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Structural-functional providing of the operative-investigative crime prevention in the field of public procurement in Ukraine

СТРУКТУРНО-ФУНКЦІОНАЛЬНЕ ЗАБЕЗПЕЧЕННЯ ОПЕРАТИВНО-РОЗШУКОВОЇ ПРОТИДІЇ ЗЛОЧИНАМ У СФЕРІ ДЕРЖАВНИХ ЗАКУПІВЕЛЬ В УКРАЇНІ

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Abstract

The aim of the article is to determine the readiness level to prevent crime in the field of public procurement by the criminal police units of the National Police of Ukraine. The methodological basis of the study is the Constitution of Ukraine, other domestic legislative and other normative acts which regulate operational-search activities and criminal procedure, general theoretical and special legal literature, which show the topic under study, and encyclopedic sources. The method of analysis, the system-structural method, sociological methods (questioning, interviewing), formal-logical method, comparative method, modeling method are used in article. To achieve the goal of the article in the structure of the criminal police of the National Police of Ukraine were identified units which carry out operational-search crime prevention in the field of public procurement, analyzed the

Анотація

Метою статті є визначення рівня готовності підрозділів кримінальної поліції Національної поліції України до протидії кримінальним правопорушенням у сфері державних закупівель. Методологічною основою дослідження є Конституція України, інші вітчизняні законодавчі та інші нормативні акти, що регулюють оперативнорозшукову діяльність та кримінальну процесуальну діяльність, загальнотеоретична та спеціальна юридична література, що відображає досліджувану тему, а також енциклопедичні джерела. У статті використані метод аналізу, системно-структурний метод, соціологічні методи (опитування, інтерв'ювання), формально-логічний метод, порівняльний метод, метод моделювання. Для досягнення мети статті у структурі кримінальної поліції Національної поліції України були визначені підрозділи,

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structure of the units and determined their functions in crime prevention. The results of the study show that the structural and functional support of the operational-search crime prevention in the field of public procurement by the criminal police is not at the proper level.

Keywords: Public procurement, structural and functional support, operational-search prevention, the National Police of Ukraine, criminal police.

Introduction

The law enforcement function is one of the main and determining functions in the state. The development of theoretical and practical model of policing is an important direction of the state policy of Ukraine and other foreign countries. It's certainly determines the necessity of "About the National Police" Law of Ukraine adopted in 2015 as an important step in the country's law enforcement system reforming (Kosytsia, 2016).

The reforming of the law enforcement system in Ukraine began with the creation of the National Police. The experience of Georgia and its model of reforms implementing in the sphere of internal affairs were taken as a basis and Georgian specialists were invited for the practical implementation of reforms (Filshtein, 2015).

Experts from the International Center for Policy Studies point out rightly that there is no detailed, step-by-step plan of the reform (implementation plan) as a single systemic and holistic document. The shared vision of reforming is based only on changes in the most problematic divisions and their work is most visible to society. It indicates its unsystematic nature (Kishchenko, 2015).

Today Ukraine continues the process of reforming of the internal affairs bodies and the law enforcement system in general. The fluidity of both external and internal factors show a clear need for the continuous improvement of the structural-functional structure of the units of the National Police of Ukraine. It determines the need for timely scientific analysis and development for their implementation in practice.

які здійснюють оперативно-розшукову протидію кримінальним правопорушенням у сфері державних закупівель, здійснено аналіз структури таких підрозділів та визначено їх функції у протидії кримінальним правопорушенням. Результати дослідження показують, що структурно-функціональне забезпечення оперативно-розшукової діяльності кримінальної поліції з протидії кримінальним правопорушенням у сфері державних закупівель знаходиться на недостатньому рівні.

Ключові слова: Державні закупівлі, структурно-функціональне забезпечення, оперативно-розшукова профілактика, Національна поліція України, кримінальна поліція.

The reforming of the system of internal affairs bodies influenced much the structural- functional structure of individual units of the National Police of Ukraine. Most of them were significantly reduced and some units were completely eliminated.

Short period passed after the start of the reforming internal affairs bodies. But there is significant number of errors in the structural-functional structure of individual units of the National Police of Ukraine today.

As practice shows the police do not have enough authority today to perform its duties. It needs an additional review of the National Police officers' status (Hlukhoveria, 2016).

The aim of the article is to determine the readiness level to prevent crime in the field of public procurement by the criminal police units of the National Police of.

