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SOME ASPECTS OF THE ADMINISTRATIVE AND LEGAL REGULATORY FRAMEWORK FOR INTERACTION BETWEEN THE NATIONAL POLICE AND THE PUBLIC

Abstract. *The purpose* of the article is to analyse and define the areas of interaction between the National Police and the public to eliminate theoretical and practical gaps in the matter. The issues of improving the administrative and legal regulatory framework for police interaction with the population on the basis of partnership are analysed. **Results.** The study establishes that the National Police of Ukraine shall cooperate with other state bodies and local self-government authorities in order to resolve issues entrusted to the police. To ensure the most effective exercise of their powers, the police may apply the methods of coordination used to harmonise interim measures with other law enforcement bodies, as well as between the various units of the National Police. The National Police interacts with citizens in various spheres and realizes their tasks by creating appropriate public councils, which are formed under the Ministry of Internal Affairs. To achieve a common goal with the National Police in the field of ensuring public order, public associations are formed in accordance with the Law of Ukraine “On the participation of citizens in the protection of public order and the state border”. **Conclusions.** It is concluded that the interaction of the National Police with the public in terms of ensuring public safety and order requires more research. Police activities based on cooperation with the community and public associations and aimed at the prevention of offences are a pressing need of the day. Effective performance by the police of their professional tasks in the field of public order requires strengthening of interaction with citizens and public associations. By creating and implementing the latest forms of cooperation, it is necessary to aim at improving and strengthening police cooperation with the public. Initiative, desire for change and a clear understanding by the police that the established interaction of the police is the key to restoring public confidence in the police, reducing the level of offenses and crimes.

Key words: National Police, public associations, public, public order, interrelation, coordination, administrative and legal regulatory framework.

1. Introduction

In order to ensure the most effective exercise of their powers in the field of public security and order, the National Police of Ukraine comes into cooperation with other state authorities, local self-government bodies, ordinary citizens and public associations. In police activities, cooperation and coordination are of importance, including in the field of public safety and order, for coordination of interim measures with other

actors, as well as between the various structural units of the National Police.

Therefore, the complexity and importance of the tasks assigned to law enforcement agencies requires the latter to interact with state and non-state organizations, as well as with public organizations, to be effective.

Analysis of recent research and publications. The issues of law enforcement activities of the National Police, including the interaction

of its bodies with the public, have been considered by many scholars, such as O.M. Bandurka, V.M. Haraschuk, O.Yu. Drozd, V.K. Kolpakov, A.T. Komziuk, Yu.Yu. Kondratiev, O.M. Muzychuk, M.P. Pykhtin, V.I. Olefir, O.I. Ostaspenko, Kh.P. Yarmak et al. However, the topic requires further study.

Therefore, the **purpose of the article** is to analyse and define the areas of interaction between the National Police and the public to eliminate theoretical and practical gaps in the matter.

2. Relations between the National Police and other State bodies

The concepts of “interaction” and “coordination” are still debatable. The review of scientific approaches to the definition of these concepts enables V.V. Chumak to argue that scientists reveal the content of the concept of “interaction” as follows: 1) interaction is the coordination of actions by its actors according to objectives, time, location, implementers and programme; 2) interaction requires at least two actors; 3) each interacting actor (system) operates within the competence prescribed by law; 4) the actors of the interaction share a common objective to implement common missions (Chumak, 2011, p. 162).

With regard to the category “coordination,” A.N. Kliuiev argues that this is a set of actions aimed at orderly functioning of the subject and the object of control, in particular, the harmonised work of all the system links and individual workers. In contrast to the organization of interaction, coordination is carried out by an administrator vested with authority over the objects of coordinating interaction (Kliuiev, 2011, p. 78).

The legal relations between the National Police and other State bodies, natural and legal persons may be as follows:

1) legal relations in which the parties have equal status (no relations of “power – subordination”);

2) legal relations in which the National Police is in a leading position and the other party is subordinate;

3) legal relations in which the National Police is subordinate and the other party in a leading position (Batrachenko, 2017, p. 103).

Matters relating to the organization and direct implementation of police cooperation are defined in the legislation, namely, the tasks, forms and principles of interaction in this field are regulated.

