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ARTICLE

Prison Service officers' conduct with prisoners belonging to organised crime structures – security and supervision measures

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Abstract

The main objectives of this article are to analyse the conduct of Prison Service officers towards prisoners who are members of organised crime groups and to assess the security and supervision measures applied to them within a penitentiary unit. Issues relating to the security of a penitentiary unit, the assessment of inmates both on admission and during their stay, and the appropriate way to deal with them were discussed. The author demonstrated that knowledge of prisoners and the exchange of information between Prison Service units are of crucial importance to the way officers treat prisoners and the effectiveness of preventive measures taken, as well as to enhancing the security of both prisoners and Prison Service officers while carrying out their duties.

Keywords

Prison Service, security, organised crime, security measures for the inmate

Introduction

The subject of this research is how Prison Service officers behave towards inmates belonging to organised crime structures. The author addressed this topic on the basis of his professional experience and the lack of academic sources dealing with this issue.

The main research problem is an attempt to answer the question of how Prison Service officers should deal with the inmates belonging to organised crime structures. The author assumed that a proper assessment of the inmate and the exchange of information between Prison Service units and other services are crucial for ensuring that Prison Service officers deal with such prisoners in the correct manner. The aim of the article is to identify and describe the relevant rules and procedures for this process, which will enhance safety of both prisoners and Prison Service officers while carrying out their duties.

The concept of an organised crime – definitional problems

It should be emphasised that there is no single definition of organised crime. The legislator did not specify the criteria that are to determine the classification of certain behaviours in terms of the elements of the offense under Art. 258 § of the Criminal Code¹. Legal literature² and case law in Poland have established the following criteria on this matter.

An organised crime group consist of at least three people whose aim is to commit specific offences (both on a regular basis and as opportunities arise) or to commit offences with a loose connection³ without fixed roles⁴. The term ‘organised’ refers to a group having a permanent structure, whether vertical – with a leader

¹ Act of 6 June 1997 – Criminal Code.

² See in more detail: Stawarz M., *Podstawy odpowiedzialności za przestępczość zorganizowaną na przykładzie wybranych instrumentów części ogólnej kodeksu karnego* (Eng. Basis of responsibility for organized crime on the example of selected instruments of the general part of the Criminal Code), “Studia Prawnicze” 2023, no. 1 (227), pp. 101–129. <https://www.doi.org/10.37232/sp.2023e>.

³ This is a situation, where the aim of the group is not to commit a single specific act, but to plan and carry out various offences that are flexibly interlinked.

⁴ Fixed role means that each individual in a criminal group is assigned a specific and unchanging role. This role must be more clearly defined than in the case of ordinary complicity. See: P. Sienko, *Zarzut z 258 kk, czyli udział w zorganizowanej grupie przestępczej* (Eng. The charge under Article 258 of the Criminal Code, namely participation in an organised group), 1 XII 2024, <https://sienkoipartnerzy.pl/prawo-karne/zarzut-z-258-kk-czyli-udzial-w-zorganizowanej-grupy-przestepczej/> [accessed: 4 VIII 2026].

directing its activities – or horizontal – with a group of participants coordinating activities according to specific rules, who intend to commit as many prohibited acts (criminal behaviours) as possible. The concept of organised crime therefore points to the existence of a basic internal organisational structure (even if with a low degree of organisation), a certain permanence, and organisational ties based on a mutual agreement, a division of roles, coordinated mode of operation, as well as to the planning of crimes, the acceptance of objectives, the meeting of the group's needs, the gathering of tools for committing crimes, and the identification of locations for storing and distributing items derived from illicit acts⁵.

The Police Headquarters uses a definition of organised crime comprising several elements: the perpetrators act out of a desire for profit or a thirst for power; the group's activities continue over a prolonged period; the group forms an organised structure in which there is a division of tasks between members. It involves, among other things, a way of making money. The group is closed, disciplined and subject to internal control. It employs violence or other means of intimidation. It seeks to influence politics, law enforcement agencies, the judiciary and the media, and often operates on an international scale⁶.

International legal standards can help define the concept of organised crime. Poland ratified the United Nations Convention against international organised crime. The aim of this convention is to promote cooperation with a view to combating this type of crime more effectively and preventing it. The Art. 2 indicates: *'Organised criminal group' shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit*⁷.

