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Public Control and Crime Prevention: Interaction at the State and Regional Levels

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Abstract

The study aimed to analyse the interaction between civil society and the government in combating crime at the national and regional levels. The research was conducted using the comparative legal method, formal legal method, legal modelling method, and statistical method. The study's main conclusion was that at the present stage, any rule-of-law democratic state's decisions should consider public opinion and the position of civil society. The state should ensure the responsibility of those responsible for such decisions, including using public control instruments. The article also reveals practical approaches to implementing public control in Ukraine. The study concludes that decentralisation of the law enforcement system of the internal affairs bodies guarantees stable political, social and economic development of the country, provided that the state and society interact and society exercises public control in combating crime. In the future, scientific research may study the forms, methods, and means of implementing the interaction between society and the state in tackling crime.

Keywords: public control, civil society, political parties, governance mechanisms, public authorities, regions.

Introduction

Statistics reveal a significant trend in recent decades, particularly in the pre-war period, showing a decline in the number of proceedings registered and subsequently brought to court in Ukraine and a decrease in severe punishments. This trend was primarily driven by the active involvement of society in the fight against crime. For instance, the number of registered proceedings decreased from

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563558 in 2013 to 321443 in 2021; the number of proceedings sent to court decreased from 212436 in 2013 to 156695 in 2021; the number of convicted persons decreased from 122973 in 2013 to 64079 in 2021 (Karchevskyi, 2022; Hora et al., 2023).

Currently, countries across the globe are grappling with the necessity to construct societies through bottom-up global governance. This need arises from the fundamental norms of governance and fundamental norms themselves. The former encompasses the rule of law, human rights and democracy, while the latter includes various forms of justice: climate justice, gender justice or intergenerational justice (Wiener, 2022).

In this way, as Kövér (2021) rightly notes, a horizontally connected network of trust and cooperation between society and the state is built. According to Zhang and Lee (2020), modern states are distinguished by the breadth and depth of public administration of private affairs, and this aspect of the functions of the state and state power is directly based on frequent interactions between the state and the population it seeks to control. According to Annavarapu and Levenson (2021), how the interaction between people and the state is reflected in society, how they are interconnected and how constructive their interaction is affects the way citizens see the state and its strategic decisions regarding them, as well as the fulfilment of its daily obligations.

In their scientific work, Dulong de Rosnay and Stalder (2020) reflect on the essence of the interaction between the state and its citizens. They note the unity of holistic social institutions for resource management through interrelated legal, socio-cultural, economic, and institutional aspects. Elim and Zhai (2020) also note that the relationship between the system of governance of society by the state and its feedback can be easily formulated in a matrix system so that the whole picture of such multitasking interactions becomes obvious.

Narvaez Rojas et al. (2021) state that the purpose of a democratic state is to create a social framework in which every person can develop their value at any time, in a safe environment and under natural conditions, without any restrictions such as those that exist today.

In his scientific work, Sivertsen and Meijer (2019) note that the sphere of interest of modern scholars should include new types of interaction between the state and society. However, the assessment of their level and study of their forms remains beyond the proper attention of theorists despite the practical need for this (Bondarenko et al., 2021). In addition, we should agree that the most damaging factors affecting the interaction between society and the state are corruption and organised crime, which cause poverty and general economic decline, accompanied by social discontent arising from the population's dissatisfaction with democratic

development reforms, a decrease in the efficiency of the state authorities, and minimisation of public trust in law enforcement agencies and the civil service (Muharremi & Ademi, 2023). Similarly, such disruptions in public-state interaction can provoke a sense of insecurity, moral panic, a wave of violence, and fear of crime (Danieli & Paz García, 2020).

Literature Review

The academic community has not sufficiently studied the issue of involving citizens from the regions in civic activity and the forms of their cooperation with the state at the local level. In addition, the problem of developing instruments of public control over the activities of the judicial and legislative branches of power and a more detailed study of public control in the crime prevention field requires a separate study (Omelchuk et al., 2022). This issue is relevant, as there are currently various artificial obstacles to objective public monitoring of crime prevention, including those committed by convicts in closed institutions (Garasim, 2023).

Nestor (2019) notes that as the levers and means of protection against abuse of state power are developing, spreading, and increasing in number, the nature and purpose of the state in society are transforming. The public plays a significant role, as do various activity elements in the control and supervision aspect. Braga et al. (2019) think that community policing aims to solve problems and reduce crime, but aggressive approaches will not reduce crime.

At the same time, according to Choi et al. (2019), in South Korea, despite the absence of a direct impact of media consumption on trust in the police, crimerelated media consumption is significantly and negatively related to public confidence in the police due to perceived impoliteness and fear of crime. Therefore, the police should continuously develop strategies to improve communication with the public.

Rezvani and Sadra (2019) state that fear of crime is particularly pressing for urban communities. It has influenced the discontent of cities and their residents, and many factors have created and exacerbated it. Fear of crime is an important issue that reduces access to public spaces and limits interaction with these places.

Alberti et al. (2022) note that a significant decrease in property crimes that occur in public places is typical for amalgamated municipalities. According to the researcher, this can be explained by the fact that the latter is receiving more projects to improve urban infrastructure, which, in turn, makes public spaces safer for citizens. In addition, we agree with the opinion of Basilio and Pereira (2020)

that police strategies are aimed at solving specific crimes rather than engaging with the public and preventing crime.

Schrader (2019) claims that most countries' law enforcement systems are changing at the present stage. For example, regardless of their role in the fight against crime, the police in the United States have become entrepreneurial and resistant to budgetary savings. In addition, as Premkumar (2020) notes, after a wave of protests caused by high-profile incidents of police use of force, scholars have again focused on studying whether public scrutiny affects police behaviour, also known as the Ferguson effect.

As Premkumar (2020) summarises in his research paper, police killings in the United States have generated significant public attention, police officers have reduced their efforts, and crime has increased. It is worth noting that politicians have often used public opinion to impede positive transformations in society. However, it is essential for the further development of society and its functioning to understand how and why political actors use sources of public opinion on various areas of citizens' lives: crime, justice, popularity of punishment and positions on implemented reforms (Drakulich, 2022).

Pickett (2019) and Gryshchenko (2016) proved the influence of public opinion on judicial decision-making, policy and application of the death penalty, correctional costs and prison population and provided several factors that explain changes in public support for crime punishment policies. The importance of public opinion is also emphasised by Machado and Silva (2019), who note that knowledge of public opinion on forensic DNA examination used in the criminal sphere is socially valuable for practitioners and policymakers.

According to Karstedt and Endtricht (2022), the indicators of crime concern and punitive attitudes among the public in the EU are the "severity of crime" (crime as the most critical problem). According to Bethencourt (2022), societies with high income and less social inequality are associated with lower levels of economic crime and better governmental crime control programmes.

A similar position is supported by Malone and Dammert (2020), who notes that over the past two decades, most Latin American countries have tried to create or reform their police forces towards community-oriented policing, which relies on preventive tactics and builds closer ties between police and the public. The scholar points out that implementing such policing practices can be challenging, especially for countries with a history of authoritarian policing and/or military repression.

According to Spiller and L'Hoiry (2019), online platforms allow the public to support police tasks and work outside the police and beyond. According to Berryessa and Caplan (2020), community policing is an effective crime

prevention strategy; it actively helps to organise the community to cooperate with the police in this area and plays a vital role in the implementation of community participation in crime awareness campaigns organised by the police (Zikhali, 2019). The researcher claims that the general public, as consumers of information about crime and public safety risks, processes and makes decisions about it.

Objectives of the study

Accordingly, the study aims to identify the main aspects of interaction between the state and society at different levels in combating crime. Objectives of the study are:

- 1. to determine general trends and forms of public control in foreign countries;
- 2. to identify the constituent elements of the system of public control in combating crime at the state and regional levels;
- 3. to determine the characteristics, common features and differences of the system of public control in combating crime at the state and regional levels;
- 4. to reveal practical approaches to implementing public control at Ukraine's state and regional levels.

Materials and Methods

The research procedure

It was conducted in stages to achieve the study's goal and objectives. A separate task was implemented at each stage to substantiate the hypothesis that public control at the state level is represented by the system of law enforcement agencies of Ukraine and at the local, regional level - by local self-government bodies within the limits of their powers provided for by the current legislation.

