Issues of finding the place of tactical operations in the criminalistics system and the criminal proceedings process are considered. It is proved that in solving this issue it is necessary to proceed from the nature of tactical operations, the prospects for their development, as well as the specifics of the relationship of forensic tactics and methods of investigating certain types of crimes. The development of tactical operations as a scientific concept serves as a kind of bridge, which combines tactics and investigation techniques that enriched the investigation as a whole. It is substantiated that the tactical operation belongs to the means of forensic tactics and already in this capacity, as well as other tactical and forensic means, is realized in the forensic method. The necessity of creation of a separate forensic theory of tactical operations, the creation of which will help to level the controversial positions of scientists in determining the place of tactical operations in the criminalistics system, is proved. Proposed directions of further scientific developments from the considered problem are offered.

Keywords: tactical operations, place of tactical operations in the criminalistics system, formation and implementation of tactical operations, forensic theory of tactical operations.

Formation of the concept of tactical operations involves finding out the place of this category in the criminalistics system and the criminal proceedings. This question directly influences the construction of tactical operations and their implementation in the practice of investigators and judicial authorities. In this regard, M. P. Yablokov rightly argued that the completeness and orientation of these developments depends on the part of Criminalistics that will develop the problems of tactical operations that are carried out to solve various tasks and separate investigatory actions of the investigation in general¹.

¹ Yablokov P. (1985) Kriminalisticheskaja metodika rassledovaniya (nekotorye teoreticheskie polozenija) [Forensic investigation technique (some theoretical positions)]. Moscow : MGU, p. 76 [in Russian].
At the same time, tactical operations, being an important forensic category and an effective means of solving tactical tasks, have not yet found their final place in the criminalistics system. This is evidenced by the various, sometimes contradictory judgments of criminologists. Thus, some scholars believe that the tactical operation acts as a category of forensic tactics, belongs to the subject of the latter, and its main theoretical provisions should be developed precisely in this section of the criminalistics system. In particular, I. F. Panteleyev notes that the tactical operation is not due to the peculiarities of the investigation of any particular group of crimes, is more general in nature, and because the necessary category of forensic science belongs to the subject of investigative tactics.

Investigating considered problems, R. S. Belkin incorporates tactical combinations (operations) into the general provisions of forensic tactics. V. I. Komissarov takes a similar position on this issue, according to which tactical combinations (operations) are likely to be considered in the section of investigative tactics. Although he draws attention to the fact that the problems of the relationship of investigative actions (that is, the definition of the circle of primary and subsequent) in a particular criminal proceeding in the subject of investigative tactics should not be studied.

S. I. Tsvetkov notes that the basis for the inclusion of tactical operations in the content of forensic tactics may be a close relationship between their purpose and content and separate investigative actions, between tactical operation, investigative situation and tactical decisions that are considered within the framework of forensic tactics. S. F. Zdorovko convinces that in determining the place of tactical operations in the criminalistics system, one should proceed from the general principles of the relation of forensic tactics and methods, and concludes that the tactical operation is a category of forensic tactics. Some scholars refer to the subject of forensic tactics to determine the purpose and set of actions in the planning and implementation of tactical

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operations\(^1\). V. Yu. Shepitko also believes that tactical operation is a category of forensic tactics. As for the forensic methodology, then, according to the scientist, the tactical operation finds its concrete manifestation in relation to a specific type of crime, type orientation and content\(^2\).

Criminalists believing that a tactical operation should find its place in the method of investigating certain types of crime, occupy another position on this issue. In this regard, in literary sources, it was suggested that, along with the development of general provisions of the theory of tactical operations, as well as typical tactical operations that have a high level of community, there is a tendency to study the possibilities and conditions of their use in investigating certain types of crimes. Emergence of tactical operations on the implementation scale beyond tactics of individual investigative actions led to a fairly active dissemination in criminology of the thought of the need to exclude this category from forensic tactics and attributing it to the subject of the method of investigation of certain types of crime\(^3\).

