

Forensic Aspects of Juvenile Crime in Poland. From a Juvenile to a Criminal — The Road to Demoralisation

Ireneusz Bembas

ORCID: 0000-0001-7624-2215

Police Academy in Szczytno, Poland

Abstract. *The article refers to the forensic aspects of juvenile delinquency in Poland, and at the same time, is an attempt to draw attention to the problem of juvenile delinquency, because in the activities of state authorities aimed at preventing or reducing the number of criminal acts, attention is focused primarily on adults who commit crimes. It is important to highlight the problem and to draw attention to juvenile delinquency, as static data show a decrease in juvenile delinquency. This decreasing trend of the number of offences committed by juveniles is only illusory as, after taking into account the decrease in the number of people born, juvenile delinquency shows an upward trend. The article presents the most common determinants of juvenile delinquency, and then, on the basis of these determinants, proposes preventive actions, indicating the areas in which the undertakings of state authorities aimed at reducing juvenile delinquency should be concentrated.*

DOI: 10.5604/01.3001.0014.3192

<http://dx.doi.org/10.5604/01.3001.0014.3192>

Keywords: criminal acts, juvenile delinquency, forensic science

Introduction

In the era of threats of terrorist attacks, economic crime, including organised crime related to extortion of State Treasury charges for VAT taxes, and criminal offences, the phenomenon of juvenile delinquency, due to the statistical decrease in offences committed by juveniles¹, and offences involving juveniles² seems to be a marginalised issue. In the activities of state authorities to prevent and combat crime, there is a tendency to concentrate forces and resources, and to focus their attention primarily on crimes committed by adults. This statistical approach, which indicates a decrease in juvenile delinquency in quantitative terms, leads to the apparent conclusion of a decrease in the demoralisation of juveniles and, consequently, to the recognition of the satisfactory effects of state criminal policy on juveniles. The sources of the data quoted above concerning juveniles are based on quantitative indications, not taking into account the phenomenon of demographic depression — a decrease in the number of children born in Poland in the years 1983–2001— constituting the population of juveniles in the years

¹ Proczek A, Kowalczyk J, Statystyka sądowa Ministerstwa Sprawiedliwości, sprawy nieletnich, prawomocne orzeczenia w latach 2010–2014, I instancja w latach 2011–2015. Warsaw, 2016, p. 10.

² Przestępczość nieletnich 1990–2013, Statystyka Komendy Głównej Policji. *Electronic source:* <http://statystyka.policja.pl/st/wybrane-statystyki/przestepczosc-nieletni/50256,Przestepczosc-nieletnich-1990-2013.html>, accessed: 15.12.2019.

reflected by the statistics³. The number of punishable acts constituting only a part of demoralisation, in the form of the most serious and most socially harmful, has decreased, but behaviours included in the framework of demoralisation, including other than punishable acts, have increased significantly (by 74.8% between 2000 and 2014)⁴. The thesis about the increasing number of manifestations of juvenile demoralisation is also reflected in press articles⁵, counterbalancing the statistical data on juvenile delinquency.

The article aims to draw attention to the increasing number of juvenile behaviours resulting from juveniles' demoralisation, and also to highlight possible preventive measures which can be undertaken against them. The article diagnoses the most common determinants of juvenile demoralisation, which if not prevented are likely to cause an underage person to turn to crime, and then proposes directions of actions in the criminal policy of the state aimed at reducing the scale of juvenile behaviours which do not fall within the generally accepted moral and legal norms.

The following definitions have been adopted to present the determinants of juveniles' behaviour considered as demoralisation, taking the value of terminological purity in relation to the terms used in the latter part of the article:

a juvenile — a person who is:

- 13 years old but has not reached the age of 17 for criminal proceedings,
- has not reached the age of 18 for proceedings relating to prevention and control of demoralisation,

a punishable act is:

an act prohibited by law as an offence or fiscal offence, or an offence enumerated in the Act on juvenile delinquency,

demoralisation:

derogation from generally accepted social standards — so-called social maladjustment — and, in particular, violation of the rules of social coexistence, committing a criminal act, systematic evasion of compulsory schooling or vocational training, use of alcohol or other means to intoxicate oneself, to cultivate prostitution, vagrancy, participation in criminal groups.

