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## **OBSAH**

### *BEZPEČNOST*

**SOUČASNOST A BUDOUCNOST LETECKÉ ZÁCHRANNÉ SLUŽBY**  
..... 7-18

*Pavel BÖHM – Tomáš HACAPERKA*

### *BEZPEČNOST*

**DEZINFORMÁCIE AKO NÁSTROJ HYBRIDNÉHO PÔSOBENIA:  
BEZPEČNOSTNÉ, POLITICKÉ A STRATEGICKÉ VÝZVY PRE  
EURÓPSKU ÚNIU.....19-28**

*Roman Bartolomej BOROVSKÝ*

### *BEZPEČNOST*

**DIGITÁLNE STOPY A IDENTIFIKÁCIA DEZINFORMÁCIÍ .....29-40**

*Branislav BELICA*

### *BEZPEČNOST*

**POČÍTAČOVÁ KRIMINALITA AKO EURÓPSKY ZLOČIN .....41-56**

*Jaroslav KLÁTIK – Milada RAĎAŠOVÁ – Miroslav FELCAN*

### **VEŘEJNÁ SPRÁVA, MANAGEMENT**

**EFEKTIVITA SPRÁVNÍHO ŘÍZENÍ V OBLASTI PŘESTUPKŮ NA  
SLOVENSKU .....57-65**

*Katarína LIPTÁKOVÁ – Katarína DROCÁROVÁ*

### **VEŘEJNÁ SPRÁVA, MANAGEMENT**

**ANALÝZA DOPADOV VYBRANÉHO NÁVRHU REFORMY  
VOLEBNÉHO SYSTÉMU V PODMIENKACH SR .....66-77**

*Natália KOVÁČOVÁ – Roman ŠIMÁČEK*

# CONTENTS

## *SAFETY*

### **THE PRESENT AND THE FUTURE HELICOPTER EMERGENCY MEDICAL SERVICE.....7-18**

*Pavel BÖHM – Tomáš HACAPERKA*

## *SAFETY*

### **DISINFORMATION AS A TOOL OF HYBRID ACTION: SECURITY, POLITICAL AND STRATEGIC CHALLENGES FOR THE EUROPEAN UNION.....19-28**

*Roman Bartolomej BOROVSÝ*

## *SAFETY*

### **DIGITAL TRACES AND DISINFORMATION IDENTIFICATION .....29-40**

*Branislav BELICA*

## *SAFETY*

### **CYBERCRIME AS A EUROPEAN CRIME .....41-56**

*Jaroslav KLÁTIK – Milada RAĎAŠOVÁ – Miroslav FELCAN*

## *PUBLIC ADMINISTRATION, MANAGEMENT*

### **EFFICIENCY OF ADMINISTRATIVE PROCEEDINGS IN THE FIELD OF OFFENSES IN SLOVAKIA .....57-65**

*Katarína LIPTÁKOVÁ – Katarína DROCÁROVÁ*

## *PUBLIC ADMINISTRATION, MANAGEMENT*

### **ANALYSIS OF IMPACTS OF THE SELECTED ELECTORAL SYSTEM REFORM PROPOSAL IN THE SLOVAK REPUBLIC .....66-77**

*Natália KOVÁČOVÁ – Roman ŠIMÁČEK*

**EFFICIENCY OF ADMINISTRATIVE PROCEEDINGS IN THE FIELD  
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**ABSTRACT:** Offenses represent unlawful actions and undesirable antisocial behavior. The issue of efficiency in administrative proceedings regarding offences has come to the forefront in Slovakia due to an amendment to the Criminal Code, effective as of 6 August 2024. The efficiency of administrative proceedings is influenced by various factors, primarily the quality of offence investigation, the professional competence of state employees, and staff number. This study quantitatively and qualitatively examines these factors using data from two district offices in the years 2021–2023. The results confirm the validity and justification of our assumptions.

*Key words:* administrative proceedings – offenses – efficiency

**ABSTRAKT:** Přestupky představují protiprávní jednání a nežádoucí protispolečenské chování. Otázka efektivity správního řízení o přestupcích se na Slovensku dostala do popředí v důsledku novely trestního zákoníku účinné od 6. srpna 2024. Efektivitu správního řízení ovlivňují různé faktory, především kvalita vyšetřování přestupků, odborná způsobilost státních zaměstnanců a počet zaměstnanců. Tato studie tyto faktory kvantitativně i kvalitativně ověřuje na základě údajů ze dvou okresních úřadů v letech 2021-2023. Výsledky potvrzují platnost a oprávněnost našich předpokladů.

