POLICE IN THE FIGHT AGAINST ORGANISED CRIME — POLICE TASKS

Role of the Police in the fight against organised crime

One of the main tasks of the state is to ensure internal security and improve the sense of safety among citizens. In Poland, an appropriate institution has been established to carry out this task. The police is one of those services that guard and ensure security and public order, and carry out a number of tasks related to ensuring security.

According to Article 1(2) of the Police Act, the basic tasks of the Police include:

1. Protection of the lives and health of people and property against unlawful attacks affecting these goods;
2. protection of public order and safety, including ensuring peace in public places and on means of public transport, in road traffic and in waters intended for common use;
3. initiating and organising activities aimed at preventing crimes and offences from being committed as well as criminogenic phenomena and cooperating in this respect with state, local government and social organisations;

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4. conducting counterterrorist activities;
5. detecting offences and prosecuting their perpetrators;
6. supervision of specialist armed protective forces within the scope specified in separate regulations;
7. control of compliance with order and administrative provisions related to public activity or in public places;
8. cooperation with the police of other countries and their international organisations, as well as with the bodies and institutions of the European Union on the basis of international agreements and arrangements as well as separate regulations;
9. collecting, processing and forwarding criminal intelligence;
10. keeping datasets containing information collected by authorised bodies about the fingerprints of persons, unidentified fingerprints from crime scenes and the results of deoxyribonucleic acid (DNA) analyses.

**Covert policing in the area of fighting crime**

In order to carry out their activities, the police cooperate not only with special services, but also with other bodies established to counteract crime, and seek to ensure security and public order. Among organisations with which the Police cooperate are the Border Guard, City Guard and Fire Brigade. These services often carry out joint activities to eliminate threats, save lives and prevent crime.3

Joint activities of the Police and Border Guards include, among others, organising joint patrols during which people and means of transport are controlled. Intensified inspections are also carried out on roads of international importance and on roads near border crossing points. In addition, they jointly act against the smuggling of excise goods, works of art and stolen cars, by carefully checking people and cars that cross the border.

The City Guard is another force with which police officers cooperate to take care of public safety and order.4 These authorities maintain constant communication and exchange information on security threats as well as threats that may jeopardise the local community, property and public order. They together carry out activities to ensure order in public places, at assemblies and various types of mass and sporting events. Here, the decision may be made to deploy city officers and guards. In addition, these services exchange information on the observation and recording of event images from public places.

The next unit the Police cooperate with is the Fire Brigade - their joint actions often result in human lives being saved. Police officers make it possible to carry out activities with the participation of firefighters, and firefighters repeatedly help police officers in carrying out their activities.

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5 Ibid.
Together they carry out activities that are aimed at ensuring security and public order, and often struggle to restore this state.

One of the main tasks of the Police, in accordance with Article 2 of the Police Act\(^6\), is “cooperation with foreign police forces and their international organisations on the basis of international agreements and arrangements and separate provisions”\(^7\). Cooperation with police forces of other countries allows crime to be combated more effectively. On the basis of the concluded agreements, the Polish Police provide assistance to officers of other countries, but also obtain assistance from them. Thanks to this dependence, law enforcement officers can more effectively and quickly counteract crime. It also allows the Police to share information, evidence, and experience that allows them to fight criminals more quickly and effectively. The Polish Police actively participates in the development of inter-police cooperation, and has concluded many bilateral agreements with individual countries, which allows for efficient communication of information and the fight against crime. It is also a member of multilateral agreements, which also allow it to better and more effectively counteract threats. The Office of International Police Cooperation of the General Police Headquarters is responsible for organising and strengthening the international cooperation of the Police. The catalog of tasks provided for this structure includes the following undertakings:\(^8\)

— organisation and coordination of police undertakings resulting from the membership of the Republic of Poland in the European Union and in other international organisations and institutions, in particular participation in committees, councils, teams and expert groups;
— organising international contacts for the National Police Chief, and the deputy chief commanders;
— preparing opinions and assessments of the effects of police involvement on international forums;
— coordinating international cooperation for the National Police Headquarters, reginal (Metropolitan) HQs, Police Academy in Szczytno and police schools;
— providing the Police organisational units as well as domestic and foreign law enforcement and justice authorities with 24-hour exchange of criminal intelligence.

