

In Poland, the provisions of the Act on Upbringing in Sobriety and Counteracting Alcoholism that concern the existence of the isolation model of people under the influence of alcohol give rise to inconsistent, and unequal treatment of the intoxicated persons before the law, as well as increase the risk of them losing their health or life. In the Polish legal framework, there is a possibility of isolating the intoxicated in the police detention centres (*pomieszczenie dla osób zatrzymanych – PDOZ*) located in the respective Police stations or in the sobering centres run by the local governments. The main difference between the two options is that, as opposed to the first ones, only the latter institutions employ a full-time medical staff, thus providing a better protection against any possible negative effects on the lives or health of the detainees. In 2015 in Poland there were solely 33 sobering stations, while as many as 320 PDOZs were operating. Comparing this data, it may be concluded that the law makers have provided much fewer entities with much more powers in the area of an extended care of intoxicated people. PDOZs are not sufficiently prepared for the isolation of people under the influence of alcohol, as evidenced both by the analysis of the laws governing their organization and – more importantly - by the results of the studies carried out for the purpose of this thesis. The results of the research show that more than a half of the heads of the Police units interviewed stated in the Silesian Voivodship that the premises for the detainees were not technically adapted to accommodate the people in order to sober up. The main reason thereof was the lack of: specialized beds, permanent medical care, equipment – such as safety belts, monitoring and detention clothing. A clearer picture of the situation is provided based on the results of the studies conducted among the officials serving directly in the PDOZs in the Silesian Voivodship. Only 4% of the respondents claimed that the premises were suitable for the proper supervision of this category of persons. As many as 80% of the interviewees declared that the PDOZs were not properly adapted or not fully adapted. The most common reasons behind those statements were: no seat belts to incapacitate aggressive people, inadequate infrastructure or equipment to prevent threats posed by aggressive detainees, the lack of a medical supervision, the lack of an adequate equipment, the lack of monitoring in the cells with the detainees. A completely different picture was provided based on the results of the research carried out among the staff and managers of the sobering stations in the Silesian Voivodship. Based on the responses received, it can be concluded that more than 90% of the respondents from a management level believed that those places had a sufficient technical infrastructure to ensure a proper supervision over people under influence of alcohol. Similar answers were provided by the employees. Over 91% of them stated that the premises were technically fully equipped to supervise this kind of people. The Act on Upbringing in Sobriety and

Counteracting Alcoholism is a legal act with a 34-year history, rich in the amendments. Nevertheless, the legislator, leaving the possibility to place the intoxicated persons in the PDOZs has maintained the status quo of the archaic model, which is currently existing in hardly any country. Under article 32 of the Constitution of the Republic of Poland all the citizens shall be equal before the law and shall have the right to an equal treatment by public authorities. It is therefore a matter of ensuring an equal treatment to any and all entities being in the same legal situation. The principle of equality means that all the legal entities that possess – to the same extent - a specific feature, should be treated equally, meaning with the same metric, without any differentials of discriminatory or favouring nature.