

THE ROLE OF POLISH POLICE IN THE SYSTEM OF CIVIL PROTECTION

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Abstract

The Police are one of the entities involved in the protection and rescue of the population. Fulfilling a leading and auxiliary role in this endeavour, it is an important link in the security and defence system of the state. Administration authorities and other executive entities, including crisis management structures, create appropriate conditions to ensure this security and protection in each of the security states. Those entities – including the Police – were also guaranteed the opportunity to participate in rescue operations organized and conducted by other entities and administration structures.

In times of peace and during a war, the Police play an important role in the implementation of civil protection tasks, including protection and rescue. The activities of this executive entity in this respect remain within the systemic solutions of the State defence system, as well as its own organizational subsystems. The tasks carried out by the Police are in accordance with the assumptions and the executive capabilities of the relevant forces and organizational structures.

Keywords: Police, Civil Defence, Crisis management, Civil protection, System

Introduction

The reader will find many definitions of the expression ‘system’ in the literature. It should be emphasised that they are made more precise by the terms that express a point of reference. Therefore, one can distinguish, inter alia, a state defence (defence) system, an action system, a security system, a civil defence system, a crisis management system, a protection and rescue system as well as many others.

Remaining in the convention of the civil protection and rescue system, it is necessary to emphasise that the state defence system, perceived as essential, above all others in the literature, is defined as “[...] an internally coordinated set

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of organisational, human and material elements mutually entrusted to and acting for the defence of the state” (Marczak, Jakubczak, Gąsiorek, 2000). The defence system of the Republic of Poland consists of elements of its own and possibly also of allied defence potential, linked by a political objective to ensure the historically determined sovereignty and independence of the Polish nation, the right to territorial integrity and the inviolability of the state’s borders (Słownik terminów z zakresu bezpieczeństwa narodowego, 2002).

The state defence system, in turn, is seen as “a set of internally ordered and interrelated elements – people, organisations, equipment – working to maintain the military (military) security of the state” (Słownik terminów..., 2002).

In a similar vein, we note that an action system “is a system of interrelated elements, having a definite structure and constituting an ordered whole” (Czarnecki, 2009), being “a structured set of elements that forms a discrete whole, being more than an arrangement of elements relating to a system in connection with intentional and conscious human behaviour in the work process, also an ordered set of systems of action between which there are various kinds of relations of interdependence and interconnection” (Czarnecki, 2009).

Likewise, the aforementioned systems have terms, attributes, structure, organisational principles, norms, rules and modes of operation in their assumptions and solutions that characterise them. Hence, with the ambiguity of the terminological notations, “a system is any complex object distinguished from the studied reality constituting a whole by a set of elementary objects (elements) and links (relations) between them” (Słownik terminów..., 2002).

The ‘civil protection’ mentioned in the title, on the other hand, is a system of integrated activities of civil protection authorities and resources in times of peace, emergency and war, aimed at ensuring the security of the population and of property and infrastructure in situations of natural or man-made threat, by providing measures to protect human life and health, property, infrastructure, cultural heritage and the environment” (Act of ... on civil protection and on the state of natural disasters).

Furthermore, civil protection is “[...] the totality of activities of all subjects of state law, each according to their legal status, aimed at ensuring the security of society, property, national heritage assets and the environment in situations of natural or man-made disasters and catastrophes, including war” (Kitler, 2001).

Also, it is “one of the tasks of civil defence, which includes undertakings to enable people to survive in times of disaster and war” (Słownik terminów z zakresu bezpieczeństwa narodowego; Kalinowski, 2017). It would sound more correct in this case if it were called not a task but rather a function. This is because, through the tasks assumed, as defined in national and international law, civil defence has fulfilled two functions: protection and rescue. And although in fulfilling a protective function we save, and in rescuing we protect, the nuances between them make it possible to adopt such an approach and to consider as appropriate what we have been dealing with in the various periods of civil defence development.

In the draft law on civil protection, this issue is attributed to crisis management, indicating that it is “[...] the activity of public administration bodies that is an element of civil protection, which consists in preparation for assuming control over situations by means of planned activities (preparation phase), prevention of crisis situations (prevention phase), response in case of occurrence of crisis situations (response phase) and elimination of their effects, restoration of resources and infrastructure, including facilities and systems important for state security (reconstruction phase)” (Act of ... on civil protection and on the state of natural disasters).

The mission statement listed in the Draft ... relevant to crisis management undertakings contains references to civil defence tasks. This civil defence, which was abandoned by annulling the Act of 27 November 1967 (as amended) on universal obligation to defend the Republic of Poland, by adopting the Act of 11 March 2022 on the defence of the Homeland, which does not include issues of civil defence (Journal of Laws of the Republic of Poland of 23 March 2022, item 655).

Nevertheless, in the draft law on civil protection ... in Article 1, subsection 8 it is indicated that this law defines the rules for the performance of civil defence tasks. It can therefore be presumed that in the current legal system, Additional Protocols I and II of 1977 to the Geneva Conventions of 1949, ratified by the Republic of Poland, are still in force in Poland. In this Additional Protocol I, we note a reference to the objective of “[...] protecting the civilian population against dangers arising from armed hostilities or natural disasters”. This also stems from the provision in this protocol stating that civil defence “[...] means the fulfilment of all or part of the humanitarian tasks¹, aimed at protecting the civilian population from the dangers resulting from hostilities or natural disasters, overcoming their immediate consequences, as well as ensuring the conditions necessary for survival” (Journal of Laws of the Republic of Poland of 23 March 2022, item 655).

