



FEANTSA

**European Observatory on Homelessness:
Thematic Report 2006**

Poland

HOMELESSNESS AND ACCESS TO SPACE

By Julia Wygnańska

Methodology

The report is based on non-systematic methods of gathering information since there is hardly any independent research on homelessness and access to public space in Poland. Most of it was acquired through non-standardized short interviews with press officers of major institutions responsible for administering and keeping order in public places which are potentially tempting to homeless people. Study *Living on pewex – homeless, unemployed, working*¹ was particularly useful. It was complemented with information from few social workers from Warsaw shelters. Short legal analysis of legislation was conducted in order to identify regulations regarding access and order within public spaces. Resulting conclusions are based on rather random than systematic data. Eventually, methodology perfectly fits the idea of anecdotal observation.

From Private to Public spaces

According to Jacek Dominczak, an architect, there are three types of urban space differentiated by access criterion². Firstly, private space meaning rooms and apartments that is accessible only by their owners. They are clearly parted by walls and doors from second space type which is called co-private and includes corridors, hallways, stair cases and courtyards. The third type is public space like streets, squares, parks, greens and interiors of public buildings like churches municipal councils etc. The border between second and third type is not always clearly set. According to Dominczak, specific character of most European cities depends on how it has been set. Facades have always played essential role in this process.

(In Ancient cities) Facades created dense frontages which formed streets and squares. They clearly determined the border between private and public spaces of the city. Facades held the door to co-private halls and further courtyards.

¹ J. Kazmierczak, *Living from pewex – homeless, unemployed, working*, (pl. *Zycie na peweksie – bezdomni, bezrobotni, pracujacy*), Warsaw, December 2004, unpublished

² Jacek Dominczak, *Private and Public*, www.diaade.org, August 2006

Using this terminology, in Poland for a very long time urban planning of residential areas was targeted at replacing co-private spaces with public spaces. It is best illustrated in the architecture of multi apartment and multi building blocks of flats, which were commonly erected during Peoples Republic of Poland era. Small private apartments were condensed around building width long uniform corridor and building high staircase accessible to all residents. In theory, corridors and staircases were co-private spaces but in reality number and anonymity of the users made it closer to public. Any co-private activities of the neighbors like parties meetings discussions and hanging out was concentrated within private apartments. Co-private was possessed by so many owners that in fact nobody felt responsible. This phenomenon is being a subject of interest: How come that relatively wealthy neat and responsible residents cross through extremely dirty devastated and shabby spaces right in front of their door on everyday basis and do not bother at all?

Same status was applied to open spaces within sets of blocks. Originally, it was never fenced so everybody was allowed to use it. Neglected lawn and concrete sandboxes that were theoretically managed and cared for by estate administration were deterrent against any user. Common space was no one's space.

Specific status was applied to courtyards inside old tenements. Theoretically they were co-private but especially in inner-city areas they were open to clients of small shops and services placed in basements. Couple of years ago it was recognized by street workers employed in Street Children Programmed of Foundation for Poland. According to their opinion children neglected from parental care concentrated in courtyards except from streets. Their needs were substantially different from those of children hanging out in the streets which required specific attitude and practice different than used within street children programmes.

Currently it seems that co-private spaces are being reintroduced to urban settings. Old estates or their parts are fenced and protected by hired guards. They became

cared for and trimmed and therefore accessible only to inhabitants. In gates and staircases intercoms are placed. Inhabitants warn and monitor each other to allow only known people inside. Majority of newly constructed settlements is fenced and guarded with clear borders between co-private and public.

The process of transformation of public into co-private surely constraints access of homeless people to formerly available spaces providing shelter within urban settings. Above all it regards staircases, basements, and technical facilities like boiler rooms in bigger houses and blocks.

Presence of the homeless in public space

Public space is defined geographically as parks, squares, streets, parking lots, public buildings open to everybody willing to use them. The extent to which it is accessible to homeless people can be evaluated by specific research or if it is not available – which is the case in Poland - can only be judged by the presence of the homeless within space which is validated by its public reception. The assumption made for this analysis is that the homeless people are present in public space only as much as they are noticed and acknowledged by average users. They have access to public space as long as they are seen there.

