



Interviewing Child Victims of Sexual Abuse in Polish Criminal Proceedings in The Context of European and EU Standards (Victimological, Psychological and Legal Aspects)

Prof. Dr. Cezary Kulesza
University of Bialystok, Poland

Abstract

The establishment of Council of Europe and EU standards relating to child victims of sexual abuse is justified on the one hand by the magnitude of sexual crimes committed against children and, on the other hand, by studies indicating their special conditions as victims and witnesses of such crimes, requiring appropriate regulation of their protection and interview procedures. The main aim objective of the paper is to answer the question whether the Polish justice system takes into account the results of research on the victimization of children and the psychological conditions of interviewing them as witnesses, as well as to what extent the most recent amendments to the Polish Code of Criminal Procedure (in 2020-2023) are consistent with international standards on the rights, support and protection of child victims of sexual abuse. From the considerations carried out in this paper, it follows that, in general, in the sphere of the Polish criminal process, European and EU standards have been met by the Polish CCP. However, taking into account that the Polish justice system lacks special criminal departments (or offices) dealing with such cases, as well as the lack of such specialized organizational units in the prosecutor's office and the Police dealing with child victims of sexual abuse, it should be concluded that the Polish justice system does not meet European and EU standards in this regard.

Keywords: sexual child abuse, interview, Polish justice system, European and EU standards