

Ministry of Education and Science of Ukraine

V.N. Karazin Kharkiv National University

Department of Criminal Law Disciplines

«**APPROVED**»

Dean of the Law Faculty

_____ Vitalii SEROHIN

«_____»_____2024

Work programme of the academic discipline

Topical issues of criminal law and procedure

level of higher education	second (master) level of higher education
branch of knowledge	29 International relations
speciality	293 International Law
education programme	Law
discipline type	mandatory
faculty	law

2024 / 2025 academic year

The programme is recommended for approval by the Academic Council of the Faculty of Law

"___" August 2024, protocol No. 1

DELEVOPERS OF THE PROGRAM: Hlib Rybalko, Associate Professor of the Department of Criminal Law Disciplines of the Law Faculty of V. N. Karazin Kharkiv National University, PhD in Law, Associate Professor

The programme was approved at the meeting of the department of criminal law disciplines

___ August 2024 Protocol No. 1

Acting Head of the Department of Criminal Law
Disciplines

_____ Hlib RYBALKO

The programme was agreed with the guarantor of the educational professional programme
International Law

The Guarantor of an educational professional
programme International law

_____ Oleksandr HAVRYLENKO

The programme has been approved by the Scientific and Methodological Commission of the
Faculty of Law

___ August 2024 Protocol No. 1

Head of Scientific and Methodological
Commission of the Faculty of Law

_____ Hanna ZUBENKO

INTRODUCTION

The programme of the discipline “Topical issues of criminal law and procedure” is drawn up in accordance with the educational professional programme for the training of specialists with higher education of the second (master) level in the specialty 293 International Law.

1. Description of the course

1.1. The purpose of teaching the discipline:

1. Criminal law (General part): to acquire knowledge of the tasks, functions and principles of criminal law, to master the knowledge of the general conceptual apparatus of criminal law of Ukraine; ability to systematize and search for criminal law provisions; skills in the correct application of general institutions of criminal law in solving practical problems; skills in identifying signs of a criminal offense in a committed act, distinguishing criminal offenses from other offenses; the ability to determine the grounds and forms of criminal liability and the grounds for applying other measures of criminal law influence; the ability to search and critically analyse law enforcement materials in solving specific practical problems; awareness of the general directions of criminal policy in Ukraine.

2. Criminal Law (Special Part): to acquire knowledge of the tasks, functions and principles of criminal law; knowledge of the general conceptual apparatus of criminal law of Ukraine; ability to systematise and search for criminal law provisions; ability to analyse legal literature related to the coverage of certain provisions of criminal law; knowledge of the general principles and directions of criminal policy in Ukraine; skills in the correct application of general institutions of criminal law in solving practical problems; ability to give a criminal law description of objective and subjective criminal offences provided for in the Special Part of the Criminal Code of Ukraine; skills in the process of qualifying criminal offences, including the distinction of individual criminal offences from each other and the distinction of criminal offences from other offences; the ability to search and critically analyse law enforcement materials in solving specific practical problems.

3. Criminal procedure law – the ability to solve complex specialised tasks and practical problems in the field of professional legal activity or in the process of study, which involves the application of legal doctrines, principles and legal institutions and is characterised by complexity and uncertainty of conditions (integral); the ability to apply knowledge in practical situations (GC -2); knowledge and understanding of the subject area and understanding of professional activities (GC -3); ability to communicate in the state language both orally and in writing (3K-4); the ability to act on the basis of ethical considerations (motives) (GC-10); the ability to apply knowledge of the tasks, principles and doctrines of national law, as well as the content of legal institutions, at least in such areas of law as constitutional law, administrative law and administrative procedure law, civil law and civil procedure law, criminal law and criminal procedure law (SC-7); knowledge and understanding of the peculiarities of implementation and application of substantive and procedural law (SC-8); ability to determine the facts relevant and acceptable for legal analysis (SC-11); ability to independently prepare drafts of law enforcement acts (SC-15); ability to logically, critically and systematically analyse documents, understand their legal nature and significance (SC-16).

1.2. The main tasks of the discipline: analysis of acts of criminal and criminal procedural legislation of Ukraine, educational and monographic literature, solving analytical problems and practical cases in accordance with the programme of the discipline.

1. KL gp:

within the framework of the formation of the GC-2:

know: official and scientific and theoretical sources of information on criminal law and Ukrainian legislation on criminal liability, the practice of its application;

be able to: timely identify amendments and additions to the legislation on criminal liability and other sources of criminal law, the emergence of new such sources, monitor current

trends in the application of the provisions of the General Part of criminal law;

have the skills: to study criminal law and its novelties, to adjust their own professional activities and level of professional knowledge in view of changes and amendments to this legislation, the latest developments in the theory of criminal law and trends in judicial practice;

within the framework of the formation of GC-6:

know: the objectives of criminal liability legislation, the functions of criminal law, their correlation with the directions of state development and development of civil society defined by the Constitution of Ukraine, the consequences of gross violation of human and civil rights and freedoms guaranteed by criminal law;

be able to: identify current trends in the development of the state's criminal policy, choose the most appropriate criminal law means of protecting the rights and freedoms of man and citizen, the interests of the state and society;

have the skills: to ensure strict compliance with the requirements of the law in the application of criminal law, preventing analogy of law in professional activities;

as part of the formation of GC-7:

know: signs of a crime and other types of criminally significant behaviour, their composition, types and means of interpreting the provisions of criminal law;

be able to: correlate factual data on circumstances that may contain signs of criminal offences with the provisions of criminal law;

have the skills: to argue their own legal position on issues of criminal law assessment of the act.

