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Forensic Classification of Documents

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• Abstract. The relevance of the study is conditioned by the major legal significance of documents in criminal science, since they are an evidence base, means of certifying certain facts, and their diverse variability and constant processes of change against the background of global informatisation. Based on the above, the purpose of the study is to analyse the conceptual category of the term "document" and its proportionality with such categories as criminalistics, forensic documentation, and criminal offences; in addition, the main task of the study is to build a variable and structured classification of documents, which is necessary for its practical application in document science in the field of forensic science. The systematic approach was central, and the methods of terminological analysis, analysis, synthesis, and comparison were also used. The study result is the presentation of variable forensic classifications of documents on the basis of a number of grounds that were analysed and investigated by analysing the doctrine in the works of researchers and authors, with the subsequent determination of the advantages and disadvantages of each approach to classification and based on the comparative analysis and comparison of data on the proposal of the most dominant classification structure of documents. The study of the forensic classification of documents, highlighting the optimal approach, will simplify their further use in the theory of criminalistics and in practice, directly during the investigation of criminal offences. The results can also be used in the course of the investigator's work at a particular stage of the investigation, determining the subject and tactical advancement of investigative actions

• Keywords: document management; criminalistics; documentation analysis; systematisation

Introduction

The document as an independent type of evidence is the object of most examinations conducted as a result of an examination, in particular: forensic, technical and forensic, photo-portrait, phonoscopic, etc. Given the diversity and variety of forms of documents, and variable ways of information and its fixation in it, it is logical to have a large number of types of documents, and the presence of several approaches to their classification in forensic science [1]. The diversity of forensic classification of documents is conditioned by the rapid development of criminalistics and the level of discussion of the issue, because the development

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of a unified approach to document differentiation is impossible due to the needs of various areas related to document management [2].

The most authoritative in the doctrine of criminalistics is the division of documents according to R.S. Belkin in the work "Forensic encyclopaedia" [3], who proposed to classify documents according to three groups: documents as physical evidence, documents as written evidence, and documents that are samples for written research. I.M. Osyka in the paper "Investigation of forgery of documents and their use in the field of entrepreneurship" [4] suggests dividing the document carrier based on the form, for example, into electronic, paper, etc. There are also other divisions, in particular S. Gavrilin [1] suggests a division based on the degree of access to documentation: secret, top secret, etc. T. Bezsonna [5] proposes the differentiation of documents by their origin, authorship, purpose, etc.

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The significance and debatable nature of the issue of document classification in the field of forensic science is the basis for many studies in attempts to offer a more comprehensive and basic version of classification. In particular, this issue is a thesis in the paper devoted to the examination of judicial documents in the 21st century and the genesis of forensic research of documents as a branch of criminal science technology [6].

Also of great importance is the topic of the general theoretical approach to the study of forged texts and documents in forensic expertise, which outlines the fundamental classification approaches to the division of documents [7].

The originality of the study lies in several aspects that significantly distinguish it from the developments of other researchers. The first aspect is that a significant number of studies devoted to the topics of document science and its relations with forensic science only indirectly investigate the problems of document classification in criminalistics, in particular, the paper by I. Yudina "Topical issues of forensic research of documents with modified primary content" [8].

The next aspect is the importance of offering a balanced approach to the forensic classification of documents, which would consider errors, advantages and disadvantages, unresolved questions of other researchers regarding the classification of various materials in this area. This is of essential importance not only for theoretical scientific application, but also for the further implementation of this type of classification in practice during the investigation of criminal offences, determining the evidence base and other actions of the investigator.

The main task is to find out and offer solutions to the problems that exist in the field of document classification in criminalistics, it is necessary to investigate the state of the theoretical and practical level of content of existing approaches to the classification of documents in this legal sphere. In particular, the study should offer an overview of several scientific and author's approaches to forensic classification of documents, then identify their advantages and disadvantages and find a balance between the positive and negative elements of the selected classification approaches.

Considering all the above, to fully provide an exhaustive analysis within the framework of the study, it is necessary to investigate the theoretical aspects of the issue of forensic classification of documents, their significance in practical application through the use of various variations of classification and, during comparative analysis, determine the preferred classification approach of documents in the field of criminalistics.

Theoretical Overview

The term "document" from Latin means: a sample, proof of something. Historically this word belongs

to the dialects of the Indo-European proto-language, where it meant "to transmit something from outstretched hands". With the development and modification of society, considering external and internal factors, it acquired new meanings and interpretations. For example, during the reign of Caesar, the concept of "document" was used in the sense of lecturing. In mid-century it was transformed to mean evidence, written proof. This meaning was widespread and existed until the 19th century; only at the beginning of the 20th century, it acquired the form that is used in the legal and other socio-state spheres: a material object, an information carrier, proof or evidence of something [9]. The category "document" and its essential features are the basis on which the system of scientific studies is based on what documents exist that are necessary for forensic science, and how the information available in them can be used for forensic and legal purposes. Moreover, document science in the field of criminalistics is designed to investigate the development of a document, its genesis and causes, approaches to differentiation and the significance of the document for the overall social system [7].