There are certain roles and patterns of the use of public space by the homeless which are well recognized by service providers. To average town person the homeless are people playing certain roles in everyday life theatre but the stage is constrained to the borders of public space. Usually homelessness, degeneration caused by extensive use of alcohol, long term unemployment and poverty are considered the same phenomenon bothering the same people. The roles described below, according to the public are played by the homeless and only more informed specialists can distinguish between homeless shelter users and housed alcoholics begging for cash for a bottle of vodka and other.

Being a resident on railway station is definitely the most popular role associated with homelessness and public spaces. Shabby individuals with lots of bags, folded hard paper boxes, dark skin, long hair who are wandering around in search of valuable goods from the trash and sleeping on the benches used to be visible in every part of the stations. According to police office at Warsaw Central Station, the station is inhabited by about hundred of them. Anybody asked for the homeless mentions people on railway stations.

Garbage collector so called 'recycler' is an informal profession of people circling around certain area and stopping by any bigger garbage in search for recyclable materials that can be exchanged for money. They are equipped with big bags and clapped-out baby prams. Most often collected materials are hard paper beverage cans and metal pieces. Recyclers usually work in pairs. Good garbage is named 'Pewex' after Internal Export Enterprise that used to run network of stores under this name during People's Republic of Poland. Pewex stores were well equipped with goods from western countries not available in any other regular stores. They could be purchased only for US dollars or dollar vouchers (at certain time possession of US currency was illegal). Today same name is applied to bigger garbage lots located in residential areas. They are constructed as small buildings with some roof and no door with couple of 200 liter open containers inside.

Garbage segregation is not a popular habit in polish households. Only a few bother to separate paper from glass and plastic and trash it into dedicated containers. The only segregation system that is offered is provided by few *gminas*³ and includes containers for paper, glass and plastic that are located in couple of accessible places. They are used by people living in one or couple family houses as it allows reducing the cost of their own trash collection. People accommodated in blocks of flats and multifamily estates pay stable fare for trash no matter how much they produce.

³ *Gmina* is the name of lowest local government unit in Poland. Since 1998 local government consists of three levels: about 2500 *gminas*, about 250 *powiats* and sixteen self governments of *voivodship*. They are responsible for different tasks defined in specific legislation and they are not subordinated to each other.

Everything goes into one bin. Such common garbage possesses lots of goods that are valuable and looked for by impoverished citizens.

According to social workers from Warsaw shelters 'recycling' is picked up only by few most active homeless people and is treated as regular job and stable source of income. Some of garbage collectors are still housed but very poor. There are pensioners among them. According to the study of J. Kazmierczak of the community of 'recyclers' residing in Ursynow, which is the biggest residential district in Poland with wealth of collective residential bins, majority of them are people highly dependant on alcohol. They do not expect any support from the state nor shelters and their basic priority is independence:

My respondents do not take the support for granted and they do not claim it from any institution. They want to be self-sufficient and are reluctant to any services provided by the shelters. For their own condition they blame only themselves, alcohol addiction and family problems. They accept the result: loneliness and unemployment⁴.

'Recyclers' treat garbage collection as everyday job providing regular income. Most looked for goods are aluminum cans, hard paper and scrap metal. They can be sold in scrap heaps, which flourish in Ursynow district. Each of them is reported to have profits which are definitely worked out thanks to the community of 'homeless collectors'.

'Collectors' are well established in everyday life of housing estates. Inhabitants who do care for environmental issues do not go to free dedicated containers but just leave papers and aluminum cans packed next to the estate container knowing that it would be collected and delivered to scrap collection point. Definitely, their role is considered functional and legitimate. According to Kazmierczak marginalized

⁴ J. Kazmierczak, *Living from pewex – homeless, unemployed, working*, Warsaw, December 2004, unpublished

people for whom garbage is the only source of income play significant role in establishing polish system of recycling.

