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COMMUNITY POLICE OFFICER AS AN OBJECT OF DOMESTIC AND FOREIGN ADMINISTRATIVE AND LEGAL RESEARCH

Abstract. Purpose. The purpose of the article is to study the objective, tasks and specificities of implementing the project “Community Police Officer”, as well as to reveal the organisational legal support for the activities of the community police officer. **Methodology.** The article comprehensively analyses the project “Community Police Officer”. The concept of a community police officer is defined, as well as the prerequisites to the initiation of a community police officer are revealed. For example, the main prerequisites for the institution of a community police officer in Ukraine were: the growth of socially dangerous and socially harmful behaviour in society and, as a result, the growth of criminal and administrative offences, the existence of an appropriate legislative basis, adequate logistical and financial resources, raising public awareness of the importance and value of local self-government, as well as the factor of law and order in civil society. The main legal regulations governing the activities of the Community Police Officer are analysed. It is studied that, as a member of the Council of Europe, our State is bound to comply with international human rights standards under universally recognised international legal guarantees established in relevant international law, and to create internal guarantees for their implementation. It is revealed that the specificity of the project “Community Police Officer” is the emphasis on the introduction of a qualitatively new and meaningful format of police work, in which the needs of the community and the local population should be prioritised. The task of the national project “Community Police Officer” is to make a law enforcement officer functionally and procedurally independent. He or she shall be the first to whom people facing wrongdoing will come, and the first to prevent criminal actions in an accountable territory. **Results.** The success of democratic reforms in Ukraine cannot be achieved without proper legal regulatory framework and the practical functioning of law enforcement bodies, one of the most important tools to make a real and effective impact on the level of offences and the maintenance of public order in our country. Decisive actions to combat crime will not dramatically improve the situation unless the efforts of law enforcement bodies, in particular the police, are widely supported by the population. Therefore, the focus should be on the activities of district police officers as direct representatives of the police in the service, close partnership with the public on the basis of the principles of trust. The level of trust of an ordinary citizen of Ukraine in the activities of a district police officer is a basic and determining criterion for the work of the entire National Police. The reform of the Ministry of Internal Affairs bodies in general and the service of district police officers in particular was intended, on the one hand, to address issues of adaptation to the new conditions of their organisational structures and, on the other hand, to consolidate appropriate reforms, new tasks and functions of legislation in force. One of the trends of the reform is the launch of a pilot project “Community Police Officer”, aimed at uniting law enforcement officers and residents of an amalgamated territorial community. According to law enforcement officials, this should improve the quality of communication and police services. The new legal framework for community police officers should significantly improve the enforcement of law and order in the newly established (as a result of the reform of decentralisation) amalgamated territorial communities, which determines the relevance and choice of the topic of this study. **Conclusions.** Therefore, the main objective of the project “Community Police Officer” is to ensure close cooperation between the police and the local community, to focus on the activities of the police, especially on the needs of the society. The task of this project is to make a law enforcement officer functionally and procedurally independent. He or she shall be the first to whom people facing wrongdoing will come, and the first to prevent criminal actions in an accountable territory.

Key words: community police officer, National Police, task of community police officer, project, Community Policing.

1. Introduction

The Constitution establishes the obligation of the State to protect the life and health of citizens and to ensure the inviolability of their rights, freedoms, legitimate interests and property. To that end, Ukraine has established law enforcement bodies to maintain law and order and protect public and State interests.

Furthermore, one of the main and important tasks of local self-government bodies is to protect the rights, freedoms and legitimate interests of each member of the territorial community, to affirm the rule of law and legality in a certain territory (Law of Ukraine On Local Self-Government in Ukraine, 2019).

Uniting the interests of the police and the territorial communities to strengthen law and order to increase the trust of Ukrainian citizens, a project "Community Police Officer" has been launched. It provides for a new format of police performance. The project was initiated by the National Police of Ukraine with the support of international partners (Bezpalova, 2020, p. 13).

That is, the police will provide new services to the population, as citizens of Ukraine are dissatisfied with the level of their social protection, as well as the provision of administrative services by both the National Police and private services in general, as evidenced by numerous surveys.

Therefore, the project "Community Police Officer" is the next step in the reform of the National Police. Its main objective is to provide each territorial community with an officer who will not only work in the community but will also live there.