Despite the fact that the document is used in all spheres of social life, both at the grassroots and state levels, there is a variable set of definitions that characterise the concept of "document", depending on what specifics are inherent in a particular environment in which this concept is introduced into circulation. For example, in sociological studies, a document is an information carrier of any type, both traditional and innovative [10].

Researchers in the field of history refer to the category of documents only that information that was fixed by means that existed in ancient time intervals [11]. Otherwise, the document is determined by specialists in the legal field, officials, state managers, in particular, for them, this is something that can fix a particular action that has legal significance: a transaction, certification of a legal fact. Investigators, for example, consider the document as one of the sources of evidence [12].

The significance of the document is important in a number of socio-political areas, in particular: the sphere of general use of the document, the sphere of socio-state, scientific, legal and forensic. Given the subject of the study, it is most appropriate to pay attention to the last two areas, especially forensic, and the concept of a document that is significantly related to these areas.

As for the legal definition of the concept of "document", it is based on a number of regulations and provisions on document standardisation. Thus, the Law of Ukraine "On information" [13] defines it as follows: "a material carrier containing information, the main functions of which are its storage and transmission in time and space".

Given the appearance of the category "information" in the terminology of the document, it is advisable to find out what this element is and what functions and tasks it solves. In particular, by studying the above-mentioned Law "On information" [13], Article 9 indicates what main types of information activities exist. The provisions of the law include: use, creation, collection, distribution, receipt, and protection of information.

Article 10 of the Law "On Information" [13] provides a classification of information by content. In accordance with this, information is differentiated into the following types: information of a reference and encyclopaedic nature; information about the state of the environment; information about an individual; information of a legal nature; scientific and technical information; information about a product or service; statistical; sociological information, etc. Thus, based on a fairly expanded species diversity of information, it is worth highlighting its main features: information should be clear, not contradictory, identical to itself, the use and collection of information should be carried out legally, it should be accessible for its perception and further transmission, and not lose its content during processing. It is also worth paying attention to such articles as 20 and 21, which define the procedure for accessing information, in particular, Article 20 states that according to the procedure for accessing information, it is advisable to divide it into: one that of open character; one that is limited [13].

In accordance with the provisions of the law, any information that is not classified by law as information with restricted access can be considered open. Article 21 provides an opportunity to study the concept of information to which access is restricted, on this basis, the law allocates: secret; official; confidential information. Confidential information should be considered information about an individual, or that is restricted by an individual or legal entity for personal purposes and can be distributed only at their request or consent, or in cases provided for by law [13].

Thus, the information contained in the document, meeting all the requirements and characteristic features, can give the document such essential properties as: uniqueness, reliability, which indicates its legal weight and compliance with the requirements of the present.

Highlighting the above-mentioned provisions is quite an important aspect in the framework of this study, because it allows us to identify additional classification bases for the forensic classification of documents.

Materials and Methods

The study was conducted using several basic methods. First of all, the method of analysis and synthesis was used to decompose the subject of research into components, such as: document, forensic document science, the basis for classifying documents, and approaches to such classification. Thus, a basic analysis of each individual element provided a general idea of the value and theoretical importance of research on the classification of documents in the field of criminal science. Using the historical method, the study found the stages of development of the document as a material carrier, a necessary element of criminalistics, its genesis in general and its special meaning. Using a terminological methodological approach, the essence of the terminology was analysed to penetrate the main essence of the object under study, its content, the volume of relationships with other tangential categories, and to highlight the theoretical significance for further analysis. The next approach that was used is a systematic approach that allowed investigating complex objects in criminalistics, such as, document, criminalistics, classification; the meaning of these objects was studied as the essence of a separate object, with the clarification of all the necessary characteristics, and the meaning of these objects in an integral system, forming a single whole with the coordinated functioning of all individual selected parts and elements.

The comparison method was also used to find out the ratios and quality characteristics of various classification approaches to systematising documents in criminalistics and further clarify their advantages and disadvantages, in order to offer a balanced and preferred approach to classifying documents in this area. In particular, using this method, such approaches as classification of documents by the method of fixing, by the nature of origin, by the procedural nature, and others were compared. The research was carried out on the basis of a number of theoretical works containing an analysis of the doctrine of forensic classification of documents, both Ukrainian and foreign researchers and scientists. With the help of a formal legal methodological approach, the analysis of laws regulating legal relations in the field of criminalistics and document management was carried out. In particular, with the help of regulatory acts, such as the Classification of Occupations of Ukraine, the concept of a document was clarified [14].