The research procedure is divided into 3 independent stages: preparatory, main and final. At the preparatory stage, the author selected and analysed relevant works by scholars from the EU and Ukraine in 2019-2023, which were devoted to the study of the forms of activity of local self-government bodies in the field of combating crime, as well as the correlation between the powers of law enforcement agencies and local self-government bodies to ensure law and order, protection of citizens' rights and freedoms. At the main stage of the study, the author outlined the provisions to substantiate the research hypothesis, analysed the current legislation of Ukraine regulating the activities of local self-government and law enforcement agencies, compared the scope of their powers in the field of crime prevention and determined the mechanism of state control over this type of activity of local self-government bodies. At the final stage, the results of the study

were compared with the conclusions drawn by scholars in the analysed scientific works.

Research methods

The author uses comparative legal and statistical data to determine the reasons for the emergence and spread of crime and the consequences of this negative phenomenon for society and the State in Ukraine and the world.

The author uses the formal legal method to study and analyse the forms and methods of interaction between society and the state in combating crime.

The modelling method was used to identify the structural elements of the public control system and build a model of interaction between the state and society in combating crime.

The statistical method was used to characterise the results of the implementation of practical approaches to public control.

Sample

For the study, scientific papers relevant to the research topic for 2019-2024 were selected for analysis using the search systems ScienceDirect and Mendeley. The following keywords were used in choosing scientific papers: public control, crime, the interaction between society and law enforcement agencies, local governments, and preventive measures. The search criteria were met by 33 scientific papers, 4 written by Ukrainian scholars and 29 by foreign researchers. The geographical selection of these papers was due to the need to compare the existing forms of interaction between the state and society in Ukraine in combating crime with similar experiences of countries with established democratic traditions to identify their positive experience with the potential for its application in Ukraine.

For the statistical analysis, we used secondary data available in the public domain on Ukrainians' level of trust in security and law enforcement agencies and the Corruption Perception Index.

Results

The essence and structure of public control

Throughout human civilisation, society's attitude to punishment has changed; new goals have been set, and new ways of achieving them have been developed and put into practice. Therefore, the study used a formal legal approach to determine the historical genesis of interaction between society and the state in combating crime. Since all modern States clearly define in law the socially beneficial purposes of criminal punishment and its execution, the author uses the

formal legal method to specify the general globalisation processes inherent in most democratic States about the mechanisms of combating crime.

In general, social control is implemented through the establishment of relevant values and norms of behaviour, ensuring the transmission and assimilation of the latter by all individuals, encouragement for compliance with the standards, and vice versa, condemnation for their violation, as well as the implementation of measures to prevent undesirable forms of behaviour. Crime control, as one of the types of social control, is a set of means and methods of society's influence on criminal behaviour to minimise it and, ideally, to eliminate it.

Public control system

Public control system in combating crime at the state and regional levels consists of the following elements (Table 1):

Table 1. The public control system in tackling crime

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Element name	Element content
Decriminalisation of criminal	Decriminalisation of minor offences that are
acts	civil, administrative or disciplinary delicts
Establishing institutions of	Control by representatives of the public over
formal public control over	the activities of the police, prosecutors, courts,
crime and defining the	and penitentiary authorities, including the
procedure for their operation	entire penitentiary system
Relevant activities of state institutions and officials	Activities of these institutions and individuals aimed at detecting crimes, exposing the perpetrators, imposing punishment, and executing sentences.
Relevant activities of non- governmental institutions, organisations and individuals in the area of informal crime control	Activities are carried out in the family, school, university, and workplace.
Activities of institutions, agencies, officials, and NGOs at the regional and national level	Activities of the following institutions and persons whose primary function is crime prevention.

^{*}developed by the author

Public control in the field of combating crime at the state and regional levels can be defined in a broad sense as a mechanism of self-organisation (self-regulation) and self-preservation of society by establishing and maintaining a specific normative order in it, as well as eliminating, neutralising, minimising deviant behaviour that violates the societal norms.

