

goals are to protect and defend the rights, freedoms and interests of citizens, as well as prevent criminal infringement.

Therefore, these bodies carry out the following functions: prevention of offenses entailing legal liability, protection of life, health, rights, freedoms and legal interests of individuals, protection of order, public safety and property, administrative supervision of persons released from prisons, operational and investigative activities, investigation of crimes, execution of sentences, decisions, rulings of courts, decisions of bodies of inquiry and pre-trial investigation and prosecutors, establishing of the events and circumstances of crimes, as well as the perpetrators, the bodies of pre-trial investigation, support of public prosecution in court, provision of legal assistance, such as clarifying the law, providing of legal consultancy by the bar and notary.

Summing all it up, the necessity arises to legislate the concept of «law enforcement agencies» and, taking this into account, in regulations clearly define their functions, the main tasks arising from them, and minimize the number of such structures which will reduce their maintenance costs as a result.

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### FORENSIC SCIENCE IN UKRAINE: PROBLEMS AND PERSPECTIVES

Significant changes in criminal proceedings that took place after the Criminal Procedure Code of Ukraine (2012) had come into force and a number of reforms in criminal justice led to the emergence of new principles, regulations and procedures for investigating and prosecuting of criminal offenses. As a result, the conditions, requirements and procedures for the application of forensic tools and methods have been

transformed so far. The above mentioned cause some problems in law enforcement practice, namely the application of knowledge in forensic science by the subjects of criminal proceedings. Therefore, the demands of practice highlight the need for developing the proper means, techniques and methods of combating crime, which are relevant to our modern conditions and can be implemented into practice.

Recently, many scholars have devoted their scientific works to the tendencies of the development of forensic science in Ukraine: T.V. Averyanov, O.O. Alekseev, S.V. Evdokimenko, A.V. Zhuravel, A.V. Kofanov, J.V. Kuzmichev, V.M. Pletenets, S.M. Potapov, M.V. Saltevsy, V.M. Stratonov, K.O. Chaplinsky, Yu.A. Chaplynska, Yu.M. Chornous and others.

Although considerable number of research has been carried out, there is still a fairly large amount of open and debatable issues. So, the purpose of this paper is to analyze the current state and the perspectives of development of forensic science in Ukraine.

Viewing criminalistics as a science, practical activity and training course, it should be noted that nowadays, there are quite a number of problematic issues. Firstly, there is no single definition of the subject of forensic science, the definitions are interpreted differently by different scientific schools and scientists. And most likely, this range of problems will remain unresolved at least in the coming years. Professor A.V. Zhuzavel notes that a large number of paradigms leads to the creation of a single and holistic methodological concept, but also it indicates the possibility of different approaches to criminalistics, reflects the complex dialectics of the movement of criminalistics and objects of its cognition [1, p. 153].

Practice shows a negative trend in increasing crimes and many scientists are aware of the severity of the problem. Thus, in 2016, according to the statistics, 1255 dissertation themes on the problems of the state and law were approved and 269 of them were in the specialty 12.00.09 «Criminal Procedure and Criminalistics; Forensic Examination; Operational and Investigative Activities», which is almost 35% of the total. It seems like a good start, but, unfortunately, only 2% of research is devoted to the problems of judicial reform and a little more - to the problems of methodology of investigation of criminal offenses. Therefore, in order to bridge the gap it is necessary to intensify scientific work in those areas that are relevant to modern practice.

V.M. Stratonov emphasizes that covert investigative actions deserve special attention, as covert investigative (search) actions are a kind of investigative (search) actions, information about the facts and methods of which are not subject to disclosure, except as provided in Article 246 of the Criminal Procedure Code of Ukraine [2].

In our opinion, the ways of bridging the gaps in studying and improving investigative actions and covert investigative (search) actions can be the following: firstly, making changes and additions to forensic science textbooks. Secondly, organizing conferences, round tables, other scientific symposia with the involvement of practitioners to discuss some urgent issues. Thirdly, it is obligatory to coordinate the themes with the coordination council of the National Academy of Legal Sciences (including the Southern Regional Center, Odessa).

The most important task for modern legal science is the constant study of current criminal law and analysis of its compliance with current requirements, the development of methods for investigating criminal offenses in the field of national security. A striking example is the need to develop a methodology for investigating offenses under Article 110<sup>2</sup> of the Criminal Code of Ukraine «Financing actions committed to forcibly change or overthrow the constitutional order or seize state power, change the boundaries of the territory or state border of Ukraine». It should be stressed that the Ukrainian courts have passed only one sentence under Art. 110<sup>2</sup> of the Criminal Code of Ukraine for the period of three years [3], [4]. This fact indicates that no new methods of investigating of this kind of offense have been developed lately [5, p. 61].

Unfortunately, there are some problems with the forms of interaction and motivation of law enforcement and judicial officials that significantly affect both the detection and investigation of criminal offenses in general. Special attention needs to be paid to the use of special knowledge in the investigation process [6].

Realizing the problems of modernity, which arise both in certain areas of law, forensic science and law enforcement, scientists cooperate and prepare collective monographs. Indeed, this

approach makes it possible to solve a number of problematic issues at the same time. However, the absence of such positions as investigator-methodologist in practical law enforcement divisions does not give the practitioners the opportunity to implement the results of scientific researches into practice. Even the institute of advanced training of investigators has been leveled and an institute of mentoring has been abolished so far. Therefore, the results of the monographs and methodology of investigation of certain types of criminal offenses do not always reach the practitioners.

To sum it up, forensic science has a number of unresolved issues, in particular, there is no unity in defining the subject of criminalistics; there are no new developments in the tactics of investigative (search) actions; there are some problems related to the forms of interaction and motivation of law enforcement and judicial officers. Trends and prospects for the development of forensic science in Ukraine directly depend on scientific and technological progress, changes in criminal and criminal procedural legislation, integration of domestic science into world criminalistics. Perspectives of forensic science are connected with practical forensic activities and conditioned by the needs of law enforcement agencies in combating crime.

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### GENERAL ISSUES OF ORGANIZATIONAL SUPPORT TO COURTS

The effectiveness of the judiciary depends on its clear organization and regulation of the activities of its bodies. Modern judicial and legal reform in Ukraine is aimed at improving the judiciary and its bodies. The important task of the reform is to enhance the mechanism of providing the judicial system with material and financial resources, technical means to support the trial, selection of judges, training and so forth.

In addition, on June 2, 2016, a new Law of Ukraine «On the Judiciary and the Status of Judges» was adopted, which contains new approaches to the issue of organizational support to courts. The above-mentioned necessitates further research on this issue.