

# Reform of the Police of the Czech Republic: An unfinished business?\*

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## Introduction

The Czech Republic has undergone a transformation from a communist to a democratic regime, and Police reform was an important part of this transformation. However, in view of the new, post-transformation conditions, the changes made with respect to the Police proved insufficient. The management of the Ministry of the Interior prepared a fundamental reform to the Police of the Czech Republic in 2006, the execution of which began a year later. This reform brought about a number of fundamental changes, yet whether it managed to fulfil all of its objectives and increase the efficiency of policing has not yet been analysed. The aim of the present article is to address this.

## Conceptual and methodological framework

The police reform in the Czech Republic can be considered part of the political changes undertaken in the country after the transformation of its political regime. The legacy of the first post-socialist police transformation<sup>1</sup> was connected with the challenges of the new European homeland security environment in the 21<sup>st</sup> century. From the international comparative point of view, post-communist as well as Western European determinants can be identified in the Czech security environment before the start of this reform.<sup>2</sup> This article can be also considered part of contemporary European public policy research in the new EU countries as well as part of global and regional police research. Contemporary research on policing emphasises both the general principles of linking the work of the police with democratization trends, and issues that are connected with economic development and changes in geopolitical situation. Representatives of the first

\* This article was written as part of the grant project "Contemporary challenges of democracy in East-Central Europe (GAP408/11/0709)", funded by the Czech Science Foundation.

1 SHELLEY, Louise I.: Post-Socialist Policing: Limitations of Institutional Change, in: *Policing Across the World. Issues for the Twenty-first Century*, MAWBY, Rob I. (ed.), London 1999, 78.

2 MAWBY, Rob I.: Police Systems Across the World, in: *Policing Across the World. Issues for the Twenty-first Century*, MAWBY, Rob I. (ed.), London 1999, 23–25.

approach include Maria Habermeld and Lior Gedeon, who have outlined the following themes for comparative police research:

- "Level of democratization;
- Police professionalism, including preparation to perform the police function, merit recruitment, formal training, structured career advancement, systematic discipline, full-time service, extent to which police operations are conducted in public, and specialization;
- Community oriented policing;
- Use of force;
- Accountability;
- Human rights;
- Forces for change and success/failure of these responses;
- Responses to terrorism and organized crime, including the effects of such responses on legitimacy of the police force;
- The extent of collaboration between the military and local policing."<sup>3</sup>

The second approach is represented by scholars such as Gorazd Meško, Charles B. Fields, Branko Lobnikar, and Andrej Sotlar. In studying policing in Central and Eastern Europe, they have focused on factors including "national and international military conflicts, wealth, political regime, legal tradition, transformations of policing and police organization, police professional culture, transfer of ideas, joining the European Union, and the role of civil society, research and researchers in policing, criminal justice and criminology".<sup>4</sup>

This study is focused on institutional approaches and an analysis of powers during the second large reform of the police in the Czech Republic after the fall of communism. From the methodological point of view, it is a descriptive study using a comparison on the time axis.<sup>5</sup> Its main research question is: 'Considering the contemporary demands of effective and democratic policing, how successful was the implementation of the reform's main objectives?' Combining the two approaches outlined above, we ask three main questions in order to establish the extent to which the intentions of the reform were fulfilled:

- (1) Was the structure of the criminal police made transparent (under an umbrella body with clear competencies)?
- (2) Was an independent external body created to control the working of the police?
- (3) Are the police deployed effectively to fight crime?

As the following subsections show, a National Criminal Bureau, had it been established,

3 HABERFELD, Maria R. – GIDEON, Lior: Introduction. Policing is Hard on Democracy, or Democracy is Hard on Policing?, in: *Comparative Policing. The Struggle for Democratization*, HABERFELD, Maria L. – CERRAH, Ibrahim (eds.), Los Angeles 2008, 4.

4 MEŠKO, Gorazd – FIELDS, Charles B. – LOBNIKAR, Branko – SOTLAR, Andrej: Introduction to Handbook on Policing in Central and Eastern Europe, in: *Handbook on Policing in Central and Eastern Europe*, MEŠKO, Gorazd – FIELDS, Charles B. – LOBNIKAR, Branko – SOTLAR, Andrej (eds.), New York 2013, 2.

5 PELINKA, Anton: *Vergleich Politischer Systeme*, Wien 2005, 12.

would have been the body with clear competencies (in connection with point 1 above). The General Inspection of Security Corps is the independent body established to carry out the supervisory duties (point 2). The numbers of police officers will be compared with other EU countries and the evolution of the clear-up rate will be considered in connection with the reform (point 3). Other aspects of the workings of the police will be raised throughout the discussion of the reform. Desired goals will be compared with actual outcomes of the reform. The importance and the impact of individual steps and dimensions of this reform on homeland security policy will be evaluated.

## A short summary of the evolution of the Police of the Czech Republic before 2006

The Police force of the Czech Republic was established by law in 1991, under the then Czechoslovak Federation. The creation of the Police was a consequence of two trends: i.e. toward decommunisation and federalisation. The National Security Corps [Sbor národní bezpečnosti] and its components, established to fight crime and preserve public order, the Public Security [Veřejná bezpečnost], were abolished through the decommunisation process. The other component of the National Security Corps, which fought political opponents of the communist regime, the State Security [Státní bezpečnost], had already been abolished in 1990 and replaced by new intelligence services.<sup>6</sup>

As a consequence of federalisation, a new Federal Police Corps, as well as Corps to serve both republics, were created. When the Czechoslovak Federation was broken up on 1 January 1993, the role of the main Police corps on the territories of the successor states was assumed by the republic-level Corps.<sup>7</sup> Moreover, in both republics Municipal Police and private security companies have both been allowed to operate since 1990. (There is no special law governing the latter, which carry out their activities on the basis of ordinary trade licence<sup>8</sup>).

