

впровадження таких технологій мають відбуватися з дотриманням національного законодавства та міжнародних стандартів.

1. Про Національну поліцію : Закон України від 02.07.2015. URL : <https://zakon.rada.gov.ua/laws/show/580-19/conv#Text>.

2. Захист прав дитини в умовах війни: відверто про актуальне. *Портал МВС*. URL: <https://mvs.gov.ua/uk/news/zaxist-prav-ditini-v-umovah-viini-vidverto-pro-aktualne>.

3. Що таке штучний інтелект: історія, види та складові. *GigaCloud*. URL : <https://gigacloud.ua/blog/navchannja/scho-take-shtuchnij-intelekt-istorija-vidi-ta-skladovi>.

4. Burgess M. AI is helping UK police tackle child abuse way quicker than before. *Wired*. URL: <https://www.wired.co.uk/article/uk-police-child-abuse-images-ai>.

5. Ezzeddine Y., Bayerl P. S., Gibson H. Safety, privacy, or both: evaluating citizens' perspectives around artificial intelligence use by police forces. *Policing and Society*. 2023. Vol. 33. Issue 7. P. 861–876. URL : <https://www.tandfonline.com/doi/full/10.1080/10439463.2023.2211813>.

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## **IMPLEMENTATION OF THE METHOD OF RISK ASSESSMENT IN THE ACTIVITIES OF THE JUVENILE POLICE**

The direction of protection of children's rights is a priority for Ukrainian politics, social and law enforcement activities. Ukrainian society began to realize how widespread violence is in its various forms and manifestations, how it traumatizes children who become its victims. Specific steps aimed at protecting children from illegal encroachments are applied by both legislative and executive bodies, adopting modern regulatory and legal acts and implementing their norms in practical activities. Juvenile prevention is the main division of the National Police of Ukraine, which protects the rights and legitimate interests of children [4, p. 6].

Specialists and experts, as well as statistics on the commission of offenses by minors point to the need to create and implement in the activities of juvenile prevention units a new effective preventive method to prevent the commission of administrative offenses by minors, including repeated ones. Currently, the only measure that would be implemented by juvenile police officers to prevent repeated offenses by minors is registration and individual prevention with a child offender. However, it is important not only to identify the offender and register him, but also to clearly identify the factors that lead or may lead to the child committing offenses

again and again.

That is why we believe that conducting such an action as conducting a risk assessment is an effective tool in the police's work to prevent repeated offenses by children. We will consider in more detail below. The purpose of conducting a risk assessment is to predict the likely commission of a minor repeated administrative offense (hereinafter referred to as risk assessment), which is within the competence of the National Police of Ukraine. As well as on the basis of risk assessment, taking measures to prevent children from committing repeated administrative offenses and ensuring the ability to make informed decisions regarding effective planning of individual work with minors. The form for assessing the risks of committing a repeated administrative offense by minors (see in the appendices) was developed in accordance with the Law of Ukraine «On the National Police», the Law of Ukraine «On Bodies and Services for Children and Special Institutions for Children», the Law of Ukraine «On Prevention and Combating Domestic Violence», Regulations on the National Police, approved by the Resolution of the Cabinet of Ministers of Ukraine dated October 28, 2015 No. 877, the Law of Ukraine «On the Protection of Childhood» dated April 26, 2001 and the Order of the Ministry of Internal Affairs of Ukraine dated December 19, 2017 No. 1044 «On approval of the Instructions for organizing the work of juvenile prevention units of the National Police of Ukraine». When assessing the risks of minors committing repeated administrative offenses, the following must be taken into account: social and psychological characteristics of the minor's personality; events that occurred in the life of a minor, which cannot be influenced (facts of the offense committed); personal factors or factors in a minor's environment that influence the level of response of this person to intervention by juvenile prevention units [1, p. 145–146].

The purpose of implementing a risk assessment in the administrative activities of the juvenile police is to identify factors that lead to the illegal behavior of a minor, to provide the court with information characterizing the minor accused, for the court to determine the extent of the minor's responsibility, to plan work with the minor, to monitor changes in the minor's needs and the risk of him committing repeated administrative offenses offences, as well as determining the types of preventive measures to be applied. Categories of children to whom it is proposed to apply the risk assessment methodology: sentenced to a punishment not related to deprivation of liberty; released by a court decision from criminal responsibility with the use of coercive measures of an educational nature without placement in a school or professional school of social rehabilitation for children who need special conditions of upbringing; dismissed from a special educational institution; has committed domestic violence in any form (child-offender), provided for in Article 173-2 of the Code of Ukraine on Administrative Offenses, as well as in respect of which an urgent restraining order has been issued or a restraining order has been issued; which was brought to administrative responsibility; who voluntarily left her family, educational institution or special institution for children during the year; who bullied a participant in the educational process [7; 1, p. 147].

