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ORGANISED CRIME IN POLAND — STATISTICAL PICTURE BASED ON REPORTS OF THE CENTRAL BUREAU OF INVESTIGATION OF THE POLICE SELECTED ASPECTS

Introduction

Organised crime is as complicated as it is dangerous. The two are closely linked. The multifaceted nature of this phenomenon is manifested by the fact that organised crime can take different organisational forms (*e.g.* hierarchical, network or cluster structures), as well as the profile of criminal activities can be different (*e.g.* organisations specializing in economic, fiscal, or drug crimes or multi-criminal organisations). The complicated nature of the organised crime makes it difficult to define it. Although it is used in some legal acts, this term is not defined in Polish law. The problems with the precise definition of organised crime are not only present in Poland².

This type of crime is very harmful to the society. The cooperation of more than two people within a criminal organisation usually produces much better results than acting alone or together with another person. Members of such a criminal association complement each other by creating a new quality – a criminal organisation (according to the nomenclature

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² As regards attempts to define organised crime, see: Michalska-Warias A, Pojęcie przestępczości zorganizowanej – aspekty kryminologiczne. *Studia Iuridica Lublinensia*, 2003, no. 1, pp. 129–143; Pływaczewski E.W (Ed.), *Przestępczość zorganizowana*. Warsaw, 2011, pp. 23-30; Mądrzejowski W, *Przestępczość zorganizowana. System zwalczania*. Warsaw, [no date of issue], pp. 46–53.

used in the Polish Criminal Code³ – an organised group or an association aimed at committing a crime). This new quality allows the participants of the procedure to act on a large scale in many areas of criminal activity and a lower (than in other than group activity) risk of being found out by law enforcement agencies. This is linked closely to the fact that organised crime is highly flexible. Criminal organisations, as they are profit-driven, similarly to legal business entities, try to adapt the structure and profile of their activities to the “needs of the market”, taking into account activities aimed at minimising the risk of failure of the undertaking (crackdown by law enforcement authorities). The effectiveness of committing crimes increases, while the likelihood of authorities cracking down on the organisation and consequently repairing damages and compensating for the harm caused to victims decreases. It is also worth mentioning that society does not always notice the high degree of harmfulness of organised crime. Sometimes, due to historical and cultural background, criminal organisations grow into the society’s tissue, becoming an integral and accepted part of it (e.g. organisations operating in the south of Italy – Sicilian Mafia, Neapolitan Camorra or Yakuza in Japan). This makes it difficult to combat this form of crime, as members of society are not willing to help law enforcement. It is also dangerous that criminal organisations infiltrate the sphere of public authority and the legal economy. The means for this are often corruption and blackmail. This results in the slow destruction of the state from within for the special economic interests of criminals.

The purpose of this article is not an abstract discussion of the characteristics of organised crime as a lot has been already said about it⁴. Instead, I attempt to draw a statistical picture of this dangerous phenomenon. It is imperative to capture possible trends that characterise organised crime in Poland. In my research, they are based on reports published annually by the Central Bureau of Investigation of the Police⁵.

³ Act of 6 June 1997 – Criminal Code (consolidated text: Dz.U., 2020, item 1444 as amended).

⁴ See: Michalska-Warias A, *Pojęcie...*, *op. cit.*; Pływaczewski E.W (Ed.), *Przestępczość...*, *op. cit.*; Mądrzejowski W, *Przestępczość...*, *op. cit.*; Michalska-Warias A, *Przestępczość zorganizowana i prawnokarne formy jej przeciwdziałania*. Lublin, 2006.

⁵ The Central Bureau of Investigation (in Polish: Centralne Biuro Śledcze) was established in 2000 as an organisational unit in the Police Headquarters on the basis of the Ordinance No. 1 of National Police Chief of 29 February 2000 on appointing and defining the organisation, scope of activity and territorial jurisdiction of the investigative service (Dz.U. of the National Police Headquarters, 2000, No. 2, item 15 as amended). The Act of 26 June 2014 amending the Act on the Police and certain other acts (Dz.U., item 1199), which entered into force on 9 October 2014, established the Central Bureau of Investigation of the Police, which is an organisational unit of the Police CID branch. In the further part of the article, I will use the abbreviation CBŚ(P), which will refer to the Central Bureau of Investigation of the Police Headquarters and the currently existing Central Bureau of Investigation of the Police, while the abbreviation CBŚP will only refer to the currently existing service. The reports on the activities of the

Pursuant to Article 5a(1) of the Act of 6 April 1990 on the Police⁶, the Central Bureau of Investigation of the Police is an organisational unit of the Police CID branch that performs tasks across the whole country in the area of recognition, prevention and combating organised crime⁷. The material scope of activities of this service includes, in particular, planning, coordinating and undertaking activities aimed at identifying and combating national and international organised crime, in particular of drug and economic nature and its prevention; planning, coordinating and undertaking activities aimed at identifying and combating national and international organised crime of a terrorist nature and criminal acts of terror, including the use of explosive materials and devices and its prevention; conducting preparatory proceedings in cases involving organised criminal groups; organising covert policing in cooperation with organisational units of the Police; carrying out activities aimed at identifying and combating organised crime in cyberspace; carrying out pursuit operations against members of organised criminal groups or cooperation with police forces of other countries, as well as with national and international public administration services and offices, in areas and to the extent necessary to effectively combat and prevent organised crime, crime of a terrorist nature and acts of criminal terror, including the use of explosive materials and devices⁸.

The Central Bureau of Investigation of the Police is not the only service involved in the fight against organised crime. Apart from the CBŚP, the following agencies should be mentioned: a) the National Revenue Administration (KAS), b) the Central Anti-Corruption Bureau (CBA), c) the Border Guard (SG), d) the Internal Security Agency (ABW) and e) the Intelligence Agency (AW)⁹. However, the Central Bureau of Investigation of the Police is a service whose main activities concern combating this form of crime¹⁰. This circumstance (specialisation of the CBŚ(P)) made me decide to base

CBŚ(P) are available at Centralne Biuro Śledcze Policji, Raporty z działalności. *Electronic source:* <http://www.cbsp.policja.pl/cbs/do-pobrania/raporty-z-dzialalnosci/9890,Raporty-z-dzialalnosci.html>, 23 November 2020.

⁶ Consolidated text: Dz.U., 2020, item 360 as amended.

⁷ For the scope of CBŚPs' activities see also Hernacka A.M, Rola Centralnego Biura Śledczego Policji w walce z przestępczością zorganizowaną. *Zarys problematyki funkcjonowania służby. Humanities and Social Sciences*, 2017, no. 3, pp. 87–94.

