

Systemic Direction and Supervision of Police Work in the Republic of Slovenia: Current Situation Analysis¹

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Purpose:

The purpose of this paper is to present the findings of the target research project “Effectiveness of Systemic Supervision of the Police in Regard to Human Rights as well as the Statutory and Professional Standards of Police Work (V5-1942)”. We focused on the implementation of systemic supervision of police work, more precisely, on the operations of the Division for System Guidelines and Supervision of the Police, which operates within the Police and Security Directorate.

Design/Methods/Approach:

We examined how systemic supervisory activity of the work of the police is regulated by Slovenian law, limiting ourselves to the work of the Division for System Guidelines and Supervision of the Police. Based on the findings and an additional review of anonymised supervision reports, we prepared a questionnaire and conducted a structured written interview as well as oral interviews with the Division’s employees.

Findings:

Systemic supervision efforts are contributing significantly to the quality of policing, but challenges and opportunities for improvement still remain. One of the main challenges is keeping police officers informed about supervision reports and effectively implementing inspection findings.

Research Limitations/Implication:

In the part of the study described, we focus exclusively on the work of the Division for System Guidelines and Supervision of the Police and take a look at systemic supervision activities solely from the Division’s point of view. For a more complete overview of the matter, our findings should be compared with the perspective of those being supervised, i.e. the police officers who have undergone supervision.

¹ The article was written as a part of the targeted research project V5-1942 “Effectiveness of systemic control over the police in the field of respect for human and legal and professional standards of police work”. The project is carried out by the Faculty of Criminal Justice and Security of the University of Maribor and co-financed by the Public Agency for Research of the Republic of Slovenia and the Ministry of the Interior.

Originality/Value:

The main added value of the paper is that it examines how supervisors perceive their own work and the organisation, operation and effectiveness of systemic supervisions of police work.

Keywords: systemic supervision of police work, Division for System Guidelines and Supervision of the Police, Police and Security Directorate, Slovenia

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Sistemsko usmerjanje in nadzor nad delom policije v Republiki Sloveniji: analiza trenutnega stanja

Namen prispevka:

Namen prispevka je predstaviti ugotovitve ciljnega raziskovalnega projekta »Učinkovitost sistemskega nadzora nad policijo na področju spoštovanja človekovih ter zakonskih in strokovnih standardov policijskega dela (V5-1942)«. Osredotočili smo se na izvajanje sistemskega nadzora nad delom policije, natančneje, na delo Sektorja za sistemske usmerjanje in nadzor policije, ki deluje znotraj Direktorata za policijo in druge varnostne naloge.

Metode:

Pregledali smo slovensko pravno ureditev sistemske nadzorne dejavnosti nad delom policije, pri čemer smo se omejili na delo Sektorja za sistemske usmerjanje in nadzor policije. Na podlagi ugotovitev in dodatnega pregleda anonimiziranih poročil o nadzorih smo oblikovali vprašalnik ter izvedli strukturirani intervju v pisni obliki in ustne intervjuje z uslužbenci sektorja.

Ugotovitve:

Prizadevanja sistemskega nadzorstva vidno prispevajo k izboljšanju kakovosti opravljanja policijskih nalog, vseeno pa ostajajo izzivi in možnosti za izboljšave. Eden glavnih izzivov je skrb za seznanjanje policistov s poročili o nadzorih in učinkovita implementacija ugotovitev nadzorov.

Omejitve/uporabnost raziskave:

V opisanem delu raziskave smo se omejili na delo Sektorja za sistemske usmerjanje in nadzor policije ter tako prikazali njihov vidik delovanja sistemske nadzorne dejavnosti. Za celovit pregled področja bi bilo koristno primerjati naše ugotovitve z vidikom nadzorovanih, torej uslužbencev policije, ki so bili že podvrženi nadzoru.