The above definition, which refers to the implementation of certain tasks of civil defence, does not directly indicate that civil protection is perceived in a systemic manner. However, it can be presumed that this is the case, given the universality of the assumptions of their implementation by many organisational entities, including the Police, which remain in the system of security and public order.

At this point, it is considered worthwhile to quote a characteristic definition of civil defence, indicating its systemic approach. According to the accepted assumptions of the International Civil Defence Organisation, “Civil Defence is an organisational system of action, planning, prevention and emergency preparedness

¹ These tasks are: warning service; evacuation; preparation and organisation of shelters; operation of blackout measures; rescue; medical services, including first aid and religious care; fighting fires; detection and marking of danger zones; decontamination and other similar protective activities; provision of emergency accommodation and supplies; ad hoc assistance to restore and maintain order in disaster zones; ad hoc restoration of essential public services; ad hoc burial of the dead; assistance in salvaging goods necessary for survival; additional activities necessary to fulfil any of the tasks listed above, including planning and organisational work.

at local and national levels, geared to the protection of civilians in times of natural, man-made or armed disasters” (Polish Journal of Laws Dz.U. 1992 No. 41, item 175).

Similarly, the civil protection system, by reference to the attributes of this organisation, which are: legal basis, governing bodies, organisational structure, tasks adopted for implementation, forces and functional assumptions, clearly point to this systemic approach. This reasoning is supported by the rules ordering the above set, which are: a coordinated system of elements forming one whole; an ordered set of statements, views forming a certain/some theory; the organisational principles of this something, a set of regulations, binding rules according to which something is performed.

1. The Police in the Republic of Poland – general remarks

The modern police force was established by the Police Act of 6 April 1990 (Polish Journal of Laws/Dz.U. from 1990 No. 30, item 179 as amended, i.e. 17 January 2019). This Act includes general provisions (Chapter 1), organisation of the Police (Chapter 2), terms of reference (Chapter 3), municipal guards (Chapter 4)², police service (Chapter 5), officer corps and ranks (Chapter 6), duties and rights of a police officer (Chapter 7), housing of police officers (Chapter 8), emoluments and other monetary benefits of police officers (Chapter 9), disciplinary and criminal liability of police officers (Chapter 10), transitional and final provisions (Chapter 11). It is therefore the basic legal document regulating its scope of tasks, organisation, competences, forms of action and the official scope of an officer.

The Act is supplemented by relevant regulations of the Minister of the Interior and Administration, orders of the Commander-in-Chief of the Police, decisions of the Commander-in-Chief of the Police, relevant guidelines of the Commander-in-Chief of the Police, agreements of the Commander-in-Chief of the Police concluded with other bodies (e.g. the Mountain Volunteer Rescue Service Board or the Border Guard Chief Commandant and other bodies on cooperation). It should be emphasised that the above Act is also supplemented by laws, regulations and orders of other ministers. It is worth noting here that they elaborate on the provisions of the law in relation to each of the chapters of the above-mentioned Act.

In the context of the issue under consideration, reference should be made to Order No. 36 of the Commander-in-Chief of the Police of 14 November 2017 on tasks performed by the Police in emergency situations and the 27 annexes to this Order, which constitute procedures for Police action in the event of a threat or occurrence of a specific threat (Elszkowski, 2017). These procedures include, among others, procedures (annexes) 7, 13–19, 23–25³, which have a clear reference

² Chapter 4 repealed in subsequent amendment and some chapters expanded.

³ However, they concern specialised forms of police action, for which the police are prepared.

They include, among others, countering terrorist threats, hijacking a means of transport, occu-

to the issue at hand, namely civil protection and the implementation of civil defence tasks. These procedures cover police actions in the event of the disclosure of hazardous materials (7), the outbreak of a fire (13), the occurrence of a flood (14), an inland disaster (15), an aircraft crash (16), the release of a hazardous chemical (17), the occurrence of hazardous atmospheric phenomena (18), the occurrence of a landslide (19), the occurrence or control of an infectious disease of humans, animals or plants (23), the occurrence of biological contamination (24), in the event of a radiation event (25).

The remaining annexes (1–6, 8–12, 20–22, 26 and 27) are equally relevant to civil protection. They are not discussed due to the adopted course of considerations and the volume of the article. It should be noted that these procedures reflect the activities of the Police within the emergency management system, in which civil protection is a subsystem. This does not close the procedures of legal activities of the Police in the field of civil protection remaining in other, indirect professional references, within the framework of prevention, implementation of undertakings within the framework of particular CRP alert degrees in the Police, blue card, human trafficking or cooperation with other entities.

In terms of the Act's provision, the police are "a uniformed and armed formation serving the public and intended to protect the safety of the people and to maintain public safety and order" (Polish Journal of Laws/Dz.U.2021.0.1882). It is a paramilitary formation, organised on the basis of hierarchical subordination to ensure uniformity, discipline, expertise and professionalism.