Due to the characteristics of the determinants of demoralisation of juveniles on the territory of Poland, the mentioned definitions reflect the meanings of the abovementioned determinants based on the Act on Proceedings in Juvenile Cases⁶, which is the main legal act created in Poland to counteract demoralisation and juvenile delinquency, as well as to create conditions for the return of juveniles to life in accordance with the law and the principles of social coexistence.

³ Noszczyk-Bernasiewicz M, Demoralizacja i czyny karalne wśród nieletnich — dynamika i rozmiary. *Resocjalizacja Polska*, 2016, No. 11, p. 160.

⁴ *Ibid.*, p. 160.

⁵ Blikowska J, Ćwiek J, Nieletni Polacy: wścickli i samotni. *Rzeczpospolita, Kraj*, 2017, No. 113.

⁶ Ustawa z dnia 26 października 1982 o postępowaniu w sprawach nieletnich. Dz.U. 02.11.109 as amended, hereinafter: U.p.n.

Main part

In the search for an explanation of the aetiology of offences, many studies have been carried out worldwide, and various theories have been formulated, none of which have satisfactorily explained the problem⁷. As early as in the nineteenth century, the existence of hereditary tendencies or tendencies to commit crimes and offences was indicated. Today, such views have only historical value⁸.

The achievements of the twentieth century in a wide range of different scientific fields used to investigate the causes of human crimes confirmed the thesis: no one is born a criminal. A consequence of the widespread scientific acceptance of such a thesis is that a human being committing a culpable criminal act behaves in a way that is acquired as a result of their development, determined by a variety of factors, with development in the early stages of human life — during their childhood — being very important. During this time, the formation of personality, and in particular of human attitudes, behaviours, and moral patterns takes place.

Malformed personality may cause human behaviour to take on a form that does not conform to the generally accepted canons of conduct, either because of disturbances in the sphere of distinguishing between generally accepted behaviours—good and bad — or because of the lack of moral brakes when these ‘good and bad’ distinctions function properly⁹. Violation of universally accepted moral norms by human beings can have a number of adverse consequences for society: violence, social exploitation, violation of applicable laws, and many others, including complete destabilisation of life in the society or state. It is not difficult to imagine the consequences of people’s disregard for legal and moral norms. Of course, through a system of legal safeguards developed over the centuries, there are no extreme consequences of human behavioural violations, while the perceptible effect of human demoralisation is a sense of harm or injustice as a result of immoral acts — worthy of condemnation — by offences and, finally, crimes being committed — which are the most socially harmful acts.

The transgression of universally recognised moral norms by people, in the absence of inhibitory or endogenous or exogenous stimuli, may have the effect of aggravating the behaviour of a person which is unfavourable from the point of view of the public interest, leading to criminal offences, including crimes. Particular attention should be drawn to the fact that many adult criminal recidivists are people who committed minor offences in childhood. Through a kind of evolution from incidental forms of unlawful behaviour to forms characterised by continuity, but also by the increasingly sophisticated and criminologically unfavourable content of such behaviour over time, children have become adult repeat offenders, who in some cases have made committing criminal acts a ‘way of life’. For example, forensic examinations carried out on repeat offenders have confirmed the correctness of this — the vast majority of repeat offenders are those who at an early age showed signs of demoralisation and even committed serious criminal acts,

⁷ Marek A, *Prawo karne*, 10th ed. Warsaw, 2011, p. 50.

⁸ Kuć M, *Kryminologia*, 3rd ed. Warsaw, 2015, p. 14; Hołyst B, *Kryminologia*, 11th ed. Warsaw, 2016, pp. 914–915.

