POST ACCIDENT CARE IN POLAND

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ABSTRACT
It has been 20 years since the start of Poland’s socio-economic transition followed by a surge in demand for transport, and as a consequence, a rise in road accidents and victims. Known to the world as “the year 1989”, the change swept across all of Central Europe attracting the obvious interest of other European countries, especially those using Polish roads to go from Western Europe to the former USSR. With increasing risk for transit traffic, a number of expert opinions and publications were made discussing the problem and offering methods to solve it. Two documents were particularly important for Poland: the Gerondeau Report and the Nordic Council Report. They had led to the launch of the GAMBIT’96 programme, designed to improve Poland’s appalling road safety.

The programme was built around what was a classic method at the time, integrating the three areas of: engineering, enforcement and education. The measures were implemented in three phases: before, during and after the accident, in accordance with Haddon’s concept. Because they are not the subject of this paper, the first two phases will be left out. The post-accident phase focussed on improving technical and medical rescue because the treatment of road accident casualties and their rehabilitation was part of the public health department. It would be true to say that post-accident care was handed over from the department of the interior to the department of public health. Although apparently minor, the change was anything but that to the road accident victim who as the time progressed, felt more and more on their own battling the consequences of the accident.

First, it should be stressed that while the total number of road accident victims in Poland is growing, it is not because of a higher number of accidents but because the number of victims aggregates over time. Today it is estimated that in the last 20 years in Poland more than one million people were injured. This weighs heavily on the system of medical, psychological and financial care. The most recent statistics of the Central Office of Statistics (GUS, 2009) say that the European Health Interview Survey (EHIS) found that every fifth Pole is within the
group of people of disabilities. Of course, only some of them were disabled in transport accidents. Because other countries may be dealing with the same problems, we took advantage of their experience to help us build a concept of a system providing post-accident help to road accident victims and their families.

Established by the Pope John Paul II and subsequently supported by a decision of the UN General Assembly, the World Day of Remembrance of Road Traffic Victims was our first opportunity to raise public awareness and gain the public’s support for the idea. In our paper we will focus on the efforts of NGOs which are running the Post Accident Trauma Centre project with support from local authorities and the scientific community. Phase one will be about understanding public opinion on post accident care for victims and their families. July 2012 saw the unveiling of Poland’s first monument to remember the victims of accidents. This is a meeting point for families who established the National Association of Accident Victims’ Families to gain support of the Parliament, authorities and the public for a programme to build a Centre of Post Accident Care. The Association draws on the ideas of the European SUPREME project.

The experience from the Polish GAMBIT programme shows that post accident care is not a welcome objective of National Road Safety Programmes due to its non-preventive nature (GAMBIT, 2005). Because it only applies to some victims, it does not attract the interest of politicians or the public. However, a comprehensive cost-benefit analysis should consider all costs of road accidents and all benefits of prevention and post accident efforts which alleviate human suffering and help the victims back on track with their normal daily lives.

1 INTRODUCTION

The year 1989 marks the introduction of Poland’s new economic system, giving way to an uncontrolled growth of motorization. Coupled with ineffective road safety measures, the situation led to a doubling of fatalities in the space of a few years to reach 7901 fatalities in 1991 (about 210 fatalities per 1 million inhabitants). Our western neighbours reacted by sending their experts to Poland to help us with improving our road safety work and in this way Polish institutions were motivated to become involved.

In 1992 the Nordic Council published its report which said that “the main scientific bodies in Poland working for road safety are the Motor Transport Institute and three universities of technology in Gdansk, Cracow and Warsaw”. This coincided with a visit to Poland of a group of experts from a number of EEC countries concerned with the devastating road safety performance. Their work produced the so called Gerondeau report “Road Safety in Poland”, funded by the World Bank. It included two vital conclusions (Gerondeau, 1993). The experts were of the opinion that Poland’s tragic road safety performance is caused by the fact that no one was taking political responsibility for the problem and the country did not have a national road safety programme.

Building on the Gerondeau report recommendations, the Council of Ministers in October 1993 appointed an inter-ministerial group under the name of the National Road Safety Council headed by the deputy prime minister. At its first plenary meeting the National Council was presented with an outline of an Integrated Road Safety Improvement Programme, commissioned by the transport minister with the Committee of Scientific Research. The project was run by the Gdansk University of Technology in conjunction with the Motor Transport Institute and Cracow University of Technology. The project was presented at the International Seminar GAMBIT’96, a biennial event which has been
continued ever since at the Gdansk University of Technology. It invited comments on the project from the delegates who included our Partners from several renowned institutes: Germany’s BAS, France’s INRETS and General Directorate of Road Safety, the Netherlands’ SWOV and ANWB, Sweden’s VTI and Svenska Kommunförbundet. There was also a delegation of four people from the People’s Republic of China’s Ministry of Transport wanting to learn about ways to improve road safety because their road accidents were increasing faster than the pace of motorization.

