
Assaults on Police Officers in Slovenia Between 2007 and 2017

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Purpose:

The paper examines the trend of assaults on police officers between 2007 and 2017 period based on annual reports produced by the Ministry of the Interior of the Republic of Slovenia, Police. We analysed these trends by considering movements in the number of assaults. The purpose of the paper is to determine the trend of assaults on police officers over a longer period of time.

Methods:

We analysed the annual reports of the General Police Directorate concerning assaults on police officers. We considered annual reports containing data on assaults from 2007 to 2017 and assessed the trends and questions of legality.

Findings:

The highest number of assaults on police officers was seen between 2009 and 2013, with a steady decline being registered after 2013. The number of injured police officers, especially in 2012 and 2011, was quite significant. When determining the reasons for this figure, we found that this was a time of major protests in various Slovenian cities and interventions in Roma settlements that involved mass assaults on police officers.

Research Limitations/Implications:

The research was conducted using data collected about all assaults on police officers reported between 2007 and 2017. We do not know how many attacks went unreported.

Practical Implications:

The results are useful for predicting the trend of assaults on police officers and identifying ways to increase the safety of police officers and persons during police procedures.

Originality/Value:

Previous analyses of assaults on police officers were conducted for individual years only and not for any longer period.

UDC: 351.741

Keywords: police, police officers, assaults, education and training, police powers, police procedure, criminal offences

Napadi na policiste v Sloveniji v obdobju 2007–2017

Namen prispevka:

V prispevku proučujemo trend napadov na policiste v obdobju 2007–2017 na podlagi letno izdelanih poročil Generalne policijske uprave. Analizirali smo trende napadov z vidika porasta ali padca števila napadov. Namen je ugotoviti gibanje števila napadov na policiste v daljšem časovnem obdobju.

Metode:

Opravili smo analizo letnih poročil Generalne policijske uprave s področja napadov na policiste. Analizirali smo letna poročila s podatki o napadih od leta 2007 do leta 2017 ter ugotavljali trende in zakonitosti.

Ugotovitve:

Največ napadov na policiste je bilo v obdobju 2009–2013 in šele po tem letu gre za dejanski stalen padec. Izstopajoč podatek je tudi število poškodovanih policistov, zlasti v letih 2011 in 2012. Pri iskanju vzrokov za takšno število najdemo obrazložitev, da je šlo za obdobje množičnih protestov v slovenskih mestih in na račun intervencij v romskih naseljih, kjer je prihajalo do množičnih napadov na policiste.

Omejitve/uporabnost raziskave:

Raziskava je bila opravljena na podlagi zbranih podatkov o vseh napadih na policiste v obdobju 2007–2017. Število neprijavljenih napadov ni znano.

Praktična uporabnost:

Rezultati so uporabni pri spremljanju napadov na policiste ter ukrepih za povečanje varnosti policistov in oseb v policijskem postopku.

Izvirnost/pomembnost prispevka:

V dosedanjem obdobju so bile opravljene analize napadov na policiste za posamezno leto ali krajša obdobja, ne pa tudi za daljše časovno obdobje.

UDK: 351.741

Ključne besede: policija, policisti, napadi, izobraževanje in usposabljanje, policijska pooblastila, policijski postopki, kazniva dejanja

1 INTRODUCTION

Foreign and Slovenian literature reveal that assaults on police officers have become ever more frequent, with some authors (Novak, 1996) defining the profession as one of the most hazardous. Research on this aspect conducted around the world (Lester, 1985) and in Slovenia (Gomboc, 1996) has so far considered the usual descriptive statistics. The aforementioned authors used simple descriptive methods to establish: which group of police officers is most endangered; when is the most critical time for assaults to happen; during which official actions do assaults occur, and the most common places where are assaults made.

Based on analyses, various authors (Bristow, 1963; Chapman, 1986) make recommendations to police officers that should be considered during police

procedures to help reduce the probability of becoming victims of assault. Ignjatović (2006) interviewed suspects or people convicted of such criminal offences to establish the reasons officers are assaulted. Some authors (Dempsey & Forst, 2005; Vidmar, 1993) have sought to affect the process of educating and training police officers based on research.

The findings of a number of authors (Pinizzotto, Davis, & Miller, 2000) show that police officers were most often victims of assault while performing tasks in the areas of road transport, maintaining peace and order, and investigating criminal offences etc. Perpetrators most commonly use physical force, tools or weapons and means of transport to make such assaults. To deter assaults, police officers use coercive measures, typically physical force and their batons, handcuffing and binding, gas spray, and firearms.

While studying coercive measures and assaults, Terrill, Leinfeld and Kwak (2008) established several types of resistance by persons undergoing police procedures. They identified the mildest form as verbal resistance, including comments and insults made by the person in a procedure, passive resistance when a suspect tries to avoid a procedure by dragging or pushing, and active resistance entailing the attempted or actual assault of an officer.

In examining assaults on officers during 2005 and 2006 on the basis of 363 submitted criminal charges, Krope and Lobnikar (2015) established that a total of 531 officers aged 21 to 50 years had been injured or assaulted. Most of these officers had 5 years of active service. The longer one's active service, the lower the probability of a police officer becoming the victim of assault. Assaults on police officers were most frequent in small police directorates, i.e. Nova Gorica and Novo mesto, where every 5th or 6th police officer had been assaulted. Based on an analysis, they gave some proposals to reduce the number of assaults on officers. These proposals focus on the appropriate structure of patrols, suitable technical equipment and the use of protective equipment in the workplace, as well as psycho-social support for assaulted officers. Attackers and officers were often physically injured during criminal offences. In individual periods, more police officers than attackers were injured during such offences. Therefore, the public has developed certain opinions and trust regarding the police that primarily affects:

- the population's satisfaction with police services;
- the reputation of the police;
- the number of complaints about police work;
- the use of coercive measures; and
- injuries to civilians or police officers.