The organisational structure of the Police of the Czech Republic was established in a fairly complex manner. It consists of a Police presidium, to which regional directorates are subordinate, but there are also several independent agencies that hold countrywide authority.<sup>9</sup> The Police of the Czech Republic forms part of the Czech Republic's integrated

6 KŘÍŽ, Zdeněk – MAREŠ, Miroslav: Security sector transformation in the Czech Republic, in: *International Issues & Slovak Foreign Policy Affairs*, 20, 2011, 3, 43–60.

7 SHELLEY, 78.

8 BUREŠ, Oldřich: Private Security Companies in the Czech Republic: an Exploratory Analysis, in: *Central European Journal of International and Security Studies*, 6, 2012, 2, 55–58.

9 These are:

- Institute of Criminalistics Prague (Kriminalistický útvar Praha);
- Aviation Service (Letecká služba);
- National Drugs Unit (Národní protidrogová centrála);
- Explosive Ordnance Disposal Service (Pyrotechnická služba);
- Directorate of the Criminal Police Service (Ředitelství služby kriminální policie);
- Office for the Documentation and Investigation of the Crimes of Communism (Úřad dokumentace a vyšetřování zločinů komunismu);
- Office for Uncovering Corruption and Financial Crime (Úřad pro odhalování korupce a finanční kriminality);
- Department for Uncovering Organised Crime (Útvar pro odhalování organizovaného zločinu);

rescue system, which was established in 2000, and cooperates with other components within the security system.

In 1997, constitutional act no. 347/1997 Coll. was adopted in the Czech Republic, establishing higher level territorial self-governing units. These new units, had different borders from those of existing regional police administrations, observing regional boundaries set in a 1960 act. The Police also experienced issues with respect to new challenges, which appeared in connection with the country's accession to the EU in 2004.<sup>10</sup> Moreover, non-governmental organisations criticised the fact that the inspection of the Police was carried out by the General Inspection office of the Ministry of the Interior, which was not sufficiently independent.<sup>11</sup> These and a number of other issues provided the impetus for a fundamental, and de facto second, reform in the post-communist era.<sup>12</sup>

## The origin and evolution of the reform

Police reform was mentioned in the policy statement of the coalition government comprising the Civic Democratic Party, the Christian Democratic Party – Czechoslovak People's Party and the Green Party.<sup>13</sup> The reform was intimately linked with the figure of the Minister of the Interior at the time, Ivan Langer (in office from 9 January 2007 to 8 May 2009). It was an attempt comprehensively to overhaul the Police of the Czech Republic and adapt it to the changing conditions in society.

An extensive analysis of the functioning of the Police preceded the act of reform. The Ministry of the Interior carried out this analysis throughout 2006. The analysis as well as other documents related to the reform, especially the analytical and conceptual dossier 'Reform of the Police of the Czech Republic', were subjected to a fairly extensive commenting process at the Ministry and within the Police. Moreover, each member of the police force was able to submit her/his comments on the intranet. The document was also made available to the Deputies and Senators of the Parliament of the Czech Republic, representatives of self-governing authorities and expert and lay persons.

The reform was presented to the public in 2007. The legal framework for its implementation consisted of the newly adopted act, no. 273/2008 Coll., 'On the Police of the Czech Republic', and of what has been described as the 'amendment act' no. 274/2008 Coll. ('On the Amendment of Certain Acts in Connection with the Adoption of the Act on the

- Department for the Protection of the President of the Czech Republic (Útvar pro ochranu prezidenta ČR);

- Department for the Protection of Constitutional Officials (Útvar pro ochranu ústavních činitelů);

- Rapid Response Unit (Útvar rychlého nasazení);

- Special Activities Unit (Útvar speciálních činností; protection of witnesses etc.);

- Specific Activities Unit (Útvar zvláštních činností; surveillance, eavesdropping etc.).

See: *Útvary s působností na celém území ČR*, 2013, online: <http://www.policie.cz/clanek/utvary-s-pusobnosti-na-celem-uzemi-cr-312510.aspx>.

10 *Analýza policejních činností*, Praha 2006.

11 *Systém kontroly Policie České republiky 2007–2008*, Praha 2009, online: [http://www.helcom.cz/download/sborniky/System\\_kontroly\\_policie.pdf](http://www.helcom.cz/download/sborniky/System_kontroly_policie.pdf).

12 BOHMAN, Martin: *Policie České republiky*, in: *Kapitoly o bezpečnosti*, BALABÁN, Miloš – STEJSKAL, Libor et al. (eds.), Praha 2010, 179.

13 *Programové prohlášení vlády*, Praha 2006.

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Police of the Czech Republic, as Previously Amended by act no. 480/2007 Coll.').<sup>14</sup> Both laws came into effect on 1 January 2009. Their implementation represented the largest and most complex legal change concerning the Police since the establishment of the independent Czech Republic.

Act no. 274/2008 Coll. establishes rules for cooperation, and clarifies the relations between the Police of the Czech Republic and other bodies, which to a lesser or greater extent contribute to the provision of internal security for the state (Czech Army, Fire Rescue Service, Intelligence services, self-governing authorities, and others). In this context, a total of 59 related acts were amended (among these were those concerned with municipal police, criminal proceedings, freedom of information, sport, etc.).

The general aim of the reform was to create a legal framework in which policing could be freed from bureaucracy allowing it to become more efficient overall. The Police's organisational structure was modernised; the responsibility for security was then shared with other public and private entities and a greater space was provided for implementing preventive measures and community policing.<sup>15</sup>

The main aim of the reform was to transform the Police of the Czech Republic into a modern corps comprised of professionally acting police staff working in appropriate conditions.

