

Actual problems of criminal law, criminal procedure and criminalistics

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In Article 92 of the Criminal Procedure Code states that, in some cases during the collection, study and evaluation of the evidence used in the course of proceedings of scientific and technical means there is a need for the participation of persons with special knowledge. Such persons are the experts invited to participate in [5].

The new Criminal Procedure Code, in turn, supplemented by Article 117 of the “Conclusions and reading specialist”, which is a significant change in the Institute of evidence.

In Part 3 art 112 Criminal Procedure Code was added that the evidence given by the suspect during his preliminary interrogation as a witness can't be considered as evidence and used against his wife (husband) or close relatives, as well as put the basis for the prosecution of the suspect.

In the criminal proceedings was introduced procedural figure “investigating judge”. He is endowed with a number of powers at the stage of pre-trial investigation, which are disclosed in the article 55 of a Criminal Procedure Code. The investigating judge must not prejudice questions which, in

accordance with this Code may be subject to judicial review in the resolution of the case on the merits, for example, it does not make conclusions about the proof or lack of proof of guilt, the admissibility of evidence and does not address issues related to sentence.

In developing the new Criminal Procedure Code was used the experience of developed countries, and the aim was to ensure the principle of the admissibility of evidence.

If the suspect has not exercised his right to refuse to testify before the first interrogation, he shall be warned that his testimony may be used as evidence in criminal proceedings, including when it is followed by a refusal by this testimony.

The most important element of the state legal policy is a criminal policy, the improvement of which is carried out by an integrated, coherent correction of criminal, criminal procedure and penal law as well as law enforcement. The priority of the development of criminal procedural law is further consistent implementation of the fundamental principles of criminal proceedings, aimed at protecting human rights and freedoms[4].

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Prosecutor's supervision over execution of the legislation on juveniles in the Republic of Kazakhstan

Abstract. This article describes supervision of prosecutor over execution of the legislation on juvenile in the republic of Kazakhstan. Also portraits some of the problems and gives us detailed information of prosecutor's supervision.

Keywords: rights, juvenile, children, prosecutor.

Protecting the rights and legitimate interests of children from interstate problems has become a global problem worldwide. By United Nations it was realized back in the mid 50-ies, the twentieth century, when the Declaration of Rights of the Child (1959) was adopted. Since then, international community requirements of protection of rights and legal interests of children tightened.

By The UN Convention on the Rights of the Child (1989) was expanded the legal regulation of child protection, indicated by its basic directions, formulated minimum legal standards.

One of the major problems in dealing with interest of the President of the Republic of Kazakhstan, the authorities and society at all levels is the demographic security of the state. Within framework of national projects and programs shall take steps to financial security for families and children of first years of life. Of course, this is very important, but it is equally important to protect the child throughout period of minority. In the country for this purpose, a minimally adequate legal framework and system of bodies exercising control over the implementation of legal provisions related to the protection of the rights and legitimate interests of minors [1].

The development of theme of improving the quality of children's life, Nazarbayev has focused repeatedly in media on the necessity of formation in children of healthy lifestyles, development of creative, scientific and professional potential of young people, of search and support talented children. A

significant role in solving the tasks given to the prosecuting authorities. Materials of prosecutor's checks show that the violations in the sphere of observance of legislation on minors are massive. In this connection it is necessary to increase efficiency of regulatory and supervisory authorities, including prosecutors.

In the last decade, wrongful conduct of minors has become widespread. The transformation of the social system in the Republic of Kazakhstan has destroyed the foundations of former system of upbringing and education of younger generation, has worsened situation of children and opportunities for their livelihood and development of family and the state, led to a sharp increase in the number of children who are unable to obtain necessary education and training. It should be noted that adolescents account for one tenth of criminal offenses. In the structure of their crime dominated grave and especially grave crimes.

Neglect and abandonment of children - one of the most disturbing features of modern Kazakhstan society. The reasons for this phenomenon are decline in living standards, deterioration in the adult mental health population, distancing from school children with a difficult life, destruction of traditional education system, criminalization of society. Continued growth in a number of parents who do not perform their duties. In order to protect the rights and legitimate interests of minors in the country established a system of bodies of different departments. It includes: