

V. CRIMINAL LAW AND PROCEDURE

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**CRIME COUNTERACTION BASED ON THE MODERN CONCEPTS
OF INTERACTION BETWEEN THE POLICE AND SOCIETY:
THE EXPERIENCE OF FOREIGN COUNTRIES AND RUSSIA**

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Introduction: the article considers urgent problems of forming an effective police institution, meeting the requirements of the modern society. The main goals of the police are to protect society against illegal infringement and to ensure safety of every citizen. In this regard, public assessment is considered to be one of the main criteria of the police activity estimation. In 2011, Russia introduced a reform of law-enforcement agencies, which is aimed at strengthening the interaction between the police and society, as well as at introducing the concepts of social partnership between the police and society, common for developed countries. **Purpose:** to analyze the police reform in Russia, to determine the origins and causes of the formation of the concept “social partnership”, to consider the process of progressive transition to the “social partnership model” in some foreign countries (USA, EU, Japan). **Methods:** the study applied such general logical methods as analysis and synthesis, involved dialectical and comparative methods, used the results of sociological research. **Results:** analysis of results of public opinion monitoring (2011–2015) reflecting the level of satisfaction of Russian citizens with the police activities shows a lack of confidence in the police and protection of citizens from criminal attacks. Based on studying the genesis of the concept of partnerships between citizens and the police in developed countries, the authors have identified features of the police institution functioning and paid attention to the factors that contribute to growth of citizens’ trust in

*the police. Analysis of the experience of foreign countries allowed the authors to establish that socially oriented model of policing has been successfully implemented there largely due to the political, historical and socio-cultural reasons. **Conclusions:** the first priority for Russia must be to form an efficient law-enforcement system which will have the ability to effectively perform functions of protection of citizens' rights and fight against crime. In other ways, attempts to earn the trust of the citizens will only discredit the police institution and the state itself. The mechanisms of forming an effective police institution are revealed. There are noted effectiveness of the "problem-oriented policing" approach and the "community policing" concept. The authors consider these as the future of Russian law-enforcement system.*

Keywords: police reform; public monitoring; social partnership;
police efficiency; "community policing"; "problem-oriented policing"

Information in Russian

ПРОТИВОДЕЙСТВИЕ ПРЕСТУПНОСТИ НА ОСНОВЕ СОВРЕМЕННЫХ КОНЦЕПЦИЙ ВЗАИМОДЕЙСТВИЯ ПОЛИЦИИ И ОБЩЕСТВА: ОПЫТ ЗАРУБЕЖНЫХ СТРАН И РОССИИ

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Введение: в статье раскрываются актуальные проблемы построения эффективного института полиции, отвечающего современным запросам общества. Основной целью деятельности полиции является защита общества от противоправных посягательств и обеспечение безопасности каждого гражданина, поэтому общественная оценка выступает одним из основных критериев оценки деятельности полиции. Максимальная эффективность ее работы возможна лишь при высоком уровне общественного доверия к полиции. В России с 2011 года запущена реформа правоохранительных органов, направленная на укрепление взаимодействия полиции и населения, внедрение концепций социального партнерства полиции и общества, распространенных в развитых странах. **Цель:** проанализировать действие полицейской реформы в РФ, определить истоки и причины формирования концепции партнерских отношений граждан и правоохранительных органов, рассмотреть процесс прогрессивного перехода к «модели социального партнерства» в некоторых зарубежных странах (США, ЕС, Японии). **Методы:** в ходе исследования были

