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## **PROACTIVE ROLE OF THE CRIMINAL PROCEEDINGS PARTIES IN THE CONTENTIOUSNESS ASPECT**

The author has considered the implementing possibility of the proactive role of criminal proceedings by the parties in contentiousness aspect and analyzed scientific literature to the question. The scientific approaches to the treatment of procedural functions of the criminal proceedings parties are examined. The corresponding criminal procedural legislation is studied. The content of parties' functions of the criminal proceedings is considered taking into account the development of legislation. It is pointed up the lack of legislative recognition of the proactive role of the parties. It

is proved that in order to prevent new crimes it is necessary to reconstruct the proactive activities of investigation and trial in the current Criminal Procedure Code. It is suggested to regard ascertainment of constituent elements of offence, which are understood as factual evidence of any criminal offense, as the content of proactive role of the parties. It is also proved that forensic examination may provide information to the court and the parties on the grounds of constituent elements of offence that is actively involved in the proactive role of procedural subjects.