⁸ See § 3 of the ordinance No. 54 of National Police Chief of 7 October 2014 on the organisation, material and local scope of activities and principles of cooperation of the Central Bureau of Investigation of the Police with other organisational units of the Police (Dz.U. of the Police Headquarters of 2014, item 121 as amended).

⁹ As regards the cooperation of the CBŚP with other services in the fight against organised crime, see: Mądrzejowski W, Prawne podstawy współdziałania służb i instytucji zwalczających przestępczość zorganizowaną w Polsce. *Kultura Bezpieczeństwa*, 2018, no. 29, pp. 109–138.

¹⁰ Mądrzejowski W (Prawne podstawy ..., p. 111) rightly emphasises that the leading role in the fight against organised crime in all its forms should be played by the police, which should have a coherent, complex system for combating this form of crime; for this purpose, a specialised investigative service has been established within its structures.

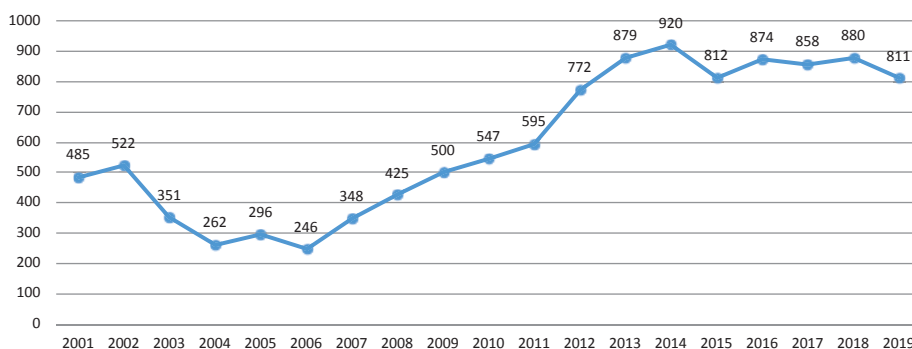
my research on the reports of the CBS(P), which provide a large amount of diverse knowledge on this subject¹¹.

Selected aspects of organised crime in Poland

Number and nature of criminal groups under investigation

In the last few years, the number of criminal groups¹² under investigation oscillated around 800–900 per year (with the highest number – 920 – in 2014) (Graph 1). In 2006–2014, this number was growing year by year. The most significant annual increase (by 30%) occurred in 2011 and 2012, while between 2006 and 2014, there was an increase of 274%. There are two possible reasons for this. Either the number of criminal groups is now several times greater than a dozen or so years ago, which would mean that the threat of organised crime has increased, or the number is smaller or similar, but the CBS(P) is more interested in these groups (Table 1). It could also be that both the number of groups is greater and there is greater interest in them.

Graph 1
Number of criminal groups remaining in the operational interest of the CBS(P) in 2001–2019.



Source: Author's own compilation based on Centralne Biuro Śledcze Policji, Raporty z działalności. *Electronic source:* <http://www.cbsp.policja.pl/cbs/do-pobrania/raporty-z-dzialalnosci/9890,Raporty-z-dzialalnosci.html>, 23 November 2020.

It cannot come as a surprise that most of the criminal groups found out by the CBS(P) are formed by Poles (Table 1). In the last few years, we could

¹¹ It should also be noted that other services do not provide detailed reports on their activities.

¹² The CBS(P) reports using the term “criminal group” in this context. However, it should be borne in mind, as I mentioned above, that the Polish Criminal Code distinguishes an organised criminal group from a criminal association which, generally speaking, has a higher degree of organisation than a group.

observe a relatively large proportion of international groups (16% in 2019, 14.5% in 2018, 13.2% in 2017 and 14.4% in 2016). In 2002–2012, a comparatively large proportion of such groups occurred in 2002 (16.5%). The small proportion of groups of Russian speakers is interesting. It would seem that geographical proximity should translate into more of such groups in Poland. However, it should be remembered that the 1990s saw the peak activity of criminals from across our eastern and north-eastern border. The collapse of the USSR, the related economic problems of the inhabitants of the former Soviet republics, and the destabilisation of these countries resulting in a loss of control over criminal organisations increased organised crime threat, which more and more boldly began to enter Poland¹³. The dominant areas of illegal activity for persons from the former USSR included crimes against life and health (murder, grievous bodily harm, bodily injuries, batteries), drug-related crimes, economic and fiscal crimes (including smuggling of excise goods) and theft of vehicles, cargo, and goods¹⁴. The first years of the 21st century saw the strengthening of Poland's cooperation with the European Communities. The accession to the European Union in 2004 meant sealing Poland's eastern and north-eastern borders, which became the EU's external border. This certainly hampered the activities of groups of Russian-speaking individuals. Currently, the main crimes committed by such organisations include drug dealing, illegal arms dealing, crimes related to prostitution, human trafficking, especially of women who are forced to provide sexual services outside Poland¹⁵. It is stressed that Poland is treated as a transit country; there are routes for smuggling drugs, cigarettes, alcohol and people; the border areas often serve as bases and hiding places¹⁶. However, as A. Gawenda notes, despite general statistics indicating that there are fewer and fewer Russian organised crime groups in Poland, there is still a "black number" of undisclosed groups. In her opinion, this is because these organisations operate in hiding, using technology often more specialised than that available to Polish law enforcement agencies. The author adds that all the disturbing information about the current state of the Russian authorities and their activities allows for a justified concern that the number of active Russian organised criminal groups is still very high¹⁷.

¹³ See: Gawenda A, Rosyjska przestępczość zorganizowana faktycznym zagrożeniem dla Polski. *Studia Prawnicze i Administracyjne*, 2013, no. 1, p. 79; Laskowska K, Ewolucja przestępczości zorganizowanej w Rosji. *Miscellanea Historico-Iuridica*, vol. 6, 2008, pp. 63–65.

¹⁴ Laskowska K, Rosyjskojęzyczna przestępczość zorganizowana. Studium kryminologiczne. Białystok, 2006, pp. 319–320.

¹⁵ Gawenda A, Rosyjska przestępczość zorganizowana..., p. 83.

¹⁶ *Ibidem*.

¹⁷ *Ibidem*, p. 86.

Table 1
Number of criminal groups remaining in the operational interest of the CBŚ(P) in 2002–2019, including the nationality of their members.