применены такие общелогические методы, как анализ и синтез, задействованы диалектический и компаративистский методы, использованы результаты социологических исследований. **Результаты:** анализ результатов мониторинга общественного мнения (2011–2015 гг.), отражающего степень удовлетворенности российских граждан деятельностью полиции, продемонстрировал недостаточную для признания успешности проводимых реформ динамику роста уровня доверия к полиции и защищенности граждан от преступных посягательств. На основе рассмотрения генезиса концепций партнерских отношений граждан и полиции в развитых государствах авторами были выявлены особенности функционирования института полиции, обращено внимание на факторы, способствующие росту доверия граждан к полиции. Анализ опыта зарубежных стран позволил определить, что успешность реализации у них социально ориентированной модели деятельности полиции во многом обеспечена политико-историческими и социокультурными аспектами. **Выводы:** в России в первую очередь необходимо сформировать действенную правоохранительную систему, способную эффективно реализовывать свои функции по защите прав граждан и борьбе с преступностью. Иначе попытки добиться доверия со стороны граждан будут лишь еще больше дискредитировать как институт полиции, так и само государство. Выявлены механизмы формирования действенного института полиции. Отмечается результативность «проблемно-ориентированного» подхода в деятельности полиции и концепции «полиция на службе общества». Авторы считают их будущим российской правоохранительной системы.

Ключевые слова: реформирование полиции; общественный мониторинг; социальное партнерство; эффективность полиции; «полиция на службе общества»; «проблемно-ориентированный подход в деятельности полиции»

Introduction

Modern democratic legal states are the guarantors of the successful implementation of the rights and freedoms of the individual, making a considerable effort to provide them. The police play the most important role in this process. The uniqueness of the police institution lies in the fact that it, alongside with being a part of the state mechanism for the implementation of public interests and public policy, is capable of ensuring citizens' rights and freedoms to the fullest extent possible in terms of its law enforcement functions. The experience of policing in different countries shows that it is most effective only with the support and trust of society, the creation of partnerships between the police and the population.

The Russian Federation is in the process of reforming the police institution aimed at strengthening interaction between law enforcement bodies and society. This concept is inherent in the fundamental Federal Law No. 3-FZ "On the Police" of February 7, 2011. Analysis of the law "On the Police" demonstrates the legislator's pronounced desire to develop partnerships between the Ministry of Internal Affairs of Russia and the citizens, to raise the level of public confidence in the judicial system, including in the following ways:

1) involvement of citizens and NGOs in the implementation of the state policy in the sphere of

protection of public order, public safety and combating crime;

2) participation in the development and review of concepts, programs, public associations and citizens' initiatives on the most pressing issues of the police work;

3) conducting public examination of the draft federal laws and other normative legal acts concerning the police activities;

4) discussion of issues related to police activities in the media;

5) implementation of public control over the police activities¹.

The presence of a number of such issues determines appearance of not only quantitative but also qualitative criteria for assessing efficiency of law enforcement bodies activity. Such criteria could be the level of public satisfaction with work of law enforcement bodies in general and work of their particular departments and employees, a measure of confidence in them, the degree of readiness of citizens to support and assist them in their work, and others.

A key aspect of the ongoing government reforms is the public monitoring, which performs supervisory and coordinating functions, as well as stimulates the performance, clearly demonstrating

¹ Federal Law "On the Police" of February 7, 2011 No. 3-FZ. *Collection of Legislative Acts of the Russian Federation*. 2011. No. 7. Art. 900.

the extent to which the activities of the police are in line with expectations and needs of the population.

Large-scale studies of public opinion about the police work have been carried out since the adoption of the law “On the Police”. To date, the experience of practical implementation of the law is more than five years, but most people do not see any significant changes in the activity of law enforcement bodies. Attitude of the population to the reform of the Ministry of Internal Affairs was initially skeptical. According to the results of the 2011 survey, 56 percent of citizens believed that after the adoption of the new law the police were working “as usual” [1, p. 54]. Subsequent annual surveys have shown the weak upward trend in the number of citizens who are confident in their security against criminal attacks (within 31–39 percent), and that the level of trust in the police over the past five years has not changed and amounts to 50–55 percent nowadays¹.

