

Summary

The year: 2019.

Specialty / field of study (code and full name): 40.03.01-Law

Level of study: bachelor's degree.

Institute or Higher school: Law University.

Department of criminal law disciplines and forensic expertise

The subject of the final qualifying work: "Innovations in criminal legislation (from 2017 to the present)".

Author: Podkolzin Yuri Vladimirovich, 4th year student Institute of distance learning, information technology and online projects (Criminal law profile) - 331-15.

Scientific supervisor: kand.yus. sciences, associate Professor, Professor of the Department of criminal law and forensic science Popov Alexey Pavlovich.

The relevance of the research topic. The process of origin and development of Russian criminal legislation was complex, gradual and lengthy. Russian criminal law has a rich history, closely linked to the development of the Russian state. The modern concept of criminal legislation was formed over several centuries, going from an unwritten custom to the Criminal code of the Russian Federation in 1996.

There is a gradual transition and improvement of Russian criminal laws from the principle of Talion "an eye for an eye, a tooth for a tooth" to the democratic principles of humanism, legality, equality of all before the law, the priority of protecting the interests of the individual before the state, and the non-use of the death penalty. However, the current Russian criminal law needs to be improved. The question of its full compliance with modern life realities, socio-economic and political relations in the country, as well as its compliance with the Constitution and international standards is not sufficiently developed. Some of its aspects require further research and development.

In these conditions the special urgency is got a comprehensive study of the problems of creating, implementing criminal legislation of the Russian Federation, the definition of "criminal law", its structure and bases of the penal legislation of the Russian Federation.

Until now, legal scholars, both theorists and practitioners, make numerous proposals to Supplement and change the Criminal code of the Russian Federation. The imperfection of the Russian criminal law has largely predetermined the existing problems in the stage of its application.

The problem of determining the sources and grounds of Russian criminal legislation, its content, structure of norms, and the relationship between criminal law and other branches of law is widely discussed, which creates new problems that need to be solved in General theory.

As already noted, Russian legislation needs to be improved. Many legislative innovations were not in demand, and some provisions of the Criminal code of the Russian Federation, on the contrary, are insufficiently developed. There are many theoretical issues that cause scientific controversy. All this applies to both the General and Special parts of the criminal law.

At the moment, the concept of "Russian criminal legislation" and its foundations have not been fully developed by science, although this is exactly the criterion by which criminal legislation can be defined in General.

The degree of development of the research topic. The problems of the history of criminal legislation, its structure, sources and grounds have already been considered in the works of such scientists as: T. G. Alekseeva, D. A. Bezborodov, A. B. Blagodatin, T. N. Dronova, K. A.

Zhukov, A. M. Zatsepin, K. D. Nikolaev, A. A. Piontkovsky, A. I. Rarog, A. Yu. Reshetnikov, P. V. Siyanov and other legal scholars.

In most of the works of these researchers, this problem was not developed in a comprehensive way, only some of its aspects were touched upon. In addition, there are significant differences of opinion among the authors mentioned regarding the topic under consideration.

Noting the significant scientific value of the research, we believe that a number of provisions and conclusions developed by the above-mentioned and other authors require further development and clarification, both in theoretical and practical areas.

The object of the research is relations in the sphere of formation of criminal legislation and its implementation.

Object of research is Russian criminal legislation pre-Imperial, Imperial, Soviet and modern periods, the concept and structure of criminal law and the norms of modern international criminal law, international legal acts, the Foundation of criminal law: The Constitution of the Russian Federation, generally recognized principles and norms of international law.

The purpose of the study is to provide a comprehensive analysis of the criminal legislation of the Russian Federation, to define the concept of "Russian criminal legislation", its structure, to address the issue of the grounds for criminal legislation, and to study innovations in the current criminal legislation.

The named purpose of the research determined the development and solution of the following tasks:

- to study the history of the development of criminal legislation of all periods, up to the period of adoption of the Criminal code of the Russian Federation in 1996.;
- to characterize the place and operation of criminal legislation in the Russian legal system;
- research trends in the development of modern criminal legislation of the Russian Federation;
- analyze the leading changes in the current criminal legislation of the Russian Federation.

The theoretical and methodological basis of the research is a system of philosophical knowledge that defines the basic requirements for scientific concepts, the essence and scope of various methods of knowledge. The dialectical method of scientific knowledge, historical, formal-logical, systematic, statistical, sociological, and comparative law methods were also used.

The empirical basis of the research is based on data obtained from the analysis of materials of judicial and investigative practice, as well as materials of the practice of the Supreme Court of the Russian Federation.

The theoretical significance of the research is due to the results of the research, which allowed us to formulate a number of proposals that develop the theory of criminal law and increase the effectiveness of ensuring the tasks facing the Russian criminal legislation in its development and implementation.

The practical significance of the research is determined by the possibility of using the results for further study of the problems of criminal law, the results can be used in the educational process.

The structure of the work is determined by the logic and purpose of the research and consists of an introduction, two chapters including 4 paragraphs, a conclusion, and a bibliographic list.