

CRIME OF FOREIGNERS IN POLAND IN THE YEARS 2004-2024 – LEGAL AND CRIMINOLOGICAL ASPECT

Dr. Grzegorz Tutak

The John Paul II Catholic University of Lublin, Poland
e-mail: grzegorz.tutak@kul.pl; <https://orcid.org/0000-0003-4705-0446>

Mateusz Jurek, MA

The John Paul II Catholic University of Lublin, Poland
e-mail: mateusz.jurek@kul.pl; <https://orcid.org/0009-0004-4136-0317>

Abstract. The article aims at presenting the phenomenon of crime of foreigners in Poland over the past twenty years, i.e. for the period from 2004 to 2024. The work characterizes the immigration of the population to Poland in the perspective of the subjective and causal criterion. The impact of the influx of foreigners on the internal security of the state was also discussed. The authors analyzed selected categories of prohibited acts, i.e.: crimes against property, crimes against safety in communication, crimes against life and health and drug crimes. The research was based on statistical data provided by the Police Headquarters. Data for the period from 2004 to 2024 were analyzed. The result of the work of the authors is to present the space requiring actions aimed at a more thorough examination of the problem of crime of foreigners in Poland in order to undertake further projects aimed at increasing the level of security in the discussed area. In the analysis, the authors used the method of criticism of literature and analytical-synthetic. The analysis used variables relating to the total number of preparatory proceedings initiated by the Police and data on the number of registered foreigners suspected of committing a selected criminal act.

Keywords: migration; immigration; foreigners; statistic data; criminal law; crime of foreigners.

INTRODUCTION

For several years, Poland has become a destination for immigration. The analysis undertaken in this article covers the years 2004-2024. This is an extremely important period in the development of Poland because at that time Poland became a member state of the European Union and entered the Schengen zone. These two events were important for the intensification of migration movements, which allowed Polish citizens to move freely within the territory of the Community. Free access to the labour markets

of member states caused significant emigration of Poles in search of better earning conditions. Post-accession migrations contributed to the emergence of new challenges and problems, and also influenced the diversity of structures of the migrant population. It gave an impulse to liberalize the migration law in the field of access to the labor market for foreigners, the possibility of undertaking education. Systemic, political and economic changes initiated just after 1989 and intensified after 2004, contributed to the increase in interest of foreigners in Poland as a destination for immigration. Nowadays, the issue of migration is connected with the issue of security. The adoption of such a perspective often leads to the conclusion that migration poses a specific threat to the value of security. The aim of the article is to draw attention to the conditions conducive to immigration and their impact on the increase in crime in foreigners in Poland. For this purpose, statistical data obtained at the request of the authors from the Police Headquarters will be presented. In the analysis of the undertaken issues, the methods appropriate for the legal and social sciences were used.

1. CONDITIONS FOR MIGRATION TO POLAND

Poland as a country has a long tradition of emigration, while immigration is a relatively new phenomenon. Until now, Poland, especially for demographic reasons, has been a reservoir of labour among Western European countries [Iglicka 2008, 64]. Nevertheless, Poland is becoming an increasingly attractive place to work and live for foreigners. Currently, it can be said that it has undergone a transformation from an emigrant country to an immigration one.

The reasons for this phenomenon are, among others: a) the post-accession emigration of Poles, which prompted the authorities to take legal and institutional measures in the field of immigration, aimed at supplementing staff shortages in selected industries of the economy; b) facilitating the employment of seasonal workers from third countries; c) geographical proximity, especially for the inhabitants of Eastern Europe, and cultural affinity; d) relatively low cost of living compared to Western European countries; e) the establishment of migration networks, especially among citizens of eastern European countries, which makes migration processes more dynamic; f) perception of Poland as a safe place, even in the face of direct neighbourhood with the country in which the war is going on.

After Poland's accession to the European Union in 2004, a significant increase in the number of people leaving the country permanently¹ was observed.

¹ The data published by the Central Statistical Office illustrate the so-called migration streams in individual years, referring only to documented facts of emigration (check-out

In the years 2004-2007 the number of emigrants for permanent residence steadily increased, reaching the peak in 2006, slightly more than 46 thousand cases were recorded at that time. In the following years, this trend changed, and the number of people leaving permanently began to decrease. The last significant increase in emigration took place in 2013 – 32 103 people. In turn, after 2004, there was a gradual increase in the number of foreigners settling in Poland permanently – it was 9,495 people in that year. This situation lasted until 2009, when 17,424 foreigners settled permanently. In the following years, there was a slight decrease. What is important, since 2016 Poland has been characterized by a positive migration balance. It is necessary to pay attention to temporary migrations. Temporary immigration to Poland can be considered on the basis of data on work permits for foreigners and registered declarations on the intention to entrust work to foreigners, which is included in Table 1.

Table 1. Number of work permits issued and registered declarations on the intention to entrust work to a foreigner in the years 2008-2023.