These results demonstrate a clear failure in the implementation of the concept of social partnership between the police and society. Of course, “the transition from the concept of command and control, strict adherence to the laws of policing with a focus on the community cannot be done immediately” [6, p. 211]. However, the fact that half of the citizens do not feel confidence in the police, and more than half do not even consider that they effectively fulfill their function to protect their rights, cannot be considered a satisfactory result of the work of law enforcement agencies neither within the framework of a “crisis” nor even more a “trust model” of policing. No wonder that in such circumstances the increase in crime was noted. According to the reports of the Ministry of Internal Affairs for 2015, 2352.1 thousand crimes were registered, which is by 8.6 percent more than in the previous year (January-April 2016 – 787 thousand crimes, which is 5.3 percent more than in the same period of the previous year)². The damage of crime also

increases (for completed and suspended criminal proceedings) – about 436 billion rubles for 2015, which is 24.9 percent more than in the previous year. The fact of the lack of effectiveness of the existing enforcement system is clearly indicated by the statistics that every second (55.1 percent) of the investigated crimes was committed by people who had committed crimes before³.

Such a pronounced lack of success in the reform of the Ministry of Internal Affairs raises a number of problematic issues for the state and society. Where have the mistakes been made? How to change the current situation? What is needed for effective interaction between citizens and law enforcement agencies? The answers lie in studying the experience of the countries that in due time successfully implemented the concept of social partnership in the framework of police reforms.

As is known, the partnership between the police and society is a concept created in the developed foreign countries. Based on it, major reforms of the police were held in almost all the developed countries of the world: the USA, Canada, Australia, Japan, the UK, countries of Western Europe. The transformations have led to the change of essential components of the police work: its forms and methods, the nature and the content of cooperation, orientation, interaction with citizens and public institutions.

Therefore, it seems appropriate to elaborate on the origins and causes of the concept of partnership as well as to analyze the process of implementation of the police reform in a number of foreign countries, because, despite the general conceptual framework, the police institution in different states has its own essential features.

Transformation of the Police and Society Cooperation in Some Foreign Countries

In the 1980s and 1990s, law enforcement agencies in the USA, Western European countries faced a progressive increase in crime and the need for settlement of mass demonstrations and riots. State governments were forced to undertake a series of “crisis” measures to combat crime, such as tougher laws, increasing the number of police officers, the expansion of their social guarantees,

¹ See: Comprehensive analysis of the results of studying public opinion on the level of individual security and activities of law-enforcement bodies of the Russian Federation, 2012. Available at: <http://vnii-mvd.ru/files/> (accessed 15.06.2016); The main results of studying public opinion on the level of individual security and activities of the Internal Affairs Bodies of the Russian Federation, 2013. Available at: <http://vnii-mvd.ru/node/2444> (accessed 15.06.2016); Comprehensive analysis of the results of studying public opinion on the level of individual security and activities of the Internal Affairs Bodies of the Russian Federation, 2014. Available at: <http://vnii-mvd.ru/node/2902> (accessed 15.06.2016).

² Brief description of the state of crime in the Russian Federation in January-April 2016. *Official site of the Russian Ministry*

of Internal Affairs. Available at: <https://mvd.ru/folder/101762/item/7755683/> (accessed 15.06.2016).

³ Brief description of the state of crime in the Russian Federation, including the Crimean Federal District in January-December 2015. *Official site of the Russian Ministry of Internal Affairs*. Available at: <https://mvd.ru/folder/101762/item/7087734> (accessed 11.06.2016).

PR-companies in the media aimed at increasing the authority of the police. However, the police actions showed poor performance as stereotypes of rigid, authoritarian, discriminatory police behavior worsened relations with the population and greatly reduced the effectiveness of combating crime. There came the understanding that the police cannot “alone” defeat the growing threat of crime and ensure law and order, promoting the implementation of human rights and freedoms in the democratic society. It required conceptual changes in policing.

The concept of “community policing” (police in the service of society) covers a set of concepts and practices of policing pretending to provide a radical renewal in the activities of the protection of public order. Strategies and tactics of “community policing” are based on a broad approach to safety and quality of life of the population, aimed at creating the police integrated into the civil society striving to cooperate in solving the problems of maintaining the public order. Provision of “peacekeeping”, harmonizing public order services to the population becomes the determining direction of the police work [9]. As part of the implementation of this concept, recognition and approval of the role of society in influencing the management philosophy of the police work take place [16].

