

## **THE ESSENCE AND FEATURES OF THE POWERS OF THE NATIONAL POLICE REGARDING THE PRE- VENTION OF OFFENSES AGAINST PUBLIC ORDER AND SECURITY**

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### **INTRODUCTION**

Building a democratic state involves priority provision of legal rights, responsibilities and freedoms of an individual, protection of his honor and dignity, a sense of real improvement of public security. This task can be effectively performed only under the conditions of close cooperation of executive authorities, local self-government, law enforcement agencies and the public. According to Art. 3 of the Constitution of Ukraine is noted: «a person, his life and health, honor and dignity, inviolability and security are recognized as the highest social value in Ukraine. Human rights and freedoms and their guarantees determine the content and direction of state activity. The state is responsible to the people for its activities. Affirmation and provision of human rights and freedoms is the main duty of the state»<sup>1</sup>.

The full-scale invasion of the Russian Federation on February 24, 2022 created not only a new and real threat to the existence of our state as an independent country, the lives and health of citizens, but also forced all citizens, state bodies and institutions to rally around the Armed Forces of Ukraine, which are fiercely repelling the occupier, not allowing to destroy our state. The National Police of Ukraine, as one of the law enforcement agencies of the state, received a new difficult challenge – in addition to the performance of the tasks directly assigned to it, new tasks were added specifically to repel the military invasion of the Russian Federation, investigate war crimes, document the criminal actions of the Russian military, illegal armed formations acting on the Russian side, etc. Therefore, questions regarding the nature and powers of the National Police of Ukraine to prevent crimes against public order and security become a new important part of the tasks of the National Police at this very time.

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<sup>1</sup> Конституція України (Відомості Верховної Ради України (ВВР), 1996, № 30, ст. 141) Редакція від 01.01.2020. [Електронний ресурс]. – Режим доступу: <http://zakon1.rada.gov.ua/laws/show/254к/96-вр>

## **1. Preventive activities of the National Police to ensure public order**

The central aspects in the establishment and maintenance of public order and security in society are ensuring the proper level of existence of society by means of high-quality protection of the rights and freedoms of citizens, as well as creating favorable conditions for the implementation of their duties. Failure to maintain the proper state of functioning of the specified categories within any country will provoke a real mess and have irreparable consequences, which are the origin of objective conditions that contribute to the impossibility of the existence and functioning of public society and, in fact, the state in general<sup>2</sup>.

The state of public safety and order is the state of protection of the interests, rights and freedoms of a person and a citizen that are more important for society and the individual, the provision of which is a priority task of law enforcement agencies, security agencies, other state and non-state bodies, their officials and the public, who carry out a coordinated set of measures, and in some moments exercise powers to implement and protect national interests from the influence of threats<sup>3</sup>.

The National Police of Ukraine, in the implementation of preventive activities, occupies a special place among the subjects of prevention of administrative offenses in the field of public order and security, since preventive activities are one of its main functions. Therefore, the National Police, as an entity legally empowered, in accordance with Art. 23 3 of the Law of Ukraine "On the National Police" is endowed with not too interdisciplinary, but specific functions:

- 1) carries out preventive and prophylactic activities aimed at preventing the commission of offenses;
- 2) discovers the reasons and conditions that contribute to the commission of criminal and administrative offenses, takes measures within its competence to eliminate them;
- 3) takes measures to detect criminal and administrative offenses<sup>4</sup>.

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<sup>2</sup> Шевяков М.О. Здійснення Національною поліцією адміністративно-правової профілактики правопорушень, що посягають на громадський порядок і громадську безпеку, та шляхи її вдосконалення. Електронне наукове фахове видання «Юридичний науковий електронний журнал». Запорізький національний університет. 2022. № 3. с. 187-191. С. 188.

<sup>3</sup> Шевяков М.О. Здійснення Національною поліцією адміністративно-правової профілактики правопорушень, що посягають на громадський порядок і громадську безпеку, та шляхи її вдосконалення. Електронне наукове фахове видання «Юридичний науковий електронний журнал». Запорізький національний університет. 2022. № 3. с. 187-191. С. 188.

