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FROM THE POSITION OF SERVICE APPROACH****УПРАВЛІННЯ  
КРИМІНАЛЬНО-ВИКОНАВЧОЮ СИСТЕМОЮ  
З ПОЗИЦІЇ СЕРВІСНОГО ПІДХОДУ**

**Urgency of the research.** On the modern stage of development of economic science there is forming of the new going near the rich in content filling of service in a public production. At the same time the presence of other approaches allows to form methodology of estimation of service activity, and as a result differently to ground their grant on state enterprises.

**Target setting.** The problems of studying the diversity of approaches to the formation of the essence of the service in the implementation of a service approach are devoted to the scientific work of a number of scientists, but they do not separate the specifics of this approach, taking into account the activities of enterprises of the criminal-executive system.

**Actual scientific researches and issues analysis.** The problems of studying the use of the concept of service from the standpoint of the service approach are devoted to the works of such scholars as K. Albrecht, I. Kotlyarov, R. Norman, V. Plotnikov, O. Morgulets and others.

**Uninvestigated parts of general matters defining.** The scientific novelty of this publication is the adaptation of the service approach to the specifics of the state enterprises of the criminal-executive system.

**The research objective.** The purpose of this scientific study is the formation of the bases of management of the criminal-executive system on the basis of service approach.

**The statement of basic materials.** Evolutionary development category "service" led to the formation of a qualitatively new approach to their application in the criminal-executive system. From the socio-economic point of view, the activity of the criminally-executive system consists in the production of the public good of general use, which involves the isolation of the convicted from society and the application of measures of pedagogical influence, which is, providing services to the whole society. By the specific signs of category "service" of the criminally-executive system it follows to count such: defense societies from persons, that committed crime; demand is on these services from the side of society; providing of safety and defense of the declared interests of personality. The introduction of this definition at the legislative level will provide the innovation of the principles of management of the criminally-executive system from the standpoint of service approach.

**Conclusions.** As a result of the investigation of the mechanism of management of the criminal-executive system from the standpoint of the service approach, the hypothesis about the need to provide "service" to the convicted person was confirmed.

**Keywords:** public goods; service; service approach; criminal-executive system; personnel.

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**Актуальність теми дослідження.** На сучасному етапі розвитку економічної науки відбувається формування нових підходів до змістовного наповнення послуги у суспільному виробництві. В той же час наявність інших підходів дозволяє формувати методичку оцінки сервісної діяльності, і як наслідок по-різному обґрунтовувати їх надання на державних підприємствах.

**Постановка проблеми.** Проблеми вивчення різноманітності підходів до формування сутності послуги за умов реалізації сервісного підходу присвячені науковій праці ряду вчених, але вони не відокремлюють специфіку цього підходу з врахуванням діяльності підприємств кримінально-виконавчої системи.

**Аналіз останніх досліджень і публікацій.** Проблемам вивчення використання поняття послуги з позиції сервісного підходу присвячені праці таких вчених, як: К. Альбрехт, І. Котляров, Р. Норман, В. Плотников, О. Моргулець.

**Виділення не досліджених частин загальної проблеми.** Науковою новизною публікації є адаптування сервісного підходу під специфіку діяльності державних підприємств кримінально-виконавчої системи.

**Постановка завдання.** Метою дослідження постає формування базисів управління кримінально-виконавчою системою на основі сервісного підходу.

**Виклад основного матеріалу.** Еволюційний розвиток та семантичність категорій «послуга» та «сервіс» призвів до формування якісно нового підходу до їх застосування у кримінально-виконавчій системі. З суспільно-економічної точки зору діяльність кримінально-виконавчої системи полягає в виробництві суспільного блага загального користування, що передбачає ізолювання засудженого від суспільства і застосування заходів педагогічного впливу, тобто надання послуги усьому суспільству. Специфічними ознаками категорії «сервісна послуга» кримінально-виконавчої системи слід вважати таке: захист суспільства від осіб, які скоїли злочини; попит на ці послуги зі сторони суспільства; забезпечення безпеки і захисту декларованих інтересів особистості. Впровадження даної дефініції на законодавчому рівні забезпечить інноватику принципів управління кримінально-виконавчою системою з позиції сервісного підходу.

**Висновки.** У результаті дослідження механізму управління кримінально-виконавчою системою з позиції сервісного підходу було підтверджено гіпотезу про необхідність надання «сервісної послуги» засудженим.

