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ABOUT THE NEED FOR IMPROVEMENT OF LEGISLATION REGARDING IMPLEMENTATION OF FORENSIC SCIENCE ACTIVITIES IN UKRAINE

The issue of reforming forensic expert support for justice and the need to improve the legislation of Ukraine regarding forensic science activity were investigated. Despite the fact that in recent years, the norms of the laws of Ukraine have been actively subjected to quite significant changes, some issues remain to be resolved on the legal regulation of forensic expert support for justice in the state. The analysis of the specialized literature and relevant legislation confirms the relevance of this issue. On the basis of studying the norms of the basic and procedural legislation regarding forensic science, proposals for its improvement are presented. So, in order to improve the legislation governing forensic science and the unambiguous application of the conceptual apparatus in this field, it is proposed to change the title of Article 1 of the Law of Ukraine On Judicial Examination and introduce the basic terms used in this Law in the the Criminal Procedural Code of Ukraine, Civil Procedural Code of Ukraine, Code of Administrative Proceedings of Ukraine. Improving the regulatory framework for the appointment and performing forensic examinations, as well as the legal status of a forensic expert on the basis of creating the proper legal status and legal support for organizing activities of the system of state forensic expert institutions, as well as forensic experts who do not work in these institutions; increasing the role of legitimate ways to motivate forensic experts; combating corruption in the field of forensics is one of the most important tasks of forensic expert support in the state. The implementation of the proposed measures will be a powerful lever of influence on the processes of improving forensic activities.

Keywords: forensic science, forensic science activity, improvement of the legislation of Ukraine; appointment of forensic examination, forensic expert conclusion.

Formulation of Research Problem.

Especially in recent years, forensic science plays such an important role in the judiciary that the proportion of criminal proceedings and cases in other types of judiciary could not be effectively investigated and considered by the court without using its results. Among the fundamental issues of reforming forensic activity today are the following:

1. Improvement of normative regulation of issues of appointment and carrying out of judicial examinations, legal status of judicial expert on the basis of creation of proper legal status and legal provision of organization of activity

of the system of state judicial-expert institutions, as well as judicial experts who do not work in these institutions; enhancing the role of legitimate ways to motivate forensic experts; counteracting corruption in the field of forensic science.

2. Development of international cooperation in the field of forensic expertise in order to strengthen the position of Ukrainian forensic science in the world, expanding the knowledge base of experts, development of new technological complexes, including, through the fastest adaptation of modern foreign techniques to the practical area, implementation of modern Ukrainian methods in practice expert laboratories of the world.

3. Reorganization of forensic institutions on the basis of improved legislation and their accreditation in accordance with international standards.

These measures should be implemented in order to create conditions for reducing the time frames for the execution of examinations, raising their scientific level by introducing the latest technologies and equipment, improving the efficiency of the judicial bodies and improving the quality of judicial acts in part, which depends on timely and qualitative carrying out of forensic examinations.

Analysis of Current Researches. The issue of reforming the legislation of Ukraine on the appointment and conduct of judicial examinations is receiving active attention from scientists, including the author of this work¹. At the same time, the authors analyze the gaps in the

¹ Dyv., napr.: *Simakova-Yefremian E. B.* Do pytannia udoskonalennia deiakyykh polozhen normatyvno-pravovykh aktiv shchodo ekspertnoho zabezpechennia pravosuddia Ukrainy [On the Issue of improvement of some provisions of legal acts on expert support of justice of Ukraine]. Aktualni pytannia sudovoi ekspertyzy ta kryminalistyky : materialy mizhnar. nauk.-prakt. konf., prysviach. 90-richchiu stvorennia KhNDiSE im. Zasl. prof. M. S. Bokariusa (Kharkiv, 7–8 lystop. 2013 r.). Kharkiv, 2013. S. 36–38; *Lozovyi A. I., Simakova-Yefremian E. B.* Aktualni pytannia reformuvannia zakonodavstva u sferi sudovo-ekspertnoi diialnosti v Ukraini [Topical issues of legislative reform in the field of forensic expertise in Ukraine]. Teoriia ta praktyka sudovoi ekspertyzy i kryminalistyky. Kharkiv, 2014. Vyp. 14. S. 157–166; *Lozovyi A. I., Simakova-Yefremian E. B.* Shliakhy vyrishennia problem nauково-metodychnoho zabezpechennia ekspertnoi diialnosti v Ukraini [Ways of solving problems of scientific and methodological support of expert activity in Ukraine]. Teoriia ta praktyka sudovoi ekspertyzy i kryminalistyky. Kharkiv, 2015. Vyp. 15. S. 149–156; *Simakova-Yefremian E. B.* Do pytannia pro pryznachennia ta provedennia sudovoi ekspertyzy u kryminalnomu protsesi Ukrainy [On the Issue of appointment and conduct of judicial examination in the criminal process of Ukraine]. Suchasni napriamy rozvytku sudovoi ekspertyzy ta kryminalistyky: tezy dop. nauk.-prakt. konf., prysviach. pamiati Zasl. prof. M. S. Bokariusa (m. Kharkiv, 20 hrudnia 2016 r.). Kharkiv, 2016. S. 254–256; *Simakova-Yefremian E. B.*

