

VERIFICATION AS A SPECIFIC KNOWLEDGE METHOD IN CRIMINAL PROCEEDINGS

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In criminal proceedings, at the stage of investigation of crimes, the application of psychological knowledge about the personality and behavior of persons who commit criminal offenses is very relevant. It is about a set of psychological methods and techniques for evaluating and predicting human behavior based on the analysis of the most informative private signs, appearance characteristics, non-verbal and verbal behavior, so-called profiling as one of the modern non-traditional methods. Traditional, general methods do not always make it possible to achieve the most basic goal of criminal justice – to establish the truth. Therefore, today requires law enforcement officers to possess the most effective and efficient methods of cognition during criminal proceedings.

The activity of the investigative units of the National Police of Ukraine belongs to intellectual types of work, that is, the main professional functions of an investigator require high activity of thinking, the ability to perform analytical and logical operations, stability of attention, imagination¹.

I. P. Osyenko notes that the primary task is to obtain truthful statements verbally, since only they can be recorded in the protocol and used in the future as a potential source of evidence. At the same time, a significant part of the information from the interrogated person is transmitted without the use of speech. Therefore, the introduction of modern achievements of psychology into investigative practice is necessary².

Recently, investigators have been using the verification method at various stages of criminal proceedings. Verification (late Latin *verificatio* – confirmation; Latin *Verus* – true, *facio* – I do) is the proof that a probable fact or statement is true; it is a method of recognizing the truth³. Verification as a method of processing information in the investigation consists in studying the external and internal psychophysiological and other non-verbal manifestations of the participants during the pretrial investigation of a criminal offense.

¹ Protsenko, O.O. (2020). The role and place of the verification method during an investigative experiment. *Legal psychology*. No. 1 (26). P.85.

² Osyenko, I. P. (2016) Fixation of non-verbal information during investigative (search) actions. *Actual problems of legal science and practice*. No. 1 (2). P. 46–50.

³ Wikipedia.URL: <https://uk.wikipedia.org/wiki/%D0%92%D0%B5%D1%80%D0%B8%D1%84%D1%96%D0%BA%D0%B0%D1%86%D1%96%D1%8F>

The application of verification allows for individual informational interaction of its participants, in which the truth in criminal proceedings is established (correspondence of the obtained results to the essence of the event that took place in the past)⁴. The task of the person who verifies is to obtain information about the compliance of the established circumstances of the criminal offense with the event itself, with information about the informational and emotional state of the participants in the criminal proceedings. The verifier, depending on his procedural position, personally applies the most effective, from his point of view, method of information verification to achieve prompt results.

The verification mechanism is a system of information verification actions, which includes the use of specific techniques for verifying information that the transmission subject provided to the receiving subject in the form of verbal and non-verbal data. Depending on the methods used by the subject-perception, the dynamic nature of the verification (conducting procedural actions that were not carried out before and the conduct of repeated or additional procedural actions) or the static nature of the verification (analysis of the provided evidence and their synthesis, etc.) will depend⁵.

The verification structure consists of: the subject who provides non-verbal information, his attitude to this data and the consequences of providing this information; verifier who perceives non-verbal; object of verification; subject of verification; method of providing or hiding data; the method of recording and researching the received data; verification result.

At each stage of criminal proceedings, the verification mechanism has its own characteristics. The choice of a specific method of data verification by an employee of a law enforcement agency is determined by specific circumstances to be established in criminal proceedings. So, for example, the researcher O. M. Tsilmak singles out the main tasks of the investigator for verifying witness statements at certain stages of the interrogation and notes that verifying witness statements is a way of establishing the objective truth of a fact or a person's statement regarding the circumstances of a criminal offense⁶.

In criminal proceedings, the use of data verification techniques (obtained verbally and non-verbally) contributes to the accuracy and timeliness of diagnosing the informational and psychological state of its participants, facilitates the establishment of further emotional contact with them, helps to reveal their actual involvement in a criminal event⁷.

⁴ Vashchuk, O. P. (2013). Verbalization and verification in the context of investigative (search) actions. *Reforming the legislation of Ukraine and the development of social relations in Ukraine: issues of interaction*: materials of the international scientific and practical conference, Uzhhorod, March 30–31. Kherson: Helvetica Publishing House, pp. 216–218.

⁵ Vashchuk, O.P. (2015). Verification of information in court proceedings for review of court decisions. *Bulletin of criminal proceedings*. No. 3. P.24.

⁶ Tsilmak, O. M. (2018). The main tasks of the investigator for the verification of testimony. *Forensics and forensic examination*. Vol. 64. P. 200–209.

⁷ Vashchuk, O.P. (2017). Non-verbal information in criminal proceedings: theoretical and methodological foundations: monograph. Odesa: Helvetica Publishing House. P. 206.

In order to choose a specific technique for verifying non-verbal information in criminal proceedings, it is necessary to conduct an interview of a law enforcement officer with subjects on various topics to establish psychological contact, to study psycho-emotional individual characteristics of a person's behavior, communication in everyday life, etc. The specifics of conducting such long-term conversations depends on the essence, type and purpose of this procedural action; subject of study; the procedural status of the person and the degree of his involvement in the criminal offense; psycho-emotional state, individual intellectual characteristics of the law enforcement officer and the subject, etc.

Thus, verification as a method of knowledge in criminal proceedings is a specific method of checking the reliability and appropriateness of information about the progress and results of criminal proceedings, carried out using the study of non-verbal information.