According to the doctrine of “community policing”, the main objective is crime prevention and not just struggle with the consequences, which is impossible without close cooperation with the population. Development and strengthening of trust between the police and community can increase public awareness of the population, citizens begin to feel a part of the responsibility for the maintenance of a proper quality of life and solution of social problems in their area [13].

This strategy is implemented through the use of a problem-based approach – “problem oriented policing”, which is an innovation in the method of crime prevention – a purposeful and systematic study of the causes of citizens’ complaints to the

police and the elimination of these factors in order to avoid repeated calls on the same matters. About 80 % of the duty time of the line-level police is given to carry out this activity, as they are the closest to population.

Based on the doctrine of “community policing”, the focus of training at the Police Academy of the USA and Europe has shifted. Due to the changes in the social role of law enforcement agencies, the police are required a different level of education, critical thinking, awareness of various social issues and ability to resolve them [6]. They began to actively introduce modern programs of social and psychological training of police officers for effective professional communication with different categories of people (victims, witnesses, mentally ill, drug addicts, citizens of different ages, etc.) as well as learning interaction and conflict resolution. The following practical work of the police has shown the effectiveness of such training on a number of grounds: reduction in the number of repeated calls; strengthening of citizens’ trust in the police; the desire of victims to cooperate with the police in the subsequent investigation; stress reduction in the police profession [5].

One of the important ways of increasing the level of public confidence in the police is to develop the police work on the Internet and social networks as the most frequently visited resources. Law enforcement agencies are able to inform the citizens about the committed crimes, missing persons, stolen vehicles, and the population, in turn, can provide information to assist the police in their work, or to leave requests for help. In many European countries the development of social media interaction yields positive results [12].

An integral part of the implementation of the “community policing” concept is the audit of law enforcement bodies acting as the traditional tool of social control over the observance of laws by the police and administration. As researchers note, in recent years the value of auditing is increasing “in advising Ministers for Internal Affairs, in the management and assessment of police performance, and

in the evaluation of the domestic policy in general” [4, p. 56].

Despite a number of common features, the concept of “community policing” had a specificity of implementation in different countries in accordance with national traditions, reformation of the legal framework, structures, strategies and tactics of the police functioning.

The USA “Zero Tolerance” to Crimes

From the history of development of the police institution in the United States, it is known that its law enforcement focus is dynamic, technologically effective and reflects the concept of maintaining the public order in the framework of the democratic rights and freedoms in the civil society. In the US, there is a three-level law enforcement system (federal, of states, local), but they are the local police of the line level that are the most numerous (60 percent) and interact directly with the population, representing a basis for the police system.

Since the 1990s, all available and innovative resources have been used in the United States to combat crime. Socially-oriented work with the population (crime prevention, preventive measures against offenses at the local level, assistance to citizens in various difficulties) has been strengthened, which guaranteed social support and cooperation in the prevention of crime, and integrated community life in the context of law enforcement. The maintenance of law and order with the participation of the public came to be regarded as the police provision of services to the public. American citizens began to express a desire to participate in policing, becoming so-called police volunteers, police assistants on a voluntary basis [11].

Simultaneously with the “soft” socially-oriented interaction, the government reformed the legislation in a “hard” way and sharply toughened punitive policy regarding some very serious crimes, primarily for the purpose of the “preventive effect”. The so-called social doctrine of “zero tolerance” was introduced, under which the offense must be suppressed, and the crime punished.

According to the statistics for 2015, the United States not only take one of the first places among the countries of the world with the lowest level of crime, but also only the first place in terms of the number of inmates in prison – 2.3 million of convicted (for 320 million people), of whom 129 thousand people serve life sentences.

In comparison, for example, in China, where the population is four or five times as large as in the US (1.340 million people), the number of prisoners is 1.4 million people¹. In the US, prisons contain approximately 25 percent of the total number of prisoners in the world.