An important, essential element of the definition of the Police contained in the Act is the purpose for which this formation was established and the indication of the way in which it is to be achieved. And although "[...] there are no legal definitions of the concept of public security in Polish legislation or in Community law" (Pieprzny, 2015), the views proclaimed in this matter provide an opportunity to unify the terminology of this concept. Jerzy Zaborowski indicates that public security "is a factual state within the state which makes possible – without exposure to damage from any source – the normal functioning of state organisation and the implementation of its interests, the preservation of life, health and property of the individuals living in this organisation and the exercise by these individuals of the rights and freedoms guaranteed by the constitution and other provisions of law" (Zaborowski, 1977). In turn, Edward Ura points out that public security is "[...] a state in which the general public of individually indeterminate citizens living in the state and society is not threatened by any danger, and this regardless of what the sources of this danger might be" (Ura, 1988).

The term 'public order' has not been defined in Polish legislation either. According to S. Bolesta, it is "a system of legal devices and social relations arising

pation and blockade of objects, blockade of communication and railway routes, mass migration of foreigners to the territory of Poland, threats or breaches of security of an organisational unit of the Penitentiary Service, use of police aircrafts

and shaping in public places and non-public places, the purpose and task of which is, in particular, to protect the life, health and property of citizens and social property and to ensure normal activities of institutions, establishments, state, social and private enterprises and to eliminate (remove) various kinds of nuisances dangerous or inconvenient for society and individuals” (Bolesta, 1983). In turn, according to E. Ochendowski, “public order is a set of unwritten rules of behaviour of an individual in public places, the observance of which is – according to the prevailing views – an indispensable prerequisite for orderly coexistence of citizens” (Ochendowski, 2006).

It should be noted that the Police is a formation that serves the public. It should be emphasised that it performs the above service of security and order for and on behalf of the society organised into a state. In doing so, the apolitical nature of this formation is ensured, so that the police tasks adopted and described in the case in question are carried out regardless of the current political situation.

Remaining within the structures of the state administration, it assumes the duty to serve the nation, protect the constitutional legal order and guard the security of the state and its citizens. In fulfilling the tasks ascribed to it, it acts in accordance with the letter of the law enacted in Poland and the developed principles of acting in each state of state defence readiness and specific threat. It should be emphasised that the name “Police” is exclusive to this formation, as evidenced by the provision of Article 1a of the Police Act.

2. Organisation of the Police

The literature indicates that the Police are one of the entities responsible for maintaining public safety and order. This separate part of the administration performs the tasks assigned to it in the form of administrative and order-related, investigative, operational and exploratory, analytical and informative, protective and control activities. In each of the above-mentioned forms, the Police have sovereign powers and are also subject to active control and supervision by certain state bodies; they also have a dual subordination, based on the supremacy of a higher level in the Police structure and the subordination of local government units and the provincial governor. This entails additional organisational burdens in the field of, *inter alia*, civil protection and rescue services⁴.

It should be emphasised that the governor, as an organ of government administration and representative of the government in the area of a given territorial province, is responsible, among other things, for the implementation of government policy in that province. His tasks include, *inter alia*, the maintenance

⁴ Among other things, the obligation to submit annual reports on the activities of the police and information on the state of public safety and order should be pointed out. A. Misiuk, (2013) *Instytucjonalny system bezpieczeństwa wewnętrznego*, Warsaw: Difin, p. 96.

of public safety and order, the prevention of threats and the elimination of their effects, the coordination of work on the cooperation of services, inspections and guards in the area of territorial jurisdiction, on the prevention of threats to life, health and property and the environment and the prevention of natural disasters. It is also the competent authority in matters of crisis management and the civil defence authority of this province. It performs civil protection tasks, inter alia, with the assistance of the provincial police chief and its subsidiary bodies (e.g. the provincial crisis management team)⁵.

Similarly, within the county and municipality, those tasks are executed by the bodies and competent entities of these administrative levels.

As set out in Chapter 2 of the Police Act of 6 April 1990 (promulgated text), the police force consists of:

- “1) criminal police, comprising the following services: investigation, operational and reconnaissance, forensic technology, operational technology,
2) traffic police and prevention police,
3) prevention squads and anti-terrorist subdivisions,
4) specialised police, including rail, water and air police,
5) local police”.

The consolidated text of this law, which takes into account the amendments made in the area in question, indicates that the police force consists of the following services: criminal service, investigation service, internal affairs service, prevention service, terrorist service, fight against cybercrime and the organisational, logistic and technical support for its activities.

The police force also comprise the judicial police, research institutes, a police college and police training centres and schools.

The organisational structure of the Police in Poland has been organised on the principle of hierarchical subordination of lower-level bodies to higher-level bodies. The organisational units of the Police are: Police Headquarters, provincial police headquarters (including the Capital Police Headquarters), district (municipal) police headquarters, regional police headquarters, police stations (established within the area of the relevant municipality), specialist police stations (e.g. water, air, rail), etc.

⁵ Pursuant to the provision of Article 16.1 of the draft law of ... on civil protection and on the state of disaster of 1.06.2021, the tasks of the provincial governor include, in particular. “1) coordination of tasks, including the national rescue system on the territory of the province, carried out by governmental and local governmental administrative bodies operating in the province, subsidiary, subordinate and supervised organisational units and non-governmental organisations carrying out tasks in the field of rescue and civil protection; 2) ensuring the flow of information, which, in the case of the introduction of a state of alert, state of emergency or state of natural disaster referred to in Art. 27, paragraph 1, is carried out on a 24-hour basis; 3) determining the needs and disposing of the financial resources necessary for the implementation of the tasks of civil protection, including the national rescue system; 4) handling financial resources in the framework of providing assistance; 6) creating and maintaining civil protection resources for the province, including equipment and materials”.