To solve this goal the following tasks were set:

- to separate the units of the structure of the criminal police of the National Police of Ukraine which realize operational-search crime prevention in the field of public procurement ;
- to study the structure of the units and determine their functions in public procurement crime prevention to determine which causes affect the quality of such counteraction;
- to suggest ways of solving the identified problems of operational-search crime prevention in the field of public procurement

by units of the criminal police of the National Police of Ukraine on the basis of the scientific literature studying.

Theoretical basis

The range of problems of counteracting crimes in the field of public procurement interests a significant number of scientists and practitioners. To solve the study's tasks there is a need for an analytical review of the scientific works in this sphere. It will determine the main directions for further studying problems of operational-investigative counteraction to crimes in the field of public procurement in Ukraine by the criminal police.

Since 2012, 8 dissertation studies for the degree of PhD in Law and 1 study for the degree of Doctor of Law have been devoted to this issue. These are studies of V.V. Daragan, M.A. Brilov, V.V. Koriak, V.A. Kucherenko, S.V. Nagachevskyi, V.R. Slivenko, Yu.V. Fedorchuk and T.A. Chasovaia.

In 2012 the defence of doctoral thesis of V.V. Koriak for the degree of PhD in Law on the topic "Combating bribery in the field of public procurement by operational units of the Ministry of Internal Affairs" took place. The study dealt with the subjects of state countering bribery in the field of public procurement, their rights and powers (Koriak, 2012). At the same time, the author did not study the problems of the structure of these units. Also, the study was carried out before the reform of the internal affairs bodies and partially lost its relevance.

Then V.V. Daragan studied topic "Disclosure of embezzlement of public funds in the procurement of goods and performance of work (services) at railway transport enterprises." The author focused on the problems of the structure of units for combating economic crime under the departments of the Ministry of Internal Affairs of Ukraine on railway transport (Daragan, 2012). However, these units were liquidated before the reform of the internal affairs bodies of Ukraine.

In 2012 the defence of doctoral thesis of V.R. Slivenko for the degree of PhD in Law on the topic "Operational-investigative counteraction to crimes in the field of public procurement" took place. The author studied the tasks and powers of the units that carry out operational-investigative counteraction to crimes in the field of public procurement (Slivenko, 2012). At the same time, the author did not study the problems of the structure of these units. This study was also

carried out before the reforming of the internal affairs bodies.

Also in 2013 the defence of doctoral thesis of S.V. Nagachevskyi for the degree of PhD in Law took place. His study dealt with the issues of operational-search detection and documentation of crimes committed by officials in the field of public procurement (Nagachevskyi, 2013). However, the author did not study the issues of structural and functional support of operational-investigative counteraction to these crimes.

The thesis researches of T.A. Chasovaia deals with the issues of interaction between investigative and operational units of the internal affairs bodies in countering crimes in the field of public procurement (Chasovaia, 2015). However, the author also did not study the issues of structural and functional support of operational-search counteraction to these crimes.

In the thesis researches "Operational-investigative counteraction to crimes related to embezzlement of budgetary funds during the construction, repair and operation of highways" M.A. Brilov indicates that the current structural and functional structure of the economic protection units of the National Police of Ukraine does not meet the needs of the operational search for signs of crimes that are related to embezzlement of budgetary funds during the construction, repair and operation of highways (Brilov, 2017). However, this unit was liquidated in 2019.

In 2018 V.V. Daragan defended his thesis for the degree of Doctor of Law on the topic "Theoretical and Applied Foundations of Operational Investigative Counteraction to Crimes in the Sphere of Public Procurement by the Criminal Police". The author studied the problems of structural and functional support for the activities of the economic protection units of the National Police of Ukraine in countering crimes in the field of public procurement (Daragan, 2018). However, as we have already noted, this unit was liquidated in 2019.

At the end of 2018 Yu.V. Fedorchuk defended his thesis for the degree of PhD in Law on the topic "Operational-investigative counteraction to the theft of budgetary funds in the procurement of medical equipment and drugs". The author concluded that it is necessary to create subdivisions of detectives with appropriate powers (in particular, subdivisions for the protection of the economy) within the structure of the National Police. The author points out that

this will significantly improve the level of counteraction to economic crimes in general and crimes related to embezzlement of budgetary funds in the procurement of medical equipment and drugs, in particular (Fedorchuk, 2018)

The study of V.A. Kucherenko on the topic "Operational-investigative counteraction to the theft of budgetary funds when carrying out specialized construction work under the state order" is the most recent study of the problems of operational and investigative counteraction by the criminal police to crimes in the field of public procurement in Ukraine. The author proposes to create a Department of Criminal police, which will function as a directorate based on the relevant departments that belong to the units of the criminal police in order to optimize the activities of the criminal police units and avoid possible problems associated with the activities of the criminal police units as part of police departments (departments) in districts and cities (Kucherenko, 2019).