Kind of group	Years																	
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Polish groups	417	289	227	258	217	326	385	448	501	551	708	757	803	725	739	735	742	666
International groups	86	49	32	38	28	19	32	38	36	39	54	111	106	83	126	113	128	130
Groups of Russian speakers	9	5	.	0	1	3	5	10	7	4	6	6	3	2	3	5	5	9
Groups of foreigners	10	8	3	.	.	.	3	4	3	1	4	5	8	2	6	5	5	6

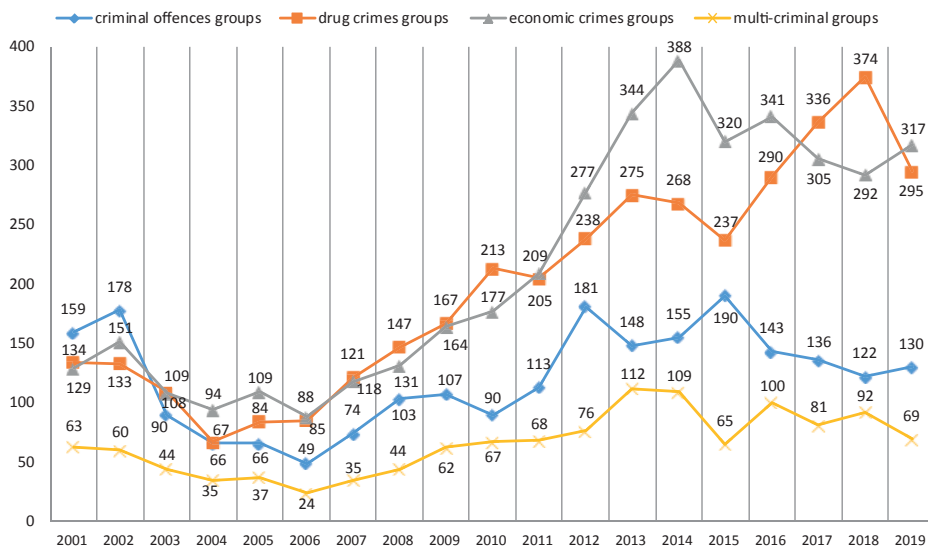
Source: Author's own compilation based on Centralne Biuro Śledcze Policji, Raporty..., *op. cit.*

Among the groups the CBŚ(P) cracked, the largest number of activities generate high profits with relatively low costs and the risk of failure (Graph 2). The majority of groups commit economic and drug crimes¹⁸. These groups are usually specialised. There are relatively few multi-criminal organisations. In 2001 and 2002, the largest number of groups were criminal¹⁹. In the following years, their participation began to decrease. This is probably because, compared to drug and economic crime, violent crime, theft, prostitution pose a bigger risk. This seems to be due to the fact that it is more difficult to cover up the traces of these crimes, and law enforcement agencies have already developed effective measures to combat them.

¹⁸ By economic crime, the CBŚP means, in particular, VAT fraud in the area of trade in various types of goods, including international goods, smuggling, illegal trading in tobacco and products, crimes to the detriment of financial market institutions, fraud in economic transactions, including to the detriment of the financial interests of the European Union, money laundering, corruption. Drug crime, in turn, includes the production and trafficking of narcotic drugs both on the domestic and international level, as well as the smuggling of such drugs. See: Centralne Biuro Śledcze Policji, Podstawowe zadania. *Electronic source:* <http://www.cbasp.policja.pl/cbs/o-cbsp/podstawowe-zadania/9889,Podstawowe-zadania.html>, 23 November 2020.

¹⁹ Within the meaning of the CBŚP, criminal offences include in particular: murder, offences involving firearms, extortion, debt collection, kidnapping for ransom, crimes related to prostitution, human trafficking, theft of vehicles, their smuggling and legalisation, burglary, smuggling of weapons and ammunition, illegal trade in firearms and explosives, criminal terror, terrorism and extremism. See: Centralne Biuro Śledcze Policji, Podstawowe..., *op. cit.*

Graph 2
Number of criminal groups remaining in the operational interest of the CBS(P) in 2001–2019, by type of activity.



Source: Author's own compilation based on Centralne Biuro Śledcze Policji, Raporty..., *op. cit.*

Number of members and leaders of criminal groups under investigation

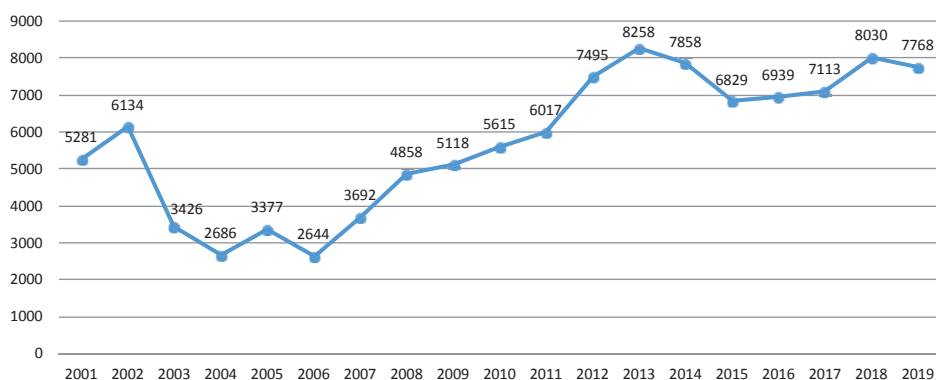
The statistics (see: Graph 1 and Graph 3) show that the more criminal groups are cracked, the relatively more members of these groups are in the operational interest of the CBS(P). Therefore, it can be concluded that the average size of the groups has not changed significantly over the last several years. For example, in 2019, the average group consisted of 9.6 members; in 2015, the number was 8.4, in 2011 – 10.1, in 2007 – 10.6, in 2004 – 10.3 and in 2001 – 10.9. Unfortunately, there are no nationwide data concerning the number of individual groups. On the basis of the research carried out by Krajniak, it can be assumed that most of the groups have fewer than 20 members, a large part of which are groups of up to 10 people²⁰. The reason for this is that it is more difficult

²⁰ See: Krajniak O., *Zorganizowane grupy przestępcze. Studium kryminalistyczne*. Warsaw, 2011, pp. 125–127. The research covered 51 criminal groups detected in the years 1996–2005 within the jurisdiction of the Court of Appeal in Poznań. O. Krajniak states, following foreign authors, that in Germany, most criminal groups have fewer than 10 members (*ibidem*, p. 126, footnote 341).

to break up smaller groups. The fewer components (members of the organisation), the less likely it is that one of them will fail and lead to the disclosure of the group's activities and, consequently, its disintegration. It should also be borne in mind that more members mean more people to share their benefits and more views on the direction of criminal activity: the more opinions, the more reasons to argue. Therefore, although a large number of members of a criminal group gives more "production" and "distribution" opportunities for certain activities and also makes its members mentally stronger because it gives them a sense of strength, in many cases, it is ultimately more effective to act in a relatively small group.

