

Internal Expert Conviction: Forensic Veterinary Aspect

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Using general scientific and special scientific methods, problematic aspects of internal conviction phenomenon of forensic expert (in particular, forensic veterinarian) are outlined and ways of their solution are proposed. It has been proven that this category is an element of independence and immediacy of research on object specifics and properties in order to find out factual data and case (proceedings) circumstances. The author's definition of concept of "internal conviction of forensic expert" is formulated, its specifics and factors affecting its formation are singled out. Mechanism for minimizing influence of subjectivism on forensic expert activity and on drawing up forensic expert conclusion is proposed. Structure of expert's inner conviction is revealed and attention is focused on the fact that it is expedient to distinguish epistemological, psychological, ethical, moral and legal components. Directions of implementation of this phenomenon in forensic expert activity are considered. It is argued that internal conviction of forensic expert should be understood as the state of his consciousness and feelings which is the result of mental subjective activity while conducting expert research and evaluating the signs and properties of tangible and materialized objects in order to find out the factual data and circumstances of case (proceedings) according to a specific examination, when he considers the condition of objects provided for research to be suitable, and their number sufficient to provide a well-founded and objective conclusion; is sure of its correctness, does not doubt infallibility of his decision and is ready to act in accordance with.

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Keywords: forensic veterinary medicine; forensic veterinary; forensic veterinarian; inner conviction; forensic expert independence; research immediacy; signs and properties of object; forensic expert activity.

Research Problem Formulation

The main principles of legal proceedings in Ukraine are, in particular, legality, equality of all participants in trial before the law and court, ensuring guilt proof while simultaneously guaranteeing accused the right to defense (Part 2, Article 129 of the Constitution of Ukraine¹. Fairness of administration of justice depends on thoroughness of investigation and evidence indisputability, therefore, on the results of independent, objective and qualified forensic examination, focused on the maximum use of achievements of science and technology (preamble to the Law of Ukraine: *On Judicial Examination*, hereinafter referred to as *Specialized Law*)², in the form of con-

sistently high-quality, scientifically based and unbiased conclusions of forensic experts³. In view of this, any forensic expert while formulating conclusions based on the results of studying signs and properties of investigated objects, in order to find out factual data and circumstances of the case (proceedings), faces the difficult problem of internal conviction in correctness of such conclusions, since they is a guarantee of the objectivity of investigation of a crime, a measure of the public's trust in forensic expert system as a component of jurisprudence, judiciary, and authority of forensic expert himself, after all, fate of a person depends on these conclusions (guilty can be acquitted, and innocent can be accused)⁴.

- 1 Конституція України : Закон України від 28.06.1996 р. № 254к/96-ВР (зі змін. та допов.). URL: <https://zakon.rada.gov.ua/laws/show/254к/96-вр#Text> (date accessed: 10.08.2023).
- 2 Про судову експертизу : Закон України від 25.02.1994 р. № 4038-ХІІ (зі змін. та допов.). URL: <https://zakon.rada.gov.ua/laws/show/4038-12#Text> (date accessed: 20.09.2023).
- 3 Cooper J. E., Cooper M. Veterinary involvement in forensic medicine. *The Veterinary Record*. 2021. Vol. 189. Is. 6. Pp. 49–250. DOI: [10.1002/vetr.1004](https://doi.org/10.1002/vetr.1004) (date accessed: 21.09.2023); Mazzante N. M. G., Ferras de Camargo B. W. D., de Sanctis P., Fogaça J. L., Vettorato M. D., Tremori T. M., Babboni S. D., Machado de Vasconcelos M. D., Rocha N. S. Post-mortem Analysis of Injuries by Incomplete Hanging in Dog (*Canis familiaris*) Through Radiographs and Forensic Necropsy. *Journal of Forensic Radiology and Imaging*. 2020. Vol. 20. 5 p. DOI: [10.1016/j.jofri.2019.100350](https://doi.org/10.1016/j.jofri.2019.100350) (date accessed: 21.09.2023); Nation P. N. Forensic submissions in a diagnostic pathology practice: A 10-year review. *The Canadian Veterinary Journal*. 2021. Vol. 62. Is. 4. Pp. 384–388. URL: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7953922/> (date accessed: 21.09.2023).
- 4 Dzikowski A. Veterinary Expert: Legal Nature and Responsibility. *Animals (Basel)*. 2023. Vol. 13. Is. 13. Art. 2163. DOI: [10.3390/ani13132163](https://doi.org/10.3390/ani13132163) (date accessed: 21.09.2023); Rebolada-Merino A., Bárcena C., Mayoral-Alegre F. J., García-Real I., Domínguez L., Rodríguez-Bertos A. Forensic cases of suspected dog and cat abuse in the Community of Madrid (Spain), 2014–2019. *Forensic Science International*. 2020. Vol. 316. Art. 110522. DOI: [10.1016/j.forsciint.2020.110522](https://doi.org/10.1016/j.forsciint.2020.110522) (date accessed: 21.09.2023); Araújo D., Lima C., Mesquita J. R., Amorim I., Ochôa C. Characterization of Suspected Crimes against Companion Animals in Portugal. *Animals (Basel)*. 2021. Vol. 11. Is. 9. DOI: [10.3390/ani11092744](https://doi.org/10.3390/ani11092744) (date accessed: 21.09.2023); Munro R. Viewpoint: Integrity and Limitations of Forensic Veterinary Evidence. *Journal of Comparative Pathology*. 2022. Vol. 199. Pp. 86–87. DOI: [10.1016/j.jcpa.2022.10.003](https://doi.org/10.1016/j.jcpa.2022.10.003) (date accessed: 21.09.2023).

Therefore, the issue of forming the expert's internal conviction during forensic examination (in particular, forensic veterinary one) is quite problematic and needs to be resolved.

Analysis of Essential Researches and Publications

Many scientists, including this research paper author ⁵, analyzed the issue of appointment and conducting forensic examinations. Undoubtedly, their achievements contributed to solution of

some issues, although certain issues have not attracted due attention of scientists to this day.