The reform was comprehensively summed up into 10 fundamental pillars, concerning the following main areas:

- The field of activity and powers of the Police of the Czech Republic, as well as those of other entities which contribute towards the provision of internal security of the state;
- New territorial arrangement and organisational structure of the Police of the Czech Republic;
- New economic position of the Police of the Czech Republic;
- Internal and external inspection;
- Education of police staff;
- Laws on service;
- Project P1000;
- New structure for the plain-clothes force;
- Computerisation of work;
- Debureaucratisation.<sup>16</sup>

## Changes in organisation

The changes to the organisation of the Police were fundamental and connected with the introduction of new territorial arrangements. In the original arrangement, 8 regional Police administrations (which were further divided into 79 district directorates) corresponded to 14 higher territorial self-governing units. The reform actually achieved the creation of 6 new regional directorates of the Police in Liberec, Jihlava, Olomouc, Karlovy Vary,

<sup>14</sup> Zákon č. 273/2008 Sb., o Policii České republiky; Zákon č. 274/2008 Sb., o změně některých zákonů v souvislosti s přijetím zákona o Policii České republiky.

<sup>15</sup> *Reforma Policie ČR. Legislativní část*, Praha 2009.

<sup>16</sup> *Reforma Policie ČR. Služba v nových podmínkách*, Praha 2009.

Pardubice and Zlín. The aim of the new territorial arrangements for Police administration was to achieve a situation in which each regional Police director would be partnered with a regional administrator; someone with whom he can consult to resolve issues in the respective territory. In this way, the two would then share territorial responsibility for security in the respective territory.<sup>17</sup>

At the level of the former district directorates, the 'Territorial Departments of External Service' and the 'Territorial Departments of the Criminal Police and Investigation Service' were created; these were eventually merged in 2010 into one territorial department per district with one police chief and one deputy.

The main partners in these territorial sections were the mayors of the municipalities located in the area. This solution might facilitate communication and increase the efficiency of any cooperation between the Police and the self-governing authorities. It also provided self-governing units with the possibility of actively participating in the resolution of specific local security issues. In this respect, a particularly effective tool might be the coordination agreements concluded between the Police of the Czech Republic and the municipalities. However, in legal terms, these agreements did not constitute binding public law contracts according to the Section 159 of the Code of Administrative Procedure, but only non-committal arrangements.<sup>18</sup> In practical terms, the coordination agreements concluded were often purely formal. At the regional level, similar levels of cooperation can be established between the regional Police directorate, as represented by the director, and the regional administrator of the relevant region.

The changes to the organisation of the Police of the Czech Republic were connected with the abolishment of the district directorates and also brought important savings in personnel costs, as the number of executives was reduced (some of them remained in service elsewhere in the Police, but a significant number of them returned to civilian life).

## Economic changes to the police

A new, fundamentally different financial management model was also introduced into the Police of the Czech Republic. In January 2009 the regional directorates became 'organizační složky státu' [organisational units of the state], which means each functions as an independent accounting unit.<sup>19</sup> The regional directorates are thus not financially dependent on the decisions of the central body, the Police Presidium, and can in the main disburse their finances at their own discretion. With the Police Presidium losing its exclusivity in determining budgeting, the relations between the regional directorates and the centre (the Police Presidium) became looser in the long term. A large-scale audit was performed in connection with the changes to the Police's economic administration; the aim of which was to map the economic processes within the Police comprehensively. The audit also included an analysis of the efficiency of monies spent.

From the second half of 2010 onwards, a raft of further audits followed concerning the

<sup>17</sup> Ibidem.

<sup>18</sup> Ibidem, 13.

<sup>19</sup> *Reforma Policie ČR. Legislativní část*, Praha 2009.

economics of policing, which was connected with the new government coming into office (the government comprising the Civic Democratic Party, TOP 09 and Public Affairs/LIDEM parties, in office from 13 July 2010) and its vigorous austerity measures.<sup>20</sup> These measures often strongly inhibited the activities of the Police of the Czech Republic and its overall functioning.

## Institutional changes

The reform also had another ambitious aim: to improve communication between the various departments of the Criminal Police and Investigation Service to overcome their unwillingness to share knowledge pertaining to cases. The culture of guarding findings and an unwillingness to cooperate openly is widespread in all segments of the security community (and is not limited to the Czech Republic). It is a consequence of mutual rivalry and the limitations on trust between individual departments or their executives, fears regarding possible partners' unreliability that might lead to the disclosure of information sources, and numerous other factors. Many of these reasons are often well founded, yet if criminal cases are to be resolved – especially complex ones – a style of work based on secrecy and unwillingness (or inability) to cooperate is likely to be very limiting (a. o. with impact on organized crime investigation).<sup>21</sup>

The authors of the reform initially considered establishment of a National Criminal Bureau, which would include the nationwide departments of the Criminal Police and Investigation Service. The aim was to prevent insufficient communication between departments working on the same case and to improve overall cooperation, especially where serious crimes had been committed at national and international levels. The idea of the National Criminal Bureau was gradually abandoned, among other things, due to the insistence of the leaders of several nationwide departments that their methods of working were highly specific; the arguably high financial expenditure that the creation of the new Bureau would necessitate was also emphasised.<sup>22</sup>

In summary, it is found that within the Criminal Police and Investigation Service, the existing state has been preserved: each of the units with nationwide scope focus on their own issues, and the extent and form of cooperation with partner units differs from case to case. Nonetheless, within some departments (especially in the Office for Uncovering Corruption and Financial Crime), many-sided cooperation is gradually gaining a foothold, involving joint teams consisting of specialists on individual specific tasks related to policing work. The effort of the joint teams has also improved the quality of criminal proceedings. Experience from abroad unambiguously suggests that the establishment of joint teams is clearly to the benefit of the overall quality of policing.

The links between information systems are not perfect either. It is possible to observe gradual efforts toward better interconnectedness of the activities of specialised departments and toward improvements in the sharing of specific criminal knowledge. However, this is

<sup>20</sup> *Programové prohlášení Vlády České republiky*, Praha 2010.