Izvirnost/pomembnost prispevka:

Bistvena dodana vrednost prispevka je, da osvetljuje pogled nadzorovalcev na njihovo lastno delo ter na urejenost, delovanje in učinkovitost sistemskega nadzora nad delom policije.

Ključne besede: sistemske nadzor nad delom policije, Sektor za sistemske usmerjanje in nadzor policije, Direktorata za policijo in druge varnostne naloge, Slovenija

UDK: 351.741(497.4)

1 INTRODUCTION

The purpose of this paper is to present (in part) the findings of the target research project » Effectiveness of Systemic Supervision of the Police in Regard to Human Rights as well as the Statutory and Professional Standards of Police Work (V5-1942)«. We focused on the implementation of systemic supervision of police work, more precisely, on the operations of the Division for System Guidelines and Supervision of the Police, which operates within the Police and Security Directorate of the Ministry of the Interior. The main goal of our research was to examine how supervisors perceive their own work and the organisation, operation and effectiveness of systemic supervision of police work. In this paper, we present the regulative framework for the systemic supervision of police work in Slovenia, the work of the Division for System Guidelines and Supervision of the Police and the views of the employees of the Division regarding the current state of systemic supervision of police work.

2 SUPERVISION OF POLICE WORK BY THE GOVERNMENT AND THE MINISTRY OF THE INTERIOR

Supervision by the government, as a form of external supervision of the police, is carried out through the running and directing of state administration bodies. The government ensures that the ministries and their constituent bodies exercise their responsibilities in a law-compliant, professional and coordinated manner. The main instrument of supervision of the police as a body within the Ministry of the Interior is the appointment and dismissal of the Director-General of the Police (the government may dismiss the Director-General if it is determined that their work does not ensure lawful and efficient performance of police duties). The government also ensures supervision of the police through the Minister of the Interior, who is required to report on the situation in the department during government sessions. The supervision exercised by the ministry is significantly more direct and is carried out through departmental systemic supervision of the police and through decisions on complaints against the work of police officers by senates at the Ministry of the Interior. The legal framework for the systemic supervision of the police by the Ministry of the Interior is determined by the Organisation and Work of the Police Act (ZODPol, 2013) and the Rules on Directing and Supervising the Police (Pravilnik o usmerjanju in nadzoru policije, 2013). The Ministry performs supervision in all areas of police work that are essential for the successful and efficient implementation of police tasks and the exercise of police powers. Article 3 of the Organisation and Work of the Police Act stipulates, inter alia, that the Ministry of the Interior shall direct and supervise the performance of the tasks and the exercise of the powers of the police. Directing is further defined in Article 4 of the ZODPol, which states that directing the police shall mean the systematic and methodical provision of mandatory instructions and directives relating to the work of the police by means of written directives and instructions. The basic developmental objectives in particular areas of police work and directives for the performance of police tasks are defined by the core directives

for drafting the medium-term plan for police work and development, which is prepared for a five-year period. The annual police work plan is adopted based on annual directives. When immediate action is required to remedy deficiencies, the ministry issues particular (ad hoc) directives. The medium-term plan for police work and development is adopted based on a proposal by the Director-General of the Police. Article 5 of the ZODPol (Organisation and Work of the Police Act) stipulates that the Ministry of the Interior shall carry out a comprehensive, systematic and methodical supervision of the implementation of tasks and the exercise of powers of the police to assess the legality, professional competence and the respect of human rights and fundamental freedoms in exercising police powers. The supervision may be carried out directly by inspecting documentary or other material within police units, interviewing police officers and other police employees or individuals, or by directly monitoring the implementation of tasks at a particular location (ZODPol, 2013).