Figure 1. Delegates to the International Seminar GAMBIT’96

One of the first results of cooperation with the Dutch Institute of Road Safety Research SWOV is shown in Figure 2. Data collected by the GAMBIT’96 team were used to develop a forecast of Poland’s road safety performance for the next 20 years. Developed by SWOV’s M. Koornstra and S. Oppe (1990), the forecast method was used to develop a chart of road accident fatality trends in Poland (Oppe, 2001).

Today, it is worth remembering that the forecast was made in the mid 1990s and included in the next two national GAMBIT programmes. The first programme was developed in 2000, commissioned by the transport minister following the administrative reform of 1 January 1999. The next one, called GAMBIT 2005, was developed after Poland’s accession to the European Union and adopted by the Council of Ministers in April 2005 as its road safety programme for the years 2005-07-13. During 2007-2013 the European Commission allocated significant funding for improving Poland’s transport infrastructure according to the “National
Transport Policy for the Years 2006-2025”, adopted by the Council of Ministers in June 2005 (Krystek, 2005). The combined GAMBIT bibliography is extensive with information, assumptions and conclusions from the implementation of the three consecutive national programmes and a number of regional and local programmes.

2 THE CONSEQUENCES OF ROAD ACCIDENTS

Poland launched its methodical road safety work when annual road deaths were approaching 8 thousand, compared to last year’s 3.5 thousand. Today, 20 years on is probably a good time to evaluate the efforts and how effective they have been. From the extensive pool of actions, we have selected those that have an effect on the lives of accident victims and their families. The reason for this is the growing number of victims who need methodical help. In addition, victims and their families are particularly vulnerable and frequently unable to exercise their rights. As a group they are not sufficiently organised to react against the poor level of care provided by the state. While reducing the risk of injury or death in road traffic is a legal and moral obligation of the public and its authorities, the relevant efforts must be based on economic analyses. Today, it is commonly claimed that it is good business to invest in road safety. This, however, must be based on the notion of “the value of human life”. The public suffers economic and moral consequences which are difficult to estimate or compare to financial consequences. There have been attempts to develop relevant methods; one of them is the “willingness to pay” estimation. In the recent decade many EU countries agreed that the maximum amount to be spent to save the life of one road user is 1 million euro in terms of the soundness of the investment. This could be the basis for estimating the necessary expenditure on better road safety and a better health care system to look after the victims. The latter should include the entire process of trauma recovery and helping the victims to become part of society again under new circumstances as a result of physical, mental and moral injuries suffered in a road crash.

Figure 2. Forecast of fatalities included in the GAMBIT programme
The last two years have been particularly hard for these vulnerable groups of road accident victims and their families. Certain declarations have been made in the White Paper, European Transport Policy: Time to Decide (White Paper, 2001) and the European Commission made it quite clear that the emphasis on improving transport safety differs from mode to mode. The European Parliament addressed this matter as well by reminding that freedom of movement enjoyed by EU citizens should be understood as the right to use all modes of transport within the EU safely. At the time the Parliament reaffirmed its strong support for road safety efforts putting the emphasis on the need for relevant allocations in the EU budget. A few years later, however, apparently under the pressures of the world crisis, in its Resolution which also includes the problems of improving road safety in the years 2011-2020, MEPs wrote “We regret the cuts in the EU road safety budget due to the crisis, but we ask the European Commission to reintroduce the previous funding trend”. In addition, it was stressed that EU funds should focus on implementing tried and tested, effective and science-based road safety measures which save people’s lives most effectively. The most recent document Road Safety Policy Orientation 2011-2020 covers this more extensively and identifies measures with the greatest potential for protecting lives.

Developed by the European Transport Safety Council, the latest PIN report estimated the average consequences over the last decade at 182 bn euro annually. When put in this context, the term of “value of life” may evoke ethical protests. By assigning a value to this notion, however, we can better support road safety measures by running a costs and benefits analysis giving us the economic justification to proposed policies. As a reminder, in its recent document the European Commission’s estimation of human life is in the range of 1.7 million euro. To conclude, no other area of activity anywhere in Europe offers such a high rate of economic return as investing in improving the safety of transport, especially, road transport.