Krope and Ilić (2017) studied Slovenian police officers' use of coercive measures in the 2008–2016 period. They found there was a constant statistical decline in the number of assaults on police officers, but there were also assaults that caused the death of officers. The number of injuries related to use of coercive measures is decreasing, meaning that officers are employing social skills while exercising their powers leading to less or no resistance, or they are more professional when applying coercive measures.

Building on various studies on the quality of police procedures, Krope (1998) emphasised the importance of standardising and classifying police procedures as

two factors that contribute to improving the quality of police services. Improved police procedures have the effect of reducing the number of complaints concerning police procedures and the number of assaults on officers, while improving public opinion with respect to the police and safety. The data used in this paper refer to police procedures that have proven most problematic in the research and analyses conducted by individual departments of the Ministry of the Interior. These procedures mostly involve:

- identification;
- security checks;
- handcuffing and binding;
- escorting and detaining persons; and
- the use of weapons.

Based on annual Police reports about assaults on police officers, Mravljica and Krope (2007) established the reasons for them, dividing them into internal and external causes. Internal causes include indecisiveness, an unsuitable approach and inappropriate communication (where a police officer adds to the severity of the conflict), inappropriate intervention management, notification and sending of data about a violation, incompetence and inappropriate protection of procedures. External causes include the attacker's aggressiveness due to inebriation, disagreements concerning a police officer's decision, small fines, the ineffectiveness of punitive policy, revenge, and people's ignorance of police powers.

The term "assault on a police officer" in this paper encompasses the following criminal acts:

- an individual obstructing an official act or taking revenge against an official
- assault on an official while performing security duties;
- collaboration in a group to prevent an official from carrying out an official act; and
- incitement to rebellion.

Criminal offences are given the same terms in the Criminal Code from 2004 and the one from 2008, yet while the provisions of the articles have entirely the same content, the numbers of the articles are altered. For instance, the obstruction of an official act or an act of revenge against an official under Article 302 of the Criminal Code (Kazenski zakonik, 2004) or Article 299 of the Criminal Code (Kazenski zakonik, 2008).

All the mentioned criminal offences in the Criminal Code are included under "Criminal offences against public order and peace". Assaults on police officers do not include other acts by persons during procedures with police officers who did not observe a legitimate order and actively or passively resisted; their actions are defined as offences pursuant to the Protection of Public Order Act (Zakon o varstvu javnega reda in miru, 2006) or the Act on Criminal Offences against Public Order and Peace (Zakon o prekrških zoper javni red in mir, 1974) then valid, i.e. as a minor offence, not a criminal offence.

In the aforementioned criminal offences, the victims may include police officers and other officials carrying out certain official duties based on powers

granted to them by law or regulations issued based on the law (Article 126 of the Criminal Code (Kazenski zakonik, 2004)). This paper focuses on criminal offences when the injured persons are police officers. Article 16 of the Criminal Code (Kazenski zakoni, 2008) describes a criminal offence as follows: “A criminal offence shall mean unlawful conduct that the statute due to necessary protection of legal values determines as a criminal offence, while defining the elements thereof and the sentence for the guilty perpetrator”.

Article 6 of the Minor Offences Act (Zakon o prekrških, 2011) establishes that a minor offence is an act violating a law, a government decree, a decision of a self-governing community, or of a local community which is as such determined as a minor offence, and the sanction for the minor offence is also identified. It further prescribes that in the minor offence procedure the provisions of the Criminal Code shall be used with regard to self-defence, extreme urgency, urgency and threat, insanity, intent, negligence, mistake of fact and mistake of law, collaboration in a criminal offence and the time and place of the commission of a criminal offence if the Minor Offences Act does not determine otherwise.

2 CRIMINAL OFFENCES – ASSAULT ON POLICE OFFICERS

2.1 Definition of Basic Terms

To understand the contents of this paper, we explain some of the terms appearing in the text and subject to our study. We explain them to ensure the subject matter is clear and unambiguous. We base our findings on police tasks and powers.

Article 4 of the Police Tasks and Powers Act (Zakon o nalogah in pooblastilih policije, 2013) defines police tasks and police powers which are also determined in other regulations, such as the Minor Offences Act (Zakon o prekrških, 2011), Criminal Procedure Act (Zakon o kazenskem postopku, 2012) and other specific regulations.

Police powers comprise concrete powers granted to police officers for them to successfully complete their tasks. These powers include an officer’s right to use a specific power in certain cases to successfully perform a task, while the person or authority against whom the power is used must act in accordance with police powers (Žaberl, 2001).

Various terms used in this text are defined below:

- criminal offence – a minor offence;
- official – a police officer; and
- order, resistance – assault.

The terms are presented in the manner they are described in individual legal and executive acts regulating police work.

Article 16 of the Criminal Code (Kazenski zakonik, 2008) describes a criminal offence as follows: “A criminal offence shall mean unlawful conduct that the statute due to urgent protection of legal values determines as a criminal offence, while defining the elements thereof and the sentence for the guilty perpetrator”. This provision somewhat follows Bele’s (2001) claim since it slightly changes the former meaning of a criminal offence, i.e. stating that a criminal offence is a

human illegal act determined by law for the necessary protection of legal values as a criminal offence, and at the same time determines its features and the penalty for a perpetrator. Article 16 introduces slightly different and more specific features of criminal offences. As for “criminal offence”, Article 16 introduces the following:

- it is a human illegal act (the previous version determined that a criminal offence is an illegal act);
- to ensure the necessary protection of legal values (before, it was only due to non-security); and
- it stipulates the penalty for perpetrators (before, it stipulated only the penalty for a criminal offence).

Article 6 of the Minor Offences Act (Zakon o prekrških, 2011) provides that a minor offence is an act violating a law, a government decree, a decision of a self-governing community, or of a local community determined therein as a minor offence, and the sanction for the minor offence is also determined. It further determines that in the minor offence procedure the provisions of the Criminal Code shall be used with regard to self-defence, extreme urgency, urgency and threat, insanity, intent, negligence, mistake of fact and mistake of law, collaboration in a criminal offence and the time and place of the commission of a criminal offence if the same act does not determine otherwise.

Article 126 of the Criminal Code (Kazenski zakonik RS, 1994) determined who is an official, and the Criminal Code (2008) stipulates this in Article 99. It states that officials include a member of the National Assembly, a member of the National Council, a person carrying out official duties or exercising a public function with management powers and responsibilities within a state authority; any other person exercising official duties by authorisation of a law or by-law. According to Žaberl (2001), persons who perform certain official duties usually hold the status of an official. Such persons are gamekeepers, fishery keepers, inspectors working at inspection services and others. In the police, some officials have special duties and special rights for exercising professional (police) tasks, and also hold special powers. They also acquire the status of an authorised official.

The power to “order” is defined in Article 39 of the Police Tasks and Powers Act (Zakon o nalogah in pooblastilih policije, 2013) and stipulates that police officers may give instructions by way of an order to natural persons, legal entities and public authorities and demand they act or refrain from acting in order to be able to implement police tasks laid down in this Act or other regulations in line with the law. Police officers give direct orders verbally, by using technical means or in any other appropriate manner.

The powers are divided into five sets, with Žaberl (2001) giving the following specific examples:

- The protection of people’s lives
Such circumstances are typical and understandable because the protection of life is the primary and most important police task. An attempt to stab someone endangers life. A police officer gives an order to the person involved to immediately end the assault and drop the knife. Every order is followed by a warning concerning what will be done if the person does not obey.

- The protection of property against destruction, damage, theft and other forms of harm
These cases are quite common in police officers' day-to-day work. A police officer who catches a person spraying graffiti on walls or in any other way destroying property gives an order to stop.
- Ensuring road traffic safety
Police orders in road traffic are typically given using signs. A traffic police officer at a crossroads gives orders with hand signals, a whistle etc. These signals are understood by everyone because they are internationally recognised and valid signals. The "STOP" sign or illuminated "STOP" sign on the back of a police vehicle instructs road traffic participants to pull over. Police officers may give orders verbally, for example: "You are prohibited from driving further", "Step out of the vehicle" and so on.
- When riots, unrest and similar other public order violations have to be prevented
There are many such cases in police practice. The most common is an example of police intervention in a fight. The first act of the police officer is an order such as: "Stop the fight, otherwise we will use physical force". If the people involved do not observe the order, police officers take the steps warned about.
- When the harmful results of natural and other accidents must be eliminated
Harmful effects are caused by natural and other accidents such as floods, fires, epidemics, explosions, major car accidents etc. Authorities competent for ensuring protection against natural and other accidents are authorised to make certain decisions, and the Police is obliged to execute them. In such cases, a police officer issues an order to a group of people that no one may come close to the endangered area or similar. In such cases, the police are mostly bound by the preliminary decisions of authorities competent for protection against natural and other accidents. In most of these events, police officers give orders by using technical means (for instance with megaphones, "STOP – POLICE" plastic tape ...), and also verbally in the direct vicinity of the area.

Many tasks undertaken by police officers are repressive and coercive against people in a procedure. A police officers prohibits or orders something (e.g. prohibits any further driving or orders a person to come to the police station etc.). This involves intervening in a person's freedom because they may no longer do as they wish and must submit themselves to the police officer's order. According to Žaberl (2001), a person in a procedure does not always want to submit to the police officer's will, often making them disobedient for various reasons such as:

- the person thinks the police officer's order or prohibition is not based on law;
- the person thinks that no one may prohibit or order them;
- the person always has a hostile attitude to authority and the representatives of authorities;

- the person knows the police officer personally so they think it is offensive to be treated like that; and
- the person is surrounded by their friends so they are ashamed of having to obey a police officer.

Article 3 of the Police Tasks and Powers Act (Zakon o nalogah in pooblastilih policije, 2013) determines and defines resistance, forms of resistance and assault on a police officer. It stipulates that resistance is any unlawful conduct by a person that impedes police officers in their carrying out of a lawful police task or prevents them from doing so. Passive resistance includes when a person disregards a police officer's lawful order or who, through unlawful conduct, impedes police officers from performing a lawful police task or prevents them from doing so by sitting or lying down, turning away or by behaving in a similar manner. Active resistance is resistance involving the use of weapons, dangerous implements, other objects or substances, animals or physical force, whereby a person who offers resistance intends to stop police officers executing a lawful police task. Active resistance also includes incitement to resist, flight of a person, and endangerment. Endangerment means that a person, in their posture, gestures or conduct, indicates they will attack a police officer or another person or building protected by a police officer. Assault is any unlawful direct activity of a person using physical force, an animal, a weapon, an implement or any other object or substance with the aim of injuring or taking the life of a police officer or another person or endangering the security of a building protected by a police officer.