*Klíčová slova:* správní řízení – přestupky – účinnost

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## **INTRODUCTION**

If unlawful conduct results in property damage of up to €700, it is classified as an offence under the amended Criminal Code. This change has led to an increase in the number of cases and a higher workload for employees. Such a workload can only be managed under appropriate conditions that support the efficiency of administrative proceedings. These

influencing factors are quantitatively and qualitatively analysed in selected district offices in Slovakia during the observed period.

Administrative proceedings are defined as a process governed by procedural administrative law, involving administrative authorities, participants, and other entities in issuing, reviewing, and enforcing administrative decisions. These decisions concern the rights, legally protected interests, and obligations of individuals and legal entities (Kollár, 1999). It is a process through which public administration tasks are carried out. Disputed issues that arise between individual subjects are resolved in the proceedings, as well as issues that are of broader societal interest. To a certain extent, this process ensures a balance between individual, group, and societal interests (Kiovská, 1993). Administrative proceedings are time-intensive, culminating in a binding decision enforceable by the state. They are governed by Act No. 71/1967 Coll. on Administrative Proceedings, which regulates all essential procedural institutes. State authorities act in accordance with this Act, supplemented by specific legislation governing distinct areas of public administration, under the principle of subsidiarity<sup>1</sup>.

Offence proceedings, as a critical instrument of the state, serve to impose sanctions on individuals engaging in unlawful antisocial conduct. Managed by administrative authorities, effective proceedings fulfil not only punitive but also preventive and educational functions. Substantive and procedural provisions governing offences are dispersed across various legal regulations, with the primary framework provided by Act No. 372/1990 Coll. on Offences.

General administrative departments of district offices in Slovakia manage offence-related agenda as part of their core duties, adhering to both the Offences Act and, subsidiarily, the Administrative Proceedings Act. By contrast, other specialized departments handle offence proceedings as part of their specific state administration tasks (Operational Guidelines for District Offices, 2021).

To analyze the factors influencing the efficiency of administrative or offence proceedings, it is first necessary to define the concept of efficiency. In general terms, efficiency refers to achieving the highest possible level of output with the least possible input. Effectiveness, by contrast, is understood as a measure of success in relation to achieving a specific goal (Vrabko, 2013). The traditional definition of efficiency is associated with output per man-hour, yield from raw materials, and similar benchmarks. For anyone operating in a competitive marketplace, such calculations remain essential and constant; however, when

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<sup>1</sup> In matters governed by special legislation, proceedings are conducted primarily in accordance with those laws, and only where such legislation does not provide regulation are the relevant provisions of Act No. 162/2015 Coll., the Administrative Procedure Code.

confined to these immediate measures, they are no longer sufficient (Coy, 1970). Measures of economic efficiency are usually defined as productive efficiency or the private, pecuniary unit costs of production. These measures differ significantly from the concept of Pareto optimality, which remains the only theoretical definition of economic efficiency (Lang, 1980). An economy can be both efficient and sustainable, but efficiency alone does not guarantee sustainability (Bishop, 1993). With regard to the analysis of economic efficiency, there is currently no literature review addressing theoretical or methodological developments (Camanho – Silva – Piran - Lacerda, 2024).

In public administration, efficiency entails fulfilling tasks to the required standard, within the desired scope and quality, relative to the available material and human resources. Within administrative proceedings, efficiency considerations include timeliness, legality, and compliance with procedural rules (Kurilovská – Krásna, 2021). Speed can be regarded as a fundamental determinant and evaluation criterion of efficiency (Mihálik – Filip, 2022).

Drawing on previous practical experience, we have identified three key factors that most significantly influence the efficiency of administrative proceedings. The quality of offence investigation conducted by district departments of the Police Force of the Slovak Republic impacts efficiency. The professional competence of civil servants plays a decisive role in ensuring the effectiveness of offence-related processes. Furthermore, the number of civil servants assigned to the offence agenda is closely connected with the overall - efficiency of administrative proceedings.

## **METHODOLOGY AND OBJECTIVE**

Using quantitative methods (based on selected indicators) and qualitative methods (drawing on interviews with heads of relevant departments), the research examines the impact of selected factors on the efficiency of administrative proceedings in the area of offences within district offices in Slovakia during the years 2021–2023, which is the objective of the research. The results of the quantitative research are presented in a summary table containing 16 monitored indicators.

This study examines two district offices (Senec and Pezinok), which are comparable in terms of their internal structure, number of departments, and the scope of their responsibilities. Information sources comprised internal documents; the collected data had to be adjusted, recalculated, and adapted to permit further analysis.

