



The Ninth Biennial International Conference

Criminal Justice and Security in Central and Eastern Europe

Contemporary Criminal Justice Practice and Research

Conference Proceedings



Editors

Meško Gorazd
Andrej Sotlar
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University of Maribor
Faculty of Criminal Justice and Security

The Ninth Biennial International Conference

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**Contemporary Criminal Justice Practice and
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Panel 1

CRIMINAL JUSTICE

Comparative Study of the Regulation of Criminal Justice by the Constitution of Republic of Macedonia and Republic of Slovenia

Marjan Arsovski

Purpose

The paper examines the contribution of the comparative research of the rules regulated by the Constitution of Republic of Macedonia and the Constitution of Republic of Slovenia concerning the criminal justice issues for the improvement of the rule of law in Republic of Macedonia.

Design/Methods/Approach

Secondary data analysis from the legislation, legal practices and scientific literature concerning the topic of the paper will be used. The data will be processed using the bivariate analysis and the test significance to prove the relation among the variables (rule of law and constitutional differences).

Findings

Generally the improvement of the Constitutional legislation concerning the criminal justice issues for improvement to rule of law within the contemporary legislation of the Republic of Macedonia is seen as more as potential than as a reality to the present regulation of the criminal justice issues. Although, the rule of law advantages of the constitutional changes in the area of the criminal justice issues are widely recognized, it is quite indisputable that only a small portion of possibilities in this area have been in deeply researched so far.

Originality/Value

Though there are several studies related to the Constitution of Republic of Macedonia, there is lack of studies concerning norms regulating criminal justice issues, leave off the relation of rule of law with the value and level of the differences of the two constitutions. We see this paper as a vital contribution to the efforts to highlight this essential comparison of their mutual differences nowadays and in the future.

Keywords

Constitution of Republic of Macedonia, Constitution of Republic of Slovenia, criminal justice regulation

About the author(s)

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From State Safety to National Security: Rethinking Criminal Offences in Romania's New Criminal Code

Gabriela-Aura Fodor

Purpose

This paper analyzes some of the significant changes regarding the protection of the state and its characteristics and their correlation with the social, economical and political situations, as suggested in the actual and new Criminal Code of Romania, with emphasis on crimes against constitutional order. The study will also compare the way in which these threats, especially those against territorial integrity and state unity and sovereignty, are perceived in Romania and other Central and Eastern European countries, as opposed to some major Western European countries

Design/Methods/Approach

The study was conducted by comparing the two Romanian Criminal Codes, the one applied today and the one yet to be enforced, not only between themselves, but also with other relevant legislation and Codes from other countries in order to highlight a current tendency in incriminating actions against state and nation and also the differences existing between various regions in Europe. Also, the theoretical research is carried out alongside an analysis of the actual threats which are signalled by institutions and organisms which focus on internal and external safety, in order to see if the facts of reality have a valid correspondent in the written law.

Findings

Contemporary legal provisions show a shift in perspective from long established traditions as far as the importance of some the values it seeks to protect. The State, both as an abstract notion and as an entity, is being reconsidered as a major focal point for the intervention of criminal law in favour of the individual and of the Nation, as a distinct concept. The forming of the European Union has reshaped the way in which people consider state boundaries and view themselves as individuals, combined with the need of belonging and identity. The threats to state safety, or national security, have undergone some significant changes in contemporary society, internal disorder and international tension being generated by phenomenon such as acts of terrorism and organized crime. But one offence in particular is of interest to this study, namely the one involving actions against constitutional order, which is perceived different in countries form Eastern and Western Europe and according to each country's political history and tradition. While some countries choose to consider it a reality

of ages past, that has lost its importance after the end of the Cold War, others still believe in the necessity of including it in criminal legislation. It is an offence which is difficult to apply, not because of the lack of actions that are potentially threatening, but because of the vastness of the content and also because of the still greater tension a formal accusation might generate in certain situations.

Originality/Value

When speaking of threats to state and nation most research is focused on large scale crimes, such as terrorism, but dangerous actions carried out within the state are rarely talked about. However, it is important to establish the effectiveness of legal provisions based on real situations in order to see if they are sufficient or in need of change.

Keywords

national security, Romania's New Criminal Code, constitutional order

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Implementation of Plea Bargaining in Slovenia – Some Ethical Dilemmas

Mojca Rep

Purpose

In this year, the Slovenian legislature has dramatically changed the Slovenian Legal System from Continental to Adversary Legal System. As one of the reasons was to accelerate criminal proceedings. One the most visible change was the implementation of controversy institut - plea bargaining in Slovenian legislation. Some legal experts have objected to the implementation since, by their opinion, violates the rights of the defendant. On the other hand other thinks that this institute is a necessity for an effective criminal proceeding. The field of plea bargaining is in our criminal legislation very limited, comparing to some other countries. Despite that fact some ethical dilemmas still exists.

Design/Methods/Approach

For the purpose of this article current Slovenian legislation has been revised, as well as other articles/papers on mentioned topic. At the same time, a comparison with other legal systems has been done, particularly with the US.

Findings

Slovenian legislator has limited institute plea bargain in our legislation. For example sentence bargaining is possible, but charge bargaining not, only omission of other criminal offenses not included in plea bargaining. For most criminal offences there are no possibilities of plea bargaining comparing to other countries. A problem that majority of countries are facing nowadays is the stigmatization of the defendant and the fact that they rather admit guilt in order to avoid a main hearing, especially those who cannot afford legal assistance. Public Prosecutor and the defendant are not necessarily interested in the truth, but how to conclude the matter as soon as possible. On the other hand that represents a problem for those who are not fully aware the rights they have. To avoid that the Slovenian legislator has decided that the presence of counsel is therefore necessary and mandatory. Still the defendant will try to conceal facts unfavourable to him in order to achieve the most optimal results for himself/herself. On the other hand that will not necessarily contribute to the desired result – proportional sentence to a crime that has been committed. Defendant will always weighed between admit or not to admit quilt. And the first one is possible despite the fact whether he is/she is quilt or not.

Research limitations/implications

Since it is currently impossible to foresee all the limitations of our new Criminal Procedural Act, this paper presents only few possible dilemmas regarding implementation of plea bargaining based on foreign experience.

Originality/Value

As seen from the examples of foreign case law, the plea bargaining proved to be extremely effective. Nevertheless, experts in these areas point out some weaknesses of this institution. Some are also presented in this paper, in order to at least try to avoid any controversial points of all parties involved in the process. Ethnicity of this institut remains a compelling topic, at least until will collide with its practical application.

Keywords

Criminal Procedure Act, plea bargaining, general principles

About the author(s)

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Value of Evidence Obtained from Abroad – The Slovenian Jurisprudence

Mojca Rep

Purpose

The prosecution of transnational crime has become an increasingly topical issue in most of the countries. Taking into account the possibility of mobility between countries and the possibility of transport and communications, the international legal cooperation has become of a paramount importance. One of the goals of the EU is to maintain and develop an area of freedom, security and justice by facilitating and promoting judicial cooperation in criminal matters between the Member States. When dealing with transnational crime, justice must not be impeded by differences between judicial systems of the Member States and the lack of mutual recognition as far as judicial decisions are concerned. It is particularly important to effectively participate in the obtaining of evidence in criminal cases. I will try to indicate some significant problems in assessing whether the evidence obtained in one country is legally relevant for a judge's final decision in another country, especially in the field of current high-profile cases. The essential question is whether it is possible to evaluate the evidence obtained under different conditions / legal rules in the same way as if they were obtained under Slovenian Criminal Law.

Design/Methods/Approach

For the purpose of this article current Slovenian and European Union legislation has been revised. At the same time special attention was intended to Slovenian Supreme Court judgments.

Findings

When our courts request the international legal assistance in relation to a foreign country, in order to examine or question a person, for example, this will be done under the law of the country in question, and not under our domestic law. Another question arises when it comes to procedural constitutional norm. This view was confirmed by the Supreme Court judgement in 2007: "the procedural matters that have been made abroad, are also valid in the criminal cases pending in the Republic of Slovenia, but have not been made in the manner provided for by the Criminal Procedure Act, unless evidence has been obtained by the violation of constitutionally guaranteed human rights".

Originality/Value

The existing regulations on the collection of evidence in criminal cases are effective only when they are involved in the process in a Member States with similar national standards for gathering evidence. The most effective solution to this problem would be the implementation of common standards for collecting evidence in criminal cases. It is necessary to consider whether the implementation of such standards should adopt general standards that would apply to all types of evidence, or more specific standards, tailored to different types of evidence.

Keywords

judicial cooperation, obtaining evidence from abroad, transnational crime, Slovenian jurisprudence

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Panel 2

CRIME AND VICTIMS OF CRIME

Towards a Well-Ordered Society: Exiting the Vicious Circle of Crime

Renato Matić, Anita Dremel

Purpose

The paper examines the levels on which various forms of deviance appear and get to be tolerated from the point of view of social actors. The failure to sanction crime leads to the spread of the belief that crime pays off, creating the vicious circle of crime. The purpose is to suggest potential ways of exiting it and creating preconditions for a well-ordered society, and to broaden the research perspective from crime to deviant social structures and cultural patterns.

Design/Methods/Approach

The concepts of vicious circle and well-ordered society are used to analyse whether life experience, especially the lack of crime sanctioning in post socialist countries, promotes deviance and the lack of trust in the rule of law. Vicious circle is created as the fight against crime is governed by the same rationale that led to it in the first place, which includes a cost-benefit analysis based on partial and individual versus common and general interests, as well as employing political power in determining socially (un)acceptable actions. The appearance and development of crime can be viewed on four levels: excess level, organized crime level (a state with its mafia), the level with no rule of law (a mafia with its state), and the level on which deviant norms and values govern social relations. The ideal-type of well-ordered society is characterized by stabilised democracy and efficient rule of law, where the appearance of criminal behaviour immediately triggers the sanction, which creates the image of crime as not paying off. Methodology includes the examination of the most frequent forms of criminal activities and deviant social processes (e.g. putting the political before the professional), that maintain distrust towards the rule of law. Contextual factors, primarily cultural, which make people inclined to choose deviant methods in realizing social and individual goals are also studied. Finally, the potential to exit the vicious circle regarding social actors is examined.

Findings

The potential to break the “vicious circle” and move towards a well-ordered society can be realized by raising general critical awareness as a prerequisite for harmonising economic and cultural capital with human potential in order to create a stimulating social climate. The power that should be directed towards realizing this potential resides with both nongovernmental social actors and political elites. Also, the responsibility that has to be

taken for deviant actions in a well-ordered society is not only political, but also criminal and material. The authors have found that it is necessary to analyse deviance via its harmful social consequences, which are often left unquestioned and unpunished, resulting in what can no longer be studied as criminal behaviour but a deviant social structure and deviant cultural patterns.

Research limitations/implications

There is a lack of data on the damage caused by organized crime, corruption, war profiteering, privatization, harmful decisions made by political elites etc., which is in itself an indicator of the lack of well-ordered society. Our approach however aimed at qualitative analysis of the problem locus to point to the need to move from the concept of crime to a wider notion of deviance, which also resides in culture and social structure. This paper opens up analytical and critical implications important for future research.

Originality/Value

The paper moves from the content of deviant actions, individual criminal activities or structural factors leading to them, to social actors. In addition to this, deviance is not understood through causes, but harmful consequences arising from social relations, patterns in a social structures, or decisions of political elites. Also, the notion of crime is broadened to the notion of deviant social structure and deviant cultural norms.

Keywords

deviance, crime, vicious circle, well-ordered society

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Crime – (An Attempt of) A Definition

Aleš Bučar-Ručman

Purpose

The purpose of this paper is to examine a question 'what is crime?' and present an attempt of critical social definition of this phenomenon.

Design/Methods/Approach

Literature review and deductive reasoning.

Findings

Crime must be perceived as a phenomenon, which has negative implications and presents a threat to an individual or society, despite if this event is, in strict legal terms, legal or illegal. The laws, their absence and/or implementation can also be harmful to a society. An answer to a question 'what is crime?' appears an easy one - though only at a first glance. People assume that a common sense approach can lead to a clear answer, though even a deeper (non-academic) thinking and questioning leads us to different conclusions. Criminologists developed two separated approaches which Meško (1998: 25-26) named 'legal and social' perception of a crime. This distinction sums up a decades long division among criminologist who on one side see crime as an act defined and prohibited by law (penal code), when on the other side stand those who argue that crime must not be perceived only as a violation of (criminal) law, especially because the socio-political powers in society are unequally distributed among people and this influences on the legal definitions of crime. The later approach includes a critical consequentialist explanation in definition of a crime. This approach is also accepted by the author who claims that criminologist must not be limit their analysis only to violation of codified rules, but must also provide their critical and analytical perspective on social events, which have negative implications and present a threat to an individual or society, despite if these events are, in strict legal terms, legal or illegal. The laws, their absence and/or implementation can also be harmful to a society. In the end author presents his (attempt of) definition of a crime which includes also concepts of legitimacy, fairness (Rawls) and consequentialist approach.

Research limitations/implications

The findings present an attempt of a definition of a crime, therefore they are limited due to their subjective nature and their openness to further improvement and upgrade.

Practical implications

The findings of the study can be implemented in other research.

Originality/Value

The paper presents research on a question what is crime and an attempt of a definition of this phenomenon.

Keywords

crime, definition, legitimacy

About the author(s)

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Victim Support and Prevention of Secondary Victimization in the Criminal Justice System

Azra Adžajlić-Dedović

Purpose

The main aim of this paper is to assess results of victim oriented reforms in both international and national laws and practice, as well as to identify the best practice which may be used as a model for reforms regarding rights of crime victims in Bosnia and Herzegovina. Due to that, relation of the police and the judiciary towards the crime victims is of a great importance regarding victims' willingness to report the victimization, their confidence in these agencies, and cooperation during clearing up the crime. In order to realize the victim's position in the criminal justice system, this paper contains an overview of how the police, prosecutor's office and courts are functioning. Finally, the recommendations for changes of laws and practice, which would bring Bosnia and Herzegovina closer to best practice, are proposed.

Keywords

secondary victimisation, international and national laws and practice, victim support, prevention

About the author(s)

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The Victim – A Passive Observer or an Active Participant in Criminal Proceedings. General Observations Following From the Assessment of Latvia's Experience.

Ārija Meikališa, Kristine Strada-Rozenberga

Purpose

The article aims to examine the role of the victim in criminal proceedings. Special focus is placed upon the proportionality of the personal and public interests in situations of criminal procedure, when the solution depends upon the victim's opinion. The objective is set to examine the impact of the victim's opinion on the existence or absence of criminal proceedings, choice of the form for proceedings, evolution of the proceedings and results. Likewise, the victim's role in proving the case is examined – considering this party to the proceedings both a source of evidence and subject of proving. As regards proof special attention is paid to the comparison of the victim's and the accused person's procedural standing. Other procedural aspects, i.e., the right to legal assistance, are also examined in comparative context.

Design/Methods/Approach

The article analyses the provisions of Latvian criminal procedure law, examining their development from the so-called Soviet times to the present. The EU position as regards the victim's safeguards and its impact upon Latvian law is also analysed.

Findings

The article, analysing the development of the criminal procedure law in Latvia over the last 50 years, concludes that this period has witnessed significant changes in the understanding of the victim as a party to the criminal proceedings, the scope of his rights and obligations, impact upon criminal proceedings and application of its separate institutions. Thus, at the beginning of the 1960s, only a natural person could be victim, but starting with the mid-1990s this status could be granted also to a legal person. Before 2005 any person, who had actually suffered from criminal violation, had the status of victim in criminal proceedings, but since 2005 a person can be recognised as victim (party to criminal proceedings) only if the person wishes so. Significant changes have also affected the victim's impact upon the existence of criminal proceedings. Prior to 2005 there were only few criminal violations, with regard to which criminal proceedings were initiated only if the victim expressed such a wish. Currently the victim's opinion is decisive in corpus delicti of more than 10 criminal violations. This allows proposing that in solving relationships in criminal law, the importance of the role

granted to the opinion of individual persons is increasing. Perhaps the assessment of this approach is not unequivocal. On the one hand, it promotes settlement (not always true!), economy of resources and other undoubtedly positive trends. On the other hand, it can lead to a situation, when criminal liability sets in not depending upon the violation committed, but upon others (possible, incidental) conditions, for example, the willingness of the victim and the perpetrator to agree/ disagree on settlement. Moreover, it allows proposing the question – if the situation under consideration is such that can be decisively regulated by the victim and the perpetrator, then, perhaps, the public interest is not so great as to recognise the violation as criminal at all? Parallel to the abovementioned opinion, a conclusion may be proposed for discussion that the victim's opinion is frequently taken into consideration, if he does not want the proceedings, however, is not taken into consideration if he, in difference to the opinion of investigators or the prosecutor, wants to see the proceedings continued in general or in a concrete form. In such a case the public interest, represented by the relevant officials, prevails over the victim's private interest. Analysis of the victim's procedural safeguards allows concluding that in comparable situations the scope of victim's rights and obligations differs from the suspect's or the accused person's scope of rights and obligations. An issue is proposed for discussion, whether that is justified and why in some cases the accused person's procedural safeguards are regarded as more important than those of the victim.

Originality/Value

For decades the criminal procedure law and theory have focused more on suspects and the accused. Neither legislators, nor researchers have paid in-depth attention to victims. The interest paid to these parties to the proceedings in the framework of the criminal procedure law has been growing in recent years. However, some proposals and trends lead to reflections and assessment of 1) whether increasing the victim's role is necessary to and typical of criminal proceedings; and 2) whether improvements, which seemingly aim at observing victim's rights, are not, in fact, masked attempts to alleviate the work of public institutions. The novelty of the topic examined in the article lies in the attempt to initiate a discussion about balancing the victim's private interests and the public interests of society in criminal proceedings.

Keywords

criminal proceedings, criminal procedure law, personal and public interest, procedural safeguards, victim.

About the author(s)

Ārija Meikališa, Doctor of Law, Professor in the Faculty of Law at the University of Latvia, a correspondent member of the Latvian Academy of Science. A resigned police general, she devoted many years of work to the investigation of criminal offences and the education of new police officers and is a former Rector of the Latvian Police Academy. In line with the decision of the Latvian Council of Science, she was acknowledged an expert in the field of legal science. She is the author of more than 80 scientific publications, including five monographs; she has participated in the implementation of more than 10 scientific projects, including international projects. She has lectured on criminal procedure law and topical issues of education of police officers at more than 35 scientific conferences and seminars, of which 20 were international scientific conferences. The main fields of research are the following: coercive measures in criminal procedure, procedural terms in criminal procedure, fundamental principles of criminal procedure.

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Panel 3

INTEGRITY

National Integrity System of the Republic of Slovenia

Simona Habič, Vid Doria, Kaja Miklavčič

Purpose

The purpose of this research was to provide an analysis of the national integrity system, legislative framework and its implementation in practice of the thirteen key pillars, which are important for preventing corruption in Slovenia. The research provides an assessment of independence, transparency, accountability and integrity mechanisms based on social, political, economic and cultural context.

Design/Methods/Approach

The research adopted the methodology developed by Transparency International. The analysis was conducted by reviewing available sources, performing extensive interviews and conducting field tests on access to public information. Findings and assessments were reviewed through a process of internal and external review: by researchers, board of Integriteta – Transparency International Slovenia, advisory group, consultative group, TI Secretariat and external reviewer.

Findings

Assessment reveals weaknesses in key pillars of integrity in Slovenia. It shows that the key in fight against corruption are strong, independent and transparent institutions that can establish a system of integrity and withstand the pressures of politics, economy and informal networks. The assessment gives a broader perspective and highlights the causes for dysfunctional and robust nature of institutions and examines how they are interrelated. Any deficiencies in the functioning of one of the pillars can jeopardize the stability of the whole system. However, understanding the interactions and interrelations can help to establish key priority actions. The institutions' refusal to solve the challenges results in endangering the strong system of integrity. It is important to provide the appropriate sources and means for the institutions, in order to complete the tasks defined by legislation.

Originality/Value

National Integrity System Assessment offers a ground-breaking holistic insight into the functioning of the system in Slovenia both in theory and practice. The assessment highlights the fields where there is a lack of commitment and decisiveness that would guarantee the stability of forming and developing mechanisms. Consequently, it offers the government, civil society and other institutions conclusions and recommendations. Priority corrective actions

and mechanisms that lead towards better management and a more efficient fight against corruption are also proposed.

Keywords

corruption, integrity system, integrity mechanisms, independence, transparency, accountability

About the author(s)

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Risk Management Standards – Ensuring the Integrity in the Public and Private Organisations

Sašo Pristavec

Purpose

This paper examines how (could) public and private sector organizations use different Risk management standards, guidelines and tools; ethic codes and other policies to ensure integrity and prevention of corruption and other misbehaviours.

Design/Methods/Approach

Paper combines various analysis of International risk management standards, guidelines and tools; applicable Slovenian legislation; Capital Assets Management Agency of the Republic of Slovenia (AUKN) policies; competences of the Slovenian Directors' Association (SDA), policies of professional associations and characteristics of Integrity plans for public sector.

Findings

We found out that Risk management standard, guidelines and tools themselves, are useful to prepare quality plans to ensure the integrity of the organizations itself; its management and employees. Good example are so-called Integrity plans, which are mandatory for all public sector institutions and have been prepared on the basis of international risk management standards, risk management guidelines and tools. Some integrity policies are given from AUKN and need to be observed in all organizations in which Slovenia has capital share. SDA has own Code of ethics and Corporate governance code, which are used in managing the organizations to provide the highest ethical standards and integrity. Smaller companies and entrepreneurs can use policies of professional associations but it is not obligatory.

Research limitations/implications

Slovenian public sector has already introduced a system solution through the Integrity plans which are made on the basis of international risk management standards. Results of this analyse could be applicable to practise in private sector in Slovenia (or wider) and they are good base for further researches on this area.

Originality/Value

This paper extends the understanding of Risk management models as a tool to ensure integrity and to prevent impact of corruption on the business and on private (and public) organizations.

Keywords

risk management, integrity, corruption, public sector, private sector

About the author(s)

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Integrity Tests - A Neglected Tool or Object of Ridicule

Boštjan Slak, Rebeka Lesjak

Purpose

The purpose of the following paper is to present and highlight the problem of definition of integrity, especially in Slovenia, but most importantly to present integrity test as a way of strengthening, promoting and encouraging integrity performance and behaviour in our society.

Design/Methods/Approach

This paper is based on foreign and domestic literature review.

Findings

First and foremost integrity is still ill defined, causing different problems, many of them are connected to integrity tests, like the implementation, reliability and the actual effect that integrity test would bring to the table. So we must also concentrate on some other solutions for helping the development of integrity behaviour, such as media reports on the importance of integrity behaviour and establishing ground rules and therefore punishment for violation. People, especially those in crucial positions (inspectors, managers, and public officials) should demonstrate integrity by performing their functions properly, so the integrity test would contribute to keep those officials in the line.

Originality/Value

With visible breaches of integrity and perceived increased attention by the media for this topic, certainly points to the value of the paper. With presenting ideas on the subject, the paper would be interesting to everybody who cares about the problem of integrity.

Keywords

Integrity, integrity test, straightening integrity behaviour

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Comprehension of State Capture, Prevention of Organised Crime and the Role of Integrity

Bojan Dobovšek, Boštjan Slak

Purpose

This paper discusses the similarities between organised crime, business and governance and therefore tries to implicate that some criminal acts that those employed in business sphere and public sectors are committing crimes that poses organised crime characteristics. There is also some focus on state capture that can be a result of such acts. The key element that would prevent such crimes to some level is integrity. So paper disuses its role in the development and implementation of prevention and is trying to develop the idea of integrity profiling and integrity testing.

Design/Methods/Approach

Paper is based on literature review.

Findings

Because of many common characteristic that are shared by governance, business and organised crime their acts are easily intertwined. By the very core nature of how human society works they are obliged to interact with each other. Crimes that are done in business and public sector (some white-collar crimes) resemble organised crime. Something that in the past Sutherland has already pointed out, but it seems to be often forgotten. Those similarities can also contribute to the fact, that preventive measures from one sphere can be redeveloped and redeployed in another (ex. preventive and integrity measures from business can be employed in public sectors).