⁹ Harasimiak G, *Rozważania de lege ferenda w kwestii odpowiedzialności karnej i systemu postępowania z nieletnimi*, ‘Gaudium in litteris est’. Warsaw, 2005, p. 128.

with the ratio of repeat offenders who were convicted for the first time at the age of 17–18 to other repeat offenders with a clean criminal record as juveniles being 4:5¹⁰. A juvenile having a clean criminal record does not, however, mean that they have not committed any criminal acts in the past, or have not shown signs of social maladjustment. Additionally, it should be pointed out that the statistics on juvenile delinquency is an issue which is so difficult to investigate that it is impossible to use the total number of unresolved crimes committed, due to the unknown number of juveniles participating in such acts; for this reason, conclusions from statistical research are limited in scope, and consequently, the results obtained are less precise.

The evolution of a juvenile's behaviour from a state of demoralisation to a specific form of repeatedly committing a crime has had to find a basis conducive to the indicated trend. In other words, there were no brakes either on the side of the juvenile (internal), in the form of a properly educated personality, or on the side of the surrounding reality (external), in the form of technical conditions enabling the realisation of a prohibited act, or personal conditions manifesting themselves in the approval or toleration of behaviours with a negative moral tint by persons surrounding the child. There is a common opinion in the society that prohibited acts of low social harm are treated as harmless, including those consisting in violating the physical integrity of other juveniles or insulting someone¹¹, which are not without an impact on the process of the gradual increase of criminalisation of children's and adolescents' behaviours.

It is a truism, repeatedly stated in the doctrines dealing with the phenomenon of crime, to say that criminal law is limited to two factors: the prevention of crime, and reaction to criminal acts. Prevention is understood as an activity aimed primarily at the youngest strata of society and carried out not only by specialised institutions and offices, but also by the general public. In legal circles — both judicial and scientific — crime prevention is indicated as a priority of action, of greater moralising value than eliminating the effects of a prohibited act and subjecting its perpetrator to state coercion¹².

The public awareness of child and adolescent criminality, which has been increased in particular by the recent publicity given to juvenile delinquency in the media, has attracted considerable public attention. The adverse social effects of crime make it necessary for the state to impose an obligation in particular on specialised bodies to counter this phenomenon: the police, the courts, as well as schools and a number of other institutions. The prevention of juvenile delinquency is characterised by greater hope of social rehabilitation than that of adult offenders for the following reasons: the personality of a juvenile in the development phase is characterised by a high degree of modality, juveniles are generally less demoralised in comparison to adults, and the genesis of unlawful behaviour of juveniles can be defined more precisely, as opposed to adults¹³. Precise identification of the origin of the behaviour of juvenile offenders enables understanding of the determinants of such behaviour and, consequently, the possibility of targeting

¹⁰ Kozłowska-Kalisz P, Rozmiary i struktura przestępczości nieletnich w Polsce w latach 90. XX wieku. *Studia Iuridica Lublinensia*, 2004, Vol. III, p. 89.

¹¹ Trocha P, Nieletni naprawi szkodę. *Gazeta Prawna*, 2006, No. 187, p. 21.

¹² *Ibid.*, p. 21.

¹³ Hołyst B, *Kryminologia*, 11th ed., pp. 336–338.

preventive activities on certain conditions and selecting appropriate measures to reduce crime¹⁴. In distinguishing between the determinants of juvenile delinquency, attention should be drawn to the fact that they do not constitute conditions whose occurrence will cause a juvenile to take the path of crime with certainty. We can only speak of a greater or lesser probability of committing a punishable act if the determinants are revealed, and the effect of committing a punishable act by a juvenile is generally the result of the existence of a number of conditions at the same time, in varying degrees, and also affecting each other to varying degrees. An additional difficulty in presenting the determinants of crime is the obvious fact that, due to their multitude, it is not possible to list all of them by case. For this reason, I will focus on indicating the conditions of juvenile delinquency which are considered to be the most important from a criminological point of view.

The rich literature on the juvenile delinquency indicates that the basic causes of illegal behaviour are related to the entire life of an adolescent — to the places where the child lives, especially the family home.

