

УДК 343.211

DOI: 10.37635/jnalsu.27(4).2020.282-293

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## ДО ПРОБЛЕМИ ФОРМУВАННЯ СТРУКТУРИ ТА КЛАСИФІКАЦІЙ КРИМІНАЛЬНОЇ ПОЛІТИКИ

**Анотація.** *Наявність різних підходів в розумінні кримінальної політики та її співвідношення з політичними та стратегічними категоріями наук кримінально-правового циклу повертають до оновлення підходів щодо формування структури та видів кримінальної політики. З огляду на актуальність даної тематики стаття присвячена розгляду проблеми формування структури та класифікації кримінальної політики. Для цього автор звернувся до наук кримінально-правового циклу та наявних в них досліджень щодо політичного та стратегічного підходів у протидії кримінальним правопорушенням (злочинності). Це надало можливість виробити власний підхід щодо визначення елементної структури кримінальної політики, що складається із: 1) предмета, мети, методу, принципів та її споживачів; 2) засобів, обстановки та професійних учасників її реалізації. Також було надано класифікації кримінальної політики «за вертикаллю» та «на підставі кримінально-правової класифікації кримінальних правопорушень за об'єктом». Поділ кримінальної політики на види дозволив вказати на співвідношення кримінально-правової, кримінально-виконавчої, кримінальної процесуальної, кримінологічної, міжнародної кримінальної політики та криміналістичної стратегії із їх родовим поняттям – кримінальною політикою. Також важливим є їх розгляд в єдності, що дозволить сформувати стратегії, програми, плани та алгоритми під час протидії кримінальним правопорушенням, досягти цілей та виконати завдання нормативно-правових актів. Структура кримінальної політики та класифікації її на види надає можливість розглянути більш детально стратегічну протидію кримінальним правопорушенням засобами громадського та державного впливу на системне реформування кримінальної юстиції та її органів на віддалену перспективу. Встановлення єдиних підходів щодо розуміння кримінальної політики серед науковців у сфері наук кримінально-правового циклу надає можливість її сформувати як науку або міжгалузевий та міждисциплінарний інститут з відповідною структурою.*

**Ключові слова:** принцип законності, криміналістична стратегія, кримінально-правовий цикл, кримінально-виконавча політика.

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## TO THE PROBLEM OF STRUCTURE AND CLASSIFICATIONS OF CRIMINAL POLICY FORMATION

**Abstract.** *The existence of different approaches in the understanding of criminal policy and its relationship with the political and strategic categories of sciences of the criminal law cycle return to the renewal of approaches to the formation of the structure and types of criminal policy. Given the*

*relevance of this topic, the article is devoted to the problem of forming the structure and classifications of criminal policy. To do this, the author turned to the sciences of the criminal law cycle and their existing research on political and strategic approaches to combating criminal offences (crime). This provided an opportunity to develop their own approach to determining the elemental structure of the criminal policy, consisting of: 1) the subject, purpose, method, principles and its consumers; 2) means, environment and professional participants in its implementation. Classifications of criminal policy “vertically” and “based on criminal law classification of criminal offences according to an object” were also provided. The division of criminal policy into types allowed to indicate the relationship between criminal law, criminal executive, criminal procedural, criminological, international criminal policy and criminalistics strategy with their generic concept – criminal policy. It is also important to consider them in unity, which will form strategies, programs, plans and algorithms in combating criminal offences, achieve goals and meet the objectives of regulations. The structure of criminal policy and its classification into types provides an opportunity to consider in more detail the strategic counteraction to criminal offences by means of public and state influence on the systemic reform of criminal justice and its bodies in the long run. Establishing common approaches to understanding criminal policy among scientists in the field of criminal law provides an opportunity to form it as a science or interdisciplinary and interdisciplinary institution with an appropriate structure.*