2.2 Obstructing an Official Act or Taking Revenge Against an Official

In this paper, criminal offences under the aforementioned article committed since 2007 are examined. The Criminal Code (Kazenski zakonik, 2004) defined this offence in the way described above and stipulated a fine. The Criminal Code (Kazenski zakonik, 2008) that entered into force on 1 November 2008 renumbered this offence (while retaining the same name) as Article 299 and introduced some changes referring to criminal offence elements and the amount of penalty. The first paragraph stipulates three months' to three years' imprisonment for the same offence, and the Criminal Code (Kazenski zakonik, 2004) up to two years'. It also omits the second paragraph stipulating that an attempted offence is punishable. This is understandable since the general provision on an attempt in the Criminal Code (Kazenski zakonik, 2008) stipulates that an attempt is criminal if up to three years' imprisonment can be imposed or if the act explicitly determines that an attempt to commit an individual criminal offence is punishable. In some elements, the Criminal Code (Kazenski zakonik, 2008) omits the wording about organised crime groups and also introduces the tasks of inspection supervision. For an offence under Article 302/3 of the Criminal Code (Kazenski zakonik, 2004), the Criminal Code (Kazenski zakonik, 2008) increases the penalty from six months to five years. Other provisions or elements of a criminal offence remain the same. The fifth paragraph of the mentioned article is important because it protects an official when no longer on duty, stipulating that a person is equally punished for taking revenge on an official who performs or has performed actions in a

violations procedure or criminal prosecution, exercises the tasks of the police, performs acts of administrative inspection supervision, conducts or has conducted an investigation, or judges or has acted as a judge in criminal proceedings, for acts performed by himself or another official within his rights, so as to put in danger the life, limb, personal security, or property of the official or his/her close relatives.

According to Deisinger (2002), the prevention of an official act refers to an act an official intended to exercise within their rights. These are the rights of an official determined in appropriate regulations or within the specific tasks ordered within the scope of such regulations.

2.3 Assault on an Official While Performing Security Tasks

Due to the renumbering, the Criminal Code (Kazenski zakonik, 2008) treats a criminal offence as in Article 300 as well as in three paragraphs with individual amendments. A new element is added, i.e. when an official is protecting a person or exercises tasks in connection with the execution of criminal sanctions. In the first paragraph, it raises the penalty of imprisonment from six months to three years. In the second paragraph, it increases the term of imprisonment from six months to five years.

According to Bele (2001), this offence can be committed by anyone merely by intention. The perpetrator thinks that an official is exercising the tasks indicated in the first paragraph of this article or that another person is assisting this official in doing so. The perpetrator's motive is irrelevant. The offence is shown as an assault or a serious threat of assault. An assault means the use of physical force against an official or person assisting the official. An assault pursuant to paragraph one is only committed if no other forms as envisaged by the second paragraph are entailed (threat with a knife, misconduct, minor physical injury) because the criminal offence is then committed as per the second paragraph of this article. Threat under the first paragraph encompasses threat with the use of physical force (not weapons because in such cases a criminal offence under the second paragraph is committed). An official or any person assisting the official in the exercise of the task can be the subject of an assault.

The assistance of another person can take any form, physical or psychological (e.g. notifications, advice etc.). The offence of assault on an official while performing security tasks is differentiated from the offence of preventing an official act and taking revenge against an official in the fact that the criminal offence of assault involves an assault intended to endanger an official or their assistant. A summary procedure is used for this criminal offence.

2.4 Participation in a Group Obstructing an Official in Their Performance of an Official Act

Article 301 of the Criminal Code (Kazenski zakonik, 2008) mentions the elements needed for the commission of this offence by increasing the imprisonment as per the first paragraph, i.e. from three months to two years. As per the second paragraph, it stipulates imprisonment from six months to three years.

Bele (2001) states that a criminal offence pursuant to this article may be committed by anyone participating in a group, as determined in the first paragraph of the article, and the act can only be committed intentionally. The perpetrator believes that he is collaborating in a group for the purpose of obstructing an official in the performance of an official act. The offence is the same as in the offence of preventing an official act or taking revenge against an official. The joint actions of the group entail the use of force or the threat of using force. A completed act of obstructing an official act or taking revenge against an official and attempted revenge are deemed equivalent. Coercing an official to perform an official act has to be done quite oppositely because an attempt to do this is not punishable under the first paragraph of this article. A group contains an indefinite number of people.

According to Bele (2001), a group comprises a large number of people, at least five. A group can be founded to obstruct an official act, or a lawful association of people (e.g. at various manifestations, sport competitions, meetings) can turn into a group that acts with the purpose under the first paragraph of the mentioned article. It is characteristic of such a group that it has assembled with a special intention, i.e. to obstruct an official in performing an official act or to coerce an official to perform an official act. A person who leaves the group before such conduct starts or joins the group after the conduct is finished is not deemed a participant. The leader of a group who commits an offence pursuant to the first paragraph is deemed to have committed a serious offence under the second paragraph. The group leader is not a leader in the sense of organising a criminal group. It is not necessary for the leader to have organised the group; it is important the person was the leader of the group during the commission of the offence under the first paragraph, and that she/he acted as the actual leader of the group and similar. If it can be proven that an individual committed an offence according to the first paragraph of Article 302 (obstruction of an official act ...), this individual will also be held responsible for this offence, and all other participants of the group will be held responsible for committing an offence under Article 304 (collaboration in a group ...).

2.5 Incitement to Rebellion

Article 302 of the Criminal Code (Kazenski zakonik, 2008) covers the same offence in two paragraphs and does not define the offence very differently from the Criminal Code (Kazenski zakonik, 2004) and does not stipulate a different sanction.

