



ZBIGNIEW KAZIMIERZ MIKOŁAJCZYK

Cardinal Stefan Wyszyński University in Warsaw

ORCID: <https://orcid.org/0000-0003-3917-7033> * z.mikolajczyk@uksw.edu.pl

Received: 15 Nov 2022; Reviewed: 16 Dec 2022; Accepted: 30 Dec 2022

DOMESTIC VIOLENCE AS A PHENOMENON WHICH AFFECTS FAMILY SAFETY

Abstract

Family security depends on many factors, e.g., economic, political and social. Negative social phenomena, including crime, have a significant impact on the sense of security. Crime is understood as the number of prohibited acts committed in a given area and in a given time unit. Among its various types, we distinguish crime related to the functioning of the family. This study shows the scale of domestic violence in our country in recent years. The analysis concerns numerical data on the “Blue Card” procedure collected in the police database.

Keywords: family studies, internal security, public order, crime, domestic violence

PRZEMOC DOMOWA JAKO ZJAWISKO WYWIERAJĄCE WPŁYW NA BEZPIECZEŃSTWO RODZINY

Abstrakt

Bezpieczeństwo rodziny zależy od wielu czynników, np. gospodarczych, politycznych, społecznych. Istotny wpływ na poczucie bezpieczeństwa wywierają negatywne zjawiska społeczne, do których zalicza się między innymi przestępczość. Jest ona rozumiana jako liczba czynów zabronionych, popełnionych na danym terenie w danej jednostce czasu. Wśród jej licznych rodzajów wyróżnia się przestępczość związaną z funkcjonowaniem rodziny. Niniejsze opracowanie ukazuje skalę zjawiska przemocy domowej w naszym kraju na przestrzeni ostatnich lat. Analizie poddano dane liczbowe dotyczące procedury „Niebieska Karta” gromadzone w policyjnych bazach danych.

Słowa kluczowe: studia nad rodziną, bezpieczeństwo wewnętrzne, porządek publiczny, przestępczość, przemoc domowa

INTRODUCTION

The fast pace of economic growth implies various changes, transformations as well as threats. Some of them directly affect the functioning of the family as the basic social unit. Thus, they also influence the security of the state which, in turn, impacts the (sense of) security of the family.

The current geopolitical situation, including Russia's invasion of Ukraine, reveals subsequent areas of military threats. On the other hand, there are internal threats which include negative social phenomena. Because of their 'local' character, their influence on the sense of security of the family is the strongest. However, the situation within the family has an even greater impact on its functioning. Crime related to domestic violence is, therefore, one of the main threats to the family.

The aim of this paper is to show the scale of domestic violence in Poland from 2019 to 2021. The analysis concerns numerical data which were gathered by Prevention Office of the Police Headquarters [Biuro Prewencji Komendy Głównej Policji]. As source materials, I used reports on the implementation of 'the Blue Card' [Niebieska Karta] procedure by the police. Due to the limited scope of this study, I do not discuss the distribution of the phenomenon in individual voivodeships, which may be the subject of subsequent research. Using data processed by the police, I show one of the main threats to the family at present.

1. CRIME IN POLAND

Brunon Hołyst defines 'crime' as the number of forbidden acts committed in a given area in a given unit of time (Hołyst 2009, 95). Characteristic features of the phenomenon are its geographical distribution, structure and dynamics. As such, it is the subject of study of many fields, e.g. criminology, forensics, social and political science and national security (Bałandynowicz 1998, Hołyst 2007, Chrzanowski 2015, 33-46, Hołyst 2014a, Hołyst 2013, Hołyst 2009, Koral 2009, Mikołajczyk 2015, 133-142, Mikołajczyk 2014a, 259-273, Mikołajczyk 2014b, 240-246, Sienkiewicz-Małyjurek and Niecyporuk 2011). It is also the subject of research by family studies which have been recently established as a discipline. Figures presented in this paper refer to crimes detected and confirmed in Poland in recent years. 'Confirmed crime' should be understood as 'the totality of acts whose nature as criminal acts has been confirmed by preparatory proceedings.' (Hołyst 2009, 96). 'Detected crime' should be understood as the number of acts for which law enforcement agencies have been notified. Brunon Hołyst points out that 'at present, in criminological research on the social costs of crime, the feeling of insecurity, angst and fear of becoming a victim of a crime come to the fore' (Hołyst 2015, 427). The growing number of crimes of various characters may increase social angst. For example, risks on the road are generally considered to be one of the greatest threats in our society. The chart below shows the scale of crime in general in Poland in recent years.