Thus, the study was conducted in three main stages:

1. The first stage consisted in the investigation of the theoretical base, clarification of the terminology; using the terminological method, in particular, the concept of "document" and its genesis, correlation, and significance in criminal science were analysed; the concept of criminalistics and document management in this legal sphere was defined; various approaches to the interpretation of the above-mentioned concepts were proposed. 2. At the second stage, an analysis of foreign experience in the field of criminalistics and document management was carried out to identify the characteristic properties inherent in the forensic classification of documents with the identification of positive and negative features of a particular approach to their differentiation.

3. At the third stage, considering all the analysed approaches to forensic classification of documents, the advantages and disadvantages of each approach were determined separately. Based on the results obtained, the classification approach is proposed that would be most acceptable in terms of the number of its advantages and disadvantages, for its further use both for theoretical work and for practical application in the field of criminalistics.

Results and Discussion

Turning to the definition of the terminology of such a category as a document, depending on the legal area of certain documents, their concepts and features vary and change, in particular, in civil studies, the document is associated with transactions, obligations, and other legally significant actions. Labour law connects this concept with legal relations: employment, vacation, etc. [1]. Administrativists use the concept of "document" mainly to refer to certain administrative procedures: the procedure for bringing to justice, the registration procedure, etc. [2]. As for criminal and criminal procedure law, the document is the subject of a crime, or as a carrier of information that can act as evidence. In particular, the Criminal Procedure Code of Ukraine has a definition confirming the above statement: "a document is a material object specially created for the purpose of preserving information, which contains information recorded with written signs, sound, images, etc., which can be used as evidence of a fact or circumstances established during criminal proceedings" [14].

The use of the document in a significant number of legal areas has led to the creation of a number of requirements and conditions in accordance with which it should be drawn up. They are consolidated in certain rules, norms, and standards and are designed to facilitate and regulate the functioning of the government apparatus and the interaction of state institutions, enterprises, and other formations. Based on these requirements, which consist in the fact that the creator of the document must be a legal entity or individual, the information containing the document must be such that it corresponds to reality and show the true aspirations, intentions, and will of the person [10]. In addition, the document must comply with a legally defined form that defines the structure, language in which the document is compiled, content, how it should be drawn up and in what order its further registration takes place.

Each individual type of document, although it differs in its functional purpose, but in general, makes up the same set of basic functions that are inherent in it as a storage medium. Thus, the functions of documents, depending on in which area the document is used, can be divided into the main ones that are inherent in each document, and special ones that are inherent in individual types.

Main functions of the document:

- informational function, the meaning of which is that the document appears as an object in which a particular type of information is reflected, which may contain knowledge, evidence, facts, evidence, etc.;

 fixing function is that using a document, one can record, fix, and save the received information for further use or transmission;

- function of a social nature is inherent in the document due to the fact that it appears as a means that individuals use to express their will or need;

- with the help of the cumulative function of a document, the information that is in it can not only be transmitted, but also accumulated and systematised for longer storage;

- communication function of the document indicates that it is one of the means of exchanging and transmitting information, which primarily allows developing communication between people, their connections at different levels, both at the level of simple social groups, and at the power level, between lower and higher officials, between state and non-governmental structural entities;

- cultural function refers more to historical documents that are historical monuments and are designed to convey information about traditions, customs, etc.

- the special functions of the document, due to the specifics of the various activities in which the document is used, consist in the following aspects:

- functional purpose of the document is manifested in its ability to organise management processes, due to the fact that with the help of such a material information carrier, regulations, rules, charters, competence, powers, and other necessary attributive elements of each organisation, government or non-government;

– issue of planning the activities of certain organisations and formations is also resolved through the planning function of the documents in which it is recorded.

- drawing up regulations is impossible without the legal function of the document, with the help of which, in compliance with the established rules for drawing up documents, it is possible to consolidate the norms of law regulating relations between social groups within state entities.

In particular, considering the functional characteristics and features of both general and special features inherent in the document, researchers in this field tried to give it a terminological definition [15]. They most often considered the functional direction of the document (that is, the ability to transmit information); the presence of information and material parts; integrity, an identical feature of the document, which means the existence of the same essence of the document, even through changes in its information content; and the structure, which is mainly typical for each individual type of document, and is conditioned by the presence of a number of instructions, norms, and provisions that define it [11].

Thus, examples of concepts that were provided by researchers based on these characteristics are variants by G.M. Shvetsova-Vodka [16]: "a document is a material object that contains fixed information and is specially designed to transmit it in time and space, can be used for public purposes", "a document is a variable carrier of a material nature, which contains fixed or recorded information that has a social direction".

It is also worth paying attention to the definition given by Belkin – the document is an object of the material world, in which information is fixed, using language, signs, and symbols [3].

Prominent Ukrainian forensic scientist V. Lysychenko [17] proposed to define the concept of a document as something that is a written act, or a special material object, with the help of which certain but defined expressions of will, information, and other facts acquire legal significance, based on the norms of law.