3 STUDYING THE LIVES OF VICTIMS AFTER THE ACCIDENT

The World Health Organisation estimates that road accidents as the number nine cause of sudden death may soon move to number three, unless methodical preventive measures are undertaken (WHO, 2009). At present, some 1.3 million people are killed on the roads annually and about 20-50 million are injured, of which about 5 million remain disabled for the rest of their lives. The figures for people injured suggest that there is a lot of uncertainty regarding the sources of the data and definitions of accident injuries. As a result, it is difficult to assess the situation in the countries. Costs of road accidents are a similar problem. They are divided into measurable costs, i.e. in money terms and immeasurable costs such as pain and suffering caused by a disability or the loss of a loved one. Costs can also be divided into those related to the victims and the event itself including the cost of rescue and clearing up the scene of the accident, administrative costs of court proceedings and financial costs suffered as a result of the accident. The costs related to the victims are incurred during treatment, rehabilitation and for aids for people disabled in the accident. There are additional costs such as assisting the victims in learning to live in new conditions or vocational retraining, special means of transport and accommodation. One of the most difficult phases is recovering from the post-accident trauma which may require long-term specialist treatment.

For years previous methods of estimating road accident costs never considered the social costs caused by suffering and exclusion from normal life for people with disabilities. There was very little research on the subject. One of the first studies to look at that in Europe was a 1996 research run by the European Federation of Road Traffic Victims (FEVR, 1996). It was
designed to identify the problems that road accident victims and their families struggle with and to propose solutions to prevent the deterioration of their living standards as a result of an accident. The survey helped to identify actions that can help victims (Piskorz, Żukowska, 2012).

First of all, victims and their families should have access to information about the accident, their rights as victims, how to deal with the insurance company, file civil claims and about organisations that help victims. This is the sort of information that should be provided by the police, emergency service, hospitals and courts in brochures. The distribution should be co-funded by government agencies which should also pay for educational programmes for organisations which statutorily deal with victims of road violence. The police should be legally required to inform victims and their families about the details and how their case is progressing.

Psychological, practical and legal help is also needed. It is vitally important to establish Assistance Centres providing accident victims with free advice on legal, health and psychological matters. It is particularly important directly after the accident. Governments should support voluntary organisations.

Trial proceedings must be revised to ensure that fatality road accidents are prosecuted ex officio. Alternative penalties should be introduced for causing death or disability. Preference should be given to victims’ needs. Insurance claims are another area in need of a revision. There is widespread public dissatisfaction with how insurance companies handle claims and compensation, especially in the case of serious injury or death of road accident victims. The victims and their families are unhappy with the lengthy claims procedures and callousness of insurance companies which should be required to immediately pay the costs of the funeral, as an example. Victims who have lost their source of income as a result of the accident should receive advance compensation.

Psychological and physical injury of the victims and their families or a sudden loss of a loved one put family members in a state of shock and seriously affect their lives. Other people may be affected. In many cases, people who have lost their loved ones lose all purpose in life, become suicidal and some commit suicide. The shock and continuing stress are destructive for their immune systems making them more susceptible to illness; it may also cause death. All this shows how important it is to ensure long-term emotional and psychological support to road accident victims and their families. Help should come from friends and families and be complemented by Assistance Centres. Psychological disorders are the main cause of dramatic deteriorations of the quality of life of victims and their families. Today, they are considered secondary effects and as such are not legally considered as accident consequences.

4 THE SITUATION OF ACCIDENT VICTIMS IN POLAND

The FEVR study was an inspiration to address the problem of road accident victims in Poland. Accident victims in our country are faced with similar problems of access to information about their rights and available help or government bodies, local authorities and NGOs that can help accident victims. What is more, there is a lack of administrative structures capable of providing systematic assistance and most of the help is offered in one-off campaigns.

Using the FEVR report as an example, the Foundation for Independent Road Safety Research GAMBIT undertook a similar study in Poland. The first results were encouraging. The conclusions from the study were presented at a conference on the social consequences of
road accidents organised by the Human Rights Defender in 2002 (Krystek et al., 2002), followed by a declaration of a comprehensive study, if the barrier of access to accident victims in Poland could be overcome.

