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THE ROLE AND PLACE OF DIFFERENTIATION AND INDIVIDUALIZATION IN LEGAL MECHANISM OF COUNTERACTION TO ORGANIZED CRIME IN PENAL COLONIES OF UKRAINE

One of the problems which requires a solution, as well as a priority, which is defined within the concept of public policy in the field of crime prevention until 2015 (approved by the Cabinet of Ministers of Ukraine of 30.11.2011 № 1209-p), is the fight against recidivism. This issue has become relevant since Ukraine gained its independence and remains so in today's environment. The adoption of the new Criminal Code (hereinafter – CC) of Ukraine in 2001 has not changed the situation significantly. This, in particular, is seen from the statistical data describing the state of recidivism in Ukraine.

Moreover, practice and results of researches show that one of the determinants which generate this type of crime is errors in the execution of the sentence in the form of imprisonment and, in particular, poor state of the principle of differentiation and individualization of pen-

alties. In view of this, the chosen theme of this article is relevant and has both theoretical and applied nature.

The study of scientific sources revealed that, in one way or another, researches of the following authors are dedicated to the study of penal basis and fighting with organized crime in penal colonies: O.V. Bets, I.H. Bohatyryov, V.V. Vasylevich, A.P. Gel, O.N. Dzhuzha, T.A. Denisova, V.V. Kondratishtyna, O.H. Kolb, V.A. Merkulova, O.V. Lysodyed, L.P. Onica, A.K. Stepananyuk, V.M. Trubnikov, I.S. Yakovets etc. An additional argument for choosing such a topic for this research was the fact that the issue of reflection penal principles in modern penal policy of Ukraine as a means of fighting with organized crime as well as the issue of the place of the principle of differentiation and individualization of penalties was not directly raised in science.