Since the second half of the 1990s, in the US there has been a stable and highly significant reduction in most prevalence rates for all types of crime, especially violent crime. The changes in the criminal situation are most obvious in megacities. For example, in New York, for the period from 2003 to 2010 the crime rate decreased by 35 percent, including murders – 30 percent, burglary – 42 percent, car theft – 64 percent. In Los Angeles, the second largest US city by population, crime was reducing for ten consecutive years, and in 2009 it decreased by nine percent compared with 2008, reaching the rate that had been fifty years before [2].

Some other factors also play an important role. Research of criminologists and economists fixed annual significant increase in the damage caused by crime, as with the enhancing living standards the cost of insurance payments, legal costs, maintenance of criminals in prisons etc. are also rising. According to the US Department of Justice, in 1989 the total sum of losses (including direct damage) from each murder was 2.4 million dollars, while by 2009 – about seven million dollars [2, p. 54]. In general, the total losses from crime in 2011 “destroyed” thirteen percent of the US GDP. This “cost of crime” repeatedly encourages the US to fight it.

The marked reduction in criminality, which has been observed over the last 15–20 years, cannot be considered an accidental or temporary phenomenon in the United States. This is the integrative result of the influence of a variety of different factors of social life, including prolonged and sustained efforts of the authorities and law enforcement agencies aimed at the radical change in the crime situation, protection of the individual and general increase in the level of socio-economic development of society.

Sweden: a Civilized Approach to the Problem of Crime. Sweden can be an example of one of the Anglo-Saxon countries of the EU which effectively implements the concept of “community policing”.

¹ Highest to Lowest – Prison Population Rate. Available at: http://www.prisonstudies.org/highest-to-lowest/prison_population_rate?field_region_taxonomy_tid=All (accessed 09.06.2016).

The practical implementation of this concept requires active interaction with the population, which increases the requirements for socio-psychological and professional qualities of the police: 1) good training, priority of university education; 2) qualitative selection of personnel; 3) compliance with the ethical standards of conduct and respect for the rights and freedoms of citizens.

In the police work in Sweden the emphasis was placed on the ethical side: "Respect for the law begins with respect for the citizen". Intellectualization of the police work, high wages helped to improve the image of the police officer and as a result the police profession has gained popularity and high social status [5, p. 151]. Particular in the Nordic countries the following regularity was identified and taken into account: the higher the index of education and the level of the general culture of the police, the better their professional activities are.

As part of socially-oriented policing strategies there occurred "humanization" in the attitude to offenders who began to be treated not only as criminals requiring repressive effects, but also as people with "deformed legal behavior" who need not only restrictive measures but also help. The policy of re-socialization of convicts was reviewed (according to the statistics for 2015 in Sweden the number of prisoners is 60 people per 100 thousand inhabitants)¹.

In Sweden the "problem-oriented policing" approach is widely implemented, which can be seen in purposeful and systematic work to study the causes of the complaints from citizens to the police and to eliminate these factors. The corruption component is minimized. An analysis of applications submitted to the police by the Swedes for 2014 indicates that currently the most common offenses are computer fraud, property damage and theft of bicycles. The level of violent crimes is low: in 2014 only 87 murders were recorded, which is one percent more than in 2013².

According to the statistics, the level of the Swedes' social trust in the police is the highest in

the world – 98 percent [5]. The citizens' trust in the police is expressed in the maintenance of law-abiding behavior, assisting the police officers in the operative crime detection activities, participation as witnesses in judicial proceedings.

France: the Rejection and Return to the "Agreement of Mutual Trust". French police historically unites two centralized institutions that have similar powers: 1) National Police (under the Ministry of Internal Affairs) – a civic formation that operates in cities and towns with a population of over 16 thousand people; 2) National Gendarmerie (under the Ministry of Defense) performs the police functions in rural areas and small settlements, which occupy 90 percent of the country's territory, being home to about 50 percent of the population in total. Historically, the gendarmerie takes a higher social status, which creates the effect of competition between the two entities [8].

