

Gregor Wenda

Safety at the Local Level: Examples from Austria

Austria: Country and Police Structure

The Republic of Austria records over 8.4 million inhabitants¹; a territory of almost 84,000 km² which is divided into nine provinces (*Bundesländer*): Burgenland, Carinthia, Lower Austria, Upper Austria, Salzburg, Styria, Tyrol, Vorarlberg, and Vienna. As a result of the country's federalist structure, powers are split between the federal government and the provinces². The nine provinces have authority in certain legislative and administrative issues³. However, they do not maintain any police competencies. According to Art. 10 (1) 7 of the Federal Constitution,

[t]he Federation has legislative and executive powers in the following matters: (...) the maintenance of peace, order, and security including the extension of primary assistance in general, but excluding local public safety matters; the right of association and assembly; matters pertaining to personal status, including the registration of births, marriages and deaths, and change of name; alien police and residence registration; matters pertaining to weapons, ammunition and explosives, and the use of firearms; (...).

The exception of “local public safety matters” (*örtliche Sicherheitspolizei*) dates back to the Imperial Municipal Act of 1862 (*Reichsgemeindegesetz*) and was meant to encompass those aspects of public security policing which were mainly or entirely in the municipality's own interests. Until today, the *örtliche Sicherheitspolizei* provides municipalities with an influential role when governing matters in their “own sphere”⁴. Since Austria's provinces do not have any real police powers,

¹ Statistik Austria, *Registerzählung 2011: Österreich zählt mehr als 8,4 Mio. Einwohner*, http://www.statistik.at/web_de/presse/059977 (access: 30.04.2014).

² Art. 2 of the Federal Constitution.

³ Statistik Austria, *Federal provinces (Länder)*, http://www.statistik.at/web_en/classifications/regional_breakdown/federal_provinces_laender/index.html (access: 30.04.2014).

⁴ For further information on the history of law enforcement in Austria see: G. Wenda, *Municipal Police in Austria: History, Status Quo, and Future*, SIAK Journal 2013, no. 4, p. 52.

law enforcement (i.e. the “maintenance of peace, order and security”) is entirely a federal matter as stipulated by the constitution and thus handled by (federal) security authorities (*Sicherheitsbehörden*). The highest Austrian security authority is the Federal Ministry of the Interior (*Bundesministerium für Inneres*). It oversees nine provincial police directorates (*Landespolizeidirektionen*) and authorities based in districts/counties (*Bezirke*) and specific cities. Regardless of their geographic location and name, all of them are federal authorities. The provincial police directorates have their own traffic divisions, criminal investigations divisions, operations divisions *etc.* When enforcing peace, order and public safety, the (federal) security authorities draw upon law enforcement corps (*Wachkörper*). On the federal level, there is one corps: the Federal Police (*Bundespolizei*). In addition, municipalities are also allowed to set up local police corps under certain conditions (see below). The Federal Police are a nationwide police service that came into being in 2005 after the merger of three former federal law enforcement agencies, the Federal Gendarmerie (*Bundesgendarmerie*), the Federal Security Corps (*Bundessicherheitswache*), and the Federal Corps of Criminal Investigators (*Bundeskriminalbeamtenkorps*)⁵. As of 1 December 2013, a total number of 27 789 law enforcement officers were employed by the Federal Ministry of the Interior; 23 439 of them were assigned to police commands in the nine provinces⁶. The current number of about 1000 police stations will soon be significantly reduced to around 900.

Crime Prevention in Austria

Crime prevention in Austria is considered a public task and regulated in the Security Police Act (*Sicherheitspolizeigesetz*). “Security policing” as a general matter of maintaining peace, order and public safety became a federal competence in 1929⁷ and was laid down in the new Security Police Act of 1993. Therefore, “crime prevention” is considered the duty of the Federal Minister of the Interior and the Federal Police as part of their criminal police activities.

Paragraph 25 of the Security Police Act regulates the “Criminal Police Advisory Service” (*Kriminalpolizeilicher Beratungsdienst*) as follows:

- (1) In order to prevent dangerous attacks against life, health or property and assets of persons, security authorities shall be responsible for promoting the readiness and

⁵ *Ibidem*.

⁶ Parliamentary Statement of the Federal Minister of the Interior, 16 January 2014, 44/AB XXV. GP

⁷ In 1920, when the legal basis for public safety matters in the first republic was formed, the “security police” was supposed to be carried out by the provinces (both in terms of legislation and enforcement). However, no provincial laws were passed. It took various attempts until a federal police law (*Sicherheitspolizeigesetz*) came into being in 1993. See: G. Wenda, *20 Jahre Sicherheitspolizeigesetz*, Öffentliche Sicherheit 2014, no. 1–2, p. 69.

ability of individuals to obtain information on potential dangers to their interests and to prevent attacks in an appropriate manner.