M. Saltevskyi's [18] definition of a document is similar in its essential characteristics: "... it is information recorded by tangible media, which reflects relations and facts in the field of legal regulation and can change, terminate, or create legal relations by using document".

Analysing all of the above and considering the experience and reasoning of researchers, which are the basis of the scientific doctrine regarding the understanding of such a category as a document, it is worth noting that in all definitions, it appears as something that has a material character, acts as a carrier of information that primarily meets the requirements of legal norms, is a certain fact, significant information or expressions of will.

It is the experience of authors and researchers of such a topic and the consideration of their reasoning that allows comprehending the meaning of the document and its functional purpose not only in one specific area, but, considering different areas of application of this category, which, in particular, determines the variability of features those certain individuals take into account when working with documents in a particular area [19].

Considering the topic of research and its area in the field of criminalistics, for further research it is advisable to formulate a definition that would meet the requirements of forensic science and regulations of legal relations in this area. Thus, based on the provisions of the Criminal Procedure Code of Ukraine [14], the document is an object of the material world, which was created specifically for the purpose of preserving information and contains information recorded using images, sound, written signs and symbols, etc., and can later be used as evidence of circumstances, facts that are established during criminal proceedings.

In criminal science, a separate industry has been formed, the functional purpose of which is precisely the study of documents. This area (a component of forensic technology) is forensic document science or forensic research of documents. Within the framework of this industry, the issues of the essential origin and nature of handwriting and written speech are investigated, the types of seals and stamps with which documents can be produced are studied, methods and techniques for working with documentation for the purpose of investigating, disclosing, and preventing criminal offences are analysed, and the methods of forgery of documents and how they can be recognised are also studied.

The retrospective of the emergence of the doctrine of the document in criminal science indicates that it is advisable to link it with the processes of generalisation and unification of variable achievements of practice and theory within such areas as forensic studies of documentation and scientific (in relation to certain types of documents), the study of their inherent features, general and special elements, the analysis of how and on the basis of what factors, these documents can be distinguished and systematised into separate systems based on the similarity of characteristic features [20].

The branch of criminalistic study of documents has emerged as an independent, due to the constant deepening and study of sub-sectors and main scientific areas in the field of document management, the analysis of research branches in the field of documentation processing and the development of new effective methods and means of processing documents in the field of criminalistics based on both theoretical and empirical, considering the advantages and disadvantages of each of the existing achievements. One of the researchers who investigated and paid attention to the issues of forensic document science was O. Obraztsov [1], who described the processes of generalisation and integration of forensic research of documents.

Notably, there is some discussion on the issue of determining the subject of forensic research of documents [21]. According to, I.I. Kohutych [22], forensic document science has a subject that studies the regularities of the functioning and creation of documents that are within the scope of criminal proceedings. K. Kovaliov [11] sees the subject in the patterns associated with the formation of handwriting, writing, the influence of external and internal factors on these components, and which manifest themselves during the creation of documents.

The concept of a document in this area is identical with the concept of a document in the Criminal Procedure Code [14]: a document is understood as a material carrier of information (facts, information) that are directly related to the disclosure and investigation of crimes. It is advisable to disclose the essential aspects and purpose of forensic documentation through its tasks, which are significantly closely related to the tasks of technology and criminalistics, and consists in assisting law enforcement agencies in disclosure, investigation, and preventive activities.

There are also tasks that are unique to the above-mentioned field of forensic technology: the improvement of forensic tools for the experimental handling of documents, the development of new methods and techniques with information containing documents; the theoretical investigation of the constituent elements of the subject matter of this branch, the study of the mechanism of criminal offences committed with the use of documents [23]. First of all, forensic documentation is also divided into certain variable sub-sectors. This division occurs based on the object composition of what is being studied. For example, if handwriting is being studied, then this issue is referred to the competence of the sub-branch of forensic handwriting, which deals with methods of handwriting recognition using handwriting expertise.

Forensic authorship study, which is based on grammar, linguistics, etc., examines patterns of speech behaviour of a person, in order to further establish the authorship of a particular document. The sub-branch, which is designed to investigate information and ways of how a document containing records and changes was made, through the use of certain means, is a technical and forensic study of documents, for which a technical examination of documents is carried out.

Given the above, it is important to emphasise the importance of forensic documentation within the scope of the subject of this research and in other areas that use the theoretical and practical achievements of forensic documentation research in everyday work. In particular, the significance of considering the outlined industry is directly related to the subsequent classification of documents due to the presence of the described branches in the industry itself, that is, its division into handwriting, authorship studies, and technical and forensic. This determines the logical existence of a difference in the types of documents that are studied within each of the sub-sectors.

