

**МЕНЕДЖМЕНТ**

UDC 343.8

**O. G. Goncharenko**, Doctor of Economic Sciences, Associate Professor**CONCEPTUALIZATION APPROACHES TO STRATEGIC MANAGEMENT OF PENITENTIARY SYSTEM**

**Urgency of the research.** Changing market environment leads to change forms and methods of control and in need of new approaches to the definition of the mission and goals of the penal system. Penitentiary department to provide qualitative transformations necessary to define the strategic prospects of development and strive to achieve them.

**Target setting.** Problems of the mission, goals and evaluation of the effectiveness of the penal system as a subsystem of law enforcement agencies, is relevant as the socio-economic development. No single approach to understanding the goals and methods of evaluation of the results of their achievement is a factor that reduces the effectiveness of the management of the penitentiary system.

**Actual scientific researches and issues analysis.** Problems of improving the management and formation purposes of law enforcement agencies and the penal system in particular, studied in the works of foreign scientists M. Babayev, V.Kvashysa, V. Kedova, N. Christy, V.Terehina, V. Chernyshev and others.

**Uninvestigated parts of general matters defining.** Despite significant theoretical development of the problem, there is no single approach to defining the mission, goals and evaluation of the penal system.

**The research objective.** The article investigates the formation of strategic goals, objectives and system performance criteria of the penal system as a subsystem of the police.

**The statement of basic materials.** Conditions of detention of prisoners in penal institutions, the study of social prisoners and their reintegration quality, leads to the conclusion about the political and economic situation of the state, level of civility and quality of government. In the strategic management of the penitentiary system plays an important role and mission objectives, which allows you to create strategic goals and ways to achieve them and identify system-wide performance criteria. The strategic aim of the penitentiary system is correct and reintegration of prisoners into society. The level of the strategic goal of penal institutions are considered as local performance criteria. Assessment is carried out which indicators: reduction potential criminal prisoners payment institutions to reduce recidivism, the level of public danger of prisoners released from institutions and public enterprises charge penal institutions to the special fund and so on.

**Conclusions.** Described system "mission - wide and local goals - performance criteria" allows a quantitative assessment of the effectiveness of the penal system and its units as a subsystem of the police.

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**О. Г. Гончаренко**, д. е. н., доцент**КОНЦЕПТУАЛІЗАЦІЯ ПІДХОДІВ ДО СТРАТЕГІЧНОГО УПРАВЛІННЯ КРИМІНАЛЬНО-ВИКОНАВЧОЮ СИСТЕМОЮ**

**Актуальність теми дослідження.** Зміна ринкового середовища зумовлює зміну форм і методів управління та потребує застосування нових підходів до визначення місії і цілей кримінально-виконавчої системи. Пенітенціарному відомству для забезпечення якісних перетворень необхідно визначати стратегічні перспективи розвитку та спрямовувати зусилля на їх досягнення.

**Постановка проблеми.** Проблеми формування місії, цілей та оцінка ефективності діяльності кримінально-виконавчої системи, як підсистеми правоохоронних органів держави, стає актуальною по мірі соціально-економічного розвитку держави. Відсутність єдиного підходу до розуміння цілей та методів оцінки результатів їх досягнення є фактором, який знижує ефективність управління кримінально-виконавчою системою.

**Аналіз останніх досліджень і публікацій.** Проблеми удосконалення управління та формування цілей діяльності правоохоронних органів держави, і кримінально-виконавчої системи зокрема, досліджувались в працях закордонних вчених Бабаєва М., Квашиша В., Кедова В., Крісті Н., Терехіна В., Чернишова В. та інших.

**Виділення недосліджених частин загальної проблеми.** Незважаючи на значну теоретичну розробку даної проблеми, відсутній єдиний підхід до визначення місії, цілей та оцінки результатів діяльності кримінально-виконавчої системи.

**Постановка завдання.** Стаття присвячена дослідженню формування стратегічної мети, системи цілей та критеріїв ефективності діяльності кримінально-виконавчої системи як підсистеми правоохоронних органів.

