

OPERATIONAL WORK – SECRECY – EFFECTIVENESS

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Introduction

Operational work always accompanies operating activities of police and secret services. It is constantly evolving, inter alia, under the influence of criminal environment, which, together with the changes of civilization, adapts to the new conditions, thus realizing its strategic objectives. Operational work is supported by science and technology, thus allowing more effectively fighting against this type of threat to national security. Police and security services, according to the will of the legislator, when performing statutory tasks, also perform operational and reconnaissance classified activities. Effective operational work entails the need of complying with the applicable rules, where secrecy rules are regarded as a key to success.

Operational work

The operations of the police and secret services (intelligence and counterintelligence) as well as the accompanying secrets raise both excitement and fear, equally in every country. When analyzing their activity and when undertaking their assessment, not only the moral aspect should be taken into account, because it would obscure their true image. What are of importance are the objectives for which these institutions were created. The objectives adopted by the legislator can be realized through the use of legal and extra-legal measures. However, many countries have created legal basis for their operation, paying particular attention to the operational and reconnaissance activities. In this way, the legislator pointed out the boundaries between the rule of law and the so-called arbitrariness of police services, including secret services. It can be assumed that the knowledge of the legal basis for their operation, as well as the accompanying debates, in many cases blur the real area of their activity, thereby aggravating the distance and ignorance of society¹.

The activities of the police and secret services are regulated by the law on police, which should be understood as the system of norms defining and regulating the structure, organization and activities of the police, in particular the rights and duties of these bodies, including the scope and the manner of their operations². When translating the above definition into civil and military secret services and when taking into account the reasoning of its author, the system of these norms should be understood as an ordered set which *ex lege* defines certain concepts that provide the basis for their functioning³.

It should be borne in mind that a set of provisions, governing the activities of the police or secret services is not structured in only one separate piece of legislation. The norms that constitute this body of law are contained in the following legal regulations:

- 1) in the Constitution,
- 2) in the acts of law constituting the legal framework of the operations of the police and secret services,
- 3) in other acts of law, such as the Act on Personal Data Protection and the Act on the Protection of Classified Information,
- 4) in other legislation, relating to the activities of police forces, intelligence services, placed in respective legal regulations.

These regulations determine the subject matter of the law on police:⁴

- 1) the system and the structure of the police and secret services,
- 2) the activities of these governmental agencies,
- 3) the scope and the manner of implementing operational and reconnaissance activities set forth in currently binding legal regulations which indicate the limits within which police and secret services can operate. This scope of the law on police is essential from the point of view of civil rights (it should be emphasized that the legislator provided the relevant

authorization in the acts of law allowing the said services to undertake extra-statutory operational and reconnaissance activities).

The scope of the law on police which regulates the activity of secret services (civil and military intelligence and counterintelligence) is the same. However, there may be some powers which the legislator did not confer on specific services, such as procedural rights regulated by the Code of Criminal Procedure.

“The norms of the law on police are not equal; their hierarchical structure includes regulations ranging from the Constitution, through the norms expressed in the acts of law, implementing regulations, to the internal regulations. Legal norms define the legal framework of the activity of civil and military secret services (police services), its areas of interest, organizational structure, powers and duties. It merits emphasizing that these norms also regulate the implementation of operational and reconnaissance activities. Explanatory norms, on the other hand, define the terms used in a particular act. Excessive and often unwarranted secrecy causes distrust and social distance. Instructive norms indicate the manner in which the applicable legal provisions should be practically implemented. While detailing the respective norms, these norms in a way indicate the manner of proceeding within the limits imposed by a given legal provision (e.g. procedural norms)”⁵.

The legal bases for the operation of police services and secret services are included in the acts of law, regulations, ordinances, decisions and instructions. Sometimes they have confidential character, meaning that they are virtually inaccessible to unauthorized persons (this usually applies to instructional norms). It is crucial that their number constitutes a significant impediment in the process of analyzing the mechanisms of government institutions whose activity is classified. This mainly concerns the operational work, the effectiveness of which depends on the observance of the principle of secrecy. Operations of this nature must be kept secret, which does not mean that their legal basis must be classified as secret. In turn, operational and reconnaissance activities carried out on the basis thereof are subject to secrecy.