Employment permits issued to foreigners			
Year	Issued work permits	Year	Issued work permits
2008	18 022	2016	127 394
2009	29 340	2017	235 626
2010	36 622	2018	328 768
2011	40 808	2019	444 738
2012	39 144	2020	406 496
2013	39 078	2021	504 172
2014	43 663	2022	365 490
2015	65 786	2023	320 630
Registered statements of intention to entrust work to a foreigner			
Year	Number of registered statements	Year	Number of registered statements
2008	156 713	2016	1 314 127
2009	188 414	2017	1 824 464
2010	180 073	2018	1 582 225
2011	259 777	2019	1 640 083
2012	243 736	2020	1 519 599
2013	235 616	2021	1 979 886
2014	387 398	2022	1 038 316
2015	782 222	2023	506 554

Source: Own study based on data from the Ministry of Family, Labour and Social Policy.

from permanent residence in Poland in connection with a trip abroad) and immigration (check-in for permanent residence in Poland in connection with the arrival from overseas).

Data published by the Ministry of Family, Labour and Social Policy on the employment of foreigners in Poland indicate a gradual increase in the number of work permits issued after 2008. In 2008, 18 022 such permits were issued, while in 2015 this number increased to 65 786, which means an increase of 265% compared to 2008. A significant increase, in the number of permits issued, occurred after 2016 – then 127 394 work permits were issued. In record 2021, this number reached 504,172, an increase of 295% compared to 2016. After 2021, however, there was a decrease in the number of permits issued. In 2023, 320,630 work permissions were released, which states a decrease of 36% compared to the record year 2021. During the analyzed period, most often permits were issued to citizens of Ukraine, Belarus, Moldova, Vietnam, China, India, Russia. In addition, in recent years, these nationalities have been joined by a growing number of people from Nepal, Bangladesh, Pakistan, Georgia, Tajikistan, Turkey and South Korea. Poland is now becoming a destination not only for immigration from Eastern Europe, but increasingly from Asia and Africa.

In order to better illustrate the scale of immigration in Poland, it is also worth paying attention to the possibility of employing foreigners under the so-called declaration procedure. It was introduced in 2007, when 21,797 statements were registered. Since 2008, this number has begun to systematically grow – 156,713 statements were registered in 2008 and in 2015 already 782,222. The record level was noted in 2021, when the number of registered statements amounted to 1,979,886. However, since 2022, there has been a decrease in the registration of declarations on entrusting work to a foreigner.² This was the result of legal changes that extended the period of work on the statement to 24 months, as well as the introduction of new regulations enabling Ukrainian citizens to work on the basis of the notification. Russia's aggression against Ukraine had an additional impact, and in October 2022 Russian citizens were excluded from the declaration procedure.

In 2023 alone, almost 2 million acts were issued legalizing the work of a foreigner.³ The largest group are Ukrainian citizens. Not without significance is the fact of the ongoing armed conflict caused by Russian aggression against Ukraine. The immediate vicinity and the existing migration networks and previously indicated conditions contributed to the fact that Poland has become a place of refuge for Ukrainian citizens through war. In the years 2013-2021 we can talk about 'ukrainization' of immigration

² It should be remembered that the quoted data on temporary migration in Poland are not fully reliable. This is because one person can appear in several registers, which are not treated separately.

³ See <https://psz.praca.gov.pl/documents/10828/8179096/Informacja%20o%20zatrudnieniu%20cudzoziemc%C3%B3w%202023%20r.pdf/58c6f6b1-07b5-4fa7-9b48-7f70d74f9dbe?t=1706880934801> [accessed: 15.01.2025].

to Poland [Górny and Kindler 2023, 295]. An additional factor conducive to immigration to Poland is the policy of Western European countries and societies, which are increasingly characterized by anti-immigration attitudes. The process of changing Poland from a country of emigration to an immigration one has already begun and continues. It is also expected that this trend will not change in the coming years.

2. IMPORTANCE OF MIGRATION FOR STATE SECURITY

The effects of the influx of foreigners are manifested in various aspects of the functioning of the state. In the era of the development of modern technologies and means of communication, globalization processes, the security environment is characterized by the evolution of existing and the emergence of new categories of threats. More often, in the public space, the issue of migration is connected with security threats. Increased migratory flows can create uncertainty and concerns about the state's ability to control its borders, protect its citizens, its cultural heritage and its values. This leads to the analysis of contemporary migrations through the prism of both opportunities and threats [Bhabha 2005, 29]. The perception of migration in the context of a security threat stems from the fact that attention is now being paid to the costs of immigration borne by the state and to the burden on the social system; mass migration and mixing of cultures; and; terrorist attacks involving foreigners; linking migration with the development of crime. These factors result in the state's activities being placed in terms of the needs of the state, resulting from the need to ensure the safety of its citizens [White and Johnson 2016, 79]. Migrants, who until recently were perceived through the prism of development, today as a result of the occurrence of various phenomena and events are considered in terms of risk. The most frequently cited arguments, which are raised in the context of threats of cultural, socio-economic or political nature related to migration, are indicated by the development of the 'gray area' of employment at the expense of legal jobs; threat to national identity and cohesion and its culture; threat to the traditional family structure of the host country; development and formation of criminal groups and conducive to terrorist threats; growth of nationalist, racist, and, xenophobic among the host society; epidemiological threats; immigrants' reluctance to assimilate and integrate, the formation of „gett”, the transfer of problems from places of origin to the current place of residence [Tutak 2023, 133-34].