In addition, forensic documentation facilitates the implementation of operational and investigative actions, examining the document as a material carrier of information that acts as an evidence base in the investigation of a particular offence at various stages. Knowledge, within the framework of forensic documentation, is considered both during the judicial and pre-trial consideration of the case, since both during the first and during the second process, work is carried out with documents. This industry allows investigating and determining how a particular document was produced, identifying traces that indicate its forgery, movement, sale, and a number of other illegal actions that are taken into account at all stages of the investigation.

Forensic examination of documents is also particularly important during pre-expert examination of documents within the framework of obtaining data, which often contains legally significant facts and testimonies, which, in fact, are evidence. According to the same mechanism of interaction with documentation, forensic examination is also carried out [8]. The accumulated and systematised amount of knowledge in the field of forensic documentation is the main source of information for such industries as: operational search, investigative, expert activities of officials and bodies authorised to use, investigate and search for documents that are criminally significant and essential within the framework of investigative actions. In other words, the circle of people who use the achievements of forensic documentation is made up of lawyers, prosecutors, judges, investigators, pre-trial investigation bodies, experts in auto and handwriting studies, etc.

Assuming the widespread use of such a category as a document in all spheres of social existence, also considering its ambiguity, polyfunctionality, and major significance of the document in the framework of criminalistics, it would be advisable to investigate the question of differentiating it as a material carrier of information, considering the achievements of scientific doctrine in this area.

Considering the functions, characteristics, and terminology of the category "document" forensic scientist O. Zhizhilenko [24] proposed a classification of documents based on the following divisions:

- for their intended purpose, documents are evidence, as a result of certifying a particular fact, expressions of will, or have acquired the properties of evidence, considering the circumstances of the case;

 by primary origin: those authored by representatives of public authorities and private individuals;

- by content: those that record circumstances and facts that are legally significant and can give rise to legal consequences and those that do not have legal significance and are not able to give rise to consequences within the framework of legal relations;

– by form: those that are already drawn up according to the existing and defined form and those that can be drawn up without considering the provisions that establish the necessary structure of the document;

- by method of certifying an event or fact: those that cancel the ability to take into account evidence

containing other documents and similar information carriers and those that do not cancel this possibility;

- by their essential meaning: those that do not participate in criminal proceedings, those that are, on the contrary, procedural, and those that relate to the spheres of the existence of social groups in society.

– by method of presentation of documents: in the form of a certificate, application, etc.

As one of the most general and comprehensive classification divisions of documents, which significantly influenced the development of criminalistics and improving the understanding of documents in this area, it is worth describing the classification according to Russian criminologist R. Belkin [3], who proposed to divide documents on the following grounds:

by the method in which the document was created: typographic, handwritten, typewritten;

- by the nature of the information contained in the document: open and encrypted;

- by legal origin: genuine and forged documents;

– by source of origin: those that come from private individuals and those that come from public law individuals.

It is advisable to present both the proposed and important division of documents, which was proposed by a foreign forensic scientist I. Vorobyova [25]. Describing her view on what grounds should be considered when classifying documents; it is worth outlining the following aspects:

- by basic method of recording: recorded in writing, on electronic media (for example, images, etc.), movies, photos, videos, and documents of a general and universal nature.

- by material from which the carrier of the information recorded on it is made, the base can be either artificial, that is, paper or polymer, or natural: wood, stone, etc.;

- by source of origin: those created in government bodies, enterprises and organisations, and those whose authorship belongs to private individuals, i.e., unofficial documents;

- by their intended purpose: personal, financial, official, etc.;

 by the order of origin: for a copy and duplicate, for the original and draft, etc;

– by procedural significance: physical evidence, written and those that are a model for comparative analysis.

– by authenticity: real and fake;

 by degree of openness: open nature; secret; documents required for official use;

– by storage time intervals: those that are stored permanently, temporarily, or for a long time;

– place of occurrence: internal and external.

Of particular interest is the approach of I. Aspen [4], who suggests classifying documents based on a common division, namely according to the form of the information carrier. Based on this

foundation, I. Aspen [4] distinguishes plastic documents or combined documents, documents in which information is recorded on electronic media and on traditional paper documents.

Considering the appearance of the category "electronic document" near the category "document", it is important to illustrate the reasoning of V. Sezonov [26], which offers a definition of the concept of an electronic document and outlines the species diversity of this phenomenon. An electronic or digital environment of activity should be understood as systematised objects containing elements such as computer tools, etc., and are in a certain ratio and interaction with each other regarding the language that is programmed, the standards on which they are based and the technical parameters that are inherent in them, processing, accumulation and further transmission of the information that they contain [26].

The widespread use of electronic documents is conditioned by a decisive step in the field of innovative technologies, which leads to progress at all levels of global development, starting new ways of transmitting information and improving the ways and forms of media on which this information can be stored. Thus, in particular, progress was caused by the emergence of secure databases, which allows storing legally important information that certifies certain facts that can give rise to legal consequences or other expressions of will, testimony, etc. The possibility of using or familiarising oneself with this information occurs in accordance with a certain available and defined access procedure, including the use of verification by e-mail, phone number, biometric data, bank card data, and using passwords or codes [27].

