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Innovative principles of forensic support of law enforcement activity: issues of concept formation

Theoretical and methodological principles of development and formation of concept of innovative bases of forensic support of law enforcement activity are still insufficiently studied. The main tasks, prospects of implementation and further directions of research of this concept are defined. It is substantiated that innovative bases of forensic support of law enforcement activities should be considered, on the one hand, as creating conditions for effective application of new forensic knowledge and means (technical, tactical, methodological and forensic ones), on the other hand, as a specific type of innovative forensic activity, carried out in order to optimize, improve efficiency and quality of the process of investigation of criminal offenses, hearings and law enforcement in general.

Possibilities and prospects for a significant expansion of boundaries of forensic support, outlining the innovative foundations of forensic support in various areas of law enforcement (in particular, in pre-trial investigation and hearings; in criminal and civil proceedings; administrative proceedings; in prosecutors, lawyers and notaries) are considered. It is noted that innovations in forensic support of law enforcement agencies should be identified both as a whole and by individual entities. With regard to the subjects whose activities need forensic support, certain levels and directions of such activities are identified. New scientific approaches to the solution of the researched discussion questions are substantiated and perspective directions of their research are defined.

Keywords: *innovations in criminalistics, innovative bases of forensic support, innovative directions of development of criminalistics, forensic innovation, concept of innovative forensic support of law enforcement activity.*

Formulation of Research Problem. In modern conditions, one of priority tasks and directions of criminalistics is research and development of forensic

innovations that has a lot of hidden, unused resources and promising practical opportunities that can optimize activities of law enforcement agencies. For effective solving the tasks facing, criminalistics carries out active innovative activities, successfully developing, implementing and applying the latest information technologies, various intelligent systems, nanotechnologies (in particular, creates and implements innovative forensic products which use is aimed primarily at optimizing activities). We believe that to strengthen innovative nature and development of criminalistics, practical value of scientific developments should take into account in research on this issue one of its laws, namely the law of accelerating development of criminalistics under influence of technological advances¹.

In the current conditions of law enforcement reform in Ukraine, the need to intensify development and implementation of forensic innovations in law enforcement has become quite acute (along with organizational problems). In particular, update the system of scientific and technical means for detection, retrieval, recording and preliminary research on evidence, more vigorously apply the latest forensic means and innovative technologies, develop new tactics, operations and recommendations for certain investigative (search) actions and forensic methods of investigation².

Currently, criminalistics and law enforcement practice has accumulated, systematized and generalized a fairly rich empirical material that is the starting point the creation of a separate theory: forensic innovation³, which relevance is beyond doubt. Provisions of forensic innovation form first of all a system of knowledge that characterizes the subject-practical and information-cognitive side of investigative, judicial, expert and other activities. Like criminalistics in general, forensic innovation has an applied nature, as it is a scientific basis for development and application of innovative forensic means of criminal proceedings, hearings, various types of proceedings and legal practice (investigative, judicial, expert, prosecutorial, legal, notarial ones, etc.) for their optimization, increase efficiency

¹ Іщенко А. В., Ієрусалимов І. О., Удовенко Ж. В. Теорія і практика криміналістичного забезпечення процесу доказування в розслідуванні злочинів : навч. посіб. Київ, 2007. Р. 133 ; Черноус Ю. М. Криміналістичне забезпечення розслідування злочинів : монографія. Вінниця, 2017. Р. 139 ; Жижина М. В. Инновационное развитие криминалистики на современном этапе. *Lex Russica (Научные труды МГЮА)*. 2012. № 1. Р. 117 ; Shevchuk V. M. Methodological Problems of the Conceptual Framework Development for Innovation Studies in Forensic Science. *Journal of the National Academy of Legal Sciences of Ukraine*. 2020. 27 (2). Р. 170—183. DOI: <https://doi.org/10.36074/30.10.2020.v2.20> (date accessed: 23.02.2021) etc.

² Шепітько В. Ю., Авдєєва Г. К. Інноваційні засади техніко-криміналістичного забезпечення діяльності органів кримінальної юстиції : монографія ; ред.: В. Ю. Шепітько, В. А. Журавель. Харків, 2017. Р. 22.

³ Shevchuk V. Criminalistic innovation: modern problems of formation and prospects for research. *Perspectives of world science and education* : abstracts of VIII International Scientific and Practical Conference (22—24.04.2020). Osaka, Japan. 2020. Pp. 158—168.

and effectiveness. In this regard, the need to develop innovative support concept for law enforcement as a promising area of research in modern forensic doctrine becomes especially relevant.

Analysis of Essential Researches and Publications. The scientific basis of the research were research papers of forensic scientists devoted to the development of problems of innovative support of law enforcement and innovative areas of forensic science and consideration of some of its debatable issues related to formation of forensic innovation: T. V. Averyanova, G. K. Avdeeva, N. I. Dolzhenko, M. V. Zhizhina, V. A. Zhuravlya, V. O. Konovalova, I. I. Kogutich, M. V. Salteviskiy, D. K. Taryanyk, N. B. Nechaeva, Yu. V. Chornous, V. Yu. Shepitko and others ¹. At the same time, in modern realities in this field of knowledge there are a number of debatable issues regarding research on innovative principles of forensic enforcement and the problems of implementing their provisions and recommendations in the practice of investigative, judicial and forensic expert activities. Methodological problems of developing and forming the concept of innovative principles of forensic support of law enforcement agencies which have not been sufficiently studied so far, require a separate in-depth study, analysis and further scientific elaboration.

