

Ministry of Education and Science of the Republic of Kazakhstan

Ministry of Education and Science of the Republic of Kazakhstan
" L.N. Gumilyov Eurasian National

University» Law school

Department of Criminal Law Disciplines

APPROVED

Dean of law school
Doctor of law, Professor
Amandykova S.K.



(signature)

26.06 2018

Work (module) training program (Syllabus)


(KIBEO 5208) Special criminal procedure productions
(Code and name of the module)

By discipline Special criminal procedure productions
(Full name of the discipline)

For students of specialty- 5M030100 - LAW
(Code and name of the specialty)

Specializations: Criminal Law

Astana
2018

	Евразийский национальный университет им. Л.Н. Гумилева	Учебно-методический комплекс дисциплины	Издание: шестое
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Working (modular) training programs (Syllabus) in discipline Special criminal procedure productions

Was developed on the basis of the standard program on the discipline " Special criminal procedure productions " _


The developer: the senior lecturer of Department of Criminal Law Disciplines PhD Shakenov M.A.
Phone: 709-500 (ext.31297) 

Considered at the meeting of the Department _____
Protocol No. _____ from " _____ " _____ 2019.

Head of the Department  _____

Approved at the meeting of the Educational and Methodological Commission of the Faculty " _____ " _____ 2019. Protocol No. _____

Chairman  Zhusipova B.A.

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EXPLANATORY NOTE

1. Brief description of the discipline

Based on the division of the Criminal procedure code into the General and Special Parts, the criminal procedure law is also divided into these parts.

The general part includes sources of criminal procedure law, limitations and effect of criminal procedure, definitions and main rules, criminal prosecution nature, rehabilitation and compensation for damage, caused by illegal actions of the state body, conducting criminal proceedings, procedural periods, state bodies and persons involved in criminal proceedings, evidence and proof, measures of procedural compulsion, property issues in criminal proceedings.

The norms of the General Part regulate the most important issues related to proceedings and managing of criminal case. A special part of the criminal law includes norms which regulate specific action that aimed to discovering crimes, as well as the order of criminal case hearing in court room.

General and special parts of criminal procedure norms are organically linked and only in unity constitute criminal procedure law as a scientific system of criminal procedural legislation.

Discipline is aimed at forming a number of general cultural and professional competencies of the graduate.


Teaching discipline provides the following forms of organization of the educational process: lectures, seminars and practical classes, independent work of the student under the guidance of the teacher, independent work of the student.

Objectives of studying the academic discipline: The subject of the course "Special criminal procedure productions" is a part of criminal procedural law and covers several chapters of the special part that united in section 11 of the Criminal Procedural Code of the Republic of Kazakhstan. In the process of studying their peculiarity, students will become familiar with the notion of the Special Part of the Criminal Procedural Law. The program for studying the course of "Special criminal procedure productions" includes the concepts and features of the four chapter of the Criminal Procedural Code of the Republic of Kazakhstan:

1. Judicial proceedings for the application of compulsory medical measures to insane.
2. Features of proceedings on criminal infractions.
3. Proceedings on criminal offences of minors.
4. Features of proceedings of persons, enjoying privileges and immunity from criminal prosecution.

The tasks of studying the academic discipline:

The task of studying the course is also the development of the right thinking of students. The student must learn accurately, determine the presence of the corpus delicti in specific actions (inaction) of individuals, correctly qualify the crimes, establish the absence or presence of circumstances that exclude the public danger and wrongfulness of the act, learn to determine the required punishment for the perpetrator in exact correspondence with the current criminal legislation, considering At the same time, the nature and degree of public danger of the act committed, as well as the identity of the perpetrator, mitigating and aggravating e responsibility circumstances, be able to establish grounds provided by law and the conditions of the liberation of the person from criminal liability or punishment.

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2. Prerequisites

To master this discipline, you need knowledge, skills and skills acquired in the study of the following disciplines: the theory of state and law, the constitutional law of the Republic of Kazakhstan, administrative law, civil law.

Post-requisitioning

Knowledge, skills and skills obtained in the study of discipline are necessary for the development of the following disciplines: criminology, criminology, forensic expertology, the basics of operative-search activity, prosecutor's supervision, advocacy.

