

# AREAS FOR ENSURING PUBLIC SAFETY AND ORDER AT THE REGIONAL LEVEL

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**Abstract.** *Theoretical approaches regarding the essence and specific features of the category of “areas of ensuring public safety and order at the regional level” have been summarized in the article, based on the analysis of scientific views of scholars. The author has carried out the analysis of the current legislation, the norms of which are aimed at regulating social relations arising in the sphere of ensuring public safety and order at the regional level. The key areas of ensuring public safety and order at the regional level have been highlighted and characterized. Methodology. The author of the article has used general scientific and special methods of scientific cognition, in particular: analytical method, method of documentary analysis, structural and logical, systematic and functional methods, etc. Results. It has been argued that the key purpose of the activity of authorized entities in the direction of ensuring public safety and order during mass events is, first of all, to sanction such events; and, secondly, to prevent the occurrence of mass riots and their timely termination. It has been proved that the determinants of crime, i.e., the phenomena that exert the greatest pressure on public safety and order within the regions, include: low social level of the population, which causes street crime, illegal trafficking of drugs and weapons. Each of the specified factors has a high degree of social danger, therefore it is the object of special attention of specially authorized entities. It has been noted that the provision of personnel potential is a vital area that allows establishing high-quality, correctly oriented work in the middle of the system of each entity for ensuring public safety and order within the regions. It has been summarized that ensuring public safety and order at the regional level is a broad object of scientific research. The formation of scientific concepts about the content and essence of this field will allow to develop theoretical models for improving the work of authorized entities and, as a result, to increase the level of safety at the local level.*

**Key words:** *public safety, public order, regional level, areas, legal regulation.*

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## 1. Introduction

Ensuring public safety and order in the current conditions is one of the most important issues for the domestic legislators and scholars, and this problem is especially acute at the regional level. At the same time, it is worth noting that the activity of the authorized entities in supporting and ensuring public safety and public order on the territory of our state in general and each individual region, in particular, is not chaotic. Such work systematically takes place and has a clearly structured form and is implemented in certain areas. Scientific study and coverage of the latter allows to understand the existing “logic” of the security mechanism at the regional level and to work out the possibility of its qualitative improvement and increase in efficiency.

## 2. Research methodology

The methodological basis of the article is a set of general and special methods of scientific cognition. Thus, the analytical method was used in order to summarize the scientific opinions of scholars who researched the issues of ensuring public safety areas. The method of documentary analysis was used in order to characterize the norms of the current legislation, which enshrines the legal principles of pub-

lic safety and order at the regional level. Structural and logical, systematic and functional methods were used in order to single out areas for ensuring public safety and order at the regional level. A number of other methods were used in the process of preparing the scientific research. Their application made it possible to comprehensively approach the purpose of the presented scientific research.

## 3. Results

We note that the word “areas” has the following definition: the path of activity, development of someone, something; the orientation of an action, phenomenon [1, p. 268; 2, p. 783]. According to dictionary definitions, the term of area characterizes the orientation of an object, that is, a specific or conditional final place of its movement or the goal of an activity. The areas of ensuring public safety and order did not receive proper evaluation, but the latter varieties were distinguished by many scholars. For example, O.V. Bratchenko by analyzing the provision of public safety and order in Ukraine in the whole, as well as the content of public administration in this sphere, proves that the main areas in both cases are: 1) orientation of the system for ensuring public safety and order (formation of the state policy in this area; creation of appropriate regu-

latory legal framework, improvement of the organizational structure; generalization of the practice of applying administrative legislation in this area; approval of strategic action programs, approval of action plans, etc.); 2) provision of the system (complex personnel, financial, logistical, technical, informational and other provision of vital activities of the components (structural elements) of the system; decision-making on incentives and prosecution; preparation of forces and means; formation of a database (banks of data), etc.); 3) operational management of the system (constant monitoring of the impact on public safety and order; forecasting of changes and potential threats; distribution of responsibilities, etc.); 4) external and organizational support of the system (implementation of informational interaction with other state authorities of Ukraine, law enforcement agencies of foreign countries and international organizations; formation of interdepartmental groups, etc.); 5) public reporting and external control (organization of introducing statistical and other information reporting on the situation of ensuring public safety and order, etc.) [3, p.129–130; 4, p.91].

