

Poland



ECPA/BPC 2006

Please answer the following questions in English.

1. Is this your country's ECPA entry or is it an additional project? (Only one ECPA entry per country plus up to two other projects.)

Proposition of Poland/Polish Entry

2. What is the title of the project?

„Yellow and Red Card”

3. Please give a short general description of the project.

Project's name: „Yellow and Red Card”

Starting date: 22.10.2001

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When did the problem appear for the first time?

The public opinion poll carried in 2001 among inhabitants of Elblag showed that consumption of alcohol and intoxicated persons constitute a big nuisance in public places.

The reason to proceed with the project was the result of a public opinion poll, which was done by the Elblag Town Police Headquarters and concerned “Evaluation of work of policemen of the Elblag Town Police Headquarters in the opinion of local communities”. The poll concerning threats for town's inhabitants showed that people in the state of intoxication constitute a significant threat.

Description of perpetrators:

There are two types of perpetrators that may be distinguished in the project:

- the first category consists of owners, tenants or employees of premises selling/ serving spirits, who commit forbidden acts defined in “Act of Upbringing in Sobriety and Counteracting Alcoholism”,
- the other category consists of people consuming alcohol in the premises selling/ serving spirits. The analyses of the occurrences, which took place in 2005 and in the period of January-September 2006 showed that men are the only perpetrators of such acts. Age categories of men are as follows:
 - under 18-years old – 0,95%
 - 18 – 25-years old – 24,77%
 - 26– 40-years old – 37,14%
 - 41 – 55-years old – 27,61%
 - above 55-years old – 9,53%.

Description of perpetrators’ activity

The analysis of documents under the name of “Yellow and Red Card”, which have been drawn up so far, showed that the most common offence consisted in selling spirits against conditions of a license for selling or serving spirits in a given premise, which are defined by the Town Office or against regulations of “Act of Upbringing in Sobriety and Counteracting Alcoholism”, as well as in consuming alcohol in places forbidden by the act, which are in the immediate neighbourhood of premises selling or serving spirits.

Who are the victims?

It is difficult to unambiguously indicate victims of the crime. They would be inhabitants of the town, both grown-up persons and children, who have to look at people consuming alcohol, who being intoxicated often disturb the peace.

What are main causes of the problem?

The project entitled “Yellow and Red Card” was initiated by the Elblag Town Police Headquarters. The project resulted from noticing the problem of non-observance of the law, especially by people, who were intoxicated with alcohol, from lack of a uniform course of action towards businesses infringing regulations of “Act of Upbringing in Sobriety and Counteracting Alcoholism” and from imperfect circulation of information concerning criminal acts and public nuisance in and in the immediate neighbourhood of premises selling/ serving spirits.

The project assumes systematic supervision in the range of occurrences concerning non-observance of public order in and in the immediate neighbourhood of premises selling/ serving spirits and connected with infringing regulations of “Act of Upbringing in Sobriety and Counteracting Alcoholism”. Premises where offences against property, public order and peace, safety of persons and property, public morality and devices of public use and occurrences constituting an offence against legal order defined in “Act of Upbringing in Sobriety and Counteracting Alcoholism”

were detected and confirmed twice in the period of the following six months, receive a document called “Yellow Card”, which contains a warning that in case of another infringement of the law and order the administration organ entitled to take legal proceedings concerning withdrawal of the license for selling/ serving spirits will be informed. A copy of a document is sent to the office, which has issued the license for selling/ serving spirits. In case of detecting and confirming a single act of infringing legal regulations constituting an offence defined in “Act of Upbringing in Sobriety and Counteracting Alcoholism” or detecting and confirming a new act constituting a basis for drawing up a “yellow card” within the period of 6 following months starting from the day it was sent, a document called “Red Card” is drawn up. The document, together with a motion for taking administration proceedings concerning withdrawal of a license for selling/ serving spirits is sent to an appropriate Office. The owner of the premise receives a copy of the document.

