

5. Про затвердження Порядку організації надання медичної допомоги засудженим до позбавлення волі: наказ Міністерства юстиції України, Міністерства охорони здоров'я України від 15.08.2014 № 1348/5/572, зареєстрованого в Міністерстві юстиції України від 20.08.2014 № 990/25767 URL: <http://zakon.rada.gov.ua/laws/show/z0990-14> (дата звернення: 18.04.2018).

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FEATURES OF PRE-TRIAL INVESTIGATION OF CRIMINAL MISCONDUCT

One of the main objectives of the criminal procedure law is to protect the individual, society and the state from criminal offenses, to support the rights, freedoms and legitimate interests of participants in criminal proceedings, as well as to ensure a prompt, complete and impartial investigation and judicial review. Accordingly, in order to accomplish this task, the authorities must clearly observe legal regulations and demand it from persons involved into a criminal investigation in one way or another.

Nowadays the peculiarity of pre-trial investigation of criminal misconduct is that it is carried out in the form of inquiry, as it is discussed in Art. 215 CPC of Ukraine. The conduct of proceedings for criminal misdemeanors prescribes separately the terms for the introduction of pre-trial investigation in the form of requests and the specific requirements

for their continuation with the criminal procedure law; selection of grounds for stopping, restoration and termination of pre-trial investigation of criminal misdemeanors.

A specific feature of criminal cases concerning criminal misdemeanors is the conclusion of an agreement between victims and suspects of reconciliation, and between the prosecutor and the suspect on the peccavi that occurs only from the moment a person is informed of the suspicion. Characteristic signs of concluding agreements in a criminal proceeding involving several victims of the same criminal offense, as well as in the case of criminal proceedings against several persons suspected / accused of committing one or more criminal offenses. Selection in a separate criminal proceedings in relation to the person with whom agreement has been reached on concluding an agreement on the recognition of guilt, etc. At the same time, it is grounded that the principles of officiality and criminal procedure settlement are mandatory, which determine the authority of the subject to conduct a pre-trial investigation in the form of inquiry in the investigation of a criminal misdemeanor. It is proved that the powers should be endowed with mandatory competency elements, which include: the normative establishment of the purpose of the activities of the entities authorized to conduct criminal proceedings; subject matter and objects of influence; powers for the adoption of procedural decisions and the commission of procedural actions. The expediency of identifying a specific authorized entity for conducting an inquiry in the course of pre-trial investigation in the form of an inquiry was argued with the aim of full, complete and impartial determination of the circumstances of a criminal misdemeanor.

Keywords: pre-trial investigation, inquiry, criminal offense, criminal procedural form.

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