

Poland's child protection system – current challenges

- ▶ Beata Kulig
- ▶ Nov. 14, 2024
- ▶ European Expert Group Online Study Session
- ▶ Preventing institutionalisation of children: strengthening families and building community-based alternative care



Who we are?

Polish Foster Care Coalition

Polish Foster Care Coalition is an advocacy organization

- ✓ PFCC is an umbrella organization of foundations and associations;

Polish Foster Care Coalition is focused on

- ✓ providing knowledge and expertise on de-I to ministries, members of PL parliament, local authorities and other relevant stakeholders;
- ✓ networking and strengthen PL NGO's dealing with alternative care issues;
- ✓ international cooperation - i.e. being a member of Eurochild, cooperation with UN CRC in Geneva
- ✓ via PFCC trainers' team PFCC offers trainings on trauma-informed care, attachment and other related alternative-care issues.



Poland's child protection system

- ▶ No centrally coordinated child protection system,
- ▶ No one dedicated piece of legislation,
- ▶ No one type of child-centred service,
- ▶ Several field systems such as (.i.a.):
 - ▶ alternative care and family prevention
 - ▶ social assistance,
 - ▶ health care,
 - ▶ education,
 - ▶ combating domestic violence
 - ▶ children with migrant background (Ukrainians and others)
- ▶ Number of international agreements on the protection of children's rights (i.e. UN CRC, UN People with Disabilities Convention)
- ▶ Various national legislation i.a. on alternative care, social welfare, criminal law, education, health care, migration, combating domestic violence, child protection standards

Poland's child protection system

- ▶ All public authorities are obliged to respect and observe the rights of the child. As is said in the Constitution of the Republic of Poland: the Republic of Poland ensures the protection of children's rights. Everyone has the right to demand from public authorities the protection of the child against violence, cruelty, exploitation and demoralisation. A child deprived of parental care has the right to care and assistance from public authorities. Public authorities and those responsible for the child are obliged to listen to and, as far as possible, take into account the views of the child.
- ▶ The Ombudsman for Children's Rights
- ▶ The Ombudsman for Human Rights
- ▶ Ministry of Family, Labour and Social Policy
- ▶ Ministry of Justice
- ▶ State Commission for the Prevention of Sexual Exploitation of Minors under 15 years of age
- ▶ Local authorities on communal, district and provincial level

Poland's child protection system - current challenges

- ▶ Concluding observations on the combined fifth and sixth periodic reports of Poland, Committee on the Rights of the Child, Dec. 6, 2021
 - ▶ Develop a comprehensive policy and strategy on children that encompasses all areas covered by the Convention;
 - ▶ Allocate specific and adequate budgets for the implementation, monitoring and evaluation of the policy and strategy, at all levels
 - ▶ Poland has still not ratified the Third Optional Protocol to the Convention on the Rights of the Child
 - ▶ (...) fully implementing the commitment in paragraph 143 of the State party's report not to place children under 10 years of age in institutions;
 - ▶ Expedite the deinstitutionalization of children with disabilities by providing them with safe alternative care in family settings and inclusive services in the community;
 - ▶ Extend and strengthen support for the family foster care system, including by increasing salaries and the number of foster care families;

Poland's child protection system - current challenges

- ▶ Act of Family support and alternative care
 - ▶ Focused on prevention of placement children in alternative care,
 - ▶ Focused on family
 - ▶ As soon as possible reunification of children to their biological families (no more than 6%).
 - ▶ local authorities reluctantly develop de-I strategy and introduce such a strategy;
 - ▶ in the same time there are no relevant investments in development of family type alternative care and community care;
 - ▶ lower number of candidates for professional foster families;
 - ▶ children with disabilities or severely sick live in institutions (specialist care and educational centers, regional care and therapeutic centers, various types of nursing homes).
- ▶ System of prevention of domestic violence (preventive and intervention)
- ▶ Legislation vs practice and resources

Poland's child protection system - current challenges

- ▶ The provisions regarding the standards of protection of minors are regulated by the Act of July 28, 2023 amending the Act - Family and Guardianship Code (Journal of Laws of 2023, item 1606), and the Act of May 13, 2016 on counteracting threats of sexual crime and protection of minors (Journal of Laws of 2024, item 560).
 - ▶ National standards for the protection of minors have been in force in Poland since February 15, 2024, and every entity working with children and for children (including institutional forms of alternative care, schools, kindergartens, community centers, sports clubs, church entities conducting activities for children, health centers and the hotel industry) from August 15 is obliged to implement standards for the protection of minors.
 - ▶ Analysis of incidents resulting in the death or serious injury of a minor (Serious Case Review)
 - ▶ 1) The National Plan against Violence to the Harm of Minors,
 - ▶ 2) National Plan for the Prevention of Crimes Against Sexual Liberty and Morality to the Detriment of Minors

Poland's child protection system - current challenges

- ▶ Role of NGO's
- ▶ Child's Participation
- ▶ EU Commission Recommendation of 23.4.2024 on developing and strengthening integrated child protection systems in the best interests of the child

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Thank you!

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