The completed risk assessment form may contain information about the details of the minor's personal life, so this information is considered confidential. A brief description of the results of the risk assessment may be provided upon request to the head of the institution providing school (educational) training of the minor, to the head of the children's affairs service at the minor's place of residence.

The risk assessment form is filled out by a police officer from the Juvenile Prevention Department, who makes a decision on conducting a risk assessment. This police officer also maintains the child's preventive records and the OPS register, if necessary. If necessary, other workers (psychologists, social educators, teachers) who can provide valuable information about minors can be involved in filling out the risk assessment form. Filling out the risk assessment form follows the following sequence of actions: identification of appropriate sources for collecting or verifying information. Conducting an interview or several interviews with a minor in the presence of the minor's parents or legal representatives and separately from the minor's parents or legal representatives in order to collect the necessary information; determination of preventive measures with a minor based on risk assessment analysis. Therefore, we offer the following suggestions for improving the legal basis and procedural forms of administrative activity of juvenile prevention units, their activities are reduced to the following: 1. To supplement the content of the order of the Ministry of Internal Affairs of Ukraine No. 1044 dated 12.19.2017 «On approval of the Instructions for organizing the work of juvenile prevention units of the National Police of Ukraine» [2]: a) in the part of the definition of terms in the Instructions, add the following terms: assessment of the risks of minors committing repeated administrative offenses that are within the competence of the National Police of Ukraine – a method of identifying and analyzing factors in the behavior of minors that encourage or may lead to illegal behavior in order to minimize and eliminate them. Risk assessment is carried out on the basis of the established form of questionnaire for a minor; «risks» indicator – an indicator that determines the internal beliefs, resources of the minor and his environment, which contribute to illegal behavior; schedule (diagram) of risk assessment – a broken curve in the form of a schedule, which is formed on the basis of the collection and analysis of complete information about a minor in order to identify specific factors that cause illegal behavior; b) Paragraphs one and two of Clause 1 of Section III should be set out as follows: «In order to carry out individual preventive measures for the child, the police unit of the State Police Department conducts a risk assessment and initiates an accounting and prevention case (hereinafter – OPS) and enters information about the adoption of preventive accounting into the relevant of the information subsystem, which is part of the unified information system of the Ministry of Internal Affairs, of children, in respect of whom police officers of the State of Ukraine carry out preventive work, which includes: carrying out a risk assessment in order to prevent children from committing a repeated administrative offense, including a repeat one, which provides the opportunity to make informed decisions regarding effective planning individual work with a minor»; c) the first and second paragraphs

of clause 6 of section III should be read as follows: «The following documents shall be attached to the OPS: schedule (diagram) of risk assessment, form of assessment of risks of repeated administrative offenses committed by minors, a copy of the notification of the child, his parents, other legal representatives on conducting a risk assessment, a resolution on taking a child into preventive registration and establishing an OPS; a copy of the notification of the child, his parents, other legal representatives about taking the child for preventive registration; materials containing information on the grounds for taking preventive registration; characteristics of children's place of residence, study or work; a copy of the notice to the relevant service for children about taking the child for preventive registration; a plan of individual prevention measures, to which corrections can be made under the conditions of changing information about the child; a copy of the resolution declaring a wanted child who is on preventive registration as missing or hiding from pre-trial investigation bodies, the investigating judge, the court or evading serving a criminal sentence; resolution on removal (change) from the preventive registration of the child and closing of the preventive accounting case; other documents regarding preventive work with the child and its results [1, p. 145–146].

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1. Пісоцька К. Адміністративна діяльність підрозділів ювенальної превенції національної поліції України : дис. ... д-ра філос. : 081 Право. Дніпро : Дніпроп. держ. ун-т внутр. справ, 2022. 218 с.

2. Про затвердження Інструкції з організації роботи підрозділів ювенальної превенції Національної поліції України : наказ МВС України від 19.12.2017 № 1044. URL : <https://zakon.rada.gov.ua/laws/show/z0686-18#Text>.

3. Про органи і служби у справах дітей та спеціальні установи для дітей : Закон України від 24.01.1995. URL : <https://zakon.rada.gov.ua/laws/show/20/95-вр#Text>.

4. Юнін О. С., Мороз В. П., Пісоцька К. О., Тищенко І. О., Нестерцова-Собакарь О. В. Адміністративна діяльність підрозділів ювенальної превенції Національної поліції України : навч. посібник. Дніпро : Дніпроп. держ. ун-т внутр. справ, 2023. 160 с.

**Софія КІЛЬОВА**

курсант ННІ права та підготовки фахівців  
для підрозділів Національної поліції

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## **АКТУАЛЬНІ ПИТАННЯ ЗАХИСТУ ПРАВ ТА ІНТЕРЕСІВ ДІТЕЙ В УКРАЇНІ**

Захист прав дитини є одним із найважливіших пріоритетів у нашій державі, адже ставлення до дітей, рівень їхньої безпеки та захищеності у державі, стан їхнього всебічного розвитку є одним із показників