The study employed comparative and synthetic methods, mathematical techniques, and logical procedures such as analysis, induction, and deduction. Description was applied in the

theoretical part, complemented by explanatory reasoning to draw implications and derive conclusions from the findings.

## **RESULTS AND DISCUSSION**

The clarification phase, as the initial step in the process of resolving administrative offences, is carried out by the police authorities. Experienced department heads have confirmed that this process does not meet the required standards. Police officers often fail to ascertain all essential facts, do not secure necessary documentary evidence, and inadequately guide interviewed individuals to focus on the matter at hand or address key issues. They may not identify all individuals present at the incident or verify the presence of potential witnesses.

To evaluate the quality of offence investigation, three indicators were monitored: the absolute and relative number of files returned for further clarification<sup>2</sup>, the number of oral hearings conducted by the respective departments, and the number of decisions issued as penalty orders for offences. It is assumed that an increase in the number of well-clarified offences will lead to a higher number of penalty orders issued. Issuing such orders is less time-consuming and involves fewer procedural steps, which significantly enhances the efficiency of administrative proceedings.

It is assumed that higher professional competence among state employees results in higher quality administrative proceedings, ensuring greater efficiency. Professional competence is primarily influenced by the level of education completed. Offence proceedings are considered a form of criminal procedure, and participants are often represented by lawyers, rendering the process complex. In practice, this complexity is underestimated, and the agenda is sometimes managed by employees who lack expertise, procedural knowledge, and a general understanding of legal regulations. For this reason, based on our opinion and long-term practical experience, legal education appears to be indispensable. To assess this hypothesis, interviews were conducted with experienced heads of the respective departments at the examined district offices, as they are best positioned to assess the matter. These department heads interact daily with employees, assign offence files for processing, and approve written outputs, including final decisions. They observe employees' professional skills and ability to apply legal provisions in

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<sup>2</sup> If police authorities forward an offence file to an administrative authority for further proceedings and decision-making in cases where the investigation has been insufficiently conducted, the administrative authority has two options. It may return the file to the police with a request to conduct the investigation in accordance with Section 58 of Act No. 372/1990 Coll. on Offences in order to secure essential facts that were not obtained or were completely overlooked. Alternatively, the administrative authority may address the deficiencies by holding an oral hearing on the offense, summoning all parties to the proceedings and witnesses to establish the facts necessary to clarify the case and issue a decision. Both approaches cause delays in the proceedings and increase complexity, thereby slowing and hindering the overall decision-making process.

practice. Both the head of the Senec office and the head of the Pezinok office agreed that higher education significantly reduces the duration of training and adaptation for employees. This process lasts at least one year, with employees holding legal qualifications adapting to the offence agenda more quickly, whereas those with education in other fields require assistance and guidance even after a year.

The impact of professional competence on the efficiency of administrative proceedings was quantitatively assessed by comparing the total annual number of completed offence files with the number of employees holding legal qualifications in the departments. Data comparison between districts revealed that, during the study period, the offence agenda in Senec was managed by at least one state employee with legal qualifications, allowing nearly all submitted offence files to be processed within the calendar year when the department was fully staffed. In contrast, no employees with legal qualifications managed the offence agenda in Pezinok during the study period, leading to a declining number of processed offence files and a lower percentage of completed cases relative to the total number of files.

For the third hypothesis, the following relationship was assumed: if a department is fully staffed<sup>3</sup>, offence files are processed continuously, and only a minimal number carry over into the next calendar year as unprocessed. The head of the Senec department stated that the department consistently maintained four state employee positions, remaining fully staffed from 2021 to 2023. This ensured an average annual completion rate of 98% of offence files, with minimal unprocessed cases carried over annually. Conversely, the Pezinok department experienced suboptimal staffing from 2021 to 2023, with only two positions allocated to offence proceedings. One employee was always in a probationary period, and a high staff turnover was observed. The relationship between the total number of annually completed offence files and the number of staffed positions was examined, determining the average number of files handled per employee. Additionally, the number of unprocessed files carried out to the following year was compared based on staffing levels. The proportion of unprocessed cases was calculated by subtracting the percentage of completed files from the total annual number of offence files.

In Senec, one employee processed an average of 120 files annually, while in Pezinok, the average was 129 files<sup>4</sup> per employee. However, Senec consistently maintained 100%

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<sup>3</sup> It is necessary to highlight the uneven number of state employee positions for managing offence-related matters in the respective departments across Slovak district offices, given the size of districts in terms of population. When comparing these numbers, no clear rationale or criteria can be identified that would explain how these positions were allocated in the past.