Since 1990, the Police have concluded over 50 bilateral agreements with 36 countries to fight crime. These agreements, in their titles covering the subject matter, define this either generally, as cooperation between relevant ministries, or more specifically, as cooperation in the fight against crime or in the field of combatting crime, and possibly cooperation in the field of security and public order\(^9\). It should be noted, however, that not all of these agreements have become binding. The issues to which these

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\(^6\) Dz.U., 1990, No. 30, item 179.

\(^7\) Ibid.

\(^8\) Sagan S, Organy i korporacje..., op. cit., p. 164.

contracts relate are very broad, often concerning many areas of crime, such as:
— terrorism,
— organised international crime,
— illegal production and distribution of drugs and psychotropic substances,
— falsifications (production, counterfeiting, processing and dissemination of means of payment and securities),
— combatting other criminal offences,
— search and other activities related to the identification of persons wanted or suspected of committing a crime,
— searching for items sought in the national territory of one of the contracting parties and transported across its state border,
— searching for people escaping criminal justice,
— border and state protection and prevention of its illegal crossing,
— border traffic control and prevention of illegal immigration,
— ensuring security for state and government delegations and other persons enjoying diplomatic privileges in accordance with international law,
— preventing counterfeiting of documents authorising their holders to cross state borders,
— combatting human trafficking,
— road safety.

The Polish Police became a member of, among others, The International Drug Enforcement Conference in 2006 in Canada (hereinafter: the IDEC). Accession to the IDEC – a platform for international cooperation in the prosecution of crime related to production, illegal trafficking, smuggling and drug use – will allow the Police to more effectively solve strategic problems of combating drug crime.

As part of these activities, the Polish Police has been collecting and analysing information on illegal laboratories and smuggling routes since 1990. The mutual transfer of skills and experience in this field between countries, as well as expanding sources of information exchange, have contributed to more effective police activity.

In Poland, the Central Bureau of Investigation (CBS) deals with the fight against organised crime (economic, drug, criminal, terrorism-related in nature, including cross-border crime). It is an organisational unit of the Police, and its scope of activities includes “planning, coordinating and undertaking actions aimed at identifying and combating domestic and international organised offences, in particular of criminal, drug and economic nature, and their prevention”11. The first of the areas listed in this provision is crime, which first of all refers to a catalog of prohibited acts, among which one should distinguish, among others: killings, ransom

10 Ibid.
11 Zarządzenie nr 8 Komendanta Głównego Policji z dnia 14 lutego 2019 r. zmieniające zarządzenie w sprawie organizacji, rzeczowego i miejscowego zakresu działania oraz zasad współdziałania Centralnego Biura Śledczego Policji z innymi jednostkami Policji.
kidnappings, pimping, robberies, theft and legalisation of stolen cars, forgery of means of payment, and illegal trade in weapons and explosives\textsuperscript{12}. The main task of the Central Police Investigation Bureau is to identify organised criminal groups that conduct criminal activities of a highly violent nature. These include, first of all, killings, crimes using firearms, armed robbery, and debt recovery. In addition, the jurisdiction of this unit covers combatting crimes involving illegal smuggling and trading of firearms, ammunition, and explosives.

The Central Police Investigation Bureau is also tasked with eliminating organised criminal groups that steal, smuggle and legalise vehicles, as well as commit burglaries. The catalog of basic tasks should also indicate the fight against crimes related to ransom abductions, racketeering, prostitution, and human trafficking. In view of the intensifying activities of a terrorist nature, this unit is competent in undertaking activities aimed at detecting and combatting phenomena related to criminal terror, terrorism, and extremism. The officers of the Central Police Investigation Bureau detect and neutralise the activities of organised criminal groups dominated by representatives of ethnic minorities. The actions taken by the Central Police Investigation Bureau in the context of organised crime are crucial in maintaining a proper level of security. The effectiveness of the tasks performed by the unit in question is particularly important for citizens, because the catalog of criminal offences relates to threats to life, health, freedom and property.

