

Ihor B. Medytskyi. Criminal legislation in the structure of the consequences of crime: «cost» as a criterion of efficiency.

The article substantiates the importance of the criminological component of the process of criminal lawmaking as a structural part of the problem of the consequences of crime. In summarizing the positions on the most significant shortcomings of modern criminal justice policy, the need to take into account the economic criterion of its effectiveness is emphasized. Systematic analysis of reporting on implementation of budget programs of lawmaking; amendments to the Particular part of the criminal law regarding their compliance with public demand, financial and economic justification and taking into account the criminality of their possible consequences.

In the context of the demand for legislative articles of a criminal nature, the proposal addressed by the Parliament to the Parliament, formulated an initiative to obtain a certain amount of legislative «product», was confirmed. It is justified that the nature and quality of the desired product is determined by objectively existing factors - the state of crime in the country, its quantitative and qualitative parameters, public feelings of fear, addiction, tolerance or, conversely, intolerance to criminal behaviors and more. The list of factors and processes that negatively affect the mechanism of demand satisfaction (misunderstanding of political «expediency»; inadequate criminological validity; insufficient scientific and theoretical level of parliamentarians; frequent cases of gross violation of the legislative procedure: lack of legal expertise, lack of legal expertise committees, failure to take into account the findings of international institutions, etc., the optional «status» of examination of bills implemented by scientists, pracykamy, the public, «passivity» of the legislator in matters of accounting decisions and recommendations resulting from a scientific and practical conferences, activities of research institutes, laboratories, etc.). An additional consequence of this process is the inability of society to «buy» the changes in the criminal law.

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