Originality/Value

Though several authors have implicated and point out the similarity between organised crime and white-collar crimes, those statements are often passed over. Paper therefore tries to re-shed lustre upon such views. It is of value to those who seek some new alternative view on topics of organised crime.

Keywords

Organised crime, white-collar crimes, public sector, business sphere, prevention, integrity

About the author(s)

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The Impact of Corruption on the Rule of Law in the Republic of Slovenia – Facts Versus Public Fiction

Jure Škrbec, Bojan Dobovšek

Purpose

The paper analyses the findings on how corruption affects the Rule of Law in Slovenia through different points of view – theoretical, professional / lay, public and actual (statistical) facts.

Design/Methods/Approach

Paper combines various methods by using in-depth interviews of professionals and public, the analysis of over 160 corruption cases and results of public opinion surveys. Paper also examines whether, and how, characteristics of corruption impact the country and its fundamental constitutional principles.

Findings

Overall, on analysing all statistics, corruption cases, professional and public perception concerning the scope and significance of corruption, we discover that corruption and its influence on society and its constitutional factors is increasing, where in practice everyone attempts to avoid obligations and find loopholes into the law in order to benefit. There is a common belief that illegal behavior and negative consequences to the Rule of Law is due to human greed; large, not consistent numbers of regulations, lengthy procedures, insufficient institutions and the role of informal networks. The main consequences of such a state of play are increasing levels of mistrust in public institutions; inequality; negative economic effects and environmental destruction.

Research limitations/implications

We focus only on Slovenia, that's why findings could be, on one hand, implicated to Slovenian society due to the analysis of the cases occurring in Slovenia and interviews amongst Slovenian (professional and lay) public or, on the other hand, to all world experts dealing with corruption issues.

Originality/Value

This paper extends the understanding of the relation between corruption and the Rule of law where finally all aspects are involved together – theoretical issues; national statistics; analysis of identified corruption cases and the response of the professional / lay public.

Keywords

Corruption, the Rule of law, cases of Corruption, in-depth interview, Atlas.Ti

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Panel 4

CRIMINAL JUSTICE AND CRIMINOLOGY SURVEYS

Difference in Opinion About Parental Monitoring and Parental Knowledge Between Primary and High School Pupils in Ljubljana and Kranj

Eva Bertok, Gorazd Meško

Design/Methods/Approach

Slovenian Faculty of criminal justice and security is currently cooperating with five other countries in an ongoing European Study, named YouPrev. Part of our study was aimed at young people in two regions of our country. We conducted a survey on over two thousand 13-17 years old pupils in the region of Ljubljana in Kranj. Our aim was to collect data on victimization, deviant behaviour, contacts with the police. Our questionnaire was mainly based on the new ISRD-3 questionnaire.

Findings

Discriminant analysis on the basis of primary/ high school difference in answers shows that in general, parents monitor their offspring more and give them curfew at age 12 than at age 16. Also, their knowledge is better at younger age. Logistic regression was done on the questions, that were used in discriminant analysis and they explain a portion of delinquent behavior of young people in the sample (3-7% for damaging property, 5-12% for shoplifting, 1-16% for breaking and entering; 3-7 for stealing from other persons; 1-10% for fighting with others and 4-18% for experimenting with drugs).

Keywords

Juvenile delinquency, primary schools, high schools, parental monitoring, parental knowledge

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Income Inequality, Wealth and Trust in the Police – Slovenia vs. Europe

Miran Mitar, Slavko Kurdija, Branko Ažman

Purpose

Purpose: The paper explores similarities and differences in the levels of inequality, wealth and trust in the police between Slovenia and other European countries.

Design/Methods/Approach

The paper reviews the basic insights into the relationships between inequality, wealth and trust in the police. Comparisons of similarities and differences among European countries are made by way of different multivariate methods applied on the data on trust in the police taken from ESS Round 5 – Module Title: Trust in police and The Criminal Courts: A Comparative European Analysis, as well as on the data on wealth and income inequality taken from Human Development Reports and other sources.

Findings

Different levels of wealth and income inequality are correlated with levels of trust in the police, allowing for tentative explanations of a peculiar situation in Slovenia as compared with some other European countries.

Originality/Value

The paper explores and interprets the empirical relationships among wealth, income inequality and trust in the police as viewed from several theoretical perspectives. Its main value lies in its being a test of the hypothesis that a high level of income inequality is correlated with low levels of trust in the police in contemporary European societies.

Keywords

Slovenia, wealth, income inequality, trust in police, European Social Survey Round 5

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Branko Ažman, M.A., University of Maribor, Faculty of Criminal Justice and Security AŽMAN, Brane. Evalvacija besednih kock v luči dejavnikov učenja in poučevanja slovnice angleškega jezika. V: SKELA, Janez (ur.). Učenje in poučevanje tujih jezikov na Slovenskem : pregled sodobne teorije in prakse. Ljubljana: Tangram, 2008, str. 321-347. [COBISS.SI-ID 1476586]

Longitudinal Analysis of Job Satisfaction in the Slovenian Police Service

Nina Tomažević, Janko Seljak, Aleksander Aristovnik

Purpose

The paper examines the results of a job satisfaction survey of employees of the Police Service of Slovenia, whereby data from surveys conducted in 2002, 2009 and 2012 are compared and analysed.

Design/Methods/Approach

In the framework of the targeted research project entitled 'The establishment of a system for efficiency, effectiveness and quality measurement in the Slovenian Police Service', that was financed by Ministry of the Interior, a survey on the job satisfaction and trust of police service employees was conducted in March 2012. On the basis of earlier job satisfaction surveys (in 2002 and 2009) and their analysis, the 2012 survey was conducted after having been appropriately arranged and supplemented. All employees of the Slovenian Police were invited, including those from the General Police Directorate. In order to assure an adequate comparison over time, the employees from General Police Directorate were excluded from the final sample. The analysis focuses on the impact of demographic characteristics on perceived job satisfaction on the different levels of hierarchy.

Findings

Using a secondary analysis of the database from 2002 and 2009, the data were acquired and then compared with the results of our survey. In a 10-year period the biggest drop in perceived satisfaction involved the possibility of autonomous work, the promotion system, the relations in a collective and the salary. Compared to 2002, in 2012 Police employees were more satisfied with the location of their work, style of leadership in their organisational unit and working time. The 2012 analysis showed that most employees would like to see changes to the remuneration system and better working conditions (premises, equipment).

Originality/Value

The research reflects the attempt of those responsible at the Ministry of the Interior to introduce a systematic approach to measuring job satisfaction at different hierarchical levels of the police service in all police directorates.

Keywords

job satisfaction, Slovenian Police Service, police directorate, longitudinal analysis, trust, remuneration system, working conditions

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Longitudinal Public Opinion Survey On (Community) Policing in Slovenia

Franc Vrtič, Branko Lobnikar

Purpose

The paper examines longitudinal study of security services users' attitudes towards the provision of safety services from the police officers in Podravje region (Maribor) in Slovenia.

Design/Methods/Approach

Data, collected from the year 2004 to 2011 from inhabitants of Podravje region were obtained using questionnaire, created and used for measuring to what degree the police officers meet people's expectation, and how large is a gap between people's expectations from police work and their perception of the actual situation.

Findings

Results show that people's trust to the police is in slightly drop from the first years of measuring, satisfaction with police work is quite the same through the years, people are feeling safe in their living environment and are generally willing to cooperate with the police. We can say that the police fulfil people's expectations in great extent.

Research limitations/implications

The survey was conducted on a sufficiently large and well-structured sample of inhabitants of Podravje region, thus the results can be generalized to the population. The results can be used in developing and implementing strategy of community policing and in implementing quality management models to improve the organisation and enhance community policing.

Originality/Value

It is believed that this is the first paper focused on longitudinal research of implementing the community policing and public opinion on policing in local area In Slovenia.

Keywords

Community policing, Quality Management, Slovenian Police

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Assessing Factors that Influence Law Enforcement Officers' Attitudes Regarding Sex Trafficking in Bosnia and Herzegovina

Lisa R. Muftić

Purpose

As a consequence of war, Bosnia and Herzegovina has undergone innumerable economic, political, legislative, social, and cultural changes. One such change has been the growing sex trade in the region. As a result, attention has been directed at how the state responds to sex trafficking, with particular focus on law enforcement responses. Little is known, however, about officers' personally held beliefs regarding sex trafficking. This is unfortunate, however, because research indicates that officers' attitudes impact their professional behavior. Consequently, negative attitudes may influence the manner in which officers police the sex trade, adversely impacting sex trafficking victims.

Design/Methods/Approach

The current study relies on self-reported survey data from Bosnian Border Police (BP) officers (N = 363) collected in the summer of 2011 to assess officers' attitudes about the sex trade. Participants were asked to respond to a variety of statements reflecting attitudinal factors related to prostitution myths and law enforcement responses to trafficking victims, traffickers, and men who purchase sex (herein referred to as customers). Participants indicated their level of agreement or disagreement with each statement on a 4-point scale with higher values signifying greater levels of agreement with each individual item.

Findings

Results from a series of bivariate statistical analyses indicate several factors to be associated with law enforcement officers' adherence to prostitution myths and support for punitive responses (arrest, incarceration, deportation) to individuals involved in the sex trade (trafficking victims, traffickers, and customers). These include age, length on the force, whether or not the officer had received training pertaining to human trafficking, and experience working a sex trafficking case.

Originality/Value

There has been an overall lack of research consideration given to police attitudes concerning policing the sex trade. This study provides one of the first empirical analyses of Bosnian police officers' attitudes toward prostitutes, victims of trafficking, and sex work, including an exploration of what impact, if any, various factors (e.g., demographics, training/education,

work experience) have on law enforcement officers' attitudes regarding the sex trade in Bosnia.

Keywords

Police, Prostitution, Victims of Trafficking, Bosnia and Herzegovina

About the author(s)

Lisa R. Muftić, PhD is currently an Assistant Professor in the Department of Criminal Justice & Criminology at Georgia State University. She has been selected as a Fulbright Scholar to Bosnia and Herzegovina for the 2012-2013 academic year. Her current research interests are focused on examining the overlap between offending and victimization within interpersonal violence. Relatedly, Prof. Muftić has extensive experience in the areas of violence against women, human trafficking, and international criminal justice issues, with special expertise regarding the situation in Bosnia-Herzegovina. She has conducted field work in Bosnia-Herzegovina related to intimate partner violence, law enforcement responses to sex trafficking in the region, and the impact reformation efforts have had on police attitudes and behaviors. Her published scholarship has appeared in well-respected refereed journals including *Justice Quarterly*, *Crime & Delinquency*, *Violence Against Women*, *Journal of Interpersonal Violence*, *Journal of Family Violence*, *Prison Journal*, and *International Journal of Public Health*.

Panel 5

POLICING AND SECURITY ISSUES

Criminal Investigation in the Slovenian Armed Forces

Iztok Podbregar, Damjan Janežič, Teodora Ivanuša

Purpose

After the examined literature and completed research we can conclude that the investigation, prevention and detection of criminal offenses, which occur in the Slovenian Armed Forces, certainly represent an area that presents an unavoidable challenge to the Ministry of Defense. We can say that we do not see any reasonable arguments to "reasonably" insist on the dualism of investigation of criminal offenses. Criminal offences that occur in the Slovenian Armed Forces and its missions abroad are, in accordance with regulations, investigated by two bodies: Military police and the Criminal Investigation Department of Intelligence and Security Service. Those two services are differently organized, have different powers and different areas of jurisdiction. This raises a key question: "Does it make sense to insist on the dualism of Criminal Investigation in the Ministry of Defense/Slovenian Armed Forces?"

Design/Methods/Approach

Based on theoretical considerations and empirical discoveries of the problem of Criminal Investigation in the Slovenian Armed Forces, a research was conducted using a focused structured interview. The research involved professionals from the State Prosecutor's Office, Judiciary, and Court, police, Military police, Police, Union, and the Advocacies. Research method and target group of interviewees allowed us to test the thesis, while the same study puts forward proposals to resolve the problem.

Findings

It is a fact that the Military Police and the Criminal Investigation Department of Intelligence and Security Service require reorganization and changes to adapt newly created social conditions, in order to increase efficiency, legal certainty, professionalism, economics and operational readiness.

Originality/Value

The results clearly indicate unreasonable duplication of functions, ambiguity of powers and complete absence of systemic thinking, holistic approach, and holistic decision-making, and holistic action. We perceived the problem, defined it and offered some solutions in the field of Criminal Investigation in the Slovenian Armed Forces.

Keywords

criminal offense, investigation, systemic thinking, Slovenian Armed Forces

About the author(s)

Iztok Podbregar, PhD, MSc, Professor of Security Management, Former National Security Advisor of the President of the Republic of Slovenia, former Chief of Defense (CHOD), former Director of the Slovenian Intelligence and Security Agency and in this capacity also the former National Coordinator for Fight against Terrorism and former Secretary of the Slovenian National Security Council. University of Maribor, Faculty of Criminal Justice and Security. Telephone: +386 1 300 8347, Fax: +386 1 230 2687, Email: iztok.podbregar@fvv.uni-mb.si.

Damjan Janežič: I have worked in the 17th Military Police Battalion of the Slovenian Armed Forces since 2000. In 1998 I served military service as a conscript in the Military Police. At the beginning of military career I was doing basic operational tasks of the military police. At this point, I think mostly to work in patrols and participate in securing high important defence installation. In 2001 I enrolled in undergraduate studies at High police security school, which I successfully completed in 2007. While studying in college, I regularly attended military training, especially I would highlight Criminal course at the Police Academy. In 2003, I participated in an international mission in Bosnia and Herzegovina under the MSU SFOR (Multinational Specialized Unit, Stabilization Force). I can say, on a mission I gain experience that elsewhere can not be retrieved. After returning home, I was up in 2007, still worked as a military police officer. With the change of formation in 2008, I appeared to work in the group of criminalists at 17th Military Police Battalion. I was always happy with this type of work, which with my engagement demonstrated the fact that in 2011 I took over the management of the group of criminalists. Still strives to improve the work in the investigation and detection of crime, because this is an area that is a challenge to Ministry of Defense and will not be avoided. After completing undergraduate studies, I enrolled in graduate studies at the Faculty of Criminal Justice. In June 2012 I successfully defended Master's Degree; thesis title is Investigating offenses in the Slovenian Armed Forces.

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Leadership Competencies in Europe: Is There a Difference Between Police and Public Administration?

Emanuel Banutai, Iztok Podbregar

Purpose

The purpose of this article is to explore and compare leadership competence level in police organizations on one hand with public administration organizations on the other

Design/Methods/Approach

Two sets of online questionnaires were used to gather data for a larger study on leadership competencies for change management in European area (in 2008 and 2012). This paper explores the part of leadership competencies in European public administration (sample of 284 public administration managers) and European police organizations (sample of 80 police managers).

Findings

Preliminary results indicate some similarities and differences between both types of organizations. On average, the respondents from police organizations reported mid-levels of their competencies, whereas respondents from public administration organizations reported relatively high levels of their leadership competencies. In general, the highest reported competencies were 'learning and using new technologies', 'understanding, innovating, and changing the organization' and 'emotional intelligence and self-control'. The lowest reported competencies were 'numbers and logic', 'planning and decision-making' and 'multicultural skills'. In paper the implications of these findings are discussed.

Originality/Value

This study explores the correlations among leadership competencies in two very different and yet sometimes similar environments. This scientific contribution will therefore improve the understanding of interplay among various competencies in these organizations.

Keywords

leadership competencies, police, change management, Europe

About the author(s)

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Human Intelligence, Human-Human Intelligence and Open Sources Intelligence - OSINT - Open Source Intelligence

Tatjana Gerginova

Purpose

Intelligence as a specialized part of the state apparatus contributes to the successful functioning of the state apparatus of the inner and outer plane, and its primary purpose is to preserve their own, and also reveal the secrets of other countries. As part of the state apparatus, the same shall provide information and data on political, military and economic conditions in neighboring and other countries. Thus the intelligence service of each nation state and allows expedient to lead foreign policy and matches all kinds of international relationships. For the purpose of disarmament, taking into account previous experience and research, modern intelligence services use different intelligence disciplines. In this paper we will focus on human intelligence - human-human intelligence and intelligence from open sources - human-human intelligence.

Design/Methods/Approach

The contents of this paper to determine the relationship and the relationship between intelligence and security as two inseparable function in achieving social and security development of the modern world. Recalling that the security function of the state and society are connected with the need to obtain information about political and economic, legal and social, health and other mainstream society and development of mankind, the necessity to undertake measures and activities in this direction, it makes sense to pave roads Development Service that achieves intelligence as a specialized service of the state and citizens, and ensuring their safety.

The work of modern intelligence services covers the following activities intelligence activities, counterintelligence activities and subversive activity.

Findings

Intelligence using a human factor HUMINT is the discipline of intelligence information gathering where people use both sides as a gatherer of information and as sources of information. For collection information, it is necessary to know the daily current events such as political, economic, security, cultural and other spheres in the zone of interest and area of performing operations.

Originality/Value

Within this study I confirm the advantages and disadvantages of HUMAN intelligence, as well as the advantages and disadvantages of Open source Intelligence - OSINT.

Keywords

human intelligence, intelligence from open sources

About the author(s)

Tatjana Gerginova PhD, Faculty for security – Skopje, 00389 - 070-279-065, field of rearsch: security; low field, legislation of police officers when police authorization has been applied, the work of intelligence service as well as types of different intelligence disciplines.

Police Cooperation Convention for Southeast Europe: The Role of the PCC SEE Secretariat

Emanuel Banutai, Branko Lobnikar

Purpose

The Police Cooperation Convention for Southeast Europe was signed in 2006 and entered into force the following year. Currently, nine states have adopted the Convention. At the first Committee of Ministers meeting a PCC SEE Secretariat was established, setting its headquarters to Ljubljana, Slovenia. The purpose of this paper is to highlight the role of the Secretariat in the implementation process of the Convention.

Design/Methods/Approach

The paper offers an analysis of literature review and semi-structured interviews, which were conducted with the PCC SEE Secretariat personnel in April 2012.

Findings

The Secretariat became operational in 2008 and its role has grown ever since. It is hosted by DCAF (Geneva Centre for the Democratic Control of Armed Forces) office in Ljubljana. The work is shared among DCAF Ljubljana staff and two liaison officers, who are seconded by two Contracting Parties (Austria and Serbia). Although the necessary financial and human resources are envisaged in the Memorandum of Understanding on Cooperation and Support Regarding the Secretariat, several components are mandatory for a successful implementation of the Convention. Among others, further efforts will have to be invested in (1) capacity building of the Secretariat (financially and HR) and (2) performance capability building of the Contracting Parties.

Originality/Value

This paper addresses the important role the Secretariat has in the implementation process of the Convention. As such it highlights the understanding of police cooperation instruments' development process in Southeast Europe. Findings are useful especially for the general and expert audience in the region.

Keywords

police cooperation, PCC SEE Secretariat, Southeast Europe

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Security Issues Regarding Roma Population in Slovenia

Tina Šuklje, Emanuel Banutai, Branko Lobnikar

Purpose

The paper examines security issues from the Roma point of view. The main purpose of the survey was to examine whether Roma perceive security issues and police work the same way as the general population and the Slovenian Police.

Design/Methods/Approach

Data was obtained by using police statistics, structured interviews with police officers, experts that are dealing with these issues within their working environment and structured interviews with Roma population living in Maribor.

Findings

Results of the survey show some level of preparedness for cooperation and for solving security issues between Roma population and the police. Findings suggest that main problems are: different perspective on community conflicts, poor communication (especially between Roma and general population), mutual racial prejudices and biases, mostly originating from the past ill-treatment by the police.

Research limitations/implications

The survey was conducted only in one region of the Slovenia, the city of Maribor (the second biggest city in Slovenia) and surrounding area. Other Slovenian regions with Roma minority have not been included (yet). The results can be used in developing different approaches providing better communication and cooperation skills between police and Roma population (i.e. community policing skills).

Originality/Value

There are only few scientific and expert papers regarding security issues with Roma population in Slovenia. Therefore this survey represents an added value to this very sensitive research area. Also, this paper represents a rare attempt to deliver a Roma perspective on security issues and policing.

Keywords

Security issues, Roma population, Slovenian Police

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PLENARIES

Globalization of Criminology and Criminal Justice Studies - Central and Eastern European Perspectives

Gorazd Meško

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Political Scandals: The Invisible Hand of Organized Crime

Josip Kregar

Abstract

The corruption scandals in politics are showing that the classical organized crime is interconnected with high politics. The conspicuous consumption and leisure of being rich presuppose the intermediated strata which logistically support the new style. The scandals with orgies (i.e. Berlusconi), illegal collection of art (Sanader), or banking fraud and money laundering cant be done without organized networks and influence on free media and police.

The structure of scandals are based on some unavoidable roles, in which the politicians are just one role, the victims are disperse (victimless crimes) or ignored, and logistical support of criminal is unavoidable.

This is an explanation why the classical measures of police investigation are not effective, and the open government principles are easily and regularly avoided.

The Challenge of Measuring the Risk of Organized Crime in Europe and Beyond

Ernesto U. Savona

Abstract

There is a point on which researchers, policy makers and practitioners agree: the need for reliable criteria for measuring organized crime and its consequences. The more these three components will work together, including also private industries, the less nonsense numbers will fluctuate in the official reports and press. Numbers are very attractive and estimates on the presence of organized crime in a given territory or what is the impact of a criminal activity could be useful beyond the need to attract public opinion to the problem. They are useful for understanding, explaining and comparing different situations and providing the necessary policy and technical remedies. In Europe the discussion has started in the middle of the year 2000 when relevant projects have been launched under the 6th Research Framework Programme. The debate between a top down and a bottom-up methodology has characterized the discussion. Europol is in the process of launching a new SOCTA (Serious Organized Crime Threat Assessment Report) and the EU Commission has launched a second action plan 2011-2015 for measuring crime where Organized Crime and its derivatives could have a relevant role. In the meantime other continents such as Latin America and Caribbean have shown a great interest in the topic of OC measurement. Drawing on the European experience TRANSCRIME, together with the center of Excellence of INEGI/UNODC of Mexico City, has started a long process that moves from a framework for data collection to the definition of key indicators. Some countries have provided data and the process is developing. What are the lessons that Latin America and Europe can learn from these experiences? What could be the active role of Law Enforcement agencies ? and how researchers could speak to policy makers? And how to make policy makers listen to researchers? These and other questions will be addressed by this presentation.

Panel 6

CRIMINAL JUSTICE, SECURITY AND HUMAN RIGHTS

The European Concept and Right to Security

Nina Peršak

Purpose

The purpose of the paper is to identify problems with the idea behind the balancing approach involving liberty or freedom, on one side, and security, on the other, and clarify what the notion of the “right to security” means in the European legal context.

Design/Methods/Approach

In order to examine the European legal concept of security and, in particular, the concept of the right to security, the jurisprudence of the European Court of Human Rights (ECtHR) and of the Court of the European Communities (ECJ) is examined. The comparative method is used to contrast findings with the notions of security in the American legal environment.

Findings

The idea that a balance should be stricken between liberty and security (or that these two should somehow be balanced against each other) when searching for the best policy solutions, turns out to be inappropriate – at least within the European context – for legal as well as criminological/psychological reasons. In light of the legal meaning of the right to security, as interpreted by ECtHR, the balancing metaphor is misguided, as security has no independent life from liberty. Criminologically, it is moreover doubtful whether security (even if conceptualized independently) can in our western culture be sustained at the expense of fundamental freedoms. The reduction of those may have some unpleasant (possibly criminogenic) repercussions.

Originality/Value

The paper dispels the myth of security being opposite to liberty or something to be balanced against liberty, and shows that (and how) the European legal concept of (the right to) security differs from American one. It should be of particular interest to criminologists and criminal-law scholars, as well as those interested in psychology and sociology of law.

Keywords

security, liberty, the right to security, ECtHR, EU, negative right, criminogenic

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The OSCE and Promotion of Human Security

Snežana Nikodinovska - Stefanovska

Purpose

The purpose of this paper is to examine - in the light of the practice and theory of human security since the concept emerged in the 1994 UNDP Human Development Programme - whether or not the Organisation for Security and Cooperation in Europe (OSCE) "does" human security, and if, how a "human security approach" could benefit the organisation. The author emphasize that the OSCE could use the essence of the concept of human security to foster cohesion and to remain innovative.