According to Bele (2001), anyone may be a perpetrator of this offence, and the offence can only be committed with intent. The perpetrator is aware that they are inciting rebellion. Incitement to rebellion is similar to solicitation and encompasses all forms of solicitation, except that it is not directed against individuals but an indefinite number of people. Incitement can be directed at the activity of other people (such as violent rebellion). The offence can be committed in any way that enables realisation of the perpetrator's intent (e.g. incitement in public, incitement in the press etc.). Rebellion means conduct other than that required by a lawful decision or order or by an official. A state authority's decision or measure must

be lawful; otherwise, no criminal offence is committed. The same applies to the official act of an official. The offence itself ends with the perpetrator's incitement. If such incitement has a result, the criminal offence is deemed to be committed under the second paragraph of the article. If those incited prevented an official from exercising an official act or attempted to do so, they will, as participants of a group, if such an association is assessed as such, be held liable for the criminal offence of collaborating in a group that obstructed an official in the performance of an official act as per the first paragraph of Article 304 of the Criminal Code (Kazenski zakonik, 2004). The perpetrator of an offence under the first paragraph of Article 305, who is also a participant of such an offence, will commit concurrent criminal offences under both the first paragraph of Article 305 and the first paragraph of Article 304. If this offence is committed by the perpetrator as the leader of a group, this shall be considered as concurrent criminal offences according to both the second paragraph of Article 305 and the second paragraph of Article 304. A summary procedure is used for this criminal offence.

3 METHOD

Our paper is based on data from annual reports concerning assaults on police officers prepared annually by the Ministry of the Interior of the Republic of Slovenia, and the Police. The Police structure at the local level also changed in the mentioned period with three police directorates (PDs) being abolished, i.e. the Slovenj Gradec PD, which was merged with the Celje PD, the Postojna PD, which was merged with the Ljubljana PD, and the Krško PD, which was merged with the Novo mesto PD. Data about these three PDs, i.e. from 2009 and 2010, were absorbed by those police directorates that merged with the abolished PDs. We analysed data from annual reports from 2007 to 2017. The reports were based on data from the computer records of assaults on police officers and use of means of coercion. Individual findings were compared with the papers by various authors discussing assaults on police officers in different periods. We used the Freehand curve (or Graphic) method and methods of time series to determine the trend.

4 PRESENTATION AND INTERPRETATION OF THE RESULTS

4.1 Assaults on Police Officers Occurring Between 2007 and 2017

Data were collected from police annual reports and prepared as summaries. The data collection methodology also varies every year. The data comprise findings for the previous year and instructions or guidelines on reducing the number of assaults. We cannot draw from these reports those factors that impact the assaults on police officers, as presented by Krope, Lobnikar and Pagon (2013), who drew data from every specific case.

Assaults on Police Officers in Slovenia Between 2007 and 2017

Table 1:
Number of criminal acts of assaults on police officers and number of officers assaulted between 2007 and 2017

Year	No. of assaults	No. of persons assaulted
2017	151	231
2016	163	244
2015	177	279
2014	204	316
2013	231	334
2012	284	513
2011	276	517
2010	254	361
2009	260	390
2008	204	277
2007	208	305

Source: Ministry of the Interior of the Republic of Slovenia, Police (2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016a, 2017, 2018)

All reports show that police officers were most frequently attacked on roads, in apartments, other housing premises and in their direct environment, in traffic, on hospitality premises, on sales and business premises, at public events, on official police premises etc. With regard to the areas of work, assaults most frequently occurred in relation to public peace and order, road traffic, other forms of work, criminal offences and state border surveillance (Ministry of the Interior of the Republic of Slovenia, Police, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016a, 2017, 2018).

Individual reports also provide data on the number of criminal offences of assaults on police officers by police directorate, but only concerning where the maximum and minimum assaults happened. The reports show (but not in every year's report) that most assaults in 2016 occurred in the area of the Ljubljana PD, i.e. 57 assaults, and the lowest number, i.e. 5, occurred in the area of the Koper PD. In 2014 and 2015, most assaults happened in the area of the Ljubljana PD (66, 6) and the least in the area of the Koper PD (6, 6) (Ministry of the Interior of the Republic of Slovenia, Police, 2014, 2015, 2016a).

Figure 1:
Number of criminal acts of assaults and number of police officers assaulted in the same period

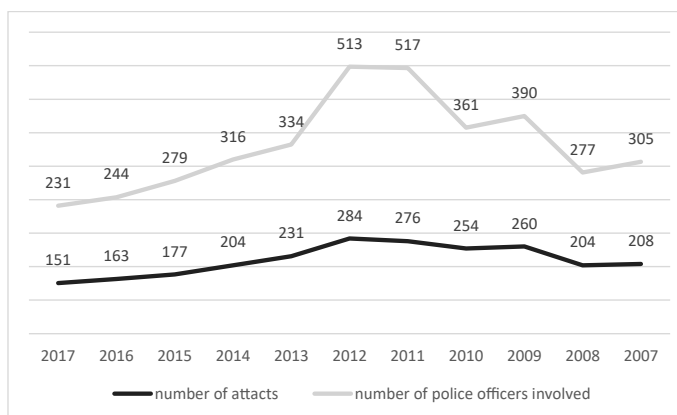


Figure 1 shows a clearer image than Table 1 because the graphic image reveals that most assaults on police officers happened between 2009 and 2013. Since 2013, a constant decline has been noted. The number of injured police officers, especially in 2012 and 2011, was quite significant. When determining the reasons for this figure, we found this was a period of major protests in various Slovenian cities and interventions in Roma settlements.

The report (Ministry of the Interior of the Republic of Slovenia, Police, 2016a) shows an almost 7.9% drop in the number of criminal offences against police officers compared to 2015, and that there were 12.5% fewer injured officers; however, the report expresses concern regarding the increasingly aggressive forms of assaults on officers. The report highlights an assault on an officer who coincidentally attended the scene of a doctor's murder, where the perpetrator then shot the officer and killed him. The perpetrator also shot another officer who came to intervene, causing serious physical injury to that police officer.