As already mentioned, a child is not born a criminal, but the personality of a child shaped in an improper way leads to a phenomenon called social maladjustment, manifesting itself as a consequence of the child's behaviour departing from the canons which are the moral standards of conduct in a given society and, in extreme cases, committing prohibited acts. A very strong moderator of the personality of a child is the family, which is a bigger factor the younger the child is. In the initial phase of development, the child takes patterns of behaviour from the closest people, especially from the parents, whose attitudes, and ways of reacting to specific circumstances translate into the behaviour of children. The family is a kind of 'gateway' through which a child 'enters' into society¹⁵. For these reasons, family dysfunction, manifesting itself, in particular, in a lack of satisfaction of the child's emotional needs, economic needs, sense of security, and inability to meet the basic needs of life, can lead the child down the path of unlawful behaviour, and constitutes a determinant of juvenile delinquency, recognised in the doctrine as one of the dominant determinants¹⁶. The scientific literature indicates that, with the same psychological and physical structure of a child, whether or not they will get involved in a crime is primarily determined by their family situation¹⁷. The results of research carried out on juveniles in the area of Kościerzyna indicated that 69% of the offenders came from broken families or families in which alcoholism, disputes, or fights took place, as well as crimes of other family members, lack of care and control over the juveniles, and the selection of inappropriate educational methods¹⁸.

¹⁴ Kozłowska-Kalisz P, p. 87.

¹⁵ Nowak A, *Kryminologia*. Gdańsk, 2004, p. 327.

¹⁶ Hołyst B, 10th ed. Warsaw, 2009, p. 1059; Włodarczyk-Madejska J, Sylwetki nieletnich sprawców, wobec których sąd orzekł umieszczenie w młodzieżowym ośrodku wychowawczym lub zakładzie poprawczym, [in:] Gruszczynska B et al. (Eds), *Archiwum kryminologii*, Vol. XXXIX. Warsaw, 2017, p. 275; Huget P, Rodzinne uwarunkowania zaburzeń w zachowaniu u dzieci, [in:] Urban B (Ed.), *Dewiacje wśród młodzieży. Uwarunkowania i profilaktyka*. Cracow, 2001, pp. 193–194.

¹⁷ Nowak A, *Sytuacja rodzinna nieletnich przestępców*, [in:] Urban B (Ed.), p. 337.

¹⁸ *Ibid.*, p. 336.

When highlighting the dysfunctionality of the family as the main determinant of juvenile delinquency, we should also mention the phenomenon of orphanhood, which includes not only children who are so-called natural orphans — as a result of the death of their parents — but also social orphans, who have both or one of their parents, but are deprived of parental care and an actual bond with their parents. Social orphanage accounts for about 90% of the total number of orphans, the remaining 10% being natural orphans. From the point of view of the aetiology of criminal acts, the phenomenon of orphanhood itself is not a concept falling within the scope of forensic science, but the effects of long-term orphanhood — lack of family ties, inability to grow up in the family — may be reflected in the wider field of social pathology and push children towards committing criminal acts¹⁹.

Family dysfunctionality, although it is the most common condition for the demoralisation of juveniles, including committing punishable acts by them, is in the vast majority of cases reinforced by other conditions, including school failures. Apart from the family, school is the main factor influencing the shape of a child's personality. The term 'school' in this sense means not only the general school system, but also a particular school, a particular class, as well as a teacher, who is an inseparable 'element' of the school that performs its tasks²⁰. By performing the function of education and upbringing, the school participates in preparing the underage child for social life, and is often the child's first out-of-home environment²¹. The duty of shaping positive student behaviour is the responsibility of a school teacher. By participating in school activities, a young person acquires knowledge and skills in various areas of life, and establishes new social contacts with teachers and schoolmates. During this time, the child's bonds with their family are loosened. Very often at school, various student disorders are revealed. The results of the research confirm the thesis that among socially maladjusted people, a large percentage were those who were delayed at school for more than 2 years and those who interrupted their schooling for various reasons²², and among the repeat offenders, that almost all of them had problems at school. Other studies have shown that of 26 burglars, 16 of them were truants, and disobedient when at school, and that 13 out of 15 16-year-olds who had committed multiple offences in the past, had problems in primary and secondary school, with data missing in the other two cases²³.

