



**Guardians of Polish & Christian Heritage**  
**Company Number: 15417549**

124 City Road  
London, England, EC1V 2NX,  
United Kingdom of Great Britain and Northern Ireland

London, 03 September 2025  
SP-01-09-25-ENG

## Legal Analysis: Why the Introduction of “Health Education” in Polish Schools is Unlawful

### ◆ Background

In September 2025, a new school subject titled “Health Education” was announced in Polish public schools. The policy was introduced by Barbara Nowacka, who was publicly presented as the Minister for Education.

However, a review of constitutional procedures reveals that the regulation introducing this subject is null and void due to a critical legal failure.

### ! What Went Wrong?

Under the Polish Constitution (Article 151), every government minister must take a very specific oath of office before assuming their duties. This oath must follow an exact wording defined by law and cannot be altered.

Barbara Nowacka did not fulfil this legal requirement. She modified the wording of the oath (e.g., changing “minister” to a feminine form not recognised by the Constitution) and therefore never legally became a government minister.

### ⊘ Consequences of the Invalid Oath

1. No Ministerial Power:  
Since she didn't legally assume office, she had no authority to issue government regulations.
2. Unlawful Regulation:  
The document introducing “Health Education” was signed by someone without legal standing. Thus, it is legally invalid and has no force or effect.
3. Violation of Rule of Law:  
The Polish Constitution (Article 7) requires all public authorities to act within the bounds of the law. This was clearly violated.

### Rights of Parents Under Polish and International Law

Even if the regulation were valid (which it is not), Polish and international law give parents strong legal rights to refuse participation in certain forms of education:

- Polish Constitution, Article 48:  
Parents have the right to raise their children according to their own beliefs.
- Polish Constitution, Article 72:  
The state must protect children from harm, including psychological or moral danger.
- European Convention on Human Rights (Article 9):  
Freedom of thought, conscience and religion – which includes parental authority.

- UN Convention on the Rights of the Child:  
**Articles 14 and 18 confirm the child's right to be raised according to the beliefs of their parents.**



## What Can Parents Do?

**Because the “Health Education” regulation is constitutionally invalid, parents in Poland are under no obligation to allow their children to attend these lessons.**

**They are fully entitled to:**

- **Submit a written declaration of non-consent to the school.**
- **Refuse their child's participation based on national and international law.**
- **Request that schools exclude their child from any such sessions.**



## Summary

- **“Health Education” was introduced by someone who was not legally a minister.**
- **The regulation is null and void – it cannot be enforced.**
- **Parents have the full legal right to say NO and protect their children from participating in such classes.**

Legem serviens libertati patriae

("Let the law serve the liberty of the homeland")

Yours faithfully,

*Lord Michal Kurzdym*

Lord Michał Kurzdym

**Executive Director**

*Guardians of Polish & Christian Heritage*

*Mirosław Gozdz, M.A.*

Mirosław Gozdz, M.A.

**Regional Director for Poland**

*Guardians of Polish & Christian Heritage*