<sup>4</sup> Про Національну поліцію : Закон України від 02 липня 2015 року № 580. Відомості Верховної Ради України. 2015. № 40–41. Ст. 379.

One of the priority areas of activity of the National Police of Ukraine is the prevention of offenses affecting public order and public safety. The importance and necessity of its implementation is fundamentally determined by the functions that are performed at the same time. In this connection, there is a need to study the system of preventive activities of the National Police.

At the current stage of the formation of the National Police in Ukraine, the problem of the functions of preventive activities is gaining particular relevance. The reason for this is the possibility of timely improvement of these functions, determination of directions for their development, which, in turn, will contribute to increasing the preventive role of this law enforcement body.

The preventive activities of the National Police are aimed at the implementation of certain law enforcement functions of the state, therefore, to determine their system, first of all, we will find out the meaning of the studied category. Thus, in the scientific literature, the functions of the state are defined as the main directions of the state's activity, which reveal its social essence and purpose in society. In turn, the functions of law are the main areas of influence of legal regulation on people and society<sup>5</sup>. The functions actually reflect the purpose played by this or that state body, for which it was formed; functions also mean specific areas of activity of these bodies.

A similar conclusion was reached by D.I. Borodin, having analyzed the provisions of the national legislation. The scientist noticed that in one case, the legislator proposes to understand the purpose of the state body, its role, its place in the structure of the state apparatus, and the range of problems for which it is responsible for solving. Otherwise, functions are understood as a certain range of actions to be performed by a state body<sup>6</sup>. This double meaning of the studied category leads to its unequal application in legislation or its replacement by other terms (for example, "tasks", "powers", etc.). In particular, in the Law of Ukraine "On the National Police", the legislator does not use the term "functions". Instead, the terms "tasks" (Article 2), "powers" are used (ст. ст. 23, 25)<sup>7</sup>. Moreover, the concept of "powers" refers to the areas of activity of the National Police and its officials.

S.G. Bratel distinguishes between the concepts of "preventive functions" and "preventive activity". According to the scientist, the preventive function consists in preventing offenses by identifying the causes that give rise to offenses, as well as the conditions that contribute to their commission, and

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<sup>5</sup> Словничок юридичних термінів. / уклад. В.П. Марчук. – К. : МАУП, 2003. – 128 с. С. 108.

<sup>6</sup> Когут О.В. Категорія «публічна безпека та порядок» вітчизняний і зарубіжний досвід. URL: <http://jlsouk.donnu.edu.ua> (дата звернення: 02.09.2019)

<sup>7</sup> Про Національну поліцію : Закон України від 02 липня 2015 року № 580. Відомості Верховної Ради України. 2015. № 40–41. Ст. 379

taking measures to eliminate them. Preventive activity, in turn, consists in systematically identifying and analyzing the causes and conditions of offenses, in particular, violations of the right to life, developing and taking measures to eliminate them<sup>8</sup>.

Preventive activities, according to S.M. Kavuna demands that, in the process of directly performing their functions, units of the National Police identify and demand the elimination of offenses, the causes and conditions of their occurrence, and take measures to prevent other offenses and crimes. According to the scientist, the goal of the preventive activity of police bodies is the timely prevention of offenses, the establishment of the causes and conditions of their occurrence<sup>9</sup>.

In 2006, a draft of the Law of Ukraine "On the Prevention of Offenses" was developed, which, although it needed some improvement, contained some progressive provisions. Crime prevention was recognized in this draft law as a field of activity.

One should agree with O.M. Makarenko, who notes that the central place in the system of crime prevention entities is occupied by the National Police. In the opinion of the scientist, a characteristic feature of their activity in the prevention of offenses is a complex nature, which is manifested in the following aspects.