According to A. V. Shmonin, planning of investigations and tactical complexes can be considered as means (resources) of certain forensic methods, the system of which can be imagined as a triad: investigative situations — tactics — the subject of evidence. investigation situations — tactics — the subject of evidence\(^4\). In his opinion, the functional structure of a separate forensic methodology consists of elements such as investigative situation, planning of investigations and tactical complexes.

In turn, G. A. Matusovskyi tactical operation considered tactical operation as a category of forensic methodology\(^5\); I. F. Gerasimov and O. D. Trubachov attributed it to the constituent part of the methodology


for investigating crimes\(^1\); V. O. Obaztsov and O. V. Lagutin tactical operations included in the subject matter of an investigation method of certain types of crimes\(^2\); from the point of view of M. O. Selivanov, tactical operations in criminal proceedings system as a unit of investigators and other actions provided for by law are nothing more than part of the methodology of the investigation\(^3\).

By the definition of B. V. Shchur, consideration of tactical operations as part of a separate forensic methodology is fair, since their implementation takes place at the level of application of forensic methods of a certain type, and such elements of the latter as its initial and subsequent stages should cover not only the possibility of holding separate investigative actions and their tactics, but also the agreed complexes of these actions, as well as necessary operational-search, organizational, technical and other measures\(^4\). The content and direction of the tactical operation, as noted by L. Ya. Drapkin and V. M. Karagodin, due to the investigative situation and the group (specific) features of the crime under investigation. Although these operations are of a general nature, at the same time, they must be developed directly in the forensic methodology according to the specifics of the investigation of a particular group of crimes.

As M. P. Yablokov emphasizes, the method of investigation of various types of crimes is largely due to the clear interconnection of the system of complexes of urgent, urgent and other investigative actions in the system of operations. Emphasizing the importance of tactical operations in this process, he concludes that techniques and means of conducting operations should be developed within the framework of the investigation of certain types of crime\(^5\).

M. P. Yablokov's opinion was supported by some scholars who indicate that today she most clearly outlines the place of tactical operations in the criminalistics system, namely, in the methodology for investigating certain types of crimes. Tactical operation — is the search and development of scientific and technical recommendations on effective methods and methods of

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\(^5\) Yablokov M. P. Papers mentioned above, p. 79, 80 [in Ukrainian].
determining the direction of investigation of certain types of crimes at one stage or another. Consequently, scientific developments of the types of such operations fully and completely meet the requirements of the methodology for investigating crimes and should in principle be an integral part of this section of Criminalistics.

M. O. Marochkin convinces that the tactical operation is a development of scientific and practical recommendations on effective methods and methods of determining the direction of investigation at one or another stage of the investigation of certain types of crimes, and thus, scientific developments of typical tactical operations with regard to specific types of crimes fully and completely meet the requirements of the methodology for investigating crimes and should become its integral part. V. I. Kuklin notes that tactical operations should take the appropriate place in the method of investigating certain types of crime, because only here they can be filled with concrete theoretical and practical content.

According to Ye. Komukhov, in the method of investigation of crimes should not be about the method, but about tactical operation aimed at solving a particular tactical task. While investigating the same crime specific, in the presence of a real investigative situation, there is an adaptation of the typical method (operation, a set of investigative actions) to the conditions of the individual investigator or the need to develop a heuristic method of action. Scientist distinguishes between the science of criminology and the system of textbooks on Criminalistics. The point is that the reflection (systematization) of forensic knowledge in these systems is significantly different. If the science system reflects the objective patterns of the object of knowledge, the system of textbooks is based on another principle didactic, and therefore one can raise the question of the place of teaching about tactical operations in the system of textbooks on Criminalistics. Scientist substantiates the position that this knowledge should be part of the structure of the general theory of criminology.