A detailed review of criminal offences of assaults on police officers can be seen in the annex to the 2017 report (Ministry of the Interior of the Republic of Slovenia, Police, 2017) that displays relevant offences by units, as shown in Table 2.

Organisational unit	2016		2017		
	No. of criminal offences	Share of investigated criminal offences	No. of criminal offences	Share of investigated criminal offences	Increase/decline in criminal offences
Celje Police Directorate	23	100.0%	29	100.0%	26.1%
Koper Police Directorate	3	100.0%	11	90.9%	266.7%
Kranj Police Directorate	12	100.0%	10	100.0%	-16.7%
Ljubljana Police Directorate	57	98.2%	42	97.6%	-26.3%
Maribor Police Administration	19	100.0%	15	100.0%	-21.1%
Murska Sobota Police Directorate	17	100.0%	9	100.0%	-47.1%
Nova Gorica Police Directorate	6	100.0%	7	100.0%	16.7%
Novo mesto Police Directorate	20	100.0%	21	100.0%	5.0%
Total	157	99.4%	144	98.6%	-8.3%

Source: Ministry of the Interior of the Republic of Slovenia, Police (2017, 2018)

In both years, most criminal offences happened in the areas of the Ljubljana, Celje, Novo mesto and Maribor PDs. Until 2010, the same data could have given different results because three police directorates were abolished in 2011, i.e. the Slovenj Gradec, Postojna and Krško PDs. The abolished units were merged with the Celje, Ljubljana and Novo mesto PDs, respectively.

Table 2:
Criminal offences by units

Assaults on Police Officers in Slovenia Between 2007 and 2017

**Table 3:
Criminal
offences by
months**

Month of the final document	2016	2017	
	No. of criminal offences	No. of criminal offences	Increase/decline in criminal offences
January	7	6	-14.3%
February	9	10	11.1%
March	3	12	300.0%
April	12	10	-16.7%
May	24	14	-41.7%
June	15	13	-13.3%
July	10	8	-20.0%
August	6	15	150.0%
September	16	13	-18.8%
October	13	14	7.7%
November	21	9	-57.1%
December	21	20	-4.8%
Total	157	144	-8.3%

Source: Ministry of the Interior of the Republic of Slovenia, Police (2017, 2018)

Table 3 presents data by months about finalisation of the paperwork, i.e. on the lodging of a criminal complaint with the State District Attorney's Office (SDA). Therefore, we cannot define criminal offences by months. We cannot obtain precise information from this table and only refer to finalisation of the paperwork. Krope et al. (2013) found that most criminal offences are committed in October and the least in December.

In terms of days of the week, the report (Ministry of the Interior of the Republic of Slovenia, Police, 2017) shows that most criminal offences/assaults in 2016 happened on Sundays (31), Thursdays (29) and Tuesdays (24). In 2017, the distribution by days is slightly different since most criminal offences of assaults were committed on Wednesdays (29), Fridays (28) and Sundays (22). Most perpetrators were men in the age group 34 to 44 years. Krope et al. (2013) found that most assaults were committed on Saturdays, Thursdays and Tuesdays. They also found that most perpetrators were 25 years old.

4.2 Comparative Analysis of Assaults on Police Officers in the First Nine Months of 2016

In 2016, the Police undertook a comparative analysis of criminal offences/assaults in 2016 and 2015 (Ministry of the Interior of the Republic of Slovenia, Police, 2016b) by comparing several factors that impact assaults on police officers. The comparative analysis was motivated by the greater number of brutal attacks on police officers and sought to ascertain the causes of the attacks. On this basis, it prepared measures that are important for reducing attacks on police officers. The comparative analysis comprises data and uses a similar methodology as used by Krope et al. (2013). Below are some of the key findings:

- in 2015 and 2016, officers were most frequently assaulted on roads (e.g. a road or car park), 39.6% in 2015, 34.8% in 2016; the second-most common location of assaults on officers is housing along with the immediate vicinity;
- most assaults on officers in both years happened at night; one-third between 20:00 and 24:00 (33.6% in 2015 and 31.3% in 2016); and assaults on officers most frequently occurred on weekends;
- in 2016, officers were most frequently assaulted while exercising their power to keep order and carry out detention (14.5% in both cases); in 2015, they were most frequently assaulted while issuing a payment order (13.75%);
- in 2016 and 2015, officers were most frequently assaulted while dealing with road traffic offences – 42.5% (33.3%), while maintaining peace and order – 30% (32.5%) and while handling criminal offences – 24.4% (30.8%);
- in 2016, officers were most frequently assaulted during interventions – 39.3% of cases, and in 2015 43.25% assaults happened to officers while on patrol;
- in 2016 and 2015, officers were most frequently assaulted while carrying out their usual duties. In 2016, the total share of these assaults was 53.8%, and in 2015 it was 56.9%. Assaults that happened during the course of normal duties were followed by assaults while performing sensitive procedures (35% in 2016 and 25% in 2015); officers were most rarely assaulted while conducting dangerous procedures (11.1% in 2016 and 18.1% in 2015);
- suspects in 2016 most frequently assaulted officers via other means of assault (37.2%), which was followed by using physical force – pushing, holding and strangulation (19.6%), blows with the hand (12.8%); in 2015, suspects most frequently used physical force as a means of attack – pushing, holding and strangulation (30.2%), then by other means of assault (29.7%) and blows with the hand (17%);
- in 2016, officers tried most frequently to protect themselves against assaults and manage suspects' resistance by using physical force, accounting for 28.3% (40.7%) of all coercive means applied; as a form of physical force, officers most frequently used an unarmed technique (23.3% in 2016 and 34.7% in 2015); the second-most frequently used means of coercion were cuffing and binding, i.e. 27.8% (23.7%), and coercive means were not used by officers during 27.8% (31.4%) of assaults on them. The 12.4% decline in the share of the use of physical force by officers when protecting themselves and managing the resistance of suspects and the respective 7.1% and 3.8% increases in the share of the use of gas sprays and use of batons could also be due to officers feeling threatened after some extremely dangerous assaults on them in the past because the concept of police training on this matter and practical self-defence procedures (PSDP) in cases when serious means of coercion are used did not change in 2016;

