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## **PROSECUTOR'S REFUSAL TO PROSECUTE**

The article describes the author's view of individual issues of the prosecutor's refusal to prosecute in the court. Author's opinion on disputable matters of doctrine and practice is expressed in the article. The possible ways of resolving these problems are suggested.

The author points out that the basic provisions lead to the conclusion that the prosecutor may refuse to prosecute in the court: a) at the preparatory stage of proceeding; b) in the course of court hearing; c) after the end of the trial. The article concludes that the prosecutor may refuse to prosecute only after exploring all the evidences in court. The author substantiates the precarious position of the High Specialized Court of Ukraine for Civil and Criminal Cases.

Also in the article the question of procedural independence of the prosecutor in court is considered. The view of this question is demonstrated both from the standpoint of the theory and from the perspective of practice. The approaches to this issue were researched by Ukrainian scientists and researchers of the near abroad. It is concluded that the adoption of a decision of the prosecutor to refuse to prosecute should be subject to the maintenance of departmental control.

The article may be of interest to law students, graduate students, scholars, as well as for practitioners. The author's conclusions are based on existing researches and developments as well as on his own work, carried out in the framework of the dissertation research survey.