A certain scientific interest is the opinion of V. A. Zhuravel who emphasizes the fact that in the forensic method of investigation of crimes as

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informational and cognitive model\textsuperscript{1}, special investigative situations and typical versions, typical systems of investigative actions and tactical operations acquire special significance. All of these categories have a significant impact on the formation of modern concepts of certain forensic methods, are their inalienable components, determine the effectiveness of a specific act of investigation. In his opinion, tactical operations should be developed in the context of the formation of the appropriate species or subspecies methodology (micromethods), that means to be maximally tied to typical investigative situations and to proceed from the competitive tactical tasks facing the investigator. This is connected, first of all, with the needs of practice, with the need for comprehensive conduct of investigations, operational search, auditing and other actions to solve tactical tasks\textsuperscript{2}.

In turn, I. M. Komarov, O. O. Cheburenkov, V. I. Shikanov, reflecting on the place of tactical operations in the criminalistics system, indicate that the tactical means considered are a connecting link between investigative tactics and the methodology for investigating certain types of crimes. In particular, V. I. Shikanov noted that there are enough grounds to argue that tactical operations are increasingly becoming a manifestation as a rather important structural element of investigative tactics and methods of investigating certain types of crimes\textsuperscript{3}. Afterwards the scientist argues that a separate forensic theory of tactical operations is a new essential part of Criminalistics which content fills the gap between tactics and investigative method\textsuperscript{4}.

According to I. M. Komarov, forensic operations, depending on the types that reflect the content and structure of the laws of the subject of criminalistics, \textit{can and should be developed within the framework of both forensic tactics and methods of investigation of certain types of crimes} (italics of ours — V. Sh.). Arguing his position, the scientist emphasizes that in Criminalistics, the term “tactics”, is a doctrine of the tactics of conducting


\textsuperscript{3} Shikanov V. I. (1978) \textit{Aktual'nye voprosy ugodovogo sudoproizvodstva i kriminalistiky v uslovijah sovremennogo nauch-tohicheskogo progressa : monografija} [Actual issues of criminal legal proceedings and criminalistics in the conditions of modern scientific and technological progress : monograph]. Irkutsk: Publishing house of Irkutsk, pp. 115 [in Russian].

individual investigative actions as a means of solving problems. The task of the same tactical operations is much wider than the tasks of investigative actions. In fact, it is a systemic system, which investigatory actions cannot be solved on their own, and it is comprehensively solved by all components of the structure of forensic operations (actions of various character). That is why the patterns on which the forensic operation is based are different from the regularities of investigative actions. In this regard, the classification of the study of forensic operations only to the section Tactics of Science, according to I. M. Komarov, is a mistake. At the same time, according to the scientist, certain types of forensic operations can be attributed to the subject of forensic tactics and are developed only within this section. This applies to types of operations that cover only a few tactical techniques within one or a variety of (homogeneous or dissimilar) investigative actions. Certain types of forensic operations really should be considered in the section Methods of science, but this only applies to those containing various structure components and fit with their content in the laws of forensic methodology. It is about such components as separate investigative actions, forensic combinations and operations, organizational, technical and other actions

Offering to consider “methodological and forensic operations”, I. M. Komarov convinces that the subject of evidence in his practical activity in the system of pre-trial proceedings, along with technical and tactical and forensic operations, can use both methodological and forensic methods, which they understand under conditions investigation of the criminalistic method of cognition in the practical activity of the subject of evidence, a component of the system of forensic methods of investigation of certain types of crimes, which provides the possibility of solving the specialty the system of pre-trial tasks

As O. O. Cheburenkov emphasizes, without denying the importance of the tactical operation for the method of investigating certain types of crimes and the possibility of its inclusion in the structure of a separate forensic methodology, tactical operations, even as part of the investigation methodology, primarily provide tactical tasks. These are compared with the ultimate objectives of the investigation, which require the full and reliable establishment of all circumstances in the criminal proceedings, are more restrictive and therefore require the use of means of tactical significance involved in tactical operations, rather than methodological recommendations that form the methods of investigating certain types of crime. In addition, tactical operations may be