When analyzing the so-called law on police, particular attention must be paid to

other areas of law, particularly substantive and procedural criminal law. For example, a clear correlation plane between the law on police and procedural criminal law is provided by procedural operations, where police and secret services, while supervised by the prosecutor, conduct preliminary proceedings in the form of enquiry and carry out investigative proceedings ordered by the prosecutor (civilian and military intelligence do not have such powers). What merits analysis are also other areas of law as well as the changes, occurring in the external and internal environment of the state, which has a significant impact on the law on police. A number of factors entail changes in the law on police, adjusting it to the current system of national law, including international law, being an inherent part of the latter⁶. What should be borne in mind are the elements that have an impact on the activities, tasks, structure, rights and duties and the scope of the operational and reconnaissance activities undertaken by the police or secret services. These include political, social and economic factors, cross border organized crime, international terrorism, international influence (the activity of foreign secret services, the proliferation of weapons of mass destruction and means of its delivery, regional armed conflicts of varying substrate) as well as other conditions.

An important element from the point of view of the proper functioning of the state is a properly structured legal system adapted to its political system. This also applies to the normative and legal system, valid in the police and secret services. It should be noted that the system of rules that govern the activities of the services at issue must be internally consistent and coordinated, corresponding to the current criteria of law-making.

“Secondary legislation governing the activities of the said services is issued on the basis of the delegation contained in higher rank legislation. On the basis of these delegations authorized entities issue implementing provisions within the powers vested with them. These provisions may not conflict with higher rank acts of law because their activities are often focused at the border of the rights and freedoms of man and citizen. Therefore, the normative acts regulating the activities of police and secret services have specific features in contrast to

the acts of other bodies and institutions. They must fairly precisely regulate the scope of their activities as well as the operations of the officers and soldiers in dealing with people, who remain in the interest of these services”⁷.

Police services carry out their statutory responsibilities in the area of internal security of the state. In contrast, the secret services in the course of executing their tasks, carry out the reconnaissance of the external threats to national security as well as they undertake reconnaissance and executive operations relating to the external threats. Within the limits of their powers they carry out the operational work at issue.

Operational and reconnaissance activities are known to the police and secret services in each state. “They are rated among the oldest forms of combating crime and they have been essentially undertaken since the very beginning of the operation of the first organizations dedicated to preventing and fighting crime. At the same time, these activities constitute one of the most effective ways to obtain relatively reliable information about different events that are difficult to obtain in the course of traditional operations of law enforcement bodies”⁸. These actions are taken in situations, where official actions (i.e. procedural or administrative) prove ineffective, they are therefore intended to support, rather than replace official actions⁹.

The forms and the scope of their application has been different and it depends primarily on the invention of the employees, officers, soldiers, etc. as well as on the scientific, technical and technological achievements, which are the driving force behind their development¹⁰.

“Operational and reconnaissance activities in forensic science are identified with operational work which constitutes the basic activities within

the powers of the police and special services. Thus, it determines the performance of statutory duties by those services”¹¹.

Operational – reconnaissance activities can be encountered at all stages with the fight against crime, namely:¹²

- 1) at the stage of identifying the risks of crime,
- 2) at the stage of crime prevention,
- 3) at the stage of detection of crimes and their perpetrators,
- 4) at the stage of proving the offenders guilt.

It should be emphasized that the operational projects can be divided into two groups:¹³

1) perceptions of a wide range of operational information which is not related to the crime and which – although deprived of the elements of criminal offences – may jeopardize the interests of the state and public order and, therefore, the fact of recording it may be important for further operations,

2) operational and reconnaissance activities associated with a particular criminal act. They must be analyzed from legal and criminal perspective in order to be later used in criminal proceedings.

Given the multiplicity of police and secret services, the criterion for further considerations may be the statutory right to use classified methods of obtaining information that remains in the operational interest of these services. The secret nature of operational and reconnaissance activities represents both the successes and failures of the services themselves, which should be aware of this fact¹⁴.