Many Ukrainian theoreticians and practitioners devoted their research to the problem of internal conviction of the investigator, judge, and forensic expert: D. Shcherbaniuk ⁶, L. Bordiuhov ⁷ (formation of internal conviction about expediency of exercising right to expert initiative); N. Drozdovych ⁸, V. Hyrovych ⁹, A. A. Tkachuk ¹⁰, I. Serkevych and Yu. Lisitsyna ¹¹; S. Khopta ¹²; A. Shevchenko ¹³; Yu. Melikhova ¹⁴,

- 5 Яценко І. В. Гносеологічна характеристика та процесуальне значення етапів і стадій призначення та проведення судово-ветеринарної експертизи. *Теорія та практика судової експертизи і криміналістики*. 2023. Вип. 1 (30). С. 70–111. DOI: 10.32353/khrife.1.2023.05 (date accessed: 21.09.2023).
- 6 Щербанюк Д. В. Формування в судового експерта внутрішнього переконання про доцільність реалізації права на експертну ініціативу. *Правові новели*. 2018. № 4. С. 295–299.
- 7 Бордюгов Л. Г. Внутрішнє переконання експерта (об'єктивні та суб'єктивні аспекти). *Форум права*. 2010. № 3. С. 13–18. URL: http://nbuv.gov.ua/UJRN/FP_index.htm_2010_3_4 (date accessed: 21.09.2023).
- 8 Дроздович Н. Л. Внутрішнє переконання судді як елемент принципу вільної оцінки доказів. *Часопис Київського університету права*. 2010. № 1. С. 250–258. URL: <http://dspace.nbuv.gov.ua/handle/123456789/23307> (date accessed: 21.09.2023) ; Його ж. Проблеми визначення поняття внутрішнє переконання судді у кримінальному процесі України. *Там само*. 2009. № 3. С. 224–229. URL: <http://dspace.nbuv.gov.ua/handle/123456789/22685> (date accessed: 21.09.2023).
- 9 Гирович В. Внутрішнє переконання судді — основний елемент засади безпосередності дослідження показань, речей, документів. *Jurnalul Juridic Național: Teorie și Practică*. 2015. С. 89–94. URL: http://www.jurnaluljuridic.in.ua/archive/2015/5/part_2/20.pdf (date accessed: 21.09.2023).
- 10 Ткачук А. Внутрішнє переконання судді як метод і результат оцінки доказів у цивільному процесі. *Підприємництво, господарство і право*. 2016. № 2. С. 43–47. URL: http://nbuv.gov.ua/UJRN/Pgip_2016_2_9 (date accessed: 21.09.2023).
- 11 Серкевич І. Р., Лісіцина Ю. О. Психологічні особливості внутрішнього переконання судді. *Вісник Львівського торговельно-економічного університету. Юридичні науки*. 2022. № 11. С. 51–57. DOI: 10.36477/2616-7611-2022-11-08 (date accessed: 21.09.2023).
- 12 Хопта С. Ф. Внутрішнє переконання судді як основа ухвалення правосудних рішень. *Альманах права. Людиноцентризм у праві: теоретико-прикладні засади*. 2017. Вип. 8. С. 397–400. URL: http://almanahprava.org.ua/files/almanah-prava.-vipusk-8-_2017_.pdf (date accessed: 21.09.2023).
- 13 Шевченко А. В. Суддівський розсуд і суддівське свавілля: межі дозволеного та відповідальності за їх порушення. *Вісник кримінального судочинства*. 2018. № 3. С. 111–120. URL: https://vkslaw.knu.ua/images/verstka/3_2018_Shevchenko.pdf (date accessed: 21.09.2023).
- 14 Меліхова Ю. А. Вплив культури мислення судді на якість його внутрішнього переконання. *Гілея (науковий вісник)*. 2018. Вип. 133. С. 146–148. URL: http://nbuv.gov.ua/UJRN/gileya_2018_133_42 (date accessed: 21.09.2023).

O. Chernovskyi¹⁵ (internal judge conviction as element of principle of free evaluation of evidence and judicial discretion); V. Bernaz¹⁶, L. Herasymenko¹⁷ (legal and psychological aspects of optimizing the formation of investigator's conviction in criminal proceedings as a basis for evaluating evidence); I. Litvinov¹⁸ (internal conviction of prosecutor in the mechanism of making criminal procedural decisions); V. Vapniarchuk¹⁹, V. Fedchyshyna²⁰ (essence of internal conviction in criminal procedural evidence); O. Torbas²¹ (discretion in Criminal Procedure of Ukraine).

Despite the attention to this issue, scientists are not unanimous in their opinion regarding genesis, concept formulation of *inner forensic expert conviction* and factors affecting it. In addition, formation of the internal expert conviction of an (in particular, a forensic veterinarian) during his research on specific objects (for example, an animal

corpse, a live animal) in the aspect of realization of his rights and the specifics of conducting forensic examination (for example, forensic veterinary examination) has not been investigated.

The above testifies to relevance of scientific research in this direction.

Article Purpose

Outline specifics and characterize the conceptual-categorical apparatus of internal conviction phenomenon of forensic expert (in particular, forensic veterinarian) as an element of his independence and immediacy of researching the signs and properties of object in order to clarify factual data and circumstances of the case (proceedings); propose author's definition of concept of *inner forensic expert conviction* and corresponding changes to national legislative framework.

- 15 Черновський О. К. Вплив «якірного ефекту» на формування внутрішнього переконання судді. *Наше право*. 2016. № 2. С. 78–80. URL: http://nashe-pravo.unesco-socio.in.ua/wp-content/uploads/2016/10/NP_2016_2.pdf (date accessed: 21.09.2023).
- 16 Берназ В. Д. Правові та психологічні аспекти оптимізації формування переконання слідчого у кримінальному провадженні як основа оцінки доказів. *Вісник кримінального судочинства*. 2015. № 3. С. 11–21. URL: https://vkslaw.knu.ua/images/verstka/3_2015_Bernaz.pdf (date accessed: 21.09.2023).
- 17 Герасименко Л. Поняття внутрішнього переконання слідчого. *Актуальні проблеми досудового розслідування* : зб. тез доп. IV Всеукр. наук.-практ. конф. (Київ, 01.07.2015). Київ, 2015. С. 75–76. URL: <http://elar.naiu.kiev.ua/jspui/handle/123456789/7151> (date accessed: 21.09.2023).
- 18 Літвінова І. Ф. Внутрішнє переконання прокурора у механізмі прийняття кримінально-процесуальних рішень. *Право і суспільство*. 2018. № 5-1. С. 201–206. URL: http://pravo-ustvo.org.ua/archive/2018/5_2018/part_1/37.pdf (date accessed: 21.09.2023).
- 19 Вапнярчук В. В. Сутність внутрішнього переконання в кримінальному процесуальному доказуванні. *Науковий вісник Ужгородського національного університету. Серія: Право*. 2015. Вип. 31. Т. 3. С. 78–81. URL: <https://dspace.uzhnu.edu.ua/jspui/handle/lib/35513> (date accessed: 21.09.2023).
- 20 Федчишина В. В. Проблеми внутрішнього переконання під час оцінювання доказів у кримінальному провадженні. *Вчені записки Таврійського національного університету імені В. І. Вернадського. Серія: Юридичні науки*. 2019. Т. 30 (69). № 5. С. 219–222. DOI: [10.32838/2707-0581/2019.5/37](https://doi.org/10.32838/2707-0581/2019.5/37) (date accessed: 21.09.2023).
- 21 Торбас О. О. Розсуд у кримінальному процесі України : автореф. дис. ... д-ра юрид. наук. Одеса, 2021. 38 с.