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general in nature, not due to peculiarities of investigation of a certain type of crime, and repeated in the investigation of various criminal cases, regardless of the nature of the crime. Obviously, in this case, the issues of their organization and conduct are not covered by the subject of the method of investigation of certain types of crimes. Consequently, the notion of "tactical operation", directly corresponds to the section of forensic science Forensic tactics. Within the existing system of science of Criminalistics, it is expedient to consider all common issues in the development and implementation of tactical operations for investigated crimes: Within the existing system of science of Criminalistics, it is expedient to consider all common issues in the development and implementation of tactical operations for investigated crimes: It is possible to process and accordingly study the content of tactical operations of the most general nature, which do not depend on the type of various categories of investigated crimes and criminal cases. However, not all questions of tactical operations can be considered in forensic tactics. Specific tactical operations carried out on specific categories of criminal cases should be considered within the framework of separate criminalistic methods, the structured elements of which are these operations. This will take into account, to a large extent, all the features of the specific objects, conditions and tasks of investigation of the corresponding types of crimes in the course of processing certain tactical operations.

A. V. Dulov and E. O. Loginov occupy a separate position on the considered issue, they consider that tactical operations should be investigated in an independent, special section of the system of science of criminalistics. In particular, according to AV Dulov, main theoretical issues of the tactical operation should be placed in the section of investigative tactics, and with the development of forensics to separate them into an independent section Organizational Principles of the Investigation. Ye. O. Loginov also notes that in the tactics section it is necessary to concentrate on the study of the tactics of individual investigative actions, and all other problems including tactical operations, should be included in the section Organizational basis of the investigation. Regarding stated opinions, it was noted in the forensic literature that today it is unlikely that the section Organizational Principles of the Investigation actually formed in the criminalistics system is unlikely to be recognized. Therefore, tactical operations need to be developed in one of the


existing sections of science, until the issue of reorganization of the entire criminalistics system is finally resolved.

Consequently, the analysis of literary sources gives grounds to conclude that there is still no single, coherent position among criminologists to determine the place of tactical operations in the criminalistics system in scientific doctrine. It seems that in resolving this issue it is necessary to proceed from the nature of tactical operations, the prospects for their development, as well as the specifics of the relationship of forensic tactics and methods of investigation of certain types of crimes. Regarding the nature of the origin of tactical operations, they have always been considered as means of forensic tactics, were included in the subject of study of this section of the science of Criminalistics. It was within the framework of forensic tactics that the process of formation of the scientific concept of tactical operations, in particular, the concept, features, functions, types, structure, principles and other theoretical positions, took place. At the same time, the main area of the implementation of tactical operations is the forensic technique, and this is justified, since the provisions of forensic tactics are implemented in life, in practice, only through forensic techniques acquiring those specific features that reflect their adaptation to the conditions and objectives of the fight against a particular type of crime. The essence of the relationship of methodology and investigative tactics is that tactics provides the necessary information for the organization of investigative activities, determines the direction of the investigator in a particular situation. The methodology provides for the establishment of a general direction of investigation, and tactics implements it in accordance with the situation and the data obtained at the same time, supplements and changes the instructions of the methodology. In this regard, it is necessary to agree with it should be agreed with V. O. Konovalova, who emphasizes that the development of tactical operations as a scientific concept has become a kind of bridge, which combines tactics and investigation techniques that enriched the investigation as a whole.

Relying on the above, scientific research in this direction should be focused on the development of tactical operations in relation to the

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1 Astashkina E. N. Marochkin N. A. Mihalcuk A. E. Reshetnikov V. Ya. Papers mentioned above, pp. 23 [in Ukrainian].
investigation of certain types of crimes. For this, tactical operations require typing, since certain forensic techniques are designed to implement typical tactical operations, just as they take into account typical versions, typical situations, contain a typical sequence of investigative actions, and so on. It is in this capacity that tactical operations as a category of forensic tactics play an important role in the construction of certain techniques and are part of their structure as an independent element. But from this they do not lose their tactical nature.