Table no. 1. Crimes detected and confirmed in Poland in 2017-2021

Year	Detected crimes	Confirmed crimes
2021	738 358	820 846
2020	701 669	765 408
2019	760 402	796 557
2018	769 136	768 049
2017	714 837	753 963

My analysis on the basis of statistical data of the Police Headquarters.

The chart shows that the number of detected crimes has increased over the last five years. The difference between 2017 and 2021 is almost 24 000. The largest increase in criminal acts was between 2017 and 2018, whereas in 2020 there was a significant decrease. The upward tendency is explicit in the case of confirmed crimes: the difference between 2017 and 2021 is 66 883 acts, which means an 8,14% increase. It is hardly possible to determine the number of crimes committed about which we have no information. It is worth underlying that the number of detected crimes is not the same as the number of reported crimes. This is due to the fact that in some reported cases, preparatory proceedings were not instituted because due to the initial actions taken it was determined that the proceedings should be discontinued before initiation or, on the basis of the collected evidence, the initiation of proceedings was refused. The conditions for discontinuation of proceedings or refusal to initiate them are specified in detail by the legislator:

‘Proceedings are not initiated, and those initiated are discontinued when:

- 1) the act has not been committed or there is no data sufficient to justify the suspicion that it has been committed
- 2) the act does not have the features of a criminal offense, or the law provides that the perpetrator has not committed a crime
- 3) social harmfulness of the act is negligible
- 4) the law provides that the perpetrator is not liable to a penalty
- 5) the accused has died
- 6) the statute of limitations is in force
- 7) criminal proceedings regarding the same act by the same person have been validly terminated, or criminal proceedings previously instituted are pending
- 8) the perpetrator is not subject to the jurisdiction of the Polish criminal court
- 9) there is no complaint from the authorized person (plaintiff, prosecutor etc.)
- 10) lack of the required leave to prosecute or motion for prosecuting from the entitled person unless the law provides otherwise
- 11) there is a circumstance that precludes prosecution’

(The Code of Criminal Procedure Act [Ustawa Kodeks postępowania karnego] 1997, article 17).

As for the geographical distribution of crimes, the numerical differences are not significant. Moreover, there has been a downward trend over the last 10 years. General data also include crime related to road safety, which increases the number of detected and confirmed crimes.

2. DOMESTIC VIOLENCE AND FAMILY SAFETY

It is the crime related to domestic violence witnessed daily that has the greatest impact on the family's sense of security. Opinion polls reveal that what the Poles fear most is their safety on the road. Also, they are afraid of crimes such as: theft, burglary, fraud, robbery, property damage, economic crimes and those committed via the Internet. The respondents, for various reasons, do not point to domestic violence as a serious threat. However, domestic violence implies forbidden acts, and 'dark figures' of crime are here the highest. People tend to hide the fact that they are victims of domestic violence because it takes place at their homes. Moreover, the preparator is someone very close to the victim, so the latter tries to forgive him/her for their negative behaviour. Above all, the sufferer does not want to reveal it to third parties.

Table no. 2. The 'Blue Card' Procedure in 2019

1	The total number of the Blue Card forms completed	74313
a	The number of forms completed that initiated the procedure	61076
b	The number of forms completed due to subsequent cases of domestic violence in a given family while the previous procedure was pending	13237
2	The number of people suspected of being victims of domestic violence	88032
a	Women	65195
b	Men	10676
c	The underage	12161
3	The number of people suspected of using violence in the family	74910
a	Women	6448
b	Men	68148
c	The underage	314
4	The number of people suspected of using violence under the influence of alcohol	42583
a	Women	2126
b	Men	40435
c	The underage	22
5	The number of children placed in a foster family or a residential child care	309

Source: numerical data of the Police Headquarters.

Formularz III/8 2019, Sprawozdanie z podjętych przez policję działań wobec przemyocy w rodzinie dotyczące procedury „Niebieskie Karty” (Form III/8 2019, Report on actions taken by the police against domestic violence regarding the 'Blue Cards' procedure).

