

and report the situation to the competent authority. It is so sad kids as young as 8, commit suicide due to bullying.

Finally, if there be anyone who is being abused, please do not keep it to yourself, talk to a trusted person about it and report to the responsible organization/authority. Victims would also need manage the situation through medical services, law enforcement, counseling, and other forms of prevention and intervention. Participants in domestic violence may require medical treatment, such as examination by a family physician, other primary care provider, or emergency room physicians.

Counseling is another means of managing the effects of domestic violence. For the victim of abuse, counseling may include an assessment of the presence, extent and types of abuse. A lethality assessment is a tool that can assist in determining the best course of treatment for a client, as well as helping the client to recognize dangerous behaviors and more subtle abuse in their relationship. In a study of victims of attempted domestic violence-related homicide, only about one-half of the participants recognized that their perpetrator was capable of killing them, as many domestic violence victims minimize the true seriousness of their situation. Another important component is safety planning, which allows the victim to plan for dangerous situations they may encounter, and is effective regardless of their decision on whether remain with their perpetrator.

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## **MEASURES TO ENSURE CRIMINAL PROCEEDINGS**

Measures to ensure criminal proceedings – are measures provided by the procedural law, which may be compulsory and which are applied by authorized state bodies or officials on the grounds, in accordance with the procedure and in the conditions specified by the Criminal Procedure Code of Ukraine to individually determined participants in criminal proceedings

or other persons in order to ensure the effectiveness of this criminal proceeding.

The institution of measures to ensure criminal proceedings is extremely important. Therefore, today the issue of effectiveness of precautionary measures, the legality and validity of their application is very acute.

These measures are characterized by the following specific features:

1) have a procedural character and are regulated by criminal procedural law, and therefore it is an integral part of the criminal procedural form; 2) the bases, limits and procedure for their application are regulated in detail by law; 3) they are aimed at achieving a single goal - to ensure the proper procedure of criminal proceedings, its effectiveness; 4) have a pronounced coercive nature, which does not depend on the implementation of these measures, but on their legislative model. Even if a person does not object to the restriction of his rights and freedoms, which is connected with the application of measures for ensuring criminal proceedings, they are still compulsory, since the very possibility of coercion is provided for by law; 5) are of an exceptional nature - that is applicable only in those cases where other tasks of the public task of criminal proceedings can not be achieved; 6) the subject of application is specific - usually it is an investigating judge, a court [1].

V. Farinnik proposes the classification of measures to ensure criminal proceedings according to the following criteria:

1) for the purpose of application: a) measures that ensure the proper conduct of the suspect, the accused in criminal proceedings and the fulfillment of their procedural obligations (preventive measures). b) measures that provide for the receipt and collection of evidence (summons by investigator, public prosecutor, court summons, provisional access to things and documents, etc.). c) measures aimed at ensuring the legal order during the proceedings (imposition of a fine); d) measures to secure a civil suit and possible confiscation of property (provisional seizure of property, etc.);

2) for the term of validity: a) measures that take place during a clearly defined period of time (preventive measures, arrest of property, etc.); b) measures whose validity period is not defined (compel appearance);

3) on the grounds of application: a) measures applied in connection with non-fulfillment (or possible non-recognition) of procedural duties

(imposition of pecuniary charge, preventive measures, etc.); b) measures applied irrespective of procedural offence (provisional access to things and documents, provisional seizure of property);

4) under the regime of restriction of human rights and freedoms: a) measures related to the temporary isolation of a person (detention, house arrest, detention of a person); b) measures that are not related to the temporary isolation of a person (imposition of a fine, temporary restriction on the use of special law, personal commitment, mortgage, etc.) [2].

The purpose of applying measures to ensure criminal proceedings in general and precautionary measures in particular is to achieve the effectiveness of proceedings. Under the effectiveness of criminal proceedings, it is necessary to understand the fulfillment of tasks of criminal justice, which are defined in Art. 2 of the Criminal Procedure Code of Ukraine, in particular: protection of individuals, society and state from criminal offences, protection of rights, freedoms and legitimate interests of participants in criminal proceedings, as well as ensuring a prompt, complete and impartial investigation and trial, so that anyone who has committed criminal offence has been brought to justice by his guilty, no innocent was accused or convicted, no person was subject to unreasonable procedural coercion and that to each participant in criminal proceedings is applied due the process.

In addition, article 132 of the Criminal Procedure Code of Ukraine provides for general rules for the application of measures to ensure criminal proceedings, which is important for law enforcement activities, since it promotes its unity, observance of the rights of participants in criminal procedural relations and resolution of the tasks of criminal proceedings:

1. Measures to ensure criminal proceedings are applied as based on the ruling of investigating judge or court unless the present Code provides otherwise.

2. Application of measures to ensure criminal proceedings shall be based on the ruling of the investigating judge and submitted to local court within territorial jurisdiction of which the pre-trial investigation agency is located.

3. Enforcement of measures to ensure criminal proceedings should be denied unless the investigator, public prosecutor proves that: 1) there is a reasonable suspicion of the commission of criminal offence of such severity

which may serve as the grounds for application of measures to ensure criminal proceedings; 2) need for pre-trial investigation justifies such degree of interference in rights and freedoms of a person that is stipulated in the motion of the investigator, public prosecutor; 3) the task can be fulfilled and in order to accomplish this task the investigator, public prosecutor makes a motion.

4. In order to evaluate the need for pre-trial investigation, the investigating judge or the court are required to take into account the possibility to obtain, without applying a measure to ensure criminal proceedings, objects and documents which can be used during the trial for establishing circumstances in criminal proceedings.

5. While considering enforcement measures to ensure criminal proceedings, parties to criminal proceedings should present to investigating judge or court evidence on circumstances to which they refer.

6. Attached to the motion of the investigator, the public prosecutor on application, altering or cancellation of measures to ensure criminal proceedings shall be an extract from the Integrated Register of pre-trial investigations concerning the criminal proceedings in the framework of which the motion is filed [3].

To sum up, it should be noted that there are a number of theoretical issues and practical problems concerning the definition of concepts, classifications, peculiarities of these measures, and purely practical questions of application of criminal proceedings norms in accordance with the fundamental principles of law, observance of the rights and freedoms of citizens, observance of international norms and rules concerning the aforementioned issues in the Criminal Procedure Code of Ukraine.

Due to the novelty and the lack of sufficient legal basis and practice of some measures to ensure criminal proceedings in the theory of criminal proceedings, this issue needs to be refined, because the fulfillment of tasks of criminal proceedings depends on the proper application of measures to ensure criminal proceedings.

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## **DETENTION AS A TEMPORARY PREVENTIVE MEASURE**

The Constitution of Ukraine fixes the basic principles of creation, development and consolidation of a democratic, legal and social state, according to which a human, his/her life and health, honor and dignity, inviolability and security are recognized in Ukraine as the highest social value. However, at the same time representatives of the judiciary are empowered to apply measures of criminal-procedural coercion, which are intended to create an effective mechanism for review and resolution of the case. Detention is one of such measures and has a temporary character [1].

According to Article 176 of the Criminal Procedure Code of Ukraine (CPC) detention is a temporary preventive measure, which may be applied for the reasons and in the order clearly defined in the CPC. Detention may be carried out on a suspected or accused person upon the decision of the investigating judge or court by an authorized official, as well as in precisely established cases by anyone who is not an authorized officer.

The reason for the application of a preventive measure is the existence of a reasonable suspicion that the criminal offense was committed by the person, as well as the presence of risks which give sufficient grounds to the investigating judge, the court to consider that the suspect, the accused, the convict may carry out the actions provided by Article 177 [2].

The aim of this measure is to find out whether the detainee was involved in committing the crime or not. The detention of a suspect excludes the possibility for him/her to escape from inquiry, pre-trial