In the literature, operational and reconnaissance activities are defined as the operational work and tactical – non-litigious reconnaissance operations.

Table 1. Definitions of operational and reconnaissance activities

Author	Definition
Szaff L.	operational and reconnaissance activities are understood as tactical – non-litigious reconnaissance operations which have been developed by the practice of investigative services as complementary or executive activities in relation to the procedural activities and tasks of preparatory proceedings ¹⁵
Krwawicz J.	uses the concept of operational activities in the definition of operational work understood as a system of collecting information – in principle, in the course of extra-judicial activities – necessary to determine the intentions and the activities of the offenders, as well as to disclose the unknown offences or to supplement information about common crimes ¹⁶

Pikulski S.	understands the operational work of the Office for State Protection as organizing the flow of information to this Office in respect of the risks relating to the security of the state and its constitutional order ¹⁷
Hanausek T.	understands operational reconnaissance activities as the system of confidential or classified non-litigious activities of the police, typically aimed at current or future objectives of the subsequent litigation and carried out in order to prevent and combat crime and other legally defined, negative phenomena ¹⁸
Krystnicka M., Kwiatkowska H.	operational and reconnaissance activities are understood as the set of non-litigious activities of law enforcement bodies, of confidential or classified character, undertaken on the basis of legal acts regulating the functioning of these bodies ¹⁹
Uniszewski Z.	the operational work should be understood as the set of classified actions of the state bodies vested with the appropriate statutory powers, aimed at non-litigious disclosure of persons engaged in illegal activity, especially directed against the essential interests of the state and its citizens ²⁰
Uniszewski Z.	operational work in legal terms is treated as a deliberate and conscious activity of the police officers and employees of the police, aimed at organized operational reconnaissance activities ²¹
Uniszewski Z.	operational and reconnaissance activities are understood as statutorily and methodologically distinguished system of confidential or classified activities of the police bodies or other similar specialized state bodies ²²
Waltoś S.	operational reconnaissance activities are understood as informal and classified operations undertaken by the police or the Office for State Protection, and aiming at detecting the crime and its perpetrator, when the suspicion of committing a crime is still very little or the operations aim at preventing the crime ²³
Widacki J.	operational and reconnaissance activities are understood as the classified manner of obtaining information relevant for the implementation of safety and public order in the context of state tasks ²⁴
Zalewski S.	operational and reconnaissance activities are understood as legally specified set of powers to take actions, including actions aimed at classified acts of obtaining, gathering, processing and verifying information ²⁵

Source: Based on the available literature.

Bearing in mind the doctrine and practice, one can assume that the operational and reconnaissance activities stand for a set of classified operations, legally defined on the basis of knowledge in forensic science, carried out by the competent authorities outside criminal and administrative proceedings, for the purpose of detecting, identifying and recording criminal activity²⁶.

The common feature of these definitions is non-litigious activities based on law and forensics as well as their purpose, namely preventing and combating crime. "The common feature of these definitions is also a distinct character of these activities as compared with the criminal proceedings. What should be also emphasized is the importance attached to the

law-abidingness of the undertaken activities, since operational and reconnaissance activities may violate the rights of citizens, and due to the fact that the provisions of the Code of Criminal Procedure are not applicable in this respect, the individuals are not granted with the guarantees contained therein²⁷.

It should be borne in mind that the operational and reconnaissance activities are not regarded as institutions utterly detached from the ultimate goal of the criminal proceedings. On the other hand, however, they are independent of the criminal proceedings, as evidenced by the mere fact that they can be carried out before the commencement of the proceedings, in the course of the pending proceedings and even after the case ends with the acquittal²⁸. Therefore, these operations have secondary function in relation to criminal proceedings, which does not detract from their role. On the contrary, these activities often result in disclosing information of utmost importance from the point of view of the criminal proceedings²⁹.