The study and analysis of forensic literature indicates that in criminalistics there are currently no special researches on issues of developing and forming innovative principles of forensic support of law enforcement agencies. It should be noted that only in some works and only as a formulation of the problem, scientists note the need to explore certain issues of the activity approach to this

¹ Аверьянова Т. В. Инновации в криминалистике и судебной экспертизе. *Уголовно-процессуальные и криминалистические проблемы борьбы с преступностью* : мат-лы Всерос. науч.-практ. конф. Орёл, 2015. Р. 11—16 ; Берназ П. В. Інновації — основа криміналістичного забезпечення діяльності з розслідування злочинів. *Південноукраїнський правничий часопис*. 2015. № 4. Р. 50 ; Долженко Н. И., Таряник Д. К. Инновации в криминалистическом обеспечении раскрытия и расследования преступлений: некоторые проблемы внедрения и пути их решения. *Научный альманах*. 2017. № 5-1 (31). Р. 274 ; Жижина М. В. Інновації в криминалистике и судебной экспертизе. *Судебная экспертиза: российский и международный опыт* : сб. Междунар. науч.-практ. конф. (Волгоград, 23—24.05.2012). Волгоград, 2012. Р. 22—27 ; Нечаева Н. Б. Інновації в криминалистике. *Ленинградский юридический журнал*. 2013. № 2 (32). Р. 158 ; Сокол В. Ю. Інноваційна діяльність як об'єкт криміналістических досліджень. *«Черные дыры» в Российском Законодательстве*. 2008. № 1. Р. 388—389 ; Шевчук В. М. Криміналістика: традиції, новації, перспективи : добірка наук. пр. / Віктор Шевчук ; [упоряд. Н. А. Чмутова]. Харків, 2020. Р. 859—899 ; Шепітько В. Ю., Журавель В. А., Авдеева Г. К. Інновації в криміналістиці та їх впровадження в діяльність органів досудового слідства. *Питання боротьби зі злочинністю* : зб. наук. пр. Харків, 2011. Вип. 21. Р. 44—45 etc.

issue (P. V. Bernaz, O. H. Volynskyi, V. Yu. Sokol, and others) ¹. In addition, there are trends of significant lag of theoretical developments from the practice of forensic innovations in law enforcement activities of criminal justice. These and other circumstances determine relevance and timeliness of research on these issues and intensification of further research and development of these issues.

This **Article Purpose** is research on methodological principles of innovative principles of forensic law enforcement and the issues of implementing their provisions and recommendations in practice of investigative, judicial and forensic expert activities. The aim is to formulate the concept of innovative principles of forensic enforcement, to outline and consider the most promising areas of research on this issue.

Main Content Presentation. Recently, doctrinal approaches to defining modern understanding of forensic innovation have undergone significant changes². Proposals to apply activity approach in such researches and consider innovations in criminalistics in a broad sense as innovative activity can be considered as certain innovative approaches. Thus, in particular, as noted by V. Yu. Sokol, any new method, new technique, new tool, new methodology, etc., developed by criminalistics for the needs of practice can be considered from standpoint of innovation as a forensic innovation. From the moment of adoption to dissemination, this innovation becomes an innovation. *Innovation* is the result of innovative activity, brought to the stage of practical use of this innovation. Accordingly the development of forensic innovation without its introduction and dissemination does not have a useful effect, but creates preconditions for its further implementation in practice. Innovation is associated with a certain type of activity, innovation one³. Therefore, according to the scientist, solution of forensic issue of scientific support of implementation of recommendations developed by it provides isolation and comprehensive studying in a subject of criminalistics of rather independent, homogeneous group of the laws characterizing application of methods, receptions and means of optimization of innovation activities in practice ⁴.

¹ Вольинский А. Ф. Инновационная сущность криминалистического обеспечения расследования преступлений. *Вестник криминалистики*. Москва, 2011. № 3 (39). P. 26—29 ; Сокол В. Ю. Научно-исследовательские проблемы криминалистики. *Общество и право*. 2008. № 1 (19). P. 218—220 etc.

² Shevchuk V. Modern problems of formation and prospects for researching the concept of criminalistic innovation. *Tendances scientifiques de la recherche fondamentale et appliquée* : collection de papiers scientifiques «ΛΟΓΟΣ» avec des matériaux (Vol. 2), 30 octobre, 2020. Strasbourg, République française. Pp. 67—72.

³ Сокол В. Ю. Инновационная деятельность как объект

⁴ Ibid.

Investigating some problems of forensic innovations in law enforcement, forensic literature focuses¹ on the innovative nature of such activities, the main directions and features of the introduction and application of innovative forensic products in practice in modern conditions. Thus, O. H. Volynskiy notes the special role of innovation in forensic investigation support of criminal offenses. In this regard, in our opinion, it is appropriate to note the scientist that in such realities criminalistics should intensify its predictive function and scientifically and methodologically provide criminal proceedings with forensic recommendations for effective use of these innovative technologies in pre-trial investigation. Only under condition of integrated approach and in such unity and interconnection of tasks it is possible to fully ensure the planning and innovation implementation that involves introduction, dissemination and application of innovations². In addition, it is important to note that without innovative technologies and tools to solve organizational, legal, scientific and technical issues, development and implementation of forensic methods, tools and recommendations to ensure the activities of law enforcement agencies will not meet *efficiency* requirements³.