legislation of Ukraine that need to be eliminated. Despite the wide range of research on the subject, some issues remain unresolved. It should be noted that there is no consensus among scholars and practitioners regarding the terminological apparatus of forensic examination, in particular, the definition of the notion of forensic examination, rules on primary, additional, repeated, commission and comprehensive forensics; grounds for forensic examination, guarantees of forensic scientist activity, etc.

Article Purpose. On the basis of the analysis of the norms of the legislation of Ukraine, to make proposals for its improvement in the aspect of forensic activities.

Main content presentation. In view of this goal, let us consider the norms of the current legislation, highlighting the positions of the

Problemy normatyvnoho rehuliuвання sudovo-ekspertnoi diialnosti v novomu zakonodavstvi Ukrainy [Problems of regulatory regulation of forensic activity in the new legislation of Ukraine]. Kryminalistyka ta sudova ekspertolohiia: nauka, navchannia, praktyka: 14 mizhnarodnyi konhres (Odesa, 13–14 veresnia 2018 r.). Odesa : NU «OiuA», 2018. Tom 2. S. 411–426; *Simakova-Yefremian E. B.* Deiaki problemni pytannia zastosuvannia novykh norm z pytan pryznachennia ta provedennia sudovoi ekspertyzy [Some problematic issues of the application of new rules on the appointment and conduct of judicial expertise]. Visnyk Odeskoho naukovo-doslidnoho instytutu sudovykh ekspertyz: naukovo-praktychne elektronne vydannia. Vyp. 3. Odesa : ONDiSE, 2018. S. 114–120; *Simakova-Yefremian E. B.* Zminy do pidzakonnnykh normatyvnykh aktiv pro sudovu ekspertyzu ta yikh spivvidnoshennia iz zakonamy [Changes to the by-laws on judicial expertise and their correlation with the laws]. Aktualni pytannia sudovoi ekspertyzy ta kryminalistyky: zb. materialiv mizhnar. nauk.-prakt. konf., prysviach. 105-richchiu z dnia narodzhennia Zasluzhenoho profesora M. S. Bokariusa (Kharkiv, 18–19 kvitnia 2019 r.). Kharkiv : KhNDiSE, 2019. S. 43–45; *Ripenko A.* Sudova ekspertyza: yaki zminy chekaiemo naprykintsi roku? [Forensic examination: what changes do we expect at the end of the year?] URL : <http://blog.liga.net/user/aripenko/article/28826.aspx> (data zvernennia 12.06.2019); Bezzub i. Reforma protsesualnoho zakonodavstva v Ukraini: otsinky ekspertiv [Reform of procedural legislation in Ukraine: expert assessments] URL : <http://Nbuvip.gov.ua/index.php?option=comcontent&view=article&id=3009:reforma-protsesualnogo-zakonodavstva-v-ukrajini-otsinky-ekspertiv&catid=8&itemid=350> <http://blog.liga.net/user/aripenko/article/28826.aspx> (data zvernennia 06.06.2019); Kurilo V. i., Samokhin A. V. Pravove rehuliuвання ekspertnoi diialnosti v Ukraini: problemy ta shliakhy rozvytku [Legal regulation of expert activity in Ukraine: problems and ways of development]. Visnyk Mariupolskoho derzhavnoho universytetu serii: Pravo, 2013. Vyp. 6. S. 66–72; *Starodubov I. V., Polishchuk I. Yu.* Pryniattia novoho Kryminalnoho protsesualnoho kodeksu Ukrainy: osnovni zminy ta novovvedennia, shcho stosuutsia sudovoi ekspertyzy [Adoption of the new Criminal Procedure Code of Ukraine: major changes and innovations concerning forensic examination]. Arotskerivski chytannia : zb. mater. zased., prysv. 85-richchiu vid dnia narodzhennia vydatnoho vchenoho kryminalista L. Yu. Arotskera (Sumy, 1–2 lyst. 2012 r.). MiuU, KhNDiSE. Kharkiv : KhNDiSE, 2012. S. 32–34 toshcho [in Ukrainian].