But these are not the only means of access, for example, access to electronic documents and more has recently been made easier with the advent of the QR code-, a two-dimensional barcode that can be scanned with a smartphone or other device, and gain quick access to the necessary data. Thus, the concept of "electronic document" should be understood as information that is contained on an electronic medium and access to it is carried out in the appropriate order, which is defined.

According to V. Sezonov [28], electronic documents of legal significance should be classified according to the following division bases:

 by origin: those created by private users, government agencies, enterprises, organisations, or other authorities;

- by the form in which they are located: virtual, which are information objects that are stored in special electronic repositories, for example, state registers, which are accessed according to certain algorithms; material – those in which information is stored on an electronic medium, it can be copied, read, etc., and it is meaningful and legally significant; by the nature of the material media: placed on external memory devices; placed in the computer's memory, such as virtual disks, etc.;

 by the level of security: inherently open and restricted access;

– by content: graphic, animated, text documents, or those that contain information that is recorded using special codes.

Continuing the study of classification approaches to the classification of documents in criminal science, it is worth highlighting the opinions of another forensic researcher, which are the basis for further clarification of the prevailing classification approach that would meet modern realities and the needs of both theory and practice. In particular, I. Podvolotskyi [29], suggests considering documents within two divisions or groups.

1. Documents that are being studied in the field of technical and forensic research:

made of paper, polymer materials, leather, fabrics, glass, etc.;

– according to the method of recording information in them: using printing, writing; photo, film, video, electronic documents, etc.

2. Documents that are the subject of a crime; genuine and forged documents. Considering their attitude to the criminal process: documents that are material evidence; documents that certify certain facts and are evidence that is legally significant in the framework of the investigation of a criminal offence.

According to I. Podvolotskyi [29], it is advisable to classify documents in criminalistics both by their origin (into private and official) and by the method of transmitting information.

It is worth noting that this approach to the classification of documents is of essential importance for technical and forensic examination of documents. Technical and forensic research, as noted earlier, is a sub-branch of forensic document science and consists in studying and developing methods and methods according to which the handling of documents is carried out, for further investigation of criminal offences and their prevention. With this particular type of research, it is possible to fully and comprehensively investigate the required document. Accordingly, the document and its derived elements, such as materials or written tools, are objects of technical and forensic research [30].

There is also an internal division of this type of expertise into one that examines the details of the document and one that deals with material issues.

Regarding the functional purpose of each of the subspecies of examinations, the requisite system is designed to solve the following tasks:

 the need to establish the facts and methods by which changes were made to the document, for example, writing, re-pasting cards, or erasing information; identification of characteristic features regarding the printing means used to produce the document and the presence of their traces;

- finding out the content of information available on materials that are flooded, faded, soiled or poorly visible, on materials that have been exposed to temperatures and fire, only if the document manufacturing material has not become ash;

 identification of the brand, system characteristics, typological data on the category of printing equipment, followed by clarification and identification of these tools;

 – finding out the font affiliation of a particular set of letters;

 identification of the statute of limitations of a document, whether holistic or fragmentary, solving the issue of dashed drawing on a document and its sequence;

– finding out the origin of writing tools by strokes;

– identification of such elements as: seals, stamps, facsimiles; means of multiplication techniques; composter signs behind clearings, etc.

A subspecies of technical expertise designed to investigate the material composition of a document performs the following fundamental tasks:

 clarification of the question of the time during which strokes of handwritten notes were made in documents;

 – analysis and further determination of whether documents belong to a genus or species according to classification, etc.;

– determination of the material composition of the document: paper, polymers, etc.

The most common category in the framework of technical and forensic expertise is the study of the so-called standard document, performed according to template samples, contains a certain uniformity of questions reflected in it. Thus, it can be noted that an important element of the object of research (document) in criminalistics is the banking details and the form.

Each document contains banking details, they reflect a certain set of mandatory data and information that must be submitted based on the provisions of laws and regulations. There is a division of banking details, depending on the method of applying them to the document: those that are applied according to the template when creating the form, that is, permanent, and those that are marked on the document when directly filling in and have the name of variables. The rules and regulations on the correctness of filling out the form with banking details, both permanent and variable, contain unified systems that regulate the procedure for organisational and administrative documentation and establish requirements for how documents should be processed [31]. As for the form, as a mandatory element of a certain type of document, it is a form of an approximate type, which is either in the form of a printed material object, or is located on another material storage medium, and is then filled in with the necessary data in certain places, that is, filled in with banking details.