Research methods

Methodological basis of this research is a systematic approach determined by specifics of the research paper topic and associated with the use of general scientific and special scientific methods (dialectical, formal logic (analysis, synthesis, deduction, induction, analogy); logical-semantic, system-structural, system-functional, modeling, comparative legal one).

Main Content Presentation

Internal conviction of forensic expert is closely related to the institution of forensic expert's conclusion, since there is a cause-and-effect relationship between the forensic expert's provision of an objective, well-founded, correct and truthful conclusion and expert's internal conviction that this conclusion is exactly like that.

Contentiousness of the *inner conviction* concept is due to its ambiguity. For example, N. Drozdovych defines a judge's inner conviction as "judge's state of consciousness, which reflecting the result of judge's mental subjective activity in legal proceedings regarding the evidence evaluation for the purpose of reliably establishing the factual circumstances of specific criminal case included in the proof subject, which result is reflected in court decision"²².

I. Serkevych and Yu. Lisitsyna note that psychological inner conviction of a judge means the state of his consciousness and

feelings, when he is sure of its correctness, has no doubts about its infallibility and is ready to act accordingly²³.

According to D. Shcherbaniuk, inner conviction of forensic expert is his psychological, emotional and intellectual state, consisting in confidence in correctness of applied specific expertise, expert methods, techniques, in correct assessment of the properties and characteristics of expert objects and in correctness of drawn conclusions²⁴.

I. Litvinova connects inner prosecutor conviction with his psychological state characterized by the lack of any doubts, confidence in correctness of his conclusions that are based on a sufficient set of comprehensively, completely and impartially researched evidence²⁵.

As V. Bernaz rightly observes, "investigator conviction in epistemological aspect is the result of cognition, reflection in the mind of the event of criminal offense and circumstances that must be proven in criminal proceedings with obligatory function of a critical attitude to the achievement of results in order to ensure such a conviction that was would be infallible and correspond to the real"²⁶.

In our opinion, nature of internal conviction of forensic expert (in particular, a forensic veterinarian) as an independent and methodically independent subject of cognitive activity is determined by the following criteria:

- professional qualities, life experience;

22 Дроздович Н. Л. Внутрішнє переконання судді ... URL: <http://dspace.nbu.gov.ua/handle/123456789/23307> (date accessed: 21.09.2023).

23 Серкевич І. Р., Лісіцина Ю. О. Зазнач. твір. С. 55. DOI: 10.36477/2616-7611-2022-11-08 (date accessed: 21.09.2023).

24 Щербанюк Д. В. Зазнач. твір.

25 Літвінова І. Ф. Зазнач. твір. URL: <https://goal-int.org/vnutrishnye-perekonannya-prokuro-ra-u-mehanizmi-prijnyattya-kriminalno-protseesualnih-rishen/> (date accessed: 21.09.2023).

26 Берназ В. Д. Зазнач. твір. URL: https://vkslaw.knu.ua/images/verstka/3_2015_Bernaz.pdf (date accessed: 21.09.2023).

- development degree of analytical abilities;
- mental and moral processes, psychological emotional-intellectual state;
- constant improvement of professional competences;
- conscious-willed confidence that conclusion made is the only correct and logical one (as a necessary condition for productive mental activity), categorically unambiguous and unquestionable, and conclusions formulated on its basis are sufficiently substantiated for forensic expert activity.

Therefore, ignorance of the logic laws (identity, contradiction, excluded third, sufficient grounds) or violation of sequence of their application negatively affect formation of the internal conviction of forensic expert (in particular, forensic veterinarian), because they are a universal basis for various logical operations carried out during forensic expert activity. Therefore, correct application of analysis, synthesis, induction, deduction and causality during research is quite capable of influencing inner expert conviction, because these categories are not limited by the laws of formal logic. At the same time, we should emphasize that formation of expert's inner conviction is not limited by application of logic laws alone.

D. Shcherbaniuk believes that in the phenomenon of *internal conviction of forensic expert* it is appropriate to distinguish: the concept of prerequisites (is a necessary aspect of emergence of internal conviction and consists in independence of forensic expert during research, as well as freedom from bias; it contributes to the internal conviction of forensic expert, but does not determine him); grounds which source is information from expert research and case

(proceedings) files; content formed from subjective and objective elements²⁷.

Issues of forensic expert activity in general and formulation of forensic expert conclusion in particular (as the most responsible and culminating stage of conducting forensic examination) are closely related to the issue of internal conviction and are determined by several aspects: epistemological, logical, psychological, moral, ethical, legal, one etc.

Psychological aspect of internal forensic expert conviction is the state of his consciousness and feelings (intellectual-emotional state), when he considers results of expert research conducted by him to be sufficient for providing a well-founded and objective conclusion and while formulating his conclusion, he is sure of its correctness, has no doubts about infallibility of his decision and is ready to act accordingly. Therefore, the inner conviction of forensic expert is not intuition, not an unconscious feeling, not an intellect, not "inner voice", but a conscious and established confidence in correctness of conducted researches on signs and properties of objects and objectivity of obtained results, that will become the basis, objective basis for formulation of precisely such expert conclusions and not others. Therefore, internal conviction of forensic expert is his subjective phenomenon.

From the point of view of *morality*, internal conviction means that forensic expert (as independent and methodologically independent) provides conclusion on his own behalf and is responsible for its correctness, reliability and objectivity not only legally, but morally to his own conscience, society and procedure participants.

