

## DISCIPLINARY SANCTIONS FOR POLICE OFFICERS IN CROATIA AND IN SERBIA

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**Summary:** The authors in the paper give a review and a description of legally proscribed disciplinary punishments for police officers in the legislations of the Republic of Croatia and the Republic of Serbia. With certain institutes the authors give the point of view of legal doctrine and case law, and the statistical data. In the introduction the terms police officer and disciplinary responsibility are defined, and the purpose of disciplinary punishments is explained, as the authors point out that imposing punishments ensures proper functioning of the service, and the effect of the punishment has a special and general prevention. Following are legal provisions which regulate obligations of police officers and the rules for determining their responsibility for violations of official duty. In the chapter on disciplinary punishments the term disciplinary punishment is defined, and afterwards particular punishments for certain minor or severe violations of official duty are listed and described. The authors point out the punishment of conditional termination of civil service, which is imposed for particularly severe violations of official duty, when it makes sense to give the police officer one last chance to improve their behaviour and attitude towards the official duty. The following chapter describes the rules for determining disciplinary punishments, competent persons and deadlines for the execution of disciplinary measures, as well as the deadlines and reasons for deleting the executed disciplinary sanctions from the files of the police officers. After the analysis and comparison of the legal solutions in both countries, in the conclusion the authors give a critical review of the existing legislation and solutions for their improvement as refinements of existing and prescribing additional disciplinary sanctions for police officers, as well as proscribing disciplinary sanctions for the retired police officers. Thus the authors note that by proscribing two punishments for minor and six for severe violations of official duty in Croatia, and two punishments for minor and five for severe violations of official duty in Serbia, the legislators enabled individualization of sanctioning for particular violations and violators; however, they suggest also proscribing other disciplinary measures for the purpose of individualization of punishing. The authors propose proscribing the possibility of punishing retired police officers for violations committed while they were in the service, which would be modelled on the German Federal Disciplinary Law. Furthermore, they point out that it is not clear what purpose would be achieved in the Croatian law by imposing a punishment of relocating to another position with the same complexity of work, as well as suggest changing disciplinary punishment of prohibiting professional promotion and advancement in the service into the legal consequences of disciplinary punishments for police officers in Croatia, according to the Croatian Law on Civil Servants.

**Keywords:** Disciplinary Responsibility, Disciplinary Sanction, Police Act, Police Officer, Violation Of Official Duty.