Touching on the matter of a school's dysfunctionality, it is worthwhile to raise the view of the crisis of the 'authorities', which is widespread in society. Children in the pre-school period are modelled on their parents. At school, when pupils' ties with their parents relax, they look for a trace that they can follow in shaping their person. There have always been, and will probably always be adolescents with behaviour issues, although in the past, the rule was to measure up to the better ones. This trend has now been reversed. There is often talk of a 'crisis of authority', i.e. a lack of people who can be models for the youth. However, this is a simplified scheme: 'authorities' for adolescents exist, except that they are usually represented

¹⁹ Hołyst B, *Kryminologia*, 11th ed., p. 616.

²⁰ Błachut J, Gaberle A, Krajewski K, *Kryminologia*. Gdańsk, 2007, p. 348.

²¹ Hołyst B, *Kryminologia*, 11th ed., p. 883.

²² Hołyst B, *Kryminologia*, 10th ed., p. 785.

²³ Baładynowicz A, *Przestępczość nieletnich a socjalizacyjne funkcje szkoły. Prokuratura i Prawo*, 2006, No. 7–8, p. 6.

by people with negative patterns. School leaders, in the classroom, become persons with serious problems, often very demoralised, behaving in an extreme way. Teachers are unable to oppose this and focus their pupils' perceptions on positive values.

Patterns of conduct are an important factor shaping the personality of a young person, especially important when they are at the stage of searching for their identity, deciding what they will do in the future, and what their profession will be. Looking for such patterns, a juvenile does not only follow family or school-related patterns, but also draws models of conduct from the peer environment with which they have contact during and outside of school. Peers who are already demoralised, exceeding the moral norms, influence the shift in the level of tolerance of demoralisation in their peers, thus being a very effective determinant of crime, given the tendency of adolescents to gradually loosen family ties while strengthening the intimacy with their peers.

In addition to the reality surrounding a juvenile, attention should also be paid to the sphere of the virtual, unreal environment, such as the press, and in particular, films and computer games, in which, often for the purposes of a performance, populism has conveyed an image that gives the impression of reality, being in fact only its distorted form. It is sad to say, but the feature of spectacularity is mostly forbidden images, deviating from the prevailing norms of behaviour, and deformed towards violence, aggression, and the exploitation of other people and animals, which gather morally negative images to a gross extent. The influence of the mass media has a huge impact on a juvenile. Giving a mentally unshaped person a message that is morally pejorative leads in a straightforward way to a distortion of their personality in that same direction.

The determinants of juvenile delinquency constitute a very extensive catalogue. I have listed only the few of them which are considered most important in forensic science. Let me draw your attention to the fact that the determinants of juvenile delinquency are placed on a susceptible 'ground' for 'contamination', namely the personality being in a phase not shaped in relation to adults. This feature of a young person's personality is, on the one hand, a flaw, but on the other hand, from the socialisation point of view, a positive feature which makes it possible to restore the morality of the distorted personality of the juvenile. Therefore, crime prevention measures should be directed primarily at young people, to turn as many of them as possible back from the wrong path. Prevention understood as behaviour targeting juveniles should of course involve only such actions which are allowed by law.

The legal Act concerning the demoralisation of juveniles is the Act on Proceedings in Juvenile Cases, based on the rules of conduct towards children and adolescents which were crystallised during the VI United Nations Congress in 1980. It was recognised then that it is necessary to prevent social maladjustment and juvenile delinquency, and it pointed out the need to develop social measures to prevent these phenomena. To this end, it was proposed to activate the family, school and social organisations. It was also proposed that proceedings against children should be conducted by separate courts which, when dealing with juvenile cases, would have the aim of re-educating them and protecting their rights. Under the influence of the UN Congress, on 26 October 1982, the Act on Proceedings in Juvenile Cases was passed.

