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## CIVIL GUARDS AS A FORM OF ACTIVATION WITHIN THE 3<sup>RD</sup> SECTOR

### **Summary**

*Members of local communities can play an active role in assuring their own security and public order. One of the forms of such civic activity is the institution of civil guard, which is closely in line with the philosophy of community policing. It is based on the assumption that the police and society are partners in ensuring security. In this aspect a very important role is played by the non-governmental sector. Civil guards can be organized as an association or following resolutions of a municipal council. The experience of other countries shows that these forces can contribute to the improvement of public safety and order of local communities. Such initiatives are also to be found in Poland. They were created as a response to increased crime rate which gave rise to the feeling of anxiety among citizens. However, in Poland civil guards still bear negative historic connotations, predominantly with ORMO (Voluntary Reserves of the Citizen's Militia). Although Polish law does not contain rules strictly governing the functioning of the civil guards, the Interior Ministry has developed some principles for creation of such forces. These principles can be found in the Penal Code, the Police Act or the Associations Act. The paper presents detailed analysis of these regulations.*

**Key words:** security and public order, civil guards, associations, community policing, the Penal Code, the Associations Act.

In 1970 Abraham Maslow formulated a thesis that human needs can be depicted hierarchically as a pyramid with some needs taking precedence over others. Our most basic need (the base of the pyramid) is for physical survival, and this will be the first thing that motivates our behaviour. Once that level is fulfilled the next level up is the need of safety, then belonging and love, then esteem and the pyramid culminates with self-actualization. The need of safety is manifested by protection against hostile environment, crime and financial problems<sup>1</sup>. In contemporary world the need of safety has become the most basic human

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<sup>1</sup> A. R. Spencer, *Psychologia współczesna*, Gdańsk 2004, pp. 445-446.

need. It is the first virtue of human existence that needs to be satisfied first. Without satisfying the need of security it would be impossible to achieve such quality of life that would trigger further development of human civilisation<sup>2</sup>. Nowadays it is not problematic to assure survival even of the most deprived thanks to social welfare and charity organisations who collect and distribute money, food and clothing to those in need. Author A. Urban wonders if similar level of satisfaction has been achieved as regards the need of security. However, the answer seems to be inconclusive<sup>3</sup> especially with respect to the amount of media coverage on crimes, wars and anxieties of people in the street.

Political transformation of Poland in 1989 brought about a completely different approach towards protection of safety. Still the main entity responsible for fighting crime and assuring public order remains the Police but with the new system came new solutions which may accompany local authorities in their efforts to provide the feeling of security. These new solutions may have nationwide, regional or local scope; they may belong to private sector or have non-governmental character. Special emphasis must be put on the initiatives undertaken by the citizens whose activities can take institutionalised form (e.g. non-governmental organisations), or noninstitutionalised form (e.g. civil guards)<sup>4</sup>. As indicated by A. Urban collaboration of citizens with entities in charge of security and public order is hoped to produce a significant improvement in the level of security in local communities. Benefits of such cooperations are mutual. Good relations between society and entities responsible for public order and security assure a greater efficiency of crime control in local communities<sup>5</sup>.

Media reports repeatedly feature citizens expressing concerns about their security. More and more often citizens get together and initiate steps towards improvement of their local security. Neighbours form “citizens’ patrols” or “self-protection groups”<sup>6</sup>. How does the situation of civic

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<sup>2</sup> R. Głowacki, K. Łojek, A. Tyburska, A. Urban, *Poradnik dla członków komisji bezpieczeństwa i porządku*, Szczytno 2007, p. 10.

<sup>3</sup> A. Urban, *Bezpieczeństwo Społeczności Lokalnych*, Warszawa 2011, p. 22.

<sup>4</sup> T. Serafin, S. Parszowski, *Bezpieczeństwo społeczności lokalnych. Programy prewencyjne w systemie bezpieczeństwa. Zarządzanie bezpieczeństwem*, Warszawa 2011, p. 133.

<sup>5</sup> A. Urban, *Bezpieczeństwo Społeczności Lokalnych*, Warszawa 2011, p. 101.