As the scientist rightly points out, innovations are component of forensic support for investigation of criminal offenses and in the structure of the latter new modern forensic knowledge and skills acquire special significance. Obviously, they do not arise by themselves: such knowledge and skills are formed while certain activity. At the same time, formation and development of new forensic knowledge precedes the actual forensic support. In addition, implementation of such knowledge and skills in investigation of criminal offenses and their prevention, as well as “*determining their content (goals, objectives, forms), taking into account their daily needs*” [Here and below translated from Russian.– Author’s note] is derived from forensic support. However, the issue is much more complex in its content and structure, at least in terms of the tasks to be solved. Basically, all the tasks of criminalistics are closely related to the innovative component of forensic support, implementation of new modern advances in science and technology in practice of criminal investigation⁴.

¹ Волинский А. Ф. Инновационная деятельность в криминалистическом обеспечении расследования преступлений. *Вестник Владимирского юридического института*. Владимир, 2001. № 3 (20). Р. 77—79 ; Сокол В. Ю. *Op. cit.* ; Романюк Д. А. Электронный контроль работы следователя как инновационный подход криминалистического обеспечения расследования преступлений. *Криминалистическое обеспечение расследования преступлений: проблемы, перспективы и инновации* : мат-лы Междунар. науч.-практ. конф., посвящ. 45-лет. каф. криминалистики БГУ (Минск, 12—13.10.2017). Минск, 2017. Р. 93—96 etc.

² Волинский А. Ф. Еще раз о криминалистическом обеспечении и инновациях (письмо ответственному редактору по поводу «Заметок на полях»). *Вестник криминалистики*. Москва, 2012. Вып. 1 (41). Р. 25—27.

³ *Idem*. Инновационная сущность криминалистического обеспечения

⁴ *Idem*. Инновационная деятельность в криминалистическом обеспечении

Analyzing and deepening the researched problems, V. Yu. Shepitko notes that the need to introduce innovations in the investigator activities is due to objective reasons and a number of negative phenomena. First of all, it is a change in the structure of crime itself, as the emergence of new ways and methods of criminal activity affects the emergence of a modern type of criminal who uses latest technology, modern tools, high technology. This presupposes the need for significant changes and the need for practice in forensic support of law enforcement agencies in the fight against crime ¹. In addition, this need is also due to a number of other negative factors, among which the most significant are: solving a significant number of complex mental problems in a relatively short time (lack of time); lack of available technical and tactical means of carrying out activities; difficulties in interaction with professionals and employees of operative units; lack of information about the event under investigation; lack of reliable sources of information; opposition to investigation by interested parties. Implementation of innovations helps to optimize investigation and prevents investigative errors (reduces their number) ².

Some scientific interest in the context of the problem is scientific approaches of M. V. Zhizhina, who notes that one of the main tasks of criminalistics is creation and application of appropriate means, techniques and methods of crime detection and investigation, establishing true circumstances of the case. In order to effectively combat the threat of crime, modern criminalistics integrating and synthesizing the latest advances in science and technology, carries out the most active innovative activities: successfully develops, implements and applies the latest information and knowledge-intensive technologies, various intelligent systems, nanotechnology and etc. In research on this issue, it is necessary to take into account the innovative nature of the development of criminalistics at the present stage and one of its laws; acceleration of criminalistics pace under the influence of technological advances ³. According to the author, there are three main areas of innovative development of criminalistics: 1) use of fundamentally new content, development and implementation of new technologies and solutions (this trend is characteristic mainly for development of forensic researches); 2) introduction and use of various innovative technologies

¹ Шепитько В. Ю. Инновации в криминалистике и следственной деятельности. *Проблемы управления органами расследования преступлений в связи изменением уголовно-процессуального законодательства* : матер. межвуз. науч.-практ. конф. В 2 ч. Ч. 2. Москва, 2007. Р. 45.

² Idem. Проблемы разработки, внедрения и использования инноваций в следственной деятельности. *Использование современных информационных технологий в правоохранительной деятельности и региональные проблемы информационной безопасности* : сб. мат-лов междунар. науч.-практ. конф. Калининград, 2006. Вып. VII. Ч. 1. Р. 126.

³ Жижина М. В. Инновационное развитие криминалистики

in tactics of investigative (search) actions; 3) introduction of modern information technologies into activity of law enforcement bodies and their active application. The selected areas of innovative development do not in any way exhaust the possibilities of using innovative tools and technologies in criminalistics. Development and implementation of forensic innovative products is also carried out “*in other areas of forensic support of pre-trial investigation and judicial proceedings*”¹. As we can see, this is an innovative component of forensic support of the pre-trial investigation and court.

Thus, innovative activity in the structure of forensic support for the investigation of criminal offenses is an integral part of forensic support, which main task is to optimize activities of criminal justice in combating crime through implementation of technological advances. In this regard, the issues of *developing innovative principles of forensic support for investigation of criminal offenses are particularly relevant*.

It should be noted that issue of innovative principles of forensic support² is reflected in research papers of forensic scientists³, so we believe that such scientific developments can be taken into account in further research on this issue. Essence of innovative principles of forensic support of criminal justice in forensic literature is defined as a system of improving its quality that includes development of theoretical basis and terminology, algorithm of innovation and specific latest forensic means based on modern information technology⁴. Improving quality of technical and forensic support of criminal justice authorities is carried out by developing specific viable innovations, their testing

¹ Жижина М. В. Ор. cit.