The rules of organisation and operation of the above-mentioned units and organisational units are determined by the Commander-in-Chief of the Police, the central body of government administration competent in matters of protection of human security and maintenance of public security and order. He or she is the superior of all officers and is subordinate to the minister in charge of internal affairs (Polish Journal of Laws/Dz.U.2021.0.1882). The individual units have a specific organisational structure, adapted, for example, in the regional headquarters to the organisational structure of the Police Headquarters. The compatibility of individual divisions facilitates the performance of tasks.

The police headcount of over 100,000 seems to be sufficient to fulfil the assigned tasks. At this stage of considerations, this is only information (conjecture); given the reported needs for expansion of this formation, shift work and availability of officers.

The operating costs of the police are covered by the state budget, and they can also be financially supported by local government units.

3. Basic tasks of the police

The basic tasks of the Police are listed in Article 1(2) of the Police Act of 6 April 1990 (as amended). These tasks include:

- “1) protection of human life and health and of property against unlawful attacks on these goods;
- 2) protection of public security and order, including the safeguarding of tranquillity in public places and on means of public transport and communication, in traffic and on waters intended for public use;
- 3) initiating and organizing activities aimed at preventing the committing of crimes and offences as well as criminogenic phenomena and cooperating in this respect with state authorities, local authorities and social organizations;
- 3a) performing counter-terrorist activities within the meaning of the Act of 10 June 2016 on counter-terrorist activities (Polish Journal of Laws/Dz.U. 2019, item 796 and 2021, items 464 and 815);
- 4) detection and prosecution of offences and their perpetrators;
- 4a) protection of the premises serving as seats of members of the Council of Ministers, excluding the premises serving the Minister of National Defence and the Minister of Justice, as designated by the minister responsible for internal affairs;
- 5) supervision over specialised armed protection formations within the scope defined in separate regulations;
- 6) control of the observance of order and administrative regulations connected with public activity or in force in public places;
- 7) cooperation with police forces of other countries and their international organisations, as well as with bodies and institutions of the European

Union on the basis of international agreements and accords and separate regulations;

- 8) processing of criminal information, including personal data;
- 9) maintaining data sets that contain information collected by authorised authorities on fingerprints of persons, unidentified latent prints from crime scenes and the results of deoxyribonucleic acid (DNA) analysis” (Pragmatyka służbowa w Policji).

The police also perform tasks arising from the provisions of European Union law and international agreements and treaties on the principles and to the extent specified therein, and, in addition, tasks arising from the Act of 9 March 2017 on the monitoring system of road and rail transport of goods.

We note that the listed set of tasks performed by the Police is general and concerns the tasks assigned to this formation. In the context of the purpose of establishing of this formation, in the area of interest to us there is only a reference to the protection of life and health of people and property. The development of the general tasks in question can be found in the task area of individual police services. For example, the prevention service includes, *inter alia*, participation in police operations in emergency situations, restoring public order in the event of mass violations of the law, serving on patrols, rounds and at checkpoints, ensuring the flow of traffic, identifying threats to the security of citizens and public order in the service area, carrying out continuous reconnaissance of the assigned service area in terms of personnel, terrain, phenomena and events having a negative impact on the state of public order and security (Bogdalski, 2015), providing assistance to victims of accidents, crimes and natural disasters, directing traffic, taking charge at traffic accident scenes.

In the criminal service, in turn, it is necessary to point out, among other things, such professional tasks (of a police officer) as: conducting operational and investigative activities, obtaining – also in a secret or confidential manner – information and verifying it, performing other specialised tasks belonging to this service (typical criminal service) (see: Baylis, 2023).

In the supporting service, on the other hand, such professional tasks of a police officer are indicated as: protecting the life and health of a citizen, carrying out rescue operations in the event of floods, chemical contamination, ecological threats, threats to human life and property, direct participation in the search for missing persons, requesting necessary assistance from state institutions, asking for such assistance from economic entities, social organisations and citizens, patrolling a designated area (Bogdalski, 2015).

This approach, however, does not exhaust the issue being considered. It seems that the basic scope of police activities in the context of contemporary threats can be defined on the basis of an analysis of the possibilities of performing such tasks as (Karwowski, 2015):

- (a) “road safety tasks:
 - providing detours for vehicular traffic,
 - providing a collision-free passage for law enforcement and rescue forces,

- piloting emergency vehicles;
- organising and securing an aircraft landing site (if necessary);
- (b) tasks concerning the protection of life and health of the population and property:
 - providing assistance to evacuation leaders,
 - isolating the scene of an incident,
 - informing the public of hazards,
 - collecting information on the injured and their places of hospitalisation,
 - informing the next of kin of the victims and the injured,
 - protecting property left behind by evacuees;
- (c) other:
 - informing and exchanging information with cooperating entities competent to deal with threats,
 - conducting possible pursuit of perpetrators of certain threats (terrorist attacks)” (Bogdalski, 2015).