The analysis of these works showed that the authors didn't study the issue of structural and functional support of the criminal police's operational and investigative counteraction to crimes in the field of public procurement after the liquidation of the economic protection units of the National Police of Ukraine.

Methodology

The empirical base of the study is made up of statistical data of the National Police and the General Prosecutor's Office of Ukraine, reporting by units of the Department of Strategic Investigations of the National Police of Ukraine; materials of judicial practice; materials of the questionnaire survey of 350 operational workers of the strategic investigation units of the National Police of Ukraine; the results of the study of 240 criminal proceedings on crimes in the field of public procurement, 35 cases of control and supervision proceedings and 63 cases of operational support of criminal proceedings.

The methodological basis of the study is the Constitution of Ukraine, other domestic legislative and other normative acts which regulate operational-search activities and criminal procedure, general theoretical and special legal literature, which show the topic under study, and encyclopedic sources.

The method of analysis, the system-structural method, sociological methods (questioning, interviewing), formal-logical method,

comparative method, modeling method are used in article.

Results and discussion

It's got to be a very negative problem of waste of funds with corruption offenses and crimes in the field of public procurement for Ukraine and other countries of the world in recent years. This state of affairs poses a common challenge for all countries of the world - the prevention and prevention of corruption during public procurement (Daragan, 2015). Criminal Policy Collection Measures of executive and judicial and legislative community is to deal with criminal behavior (Ardestani, 2017).

Democratization, the entry of Ukraine into the European legal space and the adaptation of national legislation to the European Union legislation obliges Ukraine to ensure the effective functioning of institutions that will guarantee the rule of law, respect for human, civil rights, freedoms, and their effective protection (Kirichenko, 2016).

Both openly and latently crimes in the economic sphere oppose society and the state. Prevention such crimes is a complex and problematic process. The state and representatives of the criminal world confrontation was a common occurrence in different historical periods. The heyday of crime in the economy and its active scientific studying in the 1930s of XX century contributed to the creation of relevant units and the formation of a number of principles of their activities (Vasylynychuk, 2004).

Today the structure of the criminal police of the National Police of Ukraine includes:

- The Criminal Investigation Department;
- The Department of Migration Police;
- The Department of Combating Drug Crimes;
- The Department of operational services;
- The Department of operational technical activities;
- The Department of support activities with hazardous materials;
- The Department of criminal analysis;
- The Department of the protection of the interests of society and the state;
- The Department of Internal Security;
- The Department of Cyber Police;
- The Department of Strategic Investigations.

The analysis of legal acts that regulate the activities of these units of the criminal police led to the conclusion that the economic protection

units of the Strategic Investigations of Ukraine play a key role in the operational-search prevention crime in public procurement. Some functions are also performed by the Department of Operational Services, the Department of Operational and Technical Measures and the Office of Criminal Analysis.

The Department of Strategic Investigations of the National Police of Ukraine was established as an interregional territorial body of the National Police with vertical subordination in accordance with the Resolution of the Cabinet of Ministers of Ukraine dated October 9, 2019 No. 867 (Resolution No. 867, 2019). It has crime prevention functions in the economic sphere.

Vertical subordination was caused by the reason that the territorial units in the regions with functions of crime prevention in the sphere of economics and combatting corruption indirectly were depended on local authorities in the solving of social issues, logistics, the provision of various services on preferential terms and the use of kinship. It led to certain corruption risks and made it impossible to ensure effective combatting corruption fully (Zapototskii & Viazmikin, 2016).

The Department of Strategic Investigations of the National Police of Ukraine is an integral social system. It consists of separate structural units. They interconnected by permanent relations of coordination and interaction. Such structure is due to the effective prevention organized crime. It's the main strategic task of the whole system.

Each conditional link of this complex system has a certain functional purpose. The whole system consists of separate subsystems. The relations between the individual links of subsystems are also built on certain principles and have characteristic features which determines by the specialization of operational workers. Specialization in the divisions is related to the performance of certain tasks by detectives. It determines the principles of the division of labor between them, which form the basis of the structural-functional construction of units. According to the organizational principle of specialization all other structural elements of the system are built, but in more complex forms: departments, divisions, sectors. Thus, the organizational and functional construction of divisions is a base of the organization of their activities. It determines the thrust of using individual units' forces in the counteraction of crime (Biliaiev, 2013).