⁵ See: judgement of the Court Appeal in Łódź of 24 I 2001, ref. no. II AKa 240/01, "Prokuratura i Prawo" 2004, no. 5, item 25; Judgement of the Court Appeal in Lublin of 23 VII 2002, ref. no. II AKa 148/01, "Prokuratura i Prawo" 2003, no. 4, item 20; Judgement of the Court Appeal in Łódź of 16 I 2014, ref. no. II AKa 260/13; Judgement of the Supreme Court of 24 III 2009, ref. no. WA 9/09; Judgement of the Court Appeal in Warsaw of 15 I 2013, ref. no. II AKa 352/12; Judgement of the Supreme Court of 13 XI 2013, ref. no. II KK 170/13.

⁶ Search term: organised crime, Encyklopedia PWN, <https://encyklopedia.pwn.pl/haslo/przestepczosc-zorganizowana;3963636.html> [accessed: 25 XI 2025].

⁷ *The United Nations Convention against Transnational Organized Crime adopted by the United Nations General Assembly on 15 November 2000.*

Penitentiary units in Poland

According to Art. 1 of the Act on the Prison Service, it is: *a uniformed and armed, apolitical formation subordinate to the Minister of Justice, possessing its own organisational structure*⁸. The Prison Service is classified as a standby group of a paramilitary nature⁹. The primary task assigned to Prison Service officers include carrying out correctional and rehabilitation measures for persons sentenced to imprisonment, enforcing pre-trial detention in a manner that safeguards the proper conduct of criminal proceedings, protecting the public from offenders, and maintaining order and safety in prisons and remand centres¹⁰. The internal structure of the Prison Service encompasses not only its bodies (Director General of the Prison Service, Regional Director of the Prison Service¹¹), but also organisational units (Central Prison Service Administration, prisons and remand centres¹²).

There are 173 penitentiary units in Poland (as at 31 December 2025), including: 39 remand centres, 64 prisons and 68 external wards, as well as 2 temporary accommodation wards for convicts¹³. In 2024 (as at 31 December), 27 158 officers served there and staff filled 1860,460 full-time equivalent positions¹⁴. These units differ not only in terms of their location¹⁵, but also in terms of their capacity (Table 1) and type¹⁶.

⁸ *Act of 9 April 2010 on the Prison Service.*

⁹ *Grupy dyspozycyjne w obliczu Wielkiej Zmiany. Kulturowe i społeczne aspekty funkcjonowania* (Eng. Dispositional groups in the face of the great change. Cultural and social aspects of functioning), J. Maciejewski, M. Bodziany, K. Dojwa (eds.), Wrocław 2010, p. 53.

¹⁰ Art. 2(2) points 1, 2, 5, 6 of the Act on the Prison Service.

¹¹ *Ibid.*, Art. 7 point 1, 3.

¹² *Ibid.*, Art. 8 point 1, 3.

¹³ Ministerstwo Sprawiedliwości, Centralny Zarząd Służby Więziennej (Eng. Ministry of Justice, Central Prison Service Administration), *Roczna informacja statystyczna za rok 2025* (Eng. Annual statistical report for 2025), K. Kosmala (comp.), ref. no. BEW.0332.17.2025.KKO, Warszawa 2026, Table 2, p. 3.

¹⁴ Ministerstwo Sprawiedliwości, Centralny Zarząd Służby Więziennej (Eng. Ministry of Justice, Central Prison Service Administration), *Roczna informacja statystyczna za rok 2024* (Eng. Annual statistical report for 2024), K. Kosmala, K. Kachniarz (comp.), ref. no. BEW.0332.17.2024.KK, Warszawa 2025, Table 73, p. 40.

¹⁵ Many units are located in the city centres of large cities, e.g. Katowice Remand Centre and on the outskirts of small towns, e.g. Trzebinia Prison.

¹⁶ See in more detail: *Act of 6 June 1997 – Penal Enforcement Code.*

Table 1. Penitentiary units according to capacity – as at 31 December 2025.

Capacity	Remand centres	Prisons	External wards	Temporary accommodation wards for prisoners*	Total
up to 49	0	0	1	2	3
50–99	0	0	14	0	14
100–199	1	1	21	0	23
200–299	7	6	15	0	28
300–399	9	5	5	0	19
400–499	6	6	2	0	14
500–599	1	3	2	0	6
600–699	6	7	7	0	20
700–799	1	6	1	0	8
800–899	0	7	0	0	7
900–999	2	4	0	0	6
1000–1099	4	9	0	0	13
1100–1199	0	0	0	0	0
1200–1299	1	3	0	0	4
1300–1499	0	6	0	0	6
1500–1800	1	1	0	0	2
Total	39	64	68	2	173

* wards established by the Regional Director of the Prison Service

Source: Ministerstwo Sprawiedliwości, Centralny Zarząd Służby Więziennej (Eng. Ministry of Justice, Central Prison Service Administration), *Roczna informacja statystyczna za rok 2025* (Eng. Annual statistical report for 2025), K. Kosmala (comp.), ref. no. BEW.0332.17.2025.KKO, Warszawa 2026, Table 2, p. 3.