legislator, for whom during the law enforcement practice there are certain difficulties. In this aspect, the Law of Ukraine dated 03.10.2017 № 2147a «On Amendments to the Economic Procedure Code of Ukraine, the Civil Procedure Code of Ukraine, the Code of Administrative Judiciary of Ukraine and other legislative acts»¹ introduced certain amendments to the Law of Ukraine: *On Forensic Examination* (hereinafter – the Law)², the proportion of which needs improvement. In particular, the following wording of Article 1 of the Law is in force:

«Article 1. Concept of forensic science

Forensic examination provides for «conducting research on the basis of special knowledge in the field of science, technology, art, crafts, etc., objects, phenomena and processes in order to provide an opinion on matters that are or will be subject to judicial review»³.

It should be noted that in our opinion the current version is inadmissible because in the proposed form the definition has lost the direct research subject (forensic expert). It should also be emphasized that phrase: «that is or will be the subject of a trial» needs clarification, since the forensic investigations conducted at the pre-trial stage by, for example, the defense party as well as the expert conclusion, ordered by the party involved (civil, economic, administrative), may or may not become subject to judicial review. In the end, in order to improve the legislation governing forensic activities and to ensure the unambiguous use of the conceptual apparatus in this field, we repeatedly made proposals to change the name of the article and to introduce in it the main terms used in the Law of Ukraine *On Judicial Examination*, in the *Criminal Procedural Code of Ukraine*, the *Commercial and Procedural Code of Ukraine*, the *Code of Administrative Proceedings of Ukraine*⁴.

¹ Pro vnesennia zmin do Hospodarskoho protsesualnoho kodeksu Ukrainy, Tsyvilnoho protsesualnoho kodeksu Ukrainy, Kodeksu administratyvnoho sudochynstva Ukrainy ta inshykh zakonodavchykh aktiv : Zakon Ukrainy [On Amendments to the Commercial Law of Ukraine, the Code of Civil Procedure of Ukraine, the Code of Administrative Procedure of Ukraine and other legislative assets: the Law of Ukraine] vid 03.10.2017 r. № 2147–Viii. Vidomosti Verkhovnoi Rady (VVR). 2017, № 48. St. 436 [in Ukrainian].

² Pro sudovu ekspertyzu [On forensic examination]: Zakon Ukrainy vid 25.02.1994 r. № 4038–Khii. Vidomosti Verkhovnoi Rady Ukrainy (VVR). 1994. № 28. St. 232 (iz zminamy ta dopovnenniamy) [in Ukrainian].

³ Stattia 1 iz zminamy, vnesenymy zghidno z Zakonamy vid 09.09.2004 № 1992–iV, vid 13.04.2012 № 4652–Vi; tekst statti 1 v redaktsii Zakonu vid 03.10.2017 № 2147–Viii [in Ukrainian].

⁴ Dyv., napr.: Simakova-Yefremian E. B. Problemy sudovo-ekspertnoi diialnosti. Visnyk ONDIS: naukovo-praktychne elektronne vydannia [Problems of forensic activity]. Vyp.1. Odesa, 2017. S. 63–69; Simakova-Yefremian E. B. Do

In view of the above, we propose to set forth Article 1 of the Law of Ukraine «On Judicial Examination» in the following wording:

«Article 1. The concept of forensic science and other basic terms used in this law

1. The following basic concepts are used in this Law:

forensic examination is research by a forensic expert on the basis of special knowledge in the field of science, technology, art, craft, etc. of material (materialized) objects with the purpose of establishing factual data (facts) and circumstances of certain phenomena and processes relevant to criminal proceedings, decisions civil, commercial, administrative, administrative offense or enforcement of court decisions;

expert research is the process of cognitive activity of a forensic expert;

samples for expert research: objects of the material world (their fragments, particles, prints, etc.) reflecting peculiarities of a living person, a corpse, an animal, a plant, a substance, an object, a document, etc., are required in accordance with the procedure established by law and providing expert conclusion;

qualification of forensic expert meaning amount of knowledge and skills necessary for conducting forensic expertise in the relevant expert specialty, which is established by attestation of a forensic expert in the manner determined by this Law;

