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PROTEST ACTIVITY OF COUNSEL IN CRIMINAL PROCEEDINGS OF UKRAINE: CONCEPT, PURPOSE AND FORM OF ITS MANIFESTATION

Today criminal procedure of Ukraine is based on the principle of competition, accompanied by an increase in procedural opportunities counsel at the pretrial investigation and trial stages of criminal proceedings. In connection with the reform of the criminal justice system, professional requirements become more stringent, since the scope of rights that were given to the defense, to even the possibility of opposing parties to provide their legal position.

Justice - is a process of struggle, in which the parties «play» by the rules of honesty, integrity, competence, professionalism, actively reaching an equitable result, regulated by law. One manifestation of the activity of the defender - a lawyer in criminal proceedings is a protest.

The forms of protest activity counsel in a criminal trial may be the motion, application, claim denial (note, protest),

complaint, inquiry, withdrawal, defending speech cue. Each of these forms of protest activity has its own value and is certain content for certain events, decisions, existing violations of human rights and so on.

Conventionally, the use of these forms can be divided into two groups: 1. Forms of protest activity to implement the rights of the defendant. 2. Forms of protest activity aimed at redress client. Some forms may belong to both groups at the same time as the criterion for this division are the specific life circumstances change color reaction legal counsel.

All of the above forms are important and effective because the number and the legislature an appeal entitles defense counsel to apply some of them to one and the same situation, and ask the court to appeal the decision, act or omission of the investigator or prosecutor.