In the Law of Ukraine “On National Police”, article 5 “Police Interaction with State Authorities and Local Self-Government Bodies” provides for that police officers, implementing their official tasks, cooperate with law enforcement

bodies, local self-government bodies in accordance with the law (Verkhovna Rada of Ukraine, 2015). D.V. Vlasenko argues that the article has no sense and is rather referential than informative. Part 2 of article 9 of the Law of Ukraine “On National Police” requires the police “to keep state authorities and local self-government bodies, as well as the public, constantly informed of their activities in the field of protection and defence of human rights and freedoms, combating crime, ensuring public safety and order”, while part 6 of the same article provides that “drafts of legal regulations concerning human rights and freedoms shall necessarily be subject to public discussion in the manner determined by the Minister of Internal Affairs of Ukraine” (Vlasenko, 2019).

The Law of Ukraine “On National Police” highlights the principles of police activities: continuity, rule of law, interaction with the population on the principles of partnership, observance of human rights and freedoms, political neutrality, legality, openness and transparency (Verkhovna Rada of Ukraine, 2015).

One of the principles of police activities is cooperation. The principle of interaction with the population on a partnership basis is police activities carried out in close cooperation and interaction with the population, territorial communities and public associations on the basis of partnership and aimed at meeting their needs; effectiveness of activities is considered according to the level of public confidence in the police; assessments of the level of public confidence in the police are made by independent sociological services in accordance with the procedure established by the Cabinet of Ministers of Ukraine (Verkhovna Rada of Ukraine, 2015).

The principle of interaction with the population on a partnership basis is the constant interaction of the police with the population and local authorities for the sake of a common safe space.

Article 89 of the Law of Ukraine “On the National Police” stipulates that:

1. The police shall cooperate with the public by developing and implementing joint projects, programmes and activities to meet the needs of the population and to improve the efficiency of the police in carrying out their tasks.

2. Cooperation between the police and the public is aimed at identifying and resolving problems related to policing and promoting the use of modern methods to improve the efficiency and effectiveness of policing.

3. The police support legal education programmes, promote legal knowledge in educational institutions, the media and publishing (Verkhovna Rada of Ukraine, 2015).

Therefore, two areas of police cooperation can be identified. The first area is cooperation with representatives of the public authorities. The second one is cooperation with the public.

The first area of interaction is:

- exercise of all functions within the competence, participation and advice in the preparation of projects in the field of public safety and order;

- information exchange with other state authorities on matters relating to public safety and order;

- use of databases (banks) of other State bodies, search and analysis of information and the processing of personal data in the area of public security and order;

- protection of state interests and the interests of representatives of state and local authorities;

- cooperation with public authorities in the field of social protection and pensions for police officers and their families (Batrachenko, 2017).

With regard to the interaction of the police with the population, the main actor of interaction is the district police officer.

The main tasks of the district police officer in this field are regulated by Order № 650 of the Ministry of Internal Affairs of Ukraine “On approval of Instruction on the organization of activities of district police officers”, namely:

- 1) activities according to the principle of cooperation with the population on a partnership basis and aimed at cooperation with citizens, voluntary organizations, institutions and enterprises of various forms of ownership;

- 2) cooperation with state authorities and local self-government bodies, the population and voluntary public organizations for the protection of public order established in accordance with the law;

- 3) respect of human rights and freedoms and the interests of society and the State;

- 4) measures to register persons subject to preventive work and to update the information subsystems of the unified information system of the Ministry of Internal Affairs;

- 5) cooperation with patrol police response teams in preventive measures with regard to persons predisposed to committing offences and/or who are on the preventive record of the police;

- 6) informing the duty station of the police (sub-unit) in case of receiving information from the population about persons who intend to commit criminal offences or have created, wanted criminals, missing persons;

- 7) organizing and supervising the activities of the assistant to district police officers, consisting of work planning, assignment and training in the methods and tactics of work

at the police station, checking the quality, completeness and objectivity of the materials composed by him;

- 8) maintenance of skills through training and self-training (Ministry of Internal Affairs of Ukraine, 2017).

The National Police interacts with citizens in various sectors and carries out their tasks through the establishment of public councils under the Ministry of the Internal Affairs. Public associations with the National Police are formed in accordance with the Law of Ukraine “On Participation of Citizens in Protection of Public Order and State Border” in order to achieve a common goal in the field of public order.

3. The “Community Police Officer” project

The effective protection of public order and the fight against crime are impossible without the participation and support of ordinary citizens.

The police can make significant progress against offenders only when cooperation is established.