- compared to 2015, in 2016 the number of injured officers dropped by almost one-half (by 29 or 47.5%); in 2016, 30 officers (17.3% of assaulted police officers) were seriously injured in 115 criminal offences of assaults on police officers; one officer was severely physically injured, two were killed (one assault with a knife and one with another type of weapon) (1.2% of assaulted police officers); in 2015, six officers were physically injured in 149 criminal offences of assaults on police officers (25.5% of assaulted police officers); one officer was severely physically injured, and one was killed during an assault (using a vehicle). Such a significant drop in the number of injured officers, besides the fact that in 2016 compared to 2015 62 fewer officers were attacked, i.e. the 26.4% decline was most probably partly due to the fact that in 2016 officers performed approximately 70% fewer interventions in road traffic due to having been on strike, and this is the area where most assaults on officers occur (the latter is confirmed by the drop in the number of assaults on officers issuing payment orders – from 22 to 0);
- that approximately 10% of the assaulted officers in 2016 and 2015 were women; in 2016, 89.6% of assaults were against male and 10.4% against female officers; in 2015, the figures were 90.2% male and 9.8% female; the threat to female officers is approximately the same in both years since in 2016 the share of assaulted female officers grew by 0.6%, but the share of female officers also grew by 0.4%;
- in 2016, the majority of officers attacked were between 35 and 40 years old – 69 police officers or 39.9%; in 2015, the majority of officers attacked were between 30 and 35 years of age – 69 officers or 29.4%;
- in the considered period (2016 and 2015), most officers who were attacked had worked for the police for 5 to 10 years; officers with 10 to 15 or 15 to 20 years of active service were endangered to approximately the same degree; officers with 20 to 25 years of active duty and from 25 to 30 years of active duty were attacked less often; officers with active duty of 30 and more years were attacked very rarely (four times in 2016 and two times in 2015); the least frequent assaults happened on officers with less than 5 years of active service – three times in 2016, or never in 2015;
- in 2016, the officer ranks most frequently assaulted were: police constable (30.6%); in 2015: senior police officer (40.8%); officers of these ranks are by far at greatest risk among all officers since assaults on constables and senior officers comprise the large majority of all assaults on police officers – 60.1% in 2016 and 73.6% in 2015;
- in 2016 and 2015, most criminal offences/assaults involved assaults on a single officer, i.e. 62.6% (51.7% in 2015); the most frequent assaults on officers were committed under Article 299 of the Criminal Code; in 2016, the number of assaults compared with 2015 dropped to 1, 2 and 3 officers, the number of assaults on four or more officers remained the same – 4;
- by analysing the records of events involving the Operation and Communication Centre, it was found that 83 (105) events in 2016 involved assaults on officers, while 123 (133) officers were attacked; of whom in 9

(13) cases 1 officer was attacked, and it was established that the officer was on duty alone in 6 (4) cases, in 2 (1) cases on patrol; in other cases, the events involved neighbourhood police chiefs, detectives and officers on duty. In other instances, when only one officer was attacked or injured – 3 (9), offences involved threats against the officer – there was a suspicion of a criminal offence of obstructing an official act or of taking revenge against an official under Article 299 of the Criminal Code or an assault on an official performing security tasks under Article 300 of the Criminal Code. Two (3) threats were made directly – in 2016, no such offence was subject to criminal proceedings (only 1 in 2015); 2 (2) threats were made directly to officers during their free time; other threats were made indirectly when the suspect was in a police procedure – by phone (4 in 2015) and 1 (3) on online social networks.

Despite the drop in the number of offences of assaults on police officers, the rise in the number of most dangerous assaults on officers is concerning. Therefore, assaults on officers that ended in their deaths in 2015 and 2016 were analysed. In 2015, one such assault had a tragic outcome, and there were two in 2016. In all three events, the officers were on duty with another officer, but in only two cases did the assaulted officers face the perpetrator alone (Ministry of the Interior of the Republic of Slovenia, Police, 2016b).

In an assault using a vehicle in 2015 the perpetrator intentionally ambushed and collided with a police car used by officers for intervention purposes. It was later found that the perpetrator had made a false report of the violation of public order and peace with the intention of entrapping officers and assaulting them.

During an assault using a knife in 2016 the perpetrator used the knife to attack an officer who had approached the perpetrator to identify him; the other officer was moving the police car off the carriageway at the time.

In an assault with weapons in 2016, the attacker shot an officer who had coincidentally come to the scene of an assault where the perpetrator had already shot a doctor, while the other officer was located outside the area of the assault.

5 DISCUSSION

It was shown that the number of criminal offences of assaults on police officers, as presented in Figure 1, actually started to drop in 2014. The number of assaults in 2014 was the same as in 2008. Between 2008 and 2014, the numbers varied greatly. By examining the reports, we found several measures used by police management to reduce assaults, and that the number of assaults is now actually lower than in the mentioned years. The reason for these measures being taken were the serious consequences of assaults, especially for police officers, since deaths also occurred. The police management's finding in 2017 was that emphasis should be placed on the safe implementation of practical procedures for protection with short and long firearms while training instructors in practical self-defence procedures. It is also appropriate to focus on the procedures for purchasing protective shirts, vests and body cameras for recording police procedures. Another part of the solution is to use a newly legalised means of coercion, i.e. electroshock weapons.