**Keywords:** principle of legality, criminalistics strategy, criminal law cycle, criminal executive policy.

## INTRODUCTION

According to the “narrow” understanding, criminal policy is an interdisciplinary institute of sciences of the criminal law cycle. According to the “broad” understanding, criminal policy is a separate science of the criminal law cycle, which continues to take shape (with its subject, method and system). Given the possibility of formulating strategic objectives of the sciences of the criminal law cycle, it is necessary to distinguish the following types of criminal policy (vertically): 1) criminal law policy; 2) criminal executive policy; 3) criminal procedural policy; 4) criminological policy; 5) criminalistics strategy. In the author’s opinion, in this context it is necessary to add “international criminal policy” [1; 2], which will take place during the joint efforts of several states in the strategic fight against crime by means of their interstate influence (in the long run).

In fact, the unity of these types of criminal policy is its structure. This view is supported in some scientific studies [2; 3]. However, such types of criminal policy are sometimes referred to as elements or components [2; 4; 5]. It is clear that such an approach is based on attempts to use a synonymous approach “criminal policy” is equal to “criminal law policy”, and such a “criminal policy” is an element of “policy in the fight against crime”. It is obvious that with such an approach there is a terminological “confusion” and the types of criminal policy (or policy in the field of combating crime) become its elements.

The problem of forming the structure of criminal policy was addressed by V.I. Borisov [4], P.L. Fris [6], E.V. Epifanov [7], M.I. Panov [8], N.P. Kirillova [9], A. Vilks [10], M. Ambrož [11], A.H.G. Suxberger [12], C. Côté-Lussier [13], E. Knackmuhs [14], A. Dukalskis [15], J. Lobato [16] and others. V.I. Borisov and P.L. Fris paid particular attention to the study of criminal policy in general and the definition of its elemental structure [4; 6]. At the same time, the existence of different

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approaches in understanding criminal policy and its relationship with the political and strategic categories of sciences of the criminal law cycle return to the renewal of approaches to the formation of the structure and types of criminal policy. Establishing common approaches to understanding criminal policy among scientists in the field of science of the criminal law cycle will provide an opportunity to form it as a science or interdisciplinary institution with an appropriate structure.

The purpose of the study is the formation of (elemental) structure and classifications of criminal policy. To do this, the author turned to the sciences of the criminal law cycle and their existing research on political and strategic approaches to combating criminal offences (crime).

## **1. MATERIALS AND METHODS**

To achieve the outlined goal, the author used the methods of logic (analysis and synthesis, induction and deduction, analogy) during the construction of the article, establishing trends in criminal policy; formal-logical method – during the formation of a range of regulations that are necessary for the study of legislation; comparative-legal method – when comparing the achievements of the sciences of the criminal-law cycle and enshrining these achievements in regulations, historical-legal – when establishing the historical prerequisites for the formation of criminal policy.

The use of analysis and synthesis, induction and deduction allowed the author to construct the article logically by dividing it into two blocks (problems of forming the structure of criminal policy and forming the structure of criminal policy in connection with the study of its classifications), as well as to form an introduction, materials, methods and conclusions. During the study, the author analysed and compared the concepts of criminal and criminal law policy, formed a conclusion about their dissimilarity, thus rejecting the use of analogy in this part. The use of induction and deduction provided an opportunity to form a position on the structure and classification of criminal policy, as well as trends in criminal policy. The formal-logical method was used during the study of the Criminal, Criminal Procedure, Criminal-Executive Codes of Ukraine, as well as the Rome Statute of the International Criminal Court, which allowed to demonstrate the real state of criminal policy in Ukraine and the necessity to change it in the future.

The comparative law method was used to compare the levels of formation of criminal policy within the implementation of the provisions of criminal, criminal procedure, criminal executive law, criminology and criminology. The use of this method demonstrated the difficulty of the transition from the law-making level to the law-enforcement level, from the formation of the idea to its implementation. The historical and legal method was used in establishing the historical preconditions for the formation of criminal policy. This is especially true of the transition of research from the 19th century to the 20th century, because it is in this period of time the rapid development of criminal law and change in its subject were recorded. In fact, at this time criminalistics, criminology and forensics with their methodological apparatus formed. This approach led to certain oblivion in criminal law about criminal policy (as a separate institution or science) or its identification with criminal law policy, which is impossible given the formation of policies and strategies within other sciences of the criminal law cycle.