An analysis of the tasks of civil defence carried out in the context of the participation of the Police in the protection/security system allows us to assume that the Police can – and perhaps should – participate in their implementation. We have in mind here such tasks as: detection of threats, warning and alerting (informing), evacuation, rescue, first aid, emergency assistance for restoring and maintaining order in disaster areas, additional types of activities – necessary for fulfilling any of the tasks mentioned above. These tasks remain within the task area of civil defence included in Additional Protocol I of 1977 to the Geneva Conventions of 1949, ratified by Poland, and the provision of Article 1, point 6 treating the principles of performing civil defence tasks of the draft law on civil protection... (of 2022), as well as points 2, 3 and 5 of this draft.

It should be emphasised that in the vast majority of cases it will be an auxiliary formation carrying out specific undertakings of the entity responsible (lead) for the implementation of a specific civil protection/civil defence task. In other situations, typical for the Police, it will be the leading entity.

4. Selected procedures for police action in crisis situations

We note the detailed undertakings of the Police regarding the issue under consideration in the procedures for the operation of the Police in crisis situations, which are annexes to Order No. 36 of the Police Commandant in Chief of 14 November 2017 on the tasks performed by the Police in crisis situations (see: Nepelski, 2012; Nepelski 2016; Stelmach, 2016; Mazurek, 2017; Śmiałek K., Śmiałek W., 2021)

In terms of the Crisis Management Act, a crisis situation is understood to be a situation that adversely affects the level of security of people and property of significant size or the environment, causing significant limitations in the operation

of the relevant public administration bodies due to the inadequacy of the forces and resources at their disposal (Skomra, 2010).

According to the content of this Ordinance, §4 indicates that actions taken to perform tasks in emergency situations are implemented in the prevention, preparation, response and recovery phases. In the prevention phase, actions are implemented to eliminate or reduce the probability of the occurrence of a threat or to reduce the effects of its occurrence. The actions of the head of the police organisational unit are important for the implementation of this phase. These include, *inter alia*, “ongoing analysis of situations that may cause danger; participation in the drafting of legal acts by the competent public administration bodies limiting the possibility of danger and its consequences, in particular in the field of land use planning, fire protection, use and transport of hazardous materials, traffic organisation; enforcement of compliance with regulations issued by the competent public administration bodies” (Order No. 36 of the Commander-in-Chief of the Police...).

During the preparatory phase, planning is carried out and the necessary forces and resources are assembled.

The activities of the head of the police organisational unit in this phase consist, in particular, in: 1) organising the command post and the communication systems in a way that enables the performance of tasks under emergency conditions and ensures full cooperation with the relevant services and public administration bodies; 2) participating in the development and updating of crisis management plans; 3) preparing for alerting the personnel levels of the subordinate police organisational unit; 4) collecting data on police forces and resources; 5) furnishing the police organisational unit with equipment and resources necessary for activities in the response phase; 6) organising local in-service training, including exercises and trainings, as well as participation in training ventures organised by other services and public administration authorities (Order No. 36 of the Commander-in-Chief of the Police...).

The response phase, on the other hand, involves tasks aimed at restoring public safety and order, providing assistance to the injured and limiting losses. The form of police actions is determined by the head of the police organisational unit depending on the anticipated threats. It is emphasised in § 7 (3) that in the response phase, activities are carried out within the scope of:

1. “alerting and warning of dangers,
2. clean-up operations,
3. rescue operations” (Order No. 36 of the Commander-in-Chief of the Police...).

In terms of alerting and warning of threats, the heads of police organisational units are obliged to: transmit information and messages on threats through police communication systems, obtain, process and transmit information for the needs of command, management and cooperation, make police communication systems

and means available to other bodies and rescue services (Order No. 36 of the Commander-in-Chief of the Police...).

In terms of policing, the heads of the police organisational units are obliged, among other things, to: ensure that access roads are clear and inform about them, protect order in the areas where rescue teams work and inform about them, prevent the formation of confluences and prevent panic, enforce compliance with the regulations and instructions of the leaders of rescue operations, pilot the transport columns of the rescue services, inform the population about the directions, distances, etc., and how to reach the assembly points for evacuation, direct the movement of the columns of evacuated population, to guide the movement of evacuation columns, to ensure safety and public order in the areas of rescue services, decontamination areas, medical points, casualty collection points, to protect the storage places of left property, to obtain information about medical assistance points (Order No. 36 of the Commander-in-Chief of the Police...).

On the other hand, in terms of rescue operations, the managers of these units must ensure: assistance in the evacuation process, providing first aid to the injured, making police facilities available for the management of rescue operations, participation in the work of securing technical equipment (Order No. 36 of the Commander-in-Chief of the Police...), the performance of tasks listed in the procedures annexed to the abovementioned Order⁶.

