Jan Mazur OSPPE

Abstract

Parliamentary Act against domestic violence in context of social policy.

The article is a collection of comments on the Act of Parliament of 10th June 2010 concerning the change of „the law on preventing domestic violence and other acts”. It came into effect on 1st August 2010. The change is an amendment to the Act of 29 July 2005 on „anti-domestic violence” that has been in effect since 21 November 2005. The motives that led to enacting the Act deserve credit, as they try to eliminate violence, which infringe on the dignity of human being its rights and happiness – the child in particular. However, when analyzing particular parts of the Act one can easily reach the conclusion, that there are many threats to be found which endanger the integrity of family life. Among concerns of that kind one can point to: ambiguous interpretation of the physical and psychological violence, penalization of corporal punishment. Over-extended scope of competence of the interdisciplinary teams, allows the conditional separation of child from its parents by a social worker without a decision of the court. The law that enables to lodge a plaint by children against their parents may in practice rise conflicts between the family members, rather than contribute to their stability and mollify them. The Act appears to weaken the moral condition of family and its inner cohesion that create the a sense of security as well. According to the author, the Act does not become an inherent part of a social policy that strives to protect family structure; it can be taken rather as an indication of anti-family policy.

Key words: family, domestic violence, penalization of corporal punishment, social work, social policy, family policy, education