The Minister may oblige individual police officers employed with the police or other public employees of the Ministry to carry out certain tasks relating to a particular incidence of supervision of police work. Supervision of police work is carried out by the officials of the Division for System Guidelines and Supervision of the Police, which is part of the Police and Security Directorate within the Ministry of the Interior. Employees of the sector are officials and have the following special powers according to Article 8 of the ZODPol (2013):

- to request information contained in the records that are kept and maintained by the police;
- to request to examine records, documents, papers, orders, minutes, decisions and resolutions obtained, prepared or issued by the police in accordance with their competencies, and to request, if necessary, that they be submitted to them in the original or as copies;
- to invite police officers, other police employees or individuals to interviews;
- to hold interviews with police officers, other police employees or individuals;
- to enter any premises used by the police in the course of their work;
- to request official certificates and technical and other information on technical means used by the police and to request proof of the qualification of police officers to use technical and other means they use in the course of their work;
- to be present when the police are carrying out their tasks;
- to request from the police that they communicate other data and information within their competence that are relevant to direction and supervision.

However, there are certain limitations to supervision. If there is a risk that the exercise of powers in the course of the supervision of the implementation of covert investigative measures might prevent the implementation of these measures or make it considerably more difficult or endanger the life and health of people carrying them out, the police may temporarily deny access to documents, inspections of premises and communication of certain data or information.

Documents relating to the implementation of covert investigative measures and marked confidential may be only inspected by the officials of the Direction and Supervision Unit in the presence of the responsible person who has determined the level of confidentiality of a particular document or by a person authorised by that responsible person. The officials of the Direction and Supervision Unit may not inspect the documents disclosing the identity of undercover operatives and individuals who voluntarily and secretly provide the police with operational information about criminal offences, their perpetrators and other activities aimed at committing criminal offences, the perpetrators of which are prosecuted *ex officio* (Article 11 of the ZODPol, 2013).

The Rules on Directing and Supervising the Police (Pravilnik o usmerjanju in nadzoru policije, 2013) provide for routine, non-routine and follow-up inspections in the context of supervision over the implementation of the tasks and powers of the police, which are commissioned by the Minister by means of a written order. At least 15 days prior to a routine supervision inspection, the head of supervision must issue a supervision order to the Director-General of the Police and to the head of the police unit where the inspection is to be carried out. Non-routine or follow-up supervision may be carried out without prior notice. Routine supervision is planned ahead with the annual supervision program of the Ministry of the Interior. Routine supervision serves to assess legality, respect for human rights and the actual state of things in each area of police activity. Non-routine supervision is intended to assess legality and respect for human rights in instances that cannot be foreseen in advance by scheduling routine and follow-up supervision, while follow-up supervision is intended to ensure that any irregularities identified during routine and non-routine supervision have been remedied. The Division for System Guidelines and Supervision of the Police also carries out supervisory activities indirectly with the so-called reporting requirements, which are usually meant to assess particular police procedures. The Minister instructs the Director-General of the Police to remedy the irregularities identified in the course of supervision within a certain period and in a certain manner and to establish accountability. The Director-General of the Police must inform the Minister of the measures taken to remedy the irregularities and the procedures for establishing accountability within a specified period and in writing.

The Rules on Directing and Supervising the Police (Pravilnik o usmerjanju in nadzoru policije, 2013) also state that the police shall notify the Minister of the Interior of events that are relevant to national security, as specified in Article 12 of the ZODPol (2013). The police are required to submit the following to the Minister:

- annual reports on the work of the police;
- annual reports on supervisory activities and internal security;
- four-monthly reports on the implementation of covert investigative measures from the prescribed articles of the Criminal Procedure Act
- work meeting minutes of the members of the college of the Director-General of the Police;
- other reports, data or analyses required by the Minister in accordance with the provisions of the law governing the organisation and work of the police.

3 DIVISION FOR SYSTEM GUIDELINES AND SUPERVISION OF THE POLICE

In the following, we describe the development of the Police and Security Directorate, of which the Division for System Guidelines and Supervision of the Police is a part. The organisational structure of the Directorate consists of the following 6 divisions:

- Division for System Guidelines and Supervision of the Police;
- Police Complaints Division;
- Division for Private Security and Municipal Warden Services;
- Classified Information Division;
- Security Planning Division;
- Division for Systemic Regulation and Analysis.