The said information can be broadly divided into³⁰:

- 1) information enabling the determination of new, previously unknown sources of information,
- 2) preliminary, initial information, also referred to as the first or elemental information; it is the information that initiates some new, previously unknown problems in respect of the fundamental tasks of the law enforcement and security bodies,
- 3) subsequent information or information connected with a given case, which may be twofold:
 - complementary information or information supplementing preliminary information,
 - information of verifying nature, designed to verify both the initial information, as well as complementary information or information that supplements preliminary information.

The objectives of the operational and reconnaissance activities are implied by certain functions that should be met within a broadly understood fight against crime. The latter include:³¹

- 1) reconnaissance function,
- 2) detection function,
- 3) the function of orienting the subsequent process of providing evidence,

- 4) the function of verifying previous findings,
- 5) preventive function,
- 6) informative function,
- 7) disintegrative function,
- 8) protective function,
- 9) security function.

The use of the information obtained in the course of operational work depends on the assumed objective. What is frequently encountered is the transformation of the operational and reconnaissance activities into the phase of inquiry and investigative activities, which takes place at the time of issuing the decision on initiating the criminal proceedings³².

Secrecy

The performance of the tasks by the police and secret services requires the protection of forms and methods of carrying out the tasks, information and their own officers (soldiers, workers, including the identification data) as well as their own facilities. Next to the principle of the rule of law, humanism and substantive truth, utmost importance is attached to the principle of secrecy. The latter principle is consistent with the specificity of the operational work which includes most classified activities.

The legislator, having in mind internal and external security of the state and its important interest, found it reasonable not to disclose specific actions, including, among others, operational and reconnaissance activities³³.

Absolute secrecy in respect of the operational work relates primarily to the security of the state and it is dictated by the following considerations³⁴:

- the need to preserve as far as possible all the advantages of evidence found in the content of information sources,
- the effectiveness of planning for future activities. Making this information publicly available (including the methods and measures applied) consequently negates its effectiveness. The sake of procedural activities of operational significance (such as making the information about the witness confidential in the course of the criminal proceedings) in many cases requires the secrecy of the undertaken actions, since their disclosure could lead to preventive measures on the part of the offender or criminal environment (e.g. activities to deter the witness),
- personal interests protection. In the course

of undertaking operational and reconnaissance activities there is often no certainty as to the offender or the actual course of events,

- the officers and soldiers (employees) of police and secret services keep confidential the knowledge about the methods and means of committing crimes. The dissemination of this knowledge would be a form of guidance for criminals, which would make their criminal activities more efficient and effective.

Taking pre-emptive actions and keeping confidential the time and place of the used means of implementing the statutory tasks by the police and secret services is a guarantee of effective protection of classified information.

Operational reconnaissance activities constitute the system of classified operations, not only vis-à-vis third parties, but also in respect of the actors in the criminal proceedings (e.g. the court or the defendant), and even in respect of superior operational officers (soldiers, workers) who were not included in a given operation. "The need to preserve the utmost secrecy of the operational details results from the fundamental principles of the tactics of the operational work and it often constitutes a necessary condition for the effectiveness of the undertaken actions. The penetration of the criminal environment by secret collaborators, the manner of creating the ambush in order to seize the offender as well as other operational activities (e.g., the undertaken operational control – the author's note) are not in principle subject to disclosure (and there is no need for doing so) before the commencement of the criminal proceedings, in the course of the entire proceedings or after criminal proceedings have been finished"³⁵. This position is justified by the need to protect the methods and forms of the operational work as well as the measures used in this type of projects against the possibility of their use by members of the public, including the offenders, which could in the future complicate the handling of operational work and pose a threat to the operational officers (soldiers) and people cooperating with them³⁶.

The contrary can be said in case of procedural activities, where the major principle is the openness of the information, at least in respect of the parties and at particular stages of the proceedings (e.g. from the moment the suspect familiarizes with the collected evidence)³⁷.

The principle of secrecy in relation to the operational and reconnaissance activities and their results

This principle is of particular and wide use in the course of operational work, since the disclosure of ongoing operational and reconnaissance projects affects both their effectiveness, and above all, the safety of officers, soldiers and employees (participating in these operations) of the police and secret services, as well as personal information sources.

