of domestic abuse.

Evidence

means measures that serve to establish whether a suspicion of a crime is well-founded and which are indicative of domestic abuse. If a person who reports a suspected crime has evidence relating to a crime of domestic abuse, he or she should collect it and mention it when reporting the crime or during the course of the investigation. These may include: witnesses (by name and address), witness statements, medical documentation (medical certificate, medical examination report), documents relevant to the case, recordings or photographs taken on a telephone or other sound and/or video recorder, text messages, e-mails, and letters containing threats, efforts at extortion or verbal abuse.

Medical certificate

is a free-of-charge document that every doctor is obliged to issue, regardless of whether as an element of the National Health Fund or during a private visit. This document contains the findings of an examination carried out with particular reference to the type of injury found and the possible causes and the time of its occurrence. It is an important piece of evidence when reporting a crime to the Police and a document that can help with the medical forensic examination ordered by the Police.

Medical examination

is a type of medical examination to determine the nature and extent of injuries. The results of the medical examination described in the relevant document will be included in the proceedings as evidence in the case. This document contains a description of the injuries sustained by the person examined, how they occurred, and classification of the health impairment found. The medical examination, which will be evidentiary in nature, can only be carried out by a doctor registered as a forensic expert on a list maintained by each district court. The examination is only free of charge if it is ordered by the Police, prosecutor or court when a violent crime is reported. Without this referral, you will have to pay for the medical forensic examination.

Blue Card procedure

is a procedure that is triggered when there is a justified suspicion that abuse is taking place in a family. If a representative of one of the authorized institutions (e.g. a doctor, local community police officer, pedagogue, teacher, social worker, representative of the Commission for the Solution of Alcohol Problems and a representative of a non-governmental organization) fills in the Blue Card form, all measures are taken to help the victims of domestic abuse and at the same time to influence the perpetrators. The professionals providing assistance work within a diagnostic and support group. Together with the victim of domestic abuse, its members devise measures such as a support plan and then implement it by monitoring the family’s situation. They try to provide support and safety to vulnerable family members.

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Interdisciplinary Team for Prevention of Domestic Abuse

is a locally established team consisting of representatives of: social welfare organizational units, the Municipal Commission for Solving Alcohol Problems, the Police, and education, healthcare and non-governmental organizations. Its tasks include preventing domestic abuse, in particular by coordinating actions under the Blue Card procedure.

Diagnostic and support groups

are teams of specialists appointed by the Chairman of the Interdisciplinary Team whose task is to diagnose the situation of those affected by the notification or the Blue Cards procedure, to determine whether abuse is actually occurring and to provide assistance and support appropriate for the diagnosed difficulties. The overriding goal is always to stop the abuse. The diagnostic and support group is composed of people who have direct contact with the victim of abuse and the perpetrator of domestic abuse. It must always be a social worker and a local community police officer and they may also ask a probation officer, psychologist, school counselor, class teacher, community nurse, a representative of the Municipal Commission for Solving Alcohol Problems or a doctor to work with them, depending on the situation.

Correctional-educational program

The program is implemented in the form of group meetings. During the meetings, specialists make participants aware of what domestic abuse is and its consequences, and show them how to change their behavior and attitudes so that they are not harmful to their close relatives or partners. They educate him/her and make him/her aware that his/her actions are a choice for which he/she bears consequences and moral and legal responsibility.