The Police and Security Directorate was established in 1999 (at the time, it was known as the Office for Police Direction and Supervision as an independent internal unit of the Ministry). Within the Directorate, two of the divisions are in charge of matters related to the police – the Division for System Guidelines and Supervision of the Police and the Police Complaints Division. A rundown of the organisation and operation of the Directorate in its current and previous forms over the last two decades reveals that its scope of operation expanded to include private security, detective work, defence planning, protection of classified information and solving complaints against the police, in addition to its primary tasks of directing and supervising the police. The expansion of its scope of operations was initially mainly due to changes in legislation. Later on, it was caused by the streamlining of business processes (Ministrstvo za notranje zadeve, Direktorat za policijo in druge varnostne naloge in Služba za odnose z javnostmi, 2019).

The tasks of today's Division for System Guidelines and Supervision of the Police have been performed in one way or another since the very beginning of the independent internal unit of the Ministry of the Interior, that is, since 1999, when the Office for Police Direction and Supervision was established. Since 2003, systemic supervision of police work has been carried out by the Division for System Guidelines and Supervision of the Police, under the auspices of the newly established Police and Security Office. A year later, the tasks were divided between two sectors (the Division for System Guidelines and the Police Supervision Division) of the Police and Security Directorate, which was established as a replacement for the Police and Security Office. The reorganisation of the Police and Security Directorate in 2008 results in the merging of the above-mentioned divisions and the creation of the Division for System Guidelines and Supervision of the Police. Two years later, as part of a new reorganisation, the DPDVN was given its current name – the Division for System Guidelines and Supervision of the Police. The changes described below are presented in more detail through the milestones and development of the Police and Security Directorate in the last twenty years.

3.1 Establishment of the Office for Police Direction and Supervision as an independent internal unit of the Ministry of the Interior (August 1, 1999)

The Office was established to ensure the enforcement of the provisions of the Police Act (1998), which in Article 2 prescribed the relationship between the ministry and the police – in organisational terms, the police became a body within the Ministry of the Interior. The competencies of the Office were similar to those of today's Division for System Guidelines and Supervision of the Police of the DPDVN, with the sole difference that the employees overseeing the implementation of police tasks initially held the status of inspectors of the Ministry of the Interior (MNZ) (Ministrstvo za notranje zadeve, Direktorat za policijo in druge varnostne naloge in Služba za odnose z javnostmi, 2019).

3.2 Restructuring of the Office for Police Direction and Supervision as an independent internal unit of the Ministry under the name Police and Security Office (March 1, 2003)

In 2002, the Ministry of the Interior determined that there was a need for a reorganisation of the various activities and functions that are connected by a common denominator – security. This led to the extension of the powers of the former Office for Police Direction and Supervision from policing to other tasks related to security. With the inclusion of two independent departments that were previously headed directly by the Secretary of State, the tasks of defence and security planning, as well as private security and detective work, were relegated to the organisational framework of the new office, which was also tasked with issuing authorisations to access classified information.

The following organisational units were established within the new Office: the Division for System Guidelines and Supervision of the Police, and the Division for Classified Information, Defense and Security Planning, and Private Security and Detective Work. Both divisions were further divided into offices or services.

In the Private Security and Detective Work Division, the very first jobs to be restructured were those of the inspectors, which soon changed with the adoption of the Decree on Administrative Bodies Within Ministries (2003), which later became the basis for the establishment of the Internal Affairs Inspectorate in mid-2003. Inspector jobs within the office were re-structured into ordinary ones.

Based on the amendments to the Police Act (ZPol-B, 2003), the resolution of complaints against the police in the form of appeal boards was introduced at the level of the Ministry of the Interior in early 2004. As a result, on March 3, 2004, a third division was established within the Police and Security Office – the Police Complaints Division (Ministrstvo za notranje zadeve, Direktorat za policijo in druge varnostne naloge in Služba za odnose z javnostmi, 2019).