<sup>21</sup> ŠMÍD, Tomáš – KUPKA, Petr: *Český organizovaný zločin. Od vyděračů ke korupčním sítím*, Brno 2011.

<sup>22</sup> KRAUS, Tomáš: Národní kriminální úřad nevznikne – chybějí peníze, in: *Eurozpravy.cz*, 20 August 2009, online: <http://domaci.eurozpravy.cz/armada-a-policie/3647-kriminalni-urad-nevznikne-chybeji-penize/>.



dependent on the personality of the Police officer in question, or that of his/her superior. In connection with the processing and exchange of criminal information, it was deemed appropriate to introduce a National Criminal Intelligence Model.<sup>23</sup> This could be characterised as an integrated system for Police's work with security-relevant information. If introduced, the Police would benefit from unequivocally established principles, rules and procedures for obtaining, processing, sharing and evaluating relevant information. A full implementation of the project would translate into greater efficiency in the work of the Criminal Police and Investigation Service, especially thanks to the uncomplicated and smooth transfer of information; the abolition of superfluous procedures; a greater extent of security; and the interconnection of hitherto scattered information, or that which was collected unsystematically. Analysis of the information obtained would also be benefitted. The project of the National Criminal Intelligence Model can be made compatible with the European Criminal Intelligence Model, which is a common standard in EU member countries for dealing with information relevant to the work of criminal investigators.<sup>24</sup> However, the introduction of the National Criminal Intelligence Model is a long-term and expensive process.

A truly functional criminal intelligence model does not currently exist within the Police of the Czech Republic. The efficiency of the knowledge bases used within the Police of the Czech Republic increases, however, and connected with this are endeavours to reduce certain information systems and databases of which there are dozens in the institution, some of which are partially duplicates. For these reasons, a Central Objects Database was established, which centralised the information from fragmented data sources.

In an effort to computerise policing work, the information system Register of Criminal Proceedings (Evidence trestního řízení, ETŘ) was used increasingly. The system was developed by the Police of the Czech Republic, at the Regional Directorate in South Moravia. This system led to growing efficiency of the Czech police.<sup>25</sup>

The institutional reform of the Czech Police was highly ambitious, however, only several original goals were finally achieved. The territorial changes of the organisational structure were a logical consequence of the administrative reform of the whole governmental administration. The real internal reform of the very heterogeneously structured Czech Police was not sufficient. The National Criminal Bureau was not established and the system of national criminal intelligence is staying underdeveloped. It has impact on difficulties with strategic criminal intelligence planning, which is an important element in modern law enforcement crime prevention and detection.<sup>26</sup>

23 *Reforma Policie České republiky a související problematiky vnitřní bezpečnosti. Analytické podklady k základním pilířům reformy*, 2007, online: [http://www.langer.cz/publikace.php?pub\\_id=1](http://www.langer.cz/publikace.php?pub_id=1).

24 Ibidem.

25 JANDÁK, Pavel: *Elektronický spis a jeho řešení ze strany Policie České republiky*, Centrum pro výzkum informačních systémů, 2008, online: <http://cviz.cz/hlavni.php?stranka=novinky/clanek.php&id=713>.

26 RATCLIFFE, Jerry H.: Preface, in: *Strategic Thinking in Criminal Intelligence*, 2<sup>nd</sup> Edition, RATCLIFFE, Jerry H. (ed.), Sydney 2013, v.



## Public order and security

In terms of public order and security, the reforms to the Police of the Czech Republic were intended to relieve the burden on the Police, to limit their need to perform what were perceived as 'non-policing' activities, specifically, administratively demanding and bureaucratic work related to certain agendas, such as issues connected with foreign nationals; arms, ammunition and explosives; alcohol and other drug-related offences; and, spectator violence. Time spent on investigation of traffic accidents was likewise reduced, as the damage threshold triggering investigations was increased to above CZK 50,000.

Spectator violence was given significant attention. Police Reform brought substantial changes to the provision of security at sporting matches. The primary responsibility for the security of people and property at sports facilities was transferred to the facility owner. Only if despite all the measures taken, the owner is unable to secure peace and order at the facility using his own forces, will the Police be called. The intention of this was to shift the expenses incurred by providing security onto the entity (the owner of the sport facility), as they make a financial profit from the sport (or cultural) event; this then induces the owner to provide sufficiently rigorous security.<sup>27</sup>

The newly adopted approach had a visible effect, in that large police forces have not been patrolling the stadia. Despite its strong media image, the new dispensation did not mean a total absence of Police units at sporting (especially football) matches. Members of public order units continue to be present, especially in front of stadia; officers from the Criminal Police and Investigation Service survey those sectors of the stadia where fans pose particular risks. At every stadium where professional matches are played, a special room exists that is dedicated to the commanding officer of the Police responsible for security, who coordinates his steps with the organisers of the match and the other bodies involved (the fire brigade, rescue services, ambulance, municipal police, etc.).

As a form of prevention and in order to minimise actual Police intervention, the 'amendment act' authorised the state – more precisely, the Ministry of the Interior – to prohibit public attendance at specified sports matches if the owner of the sports facility had seriously violated the obligation set out by law. If it is necessary for the Police to restore order due to organiser's inactivity or insufficient security measures, they can demand reimbursement of expenses. Despite the occurrence of some violent excesses at football matches where Police officers had to intervene instead of organisers, the sanctions described above have not yet been used. The sanctions introduced by the reform are more of a deterrent measure directed toward the organisers of sports events.

The measures described above were summarised in a conceptual and analytical document put together by the Department for Security Policy of the Ministry of the Interior, entitled *Proposals for resolving the issue of spectator violence* (government resolution no. 912, dated 23 July 2008). For the owners and managers on sports premises, a visual handbook was produced, called *Safety at sports matches (a handbook for football clubs)*, rich in colour and illustrations.<sup>28</sup>

27 *Návrhy opatření k řešení problematiky diváckého násilí*, Praha 2008.

