

THE CURRENT STATE AND WAYS OF OPTIMIZING THE LEGAL REGULATION OF THE ACTIVITIES OF THE NATIONAL POLICE OF UKRAINE REGARDING THE INVESTIGATION OF CRIMINAL OFFENSES PERMITTED BY MINORS

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Annotation. *The current provisions of the legal regulation of the activities of the units of the National Police of Ukraine regarding the investigation of criminal offenses have been updated. It is noted that significant changes have taken place in Ukraine, which have established the procedure for criminal proceedings against minors, which is determined by both the general rules and the specifics provided for by Chapter 38 of the Criminal Procedure Code of Ukraine (hereinafter the Criminal Procedure Code of Ukraine). Taking into account European practice, these norms of the Criminal Procedure Code of Ukraine in the process of pre-trial investigation grant more rights to minors and their representatives. Peculiarities arising in the process of criminal proceedings against minors, which are determined by the norms of criminal procedural legislation, are determined. Legal problems in the activities of the National Police of Ukraine units regarding the organizational and tactical features of conducting covert investigative (search) actions, which need to be resolved at the legislative and departmental levels, are highlighted. It has been proven that the lack of interdepartmental legal regulation of certain issues of interaction between authorized units has a negative impact on the detection, promptness of response and effective investigation of criminal offenses committed by minors. Proposals have been developed to improve the criminal procedural and investigative legislation regarding the investigation of criminal offenses committed by minors, by: a) coordinating the efforts of all interested central and local executive bodies, public organizations and, of course, families within the framework of a single partnership program, which can be reflected in the updated Concept of the development of criminal justice for minors in Ukraine, in particular in terms of increasing the level of protection of their rights; b) normalization between the provisions of Article 5 of the Law of Ukraine “On Bodies and Services for Children’s Affairs and Special Institutions for Children” with the provisions of the Law of Ukraine “On Operational Investigative Activities”, the Instruction on the organization of covert investigative (search) actions and the use of their results in criminal proceedings, and the norms provided for by Chapters 21 and 38 of the Criminal Procedure Code of Ukraine in terms of organizational and tactical features of conducting covert investigative (search) actions against minors. During the writing of the article, the following methods were used: dialectics, comparative law, system analysis, and formal logic.*

Key words: *criminal offences, minors, legal regulation, investigation, covert investigative (search) activities, operational investigative activities, units of the National Police of Ukraine.*

1. Introduction.

The recent increase in criminal violence is becoming an extremely serious obstacle to the effective solution of social, political, and economic problems. At the same time, the number of criminal offenses committed by minors is of particular concern. Underestimation by the public and the law enforcement system of their public danger is one of the main reasons for their high prevalence, impunity and the creation of grounds for recidivism. Therefore, in the modern complex conditions that have occurred in Ukraine, the study of the peculiarities of the legal regulation of the activities of the units of the National Police of Ukraine, due

to the reform of criminal procedural legislation and socio-economic changes in the life of society, which determine today's dynamics, structure and characteristics of criminal offenses committed by minors, is of great theoretical and practical importance. The mentioned circumstances caused an interest in the problem of improving the legal basis for their investigation, since the efficiency of the National Police of Ukraine depends on its adaptation to the needs of today.

2. Analysis of scientific publications.

Various aspects related to the legal regulation of the activities of the National Police units were covered by: O.M. Bandurka, N.P. Vodko, Yu.M. Groshevoy, S.M. Husarov, I.P. Kozachenko, Ya.Yu. Kondratiev, V.T. Malyarenko, V.L. Ortynskiy, M.A. Pohoretskyi, V.D. Pcholkin, S.V. Slinko, V.V. Sokurenko, V.G. Uvarov, V.V. Shendrik, O.O. Yuhno and others. Positively perceiving the stated positions of scientists, we consider it necessary to note that a certain proportion of scientific research by the specified and other scientists, which were related to the specified topic, was carried out in different years, including before the adoption of the current Criminal Procedure Code of Ukraine and the introduction of significant changes in operational investigative legislation, as well as the publication of a number of new normative legal acts, therefore do not fully reflect the specifics of this activity in modern conditions.

3. The aim of the work.

To carry out an analysis of the current state of legal regulation of the activity of units of the National Police of Ukraine regarding the investigation of criminal offenses committed by minors, with the aim of making proposals for its improvement in modern conditions.

