

Kharchuk Nataliia, Senior Teacher of
the Department of Foreign Languages
of the NAIA

PLACE OF THE CRIMINALISTICS IN THE SYSTEM OF SCIENCES

Criminalistics is one subdivision of forensic sciences. The terms criminalistics and forensic sciences are often confused and used interchangeably. Forensic sciences encompass a variety of scientific disciplines such as medicine, toxicology, anthropology, entomology, engineering, odontology, and of course, criminalistics. It is very difficult to provide an exact definition of criminalistics, or the extent of its application, as it varies from one location or country to another. However, the American Board of Criminalistics defines criminalistics as «that profession and scientific discipline directed to the recognition, identification, individualization, and evaluation of physical evidence by application of the physical and natural sciences to law-sciences matters.» The California Association of Criminalistics provides a slightly different definition: «that professional occupation concerned with the scientific analysis and examination of physical evidence, its interpretation, and its presentation in court.» These definitions are very similar to the ones used for forensic sciences, as both disciplines have as a goal to provide scientific analysis of evidence for the legal system. It is also challenging to define a clear origin of criminalistics. The term comes from the German word *Kriminalistik*, invented by Austrian criminalist Hans Gross (1847-1915). The real recognition of criminalistics as a science by itself can be attributed to Hans Gross who published his book *Handbuch fur Untersuchungsrichter als System der Kriminalistik* in 1899.

There is some confusion regarding the status of criminalistics in different legal systems and in different countries - both in Europe and in the world - but there are also problems regarding the terminology used: criminalistics, criminal investigation, forensic sciences, police sciences (English), criminalistique, police scientifique (French), and polizia scientifica (Italian) on one hand,

and kriminalistik (German), and kriminalistika, kryminalistika (Slavic), on the other hand have different meanings in different languages and in different concepts.

In English-speaking countries, «criminalistics» is usually connected with forensic science. It is described as «the branch of forensic science concerned with the recording, scientific examination, and interpretation of the minute details to be found in physical evidence» (Osterburg & Ward, 2000: 30). It is therefore part of forensic science. Sometimes criminalistics is identified as forensic science (Bennett & Hess, 2001: 21), or considered as «a marriage of science, logic and philosophy» regarding physical evidence, or a term embracing «scientific forensic disciplines and crime scene investigation» (Shaler, 2012: 17, 20). The term criminalistics may relate to the work of crime scene technicians at the crime scene or to scientific forensic examination in crime labs (Chisum & Turvey, 2007). Last but not least, criminalistics may also be identified as criminology (or part of criminology) and (academic) criminalists as criminologists (Mesko & Ticar, 2008: 288). The same may be said for the meaning of the terms «criminalistique», police technique, police scientifique, polizia scientifica, etc., which are also expressions for forensic science and not synonymous with criminal investigation.

In Germany and Austria, the traditional concept of criminalistics that arose from the handbook of Hans Gross has been followed and additional theoretical parts of criminalistics as a science had been added. Especially in the former German Democratic Republic (DDR), criminalistics has been considered as a science and had been included in university lectures both at the undergraduate and graduate levels. At the Berlin Humboldt University, there had been department of criminalistics with a postgraduate course which, however, was unfortunately canceled in 1994 (Ackermann, 2007). There were several warnings by prominent academics that the situation with criminalistics in Germany was not going well (Ackermann, Koristka, Leonhard, Nisse, & Wirth, 2000). Research and teaching of criminalistics was mostly left to police academies and police vocational schools, and even there the courses are often integrated into general police tactics (Ackermann et al., 2000: 595). Since then, the situation has not improved much, but

there are some Law Faculties that give students lectures on criminalistics (Ackermann, 2007). Still, in Germany, criminalistics is considered as an independent science. (Ackermann, Clages, & Roll, 2011). However, much of the (empirical and theoretical) research in criminalistics has been carried out by the Federal Bureau of Investigation (Bundeskriminalamt) as well as some high vocational police schools (like Deutschen Hochschule der Polizei in Münster).

There are three separate sciences or disciplines which are connected to criminalistics, namely, a) criminal investigation; b) forensic science; and c) investigative or forensic psychology.

Criminalistics, forensic sciences, investigative psychology, criminology, police science often cover the same topic causing them to overlap. Criminalistics usually covers topics such as: interview and interrogation, lie detection, crime scene investigation, crime reconstruction, search of houses and premises, eyewitness identification, undercover investigations, hypothesis building, clues and circumstantial evidence, psychological profiling, geographical profiling, crime classification, case analyses, operative and strategic analyses, etc.

Both in the field of criminalistics as a science or discipline, and in the field of criminal investigation as a practical police activity, what can we expect in the future? Can we predict further development in both areas? We will try to give some suggestions and warnings. As was previously mentioned, the situation in Europe regarding criminalistics as an independent science does not seem very promising. University study programs are rare and often abandoned even in some countries where they used to be available. The Bologna study courses are not in favor of including this science in the law faculty programs, so it is mostly left to rare faculties of criminal justice or to vocational police schools and police academies, which are crucial, as there will undoubtedly be further developments and research in forensic sciences, investigative psychology and criminology.

List of references

1. Ackermann, R., Clages, H., & Roll, H. (2011). *Handbuch der Kriminalistik: Kriminalistik für Praxis und Ausbildung*. Stuttgart; München: Richard Boorberg Verlag.

2. Ackermann, R., Koristka, C., Leonhardt, R., Nisse, R., & Wirth, I. (2000). Zum Stellenwert der Kriminalistik. *Kriminalistik*, 54(9), 595-598.

3. Bennett, W. W., & Hess, K. M. (2001). *Criminal investigation*. Belmont: Wadsworth.

4. Kube, E., Störzer, H. U., & Timm, K. J. (1993). *Kriminalistik: Handbuch für Praxis und Wissenschaft* (Bd. 2). Stuttgart; München: Richard Boorberg Verlag.

5. Osterburg, J. W., & Ward, R. H. (2000). *Criminal investigation: A method for reconstructing the past*. Cincinnati: Anderson.

6. Shaler, R .C. (2012). *Crime scene forensics: A scientific method approach*. Boca Raton; London; New York: CRC Press.

Romanov Igor, Teacher of Foreign
Languages Department of the NAIA

THE IMPORTANCE OF THE USAGE OF ENGLISH IN TEACHING CRIMINAL LEGAL DISCIPLINES

The rapid integration of Ukraine into the European Union requires different tangible changes in all spheres, particularly in education and law enforcement systems. Changes in the education system involve effective use of foreign languages in order to prepare well-qualified specialists. All changes that occur in our country are fixed in the relevant laws and documents. According to one of these documents - the law of Ukraine «On higher education»: higher education in Ukraine is based on «the general principles of international integration and integration of higher education in the European area» [1]. As follows, higher education goes to a new level. According to article 4 of the Law of Ukraine «On the national police», «police can be sent to international organizations of foreign states in order to ensure coordination of cooperation, and to participate in international operations in order to maintain security» [2]. So, future specialists of law should be proficient, fully developed and competent in using foreign languages in their sphere.