Practical approaches

In the context of the topic under study, it is advisable to consider such an approach as Community policing. Community policing envisages community-oriented law enforcement and direct participation of the community in law enforcement. Under this approach, the police and the community are jointly responsible for security, and the police respond to the needs and requirements identified by the community (Ukrainian Helsinki Union for Human Rights, 2023).

To date, the foundations of the Community Policing approach are outlined in the Law of Ukraine "On the National Police". At the same time, there is no comprehensive regulatory framework for Community policing. However, since 2022, the Ministry of Internal Affairs of Ukraine and *the Ministry* for *Communities, Territories* and Infrastructure *Development* of Ukraine have begun to develop the National Concept "Safe Community".

It is worth noting that the above concept is fundamental in times of war. To ensure security, responsible community authorities should provide adequate emergency materials (building materials, food, necessities, etc.). In addition, the community should ensure that public services can be provided in safe locations. The activities of the community police officer, volunteer fire brigades, and other community groups are essential in the context of security.

The effectiveness of the above initiatives and approaches can be nullified if there is no proper trust between the community and law enforcement agencies. For example, the Law on the National Police states that the main criterion for assessing the effectiveness of the national police is the level of public trust. Figure 1 shows the dynamics of the confidence level of the police in Ukraine.

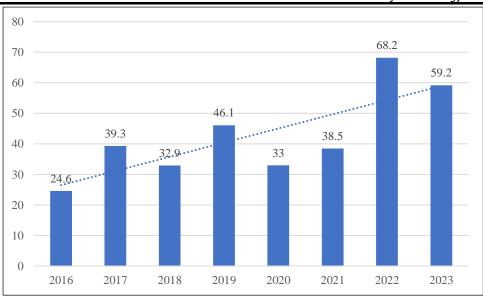


Figure 1. Dynamics of the level of trust in the police in Ukraine in 2016-2023 (compiled by the author based on data from Slovo i Dilo (2023))

Independent sociological services assess the indicators shown in Figure 1 in a particular order. Given its dynamics, the indicator increased significantly after the full-scale invasion in 2022, although it experienced a slight decline in 2023. However, the indicator remains relatively high (almost 60%), which forms a favourable basis for further development of the Community Policing concept and increasing the effectiveness of public control at the regional level.

The practical implementation of public control at the state level in war is even more challenging. One of the most critical areas where public oversight at the state level can be implemented is preventing corruption. The Corruption Perception Index shows the public's perception of corruption in the public sector (Figure 2).

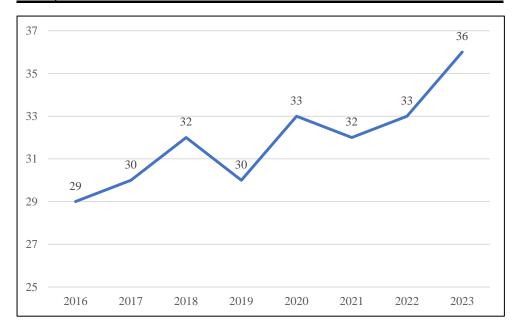


Figure 2. Corruption Perception Index (Ukraine) (compiled by the author according to Transparency International (2023))

As can be seen from the Figure, the index increased significantly in 2023. This might be due to increased public attention to the problem of corruption at the state level, unwillingness to tolerate corruption, and greater willingness to participate in public oversight of bribery. The effectiveness of civic control at the state level depends on cooperation at all levels: with the state, civil society and international organisations, the media, etc.

In many European countries (Great Britain, Germany, Denmark, the Netherlands, France, Sweden, and the United Kingdom), there are public associations in territorial communities whose mandate is crime prevention, including clarifying the state of crime in the region, revealing its local causes, influencing them at the local level, and active prevention and educational work.

For example, such an association in Schleswig-Holstein (Germany) addresses issues related to the state, dynamics and structure of crime (picture of crimes); crime and environmental protection; crime and drug addiction; violent crime; insurance fraud and deception; mass crimes, technical means of protection used to prevent crime; socialisation institutions (family, women, youth, alcoholism and drug addiction, urban planning); school-police liaison (police conducting classes in schools for crime prevention).

Similar public associations of territorial communities can potentially function in Ukraine in close cooperation and interaction with its law enforcement agencies, provided they are funded and professionally recruited with the involvement of reputable citizens of the city (region) known for their honesty and integrity and exclude bureaucracy.