At present, the basic international standard-setting for the treatment of juveniles is the Convention on the Rights of the Child adopted by the UN General Assembly on 20 November 1989. This Convention was ratified by Poland in 1991. In the spirit of the Convention's findings, the Act on Proceedings in Juvenile Cases was amended in 2000.

The aforementioned Act has already been settled for good in the Polish legal order, while its preamble indicates the goal of preventing demoralisation and juvenile delinquency, as well as striving to strengthen the caring and educational function and the sense of responsibility of families for bringing up juveniles as members of society, aware of their responsibilities. Under the above Act, the proceedings are hosted by the court, and a judge dealing with family cases and cases involving juveniles²⁴. In exceptional cases, actions against juveniles who have committed a criminal act may be taken by the Police on their initiative²⁵. On the other hand, as regards preventing demoralisation of juveniles, the aforementioned legal imposes a social obligation on every person to prevent this phenomenon²⁶. Social, i.e. not threatened with a criminal sanction, indifferent in terms of legal consequences. The subject is under an obligation which, in the event of non-fulfilment, entails only moral sanctions, in particular social condemnation, referring to human morality and 'social responsibility' in its broadest sense — a sense of society's responsibility for the upbringing and shaping of the moral models of the youngest layers of society — children and adolescents.

Conclusions

The problem of juvenile delinquency has recently gained particular importance, being in the focus of public attention after some tragic events involving juveniles which have been publicised in the media²⁷. At the beginning of the article, it was pointed out that in the absence of inhibitions, the demoralisation of a juvenile progresses, inevitably leading to crime and even criminal recidivism. These inhibitions should function in society as a result of the statutory prevention of juvenile demoralisation, i.e. broadly understood prophylaxis. The lack of inhibitions when manifestations of demoralisation are revealed can be seen as a kind of 'silent consent' to the deepening of this phenomenon. Prevention should include revealing and 'neutralising' the most common determinants of juvenile delinquency. Preventive action should be focused on:

- revealing, at the earliest possible stage, dysfunctional families and providing care for such families by various state and social institutions, enabling the development of the child's personality in a family that functions properly,

²⁴ Bojarski T, Pozytywne strony rozwiązań ustawy o postępowaniu w sprawach nieletnich z 26 października 1982 roku. *Studia Iuridica Lublinensia*, 2004, Vol. III, p. 13.

²⁵ Art. 32e(1) of U.p.n.

²⁶ Art. 4(1) and(2) of U.p.n.

²⁷ A case regarding a homicide committed by 15-year-olds Kamil D and Damian R (and 17-year-old Daniel P) in 2015 in the village of Chomęciska Małe in the Lubelskie Province in Poland.

- opposing the tendency to limit the role of schools to social education only, and strengthening the upbringing function of schools towards pupils in the absence of their parents²⁸,
- expressing the public's clear and firm disapproval of the immoral acts of juveniles, all the more so the criminal acts committed by them,
- promoting ethical and legal standards of conduct as well as moral authorities in society.

However, one should not forget to act in the form of a reaction to a prohibited act in cases where prevention has 'failed', and following the principle of consequence, the reaction should concern all prohibited acts, not only some of them — the most serious ones — but also those that are trivial in terms of their forensic content. It is worth quoting here the well-known example of a former federal prosecutor better known as New York Mayor Rudolph Giuliani, and his 'zero tolerance' programme, which aimed to fight the pettiest crime over a period of 10 years, gaining an increasing number of followers. The literature reports that Giuliani's policy of reducing crime eventually led to a 60% decrease in general crime, including homicides by 70%²⁹. Although the results are not supported by research, it is hard not to get the impression that the policy of responding to the 'smallest' offence resulted in a measurable reduction in crime, and in New York City at least, contributed to a reduction in crime.