Beggars positioned in crowded city passages, junctions, churches (on Sunday) are hardly ever considered homeless by regular passer by. Specific national groups (Roma) and crafty individuals who prefer that occupation to any other available are believed to have monopolized this profession. Among beggars there are many people who expose their health deficiencies as well as their children's.

Visible occupation associated with homelessness and alcoholism is 'parking assistance'. It is provided by insistent fellows offering support in finding and taking parking place in busy inner town lots in exchange for small change. Naturally, they are not paid for nor asked to do it by the municipality nor anybody. It is their self-organized job and they claim reward for it as in their opinion they deserve it. Firstly, because they helped and secondly because they kept themselves busy as opposed to other homeless and unemployed who spend all days in shelters and squares. It is camouflaged form of begging which also popular in other forms performed by different groups like youngsters washing windshields on red lights, etc.

Next form of occupation prescribed to the homeless which is presented as 'job' that has to be paid for is taking place in front of supermarkets and begins with kind and yet pushy offer of taking shopping trolley back to the trolley shed in exchange for coin located inside the handle. Groups of 'helpers' hanging out in front of the supermarkets – which are prescribed to certain group – are noticed by many shoppers. Locations are guarded by each group by for example taking turns so that every time any group member is present. Some supermarkets hire workers responsible only for trolleys in order to neutralize potential need for 'trolley service'.

Being homeless are considered people with characteristic dirty worn out appearance who travel on long distance trains. They hold no tickets and getting on the train at initial station count on resistance of conductors to stop the train in the middle of the route. They know it is unlikely and all damage that can happen would take place at the final station where they might be passed to the police. The police would probably let them go as it is not capable of punishing them by any penalty. According to the shelter workers there is a group of people who treat traveling as a way to survive and organize stable shelter. The conductors intervene only if their presence disturbs other passengers which can be neutralized by replacing trouble some free riders to less occupied compartments.

Obviously, homeless people are noticed congregating in front of services for the homeless like shelters, medical points and soup-kitchens. They treat it as integrative and information sharing option. Besides some exceptions this activity is not recognized by many as homeless services are located in the suburbs and less populated areas. Space around the services is definitely public but is not noticed by average citizens. Homeless also congregate on busy bus stops as other people from whom they can possibly get something are there. It is good location to integrate and exchange information.

In the Summer the homeless are visible on certain squares and greens especially those located nearby railway and transportation stations. They warm up in the sun spreading their belongings and bodies on benches, chatting with each other and resting after their everyday activities.

In winter time homeless gather on staircases. Warsaw Municipality Police reports two opposite kinds of reactions from legal residents. Some of them ask for intervention to remove noisy and dirty groups and others ask to let them be as they are clean, quiet and use staircases only at nights. Residents obviously sympathize with people deprived of roof over their heads as long as they clean after themselves.

In rather peculiar situations homelessness reaches public opinion through the media. In August 2006, Hubert H., homeless individual from Warsaw Central Station made headlines of all major national newspapers. Last year, being under influence of alcohol he blocked two policemen trying to determine his identity by using obscene sentences that included offensive phrase towards the President of Poland. Hubert H. named the policemen hicks/flunkies of Kaczyński⁵, the ducks etc. Avid policemen took that as an offence of national president and started a procedure from specific paragraph of Offense Code. In August 2006 the case was proceeded by the court, but Hubert H. was not present as the police was unable to deliver him summons to appear in court. The press reported on nation wide search even hunt for him facilitated by the police. Fellow homeless from Warsaw Central Station were cited reporting on his routes. Of course, nobody gave any clue on current place of his residence.