forensic procedure is the result of scientific work, containing a system of methods that are used in the course of successive actions of an expert in order to perform a specific expert task;

forensic activity is a type of activity related to the organization and conduct of forensic and other expert studies in order to provide justice with an independent, qualified and objective expertise focused on maximizing the use of science and technology;

physical evidence, derivatives of physical evidence, specimens, documents, body and condition of the human psyche, corpses (their particles), animals (their particles), plants (their particles), buildings, structures, areas of land, etc., as well as information recorded in case files and other media;

subject of forensic examination – the facts and circumstances of the case, relevant to the criminal proceedings, the decision of a civil,

pytannia pro normatyvno-pravove rehuliuвання sudovo-ekspertnoi diialnosti v umovakh sudovoi reformy v Ukraini [On the Issue of legal regulation of forensic activity in the conditions of judicial reform in Ukraine]. Z nahody 100-richchia vid dnia narodzhennia profesora M. V. Saltevs'koho: zb. materialiv kruhloho stolu, m. Kharkiv, 30 zhovt. 2017. Kharkiv : Pravo, 2017. S. 68–70 ta in [in Ukrainian].

economic, administrative case, an administrative offense case or the execution of court decisions, established on the basis of the expert knowledge of a forensic expert;

specific expertise means professional knowledge and skills of a specialist in the relevant field of science, technology, arts, crafts, etc. (except knowledge of the field of law), acquired by him in the course of training and practical activity in the relevant specialty (profession);

forensic expert area of specialization is a separate area of special knowledge that determines the competence of a forensic expert to conduct a certain type of expert research, according to which the qualification of a forensic expert is assigned».

2. Other terms used in this Law are defined by special rules in this Law and other laws of Ukraine

The following proposal relates to Article 7 of the Law. It is in force as follows:

«Article 7. Subjects of Forensic Examination

Forensic expert activity is carried out by state specialized institutions, as well as forensic experts who are not employees of these institutions, and other specialists (experts) in the relevant fields of knowledge in the manner and under the conditions specified by this Law¹.

The state specialized institutions include:

Forensic science institutions of the Ministry of Justice of Ukraine;

Forensic science institutions, forensic medical and forensic psychiatric institutions of the Ministry of Healthcare of Ukraine;

expert services of the Ministry of Internal Affairs of Ukraine, Ministry of Defense of Ukraine, Security Service of Ukraine, State Border Guard Service of Ukraine.

Only specialized state institutions carry out forensic expertise related to forensic examinations, forensic medical and forensic psychiatric examinations².

The current wording of Article 7 needs to be amended in several respects:

– regarding its norm which establishes the carrying out of forensic activities by state specialized institutions, because the expert's opinion is drawn up not by an institution but by a judicial expert of that institution.

At the same time, as a positive point, it should be noted the changes already made regarding the elimination of the previously established

¹ Chastyna persha stat' 7 v redaktsii Zakoniv vid 03.10.2017 № 2147–VIII, № 187–IX vid 04.10.2019 [in Ukrainian].

² Chastynu chetvertu stat' 7 vykliucheno na pidstavi Zakonu vid 03.10.2017 № 2147–VIII [in Ukrainian].

norm, which enshrined the monopoly of state specialized institutions for expert examination in criminal proceedings;

- need to exclude from the list of subjects of forensic expert activity of the expert services of the Ministry of Defense of Ukraine, as they are absent;

- need to exclude from the list of subjects of forensic expert activity of the expert service of the State Border Service of Ukraine, since the latter belongs to the sphere of administration of the Ministry of Internal Affairs of Ukraine, as stated in the same article of the Law;

- in the editorial plan as for *other professionals*, because it is not clear that they are professionals.

In addition, part three of the article on the implementation of exclusively state specialized institutions of forensic expertise related to the conduct of forensic, forensic and forensic psychiatric examinations has a keen debate character, since it leaves the right to their conduct by those experts who are not employees of state specialized institutions. After all, in other types of justice, the examination may be ordered by the party directly (civil, economic, administrative) and has an equal procedural status with the expertise performed by court order. In addition, in criminal proceedings, there is often a need to involve experts in the fields of specialist knowledge that are not available in a state forensic science institution. In this connection, there is a problem of involving such a specialist in criminal proceedings, since, as we have already stated, according to the current Law of Ukraine *On Judicial Examination*, forensic science activity in criminal proceedings is carried out only by state specialized institutions.