Today the Department of Strategic Investigations of the National Police of Ukraine has the following structure: the apparatus and territorial (separate) units.

The structure of the territorial (separate) divisions of the Department of Strategic Investigations of the National Police of Ukraine includes the Department of Economic Protection of the Autonomous Republic of Crimea and the city of Sevastopol and the Management of Economic Protection in regions. The office consists of divisions and inter-district divisions of economic protection. Each structural unit of territorial (separate) units of the Department of Strategic Investigations of the National Police of Ukraine has its own structural and functional purpose.

The divisions in the Strategic Investigations offices perform their functions according to the linear principle of specialization. It provides for the organization and implementation of prevention certain types of crimes in the sphere of the economy or crime prevention in a certain sphere (branch) of the economy by operatives.

The linear principle of specialization contributes to:

1. Improving the individual professionalism of operatives by accumulating experience, knowledge and best practices in organizing and implementing operational-search measures in counteraction of criminal activities in certain areas.
2. Quality implementation of operational developments and realization of their materials. It is achieved by careful planning and concentration of forces and capabilities of the operational unit.
3. Formation of a specialized unofficial apparatus and the possibility of its effective use to persons of operational interest.
4. The possibility of a thorough analysis of the shortcomings and the results of the work (Biliaiev, 2013).

The inter-district divisions of strategic investigations carry out their activities according to the operational-territorial (object-oriented) principle of organization. It means that they operate in a clearly defined area of operational service. Separate objects located in the operational service area for their operational overlapping assign to employees of such divisions.

Results of a questionnaire of employees of the strategic investigations units of the National Police of Ukraine showed that about 78% of respondents are dissatisfied with such a structural-functional construction of the strategic investigations units of the National Police of Ukraine.

In accordance with their functional duties, employees of the units of the Department of Strategic Investigations of the National Police of Ukraine take measures to protect budget funds from criminal encroachments, ensure the legality of applying procurement procedures for goods, works, services and targeted use of budget funds.

The number of units that located in settlements has decreased significantly and the area of operational service has increased significantly after the liquidation of the economic protection units of the National Police of Ukraine and the creation of strategic investigation units of the National Police of Ukraine on their basis

In our opinion, this factor negatively affects the quality of public procurement monitoring, as well as the quality of the tasks assigned to crime prevention in public procurement assigned to the strategic investigations units of the National Police of Ukraine.

For example, prevention crime in the field of public procurement in the Dnipropetrovsk region is entrusted to units of the Office of the Strategic Investigations in the Dnipropetrovsk Region of the Department for the Strategic Investigations of the National Police of Ukraine. The structure of this department includes only one inter-district department that is located in Krivoy Rog city (647 thousand inhabitants). That is why there is no inter-district department in such large cities as Kamenskoe (240 thousand inhabitants), Nikopol (116 thousand inhabitants), Novomoskovsk (71 thousand inhabitants), Pavlograd (109 thousand inhabitants).

At the same time, the question arises about the quality of operational services for state enterprises, institutions and organizations which carrying out public procurement located in these settlements, since they are located at a considerable distance from the location of strategic investigation units.

Despite those problems, there are several other problems in the structural- functional structure of the strategic investigations units of the National Police of Ukraine today. They arise in the process of implementation of the workers duties of the

specified units. In particular, there are certain problems associated with the conduct of secret office work and the establishment of interaction with investigative units.

The first problem arises in the inter-district Departments of Strategic Investigations, because they do not have regime-secret sectors in terms of their location. Employees of these departments compile all the documents in the placement of regime-secret sector of the Strategic Investigations Department in the regional center. Their special suitcases with operational-search cases and other cases which were marked as classified are stored there as well. The implementation of operational investigative activities involves the preparation of documents with information classified as a State secret. That is why an employee of the interdistrict Department of Strategic Investigations should move from the place of stationing the department to the regional center to draw up such document. And in some cases such distances exceed 100 km. This circumstance leads to a loss of interest in the operational work of employees of these departments and adversely affects the level of resistance to crimes in the economic sphere and in the field of public procurement in particular.