within the PC-2 formation:

know: the subject, method, tasks, current state of criminal law of Ukraine, its main institutions, the place of the branch in the tools of performing professional tasks of a lawyer; principles of criminal law of Ukraine and their correlation with the general principles of law of Ukraine;

be able to: choose a solution to criminal law conflicts in accordance with the principles of the rule of law, the priority of protecting human rights and freedoms;

have the skills: to implement the norms of the General Part of the Criminal Law of Ukraine, taking into account its intra-systemic relations with other branches of law, generally accepted principles and norms of international law;

within the PC-4 formation:

know: the content and regulatory framework of the institutions of the General Part of Criminal Law, in particular, the principles of compliance and legal consequences of violations of the rule of law in criminal law;

be able to: implement criminal law provisions, critically analyse the practice of applying the provisions of the General Part of Criminal Law;

have the skills to: identify and eliminate the causes and results of errors in the application of the norms of the General Part of Criminal Law in their own activities and in the activities of others;

within the PC-6 formation:

know: the signs in the presence of which a person's behaviour is included in the subject matter of criminal law;

be able to: choose criminal law provisions that need to be applied when making legally sound decisions in criminal proceedings;

have skills: competent, reasonable and accurate formulation of criminal law assessment of problem situations;

within the PC-11 formation:

know: concepts and categories that form the terminology of the General Part of Criminal Law and are used in the General Part of the Criminal Code of Ukraine;

be able to: present factual circumstances, provide arguments and formulate conclusions regarding the use of the provisions of the General Part of Criminal Law;

have the skills to: reflect in procedural documents the results of interpretation and implementation of the provisions of the General Part of Criminal Law;

within the PC-13 formation:

know: the content of the General Part of the Criminal Code of Ukraine, its structure, the content of specific articles and individual sections that form it;

be able to: independently apply various types of interpretation of the provisions of the General Part of the Criminal Law, use available examples of such interpretation;

have skills: explanation and clarification of the content of the General Part of the Criminal Law, its individual provisions.

2. CP sp:

within the GC-3 formation:

знати: кримінально-правову методологію;

know: criminal law methodology;

be able to: provide a criminal law description of objective and subjective features of criminal offences under the Special Part of the Criminal Code of Ukraine

have the skills: to carry out a criminal law assessment of the acts described in the case studies;

within the GC-4 formation:

know: the basic terminology of criminal law in the state language;

be able to: logically and reasonably express their opinion in oral and written form on issues of criminal law;

have the skills: to present in writing solutions to practical problems in the Special Part of Criminal Law; to act as a prosecutor, defence counsel or judge in simulated court hearings in practical classes on the Special Part of Criminal Law.

within the GC-6 formation:

be able to: critically comprehend the educational material on the Special Part of Criminal Law, defend their position on problematic issues and find arguments in its favour in doctrinal sources and legal acts;

have skills: search and systematise the norms of criminal law of Ukraine;

within the PC-4 formation:

know: the content of the resolutions of the Plenum of the Supreme Court on the application of the provisions of the Special Part of Criminal Law;

be able to: apply the rules of criminal law in various situations;

have the skills: to establish the content of criminal law provisions of the Special Part of the Criminal Code of Ukraine, which have blanket dispositions, using the provisions of other branches of legislation;

within the PC-6 formation:

know: the algorithm of criminal law qualification of crimes; **be able to:** carry out criminal legal qualification of crimes;

have the skills: to distinguish between related corpus delicti and distinguish between crimes and disciplinary, administrative and civil offences;

within the PC-7 formation:

know: the current state of legislation on criminal liability, the main current directions of the state's criminal law policy;

be able to: apply the norms of the Special Part of Criminal Law, taking into account the provisions of the Constitution of Ukraine, international treaties ratified by the Verkhovna Rada of Ukraine, general principles of criminal law and principles of its institutions, provisions of other branches of law;

have the skills: to correctly apply the rules of general institutions of criminal law when deciding on the qualification of crimes;

within the PC-8 formation:

know: the content of the provisions of the Special Part of the Criminal Code of Ukraine,

their location;

be able to: search and critically analyze law enforcement materials in solving specific practical problems;

have the skills: to solve complex issues regarding the understanding and application of the provisions of the Special Part of criminal law, taking into account trends in law enforcement practice and the use of sources of scientific and practical literature;

within the PC-13 formation:

know: types and methods of interpretation of the provisions of the Special Part of the Criminal Code of Ukraine;

be able to: interpret the provisions of the Special Part of the Criminal Code of Ukraine;

have the skills to: explain to interested parties the content of the provisions of the Special Part of the Criminal Code of Ukraine.

3. CPL:

within the GC-2 formation:

know: the norms of the current criminal procedural legislation, investigative and judicial practice in criminal proceedings;

be able to: correctly determine the range of regulatory legal acts to be applied; make qualified conclusions and provide advice; make decisions and take actions in strict accordance with the law;

have the skills to: work with regulatory acts; substantiate one's own point of view; prepare legal documents; resolve problematic issues and conflicts.

within the GC-3 formation:

know: the system of sources of criminal procedural law and the system of criminal procedural legislation, the main theoretical and practical problems of criminal procedure;

be able to: objectively perceive and analyze trends in modern criminal procedure, as well as legal situations in the field of criminal proceedings, correctly qualify them and determine the legal provisions to be applied;

have the skills to: justify their own point of view, make procedural decisions that meet the requirements of the law..

within the GC-4 formation:

know: the spelling of the modern Ukrainian language; terminology of the field of criminal procedure law in the state language; grammatical structures necessary for the adequate expression of relevant concepts and legal positions in criminal proceedings;

be able to: use grammatical phrases specific to communication between different participants in criminal proceedings; make the optimal set of vocabulary and grammatical structures when expressing both orally and in writing their legal position in criminal proceedings;

have the skills of: communicating in the state language with various participants in criminal proceedings; competently drafting criminal procedural documents in Ukrainian.

within the GC-10 formation:

know: the ethical basis for the implementation of certain procedural actions in criminal proceedings; ethics of criminal procedural evidence, as well as communication between different participants in criminal proceedings;

be able to: analyze the provisions of current legislation governing the ethical basis of criminal procedural activity; defend a legal position in criminal proceedings in a correct, tactful and ethical manner;

have the skills: to interpret the content of legal acts that provide for ethical rules in the activities of, in particular, a court (judge), investigating judge, prosecutor, investigator, lawyer in criminal proceedings; to determine the specific ethical rules that must be followed when performing certain procedural actions and making procedural decisions.