28 *Bezpečí na sportovních utkáních. Manuál pro fotbalové kluby*, Praha 2008.

## Consequences of the adopted 'unburdening' measures on those units responsible for public order and security

Thanks to the measures adopted to relieve pressure on the Police, their role in providing security at private events and elsewhere has been reduced. Some of the activities previously carried out by Police units were transferred to other entities (often private security companies).

In some cases the entire security agenda could be removed from the Police, and in other areas the procedures of the Police became less formalised. In addition to the example provided above of security at sports events, areas included involved offering assistance to bailiffs, serving court papers, and the transportation of arrested persons. Cases involving offences against laws protecting the population from alcoholism and other drug addictions are now heard in accordance with abridged administrative procedure. Administrative procedures are no longer required in cases where offenders are temporarily ordered to leave their households, and the extent to which traffic accidents are investigated has been reduced. Offences involving domestic violence are also dealt with differently: the steps required for ordering offenders to leave have been simplified, and administrative procedures are no longer required. The consequences of this are apparent in the statistics associated with orders to leave, whose number have increased.

In the sphere of public order and security, the changes connected with the unburdening of the Police from non-policing activities were especially pronounced in the agenda of the Alien Police Service. Since 1 January 2011, the Alien Police has been significantly transformed; some Police staff have been made civilian employees, and transferred to the Department for Asylum and Migration Policy at the Ministry of the Interior. Others have been transferred from the Alien Police Service to other units; most commonly those attached to the regional police directorates. The changes in the Alien Police followed alterations in legal provisions concerning the stay of foreigners on the territory of the Czech Republic.<sup>29</sup>

The Weapons and Dangerous Substances Service was also significantly overhauled. The transformation of this department was likewise bound up with changes to legislation, specifically, the amendments of the Weapons Act and the Act on Handling Dangerous Substances. Changes in terms of personnel were not as extensive as those undertaken with respect to the Alien Police Service: only a few dozen jobs were turned over to civilians.<sup>30</sup>

In terms of traffic safety, the new legal regulations relating to handling traffic accidents have had a positive effect. The Police must be called only if the damages exceed CZK 100,000 (as opposed to the previous limit of CZK 50,000), and this has allowed the traffic police to focus on other issues associated with the traffic safety agenda.<sup>31</sup>

29 KORMOŠOVÁ, Iva: *Transformace služby cizinecké policie*, 2010, online: <http://www.policie.cz/clanek/transformace-sluzby-cizinecke-policie.aspx>.

30 *Reforma Policie ČR. Služba v nových podmínkách*, Praha 2009.

31 KÁVOVÁ, Andrea: *Dopravní policisté upozorňují*, 2009, online: <http://www.policie.cz/clanek/dopravni-policiste-upozornuji-645332.aspx>.

## External control of the police: the establishment of the General Inspection of Security Corps

The Police reform has also dealt with external controls, and a new body has been created and made responsible for supervising selected security corps: the General Inspection of Security Corps. In addition to internal controls, the powers of Inspection cover the Police, the Penitentiary Services, and Customs Administration.

According to previous legislation, external controls of the Police corps were carried out by Police Inspection, a body of the Police charged with uncovering and investigating the crimes committed by Police officers and employees. The director of this Inspection force was appointed by the government and in organisational terms the Inspection fell under the Ministry of the Interior.

In its resolution, the government decided to prepare a draft bill on the General Inspection of Security Corps, which was agreed by the government and presented to the Parliament of the Czech Republic. On 6 April 2009 a draft was presented to the Chamber of Deputies as 'sněmovní tisk č. 794' [Chamber of Deputies Print no. 794]. Although it was put on the agenda, it was never discussed because an early election had been called. In 2011, the same draft was updated in accordance with the new coalition agreement; this again went through an intra- and inter-departmental commenting process; it was presented to the government for approval; and then sent to the Chamber of Deputies. The Chamber eventually approved the Act, which came into force on 1 January 2012 as Act no. 341/2011 Coll.

The purpose of the General Inspection of the Security Corps is to expose, examine and investigate criminal offences committed by Police officers, customs officers and members of the Czech Penitentiary Service, as well as those perpetrated by the civilian employees of these institutions (Act no. 341/2011 Coll., On the General Inspection of Security Corps).<sup>32</sup> The Prime Minister appoints the director of the Inspection. The General Inspection is an independent security corps, an organisational unit of the state, and an accounting unit that is subordinate to the Prime Minister (similar to the Security Information Service, for instance).

In terms of internal controls, these continue at the central level in the Department for Internal Control of the Police Presidium, and further departments overseeing internal control fall under the regional directorates of the Police. These departments primarily deal with submissions and complaints concerning unacceptable behaviour of the members of the Police. The adoption of the Act for General Inspection meant a challenge for other institutions as well; the public prosecutor's office, for instance, had to determine the authority of public prosecutors.<sup>33</sup>

32 Zákon č. 341/2011 Sb., o Generální inspekci bezpečnostních sborů.

33 NEVĚDĚL, Pavel – RŮŽIČKA, Petr: Zákon o generální inspekci bezpečnostních sborů vyžaduje změnu právní úpravy stanovení věcné a místní příslušnosti státního zástupce, in: *Státní zastupitelství*, 9, 2011, 12, 9–14.

## Change of the police image

The reform of the Police of the Czech Republic extensively dealt with the changing the appearance of the Police, including the introduction of the motto 'Pomáhat a chránit' [To help and to protect] on all new Police cars.

Project P1000 was initiated back in 2006 and focused in particular on modernising Police stations. Its main objective was to refurbish stations so that both citizens and Police officers would find them both safe and agreeable. The project also intended to improve the working environment and conditions for those Police officers working at the stations. Emphasis was placed on creating open reception offices outfitted with new furniture and equipment. The project also introduced new information technologies and educational programmes.