<sup>6</sup> A. Wyderka, *Patrole obywatelskie – to działa*, <http://www.rmfm24.pl/fakty/polska/news-patrole-obywatelskie-to-dziala,nId,277681> [24.06.2015]; *Patrole obywatelskie*, <http://www.katowice.slaska.policja.gov.pl/k14/informacje/wiadomosci/110110,Patrol->

activism look like in Poland? Are there any vigilante or self-protection groups? What are the legal grounds for creation and functioning of Polish civic guards? The available materials point to two basic models of civil guards. One assumes that they can be created following a resolution of the communal local government unit, the other postulates the creation of guards on the association basis within the third sector<sup>7</sup>.

In a democratic society three basic sectors of public space can be differentiated. The first includes institutions of the State (public administration, national sector) on the national and local level of public activity. The second is called market sector i.e. production, provision of goods and services. Within the second sector the activities are carried out *for profit*. And finally, the third sector with non-governmental organisations conductin *non profit* activities on ideological basis for socially useful purposes. The last sector of non-governmental organisations is commonly referred to as the third sector and the organisations are called NGOs<sup>8 9</sup> for short.

In Poland the most popular basic legal forms of NGOs are foundations and associations. The most important legal acts which regulate the functioning of non-governmental organisations are: the Constitution of the Republic of Poland, Act on public benefit activity and volunteerism, Law on foundations, Law on associations. The socially beneficial activity that is conducted by non-governmental organisations is referred to as public benefit activity<sup>10</sup>.

Pursuant to legislation in force (Act on public benefit activity and volunteerism), the NGOs are defined as *legal entities or organisational units with no legal personality not belonging to the public finance sector and acting on non-profit basis, which are assigned legal capacity by a distinct law, this includes foundations and associations*<sup>11</sup>. A very

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obywatelski.html [24.06.2015]; M. Śmigiel, *Plaga kradzieży w domach. Mieszkańcy robią patrole obywatelskie*, [http://warszawa.gazeta.pl/warszawa/1,49510,16428717,Plaga\\_kradziezy\\_w\\_domach\\_Mieszkanicy\\_robia\\_patrole.html](http://warszawa.gazeta.pl/warszawa/1,49510,16428717,Plaga_kradziezy_w_domach_Mieszkanicy_robia_patrole.html) [24.06.2015].

<sup>7</sup> [https://www.msw.gov.pl/ftp/pdf/straze\\_obywatelskie.pdf](https://www.msw.gov.pl/ftp/pdf/straze_obywatelskie.pdf), [25.06.2015]; <http://orka2.sejm.gov.pl/IZ5.nsf/main/16F518BA> [25.06.2015].

<sup>8</sup> NGO – non-governmental organization.

<sup>9</sup> E. Kotnis-Górka, M. Wysocki, *Organizacje pozarządowe: Zarządzanie, kreowanie wizerunku i współpraca z mediami w III sektorze*, Gliwice 2011, p. 7.

<sup>10</sup> T. Serafin, S. Parszowski, *Bezpieczeństwo społeczności lokalnych. Programy prewencyjne w systemie bezpieczeństwa. Zarządzanie bezpieczeństwem*, Warszawa 2011, p. 178.

<sup>11</sup> Act of 24 April 2003 on public benefit activity and volunteerism, Article 3, Point 1

important area of public activity are tasks related to public order and security<sup>12</sup>. As far as functioning of civil guards initiatives in the 3rd sector is concerned, the most justifiable legal foundations seems to be the Law on Associations<sup>13</sup>. This seems to be fully justified as one of the main own tasks of a commune is cooperation with NGOs and social cooperatives<sup>14</sup>. As stipuated by law, an association is each voluntary, self-governed and longlasting union of people with a common goal operating on non-profit basis<sup>15</sup>. Association involves voluntary work of its members but staff may be employed to carry out its day to day activities. The right to form associations is vested in Polish citizens who have full capacity to conduct legal transactions and who have not been deprived of public rights. The right to associate may be restricted by other laws only when it is necessary to protect national security or public order, or to protect public health, morality or the rights and freedoms of other persons. Asscoiations have the right to voice their opinions on public issues. An association's activities are supervised by a local branch of the national agency i.e. starost (prefect) appropriate for the association's seat<sup>16</sup>.