3. Extract from the curriculum

Course 1

Semester 2 Number of

credits 3

Types of discipline	The amount of hours
Lectures	30
Practical lessons	
Seminar lessons	15
Laboratory lessons	
Studio lessons	
SRO	90
Total	135

THEMATIC PLAN OF DISCIPLINE BY MODULES (In academic hours)

№ week	Name of module and program	Number of hours
1-5	Module 1. The place and the meaning of special proceedings within criminal procedure law. Judicial proceedings for the application of compulsory medical measures.	
	Lectures	
	1.1 Special proceedings as a part of criminal procedure. Form of lecture: Review lecture	2
	1.2 Grounds and circumstances to be proven for proceedings for the application of compulsory medical measures. Form of lecture: Problem lecture	2
	1.3 Security measures against persons who committed the acts, prohibited by the criminal law and who have mental illness. Form of lecture: Discussion lecture	2
	1.4 The subject and their status within special proceedings concerning application of compulsory medical measures Form of lecture: Provoke lecture (lecture with mistakes)	2
	1.5. Proceedings in the court concerning application of compulsory medical measures. Form of lecture: Systematic lecture	2
	Practical (seminar) lessons	

	1.1 Special proceedings as a part of criminal procedure. Teaching methods: Classical survey	1
	1.2 Grounds and circumstances to be proven for proceedings for the application of compulsory medical measures. Teaching methods: Brain storm	1
	1.3 Security measures against persons who committed the acts, prohibited by the criminal law and who have mental illness. Teaching methods: Training game	1
	1.4 The subject and their status within special proceedings concerning application of compulsory medical measures Teaching methods: Card survey	1
	1.5. Proceedings in the court concerning application of compulsory medical measures. Teaching methods: Colloquium	1
	Independent work of the student	
	1.1 Special proceedings as a part of criminal procedure. Form: Written review	6
	1.2 Grounds and circumstances to be proven for proceedings for the application of compulsory medical measures. Form: Report	6
	1.3 Security measures against persons who committed the acts, prohibited by the criminal law and who have mental illness. Form: Essay	6
	1.4 The subject and their status within special proceedings concerning application of compulsory medical measures Form: Abstract	6
	1.5. Proceedings in the court concerning application of compulsory medical measures. Form: Presentation	6
	Total module 1	45
	Module 2. Proceedings on criminal infractions. Proceedings on criminal offences of minors.	
	Lectures	
	1.6 The order of proceedings on criminal infractions Form of lecture: Review lecture	2
	1.7 The order and terms of consideration of the case on criminal infractions in court Form of lecture: Discussion lecture	2
	1.8 The order of proceedings on criminal offences of minors. Form of lecture: Problem lecture	2
	1.9 Participation of the legal representatives and other mandatory subjects of a minor suspected or accused in the pre-trial proceedings Form of lecture: Systematic lecture	2
5-10	1.10 Features of the proceedings in case against the minor in court. Form of lecture: Lecture with practice	2
	Practical (seminar) lessons	
	1.6 The order of proceedings on criminal infractions Teaching methods: Brain storm	1
	1.7 The order and terms of consideration of the case on criminal infractions in court Teaching methods: Debate	1
	1.8 The order of proceedings on criminal offences of minors. Teaching methods: Card survey	1
	1.9 Participation of the legal representative and other mandatory subjects of a minor suspected or accused in the pre-trial proceedings Teaching methods: Training conference	1

1.10 Features of the proceedings in case against the minor in court. Teaching methods: Colloquium	1
Independent work of the student	
1.6 The order of proceedings on criminal infractions Form: Video preparation	6
1.7 The order and terms of consideration of the case on criminal infractions in court Form: Written review	6
1.8 The order of proceedings on criminal offences of minors. Form: Report	6
1.9 Participation of the legal representative and other mandatory subjects of a minor suspected or accused in the pre-trial proceedings Form: Essay	6
1.10 Features of the proceedings in case against the minor in court. Form: Presentation	6
Total module 2	45
Module 3. Features of proceedings of persons, enjoying privileges and immunity from criminal prosecution	
Lectures	
1.11 Limits of application of features of proceedings in the cases of persons, enjoying privileges and immunity from criminal prosecution. Form of lecture: Problem lecture	2
1.12 Production of the pre-trial investigation against who have privileges from criminal prosecution. Form of lecture: Discussion lecture	4
1.13 The court proceedings of the criminal case against persons who have privileges from criminal prosecution. Form of lecture: Problem lecture	2
1.14 Diplomatic immunity in criminal procedure. Form of lecture: Review lecture	2
Practical (seminar) lessons	
1.11 Limits of application of features of proceedings in the cases of persons,	1

enjoying privileges and immunity from criminal prosecution. Teaching methods: Brain storm	
1.12 Production of the pre-trial investigation against who have privileges from criminal prosecution. Teaching methods: Debate	2
1.13 The court proceedings of the criminal case against persons who have privileges from criminal prosecution. Teaching methods: Card survey	1
1.14 Diplomatic immunity in criminal procedure. Teaching methods: Colloquium	1
Independent work of the student	
1.11 Limits of application of features of proceedings in the cases of persons, enjoying privileges and immunity from criminal prosecution. Form: Written review	6
1.12 Production of the pre-trial investigation against who have privileges from criminal prosecution. Form: Report	12
1.13 The court proceedings of the criminal case against persons who have privileges from criminal prosecution. Form: Abstract	6
1.14 Diplomatic immunity in criminal procedure. Form: Presentation	6
10-15	6

Total module 3	45
135	135

4. Brief organizational and methodological characteristics of the discipline

Types of control of educational achievements:

Current - checking the completion of tasks for SROs, keeping lecture notes and practical (seminar), preparing for them

Midterm 1 - generalization and complex estimation of results of educational achievements of undergraduates, colloquium on topics 1-7.