(2) Moreover, security authorities shall be responsible to promote actions which are intended to prevent dangerous attacks to life, health or property and assets of people.

(3) The Federal Minister of the Interior shall be authorised to order, by contract, qualified proven institutions for the protection of victims to address persons endangered by violence including stalking (§ 107a of the Criminal Code) for the purposes of providing them with advice and immaterial support (intervention offices). (...)

The term “criminal police advice” (*Kriminalpolizeiliche Beratung*) reflects the historical responsibility of law enforcement authorities in initiating and coordinating crime prevention efforts. When translating “criminal police advisory service” into international vocabulary, however, the term “crime prevention advisory service” seems more appropriate.

Within the structure of the Federal Ministry of the Interior, Unit 1.6 (*Büro 1.6*) of the Federal Criminal Police Office (*Bundeskriminalamt*) coordinates all sorts of nationwide crime prevention measures and activities, develops and initiates new concepts and programs, represents Austria in national and international experts’ fora and serves as the head office for the local prevention units in the nine Austrian provinces, the so-called Provincial Criminal Investigation Offices (*Landeskriminalämter*). 800 specially trained crime prevention officers can be found throughout Austria. In 2012, they were responsible for 310,000 prevention activities.

Unit 1.6 of the *Bundeskriminalamt* is divided into the following specialist fields:

- Property safety and security technology,
- Drug abuse prevention,
- Youth crime prevention⁸,
- Sex crime prevention,
- Domestic violence prevention,
- Victim support and protection.

Additional programs also aim at other areas of concern such as the prevention of crimes against senior citizens⁹ or at increased security in public buildings¹⁰. Due to current developments, Austrian crime prevention specialists predominantly concentrate on the prevention of youth crimes and property crimes¹¹. The example of property crime makes the interdisciplinary nature of crime prevention most obvious. While the legally defined task of crime prevention advice

⁸ BLEIB SAUBER – Jugend OK, http://www.bmi.gv.at/cms/BK/praevention_neu/projekte/Jugend_OK.aspx (access: 30.04.2014).

⁹ Sicher in den besten Jahren, http://www.bmi.gv.at/cms/BK/praevention_neu/projekte/Senioren.aspx (access: 30.04.2014).

¹⁰ Sicherheit in öffentlichen Gebäuden, http://www.bmi.gv.at/cms/BK/praevention_neu/projekte/Sicherheit_Gebude.aspx (access: 30.04.2014).

¹¹ Bundeskriminalamt – Büro 1.6, http://www.bmi.gv.at/cms/BK/praevention_neu/wir_ueber_uns.aspx (access: 30.04.2014).

comes under the umbrella of the Federal Ministry of the Interior and the Federal Criminal Police Office, respectively, crime prevention as such is a multi-faceted approach and impossible without multiple stakeholders from all walks of life, both from the public and the private sector. Aside from law enforcement authorities and administrative institutions on all levels of government, it is upon businesses and civil society to contribute to a safe environment by active participation in crime prevention measures.

Partners in Austrian crime prevention matters include, *inter alia*¹²:

- other ministries,
- provincial and municipal governments,
- districts/counties,
- chamber of commerce,
- “Kuratorium Sicheres Österreich”¹³,
- providers of infrastructure,
- associations/NGOs.

In 2013, the Federal Ministry of the Interior created a mobile phone application (“app”), called “Polizei.AT”, with the desire to inform the public as quickly and user-friendly as possible about police and crime prevention issues¹⁴. It is free of charge and can be used with all main operating systems. Prevention tips and news constitute one significant pillar of this new application.

The wide array of crime prevention projects all over Austria makes it difficult to come up with a representative list. Some projects which are particularly noteworthy in the context of this publication are:

- The Alliance against Violence,
- Cooperation with the Chamber of Commerce,
- Cyber Crime Prevention,
- The Security Brochure of Federal Agency for State Protection and Counter Terrorism.

The Alliance against Violence

The initiative *Alliance against Violence (Bündnis gegen Gewalt)* was launched in 2010. A symposium on the subject was organized in 2012. A coordination platform was formed in the Federal Ministry of the Interior and contacts with 300 “partners” were established (Ministries, provinces, municipalities, medical institutions, associations, NGOs, etc.). Among the approximately 650 projects

¹² This list is not exhaustive as crime prevention partners may significantly vary from project to project.

¹³ Kuratorium Sicheres Österreich, <http://www.kuratorium-sicheres-oesterreich.at/> (access: 30.04.2014).

