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## INTERACTION OF POLICE AND OTHER LAW ENFORCEMENT BODIES IN THE FIELD OF PREVENTION AND INFRINGEMENT OF CRIME

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### SUMMARY

The article investigates the interaction of police and other law enforcement agencies in the context of crime prevention and counteraction. On the basis of theoretical analysis of the legal essence of the notion of prevention and counteraction of crime, their difference was established, and a position on the essence of such activity was formed. Also, the author examined the legal framework for the law enforcement agencies to carry out their functions during joint tasks. Possible ways of solving problem issues of interaction are offered.

**Key words:** counteraction to crime, crime prevention, police, law enforcement agencies, improvement.

### ВЗАИМОДЕЙСТВИЕ ПОЛИЦИИ И ДРУГИХ ПРАВООХРАНИТЕЛЬНЫХ ОРГАНОВ В СФЕРЕ ПРЕДУПРЕЖДЕНИЯ И ПРОТИВОДЕЙСТВИЯ ПРЕСТУПНОСТИ

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### АННОТАЦИЯ

В статье исследованы вопросы взаимодействия полиции и других правоохранительных органов в контексте предотвращения и противодействия преступности. На основании теоретического анализа юридической сущности понятий «предотвращение» и «противодействие преступности» было установлено их различие и сформировано положение относительно сущности такой деятельности. Также автором была исследована нормативно-правовая основа осуществления правоохранительными органами своих функций во время совместного выполнения задач. Предложены возможные пути решения проблемных вопросов взаимодействия.

**Ключевые слова:** противодействие преступности, предупреждение преступности, полиция, правоохранительные органы, совершенствования.

**Relevance of the subject.** In today's conditions of building a world democracy, the most important issue is the preservation of the most important values for society. One of the most important aspects of social life is the observance of human and civil rights and freedoms. In the modern world, there are many threats that negatively affect the functioning of the corresponding legal status.

The legal Ukraine of the present day has a rapidly growing law enforcement system, as the bodies involved in the prevention and counteraction of crime are constantly in the process of self-improvement and close interaction.

However, despite these processes resulting from the need for action, attention must be paid to certain aspects of the police's interaction with other law enforcement agencies in the area of countering and preventing crime.

**Formulation of the problem.** That is why the study of the main issues of interaction between the police and other law enforcement agencies in the context of prevention and counteraction to crime is one of the most urgent topics for today's scientific research.

**The state of the subject research.** Relevant topics have repeatedly become the subject of scientific research, both domestic and foreign lawyers, among which: V. Beschastny, M. Valuysk, V. Golin, J. Gorinetsky, I. Danshin, A. Zakalyuk, Y. Kogut, O. Kobzar, M. Loshitsky, M. Moskalenko, V. Popovich, V. Shadrin, S. Yakimova, and many others.

**The objectives and objectives** of this study are to analyze the nature of the interaction between the police and other law enforcement agencies in the context of prevention and counter-

action to crime. The goal set has necessitated the solution of a number of research tasks, among which: analysis of approaches to understanding the notion of preventing and counteracting crime, generalizing the developed scientific tendency to the interpretation of the relevant categories, an attempt to present their own views on their understanding; the study of the nature of the interaction of police and other law enforcement bodies in the context of counteraction and prevention of crime in Ukraine.

**Presentation of the main research material.** Prevention and combating crime is one of the highest priority areas of state policy, and the system of bodies that carry out this activity is not limited to the National Police. In addition, scientists emphasize the fact that the police do not carry out their activities in isolation, but only functions in the area of prevention and counteraction to crime in a close relationship.

That is why the author has chosen relevant topics. The coherence of the interaction of all law enforcement agencies depends on the effectiveness of the prevention and counteraction of crime, the low level of which will enable the state to develop and build a solid economy and expand the ability to realize other important benefits.

First of all, one should note the concept of "prevention" and "counteraction" to crime, since, despite the widely developed doctrine, approaches to their interpretation differ. Thus, according to the general rule, the notion of crime prevention is defined by scientists as an activity preventing the commission of criminal offenses and does not allow them to be committed. Preventing – means "preventing something in advance, turning

away” [1, p. 89]. Such a result is achieved through the use of preventive measures that “prevent, turn back something” [2, p. 827], a warning, that is, “a warning against something” [2, p. 569], or termination of commenced offenses, which is interpreted as “coercion to cease to do something” [2, p. 717]. The crime crime, in turn, is defined as a complex socio-legal phenomenon and the concept of it, which reflects the theory and practice of specific socio-management activities and public and private initiatives, as well as criminal justice efforts aimed at preventing the commission of criminal offenses and response to their commission [3].

The authors also rightly point out that the National Police of Ukraine is one of the main law enforcement agencies that implement the functions of preventing and counteracting crime in Ukraine.

At the same time, the Law of Ukraine “On National Police” dated July 2, 2015, № 580-VII defines the tasks of the relevant body, among which there are many provisions aimed at preventing crimes, namely: the implementation of preventive and preventive activities aimed at prevention of offenses; to identify the causes and conditions that facilitate the commission of criminal and administrative offenses, to take measures, within their competence, to eliminate them, etc. [4].