**Виклад основного матеріалу.** Умови тримання засуджених в установах виконання покарань, вивчення соціального складу засуджених та якість їх реінтеграції, дозволяє зробити висновок щодо політичного і економічного стану держави, рівня її цивілізованості та якості державного устрою. У системі стратегічного управління кримінально-виконавчою системою важливу роль відіграє місія і цілі, яка дозволяє сформулювати стратегічні орієнтири, шляхи їх досягнення та визначити загальносистемні критерії ефективності функціонування. Стратегічною метою кримінально-виконавчої системи є виправлення і реінтеграція засуджених в суспільстві. Рівень досягнення стратегічної мети установ виконання покарань розглядаються, як локальні критерії ефективності. Оцінка яких здійснюється за показниками: зниження кримінального потенціалу засуджених, внесок установи в зниження рецидивної злочинності, рівень суспільної небезпеки засуджених, звільнених з установ, а також відрахування державних підприємств установ виконання покарань до спеціального фонду тощо.

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**Keywords:** mission; strategic objective; the system objectives; efficiency criteria; indexes of efficiency.

**Висновки.** Викладена система «місія – загальносистемні та локальні цілі – критерії ефективності» дозволяє здійснити кількісну оцінку ефективності діяльності кримінально-виконавчої системи і її підрозділів, як підсистеми правоохоронних органів.

**Ключові слова:** місія; стратегічна мета; система цілей; критерії ефективності; показники ефективності.

**Urgency of the research.** Dynamic changes in the market environment in Ukraine make changing forms and methods of the penal system and require new approaches to defining its mission, objectives and performance criteria. The penal system ensuring the implementation of law and socio-economic functions [8], serves as an important national economic and social institution that gives rise to define it as an object of strategic management. It is necessary for penitentiary department to define the strategic prospects of development and to direct management actions to achieve their goals.

**Target setting.** Services provided by the penal system is to protect society from perpetrators of crimes by their isolation, the rule of law and order, health and safety of prisoners and staff, officials and citizens who reside in the penitentiary institution that meets the basic characteristics of a pure public good. The return of the sentenced people to free life and their reintegration in society is one of the major tasks facing the penitentiary system. Background formation mission, goals and effectiveness of the penal system as a subsystem of law enforcement, increases together with the socio-economic development of the state, while maintaining departmental approach to determining the results of its operations. The lack of unity in the understanding of the goals and methods of evaluation of the results of their achievement is one of the factors that reduce the efficiency of the management of the penitentiary system.

**Actual scientific researches and issues analysis.** Social, organizational and legal aspects of modernization of public authorities is the subject of scientific research. Some problems as to the improvement of governance and formation purposes of law enforcement agencies and the penal system in particular, were studied in the works of foreign scientists M. Babayev [1], Kvashysa C. [3], Kedova V. [4], Christy N. [5], Terekhin V. [10], V. Chernyshev [10] and others. Despite significant theoretical development of the problem, there is no only approach to determine the mission (strategic objective), objectives and evaluation of the penal system.

**Uninvestigated parts of general matters defining.** Definition of penal policy objectives (punishment) - the question is not only legal, but also to some extent the social, political, economic one. The analysis of normative sources and publications allows to characterize the concept of "performance penalty", to which two approaches can be used. The first is confined by the implementation of penal functions. The second provides studying not only legal, but mainly on economic, social and moral aspects. In this case, the activities of the penal system should be considered not only as an institution fight against crime, but also as one of the aspects of society. Therefore, the product of its production should be a return to a society of people who realized their guilt and became law-abiding members of society.

**The research objective.** The main purpose of the article is to form strategic goal, objectives and system performance criteria of the penal system as a subsystem of law enforcement.

**The statement of basic materials.** World history of prison systems is diverse both in its essence, and the degree of efficiency due to economic factors and social development of the country, its customs, traditions and development of criminal law.

Prison policy, or policy enforcement of criminal penalties are an important part of social policy, which reflects the level of its legal status. The organization of the penal system, the conditions of prisoners, the regime in prisons, the effectiveness of educational influence, social study of prisoners and the quality of their re-socialization leads to the conclusion about the political and economic situation of the state, level of civility and quality of government. According to A. Marshall the ordered the state "should be considered an important element of national wealth" [6].