¹⁴ For more information see: *BMI-Sicherheits-App*, <http://www.bmi.gv.at/cms/BMI/sicherheitsapp/> (access: 30.04.2014).

against violence all over Austria, a recent example deals with the development of the documentation and reporting structure for injuries, elaborated by doctors, forensic experts, and the police¹⁵. With a standardized form and check list¹⁶ medical personnel, victim protection institutions and law enforcement agents should be assisted in meticulously recording cases of injuries as overlooked details might later be missing pieces in a court trial.

Cooperation with the Chamber of Commerce

The first agreement between the Federal Ministry of the Interior and the Austrian Chamber of Commerce was concluded in 2010, a new agreement was signed on 27 May 2013¹⁷. The Chamber of Commerce represents about 40 000 entrepreneurs and businesses. The crime prevention cooperation between the police and businesses is realized through a number of programs focusing on internet crime, the protection of jewelers or the distribution of text message information. In September 2013, the Police Directorate of the Province of Vienna and the Vienna Chamber of Commerce presented a report stating that their joint activities led to a reduction of crime in a variety of fields¹⁸.

Protection against Cyber Crime

Cyber Crime is one of the virulent threats of today's society. The numbers of recorded crimes are constantly on the rise¹⁹. Over the past several years, the Austrian Federal Ministry of the Interior has significantly increased its efforts to successfully combat internet crime, for example by creating a Cyber Crime Competence Center (C4)²⁰ including officers of the Federal Criminal Police Office, the Federal Agency for State Protection and Counter Terrorism, and the Federal Bureau of Anti-Corruption. In October 2013, the *Kuratorium Sicherheit Österreich*²¹ launched a Cyber Crime Prevention Initiative called *Protection against Cyber Crime (Schutz vor Cyberkriminalität)*²¹ in cooperation with the Federal Ministry of the Interior and the Chamber of Commerce. Within the framework of

¹⁵ *Gemeinsam besser Gewalt erkennen, Verletzungen dokumentieren und somit Beweise sichern!*, http://www.bmi.gv.at/cms/BK/buendnis_gegen_/aktuelles/start.aspx (access: 30.04.2014).

¹⁶ See: http://www.bmi.gv.at/cms/BK/buendnis_gegen_/aktuelles/files/Dokumentaionsbogen.pdf (access: 30.04.2014).

¹⁷ *Unternehmen Sicherheit: Innenministerium baut Kooperation mit Wirtschaft aus*, http://www.bmi.gv.at/cms/BK/presse/files/OTS_BMI_WKO_270513.pdf (access: 30.04.2014).

¹⁸ *Prävention wirkt*, http://www.bmi.gv.at/cms/bmi/_news/bmi.aspx?id=5750697179614250376B6F3D&page=0&view=1 (access: 30.04.2014).

¹⁹ Internet crime rose by 63.1 per cent between the first half of 2012 and the first half of 2013. *Cybercrime: Polizei muss "stark aufrüsten"*, <http://futurezone.at/digital-life/cybercrime-polizei-muss-stark-aufruesten/24.600.866> (access: 30.04.2014).

²⁰ *Büro 5.2 Cybercrime-Competence-Center, kurz C4*, http://www.bmi.gv.at/cms/BK/wir_ueber_uns/abteilung_5/Buero_5_2.aspx (access: 30.04.2014).

²¹ Cyber Security Information, <http://www.cybersicherheit.at/> (access: 30.04.2014).

the so-called “Road Show”, this initiative especially aims to inform small and medium sized businesses to be prepared for online threats by taking the necessary steps for data security.

Security Brochure of the Federal Agency for State Protection and Counter Terrorism

Since crime prevention advice is a part of the Security Police Act, it is not only the duty of the Federal Criminal Police Office but, generally speaking, of all security authorities and their agents with the Federal Ministry of the Interior as the supreme command. Accordingly, the Federal Agency for State Protection and Counter Terrorism (*Bundeamt für Verfassungsschutz und Terrorismusbekämpfung*, or “BVT”) published a *Security Brochure* in January 2014. Similar to the *Bundeskriminalamt*, the BVT is an agency under the umbrella of the Federal Ministry of the Interior. It is in charge of monitoring threats to the constitutional order and security in Austria and of taking the appropriate measures, including protecting constitutional institutions, political figures and – in accordance with Austria’s obligations under international law – staff members of embassies and international organisations. In this context, the BVT develops specific prevention measures and provides extensive expertise²². The security brochure presented by the BVT mainly concentrates on assisting executives and ranking personnel of firms or institutions and their families. It provides recommendations concerning communication devices, the use of computers and smartphones, security at home, security between home and office, security at the office, travels abroad, as well as tips how to handle suspicious postal deliveries and dangerous threats. Prevention of bomb and terrorist attacks, sabotage, espionage or abduction are also covered in greater detail²³.