When analyzing the market of NGOs in Poland it can be observed that their number is growing year by year. In recent years some important changes in their functioning have been introduced: the efficiency of raising funds has increased, they have also started to be more present in the public space proudly voicing their tasks and goals to the outside world<sup>17</sup>.

In 2010 there were 80.400 active organisations of the 3rd sector; 67.900 (84%) of which were associations and similar social organisations; 7.100 (9%) of which were foundations; 3.600 (4%) organizations of employers, and economic or professional associations; and 1.800 (2%) social religious entities<sup>18</sup>. Nearly half of the 3rd sector

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(Journal of Laws 2014 No 1118).

<sup>12</sup> Ibidem, Article 4 Point 1 Item 20.

<sup>13</sup> Act of 7 April 1989 Law on Associations, (Journal of Laws 2001 No 79, Item 855).

<sup>14</sup> Act of 08 March 1990 of Local Government, Article 7 Point 1 Item 19, (Journal of Laws 2013 No 594).

<sup>15</sup> Ibidem, Article 2 Point 1.

<sup>16</sup> Ibidem, Article 8.

<sup>17</sup> E. Kotnis-Górka, M. Wysocki, *Organizacje pozarządowe: Zarządzanie, kreowanie wizerunku i współpraca z mediami w III sektorze*, Gliwice 2011, p. 8.

<sup>18</sup> K. Goś-Wójcicka, S. Nałęcz, *Trzeci Sektor w Polsce Stowarzyszenia, Fundacje, Społeczne Podmioty Wyznaniowe, Samorząd Zawodowy i Gospodarczy oraz*

organisations studied in 2010 conducted their activities in two main areas: either in sport, tourism, recreation and leisure (30%) or in rescue services (19%)<sup>19</sup>.

The research conducted by K. Goś-Wójcicka and S. Nałęcz does not mention the number of NGOs which would point to public order and security as the main area of their activity. Still, this field of activity is written down in the legislature as tasks to be performed by the 3rd sector entities with cooperation from public administration organs. Nowadays the number of initiatives addressing the issues of security undertaken by the 3rd sector entities seems to be on the rise. New organisations emerge which declare their main goal to be protection of security and public order, the leaders and members of these organisations strongly emphasise their strong patriotic ideals and beliefs<sup>20</sup>. It must be remarked, however, that pursuant to Article 45 of the Law on Associations: persons intending to found an association whose activities are directly related to matters of state security or protection of public order are obliged to limit the sphere of their activity as required by the Minister of National Defence or Minister of Interior, respectively, or by organs appointed by them.

While describing the functioning of civic guards in the Polish reality one may not ignore their somehow disgraceful traditions which still linger in memory of many people. As indicated by A. Urban, existence of such formations in contemporary Poland may provoke associations with Voluntary Reserves of the Citizen's Militia (ORMO)<sup>21</sup> which were created following the decision of the Council of Ministers on 21 February 1946. They were supposed to assist the Militia (the police forces under the communist regime) and serve as reserves to replenish their ranks. Up to 1956 members of ORMO participated in the fight against independence movement organisations, took active part in collectivisation of agriculture and other initiatives undertaken by the governing Polish United Worker's Party (PZPR)<sup>22</sup>. In the years that followed ORMO concentrated their efforts on counteracting phenomena that facilitate

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*Organizacje Pracodawców w 2010r. Studia i Analizy Statystyczne*, Warszawa 2013, pp. 25-26.

<sup>19</sup> Ibidem, p. 48.

<sup>20</sup> E. Kotnis-Górka, M. Wysocki, *Organizacje pozarządowe: Zarządzanie, kreowanie wizerunku i współpraca z mediami w III sektorze*, Gliwice 2011, p. 11.

<sup>21</sup> A. Urban, *Bezpieczeństwo Społeczności Lokalnych*, Warszawa 2011, p.101.

