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Practical Considerations Preventive Measure for Juveniles

Investigated some theoretical and practical issues of application of preventive measures for juvenile suspects because of their social and psychological characteristics and the need to ensure the realization of their rights and the protection of legitimate interests. Ways of improving election procedures safeguards in criminal proceedings against minors.

It is noted that illegal and unjustified actions of pre-trial investigation and the court in a custody significantly violate the constitutional rights of minors, undermine respect for the law and authority of the judiciary and law enforcement. The study of these offenses at different angles and practical responses to them in order to overcome – an important guarantee to strengthen the rule of law and order, protection of rights and legitimate interests of minors, raising the prestige of pre-trial investigation and trial.

Based on studies of modern scholars, who considered problematic methods of legal regulation in the criminal process, the author analyzes the factors that determine the specific regime of legal regulation of the preventive measures for juveniles. Proved that methodological significance are not only patterns of knowledge as reasons that led to the empowerment prosecutor, as the prosecution concrete evidential opportunities, but also the nature of such opportunities in terms of their impact on the balance of the parties in the process. Consequently, it is concluded that legal regulation of prosecutor pretrial custody on minor dominance is imperative method. At the same time he always combined with the adversarial method.

It is concluded that addressing the issue of pretrial release on juvenile investigators and judicial authorities must take into account not only the general provisions of the law, but the criminal and criminal procedure law to be applied in each case – those governing the conditions of liability of minors and the exercise of criminal proceedings. Along with the age characteristics should be investigated circumstances relating to the personality of the minor and the circumstances that form the criminological characteristics of criminal offenses committed by them.

Keywords: methodology, criminal proceedings, juvenile, suspect, preventive measure, arrest, detention.