

## ORGANIZATIONAL AND LEGAL PRINCIPLES OF PROBATION FUNCTIONING IN UKRAINE: CONCEPTUAL INNOVATIONS

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The article is devoted to the definition of innovations in scientific approaches and legal regulations on the organizational and legal framework for the functioning of probation in Ukraine, taking into account international experience and national specifics, the formulation of proposals for further development. It is established that with the help of European projects that contribute to the implementation of an effective probation system in Ukraine, our country is on the way to building its own perfect model of probation service as a major step towards global human rights standards. In addressing the issue of priority, turning criminals into law-abiding citizens or protecting society from recidivism, it seems to be a search for a balance (for example, between considering probation as a form of social work with criminals and as a form of alternative punishment). It is determined that the most optimal organization is the system enshrined in the Law of Ukraine "On Probation", according to which the probation body is directly subordinated to the State Institution "Probation Center". The probation body is formed by the Ministry of Justice of Ukraine in the administrative-territorial units of Ukraine to ensure the implementation of the tasks of the State Penitentiary Service of Ukraine. The activities of the Probation Center are directed and coordinated by the Deputy Ministry of Justice of Ukraine in accordance with the division of responsibilities. However, there are many inconsistencies and inaccuracies in the law. Therefore, a prerequisite for the effective operation of the probation service in Ukraine and the achievement of its goals is the following: first, amendments to the current law and adjustment or complete change of regulations, directly instructions governing the activities of the penitentiary inspections; secondly, the continuation of the holding. It is concluded that from the organizational and legal point of view, probation bodies should acquire the status of bodies that receive unlimited influence on a person, from the moment of initiating criminal proceedings to deciding the further fate of the convict during his execution and after release. Such an approach extends criminal enforcement activities far beyond criminal enforcement relationships, in fact trying to link their emergence with legal facts that are the basis for the existence of relations of a completely different type and nature. This, it seems, corresponds to the path chosen by Ukraine to build a legal, democratic, social state.

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