Paying attention to law enforcement, it is hard to disagree with the opinion of the director of the FBI

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R. Myullera that "crime is a social problem, and that's why it concerns the whole society" [4]. Therefore, law enforcement authorities in combating crime and its evaluation are interesting not only for lawyers but also for economists. The main thing in their studies is the appointment of the prison system and evaluation of the results of its operations. V. Stern concluded that imprisonment does not protect society from crime because of unresolved three key issues:

- Poor public awareness about the situation in prisons (about the rights and interests of prisoners and their operational requirements and violations);
- Limiting the economic capabilities of the state (the state may not have enough financial resources to ensure the conditions of prisoners, which would meet the requirements of international regulations, creating conditions of prisoners can be better than the standard of living law-abiding citizens);
- The lack of clearly defined social objectives of society (there may be few, isolated from society, correct, teach a useful trade, provide medical care) and social consequences of the alleged prison (serving punishment these individuals back into society has enriched the experience of prison, so they can commit it again, for the time spent in prisons closed weakened family ties, they loose respect for them by other people, loose the opportunity to find housing and work) [9].

N. Kristi [5] considers the fight against crime as "industry", that is a purely economic issue. According to him, the fight against crime is a permanent economic process, which is not only a demand of the society, but also willing to pay for it, because it is associated with security. H. Zer [2] also supports this view and considers that the main danger is not so much the crime itself, but in the fact that prisoners who are in isolation from society, lose their social connections, can not adapt after release and therefore returning to the institution, thus providing a constant demand for their services.

Establishing a sufficient amount and effectiveness of resources mobilized for the security and protection of declared interests of the individual, as well as losses from crime (direct and indirect) is highly significant nationwide problem. B. Kvashys believes that crime, which was formed in the country "on the one hand shows the economic impact of crime on the state and society, and on the other hand grounds of political and administrative decisions made based on such information. Direct losses from crime losses consist of a single or a long-term nature" [3]. According to M. Cohen & T. Miller [1], three categories of damages (direct damage, production losses, non-monetary losses) are inside of the calculations of "price" crimes. Dimensions losses from crime at different times and in different countries vary within certain limits and are constantly growing.

The main conclusion, to which researchers in the analysis of determining the "price" of the crime come, reflects not only the social consequences of the loss incurred by society as a result of illegal actions, but also on the possible direct impact of these costs on economic development. That's why careful monitoring of law enforcement, including the penal system is needed from the society.

In the strategic management of the penitentiary system mission objectives play an important role and allows you to create strategic goals and ways to achieve them and identify system-wide performance criteria. Formation of objectives requires an integrated approach that reflects the needs of society and the state, producing and providing public services.

The goal of Strategic Management is to search the relation between the environment and efficient use of the potential of the subject. The main stage of strategic management is to define the mission and the formation of strategic goals [7].

Scientists key positions assess the efficiency of social systems (from a systems perspective, to "exit"), law enforcement agencies assess not from the perspective of quantitative (mainly formal "internal corporate" performance) and taking into account the evaluation, which gives them community V. I. Terohinym formed the principles of assessing the effectiveness of the penal system [10]:

1. Implemented by the method of "goal-results."
2. Consist of indicators that would characterize each individual, convicted, institution or system in general.
3. The purpose of the penal system should be consistent with the state that promote social and economic development of the country in strategic and current period.
4. Impact of the penal system for public purposes should cover penitentiary and post-penitentiary periods of the sentenced to imprisonment.

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5. The economic impact of the penal system to achieve the goals of the state is characterized by the amount of losses and income of the society, and takes into account the cost of funds for prisoners, the economic costs of society of recurrent crimes revenues from institutions of state enterprises and others.

6. Social performance of the penal system is measured by the contribution to the correction, which is determined likely to post prison recurrence and severity of others.

Based on the mentioned principles let's form the goals of the correctional system, as a subsystem of state and law enforcement agencies and define directions of their implementation results (Tab. 1).