Design/Methods/Approach

Relevant OSCE's documents will be analyzed in order to examine how s human security is defined in the OSCE context.

Findings

The term human security is seldom used within the OSCE. Anyhow OSCE's understanding of security mirrors human security. The OSCE considers security as comprehensive- reflected in the three dimensions: human, politico-military and economic/ecological. Human security could serve as a bridge which connects these three dimensions. Human security can become a vision around OSCE members may be able to converge more successfully than around the OSCE present thinking in the box of three security dimensions if they are willing to further advance the organisation's original purpose to not only provide stability in the OSCE region but also effectively make people more secure in their everyday lives.

Originality/Value

This article appeals to audience interested in the OSCE as pan-European security organisation and interrelationships between security and human security

Keywords

Organisation for Security and Cooperation in Europe (OSCE), comprehensive security, human security, cooperative security.

About the author(s)

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Compliance of Law and Jurisprudence in Romania with the European Convention of Human Rights

Elena-Mihaela Fodor

Purpose

This paper highlights the status of compliance of the Romanian legislation, jurisprudence and activity of the administrative authorities with the European Convention of Human Rights in situations related to criminal charges.

Design/Methods/Approach

Considering the decisions of the European Court of Human Rights (ECHR) against Romania, the paper identifies the situations where such decisions lead to a change of relevant legislation. Also, Romanian jurisprudence, including decisions of the Constitutional Court of Romania, is evaluated in order to conclude how relevant decisions of the European Court of Human Law, in the field of criminal law, were applied in order to protect the rights mentioned in the Convention.

Findings

In numerous situations legislation improved as a consequence of decisions of the European Court of Human Rights. In the cause *Masini vs. Romania* (2000) the problem of the impartiality of military tribunals was roused and a breach of art. 6 par. (1) was found. Legislation was modified by Law No. 247/2005. In the case of *Vasilescu vs. Romania* (1998) the Court also found a breach of art. 6 par. (1) for a lack of independence and impartiality of the prosecutors due to their hierarchic subordination. The situation was remedied by Law No. 281/2003. Following the decision in the case *Albina vs. Romania* (2000) that condemned Romania for breaching the right to a fair trial by failure to state reason in a court decision, jurisprudence constantly adopted the solution of quashing the decision with referring the file to the court that failed to state reason, and since 2006 the dispositions of the Criminal Procedure Code were modified accordingly. Other decisions of ECHR that condemned Romania for breaching the right to a fair trial concerned the reasonable time, the predictability of law, the presumption of innocence, the right of defence. New jurisprudence was created after the cause *Anghel vs. Romania* (2007) concerning the autonomous notion of "criminal charge". Other situations connected with criminal charges, where following the breaches found by ECHR the protection of rights was improved, referred to art. 8, and art. 10. Recently, a breach of art. 2 was found due to the fact that the file concerning social riots from 1991, leading to the death of two persons, was not yet finalised. Following the

reasoning of the ECHR decision, the Criminal Code was modified so that in case of the death of the victim there is no time limitation for criminal responsibility. Less was made in order to improve the conduct of police or detention conditions, as mentality, education and economic situation are involved.

Originality/Value

Although studies have been made on particular decisions of the European Court of Human Rights, no general evaluation of the influence of the decisions of the European Court for Human Rights upon the evolution and the current status of Romanian legislation and jurisprudence, in the field of criminal law, was made.

Keywords

Romanian legislation, Romanian jurisprudence, criminal charge, protection of rights.

About the author(s)

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International Criminal Cooperation, Extradition and Surrender Procedures – Modern Trends and Problems

Miha Šepec

Purpose

International cooperation is an extremely important element of criminal prosecution of offences with international elements. Time when each country praised its own criminal repression and avoided extradition, surrender and cooperation with other countries has long past. Today international cooperation in Europe is at its peak and includes extradition and surrender procedures of criminal suspects, defendants and those accused of a criminal offence. Although international cooperation and unification of procedural regulations is welcome and an important element in the prosecution of international crimes, there are also dilemmas regarding the excessive uniformity of rules - especially when acts that safeguard human rights are adjusted on account of “effective and fast” cooperation. Both procedures are internationally regulated – countries have realized, that managing such complex issues requires a more permanent solutions than bilateral agreements. Extradition is regulated with the European Convention on Extradition, while surrender procedures are regulated with the European Union Council Framework Decision on the European arrest warrant. Extradition and surrender procedures are in way similar but also very different institutes of international criminal cooperation. It is the purpose of this presentation to explain the history, modern trends and possible problems that both procedures present in today’s criminal law cooperation in the countries of Central and Eastern Europe.

Design/Methods/Approach

The article is theoretical and practical in nature. Deductive, inductive and systematic methods of research are used to define the trends and problems of extradition and surrender procedures. Comparative method is used to determine regulation restrictions and legal practice in other European countries.

Findings

Extradition procedure is a politically based cooperation, while surrender procedure is more of a judicial cooperation. Extradition procedures are slow, complex, ineffective but offer more legal guarantees to the suspect/defendant/accused, while surrender procedures are fast, effective, based on the principle of trust and mutual recognition between countries of European Union, but offer less legal guarantees.

Research limitations/implications

Findings in the paper are important to law enforcement agents and judges. The article presents basic two approaches to criminal law cooperation regarding transfers of persons between countries. It also points out the basic dilemmas that both procedures present in today's law practice and solutions on how to avoid these problems.

Originality/Value

Is in the concerns that we present regarding both procedures. Institutions responsible for extradition or surrender procedures should take our concern into considerations when they initiate or have to respond to an extradition or surrender demand or proposal.

Keywords

Criminal cooperation, Extradition, Surrender, European Convention on Extradition, Framework Decision on the European arrest warrant and the surrender procedures between Member States, Criminal procedural law.

About the author(s)

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Crime Prevention Through Environmental Design (CPTED) in Cooperation with Government and Private Security Agencies in the Role of Open-Source Intelligence (OSINT) to Assist the Economy

Darko Prašiček, Tomaž Čas

Purpose

The Republic of Slovenia is obliged to provide for the security of its citizens. The rising rate of crime reduces the quality of life and increases the financial and material costs borne by all citizens. Primarily the police and other government agencies are responsible for providing security. Because security has become a material good, private security agencies also play an important role in providing security, particularly in the corporate sector. The role of economic organisations that provide for the security of citizens in a broader sense (e.g. socially and in terms of healthcare) cannot be overlooked. Government agencies, private security agencies and economic organisations can work together as partners in CPTED to reduce costs.

Design/Methods/Approach

The applied method involves the analysis of scientific literature, international research, reports on the work of the Slovenian Police, laws and decrees. In their analysis, the authors also used findings based on their own experiences and specific forms of police cooperation to illustrate by example the partnership between the police, private security agencies, administrative units and economic organizations.

Findings

CPTED is not yet widely applied in Slovenia and represents a challenge to the partnership between the police, private security agencies and other government agencies, and to the development of the economy. The research is limited to current state of CPTED partnership in Slovenia as a form of collecting OSINT for the more effective prevention of crime, and as an opportunity for economic development.

Originality/Value

This problem has not been addressed comprehensively in Slovenian literature. A possible method for the more successful functioning of CPTED is presented, while suggestions for further development and work in this area, which is treated separately in Slovenia, are also given.

Keywords

crime prevention, private security, situational prevention, intelligence, open sources, Slovenian Police

About the author(s)

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Panel 7

CRIMINAL INVESTIGATION I

How to Estimate Temporal Patterns of Aoristic Crime (Research Paper)

Matthew Ashby, Kate Bowers

Purpose

Aoristic crimes are offences that happen at a time unknown to the police or the victim, such as residential burglary or theft of metal. This research tested the accuracy of various methods previously proposed (and one new method) for estimating peak offence times for aoristic crimes.

Design/Methods/Approach

Actual offence times were determined from investigation records for 303 thefts of pedal cycles from railway stations. Most of the offence times were identified using closed-circuit television recordings. The resulting temporal distribution was compared against commonly-used estimated distributions using various circular-statistical methods and analysis of residuals.

Findings

Aoristic analysis (which probabilistically spreads crimes across their potential offence time windows) and allocation of a random time to each offence allow accurate estimation of peak offence times for aoristic crimes. At present, many crime analysts do not use these methods and instead assign offence times to aoristic crimes according to arbitrary rules, for example by assuming that each crime happened at the time the victim discovered the stolen property to be missing. This research found that methods based on such assumptions are inaccurate and produce misleading results.

Originality/Value

Many crimes are aoristic, but this research question has not previously been tackled because it is by definition not usually possible to determine actual offence times for aoristic crimes. Police crime analysts use several different methods to estimate when these offences occur, but prior to this research there was no evidence about whether any of these methods produced accurate results. This research showed that several commonly-used methods were inaccurate and likely to produce misleading results that could lead to crime prevention efforts being ineffective.

Keywords

temporal crime analysis, aoristic analysis, temporal accuracy, peak offence times

About the author(s)

Matthew Ashby is a research student at the UCL Security Science Doctoral Research Training Centre. He is a former police officer and police intelligence researcher. He has a BA in Politics with International Studies and an MSc in Crime Science. He is currently working on a project to reduce the disruption caused by deaths on railway lines. Contact matthew.ashby.09@ucl.ac.uk or telephone +44 7779 129 445

Dr **Kate Bowers** is a Reader in Crime Science in the UCL Department of Security and Crime Science (Jill Dando Institute) and has worked in the field of environmental criminology for over fifteen years. Her research applies quantitative methods to crime analysis and to studies of crime prevention. Her previous work includes examining spatial and temporal patterns in crime, evaluating the effectiveness of crime prevention schemes and investigating business crime. Contact k.bowers@ucl.ac.uk.

The Particularities in Proving Child Sexual Abuse

Danijela Frangež, Darko Maver

Purpose

The purpose of this paper is to present the particularities in proving child sexual abuse.

Design/Methods/Approach

The paper is based on the research on child sexual abuse in Slovenia. The data were collected with the review of police, prosecution and court records for the year 2003, and conducted focus group interview with prosecutors and criminal investigators of child sexual abuse.

Findings

Sexual violence against children is a problem of society and of individuals. In spite of modern society's growing detection sensitivity to child sexual abuse, children are still often victims of such criminal offenses, as stereotypes and myths concerning child sexual abuse that tend to alleviate offenders' responsibility while placing the blame on the victim still play an important role and also obstruct adequate evidence detection and collection. In criminal proceedings, it is important to determine credibility of the victim's testimony because in most cases material evidence is not present. The reasons for a lack of evidence lie primarily in the fact that such offenses are not reported immediately after the abuse and that the great majority of them occur within closed sites of domestic settings which additionally obstruct evidence detection and collection. However, the research indicated that the expertise and expert witnesses' solid testimony in court did prove to bear important impact on the trial outcome, especially in the cases where no other evidence is available and when it is necessary to determine whether the child was sexually abused or not. Also important is the persistence of judges, as they have the responsibility to examine the various opinions of experts, victims, defendants, and others, and to provide a high quality service even in the cases that last several years.

Research limitations/implications

The study limitations were mainly the lack of data in some police, prosecution and court records and the absence of judges in the focus group interview.

Practical implications

This survey is the first study (to authors' knowledge) on proving the child sexual abuse in Slovenia as also abroad such studies are very rare. This study, therefore, is an important contribution to the new findings in criminal investigations as a science

Originality/Value

The paper attempts to provide information of proving child sexual abuse. It may be useful for practice and for the entire criminal justice system as to academics interested in gaining some knowledge about child sexual abuse.

Keywords

child sexual abuse, evidence, evidence collection, evidence detection, proving, criminal investigation

About the author(s)

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Coping with the Atrocities of Crime Scenes

Tinkara Pavšič Mrevlje

Purpose

The paper presents coping strategies used by Slovene crime scene technicians when dealing with emotionally difficult crime scenes. At the end some approaches for improvement of coping strategies are discussed.

Design/Methods/Approach

The data for this study were gathered from 64 crime scene technicians in eleven Police Directorates in Slovenia in the year 2010 and 2011. CRI - Coping responses inventory (Moos, 1993) was used to assess coping strategies. The inventory was applied in a group setting.

Findings

Results show that crime scene technicians rely more on avoidance coping when confronted with emotionally disturbing work situations. Approach coping is used less often, also in comparison to the normative group of adults. Approach strategies, however, are used more frequently, if crime scene technicians have already experienced similar situations, when there was time to get ready for the specific crime scene situation, if they perceived the task as a challenge and not as a threat, and when the situation has been resolved, especially in a positive way.

Research limitations/implications

Even though coping strategies are often related to personality characteristics and functioning, training of police officers/crime scene technicians that prepares them for the possible work situations can enhance the use of more adequate and long-term effective strategies for dealing with stressful work tasks.

Originality/Value

The paper gives an overview of coping skills of Slovene crime scene technicians. Research findings show possible directions for improving effective coping strategies and thereby emphasize an important element of (traumatic) stress prevention.

Keywords

coping strategies, police, crime scene technicians, traumatic stress

About the author(s)

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Inter – Institutional Cooperation in the Research Process of the Economic – Financial Criminality in Macedonia

Svetlana Nikoloska

Purpose

Investigation of economic - financial crime is a complex problem because it involves more state authorities who have police powers, and has their contribution for financial intelligence for tracing criminal proceeds from economic - financial crimes. Cooperation, coordination, exchange of information is a prerequisite for full investigation of criminal cases by providing compelling evidence for criminal acts, perpetrators, unlawful acquired proceeds and the organization in performing criminal acts in criminal case. The public prosecutor with the new changes to the law of criminal procedure in Macedonia should has a central role in planning and organizing the investigation and to coordinate all measures and activities in pre-trial and pretrial proceedings with the goal of providing qualitative evidence that will be substantiated charges against perpetrators in hereafter criminal proceedings. In this paper will be an analysis of the legal responsibilities and the amount of cooperation, coordination, communication and responsibility for taking measures and actions in the process of researching the economic - financial crime for the purpose of clarification of the more current criminal cases of organized economic - financial crime.

Design/Methods/Approach

The paper will be systematized into five sections as follows: 1. defining economic – financial criminality, emergent forms, analysis of scale, structure and dynamics for the period 2007 - 2011 in the Republic of Macedonia; 2. Directly responsible authorities - law enforcement and indirectly responsible authorities and institutions, the principle of cooperation, coordination and exchange of information, 3. Analysis of research data on the extent and success of cooperation obtained through statistical analysis reported, accused and convicted offenders for economic - financial crimes and analysis of practical cases, 4. Conclusions and suggestions and 5. References.

Findings

By studying the legal responsibilities and process cooperate directly and indirectly relevant competent authorities and ways of cooperation, coordination and exchange of information obtained indicators for the success of inter-institutional collaboration and providing recommendations for improvement.

Research limitations/implications

To study the willingness of the public prosecutor to take the lead role in the research process and recognizing the possible weaknesses and find solutions for further cooperation to a coordinated approach to work and investigation of criminal cases in full disclosure, clarification and proof of overall criminal activity which should be completed with quality criminal proceedings and a final court decision that will be confiscated criminal proceeds and assets the acquired by the perpetrators and the persons who transported over ownership of a suspicious manner.

Originality/Value

It is an original paper which presents a research project which will be applied more research methods and analysis of laws, statistical and comparative method, content analysis etc.

Keywords

inter – institutional cooperation, law enforcement, indirectly responsible authorities and institutions, economic - financial criminality, investigation, confiscation.

About the author(s)

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Issues in International Security While Investigating War Crimes and Crimes Against Humanity

John Robert Cencich

Purpose

This paper examines the collateral yet important issues of international security while investigating war crimes and crimes against humanity.

Design/Methods/Approach

Participant observation utilizing: direct observation; participation; and collective discussions while undertaking international war crimes investigations over a four year period.

Findings

A number of major threats were identified, which pose serious complications for war crimes investigators, witnesses, and the integrity of the evidence. These threats include landmines and booby traps; kidnapping; extortion; corrupt or politically motivated police officials; foreign intelligence services and human intelligence (HUMINT); elements of organized crime, terrorists, and other non-state actors; planted evidence; interpreters working as “double agents”; ordinary crime; sexual assaults; inclement weather and natural disasters; civil disturbances; and fires and random acts of violence. Recommendations include pre-mission intelligence; risk and threat assessments; witness protection; behavioural analysis of violent crime; operational or warning orders; logistics; communications; escape plans; defensive and offensive measures; counterintelligence, technical countermeasures, and counter-surveillance; medical and police route surveys; hotel surveys; target hardening; avoiding arrest; emergency first aid; communications security (COMSEC); operational security (OPSEC); and diplomatic measures and immunity. Moreover, policy issues involve notification to sovereign states; working with national law enforcement agencies and intelligence services; the assignment of personnel; familiarity with languages and customs; backgrounds of investigators and other field staff; duties of the mission leader; multidisciplinary approaches to security; communications equipment and tracking devices such as GPS; and overall training before undertaking investigative assignments that can have disastrous effects both on the integrity of the case and the safety and security of personnel.

Originality/Value

The paper is relevant not only for investigators who work in international venues but also to national investigators who pursue evidence under the notion of extra-territorial or universal

jurisdiction. With the expansion of international criminal justice—administrators, policy makers, NGO staff members, and academics will find the topic timely and benefit from the presentation and the recommendations contained therein.

Keywords

war crimes; crimes against humanity; international security; witness protection; investigator

About the author(s)

The author is a former international war crimes investigator with the United Nations War Crimes Tribunal at The Hague, Netherlands who led the investigation of Slobodan Milošević and 15 co-perpetrators for war crimes and crimes against humanity that were committed throughout Croatia. A retired special agent with the State of Virginia and the U.S. Air Force Office of Special Investigations, past appointments include the Organized Crime Committee of the International Association of Chiefs of Police. John Robert Cencich, J.S.D. Professor and Director Pennsylvania Institute for Criminological & Forensic Sciences California University of Pennsylvania 250 University Avenue, Box 91 California, PA 15419 USA Tel +1 724.938.4066 Fax+1 724.938.5712 Email: Cencich@calu.edu.

RESEARCH PROJECT MEETING

Fear of Crime, Punitivity and Legitimacy in Slovenia and Russia

Gorazd Meško

Discussants

Gorazd Meško, Gleb Bogush, Igor Bernik, Matevž Bren, Bojan Tičar, Maja Jere, Katja Eman, Darya Lopashenko, Maria Filatova, Nikita Alenin, Aleksandr Maguza, Anastasia Pobegailo.

Keywords

legitimacy, punitivity, fear of crime

About the author(s)

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Panel 8

ORGANISED CRIME

Operations of the Albanian Mafia in the Republic of Macedonia

Aleksandar Ilievski

Purpose

In this paper I will elaborate in more details the scope, vision and modus operandi of the Albanian mafia in human trafficking, illegal arms and drugs trade in Europe, especially in Macedonia, a country that is considered one of the home countries of the Albanian mafia. Moreover, I would prove the thesis that the NLA (as causers of the conflict in Macedonia in 2001) has direct links with the Albanian mafia and represents their "paramilitary wing". I will eventually elaborate the transformation of the NLA into the Albanian party DUI, which since the conflict has been the largest Albanian party in Macedonia and is a long-time partner in the coalition Government of RM.

Design/Methods/Approach

The application of the method of analyzing the existing literature which is subject to certain research is inevitable for this kind of research. In addition to this I will use some statistical data to accentuate the participation of Albanians in organized crime in Macedonia. I will also analyze some published interviews to establish the opinion of experts in the field of security, and in addition to that I will personally interview several people who have extensive experience in the fight against organized crime in Macedonia. Most of the facts will be verified with several examples.

Findings

Albanian mafia nowadays represents a threat to the entire world because of their rapid and sustainable development, and their ability and desire to have bigger and safer "business territory". According to the International reports Albanian mafia was ranked first in Europe, and Albania, Kosovo and Macedonia were indicated as their home countries, i.e. countries with the biggest percentage of ethnic Albanians. With my research I would like to point out the actual condition regarding the impact of the Albanian mafia in Macedonia and I will establish the need of more rigorous treatment of and dealing with this mafia, both in Macedonia and throughout Europe.

Originality/Value

Despite the fact that the research regarding the operations of the Albanian mafia in Macedonia is crucial for the security in the region, there is hardly any research made in this field. This research would accentuate the actual state of operation of the Albanian mafia in

several aspects, as well as their future vision and it could help significantly in taking measures to combat crime caused by the mafia.

Keywords

Organized crime, Albanian mafia, human trafficking, National liberation army (NLA), Democratic Union for Integration (DUI), drug trafficking, illegal arms trade.

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Witness Protection Program in Bosnia and Herzegovina in the Cases of Organised Crime

Adnan Jusufspahić

Purpose

Organized crime on the territory of Bosnia and Herzegovina, the history of development of crime organizations, variety and scale of criminal activities (high level cases) and their connection to other crime organizations outside borders of Bosnia and Herzegovina. Presenting Witness protection program in Bosnia and Herzegovina in criminal acts of organized crime; conditions for meeting requirements for starting the Witness Protection program, responsibilities of participants of the program in regard with understanding the Program, relocation and identity change of the subjects to the program. Presenting and explaining the institution of Witness protection program- it's model in Bosnia and Herzegovina, comparative analysis on examples from USA and Italy; States role in financing of the Program; meaning of international cooperation and development of international network of Agencies for implementing Witness protection program. The significance and the role of the Witness Protection Unit, relevance of conducting the Witness protection act; process of selection and training of employees in the Unit, as well as other police agencies. Proposition of new solutions „de lege ferenda“ in the Witness protection act in Bosnia and Herzegovina; notion of witness - collaborator of justice; practical experiences, achievements and challenges in this extremely important field in our future.

Design/Methods/Approach

During the presentation the author will use scientific methods of analysis, comparative methods, study analysis of specific verdicts from Jurisdiction of Bosnia and Herzegovina, as well as quantitative and qualitative research.

Findings

Validity based upon overall scientific research and years long practices with the goal to determine the growing presence of organized crime in Bosnia and Herzegovina, and to determine whether its presence is so great as to pose a real treat to the modern principles of democratic society. Presenting the active role of the Witness protection Program as a relevant mechanism for opposing organized crime today, as well as creating corporate national strategy in fighting this kind of crime. Experiences and achievements of this mechanism in Bosnia and Herzegovina till the present; justification of existence in domestic legislature for criminal proceedings when other methods are insufficient to provide

necessary security for the witness and his unobstructed testimony. Importance of international relocation and identity change of the witness, situation and the role of the protected witness (cruciality, reliability and voluntarily) in criminal cases of organized crime of Jurisdiction of Bosnia and Herzegovina.

Originality/Value

Organized crime is a field that has not been fully researched in Bosnia and Herzegovina as a young democratic society in Southeast Europe, and it should be subject to scientific and empiric expertise, and the goal is to have a unique national strategy in fighting crime, which was not a case before. Witness protection program as a new institution in field of criminal procedure law, but not the only one, it should be the primary carrier of unique counteract against organized crime in Bosnia and Herzegovina as well as the rest of the world. Model in Bosnia and Herzegovina as a meaningful factor in international surrounding, its example as active participant, participation and contribution for protection of future protected witnesses and their unobstructed testimonies in criminal proceedings.

Keywords

Organised crime, Witness protection program, witness, collaborator of justice, organised criminal groups, criminal networks.

About the author(s)

Adnan Jusufspahić, Mr.sci., investigator at the SIPA - Ministry of Security Bosnia and Herzegovina, work experience in specialist field as crime investigation, trans-border crimes and forensics, academic degree at the Faculty of Law - Master's Thesis „Organised crime in Bosnia and Hercegovina“. The views expressed in this presentation are this author and do not necessarily reflect the position or policy of the SIPA.

Republic of Macedonia as a Transit Country for the Illegal Trafficking in the „Balkan Route“

Zlate Dimovski, Ice Ilijevski, Kire Babanoski

Purpose

This paper aims to give an empirical overview of the illegal trafficking with human beings, drugs and weapons in the Republic of Macedonia and its involvement in transnational crime within the "Balkan route".