**Ключові слова:** суспільні блага; сервісна послуга; сервісний підхід; кримінально-виконавча система; персонал.

**Urgency of the research.** In the middle of the XX century, scientific researches expand the range of the service activities, enriching its economic aspect with various disciplinary approaches. In eco-

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nomics, there is a rethinking of the importance of the service in the social production. It is believed that public services favors in the economic system have the same properties as the material goods, that refutes the irrational nature of the exchange processes in this area. Besides economic approaches, the social, the socio-psychological ones are used today, which extend the methodology of the evaluating service activities (for example, the division of services into social and individual ones is based on the ideas that ground different types of social welfares: pure social, mixed public, and goods of individual use). Such approach allows in different ways to ground their production within state institutions or mixed organizational and legal forms of enterprises and change the perception of human rights for their consumption in the modern society.

**Target setting.** In the scientific literature, the service and service sector are often identified, the part of the research is about explaining the phenomenon of services, their place and role in everyday life, in the economy and the social processes. The service serves as an object in the studying of philosophy, sociology, economics, management, and marketing. Abroad, a lot of works are devoted to the scientific researches of the service approach in management. R. Norman in the early 80's of the last century introduced the category of the "service management" [7]. The main role in the formation of the concept of the service management is given to the theory of customization. In 1988 K. Albrecht defined a service approach in management as a total organizational approach, which is oriented on the consumer and is the driving force of the business activity.

**Actual scientific researches and issues analysis.** A significant contribution to the study of the service approach in management is made by foreign and domestic scientists such as K. Albrecht, I. Kotlyarov, R. Norman, O. Morgulets and others.

**Uninvestigated parts of general matters defining.** The analysis of scientific works shows that there is currently no single approach to the definition of the essence and content of the main elements of the criminal-executive system management process based on a service approach.

**The research objective.** The task is in the studying of the main scientific and methodological provisions of the management of the criminal-executive system on the basis of the service approach, as an integral part of the law-enforcement bodies of the state.

**The statement of basic materials.** Traditionally, the service as an intangible benefit is determined by its comparison with the product (under which the material object is understood, and which is capable to meet human needs). The product in the modern sense is considered as a material or intangible object intended for sale in order to meet the needs of a person. The material nature of the commodity determined by Marxist political economy, nowadays loses its relevance. The Modern scholars do not distinguish goods and services, but material and intangible goods.

The formation of the concept of the management from the standpoint of the service approach is preceded by an understanding of its essence and specific features in the criminal-executive system. The term "service" includes several aspects, it is not the synonym for the category "service", but is close to "attendance". The service from the economic point of view, means the providing own resources by the operator to his client to obtain a certain value. The service in one aspect assumes that the service can be provided with maximum comfort for the consumer. The Service component in modern society is a necessary condition for the provision of services, because without it the service cannot be competitive. Today the service is considered an integral part of the attendance. But there are situations when the attendance can be provided without comfortable conditions for the consumer, that is, the service component in it is absent.

The criminal executive system, as a structural subsystem of the law enforcement agencies, accumulates innovations that take place in the criminal policy of the state, forms the image of Ukraine abroad, that allows to make conclusions about the degree of its civilization and democracy [1]. From the socio-economic point of view, the activity of the criminal-executive system is in the production of the public goods of general use. By isolating the convict from the society in accordance with the court's decision, and applying measures of the pedagogical influence, the criminal-executive system ensures the safety of the citizens of the country. This service is a public good of general use, it is not divorced, and its consumption by one person does not restrict the ability of other citizens to receive it. Such an interpretation of the criminal-executive system corresponds to the current concept of the func-

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tional state and provides a transition to the state service, that allows us to define as a service approach

In our opinion, the management of the criminal-executive system from the standpoint of the service approach, allows us to consider it not only as a producer of public goods, but as a supplier of a state service product "execution of a sentence" for the convicted persons [10].

In the scientific papers relating to the management of law-enforcement bodies, there is no holistic scientific and methodological representation of the management of a criminal-executive system from the standpoint of a service approach. We have formulated its structural and content filling: the purpose, tasks, principles and methodological basis have been defined.

The application of the service approach to the management of the criminal-executive system is a special type of management activity aimed at improving production and provision of public goods for the general use of citizens, as well as "service" for the convicted. This service is not public and is provided only to the citizens who committed the crime. All other citizens can not use this "service".

The category "service" offered in this context has three specific features. First, the provision of services by the criminal-executive system is to protect society from those who committed the crime, through their isolation from society, the maintenance of law and order, and the protection of health and safety of convicts, as well as personnel.

