

The right to privacy in police procedures – an analysis of the view of police commanders

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In the survey, the authors analyze the perception of the right to privacy from the point of view of exercising police powers. A survey was carried out of opinions about interference with the right to privacy in the exercise of police powers on a sample of criminal justice students (n = 65) and police commanders from local police stations (n = 53). Short stories were presented to survey participants and they were asked to evaluate the situations. The authors established that police commanders have a high level of understanding of the right to privacy, since they were very critical of police encroachment on the privacy of the individual in the majority of analyzed situations. This was evident in the evaluation of disclosure of the suspect's name to the public, as well as the description of the illegal entry of police into an apartment. The results are similar for a situation in which a police officer revealed the personal data of an alleged offender to his friend - more than half of all police commanders stated that such behaviour was an encroachment on privacy. The results in relation to guaranteeing communication privacy are interesting, although not surprising. It can be said that police commanders for the most part supported the state in the presented situation when weighing the material right of the state against the right of the individual to privacy but that is not necessarily in conformity with legal practice in the field. Criminal justice students more frequently supported the right of the individual to communication privacy.

Key words: human rights, privacy, territorial privacy, communication privacy, information privacy, police powers, police, criminal justice

UDC: 342.72/.73 + 351.74/.76