SELECTION OF EMPLOYEES TO PROSECUTOR'S OFFICES: COMPETENCIES OF CANDIDATES

Hanna Ya. Mytrofanova, Alfred Nobel University, Dnipro (Ukraine).

E-mail: gglukha@duan.edu.ua

Artem O. Hlukhyy, Alfred Nobel University, Dnipro (Ukraine).

E-mail: artglu29@gmail.com

DOI: 10.32342/2074-5362-2020-1-28-9

Key words: selection of staff to prosecutor's offices, prosecutor's competencies, prosecutor's profile.

Since independence, the Ukrainian law enforcement system has needed significant reform, because the approaches used for many years have not met the requirements of the times and the principles of a just democratic society. Intentions to change the system of prosecutorial oversight were declared, but did not end in action. Therefore, the underreformed model of the prosecutor's office was persisted in Ukraine for a long time.

The analysis of changes to the Law of Ukraine «On the Prosecutor's Office» gives grounds to say that it lays the foundations for a radical reset of the prosecutor's office. This Law provides for a competitive selection procedure based on a qualifying examination, however, it is clear that it is necessary to determine the list of competencies that must be demonstrated by candidates for the position of prosecutor. The law does not clarify these requirements for candidates. In our opinion, the issues of staff formation in the prosecutor's office of Ukraine today remain more than relevant.

The purpose of the article is theoretically substantiate the modern system of competencies of prosecutors and proposition practical recommendations for improving the efficiency of personnel selection for prosecutors.

Appropriate work with staff in the prosecutor's office, re-certification of existing prosecutors, and recruitment of new ones on a competitive basis should be carried out for effective reform. At present, the main priority measures are planned at the state level to determine the compliance of current prosecutors, as well as candidates for positions in the prosecutor's office, competencies related to professional knowledge and skills, as well as ethical values and beliefs, virtuous and decent behavior. We are convinced that such an approach will allow to form the human resources of the prosecutor's office from representatives who will pass a fair and comprehensive competition during the selection.

The competencies that must be formed in the employee are transformed into requirements for applicants for a particular position. On the basis of the formed and realized requirements the profile of a position of the future candidate is made.

In order to formulate specific inquiries of employers to future employees, the results of surveys conducted to assess the state of legal education on the necessary competencies were analyzed.

A modern prosecutor, in addition to special professional competencies, must have social and official responsibilities, a high level of legal awareness, education and culture; honesty, adherence to principles, to be an erudite person, to have creative thinking, understanding of the essence and state significance of prosecutorial activity. An important component of his competencies are analytical abilities, the ability to quickly accept new professional knowledge, skills, abilities. Special requirements must be placed on the psychological stability of the individual: high efficiency, resistance to stress and psychophysical overload, willpower, balance. Communicative personality qualities will allow you to confidently conduct a business conversation, fluent in verbal and nonverbal means of communication. responsibility to establish and maintain official relations in the team.

Based on these studies, it is possible to build a profile of the position of the prosecutor.

References

- 1. The Verkhovna Rada of Ukraine (2014). The Law of Ukraine "On the Prosecutor's Office". Available at: https://zakon.rada.gov.ua/laws/show/1697-18
- 2. Burbyka M.M. (2007). Robota z personalom v organah prokuratury Ukrai'ny: organizacijno-pravovi pytannja. Dys. kand. jurydychnyh nauk [Work with staff in the prosecutor's office of Ukraine: organizational and legal issues. Diss. cand. of legal sciences.]. Kyiv, 191 p.
- 3. Gorzov A.P. (2014). Vyznachennja kryterii'v ta vymog do kadriv organiv prokuratury pry i'h dobori ta rozstanovci [Determination of criteria and requirements for the staff of the prosecutor's office in their selection and placement]. Administratyvne pravo [Administrative Law], no. 1, pp. 55-59.
- 4. Zagorodnij V. (2011). *Derzhavna kadrova polityka shhodo udoskonalennja dijal nosti organiv prokuratury* [State personnel policy to improve the activities of the prosecutor's office]. *Visnyk prokuratury* [Bulletin of the Prosecutor's Office], no. 4 (118), pp. 35-41.
- 5. Myronenko T.Je. (2008). Robota z personalom v organah prokuratury Ukrai'ny: organizacijno-pravovi pytannja: Avtoref. dys.kand. juryd.nauk [Work with staff in the prosecutor's office of Ukraine: organizational and legal issues: Abstract. Candidate of Dissertation jurisprudence]. Kyiv, 25 p.
- 6. Moldovan A.V. (2016). *Prokuratura Ukrai'ny :Navchal'nyj posibnyk*. [The Prosecutor's Office of Ukraine: Textbook]. Kyiv, 270 p.
- 7. Nor V. (2015). *Pravovi zasoby prokurors'koi' dijal'nosti zgidno z novym Zakonom Ukrai'ny «Pro prokuraturu»* [Legal means of prosecutorial activity according to the new Law of Ukraine «On Prosecutor's Office»], *Pravo Ukrai'ny* [Law of Ukraine], no. 6, p. 60-67.
- 8. Petrova A. (2016). *Pravovi zasady zabezpechennja administruvannja kadrovoi' roboty v organah prokuratury Ukrai'ny* [Legal principles of ensuring the administration of personnel work in the prosecutor's office of Ukraine]. *Publichne pravo* [Public Law], no. 1 (21), p. 202-208.
- 9. Benedyk I. (2009). Konkurentni zasady pidgotovky prokurors'kyh kadriv [Competitive principles of training of prosecutors]. Aktual'ni problemy profesijnoi' pidgotovky suddiv, prokuroriv ta pracivnykiv pravoohoronnyh organiv: zb. materialiv mizhnarodnoi' naukovo-praktychnoi' konferencii' [Actual problems of professional training of judges, prosecutors and law enforcement officers: collection. materials of the international scientific-practical conference], General'na prokuratura Ukrai'ny [Prosecutor General's Office of Ukraine], Kyi'v, pp. 40-41.
- 10. Vlasyuk V., Shemelynec' I. (2018). *Jakym maje buty vypusknyk pravnychoi'shkoly* [What should be a law school graduate]. *Jurydychna gazeta vid 17 serpnja roku* [Legal newspaper of August 17, 2018]. Available at: http://yurgazeta.com/publications/practice/inshe/yakim-mae-buti-vipusknik-pravnichoyi-shkoli.html
- 11. Voytiuk I. (2009). Jevropejs'ki standarty profesijnoi' pidgotovky suddiv ta prokuroriv [European standards of professional training of judges