4. Review and discussion.

It is appropriate to consider the specifics of the activities of the National Police units in the investigation of criminal offenses committed by minors according to the levels of their legal regulation. Thus, the Constitution of Ukraine declares the fundamental rights and freedoms of a person and a citizen, which determine the basis of the legal status of a citizen of Ukraine. The Constitution guarantees individuals the right to property, secrecy of correspondence, telephone conversations, postal, telegraphic and other correspondence, inviolability of housing, the right to move and choose a place of residence, and other rights and freedoms [1]. Along with this, the right of police officers in the course of detection and investigation of criminal offenses based on a court decision to allow separate temporary restrictions of some rights of citizens and legal entities is based on the constitutional provisions. Such restrictions of individual rights and freedoms (removal of information from communication channels, covert entry into residential premises, etc.) are of an exclusive and temporary nature and can be applied only by a court decision in relation to a person in whose activities there are signs of a serious or particularly serious crime, in cases, provided by the legislation of Ukraine, for the purpose of protecting the rights and freedoms of other persons, guaranteeing the security of the state. These constitutional provisions indicate that life and health, honor and dignity, inviolability and security of a person are recognized as the highest social value.

An important place in the legal regulation of the activities of the units of the National Police is occupied by criminal legislation, the norms of which establish the grounds for criminal liability for committing criminal offenses (criminal misdemeanors or crimes) and oblige police officers to carry out an operational search for persons in relation to whom illegal actions, preparation or attempt to if they are committed, criminal-legal measures may be applied [2].

Increasing the effectiveness of combating crime, strengthening guarantees of ensuring the rights, freedoms and legitimate interests of a person in criminal proceedings require improvement of the toolkit for obtaining evidence in criminal proceedings. Therefore, an important component of the legal basis for the investigation of criminal offenses committed by minors is criminal procedural legislation, which in recent years has undergone significant changes aimed at implementing the requirements of the

Constitution of Ukraine, the Convention for the Protection of Human Rights and Fundamental Freedoms, and other international legal standards [3, p. 90–93].

In the opinion of scientists and practitioners, the idea of introducing the Institute of Covert Investigative (Search) Actions (hereinafter - CISA) was aimed at solving these strategic tasks of reforming the criminal process. The implementation of this idea in the Criminal Procedure Code of Ukraine solves a number of problematic issues that currently exist in the legislation of Ukraine and the practice of law enforcement, in particular, the convergence of investigative activity and the criminal process [4, p. 35–39]. The legislator defined covert investigative (search) actions as a type of investigative (search) actions, information about the facts and methods of which are not subject to disclosure, with the exception of cases provided for by the Criminal Procedure Code of Ukraine (Part 1, Article 246) [5]. The provisions of this norm give the investigator the ability to use the forces and means of operative and investigative activities (hereinafter – OIA) when conducting CISA to obtain evidentiary information about persons suspected of committing serious and especially serious crimes, as well as in cases where information about a crime and a criminal are impossible.

Attention should be paid to the fact that during criminal proceedings against minors, investigators, prosecutors, and courts must be guided by both the general provisions of the Criminal Procedure Code of Ukraine and the special regulations contained in Articles 484–497 of Chapter 38 of the Criminal Procedure Code of Ukraine, in particular, regarding increasing the level of protection rights of minors in criminal proceedings. The rules of criminal proceedings against minors are established not only by the norms of this chapter, but also by Part 2 of Art. 10, p. 1, part 2, art. 27, Part 4 of Art. 28, Art. 44, Part 4 of Art. 135, Part 3 of Art. 140, Part 2 of Art. 213, Art. 226, Art. 227, p. 11, part 1, art. 368 and others [5].

Taking into account European practice, the specified norms of the Criminal Procedure Code of Ukraine in the process of pre-trial investigation grant more rights to minors and their representatives. On the other hand, there are some gaps in this law. For example, the absence of articles regulating the specifics of the notification of suspicion to a minor (announcement of its content, clarification), access to pre-trial investigation materials (children who cannot read, in particular handwritten text), the rights and duties of a legal representative (no mechanism the involvement of a teacher, a doctor, with whom the investigator must himself establish relations in order for them to arrive for investigative (search) actions), features of sentencing a minor. Most of the mentioned articles refer to the general provisions of the Criminal Procedure Code of Ukraine.

