



*Bogatirev I.*

*director of department of criminal disciplines  
of Dnepropetrovsk state university  
of internal affairs (Ukraine)  
doctor of law sciences, professor*

## THE MODERN APPROACHES TO THE PERSONNEL OF THE PENAL SYSTEM OF UKRAINE

Statement of a problem. Health improvement of Ukrainian society is impossible without the decision of problems of reformation of Government criminally executive service of Ukraine on maintenance of which today are 137,3 thousand persons only in the places of imprisonment. Ukraine, aiming to become the valuable member of the European concord, spares large attention to reformation of criminal executive service. By its major factor of efficiency of reformation, modernization, approaching to the European and world standards of activity of any industry, including law-enforcement, there are people which work in it.

It is necessary to mark that consideration of this question is very important, the ways of its decision lie in two planes: in quantitative and high-quality. But we have to acknowledge that quantitative and high-quality skilled potential of the system not in full satisfies the modern requirements of implementation of criminal punishments.

At first, there is a permanent outflow of workers from the system, as prestige of profes-

sion is very low, in fact the work with convicted does not have big moral or financial personal interest. Appropriately, that establishment of implementation of punishments for the morally spiritual atmosphere of personality not the best variant. And for every ordinary citizen the words of workers of establishments of implementation of punishments are clear that while they provide task given by the state of the isolation of criminals, actually depart punishments together with them.

The workers of establishments of implementation of punishments maintain the considerable moral and physical loadings daily. Majority from them has the unrationed working day, week, often without days off, double workload, as it is necessary to "recover" temporary vacant unfilled positions.

Secondly, considerable part of workings in establishments of criminal executive service does not answer professional needs curtailed by modern international standards in relation to retaining of convicted, education and hi-tech production. A worker and, certainly, convicted suf-

fers most from it. And advancement is consequently brake d in reformation of criminally executive service of Ukraine.

Decision of quantitative aspect skilled, that is staff, providing in a greater degree depends on financing of Government criminally executive service. It is needed to untie such questions:

1) make alteration in the regular quantity of establishments of implementation of punishments, which will foresee the update of functional duties of personnel with the purpose of improvement of socially psychological and educate work with convicted (above all things is increase of amount of practical psychologists; to the personnel of department of supervision and safety with accent on an educate work);

2) provide deserving and even prestige pay, social defense and guarantees, to interest and engage in work the necessary for establishments amount of highly educated workers morally, physically and socially healthy.

Public and state lays on the personnel of organs and establishments of implementation of punishments special expectations and puts important requirements - corrections and resocialization of persons which committed a crime. From practice of work with convicted it is known, that majority from them are "waste" of education in families, schools, societies, district inspectors. Thus, on establishments implementation of punishments is laid over a task - to change a world view and conduct of criminal. But society does not properly estimate these professional roles.

Low prestige of profession of worker of Criminally executive service of Ukraine results that a man only as a last resort, goes to work in establishment, often does not stay too long and abandoned work, above all things it touches young people. Not second-rate factor is proper housing by sanatorium-and-spa treatment and other social guarantees.

An important constituent in this context is development of complex ways of forming of proof professional motivation, development of new stimuli of professional career, personal interest, in conscientious implementation of official duties, in the first place at the level separate establishment. Not accenting attention only on wage incentives, from a man which works in criminal executive service, also a lot depends on forming of idea in society about prestige of this profession.

For this purpose it is necessary to improve a psychological selection, with complete research of social and professional important qualities of personality which select on service. More wide possibilities and plenary powers in this direction must have college of professional preparation of workers of criminal executive service (what in all Ukraine are two, Bilocerkiwske and Dniprodzerzhinske, functional setting of which answers establishments of post-graduate education).

Always, in all times, work with a personnel was considered the "visiting-card" of any organization or department. And in relation to organs and establishments of implementation of punishments - a requirement is unique here: a personnel must be the persons of the state and deservingly to present it on all levels. Exactly on this postulate a skilled policy, task of which to prepare and educate a personnel, and also decide all complex of problem questions of, which accompanies work with him, must be built.