Returning to the issue of classification approaches to document differentiation in criminal science, it is advisable to start a systematic review of the obtained theoretical basic approaches with the allocation of their advantages and disadvantages and significance for modernity. In particular, in general, each of the classifications considered, although it is of outstanding importance for the development of forensic knowledge in the field of document research and has solid provisions, does not fully meet the challenges of the modern world in the framework of criminalistics that arise today. Considering the significant time intervals that exist between the proposed classification approaches and the present, it is worth noting the need for their updating and improvement to such a level that would allow the use of such classification bases not only for theoretical research, but also for practical use in the work of investigators, legal practitioners, expert researchers, etc.

The described classification approaches do not allow fully depicting the possible variability of the document and its polyfunctionality, which still exists, considering high technical development and development of IT, which creates new challenges for criminologists to track new trends in the field of document science with further research of newly formed types of documents and find out their belonging to a particular species or genus. For example, analysing the classification approach of I. Podvolotskyi [29], who proposed to divide documents on such grounds as: by origin, by the method of transmitting information, by the method of fixing information, by the legal and material nature, and by the nature of the materials from which the document was made. The advantage of this classification is the division of differentiated documents into two groups, with the allocation of important elements that are necessary for technical and forensic examination [29].

Regarding the shortcomings, the author missed essential approaches to the classification of material objects containing information, in particular I. Podvolotskyi [29] did not divide the documents depending on the type of information carrier of the document, and the question of the number of authors who created the document was also not taken into account; the question of the purpose of the document was also not taken into account, including what percentage of the document was ready and at what stage of production it was. This quantitative advantage of the disadvantages of this classification approach indicates that its use for investigation purposes by investigators or experts will significantly complicate the investigative process and examination of document research. Regarding the classification bases of division by I. Vorobyova [25], who proposes a fairly wide list of grounds on which it is advisable to divide documents, in particular, by recording information in them, by materials from which the document was created, by the source of the document, i.e., by authorship, by the order of execution of the material medium, on what procedural value it has, by reliability, openness, periods of storage and use of the document, and on the place of origin which is assigned to it.

Obviously, the classification is quite comprehensive and in some aspects corresponds to modernity, but the content of these bases of division is not such that it would be quite appropriate to use it in a practical area in the field of criminalistics. In particular, for example, such grounds as the retention period of documents, their time and place of origin are not important for criminalistics, but they are important for document science and other sub-sectors in this field. In addition, such grounds as the method in which the information was transmitted, the nature of the information carrier and its legal significance were not considered by the author, although they are quite important for the process of investigative actions and the judicial process.

Classification approach of the prominent forensic scientist R. Belkin [3] also has a comprehensive character, because it offers a number of bases for separating documents, for example, by the nature of the information content of the document, by the method of creation, and by the legal significance and source of origin of the document.

It is advisable to note that although this classification is not considered relevant, given the technological process and the existence of information technologies and the introduction of such a concept as an electronic document, which makes it impossible to consider this classification as corresponding to the present, but its theoretical significance is difficult to overestimate, because it was the basis for further research and practical and theoretical improvement of the forensic classification of documents.

The classification according to A. Žižylenok [24], which was necessary for theorists and practitioners of the 20th century, because it proposed the distribution of documents on the following grounds: essential importance, purpose, origin from the primary source, contents, the form, the nature of the information it contains, etc. Such differentiation at that time showed its practical value at the stages of the investigative and judicial process [24].

Within the framework of the present, this system becomes the basis for the development of specialists, theorists, and practitioners working in the field of forensic research of documents and acquires gradual improvement and adaptation to the realities of the modern judicial and investigative process. Regarding the approach to differentiation by I. Osyka [4], it is worth noting, although it is somewhat narrow and does not show all the specific and variable variety of documents, but it sufficiently meets the modern requirements, given the presence of the basics of classification on a common basis – the form of an information carrier, and distinguishes on its basis documents from polymer, paper, and traditional documents in paper form and electronic documents.

Considering the above analysis of the positive and negative features of each of the approaches, it is proposed to form the basis for classification, which would be most acceptable for practical application in the work of investigators, specialists in the field of document science, experts, practitioners, and theorists. Based on the principles that were used by the above authors, which include the division of documents into one basis, the foundations should not be identical and occupy a certain place, considering the area in which it is necessary to perform classification, etc.

Considering the provisions of legal norms and modern conditions of the existence of criminal science, the classification approach to the division of documents can be carried out on the following grounds:

- by the legal form in which the document exists: application, contract, order, resolution, order, law, management act, verdict, decision, will, etc.;

- by the origin of the media and the method of fixing information on it: paper document; on magnetic media; on media that record audio information; information is recorded by handwriting; photographic method; information is recorded by optical or electrical signals with special equipment, etc.;

– by source of origin: those that come from persons of public law – official (from enterprises, institutions, organisations); and those that come from individuals – personal, for example, personal records, manuscripts, letters, diaries, etc.;

- by the level of secrecy inherent in the document: secret; documents intended for official use with the appropriate algorithm that determines access to them; confidential; those marked with a security stamp, for example, "especially important";

