

## INTRODUCTION

**Actuality of theme.** The adoption in 2012 of the Criminal Procedural Code of Ukraine and the abolition of the inquiry institute in the correctional colony in connection with this, therefore, stipulates, on the one hand, as practice shows, the need to develop new scientifically based technologies aimed at increasing the effectiveness of the fight against crime, in particular, recurrent, and, on the other hand, – improvement of the organizational and legal basis of the activities of the investigating police in the investigation of crimes committed by those sentenced to imprisonment, the key to the successful performance of which are properly-regulated rights and obligations. The CPC established only certain rules regarding the powers of the investigator, without making radical positive changes in this direction in comparison with the 1960 CPC. In particular, depending on the stage of criminal proceedings in correctional colonies, the essence of the decision of the investigator, the procedural position of the person whose interests it concerns, the CPC in various rules assigned the powers of the investigator. Such a non-aggregation of the uniform provisions of the criminal procedure of the investigator in the said criminal-executive institutions not only reduces the effectiveness of investigating the crimes committed by those sentenced to imprisonment, but also does not allow the proper implementation of the criminal proceedings and the achievement of one of the objectives of criminal punishment – prevention relapse

As practice shows, annually, starting from 1991 to 2013, this category of persons committed more than 400 different crimes, and from 2014 to now – up to 300 such socially dangerous acts. In the list of determinants that facilitate the commission of crimes by convicts, the ones that relate to the content of criminal procedural activities in correctional colonies, the interaction and coordination of investigative and operational units during the conduct of investigative (search) and

secret (investigator) investigative actions occupy a prominent place. In addition, the various forms of counteracting these persons before pre-trial investigation and the absence of modern scientific and applied technologies for its successful overcoming influence the state of investigation of crimes committed by convicts in these penitentiary institutions.

The study of doctrinal sources has shown that this problem in science is not new. For a long time, such scientists as O. V. Aleksandrenko, O. V. Andrushko, G. Yu. Bondar, O. O. Bondarenko, O. V. Baulin, V. I. Boyarov, V. V. Vapnyarchuk, T. V. Bartholomew, V. K. Veselsky, V. I Galagan, O. I Galagan, V. V. Hevko, Yu. O. Gurji, M. V. Jiga, O. V. Kaplina, I. I. Kotyuk, V. V. King, V. S. Kuzmichov, M. V. Kurkin, O. I. Litvinchuk, L. M. Loboyko, Ye. D. Lukianchikov, O. S. Mazur, V. T. Malyarenko, A. V Moldovan, V. V. Nazarov, M. Ya. Nikonenko, O. E. Omelchenko, O. A. Osaulenko, M. A Pogoretsky, P. V. Pushkar, V. V. Rozhnova, A. S. Sizonenko, O. V. Starchenko, S. M. Stakhivsky, O. Yu. Tatarov, V. V. Topchiy, L. D. Udalova, V. M Fedchenko, Yu. M. Chornous, G. V. Yurkova, O. V. Yatsyuk and others, whose work was theoretical and methodological basis for studying the issues that caused the content of the object and subject of this monographic study.

Along with this, a comprehensive monographic study on this problem and the development of a new order of investigation of crimes committed by convicted prisoners in correctional colonies under the new CPC operation has not yet been carried out, which has led to the choice of subject matter, the purpose and objectives of this scientific development.

The chosen theme of the monograph is based on the provisions of the Criminal Procedural Code of Ukraine, 2012, Concepts of the implementation of state policy in the area of prevention of offenses for the period up to 2015, approved by the Resolution of the Cabinet of Ministers of Ukraine dated November 30, 2011 No. 1209-p; Concept

of the state policy in the field of reforming the State Criminal-Executive Service of Ukraine, approved by the Decree of the President of Ukraine of November 8, 2012, No. 631/2012, and also corresponds to the topic of priority directions of research of the Ministry of Internal Affairs of Ukraine, which require first-priority development and implementation in practice bodies of internal affairs of Ukraine for the period of 2010-2014 (order of the Ministry of Internal Affairs of Ukraine dated July 29, 2010, No. 347).