The numerical data collected by the police regarding the 'Blue Card' procedure most reliably illustrate the scope of domestic violence in Poland. In 2019, 74 313 cases of domestic violence were reported. It was a 1,59 % increase compared to 2018. This means that there are 211 cases of domestic violence per every 100 000 inhabitants of our country. Forms that initiate the Blue Card procedure were completed in 61076 cases which is 82,19 % of the total number of forms filled in by the police. Most of them (43 103) applied to urban areas. There were 88 032 identified victims of domestic violence. According to police data, in 2019, psychological violence was the most common form of domestic violence (81 000 cases which is a 7,21% increase when compared to the previous year). Most perpetrators acted under the influence of alcohol. In 2019 there were 42 583 intoxicated perpetrators identified (56,85 % of the total number of people suspected of using violence).

Table no. 3. The 'Blue Card' Procedure in 2020

1	The total number of the Blue Card forms completed	72601
a	The number of forms completed that initiated the procedure	59701
b	The number of forms completed due to subsequent cases of domestic violence in a given family while the previous procedure was pending	12900
2	The number of people suspected of being victims of domestic violence	85575
a	Women	62866
b	Men	10922
c	The underage	11787
3	The number of people suspected of using violence in the family	73228
a	Women	6677
b	Men	66198
c	The underage	353
4	The number of people suspected of using violence under the influence of alcohol	39798
a	Women	1986
b	Men	37781
c	The underage	31
5	The number of children placed in a foster family or a residential child care	288

Source: numerical data of the Police Headquarters.

Formularz III/8 2020, Sprawozdanie z podjętych przez policję działań wobec przemocy w rodzinie dotyczące procedury „Niebieskie Karty” (Form III/8 2020, Report on actions taken by the police against domestic violence regarding the 'Blue Cards' procedure).

In 2020, there was a 2,30 % decrease when compared to 2019 and a 2,25 % decrease when compared to 2018. We can, therefore, speak of a downward tendency. On average, there were 202 forms completed for every 100 000 inhabitants. The Police Headquarters state that 'In Poland, in 2020, the police filled in 59 701 forms thus initiating the Blue Card procedure. This is 82,23% of the total number of «Blue Card – A» forms completed by the police at that time. There was a decrease in the number of forms completed by the police that initiated the Blue Card Procedure (a decrease of 1 375 and 128 forms in 2019 and 2018 respectively) (...) The difference between the number of «Blue Card – A» forms completed by the police in urban vs. rural areas was 11 557 forms. In the statistical period under analysis, 42 079 forms of «Blue Card – A» were completed in urban areas and 30 522 in rural areas. In 2020, there was a decrease in domestic violence. 164 065 cases of various kinds of violence were recorded. When compared to 2019, it was a decrease of 2037 cases (the dynamics: 98,77%) and an increase of 4 768 cases when compared to 2018 (the dynamics: 103,00%). In 2020, psychological violence was the kind of domestic violence used most often. There were 81344 cases of psychological violence recorded (49,58% of the total number of cases of violence in the family). In 2020, 57 760 cases of physical violence were recorded which is a decrease of 1203 cases when compared to 2019 and an increase of 180 cases when compared to 2018. In 2020, there was a decrease in sexual violence and other kinds of violence when compared to 2019. In 2020, 1 163 sexual violence cases were recorded (a decrease of 75 cases, the dynamics: 93,94%) and 21 985 cases of violence of other kinds (a decrease of 1072 cases, the dynamics: 95,35%). In 2020, there were 85 575 people suspected of being affected by domestic violence. When compared to the numbers in 2019 and 2018 this means a decrease of 2,79% and 2,90% respectively (...) The majority of people suspected of using domestic violence were under the influence of alcohol (39 798 people, i.e. 54,35% of the total number of people suspected of using violence). In 2020, when compared to 2019 the number of people suspected of using domestic violence under the influence of alcohol dropped by 6,54%' (Prevention Office of the Police Headquarters 2020, 23-24). The police use isolation measures more and more often. In 2020, the police issued 255 orders to immediately leave the joint place of residence and its immediate surrounding, and orders to prohibit an individual from approaching the joint place of residence or its immediate surroundings. The orders were issued against people who posed a threat to the life or health of the victim of their violence (Police Act of 1990, article 15aa).

Table no. 4. The 'Blue Card' Procedure in 2021

1	The total number of the Blue Card forms completed	74250
a	The number of forms completed that initiated the procedure	53985
b	The number of forms completed due to subsequent cases of domestic violence in a given family while the previous procedure was pending	10265
2	The number of people suspected of being victims of domestic violence	75761
a	Women	55112
b	Men	9520
c	The underage	11129
3	The number of people suspected of using violence in the family	64846
a	Women	6173
b	Men	58349
c	The underage	324
4	The number of people suspected of using violence under the influence of alcohol	33622
a	Women	1831
b	Men	31769
c	The underage	22
5	The number of children placed in a foster family or a residential child care	345

Source: numerical data of the Police Headquarters.