The legal basis for the activity of operational units is the operational investigative legislation, with the adoption of which operational investigative activity acquired a state-legal status. The significance of the Law of Ukraine “On Operational Investigative Activities” as an important component of the legal basis for the activity of operational units in combating crime is also that its norms establish: guarantees of legality in the implementation of this activity; social and legal protection of police officers and persons involved in the performance of tasks to detect and solve crimes; the duty of state bodies to assist investigators and operative units of the National Police in solving these tasks [6]. Therefore, the importance of the norms of the Law of Ukraine “On Operational Investigative Activities” is obvious, at the same time, scientists and practitioners note that this legal act is not without certain shortcomings [7, p. 431–449]. Thus, O.O. Yukhno believes that recently the current legislation and departmental regulatory framework have been improved to a large extent, but it was not possible to eliminate the existing inconsistencies and gaps, in particular between the Criminal Procedure Code of Ukraine and the Law of Ukraine “On Operational Investigative Activities”. In particular, the author draws attention to the problems that arise during the preparation and implementation of the CISA and investigative measures, namely the process of obtaining the permission of the investigating judge, which takes a significant amount of time to carry out investigative activities. We share the author’s opinion that the question of adopting that part of the law, which would also regulate investigative activities outside the limits of criminal proceedings, is extremely relevant [8, p. 159–167].

The provisions of the Law of Ukraine “On Probation” provide an opportunity to develop and implement modern progressive strategies, procedures and methods of working with juvenile delinquents, with the aim of reducing juvenile delinquency and its repetition, i.e. to humanize the criminal policy of the state in relation to juvenile delinquents. Juvenile probation is probation for persons between the ages of 14 and 18. It is carried out taking into account the age and psychological characteristics of minors and is aimed at ensuring their normal physical and mental development, prevention of aggressive behavior, motivation

for positive personality changes and improvement of social relations. Probation for minors is carried out by the probation body together with bodies and services for children, special institutions and institutions that provide their social protection and crime prevention [9].

We consider it necessary to draw special attention to the norms of the Law of Ukraine "On Bodies and Services for Children's Affairs and Special Institutions for Children", which regulate the legal bases of the activities of bodies and services for minors and special institutions for minors, which are entrusted with the implementation of social protection and prevention offenses among persons who have not reached the age of eighteen. Thus, according to Article 5 of the said Law, the authorized units of the National Police of Ukraine are obliged to: "...detect, stop and disclose criminal offenses committed by children, to take for this purpose operational, investigative and preventive measures provided for by the current legislation; to keep records of offenders under the age of 18, including those released from special educational institutions, for the purpose of preventive work, to inform relevant services for children about these children; to detain and keep in specially designated premises children aged 11 and over who are suspected of committing socially dangerous acts that fall under the characteristics of acts for which the Criminal Code of Ukraine provides a punishment in the form of imprisonment for more than five years, and who have not reached the age of majority, from which persons are subject to criminal liability for such acts, until they are brought to court to resolve the issue of placing them in reception centers for children, but no more than twelve hours from the moment of their detention; in accordance with the current legislation, to carry out overt and covert investigative measures with the aim of uncovering criminal offenses committed by children or with their participation; identify and keep records of persons who involve children in anti-social activities; conduct searches, seizures and other investigative actions in accordance with criminal procedural legislation; remove documents and objects that may be physical evidence of a crime or used to harm children's health; after establishing the child's identity, immediately notify the parents or persons who replace them about the child's administrative detention, and in the event of a criminal offense, also inform the prosecutor's office; to inform relevant services for children about children who are detained or who have been notified of suspicion of committing criminal offenses." Authorized subdivisions of the National Police of Ukraine also perform other duties and have other rights provided for by legislation [10].

It should be noted that the Law of Ukraine "On the Judiciary and the Status of Judges" establishes that in cases specified by law, as well as by decision of the meeting of judges of the relevant court, the specialization of judges may be introduced to consider specific categories of cases. In local general courts and appeals courts, judges specialize in conducting criminal proceedings against minors. The number of judges authorized to conduct criminal proceedings against minors is determined separately for each court by the meeting of judges of that court. The judge authorized to conduct criminal proceedings against minors may be elected by a judge with at least ten years of experience as a judge, experience in conducting criminal proceedings in court and high moral, business and professional qualities [11].

It should be noted that in the provisions of the Law of Ukraine "On the Prosecutor's Office" great attention is paid to the organization of supervision over the observance of laws by the bodies conducting operative and investigative activities, inquiries, pre-trial investigations, exercising the rights and fulfilling the duties provided for by the Law of Ukraine "On Operative Investigative Activity" and the Criminal Procedure Code of Ukraine. The written instructions of the prosecutor to the bodies conducting OIA, inquiry and pre-trial investigation, given within the scope of authority, are binding for these bodies and subject to immediate execution (Article 25) [12].