Set out in the National Road Safety Programme GAMBIT 2005, the key tasks for improving Poland’s road safety included an efficient system of road safety management to effectively eliminate the risk of injury or death in road traffic and provide assistance to those who were hurt in road traffic despite the Programme’s efforts (GAMBIT, 2005). Specific objective 1 – “To build a basis for effective and long-term road safety measures” included the task “Assistance for accident victims”. It was designed to examine the effects of accidents on the quality of life of the victims and, as a long-term perspective, to build a system of victim information and assistance. This objective must be preceded with an objective and thorough analysis of the social and economic consequences of road accidents.

An agreement signed with the Association “Alter Ego” in 2005 paved the way for a more comprehensive study. It was conducted between 2007 and 2008 under the project Integrated System of Transport Safety (ZEUS, 2010). The first task was to draft a survey which would cover all problems encountered by road accident victims in Poland without being too extensive and discouraging for the respondents. To that end, the draft survey was evaluated by non-governmental organisations helping victims, police, medical services, psychologists, sociologists and of course the victims themselves. Two types of surveys were developed for families and friends of people killed in an accident. There was a separate survey for accident victims. The surveys comprised six blocks of questions (Żukowska, 2009):

- Background information,
- Psychological and physiological consequences of the accident,
- Occupational and financial consequences of the accident,
- Claims and compensation,
- Penal proceedings,
- Post-accident help.

The results were first presented at the International Road Safety Seminar GAMBIT 2008. The full data were published in a monograph (ZEUS, 2010). Implemented by the Regional Road Traffic Centre (WORD) in Olsztyn, the regional road safety programme Warmia and Mazury GAMBIT incorporated the results of the study. The following are some of the components of objective E-4 titled “Help for road accident victims”.

**To provide information** about the rights and available help for accident victims; victims do not know where to find out about their rights and help. Brochures should be developed with information about rights of accident victims and their families and where they can get that help.

**To ensure equality** of the victim and the person who caused the accident in the eyes of the law; Poland’s legal system concentrates primarily on the person charged rather than the victim. As an example, the victim does not have the right to a court-appointed lawyer. Steps should be taken to revise the law by submitting draft acts to legislators.

**To provide financial help:** insurance companies pay compensation only after the proceedings or treatment is over. This is why a special fund should be set up to assist victims and their families with financial help. The fund could be operated by Municipal Social Services Offices and supported by non-governmental organisations. Steps should be taken to improve the procedures of insurance companies by requesting changes in the legislation.
To provide psychological help; a road accident is a traumatic experience, especially if a loved one dies. Victims and their families should have contact with organisations and institutions that are trained in dealing with these persons. Emphasis should be put on training those who bring the news of death to families. It is important for the victims and their families to receive psychological care from the moment the accident happened. To that end, local authorities should support NGOs who have been providing such help. Help should also be available at Assistance Centres.

The region of Olsztyn sets an example for other Polish regions to follow. It is building a Regional Road Safety Observatory, based on the results of the SafetyNET project (2009). The Observatory will serve as a knowledge database for many NGOs assisting road accident victims. The project SOL “Save Our Lives” was particularly helpful. Launched in 2010, it is a three year project funded under the EU’s Programme for Central Europe involving 12 European institutions including two from Poland: the Motor Transport Institute (ITS) and the Road Safety Centre, part of the Regional Road Traffic Centre in Olsztyn (Żukowska, Piskorz, 2012). Its objective is to develop a road safety strategy to be used by regional and local authorities. In Poland the project is delivered in the region of Warmia and Mazury. Although each of the Polish partners was given a different set of tasks, together they are part of SOLAB, an advisory body responsible for ensuring that project work is consistent with European, national and regional road safety strategies and for supporting project work by building partner networks. Both organisations: the ITS and the WORD Olsztyn use their longstanding experience and contacts which helps the SOL project develop and gain recognition not only among the local communities of Warmia and Mazury but also in other parts of Poland.

5 ACCIDENT VICTIM ASSISTANCE CENTRE

The World Day of Remembrance of Road Traffic Victims is commemorated on the third Sunday of November each year. It was initiated in 1993 by a British NGO RoadPeace, founded by Brigitte Chaudhry, as a national day. Its international efforts were supported by the European Federation of Road Traffic Victims (FEVR) under an initiative of professor Marcel Haegi. In 2002 the initiative was supported by the Pope John Paul II and in 2005 when the UN General Assembly adopted Resolution 60/5, it became a global event. The World Day of Remembrance of Road Traffic Victims is a perfect opportunity to reflect on the value of human life and health, caring for safety on the roads and ensuring proper care over those directly and indirectly affected by road accidents. A living memory of those who died or have been permanently disabled should be our moral obligation to take concrete steps and support initiatives that can effectively prevent similar tragedies in the future.