<sup>22</sup> PZPR i.e. the Polish United Workers' Party a political formation under strong influence of Soviet Russia.

committing crimes and offences. In 1980 the forces had 460.000 functionaries. Its functioning was regulated by the resolution of the Minister of Public Security of 22 November 1946 and Act of 13 June 1967. After the political transformation of 1989 ORMO was the first organisation closely linked to the communist regime authorities which was dissolved by the Parliament pursuant to the Act of 23 November 1989<sup>23</sup>.

Many Internet portals feature posts which openly criticize the idea of forming civic guards and patrols. Older citizens remember well the social fear that the appearance of ORMO squads generated. No wonder than that such comments are frequent and easy to find on the Internet: ...*ORMO had absolutely nothing to do with the rule of law. Citizen self-defence groups are an absurd idea. Catching criminals is the job of the Police, not the Municipal Guards, not ORMO, not self-defence*<sup>24</sup>; ...*Civic guard – a new version of ORMO?...*<sup>25</sup>; ...*Mr Skiba ORMO is coming back, being an ORMO officer is not a profession is a state of a f\*\*\* mind*<sup>26</sup>.

It is hard to define to what extent such comments may be justified. Since dissolution of ORMO many things have changed; the political system as well as all aspects of everyday life of the Poles. Also the outlook on the issue of internal security, the role of law enforcement agencies is completely different now. There are new methods of police work with respect to catching criminals. One of the most popular method nowadays ist he so called *community policing*. The philosophy behind this approach is based on an assumption that the Police and the society are partners in the process of assuring security. This model assumes that citizens shall collaborate in creating strategies and shall be co-liable for the effects of work of the Police. The literature on the topic tends to emphasize that this new approach is an introduction to future local systems of assuring security<sup>27</sup>. Community policing strategy is

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<sup>23</sup> *Leksykon Policjny*, (ed.) W. Pływaczewski, G. Kędzierska, The Police Academy, Szczytno 2001, p. 194.

<sup>24</sup> M. Kozioł, *Wrocław: Było ORMO, będzie straż obywatelska*, “Gazeta Wrocławska” of 24 January 2013.

<sup>25</sup> G. Anton, *Obywatelskie patrole pomogą policji*. <http://fakty.interia.pl/podkarpackie/news-obywatelskie-patrole-pomoga-policji,nId,1328238#commentsZoneList> [23.06.2015].

<sup>26</sup> M. Motor, *Patrole obywatelskie mogą pomóc Policji* <http://www.nowiny24.pl/apps/pbcs.dll/article?AID=/20080728/LUDZIEIOPINIE/769219360> [23.06.2015].

<sup>27</sup> B. Hołyst, *Policja na świecie*, Warszawa 2011, p. 157, A. Urban, *Bezpieczeństwo*

sometimes referred to as *citizen crime watch* and is an alternative for traditional precautionary activities conducted by the Police. It is hoped that thanks to this approach the efficiency of fighting and counteracting crime will considerably increase. It can be achieved through establishing and maintaining partner relationships between the Police, local communities and state organs<sup>28</sup>. The idea of civil guards conforms to the concept of *community policing* in which the citizens are directly involved in assuring security.

While implementing the idea civic guards and local patrols it is worth imitating the solutions which are successfully applied in other countries. Probably the best model with this respect is the organisation called *Guardian Angels*<sup>29</sup>. This organisation was created in 1979 in New York by a Brooklyn local citizen Curtis Silwa. The first patrols were unarmed, and they protected the area around subway stations and underground railways. They did it on voluntarily bases. In the beginning of 1990s *Guardian Angels* had over 5.000 members on duty in 69 cities of United States, Canada, London, Berlin and Stockholm. *Guardian Angels* can be easily recognized by a characteristic uniforms including red berets, white T-shirts ornamented with beads, feathers and animal tails. The patrols are present in city spots particularly endangered with criminal activity; when necessary they have right to conduct citizen's arrest<sup>30</sup>. The methods of *Guardian Angels* interventions were considered, to put it mildly, controversial due to their brutality. However, surveys conducted in the areas under *Guardian Angels*' watch showed that crime rate in these areas was lower than in neighbourhoods where GA did not have their patrols. The presence of GA patrols positively impacted the feeling of security and diminished the levels of fear among inhabitants of districts under GA's watch<sup>31</sup>.

