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ADMISSIBILITY OF EVIDENCE IN CRIMINAL PROCEDURAL LEGISLATION OF UKRAINE: REGULATORY ASPECT

An adoption of the Criminal Procedure Code of Ukraine 2012 for the first time established the notion “admissibility of evidence” at the level of national legislation. Because of the novelty of this institution for the Ukrainian legislation, it requires scientific research. This institution is one of the guarantees of the observance of constitutional rights and freedoms of all participants of criminal proceeding. It also helps to avoid illegal activities of officials who deal with criminal proceedings and provides with valid, unprejudiced and reasonable court decision.

There are numerous treatises of scholars in the sphere of criminal procedure devoted to the discussion of an admissibility of evidence during evolution of criminal procedural doctrine. The most famous of them are publications of G. Gorskiy, U. Grosheviy, P. Elkind, N. Kipnis, N. Sibileva, S. Stahivskiy and others. Thus, the analysis of criminal procedural doctrine allows drawing a conclusion that the normative model

of admissibility of evidence is grounded on numerous treatises of scholars in the sphere of criminal procedure.

Taking into account the novelty of this institution for the Ukrainian legislation and its significance for appropriate administration of justice, the purpose of this article is a clarification of the normative maintenance of admissibility of evidence.

Regulatory model of admissibility of evidence is investigated in the article through the analysis of provisions of criminal procedural legislation. The author also concludes that this institution is inter-branch. In author’s opinion, the regulatory construction of the inter-branch institutions has to be unified and represent single approach of the legislator to its consolidation. It substantially simplifies an application of such institutions and promotes the formation of single practice. Thus, an author considers that it is necessary to adopt some amendments to the provisions referring to the notion “admissibility of evidence”.