Work on selection must be provided in a complex and can not depend exceptionally upon a skilled vehicle. Creation practically in all establishments of community groups of staff, in the complement of which the most experimental and capable workers are reckoned shows that the indicated groups work for all directions, - with soldiery commissariats, educational establishments, centers of employment of population, etc. The registration lists of persons which are exempt on

completion of term of service from rows Military of Ukraine are carefully worked off. Such work, especially taking into account modern requirements to the candidates, very volume and laborious.

The analysis of activity of organs and establishments of implementation of punishments is conducted by us testifies that from ten possible candidates on service only seven fit to establishments on questions of registration and reception on service. And not fact, that everyone will be taken on service. At a reception on service advantage gets candidates which have complete higher education of humanitarian type, notably lawyers, teachers, psychologists.

At the same time, taking into account specific of service of attendance centers, there are problem questions of adaptation character of young specialists which arrive from educational establishments of Department and specialists of civil higher institutes. The key moment of skilled policy in the conditions of reformation of Government criminal executive service is fixing of young specialists, and their social defense, notably:

- housing - the sorest subject for today,
- a grant of places a young seed is in pre-school with favorable payment;
- privileges on payment of public utilities;
- vagueness of normative base on the pension providing of workers which do not have the special ranks, that all of those constituents which are so needed for becoming of young specialist and psychologically valuable execution of service;
- status of workers which do not have the special ranks in criminal executive service for today does not certain. The question of their payment of labour is not well-regulated, so fluidity of staff of this link is the greatest;
- at the same time payment of labor during the first five years of service for an ordinary

junior and middle chief composition, remains low and depends on experience for a time-in-service, payment of raises is carried out not in full through the insufficient financing;

- absence of higher educational establishments which can prepare different-type specialists for the criminally run-time system;
- at presence of plenty of professional illnesses medical establishments of the criminally run-time system absent for today, and also does not have sanatorium-and-spa establishments;
- does not have a certain at state level professional holiday which will not popularize the criminally run-time system and does not do it attractive.

Middle pay for indicated categories:

- for the workers of criminal executive inspection - 1300-1500 hryvnias;
- for a manufacturing staff and workers of the municipal providing (not civil servants) - 900-1000 hryvnias.

For the decision of question of pension, cash and financial cover it is necessary to equate this category of personnel with status of civil servant, to develop the program of the skilled providing of workers with status of civil servant and do service attractive for them. Important direction of the skilled providing of organs and establishments of implementation of punishments is employment and fixing of young specialists - graduating students of educational establishments which prepare specialists for the criminally run-time system.

Conducted analysis of fixing of graduating students in criminal executive service showed that only 60% from them, unfortunately, remain to work in organs and establishments of implementation of punishments. Principal reasons of liberation of young specialists on service or passing to other ministries (departments) are:

- professional sifting out, that those persons which are not able by virtue of the personal

qualities to carry out the professional duties laid on them abandon the system;

- problem social and communally domestic providing. To many it will be to lease habitation graduating students (from another city) for the personal funds. Work from the side of guidance of regional managements, chiefs of establishments, in relation to fixing of graduating students and creation for them of necessary domestic terms is not proper;

- insufficient educate and vocational guidance work with students, students of final courses, from the side of course link, teaching staff, in general guidance of educational establishments;

- in educational establishments not in a sufficient measure teach students necessary practical skills.

On a present tense service in the criminal run-time system is not prestige. Nobody of young people dreams about the career of worker of establishment of implementation of punishments. As an example, want to point, that in Tsar's Russia on one is disengaged the place of supervisor applied 300 persons, through a substantial by then pay.

Professional preparation of ordinary and chief composition - it is a organized process on a capture of knowledge by the special abilities and skills, necessary for successful implementation of official tasks. The system of professional preparation includes the basic organizational types of studies: primary preparation; in-plant training; internship; official preparation at the place of service; studies in institutes; independent preparation.