² Шепітько В. Ю., Авдєєва Г. К. Ор. cit. ; Іщенко А. В., Ієрусалимов І. О., Удовєнко Ж. В. Ор. cit. ; Капустіна М. В. Криміналістичне забезпечення досудового розслідування: поняття та ознаки. *Теорія та практика судової експертизи і криміналістики* : зб. наук. пр. Харків, 2014. Вип. 14. Р. 71—79 ; Черноус Ю. М. Знач. твір. 492 р. ; Шевчук В. М. Методологічні проблеми формування понятійного апарату криміналістичної інноватики. *Вісник Національної академії правових наук України*. Харків, 2020. Т . 27. № 2. Р. 170—183. DOI: [https://doi.org/10.37635/jnalsu.27\(2\).2020.170-183](https://doi.org/10.37635/jnalsu.27(2).2020.170-183) (date accessed: 23.02.2021) ; Idem. Інноваційні напрями розвитку криміналістики. *Інноваційні методи та цифрові технології в криміналістиці, судовій експертизі та юридичній практиці* : мат-ли міжнар. «круглого столу» (Харків, 12.12.2019). Харків, 2019. Р. 142—147 etc.

³ Idem. Інноваційні засади криміналістичного забезпечення діяльності органів правопорядку: постановка проблеми. *Paradigmatic view on the concept of world science* : Collection of scientific papers «ΛΟΓΟΣ» with Proceedings of the International Scientific and Practical Conference (Vol. 2), August 21, 2020. Toronto, Canada: European Scientific Platform. Р. 139—144. DOI: <https://doi.org/10.36074/21.08.2020.v2.51> (date accessed: 23.02.2021).

⁴ Шепітько В. Ю., Авдєєва Г. К. Проблеми розроблення інноваційних засад техніко-криміналістичного забезпечення діяльності органів кримінальної юстиції. *Питання боротьби зі злочинністю* : зб. наук. пр. Харків, 2014. Вип. 27. Р. 156—165.

and implementation in practice of law enforcement agencies. Ensuring quality of technical and forensic support of criminal justice is carried out through the rational organization of research with the use of information technology and the involvement of qualified specialists to develop innovations and provide scientific and practical recommendations for their use in law enforcement¹.

Examining the role and purpose of forensic innovations in combating crime, P. V. Bernaz rightly notes that innovations are the basis of forensic support for criminal investigation and in modern conditions, these issues are particularly relevant, so they can be identified as a priority area of forensic research. Therefore, in current realities, forensic science and each of its sections always face important theoretical and methodological problems aimed at studying and taking into account modern innovative achievements of science and technology, impact of technological advances on development and formation of modern forensic knowledge, their effective use in combating crime and providing innovative forensic recommendations for the urgent needs of investigative, judicial and forensic expert practice. Traditionally, in criminalistics there are three areas of detection, development and implementation of innovations: technical forensics, tactical forensics and providing methods for investigating certain types of crimes². We believe that the technical and forensic field is the most actively developing in terms of innovation, however, there are still many debatable and unresolved issues in research on this issue that need special study and resolution. At the same time, all areas of scientific development (technical, tactical, methodological and forensic one) require further fundamental and applied forensic research, that will provide innovative essence of forensics and prospects for its development.

In view of the above, we can draw the following conclusions.

Firstly, essence of innovative principles of forensic law enforcement should be considered as: 1) activities to create conditions for effective application of new forensic knowledge and means (technical, tactical, methodological and forensic ones) and constant readiness of pre-trial investigation bodies to solve forensic issues using innovative forensic products; 2) specific type of innovative forensic activity, carried out in order to optimize, improve efficiency and quality of investigation, hearings and crime prevention. We believe that such a comprehensive and systematic approach creates a methodological basis and necessitates development and formation of a *separate theory concept of innovative support of forensic activities as a priority area of research in modern forensic science*.

¹ Шепітько В. Ю., Авдєєва Г. К. Інноваційні засади техніко-криміналістичного забезпечення ... Р. 13.

² Берназ П. В. *Op. cit.* С. 50 ; Шевчук В. М. Сучасний стан та тенденції розвитку криміналістики: актуальні проблеми сьогодення. *Проблеми законності*. 2019. Вип. 146. Р. 234—246 etc.

Secondly, innovative principles of forensic support of law enforcement activities should also be considered in the form of a system for creating, implementing and using innovations in practice aimed at optimizing such practices and creating conditions for constant readiness of investigators, judges and law enforcement to apply innovative forensic means designed to solve forensic issues and the practical implementation of these conditions and means. This is a system of measures for development, implementation and use of innovative forensic means, methods, technologies which purpose is to optimize, improve quality and efficiency of detection, investigation and prevention of criminal offenses and law enforcement in general.

Thirdly, it seems that all the above points of view on innovative principles of forensic law enforcement are united by the fact that they relate to the use of innovative forensic means while detection, investigation and prevention of criminal offenses. At the same time, in our opinion, it should be noted that forensic innovations are used not only in pre-trial investigation, but in legal proceedings and other areas of activity ¹. This is due to the more active introduction of innovative forensic means (both specially designed and adapted for the needs of criminalistics) not only in investigative activities, but also in judicial, expert, law enforcement and other areas of everyday life. Examples include the use of fingerprint scanners, polygraphs during hiring, various equipment (including forensic) for business activities, etc. in modern telecommunications and security systems. However, one of the first and main directions of forensic support was and remains law enforcement activity ².

