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Alona Romanova

Lviv Polytechnic National University,
Institute of Jurisprudence, Psychology,
and Innovative Education,
Doctor of Law, Professor
of the Department of Theory of Law and
Constitutionalism
aliroma@ukr.net

PROFESSIONAL AND ETHICAL REQUIREMENTS FOR POLICE ACTIVITY

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It is established that a high level of ethical requirements, the implementation of universal values in official activities, which reduces the breaches of professional discipline and professional deformation, contribute to the formation of a morally mature person. The population begins to perceive the police not as a “punitive” body, but as one that prevents illegal actions and interacts with the population on a partnership basis.

It is emphasized that the most important professional requirement for police activity is respect for and observance of human rights and freedoms. This obligation involves many ethical aspects in the process of its implementation (respect for the detained person; preventing humiliation of human dignity through torture, degrading treatment, neglect; impartial treatment of everyone regardless of religion, political opinion, race, property or other characteristics, etc.).

It is proved that the value orientations of the police officer, which were developed during the period of his/her formation as a person (childhood, adolescence, and higher education), first of all, influence the observance of professional and ethical requirements for police activity. It is impossible to acquire high moral and ethical qualities, which will be realized in the professional sphere, instantly after taking the oath. Therefore, psychological fitness tests for police service are important. While determining physical and mental health, it is necessary to establish the moral and psychological stability and formation of the person.

It is mentioned that professional and ethical requirements for police activity are a fundamental component of ensuring the principles of the rule of law, activities based on openness and transparency, implementation of preclusive and preventive activities aimed at preventing the commission of offenses, as well as reasonable and lawful measures of response to offenses.

Possession of a high ethical culture on a par with professional competencies is a requirement that is ensured in the process of training future police officers.

Key words: police activity, legal ethics, corporate ethics, professional and ethical requirements, law enforcement.

Problem statement. Formation of a legal, democratic state and civil society requires reforming all spheres of human life. Reforms should be carried out on the principle of “state for man”, i.e. each

individual feels like a full-fledged member of society where his rights and freedoms are recognized as the highest value.

According to the legislation of Ukraine, the strengthening of the authority and trust of citizens in the National Police of Ukraine contributes to the formation of a sense of police responsibility to comply with professional and ethical standards of conduct in the performance of official duties.

A high level of ethical requirements, the implementation of universal values in official activities, which reduces the breaches of professional discipline and professional deformation, contribute to the formation of a morally mature person. The population perceives the police not as a “punitive” body, but as one that prevents illegal actions and interacts with the population on a partnership basis.

Analysis of recent researches and publications. A problematic aspect of the study of professional and ethical requirements for police activity is the peculiarity of the formation, development and improvement of moral, spiritual, ethical and professional qualities of police officers in their professional activities. These qualities are based on the values and orientations of a particular society. They are implemented through the purpose and responsibilities of police officers to ensure law and order, and protect the fundamental rights and freedoms of citizens. For a comprehensive analysis and understanding of this issue, it is advisable to rely on normative legal acts and theoretical and methodological works of domestic and foreign scholars, lawyers and philosophers of different periods of the philosophical and legal thought formation, namely: N. Armash, T. Diakiv, O. Kobzar, S. Konstantinov, S. Petkov, Ye. Sobol, I. Teterchuk.

Their scientific concepts have contributed to the formation of a fundamentally new approach to understanding professional and ethical requirements for police activity within the framework of anthropological jurisprudence and psychology.

Purpose of the research is to analyze from a philosophical and legal point of view those issues that are most related to the understanding of professional and ethical requirements for police activity.

Presentation of the research material and its main results. Globalization and European integration processes raise the state task of reforming and improving all spheres of public life, including law enforcement.

The National Police of Ukraine is undergoing the process of the formation not only as a democratic central executive body that serves society by protecting human rights and freedoms, combating crime, maintaining public safety and order, but also through the formation of value orientations in police activity and the dominance of the principle of anthropocentrism.

Police activity should be understood as a special form of state-power activities of an administrative nature. Police units carry it out; they are authorized by the state to apply police measures, including coercion, in order to exercise administrative control and supervision in all spheres of society, as well as to ensure the implementation and protection of constitutional rights and freedoms of man and citizen [1, p. 65].