These examples, as well as numerous others beyond the scope of this paper, prove that prevention is considered a crucial pillar of law enforcement activities in Austria. However, many of these prevention programs, which were originally developed and launched on the ministerial level or in cooperation with multiple stakeholders, actually need to reach the citizens in local communities to produce sustainable effects. The Austrian municipalities play a vital role in this regard.

Safety in Municipalities

Austria’s nine provinces are divided into counties/districts (*Bezirke*) and municipalities. The 117 authorities on the county/district level (*Bezirksverwaltungsbehörden*) date back to monarchy times. They are “mixed authorities” since they

²² Federal Agency for State Protection and Counter Terrorism, *Security Brochure*, p. 3, <http://www.bmi.gv.at/cms/cs03documentsbmi/1481.pdf> (access: 30.04.2014).

²³ *Ibidem*.

are provincial authorities by nature, but in charge of both nationwide and provincial matters. In contrast to municipalities, *Bezirke* do not carry out any “autonomous matters”. There is no self-government on the district/county level. All powers exercised stem from the enforcement of either federal or provincial laws. The head of a county/district (*Bezirkshauptmann*) also functions as a “security authority” unless a particular police directorate or a field office of this directorate has been established (for example in Vienna).

The lowest level of administration in Austria is the municipality (*Gemeinde*). After some recent mergers, there are 2354 municipalities throughout the country. A municipality enjoys its own area of influence as well as an area of influence assigned by the federation or province. Hence, the municipality is both an administrative body with the right of self-government (“own sphere”) and an administrative entity for the province and the federation. According to the principle of “uniformity of municipalities” the same basic rights and duties should apply to all municipalities, regardless of their size. The municipal self-government is defined in Art. 118 (3) of the Federal Constitution:

A municipality is guaranteed official responsibility in its own sphere of competence, in particular for performing the following matters: (...)

3. Local public safety matters (Art. 15 para 2), local events control,
4. Administration of municipal traffic areas, local traffic police,
5. Crops protection police,
6. Local market police,
7. Local sanitary police, especially in the field of emergency and first aid services as well as matters pertaining to deaths and interment,
8. Public decency,
9. Local building police (...).

The term “local public safety matters” (*örtliche Sicherheitspolizei*) is further defined in Art. 15 (2) of the Federal Constitution. Maintenance of peace, order and security is a federal competence if it does not affect local public safety matters²⁴. Art. 15 (2) of the Federal Constitution reads as follows:

In local public safety matters, that is the part of public security policing which exclusively or preponderantly affects the interests of the local community personified by the municipality and which, like preservation of public decency and defence against the improper creation of noise, can suitably be undertaken by the community within its local boundaries, the Federation has authority to supervise the conduct of these matters by the municipality and to redress any observed shortcomings by instructions to the Governor (Art. 103). Inspectoral authorities of the Federation can for this purpose be delegated to the municipality; in each and every case the Governor shall be informed hereof.

A municipality may issue local police ordinances for the prevention of expected or existent nuisances interfering with local communal life and is entitled

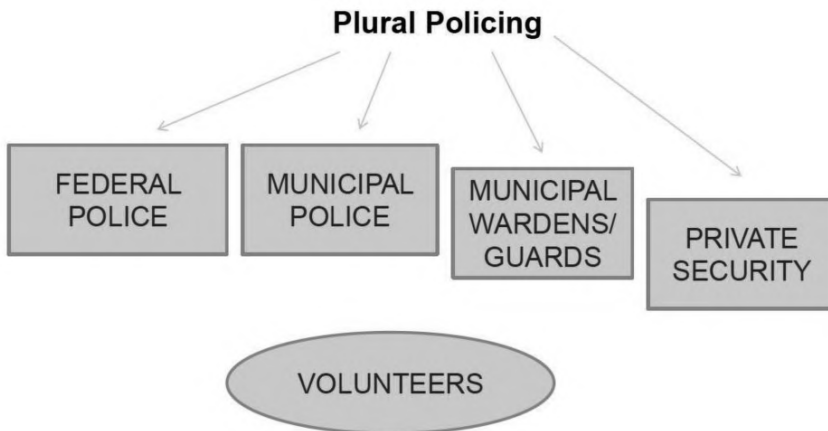
²⁴ See: Art. 10 (1) 7 of the Federal Constitution.

to declare non-compliance with them an administrative contravention. Such ordinances must exclusively deal with matters pertaining to the municipality's own sphere of competence²⁵.

