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PLACE OF CIRCUMSTANCES CHARACTERIZING THE ACCUSED PERSONALITY IN THE SYSTEM OF CIRCUMSTANCES TO BE PROVED

Despite the fact that the circumstances that characterize the accused person identified in Part 1 Art. 91 CPC of Ukraine as, subject to be proved there are a number of theoretical and practical issues related to the definition of such circumstances, their content and practice of the relevant legal provisions.

The scientists used two approaches the list of circumstances that characterize the personality of the accused: some believe that these provisions should be specified in a separate article and other offers complement the existing norm. The same can be said of determining the content of the circumstances that characterize the personality of the accused – some scientists offer a detailed list of such circumstances, others generalized group information and data.

May be considered advisable systematization, analysis and synthesis offers researchers, isolating and evaluating the possibility of borrowing and implementing the positive experience of other countries to specify the content of these circumstances, given the current state of legislation and law enforcement practice.

Keywords: the accused person; the circumstances that characterize the personality of the accused; study of the accused person; criminal procedure; circumstances to be proved.