Design/Methods/Approach

In the paper, qualitative-quantitative approach will be used; method of analysis of scientific literature, academic publications and scientific papers from this area and statistical method - statistical analysis and interpretation of data on committed crimes and the perpetrators of illegal trafficking (with national and international elements).

Findings

The scope and structure of this crime in the Republic of Macedonia and its international character will be seen through empirical data and discussions.

Research limitations/implications

Difficulties in the study of the transit position of the Republic of Macedonia within "Balkan route" in terms of illegal trafficking are related to the limitations to reveal the dark figure in this type of crime. So, for the purposes of this paper that would be based only on scientific expertise and expert estimates and prognosis.

Practical implications

The practical aim of the paper is to enable the prevention of the transnational illegal trafficking in the Republic of Macedonia as a transit country and its exclusion from the "Balkan route".

Originality/Value

The conclusions which will arise from this paper should contribute to creating and updating of the national strategy and optimal measures in combating trafficking in Macedonia by the law enforcement agencies, thereby preventing the transit of criminality from the Middle East, through Macedonian territory, into the Western countries.

Keywords

illegal trafficking, „Balkan route“, Republic of Macedonia, transit

About the author(s)

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Motor Vehicles Thefts in Bosnia and Herzegovina- Are They so Organized?

Eldan Mujanović, Darko Datzler, Irma Deljkić

Purpose

This paper is dealing with the issue of motor vehicle thefts in Bosnia and Herzegovina, and it is focusing on offenders perspective, through analysis of their organization and interpersonal relations which can be mainly described as affective or instrumental.

Design/Methods/Approach

At the first stage of analysis official police and judicial statistics is used to examine how current practice is responding to the general assumption about high level of organization of motor vehicle theft offenders. Next level of examinations uses responses from 150 senior police investigators from 20 police agencies in Bosnia and Herzegovina in order to evaluate their experiences and perceptions on issue of motor vehicle thefts as serious form of organized crime.

Findings

Motor vehicle thefts are perceived as major criminal threat in recent past and they are highly connected with the increased fear of crime in larger urban areas in Bosnia and Herzegovina. At the same time, policy interventions, police and judicial reactions are mostly treating it as ordinary form of property crime. Findings from this research are suggesting that police investigators consider motor vehicle thefts in Bosnia and Herzegovina as very organized criminal enterprise, which is supported by their perceptions of strong affective connections and relations within some criminal groups who were involved in this „business“.

Research limitations/implications

Despite the fact that this paper offers a novelty in the field of understanding of motor vehicle thefts in Bosnia and Herzegovina, it is still unilaterally oriented. For comprehensive understanding of offenders relations in committing of motor vehicle thefts it is necessary to have insider perspective from real offenders perspective. However, results from this research can be useful in way that official reaction to this problem have to accept that motor vehicle thefts can be very serious organized crime problem just like any other form of lucrative criminal activity.

Originality/Value

The intention of this paper is to contribute to the criminal network analysis in the area of motor vehicle thefts in Bosnia and Herzegovina. Most of the published work about motor

vehicle thefts is still oriented on official statistics analysis and presentations on broad public opinion of motor vehicle theft offenders as highly sophisticated experts which are necessary part of organized crime. Originality of this paper is that it uses very reliable data from representative sample of highly experienced police investigators who provided very useful information on how criminal groups are operating while committing thefts of motor vehicles and how their interpersonal relations are connected with the nature of crime itself.

Keywords

Motor Vehicle Thefts, Offenders Perspective, Criminal Networks.

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Prevention of Sex Trafficking in Bosnia and Herzegovina

Haris Halilović, Nedžad Korajlić

Purpose

In this paper scope, characteristics and causes of sex trafficking in women are analyzed. The author is presenting detailed analysis of the international standards and recent activities of different international organizations (UN, Council of Europe, European Community, OSCE), concerning prevention of trafficking in human beings, regulation of foreign migrants' status and protection of victims of trafficking. Starting from the analysis of international documents and national legislations dealing with migration and prostitution, the author is proposing changes of existing domestic laws concerning movement and residence of foreigners. In the conclusion, the author points out the importance of data exposed in this paper for building efficient system of struggle against as well as prevention of trafficking of human beings in general, and, of sex trafficking in women, in particular.

Keywords

trafficking in women, legislation, international standards, protection of victims of trafficking.

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Panel 9

JUVENILE JUSTICE

Criminal Proceedings of Juveniles in Selected European Union Countries

Eva Žatecká

Purpose

This paper examines the criminal proceedings of juveniles in selected countries of EU to point out the differences and similarities which can be useful in criminal cooperation between states. The purpose of which will be to find out whether these legal orders comply with the EU law in particular in the field of harmonization and reciprocal recognition and whether they include a specialized regulation of juveniles.

Design/Methods/Approach

critical analysis of theoretical grounds of legal regulations, reflection of ascertained theoretical grounds in the national application practice by critical analysis of judgements of the national courts and the European Court of Justice, the European Court of Human Rights and partial comparison with selected foreign legal regulations

Findings

Explaining of the diversity of legal regulations of juveniles in selected countries of EU, their strengths and weaknesses. Thanks to such finding, it will be possible to propose de lege ferenda suggestions of possible harmonization of criminal law of juveniles.

Originality/Value

There are not many researches about juveniles towards the cooperation in criminal matters; usually the research focus just on adult's offenders. In this aspect is the paper original.

Keywords

criminal procedure, international cooperation, harmonization, the principle of mutual recognition, juveniles, the right to a fair trial, the right of defense, the right to information, the right to interpretation and translation, Lisbon treaty.

About the author(s)

JUDr. **Eva Žatecká**, Ph.D., senior lecturer at Masaryk University, Faculty of Law, Department of Criminal Law, Czech Republic. The author focuses on juvenile justice, domestic violence issues and international cooperation in criminal matters. She published few papers concerning criminal law and procedure aspects. The English ones are: ŽATECKÁ, Eva. Criminal Procedure: Decision -making in the European Court of Justice and its Impacts on Procedural Criminal Law. In One or Many? The Law and Structure of the European Union and United

States. 1. vyd. Rock Island, IL : East Hall Press, 2011. Neuvoden, ISBN 978 -1 -878326 -20 -1, s. 197 -198. ŽATECKÁ, Eva. European Arrest Warrant from the Viewpoint of Czech Criminal Law. In Knez, Rozehnalová, Týč a kol. Five Yers of EU Membership Case of Czech Republic and Slovenian Law. Vyd. 1. Maribor : University of Maribor, 2009. Nr. 1, ISBN 961 -6399 -58 -6, s. 187 -196.

Juvenile Justice System in Iran: Past, Present and Future.

Maryam Abachi

Purpose

The purpose of this research is to present the situation of juvenile delinquencies in Iran's legal system. This paper examines the challenges and conflicts over the customary laws, Sharia, judicial practice, social rules and international obligations on one hand, and to illustrate the new opportunities in the new penal code (2012) on the other.

Design/Methods/Approach

This research will analyze the different theories, different laws and regulations and different practices that exist about juvenile delinquency in Iran.

Findings

1-The basis of Iranian criminal justice system has been changed after the 1978 Revolution and juvenile delinquency Act (1959) was abolished. According to article 49 of the current penal code: Minors, if committing an offence, are exempted from criminal responsibility. Their correction is the responsibility of their guardians or, if the court decides by a center for correction of minors. In this article the minor is defined as a person who has not reached the age of maturity as stipulated by Islamic Jurisprudence and according to article 1021 of civil code: Age of maturity for girls is 9 and for boys is 15 years old. Therefore, there is no transitional period between irresponsibility and responsibility of a child because this age has been determined strictly without any minimum and maximum. It means that either the subjects of criminal law are child (under the ages mentioned above) and without any criminal responsibility, or they are adult (upper the ages mentioned above) with full criminal responsibility. In Iranian legal system the diminished responsibility has not been accepted by legislature.

2- The Convention on the Rights of the Child was signed by the representative of the Government of the Islamic Republic of Iran on 5 September 1991 and was ratified in March 1994 by the parliament on a "reservation" basis. Iran has reserved the right not to apply any provisions or articles of the Convention that may be in contravention with domestic laws and Islamic standards. In cases where domestic laws strongly differ from the articles of the Convention, they could be revised, provided that they do not contradict the principles of the Shari'a (Islamic rules and laws). Therefore, Islamic republic of Iran is obliged to submit regular reports to the Committee on the rights of the child, on how the rights are being implemented

every five years. The Committee examines the report and addresses its concerns and recommendations to the State party in the form of “concluding observations”.

3- During the recent years some attempts have been made under the “Convention on the Rights of the Child” and social rules as well. The Juvenile Justice Bill was drafted, approved in the Cabinet and sent to the Parliament in March 2005, but finally the Juvenile Justice Bill was broken down into two sections by Parliament: Substantive and procedural criminal law. The articles relating to the substantive criminal law including the definition of criminal responsibility and sentencing of juvenile delinquents have been merged and added to the new Islamic Penal Code, and the articles relating to the procedural criminal law will be merged and added in the procedural criminal bill as well, so it means we will not have any special Act for juvenile delinquents in our legal system. Once the new penal code is signed by the president and published in the official gazette, it will officially replace the current penal code.

4- The new penal code is an improvement over the previous penal code in some aspects. In this Act, in the flexible crimes and punishments (Tazir), children are divided to 9 till 15 and 15 till 18 years old and the legislature considers some alternative punishments or mediatory techniques for each category. But in the fixed crimes and punishments (Hudod, Qisas and Diyat) the age of criminal responsibility has not changed (9 years old for girls and 15 years old for boys) and there is no difference between adults and children unless the judges determine the juvenile did not have the requisite mental maturity, that is an option for judges (discretion). Nevertheless, there are many conflicts in the content of some articles concerning juvenile delinquents because the legislature has been influenced by Shari'a on the one hand and international obligation on the other.

Originality/Value

To present the new opportunities and new solutions in the new penal code (2012) which will officially replace the current penal code in near future, in Iran.

Keywords

Juvenile Justice, Criminal Responsibility, Differential Criminal Policy, Criminal Responses, Sharia, Convention on the Rights of the Child, Iran's Penal Code.

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Publications: Books: (1) Juvenile Justice System in UN Instruments, Published by Majd, First edition, 2001, Second edition with new amendments and attachments, 2009; (2) Child's Rights –Articles-, UNESCO Chair for Human Rights, Peace and Democracy, Shahid Beheshti University, published by Sana, 2009. Chapter: (1) National Report on Youth Situation in Iran, (International Instruments), National Youth Organization, No. 10, 2003; (2) Articles: Author of several professional articles in some Iranian professional journals.

Juvenile Sanctions in the Republic of Croatia

Lana Milivojević Antoliš

Purpose

This paper examines juvenile sanctions in the Republic of Croatia and its relevant statistics.

Design/Methods/Approach

Descriptive method is used to present the legal provisions related to juvenile sanctions and the statistical method is used for analysis of their occurrence based on relevant statistic data for the selected period of time.

Findings

Juvenile Courts Act provides a few juvenile sanctions. Educational measures are dominant, unlike penalties that are much less in the application. Purpose of punishment is not primarily to punish a young offenders but to correct their wrong behavior.

Research limitations/implications

Research limitations are based on availability of relevant statistics.

Practical implications

In the Republic of Croatia the Juvenile Courts Act (Official Gazette No 84/2011), prescribes provisions for young offenders (juveniles and young adults) in a substantive criminal law and also, among other provisions, provisions on sanctions and their info

Originality/Value

The work is a unique study of juvenile sanctions in the Republic of Croatia which are prescribed in the new Juvenile Court Act from 2011. It also contains recent statistical data that are not previously presented in earlier papers of other authors who have discussed juvenile criminal law.

Keywords

penal law, juveniles, Juvenile Courts Act, sanctions, measures, statistic data

About the author(s)

Ph.D. **Lana Milivojević Antoliš** was born in 1977 in Zagreb (Croatia). On the Faculty of Law in Zagreb she graduated 2001. She gained her master's degree in criminal law at the Faculty of Law in Zagreb in January 2007 ("Terrorism as a Crime Against Humanity"). In October 2011 she gained her PhD at the Faculty of Law in Zagreb ("Fine in Croatian and in Comparative

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Implementation of Alternative Measures for „Youth in Conflict with the Law” in Bosnia and Herzegovina

Elmedin Muratbegović

Purpose

As a response to the growing problem of youth crime a concept of the so-called 'restorative justice' has emerged over the recent decades in the international public, but also in the legislation of a great number of countries worldwide. This paper examines what the practice, where the problems are and what can be done to improve the practice, real and potential problems encountered in the application of alternative measures for juveniles in conflict with law in Bosnia and Herzegovina.

Design/Methods/Approach

For this purpose, a focus group interviewing was conducted within four categories of respondents in the two largest cities of Bosnia and Herzegovina. Bearing in mind the objectives of the research, it is quite clear that the data was supposed to be collected from different categories of lay and professional community, which, each category in its own respective way, participated in the imposition, monitoring and reporting with respect of educational recommendations. The research included 9 judicial officials, 10 police officials, 11 staff members of social welfare authorities, 16 responsible persons in various schools, 70 representatives of the parents' school councils, 65 students and 10 members of NGO staff.

Findings

The main findings suggest that a general conclusion can be drawn that the opinions of respondents about the concept of corrective recommendations are divided. From the point of view of the professional community (judicial officials, police officials and employees in social welfare authorities), we can conclude that they are familiar with the concept and that they approved it in principle. At the level of practical application of alternative measures, however, it can be concluded that the respondents in these categories at the alternative measures are applied hardly ever or never. The main reasons for the lack of this application can be classified into three groups – legal, organizational and operational-practical.

Research limitations/implications

The most serious objection that can be raised with regard to this paper is the application of the focus group interview as the only data collection technique

Originality/Value

This paper has made it clear that the time has come in Bosnia and Herzegovina to pay more attention to juvenile offenders through rehabilitation and treatment, rather than through severe punishment, because the current practice shows that the practices used so far have not yielded the desired results.

Keywords

Bosnia and Herzegovina, Youth, Alternative measures, Rehabilitation, Treatment

About the author(s)

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Parental Monitoring and Family Attachment – Discriminant Analysis of Primary and High School Samples of the Study of Parental Monitoring and Adolescent Delinquency

Eva Bertok, Gorazd Meško, Peter Umek, Matevž Bren

Design/Methods/Approach

Study of Parental Monitoring and Adolescent Delinquency (or SPMAD) was conducted in Ljubljana in April and May 2011. We collected 818 questionnaires from pupils of primary and secondary schools in this area. Questionnaire was based on Peterborough Adolescent and Young Adult Development Study (University of Cambridge, author Per-Olof H. Wikström).

Findings

In this presentation, we will present the discriminant analysis, done on the merged database of primary and high school participants. Results show that younger participants talk more with their parents, they do something for fun more often with the family, they eat evening meals more often at home, they quarrel less with their parents, their parents know significantly more about where they are, what they are doing and with whom they are spending time. On other hand, younger participants in average expressed that they are monitored more closely by their parents, either by telephone calls or by personal checking of their whereabouts. Same questions about parental monitoring and knowledge were put through logistic regression and results show that they explain 17-24% of variance in binge drinking for merge sample of primary and high school students, 12-23% of variance of consummation of drugs, 11-22% of variance of cannabis consummation, 5-12% of shoplifting and destroying property of others and 2-9% of stealing from other people.

Keywords

Juvenile delinquency, parental monitoring, parental knowledge

About the author(s)

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Panel 10

INFORMATION SECURITY

Abuses of Mobile Devices and User's Potential Criminal Responsibility

Blaž Markelj, Sabina Zgaga

Purpose

The time, when we knew exactly where our data is located and could clearly delineate between private and corporate data, is over. Because of the increasingly spreading use of cloud computing technology, especially publicly accessible clouds with indeterminable physical locations, the line between private life and business is no longer clear. Why do people use this technology even though it is risky? The answer is quite simple: Because cloud computing decreases expenses and enables them faster, more flexible and easier access and management of information technology and data. Mobile devices are a crucial element of this flexible access to data in a cloud. Mobile devices are ever-day tools for carrying out work and for managing data. The problem is that different types of data and information are being “mixed” in mobile devices – people use them to access private or corporate data in public and/or private clouds. Especially corporate data in a private cloud is sensitive from the viewpoint of information security. Using a mobile device simultaneously for business and private purposes increases the vulnerability of confidential data. Users can be criminally liable for irresponsibly handling their mobile devices. The second part of this paper therefore focuses on the legal basis for defining criminal liabilities of users for the irresponsible usage of mobile devices. In this part, the paper: (1) analyses the potential criminal acts for which a user could be held accountable for, when he or she causes the loss of corporate data through the use of his or her mobile device; (2) discusses the issue of complicity, when a mobile device is used for the commission of a criminal act, because the user/owner has not taken precautions to safeguard his/her device; and (3), also deals with the issue of guilt in such cases.

Design/Methods/Approach

We made a descriptive analysis of the available literature from relevant areas.

Findings

The usage of cloud computing is rapidly spreading. The same can be said for the usage of mobile devices. Access to different types of clouds and data therein has erased the line between private and corporate data. Irresponsible handling of mobile devices can lead to a user’s criminal liability.

Research limitations/implications

The use of different cloud computing options, the transfer of data with the use of mobile devices, and the possibility of data theft are delicate issues, both in regard to the way mobile devices are facilitated to the question of credibility.

Practical implications

The paper gives an outline of suggestions/trends for the future evolution of information security related to the usage of mobile devices and the access to data in clouds. Also, the criminal law analysis gives conclusions, as to whether there are any short

Originality/Value

Studying cloud computing in relation to information security and criminal law is rather new, especially the focus on the simultaneous use of different types of cloud computing and data, and the possibilities of data loss or theft.

Keywords

cloud computing, mobile devices, information security, criminal responsibility, complicity, guilt

About the author(s)

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Sabina Zgaga, Ph. D. graduated from Faculty of Law, University of Ljubljana, Slovenia. In her doctoral study of criminal law she has been granted a Max Planck Institute for Foreign and International Criminal Law fellowships. Her doctoral thesis from April 2011 (“Necessity and Duress in International Criminal Law”), for which she received the United Nations Association for Slovenia’s award, focused on regulation of necessity and duress in international, comparative and Slovenian criminal law. She is working at the Faculty of Criminal Justice and Security, University of Maribor, Slovenia, as an Associate Professor. Her research work is focused on international criminal law, criminal substantive and procedural law. Contact: Sabina.Zgaga@fvv.uni-mb.si.

Stationary and Mobile Healthcare Security: Standardised Approaches can Help

Andrej Orel, Igor Bernik

Purpose

Paper examines some approaches to enhance security in health information systems used in various healthcare environments. They may be either used in hospitals in secluded environments or used outside secured premises relying on mobile as well as stationary information equipment. In most cases these two systems are combined and supposed to work seamlessly regardless of information infrastructure choice. It is further examined how some selected formal or de-facto standards can relieve systems security planning.

Design/Methods/Approach

Using widely used approaches to systems security in dedicated controlled environments and those in general purpose mobile environments a level of awareness, confidence and acceptance of relevant standardisation is evaluated. Patients' information is sensitive, so putting appropriate technology in place to secure health information is of paramount importance.

Findings

Mobile devices are the top priorities in advanced information security planning. There are less and less application areas in healthcare and welfare without having need for a mobile functionality. This is true in emergency treatments, rehabilitation and homecare just to mention a few areas outside controlled environments. Quite often traditional unsecured communications principles are still in routine use for communicating sensitive health related information. The security awareness level of users, patients and care professionals is not high enough so potential threats and risks are often not addressed and the respective information security management is therefore weak. Standards like ISO/IEC 27000 ISMS family, the ISO/IEC 27799 information security guidelines in health or even ISO/TR 20514 Electronic Health Record standard which specifically addresses information security are often not well known and used even by professionals.

Originality/Value

In spite of the importance of implementation of secure healthcare information systems there is comparably surprising little research performed in this field. Comparing to information security in financial systems at least outside of United States, healthcare information security

is largely overlooked. This might be because of the fact that there is no specific legislation in force which governs healthcare information security and that legal procedures which arise out of healthcare information misuse or fraud are not widespread yet.

Keywords

Healthcare, Information Security, Electronic patients' records, Healthcare standards

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Mobile Device Usage Among Youth and Information Security

Blaž Markelj, Igor Bernik

Purpose

Because of recent technological advancements, mobile devices, which are easy to use, represent a significant element in digital communication processes. Uninterrupted accessibility and the possibility of data exchange are the basic characteristics which draw youth to mobile devices. Information security and user responsibility are key elements of mobile device usage. It is important to be aware of and informed about threats and possible protection. A higher level of information security can be reached only by informing and educating users of mobile devices. Only knowledge can balance out the effects of information threats and solutions, and create a necessary level of security.

Design/Methods/Approach

The authors carried out a descriptive analysis of the available relevant scientific literature. The survey was conducted with the help of an on-line questionnaire about how well users (students) are aware of the different security threats to mobile devices. Their responses were analyzed by statistical methods.

Findings

Students aren't well acquainted with the workings of their mobile devices and software. Member of the surveyed population are endangered because they doesn't know about existing safety measures, or don't use them. Interestingly, their awareness of threats stops with standard dangers known from the past, but they aren't familiar with more contemporary threats to mobile device users. The same goes for their knowledge of protective measures. Is seems that they don't even use the most basis security solutions provided on mobile devices.

Research limitations/implications

Researching this area is difficult because of the delicate nature of these issues (knowledge and personal habits regarding the usage of a mobile device). Participants are reluctant to answer questions regarding information security, the data they handle, and their knowledge of related issues. Because this thematic is relatively new, relevant scientific publications are scarce.

Originality/Value

The research of how people use mobile devices and how well aware they are of security threats is still in its early stages. So far, not much has been published in scientific publications about security issues regarding the usage of mobile devices.

Keywords

youth, threats, mobile devices, information security

About the author(s)

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Analysis of the Fraudulent Letters A.K.A Nigerian Letters

Igor Lamberger, Boštjan Slak

Purpose

Aim of this paper is to represent some result of analysis of numerous fraudulent letters otherwise known as “Nigerian letters”.

Design/Methods/Approach

Paper is based on literature review and semi-quantitative research.

Findings

The advance internet accessibility and usage caused the shift of m.o. of fraudsters from classic mail correspondence to e-mail correspondences, while letter stories mainly remained the same. From time to time fraudsters incorporate some new ideas to the content of the letter or they develop an entirely new content, which is then numerously copied and sent out to enormous amount of people. Worrying is the fact that they are able to incorporate more and more personal details into the letters, therefore mimicking the “actual companies”. It also seems that there is a severe resemblance and connection to other types of fraud, especially cybernetic frauds (like pilfering, phishing or e-mail spoofing).

Originality/Value

As we could find no such analyses was ever made in Slovenia and only limited analyses were done abroad. Because of the fact that content of the letters is often the same and because the letter appears worldwide, value of the paper is also widespread.

Keywords

Nigerian letters, frauds, cyber crime.

About the author(s)

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E-Banking Security vis-a-vis Usability, Functionality and Ease of Use

Tomšič Zupan Lucija, Bernik Igor

Purpose

The purpose of this paper is to raise management and professionals' awareness of potential risks in the use of e-banking security and protection mechanisms. Indiscriminate use of security mechanisms can lead to overcomplicated solutions and raise potential consequences of improper use. Planning of e-banking service demands to find appropriate balance between security, usability and ease of use of e-banking services. Evaluation of the solution in terms of usability and functionality for the client should be an integral element in the design process and implementation of e-banking solutions.

Design/Methods/Approach

Findings rely on previous area researches and include best practice, standards and regulatory recommendations. Descriptive and comparative method for knowledge synthesis and SWOT analysis were used.

Findings

The study exposes some consequences of improperly used security mechanisms. The rational use of safety protocols/mechanisms would largely increase e-banking services security and ease of use. Implemented security mechanisms should not affect the reduction in utility and usability of e-banking services. The effects of complex protective mechanisms require advanced user knowledge of information technologies, are impractical, non-life and can create a counterproductive effect as user will try to look for shortcuts. Solutions and requirements of security mechanisms in e-banking services, which can serve as a basis for further steps in commercial banks' web design solutions and mobile banking will be presented. Proposals to ensure an adequate level of security while maintaining usability and ease of use for end clients will be given. The findings are important for designers, developers, testers and specialists for security reviews of e-banking systems, as well as management and e-banking regulators.