Graph 3

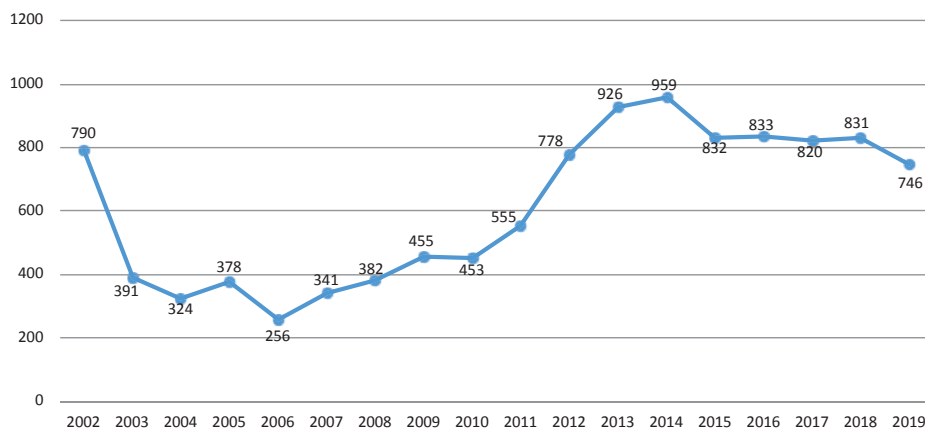
Number of members of the groups remaining in the operational interest of the CBS(P) in 2001–2019.



Source: Author's own compilation based on Centralne Biuro Śledcze Policji, *Raporty...*, op. cit.

As regards the number of group leaders remaining under the operational interest of the CBS(P), it is natural that the more groups were cracked, the more leaders were identified and included in the operational interest (see: Graph 1 and Graph 4). The comparison of the number of groups in particular years and the number of leaders may lead to the conclusion that, in most cases, the group was headed by one person. This seems natural if we assume that most groups are organisations of several or a dozen or so people (see the previous paragraph), with no need for a collegial "governing body".

Graph 4

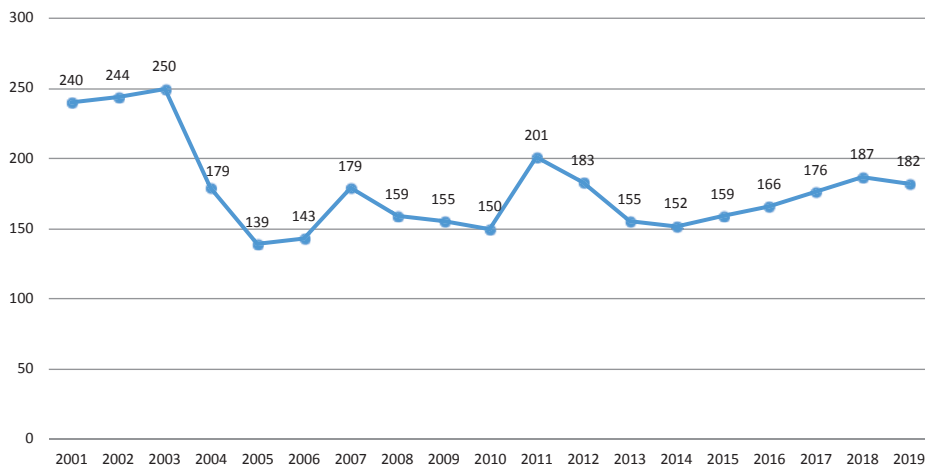
Number of group leaders remaining in the operational interest of the CBS(P) in 2002–2019.

Source: Author's own compilation based on Centralne Biuro Śledcze Policji, Raporty..., *op. cit.*

Crack down on criminal groups

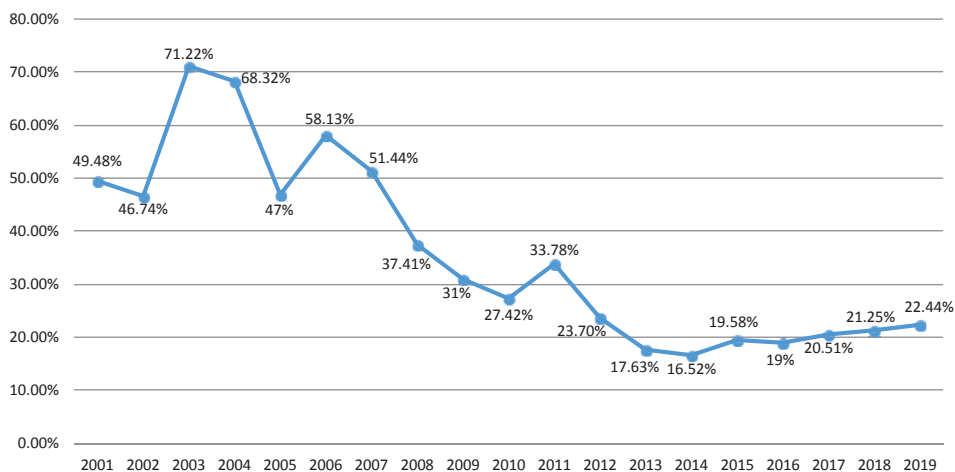
In the last few years, the CBS(P) eliminated or destabilised between 150 and 190 criminal groups annually (Graph 5). It is worrying that the effectiveness of cracking groups in recent times – compared to 2001–2008 – is very low. In 2003, 71.22% of the groups of operational interest to the CBS(P) were effectively cracked; in 2019, the ratio was 22.44%, and in 2014, only 16.52%. Without in-depth research, it is difficult to determine the possible causes of this situation. One of them may be the fact that in recent years there has been an increase in the number of groups dealing with economic and drug crimes, which are more difficult to detect (especially the fight against economic crime requires specialist knowledge and detailed analysis of financial operations carried out as part of the activities of a criminal group). Even if these crimes are detected, there may be problems identifying the perpetrators and bringing them to justice.

Graph 5

Number of criminal groups eliminated or destabilised by the CBS(P) in 2001–2019.

Source: Author's own compilation based on Centralne Biuro Śledcze Policji, Raporty..., *op. cit.*

Graph 6

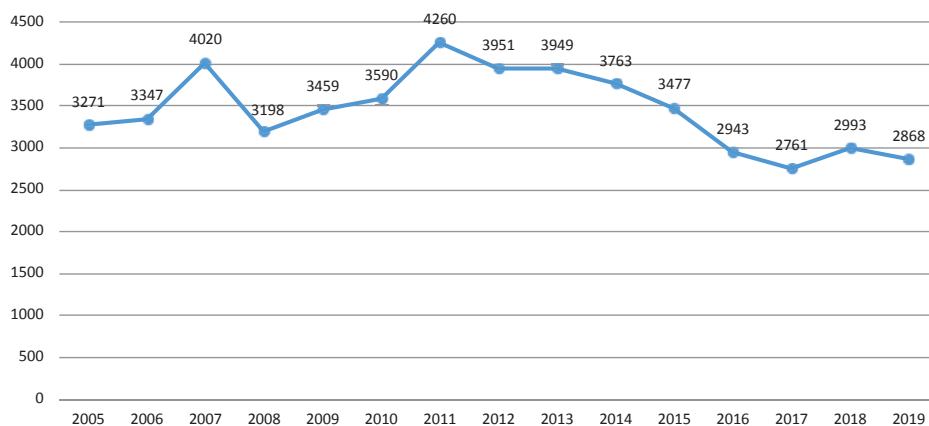
Effectiveness of the crack-down on criminal groups (ratio of the number of groups eliminated or destabilised to the number of groups cracked as a percentage) in 2001–2019.