In order to ensure the proper organization of the activities of the prosecutor's office in matters of protecting the interests of children and combating violence, the Prosecutor General's Office issued order No. 509 dated 04.11.2020 "On the Peculiarities of the Performance of the Functions of the Prosecutor's Office in Matters of Protecting the Interests of Children and Combating Violence". According to Clause 3.1 of the mentioned order: "...direct performance of the functions of the prosecutor's office in protecting the interests of children and combating violence shall be entrusted to prosecutors who have high moral, business and professional qualities (juvenile prosecutors)." Juvenile prosecutors must ensure the performance of the functions of a prosecutor in criminal proceedings against a minor, provided for by the Criminal Procedure Code of Ukraine, including if criminal proceedings are conducted against several persons, at least one of whom is a minor, against a person who has not reached the age of criminal responsibility. When guiding

the court on imposing a punishment on a minor, the requirements of Articles 98-103 of the Criminal Code of Ukraine on taking into account the conditions of his life and upbringing, the influence of adults, the level of development and other characteristics of the minor's personality [13] must be taken into account.

In the Declaration on State Sovereignty, Ukraine stated that it prefers universal human values and the priority of international law over the norms of national legislation. Our state enshrined this principle at the legislative level in the Constitution and determined that current international treaties, the binding nature of which was approved by the Verkhovna Rada of Ukraine, are part of the national legislation of Ukraine. Thus, when conducting criminal proceedings against minors, the courts are obliged to ensure the accurate and consistent application of the current legislation, timely and high-quality consideration of them, to be guided by the Constitution of Ukraine, the Criminal Code of Ukraine, the Criminal Procedure Code of Ukraine, international treaties, the binding consent of which has been granted by the Verkhovna Rada of Ukraine, in particular, the United Nations Convention on the Rights of the Child of November 20, 1989 [14], the United Nations Standard Minimum Rules for the Administration of Juvenile Justice of November 29, 1985 (the "Beijing Rules") [15], as well as taking into account the practice of the European human rights court, introducing their provisions into domestic law enforcement practice.

United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules) for the first time specified the concept of "juvenile offender", which is understood as: "a child or young person who, within the existing legal system, can be prosecuted for an offense in this form, which differs from the responsibility applied to adults" [15].

United Nations Guidelines for the Prevention of Juvenile Crime (the Riyadh Guidelines) reveal the most important aspects of juvenile delinquency prevention at the international level. The Riyadh principles pay extremely special attention to the issue of the influence of mass media (hereinafter referred to as mass media) on the formation of young people. Mass media should be aware of their huge social role and responsibility in educating the younger generation. The media should be encouraged to provide young people with information about public services and opportunities for young people. On television and in cinematography, it is necessary to minimize the display of materials related to pornography, drugs and violence [16].

United Nations Rules for the Protection of Juveniles Deprived of Liberty (Havana Rules) further explain that the age limit before which it is prohibited to restrict the liberty of a minor is established by national legislation. This document recommends that states develop domestic policies regarding juvenile delinquents with the understanding that defining a young person as a delinquent in many cases contributes to the development of a stable stereotype of undesirable behavior in them in the future [17].

United Nations Resolution 18/12 "Human rights in the administration of justice, in particular juvenile justice" generalizes and expands the recommended international norms and standards of legislation on the application of punishment to minors, which were contained in previously published sources of international law. The resolution also raises the issue of existing shortcomings in national systems of juvenile justice (to overcome them, it is proposed to involve the United Nations Intergovernmental Group on Juvenile Justice in the relevant state activities) and, perhaps for the first time, draws attention to the conditions for the formation of juvenile delinquency (in particular, it emphasizes the negative impact of parents' imprisonment on the legal behavior of their children) [18, p. 8; 19].

The pan-European fundamental sources of law, which contain relevant general provisions on the punishment of minors, include: the Convention for the Protection of Human Rights and Fundamental Freedoms of November 4, 1950, the European Convention on the Exercise of Children's Rights of January 25, 1996, the Charter of Fundamental Rights of the European Union of 7 of December 2000, and to special ones - Recommendation No. R (87) 20 of the Committee of Ministers to member states "On the social influence on juvenile delinquency" dated September 17, 1987, Recommendation No. R (92) 16 of the Committee of Ministers to member states "On European Rules on the application of public sanctions and enforcement measures" from 1992, Recommendation of the Committee of Ministers to member states No. R (2000) 22 "On improving the implementation of European rules on the application of public sanctions and enforcement measures" from 2000, Recommendation of the Committee of Ministers of the Council of Europe "Regarding justice, child-friendly" dated November 17, 2010, etc.