First, the National Police bodies, unlike other subjects of preventive activity, influence a very wide range of prevention objects; occupy one of the central places in the system of crime prevention subjects, which is manifested in: close interaction with all subjects; in the provision of information about the state of the operational situation, about the discovered causes and conditions of offenses, about persons who need individual preventive influence, in the provision of methodical and practical assistance, in the implementation of preventive measures.

Secondly, the bodies of the National Police not only themselves identify and eliminate the causes and conditions of offenses, but also, in the cases and procedures established by law, put forward demands to other subjects regarding the performance of the functions assigned to them in the field of strengthening the law and order<sup>10</sup>.

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<sup>8</sup> Братель С.Г. Функції правоохоронної сфери / С.Г. Братель // Право і суспільство. – 2015. – № 4. – С. 63–66

<sup>9</sup> Кавун С.М. До проблеми профілактичної (попереджувальної) роботи підрозділів кримінальної міліції / С.М. Кавун // Форум права. – 2013. – № 2. – С. 180–184.

<sup>10</sup> Макаренко О.М. Суб'єкти профілактики правопорушень / О.М. Макаренко // Право і безпека. – 2004. – № 33. – С. 68–70.

Yes, a direct appeal to the Law of Ukraine "On the National Police"<sup>11</sup> and Resolution of the Cabinet of Ministers of Ukraine dated October 28, 2015 No. 877 "On Approval of the Regulations on the National Police"<sup>12</sup> makes it possible to indicate that the police, in accordance with the tasks assigned to it, carries out preventive and prophylactic activities aimed at preventing the commission of offenses. In addition, the police, in order to protect human rights and freedoms, prevent threats to public safety and order or stop their violation, also apply police preventive measures and coercive measures within the limits of their competence.

In the course of crime prevention, the National Police of Ukraine implements relevant law enforcement functions. In this regard, we believe that the concepts of "preventive functions" and "functions of preventive activities" should also be distinguished. In particular, the preventive function is one of the types of law enforcement functions.

The main law enforcement functions include:

- 1) preventive (prevention of offenses entailing legal liability);
- 2) protective (protection of life, health, rights, freedoms and legitimate interests of natural persons);
- 3) security (protection of public order, public safety and property).

Auxiliary law enforcement functions include:

- 1) control (supervisory);
- 2) permit (issuance of permits to carry out certain activities, including entrepreneurial ones, or to perform certain actions);
- 3) legal and explanatory (including the function of providing legal aid)<sup>13</sup>.

Therefore, crime prevention is the main type of law enforcement functions of the National Police. As a result of the implementation of preventive activities, the performance of some functions of the state is achieved – these are the functions of preventive activities.

Thus, on the basis of the above analysis, we believe that the preventive activities of the National Police are a system of police measures and powers, methods and methods of their implementation, which are carried out with the aim of preventing the commission of offenses or reducing their negative consequences, reducing the level of offenses in the state and in individual regions, ensuring a high level of public safety and order. The functions of preventive activities can be defined as specific actions taken by

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<sup>11</sup> Про Національну поліцію : Закон України від 02 липня 2015 року № 580. Відомості Верховної Ради України. 2015. № 40–41. Ст. 379.

<sup>12</sup> Про затвердження Положення про Національну поліцію: Постанова Кабінету Міністрів України від 28.10.2015 р. № 877. Офіційний вісник України. 2015. № 89. С. 34. Ст. 2971.

<sup>13</sup> Бородін Д.І. Правоохоронні органи України: поняття та функції / Д.І. Бородін // Юридичний вісник. – 2015. – № 2(35). – С. 47–51.

the National Police to achieve the goal and objectives of preventive activities, as well as the importance and role played by such activities in the state and society.

In the scientific literature, various grounds for the classification of preventive functions and functions of preventive activities of law enforcement bodies, including the bodies of the National Police, are proposed.