The Association to Help Road Accident Victims “Alter Ego” was founded in 1999, Poland’s first organisation to offer such extensive help thanks to funds from the Regional Courts, paid as damages by offenders who caused road accidents. This form of financing NGOs who help accident victims and their families was only available until last year. Following a revision of the law, the funds are now handled centrally by the Ministry of Justice which adds another bureaucratic hurdle and significantly slows down the delivery of local assistance programmes.

In 2009 an initiative of the Motor Transport Institute and the “Alter Ego” Association led to the establishment of a local Association of Transport Accident Victims PRZEJŚCIE. It drew on the experience of the Sanctuary of Blessed Karolina in the village of Zabawa near the
town of Tarnów, a regional administrative centre in south-east Poland. It laid the foundations for the Trauma Recovery Centre, with the Monument of Remembrance of Victims of Violence at its centre. Created after the beatification of Karolina by the Polish pope John Paul II, the Sanctuary is a unique and special place. Karolina, a sixteen year old girl was murdered at the start of the First World War on 18 November 1914. The Sanctuary attracts people in need of spiritual and psychological support after they have lost a loved one. Families of road accident victims prevail among the pilgrims.

The growing number of pilgrimages and a special sense of that place prompted the idea of a Chapel to be built in the Sanctuary to commemorate victims of violence of the 20th and 21st c. and to support the grieving families of victims. As a place of support for families of victims of violence, the Chapel became an inspiration to commemorate victims of transport accidents and establish a centre for treating post-accident trauma not only of the affected victims but also their family and loved ones. The existing Sanctuary and a growing pilgrim and tourist traffic gives a new perspective for using the site to commemorate victims of violence and those killed in transport disasters. It also highlights the need for professional help for the people affected by trauma and has encouraged cooperation among a number of organisations and institutions. In July 2012 the bishop of Tarnów consecrated the monument which became a venue where people remember victims of road accidents and go through a form of therapy by passing under a symbolic gate of suffering caused by an accident to experience light and transit to a new reality of life after the death of a loved one.

The initiative of the Association “PRZEJŚCIE” has gained some noteworthy Partners. Help for victims of accidents and transport disasters has been appreciated by the Minister of Justice, Prosecutor General, Defender of Human Rights and regional and local authorities. What is equally important is the cooperation between rescue services such as the Police and State Fire Service and local private sponsors and NGOs, the Association of Transport Accident Victims PRZEJŚCIE, which completed the first stage of the trauma centre, to be part of the Sanctuary in Zabawa. The PRZEJŚCIE Association’s therapy workshops for people suffering from post-accident trauma and the growing number of people looking for spiritual and psychological support demonstrate clearly that this work should be continued drawing on the experience and good practice from Poland and abroad.

Fig.3. Accident Victims Monument PRZEJŚCIE (author: Jacek Kucaba)
The programme of the Trauma Centre was built from a number of examples of existing centres abroad. The most recent opportunity for exchange of experience was at a special scientific seminar hosted by the county authorities in Tarnów (Proceedings, 2012). Its objective was to discuss the tasks planned for stage II of the “Tarnów Trauma Treatment Centre” project. A number of technical and organisational issues were discussed. Examples of centres abroad were presented, e.g. about the programme and operation of the Trauma Treatment Centre in Toledo, Spain. It was a classic example of the ETSC’s philosophy of “Promoting good practice” (Dobrzańska-Junco, 2012).

6 CONCLUSION

Road accidents are one of the main health problems of the people of Poland, primarily due to the enormous number of victims and the long-term effects suffered by accident victims and their families. The problems faced by victims deteriorate their quality of life. Considering the fact that apart from the person directly affected there are also others, it all adds up to a very large group of people. Sadly, because too little is known about the size and nature of the problems suffered by road accident victims, they are not appreciated by government or the public at large.

We wish to thank those supporting our idea: the Minister of Justice; Defender of Human Rights; Prosecutor General and President of Cracow Region for their invaluable contribution. A special recognition goes to the County Authorities in Tarnów who agreed to host the next meeting on the establishment of the Tarnów Trauma Recovery Centre. The credit for the work so far goes to the team of people of good will under the leadership of the deputy head of the County Authorities in Tarnów. Thank you to the Ministry of Labour and Social Policy for its support with European Commission funds under the Civic Initiatives Fund Operational Programme.

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