There are three main reasons for the secrecy of these actions³⁸:

1) the opposing party does not know where and which information was obtained by the operating party,

2) the confidentiality applies not only to the protection of the obtained information, but also to the methods and ways of obtaining it,

3) the need to reduce the vulnerability to the opposing party's counteraction and the protection of one's own sources of information.

It should be also borne in mind that, in practice, there are situations when it is reasonable to disclose at least some aspects of the pending enquiry, because otherwise obtaining reliable information would come as a great difficulty. The basic rule should be, nevertheless, that at least the objective of the enquiry should never be entirely revealed³⁹. Therefore, the confidentiality of the operational work should be understood as the need to maintain the absolute secrecy in respect of the specific operational actions in particular situations that require confidentiality⁴⁰. Only such understanding of the secrecy of the implementation of operational and reconnaissance activities allows to obtain a tactical advantage over the opponent, where surprise factor very often determines the success. The latter factor may concern the following:⁴¹

- the type of action,
- the mode of action,
- the time when action was commenced,
- the place of action,
- the measures applied.

The protection of the forms and methods of executing the tasks, including the act of making them classified in nature, is provided by the regulations governing the activities of the police and secret services. This means that these services are obliged to protect the forms and the

methods of the undertaken tasks, the information about their own facilities and the identity of the officers (soldiers, workers, personal sources of information). Moreover, when undertaking operational and reconnaissance activities, the officers (soldiers, workers) may use such documents that make it impossible to determine their identity or the measures they use in the performance of official duties.

“Fight against crime is a process whose effectiveness ensures the use of efficient methods of operation. Accordingly, the forensic operations should be effective, i.e. they should aim at the intended purpose, namely the reconstruction of the analysed event in accordance with its essential course. Forensic science (similar to the operational work – author’s note) applies a certain catalogue of basic rules treated as binding directives for all activities that require the use of forensics”⁴². One of them is the principle of secrecy, crucial in the forensic tactics, and characteristic for a considerable area of forensic science, particularly at the prevention and detection stage, including operational work⁴³.

Adherence to the principle of secrecy should be taken into account both at the stage of formulating forensic version of crime as well as at the stage of executing specific projects by the police and secret services. It should be at the same time noted that in the course of discovery phase it is not only crucial to keep secret what has been already established and in what manner, but also the margin of one’s own ignorance in respect of the undertaken operations⁴⁴.

The need for the secrecy concerning the pursued enquiries is dictated by several reasons, namely:⁴⁵

1) the value of the collected evidence – disclosing the details of committing the offence will cause that the statement made by the suspect loses its value, since in such situation everyone can be familiar with the details of the case and everyone can admit to having committed the offence at issue. This can then lead, due to various reasons, to the so-called false self-incrimination, which can only make it more difficult to find the substantive truth. Due to the fact that the details are known only by the actual perpetrator, the latter can be determined and his sincere confession can be distinguished from the false self-incrimination,

2) the effectiveness of the undertaken actions – the key point is to have the surprise factor in respect of the opponent, manifested in the following:

- a surprised opponent, not being previously prepared for the defence, suffers losses in areas not adequately protected (undisclosed);

- a surprised opponent (not having information about the enemy) is not able to make optimal decisions immediately in order to avoid losses⁴⁶.

In contrast, a failure to comply with the requirements of secrecy has the following consequences:

- a reduction or loss of the initiative by the police or secret services in the course of respective operations, due to the fact that the exposure of undercover operations eliminates the element of surprise and can even be the cause of disinformation about the crime among these services,

- depreciating the effectiveness of the police and secret services, since a clever opponent, making sure that no sufficient evidence of having committed the offence was gathered against him, can continue his criminal activities or modify them,

- loss of property or other losses related to lost efforts and measures to detect the offender⁴⁷,

3) the need to protect personal interests of citizens – at the stage of undertaking forensic operations there is no certainty yet as to who is the real offender, nor what was the exact course of events. For this reason it is unacceptable to jeopardise anyone’s good name by revealing the name of a specific person or such details which will enable the public to unambiguously identify the person in question⁴⁸,