Plural Policing in Municipalities

A number of different actors participate in the efforts to maintain public order, peace and safety in Austria's municipalities. Today's literature calls this phenomenon "Plural Policing"²⁶. Aside from the Federal Police, which – as described above – act nationwide and on all administrative levels (including the municipalities), several towns also have a municipal police corps. In addition, municipal wardens or guards, private security companies (sometimes tasked with traffic enforcement, often merely for preventive patrols), and volunteers (be it individual citizens or community groups) deliver specific services in the field of public security and public order.

Picture 1. Plural Policing in Municipalities



Municipal Police

Thirty-seven municipalities in six provinces maintain their own municipal police force with a total of over 300 employees (including officers, civilians, and traffic

²⁵ See: Art. 118 (6) of the Federal Constitution.

²⁶ See, among others: T. Jones, T. Newburn, *Plural Policing – A Comparative Perspective* (2006) who describe "Plural Policing" as follows: "It is generally accepted that, in many countries, 'policing' is now both authorized and delivered by diverse networks of commercial bodies, voluntary and community groups, individual citizens, national and local governmental regulatory agencies, as well as the public police".

agents)²⁷. The biggest local police service is managed by the City of Baden near Vienna (45 employees), the smallest forces have only one employee. According to the Federal Constitution, the creation and organization of a municipal police corps is not the competence of the federal government. The legal basis is either directly derived from the constitution or a specific provincial act²⁸, internal organization is the municipality's responsibility. Members of the municipal police are municipal employees. Austrian law differentiates between "Municipal Police Corps" (*Gemeindewachkörper*) and "simple" Municipal Guards (*schlichte Gemeindegewache*). Only real "Municipal Police Corps" enjoy the full range of police competencies including the enforcement of security police acts, criminal investigations and crime prevention. Officers of a Municipal Police Corps do not only act for the municipality in its "own sphere", but they also serve as "assisting bodies" (*Hilfsorgane*) for different administrative and security authorities or authorities of criminal justice. The municipal police officers' actions are always related to the laws according to which they operate in a specific situation²⁹. Large municipal police forces are on duty 24 hours a day and 7 days a week. Officers are regularly armed, receive training from the Federal Police and take an active role in policing their community. Smaller forces, on the other hand, usually have only limited powers and rather qualify as "simple Municipal Guards". They only enforce local ordinances, do parking enforcement or assist in keeping local public order.

Municipal Wardens/Guards

In recent years, a growing number of municipalities has set up local municipal guards or watches with different names (*Ordnungsdienst, Ordnungswache, Ordnungsamt, Stadtwache, Ortspolizei...*). While many of them are issued uniforms (occasionally resembling actual police clothes), they only have limited enforcement duties and no real police competencies. They may take care of local public order and safety and thereby act in the municipalities "own sphere" in order to enforce municipal and local orders. Others carry out preventive patrols in shopping districts and residential neighbourhoods or act as guards at large public events. Since they do not enjoy the powers of law enforcement agents, municipal wardens can only exercise "everyman's rights" given to every citizen by the Code of Criminal Procedure (e.g. the right to stop and hold somebody in the process of committing a crime until police officers arrive³⁰). Municipal wardens rarely carry firearms. If they do, they are armed under the strict conditions of the Austrian Firearms Act³¹. In order to run local watches, municipalities use

²⁷ For detailed information on Austrian Municipal Police forces see: G. Wenda, *Municipal Police in Austria...*, p. 54.

²⁸ Opinions regarding the necessary legal basis diverge. See: *ibidem*, p. 56.

²⁹ *Ibidem*, p. 54.

³⁰ § 80 (2) of the Austrian Code of Criminal Procedure.

³¹ Waffengesetz 1996, BGBl. I Nr. 12/1997.

different constructions: They either work with actual employees of the municipality or with employees of a company owned by the municipality or even with a private security company.