Originality/Value

Security elements in e-banking, their impact on usability and ease of use are defined. Real cases are evaluated. Solutions used in Slovenian banks will be compared to solutions used in European banks.

Keywords

security, usability, e-banking, evaluation, software design

About the author(s)

Lucija Tomšič Zupan is since 2004 Master of science in analysis and design of information systems, since 2006 Certified information security manager, has more than 10 years of experience in field of software engineering, project management, analysis and design of information systems, IT strategic planning, information security consulting in Western Europe companies, since 2010 is internal auditor of banking information systems. e-mail: lucija.tomsic-zupan@planet.si

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Cybercrime in Slovenian Enterprises

Igor Bernik, Kaja Prislan

Purpose

Endangerment from cybercrime is increasing since enterprises have become a part of the global cyberspace and are now more dependent on modern technology. Cyber criminality in the sphere of business comprises a wide circle of perpetrators, from individuals to organized groups. All of them represent a different level of threat/risk to information security, and that is why enterprises should be familiar with their own vulnerability. This paper shows the state of cybercrime in Slovenian enterprises and spotlights the most dangerous cyber threats on which security measures should be focused.

Design/Methods/Approach

The vulnerability of Slovenian organizations in regard to cybercrime was investigated with the use of a questionnaire and by statistical analysis of the survey responses. Theoretical premises were formed by using the descriptive method with analytical techniques and by a synthesis of various viewpoints proposed by different authors.

Findings

Cybercrime in the business sphere is becoming more organized and sophisticated, since information is the base-stone of competitiveness in the corporate world. In this age of ubiquitous information and communication technology, unauthorized acquisition and use of information capital has become attainable to many perpetrators. We have concluded that the greatest threat to corporate information systems weren't the most common forms of cyber criminality but the less visible cybercrime techniques used by the most sophisticated and organized perpetrators. It is evident that the present level of protection against cybercrime is inadequate therefore significant changes in organizational information security policies should be made.

Research limitations/implications

The survey and analysis of cyber criminality in the Slovenian corporate environment were limited to a relatively small number of respondents because most organizations refused to participate in the survey. This lessens the validity of the survey results. We have also encountered biased responses about how much damage certain organizations have already sustained, because publicly acknowledging information security incidences tarnishes business reputation

Originality/Value

An overview of the vulnerability of information systems regarding the qualitative and quantitative effects of certain forms of cybercrime enabled us to identify critical vulnerabilities and the necessary measures which should be implemented to raise the current level of information security in the Slovenian corporate environment. The survey and analysis of cyber criminality in the Slovenian corporate environment were limited to a relatively small number of respondents because most organizations refused to participate in the survey. This lessens the validity of the survey results. We have also encountered biased responses about how much damage certain organizations have already sustained, because publicly acknowledging information security incidences tarnishes business reputation.

Keywords

Cybercrime, Information Security, Vulnerability, Organizations, Slovenia

About the author(s)

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Students' perception of CCTV surveillance

Marina Kovačević-Lepojević, Vesna Žunić-Pavlović, Borko Lepojević

Purpose

Recent crime control ideas include biometric identification, closed circuit television (CCTV), automatic face recognition, scanning, locating technologies, etc. However, there is a lack of the research evidences on their benefits, disadvantages and their possible overcoming. Research on public perception of CCTV mostly focus on the dilemma between privacy and security. Available research suggests that the attitudes about its' applicability, analysis and storing collected data are controversial. Application of CCTV surveillance in Serbia is in expansion, followed by a weak and conflicting regulations and lack of the proper evaluation studies. The aim of this article is to reach the attitude of Belgrade University students towards CCTV surveillance.

Design/Methods/Approach

The article is based on the research of the students' perception of CCTV surveillance in Serbia. Special attention is paid to the students' security versus privacy dilemma. The research was carried out in December 2011. The data were collected by Questionnaire on Security technology and privacy (PRISE, 2007), part on CCTV. The sample was consisted from students of Academy of Criminalistics and Police Studies, Law Faculty and Faculty of Special Education and Rehabilitation University of Belgrade (N=269). Methods of descriptive statistics, frequencies, percentages and chi-squared test were used for the data processing.

Findings

The results showed that 97,8% students were positively oriented towards the use of CCTV. Students have mostly justified the use of CCTV in the places of high crime risks, in banks (21%), airports (19,3%), stores (18%), stadiums and other crowded places (14,9%), railway and buss station (13,3%), etc. In total 59,9% students considered increasing the number of cameras. Only 4,1% thought that it should be less cameras and 3% that it shouldn't be any cameras in public places. Females were more likely to feel much safer with CCTV surveillance ($\chi^2(2, N=269) = 7.317; p < 0.05$) than males. Students of the Faculty of Special Education and Rehabilitation were less likely to report the privacy intrusion by CCTV than ones from the other faculties ($\chi^2(4, N=269) = 16.721; p < 0.01$). They might be habituated to video surveillance, which is installed in all classrooms, unlike the other faculties. However, besides the feeling of security students in 49,9% reported invasion to privacy as a price to pay. Comparing with the results of similar research that was conducted in six EU countries,

Serbian students were positively oriented towards the application of CCTV surveillance. On the other hand, there is an evident ambivalence concerning the invasion to privacy.

Research limitations/implications

The research might be only the beginning. Future research should involve larger and more diverse sample (by age, education, occupation, etc.). It should be consider prior informing about advantages and disadvantages of CCTV, including raising awareness about protecting personal data collected by security technologies in general.

Originality/Value

This research is the first one with the interest of gaining data considering security and privacy dilemmas in using CCTV in Serbia. It may light up the gap between the governmental and the public perception of security.

Keywords

CCTV surveillance, security technology, students, Serbia

About the author(s)

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Privacy Issues in Using NFC Technology In “Internet of Things”

Borko Lepojević, Marina Kovačević – Lepojević, Vesna Žunić – Pavlović

Purpose

The Internet of Things (IoT) is an ambient in which everyday objects such as phones, cars, household appliances, even food and clothes are wirelessly connected to one another and can collect and share data. Radio frequency identification (RFID) technologies – particularly NFC - are seen as prerequisite of the IoT. Near Field Communication technologies extend mobile phone functionality from basically communicational device towards device that can replaces one’s wallet (cash and credit/debit cards), home and office keys, identification credentials (id cards) and all kinds of tickets. What NFC actually brings to mobile phone is the ability of device to interact with its surroundings. Interaction takes place in “near field” – short distance up to 4 cm. These wireless transactions produce huge number of data containing personal information of different subjects (name, personal number, card used, etc.) as well as information about the nature of transaction (date, time and location, object of transaction, amount, etc.) that can be potentially misused. The aim of this paper is to gain access to actual privacy challenges related to use of NFC technologies and coping strategies.

Design/Methods/Approach

Research is based on legislation and literature review on privacy issues involved with the Internet of Things, NFC technologies.

Findings

Some popular privacy treats like leaking information pertaining to personal property and tracking the consumer’s spending history and patterns and physical whereabouts are considered. To protect privacy NFC operators need to assess impact of NFC application to privacy issues, and propose technical as well as organizational measures in order to millitate found risks. This privacy impact assessment (PIA) process needs to be completed before widespread use of application (principle of „security and privacy by design“). Assessment is based on logical tree that has given in „PIA Framework“, resulting in PIA report – document that should be submitted to the data protection authorities (DPA) for endorsement, as well as citizens and consumers of such application wanting to be sure that their privacy is not threatened by the application. Based on PIA Framework, Germany's Federal Office for Information Security (Bundesamt für Sicherheit in der Informationstechnik - BSI) created techical guidelines for PIA process implementation. These technical guidelines describe in

detail roles, security targets, classes and templates reflecting the special aspects of industry-specific and individual applications.

Research limitations/implications

Future research should consider the interviews with NFC users, experts and other subjects of interests. Besides personal, corporate data privacy treats should be discussed. Special attention should be paid to security issues.

Originality/Value

This work puts light on privacy issues in specific IoT. Neglecting of privacy issues in applications using NFC technologies could lead to lack of users' trust and consequently slow adoption of the technology.

Keywords

Internet of Things, NFC, wireless technology, privacy.

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Panel 11

SECURITY AND CRIME PREVENTION

Critical Infrastructure and Public-Private Partnership

Iztok Podbregar, Branko Lobnikar, Teodora Ivanuša , Emanuel Banutai

Purpose

The purpose of this article is to examine the correlation between critical infrastructure and public-private partnership capabilities. Nowadays the complexity of threats that are recognized in our environment requires multi-disciplinary collaboration of various experts or specialists, who can all be focused on a single complicated problem. Their mission has to be to reduce the uncertainties that are being caused by the gap between the perception of the threat and reality of the threat.

Design/Methods/Approach

Data for the on-going research were gathered from 449 respondents in four Slovenian cities, measuring the nature of police work and the residents' satisfaction with the police work.

Findings

Due to low interest of the political elites for requisitely holistic future development of the national security system, guidelines for its systemic re-organization (i.e. knowledge, teamwork, dedication to the mission, and requisite holism) are enhanced in the paper. Serious gaps between real national needs and national political interests within the national security system itself are identified. Reengineering of the national security system as inevitable, thorough, radical and dramatic intervention is suggested. These findings are supported by an on-going research, where the preliminary results indicate several things: (1) the collected data reveals that people from suburban area are more likely to cooperate with the police; (2) young people are more likely to participate than older; (3) in general people feel safe/secure in Slovenia; (4) the perception of safety/security in local areas implies the possibility of the implementation of "mini" police directorates. Without radical changes of the Slovenian national security system (i.e. reengineering) the law entropy will accelerate by natural inertia, and lack of systemic thinking can lead toward to significant overlooks and inevitable failure.

Originality/Value

This preliminary research explores correlation between critical infrastructure and public-private partnership capabilities in Slovenia.

Keywords

Critical infrastructure, Public-private partnership, Police, Management, Slovenia.

About the author(s)

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Crime Prevention Through Public-Private Cooperation Within the Security System of Republic of Macedonia

Saše Gerasimoski

Purpose

The paper examines the contribution of public-private cooperation in crime prevention within the security system of Macedonia in the last 10 years.

Design/Methods/Approach

Secondary data analysis from the Ministry of Interior and private security entities concerning the topic of the paper will be used. The data will be statistically processed using the bivariate statistical analysis and the test of significance to prove the relation among the variables (public-private cooperation and crime prevention).

Findings

In general, the contribution of the public-private cooperation to crime prevention within the contemporary security system of Republic of Macedonia is seen more as potential than as reality owing to the present level of co-existence between public and private security sector. Although, the crime prevention advantages of the cooperation between them are widely recognized within both sectors, it is quite sure that only a small portion of possibilities in this area have been implemented so far. Most of them are used in joint activities within securing the public events and transportation of money, documents and other valuables.

Originality/Value

Though there are several studies related to private security in Republic of Macedonia, there is lack of studies concerning the public-private cooperation within the security system, let alone the relation of crime prevention with the quality and level of the cooperation between both sectors. We see this paper as a pivotal contribution to the efforts to highlight this crucial dimension of their mutual relation nowadays and in the future.

Keywords

Crime, prevention, public-private cooperation, security system of Republic of Macedonia

About the author(s)

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Private Security (with Jordan Spaseski and Pere Aslimoski), edition of the Faculty of Security-Skopje and Faculty of Tourism and Hospitality-Ohrid, 2008; Co-author of the book Security Systems (with Jordan Spaseski and Marjan Nikolovski), edition of the Faculty of Security-Skopje, 2010. Author and co-author of more than 20 scientific and professional papers published and presented on the International Scientific Conferences in Republic of Macedonia and abroad. e-mail: sgerasimoski@yahoo.com, tel.: ++389 070 352 521

Public-Private Partnership and Prisons

Bojan Tičar, Gorazd Meško

Purpose

The purpose of this article is to define the legal framework for public-private-partnership (PPP) which could be used also for imprisonment services. Article is based on the fact that there is a lack of budgetary resources to provide for new prisons, a problem that is worsened by the fact that penological, environmental, technical, and quality standards for prisons are increasing.

One of the options to solve the problem of overcrowding in Slovenian prisons is through PPP. In the article authors discuss the possibilities of adopting a public-private partnership model as a means of alleviating Slovenia's mounting prison crisis. Authors continue by analysis of the possible implementations of the PPP in the imprisonment services.

Design/Methods/Approach

Authors have designed a model of possible PPP in imprisonment services to increase efficiency of imprisonment services and prepared an analysis of presented models. This approach is used for the purpose of the present paper.

Originality/Value

Value of the article is an attempt to think about new possibilities for solving prison overcrowding in Slovenia taking into consideration all public and public-private partnership solutions. Some dilemmas and questions about the appropriateness of public-private partnership are raised. These are especially related to the quality of services.

Keywords

PPP (Public Private Partnerships), PPP, Efficiency, Prisons, Imprisonment.

About the author(s)

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Risk Communication and Risk Management for Ensuring Food Safety – Case of E. Coli Outbreak

Elizabeta Mičović

Purpose

The purpose of this paper is to emphasize the importance of risk communication as part of risk managing to ensure safe food. It is crucial that pertinent risk communication activities actually achieve their goals. Without effective coordination between public health sector and food safety sector, consumer protection and their rights are not ensured. The paper presents activities in the case of an outbreak of E. coli in Germany last year, their weaknesses, and lessons we learnt.

Design/Methods/Approach

Using the empirical evaluation research is indispensable. Evaluation means the scientific assessment of the content, process and effects (consequences, outcomes, impacts) of an intervention and their assessment according to defined criteria (goals, objectives, values).

Findings

Through evaluation of different activities of risk managing and risk communication process in case of E.coli outbreaks, on EU and national levels, we determined some important facts. There were inabilities to recognize the source of hazard on time, weaknesses in providing traceability of food and ineffective risk communication which contributed to reduction of consumers' trust to authorities.

Research limitations/implications

Consideration of only one case of an outbreak of food borne disease can not be a measure of system performance to ensure safe food.

Originality/Value

This was a serious case of food borne disease with serious consequences on which we learnt hard lessons.

Keywords

E.coli outbreak in Germany, food safety, risk communication, risk management, consumers rights

About the author(s)

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Model of the Generic Causes for the Crises in the Tourist Industry

Janez Mekinc, Helena Cviki

Purpose

The paper presents a model of the generic causes of the crises in the tourist industry, founded on an analysis of safety and security elements while travelling, which are the centre of focus/attraction for travellers, tourists, tour operators, travel agencies and government institutions as well as the Ministry of Foreign Affairs.

Design/Methods/Approach

Using descriptive and causal-no-experimental research methods we analyse the risks on journeys, but also the basis and consequences of the security crisis in the tourism industry. We used the internet for select data in the analysis of case studies of the different causes of crises.

Findings

The causes and consequences of the crises in the tourist industry are generically being repeated and have always increasing global consequences for the tourist industry at the international level. Aside from the financial and economic elements, security issues are an ever increasing cause for the co-dependency of tourism in the international, global environment. The generality of the causes and consequences of the crises is the condition to predict the probability and causality of specific risks at specific tourist destinations based on the analyses of security situations. The cumulative value of probability and causality represents the threat level upon which we can determine curative and preventive measures to prevent or decrease the consequences of the crisis.

Originality/Value

The analysis results of specific security elements during the occurrence of crises have enabled a comprehensive overview of the causes for the crises in the tourist sector. They are the consequence of an unstable security environment and the events connected with it. The causes for the crises are generic in nature, as they can either occur frequently at the same destination or the same causes can occur at various destinations. Based on these findings a refined model of the generic causes for the crises in the tourist sector has been designed and interpreted.

Keywords

security, safety, tourism, crisis, destination

About the author(s)

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Panel 12

VICTIMS OF CRIME

Effectiveness of Family Mediation in Violence Against Women in Closed Cases

Miguel Ángel Soria Verde, Virginia García-Kopjar, Patricia Alba Sedano

Purpose

Evaluate the effectiveness of Family Mediation (FM) in closed cases of the Violence toward Women Court (VIDO in Spain). This court was born from the necessity of providing with a legal answer to those family conflicts where violence toward women was not proven during the traditional legal process.

Design/Methods/Approach

Sixty three closed legal cases of FM where violence toward women was disputed, involving 126 subjects were analyzed. Once the criminal case is closed due to a lack of evidence, the parties involved are derived to a FM program in order to assess existing conflicts parallel to the victim's or aggressor's judicial role. Once the FM program had concluded, we proceeded to extract and analyze several variables in the legal case files: sociodemographic information, type of conflict, legal context, mediation process and effects of the mediation. Finally, previous data were compared with those related to the return to the legal system contained in the Spanish National Institute of Justice databases (SIRAJ and TEMIS).

Findings

Of the cases analyzed, 63.5% reached agreements related to the improvement of communication and the foundation of dialogue bridges among both parties after the FM process. In those cases where participants returned to the mediation process, different conflicts than the initial ones were mediated (50%), whereas in the remaining cases a review of previously reached agreements in the first mediation process were dealt with. The effectiveness of FM in closed cases of Violence toward Women Court (VIDO) is corroborated in the present study (77.8% of cases).

Research limitations/implications

The number of analyzed cases is limited due to a lack of a centralized computerized system containing cases on a national level, difficulting and preventing the analysis of the total amount of cases that returned to the legal system.

Originality/Value

The present study reports a pioneer project in Spain (research Centre d'Estudis Jurídics. Generalitat de Catalunya 0306/1536/2011). Framework of the current legislation with the aim to evaluate the possible incorporation of the mediation program in specific legal cases of

VIDO. Our study provides a supplemental path for action in closed and archived cases of gender violence, facilitating a useful framework for legal intervention where those aspects of familial relationships far from the traditional legal system can be approached.

Keywords

Family Mediation, Violence Against Women, Domestic Violence, Interpersonal Communication, Recidivism

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Consequences of Explosive Devices' Activation on Victims and Their Criminal Justice Importance

Ivana Bjelovuk, Tanja Kesić, Milan Žarković

Purpose

This paper contains analyses of intentional and unintentional activation of explosive devices with consequences on victims in the time period of seven years (from 2000 till 2006). The charts in this paper show the statistic trend of increase/decrease of explosions' number i.e. consequences of explosions on victims. This paper also points out the possibilities of various legal qualifications for concrete events from the standpoint of perpetrator's culpability (*mens rea*), but also the importance that in the evaluation of this element gives the possibility to the expert to determine the type and to estimate the mass of the used explosive. The objective of this paper is to show the court the importance of knowing the type and mass of used explosive within the activated explosive device in order to correctly determine the form of culpability of a perpetrator and to impose the adequate criminal penalty.

Design/Methods/Approach

Theoretical and statistical approach; analysis of judicial practice in the Republic of Serbia.

Findings

The decrease trend of activated explosive devices number in the period 2000 – 2004 was noticed, but also the increase trend in 2005 and 2006. Such trend is followed by explosion consequences. Also, it is stressed out that there is a possibility to determine the type and mass of the explosive based on the traces on explosion victims, and after that on the importance of an accurate and timely estimation of explosive's mass for determination of criminal legal issues (material) in criminal proceedings and the right to have a trial in a reasonable time.

Research limitations/implications

Disability of experimental explosions.

Originality/Value

Separation of the importance of selected topic relevant for the correct sentencing in concrete criminal case in regards to the noticed deficiency in the treatment of this topic by the expert (legal) community.

Keywords

explosive device, explosion, explosion effects, fatalities, severe bodily injuries, slight bodily injuries, legal qualification, culpability (mens rea)

About the author(s)

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The Problem With "Black" Small Arms and Light Weapons and its Victimization Effect on the High School Youth in the Republic of Macedonia

Marjan Nikolovski, Ivan Ristov

Purpose

The aim of the conducted research was to reveal part of the evasive number of occurrences of illicit trafficking in SALW: If the high school youth are aware that this problem exists?; Have they ever seen or used any kind of weapon?; Do they own a weapon?; Do they know someone who does?; Is the weapon they have seen illegal or not?; How often they hear shooting in their surroundings?; Do they feel safe, and if not, why?

Design/Methods/Approach

Standard survey questionnaire was used as a method for collecting data and contained 32 questions with multiple-choice answers. The target group were nearly 800 high school students in IV year[1], from 8 different High schools in 8 different Macedonian cities ([1] 7 Except in Kumanovo where the participants in the survey were from year three of studies).

Findings

Not trusting the police in dealing the fight with crime and the huge number of illegal weapon in the Republic of Macedonia are the main reasons why a great deal of high school youth are feeling unsafe. A great percentage of the students have seen weapons and part of them have even used it. Some of the students own a weapon. According to them smuggling weapons predominates in the western parts of the country. Students living in the eastern parts of Macedonia are feeling safer than students who are living in the western parts of the country.

Originality/Value

This paper has original research. The obtained results are of great importance of criminology.

Keywords

illegal arms, smuggling, high school youth, violence, victimization.

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Why Restorative Approach to Crime

Vesna Stefanovska

Purpose

Main objectives of the proposed paper is, by using scientific methods in theoretical and empirical research, to examine the assumptions for its successful application in the Republic of Macedonia and to provide an acceptable model and recommendations for its further development. In realizing the goals, I consider that restorative justice through restorative programs (VOM, family group conferences, and circles) is part of the penal policy of modern criminal justice systems and enables more efficient and humane response to crime.

Design/Methods/Approach

The proposed paper elaborates legal, institutional and practical aspects of penal mediation in different jurisdictions (particularly in Macedonian justice system) and practices as a way of achieving restorative justice through dialogue between the offender and victim through a mediator. Due attention is paid on comparative review of restorative programs, showing the practice in the United States, in countries in Western and Central Europe (England and Wales, Germany, Austria, Norway, Poland) and countries of former Yugoslavia (Serbia, Bosnia and Herzegovina and Slovenia) that show the extent of its development and success in implementation. The results of studying the legal decisions in those countries regarding the use of mediation can offer similar solutions in our law and practice. Finally, the paper reviewed restorative solutions in the system of juvenile justice and criminal procedural legislation of the Republic of Macedonia. Investigation of the aforementioned elements and aspects of mediation in the penal field, supplemented by research and analysis of existing conditions and factors for the establishment and further development of mediation in the Republic of Macedonia will provide quality solutions and argumentative reasons why and how it should be applied in practice.

Findings

Criminological scientific thought and practice in trying to find effective solutions in response to crime returned to the beginnings of punitive responses to negative behavior when much greater role has be given to the victim, the perpetrator and their communities. Dissatisfaction with the lengthy and inefficient judicial procedures, on the one side, and disappointment in the repressive policy of the States, on the other hand, caused considered change of the approach in solving criminal cases and finding appropriate solutions to eliminate the consequences of crime. This is the introduction of restorative justice, i.e.

restorative measures and programs that have had a rightful place in almost all criminal justice systems in the world. Repressive policy of penal systems expressed through repressive measures of social control through formal and rigorous trials proved that the penalties do not reduce crime; the procedures are stigmatizing the offender and do nothing for the victim. Trying to show the crime as violence against another person, restorative justice seeks to prove that through restorative measures and processes, specifically through the process of mediation between victim and offender (VOM) can compensate and fulfill purposes of punishment. Undoubtedly, numerous theoretical arguments and empirical research in the last four decades indicates that mediation offers quality affordable solutions for the victim and offender as two sides of the crime. Therefore, the introduction of restorative justice represents a revolutionary change in the criminal legal system in relation to the traditional criminal justice. Comparative analysis of the systems of mediation in most countries in the world has shown that the introduction of mediation in penal legislation is a continuous process that began in the late eighties of the XX century and inspired by the idea of the father of restorative justice, the Norwegian criminologist Nils Christy. And Macedonia is among the last countries in the European continent which introduce mediation in the juvenile justice system as a method of avoiding lengthy litigation. The conclusion from the way the introduction of mediation programs in countries around the world that is necessary prior evaluation of the results of multi-pilot projects are implemented on an experimental basis. In the process, Macedonia lacks phase of implementation through pilot projects that can be perceived legitimacy, acceptability and success of the mediation process with the actors not only from the criminal system, but also from the local community.

