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**THE ROLE OF THE COURT IN THE PROCESS
OF PROOF DURING CRIMINAL PROCEEDING**

Before revealing the essence of the question at issue, in our opinion it is necessary to find out, firstly, what is the process of proof in criminal proceedings, and secondly, who is involved in the process and what their roles are.

These issues are not new in the theory of criminal proceeding. However, they are quite problematic and extremely important. In recent publications of scholars there is disagreement in relation to the role of the court in the process of proof and some of its powers.

Undoubtedly, the court is one of the main participants in the criminal process, because all criminal procedure aims to support the work of the court. However, the court is the only state agency that has the right to recognize a person guilty in a criminal offense. The fact that it is impossible to recognize a person guilty in any criminal offense beyond proving is virtually impossible raises the question whether the court in this case would act as prosecution, since the court's responsibility is to prove the guilt of a person. This absolutely different attitude to the role of the court in proving during the criminal proceedings is caused by the need in research and clear definition of the role of the court. Thus, the question at issue is undoubtedly relevant.

The research allows drawing conclusion that the court is subject to proof and at the same time plays an active role in proving through its powers to conduct during a hearing cognitive court actions involving parties to criminal proceedings. In our opinion, further areas of scientific research should be:

- clarification of the definition of “justice” regarding the current version of the Criminal Procedure Code of Ukraine;
- regulation of cognitive court actions and the role of the participants of trial in them.