In 2012, the project was no longer sponsored centrally due to lack of funding and differences in EU subsidy policies. Thus, it was implemented as several sub-projects.

Among these sub-projects were the following: the creation of contact and coordination centres (the overhauling of reception offices and back offices at Police stations); establishment of mobile contact and coordination centres (this involved the purchase of 76 specially equipped cars for the Police to use); the preparation of a complex project of Integrated operations centres of the Police of the Czech Republic (including the creation of an Integrated operations centre for the Prague Regional Directorate); and fitting thermal insulation on selected buildings owned by the Police of the Czech Republic in order to reduce expenditure on energies.<sup>34</sup>

Further projects involved cross-border cooperation with Germany and Slovakia. These were aimed, among other things, at controlling migration streams. Biometric scanners were also purchased from project funds. Additional projects were agreed in the Czech-Swiss cooperation programme.

The Police of the Czech Republic's vehicle fleet was also noticeably overhauled.<sup>35</sup> This reform involved the largest single vehicle replacement in the history of the Police of the Czech Republic. Newly purchased vehicles were decorated with the Police motto and a new colour scheme. Besides ordinary service cars, specialised means of transport and equipment were acquired, particularly to serve the needs of Special Police Units.

## Measures concerning personnel matters

The modernisation of Police stations, vehicle fleets, and equipment was accompanied by a large-scale transformation of the force's personnel policy. In the first half of 2008, a recruitment campaign was put in place under the heading 'Najdi si svého parťáka' [Find yourself a fellow worker]. This attracted significant media attention. The campaign, which maintained its intensity throughout the year, consisted of TV spots and newspaper and Internet adverts. A special telephone line was also used for recruitment purposes. A new approach was adopted, which allowed people to enter the service using what has been described as 'the side door'; meaning that people were recruited to specific posts according

34 *Reforma Policie ČR. Služba v nových podmínkách*, Praha 2009.

35 BOHMAN, 181.

to their existing expertise. Numerous long-serving Police officers, often in managerial positions at that time, left the service, especially due to the newly introduced legislation and requirements (a retirement package was now offered after 15 and not 10 years of service; rank insignia were linked to salary bracket; promotion to certain posts was made dependent on adequate education, etc.). The intentions behind these measures were to bring specialists into the police force, and to provide them with appropriate remuneration from the beginning of their service. The retirement of many long-serving Police officers were often met with a disapproving response, publicised in the media (an example of this was the resignation of the then-director of the Department for Uncovering Organized Crime Jan Kubice, who did not have the education newly required for his post). A number of top Police executives also left the force, including the Police President at the time, Vladimír Husák. A new tendency affected staffing, in the form of bestowing leading posts on younger police officers.

Most of the benefits previously offered to service personnel have been preserved, such as a statutory annual leave of six weeks, 10 working days rehabilitation stays, spa treatments for long-serving police officers, employer's contribution to pension schemes, etc. Salaries for police staff at all levels were also increased at the time of the reform.

Another proclaimed aim of the reform was to decrease the number of police functionaries receiving managerial bonuses. An audit of personnel and processes was undertaken, focusing on analysing and optimising managerial positions. The aim of this was to reduce the number of managerial positions, with a target ratio of managing to managed police officers of 1:11 (at the time of the implementation of the reform, the ratio had been 1:8). The reduction in the number of managerial positions was chiefly achieved through the abolition of district Police directorates and through the disbanding of certain units.<sup>36</sup>

In this context we must mention certain excesses that affected salaries and retirement packages, excesses connected with the awarding of bonuses, especially in the upper managerial strata of the Police of the Czech Republic. Retirement packages were enhanced with special bonuses, whose rationales were often purely formal, and which usually amounted to hundreds of thousands of Czech Crowns. With these generous retirement packages, the retirement pay of former police officers in managerial positions, as paid out for the rest of their lives reached multiples of the average salary in the Czech Republic.

The reform aimed to guarantee a certain minimal standard of policing work to citizens. Included in this were the following ratios: managing to subordinate personnel 1:11; field service to logistics 8.5:1; Police to civilian staff ratio 4.5:1.<sup>37</sup> The reform also proclaimed the aim of achieving a balanced workload for police and civilian staff, and noted that if this should not be the case (as indeed is an everyday reality in the police force), then the police and civilian staff in question must be adequately remunerated.

During and after the reform, the Police reduced head count. Numbers decreased from 47,500 police officers in 2006, to 44,000 in 2011; in the same period, the budget was reduced from 1,280 million Euros to 1,080 million Euros.<sup>38</sup> The decrease in the number

<sup>36</sup> Ibidem, 181.

<sup>37</sup> *Reforma Policie ČR. Služba v nových podmínkách*, Praha 2009, 14.

<sup>38</sup> *Mezinárodní komparativní studie o bezpečnostních sborech*, Praha 2012, 18.

of police officers was later criticised, and in 2013 plans were prepared by the caretaker government, led by the Prime Minister Jiří Rusnok and his Interior Minister Martin Pecina, to increase them again.<sup>39</sup> Number of police officers in 2006 and in 2011 in the EU countries is compared in the following table (Tab. 1). Next table (Tab. 2) shows comparison of number of police officers per 100,000 inhabitants in 2008–2010 in the EU (according to data by EUROSTAT).