However, not every scholar reveals the areas for ensuring public safety and order in general, within the boundaries of the entire state and the work of the state apparatus in the whole. Some scholars pay attention to the content of these areas in the context of the work of certain departments. For example, having analyzed specific features of ensuring public safety and order in the context of the work of police agencies, A.V. Dolynnyi singled out the following areas: 1) ensuring personal safety of citizens; 2) protection of public order and provision of public safety; 3) protection of property from illegal encroachments; 4) prevention and termination of crimes and administrative offenses; 5) detection of crimes, where preliminary investigation is optional; 6) proceedings in cases on administrative offenses; 7) provision of assistance to citizens, officials, enterprises, institutions, organizations and public associations in exercising their rights and legitimate interests [4, p.90]. S.S. Vitvitskyi and A.M. Zakharchenko share this point of view, but pay attention to only one area of ensuring public safety and order by the police – community policing. In this regard, scholars note: “One of the factors affecting the state of public safety and order in settlements is the degree of interaction of the National Police agencies and units with local self-government agencies representing the respective territorial communities. The creation of favorable conditions for the joint resolution of tasks in the field of ensuring public safety and order by these agencies, taking into account the specifics of regions and the needs of territorial communities, largely depends on the presence of an appropriate legal basis for such relations” [5, p.80].

Thus, the above confirms the integrity and complexity of ensuring public safety and order, in particular at the regional level. At the same time, we do not agree with the majority of scholars who emphasize the

priority of a single area. In our opinion, ensuring public safety and order in the country and at the regional level, in particular, should be aimed at several areas at once. Therefore, we included the following as areas of ensuring public safety and order at the regional level:

1. Ensuring public safety and order during mass events. This area is the most dangerous one, where violations of public safety and order can occur in a fairly short time and have uncontrolled consequences. Mass event is one of the most popular ways for society to express its position, especially after the events of the Revolution of Dignity in 2014. Besides, mass events are possible during national holidays or other significant events for society that lead to the concentration of a large number of people in a certain area, for example, football matches.

The key purpose of authorized entities in the aspect of ensuring public safety and order during mass events is, first of all, to sanction such events, and, secondly, to prevent the occurrence of mass riots and their timely termination. The latter have a particularly negative nature and can lead to significant socially dangerous consequences.

1. The second area of ensuring public safety and order at the regional level is combating the determinants of crime. The determinants of crime, i.e., the phenomena that exert the greatest pressure on public safety and order within the regions, include: low social level of the population, which causes street crime, illegal trafficking in drugs and weapons. Each of the mentioned factors has a high degree of social danger, therefore is the object of attention of specially authorized entities.

Street crime, illegal trafficking in drugs and firearms are destructive administrative and criminally punishable acts that have the highest degree of massiveness, because they involve both a large number of perpetrators of illegal actions and victims of their negative impact. In addition, street crime, illegal trafficking in weapons and drugs are closely intertwined with each other and in most cases are mutually determining. Thus, for example, the increase in the number of people who use narcotic substances leads to the devaluation of the moral guidelines of the country's population and, as a result, to a change in the awareness of the boundaries of the individual, due to which we get an increase in mass, street crime. A similar situation arises in the aspect of uncontrolled or out of bounds, illegal circulation of weapons, ammunition and explosives.

