
Editorial

This last issue of the Journal of Criminal Justice and Security for this year consists of five quite diverse scientific analyses of important aspects of the field of criminal justice. In-depth studies in the areas of providing security in future smart cities, the impact of the EU General Data Protection Regulation on mobile devices, an analysis of the legal aspects of illegal asset recovery, the formal boundaries of law, and violence against employees in old people's homes are presented.

In the first paper *Analysis of the Relationship between Smart Cities, Policing and Criminal Investigation*, **Kaja Prislan** and **Boštjan Slak** present the symbiosis between smart cities, policing, criminal investigation and criminal intelligence and critically address the underlying privacy concerns arising from smart city designs. The authors emphasise it is evident that smart city technologies and services can influence policing styles and police effectiveness since smart city technologies and services hold great potential for criminal investigations and criminal intelligence by providing information upon which police can develop investigations or crime-control strategies.

In the second paper *The Impact of the EU General Data Protection Regulation (GDPR) on Mobile Devices*, **Domen Hribar**, **Miha Dvojmoč** and **Blaž Markelj** examine novelties introduced by the European Regulation on the protection of natural persons with regard to the processing of personal data (GDPR) and its key impacts on mobile device users. The paper presents some of the biggest changes affecting both natural persons and legal entities. Further, certain issues that might occur while implementing the Regulation are raised together with the degree of individuals' awareness of the need to protect the personal data stored on their mobile devices. The research findings show that individuals are relatively well aware of the concept of personal data; however, the scope of their knowledge shrinks as this concept becomes increasingly complex.

In the third paper *An Analysis of the Legal Aspects of Illegal Assets Recovery in Slovenia*, **Katja Rejec Longar** presents an analysis of legal aspects of asset recovery in Slovenia through the five-stage process of asset recovery: financial investigation, freezing or seizure of assets, confiscation, enforcement of the confiscation order and asset disposal. The author concludes that the Slovenian legal order provides the competent authorities with several avenues for recovering proceeds and illegally acquired assets. There is the traditional confiscation of proceeds, *in personam* confiscation in criminal proceedings, extended confiscation in criminal proceedings and civil forfeiture after the Forfeiture of Assets of Illegal Origin Act. One problem is that provisions for asset recovery are dispersed across both substantive and procedural law. Another problem is that some provisions are formulated in such a way that they are impossible to implement in practice. The author concludes it would be necessary to define financial investigation in criminal proceedings.

In the next paper *Formal Boundaries of Slovenian Law*, **Bojan Tičar** describes how the field of criminal justice and security in Slovenia is regulated. The paper deals with an analysis of the formal boundaries of Slovenian law mostly from the aspect of the Slovenian legal order in force. The reader will learn how the

Slovenian legal order functions, which general acts are adopted by the state and which by local bodies, the rules governing their application, and the relationships between them, as well as how EU law is applied in Slovenia.

The final paper in this issue of the Journal of Criminal Justice and Security is the work of **Katarina Cesar, Liljana Rihter, Špela Selak** and **Branko Gabrovec** and discusses *User violence against employees in nursing homes*. The purpose of their study was to complement the research gap in investigating violence within social care and determine the types and extent of workplace violence among all employees in a social care institution, the influence of users' aggressive behaviour on the well-being of employees, and the need for education on dealing with the violence to which employees are exposed. The authors find that in a case study of one nursing home that employees encounter some user violence. The most common form of violence against employees was verbal abuse and the least was unwanted conduct of a sexual nature. The authors conclude that when an employee meets an aggressive user the most likely emotions are fear, helplessness, uncertainty, feeling under threat, and the least likely a lack of understanding from fellow employees.

The Editorial Board hopes you find all of this edition's articles interesting and a good source of new ideas. And, since this is the last issue for 2018, we wish you the very best in 2019.

Assoc. Prof. Branko Lobnikar, PhD
Editor of English Issues

Uvodnik

Zadnjo številko revije *Varstvoslovje* v tem letu predstavlja pet raznolikih člankov, ki pa vsak zase in vsi skupaj analizirajo pomembne vsebine s področja varnosti. Bralci se bodo seznanili s poglobljeno študijo o zagotavljanju varnosti v pametnih mestih, predstavljen je vpliv uredbe EU o varstvu podatkov pri uporabi mobilnih naprav, predstavljena je analiza pravne ureditve odvzema premoženja nezakonitega izvora v Sloveniji, analizirane so formalne meje zakonov s področja zagotavljanja varnosti v Sloveniji, številko pa zaključujemo z analizo izpostavljenosti zaposlenih nasilju uporabnikov v domovih za starejše občane v Sloveniji.