Tab. 1: Number of police officers

| Country               | 2006      | 2011    |
|-----------------------|-----------|---------|
| Belgium               | 38,963    | 46,933  |
| Bulgaria              | (no data) | 29,358  |
| Czech Republic        | 46,032    | 38,942  |
| Denmark               | 10,819    | 10,868  |
| Germany               | 250,284   | 243,201 |
| Estonia               | 3,328     | 4,484   |
| Ireland               | 12,954    | 13,894  |
| Greece                | 48,521    | 55,218  |
| Spain                 | 209,163   | 247,535 |
| France                | 241,998   | 203,076 |
| Croatia               | 19,790    | 21,134  |
| Italy                 | 246,775   | 278,461 |
| Cyprus                | 5,125     | 5,311   |
| Latvia                | 9,568     | 6,565   |
| Lithuania             | 11,301    | 9,926   |
| Luxemburg             | 1,447     | 1,704   |
| Hungary               | 28,636    | 34,484  |
| Malta                 | 1,755     | 1,923   |
| Netherlands           | 35,324    | 38,312  |
| Austria               | 26,623    | 27,614  |
| Poland                | 99,083    | 97,474  |
| Portugal              | 47,573    | 47,061  |
| Romania               | 50,265    | 49,642  |
| Slovenia              | 7,857     | 7,631   |
| Slovakia              | 22,653    | 23,624  |
| Finland               | 8,312     | 8,180   |
| Sweden                | 17,423    | 20,398  |
| UK (England + Wales)  | 141,381   | 137,473 |
| UK (Scotland)         | 16,234    | 17,436  |
| UK (Northern Ireland) | 8,354     | No data |

Source: *Police Officers*, 2015, online:  
[http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim\\_plce&lang=en](http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en).

<sup>39</sup> SHABU, Martin: Je třeba zvýšit počet policistů?, in: *Česká pozice*, 13 July 2013, online: <http://www.ceskapozice.cz/domov/pravo-bezpecnost/je-treba-zvysit-pocet-policistu>.

Tab. 2.: Number of police officers per 100,000 inhabitants

| Country               | Number 2008–2010 |
|-----------------------|------------------|
| Belgium               | 366              |
| Bulgaria              | 412              |
| Czech Republic        | 410              |
| Denmark               | 198              |
| Germany               | 300              |
| Estonia               | 225              |
| Ireland               | 272              |
| Greece                | No data          |
| Spain                 | 508              |
| France                | 354              |
| Italy                 | 453              |
| Cyprus                | 664              |
| Latvia                | 341              |
| Lithuania             | 326              |
| Luxemburg             | 325              |
| Hungary               | 89               |
| Malta                 | 456              |
| Netherlands           | 221              |
| Austria               | 323              |
| Poland                | 260              |
| Portugal              | 449              |
| Romania               | 238              |
| Slovenia              | 384              |
| Slovakia              | 436              |
| Finland               | 154              |
| Sweden                | 208              |
| UK (England + Wales)  | 259              |
| UK (Scotland)         | 333              |
| UK (Northern Ireland) | 411              |

Source: *Number of police officers per 100 000 inhabitants*, 2013, online: [http://ec.europa.eu/eurostat/statistics-explained/images/9/9c/Number\\_of\\_police\\_officers%2C\\_2004\\_2010\\_NEW.png](http://ec.europa.eu/eurostat/statistics-explained/images/9/9c/Number_of_police_officers%2C_2004_2010_NEW.png).

As the previous tables show, the number of police officers per inhabitants is relatively high in the Czech Republic, in comparison with several other European countries. Regarding these numbers, higher efficiency of the police structure is still being discussed. When selected issues are analysed, we can also identify demands concerning the limited use of policemen. Other actors of security and justice system should be more engaged. This is the case of mass riots – police experts expressed the will to engage state prosecutors to solve this security risk.<sup>40</sup> On the other hand, the establishing of volunteer units for police support is being proposed.<sup>41</sup>

40 ZÁMEK, David: *Hromadná narušení veřejného pořádku z pohledu Policie ČR*, Plzeň 2013, 157.

41 STEJSKAL, Libor: *Občané v bezpečnostním systému: dobrovolnictví a občanská participace mezi státem a*



## Police education and the continuing education of police officers

The reform did not bring significant changes to police education. There was a new trend toward greater emphasis on educating police executives in management courses. A policy was conceived for providing officers at all managerial levels with an adequate education, which would concern up to 4,900 managers over a six year period. This approach was connected with the new opinions of the Minister of the Interior and his team, who began to view the Police of the Czech Republic as a company. Over the period when the reform was being implemented, one can find expressions likening the Police of the Czech Republic to one of the country's largest businesses in many documents and press releases of the then-minister Ivan Langer.<sup>42</sup> However, what has often been overlooked is the fundamental difference between a business whose aim is profit and an institution that is the state's armed security corps, which fulfils clearly defined and specific tasks in terms of providing internal security. Many in the media gratefully accepted the characterisation of the Police of the Czech Republic as a business.

Also apparent was an increasing emphasis on improving Police staff's language skills; this was partially linked to the Czech presidency of the Council of the European Union. Many Police officers participated in specialised language courses, intended to prepare them for negotiations as part of individual working groups of the Council of the European Union. Police officers were regularly sent as participants to thematically focused educational courses abroad. The department for international police cooperation at the Police Presidium was also strengthened in terms of personnel. (To a certain degree, this was connected with the vision of Oldřich Martinů, the Police president at the time, whose long-term professional focus was on international police cooperation.)

While the Police reform was being pushed through, Police education continued to be based on the analytical and conceptual dossier entitled *A concept of lifelong learning for police officers* [Koncepte celoživotního vzdělávání policistů], adopted in July 2008, the aim of which had been to establish a system for educating police officers that would guarantee them sufficient qualifications. The fundamental principles of this Concept are: the treatment of citizens as customers; a high standard of ethics for police officers; a competency-based approach to education; the personal responsibility of police officers for their professional preparedness; and a system supporting police education in a wider range of specialised areas, in addition to a system of compulsory education.<sup>43</sup> The Concept was implemented in a system adopted in accordance with the 'Lisbon Agenda', embracing experiences from abroad and cooperating with all partners involved at the national level.

The cornerstones of the system are: compulsory education for all police officers (the so-called essential professional training); compulsory education for officers in various services; compulsory education for various specialists; compulsory education dictated by the actual

trhem, in: *Bezpečnostní systém ČR: problémy a výzvy*, BALABÁN, Miloš – PERNICA, Bohuslav a kol. (eds.), Praha 2015, 266.