Formularz III/8 2021, Sprawozdanie z podjętych przez policję działań wobec przemocy w rodzinie dotyczące procedury „Niebieskie Karty” (Form III/8 2021, Report on actions taken by the police against domestic violence regarding the „Blue Cards” procedure.).

The analysis of the figures for 2021 shows that there was still a downward tendency. The police officers filled in 64 250 forms related to the disclosure of circumstances that justified the implementation of the Blue Card procedure. The number of completed documents was down by 11,5% when compared to 2020 (8351 fewer cases). The average number of completed forms of the Blue Card for 100000 inhabitants dropped by 175. According to the Prevention Office of the Police Headquarters 'in 2021, the highest number of completed forms 'Blue Card – A' per 100000 inhabitants was in the following areas: Kielce (299 forms), Wrocław (265) and Białystok (258). The lowest number of completed forms was in the following police districts: małopolski (103), the capital city (104) and opolski (126).

This tendency was maintained since 2020. In 2021, in Poland, the police filled in 53985 forms that implement the Blue Card procedure (84,02% of the total number of the forms 'Blue Card – A' completed by the police). In 2020 and 2019, the numbers of the forms that implement the procedure were 59 701 and 61 076 respectively. In 2021 we see a decrease of 5716 and 7091 forms completed when compared to 2020 and 2019. The highest number of the forms were recorded in

the areas of Wrocław (5 873 forms), Poznań (5 263) and Katowice (5 110). When compared to 2019, in all these areas the number of cases dropped. The lowest number of forms that implement the 'Blue Card' procedure was in the following areas: Opole (956 forms, the dynamics: 90,53%), Gorzów Wlkp. (1 249, the dynamics: 84,91%) and Olsztyn (2 153, the dynamics: 76,46%)' (Prevention Office of the National Police Headquarters 2021, 6).

In 2021, similarly to the previous years, it was women who constituted the largest group of victims of domestic violence: 55 112 cases were recorded (72,74% of all the people affected by domestic violence). The measures of isolating perpetrators from the victims have become more effective. In 2021, there were 3 531 orders to immediately leave the joint place of residence or its immediate surrounding or orders prohibiting an individual from approaching the joint place of residence and its immediate surroundings. Among them, the first kind of orders (162) constituted 4,59% of the total number of isolations measures taken; while the second kind of orders (269) constituted 7,62% of their total number; 3100 orders of both kinds accounted for 87,79% of the total number of isolation measures taken.

The data under analysis show that psychological violence was the kind of domestic violence recorded most often: in 2021, as many as 70 611 cases accounted for 49,93 % of the total number of cases of violence registered.

CONCLUSION

According to the Police Headquarters, 'effective and efficient prevention of criminogenic phenomena depends on the current study of existing threats. Our activity in this field helps us diagnose the current and future threats as well as assess the efficacy of the actions taken by the Police so far. Analysing the state of security and public order is the basic method that helps identify and eliminate threats in a given area. The results of the analysis are used while planning the dislocation of the police. In line with Regulation § 15 no. 768 of the Chief of Police of 14th August 2007 regarding forms and methods employed by the police officers on patrol duty and coordination of preventive activities (Official Journal of the Police [Dz. Urz. KGP] of 2018 r. item 108, as amended), the analysis should be based on the evaluation and monitoring of individual factors, in particular prevention of all kinds of behavior which can pose a threat to the safety of people, property, or can violate public order' (Prevention Office of the Police Headquarters KGP 2020, 1). My analysis supports the policy of the Prevention Office. Moreover, it emphasizes the need to engage other entities in the process of counteracting domestic violence. However, the police studies of the phenomenon do not show its upward or downward tendencies. They compare figures on an annual basis and to discern a tendency one needs to compare data from e.g. three years. Therefore, long-term analyses should be made. On the basis of the above data, I conclude that:

- Over the last 3 years, domestic violence in our country has decreased
- This kind of violence is strongly related to the problem of alcoholism
- Over half of the perpetrators were under the influence of alcohol while committing the crime
- After legal regulations have been changed, the police more and more often resort to isolation measures in the case of confirmed domestic violence
- Other entities which operate at the local level are also involved in the procedure of counteracting domestic violence.