V.V. Chernei and S.F. Konstantinov belongs to the functions of crime prevention:

– preventive and regulatory function (intended to correct in specific forms the relationship between an individual and society and to influence people's behavior and public interests);

– protective function (intended to ensure the protection of public interests and social values of citizens and the state against illegal encroachments);

– educational function – prevention of offenses (it is mainly reduced to this function, because its purpose is not coercion, but persuasion, that is, not to punish, but to educate in order to prevent illegal behavior);

– ideological function (the purpose of which is to ensure the general ideological orientation of preventive measures, justify their content, correctly define the ways, means and methods of preventive activities);

– prognostic function (enriches the theory and practice of crime prevention with information that allows you to determine promising directions for crime prevention)<sup>14</sup>.

Based on the analysis of the specified functions, it can be concluded that scientists understand the purpose of the corresponding activity by the functions of crime prevention.

In our opinion, taking into account the etymology of the category "function", it will be correct to preserve the double meaning of this category (as the purpose of preventive activity and as specific actions taken within its limits). In connection with this and based on the analysis of the provisions of administrative legislation, primarily the Law of Ukraine "About National Police", we believe that the functions of assigning preventive activities include:

1) law enforcement function, which consists in ensuring a high level of public safety and order by reducing the number of crimes committed;

2) social function, which is expressed in the timely identification of problems and needs of persons who find themselves in a difficult life

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<sup>14</sup> Адміністративна діяльність органів внутрішніх справ: Навчальний посібник / Черней В. В., Константинов С. Ф., Братель С. Г. та ін.; під заг. ред. Коваленка В.В. [5-те вид.]. – К. : ПП «Дірект Лайн», 2014. – 408с. С. 6-7.

situation and who are prone to deviant behavior, their socialization and provision of timely assistance;

3) the educational function, which consists in establishing socially useful or acceptable behavior at the level of a person's consciousness;

4) the function of sustainable social development – reducing the level of crimes committed contributes to further social development in all areas (economic, cultural, moral growth, etc.).

## **2. Measures and powers of the National Police to ensure public order**

For an objective view of the normative regulation of "measures" and "powers" of National Police employees in the field of administrative and legal prevention of offenses in the field of public order and security, it is worth defining the tasks related to the competence of preventive activity units during the implementation of individual preventive work with the population, regarding the prevention of violations of public order and security:

– exerting influence from an objective, legal, expedient, rational and socially safe point of view on anti-social views and interests, which can prevent a person from committing not only administrative misdemeanors, but also offenses that encroach on public order and public safety;

– implementation of urgent prevention measures that are at the stage of preparation for the commission of offenses and termination of attempts to commit them.

– – preventing the emergence of factors that have a direct negative impact on a person and can lead to the formation of antisocial orientation in him, contribute to his illegal behavior, and fight against already existing, specified factors<sup>15</sup>.

In our opinion, it is necessary to clearly distinguish the concepts of competence and powers of the National Police in the field of preventive activities of offenses that encroach on public order and public safety, and to define their system.

Thus, the competence (subject of competence) of the National Police in the researched area includes:

1) drawing up protocols on administrative offenses affecting public order and public safety;

2) conducting proceedings in cases of administrative offenses in the sphere of public order and public safety;

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<sup>15</sup> Шевяков М.О. Здійснення Національною поліцією адміністративно-правової профілактики правопорушень, що посягають на громадський порядок і громадську безпеку, та шляхи її вдосконалення. Електронне наукове фахове видання «Юридичний науковий електронний журнал». Запорізький національний університет. 2022. № 3. с. 187-191.

3) implementation of measures to prevent violence in the family, etc.

It has been established that the National Police, as a subject of prevention of offenses affecting public order and public safety, has the following powers:

1) responds in a timely manner to applications and notifications of administrative offenses in this area or event;

2) takes measures to ensure public safety and order in streets, squares, parks, squares, stadiums, train stations, airports, sea and river ports, other public places, in particular, during mass events, etc.