With this in mind, we can conclude that opportunities for use of innovations in forensic support in areas of law enforcement that are not exclusively related to investigation and prevention of criminal offenses. We are speaking about a significant expansion of the boundaries of innovative forensic support, so we can speak about *innovative principles of forensic support in various areas of law enforcement*. This can be confirmed by numerous researches by forensic scientists of theoretical and applied application issues of achievements of criminalistics in litigation, criminal and civil proceedings, administrative proceedings, prosecutors, lawyers and notaries ³ and others.

¹ Когутич І. І. Тенденції пристосування криміналістичних знань у здійсненні судочинства. *Вісник Львівського університету*. Серія юридична. 2013. Вип. 57. Р. 338 ; Шевчук В. М. Інновації у криміналістичній техніці: сучасні можливості й проблеми застосування. *Науковий вісник Міжнародного гуманітарного університету*. Серія «Юриспруденція». Одеса, 2020. № 43. Р. 146—151 etc.

² Перлін С. Поняття і види техніко-криміналістичного забезпечення правозастосовної діяльності. *Підприємництво, господарство і право*. 2020. № 1. Р. 221—226.

³ Ароцкер Л. Е. Криминалистические методы в судебном разбирательстве уголовных дел : автореф. дис. ... д-ра юрид. наук. Москва, 1965. 38 р. ; Козьяков І.

In view of the above, innovative principles of forensic support should be applied to certain subjects. In particular, one of law enforcement areas is the activities of criminal justice bodies. It is crucial to clarify innovation essence in criminal proceedings, not only their type, content and scope but the subject using them. Developing this idea, we note that subjective side of innovative principles of forensic support is also manifested in the subject definition whose activities are accompanied by the use of innovative forensic means. Therefore, we can speak about the innovative principles of forensic support for activities of both the police and other bodies belonging to the criminal justice system including the court.

In addition, currently the problem is posed and the need to develop innovative principles of forensic support of the newly created Bureau of Economic Security of Ukraine. As you know, in order to implement effective reform in combating criminal threats to economic security in Ukraine, optimize the criminal justice system and eliminate duplication of law enforcement functions in early 2021, Bureau of Economic Security of Ukraine: central executive body tasked with combating offenses that encroach on functioning of the state economy and implementation of law enforcement, analytical, economic, informational and other functions (Article 1 of the Law: *On the Bureau of Economic Security of Ukraine*)¹.

Successful and effective support of the Bureau of Economic Security of Ukraine involves application of a comprehensive approach to solving assigned tasks. Among them, active use of all possible types and forms of ensuring activities of the Bureau is of particular importance: organizational; social and monetary; financial and logistical; personnel; psychological; information and analytical; scientific and methodical; legal; forensic ones.

Thus, in current realities, one of the priority tasks of criminalistics is to develop innovative principles of forensic support of the Bureau of Economic Security of Ukraine which now has quite a lot of promising practical opportunities that can optimize the activities of this body. As can be seen, a comprehensive solution to this problem involves taking into account in criminalistics three areas of such activities: technical forensics, tactical forensics and ensuring

Теоретичні основи криміналістичного забезпечення процесуального керівництва прокурором досудовим розслідуванням. *Науковий часопис Національної академії прокуратури України*. 2014. № 2. Р. 60—71 ; Рубис А. С. Основы теории криминалистического обеспечения деятельности прокурора в сфере борьбы с преступностью : монография. Минск, 2006. 416 р. ; Пінчук Н. І. Теоретичні та правові питання і практика криміналістичного забезпечення діяльності нотаріату : автореф. дис. ... канд. юрид. наук. Київ, 2008. 21 р.

¹ Про Бюро економічної безпеки України : Закон України від 28.01.2021 р. № 1150-IX (зі змін. та допов.). URL: <https://zakon.rada.gov.ua/laws/show/1150-20> (date accessed:: 23.02.2021).

the formation and improvement of forensic methods of investigating criminal economic crimes¹.

With this in mind, we consider it appropriate to single out innovations in forensic support of law enforcement agencies as a whole and as individuals. According to the subjects which activity requires forensic support, the following levels can be distinguished: 1) forensic support of law enforcement activity in general; 2) forensic support for activities of criminal justice bodies; 3) forensic support of activities of individual departments and bodies (bodies of the system of the Ministry of Internal Affairs of Ukraine, Security Service of Ukraine, the prosecutor's office, Bureau of Economic Security of Ukraine, etc.); 4) forensic support of activities of individual entities (investigators, detectives, analysts, employees of operational units, experts). For its part, in terms of implementation, the following levels of forensic support are subject to separation: 1) litigation by industry (criminal proceedings, administrative, civil, arbitration, commercial litigation); 2) separate stages and proceedings in criminal proceedings (pre-trial investigation and legal proceedings); 3) investigation of certain types of crimes as a component of forensic support of pre-trial investigation; 4) carrying out of separate investigative (search) actions, i.e. help of forensic experts and interaction with operative and search divisions.

This suggests that innovative principles of forensic law enforcement is a fairly broad, comprehensive concept, that contains a set of innovative forensic means and methods of their application, activities of certain entities to create appropriate conditions for effective use of these tools in law enforcement practice, on the other hand, a system of scientific provisions that study the patterns of innovative forensic activities which results are aimed at solving practical problems in the use of innovative forensic products in the activities of law enforcement agencies.

