

ENTREPRENEURSHIP PERSONNEL PROFESSIONAL COMPETENCE DEVELOPMENT MODEL

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ABSTRACT

In the leading countries of the world, sufficiently developed systems of probation organs have been created, built on the basis of theoretical generalizations and practical research. A general analysis of the practice of probation of foreign countries shows that it has different organizational and functional peculiarities, which are generally due to the awareness of the content of this institution in the criminal law of the country, but the goals and means of achieving them are somewhat similar. It has been proved that in these countries, whose experience has been analyzed, personnel training is an important part of the probation institution. Typically, offenders are staffed with highly trained specialists who have a university education, graduated from special vocational training courses in subordinate educational institutions and systematically increase their professional competence. Primary vocational training of newly-recruited workers is provided by full-time, part-time or intra-extramural forms of training.

Keywords: Competence, Probation Bodies, Model, Online Courses, Skills.

JEL Classifications: M5, Q2

INTRODUCTION

The problem of professional competence development of the personnel of the probation body of the State Criminal Service of Ukraine has become urgent in connection with the reform of the penitentiary sphere, the introduction of international standards in judicial practice, the increased requirements of society for specialists of the penitentiary system in general and employees of the probation body in particular. Probation is a new institution in Ukraine, the formation and development of which envisaged a radical rethinking of the essence of criminal-executive activity and social work with criminals.

Currently, the international practice of combating crime has proved that punishment in the form of imprisonment should be used as the last resort to dangerous perpetrators, since isolation from society often contributes to the destruction of the individual, the loss of socially useful ties. In the event that the punishment is more severe than the severity of the offense, its application does not restore social justice.

So choosing an adequate punishment is very important. The proof of this statement is proved by the successful existence of criminal-law institutes, which allow not to use the punishments provided for the commission of a crime and, in the presence of certain conditions,

to replace it with alternative criminal-law measures. Such institutes include the institution of probation, the institution of conditional (unconditional) release from punishment.

REVIEW OF PREVIOUS STUDIES

In many countries of the world (Britain, the USA, France, etc.), the probation institution has more than 200 years of history and interesting experience. Thus, the task of studying, analyzing, generalizing and isolating the constructive ideas of this experience is presented to Ukrainian scientists. We emphasize that today in the pedagogical research the comparative method is actively used, which, according to scientists, has both cognitive and practical potential. To a large extent, the success of an institution of probation depends on the level of competence of its personnel. In particular, it is said that:

The probation service should work in such a way as to win respect for other law enforcement agencies and society, thanks to the status and work of probation officers. The relevant authorities should contribute to this goal by providing the service with the necessary resources, qualitative recruitment and staffing, adequate (satisfactory) employee support and good governance (Brown et al., 2018; Drobyazko et al., 2019a);

Employees must be selected and appointed in accordance with accepted requirements, among which particular attention should be paid to the honesty, humanity, professionalism and personal qualities required to fulfill the complex duties they are entrusted with (Fine et al., 2017; Drobyazko et al., 2019b).

All employees should be able to receive education and training, in accordance with their role and level of professional duties (Hilorme et al., 2019a; Hilorme et al., 2019b; Sitdikova & Starodumova, 2019).

All employees should undergo initial training and acquire the necessary skills, knowledge and value orientations (Leiber et al., 2018).

METHODS

In order to solve certain tasks in the research process, interconnected philosophical, general scientific and special-pedagogical methods of research were used in a comprehensive manner:

Theoretical: Analysis of scientific sources, normative legal documents, educational-methodical documentation for the purpose of studying the history of the institute of probation in the domestic and world legal field; detection of development state of the problem under study; definition of approaches to the essence of professional competence; analysis and synthesis of research data-to clarify the essence of the probation body personnel professional competence and to substantiate the model of development of the investigated quality in departmental educational institutions; generalization-to formulate the conclusions and recommendations of the research results.

Empirical: Studying and generalizing the experience of developing the probation body personnel professional competence (conversation, questioning, testing, direct and indirect observation, assessment), the statement and forming stages of the experiment, as well as special methods for evaluating the results of the development of probation body personnel professional competence.

Methods of mathematical statistics: For processing data and establishing dependencies between investigated objects and identified processes.

RESULTS AND DISCUSSIONS

The question of the professional training of probation personnel in the United States arose at the beginning of the 20th century, when full-time civil servants came to replace volunteers. In 1904, the New York School of Philanthropy was created (Fine et al., 2017).