2. Legal and regulatory framework for activities of the National Police of Ukraine

The key legal regulations on the activities of community police officers should be the following: the Constitution of Ukraine (Constitution of Ukraine, 1996), the Laws of Ukraine "On the National Police" (Law of Ukraine on the National Police, 2015), "On Prevention and Counteraction to Domestic Violence" (Law of Ukraine on Prevention and Counteraction to Domestic Violence, 2017), "On Administrative Supervision of Persons Released from Prisons" (Law of Ukraine on Administrative Supervision of Persons Released from Prisons, 1994), "On the Participation of Citizens in the Protection of Public Order and the State Border" (Law of Ukraine on the Participation of Citizens in the Protection of Public Order and the State Border, 2000), other legislative acts of Ukraine, legal regulations of the Ministry of Internal Affairs of Ukraine.

Order 650 of the Ministry of Internal Affairs of Ukraine of July 28, 2017 "On approval of the Instruction on the organisation of the activities of district police officers" defines

the tasks, trends and features of the organisation of activities of district police officers (Order of the Ministry of Internal Affairs of Ukraine On approval of the Instruction on the organisation of the activities of district police officers, 2017).

The rules for joint projects, programmes and activities meet article 11 of Law of Ukraine "On the National Police" (Law of Ukraine on the National Police, 2015) (Interaction with the population on the basis of partnership), providing for that the activities of the police are carried out in close cooperation with the population, territorial communities and public associations on the basis of partnership and aimed at meeting their needs. Article 18 of the European Code of Police Ethics of 2001, which is based on partnership and is designed to meet their needs, stipulates that police officers shall be organised in such a way as to facilitate a strong police communication with the public and, where appropriate, other bodies, local communities, non-governmental organisations and other members of the public, in particular ethnic minorities.

As a member of the Council of Europe, our State is bound to respect international human rights standards under universally recognised international legal guarantees established in relevant international law and to create internal guarantees for their implementation (Shadska, 2018, p. 15).

According to the National Police of Ukraine, a police officer should become a full representative of his or her society, which in turn will provide part of the financial support for his or her work, entailing his or her accountability not only to the leadership, but also to the very community (Official site of the National Police).

The project aims to provide professional police services in small towns, implying not only response to the commission of an offence but above all the safety and security of the community, meeting its needs.

It should be noted that the main innovation is that if the community police officer becomes a full representative of own community (it will be part of the financial support of its work), he or she will be accountable not only to the head of the local police body, but also to the very community.

Under the basic principles, the activities of the National Police are carried out in partnership with the population, regional communities, and voluntary associations and are aimed at meeting their needs.

In order to determine the causes and/or conditions of violations, the service activities of law enforcement bodies and departments are planned taking into account the characteristics of the region and the problems of the territorial communities (Hlukhoveria, 2017, 147).

The National Police cooperates with the public by developing and implementing joint projects, programmes and measures to meet the needs of the population and to enhance the effectiveness of its tasks. Cooperation is aimed at identifying and addressing problems related to policing and the use of modern methods to improve its performance. This body supports legal education programmes, promotes legal knowledge in educational institutions, the mass media, etc. (Sokurenko, 2017, p. 154).

3. Community police officer as a trend in interaction of the National Police of Ukraine with the public

The project "Community Police Officer" provides fundamentally new approaches to the implementation of the above-mentioned tasks by the police and provides for the expanded competence of the police in the investigation of criminal offences, control of firearms circulation, preventive work with children, prevention and combating of domestic violence. The latter two are essential, given the realities of the present (Chumak, 2018).

This has led to the modernisation of the instruments of interaction between the local population and the police, with the aim of achieving the common goal of ensuring public order and security at the regional level, oriented towards the needs of the citizens.

The "Community Police Officer" is not new for our country, since the concept of Community Policing has been introduced in Ukraine for several years, the content of which was the implementation of law enforcement activities focused on the needs of the local community. According to foreign scholars, Community Policing is a policy and strategy aimed at achieving more effective and efficient control over criminal offences, decrease in fear of criminal wrongdoing, improvement of the quality of life and legitimacy of the police by relying on community resources to change the conditions that lead to criminality (Kononets, 2019, p. 231).

The specificity of this concept is that Community Policing is a model of "proactive police activity", focused on the prevention of offences in cooperation with the local community, as opposed to "reactive police activity", oriented towards responding to offences already committed (Bezpalova, 2020, p. 16).

Within the framework of the project "Community Police Officer" provision of effective support by the local self-government body and the population for the activity of the police is aimed at increasing the general level of law and order in the localities of community, protection of life, health, honour and dignity of the population, prevention of crime and an integrated approach to security issues (Shadska, 2018, p. 54).