Another example comes from Great Britain. In London there is an institution of *special constabulary*. Special constables or informally *specials* hold full police powers, wear police uniforms and hold the office of constable. They serve as intermediaries between regular Police forces and the people of the boroughs of London. Special constables are

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*Spoleczności Lokalnych*, Warszawa 2011, p. 123.

<sup>28</sup> Ibidem, p. 159.

<sup>29</sup> *Guardian Angels*.

<sup>30</sup> J. Czapska, J. Wójcikiewicz, *Policja w społeczeństwie obywatelskim*, Kraków 1999, pp. 332-333.

<sup>31</sup> A. Urban, *Bezpieczeństwo Społeczności Lokalnych*, Warszawa 2011, p. 106.

ordinary people who devote their own free time to serve their local community. They perform a wide range of useful supportive tasks: motorized and on foot patrols, educational talks on crime prevention, safeguarding crime scenes, protection of mass events, monitoring road safety, conducting recons of the neighbourhood, counteracting pathologies and juvenile delinquency. London Metropolitan Police provides necessary training of candidates for special constables. The duty is unpaid and is delivered on voluntary bases<sup>32</sup>.

In Poland until this day the legislator has not introduced any specific regulations for functioning of civic guards and patrols. But due to considerable interest in this form of civic activity in the period 2002/2003 (especially in the following provinces: Silesia, Lower Silesia, Holy Cross and Warmia-Masuria) the Ministry of Interior and Administration had prepared a draft law on the civic guards which somehow was not passed<sup>33</sup>. In 2007, an MP Andrzej Walkowiak, addressed the Minister of Interior and Administration Mr Władysław Stasiak with an enquiry<sup>34</sup> about civic guards. The answer to the enquiry came on 27 September 2007<sup>35</sup>. It corresponded with the foundations previously defined by the Ministry of Interior and published on the Ministry's website<sup>36</sup>. The same guidelines were also included in the guidebook 'Making and Functioning of Housing Estates and Municipal Security Maps' prepared by the Ministry of Interior and Administration and the Polish Police Headquarters<sup>37</sup>. These documents outline the framework for functioning of civic guards, legal instruments and the scope of cooperation of civic guards with the police. In addition these documents define the whole process from the recruitment phase, training, tactics, methods up to equipment.

Polish legal system allows local communities to form self-defence groups which closely cooperate with the Police, local authorities or act independently. The drive for creation of self-defence groups always

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<sup>32</sup> R. Batkowski, *Spoleczne wsparcie dzialań Policji – patrole mieszkańców. Doświadczenia brytyjskie w polskiej perspektywie*, „Kwartalnik Policyjny Czasopismo CSP w Legionowie” 2008, no 3 (5), pp. 27-28.

<sup>33</sup> A. Urban, *Bezpieczeństwo Społeczności Lokalnych*, Warszawa 2011, p. 106.

<sup>34</sup> Sygn. SPS-024-3270/07.

<sup>35</sup> <http://orka2.sejm.gov.pl/IZ5.nsf/main/16F518BA> [22.06.2015].

<sup>36</sup> [https://www.msw.gov.pl/ftp/pdf/straze\\_obywatelskie.pdf](https://www.msw.gov.pl/ftp/pdf/straze_obywatelskie.pdf), [23.06.2015].

<sup>37</sup> Guide 'Making and Functioning of Housing Estates and Municipal Security Maps' prepared by the Ministry of Interior and Administration and the Polish Police Headquarters.



comes from the local community members themselves. Institutionalised civic guards may be formed as associations or following a resolution of the commune or municipality. Within association it is possible to collaborate with local authorities and enforcement agencies. The available legal solutions are: legitimate self-defence, the state of necessity, apprehension red-handed, emergency assistance for a Police officer, social duty of notifying the law enforcement agencies about detected crime.