Majority of roles and activities described above can be considered an offence and therefore prosecuted based on specific paragraphs of Offence Code and other regulations. However, according to the police and other security formations these paragraphs are hardly ever used towards the homeless. Part of the reason may be that in most cases it is not possible to execute any sanctions that would be negatively enough felt by the offender. Other reason might be that the homeless are treated in special milder way. Some roles they undertake like recycling and considered fully legitimate. It is not possible to determine which is more true. Official statistics on offences do not distinguish housing situation of offender and the same offence may be characteristic for other groups for example vanguard youth.

Public order regulations

The most often used regulation on public order is the one forbidding drinking alcohol in public places. It is part of The Act of 1982 on Bringing up in Sobriety

⁵ Polish word 'kaczka' that the President's last name is based on means 'duck' in English.

and Alcoholism Prevention⁶. According to Paragraph 43 any person that drinks or tries to drink in public can be fined. Trying to drink means being nearby open bottle or can with alcohol. In Poland alcohol can be drunk only in designated places like restaurants, bars and pubs and their gardens. It is forbidden to drink in front of 24hour alcohol stores, which in fact frequently happens.

Other offences that can theoretically be committed by people residing in public spaces are part of The Offence Code⁷. They regard disturbing *peace, public order and night time by shouting, noises, alarms and other pranks* which can be punished by arrest or fine (Art 51). The same penalty is for *causing moral corruption* for example by sunbathing naked in ones own backyard which may be morally corruptive to peeping neighbor. Fine or reprimand can be issued for using *obscene vocabulary* in public (Art. 141). Media reported on quite a few cases of local policemen implementing severe monitoring of how this regulation is violated. Some young people hanging out in parks were fined. The police can also reprimand or fine people who *damage flora and trespass public lawns* (Art. 144).

There is a regulation allowing punishment of people who for the third time during the year attempt to free ride on public transportation including railway. The person can be arrested or fined again (Art 121).

According to polish law begging is an offence (Art. 58) if it is performed by people *possessing means for living or capable to work*. Such person can be fined up to 1500 PLN (about 400 EURO), reprimanded or imprisoned. People begging *in insistent or deceitful* manner can be arrested or imprisoned. The same penalty is designated to people who use *minors, vulnerable and dependent people* to beg for them (Art. 104).

⁶ The Act of 26th of October 1982 on bringing up in Sobriety and Alcohol Prevention

⁷ The Act of 20th of May 1971 Offence Code

It is an offence *to possess weapons, explosives and other dangerous materials* while taking part in public assembly (Art. 52). It can be fined by fourteen day long arrest, imprisonment or fine. (No regulations on vagrancy were identified)

The attitude of tolerance and understanding against scrupulosity in penalizing the homeless for individual offences was never verified in independent research. Obviously, police and other formations report tolerance while the homeless and support workers complain on harsh overreactions. They tell stories about being driven by the police out of town, being left in front of the shelter gate, being transported from the square to sobering up unit and fined from any reason. Therefore, any conclusion cannot be responsibly made. Below, the strategies used by major institutions responsible for public order and management of public spaces are described as reported by their press officers.

Institutions responsible for public order and management of public spaces

There are three kinds of formations responsible for guarding public order and legal access to public spaces: national police, municipal/community police and private security agencies. Their responsibilities and duties differ, which it is not necessarily caused by specific legislation as much as by working division of tasks. Both national police and community police are entitled to ask for identity papers if a person violates any of paragraphs regarding public order that were mentioned above. They were established to protect 'public order' which is understood as preventing and reacting to any violation against The Offence Code. The term is usually used together with public safety which means preventing and reacting to the crimes as defined in the Criminal Code.

National Police

National Police suffers from staff shortages. Each year there are about 4000 vacancies. The gap is filled by employing people who prefer working at the police to serving obligatory year in the army. Majority of police patrols in Warsaw are made

of these young men and women. Their main task is to be visible and to check identity of people who commit offences. Lots of it is committed by youth hanging out in parks in after school time. They drink beer, shout and smoke, and therefore patrols often join them for conversation on articles 51, 141, 144 of Offence Code and art. 43 of alcohol prevention act.