2. The essence of the third area is related to ensuring public safety and order in the regions under the martial law. Its legal status is established by the Law of Ukraine “On the Legal Regime of the Martial Law” dated from May 12, 2015 No. 389-VIII, according to the text of which it is a special legal regime introduced in Ukraine or in some of its localities in case of armed aggression or threat of attack, danger to the state independence of Ukraine, its territorial integrity and provides for granting necessary powers to the relevant agencies of state authorities,

military command, military administrations and local self-government agencies to avert the threat, repel armed aggression and ensure national security, eliminate the threat of danger to the state independence of Ukraine, its territorial integrity, as well as a temporary restriction of the constitutional rights and freedoms of a person and a citizen, as well as the rights and legal interests of legal entities indicating the period of validity of such restrictions [6].

Temporary state authorities - military administrations can be formed on the territories, where the martial law has been introduced, in order to ensure the operation of the Constitution and laws of Ukraine, to ensure together with the military command the introduction and implementation of measures of the legal regime of the martial law, defense, civil protection, public safety and order, protection of critical infrastructure, protection of the rights, freedoms and legitimate interests of citizens [6].

The introduction of the martial law makes it possible to implement additional restrictive measures within the regions, including those aimed at maintaining a high level of public safety and order, for example: a) to establish (strengthen) protection of critical infrastructure facilities and facilities that ensure the vital activities of the population and to introduce a special mode of their operation; b) to introduce a curfew in accordance with the procedure determined by the Cabinet of Ministers of Ukraine (prohibition of being on the streets and other public places during a certain period of the day without specially issued passes and certificates), as well as to establish a special light masking regime; c) to establish a special entry and exit regime, limit the freedom of movement of citizens, foreigners and stateless persons, as well as the movement of vehicles, in accordance with the procedure determined by the Cabinet of Ministers of Ukraine; d) to check the persons IDs, and if necessary to conduct an inspection of personal things, vehicles, baggage and cargo, office premises and residences of citizens, with the exception of the restrictions established by the Constitution of Ukraine, in accordance with the procedure determined by the Cabinet of Ministers of Ukraine; e) to prohibit the trade in weapons, powerful chemical and poisonous substances, as well as alcoholic beverages and substances produced on an alcohol basis, etc., in accordance with the procedure determined by the Cabinet of Ministers of Ukraine [6].

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3. The fourth area of ensuring public safety and order at the regional level, which, in our opinion, should be highlighted, is the formation of an effective personnel system of law enforcement agencies and other state authorities. It should be understood that personnel is the main (full-time) staff of qualified employees of enterprises who have undergone professional training and have special education [7, p.20; 8, p. 78; 9, pp. 12-13]. Therefore, the effectiveness of the entities of ensuring public safety and order at the regional level directly depends on the personnel and their level of qualification, the availability of the necessary skills and abilities, since it is the personnel, employees of these entities who implement their powers, tasks and functions, i.e., activate the administrative and legal status. It is the reason that the provision of personnel potential is a vital direction that allows establishing a high-quality, properly oriented work in the middle of the system of each entity of ensuring public safety and order within the regions.

4. The last, fifth area is scientific support for the sector of public safety and order. Science is a system of knowledge obtained in the process of cognitive activity, which reveals the essence of the phenomena of the surrounding world, the patterns of their existence, benefits for each individual person and society in the whole, mechanisms of interaction among themselves, etc. Besides, science allows not only to understand the current state of affairs, but also to formulate theoretical directions for the development of a certain area and practical steps to achieve them.

Ensuring public safety and order at the regional level is a broad object of scientific research. The formation of scientific concepts about the content and essence of this field will make it possible to develop theoretical models for improving the work of authorized entities and, as a result, to increase the level of security at the local level.

## 4. Conclusion

Thus, this is how, in our opinion, the areas of ensuring public safety and order at the regional level look like, which give relations in this area a certain model outline. Of course, this is only one of the possible theoretical positions, however, its logic and correctness is proved by the provisions of the current legislation of Ukraine in the field of regional security and the absence of alternative points of view regarding this issue.

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