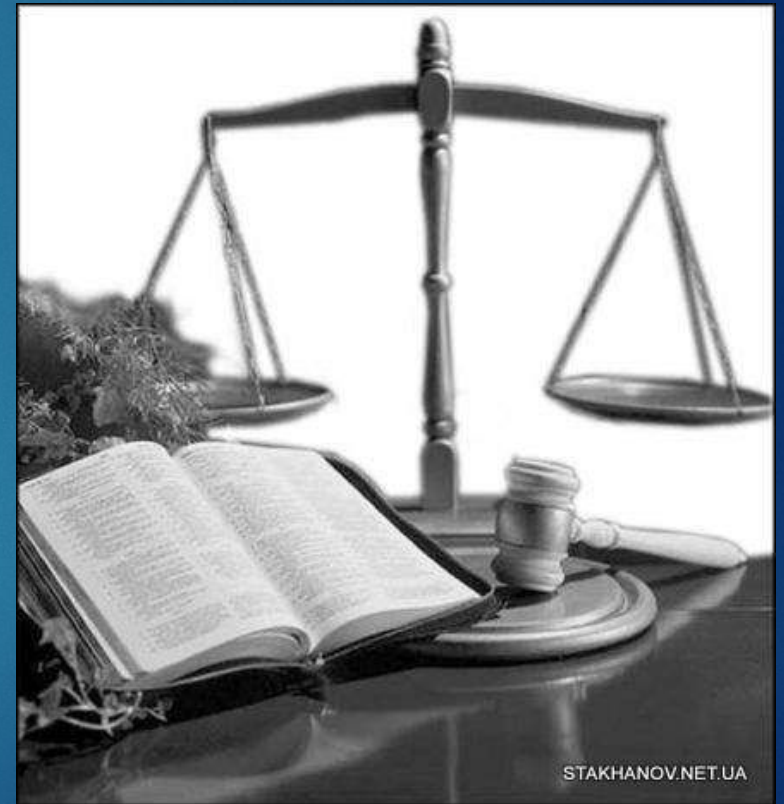


The criminal process



Criminal process is the adjudication process of the criminal law. While criminal procedure differs dramatically by jurisdiction, the process generally begins with a formal criminal charge and results in the conviction or acquittal of the accused.



The purpose of criminal law is to punish people who commit crimes. The type of punishment depends on the crime. Criminals who commit minor crimes such as trespassing usually receive a light punishment. They often get a fine or are put on probation.



In Ukraine Criminal law deals with the prosecution and punishment of criminal offenses. The Criminal Code of Ukraine contains the written criminal laws of Ukraine. There is no capital punishment in Ukraine. The maximum criminal punishment is life imprisonment, which can be reduced by decree of the President of Ukraine to 25 years of imprisonment, but only after 20 years of sentence service. The Parliament of Ukraine has the power of amnesty for prisoners not serving life sentences.[citation needed] Criminal proceedings, investigation, and court examination in criminal trials are regulated by The Criminal Procedural Code of Ukraine, which was not changed since 1962 when Ukraine was a republic of the Soviet Union till the Ukrainian Parliament passed the new Code of Criminal Procedure in April 2012.

Criminal prosecution develops in a series of stages, beginning with an arrest and ending at a point before, during or after trial. The majority of criminal cases terminate when a criminal defendant accepts a plea bargain offered by the prosecution. In a plea bargain, the defendant chooses to plead guilty before trial to the charged offenses, or to lesser charges in exchange for a more lenient sentence or the dismissal of related charges.



Arrest



Criminal prosecution typically begins with an arrest by a police officer.

Bail



If a suspect in police custody is granted bail, the suspect may pay the bail amount in exchange for a release.

Arraignment



The suspect makes his first court appearance at the arraignment. During arraignment, the judge reads the charges filed against the defendant in the complaint and the defendant chooses to plead "guilty," "not guilty" or "no contest" to those charges. The judge will also review the defendant's bail and set dates for future proceedings.

Preliminary Hearing



A preliminary hearing, or preliminary examination, is an adversarial proceeding in which counsel questions witnesses and both parties makes arguments.

Pre-Trial Motions

Pre-trial motions are brought by both the prosecution and the defense in order to resolve final issues and establish what evidence and testimony will be admissible at trial.

Trial



At trial, the judge or the jury will either find the defendant guilty or not guilty. The prosecution bears the burden of proof in a criminal trial.

Sentencing

During the sentencing phase of a criminal case, the court determines the appropriate punishment for the convicted defendant. In determining a suitable sentence, the court will consider a number of factors, including the nature and severity of the crime, the defendant's criminal history, the defendant's personal circumstances and the degree of remorse felt by the defendant.

Appeal

An individual convicted of a crime may ask that his or her case be reviewed by a higher court. If that court finds an error in the case or the sentence imposed, the court may reverse the conviction or find that the case should be re-tried.



In general, Criminal
Law asks and answers
three questions:

Did an individual
commit a crime?

Which crime did an
individual commit?

Does the individual
have a defense?



- ▶ 1) <https://www.justia.com/criminal/docs/stages-of-a-criminal-case.html>
- ▶ 2) Кримінальний процесуальний кодекс України
<http://zakon2.rada.gov.ua/laws/show/2341-14>
- ▶ 3) https://www.law.cornell.edu/wex/criminal_procedure
- ▶ 4) The Oxford Handbook of Criminology by Mike Maguire, Rodney Morgan, Robert Reiner
- ▶ 5) http://pidruchniki.com/1584072061522/pravo/kriminalniy_protses
- ▶ 6) <http://legal-dictionary.thefreedictionary.com/Criminal+Procedure+Law>