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REHABILITATION IN CRIMINAL PROCESS

The article examines the concept (rehabilitation of the criminal process), analyzes scientific views on this issue and proposes a new view of the definition of the term. Purpose of this article is to clarify the legal nature and to define “rehabilitation”.

The current socio-economic and spiritual condition of Ukrainian society needs to prominence priority social functions of the state. Government policy should focus entirely on the person, the establishment and maintenance of normal conditions for its life. Crucial in this respect is to ensure the totality of the rights and freedoms of man and citizen, as well as the possibility of reliable security protection and legal means.

Right for compensation is one of the rights that gets rehabilitated, but do not consider it an integral part of rehabilitation and put one dependent on the other. There may be a situation where a person does not wish to use the right to compensation (it's right but not the obligation) rehabilitation thus be considered incomplete (“eternal rehabilitation”). Some scholars, including A. Podopyryhora indicate that in situations where the person does not wish to exercise the right to compensation, rehabilitation shall be considered complete without it. In this situation, it is not clear why bother to allocate damages as a structural element of rehabilitation, if it can fully exist without it.