within the GC-7 formation:

know: modern doctrinal approaches to the legal regulation of the main institutions of criminal procedure law; norms of current legislation governing the tasks and principles of criminal procedure, as well as its main institutions; rules of law interpretation for the purpose of its correct application;

case law, including decisions of the Constitutional Court of Ukraine, the European Court of Human Rights, resolutions of the Supreme Court and the Plenum of the Supreme Court;

be able to: analyze legal situations, properly qualify them and determine the legal provisions to be applied, as well as choose legal forms and methods of response depending on the actual circumstances; characterize the relationship of constitutional, administrative, civil, criminal, as well as administrative procedural, civil procedural law with criminal procedural law;

have the skills: to use the institutions of related branches of law and judicial practice in criminal proceedings, to work with legal acts that are their sources; to analyze legal facts and procedural rules that are the object of professional activity; to solve legal problems and apply the rules of various branches of law in criminal proceedings.

within the GC-8 formation:

know: the rules for setting out the legal qualification of criminal offenses in relevant procedural documents; the grounds and procedural procedure for changing a previously notified suspicion, notifying a new suspicion, changing and supplementing the charge in court proceedings; legal and factual grounds for making procedural decisions;

to be able to: give a legal assessment of legal facts and determine which legal norms should be applied in the given factual circumstances; make decisions and take actions in strict accordance with the criminal procedural law;

have the skills to: prepare and motivate criminal procedural decisions on changing the legal qualification of criminal offenses.

within the GC-8 formation:

know: the requirements of criminal procedure legislation and departmental regulations regarding: the reasons and grounds for initiating criminal proceedings; factual and legal grounds for conducting investigative (detective) and covert investigative (detective) actions; grounds for making procedural decisions at various stages of criminal proceedings;

be able to: analyze the factual circumstances of the criminal offense committed, established in the course of criminal proceedings, give them a legal assessment; determine the factual basis for certain procedural actions and make appropriate procedural decisions;

have the skills: to correctly reflect in the materials of criminal proceedings the factual circumstances of the criminal offense; to justify the need for certain procedural actions and make appropriate procedural decisions.

within the GC-15 formation:

know: the list of types of procedural documents drawn up in criminal proceedings, the requirements of the law to their form and content;

be able to: correctly identify a specific procedural document for the execution of a procedural action or a procedural decision;

have the skills to: prepare and execute procedural documents in accordance with the law.

within the GC-16 formation:

know: ways to interpret the law for the purpose of its correct application; requirements of the criminal procedure law and departmental regulations on the formation and maintenance of the Unified Register of Pre-trial Investigations; types of systematization of criminal proceedings; forms of termination of criminal proceedings;

be able to: analyze the content of individual criminal procedural documents and determine their role in criminal proceedings; systematize criminal proceedings; determine the type of final procedural decision in criminal proceedings;

have skills: analytical work with criminal proceedings and their systematization; substantiation and execution of the final procedural decision in criminal proceedings.

The student must achieve the following program learning outcomes: determine the persuasiveness of arguments in the process of assessing previously unknown conditions and circumstances (**PRN 1**); collect and analyze materials from various sources in an integrated manner (**PRN 3**); formulate their own informed judgments based on the analysis of a known problem (**PRN 4**); give a brief conclusion on certain factual circumstances (data) with sufficient reasonableness

(*PRN 5*); evaluate the disadvantages and advantages of arguments, analyzing a known problem (*PRN 6*); apply the acquired knowledge in various legal situations, identify legally significant facts and formulate reasonable legal conclusions (*PRN 21*); prepare drafts of the necessary acts of application of law in accordance with the legal conclusion made in various legal situations (*PRN 22*); provide advice on possible ways to protect the rights and interests of clients in various legal situations (*PRN 23*).

1.3. Number of credits: 4

1.4. Total number of hours: 120

1.5. Description of the discipline	
Mandatory	
Full-time education	Part-time (distance) education
Year of training	
1	1
Term	
2	2
Lectures	
28 hours.	6 hours.
Seminar classes	
14 hours.	4 hours.
Individual work	
78 hours.	110 hours.
Individual tasks	
hours.	

1.6. Planned learning outcomes:

CL:

To know: CL gp: general principles and directions of development of criminal law in Ukraine; conceptual apparatus of the General Part of the Criminal Law of Ukraine; rules of interpretation of the law on criminal liability; content of the General Part of the domestic legislation on criminal liability; judicial practice, including resolutions of the Plenum of the Supreme Court of Ukraine, resolutions of the Supreme Court of Ukraine on criminal jurisdiction. **GC:** general and specific features of criminal law, its subject and method of legal regulation, as well as tasks, functions and principles of criminal law; current state of legislation on criminal liability; general conceptual framework of criminal law of Ukraine; institutions enshrined in the General Part of the Criminal Law of Ukraine, which generalize the features inherent in all crimes provided for in the Special Part; general characteristics of criminal offenses provided for in the Special Part of the Criminal Code of Ukraine and the characteristics of criminal offenses provided for in the Special Part of the Criminal Code of Ukraine.

Be able to: CL gp: provide a criminal law assessment of specific situations; apply the norms of the General Part of the Criminal Code of Ukraine in the course of criminal law assessment of acts; determine the criminal law consequences of criminal offenses and other socially dangerous acts; analyze legal literature that covers the provisions of criminal law of Ukraine and other countries; analyze case law materials for compliance of decisions of the authorities with the current domestic legislation on criminal liability. **CL sp:** search and systematize the norms of criminal law of Ukraine; analyze the dispositions of the articles of the Special Part of the Criminal Code in order to determine the mandatory elements of criminal offenses; search and analyze judicial and investigative practice and use it in solving practical problems;

to have skills: CL gp: establishing signs of criminal offenses in a committed act; justification of non-criminal (criminal lawfulness) of an act; correct criminal law assessment of an act; distinguishing criminal offenses from other offenses and from lawful behavior; formulating qualified legal opinions and providing advice on general issues of criminal law assessment of an act and its criminal law consequences. **CL sp:** qualification of criminal offenses on the basis of corpus delicti of criminal offenses enshrined in criminal law, in solving practical problems provided by the curriculum; distinguishing one criminal offense from another, as well as a criminal act from a non-criminal act.