Thus, the tactical operation belongs to the means of forensic tactics and already in this capacity, as well as other tactical and forensic means, is realized in the forensic method.

The above judgments characterize the current level of scientific views on the location of tactical operations in the criminalistics system. But they, in the opinion of I. M. Komarov are incomplete, truncated, since they lack the main link, which provides harmonious development of conceptual and special knowledge about forensic operations. Such a link, in the opinion of the scientist, is the general theoretical and general methodological provisions of forensic operation\(^1\), that is, the provisions that form the basis of forensic theory of tactical operations, the need to create which has been repeatedly discussed in the special literature\(^2\). In particular, S. I. Tsvetkov states that it is logical to recognize the fact of forming a separate forensic theory of tactical operations\(^3\). In turn, I. M. Komarov states that today a new theoretical construction is being formed, which allows figuratively to imagine a separate theory of tactical operations in the criminalistics system\(^4\).

These trends can have a significant impact on the science of Criminalistics in general, as well as stimulate a review of the views on the definition of the place of tactical operations in. In this regard, V. I. Shikanov noted that it is not yet possible to foresee in detail the consequences of this process. However, it is clear that significant changes will

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affect the system of Criminalistics. In particular, it can be assumed that the theory of emerging tactical operations, together with the theory of investigative versions, will be the main sections of the doctrine of investigation and prevention of crimes\(^1\). At the same time, M. P. Yablokov argues with regard to the theory of tactical operation, which is in a state of origin, which, obviously, will correctly develop it within the framework of the general methodological part of Criminalistics\(^2\). I. M. Komarov concludes that the general theoretical and general methodological provisions on forensic operations can be harmoniously inserted into the section of the general theory of criminology as a separate forensic theory\(^3\). These judgments of scholars have found supporters in their view that tactical operations as a means of solving tactical tasks and as one of the most effective forms of interaction between investigators and other bodies should be investigated in the general methodological part of Criminalistics\(^4\).

Indeed, forensic science and practice of investigation and judicial consideration of certain types of crimes accumulated, systematized and generalized enough volume empirical material, which is a starting point for the creation of a separate forensic theory of tactical operations, the urgency of which does not cause any doubts. The provisions of the forensic theory of tactical operations form, first of all, a system of knowledge (theoretical generalizations, explanations, conclusions) that characterizes the subject-practical and informative-cognitive aspects of the activity of investigation and judicial review of crimes. Like Criminalistics as a whole, a separate theory of tactical operations is applied because it is a scientific basis for the development and application of organizational and tactical means of criminal proceedings, the optimization of investigative and judicial activity, and the implementation of the needs of modern practices in the fight against crime. In addition, the creation of this theory will help to eliminate the controversial positions of scientists in determining the place of tactical operations in the criminalistics system.

It should be noted that until now the positions of criminologists and the place of tactical operations in the process of investigation and judicial proceedings remain uncoordinated. We can say that there are two most

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\(^1\) Shikanov V. I. (1983) *Teoreticheskie osnovy takticheskikh operacij v rassledovanii prestuplenij* [Theoretical bases of tactical operations while crime investigation]. Irkutsk: Publishing house of Irkutsk University, p. 44 [in Russian].