Thus, innovative principles of forensic support of law enforcement is a system of measures for the creation, implementation and use of innovative forensic products in law enforcement practice including development of theoretical basis and terminology, algorithm of innovative activities to solve practical problems and effective functioning of innovative methods of innovation and technologies aimed at optimizing, improving the quality and effectiveness of law enforcement.

Conclusions. Given the above, we can conclude that issues of developing and forming innovative principles of forensic support of law enforcement in modern conditions is one of the most important tasks of forensics. At the same

¹ Шепітько В. Ю. Завдання криміналістики в умовах глобальних загроз та еволюційних перетворень злочинності. *Криміналістика и судебная экспертиза: наука, обучение, практика* : мат-ли наук.-практ. конф. Міжнар. конгресу криміналістів (Одеса, 13—15.09.2018) : у 2 т. Т. 1. Одеса, 2018. Р. 14—26.

time, in our opinion, essence of innovative principles of forensic law enforcement should be considered, on the one hand, as activities to create conditions for effective application of new forensic knowledge and means (technical, tactical, methodological and forensic ones) and constant readiness of pre-trial bodies to solve forensic problems with the use of innovative forensic products and on the other hand, as a specific type of innovative forensic activity, carried out to optimize, improve efficiency and quality of criminal investigation, trial and enforcement in general.

Development of this issue is quite relevant in both theoretical and practical terms. In the criminological doctrine and practice of combating crime, creation issues, implementation and application of innovations in the practice of law enforcement, criminal justice, court have always been and remain the priority of criminalistics. At the same time, in modern realities in this field of knowledge there are a number of debatable issues regarding research on innovative principles of forensic support of law enforcement agencies and issues of implementing their provisions and recommendations in the practice of investigative, judicial and forensic activities. In this regard, a separate in-depth study, critical analysis and further research need theoretical and methodological issues of development and formation of concept of innovative principles of forensic support of law enforcement as one of new scientific directions in forensic science formed in modern conditions.

References

- Averianova, T. V. (2015). *Innovatsii v kriminalistike i sudebnoi ehkspertize. Ugolovno-protseessualnye i kriminalisticheskie problemy borby s prestupnostiu* : mat-ly Vseros. nauch.-prakt. konf. Orel [in Russian].
- Arotsker, L. E. (1965). *Kriminalisticheskie metody v sudebnom razbiratelstve ugovolnykh del* : avto-ref. dis. ... d-ra iurid. nauk. Moskva [in Russian].
- Bernaz, P. V. (2015). Innovatsii — osnova kryminalistychnoho zabezpechennia diialnosti z rozsliduvannia zlochyniv. *Pivdennoukrainskyi pravnychyi chasopys*. № 4 [in Ukrainian].
- Chornous, Yu. M. (2017). *Kryminalistychno zabezpechennia rozsliduvannia zlochyniv* : monohraf. Vinnytsia [in Ukrainian].
- Dolzhenko, N. I., Tarianik, D. K. (2017). Innovatsii v kriminalisticheskom obe-spechenii raskrytiia i rassledovannia prestuplenii: nekotorye problemy vnedreniia i puti ikh resheniia. *Nauchnyi almanakh*. № 5-1 (31) [in Russian].
- Ishchenko, A. V., Hierusalymov, I. O., Udovenko, Zh. V. (2007). *Teoriia i praktyka kryminalistychnoho zabezpechennia protsesu dokazuvannia v rozsliduvanni zlochyniv* : navch. posib. Kyiv [in Ukrainian].

- Kapustina, M. V. (2014). Kryminalistychnе zabezpechennia dosudovoho rozsliduvannia: poniattia ta oznaky. *Teoriia ta praktyka sudovoi ekspertyzy i kryminalistyky* : zb. nauk. pr. Kharkiv. Vyp. 14 [in Ukrainian].
- Kohutych, I. I. (2013). Tendentsii prystosuvannia kryminalistychnykh znan u zdiisnenni sudochynstva. *Visnyk Lvivskoho universytetu*. Seriiа yurydychna. Vyp. 57 [in Ukrainian].
- Koziakov, I. (2014). Teoretychni osnovy kryminalistychnoho zabezpechennia protsesualnogo kerivnytstva prokurorom dosudovym rozsliduvanniam. *Naukovyi chasopys Natsionalnoi akademii prokuratury Ukrainy*. № 2 [in Ukrainian].
- Nechaeva, N. B. (2013). Innovatsii v kriminalistike. *Leningradskii iuridicheskii zhurnal*. № 2 (32) [in Russian].
- Perlin, S. (2020). Poniattia i vydy tekhniko-kryminalistychnoho zabezpechennia pravozastosovnoi diialnosti. *Pidpriemnytstvo, hospodarstvo i pravo*. № 1 [in Ukrainian].
- Pinchuk, N. I. (2008). *Teoretychni ta pravovi pytannia i praktyka kryminalistychnoho zabezpechennia diialnosti notariatu* : avtoref. dys. ... kand. yuryd. nauk. Kyiv [in Ukrainian].
- Pro Biuro ekonomichnoi bezpeky Ukrainy* : Zakon Ukrainy vid 28.01.2021 r. № 1150-IX (zi zmin. ta dopov.). URL: <https://zakon.rada.gov.ua/laws/show/1150-20> (data zvernennia: 23.02.2021) [in Ukrainian].
- Romaniuk, D. A. (2017). Ehlektronnyi kontrol raboty sledovatel'ia kak innovatsionnyi podkhod kriminalisticheskogo obespecheniia rassledovaniia prestuplenii. *Kriminalisticheskoe obespechenie rassledovaniia prestuplenii: problemy, perspektivy i innovatsii* : mat-ly Mezhdunar. nauch.-prakt. konf., posviashch. 45-let. kaf. kriminalistiki BGU (Minsk, 12—13.10.2017). Minsk [in Russian].
- Rubis, A. S. (2006). *Osnovy teorii kriminalisticheskogo obespecheniia deiatel'nosti prokurora v sfere borby s prestupnostiu* : monograf. Minsk [in Russian].
- Sokol, V. IU. (2008). Innovatsionnaia deiatel'nost' kak obiekt kriminalisticheskikh issledovaniy. «*Chernye dyrY*» v Rossiiskom Zakonodatel'stve. № 1 [in Russian].
- Sokol, V. Iu. (2008). Naukovedcheskie problemy kriminalistiki. *Obshchestvo i pravo*. № 1 (19) [in Russian].
- Shepitko, V. Iu. (2007). Innovatsii v kriminalistike i sledstvennoi deiatel'nosti. *Problemy upravleniia organami rassledovaniia prestuplenii v sviazi izmeneniem ugovolno-protsessual'nogo zakonodatel'stva* : mater. mezhd. nauch.-prakt. konf. V 2 ch. CH. 2. Moskva [in Russian].
- Shepitko, V. Iu. (2006). Problemy razrabotki, vnedreniia i ispolzovaniia innovatsii v sledstvennoi deiatel'nosti. *Ispolzovanie sovremennykh informatsionnykh tekhnologii v pravookhranitel'noi deiatel'nosti i regionalnye problemy*