The catalogue presented is not closed. Some of the cited arguments are related to the emotional and subjective sphere of individuals and social groups. The impact of foreigners on the level of crime in the country is a complex issue, depending on many factors, such as the scale

and structure of migration, the level of integration of immigrants, the economic situation and the policy of the host country. The fact is that foreigners commit crimes, but in many cases, these people are no more dangerous than non-migrants. The reasons that determine the commission of illegal acts can be indicated, among others, experiences, often traumas experienced by foreigners (especially refugees) in their current place of residence; problems with integration, and, which in turn translates into exclusion or discrimination in many aspects of social functioning; performing work below qualifications resulting in frustration or lack of frustration; cultural differences resulting in different behaviors, which in the host country are considered to be contrary to accepted standards and are acceptable in the country of origin; pathologies and dysfunctions in the country of origin that have affected the way society functions, for example corruption, nepotism; problems in the field of legalization of stay; national tensions; the adopted model of immigration policy implemented in a given country.

Among the security threats that are seen in migrations, especially the international charter, is terrorism. In this case, migration is treated as an important element of the penetration of dangerous people into the target countries, which ultimately aims to commit a terrorist act. The transnational nature of this phenomenon also indicates the activities of organized crime groups, which may include smuggling of migrants, trafficking in human beings, use for prostitution or forced labour, arms smuggling, and, drugs and other harmful substances. However, the most common forms committed by foreigners include common crime as the most common form of crime, which includes, among others, crimes against property, freedom, life and health, morality, justice, against public order.

3. CRIME STRUCTURE OF FOREIGNERS IN POLAND IN 2004-2024

This part of the article will present the issue of the impact of population migration on crime in Poland. The study of the issue was based on police statistics in terms of the so-called crime confirmed as a result of the initiation of preparatory proceedings [Kuć 2015, 46]. According to police data, the number of prohibited acts committed in Poland is constantly decreasing. In 2004, 1 461 217 crimes were committed, while in 2022 – 862 432, which is a decrease in the total number of crimes found by 41%.⁴ Police statistics show significant dynamics in this area. The image of crime in Poland consists mainly of crimes against property. In 2020, they accounted for almost half of all crimes reported. Almost every tenth crime is determined from the

⁴ See: https://dane.gov.pl/pl/institution/27,komendaglownapolicji?page=1&per_page=20&q=prze%C4%99pstwa%20&sort=-date [accessed: 20.01.2025].

Act on counteracting drug addiction and from the category against family and care, 7% share crimes against the credibility of documents, 5% – against sexual freedom and decency, 7% it is also one of the crimes against safety and in communication – driving a vehicle in a state of intoxication or under the influence of an intoxicant. Crimes against life and health account for 2% of the crimes found. A similar negligible percentage are the other categories of crimes [Włodarczyk-Madejska and Ostaszewski 2024, 111-10].

Among the perpetrators of crimes committed in Poland, migrants coming from countries outside the European Union play an increasingly important role. According to research conducted by W. Klaus, K. Laskowska and I. Rzeplińska in the work entitled: *Crime of Foreigners. Legal, criminological and legal aspects of the share of foreigners in relation to the total number of perpetrators of crimes committed in Poland over 9 years, i.e. in the period from 2004 to 2012*, accounted for 0.5%. Suspected of committing crimes in Poland in the years 2004 – 2012 were citizens of 61 countries – a total of 22,675 foreigners, including stateless persons – 82 people [Klaus, Laskowska, and Rzeplińska 2017, 21-20]. Currently, in Poland we notice an increasing share of foreigners among perpetrators of crimes. This phenomenon is the result of changes in the world caused by armed conflicts and the economic situation. In Poland, there is increased migration, in particular from Ukraine, which is caused by the ongoing armed conflict with Russia on its territory.

Due to the nature of the crimes committed on the territory of the Republic of Poland, the first will be characterized prohibited acts against property, which, as already indicated, constitute almost half of all crimes committed in Poland. The provisions of chapter XXXV of the Criminal Code, grouping crimes against property, protect as a generic good property in the civil sense, which includes property and other property rights (Article 44 of the Civil Code) and possession. It does not matter who is the subject of property in which the perpetrator of – State Treasury, another state legal person, local government unit or private entity reconciles. The individual property protected by the individual criminal prohibitions of this chapter is property either to the full extent (e.g., fraud) or to the extent of certain of its components (e.g., theft). Some of these prohibitions also have other, collateral protected goods (e.g. robbery crimes) [Grześkowiak and Wiak 2017, 407]. These crimes are closely related to the value of property at a given time and place. In a narrower scope, protection refers to things that are the object of property and of factual possession. In this certain sense this concept is used as an object (protection, assassination) in crimes of theft, appropriation, robbery, robbery, destruction of things and forage (Article 278-281, 284, 288, etc., 291 And 292). A property in a broader sense that includes property rights, of a material or bond nature (including any kind of benefits, profits or advantages), is subject to protection (including any

kind of benefits, or, profits or benefits) of fraud and robbery (Article 286 and 282). The concept of property includes things (mobile and real estate), the value of which can be expressed in money and which can be traded. According to Article 115(9) of the Criminal Code. Polish or foreign money or other means of payment is also a movable thing or object, cash entered in the account and a document entitling to receive a sum of money or containing an obligation to pay capital, interest, share in profits or declare participation in the company. Thus, the thing is a variety of means of payment (e.g., payment cards), cash saved in the account (i.e., non-cash money) and securities (checks, bills of exchange, shares, bonds, etc.) and other documents entitling to receive money, interest or share in profits (deposit certificates, letters of credit, shares, documents confirming participation in the trust fund) [Marek and Konarska-Wrzosek 2019, 592].