Midterm 2 - generalization and comprehensive assessment of the results of the academic achievements of undergraduates, a colloquium on topics 8-15.

Final - written examination

Course Policy and Procedures


The compulsory attendance of classroom activities, the degree of activity in the discussion of issues, preliminary preparation for lectures, seminars and practical exercises, high-quality and timely performance of assignments for SROs, participation in all types of control.

5. System for assessing the results of learning achievements of students

The knowledge, skills and skills of students are evaluated according to the following system

Оценка по буквенной системе	Цифровой эквивалент баллов	Процентное содержание	Evaluation by the traditional system
A	4,0	95-100	excellent

A-	3,67	90-94	Good
B+	3,33	85-89	
B	3,0	80-84	
B-	2,67	75-79	Satisfactorily
C+	2,33	70-74	
C	2,0	65-69	
C-	1,67	60-64	
D+	1,33	55-59	
D	1,0	50-54	Unsatisfactory
F	0	0-49	

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As a tool for measuring students' knowledge, a rating scale is used. The scale of assessments is based on a score-rating and alphabetic system, constructed on an eleven-point scale and including estimates for the alphabetic system, the corresponding digital equivalent of scores, the percentage of the assessment and the traditional estimates. The alphabetic system estimates are letters of the English alphabet from A (highest score) to F (lowest score), depending on the level of knowledge.

The digital equivalent of scores are Arabic numerals in the decimal system of calculation from 4.0 to 1.0 and 0 is an unsatisfactory grade. The level of knowledge of the learner is determined in percent. At the same time, a positive evaluation includes estimates having from 50 to 100 percent, unsatisfactory assessment - from 0 to 49 percent.


The traditional scale of assessments is built on a four-point scale with ratings of "excellent", "good", "satisfactory", "unsatisfactory".

The score "excellent" corresponds to the letters:

Score	Criterion
A	- is put in the case when given a full, detailed answer to the question posed, a set of conscious knowledge about the object is shown, manifested in the free operation of concepts, the ability to distinguish essential and nonessential signs of it, cause and effect relationships. Knowledge of the object is demonstrated against the background of its understanding in the system of this science and interdisciplinary connections. The answer is formulated in terms of science, is presented in the literary language, logical, demonstrative, demonstrates the author's position of the students.
A-	- is put in the case when given a full, detailed answer to the question posed, a set of conscious knowledge of the object is shown, the main provisions of the topic are proved in a demonstrative manner; The answer is a clear structure, a logical sequence that reflects the essence of the disclosed concepts, theories, phenomena. Knowledge of the object is demonstrated against the background of its understanding in the system of this science and interdisciplinary connections. The answer is written in literary terms in terms of science. There may be shortcomings in the definition of concepts, corrected by the learners themselves in the process of reply.
B+	- is put in the event that the students are given a full, detailed answer to the question posed, the main provisions of the topic are proved in the answer, a clear structure, logical sequence reflecting the essence of the