Preventive activities of the National Police are diverse in nature. Based on the analysis of the legislation of Ukraine, which regulates the prevention of offenses by the National Police, we can, depending on the object of influence, classify preventive activities in the field of public order and public safety into the following types:

1) general prevention carried out by police bodies on a national or regional scale;

2) prevention of a special focus, which is aimed at preventing the commission of certain types of offenses that encroach on public order and public safety, or their commission by separate groups of persons (minors, persons who have previously committed offenses or crimes, etc.);

3) individual prevention of offenses affecting public order and public safety (preventive registration of persons, administrative supervision of specific persons released from prisons, etc.).

Performing the task of prevention of administrative offenses affecting public order and public safety, police officers act from identifying the causes and conditions of offenses to individual and general preventive measures during the execution of administrative fines.

General prevention – measures aimed at identifying the causes and conditions that contribute to the commission of offenses that encroach on public order and public safety, throughout the territory of Ukraine, in its separate region, branch of economy, in relation to a part of the population or a group of persons, as well as at the enterprise, in an institution or organization regardless of the forms of ownership.

At the national level, prevention of offenses affecting public order and public safety is carried out by:

– introduction of portable (vehicle) terminals into the activity of the patrol and post service units for the prompt conduct of checks of persons suspected of committing offenses in the investigated area, taking into account the data of preventive, forensic and operational records;

– holding briefings, press conferences, speeches, other public events with the participation of the heads of law enforcement agencies to inform the public about measures to ensure law and order in the state, as well as



scientific and practical conferences (seminars) on the prevention and counteraction of the most dangerous types of offenses that encroach on public order and public safety;

- work on placing in public places, mass media, and the Internet information about contact phone numbers of regional law enforcement agencies, schedules for reception of citizens by officials of these agencies, "hotline" numbers;

- carrying out systematic clarification in the mass media and the Internet of the implementation of measures by the executive authorities related to the prevention of offenses that encroach on public order and public safety, the reform of law enforcement agencies, the introduction of new forms of their work, as well as the need for citizen participation in the protection of public order and the state border, prevention and countermeasures against offenses, etc.<sup>16</sup>.

The peculiarity of preventive activities at the national level is that the National Police of Ukraine develops and implements preventive measures together with other state bodies, and programs and concepts of national prevention are approved by higher state authorities (Cabinet of Ministers of Ukraine, Ministry of Internal Affairs of Ukraine, etc.).

At the regional level, programs of measures for the prevention of offenses affecting public order and public safety are approved by the relevant regional or city councils. Also common is the practice of forming joint coordination councils for crime prevention in the region, which include representatives of educational institutions, local self-government bodies, police and other law enforcement agencies.

Therefore, the peculiarity of the preventive activities of the National Police at the regional level is that it is implemented taking into account the specifics of the respective region, the state of legality in it, existing problems that require urgent solutions. The implementation of preventive activities at the regional level is carried out, as a rule, in close cooperation of the police authorities with local self-government bodies, executive bodies of regional administrations. The subjects of such prevention are territorial police bodies – the main police department in the relevant region.

At the local level, preventive activities are carried out by structural divisions of the territorial police body – the service of precinct officers, patrol police, security police, etc.

We are sure that the main direction of the state's activity in the fight against administrative offenses that encroach on public order and public

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<sup>16</sup> Про затвердження плану заходів з виконання Концепції реалізації державної політики у сфері профілактики правопорушень на період до 2015 року: Постанова Кабінету Міністрів України від 08.08.2012 № 767 // Офіційний вісник України. – 2012. – № 73. – Ст. 2935.

safety was, is and will be their prevention. Therefore, in our opinion, the main task of the district police inspector is to become the main link in the unification of the efforts of representatives of law enforcement agencies and public organizations in the prevention of offenses in this area. In accordance with his powers, the district police inspector discovers circumstances that contribute to the commission of offenses and, within the limits of his rights, takes measures to eliminate them. It is correct that the process of prevention by the precinct inspector of the police is divided into three stages: the first includes the identification of causes and conditions, the second – the development and implementation of measures to eliminate them, the third – control over the timely and complete elimination of the causes and conditions that contribute to the commission of offenses in the sphere of public order and public safety.

