
Kovalevska Ye. – *Postgraduate Student of the Department of Criminalistics and Forensic Medicine of the National Academy of Internal Affairs, Kyiv, Ukraine*

Legal Regulation of the Participation of Subjects with Special Medical Knowledge in Criminal Proceedings

This scientific article analyzes the criminal procedural law regulating the participation of a medical specialist and an expert in criminal proceedings.

The use of specialist knowledge occupies a special place in the system of means and methods of combating crime and is of great importance in obtaining evidence of criminal proceedings. Scientists and practitioners are considered to be the two main forms of using special medical knowledge during the investigation of crimes, the participation of a medical specialist in conducting investigative actions and involving expert knowledge through the prism of forensic medical examination.

The procedural position of subjects with special medical knowledge is explored, some aspects of their participation in investigative actions are disclosed. The attention is focused on the changes that occurred with the adoption of the current Criminal Procedure Code in these matters, since the adoption of the current Criminal Procedure Code of Ukraine there were changes in legislation on regulation of participation specialist and expert in criminal proceedings. Unlike the previous Criminal Procedure Code of Ukraine, the fact that the legislator calls upon a specialist and an expert to be participants in a criminal proceeding, the appointment

and conduct of an expert examination is not possible until the moment of the criminal proceedings, and the examination was recognized as an investigative action, was the latest in the current procedural legislation. Some aspects of legal regulation of the participation of subjects with special medical knowledge in criminal proceedings are considered. The following types of investigative actions are used, where special medical knowledge is used by attracting knowledgeable persons with the necessary professional knowledge.

Also, the article reveals the deficiencies of legal regulation of this problem and develops proposals for the improvement of national legislation.

Keywords: forensic medical expert, forms of special medical knowledge, medical specialist in criminal proceedings.