

# Basic principles of law enforcement agencies interaction with the public

## Основні принципи взаємодії правоохоронних органів із громадськістю

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### Key words:

*interaction, cooperation, law enforcement, law enforcement agencies, public, law and order.*

### Ключові слова:

*взаємодія, співпраця, правоохоронні органи, правоохоронні органи, громадськість, закон і порядок.*

Question on the interaction principles of law enforcement and the public is essential to the disclosure of the contents of the theory of law enforcement focused on support of the people. In the scientific papers there have been some attempts to formulate these principles. However, it should be noted that in general, this problem has not been thoroughly researched. Analysis of the authors in this regard, namely the analyses of interaction principles, indicates that they have a lot in common with the principles of management. This is not surprising, because they have a common goal: both management (administration) and interaction aim at coordinated functioning of the system.

From our point of view, the principles of law enforcement agencies interaction with the public should be divided into two groups, that is general and special interaction principles. Thus, general principles are of crucial nature, they reflect basic interaction patterns; provide harmony, balance and consistency within the process<sup>1</sup>. General interaction principles should include principles of scientism, legal ordering, legality, publicity and planning. Regarding interaction principles one should understand the basic concepts, regulations that represent the most significant basic features and signs of interaction. They cover characteristics typical to entire administrative system, not just to certain elements or levels, phenomena or processes.

To increase the effectiveness of law enforcement and public activity in the field of public safety and combating crime it is necessary to carry out systematic scientific analysis, to compile the interaction experience and develop practical recommendations on that basis. Public (community) organizations should focus not only on exercising direct law enforcement functions, but also on performing theoretical research in law enforcement sphere and developing new forms and methods of that activity.

The legal ordering principle objectively predetermines legislative definition of key objectives, functions and structures in interaction process.

The legality principle lies in absolute realization of laws and regulations by all interactive subjects in exercising their powers. Firstly, it is expressed in the requirement for all relations of interacting subjects (collective plan development, law enforcement activities) to meet legal instructions. Secondly, this principle presupposes common understanding and interpreting of regulations by the agencies of internal affairs and citizens performing law enforcement tasks.

The publicity principle of law enforcement agencies interaction with the public provides the link between public administration and the society, its citizens. This principle is based on the public administration accessibility for citizens; law enforcement agencies transparency; public control, also through the media; monitoring and control by courts and prosecutors. Foremost the publicity principle means broad and regular public informing about the activities of state law enforcement agencies; about the current situation in public order, which is conveyed by mandatory reports of law enforcement to the people; the availability of information about their activities; discussing key issues and decisions taken; and in informing the public about its law enforcement activity (forms and methods of work, information about detained offenders, changes in statutory documents, etc.). Secondly, it is public monitoring of law enforcement agencies on one side and departmental control of law

<sup>1</sup> Колпаков В.К. Взаимодействие милиции и общественности в сфере правопорядка : [учебное пособие] / В.К. Колпаков ; Украинская академия внутренних дел. – К. : Украинская академия внутренних дел, 1993. – 80 с.

enforcement agencies over law enforcement-oriented public organizations on the other. Third, the implementation of this principle also suggests involving locally elected officials (government officials, heads of private organizations, city administrations, leaders of political parties, etc.) in combating crime and preventing offences.

The planning principle is another principle of law enforcement agencies interaction with the public that implies using resources and interactive means system. The essence of planning law enforcement agencies interaction with the public is in determining common tasks for law enforcement agencies, public organizations and citizens that are not members of such organizations but exercise law enforcement functions in the period planned, taking into consideration rational force and methods usage of measures that ensure the implementation of the set tasks; and the timing of the planned activities and their performers. Planned actions should primarily address the most important issues in combating crime and securing public order. Achieving goals and tasks provided by the interaction plan involves proper training, the necessary forces, their correct location and use, attained by timely scheduling and notification of performers. The plans typically contains the following issues: a joint study of the causes and conditions conducive to offenses, making common proposals to eliminate the causes and conditions of offenses; teamwork with individuals prone to crime; organizational work in public places where offences are most frequently committed<sup>2</sup>.

Regarding specific principles, they are by nature derived, firstly, from the principles of the first group, which makes them specifying and supplementing; secondly, from the most general principles of administration (management). The reason is that the nature of any interaction is in the alignment and coordination of its subjects' efforts. Within the sphere of law enforcement agencies interaction with the public the special principles acquire relevant specifics. These include the principle of common interests; continuity; "key link"; "reserve"; mobility; optimal use of interacting elements' abilities; coordinated actions principle; the parity principle; principle of specialization; mutual assistance principle; and proportionate liability for the interaction consequences.