Undoubtedly, domestic violence is one of the most serious social phenomena that negatively affect the functioning of the family. Ensuring the safety of the family is a process of interdisciplinary character and, as such, requires involving various entities and institutions at the level of government, local authorities as well as all citizens. Building social awareness and educating various social groups in this regard is crucial. Also, efficient and systemic transfer of information between services and authorities responsible for counteracting domestic violence. Public sector services also play an important part. This includes the police responsible for maintaining public safety and order. Its purpose is to prevent and fight negative social phenomena, including crime in the family.

In Poland, the development of research in the above area as well as the engagement of the academic community in the development of family studies is still insufficient. This also includes in-depth studies of various threats to family security, including domestic violence.

REFERENCES:

- Bałandynowicz, Andrzej. 1998. *Zapobieganie przestępczości*. Warszawa: Zakład Poligraficzny „Primum”.
- Biuro Prewencji Komendy Głównej Policji. *Informacja dotycząca realizacji przez Policję procedury „Niebieskie Karty” w 2019 r.*
- Biuro Prewencji Komendy Głównej Policji. *Informacja dotycząca realizacji przez Policję procedury „Niebieskie Karty” w 2020 r.*
- Biuro Prewencji Komendy Głównej Policji. *Informacja dotycząca realizacji przez Policję procedury „Niebieskie Karty” w 2021 r.*
- Chrzanowski, Wiesław. 2015. „Zapobieganie negatywnym zjawiskom społecznym w działaniach prewencyjnych Mazowieckiego Oddziału Żandarmerii Wojskowej w Warszawie.” *Zeszyt Naukowy Międzynarodowego Centrum Dialogu Międzykulturowego i Międzyreligijnego, Uniwersytetu Kardynała Stefana Wyszyńskiego w Warszawie* 3: 33-46.
- Hołyst, Brunon. 2014a. *Bezpieczeństwo. Ogólne problemy badawcze*. Warszawa: Wydawnictwo Naukowe PWN.
- Hołyst, Brunon. 2014b. *Bezpieczeństwo jednostki*. Warszawa: Wydawnictwo Naukowe PWN.

- Hołyst, Brunon. 2015. *Bezpieczeństwo społeczeństwa*. Warszawa: Wydawnictwo Naukowe PWN.
- Hołyst, Brunon. 2007. *Kryminalistyka*. Warszawa: LexisNexis.
- Hołyst, Brunon. 2009. *Kryminologia*. Warszawa: LexisNexis.
- Hołyst, Brunon. 2013. *Zagrożenia ład społeczny*. Warszawa: Wydawnictwo Naukowe PWN.
- Koral, Jarosław. 2009. *Kulturowe aspekty polskiego bezrobocia*. Warszawa: Wydawnictwo Uniwersytetu Kardynała Stefana Wyszyńskiego.
- Mikołajczyk, Zbigniew. 2014a. „Koncepcja Ruchomych Przestrzeni.” *Zeszyt Naukowy MCDMiM UKSW 2*: 240-246.
- Mikołajczyk, Zbigniew. 2014b. „Przestępczość jako konsekwencja braku pieniądza.” In *Być człowiekiem stąd*, edited by Artur Wysocki, 259-273. Warszawa: Wydawnictwo Uniwersytetu Kardynała Stefana Wyszyńskiego.
- Mikołajczyk, Zbigniew. 2015. „Zapobieganie patologii i przestępczości wśród nieletnich w oparciu o założenia Koncepcji Ruchomych Przestrzeni.” *Zeszyt Naukowy MCDMiM UKSW 3*: 133-142.
- Sienkiewicz-Małyjurek, Katarzyna, and Zygmunt Niczyporuk. 2011. *Bezpieczeństwo publiczne zarys problematyki*. Gliwice: Wydawnictwo Politechniki Śląskiej.
- Ustawa z dnia 6 czerwca 1997 r. Kodeks postępowania karnego. Dz. U. of 1997, no. 89, item 555, as amended.
- Ustawa z 6 kwietnia 1990 r. o Policji. D z. U. of 2021, items 1882, 2333, 2447, 2448, of 2022 items 655, 1115, 1488, 1855, as amended.
- Zarządzenie nr 768 Komendanta Głównego Policji z dnia 14 sierpnia 2007 r. w sprawie form i metod wykonywania zadań przez policjantów pełniących służbę patrolową oraz koordynacji działań o charakterze prewencyjnym (Dz. Urz. KGP z 2018 r. poz.108, z późn. zm.).