Formulation of forensic expert's opinion is an act of will, mediated by a

27 Щербанюк Д. В. Знач. твір.

specific goal: forensic expert should be sure that his conclusion is sufficiently substantiated. In addition, internal conviction of forensic expert consists in the desire to convince the rest of procedure participants of the truth of formulated conclusions based on the results of conducted examination. Persuasive power of forensic expert is the following principles of his activity: scientific content, systematicity, comprehensiveness, impartiality, scientific validity, objectivity, reliability, correctness and truthfulness. During forensic examination, expert should check all contradictions and eliminate possible doubts.

Let us emphasize: phenomenon realization of internal conviction of forensic expert is free from external coercion and is based on legal awareness, conscience, emotions and objective laws of logic and thinking.

According to *Academic Explanatory Dictionary of Ukrainian Language*, beliefs are:

“2. Firm confidence, certainty in something; belief in something <...>
<...>

3. Firm, firmly established opinion about something, view of something”²⁸.

The *internal conviction* category means the subject confidence in correspondence of subjective assessment of the specifics and properties of objects under research to objectively available factual data and circumstances of case (proceedings), and excludes any external influence,

coercion on the formation of the subject confidence object of decision-making in correctness of its conclusions, as noted by O. Dufeniuk²⁹.

I. Serkevych and Yu. Lisitsyna define the *conviction* term as a directed influence on a person in the form of arguments, which is based on consciousness and differs from suggestion³⁰.

Thus, subjectivity of inner conviction implies objective content and is a form of reflection of objective reality, in other words, inner conviction has a binary (subjective-objective) essence with different accents.

Subjective factors of internal conviction of forensic expert should be considered:

- individuality of expert research results;
- existence of conviction in the mind of forensic expert;
- personal characteristics of forensic expert (moral, ethical and religious values and ideals, life interests, temperament, way of thinking, willpower, character traits).

Objective factors of forensic expert's internal conviction are:

- own belief;
- independence of results of forensic examination from the desire and will of subject of its appointment.

It is appropriate to note that essence of internal conviction of forensic expert lies in interrelationship of subjective and objective factors.

28 Переконавання / Академічний тлумачний словник української мови : в 11 т. // за ред. І. К. Білодіда. Київ, 1970–1980. Т. 6. 1975. С. 200. URL: <http://sum.in.ua/s/perekonannya> (date accessed: 20.09.2023).

29 Дуфенюк О. М. Полярність та конвергенція об'єктивності та суб'єктивності у кримінальному провадженні. *Прикарпатський юридичний вісник*. 2023. Вип. 1 (48). С. 110–116. DOI: [10.32782/ryuv.v1.2023.22](https://doi.org/10.32782/ryuv.v1.2023.22) (date accessed: 21.09.2023) ; Ї ж. Суб'єктивізм експерта у кримінальному провадженні. *Соціально-правові студії*. 2019. Вип. 4 (6). С. 74–81. DOI: [10.32518/2617-4162-2019-4-74-81](https://doi.org/10.32518/2617-4162-2019-4-74-81) (date accessed: 21.09.2023).

30 Серкевич І. Р., Лісцина Ю. О. Зазнач. твір. DOI: [10.36477/2616-7611-2022-11-08](https://doi.org/10.36477/2616-7611-2022-11-08) (date accessed: 21.09.2023).

L. Bordiuhov focuses on binary content of forensic expert's inner conviction, rightly noting that subjectivism is implemented through the forensic expert's free assessment of research results, but exclusively within the limits of his professional competence and specific expertise, while objectivism is based on theoretical knowledge, acquired skills and the use of proven methods and techniques, that is forensic expert: "reflects the available objective data through the prism of subjective ideas and moral principles"³¹.

For reducing influence of subjectivism on forensic expert activity in general and formulation of forensic expert conclusion in particular, it is necessary to introduce mechanisms to its minimizing. Similar mechanisms were proposed by O. Dufenyuk to be used in criminal proceedings³², and the author of this article adapted them to forensic expert activity: mechanism for narrowing range of procedures requiring intervention of other subjects; mechanism of independence and methodical autonomy of forensic expert and clearly defining limits of discretion of forensic expert activity; mechanism of verification of obtained result; mechanism of verification of the expert's opinion; mechanism of reflective competence; mechanism for increasing legal culture and legal awareness; mechanism of legal responsibility for going beyond the subject of forensic research and beyond competence of forensic expert.

It is worth emphasizing: inner conviction of a forensic expert is a state of consciousness and an important volitional stimulus encouraging practical actions, which grounds are motivated and well-founded, as well as a moral and

psychological guarantee of correctness of the expert's conclusion; it conditions formulation of reasonable conclusions in accordance with one's conscience, moral and ethical imperatives. At the same time, inner conviction is not criterion for the truth of what forensic expert learns during forensic examination, since it is only one form of reflecting objective reality: criterion for truth is forensic expert practice.

In addition, the work of forensic expert has the following specifics:

- determination of forensic examination method (choice of certain methods, (research methods)) belongs to forensic expert competence;
- non-obligation to provide conclusion of primary forensic examination to forensic expert who conducts iterative examination (since the latter should evaluate object specifics and properties anew);
- forensic expert's conclusion does not have predetermined strength and advantages over other sources of evidence, it is subject to verification and evaluation according to internal conviction of the appointment subject of forensic examination (explorer, investigator, prosecutor, court), that should be based on a comprehensive, complete and objective consideration of all circumstances of the case (proceedings);
- inadmissibility of giving instructions by any entity regarding the content of forensic expert's conclusion;

31 Бордюгов Л. Г. Знач. твір. С. 15–16. URL: http://nbuv.gov.ua/UJRN/FP_index.htm_2010_3_4 (date accessed: 21.09.2023).

32 Дуфенюк О. М. Полярність та конвергенція С. 114. DOI: [10.32782/pyuv.v1.2023.22](https://doi.org/10.32782/pyuv.v1.2023.22) (date accessed: 21.09.2023)

- prohibition of any pressure on forensic expert.

Therefore, *internal conviction* of forensic expert should be considered such a state of his consciousness, when he considers that tangible and materialized objects provided for research are sufficient and that they are in a condition suitable for conducting forensic examination and he is confident in correctness of his conclusion and is ready to act in accordance with.