Therefore, it should be noted that the first steps towards the development of a new tool for preventive actions by the police, using the capacities of the local community, have already been introduced in Ukraine.

A specificity of the project "Community Police Officer" is the emphasis on the introduction of a qualitatively new and meaningful format of police work, in which the needs of the community and the local population should be prioritised.

It is expected that such permanent contact will be ensured not only by the police officer's work in the territorial community concerned, but also by his or her very residence there.

That is why, when a police officer becomes a full-fledged representative of a particular community, is concerned in its problems, communicates with its residents and helps them, it will enable the police to meet the expectations of community.

The interrelation between the police and community must be aimed at ensuring quality living conditions, safety, and quality response to any situation, allowing people to feel confident and safe.

The main objective of the project is to ensure close cooperation between the police and the amalgamated territorial community and to focus police activities on the needs of the community.

The task of the national project "Community Police Officer" is to make a law enforcement officer functionally and procedurally independent. He or she shall be the first to whom people facing wrongdoing will come, and the first to prevent criminal actions in an accountable territory. Moreover, this territory will be limited to only one district where the law enforcement officer lives, and not visits, as most district police officers, now and then (Hlukhoveria, 2017, p. 14).

In short, such an officer should become an integral part of the very community. In doing so, he or she will be accountable not only to the police leadership, but also to the public, recommendations thereof will be considered in the further extension of the officer's contract, as well as in decisions on his or her incentives or punishment.

Motivated and virtuous persons with at least two years of work experience, a diploma of higher education and a driver's license can become officers of the territorial community.

Persons in this position should be independent and responsible, open and communicative, capable of critical thinking and able to resolve conflicts.

The basic stages of the project "Community Police Officer" can be defined as follows:

1) Establishment of cooperation through appropriate information campaigns with amalgamated territorial communities to assess the capabilities of each community, with the subsequent signing of a memorandum;

2) Selection of candidates for community police officers from the serving police officers (preference is given to district police officers with first-hand experience in dealing with the local population);

3) Training of selected candidates in specially designed courses of up to 2.5 months involving foreign experts;

4) Organisation of the service of community police officers, during which, first, the policeman gets acquainted with the community, the very work on the implementation of common projects with the unified territorial community is planned and reported to the latter;

5) Monitoring by the National Police (regular effectiveness evaluation) and community opinion polls by international experts (Hlukhoverska, 2017, p. 16).

The project provides for that the policeman will work closely with the residents of his or her district and pay attention to their needs. 80-90% of police work time is spent in the community. He or she is accessible to the public, knows the residents of the district under service, their problems and provides quality police services.

In the selection of police officers, the focus should be on certain criteria, such as ability to deal with community issues; motivation and service to the community interests; virtues; critical thinking; ability to make independent decisions; ability to argue own position and conduct analytical work (Kononets, 2019, p. 230).

It is also important to assess the performance of a community police officer from the perspective of a number of projects implemented with the local community to ensure public order and safety of the local population, indicators of the decline/increase in crime within a specific amalgamated territorial community and the content of preventive activities carried out in this direction.

Therefore, the project "Community Police Officer" is a qualitatively new police service

for rural, township and small towns, which is planned to implement in certain basic stages for the purpose of clear organisation, training and effective functioning of this project.

4. Conclusions

This work, aimed at studying the objective, tasks and specificities of implementing the pilot project "Community Police Officer", as well as revealing the organisational legal support for the activity of the community police officer, relying on a review of the relevant scientific literature and the legislative framework on the topic of the study, allows concluding the following.

The main prerequisites for the institution of a community police officer in Ukraine were: the growth of socially dangerous and socially harmful behaviour in society and, as a result, the growth of criminal and administrative offences, the existence of an appropriate legislative basis, adequate logistical and financial resources, raising public awareness of the importance and value of local self-government, as well as the factor of law and order in civil society.

The main objective of the project "Community Police Officer" is to ensure close cooperation between the police and the local community, to focus on the activities of the police, especially on the needs of the society.

To sum up, the concept of a community police officer is a salaried officer of the National Police who, like other police officers, is entitled to social security and benefits. In addition, the National Police of Ukraine provides him or her with uniforms, service firearms, special means, a breast camera and a tablet. Under the project, the National Police will also be able to provide a public order vehicle (subject to funding).

The community police officer aims to quickly address the security needs of his or her territorial community. The community police officer is not a municipal police officer but remains a part of the staff of the local police body, which monitors the legality of his or her decisions. At the same time, he or she is accountable to community regarding its security. For the permanent presence of a community police officer on the territory (ATC), a communal office shall be equipped.