4) the need for keeping confidential the knowledge about the methods of committing crimes, since there can always appear some followers. It often happens that such followers appear only due to the fact that the public was informed about such details of committing the crime that turned out to be attractive to such extent that it entailed a number of followers. Educational reasons justify the need to preserve the secrecy of drastic details of a given crime. Such information shall be always kept in secret in respect of minors. It should be borne in mind that the disclosure of such elements can always pose a danger since we are not aware of the possible scope of people who can be familiar

with disclosed information⁴⁹,

5) the legal duty of secrecy – as set forth in the following acts of law:

- Act on the Protection of Classified Information,
- Act governing the activities of the police and secret services,
- Criminal Code.

It is also crucial to emphasise the protective function of operational and reconnaissance activities. This function can be considered in two aspects⁵⁰.

- the first aspect can stand for the active security of the information or its sources. Protecting the information sources is directly linked to the confidential nature of the operational and reconnaissance activities and it requires conspiring the sources of information. It should be noted that the exposure of the sources of information not only makes such a source useless, but also, in the case of personal sources of information, it may cause a threat to health and life. In contrast, information security consists primarily in documenting the relevant operations. Operational and reconnaissance activities, as opposed to procedural ones, do not require the preparation of special minutes, yet they should be documented in writing. Documentation of operational activities is based on producing official memos and reports on the undertaken activities. In addition, particularly in the case of economic crimes and offences committed by multi person organized crime groups, the so-called auxiliary documentation measures are applied⁵¹. Protection of the information can also be understood as the need for applying measures to protect computer databases, which contain operational information. This is particularly important in an era of increasingly dynamic development of computer crime, evidenced by hacking into computer systems,

- the second aspect comes to the realization of previously assumed objectives of a given activity, such as the effective conduct of observation. It should be noted that in order to undertake effective operational and reconnaissance activities it is pivotal to comply with the tactical principles in respect of these activities, and sometimes even to apply the appropriate technical measures.

It should be borne in mind that the principle of confidentiality should be treated as an absolute

condition for the execution of operational and reconnaissance activities, which translates into effective operational work, with a particular reference to the safety of sources of information (personal and non-personal).

Effectiveness

“Effective operation can be defined as such operation which to a certain extent results in achieving the assumed goal. Effectiveness can be measured only by approximating the assumed goal, without taking into account the expenses and costs. The components of the practical result that are considered are only the anticipated effects. The operation is minimally effective when the expected efficiency is large enough to be worth taking the effort (the value of the effect makes us act)”⁵².

The effectiveness of the action stands for achieving to some extent the assumed goal. The effectiveness is measured by the following factors:

- 1) achieving the objective,
- 2) approaching the assumed objective – enabling or facilitating the achievement of the objective.

The types effectiveness of the actions:

1) from the perspective of the extent to which the objective is achieved, the activities can be divided into the following categories:

- completely effective action, when the objective was entirely achieved,
- not completely effective action, when the objective was not entirely achieved,

2) from the perspective of the number of objectives, the activities can be divided into the following categories:

- entire effectiveness, when all the objectives have been achieved,
- partial effectiveness, when not all objectives have been achieved.

The effectiveness in the operational work consists in the ability to implement the adopted and developed strategy, to implement innovation in the fight against crime, which is constantly evolving, often going ahead of the police and secret services. The effectiveness depends on a number of interrelated elements, including the character of the operational staff, their competence and ability to act in the environment of rapid and unpredictable changes, which is

characteristic of criminal environment. The effectiveness requires listening skills, leadership skills and taking responsibility for the decisions made in the course of operational work.

The effectiveness of the operational work largely depends on the activity and the initiative of the entities authorized by the legislator to conduct operational and reconnaissance activities. These activities are carried out at the initiative of the police and secret services, and the latter services are absolutely responsible for the development of the operational plan, determination of the tactics, the assessment of the possibility of using appropriate technical measures, as well as the responsibility for the success or a failure of the undertaken activities and their possible consequences for third parties⁵³.