Undoubtedly, the internal conviction structure of forensic expert is a complex and multi-vector phenomenon, which basis are the following elements:

- 1) adequacy and suitability of research objects;
- 2) research supported by scientific and methodological basis;
- 3) specific expertise use;
- 4) cause-and-effect relationships, for example, between the action of external traumatic factor and animal death or between the availability of poison in an animal body and its death, etc.;
- 5) forensic expert confidence in the reliability and correctness of the results of forensic research based on objective analysis and evaluation of all the specifics and properties of investigated objects, as well as their entire pool;
- 6) personal attitude of forensic expert to obtained results, formulated conclusions and concluded conclusion as a procedural document;
- 7) consciousness state of forensic expert, his firm and conscious confidence in conclusion conformity that he has given with objective reality facts;
- 8) process of convincing forensic expert in the truth or falsity of knowledge

about the specifics and properties of the investigated objects, as a result: state of firm confidence in finding out the truth and readiness to formulate conclusions and draw up the expert's conclusion;

- 9) professional legal awareness and professional life experience (as leading element of expert's internal conviction);
- 10) logical combination of all the above-mentioned elements, since connections between them are a reflection of the tangible world in forensic expert activity.

Therefore, internal conviction of the forensic expert is formed gradually while research on objects submitted for examination and affects conclusion of forensic expert. Note that legislator ensured normative knowledge in the process and autonomy of forensic expert will (Article 3: *Principles forensic expert activity* and Article 4: *Guarantees of forensic expert independence and the correctness of his conclusion* of the relevant Law³³).

It is worth emphasizing that structure of internal conviction of forensic expert has epistemological, psychological, ethical and legal components.

In epistemological aspect, expert conviction is the result of cognition and reflection in the mind of forensic expert of specifics and properties of investigated objects while establishing factual data and circumstances of the case (proceedings). It is mediated by his practical activity and should be based on results of his own research and case (proceedings) files. Thus, epistemological element is based on knowledge of facts and is materialized in expert actions and acts (expert conclusion). Knowledge of forensic expert (both general

33 Про судову експертизу URL: <https://zakon.rada.gov.ua/laws/show/4038-12#Text> (date accessed: 20.09.2023).

and special professional) is the basis and objective side of his convictions which undergo a complex process of emotional and intellectual transformation in order to finally find out their correspondence with objective reality, in another words prove their reliability.

Sense of confidence, together with professional knowledge, is the basis of the inner conviction of forensic expert. Since function of internal conviction is evaluation and search, the cognitive process of forensic expert includes the following components:

- specific expertise (in our context: veterinary);
- professional expert evaluation of specifics and properties of investigated objects;
- free choice of means and methods of cognition, construction of object research algorithms.

Psychological element of internal conviction of forensic expert consists in confidence in correctness of the conducted expert research and the substantiated conclusion provided by him, in compliance with requirements of the law and principles of forensic expert activity³⁴, feeling of trust in his conclusion in terms of its compliance with the law, purpose and tasks of forensic expert activity.

The following qualities are important for formation of internal conviction of forensic expert: persistence, punctuality, objectivity, impartiality, accuracy, diligence, purposefulness, determination, initiative, energy, self-control, self-control, independence. At the same time, it is necessary to distinguish between the expert's conclusion based on the system of

free evaluation of specifics and properties of objects under investigation to establish factual data and circumstances of the case (proceeding) that is based on knowledge of materials of this case (this proceeding) files, scientific analysis of the specifics and properties of objects under investigation and the same conclusion based on personal impressions, when the investigated materials of the case (proceedings) and conducted expert research remained in feelings (impressions) as a result of sensory perception of forensic expert. An expert's assessment of obtained results is a mental activity embodied in doubts and convictions. It is worth noting that mental processes and the field of sensations in no way disorganize the role of forensic expert's inner conviction: on the contrary, they combine thinking and feelings, stimulate mental work. Therefore, emotional-volitional component is a necessary prerequisite for formation of the internal conviction of forensic expert as the basis of his independence and methodological independence.

Although specific mental qualities of forensic expert do not form his inner conviction, they give forensic activity emotional tone (because they exist outside of this process as background phenomena during analysis of specifics and properties of investigated objects and formulation of conclusions). Certainly, they can negatively affect formulation of conclusions and cause a misunderstanding of complex phenomena in complete system (for example, in animal body).

Therefore, psychological factors affect formation of internal conviction of forensic expert, since they affect his consciousness and ability to reasonably

34 Yatsenko I. Principles of Forensic Expert Activities in Ukraine and their Implementation in Forensic Veterinary Research. *Архів кримінології та судових наук*. 2022. № 1 (5). С. 115–142. DOI: [10.32353/acfs.5.2022.08](https://doi.org/10.32353/acfs.5.2022.08) (date accessed: 20.09.2023).

evaluate specifics and properties of objects under investigation in order to find out factual data and circumstances of the case (proceedings), that he should reflect in conclusion.

Ethical aspect of inner conviction of forensic expert is that latter conducts expert research and formulates conclusions in accordance with his inner conviction. Ethical norms oblige forensic expert to act according to the model of behavior, in accordance with social status and functional assignment in expert provision of the judiciary. At the same time, as noted by L. Derecha³⁵, requirements for professional ethics of forensic expert are not formalized by any normative legal act: they are tacitly established by the long-term practice of forensic expert activity.

Author of this publication substantiated³⁶ and established the legal component of internal conviction of forensic expert in the following provisions:

- opportunity to submit a request for additional materials and samples and to take other actions related to conducting forensic examination;
- clarification of content and scope of forensic expert task and asked questions;
- indication in opinion of forensic expert of facts discovered while

examination that are important for the case, but about which he was not asked questions, and circumstances that contributed or could contribute to offense commission, i.e. exercise of the right to expert initiative;

- possibility to expand topic of forensic research topic;
- participation of forensic expert in conducting procedural and executive actions regarding the topic and objects of research;
- resolution of issues regarding involvement of forensic experts of other expert specialization in examination (for example, for conducting multidisciplinary forensic examinations);
- ability to formulate conclusions based on results of self-conducted researches without any outside intervention, etc.

Thus, legal component indicates impossibility of directly controlling internal belief of forensic expert, while law guarantees its correct formation, and obliges to justify internal belief, providing possibility of its verification, in particular by conducting iterative forensic examination.

Two groups of factors can be singled out in structure of internal conviction of forensic expert:

35 Дереча Л. М. Професійна етика судового експерта. *Актуальні питання судової експертизи та криміналістики* : мат-ли міжнар. наук.-практ. конф., присвяч. 90-річ. створ. ХН-ДІСЕ ім. Засл. проф. М. С. Бокаріуса (Харків, 07–08.11.2013). Харків, 2013. С. 12–13. URL: https://www.hniise.gov.ua/user_files/File/nauka/2013_actualni_pytannya.pdf (date accessed: 20.09.2023).

