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HOME DETENTION AS A PREVENTIVE MEASURE: BACKGROUND AND CONTEMPORANEITY

The problem of law and order occupies a leading position in any social state as without law and order the usual, harmonious development of the society and state becomes essentially complicated. In addition, at the low level of law and order the level of crime situation increases that is unacceptable in a country where a person, his (her) life and health are recognized as the highest social value, individual's rights, freedoms and their guarantees determine the essence and orientation of the state activity.

The objectives of the research are as follows:

a) to cover the history of home detention as a preventive measure, because through history a particular implementation in the area of public relations, depending on their positive or negative experiences, is either approved and hence is worth of further use, or, in the case of negative experiences, needs to be replaced;

b) to cover a number of arguments in favor of existence of home detention in a system of preventive measures, as well as some of the problems specific to it and introducing proposals to eliminate them.

It should be noted that currently many countries of the world provide the use of home detention as a preventive measure in their criminal and procedural law. For example, it is used in Azerbaijan, Belarus, Kazakhstan, Latvia, Lithuania, Moldova, Germany, Russia, Sweden and so on.

Home detention fulfils a function of a preventive measure, which combines the features of a strict (in case of twenty-four-hour home detention) restraint of a person it is applied to, without the use of a preventive measure in the form of detention.

The relevance of the existence of house arrest in contemporary Ukraine is stipulated by a number of problems solved during its application.