<sup>4</sup> The difference in the average number of cases processed per state employee per year between the two departments appears to be relatively small. However, it is important to note that in Senec, due to long-term full staffing, more oral hearings are conducted, and more cases are returned to the police for further clarification compared with

staffing (four employees), corresponding to an average annual completion rate of 98% of all offence files and a minimal, stable number of unprocessed cases. In contrast, Pezinok had an average staffing rate of only 52.8% annually, resulting in a declining average completion rate of 65.4% of offence files and an increasing number of unprocessed cases, rising from 26% to 45% over the observed period.

**Table 1: Monitored indicators in years 2021-2023**

Year	DISTRICT OFFICE SENEC				DISTRICT OFFICE PEZINOK			
	2021	2022	2023	Average	2021	2022	2023	Average
<b>Total number of files</b>	519	483	478	<b>493</b>	214	215	191	<b>207</b>
<b>Number of cases returned for further clarification</b>	130	120	130	<b>126</b>	29	40	31	<b>33</b>
<b>Number of oral hearings</b>	89	107	90	<b>95</b>	15	16	10	<b>14</b>
<b>Share of oral hearings from total cases</b>	17%	22%	19%	<b>19%</b>	7%	7%	5%	<b>6.5%</b>
<b>Share of returned cases from total cases</b>	25%	25%	27%	<b>26%</b>	14%	19%	16%	<b>16%</b>
<b>Number of issued orders</b>	168	105	92	<b>122</b>	78	75	29	<b>61</b>
<b>Share of issued orders from total cases</b>	32%	22%	19%	<b>24%</b>	36%	35%	15%	<b>29%</b>
<b>Number of insufficiently clarified cases</b>	(130+89) 219	(120+107) 227	(130+90) 220	<b>(127+95) 222</b>	(29+15) 44	(40+16) 56	(31+10) 41	<b>(33+14) 47</b>
<b>Share of insufficiently clarified cases from total cases</b>	42%	47%	46%	<b>45%</b>	21%	26%	21%	<b>23%</b>
<b>Number of cases finalized with legal effect</b>	509	473	468	<b>483</b>	158	145	105	<b>136</b>
<b>Share of cases finalized with legal effect</b>	98%	98%	98%	<b>98%</b>	74%	67%	55%	<b>65%</b>
<b>Average number of offenders per case</b>	4	4	4	<b>4</b>	1.25	1	0.92	<b>1.06</b>
<b>Number of cases handled per state employee</b>	127	118	117	<b>120</b>	126	145	115	<b>129</b>

Pezinok. In Senec, one employee works more efficiently and performs a higher number of actions per case. His workload is more complex, diverse, and complicated; in addition to issuing decisions he also conducts a higher number of hearings, which involves additional tasks. When returning a case for further clarification, he must prepare requests with specifically detailed instructions to address the identified deficiencies.

<b>Number of unfinished cases</b>	10	10	10	<b>10</b>	56	70	86	<b>71</b>
<b>Percentage of unfinished cases from total cases</b>	2%	2%	2%	<b>2%</b>	26%	33%	45%	<b>35%</b>
<b>Staffing levels in the department</b>	100%	100%	100%	<b>100%</b>	63%	50%	46%	<b>53%</b>

*Source: Data obtained from internal records of selected district offices. Own calculations.*

We have shown that the quality of offence investigations, the professional competence of state employees, and the number of staff all influence the efficiency of administrative proceedings in the selected district offices in Slovakia.

## CONCLUSION

The fundamental condition for effectively resolving offences is to structure the entire process so that high-quality materials for decision-making are ensured. The clarification process, the quality of offence investigations significantly influence the subsequent decision-making process of administrative authorities. The higher the quality, the faster the decision-making process, requiring fewer actions. When this condition is combined with stable staffing in general internal administration departments by professionally competent state employees, an optimal situation is achieved. Our research has both qualitatively and quantitatively justified the necessity of higher education in the field of law. It has confirmed a correlation between the number of employees in administrative offence departments and the quality and speed of case resolution. During the period under review, the department with full staffing achieved a higher number of actions of better quality.

The factors verified in the conditions of district offices in Slovakia appear to be the most significant when assessing efficiency. We emphasize the importance of properly configuring all these factors simultaneously. Only then can the efficiency of administrative proceedings be guaranteed.

This topic is highly relevant. Compared to criminal offences, administrative offences are often underestimated and do not receive the attention they deserve. Given the anticipated increase in their number in the future, there is a need to identify additional factors influencing the efficiency of administrative proceedings, which presents a subject for further research in this area.

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