Bearing in mind the nature of the activities undertaken by the civic guard members and the fact that they may be exposed to personal harm while in contact with crime perpetrators they are entitled to the same range of rights and duties as any other citizen. These range should ensure efficiency of performance without the risk of violation of the law in force.

Understanding of the notion of a person as stipulated in Article 243 §1 of Criminal Procedure Code<sup>38</sup> is one of the forms of procedural retention. This right is entitled to everyone irrespective of the relation with the offender, function or nationality. Apprehension is both capture and bringing to the police station as well as locking the perpetrator in the room where they were caught and calling the police. Apprehension is allowed when it takes place red-handed at the crime scene or after pursuit which started directly after the offence. Despite the evidence of the crime, apprehension may be carried out only when there is a risk that this person may go into hiding or it is impossible to establish their identity<sup>39</sup>. In accordance with Article 243 § 2 of the Criminal Procedure Code the apprehended person should be surrendered to the Police without delay. The apprehended may be retained only for the period of time necessary to surrender them to the disposal of the Police.

Another legal institution which legitimizes members of civic guards can be found in Article 304 of the Criminal Procedure Code which stipulates that whoever learns that an offence prosecuted has been committed, shall be under civic duty to inform the state prosecutor or the Police. This social duty refers to everybody but only with respect to offences prosecuted ex officio. Failure to comply with the duty does not

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<sup>38</sup> Act of 6 June 1997 Criminal Procedure Code, (Journal of Laws 1997 No 89, item 555).

<sup>39</sup> W. Grzeszczyk, *Kodeks Postępowania Karnego Komentarz*, Warszawa 2011, pp. 265-266.

bring about criminal or administrative consequences, it can only be judged in the moral context<sup>40</sup>.

Next legal regulation, included in the Ministry guidelines<sup>41</sup>, is provision of emergency assistance to the Police as stipulated in Article 15 point 1 item 7 Act on the Police<sup>42</sup>. The Police while performing investigating, administrative and clean-up activities are entitled to address for help economic entities and social organisations as well as ordinary citizens for emergency assistance in accordance with the provisions in force.

It is important for self-defence group members to be acquainted with legal regulations in order to make sure their activities respect law and order and do not violate social and legal norms. On one hand they are entitled to apprehend the offender, on the other there is risk of infringement of the following articles of the Criminal Code: Article 189 § 1<sup>43</sup>, Article 157 §1 and 2<sup>44 45</sup>. The knowledge of justifications such as necessary protection and utmost necessity may also prove useful as they cause exemption from liability. The notion of necessary protection so as to its essence has remained unchanged since 1932. In this notion there are two fundamental elements: assault and protection. The assault against life must be direct and unlawful<sup>46</sup>. Pursuant to Article 25§1 Criminal Code does not commit a crime, who in self-defense refutes directly, unlawful assault of any good protected by law.

Directness of an assault means a close time connection between assault and defense. Any steps preceding the assault as well as acts of revenge on the alleged perpetrator are excluded. Unlawfulness of the assault means that the conduct of the attacker is against legal norms. The actuality of the assault is also of considerable significance, the assault must be real not imaginary. An example of exceeding the limits of necessary defense may be extensive riot which is violation of directness condition; or intensive riot i.e. imbalance between force and energy of the assault versus force and energy of the defense<sup>47</sup>. Next justification is

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<sup>40</sup> Ibidem, p. 304.

<sup>41</sup> MSW – the Ministry of Interior.

<sup>42</sup> Act of 6 April 1990 on Police (Journal of Laws 2015 No 355).

<sup>43</sup> Illegal Restraint.

<sup>44</sup> Light and medium damage to health.

<sup>45</sup> Act of 6 June 1997 Criminal Code, (Journal of Laws 1997 No 89, item 553).

<sup>46</sup> T. Bojarski, *Kodeks karny komentarz*, Warszawa 2012, p. 94.