Paying attention to the structure of prohibited acts aimed at broadly understood property, it is necessary to indicate, that by analyzing selected categories of prohibited acts included in chapter XXXV of the Criminal Code, there is a significant decrease in the occurrence of these prohibited acts over the years 2004-2024. Referring to the scale of the phenomenon, it should be pointed out that in the case of a crime of theft included in Article 278 of the Criminal Code in 2024, 74,803 preparatory proceedings were initiated, which indicates a decrease in the number of proceedings conducted in relation to 2004 by 71.4%, when their number was 261,867. The situation is similar in the case of a crime of theft with burglary Article 279 of the Criminal Code where – in 2024 – 34,351 preparatory proceedings were initiated, which indicates a decrease in the number of cases in this category compared to 2004 by 88.1%. In the case of the crime of destruction of property specified in Article 288, the decrease in the number of proceedings initiated in 2024 compared to 2004 was 58.8%, the number of cases decreased from 74,917 to 30,896. A decrease in the number of preparatory proceedings was also recorded in cases for an act of Article 280 of the Criminal Code where in 2024 they were initiated 1 899, which indicates a decrease in the total number of cases in the indicated direction compared to 2004 by 95%. A similar decrease was recorded in the case of preparatory proceedings conducted towards Article 282, i.e. robbery extortion, where 241 proceedings were initiated in 2024 and this indicates a decrease in the number of cases in this category by 89% compared to 2004. Less disparities in the number of preparatory proceedings initiated were noted in the number of cases conducted towards Article 281 of the Criminal Code. In the case of the crime of robbery in 2024, 1,072 preparatory proceedings were initiated, which indicates a decrease in the number of proceedings conducted in relation to 2004 by 37%. The presented dynamics of changes over the years 2004-2024 are presented in tables 2 and 3 below.

Table 2. Offences against property – selected categories.

Qualification	278 criminal code			279 criminal code			288 criminal code		
Year	In total	citizens	%	In total	citizens	%	In total	citizens	%
2004	261 867	127	0,05%	288 769	75	0,03%	74 917	32	0,04%
2005	255 418	172	0,1%	240 540	48	0,02%	70 422	25	0,04%
2006	232 644	155	0,1%	181 504	34	0,02%	66 841	22	0,03%
2007	202 888	134	0,1%	142 543	35	0,02%	71 347	33	0,1%
2008	183 283	153	0,1%	124 926	26	0,02%	76 063	29	0,04%
2009	188 873	189	0,1%	134 054	29	0,02%	70 041	29	0,04%
2010	197 253	181	0,1%	129 448	49	0,04%	71 510	34	0,1%
2011	197 253	225	0,1%	129 448	62	0,1%	71 510	41	0,1%
2012	191 899	276	0,1%	120 286	50	0,04%	66 353	33	0,1%
2013	182 972	429	0,2%	111 576	73	0,1%	59 339	76	0,1%
2014	144 150	368	0,3%	99 958	75	0,1%	47 780	67	0,1%
2015	128 173	375	0,3%	91 288	80	0,1%	46 473	76	0,2%
2016	110 094	497	0,5%	74 127	127	0,2%	43 110	108	0,3%
2017	95 342	657	0,7%	62 530	155	0,2%	39 607	144	0,4%
2018	90 652	1013	1,1%	58 646	203	0,3%	38 628	184	0,5%
2019	93 614	1390	1,5%	56 912	251	0,4%	38 895	221	0,6%
2020	86 079	1225	1,4%	56 923	228	0,4%	37 153	209	0,6%
2021	96 615	1597	1,7%	52 546	262	0,5%	37 641	254	0,7%
2022	110 153	2717	2,5%	49 734	381	0,8%	38 801	329	0,8%
2023	104 193	3372	3,2%	43 389	395	0,9%	36 398	304	0,8%
2024	74 803	2042	2,7%	34 351	382	1,1%	30 896	300	1,0%

Source: Own elaboration based on data received from the Police Headquarters.

Table 3. Offences against property – selected categories.

Qualification	280 criminal code			281 criminal code			282 criminal code		
year	In total	citizens	%	In total	citizens	%	In total	citizens	%
2004	34 665	75	0,2%	1699	3	0,2%	2 268	15	0,7%
2005	30 245	43	0,1%	1591	4	0,3%	1 923	10	0,5%
2006	23 893	26	0,1%	1471	5	0,3%	1 591	13	0,8%
2007	17 872	21	0,1%	1126	3	0,3%	1 315	2	0,2%
2008	16 320	24	0,1%	979	2	0,2%	1 160	4	0,3%
2009	13 606	20	0,1%	1033	1	0,1%	1 086	6	0,6%
2010	12 101	32	0,3%	1047	2	0,2%	936	9	1,0%
2011	12 101	11	0,1%	1047	3	0,3%	936	4	0,4%
2012	10 272	17	0,2%	997	1	0,1%	804	5	0,6%