The continuity of law enforcement agencies interaction with the public in combating crime and securing public order is in constant coordinated activities performed by law enforcement agencies and the public having such functions. Organization of such interaction should never be considered as a short-term campaign designed only to solve a particular problem.

Any demonstration of social administration is a system, a complex of various interrelated problems. These problems are different in significance, place in the general chain of events, means and time of their solving. In this chain of events it is necessary to determine the key link, the main objective that allows solving the entire set of problems<sup>3</sup>. This requirement fully applies to activities in securing public order and combating crime that are carried out within the interaction between law enforcement agencies (militia) and the public.

The principle of "reserve" explains that interaction must be organized with a certain reserve of means and forces that would provide normal uninterrupted functioning of law enforcement agencies even if there is necessity to reinforce public order security during public cultural, political and sports events or riots, etc. The interaction will be effective only if its subjects ensure operating conditions under which the failure of any element will not cause termination of entire interaction.

Interaction means coordinated functioning of the subjects and therefore provides the best use of interacting elements' abilities.

Principle of coordinated actions is the focus of interaction mechanism. Its role becomes clear when very diversified in legal nature subjects interact, such as agencies of internal affairs and the public. Being self-sufficient representatives of the state and the public in interrelations, they have possibilities for independent self-organization and conducting law enforcement. In such state of affairs, despite the common goals and objectives, it is possible to achieve efficiency in law enforcement only when the subjects' actions are consistent, coordinated, and complementary. Coordination brings stable and comprehensive nature to the interaction of internal affairs agencies and public representatives; it ensures the best allocation of law enforcement, the unity of their strategic and technical plans in combating crime.

Public organizations focusing on law enforcement appear and function as a result of voluntary citizen association to meet their needs. Acting on a public basis, they usually use means that have non-legal (organizational)

<sup>2</sup> Атаманчук Г.В. Сущность советского государственного управления / Г.В. Атаманчук. – М. : Юридическая литература, 1980. – 256 с.

<sup>3</sup> Государственное управление: основы теории и организации : [учебник] / под ред. В.А. Козбаненко – М. : Статут, 2000. – 912 с.

nature for fulfilling their tasks. It should also be noted that public organizations (formations) dealing with public safety have a free choice of law enforcement specialization, forms and methods of such activity (except prohibited by law), but in registering the statutory documents and in everyday operational activities they are still under control of the Internal Affairs agencies.

The specialization principle signifies that a certain law enforcement oriented public organization or citizen must perform only specific tasks and duties regarding public safety and combating offences as provided by legal regulations. Available specialization regulated by legal regulations helps law enforcement agencies and public organizations to avoid overlapping and duplication in their law enforcement activities.

The mutual assistance principle is one of the most important conditions for successful cooperation between law enforcement agencies and the public in securing public order and combating offences. In particular, the systematic mutual information on the offences, joint activities implementation and so on, plays a very important role. Thus, law enforcement agencies should provide public organizations with information about the operational environment necessary for their law enforcement activities. Equally important is the assistance of law enforcement officers in special training of public organizations' members, teaching them form and methods of combating crime and securing public order.

It is clear that the practical application of these principles must take into account current political and economic situation of the state and society. Moreover, it is impossible to completely program and predict all consequences of social development as opposed to technology, since the designed model is being deformed in every case. However, the above stated interaction principles that are proved scientifically and verified in practice, should be a legible guide for all law enforcement officers and citizens performing law enforcement functions and combating crime.

The interaction principles of law enforcement agencies and the public under analysis are not comprehensive, their list is still to be continued and specified. After all, for disclosing the contents of interaction we have chosen only the nominating ones, and their review has helped to realize the purpose and nature of public law enforcement activity in the spheres of securing law and order and combating crimes.

### Summary

The basic principles of law enforcement agencies interaction with the public have been characterized. The role of the public in combating offences has been analyzed. The main guidelines and criteria for the organization of such interaction have been determined.

### Анотація

Охарактеризовано основні принципи взаємодії правоохоронних органів із громадськістю. Проаналізовано роль громадськості в боротьбі зі злочинами. Визначено основні принципи та критерії для організації такої взаємодії.

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