The basis of the preventive activities of local self-government bodies should also be the development and implementation of various social programmes aimed at preventing certain types (groups) of crimes, background phenomena of crime in the respective territory, deviant behaviour of minors, etc. Implementation of such programmes is possible, firstly, through the use of budgetary funds or by attracting various extra-budgetary funds from local self-government bodies.

Discussion

According to the study's results, the basis of general measures in combating crime, which is carried out through public control, is the creation of appropriate conditions for the population, improvement of its life, identification, weakening, neutralisation, and elimination of the determinants of crime (causes, conditions, factors). Onishchenko (2021) states that the issue of public control concerns almost the entire spectrum of relations between the state, represented by its authorised bodies and numerous civil society institutions.

The study results indicate that, in modern conditions, the problem of creating a unified system of bodies implementing joint measures in combating crime at all levels, a network of social objects of resocialisation, and the development of legislation regulating these activities at various levels is relevant. Annavarapu and Levenson (2021) also argue that to ensure the unity and coherence of the state apparatus, not only is its quality self-presentation necessary, but there are also other factors. This refers to the interaction between citizens and the state in their daily lives, as citizens are the source of state power and the key to reproducing the state as a social institution.

According to Bondarenko et al. (2021), to achieve the goals of sustainable development and fulfil the state's functions, including law enforcement, it is necessary and essential to assess the level of interaction between the state and society in the social aspect. The results of the study do not coincide with the conclusions drawn in the research paper by Musaev et al. (2020), who notes that even though civilian control is exercised by citizens, civil society structures, in particular, the media, and citizens can complain about violations of their rights and obligations by the authorities, such interaction between the state and society is not adequate, as the state is in a subordinate position to society.

Conclusions

In the system of public control in the field of combating crime at the state and regional levels, it is essential not only to ensure a positive impact on all structural elements of society (social, economic, political) but also to gradually shape the social activity of people to address socially significant issues and tasks. The reason for this need is that, provided that the majority of the population is interested in building a comfortable and safe environment for their life, active measures are taken to achieve this goal: state and social influence in the fight against crime, allowing for the accurate and timely elimination of centres of negative manifestations in society and maintaining a balance in it.

At the same time, in the context of the formation and development of civil society in Ukraine, the role of public control is gradually increasing in society's minds, as society's main task is to consolidate all social institutions for a constructive and adaptive impact on such a socially harmful phenomenon as crime.

In general, the following recommendations can be made based on the results of the study:

- Implementing measures to prevent, deter and suppress crime requires an effective system of preventive action subjects, which has not yet been fully established in Ukraine. Particular subjects of crime prevention are traditionally law enforcement agencies. However, their activities mainly aim to prevent the commission of crimes and solve crimes that have already been committed. At the same time, the preventive measures implemented by law enforcement agencies are ineffective, even though they have the most significant potential and highest efficiency for deterring citizens from unlawful behaviour. Accordingly, it is necessary to improve law enforcement agencies' preventive work in combating crime and increase its effectiveness.
- Crime prevention, together with law enforcement agencies, should be led by local governments. The current Law of Ukraine On Local Self-Government in Ukraine does not fully reflect the principles and ideas of local self-government. According to them, this institution is actively developing in democratic countries, as it emerged due to a compromise between different political forces. In this regard, the powers of local self-government bodies are coordinated and defined, including in matters of crime prevention. On the contrary, an analysis of Article 38 of the Law of Ukraine On Local Self-Government in Ukraine, which defines the powers of local self-government bodies to ensure law and order and protect the rights and freedoms of citizens, shows that the powers enshrined therein are mainly superficial and non-specific ('assistance',

'by the law', 'hearing reports'). Therefore, the legislation regulating the activities of local self-government needs to be clarified, supplemented and specified.

The implementation of the above practical recommendations is particularly relevant in the territories of Ukraine that are currently occupied or partially occupied: Donetsk, Luhansk and Zaporizhzhia regions, as well as the Autonomous Republic of Crimea. The reason for this is the objective need for enhanced work of law enforcement agencies in these regions, which can be fully ensured if local governments are involved in the fight against crime.

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