Qualification	280 criminal code			281 criminal code			282 criminal code		
year	In total	citizens	%	In total	citizens	%	In total	citizens	%
2013	8 804	31	0,4%	1042	6	0,6%	703	5	0,7%
2014	7 628	24	0,3%	1131	10	0,9%	712	6	0,8%
2015	6 605	29	0,4%	1221	7	0,6%	647	11	1,7%
2016	5 445	49	0,9%	1062	7	0,7%	412	3	0,7%
2017	4 097	55	1,3%	1021	10	1,0%	335	9	2,7%
2018	3 735	67	1,8%	1037	16	1,5%	338	6	1,8%
2019	3 462	85	2,5%	996	30	3,0%	331	9	2,7%
2020	2 945	79	2,7%	1012	30	3,0%	265	12	4,5%
2021	2 431	71	2,9%	1018	31	3,0%	246	4	1,6%
2022	2 545	85	3,1%	1192	57	4,8%	236	10	4,2%
2023	2 435	103	4,2%	1281	62	4,8%	232	7	3,0%
2024	1 899	118	6,1%	1072	68	6,3%	241	18	7,5%

Source: Own elaboration based on data received from the Police Headquarters.

In the case of crimes against property, which constitute the largest group of prohibited acts committed in Poland among perpetrators of prohibited acts, foreigners play a small role among the so-called suspects. However, it should be pointed out that in the case of analyzed data relating to the above-mentioned prohibited acts, the share of foreigners in relation to 2004, where foreigners constituted from 0.1% it increased in 2024 in all categories of prohibited acts. Referring to the individual categories of the analyzed prohibited acts, it should be pointed out that the increase in the share of foreigners among perpetrators of crimes in relation to 2004 was in turn: Article 278 of the Criminal Code 2.7% – 2042 people, Article 279 of the Criminal Code 1% – 382 people, Article 280 of the Criminal Code 5.7% – 118 people, Article 281 of the Criminal Code 6.1% – 68 people, Article 282 of the Criminal Code 6.8% – 18 people, Article 288 of the Criminal Code 1% – 300 people. In total – in the years 2004-2024 – 24,454 foreigners committed crimes against property in the discussed scope.

The largest number of crimes against property among foreigners on the territory of Poland was committed by citizens of European countries outside the structure of the European Union – 18 504. Among the above-mentioned countries, the largest group were citizens of: Ukraine – 9,272, Georgia – 5,372, Belarus – 1,590, Moldova – 1,016 and Russia – 937. Among the perpetrators of crimes in the European Union countries, there were 4,656 cases, the most numerous group among them were: Romanians – 1,361, Bulgarians – 603, Czechs 587, Lithuanians 444, Slovaks 418 and Germans 405. In addition to the cases mentioned, there were: 264 people of African origin, 786 of Asian

origin, 132 cases of citizens of North and South America countries and 28 people from Australia and Oceania, and 28 people without any nationality.

The second group of prohibited acts committed more and more often by foreigners are crimes against security in communication. These crimes are specified in chapter XXI of the Criminal Code. Crimes specified in chapter XXI of the Criminal Code provide protection against events that violate security in communication. Crimes defined in this chapter cause a state of threat to goods protected by law arising during land, water or air communication. The essence of these crimes is to create a threat to these goods by bringing a specific or abstract danger [Grześkowiak and Wiak 2017, 328]. Two categories of prohibited acts were analyzed, i.e.: Article 177 of the Criminal Code – causing a traffic accident and Article 178a of the Criminal Code – driving a vehicle in a state of intoxication or under the influence of a narcotic agent. Selected prohibited acts are a serious problem in Poland and throughout the world because very often the negative effect of their occurrence is the death of a human being. In the legal and criminological literature, crimes against safety in communication are called traffic crimes [Widacki 2022, 369]. Both analyzed acts are prohibited by the most frequently committed road crimes in Poland, the remaining acts are negligible [Gorzelańczyk 2024, 434].

The structure of a traffic accident misdemeanor is complex. The basic determinant of the unlawfulness of an act is a violation of traffic safety rules. The concept of these rules covers not only the rules codified in the provisions of road law or in the regulations governing rail, water or air communication, but also specific praxeological rules relating to safe participation in a given sphere of movement. For road users, this means not only the obligation to comply with the provisions of the Act of 20 June 1997, the traffic law⁵ concerning in particular bypassing, evading, overtaking, crossing to the other side of the road, etc., but also safety rules resulting from the indications of practice. The crime of causing an accident in communication is material. The subject of the crime of causing a road accident – due to the sign of a violation of traffic safety rules can only be a traffic participant who is required to comply with these rules, that is, the driver of a motor vehicle, a pedestrian, a coachman, a cyclist, person running a pedestrian column [Marek and Konarska-Wrzošek 2019, 520-19]. An accident is an event related to the movement of vehicles on public roads, as a result of which death or personal injury occurred [Gorzelańczyk 2024, 431]. The second provision refers to driving a motor vehicle in a state of intoxication or under the influence of an intoxicant in land, water or air traffic. This crime is formal, it consists in abstract exposure to danger [Grześkowiak and Wiak 2021, 1102-101]. The legislator, defining in the penal code the state of intoxication as one in which the blood alcohol content exceeds 0.5 per mille or leads

⁵ Journal of Laws of 2024, item 1251.

to a concentration exceeding this value, shall, or the alcohol content in 1 cubic dm of exhaled air exceeds 0,25 mg or leads to a concentration exceeding this value, determines whether the act will be a crime of Article 178a or an offense of Article 87 of the implementing code [Widacki 2022, 369-70].