Reformation of policing in France in the 1990s, like in many other countries, took place under the influence of the concepts of the new vision of public security and the principles of interaction with the public. The French version of "community policing" developed into the "police de proximité" ("close police"), whose activities were understood as those of a public service providing services to the population in the field of security, ensuring tranquility and order on the whole, and not as of a body that focuses only on the fight against crime. The idea of "close police" in France in the period of 1997–2002 was implemented in the framework of the "Safety Act". However, various forms of social partnership and involvement of citizens into protection of public order, which were common in the US, UK, Japan, were not in demand in the French political and legal traditions. The efforts were aimed at improving coordination between the National Police and the Gendarmerie, because the criminalization rate did not improve, victimization of the population increased. The positive idea of social partnership was discredited; the reform of "close police" was not completed and entrenched in the minds of neither police nor citizens.

Since 2002, the new French government has set a course for the "tough police" and "concrete results", which showed its effectiveness in combating serious crimes. For example the number of detected murders in 2007 was 88 percent, which

¹ Highest to Lowest – Prison Population Rate. Available at: http://www.prisonstudies.org/highest-to-lowest/prison_population_rate?field_region_taxonomy_tid=All (accessed 09.06.2016).

² Common crimes in Sweden. *Radio Sweden*. 31.03.2015. Available at: <http://sverigesradio.se/sida/artikel.aspx?programid=2103&artikel=6131009> (accessed 08.06.2016).

suggests that the French police are highly professional. However, the problem of social distance between the population and "tough police" began to grow, which can be illustrated by the quote of the famous sociologist of Law D. Montjardin: "A police officer to a citizen: "You must be very pleased, we arrested your thief". The citizen to the police officer: "I would rather it did not happen at all!"".

The boundaries of the "crisis model" of policing based on repressive measures were exhausted in the developed countries in the second half of the 20th century, and their revival in France could only give a temporary effect. Since 2008, a new course for the establishment of the "mutual trust agreement" between citizens and the police has been set again. However, the success of its implementation has not been seen yet: the total number of criminal offenses in France in 2015 increased by seven percent, accounting for a total of 3.68 million (in 2014 – 3.65 million offenses). At the same time, for several years the number of street assaults and robberies (29 percent growth rate) and manufacturing or sale of counterfeit money or securities (42 percent growth rate) has been growing. Lack of credibility of the French police in the eyes of the population is confirmed by the fact that in 2015 there were more than 30 thousand attacks on the police officers and gendarmes¹.

The number of inmates in French prisons is also increasing: in 2006 there were 85 people per 100 thousand people living in France, while in 2015 – 100 people; but these figures are quite comparable with those in other countries: in Canada – 106 people, in Austria – 96 people².

Japan: the Integration of Modern Technology and Age-Old Traditions. Of all the countries in the Asia-Pacific region, Japan is particularly notable as the one with the lowest crime rates, which is also evident in comparison with the criminal statistics in the US and European Union.

According to the Constitution of Japan, the police is an independent public institution subordinated to the Government, but not included in any of the ministries and departments. The country has

built a highly centralized hierarchy of the police service. In the capital and prefectures, the jurisdiction of the police is divided into districts and regions, in each of them the traditional system of police "stationary booths" ("Koban") operates, which was founded in 1874 in the Meiji era. Thus, there are about 110 police stations in Tokyo with nine million people, to each of them 10–15 "Kobans" are related [3].

In all the basic documents starting with the Police Act of 1954, when determining the tasks facing the police, the following words prevail: "warning", "prevention", "assistance to citizens in any circumstances" etc. At each police department "a board for communication with the population" is created, which includes representatives of public organizations, committees of local self-government, large residential complexes, school committees, volunteer groups and leaders, etc.

It is believed that the police stations, located throughout the country and integrated into the surrounding neighborhoods (in large cities there are 6200 "Kobans" with three-five employees, and in small towns – 6600 "Chuzaisos" with only one employee), perform the main role in maintaining public order and public safety at the primary level. The essence of policing policy in modern Japan is prevention of crime – both primary and repeated, recurrent – in close cooperation of law enforcement agencies with a wide range of people. The main work connected with the prevention and suppression of crimes focuses on the linear level, with more than 40 percent of the total police personnel, being responsible for 60–65 percent of all offenders arrested.