Research limitations/implications

Given that the data were not drawn from a study specifically focused on the perceived benefits of education or experience, the dependent measures could be improved.

Originality/Value

In our expert criminological theory and practice there is not done any thorough research that would make a scientific analysis of the functioning and efficiency of restorative programs, including VOM that are practiced abroad and in my country.

Keywords

restorative justice, criminal justice, victim, offender, victim-offender mediation

About the author(s)

Stefanovska Vesna, assistant professor, interest in restorative justice, crime prevention, criminology, teaching Criminology and Crime prevention, active member of the Coalition "All for Fair Trials" where I have worked on the project for implementation of international standards for fair trial in domestic courts. As part of the expert team within the project "The role of community in exchange for sentence" I was a lecturer of the training of representatives of the community in implementing the alternative measures. Also, I have participated as a trainer for police officers for the implementation of the Juvenile Justice Project conducted by the Faculty of Security in 2008 and 2009. In past years I have attended a huge number of domestic and international seminars and conferences at home and abroad, including the Conference on Juvenile Justice "No Child Behind the Bars-A Child Rights Perspective" organized by Defense for Children International in Bethlehem, Palestine in 2005 year, the 6-th International Conference of the European Forum for Restorative Justice in Bilbao, Spain in June 2010, the Regional Forum "Implementation of alternative measures in criminal law", organized by the Albanian Foundation for Conflict Resolution and Reconciliation of Disputes in Tirana, Albania in 2009. In May, 2008 I have attended the summer school "Mediation and Restorative Justice", organized by the Center for mediation services from Norway in Dures, Albania. Also, as trainer I have opportunity to train mediators for juvenile justice organized by the Centre for Human Rights and Conflict Resolution and the Chamber of mediators of the Republic of Macedonia. Currently working at the Faculty of security, Idrizovo BB, PF 103, tel: +389 2 2546211, fax: +389 2 2545070, e-mail: vesne_stojkovska@yahoo.com.

ROUNDTABLES

The Need for Prevention and Treatment Services in the Criminal Justice System and Drug Treatment Courts for Criminal Justice in Central and Eastern Europe: The Osborne Association, New York City, New York

Kimora, Todd C. Patton

Purpose

This Roundtable examines the need for prevention and treatment services in the criminal justice system in the United States, particularly the need for the El Rio program within the Osborne Association in New York City, New York. We will examine through the roundtable discussion the link between drug treatment courts in New York City and the treatment programs provided in the El Rio program in the Osborne Association. El Rio is a highly structured and effective medically supervised substance abuse treatment program that offers an alternative to incarceration or re-incarceration for individuals charged with drug-related crimes or on probation or parole, and mandated to treatment by the courts or community corrections agencies. El Rio employs counselling, self-help techniques, cognitive skills training, and holistic approaches.

Design/Methods/Approach

During the Roundtable, professionals will discuss the diverse needs for a prevention and treatment services program in New York City in the United States. The participants will examine the importance of El Rio, a highly structured and effective medically supervised substance abuse treatment program that offers an alternative to incarceration program for individuals charged with drug-related crimes or on probation or parole, and mandated to treatment by the courts or community corrections agencies. El Rio is a program within the Osborne Association, New York City, New York. The El Rio program provides intensive, outpatient chemical dependency treatment that employs traditional counselling and self-help techniques, cognitive skills training, and holistic approaches. Various case studies of El Rio clients will be examined, as proof that the Osborne Association is an effective prevention and treatment service within the American correctional system. The criminal justice and security organizations in Central and Eastern Europe can benefit from the lessons learned at the Osborne Association.

Findings

Overall, the clients in the El Rio program in the Osborne Association, New York City, are pleased with the prevention and treatment services. The Osborne Association offers a wide range of services within the New York State prisons to help people maintain relationships

with their families while they are incarcerated, or are mandated to drug treatment in a non-residential program in the Bronx. El Rio operates with a unique sensitivity to the needs of people caught in the complex net of substance abuse and involvement in the criminal justice system. Cognitive skills education and holistic approaches aid the clients. The Education Director for Treatment and Prevention Services, Kimora, Ph.D., as well as the Medical Director, Todd C. Patton, M.D., will address the pros and cons of drug treatment services in the Osborne Association.

Originality/Value

According to the Chief of Policy and Planning of New York State Courts, Honourable Judge Judy Harris Kluger, "New York State leads the nation in the expansion and implementation of drug courts into daily court operations. What distinguishes drug courts is their uniquely collaborative approach to treatment." This process involves collaboration with such organizations as the Osborne Association in the Bronx, New York, and the criminal justice system. Results have been overwhelmingly positive. For example, a 2003 study demonstrates that the rates at which drug court graduates re-offend are significantly reduced. Based on the accomplishments of drug court treatment, these courts are being opened in the United States. The Osborne Association is one of the largest recipients of clients from the drug courts in New York City. A tremendous support and value for local communities enhances the work of the Osborne Association.

Keywords

criminal justice, contemporary criminal justice practices, drug treatment, drug treatment for criminal justice offenders, the Osborne association

About the author(s)

Professor **Kimora** is a professor of criminal justice at John Jay College of Criminal Justice, New York City, research and teaching; corrections, education, correctional education, ethics. Main achievements in the last five years: Professor at John Jay College of Criminal Justice, New York City; Education Director for Treatment and Prevention Services, El Rio, The Osborne Association, the Bronx, New York City; Education Director for grant to teach ethics at Rikers Island, the biggest jail in the United States. Address: Professor Kimora, John Jay College of Criminal Justice, Law, Police Science and Criminal Justice Administration, Room 422T, 899 Tenth Avenue, New York, New York, 10019, USA. kimora@jjay.cuny.edu; kimora@optonline.net; (212) 237-8430.

Todd C. Patton, M.D., is Medical Director of the Osborne Association, 809 Westchester Avenue, New York City, New York, 10455. He is also a staff physician at First Med in Mineola, New York. Dr. Patton is board certified in family medicine. Dr. Patton teaches health and addiction to drug treatment clients at the Osborne Association. He is a research consultant on the Medical Advisory Board for a magazine called “Whole Living”, published by Martha Stewart. Main achievements in the last five years: Enhanced role as medical director of the Osborne Association, 809 Westchester Avenue, the Bronx, New York, 10455; monitored one thousand drug treatment clients involved in the criminal justice system. Dr. Patton can be contacted at srijan@optonline.net or at tpatton@osborneny.org. His phone number is (516) 294-8910 at First Med. His number at the Osborne Association is (718) 707-2684.

Feelings of Safety and the Role of Police in Local Security Provision

Andrej Sotlar, Bernarda Tominc, Maja Jere, Barbara Čuvan, Meško Gorazd, Branko Lobnikar

Purpose

The security is of those goods and goals, which contributes to the quality of life and sustainable development of contemporary society. Changes in the security environment have contributed to the redefinition of providing security, and dictated the reform of formal social control. The nature of contemporary threats requires multiagency approach also at the local level. The cooperation or partnership between civic and formal institutions is an important issue in the process of providing security and problem-solving. The police are aware that the success is questionable if there is a weak cooperation with others and no consensus on the community problems and this is true particularly for the municipal administration.

Design/Methods/Approach

The survey on the representative sample of the police officers (581) and Slovene citizens (961) was conducted at the end of the year 2011. Through the structured questionnaire authors examined the attitudes relating to safety issues in the local community, they also measured the trust in different subjects and the expectations towards them and their successfulness in providing security at the local level. The study also examines Slovenian police officers and local citizens' views on various dimensions of local safety provisions in Slovenia to develop best practices related providing security at the local level.

Based on the results of the survey and with the intention to explain certain findings authors have conducted structured interviews with the police chiefs (38), community policing officers (39) and local authorities (18 representatives in 12 municipalities) in spring 2012.

The results were compared with studies that were conducted in 2004 and 2006.

Before the beginning of field research authors attended three regional safety/security meetings of the representatives of police and local authorities where they also presented the purpose and design of the research.

Findings

The survey is focused on trust in some institutions and subjects that build the national security system in narrow and wider sense or to others, whose work could affect the perception of security in Slovenia.

Both police officers and citizens express the highest degree of trust in fire-fighters and rescue services (e.g. Mountain rescue service).

It is interesting that police officers expressed high degree of trust in the police, since the research from 2006 showed, that police officers are not satisfied with their work and they do not trust police management. Civil Protection and Disaster Relief System also enjoys high degree of trust from Police officers, while citizens trust health institutions, sports and culture associations and shelters for women and mothers.

In measuring differences in expectations from particular institutions/subjects that play significant role in providing security at the local level authors found out that police officers expect more than citizens do from the state prosecutors and police itself, schools and kindergartens, sports and culture associations, shelters for women and mothers etc. This could be explained by the different nature of contacts police officers have with them compared to citizens.

There are also differences in opinions on how effective are particular institutions/subjects in providing security at local level; citizens evaluate most institutions' effectiveness higher than police officers, only effectiveness of the police is evaluated higher by the police officers.

Both groups agree that fire fighters are most successful in providing security on local level. Police officers see themselves as very successful; however the difference between their and citizens' opinions is here the most substantial. Neither police nor citizens see insurance companies as part of security provision, despite their role after for example the natural disasters when people demand restitution for damage.

The Slovene police are trying to re-establish the cooperation and partnership with local people, local communities and various other subjects that are responsible or willing to take part in security provision at the local level. Namely, all local communities had safety councils until Slovenia gained independence in 1991 and they were abolished. After 1997, many local authorities have decided to readdress local safety issues in the form of local safety councils. Today in more than 170 municipalities such safety councils are established on the basis of the Police Act and Local Self-governance Act.

Research findings show that municipalities are currently more willing to cooperate with the police than they were in 2002-2004 when a similar survey was conducted. Citizens are also willing to cooperate with the police, although police officers are of the different opinion.

One part of the survey is focused on sources of threat and risk to national security as well as on local safety challenges. Based on the data of other research results it can be hypothesised that Slovenia is perceived as a country offering its citizens a safe and peaceful life, and this is confirmed also by the current study. Although the rates are high the declining trend in feelings of safety is notable. The reason could be in the factors of uncertainty (unemployment, poverty, global financial and economic risks), which do not pose a direct threat to security, but in the particular circumstances they may indirectly lead to security issues such as riots etc.

Economic crimes, corruption, financial frauds, poverty, unemployment, malfunctioning of state and public services are perceived as most threatening to national security of the Republic of Slovenia. At first glance it is clear that military threats by other countries and traditionally most political discussed threat – terrorism - are ranked as the least threatening to Slovenian citizens. Extreme nationalism, contagious diseases and conflicts in the areas of former Yugoslavia are perceived as not so threatening to national security.

National security system in Slovenia is not as connected to some subject as it used to be in providing security at the local level, therefore there is still room for public private partnership. Although some are of the opinion that we need even stronger police, there is still room for others to successfully cooperate in local security provision, especially NGOs should be more involved.

It would be ideal if the national security system were established on the basis of realistically perceived and assessed threats. The problem with the ideal always lies in the fact that it is difficult to find an ideal state in nature, let alone in society. The perception and adequate assessment of different sources and types of threats is therefore a complex, demanding and ungrateful task. In particular if one is aware that it takes place at different levels – individual level, group level, expert level, institutional level, as well as the level of political elites, which have to provide a basic normative and legal framework for facing and tackling security risks and threats (Sotlar, 2002).

Research limitations/implications

To have better overview of the situation in Slovenia the qualitative and quantitative research methods are being used. The research is limited to Slovene security system. The survey was conducted in 8 urban and 16 rural municipalities, but the interviews were conducted only in the half of police organisations (12) and municipalities (12).

This paper is based on the ongoing research project named Feelings of Safety and the Role of Police in Local Security Provision. This Target research program was initiated/suggested by Ministry of Interior RS and is supported by Slovene National Research Agency.

Practical implications

The main implications of the paper for policy makers and practitioners are challenges to the further development of local crime prevention efforts, which should be based on partnership, knowledge, clear legal framework, financing and accountability.

Keywords

local community, local safety council, survey, interview, police officer, community policing officer, mayor

About the author(s)

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Panel 13

POLICING I

Servant Leadership in Slovenian Police

Robert Šumi, Branko Lobnikar

Purpose

The paper examines an appearance and the nature of the Servant Leadership Style among Slovenian police managers on all three organizational levels.

Design/Methods/Approach

Data from 768 Slovenian police officers were obtained using Servant Leadership Measure, which was originally developed in 2008 by Liden et al. Cronbach α for this survey was ,97.

Findings

Results show that all seven dimensions of Servant Leadership style (namely conceptual skills, empowering, helping subordinates grow, putting subordinates first, behaving, emotional healing and creating value for the community) are present among Slovenian police managers. There are statistically important differences between all three organizational levels (local, regional, national) and we also found out that managers' age, leadership, work experiences and education level are correlated with the perception of the presence of Servant Leadership style in organization.

Research limitations/implications

The survey was conducted on a sufficiently large and well-structured sample of police officers, thus the results can be generalized to the population. A research limitation is connected with data obtained by police officers' perception. The results can be used in developing contemporary approaches to management and leadership that can be associated with strategic goals of Slovenian police (e.g. implementing community policing, professionalization of police work in Slovenia...).

Originality/Value

It is believed that this is the first paper focused on Servant Leadership in Slovenian Police.

Keywords

Leadership, Servant Leadership, Slovenian Police

About the author(s)

Robert Šumi, Service of the Director General of the Police, doctoral student at the Faculty of Social Sciences in Ljubljana. His areas of expertise comprise police ethics, integrity and

leadership. He's author of few papers on manager's integrity. Currently, he is involved in the study of police integrity and servant leadership style (robert.sumi@policija.si; 051-633-027).

Associate Professor **Branko Lobnikar**, Ph.D, Faculty of Criminal Justice and Security, University of Maribor, Slovenia. His areas of expertise comprise policing, human resource management, and deviant behaviour within organizations. He has authored several papers on community policing and police deviance management. Currently, he is involved in the study of police integrity.

Management and Leadership Skills in Police Hierarchy: Testing Competing Values Framework in Slovenian Police

Džemal Durić

Purpose

The purpose of this research was to examine the “Competing Values Framework” among managers at different organizational levels in Slovenian Police organization. The main research question was: What is importance of clan skills, adhocracy skills, market skills, and hierarchy skill at different hierarchical levels in Slovenian Police.

Design/Methods/Approach

The study took a quantitative approach to test the Competing Values Framework of management and leadership skills (Whetten & Cameron, 2007). Respondents ranked importance of four clusters or categories of skills for their managerial position. Survey included police managers at local (290), regional (122), and state (74) level of Slovenian Police organization.

Findings

There are differences in importance of management and leadership skills at different organizational levels. Police managers at local level top ranked category of interpersonal skills while managers at regional equally top ranked categories of interpersonal skills and group skills, and managers at state level top ranked categories of group skills. Each managerial group prefers different skills as most important: building relationships by communicating supportively (local level), motivating others (regional level), and building effective teams and teamwork.

Originality/Value

This study contributes to leadership literature and extends understanding of importance of Competing Values Framework skills in Police organizations. Gaining power and influence skills were ranked very low by all three managerial groups. After study focus group interview revealed negative connotation of the words “gaining power” in Slovenian Police culture. Participants associated “gaining power” with “gaining control” and “micromanagement”. Results indicate which management and leadership skills are important for police managers at different organizational levels and can be useful input for police leadership training and development process.

Keywords

police, police hierarchy, management and leadership skills, Competing Values Framework

About the author(s)

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Main Views on Connection between the Police Staff Number and a Clearance Rate

Željko Karas

Purpose

The purpose of this research is to present main views on the impact that the police staff rate has on some crime investigation variables. Many recent public discussions in Croatia are based on the assumption that a higher number of police personnel (sworn officers only) would increase clearance rate, either directly, or indirectly through the reduction of a crime rate. This problem was provoked by problems in Croatian capital Zagreb, but it is present in many Central and Eastern Europe transition countries which face the growth of population in urban areas.

Design/Methods/Approach

The paper is mainly based on theoretical methods and a review of literature. Concerning the fact that there aren't many projects in this field in Central and Eastern Europe, the research is focused on empirical data from other countries that have already experienced the same problem. A simple quantitative analysis was conducted with an aim to compare different police departments in Croatia.

Findings

Although many findings indicate that the number of police staff has certain effect on the clearance rate, there are many conflicted interpretations about the nature and level of such impact. Many researchers established that small changes in the rate of police officers had little or no response at all in clearance or crime rates. There are some examples indicating that the substantial decline in crime rates can be attributed only to the huge increase (more than a third) of police personnel, but not only to small changes. Some authors found that there aren't any consistent variations in clearance rates, and that environmental variables have a greater effect than the organizational one. Other analysis showed that the rate of police officers doesn't contribute to the increase of crime clearance rate because of ineffective allocation of resources and other reasons. Therefore, it is impossible to define a unique conclusion simplified to only one solvability factor. It is necessary to include all crime contributing circumstances in particular community. In Zagreb Police Department there are 401 officer per 100.000 inhabitants, while Croatian average in 2011. was 618 (border police included). In Zagreb, there is one police station on every 50.000 inhabitants, while the

average for Croatia is 23.000. Zagreb Police Department has the highest crime rate and the lowest clearance rate in the whole country.

Research limitations/implications

Determinations from the paper are not restricted only to the Croatian police system since issues are immanent to every South-Eastern Europe system having a similar model.

Practical implications

The results of the research are useful for both practitioners and scholars.

Originality/Value

In the recent literature, this topic was not broadly described in South-Eastern Europe.

Keywords

Increase in police personnel, clearance rate, crime rate

About the author(s)

Željko Karas, Ph. D., Head Deputy, Police College in Zagreb, Croatia. He is author of more than 35 articles, books and projects on crime investigation, evidence law and police. Contact: zkaras@fkz.hr

Types of Mutual Influences between the Police and the Politics: From Paralyze To Perspective: the Situation in the Republic of Macedonia

Frosina T. Remenski, Marjan Nikolovski

Purpose

Relations between police and politics i.e., police and subjects of political processes depend on many factors and occur as complex relations of reciprocal (mutual) influence and interference. For the analysis of mutual influences such theoretical concept will be taken into account D. H. Bayley's, divisions and subdivision: (legal through the permitted influence through control by the government and parliament and illegally by the abuse of police powers for political purposes). To prevent political influence mode of policing, democratic countries are committed to the principle of political neutrality of the police. This principle includes: independence of the police within the law, the autonomy of the police in taking certain actions according to law and legal obligations, not to use the police in a political struggle and the principle of de-politicization of the police. According to D. H. Bayle, deviations from the principle of political neutrality of police can be divided into two basic groups: directly through open forms of impacts (on people, processes, intrusive regime, political decisions); covert forms of impacts (surveillance, control, manipulation), and indirect forms of influence (socialization the public, legitimization of the government, demonstration effects and participation in development). If we added ethno-political mobilization of minority ethnic communities in multiethnic societies and the need for a special relationship to the police to their members, employment policies in the police and the participation and power sharing to these processes of interaction of police and politics added then the question becomes this relationship are more complex. The aim of the this paper is - through the D. H. Bayley's theoretical concept of mutual respect between police and politics, the forms (positive, negative) of impacts and empirical data's from the longitudinal scientific research of the Faculty of Security-Skopje, "Attitudes of the work of the Macedonian Police from 200 to -2012" - to give a display of various forms of interaction between police and politics in the Republic of Macedonia.

Keywords

Police, Politics, de-politicization, political neutrality

About the author(s)

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Panel 14

CRIMINAL INVESTIGATION II

Gender Differences in Interview Tactics with Suspects

Tajana Ljubin Golub, Josip Pavliček

Purpose

The aim of the study was to research self-reported frequency of use of different interviewing techniques.

Design/Methods/Approach

A questionnaire was designed for the purpose of the study. The participants in this study were 99 police inspectors from criminal police departments of all Police Administrations in Croatia, out of whom were 43 females and 50 males, with the mean age of 32 years. The three most used interviewing techniques for both male and female officers are confronting the suspect with evidence of his guilt (the most often used in male and the second one in female officers), highlighting contradictions in suspect's statements (the most often used in female and the second one in male police officers), and the highlighting contradictions with other suspects' statements (the third most frequently used in both male and female police officers).

Findings

Gender differences were found in three out of 13 interviewing techniques. The correlation pattern between frequency of use of various techniques and age and length of police experience was different for male and female police officers.

Originality/Value

In Croatia have not conducted similar research. The importance of research can be in developing investigative interviewing in criminal investigation with regard to the specific criminal procedural framework.

Keywords

police interviewing, gender

About the author(s)

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Criminal Investigative Techniques in Adversarial Interviewing

Matija Mastnak, Bojan Dobovšek

Purpose

The purpose of this article is to study the similarities and differences between investigative interviews done by police detectives and those done by investigative reporters.

Design/Methods/Approach

The study took descriptive methods pursuant to expert literature supported by the case study of the interviews done by investigative reporters.

Findings

In professional literature there is a strong belief that the most important factor in a criminal case is the interview. Something similar applies to journalism. Interviewing is the central activity in modern journalism and the interview is the main mean by which reporters gather information. Investigative reporters can and do use methods and techniques similar to those used in formal crime investigations, particularly in the field of the interviews.

Originality/Value

This article extends understanding how investigative interviewing operates in journalism.

Keywords

Investigative interviewing, interview, adversarial interview, forensic, investigative reporting, journalism, ethics.

About the author(s)

Matija Mastnak, Sociologist, Bachelor of Arts in Criminal Justice and Security Science, Ph. D. student (University of Maribor, Faculty of Criminal Justice and Security), freelance journalist.

Bojan Dobovšek, Associate Professor and Vice-Dean of the Faculty of Criminal Justice and Security Studies, University of Maribor, Slovenia.

Micro Facial Expressions as a Base of Evaluation of Statements in a Simulated Interrogation

Nathan Klasinc, Katra Tomažič

Purpose

Interrogation without many facts can be difficult and troublesome. The whole purpose of our research was to determine if micro facial expressions can indicate to the investigators if the suspect is concealing or hiding information crucial to the investigation.

Design/Methods/Approach

We tried to replicate conditions similar to those in the interrogation rooms. Each of the participants had a task of lying or telling the truth. The interrogation lasted from three to five minutes. For recording purposes we used modern recording devices capable of recording in high definition and with speeds of 60 fps. The recorded data was later analyzed, frame by frame if necessary, to search for micro facial expressions that would indicate the validity of the statements

Findings

The research showed that even with a short interrogation, 75 % of participants did show micro facial expressions. Based on the analysis of video recordings, we found a correlation between most of the perceived micro-facial expressions and given statements of participants after the interrogation.

Originality/Value

The conducted research was the first of its kind in Slovenia. We believe that we've only scratched the surface. A lot more research is still required however our results indicate that this method of gathering information has its useful purpose. Our findings are relevant not just for interrogators but to any individuals or groups with a lot social interactions such as police officers, social workers, psychiatrist, businessmen... Crucial to our research was also the fact that the video analysis was done with standard "off-the- shelf" recording devices and without any special software.

Keywords

micro facial expressions, interrogation, lying, truth

About the author(s)

Both Katra and Nathan are students at the Faculty of Criminal Justice and Security. Their bachelors' thesis was the basis for this paper. They have studied, trained and/or attended other seminars for this research over the last two years.

Interview and Interrogation Tactics and Techniques in Serbia

Zvonimir Ivanović, Vladimir Urošević, Sergej Uljanov

Purpose

This paper examines the distribution of officer opinions combined with personal states of perceived statuses of interviewed and interrogated people, types of successful tactics used by police, types of defence tactics used by suspects in interviews and interrogations.

Design/Methods/Approach

Interviews and surveys are distributed and conducted by students of second and third year of Academy of criminalistic and police studies (ACPS) at practical course in police stations across Serbia, the questions in the surveys and interviews were nominal-polytomous, where the respondent has more than two unordered options, the present analysis utilizes also open questions to examine how characteristics not defined by researchers are related to the whole.

Findings

Overall, the officers in the sample are various, and there could be no fixed types of participants in both surveys and interviews. Generally one thing is very expected, those results are to be very precise and without censure because of distributors of those two techniques of researching. It is expected to find some irregularities in the procedure and in the status transition from citizen up to suspect and it would be a challenge to observe the statistical values of tactical similarities by suspect and police. Given that the data were not drawn from a study specifically focused on the tactics but also other characteristics of subjects of the procedure, there could be more deductions and analyses of presented data with further scientific implications.