⁶ Those annexes are as follows: "Police action in the event of:

- "... the threat of the occurrence or existence of an event of a terrorist nature" – appendix no. 1;
- "... obtaining information that an explosive device has been planted" – appendix no. 2;
- "... seizure of a facility with the holding of hostages" – Attachment No. 3 – appendix no. 3;
- "... hijacking of a means of transport with hostage-taking" – Attachment No. 4 – appendix no. 4;
- "... obtaining information on a person in possession of weapons or other dangerous instruments" – appendix no. 5;
- "... disclosure of an unidentified package" – appendix no. 6;
- "... disclosure of explosives, explosive devices including chemical, biological, radiological, nuclear (CBRN) agents and particularly dangerous ammunition" – appendix no. 7;
- "... occupation and blockade of facilities" – appendix no. 8;
- "... blockade of a communication route – road" – appendix no. 9;
- "... blockade of a communication route – railway" – appendix no. 10;
- "... prolonged lack of fuel and electricity supply" – appendix no. 11;
- "... disruption to the functioning of the ICT systems in use" – appendix no. 12;
- "... occurrence of fire" – Attachment No. 13 – appendix no. 13;
- "... incidence of flooding" – appendix no. 14;
- "... building disaster" – appendix no. 15;
- "... aircraft crash" – appendix no. 16;
- "... release of a hazardous chemical substance" – appendix no. 17;
- "... the occurrence of hazardous atmospheric phenomena (e.g. heavy rainfall, severe frost, drought, hurricanes)" – appendix no. 18;
- "... occurrence of a landslide" – appendix no. 19;
- "... increased illegal crossing of the Polish border" – appendix no. 20;
- "... mass migration of foreigners to the territory of Poland" – appendix no. 21;

In the reconstruction phase, on the other hand, projects are carried out to restore the pre-emergency state. They include in particular ensuring safety and public order in the area where tasks are carried out, protection of places where humanitarian aid is distributed, organisation of the movement of people and vehicles (including that enabling free access of relevant services to the places of damage elimination, restoring readiness of the police organisational unit for actions, introduction of new solutions in the conducted actions and taking them into account in the process of training.

The following is a brief discussion of selected police emergency procedures, chosen from the perspective of the lead actors and the characteristics of the threat (e.g. procedure 13, 14, 17).

Procedure 13 deals with police action in the event of a fire. The aim is to ensure safety and public order in the area of operations. The State Fire Service is the lead entity. Possible risks are: danger to human life and health and to the environment, violation of public order, devastation and theft of private property, creation of panic, traffic obstruction.

The basic undertakings, activities to be performed by the police are reduced in this procedure to, inter alia, ensuring safety and order in the areas of operations, isolation of the endangered area, providing assistance in the evacuation of persons and property, securing property left by evacuees. The initial stage involves the following:

- (a) “dispatching a patrol to the scene (including confirmation, gathering additional information, assessing the situation),
- (b) providing information on the current situation to the competent head of the police organisational unit (or his/her designee) and to the duty officer of the superior unit,
- (c) notifying the duty services of neighbouring police organisational units and ensuring ongoing cooperation and exchange of information with relevant services and institutions,
- (d) dispatching police forces and resources to the scene of the incident in accordance with the current analysis,
- (e) taking action to cut off utilities, in particular gas and electricity,
- (f) using, according to needs of the police aviation, unmanned aerial vehicles in operations including, in particular, reconnaissance and monitoring of threats” (Order No. 36 of the Commander-in-Chief of the Police...).

“... a threat or breach of the security of the organisational unit of the Prison Service” – appendix no. 22;

“... under conditions of threat of occurrence or control of a contagious human, animal or plant disease” – appendix no. 23;

“... biological contamination” – appendix no. 24;

“... a radiological emergency” – appendix no. 25;

“... use of Police aircraft” – appendix no. 26;

“... Police actions in case of prolonged actions” – appendix no. 27.

In turn, the implementation phase indicates, among other things:

- (a) “determining the extent of cooperation with the lead service at the scene of the incident,
- (b) isolating the area of the incident or emergency in agreement with the operational commanders,
- (c) informing the public of the danger involved,
- (d) assisting in the evacuation of injured persons,
- (e) ensuring that access routes are clear for those taking part in the operations,
- (f) organising diversions of areas at risk and informing about access roads,
- (g) enforcing compliance with the regulations and instructions of the rescue managers,
- (h) informing the public of directions, distances, how to reach or get to assembly points for evacuation,
- (i) ensuring public safety and order, inter alia in the area of operation of emergency services medical points of assistance, collection points of the injured, in places of distribution of humanitarian aid, protection of property left behind,
- (j) preparing and securing its own facilities and equipment in the event of a fire emergency,
- (k) preparing, if necessary, the logistical equipment at their disposal which could be used additionally in providing assistance by making available, inter alia, power generators, tents, thermoses, blankets, sleeping bags and additional means of transport at the disposal of the Police,
- (l) directing an operations group to the area of the incident,
- (m) carrying out press and information activities within the scope of the activities carried out (Order No. 36 of the Commander-in-Chief of the Police..., annex No. 13).

In this procedure, it is recommended to cooperate in the subject matter with: public administration authorities, the State Fire Service, medical services, building supervision, the armed forces of the Republic of Poland, Border Guard, municipal (city) guards, the Mountain Volunteer Rescue Service GOPR, the Tatra Volunteer Rescue Service TOPR, municipal services, management of roads, facilities, areas, prosecutor’s office” (Order No. 36 of the Commander-in-Chief of the Police...).

Procedure No. 14 addresses the action of the Police in the event of flooding. The purpose of the action is the same as in Procedure No. 13. The National Fire Service is also the lead actor; the accepted possible risks cover the same scope as in Procedure No. 14. The basic undertakings/activities to be performed by the Police are also the same as in the previously discussed procedure.

The organisation of activities distinguishes between a preliminary stage and an implementation stage. The scope of the activities carried out within their framework is largely a duplication of the provision included in procedure No. 13.