<sup>47</sup> Ibidem, p. 96.

the state of utmost necessity. Article 26 §1 Criminal Code defines this state as a circumstance excluding the unlawfulness of the act and § 2 as a circumstance excluding guilt. The article stipulates that does not commit a crime, who works for the immediate repeal of any danger threatening the good of the protected right, if the danger cannot be otherwise avoided, and dedicated to provide good value lower than the good of the victim (§ 1)– exclusion of the unlawfulness of the act. In accordance with § 2 does not commit a crime and those who, to save the good protected by the conditions set out in § 1, sacrifices the good that does not represent a value greater than the benefit, of course, the victim – exclusion of guilt. The state of utmost necessity consists of the following elements: danger threatening the good and dedication to protect the good. The danger must be direct and real. The Act does not define precisely the kinds and conditions of exceeding the limits of necessary defense; each case shall be individually considered by court<sup>48</sup>.

Members of the self-defense groups should be acquainted with the legal norms quoted above. Legal education should be an important constituent of training of each candidate for a civic guard. In accordance with recommendations of the Ministry of Interior the training should also include: theoretical and practical knowledge on preventive steps enhancing security of citizens, self-defense techniques, first aid assistance, methods of securing crime scene, methods of collecting evidence and determining witnesses of incidents, methods of preparing reports and memos.

The Police should play a critical role in the process of educating and training candidates for civil guards. In the guidelines and instructions it is emphasized that for functioning of institutionalized civil guards the most important thing is determination of the rules of cooperation between civic guards and the local Police. The Ministry recommends refraining from direct interventions if possible and prompt notification of the Police. Another activity favoured by the Ministry is joint patrols with the Police and Municipal Guards. T. Serafin and S. Parszowski enumerate initiatives which may be undertaken by the civic guards. They are convergent with the guidelines issued by the Ministry of Interior i.e.:

- conducting surveillance activities in the places particularly threatened by crime;

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<sup>48</sup> Ibidem, p. 102.

- informing relevant public institutions by means of available means of communications about detected crimes, offences;
- informing citizens about proper ways of protecting their own and common good,
- disseminating knowledge on how to behave lawfully and how to contribute to local safety,
- organizing safe transport of schoolchildren to schools,
- initiating and organising actions related to safety in the neighbourhood,
- documenting work and its results.

The scope of the proposed activities of civic guards to a large extent exceeds the activities traditionally undertaken by citizen patrols. That is why such an initiative is only possible when it operates on the basis of an organized entity such as for instance association.

The instructions from the Ministry of Interior assume equipping patrols in communication devices to allow fast contact with the Police and Municipal Guards as well as characteristic uniforms (or badges, emblems) which will make guards easily recognizable in the neighbourhood. Noticeable presence of guards in public space always has preventive effects on potential perpetrators and increases the feeling of security in the citizens.

Bearing in mind the ideals of voluntary work which underpin functioning of civic guards, it can be assumed that the costs of creating and maintaining civic patrols should be low. The necessary expenses would only include purchase of equipment, uniforms and administrative costs. If a civil guard unit functions as an association it is the association that bears the costs of functioning of the guards<sup>49</sup>.

As far as efficiency of activities undertaken by the civic guard patrols is concerned, in the media one can find numerous stories of successful actions of local law enforcing squads<sup>50</sup>. Also literature quotes relevant

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<sup>49</sup> [https://www.msw.gov.pl/ftp/pdf/straze\\_obywatelskie.pdf](https://www.msw.gov.pl/ftp/pdf/straze_obywatelskie.pdf), [22.06.2015].

<sup>50</sup> *Przez kilka miesięcy ktoś okradał ich mieszkania. Założyli straż obywatelską i trzymali łodź*; <http://www.tvn24.pl/wroclaw,44/straz-obywatelska-zlapala-zlodzieja-ktory-okradal-ruszow,510739.html> [25.06.2015]; *Biorą sprawy w swoje ręce? Straże obywatelskie w Ruszowie i Kościelnej Wsi* [http://www.zgorzelec.info/index.php?k\\_d=27&id=10559&long&t=news2b](http://www.zgorzelec.info/index.php?k_d=27&id=10559&long&t=news2b) [25.06.2015]; M. Kozioł. *Obywatelski patrol. Tam już nic nie ma prawa zginąć* [http://wroclaw.gazeta.pl/wroclaw/1,35771,15655397,Obywatelski\\_patrol\\_Tam\\_juz\\_nic\\_nie\\_ma\\_prawa\\_zginac.html](http://wroclaw.gazeta.pl/wroclaw/1,35771,15655397,Obywatelski_patrol_Tam_juz_nic_nie_ma_prawa_zginac.html); K. Rześniowiecki, *Straż obywatelska w Ruszowie. Złapano na gorącym uczynku trzech*