Normative capacity in all these units is 88 402. The recorded number of inmates as of 30 June 2026 is 70 585¹⁷.

Foreigners were also among the inmates. At the end of June 2026, there were 3037 people, including citizens of Ukraine (1708 people), Georgia (254 people), Belarus (178 people) and Moldova (140 people)¹⁸. In prisons and remand centres, Prison Service officers therefore are confronted with the phenomenon of multiculturalism, which constitutes a novelty¹⁹. Among the various problems they must be prepared to tackle are therefore those that may stem from cultural differences²⁰.

Prisoners linked to organised crime – statistics and conditions of detention in penitentiary units

The general prison population discussed earlier comprises both those serving custodial sentences and those on remand, including individuals linked to organised crime.

With regard to the ‘organised crime’ category, the number of sentences enforced by type of offence (specified in the Criminal Code of 1997) stood as follows on 31 December 2024:

- final judgements – 678 people,
- non-final judgements – 49 people,
- pre-trial detention – 836 people,
- in connection with Art. 65 of the Criminal Code or Art. 58a of the Criminal Code – 1256 people²¹,
- judgements concerning women – 64 people,
- judgements concerning juveniles – 9 people²².

¹⁷ Ministerstwo Sprawiedliwości, Centralny Zarząd Służby Więziennej (Eng. Ministry of Justice, Central Prison Service Administration), *Miesięczna informacja statystyczna za czerwiec 2026* (Eng. statistical report for June 2026), M. Milewska (comp.), ref. no. BEW.0332.07.2026.MM, Warszawa 2026, Table 3, p. 3.

¹⁸ Ibid., Table 18, p. 20.

¹⁹ B. Orłowska, *Współczesne problemy wielokulturowości* (Eng. Contemporary issues relating to multiculturalism), “Horyzonty Wychowania” 2012, vol. 11, no. 22, p. 2.

²⁰ E. Wasilewski, *Ochrona interesów poszkodowanego w wypadku* (Eng. Protecting the interests of a person injured in an accident), “Forum Służby Więziennej” 2020, no. 263, p. 38.

²¹ Art. 65 of the Act of 6 June 1997 Criminal Code; art. 58 of the Act of 19 April 1969 Criminal Code.

²² Ministerstwo Sprawiedliwości, Centralny Zarząd Służby Więziennej (Eng. Ministry of Justice, Central Prison Service Administration), *Roczna informacja statystyczna za rok 2024...*, Table 14, p. 11.

In total, the number of such prisoners was 1563 people²³. That is by no means a small number.

The prisoners linked to organised crime may remain on the premises of the organisational unit under one of two regimes, namely: the general conditions applicable to inmates, or the status of a dangerous inmate (the so-called 'N' status of a detainee). Decisions in this regard are made by the penitentiary commission. According to the Penal Enforcement Code: *a prisoner may be regarded as posing a serious threat to society or to the security of the prison if they (...) committed an offence as part of an organised group or association established for the purpose of committing offences, particularly in view of their leading or significant role within the group or association*²⁴. When making, and on each occasion reviewing, a decision as to whether a convicted person poses a serious threat to society or a serious threat to the security of the prison, the penitentiary commission takes into account not only the act committed, but also, among other things:

- 1) personal characteristics and circumstances of the convicted person;
- 2) the motives and manner of behaviour in committing the offence, as well as the nature and extent of the consequences of the offence (...);
- 5) in the case of a person convicted of an offence committed as part of an organised group or association established for the purpose of committing offences – the threat to the legal order that may arise from the convicted person establishing unlawful contacts with other members of the group, including in particular a threat to human life or health or to actions aimed at identifying property constituting the proceeds of crime, and the fact that other members of the group or association remain at large²⁵.

Where a decision is taken to classify an inmate as a prisoner posing a serious threat to society or a serious threat to the security of the prison, that prisoner shall serve their sentence in a designated ward or cell of a high-security prison, under conditions that ensure enhanced protection of the public and the security of the prison²⁶. The conditions are as follows:

- 1) residential cells, as well as spaces and rooms designated for: work, study, walks, visits, religious services, religious gatherings and religious education, as well as cultural and educational activities, including those relating to physical education and sport, shall be fitted with appropriate technical and security measures;

²³ Ibid.

²⁴ Art. 88a § 1 point 2 of the Penal Enforcement Code.

²⁵ Art. 88a § 2 point 1, 2, 5 of the Penal Enforcement Code.