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ПОЛІЦЕЙСЬКИЙ ОФІЦЕР ГРОМАДИ ЯК ОБ'ЄКТ ВІТЧИЗНЯНИХ ТА ЗАРУБІЖНИХ АДМІНІСТРАТИВНО-ПРАВОВИХ ДОСЛІДЖЕНЬ

Анотація. Мета. Метою статті є дослідження мети, завдань та особливостей впровадження проекту «Поліцейський офіцер громади», а також висвітлення організаційно-правового забезпечення діяльності поліцейського офіцера громади. **Методологія.** У статті проведений комплексний аналіз проекту «Поліцейський офіцер громади». Надано визначення поняття «поліцейський офіцер громади», а також з'ясовано передумови запровадження поліцейського офіцера громади. Зокрема, основними передумовами впровадження в Україні інституту поліцейського офіцера громади стали: зростання суспільно небезпечної та соціально шкідливої поведінки у суспільстві і, як наслідок, зростання кримінальних та адміністративних правопорушень, наявність відповідної законодавчої бази, достатніх матеріально-технічних та фінансових ресурсів, підвищення обізнаності громадськості про значення та цінності місцевого самоврядування, а також чинника правопорядку в громадянському суспільстві. Проаналізовано основні нормативно-правові акти, на основі яких повинна здійснюватися діяльність поліцейського офіцера громади. Досліджено, що, будучи членом Ради Європи, наша держава зобов'язана дотримуватись міжнародних стандартів у сфері прав людини на основі загальноновизнаних міжнародно-правових гарантій, встановлених у відповідному міжнародному праві, та створювати внутрішні гарантії для їх реалізації. З'ясовано, що характерною особливістю проекту «Поліцейський офіцер громади» є акцент на впровадженні якісно нового та змістовно нового формату роботи поліції, в якому потреби громади та місцевого населення мають бути пріоритетні. Завдання національного проекту «Поліцейський офіцер громади» – зробити такого правоохоронця

функціонально й процесуально самостійним. Він має стати першим, до кого звертатимуться люди, котрі стикнулися із кримінальним правопорушенням чи несправедливістю, і першим, хто запобігатиме кримінальним діянням і правопорушенням на підзвітній території. **Результати.** Успіх демократичних перетворень в Україні неможливий без належного правового регулювання і практичного функціонування правоохоронних органів – одного із найважливіших інструментів, здатних реально і дієво вплинути на рівень правопорушень та стан забезпечення публічного порядку у нашій країні. Рішучі заходи, спрямовані на боротьбу зі злочинністю, не призведуть до кардинального поліпшення ситуації доти, доки зусилля правоохоронних структур, зокрема поліції, не отримають широкої підтримки з боку населення. Тому велика увага приділяється діяльності дільничних офіцерів поліції як безпосередніх представників поліції у службовій сфері, у тісному партнерстві з громадськістю на принципах довіри. Рівень довіри пересічного громадянина України до діяльності дільничного офіцера поліції є основним і визначальним критерієм роботи Національної поліції загалом. Реформою органів системи МВС України загалом і служби дільничних офіцерів поліції зокрема передбачалось, з одного боку, вирішити питання адаптації до нових умов їх організаційних структур, а з іншого – закріпити відповідні перетворення, нові завдання та функції нормами чинного законодавства. Одним із напрямів реформи є запуск пілотного проєкту «Поліцейський офіцер громади», спрямованого на об'єднання правоохоронців та мешканців єдиної територіальної громади. На переконання керівництва правоохоронного відомства, це має сприяти підвищенню якості комунікації та поліцейського сервісу. Нова нормативно-правова база діяльності поліцейських офіцерів громади повинна істотно покращити ситуацію із забезпеченням правопорядку і законності на території новостворених (внаслідок реформи децентралізації) об'єднаних територіальних громад, що і зумовлює актуальність та обрання теми цього дослідження. **Висновки.** Отже, проєкт «Поліцейський офіцер громади» має забезпечити тісну співпрацю між поліцейськими та місцевою громадою, особливо на потребах громади. Завданням цього проєкту є формування правоохоронця, який буде функціонально й процесуально самостійним. Він має стати першим, до кого звертатимуться люди, котрі стикнулися із правопорушеннями, і першим, хто запобігатиме кримінальним діянням на підзвітній території.

Ключові слова: поліцейський офіцер громади, Національна поліція, завдання поліцейського офіцера громади, проєкт, Community Policing.

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