Taking into account the above, the provisions of the Law of Ukraine “On the Implementation of Decisions and Application of the Practice of the European Court of Human Rights” regulate relations that arise: in connection with the state’s obligation to implement the decision of the ECtHR in cases against Ukraine; with the need to eliminate the causes of Ukraine’s violation of the Convention on the Protection of Human Rights and Fundamental Freedoms and its protocols; with the introduction of European human rights standards into the Ukrainian judiciary and administrative practice; with the creation of prerequisites for reducing the number of applications to the ECtHR against Ukraine [19; 20, p. 250–257].

The basis for national standards of responsibility for minors is the Decree of the President of Ukraine “On the Concept of Development of Criminal Justice for Minors in Ukraine” [21]. The concept for the first time at the state level in programmatic and legal form established the model of building a criminal justice system for minors. The provisions of the Concept determine the main directions of the development of criminal justice for minors in Ukraine, the implementation of which should strengthen the responsibility of the family, the community and the state for the process of raising and developing children; to ensure compliance with the rights and freedoms of children in conflict with the law by increasing the level of their legal and social protection; reduce the level of juvenile delinquency and its recurrence. The concept also envisages the creation of an effective system of rehabilitation of minors who have committed offences, with the aim of their re-education and resocialization through the development and application of appropriate correctional, educational -informational and psychological-pedagogical programs; creation of a probation service for minors, which would be responsible for the support of a minor offender and his social adaptation and reintegration (assistance in obtaining an education, employment, provision of social housing); provision of social and psychological support to minor offenders and their families, etc.

Thus, in their activities, the investigative and operational units of the National Police are governed by the Constitution of Ukraine, international treaties of Ukraine, the binding consent of which was given by the Verkhovna Rada of Ukraine, and other laws of Ukraine, acts of the President of Ukraine and resolutions of the Verkhovna Rada of Ukraine adopted in accordance with the Constitution and laws of Ukraine, acts of the Cabinet of Ministers of Ukraine, as well as acts of the Ministry of Internal Affairs of Ukraine issued in accordance with them and other normative legal acts.

The competence of the Ministry of Internal Affairs of Ukraine as a body of state executive power is defined in the Regulation on the Ministry of Internal Affairs of Ukraine [22]. This provision provides for the right to issue administrative acts on police activities. Among them is the order of the Ministry of Internal Affairs of Ukraine “On the Approval of the Instructions for Organizing the Work of the Juvenile Prevention Units of the National Police of Ukraine”, which defines the specifics of the organization of work, tasks and powers of the juvenile prevention units of the National Police of Ukraine [23]. According to the provisions of the specified normative legal act, units of juvenile prevention are obliged to conduct preventive work with minors to prevent offenses in their environment. An important component of juvenile prevention is the work to identify minor offenders and adults who involve minors in illegal activities. The work of juvenile prevention units is characterized by the provision of preventive influence on the juvenile’s criminogenic environment. Thus, in order to carry out individual prevention measures for a child, a police officer of the juvenile prevention unit initiates an accounting and prevention case and enters information about taking preventive registration into the relevant information subsystem of the database, which is part of the single information system of the Ministry of Internal Affairs, of children, in respect of whom the juvenile prevention police officers perform preventive work.

It should also be noted that the main powers of juvenile prevention units, in accordance with the Instruction approved by the order of the Ministry of Internal Affairs of Ukraine dated 19.12.2017 No. 1044, include conducting familiarization and warning conversations with the child’s parents, his legal representatives, and family members, in order to eliminate the causes and conditions that prompted the commission of an administrative or criminal offense [23].

It should also be noted that the issue of quick and full cooperation of juvenile prevention inspectors, precinct police officers, investigative units, and social services regarding informing about the detection of juvenile delinquents is currently a necessary condition for effective preventive work and appropriate influence on delinquents. The lack of a comprehensive approach and a single partnership program for the interaction of these services and units has a negative impact on detection, promptness of response and timely control of taking and keeping records, without effective work in this direction it is almost

impossible to achieve a positive result. Therefore, the efforts of all interested central and local bodies of executive power and local self-government, public organizations and, of course, families should be coordinated [24, p. 50-51].