Originality/Value

Solely this research paper presents pioneering project in Serbia and it could be first of many to come in finding the best practice and the most suitable technique and tactics in addressing the citizen, possible witness or a suspect. Also it could give an original view to the topic, with lot of criticism towards actual practice in all of given positions - suspects, citizens and possible witnesses. In the end it could derive some new forms of procedures, new types of training in interviewing and interrogating, and a whole new approach to the topic. It also gives a great feedback for practical course of ACPS students, and could present a form of it's evaluation.

Keywords

Interrogation, interviewing, police tactics, police attitudes, suspect tactics

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Panel 15

WHITE COLLAR CRIME

Corporate Crime in Romania: Theoretical and Practical Issues

Andra-Roxana Ilie

Purpose

The purpose of the paper is to present the main regulations governing the criminal liability of corporations, as existing in the Romanian Criminal Code since 2006, as well as they are provided in the new Criminal Code which should enter into force in 2013.

Design/Methods/Approach

The study focuses on the presentation of the legal provisions regulating the criminal liability of corporations in Romania, as well as on the case law in this field.

Findings

The criminal liability of corporations is now consecrated in Romanian for almost than years. However, there is some reticence in engaging the liability of such persons which are not “in the flesh”. Police officers, prosecutors, lawyers, judges and other practitioners deal with several problems regarding the application of the legal provisions regulating this field. Nevertheless, in the past two years, it can be noticed an emergence of the files where the problem of the criminal liability of corporations is raised. Therefore, it is important to analyze both the documents drawn up during criminal investigations against corporations and the court decisions where criminal charges against such entities were carried out and to see how the relevant legal provisions were applied in these cases. For instance, it can be noticed that the most common crimes perpetrated by corporations are related to employment issues, copyright, corruption, illegal drug trafficking, tax avoidance etc.

Originality/Value

As, until recently, the criminal liability of corporations was not consecrated in Romania, there is no much legal literature in this area. There is also no inventory of the decisions given against such entities by the Romanian criminal courts.

Keywords

criminal liability, corporations, sanctions, Romania, precautionary measures, interim measures

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Environmental Crime Trends in Slovenia in the Past Decade

Katja Eman

Purpose

Environmental issues became a part of modern societies within a developed economic and industrial system. This paper examines the changes of number and forms of detected environmental crime in Slovenia with the purpose to form useful prevention and deterrence methods to face this 'new' form of crime.

Design/Methods/Approach

The method of crime statistics analysis (data obtained from police, inspectorate, public prosecutors' office and courts of justice), is used for the analysis of the environmental crimes trends in Slovenia with the purpose to estimate the actual situation in the State. Furthermore, using the responses of 25 Slovenian experts in the field of environmental justice, additional standpoints analysis and comparison with the official statistic data is done.

Findings

Environmental crime surveys in Slovenia revealed that Slovenia still has a largely intact nature, especially rich water resources and large areas of forest land. On the other side the number of yearly detected criminal offences against the environment, space and natural resources is relatively small; in average only 145 offences per year. Analysis of official statistical data show that the illegal waste disposal, the torture of animals, the game poaching, and the burdening and destruction of environmental and space in general are groups of environmental crime forms, most often dealt with by police and inspectorate. Another issue is the finding that only one third of filled criminal charges end successfully with a conviction. Research limitations/implications Given that the official crime statistics do not cover the grey field of crime, where white-collar and organized environmental crime acts prevail, additional, more focused survey could improve the gained research results.

Originality/Value

Environmental crime currently signifies huge challenges for the criminal justice theory and practice. Presented results represent first and very useful basis for additional activities in the field of environmental crime Slovenia.

Keywords

environmental crime, Slovenia

About the author(s)

Katja Eman, PhD, Assistant at the Faculty of Criminal Justice and Security, University of Maribor, Ljubljana, Slovenia. She became junior researcher in the field of criminology and in March 2012 finished a Ph.D. research in the field of green criminology, entitled Crimes against the Environment – Comparative Criminological and Criminal Justice Perspectives. Her research fields of interest are green criminology, environmental crime, environmental justice, organized crime and crime prevention. E-mail: katja.eman@fvv.uni-mb.si.

Art Crime in Slovenia and the Research of Prosecution Files

Saša Kuhar

Purpose

The purpose of this paper is to present characteristics of criminal offences against art and cultural heritage in Slovenia and to present preliminary findings of study about prosecution files on art crime.

Design/Methods/Approach

This paper is based on literature review and on preliminary findings of study on art crime in Slovenia. The study included a review of prosecution files from the year 2005 to 2010.

Findings

The media and the public in Slovenia did not pay almost any attention to crime against art and cultural heritage a few years ago. Today the picture is a little bit different. It is true that there is not a lot of art crime in Slovenia but it is necessary to pay attention to these cases. We must realize that cultural heritage and art present a significant role in maintaining our history. If the piece of art is damaged, we lost it for ever. The police records show that is committed around 150 crimes against art and cultural heritage per year. The paper presents the results of a study of prosecution files about art crime. The most frequent art crimes are theft, smuggling, illicit import and export of art, a fraud and vandalism. In most files the theft is committed in church, at residential buildings, in galleries and in other places. The results show that in most cases the offender is male. Thefts are committed primarily at night. The places where the crime is committed are not protected (either physically or technical) in most cases. Offenders are not aware that some subject is a piece of art or a piece of cultural heritage. Because of this they are not aware of damage that they made with their acts. I have to highlight the problem that I found out during the study. The prosecution files in Slovenia are stored by the name of the offender or the victim. Because of this it is very difficult to find files that are related with art crime. The reason why this kind of studies is important is to identify the features of this kind of crime. This would help us in preventive actions.

Research limitations/implications

The research limitations are related to data collection, because a sample was small and limited on five years. But nevertheless the data does suggest some important characteristics of art crime in Slovenia.

Originality/Value

This work is one of the first study of art crime in Slovenia and the first research of prosecution files about art crime. The findings should be interesting for criminal investigators, private security and others who are dealing with works of art.

Keywords

art crime, cultural heritage, investigating art crimes, prosecution file

About the author(s)

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Panel 16

POLICING II

The Efficiency of Police at Regional Level in Slovenia: An Application of Data Envelopment Analysis

Aleksander Aristovnik, Janko Seljak, Jernej Mencinger

Purpose

The Slovenian police should necessarily join the process of adjusting to modern trends, as should the state administration. The global financial and economic crisis also offers a window of opportunity for deep structural reforms to the police since police activity is a cornerstone of all other institutions of the rule of law, freedom and security; without the police service there can be no development, democracy, economic progress or social and legal equality. Slovenia does not have a modern system for objectively monitoring the state of security as well as the performance, efficiency and quality of the police's work. Therefore, a central goal of the empirical research is to obtain additional expert premises and guidelines for the streamlining and reorganization of the police in Slovenia. In this respect, the main purpose of the paper is to apply a non-parametric methodology for measuring public police performance in Slovenia.

Design/Methods/Approach

The paper considers how previous studies have modelled the role of policing in their specifications of inputs and output. In particular, the multiple-stage Data Envelopment Analysis (DEA) technique is presented and then applied to measure the relative efficiency of police-work-related data (in selected three core police activities) for eleven police directorates (PDs) in 2010 and also compared with the efficiency scores in 2005. The data obtained from the police databases is analyzed through the Frontier Analyst 4.0 and SPSS 19.0 statistical package software.

Findings

We found significant differences in the efficiency scores and that most police directorates in Slovenia are technically inefficient. Indeed, the empirical results show that between 6 to 7 police directorates (out of 11) (it depends on the core police activity) are inefficient relative to their peers. This suggests there are opportunities for an output increase by augmenting the observed police outputs. Two police directorates, i.e. the Maribor PD and the Novo mesto PD, are rated the most efficient in terms of technical efficiency for all three selected core police activities (crime prevention, detection and investigation; public order and overall safety of people and property; road safety) in 2010 using police statistical data and can therefore serve as a good benchmark. Further, we also showed that police directorates can

be investigated in terms of their relative efficiency according to the time dimension. When comparing 2005 and 2010, the efficiency score rankings reveal relatively wide variations among the considered police directorates and their core activities. For instance, the same police directorate (the Celje PD) reveals a significant efficiency improvement in the area of public order and simultaneously a substantial deterioration in the area of crime prevention, detection and investigation. In general, the biggest increase (decrease) of average efficiency rankings of all three core police activities was noticed in the Krško PD (Celje PD), particularly due to efficiency variations for crime prevention, detection and investigation activities in the period under study. Finally, our empirical analysis indicates that differences in operating environments and socio-economic factors do have a significant influence on the efficiency of police directorates in Slovenia.

Originality/Value

Over the past few years a relatively high number of studies in the field of measuring the police efficiency were based on non-parametric methods (e.g. DEA). They mainly involved measuring efficiency at the national level which shows inputs from other systems into the police system (e.g. how much society invests in police work) and outputs from the police into other systems (e.g. the contribution of the police to social welfare, security etc. – how much society receives from the police system). In contrast with previous studies, the focus of our empirical study was primarily on measuring how the police respond to events which occur in society and to which by law they must respond. Accordingly, the empirical results of the paper will be important indicators of the relative efficiency (or inefficiency) of police directorates that can serve as a guide to the General Police Directorate when further investigating how to enhance the performance efficiency of the various units.

Keywords

performance measurement, three-stage data envelopment analysis, police, Slovenia

About the author(s)

Aleksander Aristovnik, PhD, is currently working at the Faculty of Administration (University of Ljubljana) as an Associate Professor in the Department of Economics and Public Sector Management. In addition, he is an Associate Professor in the Department of International Economics at the Faculty of Economics. He has actively participated in around 40 international conferences and recently participated as the head or a member of a few research projects financed by the Slovenian Research Agency (ARRS). He has also published and reviewed many professional and scientific articles in domestic and international (ISI-

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Evaluation of the Slovenian Use of Force: Training for Daily Policing Purposes

Aleksander Krebl

Purpose

The aim of the research is to evaluate how police officers perceived theoretical and practical explanation/demonstration of the use of force in the Practical Procedure Training (PPT). The research seeks to ascertain if the training environment, trained topics and leadership styles influence use of force and how they are implemented in the PPT process.

Design/Methods/Approach

A quantitative method with structured questionnaires (assertions) is used for 180 police officers, who have participated in the PPT, at the regions where means of restraint have been most frequently used; Ljubljana, Maribor and Celje. Officers are asked to evaluate the theoretical and the practical part of the PPT and to respectively to evaluate commanders and instructors contribution in the PPT. Correlation between the prevailing training approach and officers understanding of applying force subsequently are analysed, as well as if alternatives, before employing force, are trained for sufficiently. Finally, it is evaluated whether the PPT takes into account the complex nature of encounters, considers cognitive causes, and if the risk of unnecessary injures is reduced, in a constantly changing and demanding policing environment.

Findings

It is argued that training environment, trained topics and leadership styles influence daily use of force by police. These factors are not completely considered and implemented in the PPT process. Theoretical and practical explanations of the necessary and proportional use of force are not perceived by the officers as fully harmonized. The basis of the PPT program is a legislative issue rather than officers' perceptions of use of force situations. A repetitive approach, which prevails in the PPT, inhibits the evolving of communication skills and learning in the use an adequate force in naturalistic settings. Insufficient education in respect of cognitive causes prevents officers, instructors, commanders and police administrators from fully understanding how applying force results in subsequent behaviour. The complex nature of encounters is only partially considered in the PPT and the risk of unnecessary injures is not avoided in demanding and constantly changing policing environment. The need for a problem-based training and scientific evaluation of the PPT is indicated.

Originality/Value

The paper presents the first such study in Europe; seeking for use of force training and officers' daily use of force correlations. The real strength of this paper is the careful and precise way of dissecting the views of police officers about the PPT in the use of necessary restraint, with particular attention to the training environment, the training curriculum and police leadership styles.

Keywords

police, use of force, training, commanders, instructors

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Delivering Bad News – A Training Course for Police Officers

Simon Turk, Viktor Zupančič

Purpose

Bad news in palliative care is any news that drastically and negatively affects a patient's future. (Buckley, 2008) Similarly we can say that bad news in police work is any news delivered by police that drastically and negatively affects the future of bereaved relatives. Nowadays, whether or not to inform the relatives of bad news is no longer a question. Informing the relatives is the duty and the job of the police (Article 3 of the Act of Police) as an organization that deals with cases of death and other serious incidents. What is of key importance here is that police officers deliver bad news in an appropriate manner therefore they need to be particularly skilled in interpersonal communication. For that purpose, Police Academy has, in collaboration with several other units in Police, designed a training course on delivering bad news. The main focus of the course is that bad news is communicated clearly and comprehensibly using communication skills to reduce emotional stress for both – the bereaved relative as well as the police officer delivering the bad news.

Design/Methods/Approach

We started with the implementation of this training course in 2010. By June 2011 we had delivered 24 training sessions for 363 police officers in various Police Directorates across Slovenia. During this period we used satisfaction questionnaires at the completion of each training session.

Findings

Participants evaluated the training as very relevant, beneficial and useful because it provides applicative link between their prior experience and the newly acquired theoretical knowledge.

Research limitations/implications

This article and evaluation findings are not intended just for police officers but also for educational institutions that educate current or future officers or investigators.

Originality/Value

Most participants believe that the implementation of the course started (too) late, since almost all of them already had some practical experience but no actual training in the field of delivering bad news. Based on the course evaluation findings we are going to upgrade police

training programmes for current police officers as well as start introducing these contents into the basic educational programmes for future police officers.

Keywords

bad news, delivering bad news, meta-empathy, empathy, police officers, training

About the author(s)

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Panel 17

POLICE ETHICS, INTEGRITY AND ACCOUNTABILITY

Police Integrity, Community Policing, and the Croatian Police

Sanja Kutnjak Ivkovich

Purpose

The purpose of this paper is to explore the relation between police integrity and community policing.

Design/Methods/Approach

The current study relies on the police integrity survey conducted in 2008/2009. The representative sample consists of 1,315 police officers from various parts of Croatia. About one-quarter of the police officers were community police officers, while the majority of the respondents had been performing traditional police roles. The respondents were asked to evaluate hypothetical scenarios describing a range of various forms of police misconduct, as well as a series of questions assessing their views of and experiences in community policing

Findings

Our analyses explore a relation between the police officers' extent of police integrity and their experiences in and attitudes toward community policing. We hypothesized that the community police officers would express attitudes less supportive of police misconduct and more supportive of police integrity. Because community policing seeks to establish close and personal relationships between the police and the community, we expected that the differences in attitudes between community police officers and traditional police officers would be particularly pronounced for the use of force scenarios. We analyze the results across several measures of police integrity, such as the police officers' knowledge of official rules, evaluations of police misconduct as serious, views about appropriate and expected discipline, and the code of silence. Our results suggest that, in the majority of the scenarios, views and attitudes of community police officers are very similar to the views and attitudes of traditional police officers.

Research limitations/implications

Although the sample is a stratified representative sample of police agencies and the overall response rate for individual police officers is 88 percent, not all police officers from the selected agencies participated in the survey.

Practical implications

The methodology can be utilized by police administrators wishing to explore the contours of police integrity in their police agencies, as well as whether the attitudes and views of community police officers and traditional police officers differ with resp

Originality/Value

Since the first police integrity survey in the 1990s, the number of empirical studies measuring the extent of police integrity has grown dramatically. Prior studies of police integrity have measured police integrity in many police agencies, both centralized and decentralized, across the world. This research explores the relation between police integrity and community policing, an issue unexplored by the prior studies.

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Police Integrity Among Slovenian Police Officers

Branko Lobnikar, Gorazd Meško, Sanja Kutnjak Ivkovich

Purpose

The paper provides an in-depth exploration of police integrity among Slovenian police officers from the organizational/occupational culture theory of corrupt behavior point of view. It includes the analysis of how seriously officers regard misconduct, how amenable they are to supporting punishment, and how willing they are to tolerate misconduct in silence (police code of silence).

Design/Methods/Approach

In spring 2011 the police integrity study was conducted on representative sample of 572 Slovenian police officers. The measurement was consisted by 14 hypothetical case scenarios, describing a range of various forms of police misconduct, from those that merely give an appearance of conflict of interests to incidents of bribery and theft. The questions contained in the questionnaire explored police officers' perceptions of seriousness of each case (two questions – respondent's own view and perception of the views of other police officers), appropriate discipline and discipline they expected their police agency to mete out, as well as the respondents' willingness to report misconduct - two questions: one addressing the respondent's own willingness to report it, and the other concerned respondents perception of other officers' willingness to report it

Findings

The 14 case scenarios fall into 3 categories of perceived seriousness – 3 scenarios (helping drunken police officer, accepting gifts of food and liquor, and verbal abusing driver) were not considered very serious by Slovenian police officers. Respondents considered 5 other cases (in criminal charge not noticed ethnically motivated crime, do nothing when juveniles draw graffiti, excessive force - punching suspect, supervisor not prevent beating a suspect, and supervisor abusing his/her power) to be at an intermediate level of seriousness. Respondents evaluated reminded 6 cases as very serious (shooting runaway suspect, taking 5 % of repair bill from local auto body shop owner, falsification of evidence, protecting a friend from prosecution, police officer take bribes, and theft of the knife). The respondents think that the severity of discipline will be the lowest for those offences they perceive as less serious (verbal abusing driver, accepting gifts of food and liquor, and helping drunken police officer), and will be highest for the most serious cases (e. g. theft of the knife, and police officer take bribes). 31,5 percent of surveyed police officers believe that discipline for helping fellow

police officer DUI is too harsh. This case scenario is the only one, police officers think they should not to be punished at all for their behavior, and was evaluated as less serious case scenario. 39,5 percent surveyed police officers believe that discipline for police supervisor, abusing his/her power for asking police officer to do some private work for police supervisor, is too lenient. They think he/she will get no discipline.

Research limitations/implications

The validity of the survey's results depends on the honesty of police officers when responding to the survey questions. We assure the confidence and anonymity to respondents, the participation was voluntary, and we asked minimum socio-demographic questions not to jeopardize the legitimacy of the survey. At the end of the questionnaire we asked the question "Did you give your honest opinion in filling out this questionnaire", and those officers who reported that they had not answered honestly were discarded when the survey results were analyzed.

Originality/Value

The similar survey with the same methodology was conducted 15 years ago (with 11 case scenarios). The case scenarios in this study cover some additional forms of misconduct, but the core questions can be compared with the first study. Doing so, the study enables longitudinal analysis on police corruption and integrity.

Keywords

police integrity, police corruption, code of science, severity of discipline

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Legal and Ethical Principles in Practice – The Case of the Slovenian Police

Iztok Rakar, Janko Seljak, Aleksander Aristovnik

Purpose

The paper examines the results of an evaluation of a legal and ethical principles survey of employees of the Slovenian Police.

Design/Methods/Approach

Within the framework of the Targeted Research Project (ciljni raziskovalni projekt - CRP) 'The establishment of a system for efficiency, effectiveness and quality measurement in the Slovenian Police Service', that was financed by the Ministry of Interior, a survey on the evaluation of legal and ethical principles was conducted in the period from 27 February to 23 March 2012. All employees of the Slovenian Police were invited to participate, including those from the General Police Directorate. The analysis focuses on statistically significant differences in the evaluation of selected legal and ethical principles based on gender, age and work position.

Findings

The female employees often evaluated all of the principles higher than the males. Differences occurred with regard to the principles of humanity, economy, social responsibility, confidentiality, limitations on strikes, limitations on conducting other activities, preserving the good reputation of the police, loyalty and the prohibition of mobbing. Certain principles were evaluated equally by all age groups (e.g. efficiency, confidentiality, prohibition of mobbing), while other principles were as a rule evaluated lower by younger employees (e.g. legality, professionalism). Employees in the office evaluate certain principles differently to those who work in the field (e.g. economy, ethics, and social responsibility).

Originality/Value

The research shows how employees of the Slovenian Police evaluate certain legal and ethical principles regulated by legislation and highlights differences regarding gender, age and work positions.

Keywords

legal principles, ethical principles, Slovenian Police, General Police Directorate

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Transparency, Accountability, Integrity: The Case of Slovenian Law Enforcement Agencies and the Judiciary

Bojan Dobovšek, Benjamin Flander, Miha Šepec

Purpose

This paper aims at assessing transparency, accountability and integrity amongst Slovenian law enforcement agencies and the judiciary. As members of the National Integrity System (NIS) Assessment research team, the authors will present some fundamental findings and their views on the levels of transparency, accountability, integrity and the corruption in the Slovenian judiciary and law enforcement agencies, e.g. the two principal actors of the criminal justice system of the country and important pillars of the national integrity system. Indicators such as independence and anti-corruption efforts will be under scrutiny in addition to those mentioned above. Authors' goal is to point out the advantages and the weaknesses in the integrity system, improve with their findings the overall awareness of the problem of corruption in the mentioned institutions and contribute to the actual improvements, if and where they are needed.

Design/Methods/Approach

Authors are using the methodology concept provided by Transparency International for the purpose of conducting the NIS Assessment. This concept provides a framework which can be used for analyzing integrity mechanisms and the extent and causes of corruption as well as the effectiveness of national anti-corruption efforts in a given country. The assessment examines both the formal legal framework of the institution, as well as the actual institutional practice, highlighting discrepancies between the formal provisions and reality on the ground. A thorough review of laws, policies and existing research studies constitutes the main data source for the study. To collect information on the practice, three interviews have been conducted regarding law enforcement and two interviews regarding judiciary. The paper provides for each institution a quantitative summary (score table) of the information assembled through the qualitative research.

Findings

On a large scale, the research shows that there is a huge discrepancy between adopted legislation and its implementation in practice. The judiciary has relatively low level of confidence among citizens, yet it belongs to the strongest actors evaluated in the NIS assessment. Only recently the judiciary has started implementing reforms, which are aimed at a more efficient decision-making in criminal matters involving corruption. The assessment

indicates that although there are individual cases of corruptive practices among judges, this should not be considered as a systemic problem in the integrity of courts. Concerning law enforcement agencies, the research shows that they are quite successful in the investigation and prevention of their own corruption – corruption within them is at minimum level. However, due to poor cooperation between the State Prosecutor's Office and the Police, law enforcement agencies are relatively unsuccessful in the prosecution of external corruption, which is reflected in the extremely low number of convictions for criminal offences of corruption, although the Commission for the Prevention of Corruption observes that corruption is a major problem in Slovenia.

Research limitations/implications

This paper, being based on the NIS project, represents the first thorough examination of law enforcement agencies and the judiciary from the perspective of integrity mechanisms and corruption probabilities. Findings of this paper shall contribute to the overall awareness of corruption in the criminal justice system.

Originality/Value

The present assessment, if being addressed by the legislature and institutions themselves, could make a difference and corruption could be better regulated and prevented in the future.

Keywords

Law enforcement agencies, judiciary, independence, transparency, accountability, integrity, corruption prosecution.

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Panel 18

HANDBOOK OF POLICING IN CENTRAL AND EASTERN EUROPE

Handbook of Policing in Central and Eastern Europe – An Overview

Gorazd Meško

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Serbian Police - Troubled Transition from Police Force to Police Service

Želimir Kešetović

Purpose

The purpose of this paper is to analyse in comprehensive manner reform of the Serbian police after the breakdown of the system of personal rule of Slobodan Milošević and describe invested efforts, failures and obstacles in building professional and accountable police service in accordance with standards and needs of modern democracy.

Design/Methods/Approach

Analysis is based on secondary sources and literature review.