4. Please describe the objective(s) of the project?

The objectives of the project implemented by the Elblag Town Police Headquarters are as follows:

- a) limiting number of infringements in and in the immediate neighbourhood of premises where spirits are sold;
- b) standardizing course of action towards businesses infringing regulations of “Act of Upbringing in Sobriety and Counteracting Alcoholism”;
- c) employing a complex course of circulation of information concerning criminal acts and public nuisance in and in the immediate neighbourhood of premises selling/ serving spirits.

5. How was the project implemented?

The first phase of the project consists in documenting occurrences, which take place in or in the immediate neighbourhood of the premises selling spirits. Only specific categories of criminal acts and offences are documented, i.e.:

- defined in “Act of Upbringing in Sobriety and Counteracting Alcoholism”;
- against property;
- against public order and peace;
 - against safety of persons and property;
- against public morality;
- against devices of public use, except interventions carried as the result of notification by the owner or employees of a given premise.

The other phase of the project consists in preparing two types of documents in connection with non-observance of regulations of “Act of Upbringing in Sobriety and Counteracting Alcoholism” by businesses, i.e.:

“Yellow Card” – “Yellow Card” – is an document drawn up on a yellow coloured paper. It is drawn up in case of detecting and confirming occurrences (forbidden acts)

against property, public order and peace, safety of persons and property, against public morality, against devices of public use and occurrences constituting infringements of the legal order defined in “Act of Upbringing in Sobriety and Counteracting Alcoholism” twice within the period of 6 following months. The document is sent to the owner of the premise selling/ serving spirits and contains a description of occurrences’ circumstances and warning that in case of another infringement of the law and order the administration organ entitled to take proceedings concerning withdrawal of the license for selling/ serving spirits will be informed. A copy of a document is sent to the office, which has issued the license for selling/ serving spirits.

„Red Card” – is a document drawn up on a red coloured paper. It is drawn up in case of detecting and confirming a single act of infringing legal regulations constituting an offence defined by “Act of Upbringing in Sobriety and Counteracting Alcoholism” or detecting and confirming a new act constituting a basis for drawing up a “yellow card” within the period of 6 following months starting from the day it was sent. The document, together with a motion for taking administration proceedings concerning withdrawal of a license for selling/ serving spirits by a given business, is sent to the organ of local government administration. The owner of a premise receives a copy of the document. According to the resolution of Town Council a license for selling spirits intended to consume inside or outside the premise of sale, is withdrawn, among others, in case of repeated public nuisances in or in the immediate neighbourhood of the premise selling/ serving spirits after triple confirmation by control organs (for example Police) within the period of 6 months in accordance with the fact of selling spirits by a given premise.

The procedure was first established by the Decision no 52/01 of Elblag Town Police Commandant of 22nd October 2001. At present the process is regulated by the Decision no 17/03 of 31st March 2003. Moreover the project was covered with quality management system in accordance with ISO 9001:2000 norm in force in Elblag Town Police Headquarters (instruction SZJ-I24-35/03/C, *“Getting information necessary for supplying documentary evidence of the factual state and answering inquiries directed from local administration units to Elblag Town Police Headquarters, which are helpful in taking decisions concerning issuance of licenses for selling/ serving spirits”*).

6. Were partners involved in planning and/or development and/or implementation of the project? If so, who were they, and what were their roles?

The President of Elblag Town was engaged in the implementation of the project, as a representative of the local government responsible for issuance of licenses for selling/ serving spirits.

While preparing the project “Yellow and Red Card” officers of the Elblag Town Police Headquarters consulted representatives of Town Office in Elblag. Consultations were aimed at adapting project’s procedures to regulations of the Town Council’s Resolution concerning the Town Program of Preventive Measures and Solving Alcohol Problems.

The project “Yellow and Red Card” does not require any financial expenses. Expenses are limited to purchasing paper of red and yellow colour.

7. How did you build in plans to measure the performance of the project?

It was assumed that evaluating individual phases of the “Yellow and Red Card” project would be carried according to the rule of monitoring the conformity of the procedure to legal regulations in force, both internal and external.