Source: Author's own compilation based on Centralne Biuro Śledcze Policji, Raporty..., *op. cit.*

In relation to the above, the fact remains that since 2011 there has been a downward trend in the number of people detained pending trial by the CBŚ(P) (Graph 7).

Graph 7

Number of people detained pending trial by the CBŚ(P) in 2005–2019.



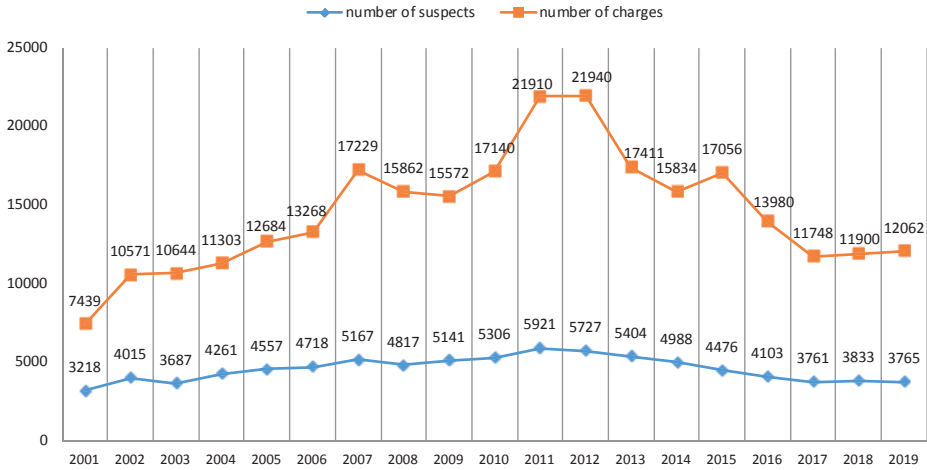
Source: Author's own compilation based on Centralne Biuro Śledcze Policji, Raporty..., *op. cit.*

Since 2012, the number of suspects charged and the total number of charges have been decreasing every year (Graph 8). The average number of charges per one suspect oscillated around 3–4 in the last ten years. For example, in 2019 and 2010, the number was 3.2, while in 2015 and 2012 – 3.8. Taking into account that criminal organisations are mostly oriented towards committing crimes for a longer period, it should be concluded that the numbers indicated are relatively small. This may be due to evidence problems rather than the fact that members of criminal organisations only commit a few offences on average before law enforcement authorities detain them. It should be remembered that the presentation of charges is possible only if the data existing at the moment of initiating the investigation or collected during the investigation sufficiently justify the suspicion that an act has been committed by a specific person [Article 313(1) and Article 325a(2) of the Polish Code of Criminal Procedure²¹].

²¹ Act of 6 June 1997 – Code of Criminal Procedure (consolidated text: Dz.U., 2021, item 534).

Graph 8

Number of suspects charged by the CBS(P) and the total number of charges in 2001–2019.

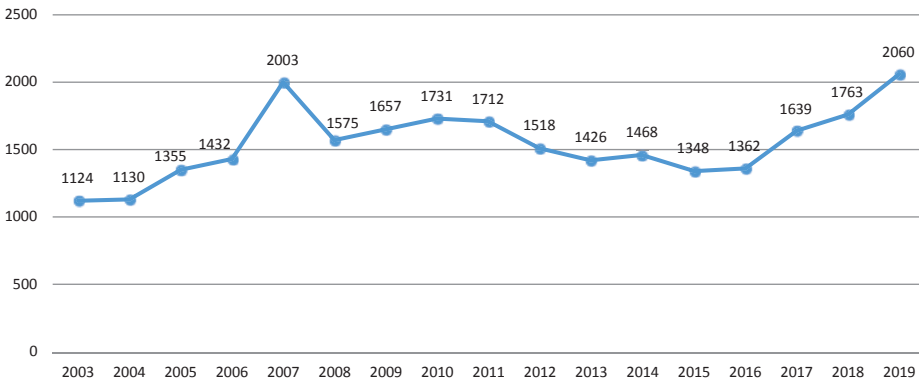


Source: Author’s own compilation based on Centralne Biuro Śledcze Policji, Raporty..., *op. cit.*

With regard to the number of suspects charged by the CBS(P) with an offence under Article 258(1 or 2) of the Polish Criminal Code (taking part in an organised group or association, including those of an armed nature aimed at committing an offence, including those of a terrorist nature or a fiscal offence), in the last dozen or so years three upward trends could be observed (2003–2007, 2008–2010 and 2015–2019) and one downward trend (2010–2013) (Graph 9). In the last few years, the upward trend must be associated with an upward trend in the number of criminal groups worked out (see Graph 5).

Graph 9

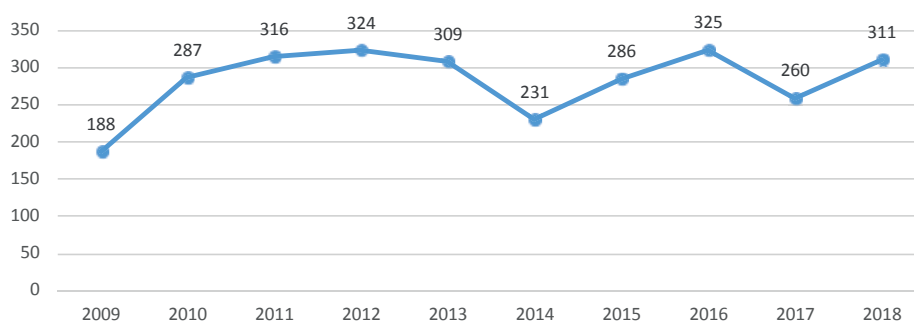
Number of suspects charged by the CBS(P) with an offence under Article 258(1 or 2) of the Polish Criminal Code in 2003–2019.