The second problem arose in connection with the separation of the strategic investigations units from the territorial units of the National Police. In particular, cases of crimes which are detected by divisions` workers at the strategic investigations` offices are usually investigated by workers of the investigation offices at the National Police Headquarters in the regions or by the investigation divisions at the police departments in the regional centers where the corresponding offices for the strategic investigations is located. There are almost no problems with the organization of interaction between these units. The main problem in establishing cooperation with the investigative units is the qualification level of individual employees of the investigative divisions. Not all employees of investigative offices have an appropriate level of knowledge in the field of public procurement and especially experience in investigating crimes in this area.

There is more difficult situation in the inter-district divisions of strategic investigations. If employees of the inter-district divisions of strategic investigations detect crimes, it investigates by the investigative units of the police departments (departments) of the territory where the crime was committed. The problem here is in a large service area of such Strategic

Investigations Departments. We described it above. An operational workers which work in a single district center are not able to qualitatively carry out operational support of criminal proceedings, which is conducted by an investigator with the place of work located in 30-50 kilometers from the place of deployment of the operational unit.

Even in the case when both the operational strategic investigations unit and the investigative unit (in which criminal proceedings are located) will be located in one place, this would not solve the problem of the qualification of the investigators. As the results of the study showed, in the vast majority of cases only the investigative offices have workers which are specializing in the investigation of criminal offenses of this category. Most of them are former employees of the economic protection units who came under a reduction in the reforming process of the internal affairs agencies and changes in the structural and functional structure of the strategic investigations units. Another part of the investigators, in particular, the police working in the territorial offices (units) have bad knowledge in economic processes and do not have relevant experience in investigating crimes in the economic sphere in the field of public procurement.

In our opinion, this problem can be solved only by changing the status of the operational officer of the strategic investigations unit to a detective.

In 2018 the "Police Detectives" project was introduced in the eight regions of Ukraine. They are Kiev, Zaporozhe, Lvov, Odessa, Poltava, Sumy, Kharkov and Khmelnytskyi regions. About 90% of the personnel of criminal police units were transferred to the status of "investigators". The remaining 10% of employees perform direct duties of the criminal police. The experiment was introduced in order to find the optimal balance between the Institute of Investigators and the Institute of Detectives.

At the same time, it is not clear how the strengthening of some units (investigators) and a significant weakening of others (operational) by conducting an experiment without combining their rights and responsibilities in a detective will allow finding an optimal balance between the Institution of Investigators and Institute of Detectives.

The reform process should be based on the achievements of the global police community, the international legal and European policing

standards. Therefore, balanced use of international experience and proven practice is important to update the legislation and improve the effectiveness of law enforcement.

The institute of police detectives exists in the Scandinavian countries, Germany, the USA and other countries with a stable democracy. There are a number of differences between them in the level of authority, models of interaction with the prosecutor's office and etc. At the same time, they all are united by the fact that one person collects the evidence and records them in the procedural documents. This person is responsible for the quality of the work done – the preparation and sending of the indictment to the court. Therefore, the detective is interested in high-quality work on the criminal case from the beginning to the end (Krapyvyn, 2017).

In our opinion, introduction of the institute of detectives should be carried out following the example of the institute of detectives of the National Anti-Corruption Bureau of Ukraine. In particular, the Law of Ukraine "About the National Anti-Corruption Bureau of Ukraine" provides that the structure of the offices of the National Bureau can include units of detectives that carry out operational investigative and investigative actions. It means that such person should combine the operational worker`s and investigator`s functions.

For the introduction of the Institute of Detectives in the National Police it is necessary to define the concept of "detective", its tasks and powers in the National Police at the legislative level (Vasilinchuk, 2016).

In our opinion, in this case such structural-functional changes should apply only individual units of the structure of the criminal police:

- Department of Combating Trafficking in Persons;
- Department of combating drug crime;
- Homeland Security Department;
- Cyber Police Department;
- The Department of Strategic Investigations.

The need of introducing of such changes is caused not only by problems in establishing interaction with the investigation units, but also by the specifics of the activities of the units of the structure of the criminal police of the National Police of Ukraine and by the specifics of identifying and documenting crimes in each area of activity etc.

The introduction of operational and technical measures into the structural and functional constructing of units of strategic investigations of the National Police of Ukraine was a positive change which ensured the implementation of operational and technical measures in a much shorter time and also increased the level of interaction between these units.

It can be concluded that today the structural and functional construction of the strategic investigations units of the National Police of Ukraine is not able to provide activities to crime prevention in public procurement at the appropriate level and it needs qualitative changes in its constructing.