- by their intended purpose: those that are designed to certify legal phenomena; those that contain a certain type of information of any nature; securities; financial securities; reference and certification documents (for example, a ticket);

 by how information is reflected: typewritten; handwritten; printed; reprographic; photo documents; film documents; video documents; audio documents; electronic documents; combined documents;

- by meaning in relation to procedural law: they are written evidence; material evidence (for example, they are a means of committing a crime or its object, they serve as an evidence base, because they contain facts of legal significance); documents used for comparative research to establish the authenticity of the document;

– by the ratio between the time of committing an offence and the time of creating a document: the one that was created during the commission of an offence; before the commission of a criminal offence; after the commission, but within the time limits of the investigation;

- by its authenticity: the one that is authentic, that is, the facts that are attested in it correspond to the real state of affairs; and the one that is fake.

In particular, forgery can be of two types: intellectual and material. Material forgery means complete forgery of all attribute elements of the document (form, content) and partial forgery, when only a certain part is modified, for example, the banking detail. Intellectual forgery is false evidence in favour of a forged document and concealment of facts about the present one. The establishment of the fact of intellectual and material forgery occurs during the investigation process and with the help of a number of forensic examinations using technical and forensic tools, techniques and methods inherent in the technique of criminalistics and forensic documentation.

Considering the shortcomings of classification approaches that were outlined earlier, and the nature of the origin of a document that comes from the creation of a certain person, their mental and creative activity, it is advisable to determine another basis for dividing by the number of creators, performers of the document: a document that was created, executed by one person; two persons; three or more persons. When examining a document during, for example, a technical and forensic examination, it is necessary to consider what type or type of material was used to produce a particular document that is the object of research. Therefore, based on this provision, it is advisable to distinguish the following basis for classifying documents - by the type of document manufacturing material: paper; glass; ceramics; fabric; document made of polymer materials; plastic; metal; rubber; wood; combined materials (that is, a combination of two or more materials with different properties during the production of documents). The next basis for classification will be the degree of openness and access to the information contained in the document. Given this, it is advisable to divide it into: an open-type document; an encoded document with a specific access algorithm.

Thus, using the reasoning of researchers and their best practices in the field of forensic document science, and relying on those shortcomings that were analysed, now the authors of this study have described the preferred classification approach for a number of division bases, which allows comprehending the concept and main features of the document in the field of forensic science.

Conclusions

Thus, the study on the topic of forensic classification of documents allowed investigating more deeply and in detail the issues related to the essential meaning of the document in the modern world and identify the category of electronic document as a logical consequence of modern progress in the context of globalisation and information processes.

The attention paid to such an element of the document as information and the study of its significance based on the normative legal provisions of the legislation allowed identifying and outlining the basics of division necessary for a comprehensive classification of documents in criminal science.

The analysis of scientific approaches to the study of this topic with the allocation of shortcomings and advantages of each, in accordance with the conditions of modernity and the needs of specialists in the field of criminalistics, researchers, practitioners, investigators, provided a classification division of documents on the following grounds: the organisational and legal form in which the document exists, the origin of the carrier and the method of fixing information in it, the source of origin of the document, the level of secrecy, the purpose, the way information is reflected in the document, its value in relation to procedural law, the ratio of the time of creation of the document and the time of committing a criminal offence, the degree of openness of information in it, for reliability, the type of material from which the document is made, and the number of document creators.

The results of the study and the proposed forensic classification of documents are practically valuable and such that it is advisable to use during investigative actions, judicial and pre-trial processes, within the framework of forensic examinations, in particular, technical and forensic, etc.

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Криміналістична класифікація документів

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■ Анотація. Актуальність статті зумовлена значущістю ролі документів у криміналістиці, їх варіативністю та постійними процесами змін на тлі світової інформатизації. Мета дослідження полягає в аналізі змісту поняття «документ» крізь призму його співмірності з такими категоріями, як «криміналістика», «криміналістичне документознавство» та «кримінальні правопорушення», а також побудові варіативної та структурованої класифікації документів, що необхідна для її практичного

застосування в документоведенні у сфері криміналістичної науки. Основними методами, які використано в процесі дослідження, є систематичний, методи термінологічного аналізу, синтезу та порівняння. На підставі результатів вивчення наукової доктрини в цій сфері наведено варіативні криміналістичні класифікації документів, визначено переваги й недоліки кожного підходу до класифікації. Обґрунтовано найбільш прийнятну класифікацію структури документів. Доведено, що дослідження криміналістичної класифікації документів, зокрема визначення оптимального підходу, дозволить спростити подальше їх використання в теорії криміналістики й на практиці, безпосередньо під час розслідування кримінальних правопорушень. Результати дослідження також можуть бути використані в процесі роботи слідчого на певному етапі розслідування, визначення предмета й тактичного просування слідчих дій

• Ключові слова: документознавство; криміналістика; аналіз документації; систематизація