CPL:

know: the essence and content of the basic doctrinal concepts of criminal procedural law, its general principles and institutions; norms of current criminal procedural legislation; features of the procedural status of the court (judge), investigating judge, parties and other participants in criminal proceedings; content of criminal procedural legal relations; grounds and procedural procedure for making procedural decisions at various stages of criminal proceedings;

be able to: provide legal justification for decisions; analyze legal facts; interpret and correctly apply legal acts regulating criminal procedural activities; make qualified conclusions and provide advice; make decisions and take actions in strict accordance with the law;

have: procedural terminology and skills of working with legal acts; skills of analyzing legal facts and procedural rules that are the object of professional activity; skills of solving legal problems and applying procedural rules.

2. Thematic plan of the discipline

Section 1. Current issues of criminal law

Topic 1: General Part of Criminal Law

The concept and system of criminal law. The law on criminal liability. Validity of the law on criminal liability in time and space. Criminal offense and its types. Criminal liability and its grounds. Composition of a criminal offense. Object and subject of a criminal offense. Objective side of a criminal offense. Subject of a criminal offense. Subjective side of a criminal offense. Stages of a criminal offense. Complicity in a criminal offense. Repetition, aggregation and recidivism of a criminal offense. Circumstances that exclude the criminality of the act. Exemption from criminal liability. Punishment and its types. The appointment of punishment. Exemption from punishment and its serving. Conviction, its repayment and removal. Features of criminal liability of minors. Other measures of a criminal law nature.

Topic 2. Special Part of Criminal Law

The concept of the Special Part of the legislation on criminal liability, its system and significance. Scientific basis of criminal legal qualification. Crimes against the foundations of national security of Ukraine. Criminal offenses against life and health of a person. Criminal offenses against the will, honor and dignity of a person. Criminal offenses against sexual freedom and sexual inviolability of a person. Criminal offenses against electoral, labor and other personal rights and freedoms of a person and citizen. Criminal offenses against property. Criminal offenses in the field of official activity. Criminal offenses in the field of economic activity. Criminal offenses against the environment. Criminal offenses against public safety. Criminal offenses against industrial safety. Criminal offenses against traffic safety and operation of transport. Criminal offenses against public order and morality. Criminal offenses in the field of trafficking in narcotic drugs, psychotropic substances, their analogues or precursors and other crimes against public health. Criminal offenses in the field of protection of state secrets, inviolability of state borders, conscription and mobilization. Criminal offenses against the authority of state authorities, local self-government bodies and citizens' associations. Criminal offenses in the field of use of electronic computers, systems and computer networks and

telecommunication networks. *Criminal offenses against justice. Criminal offenses against the established order of military service. Criminal offenses against peace, security of mankind and international legal order.*

Section 2: Current Issues of Criminal Procedure Law

Topic 3. General part of criminal procedure law

Concept, objectives and system of criminal procedure. Criminal procedural law and criminal procedural legislation of Ukraine. Principles of criminal proceedings. Subjects of criminal proceedings. Evidence and proof in criminal proceedings. Recording of criminal proceedings. Procedural terms and court costs. Compensation (compensation) for damage in criminal proceedings. Measures to ensure criminal proceedings.

Topic 4. Special part of criminal procedure law

General provisions of pre-trial investigation. Investigative (detective) actions. Covert investigative (detective) actions. Notification of suspicion. Suspension and termination of pre-trial investigation. Appeal against decisions, actions or omissions during the pre-trial investigation. Court proceedings in the court of first instance. Court proceedings for review of court decisions. Execution of court decisions. Special procedures of criminal proceedings. International cooperation in criminal proceedings.

3. Structure of the discipline

Titles of sections and topics	Number of hours											
	full-time form						part-time form					
	of all	including					of all	including				
		1	s	lab	ind.	ss		1	s	lab	ind	ss
1	2	3	4	5	6	7	8	9	10	11	12	13
Section 1. Current issues of criminal law												
Topic 1: General part of criminal law	27	6	2			19	39	2	2			25
Topic 2. Special part of criminal law	32	8	4			20	35					30
Together by chapter 1	59	14	6			39	74	2	2			55
Section 2: Current Issues of Criminal Procedure Law												
Topic 3. General part of criminal procedural law	29	6	4			19	39	2	2			25
Topic 4. Special part of criminal procedural law	32	8	4			20	37	2				30
Together by chapter 2	61	14	8			39	76	4	2			55
<i>Total hours</i>	120	28	14			78	150	6	4			110

4. Topics of seminar classes

№ з/п	The title of the topic	Number of hours	
		full-time	part-time
1.	General part of criminal law	2	2
2.	A special part of criminal law	4	
3.	General part of criminal procedural law	4	2

4.	A special part of criminal procedural law	4	
	Total	14	4

5. Tasks for self-study

№ з/п	Types and content of self-study	Number of hours	
		full-time	part-time
1.	General part of criminal law	19	25
2.	A special part of criminal law	20	30
3.	General part of criminal procedural law	19	25
4.	A special part of criminal procedural law	20	30
	Total	78	110

6. Individual tasks

Individual tasks develop opportunities for independent work and contribute to a more in-depth study of theoretical material, formation of skills in using knowledge to solve relevant practical tasks.

The types of individual tasks in the academic discipline (reports, tests performed during classroom classes and independent work) are determined by the curriculum.

Individual tasks are completed by the student independently with the necessary consultations from a scientific and pedagogical worker.

Essay topics

1. The main types of criminal legal systems of the modern world.
2. Trends in the development of modern criminal legal systems.
3. Peculiarities of reception of Roman law to criminal legal systems in Europe.
4. Modern trends in criminal law.
5. Presumption of innocence as one of the principles of criminal law.
6. Court precedent in criminal law.
7. System of sources of Anglo-American criminal law.
8. Formation of the criminal legal system of the USA.
9. The system of criminal law and the system of criminal legislation.
10. Peculiarities of the systematization of criminal legislation in the countries of the Anglo-Saxon legal system.
11. Types of codification of criminal legislation used in different countries of the world.
12. Features of the classification of crimes in the countries of the world.
13. Crimes with formal and material composition.
14. Public danger of the crime.
15. Classification of crimes.
16. The objective side of the criminal offense (action, consequences of the crime, cause-and-effect relationship between the action and socially dangerous consequences).
17. Legal entity as a subject of criminal liability.
18. The subjective side of a criminal offense (guilt, motive, purpose of the crime).
19. Peculiarities of criminal prosecution for attempted criminal offence.
20. Liability for Uncompleted US Criminal Offenses.
21. Liability in case of voluntary refusal of a criminal offense.
22. Signs of the composition of the crime when bringing legal entities to criminal liability.
23. Peculiarities of the institution of complicity in different countries of the world.

24. Excess of the executor, concepts, responsibility of accomplices.
25. Causing harm during the arrest of a person who has committed a crime.
26. Physical and mental coercion.
27. Provocation of a criminal offence.
28. Absolute and relative theories of punishment.
29. Features of the application of the death penalty in the countries of the world.
30. Corporal punishment in the modern world.
31. Peculiarities of punishments in Muslim legal systems.
32. The system of sentencing in England and the USA.
33. Types of relapse, its features.
34. Set of criminal offenses. Kinds Approaches to punishment.
35. Criminal offenses for which release from criminal liability is possible in connection with reconciliation with the victim.
36. Features of amnesty application in Ukraine.
37. The concept, tasks and system of the criminal process.
38. Criminal procedural law and criminal procedural legislation of Ukraine.
39. Principles of criminal proceedings.
40. Subjects of criminal proceedings.
41. Evidence and proof in criminal proceedings.
42. Recording of criminal proceedings. Procedural terms and court costs.
43. Compensation (compensation) for damage in criminal proceedings.
44. Measures to ensure criminal proceedings.
45. General provisions of pretrial investigation.
46. Investigative (search) actions.
47. Covert investigative (search) actions.
48. Notification of suspicion.
49. Termination and termination of pre-trial investigation.
50. Appeal of decisions, actions or inaction during pre-trial investigation.
51. Judicial proceedings in the court of first instance.
52. Court proceedings on review of court decisions.
53. Execution of court decisions.
54. Special procedures of criminal proceedings.
55. International cooperation during criminal proceedings.

7. Teaching methods

The teaching method is an interrelated activity of the teacher and the student, aimed at the assimilation of the system of knowledge by students, the acquisition of skills and abilities, their education and general development.

Explanatory and illustrative method or informational and receptive method. Students gain knowledge at lectures, educational or methodological literature. Students perceive and comprehend facts, assessments, conclusions and stay within the limits of reproductive thinking. This method is widely used to transmit a large amount of information.

Reproductive method. Students' activities are algorithmic in nature, that is, they are performed according to instructions, prescriptions, rules in situations that are analogous, similar to the sample shown. Students' activities are organized according to the repeated reproduction of the acquired knowledge. For this purpose, a variety of exercises, practical tasks, programmable control, and various forms of self-control are used.

Problem-based presentation method. Before presenting the material, the scientific and pedagogical worker poses a problem, formulates a cognitive task on the basis of various sources and means. He/she shows a way to solve a problem. The way to achieve the goal is to reveal the system of evidence, compare points of view, different approaches. Students become witnesses and participants in scientific research. Students not only perceive, comprehend and memorize ready-made

information, but also follow the logic of evidence, the movement of thought of scientific and pedagogical workers.

Partial-search, or heuristic, method. It consists in the organisation of an active search for solutions to the cognitive tasks put forward in the training (or formulated independently). The search for a solution takes place under the guidance of the scientific and pedagogical worker. The thinking process becomes productive. The thinking process is gradually directed and controlled by the academic staff or by the students themselves on the basis of work on programs (including computer programs) and textbooks. The method helps to activate students' thinking and arouse their interest in learning at seminars.

Research method. The material, the formulation of problems and tasks, and brief oral or written instruction of students are analyzed. Students independently study literature, sources, and perform other search activities. Tasks that are performed using the research method should contain all the elements of an independent research process (task statement, justification, assumptions, search for appropriate sources of necessary information, task solution process).

Discussion methods. Elements of discussion (disputes, clashes of positions, deliberate exacerbation and even exaggeration of contradictions in the discussed content) can be used in almost any organizational form of learning, including lectures.

Modeling method. Modeling situations during the educational process is the creation of such situations-models where real objects are replaced by symbols and the relationships between the participants in the activity are not natural, but are organized specifically under the guidance of the scientific and pedagogical worker, that is, artificially.

8. Control methods

Control measures are a necessary element of feedback in the learning process. They determine the compliance of the level of knowledge, abilities and skills acquired by higher education students with the requirements of normative documents on higher education.

According to the level of control of learning results, self-control, departmental and faculty (institutional) control are distinguished.

Self-monitoring is intended for self-assessment by students of higher education of the quality of assimilation of educational material from a specific discipline (section, topic). For this purpose, the textbooks for each topic (chapter), as well as methodological developments for laboratory work, provide questions for self-control.

Departmental control is carried out in order to assess the level of training of students of higher education in the discipline at various stages of its study, as a rule, by scientific and pedagogical workers of this discipline and is carried out in the form of entrance, current and final semester control.

Faculty (institutional) control is an external control designed to assess students' achievement of the basic learning outcomes provided for by the educational program, develop proposals for updating educational programs, curricula, work programs of educational disciplines, update diagnostic tools for learning results, etc., and compare the effectiveness of student learning.