3.3 Restructuring of the Office into the Police and Security Directorate (April 1, 2004)

With the reorganisation of the state administration and the establishment of directorates within the ministries, the former Office became the Police and Security Directorate with 43 management positions across 5 divisions. The organisational structure of the Directorate is divided into the following 6 divisions:

- Division for System Guidelines;
- Police Supervision Division;
- Police Complaints Division ;
- Classified Information Division;
- Division for Defense and Security Planning (Ministrstvo za notranje zadeve, Direktorat za policijo in druge varnostne naloge in Služba za odnose z javnostmi, 2019).

3.4 The first reorganisation of the Police and Security Directorate (April 30, 2008)

In 2008, an increase in the need for professional resources resulted in the establishment of the Division for Private Security and Other Security Tasks, which, in addition to private security, covered the areas of detective activities, ski resort security and municipal policing, which fall under the competences of the Ministry of the Interior. As the area of operations, including the jobs related to it, was transferred from the former Division for System Guidelines of the Police, the areas of police direction and supervision were merged into the Division for System Guidelines and Supervision of the Police. The change in the job structure of the entire directorate resulted in an increase in the number of jobs from 48 to 50, which further increased to 53 in 2009.

After the reorganisation, the organisational structure of the directorate consisted of the following 5 divisions:

- Division for System Guidelines and Supervision of the Police;
- Police Complaints Division ;
- Classified Information Division;
- Division for Defense and Security Planning;
- Division for Private Security and Other Security Tasks (Ministrstvo za notranje zadeve, Direktorat za policijo in druge varnostne naloge in Služba za odnose z javnostmi, 2019).

3.5 The second reorganisation of the Police and Security Directorate (January 1, 2010)

As part of a broader reorganisation and streamlining of operations project in the Ministry of the Interior (MNZ), which began in 2009, the Defense and Security Planning Office at the first level of the ministry's organisational structure and the Classified Information Office within the secretariate were established in early 2010.

As a result, the Division for Defense and Security Planning and the Classified Information Division within the DPDVN were dismantled, and the Division for Analysis, Police Law and Systemic Regulation was established. The remaining divisions were renamed as the Division for System Guidelines and Supervision of the Police, the Police Complaints Division and the Division for Private Security, Municipal Warden Services and Watch Schemes. The number of jobs within the job structure of the directorate, including management positions, was reduced from 42 to 38 jobs, while the organisational structure of the directorate consisted of the following 4 divisions after the reorganisation:

- Division for System Guidelines and Supervision of the Police;
- Police Complaints Division;
- Division for Private Security, Municipal Warden Services and Watch Schemes;
- Division for Analysis, Police Law and Systemic Regulation (Ministrstvo za notranje zadeve, Direktorat za policijo in druge varnostne naloge in Služba za odnose z javnostmi, 2019).

3.6 The third reorganisation of the Police and Security Directorate (August 1, 2012)

As part of the government's lean state administration objectives, the internal department was reorganized. The Division for Analysis, Police Law and Systemic Regulation within the directorate was abolished, and its duties were once again transferred to the Division for System Guidelines and Supervision of the Police. The Classified Information Office, where both the protection of classified information, which the Center for Data Protection of the Office of Informatics and Telecommunications within the General Police Directorate had previously been in charge of, and the issuing of security permits to organisations that are recipients of classified information for the purpose of carrying out the authority's orders were transferred after the 2010 reorganisation, once again became part of the DPDVN. As part of this process, the Office was once again renamed the Classified Information Division. The Division for Private Security, Municipal Warden Services and Watch Schemes was renamed the Division for Private Security and Municipal Warden Services.