Source: Author’s own compilation based on Centralne Biuro Śledcze Policji, Raporty..., *op. cit.*

It is worth comparing the number of suspects under Article 258(1 or 2) of the Polish Criminal Code with the number of persons validly convicted for these crimes in 2009–2018 (Graph 10). A huge disproportion between these numbers is striking, and it is still necessary to remember about persons charged by other law enforcement agencies. What can this prove? It can be explained by the difficulty of proving guilt in the jurisdictional proceedings. Without a detailed examination of individual cases, it is impossible to determine to what extent these difficulties could be overcome.

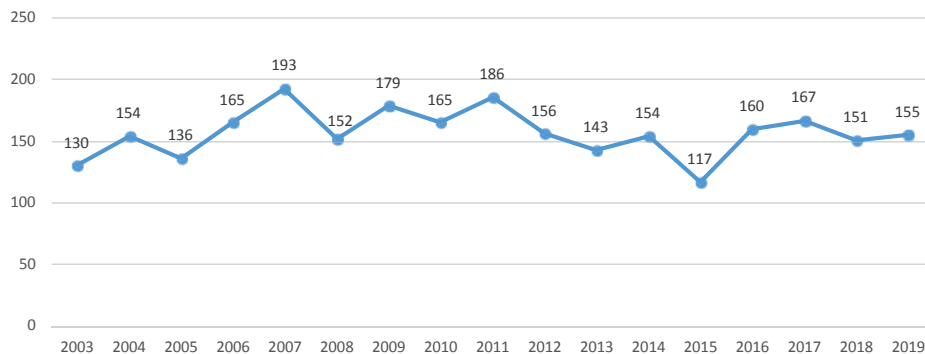
Graph 10
Number of persons validly convicted under Article 258(1 or 2) of the Polish Criminal Code (main act) in 2009–2018.



Source: Author's own compilation based on Wydział Statystycznej Informacji Zarządczej Departament Strategii i Funduszy Europejskich Ministerstwa Sprawiedliwości, Prawomocne skazania osób dorosłych z oskarżenia publicznego – czyn główny. *Electronic source:* <https://isws.ms.gov.pl/pl/baza-statystyczna/opracowania-wieloletnie/download,2853,40.html>, 23 November 2020.

With regard to the number of suspects charged by the CBS(P) with an offence under Article 258(3) of the Polish Criminal Code (establishing or directing a criminal group or a criminal association), no trends can be observed (Graph 11). However, it was usually lower (though not definitely) than the number of criminal groups cracked (Graph 5).

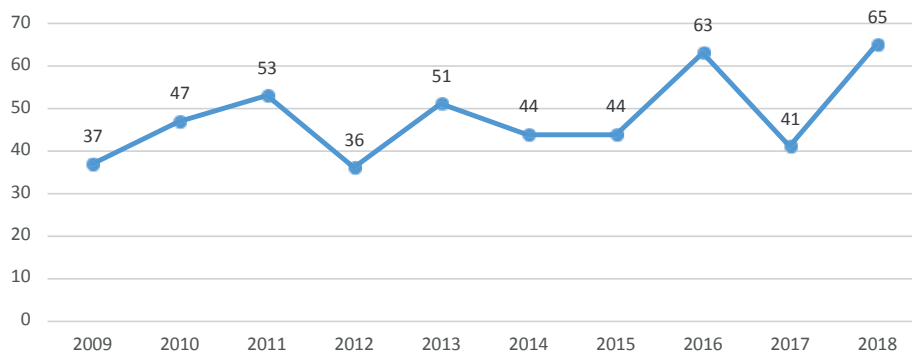
Graph 11
Number of suspects charged by the CBS(P) with an offence under Article 258(3) of the Polish Criminal Code in 2003–2019.



Source: Author's own compilation based on Centralne Biuro Śledcze Policji, Raporty..., *op. cit.*

Also, in the case of this crime, there is a visible disproportion between the number of suspects and the number of validly convicted persons (Graph 12). The explanation is analogous to crimes under Article 258(1 and 2) of the Criminal Code.

Graph 12
Number of persons validly convicted under Article 258(3) of the Polish Criminal Code (main act) in 2009–2018.



Source: Author's own compilation based on Wydział Statystycznej Informacji Zarządczej Departament Strategii i Funduszy Europejskich Ministerstwa Sprawiedliwości, Prawomocne..., *op. cit.*

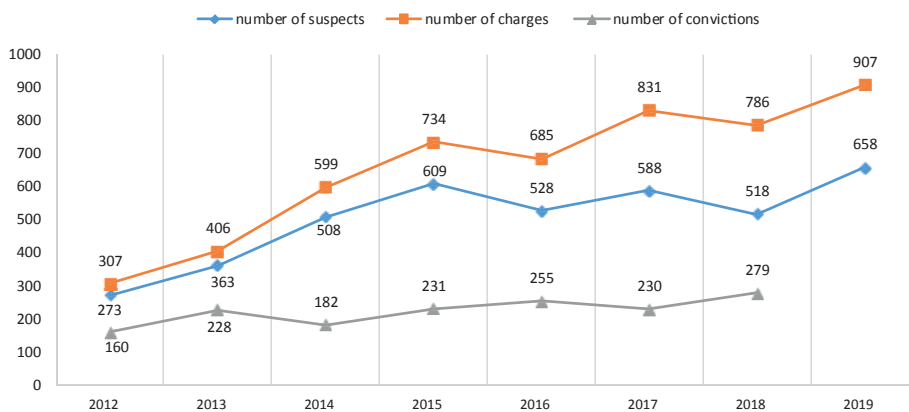
In the context of working out criminal organisations, the issue of so-called money laundering is also worth mentioning. This is a procedure aimed, generally speaking, at making the financial benefits derived from criminal activity appear legitimate. It is imperative in the activities of criminal organisations, as it allows funds obtained illegally to be used in a

way that does not arouse suspicion on the part of the state authorities: either by “investing” in further criminal activities (*e.g.* increasing the volume of drug production or tax crime opportunities – paying for better “professionals” in the field, corruption of officials, *etc.*), or simply by purchasing goods by members of organisations for private use (cars, houses, expensive trips abroad, *etc.*). The measures to combat money laundering include regulations provided for in Article 299 of the Polish Criminal Code.

The data presented in Graph 13 do not reflect the critical role of this practice in the activities of criminal organisations. The number of suspects charged by the CBS(P) with an offence under Article 299 of the Polish Criminal Code is lower than the number of groups of operational interest of this service (*see* Graph 1). In turn, the total number of charges in particular years was higher than the number of suspects by a maximum of 51.7% (2018) and a minimum of 11.8% (2013). This means that, on average, there was a maximum of 1.5 charges per one suspect. It seems that the unknown number of crimes under Article 299 of the Criminal Code is very high. After all, money laundering is an indispensable element of the activity of criminal organisations. Assuming that such organisations usually function for an extended period (from a few months to several years or more) and assuming that members of such organisations constantly launder money, it can be supposed that the unknown number of the discussed crimes could be even a dozen times higher than the number of disclosed crimes. It is also worth mentioning that the number of persons validly convicted in particular years is much lower than the number of suspects.

Graph 13

Number of suspects charged by the CBS(P) with an offence under Article 299 of the Polish Criminal Code and the total number of charges concerning this offence and the number of valid convictions* for this offence in 2012–2019.



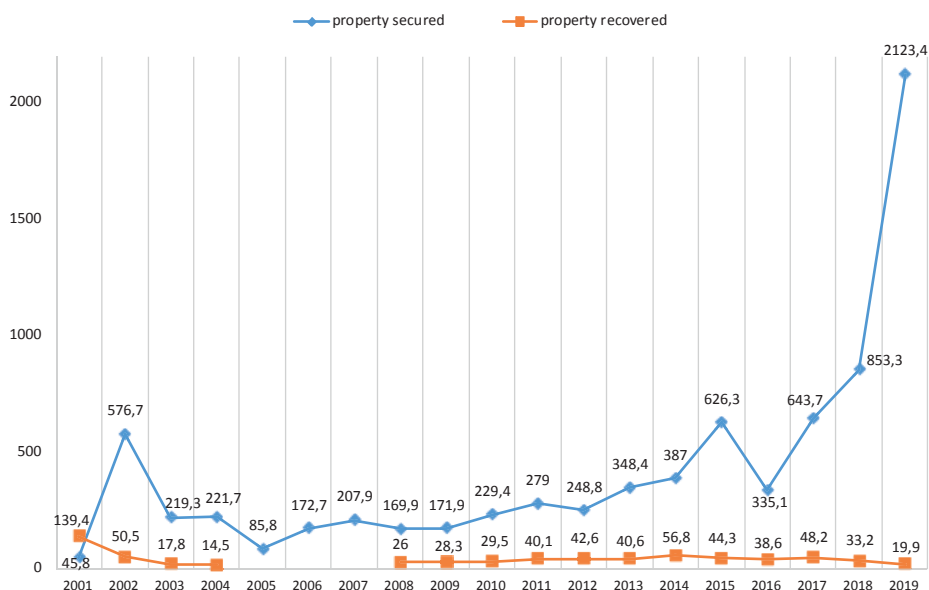
* No data available on the number of valid convictions in 2019.

Source: Author's own compilation based on Centralne Biuro Śledcze Policji, Raporty..., *op. cit.* and Wydział Statystycznej Informacji Zarządczej Departament Strategii i Funduszy Europejskich Ministerstwa Sprawiedliwości, Prawomocne..., *op. cit.*

A crucial aspect in the fight against organised crime is depriving members of criminal organisations of illegally obtained assets, which constitute the economic basis for their further illegal activity. This problem is connected with one of the institutions of substantive criminal law, namely the forfeiture (of objects, benefits or enterprise). The effectiveness of forfeiture depends on the work of law enforcement agencies in securing and recovering property. Graph 14 presents the value of the property secured and recovered by the CBS(P) in particular years from 2001 to 2019. In recent years, it is worth mentioning that the most frequently used assets that are the subject of property security are funds accumulated in cash, in bank safes, on bank accounts, and in real estate²².

Graph 14

Value of property secured and recovered* by the CBS(P) in 2001–2019 (PLN million).



* There are no data for 2005–2007 concerning the recovered property.

Source: Author's own compilation based on Centralne Biuro Śledcze Policji, Raporty..., *op. cit.*

As regards the value of the secured property, an upward trend can be observed since 2005. 2019 was a record year in this respect. At that time, the value of the secured property was higher by PLN 1,270.1 million compared to the previous year. In the indicated period, only in 2008, 2012 and 2016, property of lower value was secured compared to the

²² Centralne Biuro Śledcze Policji, Sprawozdanie z działalności Centralnego Biura Śledczego Policji za 2018 rok (w ujęciu statystycznym). Warsaw, 2019, p. 6. Electronic source: <http://www.cbasp.policja.pl/download/3/305474/Raportstatystyczny2018.pdf>, 23 November 2020.

previous year. As regards the value of the recovered property, it is difficult to observe any trend. However, attention should be drawn to the low value of property recovered in 2019 (lower values were recorded only in 2003 and 2004, and inflation is yet to be taken into account). 2001 was the only year in which the value of the recovered property was higher (several times) than that of the secured property. At the same time, in the period under analysis, it was a record year in terms of the value of the recovered property (the highest value) and secured property (the lowest value).

Criminal terror

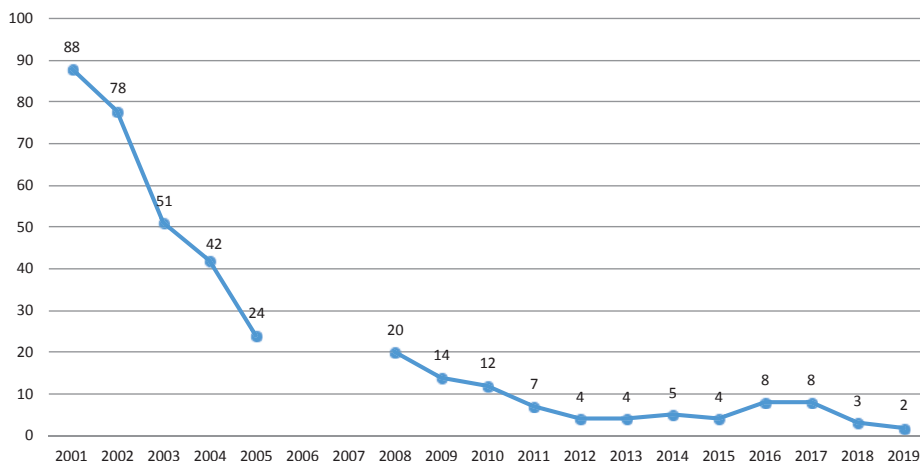
The literature (in 2009) indicates that: “From organised crime to criminal terrorism (terror) it is not far off. (...) Criminals use methods characteristic of terrorist activity to fight for influence among themselves as well as using them as a way of criminal activity. It is not uncommon in Poland today to put explosives under the roof of shops, warehouses, factories, *etc.*, in order to force their owners to pay a tribute. This also applies to kidnapping for ransom”²³. However, it should be noted that contemporary Poland, fortunately, does not resemble the one from the 1990s, when brutal gangster attacks were almost a common occurrence on the territory of group activities²⁴. Graph 15 shows a downward trend in the most spectacular acts of criminal terror (explosions). Only in 2016 and 2017, there was a slight increase in the number of explosions compared to the previous few years.

²³ Jałoszyński K, *Organy administracji rządowej wobec zagrożeń terrorystycznych. Policja w walce i przeciwdziałaniu terroryzmowi*. Bielsko-Biała, 2009, p. 13.