Faculty (institutional) control is carried out in the form of control works, which are performed in writing or with the use of computer technologies and, as a rule, by test technologies.

During the study of the academic discipline "Actual issues of criminal and criminal procedural law", the following types of control of learning results are used: current during the semester and final semester control.

Current control is carried out by scientific and pedagogical workers at all types of classroom classes during the semester. Current control can be carried out in the form of an oral survey or written control at seminar classes, lectures, in the form of a colloquium, speeches by students of higher education when discussing issues at seminar classes, in the form of computer testing, etc. The specific forms of ongoing control and the scoring scheme are determined by the work program of the academic discipline.

The final semester control determines the degree to which students of higher education have achieved the planned learning outcomes determined by the work program of the academic discipline.

The final semester control is conducted in the academic discipline "Actual issues of criminal and criminal procedural law" in accordance with the study plans and work study plans. The final semester control determines the degree to which students of higher education have achieved the planned learning outcomes determined by the work program of the academic discipline.

The assessment of the final semester control is the sum of the points scored by the student of higher education during the semester when performing the control measures provided for by the program of the academic discipline and the points scored by him during the semester exam (performance of the final credit work). The maximum number of points that a student of higher education can score in the final semester examination is 100.

The assessment of the final control in the discipline "Actual issues of criminal and criminal procedural law" is given according to a two-level assessment scale - grades "passed", "failed".

The maximum number of points that a student of higher education can earn during the semester is 60, and the maximum number of points for the final credit work is 40. The total number of points for the work during the semester is rounded to the nearest whole number. Applicants for higher education should be informed of their points before the beginning of the examination session.

Final assessment papers are conducted in the amount of educational material determined by the work program of the academic discipline, and in the terms established by the curriculum. The results of final assessment papers are evaluated with a whole number of points.

The student of higher education must be informed of the results of his final credit written work no later than five working days after it was written. The student of higher education has the right to familiarize himself with the checked work and to receive an explanation of the received grade.

In case of disagreement with the assessment, the student of higher education has the right to submit a written appeal to the head of the department on the day of the announcement of the assessment or the next working day, specifying the specific reasons for disagreement with the assessment. The head of the department, together with the examiner, involving, if necessary, other specialists, examines the appeal within three days and verbally notifies the student of higher education about the results of the review.

The results of the final semester control in the academic discipline "Actual issues of criminal and criminal procedural law" are entered by a scientific and pedagogical worker in the record of success; employees of the dean's office make a corresponding mark in the individual study plan of the student of higher education.

If the results of a student of higher education for a certain type of educational activity are evaluated in total with less than 50 points, he has the right to retake the final assessment work before the end of the examination session.

Repeated performance of the final assessment work is allowed no more than three times. The first two times - to a scientific and pedagogical worker, during the third rescheduling - to the commission, which is created by order of the rector on the proposal of the dean of the faculty. The commission's assessment is final.

The results of the final semester control are stored at the department during the calendar year. These materials can be reviewed by the rector, vice-rectors, head of the Education Quality Management, directors of Educational Centers for the organization of the educational process, quality management and monitoring of the educational process, methodical work, and the dean of the faculty.

The results of the semester control are discussed at the meetings of the departments, the rector's office, the academic councils of the faculties and the academic council of the university and are one of the important factors in the management of the quality of the educational process at the university.

Questions that are submitted for the preparation of the final control

1. Concept and system of criminal law.
2. Law on criminal liability.
3. Validity of the law on criminal liability in time, space and in relation to persons.

4. Criminal offense and its types.
5. Criminal responsibility and its grounds.
6. Composition of a criminal offence.
7. Object and subject of the criminal offense.
8. The objective side of the criminal offence.
9. The subject of a criminal offence.
10. The subjective side of a criminal offence.
11. Stages of committing a criminal offense.
12. Complicity in a criminal offense.
13. Repetition, totality and relapse of the criminal offense.
14. Circumstances excluding the criminality of the act.
15. Exemption from criminal liability.
16. Punishment and its types.
17. Determination of punishment.
18. Exemption from punishment and its serving.
19. Criminal record, its repayment and removal.
20. Peculiarities of criminal liability of minors.
21. Other criminal-legal measures.
22. The concept of the special part of the legislation on criminal liability, its system and meaning.
23. Scientific foundations of criminal law qualification.
24. Crimes against the foundations of national security of Ukraine.
25. Criminal offenses against the life and health of a person.
26. Criminal offenses against the will, honor and dignity of a person.
27. Criminal offenses against sexual freedom and sexual integrity of a person.
28. Criminal offenses against electoral, labor and other personal rights and freedoms of a person and a citizen.
29. Criminal offenses against property.
30. Criminal offenses in the field of official activity.
31. Criminal offenses in the field of economic activity.
32. Criminal offenses against the environment.
33. Criminal offenses against public safety.
34. Criminal offenses against production safety.
35. Criminal offenses against traffic safety and operation of transport.
36. Criminal offenses against public order and morality.
37. Criminal offenses in the sphere of circulation of narcotic drugs, psychotropic substances, their analogues or precursors and other crimes against public health.
38. Criminal offenses in the sphere of protection of state secrets, inviolability of state borders, provision of conscription and mobilization.
39. Criminal offenses against the authority of state authorities, local self-government bodies and citizen associations.
40. Criminal offenses in the field of use of electronic computing machines (computers), systems and computer networks and telecommunication networks.
41. Criminal offenses against justice.
42. Criminal offenses against the established order of military service.
43. Criminal offenses against peace, human security and international legal order.
44. The concept, tasks and system of the criminal process.
45. Criminal procedural law and criminal procedural legislation of Ukraine.
46. Principles of criminal proceedings.
47. Subjects of criminal proceedings.
48. Evidence and proof in criminal proceedings.
49. Recording of criminal proceedings. Procedural terms and court costs.