Procedure No. 17 addresses the actions of the Police in the event of a release of a hazardous chemical substance. In this case, the State Fire Service is the lead

entity for the elimination of the hazard. Thus, the Police in these activities act as a co-operating entity. The objective of the action is to ensure safety and public order in the area of the incident.

The basic actions and activities to be performed by the Police include: securing and isolating the place of contamination, separating a safety zone with a radius of not less than 300 m and evacuating people from it, ensuring safety and order in road traffic in the area of conducted activities, including the designation of detours, enforcing compliance with prohibitions and orders in force in the designated zone, implementation of procedural tasks related to the occurrence of the incident, including, *inter alia*, determining the data of victims, injured persons.

As part of the organisation of activities in the initial stage of this procedure (in this appendix), the need is indicated to dispatch a patrol to the place of the incident and to establish contact with the commanding officer of the activities, to provide information on the current situation to the competent head of the police organisational unit, to notify the duty services of neighbouring police units, to direct appropriate forces and resources to the area of the incident. At the stage of direct implementation it is said about the need to establish the scope of cooperation with the leading service and cooperation with other executive entities, isolation of the area of the incident or threat, ensuring the patency of access roads, organising access roads, informing about the existing threats, assisting in the evacuation of the population, protecting the property left behind, carrying out press and information activities in the scope of the activities carried out (Order No. 36 of the Commander-in-Chief of the Police..., annex No. 17).

For the overall police civil protection activities, there are also such activities that are perhaps especially important, in which the police are the leading actor. The purpose of the activity derives from the titles of these procedures. The scope of the tasks in each procedure derives from the possible threats, among which threats and health of persons come first, followed by other threats, disturbances or destruction having their reference to the title of the respective annex.

For the example in which we see the Police as the lead actor, we can point to Annex 3, i.e. 'Procedure for Police action in case of seizure of a facility with hostages held'. The basic activities of the Police in this case boil down, *inter alia*, to: isolating the threatened area; ensuring security and public order in the area of operations; taking measures to release the hostages and unblock the facilities; ensuring security and traffic order in the area of operations; establishing cooperation with the administrator of the facility; apprehending the perpetrators; securing evidence and documenting the operations" (Order No. 36 of the Commander-in-Chief of the Police..., annex No. 3).

As part of the organisation of activities in the preliminary stage, it is indicated, *inter alia*, to: send a patrol to the scene of the incident to confirm the notification and collect additional information, assess the situation, provide information on the current situation to the competent head of the police organisational unit; notify the services on duty of neighbouring police organisational units; isolate the

scene of the incident and the adjacent area; notify the negotiating team; notify the locally competent independent anti-terrorist subunit of the police; send available police forces and resources to the scene of the incident.

As part of the implementation stage, it is envisaged, *inter alia*, to carry out evacuation of persons (if necessary); to establish and pass on by the commanding officer the commands for cooperation of police forces; to direct the negotiation team to actions; to ensure safety and public order; to restrict vehicle traffic in the area of the incident; to request forces and resources of other services and institutions for the purposes of actions carried out, and others. In doing so, it is recommended to co-operate with the State Fire Service, the Internal Security Agency, medical services, municipal services, municipal guards, the prosecutor's office, public administration bodies and other entities, in accordance with the needs and their capabilities.

Analysing the content of individual procedures, it may be noted that the Police are the leading body (in procedure no. 1–12, 26–27) or supporting the leading body (the State Fire Service in procedure no. 13–19, the Border Guard in procedure no. 20, the Office for Foreigners in procedure no. 21, the Prison Service in procedure no. 22, the State Sanitary Inspectorate (in the area of epidemics), the State Veterinary Inspectorate (in the area of epidemics), the National Health Service (in the area of the National Health Fund) in procedure no. 23. Foreigners in procedure no. 21, the Prison Service in procedure no. 22, the State Sanitary Inspectorate (in terms of epidemics), the State Veterinary Inspectorate (in terms of epizootics), the State Plant and Seed Protection Inspectorate (in terms of epiphytosis) in procedure no. 23, the State Sanitary Inspectorate in procedure no. 24 and the State Atomic Agency in procedure no. 25 (Order No. 36 of the Commander-in-Chief of the Police..., annexes).

The scope of implementation of protection and rescue tasks is referred to in the crisis management plans and other operational plans for the functioning of the specified administrative entities.

In conclusion, it should be emphasised that the Police is one of the implementing entities of crisis management and civil protection. The subject area under consideration forces the clarification of the expression 'crisis management'. Thus, crisis management "[...] is the activity of public administration bodies that is an element of national security management, which consists in preventing crisis situations, preparing to take control over them through planned actions, responding in case of crisis situations, removing their effects and restoring critical resources and infrastructure" (Act of 6 April 2007 on crisis management (as amended)).

By its activities, the police fulfil the state's special duty to ensure the security of its citizens. It carries out its activities in peacetime, fulfilling the tasks facing it, in times of crisis and in wartime. On many occasions, in addition to fulfilling its tasks, it acts as an entity supporting the activities of other entities (see: Guittet, Vavoula, Tsoukala and Baylis, 2022). It should be emphasised that it does so in

a professional manner, according to its capabilities, preparation and assumptions of the security system.

By carrying out specific tasks as part of its day-to-day operations, it gains experience that is useful in emergency situations, including times of war.