The Law of Ukraine "On the National Police" defines the tasks and functions of the police, as well as a number of special requirements for police officers and their service.

Possession of a high ethical culture on a par with professional competencies is a requirement that is ensured in the process of training future police officers. Nevertheless, it is impossible to implement the main tasks of the police without quality compliance with professional and ethical norms and standards. These tasks are provided for in Article 2 of the Law of Ukraine “On the National Police”; they include: 1) ensuring public safety and order; 2) protection of human rights and freedoms, as well as the interests of society and the state; 3) combating crime; 4) providing, within the limits established by the law, services to assist persons who, for personal, economic, social reasons or due to emergencies, need such assistance [2].

An important normative act regulating the moral and ethical component of the police professional self-realization is the “Rules of Ethical Conduct of Police Officers”. The Rules are a generalized collection

Professional and ethical requirements for police activity

of professional and ethical requirements for police conduct, aimed at ensuring police service to society by protecting human rights and freedoms, combating crime, maintaining public safety and order based on ethics and universal values. The purpose of these Rules is to regulate the behavior of police officers in compliance with ethical norms, to form a sense of police responsibility to society and the law for actions and omission of police officers, as well as to strengthen the authority and trust of citizens in the police [3].

No profession can do without the so-called professional code of ethics, which formulates and adapts norms of morality, ethics, and spiritual priorities of a particular society to a particular professional activity. These norms, along with legislation and disciplinary statutes, regulate professional and official relations in certain activities.

Professional ethics is a code of rules that determines the behavior of a specialist in the official environment, norms that comply with existing laws and departmental regulations, professional knowledge, team relations, a deep sense of moral responsibility for the performance of professional duties. In addition, professional ethics is an applied socio-philosophical discipline that studies the origin, essence, specificity, social functions of moral and professional norms and relations, the laws of their development at different historical stages. The tasks of professional ethics are to study the comprehensive process of reflection of professional relations in the moral consciousness, moral and professional norms, to draw a clear line between moral and professional phenomena and phenomena of professional skills, to study social tasks, goals of the profession and their importance in social progress that contributes to their successful implementation [4].

Professional ethics determines the general norms and rules, and each profession develops and forms its own characteristics of the ethical component.

Undoubtedly, the most important professional requirement for police activity is respect for and observance of human rights and freedoms. This obligation involves many ethical aspects in the process of its implementation (respect for the detained person; preventing humiliation of human dignity through torture, degrading treatment, neglect; impartial treatment of everyone regardless of religion, political opinion, race, property or other characteristics, etc.).

If we consider legal ethics in general, and this will be advisable in the context of our research, we cannot separate police activity from law enforcement and investigate otherwise as a whole (law enforcement) and its component (police activity), then legal ethics explores the role and significance of moral principles in the field of justice and law enforcement.

Legal ethics regulates the relationship between society and the individual, namely: the ethics of judges, lawyers, investigators, police officers, etc. [5].

It is worth paying attention to the fact that the moral and ethical requirements for police activity are perceived as something dictated by internal beliefs, a blurred vision of good and evil at the discretion of the police officer. This is not true at all. There is official ethics and corporate ethics of employment activity, for non-compliance with which a certain type of responsibility may occur.

Official (formal) ethics are ethical requirements contained in legal norms, non-compliance with which may have legal consequences (dismissal from office, removal from office). In addition to official ethics, corporate ethics regulates relations between law enforcement officers.

Corporate (business) ethics is a set of ethical rules contained in documents adopted voluntarily by representatives of any profession, industry, public association. They are binding on persons who are members of a professional, industry or other local association that adopted this document. Along with official and corporate ethics, there is another type of relationship. It is not regulated by any rules, shows the general upbringing and intelligence of the person – this is traditional ethics [5].

If we start from such a specific feature, we can say that the value orientations of the police officer, which were developed during the period of his/her formation as a person (childhood, adolescence, and higher education), first of all, influence the observance of professional and ethical requirements for police activity. It is impossible to acquire high moral and ethical qualities, which will be realized in the professional sphere, instantly after taking the oath.