50. Compensation (compensation) for damage in criminal proceedings.
51. Measures to ensure criminal proceedings.
52. General provisions of pretrial investigation.
53. Investigative (search) actions.
54. Covert investigative (search) actions.
55. Notification of suspicion.
56. Termination and termination of pre-trial investigation.
57. Appeal of decisions, actions or inaction during pre-trial investigation.
58. Judicial proceedings in the court of first instance.
59. Court proceedings on review of court decisions.
60. Execution of court decisions.
61. Special procedures of criminal proceedings.
62. International cooperation during criminal proceedings.

9. Scoring scheme

Full-time education

Current control, independent work, individual tasks					Total	Remedial work	Amount
T 1	T 2	T 3	T 4	Control work provided by the curriculum			
10	10	10	10	20	60	40	100

Part-time education

Current control, independent work, individual tasks				Total	Remedial work	Amount
T 1	T 3		Control work provided by the curriculum			
20	20		20	60	40	100

Criteria for evaluating educational achievements

The answer at the seminar session is 0-10 points for full-time education and 0-20 points for part-time education.

Current control is carried out, in particular, by surveying and checking the results of presentations at seminar classes on a ten-point (twenty-point) rating scale.

9-10 points for full-time education (17-20 points for part-time education) are given under the following conditions: the student works actively during the entire practical session; gives a complete, correct, consistent, coherent, well-founded presentation of the issue, accompanied by correct examples from doctrinal sources and reference to current legislation; everything that is taught should indicate a deep understanding and orientation in the issues being studied; correct comprehensive answers to the teacher's additional questions.

7-8 points for full-time education (13-16 for part-time education) are given under the following conditions: the student works actively during the practical session; gives a correct, complete description of the content of the textbook and the material presented by the teacher, but answers additional control questions, which the teacher asks to clarify the depth of understanding and the ability to navigate in certain aspects of the academic discipline, only with some help from the teacher or colleagues; insufficiently comprehensive answers to the teacher's additional questions.

5-6 points for full-time education (9-12 for part-time education) are given under the following conditions: the student behaves passively during class, responds only when called upon by the teacher; in general, demonstrates knowledge of the main educational material under consideration, but makes mistakes during the answer and becomes aware of them only after the instruction of the teacher; does not give answers to questions immediately, but only after some strain of memory, and the answers are unclear; unable, without the help of a teacher, to deduce the relationship with other problems of the studied discipline;

3-4 points for full-time education (5-8 for part-time education) are given under the following conditions: makes significant mistakes or completely misses the material and partially corrects these mistakes only after the teacher's instructions; the student shows ignorance of a significant part of the educational material, explains it illogically and uncertainly, there are pauses and interruptions in the answer, he cannot explain the problem, although he understands it; does not present the material consistently enough.

1-2 points for full-time education (1-4 for part-time education) are given under the following conditions: the student makes gross mistakes when presenting the material and does not correct these mistakes even when the teacher points them out; reveals a lack of understanding of the educational material and, as a result, a complete lack of skills both in the analysis of phenomena and in the subsequent performance of practical tasks.

0 points are given when the student refuses to answer the questions posed by the teacher..

Evaluation criteria of the essay, control work

According to the results of the essay, the test work, the student can score a maximum of 20 points.

The final assessment of students' knowledge of the academic discipline "Actual issues of criminal and criminal procedural law" is presented taking into account the following criteria

90–100 points ("passed") are earned by a student who has thoroughly mastered the theoretical material, has a deep and comprehensive knowledge of the content of the academic discipline, the main provisions of scientific primary sources and recommended literature, thinks logically and constructs an answer, freely uses the acquired theoretical knowledge when analyzing practical material, expresses his attitude to certain problems, demonstrates a high level of assimilation of practical skills.

70–89 points ("passed") are earned by a student who has firmly mastered the theoretical material, has mastered the main aspects of primary sources and recommended literature, and presents it in a reasoned manner; has practical skills, expresses his thoughts on certain problems, but certain inaccuracies and errors are assumed in the logic of the presentation of theoretical content or in the analysis of practical ones.

50-69 points ("passed") are deserved by a student who has mastered the theoretical knowledge of the academic discipline, orients himself in primary sources and recommended literature, but answers unconvincingly, confuses concepts, additional questions cause uncertainty or lack of stable knowledge; when answering questions of a practical nature, reveals inaccuracies in knowledge, does not know how to evaluate facts and phenomena, connect them with future activities.

1–49 points ("failed") are assigned to a student who has not mastered the educational material of the discipline, does not know scientific facts, definitions, and is almost not oriented in primary sources and recommended literature; scientific thinking is absent, practical skills are not formed.

Rating scale

According to the number of scored points, grades on the university scale are assigned according to the following system:

The sum of points for all types of training activities during the semester	Rating
	Two-level rating scale
90-100	counted
70-89	
50-69	
1-49	not counted