According to Art. 78d (2) of the Federal Constitution, no other regional authority may set up a (police) corps “within the area of a municipality in which a Provincial Police Directorate serves as the security authority of first instance”. In practice, this means that no municipal corps can be founded in the cities of Eisenstadt (also in charge of Rust), Graz, Innsbruck, Klagenfurt, Leoben, Linz, Salzburg, Sankt Pölten, Schwechat, Steyr, Villach, Wels, Vienna, and Wiener Neustadt³². This historic clause was passed to prevent any competition between local and federal police corps in Austria’s largest cities. In view of this prohibition clause, several of these municipalities have created local watches to meet their local public safety needs³³. Graz started a city-run “Public Order Guard” (*Ordnungswache*) and Linz established a “Public Order Service” (*Ordnungsdienst*). Further details on the creation of these local watches and guards depend on the respective province and municipality. The legal basis for the Public Order Guard of the City of Graz is established in the Styrian Public Order Agent Act of 2007³⁴. The *Ordnungswache Graz* was the first local watch in Styria to use this new legal basis. Its agents enforce provincial and local laws and regulations (for instance concerning public urinating, aggressive begging or leash-less dogs)³⁵. It is only in this context that they are entitled to stop somebody and ask for proof of identification, to caution, or to issue warnings and citations³⁶. One of the newest municipal guards is the *Ordnungsamt* in Klagenfurt³⁷. Its eleven members were sworn in by the city mayor in December 2013³⁸. The thin line between a mere municipal watch and a real municipal police corps became obvious during recent discussions around the legal nature of the municipal public order service in the

³² These municipalities were the seats of former Federal Police Directorates (*Bundespolizeidirektionen*).

³³ While provinces and municipalities repeatedly criticize the strict “prohibition of competition clause”, the Austrian parliament has not taken up the issue in any of the recent reforms concerning the police and security authorities.

³⁴ Gesetz vom 18. September 2007 über die Bestellung von Aufsichtsorganen (Steiermärkisches Aufsichtsorganengesetz), http://www.graz.at/cms/dokumente/10199695_4932409/01aca25f/Aufsichtsorganengesetz.pdf (access: 30.04.2014).

³⁵ The *Ordnungswache* of the City of Graz was moved under the umbrella of the “Grazer Parkraumservice – GPS” in 2013. While GPS still maintains two separate sections for local order tasks and parking enforcement, the personnel is always drawn from GPS, a private company owned by the City of Graz. See: Graz Parkraumservice, <http://www.parken.graz.at/> (access: 30.04.2014).

³⁶ *Ordnungswache. Befugnisse*, <http://www.graz.at/cms/beitrag/10199695/4932409/> (access: 30.04.2014).

³⁷ *Bürgerservice Klagenfurt*, http://www.klagenfurt.at/klagenfurt-am-woerthersee/downloads/flyer_ordnungsamt_4.pdf (access: 30.04.2014).

³⁸ *Ordnungsamt ist installiert*, http://www.klagenfurt.at/klagenfurt-am-woerthersee/aktuelles-klagenfurt_10696.asp (access: 30.04.2014).

city of Innsbruck, the “Mobile Surveillance Group” (*Mobile Überwachungsgruppe* – MÜG). Its members patrol in uniforms similar to those of police officers, they carry pepper spray, enjoy a wide array of local competencies and work closely with the Federal Police. The Constitutional Service of the Federal Chancellery eventually deemed that they “MÜG” did not qualify as a “corps” in the sense of Art. 78d of the constitution as it lacked any actual police powers³⁹.

Private Security Companies

A growing number of private security companies are contracted by municipal governments to work in public spaces⁴⁰. One of the typical assignments is parking enforcement and “meter control”, which can be carried out by private security personnel on behalf of a city or town. Thus, real municipal employees (municipal police officers, municipal agents) are free to concentrate on other areas. Security firms are also hired to strengthen the “visibility of uniforms” on the streets. They increasingly appear in public areas in addition to patrolling private spaces such as shopping malls or buildings, where they have already been used for decades. Similar to municipal wardens, these security guards have no police powers whatsoever and can only exercise “everyman’s rights”. Nonetheless, the flexibility of deployment seems to make them particularly attractive to many municipalities: when larger numbers of guards are required (e.g. during the winter season in a skiing resort), the security company simply sends additional personnel. Security guards may only work on weekends or for certain hours, they are adaptable and a replacement is provided in case of sickness or another leave of absence.

Volunteers

When speaking about “Plural Policing”, the role of private citizens must not be forgotten. Even though volunteers play no institutionalized role in Austrian law enforcement⁴¹, active citizens may act as additional “eyes and ears” on the streets. Volunteers patrol their own neighbourhood at night or they form information networks for “observant citizens“. They participate in community councils or prevention associations, inform police officers about local issues and problems or memorize useful facts for a possible future investigation. Their contributions are suited to fostering a positive climate in the field of public security and order as long as these citizens do not interfere in the work of public authorities and agents. These thin lines are, for instance, crossed when private

³⁹ Tiroler Tageszeitung of 22 April 2013.

⁴⁰ There are no certain figures on the current number of private security personnel contracted by Austrian municipalities.

⁴¹ In contrast to other countries such as Germany with auxiliary police officers in some provinces or the United Kingdom with special constables and community support officers.

citizens violate the fundamental rights of individuals (e.g. data protection infringements) or when they prevent public officials from doing their work. Some police-like watches or “vigilantes” formed by citizens or political groups have stirred up severe controversies and were stopped after a short time⁴².