Conclusions

In the organisational considerations of the state security system, there are many bodies/entities performing specific tasks. One of the bodies was the Civil Defence, which had, among other things, the aim of protecting the population, protecting workplaces, cultural assets, rescuing and providing assistance to the injured and cooperating in combating natural disasters and removing their effects. Its organisation was integrated into the state's public administration structures had specific forces (formations) to carry out the tasks assigned to it. It was prepared for periods of external security threats and war. It also had the capability (when needed) to carry out rescue undertakings in peacetime. It acted on the basis of the Act of 21 November 1967 on the Universal Duty to Defend the Republic of Poland (Polish Journal of Laws/Dz.U. No. 44, item 220), the 1977 Additional Protocol to the Geneva Conventions of 1949 and other laws, regulations, orders and guidelines promulgated in the country. The annulment of the Act of 21 November 1967 on the Universal Duty to Defend the Republic of Poland puts the protection of the population in a different perspective, with the indication of the provision of Article 1, point 6 of the draft law on the protection of the population... of 2022 / and principles for the performance of civil defence tasks. In fulfilling its tasks, the administration cooperates with other executive entities of the state security system, e.g. the Police. This is also reflected in the relevant provisions of state law; it remains in the interest of civil protection entities by virtue of its ability to assist in the implementation of specific tasks assigned to it, which also arise from the scope of civil defence. Besides, unification through territorial bodies of civil protection and hierarchical subordination (also territorial) to bodies of public administration predisposes the Police to appear in a specific system of population security and public order. In identifying the main research problem, the place and role of the Police in the civil protection system was kept in mind. It was noted that in this system the Police have a significant role to fulfil by virtue of being prepared to protect public order security. Fulfilling its current tasks makes it a crisis management executive prepared to protect the population.

The subject of considerations was the Police in the context of civil protection activities. The aim was to present its role and place in the system of civil protection. The adopted problems concerned the system of civil protection, tasks in the area in question and considerations of the notion of "system". The main problem, as noted earlier, boiled down to an answer to the question to what extent and scope the police perform civil protection tasks within the crisis management system.

The theoretical approach and the written presentation of the civil protection system have been examined for the purpose of a systemic approach to the above problem. It should be emphasised that with the fulfilment of basic system assumptions, we can talk about such a system, although civil defence in the state defence system is treated as a protective link of the non-military subsystem. Similarly, the Police, which in this subsystem also functions as a protective link. The analysis of the tasks performed by this structure allowed us to demonstrate the possibility of performing these activities by another executive entity, i.e. the Police.

The presentation of the organisation of the Police and the tasks assigned to this formation in the context of the needs of civil protection made it possible to demonstrate the possibilities and needs for their implementation within the framework of cooperation by another executive entity. The adopted hypothesis was verified positively, as all substantive, organisational and legal requirements are met, giving the aspect of systemic coverage to the occurrence of these structures and their executive entities.

The adopted research methods have proven to be in line with their theoretical description and feasibility. The available literature allowed the research course adopted. Particular reference is made to statutory instruments, internal orders and guidelines of the Commander-in-Chief of the Police and compact studies. These are presented in the bibliography. No content or substantive analysis of them has been made.

As part of the proposal of issues related to the research area, it should be pointed out, *inter alia*, that there is a need for a scientific and legal ordering of the principles of civil protection and crisis management, indicating what is meant by the terminology of each principle. The lack of such an articulation results in the terminological confusion noticeable in many research and educational centres.

It is also important to correct the wording in some of the civil defence tasks due to incorrect translation from English to Polish (or vice versa), which does not correspond to the term 'tasks'. A warning service is not a task (an activity to be performed, an undertaking), but an entity that performs the task of detecting threats, warning and alerting. Likewise, 'medical services' is also not a task, although the further clause including first aid and religious care captures the task form.

As part of a unified rescue system, it makes sense to speed up work (and complete it) on a universal rescue system (the assumptions were announced in 1997 in a keynote speech by the then Head of National Civil Defence).

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POLICJA RZECZYPOSPOLITEJ POLSKIEJ W SYSTEMIE OCHRONY LUDNOŚCI

Abstrakt

Jednym z podmiotów uczestniczącym w ochronie i ratownictwie ludności jest Policja. Spełniając wiodącą i pomocniczą rolę w tym przedsięwzięciu, stanowi istotne ogniwo w systemie bezpieczeństwa i systemie obronnym państwa. Organy administracji i inne podmioty wykonawcze, w tym struktury zarządzania kryzysowego, stwarzają warunki do zapewnienia tego bezpieczeństwa i ochrony w każdym ze stanów bezpieczeństwa. Podkreślić należy, że podmiotom tym – w tym Policji – zagwarantowano także możliwość uczestniczenia w akcjach ratunkowych, organizowanych i prowadzonych przez inne podmioty i struktury administracji.

W czasie pokoju i w okresie wojny w realizacji zadań ochrony ludności – w tym ochrony i ratownictwa – ważną rolę spełnia Policja. Działania tego podmiotu wykonawczego w przedmiotowym zakresie pozostają w rozwiązaniach systemowych systemu obronności państwa, jak i własnych podsystemów organizacyjnych. Realizowane przez Policję zadania pozostają w zgodności z przyjętymi założeniami i możliwościami wykonawczymi stosownych sił i struktur organizacyjnych.

Słowa kluczowe: Policja, Obrona Cywilna Zarządzanie kryzysowe, System, Ochrona ludności