The change in the job structure of the directorate resulted in an increase in the number of jobs from 38 to 46. The organisational structure of the directorate consisted of the following 4 divisions:

- Division for System Guidelines and Supervision of Police;
- Police Complaints Division;
- Division for Private Security and Municipal Warden Services;
- Classified Information Division (Ministrstvo za notranje zadeve, Direktorat za policijo in druge varnostne naloge in Služba za odnose z javnostmi, 2019).

3.7 The fourth reorganisation of the Police and Security Directorate (July 1, 2017)

In 2017, the independent Security Planning Office was in charge of tasks that had been performed by the Division for Defense and Security Planning of the DPDVN before 2010. The majority of the tasks were activities performed during natural and other disasters, crises, emergencies and war, with the Office cooperating with organisational units within the Ministry of the Interior (MNZ) and other ministries, bodies and entities, government services, companies, institutes and organisations. As this area of work did not change significantly during this period, it was determined that its content falls within the scope of work and tasks performed by the Police and Security Directorate, as suggested by the name of the office. Reintegrating this area of work into the DPDVN enabled a more streamlined workflow, resulting in the dissolution of the independent office, and the establishment of the Security Planning Division (Ministrstvo za notranje zadeve, Direktorat za policijo in druge varnostne naloge in Služba za odnose z javnostmi, 2019).

3.8 The fifth reorganisation of the Police and Security Directorate (October 1, 2010)

Eight years after the dissolution of the Division for Analysis, Police Law and Systemic Regulation, it became apparent that the DPDVN needed a dedicated unit to be put in charge of tasks related to systemic regulation, analyses and police-security law. This led to the establishment of the Division for Systemic Regulation and Analysis, which was tasked with the systematic monitoring and analysis of regulations, court rulings and comparative legislation in order to optimise system development. The new division, which has yet to be staffed, will also produce and coordinate other materials, opinions, positions and answers that pertain to the issues that fall within the competence of the Ministry, such as answers to parliamentary questions, opinions and responses to materials and proposals from the Government, the National Assembly of the RS, etc.

Up until recently, these tasks were performed by the Division for System Guidelines and Supervision of the Police, which means that the division's employees will now be able to focus more on their main tasks – systemic supervision of police work and preparation of systemic, basic and strategic guidelines for police work.

4 METHOD

In order to gain a more detailed insight into the systemic supervision of police work within the Ministry of the Interior, we have conducted interviews with the head and two employees of the Division for System Guidelines and Supervision of the Police (SSUNP) of the DPDVN within the MNZ. We started by conducting a written structured interview via a general questionnaire with the head of the

SSUNP. After analyzing the written interview, on November 3, 2020, we proceeded with an oral interview with the head and two employees of the SSUNP.

The questionnaire was based on an analysis of the legal regulation of systemic supervision of police work in Slovenia and on research material provided to us by the Division for System Guidelines and Supervision of the Police (SSUNP) after prior agreement and anonymisation. The material in question consists of system supervision reports (25 reports) and opinions based on reporting requirements (14 opinions).

5 FINDINGS

5.1 Regulatory framework for the implementation of systemic supervision

Systemic supervision, which is carried out during routine, non-routine and follow-up supervision, is properly regulated. According to the interviewees, so-called indirect supervision is somewhat deficient with regards to reporting requirements (Article 14 of the Rules on Directing and Supervising the Police, 2013). Supervisors do not hold the same powers in terms of reporting requirements as in the case of supervision inspections. They may only request to be handed documentation. This process can often require a lengthy back-and-forth of additional requests, demands and explanations.

According to the interviewees, the Rules should contain clearer guidance regarding the police's responses to the supervision reports. There are no specific instructions as to the procedure that the police might use to submit its comments on a report after coordination.

The DPDVN proposed certain amendments to the Organisation and Work of the Police Act (ZODPol, 2013) to address the consistency issues related to updating police officers on the reports and opinions of the DPDVN (further details on this below).