## 2. RESULTS AND DISCUSSION

### 2.1 Problems of forming the structure of criminal policy

Taking into account the existence of different approaches to understanding criminal policy and trying to identify it with “state policy to combat crime” or “criminal law policy” creates a terminological “confusion” that can be overcome only by developing common approaches to understanding it. Attempts to develop approaches that differ from the synonymous use of types and elements of criminal policy have recently begun to appear in the scientific literature. Thus, in the author’s opinion, it is necessary to support the position of those scholars who are trying to put a slightly different meaning in understanding the elements of criminal policy. For example, E.V. Epifanov points out that the elements of criminal policy should be considered the concept of criminal policy, its goals, objectives, factors influencing its content, levels of implementation of criminal policy [7]. I.A. Aleksandrova points to the “amnesty of capital” as an element of “criminal policy to ensure economic security” [17]. In certain policies in connection with the study of criminal justice, E. Fairchild and W. Webb pointed to its subject and the persons to whom it applied [18]. It should be noted that similar approaches can be traced in the earlier works of well-known specialists in criminal law (F. von Liszt [19], P.A. Feuerbach [20] and M.P. Chubinsky [21]).

In the presence of such different positions on the understanding of the elements of criminal policy, it is necessary to indicate that they are indeed in some way traced in the existing definitions of criminal policy. The existing definitions of criminal policy combine the following elements: 1) conceptual idea (core), which is necessary in the formation of the subject; 2) the goal (task) that must be achieved during the implementation of this idea; 3) methods and means of implementing such an idea; 4) participants in the implementation of such an idea; 5) consumers of this idea. In addition, the principles of criminal policy and the factors influencing its content are added. In the author’s opinion, it is the unity of these elements that can fill the content of criminal policy and this is what should be taken in the formation of criminal policy in any area that is planned to be reformed in the long run, in order to combat criminal offences.

Thus, criminal policy, in the author’s opinion, includes the following elements:

- 1) the subject of criminal policy – the field of scientific knowledge about the causes and consequences of criminal offences, which are aimed at strategic counteraction to this phenomenon through the systematic reform of criminal justice in the long run;
- 2) the purpose of criminal policy – strategic counteraction to criminal offences through the systematic reform of criminal justice in the long run;
- 3) the method of criminal policy – a set of techniques and methods by which public relations are regulated, which are part of the subject of criminal policy;
- 4) principles of criminal policy – “the principle of legality, the principle of equality before the law, the principle of democracy, the principle of justice, the principle of humanism, the principle of inevitability of responsibility, the principle of scientific criminal policy” [8] and other principles inherent in its types according to criminal law cycle which are involved in the strategic counteraction to criminal offences in a particular area;
- 5) means of implementation of criminal policy – this is what is used to implement criminal policy. In this context, it is important to adopt a legal act that is able to implement it (for example, the Law of Ukraine, the Presidential Decree, an international

convention or agreement). Such a legal act may regulate a separate area of combating criminal offences (corruption, organised crime, justice, etc.) or may be adopted as a whole, and in some respects indicate the reform of various areas of activity. It is also important to implement these regulations that already requires the adoption and implementation of specific plans (enforcement);

6) a situation of the implementation of criminal policy – a situation within which the criminal policy is implemented in the relevant field. Assessment of such a situation is important because it establishes the purpose and means of its implementation, methods and techniques of combating criminal offences, the range of professional participants in criminal policy and its consumers;

7) professional participants in the implementation of criminal policy – entities that are professionally engaged in law-making and law enforcement processes and on which its implementation depends. Such persons include representatives of the state and the public who influence the reform process and, accordingly, directly reform the criminal justice authorities;

8) consumers of criminal policy (vector of direction) – persons to whom the action of criminal policy is directed. Given the purpose of “strategic counteraction to criminal offences”, the persons to whom it applies are members of society who have found themselves in a criminal environment or are already in it. Thus, it is important to reduce the number of such persons in the state and society.