*Table 1*

**Formation of the objectives of the penal system and the results of their implementation**

	Goal	The nature of the manifestation	Contribute	Effect
Penal system as a subsystem of state	Implementation of general public interest	Prevention of recurrent crime from the position of "its actual repetition"	The increase (in strategic and current period) of socio-economic development. Reduction of recurrent crimes.	Penal system contribution to crime prevention tools is the realization of the legitimate, just and reasonable punishment and reintegration of prisoners. The perception of the public post prison recidivism
Penal system as a subsystem law enforcement	Corrections and reintegration of prisoners into society	Social rehabilitation for persons released from prison	Forecasting crime and improve the efficiency of probation as a structural unit penal system.	Penal system contribution in preventing post penal crime. Number of prisoners who have served their sentence and adapted in society.

Planned or actual results to achieve their goals, according to Terekhin V. I., can be measured using benchmarks and performance indicators. [10] The system of performance criteria aimed at implementing the goals that meet the mission (general purpose) in specific operating conditions.

The methodological basis of the approach to the formation of criteria and performance of law enforcement is the provision of institutional economics and system analysis. Therefore, according to this approach, if the administrative decision contributes to the creation of value (value) in the system, it is effective [7]. For the penal system as a socio-economic system with a specific "input and output" create such value is correct and return to society a person who committed a crime and was isolated for a certain period, determined by a court verdict.

Equally important indicators characterizing the efficiency of its operation is to reduce the total loss of society, including the social and economic costs of crime and spending budget funds for the operation of law enforcement agencies in general and the penal system as well. Minimizing costs means maximizing the social value of law enforcement, and in particular of penitentiary system to improve the quality of life. That's why the goal of management is to minimize losses at a certain level of risk or minimize the risk of some acceptable level of loss.

Quantitative measurement of performance criteria for strategic and current periods - different. In the current period such indicators are: the level and reduce socio-economic losses, and strategically - reducing potential criminal crime in the country and the number of prisoners serving sentences in penal institutions. It should be noted that the determination criterion input of law enforcement and the penal system in general by reducing losses from criminal activities relating to internal and external factors.

The level of the strategic objectives of the penal system-wide criteria as determined using key performance management tools, quality and efficiency sentence ongoing educational work with convicts integrated result in social and economic costs of crime. The level of the strategic goal penal penitentiary system are considered as local performance criteria.

Performance measures of penal institutions can be defined in two ways as wide - (penal institutions - lower system complexity and criminal-executive system - higher level) and local. By wide can include:

1. Lowering every potential criminal convict who is serving a sentence in prison.

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2. Contribution of the penal institutions to reduce post prison recurrent crimes convicts serving sentences.

3. The level of public danger of prisoners released from penal institutions because of their reformation and reintegration.

Local characterize the performance criteria:

1. Contribution to increase employment potential by getting convicted skills and vocational education.

2. Reducing penal terms.

3. Deduction of public enterprises to special fund and the coverage of insufficient budgetary financing of the penal system.

**Conclusions.** Described system "mission - wide and local goals - performance criteria" allows a quantitative assessment of the effectiveness of the penal system and its units as a subsystem of the police. We believe that the use of this approach will enhance the management efficiency of the penal system.