According to the worker of press office at National Police Headquarters in Warsaw, Police would love to implement 'broken window' policy, but it is not possible due to staff shortages. Police has to concentrate its resources on other tasks defined by priorities set on national political level. Since many years it has been fighting organized crime (gangs, mafias etc.) and recently corruption, drunk driving and hooliganism have been added. The government implements regulations that are supposed to shorten the time between committing the crime and being prosecuted by the court. The procedure of Twenty-Four-Hour Courts was introduced to process cases of people violating traffic regulations especially by drunk driving and speeding up as well as hooligans – mostly 'pseudo fans' of football – who initiate brawls during and after the games. Right after the violation occurs violator can be arrested, records passed to prosecution so that the trial takes place no later than day and night after. The main goal is to apply immediate reaction to the crime.

'Broken window' policy is applied on local level by individual decision of local police posts – as long as they are able to organize necessary funding and staff. This has been the case on Warsaw Central Railway Station since about 2004. Increased number of uniformed and civilian patrols is in itself discouraging many violations. Main procedure used to neutralize troublesome homeless and other people residing in the station is stopping them to check their identity papers. For example, immediately after they approach queuing passengers asking for any coins or food or whatever, they are taken aside and asked for identity. The sanction, which is probably used as well, is threatening the person with driving him or her to sobering up unit or the shelter. To station residents it is a threat as they do not want to adjust to shelter routines. Policemen are aware that there are always sleeping places

available. The results are visible – homeless residents formerly concentrating in the main hall and on the platforms are not there any more. They moved to less exposed sections.

Police uses video monitoring system although it is not very widespread due to financial reasons. For example in Warsaw there are about 300 cameras located in different public places. Part of the places were chosen by the activity called crime mapping which identified certain points in town where crimes and offences were committed most frequently. One third of the cameras monitor Warsaw Metro. Their role is preventative – Warsaw Metro is a new one and has been monitored since its creation. It consists of one line (which is not yet finished!) with fifteen stations and connects southern residential part of Warsaw with the city centre. To use it, the ticket has to be purchased and validated in the gate to the platform. The whole system is new, almost sterile and well protected. It is rather unattractive to the homeless.

Municipality and Community Police

Community Police can be established and financed by *gminas* based on The Act on Community Police. In bigger towns it is called Municipality Police. It is responsible for activities regarding protection of public order and other priorities that may be set in local legislation. Each *gmina* can define specific goals for its police. Some of the responsibilities of community police defined in The Act are as follows:

Protection of peace and order in public places;

Protection of community and public use facilities;

Cooperation with organizers and other formations during assemblies and public events to protect public order;

Transporting drunk people to sobering up units;

According to the legislation community police can stop and check for identity people who violate regulations and afterwards have to pass them to the Police.

Community guards can caution people, check their identity by asking for identity papers, fine, catch people causing threat to health live and property and use some of the coercive measures including muscle force esp. incapacitating holding, handcuffs, multifunction protection truncheons and protective dogs. Policemen can also conduct investigation, issue proposals to Offence Courts (Kolegia Wykroczeń) represent in Offence Courts and ask for appeal.

Activities connected to homelessness and homeless people are a visible element of performance especially of Municipality Police in big towns. One kind of such activity is cooperation with local institutions during undertakings requiring big numbers of people. In Pomerania Voivodship, Gdansk Municipality Police is one of the major executors during Socio-demographic Survey of Homeless Population implemented using headcount methodology. The Police help with its equipment (headquarters, cars, radio communication system) and staff which is part of each survey group approaching homeless people in non-habitable locations. In Krakow in the summer Municipality Police supported local welfare centre during count of beggars in inner city locations. Each social worker was assisted by local policemen.

Community Police often engages and even initiates support actions for the homeless especially during winter time and extremely freezing weather conditions. In February 2006 Warsaw Municipality Police created a map of abandoned buildings used by the homeless which was updated on everyday basis by local posts workers and used to distribute warm soup. The homeless were offered transportation to shelters, but in case of rejection were not forced to go. The streets were patrolled in search for people threatened with lethal freezing.