Referring to the scale of the phenomenon, it should be pointed out that the total number of prohibited acts both committed with Article 177 of the Criminal Code and Article 178a of the Criminal Code from year to year is systematically decreasing. In the case of accidents in communication, we are talking about a decrease in the number of crimes from 35,436 in 2004 to 15,660 in 2024, which states a decrease of 55.8%. On the other hand, referring to driving in a state of intoxication or other intoxicant, the number of crimes from 76,685 committed in 2004 decreased to 42,905 in 2024, which indicates a decrease by 44.1%. Police statistics show that the highest number of road crimes is caused by drivers who are drunk or intoxicated. This trend is presented in Table 4.

Table 4. Security offences in communication – selected categories.

Qualification	177 criminal code			178a criminal code		
year	in total	citizens	%	in total	citizens	%
2004	35 436	202	0,6%	76 685	629	0,8%
2005	33 047	185	0,6%	83 595	583	0,7%
2006	30 695	149	0,5%	82 266	525	0,6%
2007	32 942	141	0,4%	74 679	558	0,7%
2008	33 089	119	0,4%	82 173	495	0,6%
2009	26 680	78	0,3%	80 680	448	0,0%
2010	26 595	98	0,4%	86 071	466	0,5%
2011	26 595	88	0,3%	86 076	498	0,6%
2012	25 053	120	0,5%	78 287	480	0,6%
2013	24 770	158	0,6%	127 634	1011	0,8%
2014	24 303	154	0,6%	75 133	1008	1,3%
2015	22 959	125	5,0%	66 412	998	1,5%
2016	23 411	181	0,8%	59 603	1449	2,4%
2017	22 152	201	0,9%	55 409	2213	4,0%
2018	22 321	295	1,3%	52 004	2981	5,7%
2019	21 545	325	1,5%	56 683	3683	6,5%
2020	17 829	314	1,8%	51 883	3490	6,7%
2021	17 099	341	2,0%	56 667	4268	7,5%
2022	15 803	355	2,2%	55 772	5212	9,3%
2023	16 012	418	2,6%	49 049	4905	10%
2024	15 660	367	2,3%	42 905	3817	9,3%

Source: Own elaboration based on data received from the Police Headquarters.

The share of foreigners as perpetrators of crimes defined in Article 177 of the Criminal Code and Article 178a of the Criminal Code over the twenty years in question has increased. In the case of road accidents, there was an increase in the share of foreigners in this category of prohibited acts. In 2004, there were 202 cases, while in 2024 there were 367 cases, the increase was – 1.7%. In the case of the so-called the number of non-sober foreign drivers increased from 629 in 2004 to 3,817 in 2024 (the largest number of perpetrators among foreigners was recorded in 2022 – 5,212 perpetrators, which accounted for 10% all perpetrators in this category of prohibited acts), an increase of 8.4%.

Among the perpetrators of crimes against security in communication, as in the case of crimes against property, the largest group among foreigners were citizens of European countries located outside the EU structure (total 34,774 cases) the largest group were citizens: Ukraine – 27,220, Belarus – 2,464, Georgia – 2 231, Moldova – 1,295 and Russia – 881. In the case of citizens of EU member states, 7,374 perpetrators were registered in the period under consideration, the largest group being: Germany – 1,773, Lithuanians – 1,300, Bulgarians – 684, Romanians – 496 and Czechs – 480. In addition to European citizens, among the perpetrators of prohibited acts were registered: 319 people of African origin, 1,473 of Asian origin (the largest group were citizens: Armenia – 278, India – 162, Uzbekistan 131 and South Korea – 125), 334 cases of citizens of North and South America countries and 20 people from Australia and Oceania countries, as well as 25 people without any citizenship. In total – in Poland in the years 2004-2024 – 44,317 foreigners were registered, committing a prohibited act under Article 177 of the Criminal Code or Article 178 of the Criminal Code.

Another group of prohibited acts given to the analysis are the so-called crimes against life and health. The catalogue of these crimes has been included in chapter XIX of the Criminal Code. The legal goods protected by the provisions of Chapter XIX of the Criminal Code are human life and health. Human life, which is a generic good protected in chapter XIX of the Penal Code, should be understood as the biological existence of man at every stage of his development, from conception to natural death. However, the legislator has stratified this protection due to the phases of human development. Legal and criminal protection of life begins with the emergence of life, that is, conception. From that moment on, the value of life of every human being cannot be differentiated according to the phases of its development and is subject to legal protection. Articles 148-151 and 155 of the Criminal Code protect human life from the beginning of childbirth, and separate provisions of Article 152-154 of the Criminal Code cover the protection of the life of the conceived child, in the prenatal period of development. The second generic legal good protected by the provisions of this chapter is the health of every human being.

The health protection order is based on the provisions of the Constitution of the Republic of Poland. The Constitutional Tribunal confirmed that the protection of life is connected with the guarantee of proper development, as well as obtaining and maintaining a normal psychophysical condition, appropriate for a given age. It includes a certain optimal, from the point of view of life processes, the state of the body of a person in terms of both physiological and mental functions. Such a state can be identified with the concept of psychophysical health [Grześkowiak and Wiak 2017, 312-11].

