

Berezovska N.L.,
*Candidate of Law Sciences, Senior Lecturer of criminal law department,
National University "Odesa Law Academy"*

SENTENCING JUVENILES BASED ON THE SEVERITY OF THE CRIME

This article discusses the problematic issue of appointment of certain minor penalties. It is proposed to solve the problem by fixing the general rule that all possible to regulate the issue of appointment of minor penalties.

Improving of the criminal law regarding juvenile punishment is carried out to the proper implementation by Ukraine of the assumed international obligations in terms of ensuring children special care and assistance from the state of implementation of the provisions of the Constitution of Ukraine on recognition of human life and health, honor and dignity the highest social value, providing every person the right to the free development of his personality, as well as on the level of juvenile delinquency is a need for public policy to protect the rights of children who are in conflict with the law, according to the Concept of criminal Justice for minors Ukraine.

Providing realization of proposals to

improve the juvenile penal system and the use of certain types of punishment to juvenile offenders is proposed to add to the Criminal Code of Ukraine of Sections 3, 4. 98 and set them as follows:

“3. Minor, depending on the severity of the crime, can be assigned the following penalties:

for a small gravity crime: a fine, community service, remedial work;

for a middle gravity crime: a fine, community service, remedial work, short-term arrest, arrest on the weekend, restriction of liberty;

for a hard gravity crimes: a long-term arrest, restraint of liberty;

for a hard gravity crimes, using physical force against another person, and especially grave crimes: imprisonment for a specified period.

4. Terms penalty of minors are set within the Articles of Part XV of the General Part of the Criminal Code of Ukraine. “