36 Яценко І. В. Правовий статус судово-ветеринарного експерта як суб'єкта судово-експертної діяльності у контексті новітнього законодавства України. *Теорія та практика судової експертизи і криміналістики*. 2022. Вип. 4 (29). С. 68–109. DOI: 10.32353/khrife.4.2022.04 (date accessed: 20.09.2023) ; Його ж. Теоретико-праксеологічне обґрунтування форм і напрямів реалізації експертної ініціативи під час проведення судово-ветеринарної експертизи. *Аналітично-порівняльне правознавство*. 2023. № 4. С. 501–518. DOI: 10.24144/2788-6018.2023.04.81 (date accessed: 20.09.2023).

- 1) forming his inner conviction and contribute to realization of independence principles and methodical independence of forensic expert;
- 2) affecting formulation of the expert's conclusion, but are not related to research objects (for example, professional and life experience). This variety of factors is very important in the complex and contradictory circumstances of the case (proceeding). Thanks to experience, forensic expert (for example, forensic veterinarian) is able to correctly navigate the specifics and properties of objects under research, especially in the case of both their natural change caused by damage to the object (in particular, an animal corpse) and deliberate (for example, change composition of feed or feed additives). At the same time, an inadequate, erroneous, ungrounded and standard (*tracing*) approach to expert research, biased or overestimated attitude of forensic expert to his experience can cause negative results.

Note that formation of the internal conviction of forensic expert, in addition to consciousness, is influenced by external and internal factors, that can be divided into favorable and unfavorable.

External factors include:

- influence of mass media on forensic expert practice, social and psychological atmosphere, legal regulation of forensic expert activity;
- independence in choosing research methods;
- physical and psychological stress, etc.

Thus, public opinion, formed under influence of publications in various mass

media, can exert pressure on forensic expert. Let us give an example from our own experience: in a high-profile case of animal cruelty, dog under research had numerous wounds and superficial wounds all over the body, but forensic veterinarian determined these injuries to be of medium severity, as a result of which animal rights activists accused forensic expert of bias and interest in false results of forensic veterinary examination. Therefore, forensic expert should have increased resistance to any manipulations by interested parties.

Internal factors of forming internal conviction of forensic expert are:

- moral and ethical level (principledness, non-disclosure of official secrets, incorruptibility, tact, initiative, accuracy, restraint, etc.);
- qualification level;
- personal psychological qualities;
- ability to resist influence and defend one's own views.

Therefore, forensic expert position can be influenced by contextual information about event circumstances. For example, if lifelong position of forensic veterinarian is love for animals, as for our smaller brothers, then his conclusion based on results of forensic examination regarding animal cruelty will be quite harsh. This indicates that there are as external as internal mechanisms affecting objectivity of the expert's opinion. Instead, in order to minimize subjectivity while formulating conclusions based on results of forensic veterinary examination, in synthesizing section of conclusion, forensic expert is obliged to focus on detected morphological abnormalities in the examined organs or body parts of subject animal, related to the injury, and

give them an expert assessment, noting the localization, character, mechanism, degree of severity and separately state how they are related to a negative consequence for animal (injury, maiming or death).

We reasonably assert that evaluation of factual data and circumstances while conducting forensic examination is a mental and thinking activity, act of thought formed from doubts or beliefs (an imaginary process that leading to certain conclusions that are the result of certain references) and a product of sensory perception, not verified by mental process. The balance criterion between the mind and feelings of forensic expert, when any other expert, based on similar initial data, reaches the same conclusion.

We should especially note that subjective nature of forensic expert activity does not indicate arbitrariness or uncontrollable professional powers of forensic expert during forensic examination: on the contrary, it calls for acting decisively, in accordance with his inner conviction.

It is worth emphasizing that conviction of forensic expert should be both internal and rational, i.e. based on requirements of reason, logic (according to *Academic Explanatory Dictionary of Ukrainian Language*)³⁷ and common sense, be directed to a better, smarter application of something; as well as expedient, motivated, justified, embodying impartiality.

In general, controversy surrounding formation of internal conviction of

forensic expert should be based on both subjective (within the scope of knowledge provided by norms of law) and objective (outside procedural knowledge) criteria of his activity. In view of this, internal conviction of forensic expert is a subjective component of his activity, embodied in his objectively formulated conclusions in the final part of conclusion, therefore, the subjective is based on objective reality that is the basis of internal conviction.

In our opinion, the expert's deliberate actions in formulating false conclusions consist in distorting his inner conviction while expert activity if criminal intent is available. At the same time, forensic expert is not legally responsible for his inner conviction while forensic examination: he should be responsible only for a deliberate wrong decision that caused negative consequences.

Procedural activity of forensic expert is regulated by current legislative norms, methods, methodological recommendations, etc. (in accordance with Chapter II of the Instructions on the Appointment and Conduct of Forensic Examinations and Expert Research ³⁸) this is the so-called *formal basis* for formulating the expert's conclusion, as well as *free evaluation* of results obtained from research on signs and properties of object in order to find out the factual data and circumstances of the case (proceedings) based on internal conviction. We emphasize: where there is a rigid algorithm for obtaining research results (for example, in a forensic

37 Раціональний / Академічний тлумачний словник української мови : в 11 т. // за ред. І. К. Білодіда. Київ, 1970—1980. Т. 8. 1977. С. 459. URL: <http://sum.in.ua/s/racionaljnyj> (date accessed: 20.09.2023).

38 Інструкція про призначення та проведення судових експертиз та експертних досліджень : затв. наказом Мін'юсту України від 08.10.1998 р. № 53/5 (зі змін. та допов.). URL: <https://zakon.rada.gov.ua/laws/show/z0705-98#Text> (date accessed: 20.09.2023).

veterinary examination, existence of poison in animal body or its quantity is determined using devices, in particular a chromatograph), there is no place for the expert's inner conviction that completely excludes errors or minimizes them.

Formalized way of knowledge of forensic expert leaves room for subjectivism and arbitrary judgment, as it is based on expert situations that have either already occurred in expert practice or that can be assumed: this is not justified from an epistemological position due to the algorithm unreliability, because in each new expert situation there are specifics are similar to the previous ones, but there are also specifics that distinguish it from others and testify to its uniqueness.

