

DISCRETIONARY POWERS OF THE POLICE

Dragan VASILJEVIĆ

Summary: This paper is dedicated to the discretionary evaluation of policing. Under the rule of law, administration is as a rule associated activity and only exceptionally it is an independent activity. These exceptions are necessary to predict clearly and interpret narrowly. Discretionary evaluation also belongs to the rule of law, because it is also established by the law which gives it a framework. This is particularly important in terms of policing with respect to their powers, and the place and role of this organ within the public administration. Deciding according to the discretion must not be arbitrary and it is not just a willing action by the police, but the application of law. The area in which discretionary evaluation is realized is bounded by the principle of legality and expediency. Therefore, this paper has its true meaning and significance to point out the importance of creating an environment and conditions of the rule of law and genuine respect for the principle of legality in which the police will exercise its powers.

Pages 19-33