## *2.2 Formation of the structure of criminal policy in connection with the study of its classifications*

The essence of criminal policy is filled not only with its elements but also with the content of its types, as the classification distribution is carried out according to the philosophical approach of the ratio of the whole and its parts. Aristotle, based on the study of this philosophical category, in this regard noted that the consideration of the existing as such and what belongs to it as such, is the subject of one science, and that the same science considers not only in essence but also that is in them – as... in relation to the previous and next, genus and species, whole and separate and all other similar definitions [22]. Criminal policy and criminal law policy in this sense should be distinguished, not identified, as is popular, unfortunately, among specialists in the field of criminal law [23]. Criminal law policy should solve problems in the formation of the tasks of criminal law; principles of criminal law; strategies for changing it; the number of types of punishments and their understanding; purposes of punishment, release from criminal liability, punishment and its serving. The primary task of criminal law policy is the strategic (long-term) impact on criminal law through accurate knowledge of the cause and effect of a criminal offence. Thus, certain elements of criminal law policy are already reflected in the Constitution and the Criminal Code (hereinafter – the CC of Ukraine, the CC) of Ukraine. Contents of Art. 1 of the Criminal Code of Ukraine “Tasks of the Criminal Code of Ukraine”<sup>1</sup>; Art. 2 of the Criminal Code of Ukraine “Grounds for criminal liability” (in terms of the formation of general criminal law principles – *non bis in idem; omnis indemnatus pro innoxis legibus habetur*)<sup>1</sup>; Art. 50 of the CC of Ukraine “The concept of punishment and its purpose”<sup>1</sup>, etc. Formulating the tasks of the CC of

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<sup>1</sup> Criminal Codex of Ukraine. (2001, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/2341-14>

Ukraine, the legislator defined them in Art. 1 of the Criminal Code of Ukraine as “legal provision of human and civil rights and freedoms, property, public order and public safety, environment, constitutional order of Ukraine from criminal offences, ensuring peace and security of mankind, as well as prevention of criminal offences”<sup>1</sup>. Thus, criminal law policy is unlikely to go beyond the existing strategic perspectives of “legal support”, which usually significantly narrows the concept compared to the concept of criminal policy. It is necessary to remember that criminal law policy is also influenced by international agreements, conventions, strategic development of the state and public attitude to such changes. For example, the Law of Ukraine “On Amendments to Certain Legislative Acts of Ukraine Concerning the Implementation of the Action Plan on Visa Liberalization by the European Union for Ukraine Concerning Liability of Legal Entities”<sup>1</sup> of April 15, 2014 in the Criminal Code of Ukraine actually introduced criminal liability. legal nature) of legal entities.

Analysis of the provisions of the Criminal Executive Code (hereinafter – CEC of Ukraine, CEC)<sup>2</sup> of Ukraine allows concluding about the content of criminal executive policy and the attitude of the legislator to this problem. Thus, Art. 1 and 2 of the Criminal Procedure Code of Ukraine set out the purpose and objectives of criminal executive legislation. The purpose of this legislation is to protect the interests of the individual, society and the state by creating conditions for correction and re-socialisation of convicts, prevention of new criminal offences by convicts and others, as well as prevention of torture and inhuman or degrading treatment of convicts. At the same time, in the context of protection of the interests of a person, society and the state, there is no indication of the protection of which person is in question – criminally illegal or one who has suffered from a criminal offence. There are also no indications that there is a necessity to appeal not only to certain principles of execution of punishment, summarised in the list, but to the “criminal person”. C. Lombroso draws attention to this – “there is an even more important subject of study – it is also interesting for the prison authorities and in general for those who use punishment; I'm talking about the study of a criminal... I mean the interesting observations in Zwickau, which indicated that criminals should be treated according to the individuality of each of them and applied to their character if any satisfactory results are needed” [24]. G. Aschaffenburg is even more categorical in relation to the goals set in the penitentiary sphere – “the seriousness of punishment is incompatible with the purely formal execution of a sentence; it is necessary to bring a convict to awareness that he himself can fix an offence committed by him by self-correction; if he is unable to do so, he must suffer in order to relieve the whole society of suffering.” [25] That is why the connection between criminal law and criminal executive policy is important – criminal law policy formulates the purpose of punishment, which affects the formation of the purpose of all criminal law legislation (see: Part 2 of Article 50 of the CC of Ukraine<sup>3</sup> and Part 1 Article 1 of the CEC of Ukraine<sup>4</sup>). Probably because