Municipality Police from Torun conducted the plan of enforcing public order and peace within the Old Town which is major tourist attraction of the town. The places where homeless people congregate were identified (16 places and 36 people) and regularly monitored. Other monitored groups include youth, drug users and people concentrated around liquor stores. Report available in the Internet gives no clue

whether monitored people were removed or allowed to stay. Homelessness appeared separately in few section of the Performance Report:

Monitoring of gates and staircases to check for alcohol use, homeless people and drug users;

Monitoring of tourist routes – the homeless, alcohol and drug abuse and loitering;

Szeroka Street – the homeless, alcohol and drug abuse and loitering;

Policemen claim that their contacts with the homeless come down to checking their identity and informing on available services. More intense activities are undertaken towards people under influence of alcohol, using vulgar vocabulary, extremely dirty and loitering. ‘Well behaving’ homeless spending their time nicely in the parks and squares are not subject of their interest. According to the policemen the homeless are the most disciplined group of all they control. When asked to clean up after them, immediately obey and do it. According to street workers the homeless respect national policemen much more than community policemen. The last are considered much less powerful and therefore less threatening.

Private Security Agencies

In early nineties in Poland various private security agencies started to be popular. Initially they were funded and operated based on regulations included in many different Acts. In 1998 complex act was passed⁸. It defined criteria and qualifications of private security guards and types of objects, areas and devices that have to be protected on obligatory basis. Among them are objects *vital for the state security, economy and public safety* which include harbors, airports, banks, power plants, water intakes, gas pipes, energy and telecommunication tracks. According to the paper on privatization of public safety⁹ majority of these objects is protected by private agencies. They are hired to protect other objects as well, including shopping centres, supermarkets, schools, post offices etc. Based on the number of licenses issued for security guards (almost 80 000 till end of 2000) the number of private

⁸ The Act of 22 of August 1997 on Protection of People and Possessions,

⁹ G. Gozdór, *Privatization of safety – eyewash and abstraction or tool for improving public safety and order?*, (pl. *Prywatyzacja bezpieczeństwa - bujda, abstrakcja czy sposób na poprawę stanu bezpieczeństwa i porządku publicznego?*), Catholic University of Lublin

security workers can be estimated at 110 000 – 150 000 to compare with 100 000 uniformed policemen and 20 000 civil workers employed by National Police.

Number of protected objects and number of people employed in private agencies raised the question on whether there is the process of privatization of public safety going on in Poland. The process is defined as passing statutory duties regarding protection of public order from the state to private institutions. In many towns there is the same probability to come across a private agent as the policemen. There are spaces which are protected by private agents and therefore by passed by the policemen who choose to concentrate on ‘less protected’ areas. It creates the zones – like around banks – protected exclusively by security agencies. One of the possible explanations is that the State itself is not capable of ensuring public order which creates a gap effectively filled in by the process of privatization of public safety and order.

The service which is popular among private agencies – and not popular in the police due to funding shortages - is *Closed Circuit TV*. Practically, all newly built objects of public use are equipped with it like popular shopping galleries erected in many towns during past five years. Warsaw Community Police receives no calls for intervention from the galleries regarding homeless people. They conclude that these are not attractive places for Warsaw homeless. Other explanation might be that security agents can deal with disruptive homeless individuals by themselves and need no support of colleagues from public forces.

Railway stations

Homeless people are generally considered to create damage to the image of railway stations and their managers try to implement strategies aimed at removing them from most visible points¹⁰. One such strategy is cooperation with the police and setting common priorities like on Warsaw Central Railway Station.

¹⁰ Information used in that section of the report was acquired at the Railway Station Department of Polish Railway Company that manages over seventy biggest stations in Poland.