8. Has the project been evaluated? How, and by whom?

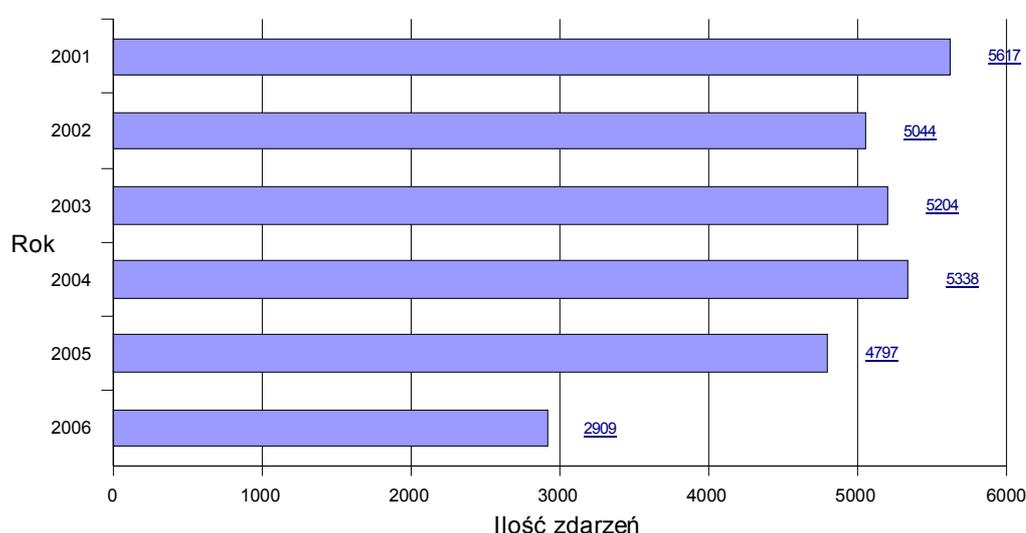
The project has been evaluated within the frameworks of internal audits carried according to the quality management system in force. It should be stated that one of the main obstacles of the Elblag Town Police Headquarters is to limit occurrences constituting offences or public nuisances in and within premises selling/ serving spirits and appropriate measures, especially in the range of crime, are defined in the operation programs realised by the unit.

The main criteria in evaluating the effects of the implemented project are the number of occurrences constituting offences or public nuisances in and in the immediate neighbourhood of premises selling/ serving spirits and the level of crime.

Besides, the conformity of the project’s procedures to legal regulations in force, both internal and external, is evaluated. The evaluation is carried both by external and internal auditors, within the frameworks of periodic evaluations of operation of quality management system.

9. What were the results? How far were the objectives of the project achieved?

One of the basic evaluation indicators of the Elblag Town Police Headquarters is the state of crime. Since the project has been implemented the state of crime looks as follows:



(year/ number of occurrences)

In majority of cases after receiving a “yellow card” i.e. information of stated cases of breaching of the peace, a significant improvement of order has been noted around the premises. Both owners and employees pay more attention to the neighbourhood of their premises and often call Police themselves to notify them of cases of infringing the law. Practically there are no cases of stating alcohol consumption or breaching of the peace in the premises after receiving a yellow card. Despite the decrease in crime, the project has brought other, unplanned achievements. Undoubtedly it is connected with the increase of legal awareness of people running businesses selling spirits.

10. Are there reports or documents available on the project? In print or on the Web? Please, give references to the most relevant ones.

Please, write here a one page description of the project

The project entitled “Yellow and Red Card” was initiated by the Elblag Town Police Headquarters. The project resulted from noticing the problem of non-observance of the law, especially by people, who were intoxicated with alcohol, from lack of a uniform course of action towards businesses infringing regulations of “Act of Upbringing in Sobriety and Counteracting Alcoholism” and from imperfect circulation of information concerning criminal acts and public nuisance in and in the immediate neighbourhood of premises selling/ serving spirits.

Another reason to proceed with the project has been the result of a public opinion poll, which was done by the Elblag Town Police Headquarters and concerned “Evaluation of work of policemen of the Elblag Town Police Headquarters in the opinion of local communities”. The poll, which concerned threats for town’s inhabitants, showed that people in the state of intoxication constitute a significant threat.

