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NEWS REPORT

Country:	Poland
Title:	New benefit for mothers of disabled children
Date:	6 January 2017
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<u>Context</u>	
Issue at stake:	The new benefit for mothers of disabled children who resigned of abortion, as an excuse for introduction later on of the further restriction of abortion law
Grounds of discrimination:	Sex
Source:	Legislation
Field:	Other
Applicable law:	The Law of 4 November 2016 on support for women in pregnancy and delivery "Pro life"

Content

Law development: On 4 November 2016 the new "pro life" law was adopted by the Parliament. It introduces special rights for pregnant women with regard to access to medical care services, as well as several other instruments of family policy. In particular, it guarantees a one-time benefit of PLN 4 000 (approx. EUR 900), regardless of income status, for every woman who gives birth to a child, which has been diagnosed with severe, irreversible disability or incurable disease, endangering the child's life, which occurred in the prenatal phase or during delivery. The benefit will be granted to the parents or care-givers of the child, if a specialist doctor (gynaecologist, obstetrician, neonatologist, perinatologist) diagnosed such disability or disease.

In addition, pregnant women and children until the age of 18 years, with such disabilities or diseases diagnosed, will be entitled to use medical services out of the regular turn. This extraordinary out of turn regime includes such services as: prenatal diagnosis; specialist outpatient care; hospital treatment; therapeutic rehabilitation; supply of medical devices; palliative and hospice care; and lactation support, especially with regard to mothers of premature born children. Special family assistants will serve as a guide to the entire support system. They will be responsible for coordination of available means of support.

Key points of analysis: The proposed changes could be assessed positively, as a first step towards improvement of the situation of disabled children and their families, if it were not for the political context in which the new law was adopted. This raises justified fears that this law constitutes the first step towards restriction of anti-abortion law, especially by abolishing embryo-pathological indications for legal abortion. These concerns are confirmed by the fact that the drafters of the law failed to provide for any support for children, in case of which the disability has been diagnosed later than in the prenatal phase or directly after birth.

The idea of a one-time benefit, without even an announcement of the plan to increase the regular periodical benefits for persons taking care for sick and disabled children, which in Poland are very low, should be assessed negatively. The new law also lacks systematic solutions, which have been requested for a long time, enabling parents of disabled children the reconciliation of work with care for their children and necessary temporary rest and relaxation.

Internet link sources:

<http://www.sejm.gov.pl/sejm8.nsf/PrzebiegProc.xsp?nr=968><http://wyborcza.pl/7,75398,20922298,rzad-cztery-tysiace-zlotych-kiedy-dziecko-urodzi-sie-z-uposledzeniem.html>, all accessed 12 December 2016.