We consider meaningful creative processes and heuristic approaches to be the basis of scientific knowledge in forensic examination, because there is no universal algorithm of knowledge suitable for all areas of research. Strictly speaking, the basis for formulating an expert's conclusion is his inner conviction. Current normative legal acts, in particular instructions, do not affect the free evaluation of forensic research results creating the basis for use by forensic expert of the entire arsenal of latest achievements of science and technology. Therefore, it can be argued that norms of both substantive and procedural law, regulating forensic expert activity, are always aimed at forensic expert or other its subjects, and evaluation of investigated specifics and properties of object in order to find out actual data and circumstances of

case (proceedings) according to subject investigated while forensic examination.

Certainly, while forensic examination, forensic expert forms other types of beliefs (in particular, regarding correctness of algorithm developed by him and certain research methods), but their content does not relate to the principle of free evaluation of specifics and properties of objects under research: while investigating objects forensic expert carries out mental activity, appeals to consciousness, in which he retrospectively reconstructs facts and circumstances based investigated specifics and properties of objects. We emphasize: while formation of internal forensic expert conviction, professional qualities should not be intertwined with his personal religious, political, moral and other universal convictions.

Internal conviction of forensic expert is directly related to tangible and materialized objects provided for research in order to provide answers to the questions posed to him by the subject of forensic examination appointment (involvement of the forensic expert) in the procedural document (resolution or resolution). Objectification of inner conviction while forming conclusions in the final part of expert conclusion cannot occur at discretion of forensic expert without taking into account legal requirements, while his inner conviction is the basis for making decision within his competence that involves obtaining higher education and special training for relevant expert specialization³⁹.

At the same time, principle of free assessment of investigated specifics and properties of forensic examination

39 Яценко І. В. Концептуальні засади професійної підготовки судово-ветеринарних експертів у державних спеціалізованих експертних установах України. *Криміналістика і судова експертиза*. 2023. Вип. 68. С. 731–766. DOI: [10.33994/kndise.2023.68.71](https://doi.org/10.33994/kndise.2023.68.71) (date accessed: 10.09.2023).

objects according to internal conviction of forensic expert determines the risks of his professional forensic activity, especially regarding implementation of principles of his independence and methodological independence. Risk of formulating erroneous conclusions in the final part of the expert's opinion has always existed and can cause harm, *firstly*, with unsubstantiated conclusions, directing investigation procedure in the wrong direction, *secondly*, the party in hearing, preventing finding out of the truth, *thirdly*, to the court itself to forensic expert (in case he is held criminally liable for providing a knowingly false conclusion in accordance with Part 1 of Article 384 of the Criminal Code of Ukraine ⁴⁰).

Emphasis should be placed on the fact that forensic expert's inner conviction is realized in the expert's conclusion as a documentary form of its expression. Forensic expert, formulating conclusions regarding specific investigated objects of forensic examination, presents his own interpretation of their specifics and properties within limits of professional competence and freedom granted to him.

An expert's conclusion is an important act of forensic expert activity in specific forensic examination. It should be reasonable, objective, correct and true. A substantiated conclusion of forensic expert is one that is concluded on the basis of a complete and comprehensive personal research and evaluation of the specifics and properties of tangible and materialized objects, expressed in his procedural activities and determined by legislation norms. In other words, forensic expert substantiates his conclusions only with results obtained *directly* while research. As stated above, internal conviction of

forensic expert is his mental activity and the basis for evaluating research results of objects and their properties in order to find out factual data and circumstances of the case (proceedings).

Attention should be paid to inner conviction of the forensic expert while *iterative* forensic examination. Thus, the verification of the correctness of the conclusion of the primary examination includes an assessment of obtained research results. In fact, a forensic expert who conducts iterative examination should follow the same path as a forensic expert who conducted an initial examination, that is re-examine the signs and properties of the same objects that were involved in initial examination and to the same extent, and evaluate them, controlling at the same time results of initial forensic examination.

During iterative forensic examination, in particular, scientific validity and reliability of the applied methods and algorithms, condition of objects provided for research and possibility of obtaining the same conclusions formulated in conclusion of primary forensic examination (taking into account the internal conviction of forensic expert) are checked.

Conducting forensic examination by a commission of experts creates additional conditions for monitoring validity and correctness of the conclusion of primary forensic examination, since while iterative examination the members of expert commission monitor each other, and forensic conclusions opinions can differ (these differences can be resolved while meeting of the forensic experts and discussion of commission research results). If disagreements cannot be

40 Кримінальний кодекс України від 05.04.2001 р. № 2341-III (зі змін. та допов.). URL: <https://zakon.rada.gov.ua/laws/show/2341-14#Text> (date accessed: 20.09.2023).

avoided, forensic has the right to a separate opinion, that should be expressed in writing. This document is attached to commission conclusion of experts: it is open for review. It is the separate opinion of forensic expert that convincingly confirms that results of the research on specifics and properties of objects of forensic examination in order to find out the factual data and circumstances of the case (proceeding) are evaluated based on internal conviction.

In order to prevent such risks, legislation provides for possibility of challenging conclusion of forensic expert and appointing a iterative, commission or multidisciplinary forensic examination, where each forensic expert is endowed with the rights guaranteed to him and fulfills duties assigned to him.

If, while forensic examination, expert's conclusion differs significantly or does not correspond to results stated in the conclusion of initial examination, this does not provide grounds for holding the forensic expert accountable, provided that he acted in good faith. Such attraction is illegal, because it violates principles of independence and methodical independence of forensic expert.

Therefore, we consider it expedient to supplement Art. 14 of relevant Law, part 2 of the following content:

“If significant discrepancies are found between the conclusion of initial forensic examination and conclusion of iterative examination, this does not entail prosecution of forensic expert who provided conclusion of initial forensic examination, if he did not commit a willful

violation of the law or dishonesty that caused negative consequences”.

In view of this, above-mentioned legislative consolidation of internal freedom of forensic expert during formation of the expert's conclusion based on the results of forensic examination will have a positive effect on forensic expert activity, and will also contribute to distinguishing expert error (which does not cause legal liability) and misconduct (that is grounds for bringing to disciplinary responsibility).

In legal proceedings, forensic expert is a subject of procedural legal relations⁴¹ and is endowed with the appropriate pool of rights and obligations provided for by legislation⁴². Forensic expert rights are ensured by principles of his independence and procedural autonomy. While forensic expert activity, forensic expert obeys exclusively the law that sets him apart from the rest of the procedure participants.