The authors and the 72% of the survey respondents think that the old structure of units was more effective in the economic sphere crime prevention (the State Service for Combating Economic Crime). The relevant sectors (divisions) were located at each district police station. That made it possible to respond quickly and effectively to changes in the operational environment in the service area. Besides, the structure made it possible to form operational service areas and its levels.

The regulatory support of the activities of the strategic investigations units of the National Police of Ukraine has an important function in the formation of the functional support of the operational-search crime prevention in the field of public procurement.

The need of improving the legal regulation of operational-search activities in this area is caused by changes in the conditions that determine the dynamics, structure and characteristics of economic crimes; deficiencies in their qualifications; the emergence of criminogenic factors inherent in the market economy; qualitative changes and a sharp increase in economic crime, its organized forms; the emergence of new types of economic crimes, as well as the need to ensure equal protection of all forms of property from criminal encroachments (Pysarchuk, 2016).

The Department of Strategic Investigations of the National Police of Ukraine is guided in its activities by the Constitution and laws of Ukraine, by the Acts of the President of Ukraine and the Cabinet of Ministers of Ukraine, as well as other legislative acts of Ukraine adopted in accordance with the Constitution and laws of Ukraine, including regulatory acts of the

Ministry of Internal Affairs (order No. 1077, 2019).

The Criminal and Criminal Procedure Codes of Ukraine, the laws of Ukraine on operational investigative activities, the prosecutor's office, the National Police are legal basis for the activities of the operational units of the Department of Strategic Investigations of the National Police of Ukraine.

The activities of the Department of Strategic Investigations of the National Police of Ukraine are regulated by the Regulations on the Department of Strategic Investigations which is approved by order of the National Police of Ukraine dated October 23, 2019 No. 1077 (order No. 1077, 2019). The Regulations on the Department of Strategic Investigations define the tasks and functions of the Department. As for organizing the activities of the Department of Strategic Investigations, the Regulations define the issue of organizing activities only in the context of the specifics of the appointment and dismissal of the head of the Department of Strategic Investigations, his rights and functions.

The Regulation also defines the rights of employees of the Department of Strategic Investigations. At the same time, the competence of the Department of Strategic Investigations of the National Police of Ukraine includes the identification of 86 elements of economic crimes in 65 sectors and spheres of the economy (Zapototskiy & Viazmikin, 2016).

However, based on the functions assigned to the Department of Strategic Investigations of the National Police of Ukraine, the rights granted to them do not make it possible to fully implement them. 74% of the interviewed employees of the strategic investigation units of the National Police of Ukraine indicated the lack of key rights that make it possible to efficiently carry out operational-investigative counteraction to crimes in the field of public procurement.

A wide list of tasks that are solved by the units of strategic investigations of the National Police of Ukraine determines the need for the scientific organization of the system of their structural-functional construction. Deficiencies in the structural-functional construction of such units negatively affect the quality of the performance of their functions in prevention economic crime in general and crimes in public procurement in particular.

In our opinion, the workers' rights list of the strategic investigations units of the National Police of Ukraine requires expansion. Additionally we need to take into account that the process of crime prevention in the economic sphere needs the continuous collection and processing of information from enterprises, institutions and organizations of various forms of ownership. That is why the regulation of these units' activities should be fixed not in a departmental order, but in a clause of the Cabinet of Ministers of Ukraine.

The results of employees' survey of the strategic investigations units of the National Police of Ukraine showed that an assessment of the activities of these units needs an individual departmental regulatory settlement. Besides, 93% of respondents indicated that crime prevention indicators should be included in such criteria (Brilov, 2017). The absence of such evaluation criteria leads to the fact that the employees of these departments almost do not carry out activities to prevent crimes in the field of public procurement, because only the number of solved crimes (announcement of suspicion by a person) influences the level of evaluation of the activities of their departments. This leads to the fact that employees of strategic investigations units of the National Police of Ukraine are waiting when crime will be committed at the stage when it can be prevented. This means that employees exercise control over criminal activities which is fundamentally wrong, in our opinion.

At the state and local levels the presence of an evaluation mechanism is important for effective police management. All this determines the relevance of a radical revision of the assessment system of the National Police (Bugaichuk, Sviatokum & Chumak, 2017).