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<sup>1</sup> Law of Ukraine No 314-VII “On Amendments to Certain Legislative Acts of Ukraine Concerning the Implementation of the Action Plan on Visa Liberalization by the European Union for Ukraine Concerning Liability of Legal Entities” (2014, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/314-18>

<sup>2</sup> Criminal Executive Code of Ukraine. (2003, July). Retrieved from <https://zakon.rada.gov.ua/laws/show/1129-15>

<sup>3</sup> Criminal Codex of Ukraine. (2001, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/2341-14>

<sup>4</sup> Criminal Executive Code of Ukraine, op. cit.

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of this Part 2 of Art. 1 of the CEC of Ukraine<sup>5</sup> mentions the legal status of convicts, guarantees of protection of their rights, interests, responsibilities, the procedure for applying measures of influence to them, etc. At the same time, the CEC of Ukraine does not contain the necessary instructions on monitoring the implementation of these tasks, which with the proclamation of this goal and objectives makes them only ideal models without a mechanism for achieving them. In this case, it can be concluded about the subject formation of criminal executive policy, which produces goals, objectives, principles, guidelines for the system of criminal executive law to protect the rights, freedoms and interests of convicts, victims and other stakeholders.

Of particular interest is the consideration of problems related to criminological policy. A.P. Zakalyuk, pointing out the main problems of criminology in the first decade of the 21st century, identified the challenges facing this science and ways to implement them. One of such vectors was identified – the development of a modern strategy to combat, primarily organised, economic, related to corruption, drug trafficking, violent crime, including “commissioned”, selfish and violently selfish, as well as among previously convicted and minors [26]. Thus, taking into account the tasks criminology facing, it is also possible to raise the question of the existence of a single vector for the sciences of the criminal law cycle, common goals and objectives, as well as strategies to combat crime (criminal offence). That is, in the context of criminal policy, it is about criminological policy (strategy). This approach is confirmed in the activities of international institutions. For example, the holding of United Nations Congresses has led to the implementation of crime prevention and criminal justice policies. On the agenda of the Thirteenth UN Congress on Crime Prevention and Criminal Justice, successes and challenges in implementing a comprehensive policy in crime prevention and criminal justice strategy to promote the rule of law at the national and international levels and support sustainable development were highlighted [27]. Therefore, in the context of criminal policy in the field of justice, it can be said about the existence of criminological policy, which should meet international standards for crime prevention and be enshrined at the national level in the form of regulations (strategies and plans).

Information on the content of criminal procedure policy may be disclosed by the Criminal Procedure Code (hereinafter – CPC of Ukraine, CPC) of Ukraine (for example, Article 2 “Tasks of criminal proceedings”, Chapter 2 “Principles of criminal proceedings” (which collected the principles of criminal procedure – Articles 6-29 of the CPC of Ukraine, etc.)<sup>1</sup>. The tasks of criminal proceedings are the protection of the individual, society and the state from criminal offences, protection of the rights, freedoms and legitimate interests of participants in criminal proceedings, as well as so that everyone who commits a criminal offence is prosecuted to the extent of their guilt, no innocent person is accused or convicted, no person is subjected to unreasonable procedural coercion, and every participant in criminal proceedings is subject to due process of law. The list of tasks corresponds in general to criminal procedural principles and has nothing to do with the formulation of the planned result of the application of criminal procedure law.