The second area of the basic tasks of the Central Police Investigation Bureau is drug crime, primarily involving production, trafficking, and smuggling of drugs. The third catalog of activities undertaken by the Central Police Investigation Bureau is related to economic crime. Activities in this area relate primarily to detecting and counteracting forms of organised crime targeted at customs and tax crime related to trade in goods subject to excise duty and VAT\textsuperscript{13}.

Based on the annual reports prepared by the Police, it can be stated that the Central Police Investigation Bureau efficiently and effectively undertakes its own reconnaissance activities counteracting the threat of organised crime.

**Summary and conclusions**

At the beginning of the 1990s, when Polish people witnessed both qualitative and quantitative changes in the field of crime, as well as a new formula for the operation of partly free commercial media often reporting dramatic events, the opinion that Poland was a dangerous country spread quite rapidly. When analysing fears and issues related to crime, it should be remembered that they coexisted with other anxieties, \textit{e.g.} with a lack

\textsuperscript{12} Ibid.

\textsuperscript{13} Ibid.
of a sense of social security and the threat of unemployment. The fact that, in the nineties, Poland ceased to be a safe country for many cannot be associated only with the scale of crime, although it undoubtedly constitutes a very important factor of the feeling of being under threat. It must be remembered that satisfaction with one’s material situation or sense of material security is a factor that generally reduces the sense of feeling under threat in various dimensions, including in relation to crime. Interestingly, subjective satisfaction regarding the sense of security makes us less afraid of deteriorating health, illness, or the fact that we will become a victim of a crime, to a greater extent than per capita family income.

Although fears of crime inside the place of residence increased in the 1990s on a smaller scale than opinions about the threat occurring in the country, they do crime prevention accompany a large part of society in everyday life. People are afraid of becoming a victim of burglary, and street robbery after dark. Common crime has become the subject of conversations with family and friends as well as daily media relations. Since the mid-nineties, the level of concern and opinions on the scale of crime has stabilised at a level that is alarmingly high, especially from the point of view of the opportunities to conduct a modern crime prevention, involving, inter alia, the cooperation of police and citizens towards the prevention of crime, because in the society, it is quite a common belief that the Police are not very effective, are incompetent at conducting operational activities, and are sometimes even corrupted. Poles are aware of the complex (including economic and social) causes and determinants of crime, but the measures that they believe will reduce the phenomenon mainly rely on criminal policy and judicial instruments. Most of the population demands high fines and a so-called “crackdown” on crime. Too-linient penalties for criminals are considered the biggest obstacle in the fight against crime, and often full criminal liability for juvenile offenders is demanded. It is believed that in the society, not only is there no support for the liberalisation of criminal law, but one can also speak of the dominance of strict attitudes. Limiting criminal repression seems to be contrary to social expectations. However, civic attitudes towards security institutions are positive and have changed for the better in recent decades.

References

Publications

Legal acts


Zarządzenie nr 8 komendanta głównego Policji z 14 lutego 2019 zmieniające zarządzenie w sprawie organizacji, rzeczowego i miejscowego zakresu działania oraz zasad współdziałania Centralnego Biura Śledczego Policji z innymi jednostkami Policji (consolidated text, Dz.U., 2019, item 21).

Keywords: Police, Central Bureau of Investigation, organised crime

Summary: In the face of the emerging new threats related to the development of civilisation, organised crime groups are becoming increasingly active at various levels of social life. The intensified activity of organised crime groups affects the citizens’ sense of security, and therefore appropriate measures are taken to detect, combat and counteract such threats. The article indicates the basic tasks of the Police in relation to individual areas of activity of organised crime groups, and shows the role of the Central Police Investigation Bureau as a law enforcement agency in combatting organised crime.