The results of the analysis of national and foreign experience showed that the following indicators should be included in the criteria for evaluating the activities of the strategic investigations units of the National Police of Ukraine:

- the number of reported crimes with evidence of acts of corruption and other economic crimes, including serious and particularly serious crimes;
 - the number of identified perpetrators of crimes with evidence of acts of corruption and other economic crimes;
 - the number of identified officials who committed crimes with evidence of acts of corruption and other economic crimes,
- including persons whose positions are included in personnel registers of the Regional State Administrations and district administrations and representatives of the authorities and officials in a responsible position;
 - the number of reported material damage caused by crimes with evidence of acts of corruption and other economic crimes;
 - amount of prevented damage of state economy;
 - the number of reported corruption-related administrative offenses in the economic sphere;
 - staffing levels of units of the strategic investigations of the National Police of Ukraine (in percent): the number of employees with work experience up to 1 year, up to 3 years, up to 5 years, over 5 years;
 - the number of employees had been prosecuted for the corruption (economic) offences (for which court sentences came into force) and exempted from criminal liability on non-rehabilitating reasons;
 - the number of facts of administrative (disciplinary) prosecution of employees for the offenses that create conditions for corruption or corruption (economic) offenses;
 - the level of public confidence in the employees of the units of the Department of Strategic Investigations of the National Police of Ukraine (the results of sociological research, monitoring, polls and etc., the number of substantiated complaints about the actions and decisions of this unit);
 - the state of prevention of corruption and economic offenses;
 - the number of facts of detection of corruption and economic offenses in the interaction with other law enforcement agencies;
 - indicators for the identification and compensation of material damage (real damage), including per employee;
 - the number of reported crimes with injury of state property in organizations the control bodies checked financial and economic activities during the crimes or after its' committing;
 - the level of informational and organizational interaction with government bodies in the fighting corruption and crimes in the economic sphere and interaction with public associations and other organizations (the presence and effective implementation of joint activities, programs that can actually

prevent corruption and criminal offenses in the economic sphere);

- the number of cases dismissed for operational accounting because of the definition's, decision's and court sentence's enters into force and due to non-rehabilitating circumstances;
- the number of criminal offenses removed from the register with the closed criminal proceedings according to paragraph 1, part 2 Article 1 page 284 of the Criminal Procedure Code of Ukraine (excluding those with which the pre-trial investigation was resumed by the prosecutor or the court);
- the number of employees who have improved their qualifications in refresher courses during the reporting period. The program of the courses should include issues of compliance with anti-corruption legislation and counteraction to criminal offense in the economic sphere.

Besides, in our opinion, indicators of prevention corruption and criminal offenses in the economic sphere in strategic areas of state policy in these areas require a separate definition. Analysis of the list of indicators and indicators for determining the effectiveness and legality of the service activities of units for combating economic crime allowed us to identify the following indicators, which, in our opinion, are advisable to include in the criteria for evaluating the activities of strategic investigation units of the National Police of Ukraine:

- the number of reported crimes in the public sector;
- the number of managers of the state budget, who were informed about the suspicion of committing criminal offenses;
- the number of managers of the regional budget, who were informed about the suspicion of committing criminal offenses;
- the number of reported crimes in the field of public procurement;
- the number of persons who were informed about the suspicion of committing criminal offenses in the field of the implementation of public procurement;
- the number of detected crimes committed by officials of state enterprises;
- the number of officials of state-owned enterprises who have been informed of suspected criminal offenses.

In our opinion, if the defined criteria would be included it will contribute to a proper objective assessment of the strategic investigations units of the National Police of Ukraine.

Today the field of the public procurement remains one of the priorities of the operational units of the Department of Strategic Investigations of the National Police. The indicator in this sphere takes into account in evaluating the activities of operational units.

The reform of domestic law enforcement agencies is due to the state of development of Ukrainian statehood, socio-economic and political changes, increasing efforts to prevent the criminal manifestations. The priorities of changing the system of real orientations and the attitude of law enforcement specialists to their official activities come out on top. Demands for professional, personal training and education primarily for police officers are growing (Okhrimenko, 2016).

Complications of the crime situation, the spread of organized crime, the emergence of new types of crime, the use of scientific and technological progress by criminal structures are making high demands to the worker of the Department of Strategic Investigations of the National Police of Ukraine as to the high-class professional. Effective identification and documentation of crimes in the field of public procurement require more knowledge. It's not enough to have only knowledge gained in higher education institution. It is necessary to constantly expand knowledge and improve them.

The urgency of improving the system of vocational training of law enforcement agencies in different countries is confirmed by the increasing need to reform law enforcement agencies of the European Union. One of the priorities is to increase the level of professional training of the police forces (Kharchuk, 2015).