In view of the above, we propose to set forth Article 7 of the Law of Ukraine *On Judicial Examination* in the following wording:

Article 7. Subjects of Forensic Science activity

Forensic expert activity is carried out by state specialized institutions, as well as forensic experts who are not employees of these institutions, and other specialists (experts) in the relevant fields of knowledge in the manner and under the conditions specified by this Law.

The state specialized institutions include:

- Forensic science institutions of the Ministry of Justice of Ukraine;

- Forensic science institutions, forensic medial and forensic psychiatric institutions of the Ministry of Healthcare of Ukraine;

- expert services of the Ministry of Internal Affairs of Ukraine, Security Service of Ukraine.

Only specialized state institutions carry out forensic activities related to the study of objects prohibited and controlled by the state».

Thus, according to part four of Article 8 of the Law «... the Ministry of Justice of Ukraine provides the publication of interdepartmental scientific and methodological collection *Criminalistics and Forensics*»¹.

It should be noted that in addition to the collection mentioned in the current wording of part four of Article 8 of the Law, for almost the 20th year the professional publication, namely: Research paper collection: *Theory and Practice of Forensic Science and Criminalistics* has been published, which is a powerful platform for the publication of advanced opinions in the field of forensic science of both scientists and practitioners of Ukraine and foreign scientists in the field of forensic science.

Therefore, it is necessary to amend the fourth part of Article 8 of the Law in view of this fact.

Our suggestions for editing part four of eighth article:

«... The Ministry of Justice of Ukraine provides the publication of the interdepartmental scientific and methodological collection: *Criminalistics and Forensics* and the Research paper collection: *Theory and Practice of Forensic Science and Criminalistics*».

The following proposal relates to the provision of part two of ninth Article of the Law according to which court experts certified in accordance with this Law are included in the State Register of Certified Forensic Experts, whose responsibility is vested in the Ministry of Justice of Ukraine. The person or body that appoints or orders a forensic examination may commission it to be carried out by those forensic experts who have been entered in the State Register of Certified Forensic Experts, or other specialists in the relevant fields of knowledge, unless otherwise provided by law².

The above mentioned wording of the second paragraph of ninth Article needs clarification, since it does not contain terminology, such as «ordering forensic expertise» (current legislation uses terms such as *appointment of forensic examination, involvement of forensic expert*).

In view of the remarks made to Article 7 of the Law, it is necessary to clarify this provision regarding the involved *other* professionals. Our suggestions for editing part four of ninth article: «... The person or body that appoints or orders a forensic examination may commission it to be carried out by those forensic experts who have been entered in the State

¹ Nazva stat' 8 v redaktsii Zakonu vid 09.09.2004 № 1992-iv [in Ukrainian].

² Chastyna druha stat' 9 v redaktsii Zakonu vid 03.10.2017 № 2147-Viii [in Ukrainian].

Register of Certified Forensic Experts, or other specialists in the relevant fields of knowledge, unless otherwise provided by law».

Article 15 of the Law on Financing Forensic Expertise is in force, the second part of which provides as follows: «Carrying out of forensic examinations by state specialized institutions in criminal proceedings on the instructions of the investigator, prosecutor, court and in cases of administrative offenses is carried out at the expense of funds earmarked for these purposes by these expert institutions from the Government Budget of Ukraine»¹.

It should be noted that in accordance with the requirements of Article 122 of the Criminal Procedural Code of Ukraine of Ukraine: «... Performing forensic examination on behalf of the investigating judge ... is carried out at the expense of funds earmarked for these purposes from these institutions from the Government Budget of Ukraine.» That is why the norm of part two of Article 15 of the Law contradicts the requirements of Article 122 of the Criminal Procedural Code of Ukraine.

Taking in account the fact that under Article 1 of the Criminal Procedural Code of Ukraine, the procedure of criminal proceedings in the territory of Ukraine is determined only (emphasis added) by the criminal procedural legislation of Ukraine, the specified norm of the Law of Ukraine *On Judicial Examination* requires bringing it into compliance with the requirements of the Criminal Procedural Code of Ukraine: After the words «... investigator, prosecutor ...», add the words: *Examining magistrate*» to the second part of Article 15 and read it in the following wording:

«... Carrying out of forensic examinations by state specialized institutions in criminal proceedings on the instructions of the investigator, prosecutor, court and in cases of administrative offenses is carried out at the expense of funds earmarked for these purposes by these expert institutions from the Government Budget of Ukraine». «Carrying out forensic examinations, research and investigations in criminal proceedings by state specialized institutions, forensic science and forensic psychiatric institutions on the order of the suspect, accused, convicted, acquitted, their defenders, legal representative, victim, carried out at the expense of the customer»².