For example, a form of interaction of the police with the public is the implementation of the project “Community Police Officer”. The project contributes to a safe living environment for people. It leads to a rapid response to emergencies that can damage people’s lives and health, their prevention and participation of citizens.

The “Community Police Officer” project is another big step in the reform of the National Police. Its main purpose is to provide each territorial community with a separate officer, and it will give impetus to the development of partnership and social interaction and to the establishment of joint tasks between the agencies of the MIA and the population. This officer will not only work on the territory of this community but live there. His main function is to be responsive to the needs of the local population, to maintain constant contact with the population, to monitor and maintain order in the territory assigned on a daily basis, immediately respond to the problems of ordinary citizens and prevent the commission of offences.

The project is aimed at providing professional police services in small localities, not only to respond to the commission of an offence, but also to ensure the protection and safety of society and to meet its needs. A total of 20 integrated territorial communities have been established in the region, 14 of which have already expressed the wish to engage district police officers to work and live in their territory. Let us hope that in the future the other six communities will join in this work (Official site of the National Police, www.npu.gov.ua).

The project aims to address many challenges. Today the performance of district police officers is not fully effective due to lack of personnel, financing, transport and technical means, as well as the size of service areas, the number of population matter, obscuring the fight against crime.

As a result, operational effectiveness is not at the highest level, and the response to emergency events that threaten human life or health is not rapid. The community is ready to cooperate with the police to improve living conditions and peace, well-being and security. In turn, district police officers are convinced of the need to establish interaction and introduce new forms of cooperation with the public.

4. Conclusions

In conclusion, police powers based on cooperation with the public and community aimed at the prevention of offences and crimes are a pressing need of the day. The effective performance of professional tasks by the police in the field of public order requires strengthening cooperation with citizens and public associations.

By creating and implementing innovative forms of interaction, police cooperation with the public must be improved and strengthened. The initiative, the desire for change and the clear understanding by the police officers that well organised interaction of the police contributes to restoration of public confidence in the police, reducing the level of offenses and crime.

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**ДЕЯКІ АСПЕКТИ АДМІНІСТРАТИВНО-ПРАВОВОГО РЕГУЛЮВАННЯ
ВЗАЄМОДІЇ ОРГАНІВ НАЦІОНАЛЬНОЇ ПОЛІЦІЇ З ГРОМАДСЬКІСТЮ**

Анотація. *Метою статті* є аналіз та визначення напрямів взаємодії Національної поліції України з громадянським суспільством для усунення теоретичних і практичних прогалин у вказаному питанні. **Результати.** Аналізуються питання щодо вдосконалення адміністративно-правового регулювання взаємодії поліції з населенням на засадах партнерства. Визначено, що для вирішення питань, які покладені на поліцейських, Національна поліція України вступає у взаємодію з іншими державними органами та органами місцевого самоврядування. Для найбільш ефективного виконання повноважень поліція може вдаватися до застосування методів координації, що використовуються з метою узгодження забезпечувальних дій з іншими правоохоронними органами, а також між різними структурними підрозділами Національної поліції України. Зроблено висновок про недостатність наукових розробок, присвячених проблемам взаємодії Національної поліції України з громадськістю у сфері забезпечення публічної безпеки й порядку. Діяльність поліції, що заснована на співпраці з населенням і громадськими об'єднаннями та спрямована на запобігання правопорушенням, є нагальною потребою сьогодення. **Висновки.** Констатовано, що взаємодія Національної поліції України з громадськістю з позиції забезпечення громадської безпеки й порядку вимагає додаткових досліджень. Діяльність поліції, заснована на співпраці з громадою та громадськими об'єднаннями, а також спрямована на запобігання правопорушенням, є нагальною потребою сучасності. Ефективне виконання поліцією своїх професійних завдань у сфері громадського порядку вимагає посилення взаємодії з громадянами та громадськими об'єднаннями. Під час створення й впровадження новітніх форм співпраці необхідно прагнути до вдосконалення та зміцнення співробітництва поліції з громадськістю. Необхідні ініціатива, прагнення до змін та чітке розуміння поліцією того, що налагоджена її взаємодія є ключем до відновлення довіри населення до поліції, а також зниження рівня злочинності.

Ключові слова: Національна поліція, громадські об'єднання, громадськість, публічний порядок, взаємодія, координація, адміністративно-правове регулювання.

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