Nowadays the units of protection of the economy of the National Police of Ukraine do not send their employees to training courses in the public procurement. Besides, higher education institutions with specific conditions of education which provide police training began to carry out targeted training of specialists for the above departments in 2017. It should be noted that only Dnipropetrovsk State University of Internal Affairs provides the training of workers for the strategic investigations units of the National Police of Ukraine at the bachelor level. The first graduation of bachelors in this specialization will be in 2021.

The lack of appropriate qualifications of employees of the strategic investigations units of the National Police of Ukraine can lead to:

- irrational use of working time;
- reduce of prevention, detection and documentation of crimes in the field of public procurement;
- negative citizens` feeling about the employees of these units;
- the contradictions between employees of investigative and operational units;
- the possibility of misleading employees of operational units by the bidders,
- members of the tender committee or authorized persons;
- illegal actions of employees of the strategic investigations units of the National Police of Ukraine.

However, even the introduction of such training for employees of the strategic investigations units of the National Police of Ukraine would not solve all the problems. Because, there is the problem of financial support for such training. A five-day course of study in the respective centers costs about 2500 UAH and a two-day course costs about 1200 UAH. In our opinion, these amounts are too excessive. Besides, in our opinion, it would be advisable to introduce such courses as part of refresher courses in higher education institutions with specific conditions of training which provide police training. This will significantly reduce the costs of such training.

It should be noted that certain changes in this sphere began in the spring of 2017. Thus, the standard curriculum for advanced training of police departments of economic protection included the question of "Identification and documentation of offenses in the procurement of goods, works and services to meet the needs of the state and the territorial community". But it was devoted only 12 training hours for the study of this issue, that is 6 classes including lectures. It is impossible to consider the specifics of identifying such crimes, even the most common ones within the allotted time, because of diversity of methods of committing crimes in the field of public procurement. And even in documenting such crimes.

Therefore, we think that the consideration of this issue should be organized as a separate area of advanced training. At the same time, classes on certain issues should be conducted with the help of relevant staff of the Department of Strategic Investigations of the National Police of Ukraine to improve the practical component of such courses.

In our opinion, the advanced training program for workers in the strategic investigations units of the

National Police of Ukraine should include the following issues:

- legal regulation of public procurement in Ukraine;
- the legal framework for counteraction to crimes in the procurement of goods, works and services to meet the needs of the state and the territorial community;
- operational-search characteristics of crimes in the field of public procurement;
- criminal law qualification of the main methods of committing crimes in the field of public procurement;
- organizational and tactical bases of operational services in the field of public procurement;
- use of analytical intelligence on the Internet in the operational support of public procurement processes;
- use of economic and legal analysis during counteraction to crimes committed in the procurement of goods, works and services to meet the needs of the state and the territorial community;
- use of information and analytical forecasting in counteraction to crimes committed in the procurement of goods, works and services to meet the needs of the state and the territorial community;
- identifying crimes committed in the procurement of goods, works and services to meet the needs of the state and the territorial community;
- documenting the crimes committed in the procurement of goods, works and services to meet the needs of the state and the territorial community;
- peculiarities of the implementation of materials for operational development of crimes related to the procurement of goods, works and services to meet the needs of the state and the territorial community.

It is also useful to decide on the need to develop algorithms for identifying and documenting certain methods of committing crimes in the field of public procurement at the level of the Office of the Department of Strategic Investigations of the National Police of Ukraine before holding such courses. Workers who are planning to visit such training should bring these algorithms at the advanced training. Such algorithms would be useful during training courses. Besides, scientific-pedagogical workers teaching at the courses would be able to combine the algorithms provided by practical workers into a single compendium and send it to the appropriate

departments of economic protection in the regions after completion of work. Also, such compendiums will be useful for educating students at the Faculty of Economic and Legal Security.

In light of the above, we can come to the following conclusions. The quality of counteraction to crimes in the field of public procurement largely depends on the professional development and professional retraining of employees of the units of the Department of Strategic Investigations of the National Police of Ukraine. The introduction of such training courses would ensure that the level of training of such workers meets the requirements of their functional responsibilities.

Conclusions

As a general summing up, we can say that nowadays the structural and functional support of the operative-investigative crime prevention in the field of public procurement by the criminal police is not at the appropriate level. Because the structural-functional construction of the strategic investigations units of the National Police of Ukraine is not able to provide activities of crime prevention in the field of public procurement at the proper level. Today, there is an urgent need to expand the staff of this unit and return them to each police department (division) without changing subordination. It is also will be useful to change the status of the operative employee to a detective and introduce a system of advanced training on crime prevention in the field of public procurement for employees of these units.

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