Peace forces that include police, community police and Railway Protection Service are obliged to inform the homeless on available shelter services in town and encourage them to move there. The homeless are made to leave the station during few hours in night time which is called technical brake and is dedicated to cleaning up. It is usually couple of hours long. The homeless do not have to be forced to move out – they know the schedule and leave by themselves as reported by the station officials. As reported by the homeless they are often treated aggressively by Railway Protection Guards – whose major responsibility is protection of Polish Railway Company property – removing them from the premises. Press representative of Railway Protection Service claims that such actions are directed only to drunk and extremely dirty and stinky individuals. But isn't that true about majority of homeless residents of railway stations?

One of the strategies purposefully implemented to remove the homeless from public view on the stations is replacing old wooden benches with plastic seats. This strategy is not implemented everywhere in the same time – it is part of the “estheticallization” of the stations. Once the station is renewed the seats appear. Managers of the stations are satisfied with the results as the seats are durable, easy to clean and people do not lean on them. Passengers waiting for the trains used to wander around not being able to rest because benches were taken by the homeless sleeping under newspapers. Managers plan exchanges on bigger scale.

There are about 120 homeless people residing permanently on two biggest Warsaw railway stations. They used to be seen everywhere: among passengers, in restaurants, on the platforms. Since two years they have moved to more camouflaged places. According to press officer of Polish Railway Company it is the result of increased monitoring of the stations by police patrols which is caused by general threat of terrorism and is not directly targeted at the homeless.

PKP Intercity, which is the company managing long distance connections does not stop its trains in the middle of the route in order to remove homeless free riders

from the train. The regulation allowing fine and arrest of the person trying to free ride for the third time during the year is not reported to be used. Some sanctions may be put on final station and it would be overnight arrest.

Municipal cleaning services

Warsaw Cleaning Company has no strategy directed towards 'recyclers'. It is understood and accepted that for most of them it is the only occupation that provides income for living. The homeless are considered minority among them whereas majority is taken for alcoholics who due to deepening alcohol dependency loose primary source of income and have to pick up another one.

Companies that deal with containers for segregated waste, due to mess caused by people stealing from containers for aluminum cans removed them and started to provide common containers for plastic and aluminum. It is common that aluminum and plastic container is described as the one only for plastic.

Communities in residential areas are reluctant towards the 'recyclers'. Waste sheds often serve as a toilet. Recyclers searching for sellable products make mess by removing trash of the containers. They tend to gather on nearby corners. Many communities decide to close the sheds with fences and padlocks.

Legitimate use of public space

There are some shared reasons or explanations that legitimate different kinds of use of public space by the homeless in Poland. They can be phrased in following way: People are poor (probably due to structural causes) and they are obviously not supported by the state nor other institutions so they have to be allowed to do whatever they can to provide for their basic needs – regarding railway station residents, staircase users.

People should not be punished even though they brake the regulations as long as they do not disturb the others – homeless on the squares and staircases, neat and tidy homeless.

Even though they do disturb a little, they play a functional and useful roles and therefore should be allowed to perform them – ‘recyclers’.

Above all, some people are seen trying to be at least self sufficient, they do not turn to welfare even though they would be eligible for services and therefore they do deserve some respect.

Above patterns of thinking are probably shared by average observers and users of public space.

Opposite attitudes that explain ban or reluctance to public space use can be named as well:

People are dirty and smell badly, probably pay no taxes and are lazy then why should we be bothered by their disturbing company?

People choose to live in the railway stations because they are free to drink alcohol there with no restrictions, therefore as it was their choice, they should bare the consequences of police bothering them to move to less visible places.

Most of them are shaped to some extent by the concept of deserving and undeserving poor as well as the notion of people ‘choosing’ to live certain life. These concepts thrive in the minds of specialists working with the homeless. According to the qualitative study conducted in the year 2000 of attitude of social workers employed at Warsaw shelters¹¹, their potential clients could be divided into ‘nobles’ and ‘hoboes’. The first are those who decide to use services offered by the shelters with willingness to undertake certain activities in order to get out of homelessness. The last are people who care only for alcohol, use shelter services only from time to time and show no motivation to change their lives. They ‘choose’ not to improve their situation. The first group should definitely be taken care of