and prosecutors / Iryna Voytiuk]. Aktual'ni problemy profesijnoi' pidgotovky suddiv, prokuroriv ta pracivnykiv pravoohoronnyh organiv: zb. materialiv mizhnarodnoi' naukovo-praktychnoi' konferencii' [Actual problems of professional training of judges, prosecutors and law enforcement officers: collection. materials of the international scientific-practical conference], General'na prokuratura Ukrai'ny [Prosecutor General's Office of Ukraine], Kyiv, pp. 27-30.

- 12. Kozyakov I. (2015). *Perspektyvy special 'noi' pidgotovky kandydata na posadu prokurora* [Prospects for special training of a candidate for the position of prosecutor]. *Pravo Ukrai'ny* [Law of Ukraine], no. 6, pp. 18-23.
- 13. Ozersky I.V. (2010). Profesijno-psyhologichna pidgotovka prokurors'kyh pracivnykiv jak skladova systemy kadrovogo zabezpechennja organiv prokuratury [Professional and psychological training of prosecutors as a component of the system of staffing the prosecutor's office]. Chasopys Kyi'vs'kogo universytetu prava [Journal of Kyiv University of Law], no. 1, pp. 232-235.
- 14. Pogorelova T. (2009). Pedagogichni umovy formuvannja profesijnoi' kul'tury majbutnih pracivnykiv prokuratury [Pedagogical conditions for the formation of professional culture of future prosecutors]. Aktual'ni problemy profesijnoi' pidgotovky suddiv, prokuroriv ta pracivnykiv pravoohoronnyh organiv: zb. materialiv mizhnarodnoi' naukovo-praktychnoi' konferencii' [Actual problems of professional training of judges, prosecutors and law enforcement officers: collection. materials of the international scientific-practical conference], General'na prokuratura Ukrai'ny [Prosecutor General's Office of Ukraine], Kyiv, pp. 76-79.
- 15. Sereda G. (2009). Suchasna model' pidgotovky suddiv ta prokuroriv [Modern model of training of judges and prosecutors]. Aktual'ni problemy profesijnoi' pidgotovky suddiv, prokuroriv ta pracivnykiv pravoohoronnyh organiv: zb. materialiv mizhnarodnoi' naukovo-praktychnoi' konferencii' [Actual problems of professional training of judges, prosecutors and law enforcement officers: collection. materials of the international scientific-practical conference], General'na prokuratura Ukrai'ny [Prosecutor General's Office of Ukraine], Kyiv, pp. 7-12.
- 16. Kompetentnist' pracivnyka: sutnist', vydy [Employee competence: essence, types]. Available at: https://pidruchniki.com/12281128/menedzhment/kompetentnist_pratsivnika_sutnist_vidi
- 17. Porivnjal'ne doslidzhennja navchannja prokuroriv [Comparative study of prosecutors' training]. Available at: https://rm.coe.int/comparative-study-on-initial-training-for-public-prosecutors/1680787478
- 18. Zvit za rezul'tatamy analitychnogo doslidzhennja «Znannja ta navychky vypusknykiv jurydychnyh fakul'tetiv ta zakladiv vyshhoi' osvity cherez pryzmu vidpovidnosti potrebam rynku praci» [Report on the results of the analytical study «Knowledge and skills of graduates of law faculties and institutions of higher education through the prism of compliance with the needs of the labor market»]. Kyiv, 2018, 38 p.

Одержано 29.10.2019.