Now candidates are selected for the post of federal probation officers who meet the following requirements: age up to 37 years, presence of a bachelor's degree in jurisprudence, an examination by the FBI bodies, and compulsory possession of a computer. The duties of the officers of pre-trial services include working with the accused and defendants who are under the subscription, after the indictment and court decision, as well as the promotion of their rightful behavior in society before the court verdict. The number of probation officers depends on the workload (Leiber et al., 2018).

In the United States (Ohio) probation personnel who came to work after January 1, 2014, must complete a four-week course, compulsory 6 full-time and 12 distance (online) courses throughout the year (Rhineberger-Dunn et al., 2017).

In 2017, compulsory online and full-time courses were offered for study (Table 1).

Compulsory online courses	Compulsory full-time courses
Principles of effective interventions	Introduction to evaluation and case management
Basics of risk evaluation	Professional communication: oral and written communication skills
Ohio court system	Introduction to conjunctive behavioral intervention
Ohio criminal justice system and its partners	Introduction to motivational interviewing
Powers of probation officers and their role in court	Introduction to the development of offender skills
Ethics probation officer	Introduction to the formation of offender skills in managing their own behavior
Fundamentals of employee safety	
Basics of Courtroom presentations	
Electronic information systems of offenders	
Drug addiction and testing	
Parole	
Special population groups	
Systematized by authors on a basis https://www.supremecourt.ohio.gov/Boards/judCollege/probationTraining/	

Similar to the above basic training programs, they are practiced in other US states, as a rule they are designed for 160 hours of training during four weeks. At the same time, the Federal service for probation and pre-judicial services imposes a requirement for personnel training from the first day of work and continuing education throughout their careers, as well as organizes the development of knowledge in certain areas of activity. The Federal judicial center and the Judicial science research and education agency develop training programs and offer: seminars, workshops, face-to-face and online conferences, satellite TV broadcasts, leadership and new supervisory programs. Each employee receives training in the workplace that covers various fields of activity, including: studying the offender, reporting, alcohol or drug abuse, mental health treatment, firearms and security, and other areas from personal budget planning to retirement planning. Candidates are selected for the post of federal probation officers who meet the following requirements: age up to 37 years, presence of a bachelor's degree in jurisprudence,

absence of diseases, advantages of working experience in the field of justice, compulsory computer skills, undergo FBI inspections.

An important feature of probation in Canada is the Parole model. Parole is the release of a convicted person from certain conditions after completing part or all of the sentence (Van Deinse et al., 2018). During parole, the convict has the right to live in a society under certain conditions. If the convict violates these conditions, probation officers may send him back to jail. Parole employees not only monitor the activities of convicts, but also help them adapt to society. In order to become a probation officer, special qualifications and skills are not required. A bachelor's degree in business administration, criminal justice or national security is enough for a career. These programs cover such important areas as management techniques, criminal justice procedures, and security training. Upon completion of training programs, the next step for probation officers is to join the curriculum. Parole and probation officers are trained in a number of vocational schools. In these programs, they develop self-defense skills, standard security procedures and reporting.

In Switzerland, for prison staff and probation personnel, people who have a profession or education that corresponds to their position and field of activity (such as social worker, psychologist, lawyer, etc.) are selected. Due to the fact that the capabilities of certain Swiss cantons are insufficient for proper training of personnel, the cantons have united to create a united training centre for sharing in Fribourg. On average, up to one hundred people are studying in the centre during the year. The training period is 15 weeks. Two years later, the persons who passed the training are re-sent to the training centre to improve the professional level. Probation personnel continue education with the support of the management of individual cantons, as a rule, probation officers' training is organized by the probation agency itself, requiring the training of a certain category of employees (Vanstone, 2017).

Summarizing the foregoing, it should be noted that the training of probation personnel in foreign countries does not require compulsory higher education, but training in higher education institutions is encouraged. Probation personnel should have a humanitarian education of at least a bachelor's degree (social work, legal, psychological, pedagogical). It is envisaged that there will be continuous professional development in specialized educational institutions of the penitentiary system, which has a practical orientation and is carried out mainly in the form of practical training in certain areas of professional activity.

In general, probation body personnel professional competence is subject to strict requirements, and its continuous development is given serious attention.

Consequently, in our opinion, there are sufficiently constructive ideas regarding the organization of activities, professional training and professional competence development of probation officers that can be used in the Ukrainian system.

RECOMMENDATIONS

The development of the probation institute in Ukraine requires improvement of approaches to the personnel professional competence development that involves updating the model of work with the client using international innovative approaches, methods and techniques, namely: risk evaluation of repeat criminal offenses, methods of effective communication and motivational interviewing, implementation of probation programs; methods of cognitive behavioral intervention and pro-social modeling; case management, penitentiary probation, volunteer activity in probation, etc.