42 MALÍKOVÁ, Jana: *Policejní reforma dostala zelenou*, 2008, online: <http://www.mvcr.cz/clanek/zpravodajstvi-policejni-reforma-dostala-zelenou.aspx>.

43 *Koncepte celoživotního vzdělávání policistů*, Praha 2008.

priorities of society; and non-compulsory education of police officers.<sup>44</sup> Police education was somewhat affected by the government's austerity measures. Some of the higher Police schools were closed or merged, a change connected with the suspension of further recruitment.

## Presentation of the reform in the media

In general it can be observed that while introducing specific steps for reform and its implementation, significant emphasis was placed on presenting it to the media. The media played an important role in the implementation of the reform: they were present at the handover of the newly purchased police cars and other equipment, at the opening of the refurbished police stations, and at presentations of various steps of the reform. Consistently designed (self-)presentation brochures and promotional materials were also frequently distributed.<sup>45</sup>

The visible effects of the reform were often presented personally by the Minister of the Interior, who at numerous points defended the ongoing reform against its opponents in various forums. Arguably, the figure of the very active and self-confident Minister Ivan Langer was intrinsically linked with the internal and external presentation of the reform. Trips made by the ministerial team to individual regional Police directorates were common, and the results achieved by the reform were more or less openly discussed there, usually in connection with the handover of new service equipment or the opening of refurbished stations. Moreover, each of these trips drew significant attention in both regional and national media. However, the reform did not make Langer popular; in the 2010 election of the Parliament of the Czech Republic (Chamber of Deputies), Langer was not elected, despite his role in leading his party's candidate list in the Olomouc region, because voters gave preferential votes to other candidates.<sup>46</sup>

## Conclusion

The prevailing change brought to the Police of the Czech Republic by the reform was a substantial alteration to the organisational structure of this armed corps. The creation of six new regional police directorates and the abolition of district directorates was a step that had many important consequences, especially in terms of personnel, where the number of managerial positions was reduced. The introduction of a new model of economic administration went hand in hand with organisational changes; this was a model fundamentally different from that which preceded it, and one that brought the regional police directorates greater independence in terms of handling the funds allocated to them. As far as the Criminal Police and Investigation Service is concerned, the idea of establishing

<sup>44</sup> Ibidem.

<sup>45</sup> *Publikace/Reforma Policie České republiky*, Praha 2010, online: [http://www.langer.cz/publikace.php?pub\\_id=1](http://www.langer.cz/publikace.php?pub_id=1).

<sup>46</sup> STUDENÁ, Michaela – HUDÁČKOVÁ, Silvia: Volby do Poslanecké sněmovny z optiky preferenčního hlasování, in: *Sekuritaci.cz*, 10 June 2006, online: <http://www.sekuritaci.cz/volby-do-poslanecke-snemovny-z-optiky-preferencniho-hlasovani/>.

a unified National Criminal Bureau has been abandoned. A national model of criminal intelligence is yet to be fully implemented, but some steps have been taken, especially in terms of centralising and reducing some information systems and databases of the Police of the Czech Republic. The computerisation of the policing work has progressed, which is apparent from the more intensive use of the information system Register of Criminal Proceedings.

In terms of public order and security, the proclaimed aim of unburdening the Police of the Czech Republic from their former non-policing activities has been vigorously pursued. The Police no longer acts as security for sporting and cultural events, has limited its investigations of less serious traffic accidents, and shifted some of its agendas to certain civilian offices and institutions. An overhaul of the Police's image is most conspicuous in the newly refurbished police stations and newly acquired cars; although these changes might seem secondary they are also important.

The establishment of the General Inspection of Security Corps was a significant step. This new department (although many employees of the abolished Police Inspection were transferred to it) brought a change in the approach to the investigation of offending members of selected security corps. Cases of offending Police officers have been newly investigated outside of the Police of the Czech Republic itself.

What reform of the Police of the Czech Republic has failed to bring – and this is especially noticeable when contrasted with the Reform of the Army of the Czech Republic – is a unified strategic approach to policing, which would be publicly available and which would determine the strategic aims of the Police of the Czech Republic in the future, as well as the means necessary to achieve them. Although there are strategic documents elaborated by the Police of the Czech Republic and the various departments at the Ministry of the Interior, these only concern a selection of narrowly defined areas, such as organised crime, migration, human trafficking, crime prevention, spectator violence, etc. Without an established and publicly available strategic framework, the direction of the Police of the Czech Republic towards strategic aims and priorities set in advance is unclear.

The answer to the research questions is as follows. In terms of fulfilling the demands of effective and democratic policing, the reform was implemented only partially. An external controlling body was created, but the establishment of a clear Police force structure, and its effective deployment, remain an unfinished business.

The structure is more transparent in relation to the general administrative structure of the Czech Republic. However, the internal police organization seems to be too complicated and the non-establishing of the National Criminal Bureau can be assessed as a problem. The internal control body of the Czech Police was established – the General Inspection of the Security Corps. It occupies an important position within the Czech security architecture. Unfortunately, in 2015, some problems with the inspection led to politicization of discussions about this institution. The Czech Police is able to fight many forms of crime, including serious organized crime and terrorism, however, many challenges have not yet been sufficiently solved.

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## Abstract

This article analyses reform of the Police of the Czech Republic undertaken at the end of the first decade of the 21<sup>st</sup> century. Its aim was to increase the efficiency of the Police to suit new social conditions. The article analyses the evolution of the reform, the structural and institutional transformations to the Police, and the related establishment of an additional security body (the General Inspection of Security Corps). The authors ascertain that despite a number of important changes being carried out, the reform failed to provide a unified strategic approach to Police activities.

## Keywords

Police reform, Czech Republic, homeland security policy

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