While establishing or comparing findings from 2016/2017 reports with the research by Kropc et al. (2013), there were differences with regard to the days of assaults and ages of attackers. Both comparisons spanned a 2-year period. Kropc et al. (2013) considered the 2005/2006 period where it was found that most perpetrators are 25 years old. Police reports for 2017/2016 show that the perpetrators were aged 33 to 44 years. There is also a difference of 10 years in the age groups of attackers who were considered in the aforementioned age group, and the comparison considered age in a specific year. The age limit of attackers had risen compared to 10 or 11 years before.

The trend in criminal offences of assaults on officers has constantly declined in the past 11 years, with the exception of 2012 when there was an increase in the number of criminal offences when suspects attacked officers while policing the mass protests erupting across the Republic of Slovenia. Although the number of criminal offences of assaults on officers is falling, the rise in the number of the most dangerous forms of assaults on officers is a concern. Of five attacks that ended in an officer's death in the period since Slovenia's independence, four happened in a 2-year period – on 1 August 2014 (attack with firearms), one in 2015 (attack with a vehicle) and two in 2016 (attack with a knife and attack with firearms/gun).

We can see that between 2014 and 2016 a unique contradiction emerged, i.e. officers were actually in greater danger despite the statistical decline in the number of offences of assaults on them. Since Slovenia gained its independence, officers were most brutally attacked in the mentioned period, when four officers lost their lives during assaults. The methods of the assaults show the attackers did not choose the means for carrying out their assaults (use of firearms, knife, vehicle) and they attacked officers suddenly and unexpectedly. While attacking, the perpetrators showed extreme deviousness and thoughtfulness, as emphasised when an attacker made a false report about the serious violation of public order and a threat to people's safety so that he could ambush officers, watched them with binoculars and then deliberately attacked them using his vehicle. In this attack, the perpetrator murdered one officer and caused serious physical injuries to another.

This shows the statistical data on the number of criminal offences of assaults on officers are only an indicator of the trend of such offences in a certain period, and do not paint a comprehensive 'picture' of the actual threat to officers from assaults. Therefore, while monitoring the threat to police officers we should always analyse the forms and methods of assault on them, and plan appropriate activities and measures to improve the situation.

All of the recent activities conducted should be supplemented by continuing the following measures:

- practical self-defence training with the method of situation exercises should be intensified, whereby officers should practise scenarios prepared in advance, and also dangerous procedures which appear to be usual but where they are normally less careful and thus more vulnerable in the event of sudden and unexpected assaults on them;
- the Catalogue of Enforcement Proceedings Standards should be updated so as to rank relevant procedures among procedures with a higher risk rating (from normal to usual and from usual to dangerous procedures);

- additional equipment for protection, equipment for using force and other equipment should be added to help improve officers' safety during police procedures;
- shirts or vests with ballistic and anti-stabbing protection should be purchased for officers, especially for use in the performance of police tasks and police procedures where armed assaults on officers occur;
- after a test period of using cameras for video and audio recording of police procedures, such cameras should be permanently used by all police units on the local level and in some units on the regional (CPD PD, UPD PD) and national levels (CPD GPD, PSD GPD ...); and
- following adoption of the Police Tasks and Powers Act (Zakon o nalogah in pooblastilih policije, 2013), systemic training should start immediately of police officers on the use of new police powers, the use of electroshock weapons and other equipment and means that may help improve the safety of officers during police procedures.

Some of the aforementioned activities and measures to improve officers' safety are already being used in practice – for instance, the intensification of practical self-defence training with situation training; the Catalogue of Enforcement Proceedings Standards has been updated, and some means of coercion will be supplemented (purchase of new gas sprays for all officers who directly exercise police powers); officers who exercise police powers have received shirts with soft ballistic protection and partial protection against cuts and stabs; other activities and measures are already in preparation. Some activities depend on the financial resources available. Officers will soon receive electroshock weapons to fill the gap between batons and firearms (seen from the aspect of the means of coercion officers carry on their belts) and to more effectively, safely and from a greater distance prevent assaults on themselves and others. Police officers will also receive body cameras for video and audio recording of police procedures, proven abroad to greatly impact the decline in the number of assaults on officers since many latent or prospective attackers cease an assault after receiving a warning from an officer that they are recording the procedure. The Ministry of the Interior and the Police have prepared tender documentation for the purchase of electroshock weapons and cameras for video and audio recording of police procedures, and the purchasing procedure will start in the near future.

In all cases, we must be aware that this technical equipment (means of coercion, protective gear) is only considered as passive protection. It ensures only limited protection for officers and, in certain circumstances (e.g. where an assault using firearms is directed exactly at the part that is ballistically protected etc.). Officers will be able to much better protect themselves with so-called active protection. This kind of protection comprises officers' comprehensive professional and proper conduct to reduce the risk of assault and, in the event of an assault, they enhance the chances of stopping it. This conduct comprises the maximum self-protective conduct of officers, consistent observation of police rules referring to active protection during police procedures, the implementation of police procedures falling within the so-called safety triangle, the protection of police procedures from cover, the protection of police procedures with firearms in permissible cases and so on.

These are only some of the activities and measures that can be used by the Police, but many activities and measures to improve officers' safety in the performance of police tasks cannot be affected by the Police. One of these is an appropriate punitive policy, a policy that would ensure general and special prevention of assaults on police officers.

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