Since the current Criminal Procedural Code of Ukraine does not provide for judicial examinations to be ordered (independently) by the

¹ Chastyna druha statii 15 v redaktsii Zakonu vid 13.04.2012 № 4652–VI [in Ukrainian].

² Statiiu 15 dopovнено novoiu chastynoiu zghidno iz Zakonom vid 13.04.2012 № 4652– VI [in Ukrainian].

victim, his or her representative, then the current norm does not meet the requirements of the Criminal Procedural Code of Ukraine. As mentioned, under Article 1 of the Criminal Procedural Code of Ukraine, the procedure for criminal proceedings in the territory of Ukraine is determined only by the criminal procedural legislation of Ukraine. On this basis, it is imperative to amend the Criminal Procedural Code of Ukraine by providing in Articles 242 and 243 of the Criminal Procedural Code of Ukraine to carry out forensic examinations, investigations and investigations in criminal proceedings by state specialized institutions, forensic and forensic institutions at the request of the victim, his representative at the expense of the customer. The issue of implementation of the current norm of part two of Article 18 of the Law is extremely urgent, according to this part «... Employees of state specialized institutions (non-military personnel and those who do not have rank of rank and command staff) who have the qualification of a court expert shall be assigned a salary. not less than 10 minimum subsistence allowances set for able-bodied persons on January 1 of the calendar year ...»

Unfortunately, the budget legislation of Ukraine for 2018, 2019, the effect of the specified norm ceases. It is necessary to state the fact that today the salary of a court expert is 6123 UAH. In some businesses, the wage bill is several times higher. Top-level scientists with a forensic expert's qualification, a Ph.D. degree, and a professor's rank have been awarded a salary of around eight thousand UAH. This does not take into account the risks that are present in the work of forensic experts: difficult working conditions, corruption risks, the uniqueness of their work, huge responsibility and so on. Thus, the multimillion population of Ukraine of judicial experts of the Ministry of Justice of Ukraine has just over one thousand people !!!

It's for the whole country !!! As a result of inadequate remuneration, unique professionals are looking for more decent wages and are dismissed from judicial review institutions, which is a hindrance to the proper level of justice in Ukraine, causing unprecedented expert workload and the accumulation of unfulfilled forensic examinations. In some departments, dozens or even hundreds of expert proceedings are conducted simultaneously by a court expert, and the time limits for their execution exceed all admissible standards. Implementation of part two of Article 18 of the Law of Ukraine *On Judicial Examination* would have a positive effect, since the work of a forensic expert would be given the status of prestigious and one that the best specialists, including the talented youth, and the elite of experienced scientists would seek.

This is not a complete list of problematic issues regarding the need to improve the current legislation of Ukraine but taking in account the scope of this article, they may be the subject of research in our next publication.

Conclusions. Summarizing the results of the above study we can draw the following conclusions. Improvement of the normative regulation of the issues of appointment and conducting of judicial examinations, and the legal status of a judicial expert on the basis of creation of a proper legal position and regulatory legal support for the organization of the activity of the system of state judicial-expert institutions, as well as judicial experts who do not work in these institutions; enhancing the role of legitimate ways to motivate forensic experts; counteracting corruption in the field of forensic expertise is one of the most important tasks of expert justice in the country.

The implementation of the proposed measures will be a powerful lever of influence on forensic science improving.

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**ПРО НЕОБХІДНІСТЬ УДОСКОНАЛЕННЯ ЗАКОНОДАВСТВА ЩОДО
ЗДІЙСНЕННЯ СУДОВО-ЕКСПЕРТНОЇ ДІЯЛЬНОСТІ
В УКРАЇНІ**

Досліджено питання реформування судово-експертної діяльності та необхідності вдосконалення законодавства України про судово-експертну діяльність. Незважаючи на те, що в останні роки норми законів України активно піддаються досить суттєвим змінам, залишаються не вирішеними окремі питання нормативно-правового регулювання експертного забезпечення правосуддя в

державі. Аналіз спеціальної літератури та відповідних норм законодавства підтверджує актуальність даного питання. На підставі дослідження норм базового та процесуального законодавства про судову експертизу запропоновано пропозиції з удосконалення останнього.

Ключові слова: судова експертиза, судово-експертна діяльність, удосконалення законодавства України; призначення судової експертизи, висновок експерта.

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