Professional preparation of personnel is carried out in department educational establishments, in educational establishments of other ministries and departments and at the place of passing of service. Course studies from primary preparation and in-plant of persons of ordinary and chief composition training are carried out in Chernigov legal college of Department,

Bilocerkiwske and Dniprodzerzhinske colleges of professional preparation of workers of the criminally run-time system.

Preparation of specialists with higher education is carried out at Yaroslav the Wise National legal academy of Ukraine, Karazin Kharkov national university and Chernigov legal college of the State department of Ukraine on questions of implementation of punishments.

The Chernigov legal college of Department is the unique department educational establishment, which carries out preparation of specialists with higher education with educationally qualifying level "junior specialist", "bachelor", with specialty "Law-enforcement activity".

On the faculty of preparation of specialists for the criminally run-time system (№9) of Yaroslav the Wise National legal academy of Ukraine is carried out preparation of legists with educationally qualifying level "specialist"

At Karazin Kharkov national university preparation of specialists for criminal executive service begun in 2002 and is conducted after directions "Psychology", "Social work".

The increase of level of professional preparedness of workers at the place of passing of service is carried out by organization and conducting of employments from official and battle preparation, by acceptance of annual final tests, creation of terms, for a self-education.

Our analysis of passing of studies by workers of organs and establishments of implementation of punishments shows about negative tendency of not enough high-quality selection of staff on service in organs and establishments of implementation of punishments. Revealed repeated cases when listeners which were deducted from educational establishments of Department for gross violations of discipline with some time again sent the territorial managements of Department on studies.

It should be noted that among deducted because of negative reasons and attracted to disciplinary responsibility the listeners about 90% junior inspectors of departments of supervision and safety, it is one time and category, where lately is tendency of growth of fluidity of staff.

In addition, absence of modern psychological-pedagogic conception of forming of professional competence of personnel, substantially influences on such factors as: legal culture, professional deformation of employees of establishments of implementation of punishments. Realize given task and realizing responsibility for people which work in the system, for example the pedagogical collective of Bilocerkiivsky college of Vocational Training Worker Penal Enforcement System came forward with initiative to form the separate cycle of psychological-pedagogic preparation in college. Certainly, it is impossible to forget about providing of due, modern, level of the legal, professional, specialized (aesthetically beautifully ethics, physical, computer-informative) and official preparation.

Intensive changes which take place in our country and in criminal executive service, force everyone participating to professional preparation workers of criminally executive service, make new look at quality of professionalism of employees, their preparation and in-plant in educational establishments of the system training.

New legislation, active social transformations, expansions of international connections, that directed on strengthening of democracies ; supremacies of right, development of market economy strengthening of role of public and pub-

lic inspection, after activity of state institutions, require differently work and think.

Foregoing allows us to draw a conclusion, that preparation of specialist for work in a penal sphere it is impossible to consider logically completed, if he will not realize importance of role of criminally executive service for society. Work with convicted, which depart punishment, returning of them, to society as competent and useful citizens, is the task of the special setting.

Literature:

1. *Азгальдов Г. Г., Азгальдова Л. А.* Количественная оценка качества. - М.: Изд-во стандартов, 1971. - 176 с.
2. *Богатирьов І. Г.* Особливості підготовки фахівців для пенітенціарної системи України / І.Г. Богатирьов // Вища школа: Наук.-практ. видання - 2002. - № 2-3. - С. 65-72.
3. *Богатирьова О. І.* Кадрове забезпечення діяльності кримінально-виконавчої інспекції / О.І. Богатирьова // Південноукраїнський правничий часопис. - 2007. - №3. - С. 160-162.
4. *Галай А. О.* Організаційно - правові засади формування та функціонування персоналу установ виконання покарань: Автореф. дис... канд. юрид наук, 2004. - 19 с.
5. *Кримінально-виконавчий кодекс України: Офіційне видання* - К.: Атіка, 2003. - 96 с.
6. *Львович В. А.* Актуальні проблеми реформування кримінально-виконавчої системи України / В.А. Львович // Соціальна політика і соціальна робота. - 2002. - № 1-2. - С. 6-18.