In statistical terms, crime against life and health is a small group of crimes, and in the structure of all registered crime in Poland it has a small, several percent share [Habzda-Siwiek 2024, 181-202]. The following prohibited acts were analyzed: Article 148 of the Criminal Code, Article 156 of the Criminal Code, Article 157 of the Criminal Code and Article 158 of the Criminal Code. Referring to the numerical values in the case of Article 148 of the Criminal Code it should be pointed out that the number of murders committed in Poland remains at a similar level every year. The number of murders committed in 2004 was 790, while in 2024 – 517, which is a decrease by 35% in the total number of murders. However, looking at the average number of homicides over the period in question, it amounts to 634 people per year, which is a large number due to the categories of prohibited act. In the case of causing so-called serious damage to health specified in Article 156 of the Criminal Code year-on-year, a systematic decrease is recorded. The total number of offences in the category indicated in 2024 decreased by 63% compared to 2004, decreasing from 1,036 cases to 384. The decrease was also noted in the case of the crime of causing the so-called medium and light damage to health, i.e. the act of Article 157 of the Criminal Code. In this case, the number of crimes in 2024 compared to 2004 decreased by 45%, from 20,500 cases to 11,235. A significant decrease was also recorded in the case of the crime of fighting and beating as defined in Article 158 of the Criminal Code. In 2004, there were 14,849 cases, while in 2024 – 2,628, the decrease was 82%. The dynamics of changes in the discussed cases are presented in Table 5.

Table 5. Crimes against life and health – selected categories.

Qualification	148 criminal code			156 criminal code			157 criminal code			158 criminal code		
Year	In total	citizens	%	In total	citizens	%	In total	citizens	%	In total	citizens	%
2004	790	14	1,8%	10 36	4	0,4%	20 500	13	0,1%	14 849	54	0,4%
2005	720	4	0,6%	983	4	0,5%	19 736	22	0,1%	13 918	39	0,3%
2006	816	3	0,4%	1042	1	0,1%	19 646	17	0,1%	14 177	24	0,2%
2007	789	2	0,3%	927	1	0,1%	19 256	13	0,1%	13 520	24	0,2%
2008	748	7	0,9%	908	2	0,2%	19 519	8	0,04%	13 370	29	0,2%
2009	702	5	0,7%	800	1	0,1%	16 740	13	0%	10 687	41	0,4%

Qualification	148 criminal code			156 criminal code			157 criminal code			158 criminal code		
Year	In total	citizens	%	In total	citizens	%	In total	citizens	%	In total	citizens	%
2010	683	3	0,4%	779	2	0,3%	16 989	9	0,1%	10 390	26	0,3%
2011	684	4	0,6%	779	3	0,3%	16 989	14	0,1%	10 390	26	0,3%
2012	566	2	0,4%	853	1	0,1%	16 077	20	0,1%	9 434	17	0,2%
2013	603	7	1,2%	832	5	0,6%	16 935	24	0,1%	8 367	45	0,5%
2014	553	4	0,4%	734	2	0,3%	17 429	27	0,2%	7 128	59	0,8%
2015	506	4	0,8%	691	5	0,7%	16 421	37	0,2%	6 401	61	1,0%
2016	514	3	0,6%	647	2	0,3%	15 845	58	0,4%	5 863	106	1,8%
2017	557	9	1,6%	641	9	1,4%	15 674	80	0,5%	5 312	129	2,4%
2018	542	10	1,8%	602	9	1,5%	15 095	137	0,9%	4 741	169	3,0%
2019	600	24	4%	566	21	3,7%	14 413	143	1%	4 224	168	4,0%
2020	657	33	5%	483	15	3,1%	11 508	132	1,1%	3 176	169	5,3%
2021	605	43	7,1%	443	24	5,4%	11 277	145	1,3%	2 917	203	7,0%
2022	578	29	5%	566	22	3,9%	11 800	197	1,7%	3 025	172	5,7%
2023	571	40	7%	404	14	3,5%	11 901	243	2%	2 807	244	8,7%
2024	517	32	6,2%	384	24	6,3%	11 235	272	2%	2 628	218	8,3%

Source: Own elaboration based on data received from the Police Headquarters.

According to the data presented in Table 5, according to the information presented in the literature, it should be stated that the scale of the total number of prohibited acts in this category of prohibited acts decreases year by year. However, the data indicate that every year more and more crimes against life and health are committed by foreigners in Poland. In the case of the crime of murder Article 148 of the Criminal Code we are talking about a growth of 4.4% – where in 2004 there were 14 murders committed by foreigners, while in 2024 there were already 32. Regarding the number of perpetrators of a serious injury to health, the share of foreigners in the total number of perpetrators compared from 2024 to 2004 increased by 5.9%. However, the largest increase in the discussed period of time was observed among the perpetrators of the crime of fighting and beating where the increase was 7.9% the number of perpetrators among foreigners increased from 54 in 2004 to 218 in 2024, while reducing the number of all crimes committed in this category, that the mentality of foreigners in Poland has changed in the field of destructive behavior manifested by the possibility of making indications of crimes related to participation in a fight or beating another person.