An important role in combating criminal offenses committed by minors belongs not only to juvenile prevention units, but also to other structural units of the National Police. Thus, the organizational and management problems of the National Police are regulated by the orders of the Ministry of Internal Affairs of Ukraine [25]. For example, the order of the Ministry of Internal Affairs of Ukraine dated July 6, 2017 No. 570 regulates the activities of the pre-trial investigation bodies of the National Police of Ukraine. In particular, the head of the investigative department: determines investigators specially authorized to carry out pre-trial investigations regarding minors; personally supervises the state of the pre-trial investigation in investigative departments subordinate to the Main Directorate of the National Police, territorial (detached) divisions of the National Police for serious and especially serious crimes [26].

In order to regulate the general procedures of the organization of covert investigative (search) actions and the use of their results in criminal proceedings, to ensure the observance of the constitutional rights and legitimate interests of the participants in the pre-trial investigation, a quick, complete and impartial investigation of crimes and in connection with the need to implement into the practical activities of the operational units of the National of the Police of Ukraine of the modern methodology of operational and investigative support for the detection and investigation of criminal offenses, the Instruction on the Organization of Covert Investigative (Search) Actions and the Use of Their Results in Criminal Proceedings was developed and approved [27]. The Instructions define the general principles and uniform requirements for the organization of CISA by investigators of pre-trial investigation bodies or by authorized operative units on their behalf or on behalf of the prosecutor, as well as the use of their results in criminal proceedings. The provisions of this Instruction are also applied during the organization of an investigation on behalf of an investigator, a prosecutor of the CISA, taking into account the features established by the provisions of Chapter 21 of the Criminal Procedure Code of Ukraine [27; 5].

A detailed analysis of the norms of the current legislation regarding the detection and investigation of criminal offenses committed by minors obliges us to pay attention to the fact that in Art. 5 of the Law of Ukraine "On Bodies and Services for Children's Affairs and Special Institutions for Children" mandates the authorized units of the National Police to "...detect, stop and disclose criminal offenses committed by children, and to this end take operational, investigative and preventive measures , provided for by the current legislation, as well as to carry out overt and covert investigative measures aimed at uncovering criminal offenses committed by children or with their participation..." [10]. At the same time, these provisions of the law were not reflected in the Law of Ukraine "On operative investigative activity" [6], the Instructions on the organization of covert investigative (search) actions and the use of their results in criminal proceedings [27].

Considering the fact that the Law of Ukraine "On Bodies and Services for Children's Affairs and Special Institutions for Children" was adopted in 1995, and the last amendments to the specified clauses of Article 5 were made on 16.05.2013 and did not take into account the norms provided for by Chapters 21 and 38 Communist Party of Ukraine. Today, these gaps in the legislation lead to problems in the organization of detection and investigation of criminal offenses committed by minors, namely: during operational investigative activities, CISA, which indicates the need to standardize these issues.

5. Conclusions.

The analysis of the current state of legal regulation of the activities of the National Police units in relation to the detection and investigation of criminal offenses committed by minors made it possible to state that significant changes have taken place in Ukraine, which have established the procedure for criminal proceedings against minors, defined both by general rules and features provided for by Chapter 38 of the Criminal Procedure Code of Ukraine. Taking into account European practice, these norms of the Criminal Procedure Code of Ukraine in the process of pre-trial investigation grant more rights to minors and their representatives. However, the lack of interdepartmental legal regulation of certain issues of interaction between authorized units has a negative impact on the detection, prompt response, and

effective detection and investigation of criminal offenses committed by minors. Therefore, we consider it expedient to resolve this issue by introducing changes and additions to the criminal procedural and operational investigative legislation, as well as by harmonizing departmental normative legal acts with them, by standardizing among themselves the provisions of the Law of Ukraine "On Bodies and Services in Children's Affairs and Special Institutions for children" with the provisions of the Law of Ukraine "On Operational Investigative Activities", the Instruction on the Organization of Covert Investigative (Search) Actions and the Use of Their Results in Criminal Proceedings, approved by the order of the Prosecutor General's Office of Ukraine, the Ministry of Internal Affairs of Ukraine, the Security Service of Ukraine, the Administration of the State Border Service of Ukraine, the Ministry of Finance of Ukraine, the Ministry of Justice of Ukraine dated 16.11.2012 No. 114/1042/516/1199/936/1687/5, and the norms provided for by Chapters 21 and 38 of the Criminal Procedure Code of Ukraine, in terms of organizational and tactical features of conducting covert investigative (search) actions against minors for the purpose of obtaining evidence in criminal proceedings.

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