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Forms of Use of the Special Knowledge during Investigation of Destruction or Damage of Property

The author points out at necessity of focus on basic problems arising on the stage of pre-investigatory examination related to ineffective use of the special knowledge and insufficient cooperation of an investigator with specialists. So long as participation of specialists in an investigation is usually limited by only previous

research and investigative actions are conducted without their engaging and it results in the loss of important proofs in criminal proceeding. The help of expert (specialist) in pre-trial investigation and judicial trial of criminal proceeding provides its objectivity and completeness. Just prognostication of development of a situation within the limits of legal analysis with the conclusion of a well-informed person from the concrete applied range of problems give the effect that makes possible to assume timely and effective measures for choosing the correct and reasonable position of parties in the legal proceedings, receiving the quality proof for grounding the acceptance of a procedural decision.

The basic procedural forms of use of the special knowledge include the direct use of them by investigator, public prosecutor, court, investigating judge; participation of a specialist while carrying out of investigative actions and expert examination.

On the basis of results of the author's study it is possible to come to the conclusion that only «procedural» forms of use of the special knowledge are involved: participation of a specialist while carrying out of investigative actions; performing of expert examinations. The direct use of the special knowledge by an investigator at the moment of acceptance of procedural decisions and carrying out of investigative actions is stated by the law. The subjects that use the special knowledge in procedural legislation are clearly determined, namely: investigator; expert; specialist.

Thus, the improvement of quality of investigation of destruction or damage of property is possible on condition of involving the investigative actions in criminal proceedings with the aim of exposure, fixing, exception and research of material objects of corresponding specialists and application modern scientific and technical facilities.

Keywords: criminal proceeding, specialist, expert, destruction or damage of property, investigative actions, forensic examination.