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	disclosed concepts, theories, and phenomena is traced. The answer is written in literary terms in terms of science. In the answer, there are shortcomings, corrected by the student with the help of the teacher.
B	- is put in the case when given a full, detailed answer to the question posed, the ability to identify significant and non-essential characteristics, cause-effect relationships is shown. The answer is clearly structured, logical, outlined in the literary language in terms of science. There may be shortcomings or minor errors corrected to the trainees with the help of the teacher.
B-	- is put in the case when a detailed answer is given to the question posed, it is shown the ability to distinguish essential and nonessential attributes, cause-effect relations. The answer is clearly structured, logical, laid out in terms of science. However, minor mistakes or shortcomings, corrected by students with leading questions, are allowed.
C+	- is put in the case when a complete, but insufficiently consistent answer to the question posed is given, but the ability to distinguish essential and nonessential signs and cause-effect relationships is shown. The answer is logical and set out in terms of science. There may be 1-2 errors in the definition of the basic concepts that the learner found it difficult to fix on his own.
C	- is put in the case when an insufficiently complete and insufficiently detailed answer is given. The logic and consistency of the presentation have a violation. Errors in the disclosure of concepts, the use of terms are allowed. The trainee is unable to independently identify significant and nonessential signs and cause-effect relationships. The student can concretize generalized knowledge, having proved by examples their main provisions only with the help of the teacher. Speech design requires corrections, correction.
C-	- is put in the case when an incomplete answer is given, logic, and the sequence of presentation have significant violations. Grievous mistakes are made in determining the essence of the disclosed concepts, theories, and phenomena, due to a lack of understanding by the learners of their essential and nonessential characteristics and connections. There are no conclusions in the answer. The ability to disclose specific manifestations of generalized knowledge is not shown. Speech design requires corrections, correction.
D+	- is put in the case when an incomplete answer is given. There is an illogical presentation. The instructor finds it difficult to prove. The mass of significant errors in the definitions of terms, concepts, characteristics of facts, phenomena. There are no conclusions in the answer. Speech is illiterate. When answering additional questions, the Learner begins to realize the existence of a connection between knowledge only after the instructor's prompt.
D	- is put in the case when an incomplete answer is given, which is a disjointed knowledge of the subject matter with significant errors in the definitions. There is fragmentation, illogical presentation. The educator does not realize the connection of the given concept, theory, phenomenon with other objects of the module (discipline). There are no conclusions, concretization and proof of presentation. Speech is illiterate.

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	Additional and clarifying questions of the teacher do not lead to correction of the answer of the student not only to the question posed, but also to other questions of the module (discipline).
F	- is put in the event that the trainee has discovered gaps in the knowledge of the main material provided for by the program, has not mastered more than half of the module's program (discipline), made mistakes in the answers, failed to fulfill individual tasks stipulated by the forms of current, intermediate and final control, did not work All the main literature provided by the program.

The score "excellent" corresponds to the letters:

A, having a digital equivalent of 4.0 and a percentage of 95-100%;

A-, having a digital equivalent of 3.67 and a percentage of 90-94%.

Evaluation of "good" corresponds to the letters:

B +, having a digital equivalent of 3.33 and a percentage of 85-89;

B, having a digital equivalent of 3.0 and a percentage of 80-84;

B-. Which has a digital equivalent of 2.67 and a percentage of 75-79.

The assessment "satisfactorily" corresponds to the letters:

C +, having a digital equivalent of 2.33 and a percentage of 70-74;

C, having a digital equivalent of 2.0 and a percentage of 65-69;

C-, having a digital equivalent of 1.67 and a percentage of 60-64;

D +, having a digital equivalent of 1.33 and a percentage of 55-59;

D, having a digital equivalent of 1.0 and a percentage of 50-54.

The "not satisfactory" corresponds to the letter F, which has a digital equivalent of 0 and a percentage of 0-49. This assessment is made if the trainee has discovered gaps in the knowledge of the main material provided by the program, has not mastered more than half of the module's program (discipline), made mistakes in the answers, did not perform individual tasks provided by the forms of current, intermediate and final control, not Worked all the main literature provided by the program.

5. Educational and methodological provision of the discipline

	Author, title, year of publication	Information carrier	Available (pcs.)	
			In library	At the department
Main literature				
1	Criminal procedural law. General part./ redactor Toleubekova B.H. Almaty, 2011	paper	20	
2	Criminal procedural law. Special part./ redactor Toleubekova B.H. Almaty, 2013	paper	20	
3	Glushakov A.I. Criminal procedure. M., 2012	paper	2	
4	Dzhekebaev, US. Basic principles of the criminal law of the Republic of Kazakhstan. - Almaty, 2001	paper	57	
5	Kultelev, TM. Criminal customary law of Kazakhs .- Karaganda, 2004.	paper	30	


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B+	- is put in the event that the students are given a full, detailed answer to the question posed, the main provisions of the topic are proved in the answer, a clear structure, logical sequence reflecting the essence of the

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	<p>disclosed concepts, theories, and phenomena is traced. The answer is written in literary terms in terms of science. In the answer, there are shortcomings, corrected by the student with the help of the teacher.</p>
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<p>D+</p>	<p>- is put in the case when an incomplete answer is given. There is an illogical presentation. The instructor finds it difficult to prove. The mass of significant errors in the definitions of terms, concepts, characteristics of facts, phenomena. There are no conclusions in the answer. Speech is illiterate. When answering additional questions, the Learner begins to realize the existence of a connection between knowledge only after the instructor's prompt.</p>
<p>D</p>	<p>- is put in the case when an incomplete answer is given, which is a disjointed knowledge of the subject matter with significant errors in the definitions. There is fragmentation, illogical presentation. The educator does not realize the connection of the given concept, theory, phenomenon with other objects of the module (discipline). There are no conclusions, concretization and proof of presentation. Speech is illiterate.</p>

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