Findings

After democratic changes in October 2000, it became apparent that a complete revision of the security concept was a high priority and that immediate and substantive change in all the organisational and functional sections of the MoI must correct the serious inherited shortcomings (links between some police officials and organised crime, corruption, politicisation, militarisation, centralisation, lack of control and respect for human rights, code of conduct, capable managers, personnel and equipment). As a part of the overall social reform, the reform of the MoI was launched immediately. Cornerstone challenges of this reform were flagged as the four "Ds" – de-politicisation, de-centralisation, de-criminalisation and de-militarisation. Mainly positive remarks, deprived of a self-critical view, would be heard in the statements and presentations from the official sources at conferences and round tables. On the other hand foreign experts, national independent researchers and NGO's are very critical of the reform results. Although in Serbia is still prevailing state-centric concept of security, in the late 1990s the private security sector emerged and has rapidly grown since then, and from 2010 the municipal police is introduced. However, Serbia is still not a consolidated democracy, but rather, in a way, a weak state lacking basic political and national consensus even on "big issues". Due to this reason, it is very hard to predict the future development in policing. It will depend on the result of forthcoming elections the development of social and political situation, and the moves of the EU and international community as well. A necessary prerequisite for speeding up the reform process in police and policing in general is a radical change in the way that the political leadership is managing the process of transition towards a modern and open society based upon the rule of law and a respect for human rights.

Research limitations/implications

Secondary sources analysis should be complemented with qualitative and quantitative research. However, Serbian Ministry of interior is not very opened for researchers. Procedures for obtaining necessary permissions are complicated and time consuming. Findings might be useful for police managers and policy makers to speed up the reform process.

Originality/Value

This paper reveals main problems and obstacles in police reform and there are few researches into this issue

Keywords

Serbia, police, transition, police reform, police force, police service

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A New Concept of the Police and Policing in the Republic of Srpska (BiH)

Mile Šikman, Velibor Lalic

Purpose

Organization of the police and the nature of policing depend on several factors. One of the most important factors is a constitutional organization of the state. It is widely accepted understanding that the organization of police adheres to the constitutional organization of state. In addition, the social structure significantly reflects on the concept of policing. Bosnia and Herzegovina is a multiethnic state composed of two political entities – the Republic of Srpska and the Federation of Bosnia and Herzegovina. In accordance with the constitutional organization of Bosnia and Herzegovina, the police system is mostly decentralized. Constitutional complexity and ethnic diversity are the key factors in understanding of the concept of policing in Bosnia and Herzegovina and the Republic of Srpska as one of its entity. A concept of policing in the Republic of Srpska defines closer relations between police and public, preventive activities and proactive approach to the police work, focusing not only on the crimes committed, but also to the problems identified in the community.

Design/Methods/Approach

Literature review was carried out in order to determine the Republic of Srpska Police jurisdiction – particularly focusing on its organizational structure, system of police education, training, etc. After that, the statistical method has been applied in order to observe crime trends over the past 20 years. Additionally, comparative method has been used to review models of police organization in the past and nowadays. Subsequently, the relationships between the police and the community, media and public have been analyzed. Particular attention has been given to the strategic development of the police and policing in the Republic of Srpska. Also, the future trends of policing in the Republic of Srpska were discussed. Finally, summarizing and consolidating the data, the authors will give a final analysis of policing in the Republic of Srpska.

Findings

Ministry of Internal Affairs of the Republic of the Srpska is the police agency of the Republic of Srpska, which is one of two entities in Bosnia and Herzegovina. Namely, in accordance with the Dayton Peace Agreement, Bosnia and Herzegovina is a complex state, which consists of two entities (the Federation of Bosnia and Herzegovina and the Republic of Srpska) and – an autonomous territorial unit, called the Brcko District of Bosnia and Herzegovina. According to the Constitution of Bosnia and Herzegovina, the internal affairs are under the jurisdiction of

the entities, while certain police jurisdictions have been delegated to the state level. Thus, there are certain police agencies at the state level of Bosnia and Herzegovina. Ministry of Internal Affairs of the Republic of Srpska has jurisdiction under the Law on Internal Affairs and the Law on Police Officials. The scope of the Ministry is the civil administration in the field of internal affairs in order to ensure security and safety of the Republic and its citizens. Ministry of Internal Affairs of the Republic of Srpska has a centralized organizational structure. There is a headquarter and police directorates, and five Centers of Public Safety each covering a particular region of the Republic of Srpska. Within the centers for public safety are numerous police stations. Minister of Interior Affairs is the head of the Ministry, who is in charge of the entire Ministry, while the Director of the Police is responsible for police operations and police officers within the Ministry. Policing in the Republic of Srpska is conditioned by several important factors. Bosnia and Herzegovina is facing with major problems of transitional societies. This includes fundamental social changes, both in understanding of the role of local community and in the mutual relations of citizens and government, especially the police. In addition, significant international presence and the Euro-Atlantic integration of Bosnia and Herzegovina to a certain extent determine the activities and goals of Republic of Srpska's police. Accordingly, the police officers are obliged to respect human rights and freedoms, regardless of race, sex, language, ethnic origin, religion, social origin, birth, education, political affiliation, social status or other characteristics. Considering the commitment of the Government to the European Union integration, the fight against organized crime and corruption, and the economic and social accountability – the Ministry of Internal Affairs has directed all of its resources to accomplish these goals. Therefore, the Ministry makes efforts to create a modern, strong, professional police, technically equipped and well trained. Strategic approach to the development of Ministry has been recognized as a key priority in the EU integration process. The EU candidate countries are expected to meet the requirements and make the appropriate adjustments of its administrative structures. Analysis of the current situation identified the need to introduce modern methods of strategic management, defining priorities and programs in key areas, improving accountability, transparency, and developing cooperation and partnership with the public and other parties.

Research limitations/implications

Research subject is very complex, therefore is not possible to analyze all aspects of policing and other policy issues of the Republic of Srpska's police.

Practical implications

Practical implications of the research results refer to better understanding of policing in multi-ethnic environments. Findings will identify problems and provide recommendations for improvement of policing in the Republic of Srpska.

Originality/Value

This paper aims to provide critical analysis of the present state of the Republic of Srpska Police in the context of contemporary police organizations. Research results could be used for future studies on this subject and for development of the efficient concept of policing in the Republic of Srpska.

Keywords

Police, policing, multiethnic society, organization, jurisdiction

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Policing in Croatia

Irma Kovčo Vukadin, Krunoslav Borovec, Tajana Ljubin Golub

Purpose

The purpose of the paper is to give an overview of the development of policing in Croatia - organizational, structural and functional within the context of crime and disorder picture in the last 20 years.

Design/Methods/Approach

In this overview the authors analysed relevant historical and actual documents, official crime and disorder statistics and results of numerous researches.

Findings

Policing in Croatia reflects specific circumstances of its development, starting from the declaration of Croatian independence. The process of transition from a communist to a democratic regime was exacerbated by the experience of war, since the role of the Croatian Police, at the very time of its creation, was primarily defensive. The development of democratic policing went hand in hand with the pace of development of democracy in the country as a whole. Although the history of the Croatian Police spans a relatively short time-frame, it shows a number of reforms directed towards the development of democratic principles and strengthening the rule of law. Some reform ideas have remained at the level of political rhetoric, but many have been implemented. There is no doubt that reforms will be an ongoing topic in the Croatian police force. Some phrases that have been repeatedly emphasised as the key objectives of these reforms - depoliticization, professionalism, transparency, integrity and accountability, continue to represent constant challenges for the Croatian Police.

Research limitations/implications

This is the first attempt of summarizing the development of policing in Croatia since the declaration of Croatian independence.

Keywords

policing, development, Croatia

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Policing in Macedonia

Stojanka Mirceva, Rade Rajkovcevski

Abstract

The police, as a specific organization, which is related to the exercise of police powers and use of force, and have daily contact with the public and their expectations from the police, always attracts the public attention. Macedonian police, after the Second World War, had continuously been affected by certain socio-political, cultural and demographic changes. Building an optimal model of police organization was marked by the strong political influence and impact of the international community after the armed conflict in 2001. The efforts of the police elite to build the identity of the Macedonian police have faced many obstacles. At present, Macedonian police is still challenged to meet the demands of the community related to professionalism and de-politicization of the organization. In this respect, the reform of police organization is an ongoing process and activity, focus being on implementing the recommendations on police reform and strengthening the relationships within the police community in South-Eastern Europe and wider.

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Policing in Slovenia

Gorazd Meško, Branko Lobnikar, Andrej Sotlar, Maja Jere, Bernarda Tominc

Abstract

Community policing within democratic policing is not yet fully established, since it was newly introduced into Slovenia only about a decade ago. Nevertheless, progress has been made and it seems that the Slovenian police overcame the problems that occurred at the beginning of implementing new supervisory strategies and philosophies.

The successful development of community policing can be attributed to the planned work of the Slovenian police, as community policing is one of their main priorities. In practice, this is reflected in the fact that community policing is an integral part of basic training for new police officers and a part of the specialized training for police chiefs and the community policing officers. In terms of the development of police science, a very important fact is that the Slovenian police fund the research of policing, and community policing has been shown to have a clear advantage over all other forms of policing. This can be seen in studies performed from the mid 1990s to the present day. Studies have shown a variety of problems, which were dealt with by the police, and together with representatives of municipalities. Community policing in Slovenia is intended for all inhabitants and not only citizens and indigenous people. Community policing has proved to be quite effective and successful in creating a feeling of safety and commonly addressing security problems in the community. The success of solving security problems in community policing has proved effective to varying degrees, since expectations that community policing can take care of all security problems sometimes did not come true.

As elsewhere, Slovenian police, in the early stages of community policing development, were faced with staffing problems, lack of knowledge, and lack of skills to work with people in accordance with the principles of community policing. In terms of understanding the concept and philosophy of community policing, there were some problems since some police chiefs interpreted this work only as a form of repressive police work in problem communities. These problems have been resolved, but occasionally there are problems caused by the lack of police officers, and therefore the community policing officers have to perform other police duties, which may be in conflict with community policing (Meško, 2006).

In terms of organizational culture in the police, community policing is appreciated amongst police officers more and more because many police officers have the opinion that such police

work contributes to the social capital in Slovenian society, and that it is an important part of the overall police activities.

Despite the fact that an in-depth evaluation of community policing in Slovenia has not yet been done, it can be observed that the willingness of people to cooperate with the police has increased (Ivančič, 2011). Despite significant progress, in practice, there is still a fairly large difference between the prescribed philosophy of community policing (Trojanowicz and Bucqueroux, 1990) and its implementation, viewed in the past context of the Slovenian practice of controlling society (Meško, 2006). Recent findings suggest that for effective community policing it is necessary to ensure a high degree of integrity on both sides, the police and representatives of local communities, and especially mayors and directors of municipal administrations.

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CONFERENCE PROGRAMME

DAY 1, Wednesday, September 19th, 2012

Registration – 8.00-9.00 - Conference room 4

Panel 1 – Criminal Justice - 09.00-10.30 – Conference room 1

Chair: Marjan Arsovski

Comparative Study of the Regulation of Criminal Justice by the Constitution of Republic of Macedonia and Republic of Slovenia

Marjan Arsovski

From State Safety to National Security: Rethinking Criminal Offences in Romania's New Criminal Code

Gabriela-Aura Fodor

Implementation of Plea Bargaining in Slovenia – Some Ethical Dilemmas

Mojca Rep

Value of Evidence Obtained from Abroad – The Slovenian Jurisprudence

Mojca Rep

Panel 2 – Crime and Victims of Crime – 09.00-10.30 – Conference room 2

Chair: Aleš Bučar-Ručman

Towards a Well-Ordered Society: Exiting the Vicious Circle of Crime

Renato Matić, Anita Dremel

Crime – (An Attempt of) A Definition

Aleš Bučar-Ručman

Victim Support and Prevention of Secondary Victimisation in the Criminal Justice System

Azra Adžajlić-Dedović

The Victim – A Passive Observer or an Active Participant in Criminal Proceedings. General Observations Following From the Assessment of Latvia's Experience

Ārija Meikališa, Kristine Strada-Rozenberga

Panel 3 – Integrity - 9.00-10.30 – Conference room 3

Chair: Bojan Dobovšek

National Integrity System of the Republic of Slovenia

Simona Habič, Vid Doria, Kaja Miklavčič

Risk Management Standards – Ensuring the Integrity in the Public and Private Organisations

Sašo Pristavec

Integrity Tests - A Neglected Tool or Object of Ridicule

Boštjan Slak, Rebeka Lesjak

Comprehension of State Capture, Prevention of Organised Crime and the Role of Integrity

Bojan Dobovšek, Boštjan Slak

The Impact of Corruption on the Rule of Law in the Republic of Slovenia – Facts Versus Public Fiction

Jure Škrbec, Bojan Dobovšek

Panel 4 – Criminal Justice and Criminology Surveys - 09.00-10.30 – Conference room 5

Chair: Miran Mitar

Difference in Opinion About Parental Monitoring and Parental Knowledge Between Primary and High School Pupils in Ljubljana and Kranj

Eva Bertok, Gorazd Meško

Income Inequality, Wealth and Trust in the Police – Slovenia vs. Europe

Miran Mitar, Slavko Kurdija, Branko Ažman

Longitudinal Analysis of Job Satisfaction in the Slovenian Police Service

Nina Tomažević, Janko Seljak, Aleksander Aristovnik

Longitudinal Public Opinion Survey on (Community) Policing in Slovenia

Franc Vrtič, Branko Lobnikar

Assessing Factors that Influence Law Enforcement Officers' Attitudes Regarding Sex Trafficking in Bosnia and Herzegovina

Lisa R. Muftić

Panel 5 – Policing and Security Issues - 9.00-10.30 – Conference room 7

Chair: Iztok Podbregar

Criminal Investigation in the Slovenian Armed Forces

Iztok Podbregar, Damjan Janežič, Teodora Ivanuša

Leadership Competencies in Europe: Is There a Difference Between Police and Public Administration?

Emanuel Banutai, Iztok Podbregar

Human Intelligence, Human-Human Intelligence and Open Sources Intelligence - OSINT - Open Source Intelligence

Tatjana Gerginova

Police Cooperation Convention for Southeast Europe: The Role of the PCC SEE Secretariat

Emanuel Banutai, Branko Lobnikar

Security Issues Regarding Roma Population in Slovenia

Tina Šuklje, Emanuel Banutai, Branko Lobnikar

Coffee break – 10.30-11.00 - Conference room 4

Opening of the Conference - 11.00-11.30– Conference room 3

Plenary 1 – 11.30-11.55 – Conference room 3

Chair: Bojan Dobovšek

Globalization of Criminology and Criminal Justice Studies - Central and Eastern European Perspectives

Gorazd Meško

Plenary 2 – 12.00-12.50 - Conference room 3

Chair: Bojan Dobovšek

Political Scandals: The Invisible Hand of Organized Crime

Josip Kregar

The Challenge of Measuring the Risk of Organized Crime in Europe and Beyond

Ernesto U. Savona

Lunch break – 12.50-15.00

Panel 6 – Criminal Justice, Security and Human Rights - 15.00-16.30 – Conference room 1

Chair: Branko Lobnikar

The European Concept and Right to Security

Nina Peršak

The OSCE and Promotion of Human Security

Snežana Nikodinovska - Stefanovska

Compliance of Law and Jurisprudence in Romania with the European Convention of Human Rights

Elena-Mihaela Fodor

International Criminal Cooperation, Extradition and Surrender Procedures – Modern Trends and Problems

Miha Šepec

Crime Prevention Through Environmental Design (CPTED) in Cooperation with Government and Private Security Agencies in the Role of Open-Source Intelligence (OSINT) to Assist the Economy

Darko Prašiček, Tomaž Čas

Panel 7 – Criminal Investigation I - 15.00-16.30 – Conference room 2

Chair: Darko Maver

How to Estimate Temporal Patterns of Aoristic Crime

Matthew Ashby, Kate Bowers

The Particularities in Proving Child Sexual Abuse

Danijela Frangež, Darko Maver

Coping with the Atrocities of Crime Scenes

Tinkara Pavšič Mrevlje

Inter – Institutional Cooperation in the Research Process of the Economic – Financial Criminality in Macedonia

Svetlana Nikoloska

Issues in International Security While Investigating War Crimes and Crimes Against Humanity

John Robert Cencich

Research Project Meeting - 15.00-16.30 – Senate room

Fear of Crime, Punitivity and Legitimacy in Slovenia and Russia

Gorazd Meško, Gleb Bogush, Katja Eman

Break – 16.30-16.45

Panel 8 – Organised Crime - 16.45-18.15 – Conference room 1

Chair: Irma Deljković

Operations of the Albanian Mafia in the Republic of Macedonia

Aleksandar Ilievski

Witness Protection Program in Bosnia and Herzegovina in the Cases of Organised Crime

Adnan Jusufspahić

Republic of Macedonia as a Transit Country for the Illegal Trafficking in the „Balkan Route“

Zlate Dimovski, Ice Ilijevski, Kire Babanoski

Motor Vehicles Thefts in Bosnia and Herzegovina- Are They so Organized?

Eldan Mujanović, Darko Datzer, Irma Deljković

Prevention of Sex Trafficking in Bosnia and Herzegovina

Haris Halilović, Nedžad Korajlić

Panel 9 – Juvenile Justice - 16.45-18.15 – Conference room 2

Chair: Elmedin Muratbegović

Criminal Proceedings of Juveniles in Selected European Union Countries

Eva Žatecká

Juvenile Justice System in Iran: Past, Present and Future

Maryam Abachi

Juvenile Sanctions in the Republic of Croatia

Lana Milivojević Antoliš

Implementation of Alternative Measures for „Youth in Conflict with the Law” in Bosnia and Herzegovina

Elmedin Muratbegović

Parental Monitoring and Family Attachment – Discriminant Analysis of Primary and High School Samples of the Study of Parental Monitoring and Adolescent Delinquency

Eva Bertok, Gorazd Meško, Peter Umek, Matevž Bren

Panel 10 – Information Security - 16.45-18.15 – Conference room 3

Chair: Igor Bernik

Abuses of Mobile Devices and User's Potential Criminal Responsibility

Blaž Markelj, Sabina Zgaga

Stationary and Mobile Healthcare Security: Standardised Approaches can Help

Andrej Orel, Igor Bernik

Mobile Device Usage Among Youth and Information Security

Blaž Markelj, Igor Bernik

Analysis of the Fraudulent Letters A.K.A Nigerian Letters

Igor Lamberger, Boštjan Slak

E-Banking Security vis-a-vis Usability, Functionality and Ease of Use

Lucija Tomšič Zupan, Igor Bernik

Cybercrime in Slovenian Enterprises

Igor Bernik, Kaja Prislan

Panel 11 – Security and Crime Prevention - 16.45-18.15 – Conference room 5

Chair: Iztok Podbregar

Critical Infrastructure and Public-Private Partnership

Iztok Podbregar, Branko Lobnikar, Teodora Ivanuša, Emanuel Banutai

Crime Prevention Through Public-Private Cooperation Within the Security System of Republic of Macedonia

Saše Gerasimoski

Public-Private Partnership and Prisons

Bojan Tičar, Gorazd Meško

Risk Communication and Risk Management for Ensuring Food Safety – Case of E. Coli Outbreak

Elizabeta Mičović

Model of the Generic Causes for the Crises in the Tourist Industry

Janez Mekinc, Helena Cvikl

Panel 12 – Victims of Crime - 16.45-18.15 – Conference room 7

Chair: Vesna Stefanoska

Effectiveness of Family Mediation in Violence Against Women in Closed Cases

Miguel Ángel Soria Verde, Virginia García-Kopjar, Patricia Alba Sedano

Consequences of Explosive Devices' Activation on Victims and Their Criminal Justice Importance

Ivana Bjelovuk, Tanja Kesić, Milan Žarković

The Problem With "Black" Small Arms and Light Weapons and its Victimization Effect on the High School Youth in the Republic of Macedonia

Marjan Nikolovski, Ivan Ristov

Why Restorative Approach to Crime

Vesna Stefanovska

Reception Hosted by the Dean of Faculty of Criminal Justice and Security, Professor Gorazd Meško – Gallery of the Ministry of Interior - 18.30-20.00

DAY 2, Thursday, September 20th, 2012

Registration – 8.00-9.00 - Conference room 4

Roundtable 1 - 9.00-10.30 – Conference room 1

The Need for Prevention and Treatment Services in the Criminal Justice System and Drug Treatment Courts for Criminal Justice in Central and Eastern Europe: The Osborne Association, New York City, New York

Kimora, Todd C. Patton

Roundtable 2 - 09.00- 10.30 – Conference room 2

Feelings of Insecurity and the Role of Police in Local Security Provision – The 2011 Survey in Slovenia

Gorazd Meško, Andrej Sotlar, Branko Lobnikar, Maja Jere, Bernarda Tominc, Barbara Čuvan

Panel 13 – Policing I - 9.00-10.30 – Conference room 3

Chair: Branko Lobnikar

Servant Leadership in Slovenian Police

Robert Šumi, Branko Lobnikar

Management and Leadership Skills in Police Hierarchy: Testing Competing Values Framework in Slovenian Police

Džemal Durić

Main Views on Connection between the Police Staff Number and a Clearance Rate

Željko Karas

Types of Mutual Influences between the Police and the Politics: From Paralyze To Perspective: the Situation in the Republic of Macedonia

Frosina T. Remenski, Marjan Nikolovski

Panel 14 – Criminal Investigation II - 9.00-10.30 – Conference room 5

Chair: Bojan Dobovšek

Gender Differences in Interview Tactics with Suspects

Tajana Ljubin Golub, Josip Pavliček

Criminal Investigative Techniques in Adversarial Interviewing

Matija Mastnak, Bojan Dobovšek

Micro Facial Expressions as a Base of Evaluation of Statements in a Simulated Interrogation

Nathan Klasinc, Katra Tomažič

Interview and Interrogation Tactics and Techniques in Serbia

Zvonimir Ivanović, Vladimir Urošević, Sergej Uljanov

Field Trip to Police Academy and Central Prison of Slovenia - 10.45-18.00

Social Event at Ljubljana Castle - 19.00 – 22.00

DAY 3, Friday, September 21st, 2012

Registration – 8.30-9.00 - Conference room 4

Panel 15 – White Collar Crime - 9.00-10.30 – Conference room 1

Chair: Katja Eman

Corporate Crime in Romania: Theoretical and Practical Issues

Andra-Roxana Ilie

Environmental Crime Trends in Slovenia in the Past Decade

Katja Eman

Art Crime in Slovenia and the Research of Prosecution Files

Saša Kuhar

Panel 16 – Policing II - 9.00-10.30 – Conference room 2

Chair: Aleksander Krebl

The Efficiency of Police at Regional Level in Slovenia: An Application of Data Envelopment Analysis

Aleksander Aristovnik, Janko Seljak, Jernej Mencinger

Evaluation of the Slovenian Use of Force: Training for Daily Policing Purposes

Aleksander Krebl

Delivering Bad News – A Training Course for Police Officers

Simon Turk, Viktor Zupančič

Panel 17 – Police Ethics, Integrity and Accountability - 9.00-10.30 – Conference room 3

Chair: Sanja Kutnjak Ivkovich

Police Integrity, Community Policing, and the Croatian Police

Sanja Kutnjak Ivkovich

Police Integrity Among Slovenian Police Officers

Branko Lobnikar, Gorazd Meško, Sanja Kutnjak Ivkovich

Legal and Ethical Principles in Practice – The Case of the Slovenian Police

Iztok Rakar, Janko Seljak, Aleksander Aristovnik

Transparency, Accountability, Integrity: The Case of Slovenian Law Enforcement Agencies and the Judiciary

Bojan Dobovšek, Benjamin Flander, Miha Šepec

Coffee break – 10.30-10.45 - Conference room 4

Panel 18 – Handbook of Policing in Central and Eastern Europe - 10.45-12.15 – Conference room 3

Chair: Gorazd Meško

Handbook of Policing in Central and Eastern Europe – An Overview

Gorazd Meško

Serbian Police - Troubled Transition from Police Force to Police Service

Želimir Kešetović

A New Concept of the Police and Policing in the Republic of Srpska (BiH)

Mile Šikman, Velibor Lalic

Policing in Croatia

Irma Kovčo Vukadin, Krunoslav Borovec, Tajana Ljubin Golub

Policing in Macedonia

Stojanka Mirceva, Rade Rajkovcevski

Policing in Slovenia

Gorazd Meško, Branko Lobnikar, Andrej Sotlar, Maja Jere, Bernarda Tominc

Closing of the Conference - 12.20-13.00 – Conference room 3

Chairs: Gorazd Meško, Andrej Sotlar

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