## References

1. Babaev, M. M. (2010) *Sotsialnyie posledstviya prestupnosti* [The social consequences of crime] Nauchnyiy portal MVD Rossii - Scientific portal of the Ministry of Internal Affairs of Russia, № 1, P. 5 [in Russian].
2. Zer, H. (2002) *Vosstanovitelnoe pravosudie: novyy vzglyad na prestuplenie i nakazanie* [Restorative justice: a new perspective on crime and punishment]. Moscow. Tsentr «Sudebno-pravovaya reforma» – Center for Judicial and Legal Reform, P. 324 [in Russian].
3. Kvashis, V. (2008) «Tsena» prestupnosti kak kriminologicheskaya problema [“Price” of crime as criminological problem]. *Ugolovnoe pravo - Criminal law*, № 6, pp. 94–102 [in Russian].
4. Kedov, V. (2002) *Gosudarstvo i ekonomika: menyayuscheesya ravновesie* [State and economy: the changing balance]. *Problemyi teorii i praktiki upravleniya - Problems of management theory and practice*, № 3, pp. 8–13 [in Russian].
5. Kristi, N. (2001) *Borba s prestupnostyu kak industriya, vpered k GULAGU zapadnogo obraztsa* [The fight against crime as the industry forward to a Western-style Gulag]. Moscow. ROO «Tsentr sodeystviya reforme ugovornogo pravosudiya» - Center for Assistance to Criminal Justice Reform, P. 224 [in Russian].
6. Marshal, A. (1993) *Printsipy ekonomicheskoy nauki* [The principles of economics]. Moscow. Progress, P. 594 [in Russian].
7. Mischenko, A. P. (2004) *Strategichne upravlnnya*. [Strategic management] Kiev. Tsentr navchalnoyi literatury, - Center of educational literature, P. 336 [in Ukrainian].
8. *Pro Derzhavnu krimlnalno-vikonavchu sluzhbu Ukrayiny* : [The Law of Ukraine On the State Criminal Executive Service of Ukraine: dated June 23, 2005, No. 2713-IV]. Retrieved from: <http://zakon2.rada.gov.ua/laws/show> [in Ukrainian].
9. Stern, V. (2000) *Greh protiv budushego. Tyuremnoe zaklyuchenie v mire* [The sin against the future. Imprisonment in the world] Moscow. PRI, P. 130 [in Russian].
10. Terehin, V. I., Chernyshov, V. V. (2015). *K voprosu o missii, tselyah i kriteriyah effektivnosti UIS* [On the question of the mission, objectives and performance criteria for MIS] *Che-lovek : prestuplenie i nakazanie - Human: crime and punishment*, № 3, pp. 48-52 [in Russian].

## Література

1. Бабаев, М. М. Социальные последствия преступности / М. М. Бабаев, В. Е. Квашиш // Научный портал МВД России. – 2010. – № 1. – С. 5.
2. Зер, Х. Восстановительное правосудие : новый взгляд на преступление и наказание / Х. Зер ; [пер. с англ., под ред. Л. Карнозовой и С. Пашина]. – М. : Центр «Судебно-правовая реформа», 2002. – 324 с.
3. Квашиш, В. «Цена» преступности как криминологическая проблема / В. Квашиш // Уголовное право. – 2008. – № 6. – С. 94 – 102.
4. Кедров, В. Государство и экономика: меняющееся равновесие / В. Кедров // Проблемы теории и практики управления. – 2002. – № 3. – С. 8 – 13.
5. Кристи, Н. Борьба с преступностью как индустрия, вперед к ГУЛАГУ западного образца / Н. Кристи ; [пер. с англ. А. Петрова, В. Проклова]. – [2-е изд.]. – М. : РОО «Центр содействия реформе уголовного правосудия», 2001. – 224 с.
6. Маршал, А. Принципы экономической науки / А. Маршал. – М. : Прогресс, 1993. – 594 с.
7. Міщенко, А. П. Стратегічне управління : [навч. посіб.] / А. П. Міщенко. – К. : Центр навчальної літератури, 2004. – 336 с.
8. Про Державну кримінально-виконавчу службу України : Закон України від 23.06.2005р., № 2713-IV [Електронний ресурс] // Відомості Верховної Ради України (ВВР). – Оф. вид. від. 2005, № 30, ст. 409, станом на 23.02.2014. – Режим доступу : <http://zakon2.rada.gov.ua/laws/show/2713-15>. – Назва з екрана. – Доступно на 24.02.2015.
9. Стерн, В. Грех против будущего. Тюремное заключение в мире / В. Стерн. – М. : PRI, 2000. – 130 с.
10. Терехин, В. И. К вопросу о миссии, целях и критериях эффективности УИС / В. И. Терехин, В. В. Чернышов // Человек: преступление и наказание. – 2015. - № 3. – С. 48-52.

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