Above others the project was aimed at limiting number of infringements in and in the immediate neighbourhood of premises where alcohol was sold, which affected the state of crime in the town. Other aims were to increase legal awareness of people selling spirits, to standardize course of action towards businesses infringing regulations of “Act of Upbringing in Sobriety and Counteracting Alcoholism” and to employ the complex course of circulation of information concerning criminal acts and public nuisance in and in the immediate neighbourhood of premises selling/ serving spirits.

The procedure was first established by the Decision no 52/01 of Elblag Town Police Commandant of 22nd October 2001. At present the process is regulated by the Decision no 17/03 of 31st March 2003. Moreover the project was covered with quality management system in accordance with ISO 9001:2000 norm in force in Elblag Town Police Headquarters (instruction SZJ-I24-35/03/C, “*Getting information necessary for supplying documentary evidence of the factual state and answering inquiries directed from local administration units to Elblag Town Police Headquarters, which are helpful in taking decisions concerning issuance of licenses for selling/ serving spirits*”).

The first phase of the project consisted in documenting occurrences that took place in or in the immediate neighbourhood of premises selling spirits. Only specific categories of criminal acts and offences were documented. It was a duty of all

policemen of all services of the Elblag Town Police Headquarters. Information on interventions was drawn up on a "Card A" form, which was an auxiliary material in recording cases of infringing the law resulting from non-observance of "Act of Upbringing in Sobriety and Counteracting Alcoholism" by businesses selling/ serving spirits.

The project assumes drawing up two types of documents connected with non-observance of regulations of "Act of Upbringing in Sobriety and Counteracting Alcoholism" by businesses, i.e.:

"Yellow Card" – is a document drawn up on a yellow coloured paper. It is drawn up in case of detecting and confirming occurrences (forbidden acts) against specific categories twice within the period of 6 following months. The document is sent to the owner of the premise selling/ serving spirits and contains a description of occurrences' circumstances and warning that in case of another infringement of the law and order the administration organ entitled to take proceedings concerning withdrawal of the license for selling/ serving spirits will be informed. A copy of a document is sent to the office, which has issued the license for selling/ serving spirits.

„Red Card" – is a document drawn up on a red coloured paper. It is drawn up in case of detecting and confirming a single act of infringing legal regulations constituting an offence defined in "Act of Upbringing in Sobriety and Counteracting Alcoholism" or detecting and confirming a new act constituting a basis for drawing up a "yellow card" within the period of 6 following months starting from the day it was sent. The document, together with a motion for taking administration proceedings concerning withdrawal of a license for selling/ serving spirits by a given business, is sent to the organ of local government administration. The owner of a premise receives a copy of the document. According to the resolution of Town Council a license for selling spirits intended to consume inside or outside the premise of sale, is withdrawn, among others, in case of repeated public nuisances in or in the immediate neighbourhood of the premise selling/ serving spirits after triple confirmation by control organs (for example Police) within the period of 6 months in accordance with the fact of selling spirits by a given premise.

The project was introduced after mutual settlements with the President of Elblag Town (a representative of the local government responsible for issuing licenses for selling/ serving spirits). The entity issuing a license takes the administrative decision on the basis of information received from the Police. A course of action concerning the issuance and withdrawal of licenses for selling spirits intended to consume inside or outside the premise of sale was defined in accordance with the Resolution no 28/956/2002 of Elblag Town Council of 11th April 2002. The resolution states that before deciding on the issuance of a license for selling spirits, Town Management is obliged to consult the Elblag Town Police Headquarters. The successive license for selling spirits is refused in case of repeated occurrences of breach of the peace resulting from selling spirits and taking place in or in the immediate neighbourhood of a premise of sale in the twelve preceding months.

The project is evaluated within the frameworks of internal audit carried in accordance to the system of quality management in force.

In majority of cases a significant improvement of order is noted around the premises after receiving a "yellow card" i.e. information of detected cases of breaching of the peace. Both owners and employees pay more attention to the neighbourhood of their

shops and often call Police themselves to notify them of cases of infringing the law. After receiving a “yellow card” there are practically no cases of detecting alcohol consumption or breaching of the peace in the premises. Undoubtedly it is connected with the increase of legal awareness of people running businesses selling spirits.