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<sup>1</sup> Criminal Procedure Code of Ukraine. (2012, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/4651-17>

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The criminal procedural policy, which is formed by the current procedural legislation of Ukraine, does not contain a single goal, which could be formulated as the achievement of objective truth and the restoration of justice [28]. In addition to fixing a single goal, the result that the individual, society and the state need for the successful implementation of criminal procedure policy are extremely important to identify and establish a real mechanism for achieving the goal and control of criminal justice. Criminalistics, unlike other sciences of the criminal law cycle, traditionally and historically uses the term “criminalistics strategy” instead of “policy”. This may be due to the fact that criminalistics tactics are a generally accepted separate section in the criminalistics system. At the same time, in some states the criminalistics strategy acquires special significance, and sometimes the question of isolating a specific section of forensics is raised [29].

It is necessary to state the high interest of scientists in the strategy in criminology in the 21st century. Attention is drawn to the work that has emerged on this issue [30-34]. Moreover, positions on the place of criminalistics strategy in criminalistics differ. For example, O.Ya. Baev and M.O. Baev formulated an approach according to which the question of the emergence of a separate section of criminology called “criminalistics strategy” [30]. The authors invest in this concept – a system of scientific provisions and recommendations based on them to determine the professional participant in criminal proceedings of general areas and means of using criminally relevant information, special knowledge of identification, interaction with others and organisations, planning the implementation of these areas to achieve the ultimate goal their professional activity [30]. In this case, in favour of the position of O.Ya. Baev and M.O. Baev, the fact points out that in the German school of criminology criminalistics strategy has already taken a special place [35]. O.G. Filippov, in turn also insists on the need to separate a separate section in criminology. However, the relationship between the name “criminalistics strategy” and its content is questioned, as the author proposes to use the term in the sense of organising the detection and investigation of crimes [34]. There are other understandings of criminalistics strategy. Investigating the criminalistics strategy, G. Malewski singled out three approaches to its understanding: 1) a certain tool that demonstrates the trends and direction of development of science; 2) an independent part of science; 3) a kind of model or program to investigate a specific crime.

It is important to point out that the criminalistics strategy has already been formed as a category and a separate direction. The development of criminalistics strategy as a separate category in criminalistics has not reached the level of a separate section of science. The criminalistics strategy also cannot be implemented in the investigation of a specific criminal offence, as it contradicts the implementation of the criminal policy of the state. Therefore, criminalistics strategy is a field of knowledge on combating criminal offences by forensic means in the long run. Interesting in connection with the study of criminalistics strategy in the structure of criminal policy is the survey of 82 judges, 86 prosecutors and 102 lawyers (The survey was conducted by the author during 2020 as part of the Verkhovna Rada of Ukraine scholarship program for young scientists). Judges expressed a desire for qualitative changes in the scientific and technical support of the trial through the automation of the trial process – the development and use of special computer programs, algorithmization of the trial (91% of respondents). Instead,

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prosecutors pointed to the need to use modern technical means to work at the crime scene (86%) and to use photographic, video, audio, drone and other special equipment in investigative (search) operations (52%). Lawyers took a similar (intermediate) position to judges and prosecutors and expressed a desire to automate the process of advocacy (54%) and the use of photo, video, audio and other special equipment in pre-trial investigation and trial (58%). That is why the author considers it necessary for the effective performance of functions by professional participants in the proceedings (proceedings) to provide them with modern technical means during the pre-trial investigation and trial. Equally important is the requirement of professional participants in the proceedings to automate their activities. The author believes that this will provide an opportunity to more quickly and correctly perform their inherent functions, to obtain a wide range of technical and forensic knowledge necessary to achieve the goals and objectives of the judiciary (proceedings). This approach will allow implementing not only the criminalistics strategy, but also the criminal policy in general.