Whoever contributes to the broad term of “policing”, one of the main concerns of the municipalities and citizens is to keep up and improve public safety and order. Even in the regions that seem peaceful according to crime statistics, people may not have the overall subjective feeling of being “really safe”. In order to address this phenomenon, the Austrian Federal Ministry of the Interior and Austrian municipalities started a new joint initiative to include various stakeholders and to reinforce community policing even in the smallest towns and villages.

Cooperation Programs at the Local Level

The joint initiative *Safety in our Communities* was launched by the Federal Ministry of the Interior and the Austrian Association of Municipalities (*Österreichischer Gemeindebund*⁴³) on 1 May 2013. It consists of three main elements:

- 1) Local Security Managers (“Village Police Officers”),
- 2) Local Safety Meetings (*Sicherheitsstammtische*),
- 3) Network Meetings (*Netzwerktreffen*).

Picture 2. The joint initiative *Safety in our Communities*



Local Security Managers (*lokale Sicherheitsmanager*) are officers of the Federal Police who regularly come to small communities without a police station

⁴² See for instance the case of the “Graz Vigilante” in: J. Terpstra, B. van Stokkom, R. Spreeuwiers, *Who Patrols the Streets? An International Comparison of Plural Policing*, Hague 2013, p. 74–75.

⁴³ Österreichischer Gemeindebund, <http://www.gemeindebund.at/> (access: 30.04.2014).

for some fixed hours in order to interact with the public. They are colloquially called “Village Police Officers” (*Dorfpolizisten*). This position dates back to a pilot project in the province of Burgenland, which ran from January to May 2013. After only a short time, it became obvious for the Ministry that the new concept was well received in the population and by the media. Hence, it was made an integral part of the joint initiative and implemented throughout Austria in May 2013. Village Police Officers contribute to reinforcing actual community policing in very small towns and villages, which previously rarely had steady contacts with law enforcement officials. The idea of “one face to the citizen” includes regular patrols, fixed hours of presence in certain places and the presence at select meetings and events. Personal encounters with local citizens are supposed to identify and tackle “minor problems”, which would have normally not caught the attention of the police but may clearly affect the quality of life. Village inhabitants may also help the police better understand why particular offences are suddenly on the rise⁴⁴.

Local Safety Meetings (*Sicherheitsstammtische*) should take place approximately twice a year with interested citizens. The police, i.e. the Local Security Managers, inform the public about relevant matters such as security topics or crime prevention measures and take time to listen to problems in the community. Network Meetings (*Netzwerktreffen*) should be scheduled at least four times a year and bring the police and all local stakeholders (associations, teachers, churches, doctors, businesses, politicians, etc.) together. In all cases, enough time should be allotted for a sufficient exchange of information in both directions.

Security Agreements

Aside from the initiative *Safety in our Communities*, the Federal Ministry of the Interior also seeks ways of closer cooperation with the provincial governments. Most Austrian provinces meanwhile concluded specific “Security Agreements” with the Federal Ministry of the Interior. These agreements contain (local) priorities emphasized by both parties and may include police recruiting and employment goals, the introduction and use of digital trunked radio services, changes in administrative organizations or the deployment of “Village Police Officers”⁴⁵.

⁴⁴ In one example, “Village Police Officers” were able to reduce the number of quarrels among participants of a local festival by stocking up shuttle buses that picked up festival visitors. Conversations with the local community revealed that these violent arguments originally broke out when visitors had to wait too long for a taxi or bus at the end of day.

⁴⁵ One example, the agreement between the Federal Ministry of the Interior, and the province of Upper Austria, was signed on 16 September 2013. Its main contents can be viewed here: *Sicherheitsvereinbarung zwischen BMI und Land OÖ unterzeichnet*, http://www.bmi.gv.at/cms/bmi/_news/bmi.aspx?id=7754486572686A4D52766F3D&page=0&view=1 (access: 30.04.2014).

Reorganization of Local Police Commands

With experiences gathered through the above-mentioned pilot project in Burgenland in the first half of 2013 and the nationwide implementation of *Safety in our Communities* in May 2013, the Federal Minister of the Interior revealed plans for a major reorganization of local police commands on 28 January 2014⁴⁶. Within the framework of the ministerial project *Modern Police (Moderne Polizei)*, the intention to close over 120 police stations was announced. In order to ensure full transparency, a tentative list of stations was quickly posted on the Ministry's website and the creation of an advisory council of employees and citizens⁴⁷ was promised. This council is chaired by the former Director-General of Public Safety, Dr. Herbert Anderl, and will collect comments and react to questions and concerns.

The main goal of the reform is to increase police presence and to ensure a faster response to police calls. In contrast, cost reduction was not a driving factor⁴⁸. The planned reorganization of police commands is the result of variety of factors. One of them is a report by the Austrian Court of Audit which already recommended in 2011 the need to close a variety of police stations in Vienna in order to get more police officers on patrol⁴⁹. The Court of Audit referred to the Police Service in Munich, Germany, which is almost as big as Vienna. While Munich had 25 police stations, Vienna maintained 96. The report was discussed in parliament on 25 February 2014, shortly after the announced police reorganization⁵⁰.

The experiences of recent years also showed that the usual way to contact the police today is a phone call. In Vienna alone, only 2 per cent of all police interventions start after a personal report to the police station. Ninety eight per cent of police interventions are initiated by calls to the emergency hotlines "133" or "112"⁵¹. The size, location, condition, accessibility and distance to other police commands were relevant criteria when deciding about the continuity of a station house. By merging different police commands, more personnel is intended to be back on the streets since certain administrative functions in all station houses are reduced. At the same time, single police patrols will be reduced in favour of patrol squads with two officers. Additional patrol officers will also be deployed

⁴⁶ *Zwischenstand im INNEN.SICHER.-Projekt "Moderne Polizei"*, http://www.bmi.gv.at/cms/bmi/_news/bmi.aspx?id=665662645752652B5548673D&page=10&view=1 (access: 30.04.2014).

⁴⁷ *Zwischenstand im INNEN.SICHER.-Projekt...*

⁴⁸ *Karriere in einer modernen Struktur*, *Öffentliche Sicherheit* 2014, no. 3–4, p. 6–9, http://www.bmi.gv.at/cms/BMI_OeffentlicheSicherheit/2014/03_04/files/Moderne_Polizei.pdf (access: 30.04.2014).

⁴⁹ Report of the Court of Audit (ZI 860.120/002–1B1/11).

⁵⁰ *Bericht des Rechnungshofes*, http://www.parlament.gv.at/PAKT/VHG/XXV/III/III_00004/imfname_328546.pdf (access: 30.04.2014).

⁵¹ *Karriere in einer modernen Struktur...*

to strengthen the “Village Police Officer” concept. The Federal Minister of the Interior offered municipalities losing their police station the option to conclude a “municipal package” (*Gemeindepaket*) with the Ministry. Aside from assigning a “Local Security Manager” to the municipality for certain hours, a temporary police post (*Polizeistützpunkt*) can be set up in a local building, usually the town hall. This police post can be used by the “Village Police Officer” to meet with citizens and other stakeholders or to file reports and complaints. While the municipality has to identify space in a building, the Ministry provides an official “Police” sign, an intercom system connecting visitors with the nearest radio base station and the necessary infrastructure for computer and data base connections.

Picture 3. Future temporary police post in communities – fixed local police officer, fixed operating hours in the municipality, room/space in the municipality



Outlook

In a federalist country with nine provinces and over 2,300 municipalities, many aspects of daily life are governed by the local or regional authorities. While upholding law, order and public safety in Austria is generally assigned to federal security authorities and the Federal Police, a broad variety of stakeholders contribute to security and crime prevention. Particularly the local level has seen an increase in the phenomenon of “Plural Policing” and current projects and initiatives aim at strengthening the cooperation of the Federal Ministry of the Interior with municipalities and provinces. The decision to close and merge police commands originally stirred up a large public debate about the need to have police stations in a town or village in order to ensure public safety on the spot. While many affected mayors, police unions and even provincial governors expressed dissatisfaction about the Ministry’s decision, the debates in parliament⁵², public opinion polls⁵³, and some hand-tailored concepts with provinces such as Vienna⁵⁴ show that there is also an understanding for such reorganizational steps. The subsequent months will show how the process of reshaping the police command structure will progress and how the alternative models and institutions will work and be accepted by the local population.

⁵² *Bericht des Rechnungshofes...*

⁵³ *Wie Polizeiarbeit in Wien künftig funktioniert*, <http://kurier.at/chronik/wien/finale-bei-postenschliessungen-wie-die-polizeiarbeit-in-wien-kuenftig-funktioniert/53.378.384> (access: 30.04.2014).

⁵⁴ *Häupl hält Wiener Sicherheitskonzept für “größtenteils vernünftig”*, http://www.ots.at/presseaussendung/OTS_20140227_OTS0210/haeupl-haelt-wiener-sicherheitskonzept-fuer-groesstenteils-vernuenftig (access: 30.04.2014).