¹¹ M. Abucewicz, K. Frieske, P. Polawski, *Homeless People in Warsaw – Characteristics of Phenomenon and Support Efforts by the Workers of Support Organizations*, (pl. *Ludzie bezdomni w Warszawie – chrakterystyka zjawiska i pomoc bezdomnym w oczach pracowników organizacji pomocowych*), Warsaw, December 2000, unpublished

whereas second should be left alone. The same attitude was noticed by Kazmierczak about five years later:

Majority of authors as well as activists from organizations providing services to the homeless are convinced that certain kinds of homelessness should be treated as a consequence of individual choices. Bad result of such attitude is the tendency to pronounce each person rejecting services as 'homeless by choice'.

The striking fact is that shelter workers do not doubt the quality or adequacy of the services their institutions provide. It is clients who are bad and do not want to use the service. It is not debated whether maybe the service does not match the needs or does not take into account the values and decisions that individual people are free to make no matter whether homeless or housed. People who reject to use the shelter are those who do not want to comply to its internal code (no drinking on the premise, working with the social worker and other) meaning they do not want any support and therefore are legitimately left alone to be nomads on the railway stations and gardening allotments.

Conclusions

Is there a tendency to constrain access to public space in Poland? Surely, there is a trend to restore co-private spaces within urban settings, which due to certain ideology during communist era and subordinated urban planning were constructed as public spaces which were most visible in residential areas. Though, it would be an abuse to say that this process is purposefully targeted to the homeless – it would be more true in salesmen case. It is rather driven by the need to show financial status, protect private property and eliminate accidental passers-by. However, it

does result in limitations of access to roofed spaces formerly available to the homeless.

There are actions undertaken to remove the homeless from public view/perception. They are local and 'point in time' in their nature and usually come down to single mobilization (e.g. monitoring of Old Town in Torun) or action of one institution in especially problematic area (increased monitoring on Warsaw Central Station).

Even though public safety and order issues are a priority for political parties currently forming a government, they are concentrated mostly on corruption, driving offences – drunk driving and twenty four hour courts – and serious crimes. Protection of public order is concentrated on immediate reactions to offensive vocabulary, moral corruption and insulting national symbols like flag and emblem as well as National President and other officials. Reaction is rather peculiar like highly exposed case of Huber H., the homeless from Warsaw Central Station who called Polish President 'a duck'. This and other like actions are treated as fanny officiousness of clerks.

Cases of friendly support to the homeless presented by other users of public and co-private spaces create atmosphere that facilitates conclusions on generally tolerant and understanding attitude towards the homeless. Though, it has its limits drawn on the line distinguishing between drunkenness and sobriety, filth/stink and neatness, noise and quiet. The homeless on our staircases and courtyards have to be supported as long as their behavior and appearance do not stand out to much from average standard. If it does stand out they still deserve to be supported but in dedicated services in invisible locations. Polish NIMBYsm would have to be phrased 'not in my staircase'.

It is possible, that in polish towns there are enough abandoned buildings, ruins, unguarded entrances to sewage and heating channels, railway tunnels and gardening allotments that can serve as shelter for the homeless living in non-habitable places,

that even strengthened protection of public use objects like warehouses, railway stations, shopping centres and offices does not create conflicts between the homeless and security services. The homeless move to less protected more abandoned locations even with less 'comfort' accepting the tradeoff that has to be paid for independence. Security forces do not want to intervene unless the presence of the homeless causes reactions from the public.

Above conclusions can be made based on collected information, but its limitations have to be underlined. One of them is lack of independent research describing access to public space from the point of view of the homeless themselves, as they are people by whom restricting strategies can be mostly felt. Yes, there are available complaints of the homeless and their supporters but they have individual and subjective character. It is not possible to verify declarations on friendly and supportive attitude of institutions whose responsibility is protection of public order. There is significant gap in information on activity of private security agencies and their attitude to the homeless. Probably, there are many interactions between the two groups as many public use facilities are protected by private agencies.