International criminal policy is a type of criminal policy and involves the efforts of at least two states to strategically combat crime. Today, such activities include participation in the ratification and implementation of international conventions, the practical application of the rules that are implemented through them. Equally important is participation in international governmental and non-governmental organisations that work to combat crime, detect and investigate international crimes. A separate area of implementation of international criminal policy is the activities of international criminal courts. For example, the activities of the International Criminal Court (The Hague), whose jurisdiction has been recognised in part in connection with the tragic military events in the Autonomous Republic of Crimea and certain districts of Donetsk and Luhansk oblasts, are important for Ukraine. Criminal law, criminal executive, criminal procedural, criminological policy, criminalistics strategy, as well as international criminal policy should be considered not only and not so much in the field of their own maternal sciences, but should be considered together, taking into account the common purpose and tasks they have in a single complex intersectoral and interdisciplinary institute of sciences of the criminal law cycle or its separate science – “criminal policy”.

The formulation of strategic objectives of the sciences of the criminal law cycle provides an opportunity to identify (based on the criminal law classification of criminal offences by object) the following types of criminal policy in the field and/or against it: 1) the foundations of national security; 2) life and health of a person; 3) the will, honour and dignity of a person; 4) sexual freedom and sexual integrity of a person; 5) electoral, labour and other personal rights and freedoms of human and citizen; 6) property; 7) economic activity; 8) the environment; 9) public safety; 10) production safety; 11) traffic safety and transport operation; 12) public order and morality; 13) circulation of narcotic drugs, psychotropic substances, their analogues or precursors and public health; 14) protection of state secrets, inviolability of state borders, provision of conscription and mobilisation; 15) the authority of public authorities, local governments and associations of citizens; 16) use of electronic computers (computers), systems and computer networks and telecommunication networks; 17) official activity and professional activity related to the provision of public services; 18) justice; 19) the established procedure for military service; 20) peace, security of mankind and international law and order. Depending on the importance of a particular area for a state and society, criminal policy may extend to

other areas. Thus, V.I. Borisov, P.L. Fris and N.A. Savinov proposed to consider criminal law policy in the areas of information security and anti-corruption [6; 36]. It is clear that such a proposal is successful because it allows focusing on a broader or narrower field of activity and can be transferred to criminal policy in general, and not just its type.

## CONCLUSIONS

Thus, the structure of criminal policy and its classification into types provides an opportunity to consider in more detail the strategic counteraction to criminal offences by means of public and state influence on the systemic reform of criminal justice and its bodies in the long run. Establishing common approaches to understanding criminal policy among scientists in the field of science of the criminal law cycle will provide an opportunity to form it as a science or intersectoral and interdisciplinary institution with an appropriate structure. The division of criminal policy into types allowed indicating the relationship between criminal law, criminal executive, criminal procedural, criminological, international criminal policy and criminalistics strategy with their generic concept – criminal policy. It is also important to consider them in unity, which will form strategies, programs, plans and algorithms in combating criminal offences, achieve goals and meet the objectives of these regulations.

Establishing the structure of criminal policy and determining its classifications will also allow forming strategies and plans to combat criminal offences in certain (specific) areas. Such an approach to combating criminal offences at the level of strategic influence on the criminal environment will make it possible to effectively implement the tasks facing the criminal justice authorities in the timeframe that will be specified in these regulations. A possible generalised approach to the formation of criminal policy in certain areas is to propose its classification based on criminal law classification of criminal offences by object (according to the sections of the Special Part of the Criminal Code of Ukraine). At the same time, there is a tendency to study criminal law policy in narrower or broader areas of combating criminal offences. In the author's opinion, such an approach can be transferred to criminal policy in general, which will allow comprehensive and local counteraction to criminal offences at the law-making and law-enforcement levels.

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**Suggested Citation:** Shepitko, M.V. (2020). To the problem of structure and classifications of criminal policy formation. *Journal of the National Academy of Legal Sciences of Ukraine*, 27(4), 282-293.

Submitted: 25/08/2020

Revised: 21/10/2020

Accepted: 06/12/2020