In addition, it should be noted that the National Police of Ukraine carries out preventive activities not in isolation but in various types of interaction with the authorities, 1) which determine the state policy in the field of combating crime (the President of Ukraine, the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine); 2) who coordinate activities in the field of prevention and counteraction to crime (Prosecutor General of Ukraine and prosecutors subordinate to him; National Security and Defense Council of Ukraine); 3) who carry out law enforcement activities in the field of crime prevention (among the subjects of this group, it is necessary to allocate two subgroups: a) bodies for which the fight against crime is one of the main functions (for example, the Department of Criminal Investigation of the National Police of Ukraine, the Main Directorate of fight against corruption and organized crime of the SBU of Ukraine, etc.); 4) who exercise control and other types of management activities (public organizations, associations, state control bodies, the press) [5, p. 154–162].

The National Police in Ukraine, as an integral mechanism for crime prevention, consists of several units that carry out the respective activities in a consolidated manner. However, there are a number of examples of the impossibility of police and police units to perform some of their powers individually.

In turn, it is necessary to pay attention to the interdependence of the work of the bodies that form the state policy in the field of prevention and counteraction to crimes and directly to the police. Since the Verkhovna Rada itself is the only legislature in Ukraine [6], only the latter has the right to collectively determine the legal status of a police officer, to indicate that he is a crime, and which is a measure of permissible conduct. Also, indicate the subordination of the National Police of Ukraine to the Ministry of Internal Affairs of Ukraine [7], which coordinates its activities. This means that the breadth and effectiveness of police functions in preventing and counteracting crime directly depends on the activity of the Cabinet of Ministers of Ukraine in general and the Ministry of Internal Affairs, in particular.

Along with this, there is an example of the actual interaction of the police with other law enforcement agencies. For example, the bodies of pre-trial investigation, in the course of the pre-trial investigation, have a procedural director – a prosecutor of a corresponding rank, a prosecutor’s office that, in accordance with the Criminal Procedure Code of Ukraine [8] and the Law of Ukraine “On Prosecutor’s Office” [9], exercise their powers.

Along with this, there is an example of investigations and investigative investigations, in particular in the context that some of them are conducted only with the permission of the prosecutor, some according to the decision of the investigating judge, which testifies to the close relationship of the National Police Ukraine during the fulfillment of its functions in the prevention and counteraction of crime.

In addition to the above-mentioned, according to R. Shay, the main law enforcement functions include: 1) preventive (prevention of offenses entailing legal responsibility in the field of public law); 2) protective (protection of life, health, rights, freedoms and legitimate interests of individuals); 3) protection of public order and security and property; 4) resocialization (this function is most characteristic of the organs and services for minors, services that carry out administrative supervision of persons released from places of imprisonment); 5) operational search; 6) investigation of crimes; 7) court proceedings; 8) consideration of cases concerning administrative violations; 9) consideration of cases of financial and administrative and economic offenses (consideration of cases of administrative offenses committed by legal entities or entrepreneurs); 10) execution of sentences, decisions, decisions and orders of courts, orders of bodies of pre-trial investigation and prosecutors [10, p. 10–16].

Taking into account this position and comparing it with the above-mentioned developments, the author reached a consensus, regarding the National Police of Ukraine, based on the theory and practice of law enforcement activities, is one of the main law enforcement agencies of the state, which is authorized, within the limits of the current legislation, to carry out as a preventive function directly related to crime prevention, and operational search, which in some cases may also be an instrument for preventing crime.

It is necessary to note that the National Police of Ukraine within the limits of its powers has the right to carry out a wide range of functions on preventing crime in Ukraine, which is defined in the specialized law and regulated by it.

The role and place of the National Police of Ukraine as the subject of crime prevention, in addition to the Law of Ukraine “On National Police”, is also defined by the Criminal Code of Ukraine, the Criminal Procedure Code of Ukraine, the Code of Ukraine on Administrative Offenses and a number of other normative legal acts.

It is precisely the wide range of counter-measures taken by the police in all the various areas where the possibility of committing crimes distinguishes the latter from among other law enforcement agencies. The competence of the police include counteraction in the field of economic, property, organized crime, as well as crime in the sphere of life and health of man and citizen, as well as honor and dignity of the individual.

Prevention of crimes is one of the areas of the criminal legal policy of the state, consisting of a set of measures directed at separate groups and individuals who commit criminal intent, contemplate the commission of crimes and are positively perceived as a criminal way of life, in order to discredit criminal behavior, refuse to criminalize motivation and intention or continuation of criminal activity.

**Conclusion.** Based on the analyzed sources and scientific views on the above-mentioned problems, the following conclusions can be argued:

Prevention of crime, it is necessary to consider the complex activity of a number of authorized entities, consisting in preventing, counteracting, diverting and preventing the commission of crimes and reducing the intensity of the processes of determination of crime at all levels.

Counteraction to crime is a complex activity of authorized entities, consisting of direct activities to stop directly committed crimes and investigations already committed at all levels.

The role and place of the National Police of Ukraine as the subject of crime prevention is determined by the relevant law, as well as by the Criminal Code of Ukraine, the Criminal Procedure Code of Ukraine, the Code of Ukraine on Administrative Offenses and a number of other normative legal acts. It is precisely the wide range of preventive police activities that distinguish the latter from other law enforcement agencies in all different areas where crime is possible. The competence of the police can include prevention in the field of economic, property, organized crime, as well as crime in the life and health of man and citizen, as well as honor and dignity of the individual.

Police do not carry out their activities individually, and above all, its activities are regulated by national institutions – the Verkhovna Rada of Ukraine and the Cabinet of Ministers of Ukraine, while also exercising its functions on prevention and counteraction to crimes, the police constantly and systematically cooperate with other law enforcement agencies, namely: the system of courts and the Prosecutor's Office of Ukraine.

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