Secondly, N. Christi [4], considers the fight against crime as an "industry", that is, an economic problem. In his view, the fight against crime is a permanent economic process, for which there is not only demand from the side of society, but also a desire to pay for it, because it is related to security. H. Zer [2] considers that the main danger lies not so much in the crime itself, but in the fact that the convicted persons who are in isolation lose social connections, can not realize themselves after release and return to the institution again, thus ensuring , constant demand for services.

For the third, the establishment of sufficiency and efficiency of the resources involved in securing and protecting the interests of the individual, as well as losses from crime (direct and indirect), is a very important national problem. V. Kvashis found that the level of crime in the country "on the one hand, shows the level of economic impact of crime on the state and society, and on the other - the validity of political and managerial decisions that are taken on the basis of such information" [3].

In the process of managing the criminal-executive system, there is a need to take into account the paradigm of service interdependence, in which all participants in the process of consumption of the public good are equal subjects. The content of production of public goods shifts towards the consumer, that is, the provision of "all goods to all". The scientists call this the beginning of the formation of a postmodern worldview, the basis of which is an intersubjective, "as a condition for the preservation of the integrity and orderliness of the social life as a factor in ensuring the unity of the society on the basis of culture and economy" [6]. Comparing the division into a subject and object, the intersubjectivity creates an image of the social reality, which consists of millions of "I", each of which is inimitable and unique [6].

The objects of service management are personalized service needs of citizens in public goods of general use. To understanding the essence of the subject of the service management we can apply the following approaches: for the first, it is the personnel of the criminal-executive system, which forms the service strategy of penitentiary institutions and determines the policy and procedure of service activities of the correctional institutions; secondly, unlike traditional service providers, the criminal-executive system does not seek to form the loyalty to the system for people who are deprived of , though the execution of the punishment inevitably involves causing suffering to the convicted person, it is important that they do not exceed the level envisaged by law. This is how the service component in the criminal-executive system manifests itself: not in "maximizing" the comfort, but in "minimizing" the discomfort to the statutory level.

The priority tasks of the managing a criminal-executive system from the standpoint of the service approach are:

- protection of the interests of the society (providing it with services for the provision of public safety);
- Providing a convicted person the comprehensive "service product" for the enforcement of the criminal punishment and the restoration of the social justice;

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• the correction and reintegration of the convicted person into society, after release from the places of imprisonment.

Understanding the essence of the service approach in management allows us to justify the conceptual foundations for the constructing the system of specific principles, the essence of which is disclosed in the peculiarities of execution of the criminal punishments. Enforcement of penalties by the criminal-executive system does not correspond to the widespread idea of what characteristics should be given to the service.

In the market conditions, the service is bought by the consumer himself and is not imposed on him by force. In addition, it has utility for the consumer, while the criminal punishment has a negative utility. Also, the service involves providing the most comfortable conditions for its provision to the client, and the criminal punishment causes suffering to the convicted person [3]. Both the society and the condemned perceive the usefulness of criminal punishment negatively. The Punishment means redeeming the guilty of his guilt towards the society and giving him the opportunity to become a law-abiding citizen again. The purpose of the criminal punishment is not to inflict suffering on the convicted person (to make it possible to realize the mistake of his actions and to formulate demotivation for committing a repeated crime), but to facilitate his re-education and reintegration into society, after being released from places of imprisonment [2].

The methodological basis of the criminal-executive system management based on the service approach is based on the basis of the system, process and situational approaches, that allows applying the system principles of the modern management to create an organizational model of management of the system and adapt it to changes in the functioning environment.

The effectiveness of the management of the criminal-executive system as a social service system is affected by the service interaction of the staff of correctional facilities and convicts serving sentences. The combating of the crime and the use of pedagogical influence on convicts, for the staff is a source of professional pride and understanding of the importance of their professional activities. But this aspect is debatable and requires further scientific research on the role of personnel in providing "service" to the criminal-executive system. In the simplest sense the "service" expands the boundaries of the relationship "convicted - personnel" while leveling the professional pride of the penitentiary system employee and turning it into the "service staff" for the convicts.

**Conclusions.** The management of the criminal-executive system from the standpoint of the service approach is aimed to the production and provision of the public goods for the general use to citizens and "service" to the convicted. This service is not public and is provided exclusively to the persons who have committed a crime, and by the decision of the court serve a sentence in the institutions of the criminal-executive system.

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