10. Recommended literature

Basic literature

1. Constitution of Ukraine dated June 28, 1996. URL: <http://zakon1.rada.gov.ua/laws/show/254k/96-vr>.
2. Criminal Code of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/2341-14>.
3. Criminal and Executive Code of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/1129-15>.
4. Criminal Procedure Code of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/4651-17>.
5. Trubnikov V. M., Danshin M. V., Zhitny O. O. Criminal Law of Ukraine. General part: study guide / for general ed. V. M. Trubnikova. Kh.: V.N. Karazin KhNU, 2015. 444 p.
6. Criminal law of Ukraine: General part: Textbook / Ed. V. Ya. Tatsiya, V. I. Borisova, V. I. Tyutyugina. Kh.: Pravo, 2015. 528 p.
7. Zhytny O.O. Criminal law of Ukraine: General part (in diagrams and tables): Study guide. Kh.: Odyssey, 2008. 200 p.
8. Scientific and practical commentary on the Criminal Code of Ukraine dated April 5, 2001 / Ed. E. Melnyka, M.I. Havronyuk K., 2012.
9. Criminal Code of Ukraine: Scientific and practical commentary: in 2 vols. ed. V.Ya. Tatsiya, V. I. Borisova, V. I. Tyutyugina. Kh.: Pravo, 2013.
10. Fries P. L. Criminal Law of Ukraine. General part: textbook / P. L. Fries. K.: Atika, 2009. 512 p.
11. Dudorov O. O. Criminal law: study guide / O. O. Dudorov, M. I. Havronyuk; in general ed. M. I. Havronyuk. K.: Waite, 2014. 944 p.
12. Benitsky A. S., Gatseluk V. O., Hnetnev M. K. Criminal law. General part: textbook / edited by A. S. Benitskyi, V. S. Guslavskyi, O. O. Dudorov, B. G. Rozovskyi. K.: Istyna, 2011. 1112 p.
13. Dudorov O.O., Khavronyuk M.I. Criminal law: Study guide / General. ed. M.I. Havronyuk. K.: Waite, 2014. 944 p.
14. Criminal process: textbook / O. V. Kaplina, O. G. Shilo, V. M. Trofymenko, etc.; in general ed. O. V. Kaplinoi, O. G. Shilo. Kharkiv: Pravo, 2019. 584 p.
15. Criminal process: textbook / General ed. V. V. Kovalenko, L. D. Udalova, D. P. Pismenny. K.: "Center for Educational Literature", 2013. 544 p.
16. Loboyko L. M. Criminal process: Textbook. K.: Istyna, 2014. 432 p.
17. Loboyko L.M., Banchuk O.A. Criminal process: Training manual. K.: Waite, 2014. 280 p.
18. Moldovan A. V., Melnyk S. M. Criminal process of Ukraine: Study. manual K.: Center of educational literature, 2013. 368 p.
19. Criminal process. Study guide for exam preparation / O. V. Kaplina, M. O. Karpenko, V. I. Maryniv, V. M. Trofymenko, A. R. Tumanyants, O. G. Shilo. Kh.: Oberig, 2014. 248 p.

20. New Criminal Procedural Code of Ukraine: comments, clarifications, documents / resp. ed. V. S. Kovalskyi. K.: Yurinkom Inter, 2013. 408 p.
21. Tkachuk O. M. Criminal and Criminal Procedural Codes: item-by-item index of legal positions of the Supreme Court - the Grand Chamber and the Criminal Court of Cassation (practice of 2018). Kharkiv: Pravo, 2019. 252 p.
22. Criminal Procedural Code of Ukraine with Article-Based Materials of the Practice of the European Court of Human Rights / A. V. Stolitniy, Y. G. Sevruk, O. V. Sapin, etc.; under the editorship A. V. Stolitnyi. 2nd ed., revision. and added Kharkiv: Pravo, 2019. 952 p.
23. Criminal process of Ukraine: in questions and answers: education. manual / author number ; in general ed. doctor of law of Science, Assoc. T. G. Fominoi. Kharkiv: KhNUVS, 2021. 300 p.
24. Criminal process of Ukraine in questions and answers: training. manual / L. D. Udalova, M. A. Makarov, Yu.I. Azarov, S. O. Zaika, O. V. Kubareva, O. V. Rymarchuk, V. V. Rozhnova, D. O. Savytskyi, A. V. Forostyany, O. Yu. Khablo. 5th edition, revised. and additional Kyiv, 2020. 497 p.
25. Criminal process: education. manual for preparation to the exam / O. V. Kaplina, M. O. Karpenko, V. I. Maryniv and others. Kharkiv: Pravo, 2020. 296 p.
26. Criminal process: education. manual / Yu.P. Alenin, L.I. Arkusha and others. ; NU "Odesa Law Academy". Odesa: Phoenix, 2020. 582 p.
27. Criminal process: textbook / R. I. Blaguta, Yu. V. Hutsuliak, O. M. Dufenyuk, etc.; in general ed. A. Ya. Khytry, R. M. Shehavitsova, V. V. Lutsika. Lviv: LvDUVS, 2019. Part 1. 532 p.
28. Criminal process: textbook / R. I. Blaguta, Yu. V. Hutsulyak, O. M. Dufenyuk, etc.; in general ed. A. Ya. Khytry, R. M. Shehavitsova, V. V. Lutsika. Lviv: LvDUVS, 2019. Part 2. 616 p.

Auxiliary literature

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6. R.I. Bryashchie Exemption from punishment as a form of criminal-legal response to the commission of a crime: dissertation. ... candidate law of science Kyiv, 2016. 203 p.
7. Burdin V.M. Exemption from serving a probationary sentence for corruption crimes. Scientific Bulletin of the Lviv State University of Internal Affairs. Legal series. 2015. No. 3. P. 233-244.
8. Vecherova E.M. Measures of criminal law impact on crimes: concepts, conditions of application and types. Scientific Bulletin of the International Humanitarian University. 2011. No. 2. P. 124-126.
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41. Kudinov S. S., Shekhavtsov R. M., Drozdov O. M., Grinenko S. O. Covert investigative (search) actions and use of the results of operative and investigative activities in criminal proceedings: Educational and practical guide. Kh.: "Oberig", 2013. 344 p.

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11. Links to information resources on the Internet, video lectures, other methodical support

1. Official website of the Verkhovna Rada of Ukraine. URL: <https://www.rada.gov.ua>.
2. Official website of the Cabinet of Ministers of Ukraine. URL: <https://www.kmu.gov.ua/ua>.
3. Official website of the Ministry of Internal Affairs of Ukraine. URL: <http://mvs.gov.ua>.
4. Official website of the judiciary in Ukraine. URL: <https://court.gov.ua>.
5. The Constitutional Court of Ukraine. URL: <http://www.ccu.gov.ua/>
6. Official website of the Supreme Court. URL: https://supreme.court.gov.ua/supreme/pres-centr/el_vidan/.
7. Official website of the Prosecutor General's Office. URL: <https://www.gp.gov.ua>.
8. Unified state register of court decisions. URL: <http://www.reyestr.court.gov.ua/Page/1>.