Therefore, psychological fitness tests for police service are important. While determining physical and mental health, it is necessary to establish the moral and psychological stability and formation of the person.

Today, quite active work is being done in this direction. There are testing centers, specialists evaluate the candidate for service, but, as a rule, the level of development of this component is not sufficient to prevent enrollment of “random” people in the police who can withstand the factors of professional deformation.

There is no doubt that a dominated number of law enforcement agencies and the police, in particular, are morally stable workers who adhere to the law, ethics and are able to perform their duties based on professional instructions and principles of humanism and respect for human rights and freedoms. However, very often, people do not notice what meets the general requirements for the profession, and even a minor misdemeanor can “cast a shadow” on all police officers.

It is necessary to pay attention to the special powers of the police, which determine the “social direction” of their activity, not “punitive”. They include assistance to the population, which is another aspect of police activity, but this function remains less developed in some countries. The function of providing services for people is somewhat different task in police activity. It changes the role of the police, which ceases to be a “force” to be used in society, and in this case becomes a body to provide services for society. Over the last few years, there has been a clear trend in Europe to integrate the police officers into civil society and bring them closer to the population. This goal is achieved in a number of States Parties through the development of “local police”. One of the main means to achieve this goal is to endow the police with the status of public service, and not just a body responsible for compliance with the law [5, p. 95].

Cooperation of the police with the population based on mutual trust and respect is a basic principle, the achievement of which will be facilitated by a high level of moral, professional and ethical component of the police officer.

Conclusions. Thus, professional and ethical requirements for police activity are a fundamental component of ensuring the principles of the rule of law, activities based on openness and transparency, implementation of preclusive and preventive activities aimed at preventing the commission of offenses, as well as reasonable and lawful measures of response to offenses.

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Альона Романова
Національний університет “Львівська політехніка”,
Навчально-науковий інститут
права, психології та інноваційної освіти,
доктор юридичних наук, професор,
професор кафедри
теорії права та конституціоналізму
aliroma@ukr.net

ПРОФЕСІЙНО-ЕТИЧНІ ВИМОГИ У ПОЛІЦЕЙСЬКІЙ ДІЯЛЬНОСТІ

З'ясовано, що формуванню морально зрілої особистості сприяє високий рівень етичних вимог, втілення у службовій діяльності загальнолюдських цінностей, що знижує прояви порушення службової дисципліни, професійної деформації, а також, сприйняття населенням поліції як “карального” органу, а не як такого, що попереджує протиправні діяння і взаємодіє з населенням на засадах партнерства.

Наголошено, що найважливішою професійною вимогою у поліцейській діяльності є повага і дотримання прав та свобод людини. Цей обов'язок передбачає безліч етичних аспектів у процесі його реалізації (повага до затриманої особи; недопущення приниження людської гідності через катування, приниження, зневагу; неупереджене ставлення до кожної людини незважаючи на віросповідання, політичну позицію, расову, майнову чи іншу ознаку тощо).

Доведено, що на дотримання професійно-етичних вимог у поліцейській діяльності, перш за все, впливають ціннісні орієнтації сформовані в поліцейського у період його становлення як особистості (дитинство, юність, навчання в ЗВО). Неможливо миттєво, прийнявши присягу, набути високих морально-етичних якостей, які будуть реалізуватися у професійній сфері. Саме тому, важливим є психологічне тестування на придатність до служби в поліції. На рівні з визначенням фізичного і психічного здоров'я необхідно визначати морально-психологічну стійкість та сформованість особи.

Зазначено, що професійно-етичні вимоги у поліцейській діяльності є фундаментальною складовою забезпечення принципів верховенства права, діяльності на засадах відкритості та прозорості, здійснення превентивної та профілактичної діяльності, спрямованої на запобігання вчинення правопорушень, а також, обґрунтованого і правомірного вживання заходів реагування на правопорушення.

Володіння високою етичною культурою на рівні з професійними компетентностями є вимогою, яка забезпечується ще у процесі навчання майбутніх поліцейських.

Ключові слова: поліцейська діяльність, юридична етика, корпоративна етика, професійно-етичні вимоги, правоохоронна діяльність.