²⁶ Art. 88a § 3 of the Penal Enforcement Code.

- 2) residential cells remain locked around the clock and are subject to more frequent inspections (...);
- 4) the movement of inmates within the prison grounds takes place under heightened supervision and is limited to essential needs;
- 5) prisoners are subject to a body search each time they leave and return to the cell (...);
- 10) convicted persons are not allowed to use their own clothing and footwear²⁷.

The conditions of such an inmate's detention are defined in the applicable regulations, and officers have no discretion in this matter. Importantly, the rights to which a prisoner is entitled, as well as the obligations and prohibitions imposed on them, must not be restricted in comparison with other prisoners. These include, for example, the way in which visits are conducted²⁸, a proper diet to maintain good health²⁹, or a ban on getting tattoos or having them done on oneself, as well as inciting such acts or assisting in their commission³⁰.

Finally, it should be noted that there are groups of people who do not fit the definition of organised crime³¹, but who may still be of interest to criminal groups. This interest may stem from a desire to influence these individuals' behaviour or statements, as well as their affiliation – including while within the prison – so that it would be consistent with the needs of such a group.

Knowledge about the inmate – a key element of safety in penitentiary units

The systematic collection and analysis of information on prisoners enables the early identification of risks and helps to improve security levels in penitentiary units. The reconnaissance should be carried out with respect for the dignity and rights of persons deprived of their liberty.

²⁷ Art. 88b § 1 point 1, 2, 4, 5, 10 of the Penal Enforcement Code.

²⁸ Art. 88b § 1 point 8 of the Penal Enforcement Code.

²⁹ Art. 102 point 1 of the Penal Enforcement Code.

³⁰ Art. 116a point 6 of the Penal Enforcement Code.

³¹ We are talking about members of the so-called 'pseudo-football fan' groups, foreign nationals (mainly from the former Eastern Bloc), leaders of religious movements, sects and faith-based organisations, celebrities, influencers, 'trash streamers' or individuals associated with political environment.

Prisoner intake assessment – the beginning of the isolation process

Every person admitted to the facility is briefed on the conditions and rules governing their stay there and undergoes an initial interview. This involves gathering information from the inmate regarding their family and financial circumstances, as well as their involvement in criminal subcultures. Medical staff also conduct interviews (covering, among other things, past illnesses and chronic health conditions). Court records are also analysed – the nature of the charges, the number of co-defendants, and the behaviour displayed before the judicial authorities³². The information and data obtained have a significant influence on the inmate's placement and the selection of fellow inmates.

Prisoner assessment – during isolation

Officers and employees of prisons and remand centres carry out preventive measures which:

(...) are aimed at assessing the background of prisoners and remand prisoners in order to protect the public from crime or to ensure order and security in prisons, remand centres or during prisoner transport, in particular by:

- 1) observing behaviour and relationships among prisoners and remand prisoners;
- 2) identifying the structures of criminal subcultures;
- 3) monitoring the atmosphere and mood among prisoners and remand prisoners, as well as any behaviour on their part that may breach order and security of prisons, remand centres or a convoy³³.

The prisoner assessment also includes an analysis of the correspondence received by the prisoner³⁴, their visits³⁵, the requests and applications they have submitted³⁶, any rewards they have received, and requests for disciplinary action to be taken. The monitoring of telephone conversations can provide insight into whom the inmate is in contact with, the nature of those relationships and the need for contact with individuals outside the facility.

³² Whether the charges are admitted or denied, the nature and character of the statements made, and cooperation with law enforcement agencies, the prosecutor and the court.

³³ Art. 19a(2) of the Act on the Prison Service.

³⁴ From the content of the letters, one can learn what matters to the inmate, what he longs for and what he is missing.

³⁵ Supervision of visits provides information not only about who is visiting an inmate and what they are discussing, but also about who brought a visitor. This may be valuable information for other services.

³⁶ From the inmate's formal documentation, one can learn what he needs and what his expectations are.

Financial aspects constitute a significant element – specifically, the formal assistance received by the inmate in the form of money transfers³⁷, parcels and ‘wypiska’ (canteen funds)³⁸.

Consideration should also be given to the type of diet chosen by the prisoner, e.g. a diet dictated by religious beliefs and their religious practices³⁹, including a change of religion. This may provide valuable insight into their attitude towards their current situation.

An accurate intake assessment also involves knowledge of: the prisoner’s willingness to work⁴⁰, their participation in the rehabilitation process, e.g. acceptance of the programme-based system for serving a custodial sentence⁴¹, their participation in cultural and educational activities⁴², their enrolment in the school system within the prison; and their participation in walks⁴³. Observing whom the inmate interests with during these activities is crucial for ensuring safety. His status or position within the group may be indicated by the fact that people – such as members of the so-called ‘football hooligans’ groups – come to the walls of the facility to support him.