Among the perpetrators of crimes against life and health, the largest group among foreigners were citizens of European countries located outside the EU – 3139 cases. In the indicated group, the most crimes were committed by citizens: Ukraine – 2053, Georgia – 418, Russia – 226, Belarus – 195 and Moldova – 131.

For EU countries there were – 543 cases: Asia – 302, North and South America – 42, Australia and Oceania – 3 and among the so-called stateless persons – 3.

The last group of prohibited acts given to the analysis are the so-called drug offences concerning the possession, trade and smuggling of narcotic drugs or psychotropic substances prohibited under the Act on counteracting drug addiction of 29 July 2005.⁶ Drug crime is related to the supply of drugs. Marijuana and hashish continue to be the most popular and available drugs on the Polish market [Hołyst 2022, 333-25]. In Poland, we are seeing a steady increase in drug-related crime. Statistical data indicate, that in 2024, 35,017 preparatory proceedings were initiated in this area, which indicates an increase in the total number of cases conducted under the Act on counteracting drug addiction in relation to 2004 by 52.8%. The largest number of preparatory proceedings was initiated in 2023, where their number amounted to 37,709 and in 2022 – 37,572 cases. The development of crime in this area is set out in Table 6 below.

Table 6. Drug offences.

Qualification	Drugs		
Year	In total	Citizens	%
2004	16 519	63	0,4%
2005	18 194	94	0,5%
2006	20 772	86	0,4%
2007	19 056	69	0,4%
2008	19 340	81	0,4%
2009	20 260	107	0,5%
2010	20 832	97	0,5%
2011	22 940	117	0,5%
2012	23 025	109	0,5%
2013	25 061	262	1,0%
2014	29 065	221	0,8%
2015	30 643	244	0,8%
2016	31 013	341	1,1%
2017	32 600	503	1,5%
2018	31 023	657	2,1%
2019	34 388	1 018	3,0%
2020	34 065	1 069	3,1%
2021	36 054	1 450	4,0%
2022	37 572	2 282	6,1%
2023	37 709	2 621	7,0%
2024	35 017	2 007	5,7%

Source: Own elaboration based on data received from the Police Headquarters.

⁶ Journal of Laws of 2023, item 1939.

The share of foreigners as perpetrators of drug crimes committed in Poland over twenty years increased from 0.4% in 2004 to 5.7% in 2024. The number of people committing the above-mentioned prohibited acts increased from 63 people in 2004 to 2,007 in 2024. The largest group were citizens of European countries outside the EU structure – 10,497 perpetrators, among them the largest group were citizens: Ukraine – 7,070, Georgia – 1,317 and Belarus – 1,258. The second group in terms of quantity were residents of EU countries, i.e. 1 905 people, including the largest group were citizens of: Czech Republic – 424, Germany – 417 and Bulgaria – 231. A significant increase among foreigners as perpetrators of crimes compared to the above category was recorded among citizens of Asian countries where 741 cases were recorded, the largest group were residents: Armenia – 157, Vietnam – 143, the largest group were residents, Azerbaijan – 112 and Uzbekistan – 77. Drug offences were also committed by residents of Africa – 202 persons, North and South America – 126, Australia and Oceania – 15 persons and 12 persons without any nationality.

Referring to the analyzed data, it should be noted that the share of foreigners among perpetrators of crimes has been constantly growing since 2004. Within twenty years, 86,371 people suspected of committing a crime were registered in the analyzed cases. These perpetrators came from a total of 148 countries, which proves that crime in Poland takes on an international dimension. The largest group among perpetrators of foreigners as perpetrators of prohibited acts were in total in the analyzed cases: Ukrainians – 45,615, Georgians – 9,338, Belarusians – 5,507, Germans – 2,693, Moldovians – 2,613, Russians – 2,441, Germany, Romanians – 1,988, Lithuanians – 1,838, Bulgarians – 1,664 and Czechs – 1,519. The diagnosed phenomenon requires further research in this area and taking action to develop multidisciplinary solutions aimed at counteracting the above-mentioned phenomenon.

CONCLUSIONS

Statistics clearly indicate that the share of foreigners among perpetrators of prohibited acts in Poland is constantly increasing, which results directly from the increased migration of the population to our country. In the context of security, an important element is the use of knowledge in this area to ensure a proper level of internal security of the state. A key element in this respect could be the so-called preventive measures that would reduce the risk of violations of the law by foreigners and contribute to their better adaptation in Polish society. On the basis of the analyzed data, we know which migrants most often commit prohibited acts, which is why it would be important to undertake future research aimed at determining the reason for which the above-mentioned persons commit crimes. Expanding research

will enable understanding of the problem and then introducing appropriate actions. Paying attention to the scale of the phenomenon, it should be considered reasonable to take action to improve the registration and record of foreigners in Poland, increasing international cooperation with the governments of the countries from which the largest number of people migrate annually to identify potentially dangerous people, increasing the control of the legality of stay and employment of foreigners in Poland, developing adaptation systems through the creation of integration programs enabling efficient professional and cultural adaptation of migrants. Due to the fact that people of different nationalities came to Poland, the construction of a multidimensional system would allow for effective migration management and minimize the risk of crimes committed by foreigners.

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