On the basis of the above, it is worth adhering to the position that life itself indicates the need for society to have a precinct police officer – a person for whom the interests of the service and society are transformed into legal activity based on professional legal culture and legal awareness. Therefore, the main criterion for the level of professional and legal culture of precinct police officers is the combination of social and legal relations and law in a civilized manner in the modern social space and time.

In view of the above, it becomes clear that the preventive activities of precinct police officers are aimed at: ensuring public order and safety at the precinct; effective implementation of human and citizen rights and freedoms; implementation of the legal tools needed to achieve the set goals; prevention of illegal actions by persons who are inclined to commit crimes; creation of appropriate incentives for lawful behavior on the part of all sections of the population by eliminating the causes and conditions that contribute to the commission of offenses.

Therefore, the purpose of the preventive activities of precinct police officers is to stimulate all sections of the population to behave lawfully, to prevent them from engaging in antisocial relations, to stop such relations, to prevent provocations of illegal actions, to create legal and organizational foundations for preventing the commission of offenses, to develop preventive mechanisms, and rules for eliminating the consequences negative manifestations, etc.

Thus, preventive activity at the local level is a system of preventive measures taken by the structural departments of the territorial offices of the National Police within the relevant administrative district or service territory.

In the context of the above, the preventive activities of the National Police constitute a multi-level system of measures carried out by state, non-state bodies and institutions, public formations and individual citizens with the aim of minimizing the action or neutralizing the causes that give rise to

offenses that encroach on public order and public safety, or contribute to their commission, and if preventive activity is considered as a special type of social management, then the latter should provide for reducing the intensity of the processes of determining offenses in this area, neutralizing the effect of its causes and conditions in order to limit offenses to a socially acceptable level.

We can state with certainty that the socio-legal significance of preventive activities of the National Police is as follows:

1) thanks to effectively organized and planned preventive activities, a high level of public safety and order is achieved in the state and its individual regions;

2) as a result of the implementation of preventive measures, the level of crime and the commission of administrative offenses is significantly reduced;

3) the level of citizens' trust in the National Police increases; a feeling of safety and security arises, and, as a result, social tension in society decreases;

4) conditions are created for economic growth, raising the standard of living, attracting investment resources to the country's economy, including foreign ones, creating new jobs, since the region with a low level of crime and offenses has always been attractive to investors and entrepreneurs;

5) a new type of society is gradually being formed, the members of which are devoid of deviant thinking and behavior, with the awareness of the need to observe the law, the rights and freedoms of other citizens, which becomes the norm, deviation from which is condemned by society.

However, despite the significant interest in the problem of prevention of offenses that encroach on public order and public safety, a number of issues remain unresolved due to the complexity and multifaceted nature of the researched issue. This field of prevention of administrative offenses is extremely wide, especially if we take into account the real possibilities and scope of general social prevention. Today, the prevention of administrative offenses in the field of public order and public safety can no longer remain the field of activity of only theoretical lawyers. In order to ensure a comprehensive approach to prevention, representatives of various social, natural and economic sciences should be involved in its practical implementation, and most importantly, the subjects of preventive activities. That is, neither state authorities nor law enforcement agencies, which act as subjects of the prevention of administrative offenses in general and in the sphere of public order and public safety, can remain aloof from this problem, in particular.

"Preventive activity" and "preventive functions" are correlated as general and partial. At the same time, preventive activity is a broader and

more general concept; it encompasses the entire direction of the work of the National Police, which is carried out constantly and systematically. Preventive functions are specific types of actions carried out within the scope of preventive activities.