5.2 Staffing, education and training

The SSUNP currently has 10 staff members (including a secretary). The interviewees stated that the SSUNP is constantly striving to expand its staff, but is facing several roadblocks, as SSUNP employees are undervalued compared to police officer jobs. Police officers who are transferred to the MNZ or the SSUNP lose various pay supplements, which is consequently reflected in a lower salary. This results in career police officers having little interest in being employed by the SSUNP. The DPDVN has repeatedly proposed amendments to the ZODPol to address this issue (to preserve certain pay supplements linked to special powers), but its proposals have been rejected thus far. The SSUNP also employs staff who are not police officers, which proved to be a welcome addition, as supervisors can exchange their knowledge with each other and examine identified systemic irregularities from different viewpoints.

The answers given by the interviewees have revealed that SSUNP employees continuously improve their knowledge by attending regular training courses

organized by the Ministry of the Interior and the Ministry of Public Administration. In addition, they monitor any changes in jurisprudence. Every two years, the SSUNP publishes a collection of police law rulings. Active participation in various internal and interdepartmental working groups that prepare changes to legislation and harmonize all internal acts of the police, which is also one of the formal tasks of the SSUNP, contributes greatly to the level of training of SSUNP employees. In addition, SSUNP employees actively participate in various expert symposia (although constrained by budget limitations) and in the training process of police officers (some SSUNP employees are lecturers at the Police College and the Faculty of Criminal Justice and Security at the University of Maribor). SSUNP employees are also encouraged to pursue additional education (postgraduate degree), especially in all areas of police law, to make a positive contribution to a better performance of the SSUNP's main tasks.

5.3 Number and frequency of inspections performed

The SSUNP carries out approximately five systemic supervision inspections per year and an average of 20 indirect supervision inspections in the form of reporting requirements. Over the last five years, the SSUNP has performed 17 routine, 5 non-routine and 4 follow-up inspections. In most cases, non-routine inspections are carried out due to identified systemic irregularities over the course of the year, which are the result of unforeseen or unexpected events, circumstances or alleged irregularities in the work of the police. In practice, routine, non-routine and follow-up inspections mostly focus on the work of police units on all levels (local, regional, state).

The SSUNP has assessed that the powers of SSUNP supervisors are adequate. In the last five years, supervision has not included direct monitoring of police work on-site, as that was not required. According to the head of the SSUNP, gathering documentation, such as record data and findings from interviews with police officers, is a key component of systemic supervision.

Neither in the five-year period nor earlier has there been a recorded case when, due to reasons under Art. 11 of the ZODPol (2013), the police temporarily refused to assist in supervision, thereby temporarily or partially preventing the performance of supervision.

5.4 Ordering supervision

The number of supervision orders issued by the Minister on the basis of their own assessment is low and there are no significant differences in the number of orders issued between ministerial terms. Most non-routine supervision inspections are conducted based on a proposal by the DPDVN. The SSUNP estimates that the legal framework of competencies and the limitations of the Minister in executing supervisory and directing activities are adequate.

Over the last five years, all supervision inspections have been carried out by SSUNP staff. Some of the supervision inspections involved the cooperation of staff from other sectors of the DPDVN, namely the Police Complaints Division and the Classified Information Division.

5.5 Cooperation of the SSUNP with the subjects of supervision

The answers provided by the interviewees show that all communication with the General Police Directorate is done correctly and regularly, either electronically or directly by telephone. According to the interviewees, the subjects of supervision have always received them well and gave them their full cooperation and unfettered access to information.

In the course of the interviews, we learned that it would be advisable for the Director-General or his deputies to attend the supervisory group meeting after the completion of each supervision inspection, as it would enable him to get acquainted with the content before reading the report.