²⁴ It should be noted that in 1998, 194 explosions having the characteristics of criminal terror were recorded, *Zwalczanie przestępczości zorganizowanej i narkotykowej przez CBS KGP w 2002 r. Electronic source: <http://www.cbsp.policja.pl/download/3/11097/raportCBS2002.pdf>*, 23 November 2020.

Graph 15

Number of explosions caused by the use of explosives, pyrotechnic mixtures and flammable substances that show the characteristics of criminal terror in 2001–2019.*



* There are no data available for 2006–2007.

Source: Author's own compilation based on Centralne Biuro Śledcze Policji, Raporty..., *op. cit.*

Conclusion

As I mentioned in the introductory part of this article, organised crime is a dangerous phenomenon. However, it seems that the nature of this danger is different from that of a dozen or more years ago. At present, the social harmfulness of this type of crime is manifested to a large extent in an abstract, from the point of view of the citizen, danger to the financial interests of the state. There are fewer manifestations of criminal terror and thus less damage to public safety and a threat to the health and life of people. However, the fact that organised crime is less visible does not mean that it causes less harm to society. For example, the effects of tax crimes are consequently paid for by all citizens, as the Polish state loses money that could have been used to improve the quality of life in the country. Similarly, losses of the financial market caused by crime are detrimental to clients of banks, insurance companies, *etc.*

The picture of organised crime in Poland outlined above is undoubtedly incomplete. Firstly, I chose the reports on the activities of only one of the bodies combating this phenomenon as the basis for my research (as I indicated in the introduction, the CBS(P) is a specialised service in this field). Secondly, I examined only some aspects (in my opinion, the most important ones) presented statistically in these reports. It seems, however,

that even such a quite general picture of the discussed phenomenon may help decide on the directions of actions to be taken in preventing and combating organised crime.

References

Publications

- Gawenda A, Rosyjska przestępczość zorganizowana faktycznym zagrożeniem dla Polski. *Studia Prawnicze i Administracyjne*. 2013, no. 1.
- Hernacka A.M, Rola Centralnego Biura Śledczego Policji w walce z przestępczością zorganizowaną. Zarys problematyki funkcjonowania służby. *Humanities and Social Sciences*, 2017, no. 3.
- Jałoszyński K, Organy administracji rządowej wobec zagrożeń terrorystycznych. Policja w walce i przeciwdziałaniu terroryzmowi. Bielsko-Biała, 2009.
- Krajniak O, Zorganizowane grupy przestępcze. Studium kryminalistyczne. Warsaw, 2011.
- Laskowska K, Ewolucja przestępczości zorganizowanej w Rosji. *Miscellanea Historico-Iuridica*, vol. 6, 2008.
- Laskowska K, Rosyjskojęzyczna przestępczość zorganizowana. Studium kryminologiczne. Białystok, 2006.
- Mądrzejowski W, Prawne podstawy współdziałania służb i instytucji zwalczających przestępczość zorganizowaną w Polsce. *Kultura Bezpieczeństwa*, 2018, no. 29.
- Mądrzejowski W, Przestępczość zorganizowana. System zwalczania. Warszawa [no date of issue].
- Michalska-Warias A, Pojęcie przestępczości zorganizowanej – aspekty kryminologiczne. *Studia Iuridica Lublinensia*, 2003, no. 1.
- Michalska-Warias A, Przestępczość zorganizowana i prawnokarne formy jej przeciwdziałania. Lublin, 2006.
- Pływaczewski E.W. (Ed.), Przestępczość zorganizowana. Warsaw, 2011.

Legal acts

- Act of 6 April 1990 on the Police (consolidated text: Dz.U., 2020, item 360 as amended).
- Act of 6 June 1997 – Criminal Code (consolidated text: Dz.U., 2020, item 1444 as amended).
- Act of 6 June 1997 – Code of Criminal Procedure (consolidated text: Dz.U., 2021, item 534).
- The Act of 26 June 2014 amending the Act on the Police and certain other acts (Dz.U., item 1199).
- Ordinance No. 1 of the Commander-in-Chief of the Police of 29 February 2000 on appointing and defining the organisation, scope of activity and

territorial jurisdiction of the investigative service (Dz.U. of the National Police Headquarters, 2000, no. 2, item 15 as amended).

Ordinance No. 54 of the Commander-in-Chief of the Police of 7 October 2014 on the organisation, material and local scope of activities and principles of cooperation of the Central Bureau of Investigation of the Police with other organisational units of the Police (Dz.U. of the National Police Headquarters, 2014, item 121 as amended).

Other sources

Centralne Biuro Śledcze Policji, Podstawowe zadania. *Electronic source:* <http://www.cbasp.policja.pl/cbs/o-cbasp/podstawowe-zadania/9889,-Podstawowe-zadania.html>

Centralne Biuro Śledcze Policji, Raporty z działalności. *Electronic source:* <http://www.cbasp.policja.pl/cbs/do-pobrania/raporty-z-dzialalnosci/9890,Raporty-z-dzialalnosci.html>

Centralne Biuro Śledcze Policji, Sprawozdanie z działalności Centralnego Biura Śledczego Policji za 2018 rok (w ujęciu statystycznym). Warsaw, 2019. *Electronic source:* <http://www.cbasp.policja.pl/download/3/305474/Raportstatystyczny2018.pdf>

Wydział Statystycznej Informacji Zarządczej Departament Strategii i Funduszy Europejskich Ministerstwa Sprawiedliwości, Prawomocne skazania osób dorosłych z oskarżenia publicznego — czyn główny. *Electronic source:* <https://isws.ms.gov.pl/pl/baza-statystyczna/opracowania-wiecioletnie/download,2853,40.html>

Zwalczanie przestępczości zorganizowanej i narkotykowej przez CBŚ KGP w 2002 r. *Electronic source:* <http://www.cbasp.policja.pl/download/3/11097/raportCBS2002.pdf>

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Keywords: organised crime, criminal groups, Central Bureau of Investigation of the Police

Summary: This article describes selected aspects of combating organised crime in Poland on the basis of reports of the Central Bureau of Investigation of the Police as a service carrying out tasks on the territory of the whole country in the field of investigating, preventing and combating organised crime. The author refers to four issues: 1) the number and nature of the investigated criminal groups, 2) the number of members and leaders of the investigated criminal groups, 3) the investigation (elimination or destabilisation) of criminal groups, 4) criminal terror. This article aims to outline a statistical picture of organised crime in Poland. In particular, it attempts to capture any trends that characterise this type of crime. Appropriate recognition of the phenomenon may be very helpful in deciding on the directions of activities within the framework of preventing and combating organised crime.