Performing tasks in the field of ensuring public order and security, the activities of police bodies and divisions include the following measures:

- supervision of the observance of order in public places;
- prevention and termination of any offenses in public places; – prevention of offenses by persons prone to commit them;
- prevention of alcoholism, drug addiction, drunkenness, prostitution;
- identification of offenders and prosecution of the guilty;
- carrying out specialized educational work with the population, individual citizens, offenders (general prevention measures);
- traffic safety supervision;
- cessation of mass violations of public order;
- supervision of the observance of order in public places in the event of emergency situations, near the zone of hostilities, adjacent territories where citizens are located or live, etc.

The police, protecting human rights and freedoms, as well as the interests of society and the state, primarily performs the functions of crime prevention, i.e. it carries out their prevention (prevention).

Thus, summarizing the above-mentioned positions, we can recognize a noticeable trend towards the activation of activities in the field of prevention of administrative offenses that encroach on public order and public safety. However, it still does not have an adequate legal, scientific and methodical foundation. Due to the lack of a systematic approach in the organization of this activity, the measures planned in the comprehensive programs are not carried out at all or are carried out formally.

## **CONCLUSIONS**

The peculiarities of preventive activities of the National Police are as follows: 1) to a certain extent, it is carried out by each employee of the National Police in the course of performing his official duties; 2) is implemented only within the limits of the powers granted by the legislation of Ukraine, by the permitted methods and means; 3) is carried out in the following main directions: identification of the causes and conditions that contributed to the commission of offenses affecting public order and public safety, stopping an offense that has already started, reducing or preventing its negative consequences, preventing the repeated commission of an offense by a person who previously committed a crime, or offense. It has been established that the purpose of preventive activities is to reduce the number of crimes that encroach on public order and public safety, to

prevent them from being repeated, to establish law and order in the relevant territory and in the state as a whole.

In accordance with the stated goal, the following tasks are performed by police bodies: 1) keeping records of offenses in the field of public order and public safety, systematizing their types and forming official statistical data on the number and types of administrative offenses committed; 2) disclosure of offenses and identification of persons guilty of their commission, application of measures of administrative influence to them; 3) identification of reasons and conditions that contributed to the commission of offenses in the field of public order and public safety and persons prone to their commission; 4) ensuring compliance with licensing requirements of certain types of economic activity and other requirements of the permit system; 5) exerting influence on persons inclined to commit offenses that encroach on public order and public safety, taking measures to correct them and prevent them from committing new offenses or crimes. The conducted analysis allows us to state that the prevention of offenses in the field of public order and public safety is based on certain principles, among which the following should be named: legality; humanism; publicity; democracy; science; differentiated approach; planning and forecasting; interaction and coordination of efforts of crime prevention entities; public condemnation of illegal behavior; predominance of methods of persuasion; adequacy of methods and means of prevention of the offense committed.

It is proposed to classify the principles of preventive activities of the National Police according to the following criteria: 1) depending on the level of legal regulation of the relevant principles: those enshrined in the Constitution of Ukraine; international legal acts; laws of Ukraine; 2) depending on the orientation of the principles and their impact on the effectiveness of preventive activities of the National Police: principles-guidelines – include almost all constitutional principles and international standards in which ideological prescriptions prevail; guidelines of a moral and ethical nature (equality, democracy, humanism, prioritization of the rights, freedoms and interests of a person and a citizen, etc.); principles-conditions – principles determining the conditions for the effectiveness and legality of preventive measures (rule of law, openness and publicity, political neutrality, etc.); action principles – principles that describe certain actions, the implementation of which is necessary to achieve a positive social effect (cooperation with the population on the basis of partnership, continuity, etc.).

## **SUMMARY**

The essence and features of the powers of the National Police regarding the prevention of offenses against public order and security have been

considered. It is difficult to exaggerate the importance of prevention, because the effectiveness of police bodies and services as a separate link of the law enforcement system of Ukraine largely depends on the quality and efficiency of their implementation, the primary mission of which is not the restoration of the already violated right and ensuring that those guilty of this are brought to justice (although this is an extremely important area of work the National Police), but the early detection of the possibility of committing illegal actions and its prevention, timely clarification and elimination of conditions and factors, which contribute to the commission of illegal behavior.

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