5.6 Cooperation between the SSUNP and the main providers of external supervision

The SSUNP's cooperation with external police supervisors (the Prosecutor General's Office, the Ombudsman, the Information Commissioner, the KPK (Commission for the Prevention of Corruption), etc.) takes place mainly within the context of preparations for the development of basic and annual guidelines for the work of the police. He explained that cooperation takes place exclusively within the context of interviews for the preparation of annual guidelines. The only exception is the Ombudsman, where other (intermediate) communication on specific matters often takes place.

5.7 Informing the public on systemic supervision activities

The answers provided by the interviewees have revealed that the public has so far been informed about systemic supervision activities solely through the reporting done by one of the media outlets, which had obtained some supervision reports based on the right to access public information and published some articles on police irregularities. In some instances, parliamentary committees of inquiry were given access to such information at their request. There are currently no mechanisms in place for informing the public, apart from information about supervision reports being shared with the internal professional public and other, indirect types of sharing information about the findings of supervision inspections within small-group meetings and lectures. The respondents confirmed our assessment that the sharing of information (following the example of the Police Complaints Division, where they publish summaries of appeal boards decisions) could contribute to greater supervisory transparency and increase the police's commitment to putting supervision findings into practice.

5.8 The main challenges involved in systemic supervision of police work

The respondents point to the inefficient implementation of supervision findings and proposed measures to eliminate the irregularities and deficiencies identified

as one of the main issues affecting systemic supervision. From year to year, the SSUNP finds that the police are inconsistent in sharing information about supervision reports and opinions prepared on the basis of reporting requirements with police officers. This issue has persisted for many years and has prompted the DPDVN to issue guidelines to the police². Nevertheless, the SSUNP continues to detect issues. Follow-up inspections often show that irregularities are still occurring. The DPDVN has even proposed certain amendments to the ZODPol to ensure that police officers are consistently kept informed about supervision reports and opinions prepared on the basis of reporting requirements by the police.

6 CONCLUSION

Following a review of the relevant regulatory framework and research material – anonymized supervision report examples – we conducted structured interviews with SSUNP employees. We were interested in their assessment of the regulatory framework that applies to their work tasks, as well as in their opinion on personnel issues such as staffing, occupancy and staff education and training opportunities. We asked the employees for information regarding the number and frequency of supervision inspections carried out, clarifications on how supervision inspections are ordered and their views on cooperating with the subjects of supervision as well as the main external supervision providers. We were interested in their opinion on the possibility of informing the public about systemic supervision activities. It was particularly important for us to gauge their opinion on the main challenges faced by systemic supervision in relation to its effectiveness.

SSUNP employees assess that their efforts contribute significantly to improving the quality of policing. However, there are certain challenges to overcome that leave some room for improvement. For example, the division is in dire need of staff expansion as well as regulatory changes and additions that would affect indirect supervision within the reporting requirements, which would allow employees to effectively do their work only if they were able to make use of their powers, as is the case for other forms of supervision (routine, non-routine and follow-up inspections). Additionally, the procedure that the police might use to submit its comments on a supervision report requires specific instructions. We also examined the issue of informing the public about systemic supervisory activities and determined that there are virtually no mechanisms in place for informing the public, with the exception of a few cases where the media were informed. We believe that informing the public about the findings of supervision inspections could increase the transparency of supervision and improve the work of the police, as well as strengthen the commitment and motivation of the police to effectively implement the findings of the inspections. The main challenge faced

2 For example, the latest document – *Guidelines and Mandatory Instructions for the Preparation of the Police Work Plan for 2021* (Ministrstvo za notranje zadeve, 2020) provides, in the last chapter titled *Improving Public Opinion of the Police*, under point 7.3: “Shall ensure that all police officers are continuously updated on the reports and opinions of the supervisory mechanisms (e.g. the Police and Security Directorate, the Ombudsman...) and the findings of appeal procedures.”

by systemic supervision is the inefficient implementation of supervision findings coupled with the lack of consistency in updating employees on police supervision reports. It is our opinion that this challenge requires solutions that will have to redefine the supervisor-supervised relationship, if necessary, through regulatory changes.

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