generalized approaches to resolving this issue. Advocates of the first approach consider the investigation process (court proceedings) as a continuous procedure for the implementation of a list of tactical operations. Thus, A. V. Dulov at one time expressed a very courageous idea that the methodology of investigating various categories of crimes to a large extent should be based on the development of only complexes of tactical operations, which would significantly change the content of the methodology, make it more useful for practical investigation of crimes\textsuperscript{1}. V. Ye. Kornoukhov on this issue notes that the investigator in the process of investigation mainly operates on the side evidence, and therefore the proof of the legal purposes of the investigation is through the establishment of interim facts, which determine the tactical tasks of the investigation, and thus the need for tactical operations\textsuperscript{2}. Moreover, in his opinion, in the methodology in general should not be a method, but a tactical operation aimed at solving a particular task of investigation\textsuperscript{3}. According to O. Ya. Baev, crime investigation of crimes can be imagined in the form of a sequential or parallel solution by the investigator of a number of local tasks that ensure the disclosure of a crime and a comprehensive, complete and objective study of the circumstances of the subject of evidence in a criminal case. At the same time, it is far from always possible to solve one or another problem by means of one investigative action, tactical reception, crime detection and investigation action. In such cases, investigator plans and implements a tactical operation\textsuperscript{4}. But, as it is emphasized in forensic literature, so far neither theory nor practice has supported the categorical proposals of the cited authors\textsuperscript{5}.

In the second approach, tactical operations are considered as the appropriate subsystems of the investigation and litigation process. In particular, L. Ya. Drapkin regards tactical operations as efficient subsystems (italics ours. — V. Sh.) of investigation procedure\textsuperscript{6}. Later, L. Ya. Drapkin and V. M. Karagodin investigative, organizational preparatory, other actions and crime detection and investigation activities conducted under a single plan and aimed at solving certain intermediate tasks subordinated to the general objectives of the investigation of a criminal case\textsuperscript{7}. This idea is supported

\textsuperscript{1} Dulov A. V. Papers mentioned above, p. 53 [in Ukrainian].


\textsuperscript{3} Ibidem, p. 117.


\textsuperscript{7} Drapkin L. Ya. Karagodin V. V. Papers mentioned above, p. 179 [in Ukrainian].
by I. M. Komarov, noting that, being *subsystems* (the letter of ours — *V. Sh.*) The system of criminal proceedings, forensic operations, isolated from the general connection of this system, are initially perceived as an indivisible whole.

The most categorical regarding this question is opinion of V. A. Zhuravel emphasizing that in the structure of the forensic methodology, there must be two constructions: systems of investigative actions and tactical operations. Each of them has its own functional purpose. If the first is aimed at solving general, strategic tasks of investigation, then the second — to solve tactical tasks. In this case, tactical operations as selective, situationally determined education occupy an intermediate link among the elements of the optimal system of investigative actions and operational-search activities, supplement them and address the specific intermediate task. It is under such conditions that it is possible to form tactical operations, the parallel conduct of which will not lead to a repetition (duplication) of individual investigative actions and operational-search activities that are part of their structure. At the same time, attempts to hyperbolize the value of tactical operations, to develop certain criminalistic methods only on the basis of their complexes will lead to the formation of such scientific abstraction, which will be separated from the needs of practice and which simply will not be possible to be implemented in the activities of investigating authorities.

It should be noted that V. A. Zhuravel is not a single in his opinions. In particular, according to G. A. Matusovsky, crime investigation requires the solution of complex tasks of a different nature and scope: from general tasks that relate to the full disclosure and investigation of the crime, establishment of all the circumstances to be proved in this case, disclosure of the perpetrators, to the tasks that are being done to establish the individual sides of the investigated event, to provide conditions for achieving the overall goal of the investigation. In this regard, we can talk about a strategic line in the investigation and resolution of tactical tasks and two interrelated directions in the activities of the investigator, due to his authority to make decisions on the direction of pre-trial investigation. Moreover, even the founder of the idea of tactical operations A. V. Dulov noted that in the structure of the method of investigation of certain types of crimes in addition to the primary investigative actions, groups of tactical operations carried out under a certain category of criminal cases will be considered, which will contribute to the strengthening of the

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3 Matusovskyi H. A. Papers mentioned above, p. 152.
scientific basis of the investigation crime, to improve the activities of investigating authorities\textsuperscript{1}.