Noteworthy is the fact of the high load on one policeman: for example, in 1990 in Japan there was one policeman per 556 people (while the corresponding proportion in the US was 1 per 379, in France – 1 per 268) [7]. For a number of minor crimes / offenses, the police can adjudicate by themselves, without transferring cases to the prosecuting authorities (as opposed to the United States police, for example) [2].

They are petty thefts that dominate among all the crimes. Due to the peculiarities of the Japanese way of life, education, law enforcement practice, only the minors can afford to violate the law. For adults, any unlawful or especially criminal behavior is simply not profitable in all respects, because

¹ Crime and mortality statistics in France: new records. Available at: <http://ru.rfi.fr/frantsiya/20160119-statistika-prestupnosti-i-smernosti-vo-frantsii-novye-rekordy> (accessed 09.06.2016).

² Highest to Lowest – Prison Population Rate. Available at: http://www.prisonstudies.org/highest-to-lowest/prison_population_rate?field_region_taxonomy_tid=All (accessed 09.06.2016).

it puts them on the lowest step of well-being almost forever. For example, conviction of corruption leads not only to the collapse of a career but also to a “loss of face in the society” – it is a shame that affects members of the offender’s family, that is why such facts are extremely rare.

To date, the crime rate in Japan is lower than in the US and Europe. The number of inmates in prisons per 100,000 citizens is noticeably decreasing: in 2006 – 62 persons, in 2015 – 49 people¹. The low crime rate contributes to a further increase in the level of trust in the police of the population – 92 percent. The Japanese police is one of the most technically advanced in the world.

The success of the policing policy of the Japanese government can be explained by its socially-oriented focus, a wide appeal to the various forms of informal social control, family policy aimed at the development of socially useful patterns of lawful behavior, special public measures of re-socialization of offenders, the optimal ratio between the police work and the specific logic of relationships inherent in Japanese. The role of the public also explains the effectiveness of the Japanese police activities despite the highest workload rate of police officers among developed countries.

Thus, having different traditions and historical experience, foreign countries used the resources and innovation available to them in order to maximize the efficiency of ensuring public security in the interest of citizens and society. The transition from the “crisis model of policing” (repressive measures) to the “socially-oriented model” (crime prevention in the framework of the social partnership between the police and citizens) has been made. Monitoring of public opinion is the main tool for evaluating activities of the police in foreign countries, which tend to confirm its image of an efficient state structure professionally protecting rights of the population. The implementation of the problem-oriented approach, focus on the social partnership between the police and population increases citizens' confidence, which is expressed in their practical behavior as a desire to observe the law and assist the police in their activities. It can also be seen as an indicator of law enforcement in-

tegration of society, which contributes to the effective reduction of criminal behavior.

Russia: Reasons for the Failure to Implement the Concept of the Social Partnership and Ways to Improve the Efficiency of the Police Work

Based on the experience of foreign countries, it can be stated that the successful implementation of their socially-oriented model of policing is largely achieved due to the political, socio-cultural and historical aspects.

In Western countries, the idea of democracy and legal state had existed for centuries in the social and political thought, and the processes of democratization in the 18th – 19th centuries had a significant impact on society. Consequently, guardians of the law in the form of the police maintaining the public order, a priori, had a certain “credit of trust” on the part of the conscious law-abiding segment of the population, so strengthening of work in this area had a positive effect. As for the younger Japanese democracy, it is a very remarkable experience for our country, as it proves the feasibility of the concept of social partnership not only in the countries following the Western path of development, but also in those based on their own legal and social traditions.