examples. A. Urban, for instance, offers extensive description of a citizen patrol unit in the village of Spychowo in Warmia-Masuria Province. The patrol was created in 2002 as a reaction to an increase in number of break-ins and burglaries to summer houses and shops and services in the area. Local citizens disillusioned by inefficiency of the investigation activities undertaken by the Police, formed their own patrol groups and started monitoring of the most affected areas. Already the first few night watches resulted in elimination of burglaries to retail buildings. Encouraged by this immediate success, inhabitants of Spychowo formed a 34-person-civilian-patrol which cyclically, voluntarily and gratuitously started to serve their local community in order to prevent burglaries. The patrol has become very professional over time. In 2003 it was transformed in an association called Friendly Spychowo". In the period 2001-2006 the crime rate in the area fell considerably. The survey conducted in Spychowo in 2007 showed that members of this community strongly believed that the improvement in local security was caused by the activities of the citizen patrol. The example of the civic guard in Spychowo proves that in order to increase security it is not necessary to spend a lot of money and conduct mass activities of police forces. Very often collaboration of local people with law enforcing agencies can considerably contribute to rise in the feeling of security and, as a consequence, to the fall in the crime rate. Such collaboration is also conducive to another positive phenomenon strengthening of social bonds between members of local community<sup>51</sup>. Taking into account development of *community policing* which assumes that assuring public security is possible through joint efforts of various entities: from the Police and state agencies, to local communities and non-governmental organisations. The idea of civic guards corresponds to the idea of community policing as they translate into direct improvement in security.

Civilian patrols are the most offensive form of counteracting crime. On one hand, civic guards proved effective in increasing the feeling of security and strengthening bonds between people. On the other hand, there may be cases of abuse and in extreme cases even of crimes. Thus, it is extremely important to recruit only appropriate candidates to civic guards and later to conduct tight supervision over their activities. It is expected that there will be no problem with candidates to civic guards.

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złodziei. <http://www.tvp.info/18799237/straz-obywatelska-w-ruszowie-zlapano-na-goracym-uczynku-trzech-zlodziei> [25.06.2015].

<sup>51</sup>A. Urban *Bezpieczeństwo Społeczności Lokalnych*, Warszawa 2011, p. 112.

As frequently shown in the media, very often the impuls to form a patrol comes spontaneously with sudden increases in one particular type of crime in one particular area. Young people show considerable interest in this form of civic activation, especially this group of young people who see their future in uniformed agencies, including the Police. The number of secondary schools with extended curriculum in law enforcement and police science is growing. Students of such classes offer a great potential for the future to be used by police units with respect to prevention activities. Legal age students of these classes may take part in different types of civilian patrols which would be an excellent opportunity to experience the specific conditions of the duty (working at night, working in atmosphere of stress and pressure). Such initiatives have already been undertaken in Poland<sup>52</sup>. If such a system comes to exist the law enforcement agencies could also obtain valuable information with respect to the number and profile of personnel reserves and candidates to the service. Therefore, for the sake of public security, the issue mentioned above needs to be carefully analyzed.

Summing up, the conditions for development of initiatives such as civic guards and civilian patrols are preferable nowadays. Such initiatives function within the 3rd sector and they considerably improve the security in local communities.

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<sup>52</sup>Implementation of the project Youth Civilian Patrols in Gostynin. <http://pat.policja.gov.pl/pat/wydarzenia/344,Mlodziezowe-patrole-obywatelskie-w-Gostyninie.html> [26.06.2015].

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