- informatsonnoi bezopasnosti* : sb. mat-lov mezhdunar. nauch.-prakt. konf. Kaliningrad. Vyp. VII. Ch. 1 [in Russian].
- Shepitko, V. Yu. (2018). Zavdannia kryminalistyky v umovakh hlobalnykh zahroz ta evoliutsiinykh peretvoren zlochynnosti. *Krymynalystyka y sudebnaia ekspertyza: nauka, obuchenye, praktyka* : mat-ly nauk.-prakt. konf. Mizhnar. konhresu kryminalistiv (Odesa, 13—15.09.2018) : u 2 t. T. 1. Odesa [in Ukrainian].
- Shepitko, V. Yu., Avdieieva, H. K. (2017). *Innovatsiini zasady tekhniko-kryminalistychnoho zabezpechennia diialnosti orhaniv kryminalnoi yustytsii* : monohraf. ; red.: V. Yu. Shepitko, V. A. Zhuravel. Kharkiv [in Ukrainian].
- Shepitko, V. Yu., Avdieieva, H. K. (2014). Problemy rozroblennia innovatsiinykh zasad tekhniko-kryminalistychnoho zabezpechennia diialnosti orhaniv kryminalnoi yustytsii. *Pytannia borotby zi zlochynnistiu*: zb. nauk. pr. Kharkiv. Vyp. 27 [in Ukrainian].
- Shevchuk, V. (2020). Criminalistic innovation: modern problems of formation and prospects for research. *Perspectives of world science and education* : abstracts of VIII International Scientific and Practical Conference (22—24.04.2020). Osaka, Japan. Pp. 158—168.
- Shevchuk, V. M. (2020). Methodological Problems of the Conceptual Framework Development for Innovation Studies in Forensic Science. *Journal of the National Academy of Legal Sciences of Ukraine*. 27 (2). DOI: <https://doi.org/10.36074/30.10.2020.v2.20> (data zvernennia: 23.02.2021) [in Ukrainian].
- Shevchuk, V. (2020). Modern problems of formation and prospects for researching the concept of criminalistic innovation. *Tendances scientifiques de la recherche fondamentale et appliquée* : collection de papiers scientifiques «ΛΟΓΟΣ» avec des matériaux (Vol. 2), 30 octobre, 2020. Strasbourg, République française. Pp. 67—72.
- Shevchuk, V. M. (2020). Innovatsii u kryminalistychnii tekhnitsi: suchasni mozhlyvosti y problemy zastosuvannia. *Naukovyi visnyk Mizhnarodnoho humanitarnoho universytetu*. Seriiia «Iurysprudentsiia». Odesa. № 43 [in Ukrainian].
- Shevchuk, V. M. (2020). Innovatsiini zasady kryminalistychnoho zabezpechennia diialnosti orhaniv pravoporiadku: postanovka problemy. *Paradigmatic view on the concept of world science* : Collection of scientific papers «ΛΟΗΟΣ» with Proceedings of the International Scientific and Practical Conference (Vol. 2), August 21, 2020. Toronto, Canada: European Scientific Platform. DOI: <https://doi.org/10.36074/21.08.2020.v2.51> (data zvernennia: 23.02.2021) [in Ukrainian].
- Shevchuk, V. M. (2019). Innovatsiini napriamky rozvytku kryminalistyky. *Innovatsiini metody ta tsyfrovi tekhnologii v kryminalistytsi, sudovii ekspertyzi ta yurydychnii praktytsi* : mat-ly mizhnar. «kruhloho stolu» (Kharkiv, 12.12.2019). Kharkiv [in Ukrainian].