V prvem članku z naslovom *Analysis of the Relationship between Smart Cities, Policing and Criminal Investigation* **Kaja Prislan** in **Boštjan Slak** predstavljata poglobljeno analizo soodvisnosti procesov zagotavljanja varnosti v pametnih mestih z vidika preiskovanja kaznivih dejanj, kriminalistične obveščevalne dejavnosti in zagotavljanja zasebnosti prebivalcev ter obiskovalcev pametnih mest. Avtorja poudarjata, da lahko sodobne tehnologije in storitve pametnega mesta vplivajo na načine izvajanja policijske dejavnosti in na učinkovitost policije, saj imajo lahko sodobne tehnologije in storitve pametnega mesta velik potencial za kriminalistične preiskave in kriminalističnoobveščevalno dejavnost preko informacij v realnem času. To lahko policiji pomaga, da razvije nove preiskave ali strategije za nadzor kaznivih dejanj.

V drugem članku *The Impact of the EU General Data Protection Regulation (GDPR) on Mobile Devices* **Domen Hribar**, **Miha Dvojmoč** in **Blaž Markelj** analizirajo novosti evropske direktive s področja uporabe osebnih podatkov (GDPR) s posebnim poudarkom na uporabo mobilnih naprav. Članek predstavlja nekatere največje spremembe, ki vplivajo tako na fizične kot na pravne osebe. Avtorji poudarjajo potrebo po razjasnitvi nekaterih vprašanj pri izvajanju uredbe skupaj s potrebo po večjem zavedanju primerne zaščite varstva osebnih podatkov, shranjenih na njihovih mobilnih napravah. Rezultati raziskave kažejo, da se posamezniki relativno dobro zavedajo koncepta varstva osebnih podatkov, kljub temu, da uredba pred njih postavlja nove izzive.

V tretjem prispevku z naslovom *An Analysis of the Legal Aspects of Illegal Assets Recovery in Slovenia* **Katja Rejec Longar** predstavlja pravno analizo odvzema premoženja nezakonitega izvora v Sloveniji skozi prizmo petstopenjskega procesa odvzema nezakonitega premoženja – finančne preiskave, zamrznitve oziroma zavarovanja premoženja, odvzema premoženja, izvršitve odločbe o odvzemu ter upravljanja z odvzetim premoženjem. Avtorica ugotavlja, da slovenski pravni red pristojnim organom ponuja več možnosti odvzema premoženja nezakonitega izvora. Uporabijo lahko klasični odvzem premoženjskih koristi v okviru kazenskega postopka, razširjeni odvzem po kazenski zakonodaji ter civilni odvzem preko tožbe v skladu z zakonom o odvzemu premoženja nezakonitega izvora. V analizi ugotavlja, da bi bilo nujno opredeliti finančno preiskavo v okviru kazenske zakonodaje, saj ni primerno, da se finančna preiskava izvaja po določbah civilnega prava.

V prispevku *Formal Boundaries of Slovenian Law* **Bojan Tičar** predstavlja formalne meje slovenskega prava predvsem z vidika veljavnega slovenskega pravnega reda. V prispevku so na pregledni način prikazani temeljni pravni instituti. Avtor s pomočjo rimskopravnega pogleda na pravne pojme opisuje, kakšen je odnos piscev s področja teorije prava pa tudi s področja kritičnega prava na definiranje ključnih pravnih pojmov in pojavov.

V zadnjem članku *User Violence against Employees in Nursing Homes* **Katarina Cesar, Liljana Rihter, Špela Selak** in **Branko Gabrovec** analizirajo vrste in razširjenost nasilja na delovnem mestu med zaposlenimi v socialnovarstvenem zavodu. Ugotovili so, da so zaposleni najpogosteje izpostavljeni verbalnemu nasilju, najmanj pogosto pa doživljajo neželjeno vedenje spolne narave. Z nasiljem uporabnikov se pogosteje srečujejo zaposleni na področju zdravstvene nege kot zaposleni na drugih področjih. Ugotovili so tudi, da ob tem zaposleni občutijo strah, nemoč in negotovost.

Uredniški odbor revije *Varstvoslovje* upa, da bodo izbrani članki za bralce zanimivi in vir novih idej. Ker je pričujoča izdaja revije zadnja v letu 2018, vam celotna ekipa revije želi vse dobro v letu 2019.

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