Russian political history is characterized by the transition from autocracy to the totalitarian regime; in such circumstances, the police did not have a chance to become a tool for protecting the rights of citizens and it was used as a suppression device, which had determined attitude towards the police for a long time. In the second half of the 20th century, when the times of mass repressions gradually began to fade into the past, the police (militia) still caused apprehension among ordinary citizens, but in general, the attitude was respectful, this profession had a certain prestige, moreover, the population was actively involved in the protection of public order. The police at the local level was involved in public affairs as much as possible, which contributed to the development of the trusting relationship. However, the trust was lost after the collapse of the USSR. Control over the execution of laws in general and the work of the police in particular were significantly weakened, which caused such negative phenomena in the police as corruption, “werewolves in uniform” and so forth. This led to a sharp increase in criminality in the society with total unwillingness of the population to cooperate with the police.

¹ Highest to Lowest – Prison Population Rate. Available at: http://www.prisonstudies.org/highest-to-lowest/prison_population_rate?field_region_taxonomy_tid=All (accessed 09.06.2016).

The modern police reform was intended to rectify the situation, but, as we noted above, the reformers could not implement this plan. In many ways, it was so because in the course of reforms the experience of foreign countries was adopted without taking into account the need to adapt it to the current situation. For example, the interaction of the Department of Internal Affairs and community councils, forms of which were enshrined in various normative legal acts, was virtually unclaimed because of deficient formation of community councils (especially at the local level) and civil society institutions in general. Manifestations of initiative from citizens in our country are very limited and do not concern the bulk of the population.

Russian legislators assumed the probability to find a resource to improve the efficiency of the police work in police-public partnerships. However, they did not take into account the fact that in the conditions of ineffectiveness of the police as an institution that ensures the rights of citizens and is engaged in the fight against crime, it is difficult to expect any trust from population. Doubts about the competence of law enforcement officers and their ability to exercise their powers with the maximum benefit for the society are more common for people. This attitude is not only expressed by distrust of the police, but also by the habit to solve arising difficulties (including those within the competence of law enforcement authorities) independently. Therefore, the most essential need is to create an effective system which is capable of fulfilling the tasks of maintaining law and order in society. However, rapid change should not be expected. Transformation sometimes takes years and decades, since any system tends to stability. Changes should initially take root in the minds of people (police officers, citizens) and break the stereotypes; and this is a very long process.

Conclusions

Studying the experience of foreign countries in improving the effectiveness of law enforcement agencies identifies possible ways and mechanisms for constructing a qualified police institution in modern Russian conditions.

In the first place, great attention should be paid to training and retraining of police officers, they should have special education, possess not only

professional but also personal qualities needed to work in the police. In this regard, the experience of Sweden is a good example to follow.

Second, an important step is to strengthen the work of police officers at the grassroots level, to develop both-way cooperation between the district police officer (as the most approximate to the public) and citizens. The district police officer should be aware of what is happening in the area under their jurisdiction, and citizens, in turn, should know how to contact the district police officer, in order to refer to them for the solution of pressing problems – which should be dealt with efficiently and promptly.

Third, crime prevention is the most effective way to fight it, and the experience of foreign countries confirms this. It is necessary to develop a system of preventive measures to involve as many citizens as possible to participate; and it is important to be guided not by formal implementation of a plan but the result.

Fourth, it is necessary to maintain and improve the public monitoring mechanism, which serves as a criterion for evaluating the effectiveness of the execution of tasks by the police institution. The Department of Internal Affairs should listen more attentively to the “pulse” of public opinion and promptly address the identified deficiencies.

Fifth, although public opinion is the main criterion for evaluating the police performance, stereotypical attitudes (with a negative shade) to the guardians still live in the minds of many people. It is necessary to improve the image of the police in the eyes of the population, mainly through the new positive experience of cooperation with law enforcement authorities which effectively perform their duties.

For the five years of the Police Reform in Russia it has been difficult to reach those heights in community-oriented policing which were shaping in foreign countries for decades. On the other hand, the experience of developed countries shows the high efficiency of the police-community partnership and problem-oriented approach in the fight against crime. Russia should strive to build a modern and efficient judicial system capable of protecting the rights of citizens, to focus on the needs of not only the state but also the society.

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