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**THE POSSIBILITY OF USAGE OF THE RESULTS
OF THE QUESTIONERS SURVEY OF THE JUDGES
OF THE DISTRICT COURTS ABOUT THE EFFECTIVE-
NESS OF THE APPLICATION OF THE PUNISHMENT OF
THE MINORS IN THE LEGISLATION**

The problems of the punishment of the minors, the application of the criminal sanctions are in the constant attention of the state, community and scientists. There were devoted more than dozen of dissertation researches devoted to these problems since the Criminal Code of Ukraine entered into its force in 2001, and there were worked out ways and directions of improvement of the legislation of the indicated sphere. However, in spite of this, the situation in the sphere of the juvenile justice has not radically changed. It leads to the necessity of the appealing to the experts.

The aim of the proposed work is to analyze the results of the questionnaire survey of the judges about the effectiveness of application of the punishment of the minors and to propose the ways of improvement of the active legislation of this sphere.

The results of the questionnaire survey let us conclude: 1) the minors as a separate category of people need special attitude to the case of the application of the punishment on the part of the legislative and other state bodies; 2) it is necessary to be careful and critical with the humanization of the punishments of the minors in order not to permit redundancy and groundlessness; 3) the achievement

of the aim of the punishment depends on the common cultural, social factors and on the proper organization and improvement of the procedure of realization of the punishment; 4) it is necessary to provide at the legislative level that the aim of the punishment of the minors is the correction only; 5) it is worth to accept separate provision of law that will provide common principles of imposing of the punishment of the minors due to the fact that these principles are not unified; 6) in order to differentiate the kinds of the punishment of the minors it is necessary to provide such age groups: from 14 to 16 years old; from 16 to 18 years old; from 18 to 21 years old; 7) to ensure individual approach to the choice of the punishment of the minors either at the CCU or methodological recommendations level; 8) the list of the duties that are imposed on the minors during his release from the punishment with probation should be reviewed and updated; 9) the system of the punishment of the minors need to be expanded by means of: a) amendment of the law by another, alternative sanctions; b) to introduce the institution of probation; 10) the possibility to work out the Draft of the Law of Ukraine "On Probation" need to be scientifically discussed.