It is also useful to know whether the prisoner self-harms, behaves in a manipulative manner⁴⁴, has tattoos⁴⁵ or uses a pseudonym.

³⁷ It is possible to determine not only the amounts received by the prisoner, but also the frequency of payments and who makes them. This may be important to other service.

³⁸ ‘Wypiska’ (canteen funds) is a term used in everyday communication among prisoners, referring to a prisoner’s ‘(...) purchase of foodstuffs, tobacco products and other items authorised for sale within the prison, using funds at their disposal in their prison account’. See: Art. 113a § 1 of the Penal Enforcement Code.

³⁹ It is observed whether the inmate seeks to meet with specific representatives of religious movements, actively participates in religious meetings, e.g. masses, and – importantly – whether this results from a spiritual need or, for example, the desire to meet with other inmate.

⁴⁰ This also applies to unpaid work. An inmate may seek a specific type of work – for example, in the kitchen – with the primary aim of interacting with other inmates in order to engage in illicit activities.

⁴¹ One of the assigned tasks might be, for example, establishing cooperation with a probation officer.

⁴² In many prisons, for example, there are music rooms and classes are held to teach inmates how to play musical instruments.

⁴³ The prison administration may adjust the number of people allowed out for a walk. During this time, it is possible to observe how other prisoners behave towards a particular individual. It is also significant whether that individual takes part in the walks or avoids leaving their cell.

⁴⁴ An example might be a suicide attempt aimed at forcing a decision that is favourable to a prisoner.

⁴⁵ Tattoos are no longer as common as they used to be. However, the tattoos one has can say a lot, for example, about one’s involvement in a subculture or one’s behaviour.

The final element, which not only consolidates the existing knowledge but also allows for its verification, is information obtained from other inmates as part of preventive measures⁴⁶. At first glance, they may seem trivial. That is why the prevention officer⁴⁷ – the person appointed to analyse this information⁴⁸ – plays such a vital role within the unit. It should be added that the data about an inmate indicated below are included in the Central Database of Persons Deprived of Liberty⁴⁹.

It is also worth taking into account the materials obtained from social media⁵⁰ and during discussions between the management and the family members of an inmate⁵¹. Information obtained from external services is an important element, but it is not always documented and formalised⁵².

Summary and conclusions

The totality of knowledge, including that relating to an inmate, has an impact on two areas:

- internal – i.e. the way an inmate functions within the facility, their placement, and the fellow inmates with whom they come into contact. This determines the number of officers assigned to work with an inmate, taking into account not only their professional experience and psychological and physical aptitude, but also their training in the field of countering threats⁵³;

⁴⁶ These include monitoring inmates' conversations, including informal ones between cells, as well as direct conversations with inmates conducted by officers.

⁴⁷ See in more detail: art. 19b (1) of the Act on the Prison Service.

⁴⁸ For example, the information obtained from eavesdropping – 'the Black has entered the clink, it's going to be a laugh' (quote) – seems to add little. However, a prevention officer who knows that 'Black' is the leader of hooligans supporting Club X, and that the facility houses inmates belonging to rival groups, can isolate them.

⁴⁹ The database covers a range of modules, e.g. health, aliases and self-harm. Specific groups of officers have access to the modules.

⁵⁰ Information about the inmate's role in the group, as well as words of support or hate and abuse directed at him, may appear online. This knowledge helps to ensure him security.

⁵¹ Family members may inadvertently convey important information, for example, that they are being harassed at home.

⁵² Law enforcement agencies have, for example, information that a particular person is a member or leader of an organised group, but no formal charges have been brought against them yet.

⁵³ For example, training on corruption or how to handle an attempted blackmail.

- external – this is exchanging information about a prisoner with other organisations, including, among others, the Police, the Internal Security Agency, the Police Central Investigation Bureau. It should encompass the totality of knowledge on an inmate, because what is obvious to one side may not be so to the other.

The implementation of the actions described falls within the definition of prison security, which entails an understanding of current threats and the anticipation of those that may arise, as well as knowledge of the procedures (actions) designed to prevent them from occurring or to minimise their consequences, as well as a mode of operation that ensures the safety of the people within the facility, with an acceptable level of risk and threats⁵⁴. The implementation of appropriate procedures will not only enhance the safety of prisoners and Prison Service officers, but may also have a positive impact on investigations carried out by the investigating authorities, as well as on court proceedings. It can therefore be assumed that the intended objective of the article was achieved.

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