CONCLUSIONS

In modern legal-pedagogical scientific discourse, probation is interpreted as priority measures of criminal-legal reaction. It is established that imprisonment in the countries of the European Union resorts only to the extreme extent when it meets the interests of the victim's safety, society or the re-socialization of the offender. Confirmation of this approach is the documents of the United Nations and the Council of Europe, aimed at expanding measures for alternative prison imprisonment, the adoption of which began in 1981 (in general, around 20 resolutions were adopted aimed at developing alternatives to imprisonment in the UN and the Council of Europe member states).

It is proved that in case of abandonment of the offender in a society the chances of his/her successful re-socialization, maintenance of useful social ties (creation or preservation of the family), continuation of socially useful work (compensation of harm to victims), avoidance of negative influence of the criminal environment in prisons (maintenance of law and order) increase. From the economic point of view, funding for the probation institution is also more beneficial than retaining places of deprivation of liberty.

An analysis of the international probation experience has shown that this institution has more than 200 years of history. The experience of individual countries regarding the activity of the probation institute, as well as the system of professional training of the personnel and development of his professional competence as an important component of the system is analyzed.

It is concluded that the probation institute has become widespread both in the states of continental (Belgian-French “*sursi*”), and not continental (Anglo-Saxon probation) legal systems. Its essence is to “*test*” the convict, so that the goals of correction and re-socialization are achieved in relation to the guilty person in a way that is not connected with real punishment, first of all, imprisonment.

It has been found that each state solves the issue of affiliation with the probation body to the relevant ministry based on its own traditions and existing opportunities (in the United Kingdom, Denmark, Japan, Finland, Norway, Latvia, the Czech Republic, Estonia, the probation service is under the control of the Ministry of Justice, in the USA, Germany, Hungary is subordinate to the judiciary, in the Netherlands-the prosecutor's office, in Sweden - to the prison authorities, in Singapore, the probation service is under the direction of the Ministry of Public Development and Sports).

REFERENCES

- Brown, S., Beeley, C., Patel, G., & Völm, B. (2018). Training probation officers in case formulation for personality disordered offenders. *Criminal Behaviour and Mental Health*, 28(1), 50-60.
- Drobnyazko, S., Hryhoruk, I., Pavlova, H., Volchanska, L., & Sergiychuk, S. (2019a). Entrepreneurship Innovation Model for Telecommunications Enterprises. *Journal of Entrepreneurship Education*, 22(2).
- Drobnyazko, S., Potyshniak, O., Radionova, N., Paranytsia, S., & Nehoda, Y. (2019b). Security of organizational changes via operational integration: ensuring methodology. *Journal of Security and Sustainability Issues*, 9(1), 1595-1612.
- Fine, A., Donley, S., Cavanagh, C., Miltimore, S., Steinberg, L., Frick, P.J., & Cauffman, E. (2017). And justice for all: Determinants and effects of probation officers' processing decisions regarding first-time juvenile offenders. *Psychology, Public Policy, and Law*, 23(1), 105.
- Hilorme, T., Shurpenkova, R., Kundrya-Vysotska, O., Sarakhman, O., Lyzunova, O. (2019a). Model of energy saving forecasting in entrepreneurship. *Journal of Entrepreneurship Education*, 22(1S).

- Hilorme, T., Zamazii, O., Judina, O., Korolenko, R. & Melnikova, Y. (2019b). Formation of risk mitigating strategies for the implementation of projects of energy saving technologies. *Academy of Strategic Management Journal*, 18(3).
- Leiber, M.J., Beaudry-Cyr, M., Peck, J.H., & Mack, K.Y. (2018). Sentencing recommendations by probation officers and judges: An examination of adult offenders across gender. *Women & Criminal Justice*, 28(2), 100-124.
- Rhineberger-Dunn, G., Mack, K.Y., & Baker, K.M. (2017). Comparing demographic factors, background characteristics, and workplace perceptions as predictors of burnout among community corrections officers. *Criminal Justice and Behavior*, 44(2), 205-225.
- Sitdikova, L.B., & Starodumova, S.J. (2019). Corporate agreement as a means of providing security in the course of entrepreneurship development. *Entrepreneurship and Sustainability Issues*, 7(1), 324-335.
- Van Deirse, T.B., Cuddeback, G.S., Wilson, A.B., & Burgin, S.E. (2018). Probation officers' perceptions of supervising probationers with mental illness in rural and urban settings. *American Journal of Criminal Justice*, 43(2), 267-277.
- Vanstone, M. (2017). *Supervising offenders in the community: A history of probation theory and practice*. Routledge.