Priority action to reduce juvenile delinquency should focus on prevention backed up by a subsidiary and consistent response to criminal acts. Only such a sequence can be an effective obstacle to the juvenile's path to crime.

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²⁸ Gromek K, *Postępowanie z nieletnimi de lege ferenda. Przegląd Sądowy*, 2004 No. 4, p. 127.

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About the Author

Ireneusz Bembas, PhD, retired police major, former Dean of the Faculty of Applied Police Sciences at the Police Academy in Szczytno, Assistant Professor at the Institute of Legal Sciences at the Police Academy. Author of publications on substantive and procedural criminal law. E-mail: irbe@wp.pl

Streszczenie. Artykuł dotyczy kryminologicznych aspektów przestępczości nieletnich w Polsce i jest jednocześnie próbą zwrócenia uwagi na problem przestępczości nieletnich, ponieważ w działaniach organów państwa, mających na celu zapobieganie, czy też zmniejszanie liczby czynów zabronionych pod groźbą kary, uwaga jest skupiona przede wszystkim na dorosłych popełniających przestępstwa. Zasygnalizowanie problemu i zwrócenie uwagi na przestępczość nieletnich jest istotne ponieważ z danych statycznych wynika, że następuje spadek przestępczości nieletnich. Wskazana tendencja zmniejszenia liczby czynów karalnych popełnionych przez nieletnich jest pozorna, bowiem po uwzględnieniu spadku liczby urodzonych osób, przestępczość nieletnich wykazuje w rzeczywistości tendencję wzrostową. W artykule przedstawiono najczęściej występujące determinanty zabronionych zachowań nieletnich, a następnie na podstawie tych determinant zaproponowano działania zaradcze, wskazując obszary, w których powinny być skoncentrowane przedsięwzięcia organów państwowych dotyczące zmniejszenia przestępczości nieletnich.

Zusammenfassung. Der Artikel befasst sich mit der Jugendkriminalität in Polen. Der Autor versucht, auf diese Art von Straftaten aufmerksam zu machen, da sich die staatlichen Behörden, deren Aufgabe es ist, die Zahl der Straftaten unter Bestrafung zu verhindern oder zu verringern, in erster Linie auf denen von Erwachsenen begangenen Straftaten konzentrieren. Es ist wichtig, sich mit dem Problem auseinanderzusetzen, denn die Statistiken zeigen, dass die Jugendkriminalität abnimmt. Die angegebene Tendenz, dass die Zahl der von den Minderjährigen begangenen strafbaren Handlungen sinkt, ist offensichtlich, da die Jugendkriminalität nach Berücksichtigung des Rückgangs der Zahl der geborenen Personen tatsächlich einen Aufwärtstrend zeigt. Der Artikel präsentiert die häufigsten Determinanten des verbotenen Verhaltens von Minderjährigen. Auf der Grundlage dieser Determinanten wurden Abhilfemaßnahmen vorgeschlagen, die Bereiche aufzeigen, in denen sich staatliche Einrichtungen auf die Verringerung der Jugendkriminalität konzentrieren sollten.

Резюме. Статья посвящена криминологическим вопросам преступности несовершеннолетних в Польше. Автор пытается привлечь внимание к проблеме преступности несовершеннолетних, поскольку в деятельности государственных органов, направленной на предупреждение или снижение количества наказуемых преступных деяний внимание сосредоточено прежде всего на взрослых, совершающих преступления. Привлечение внимания к проблеме преступности среди несовершеннолетних имеет важное значение, так как статические данные свидетельствуют о снижении уровня преступности среди несовершеннолетних. Тенденция к снижению числа правонарушений и преступлений, совершаемых несовершеннолетними кажется ошибочной, так как после снижения числа родившихся преступность среди несовершеннолетних фактически проявляет тенденцию к росту. В статье представлены наиболее распространенные детерминанты противоправного поведения несовершеннолетних, а затем, на основе определенных признаков предложены предупредительные меры, определенные сферы, в которых государственные органы должны сосредоточить усилия в целях снижения уровня преступности несовершеннолетних.