- Shevchuk, V. M. (2020). *Kryminalistyka: tradytsii, novatsii, perspektyvy* : dobirka nauk. pr. / Viktor Shevchuk ; [uporiad. N. A. Chmutova]. Kharkiv [in Ukrainian].
- Shepitko, V. Yu., Zhuravel, V. A., Avdieieva, H. K. (2011). Innovatsii v kryminalistytsi ta ikh vprovadzhenia v diialnist orhaniv dosudovoho slidstva. *Pytannia borotby zi zlochynnistiu* : zb. nauk. pr. Kharkiv. Vyp. 21 [in Ukrainian].
- Shevchuk, V. M. (2020). Metodolohichni problemy formuvannia poniatiinoho aparatu kryminalistychnoi innovatyky. *Visnyk Natsionalnoi akademii pravovykh nauk Ukrainy*. Kharkiv. T. 27. № 2. DOI: [https://doi.org/10.37635/jnalsu.27\(2\).2020.170-183](https://doi.org/10.37635/jnalsu.27(2).2020.170-183) (data zvernennia: 23.02.2021) [in Ukrainian].
- Shevchuk, V. M. (2019). Suchasnyi stan ta tendentsii rozvytku kryminalistyky: aktualni problemy sohodennia. *Problemy zakonnosti*. Vyp. 146 [in Ukrainian].
- Volynskii, A. F. (2012). Eshche raz o kriminalisticheskome obespechenii i innovatsiiakh (pismo otvetstvennomu redaktoru po povodu «Zametok na poliaKH»). *Vestnik kriminalistiki*. Moskva. Vyp. 1 (41) [in Russian].
- Volynskii, A. F. (2001). Innovatsionnaia deiatelnost v kriminalisticheskome obespechenii rassledovaniia prestuplenii. *Vestnik Vladimirskego iuridicheskogo instituta*. Vladimir. № 3 (20) [in Russian].
- Volynskii, A. F. (2011). Innovatsionnaia sushchnost kriminalisticheskogo obespecheniia rassledovaniia prestuplenii. *Vestnik kriminalistiki*. № 3 (39) [in Russian].
- Zhizhina, M. V. (2012). Innovatsii v kriminalistike i sudebnoi ehkspertize. *Sudebnaia ehkspertiza: rossiiskii i mezhdunarodnyi opyt* : sb. Mezhdunar. nauch.-prakt. konf. (Volgograd, 23—24.05.2012). Volgograd [in Russian].
- Zhizhina, M. V. (2012). Innovatsionnoe razvitie kriminalistiki na sovremennom ehtape. *Lex Russica (Nauchnye trudy MGIUA)*. № 1 [in Russian].

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**Інноваційні засади криміналістичного забезпечення
правозастосовної діяльності:
проблеми формування концепції**

Досліджено теоретико-методологічне підґрунтя концепції інноваційних засад криміналістичного забезпечення правозастосовної діяльності. Визначено основні завдання, перспективи впровадження й подальші напрями досліджень цієї концепції. Обґрунтовано, що інноваційні засади криміналістичного забезпечення діяльності органів правопорядку необхідно розглядати, з одного боку, як створення умов для ефективного застосування нових криміналістичних знань і засобів (техніко-, тактико-,

методико-криміналістичних), а з іншого — як специфічний вид інноваційної криміналістичної діяльності, здійснюваної з метою оптимізації, підвищення ефективності та якості процесу розслідування кримінальних правопорушень і судового розгляду.

Ключові слова: інновації у криміналістиці, інноваційні засади криміналістичного забезпечення, інноваційні напрями розвитку криміналістики, криміналістична інноватика, концепція інноваційного криміналістичного забезпечення правозастосовної діяльності.

В. М. Шевчук

**Инновационные основы криминалистического обеспечения
правоприменительной деятельности:
проблемы формирования концепции**

Исследованы всё ещё недостаточно изученные теоретико-методологические принципы разработки и формирования концепции инновационных основ криминалистического обеспечения правоприменительной деятельности. Определены основные задачи, перспективы внедрения и дальнейшие направления исследований этой концепции. Обосновано, что инновационные основы криминалистического обеспечения деятельности органов правопорядка необходимо рассматривать, с одной стороны, как создание условий для эффективного применения новых криминалистических знаний и средств (технико-, тактико-, методико-криминалистических), а с другой — как специфический вид инновационной криминалистической деятельности, осуществляемой с целью оптимизации, повышения эффективности и качества процесса расследования уголовных правонарушений, судебного рассмотрения и правоприменения вообще.

Очерчены возможности и перспективы значительного расширения границ криминалистического обеспечения, позволяющие говорить об инновационных основах криминалистического обеспечения в различных сферах правоприменения (в частности, в досудебном расследовании и судебном рассмотрении; в уголовном и гражданском судопроизводстве; административном производстве; в прокурорской, адвокатской и нотариальной деятельности и пр.). Отмечено, что инновации в криминалистическом обеспечении деятельности органов правопорядка целесообразно выделять как в целом, так и по отдельным субъектам. В отношении субъектов, деятельность которых нуждается в криминалистическом обеспечении, выделены определённые уровни и направления такой деятельности. Обоснованы новые научные подходы к решению исследуемых дискуссионных вопросов и определены перспективные направления их исследования.

Ключевые слова: инновации в криминалистике, инновационные основы криминалистического обеспечения, инновационные направления развития криминалистики, криминалистическая инноватика, концепция инновационного криминалистического обеспечения правоприменительной деятельности.

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Contributor

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