The activity of the participants of the operational work involves, inter alia, the ability to implement changes, depending on the development of operational activities, carrying out the analysis of the collected information, the ability to associate facts, initiative and ingenuity, ability to solve problems independently, ability of decision making, ability of predicting future events as well as the maximum commitment to undertake relevant operations. What also is crucial is the skillful tactic, in order to be able, depending on the course of the operational situation, to realize the assumed strategic goal. Accordingly, the police and special services should strive to achieve operational advantage over the opponent, thus using tactics supported by forensic achievements.

Table 2. The principles of carrying out operational and reconnaissance activities

Principles	
1.	The principles for undertaking operational and reconnaissance activities and their subject: - principle of activity and the initiative of operating authority, - principle of legality, - principle of flexibility, - principle of hierarchical supervision, - principle of written planning,
2.	The principles concerning the relation between operational – reconnaissance activities and the criminal proceedings: - principle of the primacy of procedural activities, - principle of the complementarity of procedural and operational activities, - principle of subjective distinction of operational and procedural bodies, - principle of the secrecy of personal sources of information, - principle of verifiability of findings in the course of court proceedings, - principle of independent stages of operational proceedings and criminal proceedings,
3.	The principles of carrying out operational activities: - principle of respecting the law and professional ethics, - principle of striving to adhere to the substantive truth by the operating authority, - principle of independent assessment of information, - principle of the continuity and comprehensiveness of research, - principle of secrecy in relation to the course of activities and their results, - principle of written collection of information and documenting operational information, - principle of conducting operational activities in respect of one subject, - principle of not formalising operational activities and principle of indifference, - principle of voluntary cooperation of citizens with authorities undertaking operating activities, - principle of expediency and economy of operations, - principle of objectivity, - principle of the priority of protecting operational sources against ad hoc benefits of their disclosure.

Source: Kulicki M., Kryminalistyka. Wybrane zagadnienia..., op. cit., p. 67, 68.

It should be emphasized that the operational work to be effective and consistent with law, must be subject to specific rules. The adherence to the principles of undertaking operational and reconnaissance activities allows the authorized entities for the implementation of statutory tasks.

Conclusion

Operational work, also referred to as the operational and reconnaissance activities, allows the authorized entities to implement statutory tasks in the fight against crime. Its primary objective consists in recognizing factors and

criminal environments, detecting crimes and their perpetrators, proving offenders' guilt, undertaking forensic prevention, forecasting the development of crime and the phenomena connected with social pathology, as well as developing methods to combat them. Effective operational work requires knowledge and skills of operational staff (soldiers, workers), technical and financial support, as well as statutory provisions constituting the legal basis for the implementation of operational and reconnaissance activities.

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Anotācija

Operatīvais darbs ir sarežģīts plānošanas un īstenošanas process, kura ietvaros kompetenti un kvalificēti darbinieki, saskaņā ar normatīvo aktu prasībām, veic sarežģītus uzdevumus valsts iekšējās un ārējās drošības sfērā. Operatīvās darbības īstenošanas ietvaros ir jāievēro vairāki šādu darbību būtiski ietekmējoši principi. Šajā jomā īpaši svarīgs ir slepenības princips ne vien attiecībā uz īstenojamajām darbībām, bet arī saistībā ar operatīvo darbinieku un operatīvās informācijas avotu. Nozīmīgi principi operatīvajā darbībā ir arī, piemēram, likumība, profesionālā ētika, procesa rakstiska forma, konfidencialitāte un objektivitāte.

Аннотация

Оперативная работа представляет собой сложный процесс планирования и реализации, в рамках которого компетентные и квалифицированные сотрудники согласно требованиям нормативных актов выполняют сложные задания в сфере внутренней и внешней безопасности государства. В рамках осуществления оперативной деятельности следует соблюдать многие оказывающие на данную деятельность существенное влияние принципы. В данной сфере особенно важен принцип секретности – не только в отношении осуществляемых действий, но и в отношении оперативных работников и источников оперативной информации. Важными в оперативной деятельности являются также принципы законности, профессиональной этики, письменной формы процесса, конфиденциальности, объективности.