From praxeological standpoint, phenomenon of internal conviction of forensic expert is implemented in the following types of activities:

- *cognitive* one (when learning the signs and properties of research object);
- *interpretative* one (while research activities related to interpretation of substantive and meaningful aspects of forensic research results at its various levels);
- *evaluative and motivational* ones (during evaluation of individual results of expert research to argue the expert's conclusion);

41 Яценко І. Судово-ветеринарний експерт як суб'єкт процесуальних правовідносин і судово-експертної діяльності. *Теорія та практика судової експертизи і криміналістики*. 2022. Вип. 3 (28). С. 64–97. DOI: [10.32353/khrife.3.2022.05](https://doi.org/10.32353/khrife.3.2022.05) (date accessed: 20.09.2023).

42 Його ж. Правовий статус судово-ветеринарного експерта С. 79–85. DOI: [10.32353/khrife.4.2022.04](https://doi.org/10.32353/khrife.4.2022.04) (date accessed: 20.09.2023).

- communicative one (while communicating with participants in criminal proceedings, representatives of mass media, subjects appointed for forensic examination, etc.);
- *reflexive* (during implementation of competence for self-analysis, self-criticism and evaluation of own conclusions).

Polemic surrounding internal conviction of forensic expert, in particular a forensic veterinarian, makes possible to single out its essential specifics, such as:

- totality of knowledge he has, in particular professional knowledge;
- adequacy and suitability of objects provided for research;
- analysis of specifics and properties of objects under examination in order to find out factual data and circumstances of the case (proceedings);
- independence degree awareness;
- emotional state regarding specifics and properties of objects under research;
- sufficiency of obtained results of expert researches to provide a well-founded and objective conclusion;
- confidence in conclusion correctness;
- lack of doubts about infallibility of one's decision and readiness to act in accordance with;
- existence of volitional stimulus that prompts one to draw conclusion;
- reasonableness, objectivity, reliability, motivation, reasoning, correctness and truthfulness of conclusion.

Considering the above, we offer the following definition of analyzed phenomenon: “**Internal conviction of forensic expert** is a state of his consciousness and feelings reflecting result of mental subjective activity while conducting expert research and evaluating the specifics and properties of tangible and materialized objects with the aim of to find out factual data and circumstances of the case (proceeding) according to particular forensic examination, when he considers that objects provided for research are sufficient and in a suitable condition, and obtained results of forensic research are sufficient to provide a well-founded and objective conclusion; confident of its correctness, has no doubts about infallibility of his decision and is ready to act in accordance with”.

Therefore, definition analysis of concept of *internal conviction of forensic expert* concentrates the main specifics and reveals its content and significance for forensic expert activity, as well as takes into account latest conditions for its implementation on the basis of the independence and methodological independence of forensic expert (in particular, forensic expert).

Conclusions

It has been proven that the defining specifics of definition *internal conviction of forensic expert* reveal its meaning and significance for forensic expertology, take into account the latest conditions of forensic expert activity and state confidence in the correctness of the conclusion, i.e. its correspondence to reality and its truth and infallibility, corresponding to the norms and rules.

It is argued that inner conviction of forensic expert, who, based on

the principles of scientific content, systematicity, comprehensiveness, completeness, impartiality and objectivity of the conducted researches of objects, guided by normative legal acts is of great importance for forensic expert activity and ensuring quality of forensic expert's conclusion in the field of forensic science and the principles of competence, independence and methodological independence is obliged to provide a true and substantiated conclusion.

It was found that the internal conviction of forensic expert is determined by components of different nature: epistemological, psychological, ethical and legal ones determining complex mechanism of their interaction.

List of elements of internal conviction structure of forensic expert is given.

It was determined that realization directions of phenomenon of forensic expert internal conviction are the following types of forensic expert activity: cognitive, interpretive, evaluative and motivational, communicative and reflective one.

In view of the above, it is proposed:

1) supplement Art. 14 of Specialized Law, part 2 of the following content:

"If significant discrepancies are found between the conclusion of initial forensic examination and conclusion of iterative forensic examination, this does not entail prosecution of forensic expert who provided the conclusion of initial forensic examination, if he did not commit a willful violation of law or dishonesty that caused negative consequences";

2) definition of concept of internal belief of forensic expert:

"Internal conviction of forensic expert is a state of his consciousness and feelings reflecting result of mental subjective activity while conducting expert research

and evaluating the specifics and properties of tangible and materialized objects with the aim of to find out factual data and circumstances of the case (proceeding) according to particular forensic examination, when he considers that objects provided for research are sufficient and in a suitable condition, and obtained results of forensic research are sufficient to provide a well-founded and objective conclusion; confident of its correctness, has no doubts about infallibility of his decision and is ready to act in accordance with".

Внутрішнє переконання експерта: судово-ветеринарний аспект

Іван Яценко

За допомогою загальнонаукових і спеціально наукових методів окреслено проблемні аспекти феномена внутрішнього переконання експерта (зокрема, судово-ветеринарного) і запропоновано шляхи їх розв'язання. Доведено, що ця категорія є елементом незалежності та безпосередності дослідження ознак і властивостей об'єкта з метою з'ясувати фактичні дані й обставини справи (провадження). Сформульовано авторську дефініцію поняття «внутрішнє переконання експерта», виокремлено його ознаки й чинники, що впливають на його формування. Запропоновано механізм мінімізації впливу суб'єктивізму на судово-експертну діяльність і на складання експертного висновку. Розкрито структуру внутрішнього переконання експерта й акцентовано увагу на тому, що в ній доцільно виокремлювати гносеологічні, психологічні, етичні, моральні та правові складники. Розглянуто напрями реалізації цього феномена в судово-експертній діяльності. Аргументовано, що під внутрішнім переконанням судового експерта слід розуміти

стан його свідомості та почуттів, що є результатом розумової суб'єктивної діяльності у процесі проведення експертного дослідження й оцінювання ознак і властивостей матеріальних та матеріалізованих об'єктів із метою з'ясувати фактичні дані й обставини справи (провадження) за конкретною експертизою, коли він уважає стан наданих на дослідження об'єктів придатним, а їхню кількість достатньою для надання обґрунтованого й об'єктивного висновку; упевнений у його правильності, не сумнівається в безпомилковості свого рішення та готовий діяти відповідно до нього.

Ключові слова: судова ветеринарна медицина; судово-ветеринарна експертиза; судово-ветеринарний експерт; внутрішнє переконання; незалежність експерта; безпосередність дослідження; ознаки та властивості об'єкта; судово-експертна діяльність.

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The author declares no conflict of interest related to this topic, although he is Advisory Board member of research paper collection; he was not involved in publishing decision, and this article has undergone a full peer review and editing procedure.

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