According to our conviction, the position of the second group of scientists should be recognized more convincingly, since it is difficult to imagine the process of investigation, judicial review of crimes, which consists of conducting only one tactical operation. Nevertheless, it should be agreed that pre-trial investigation and judicial proceedings are primarily the implementation of an optimal system of investigative (courtroom) actions\textsuperscript{2} and other measures determined by the subject of evidence and the investigative (courtroom) situation, and tactical operations specify this system, optimize it through an integrated approach to solving separate tactical tasks. Thus, tactical operations are effective subsystems of the criminal proceedings, which include tactical operations of pre-trial investigation and tactical operations of court proceedings.

Thus, the problem of determining the role of tactical operations in the criminalistics system and the criminal proceedings is not only a matter of theory but also of practice. The correct solution also depends on the completeness of the practical tasks of investigation and judicial review of crimes. Therefore, today a promising direction is the development of a separate forensic theory of tactical operations, which will further contribute to the enrichment of the general theory of Criminalistics, will provide an increase in the efficiency and rationalization of criminal proceedings.

МІСЦЕ ТАКТИЧНИХ ОПЕРАЦІЙ У СИСТЕМІ КРИМІНАЛІСТИКИ

В. М. Шевчук

Досліджено проблеми з'ясування місця тактичних операцій у системі криміналістики та процесі кримінального провадження. Доведено, що при розв'язанні цього питання необхідно виходити з природи тактичних операцій, перспектив їх розвитку, а також специфіки взаємозв'язку криміналістичної тактики й методики розслідування окремих видів злочинів. Розроблення тактичних операцій як наукової концепції виступає своєрідним мостом, який з’єднує тактику й методику розслідування, що збагатило розслідування в цілому. Обґрунтовано, що тактична операція належить до засобів криміналістичної тактики й уже в цій якості, як і інші тактико-криміналістичні засоби, реалізується в криміналістичній методиці. Доведено необхідність створення окремої криміналістичної теорії тактичних операцій, створення якої сприятиме нівелюванню спірних позицій науковців щодо визначення місця тактичних операцій у системі криміналістики. Запропоновано перспективні напрями подальших наукових розробок з розглядуваної проблематики.

\textsuperscript{1} Dulov A. V. Papers mentioned above, p. 52.

Ключові слова: тактичні операції, місце тактичних операцій у системі криміналістики, формування та реалізація тактичних операцій, криміналістична теорія тактичних операцій.

МЕСТО ТАКТИЧЕСКИХ ОПЕРАЦИЙ В СИСТЕМЕ КРИМИНАЛИСТИКИ

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Исследованы проблемы определения места тактических операций в системе криминалистики и процессе уголовного производства. Доказано, что при решении этого вопроса необходимо исходить из природы тактических операций, перспектив их развития, а также специфики взаимосвязи криминалистической тактики и методики расследования отдельных видов преступлений. Разработка тактических операций как научной концепции является своеобразным мостом, который соединяет тактику и методику расследования, что обогащает расследования в целом. Обосновано, что тактическая операция относится к средствам криминалистической тактики и уже в этом качестве, как и другие тактико-криминалистические средства, реализуется в криминалистической методике. Тактические операции выступают эффективными подсистемами системы уголовного производства, которая включает тактические операции досудебного расследования и тактические операции судебного производства. Доказано, что криминалистической наукой и практикой расследования и судебного разбирательства отдельных видов преступлений накоплен, систематизирован и обобщен довольно объемный эмпирический материал, являющийся отправным для создания частной криминалистической теории тактических операций, актуальность построения которой не вызывает сомнений. Положения криминалистической теории тактических операций образовывают, прежде всего, систему знаний (теоретических обобщений, объяснений, выводов), которая характеризует предметно-практическую и информационно-познавательную сторону деятельности по расследованию и судебному разбирательству преступлений. Как и криминалистика в целом, частная теория тактических операций имеет прикладной характер, поскольку является научной основой для разработки и применения организационно-тактических средств уголовного производства, оптимизации деятельности и судебной деятельности, реализации нужд современной практики борьбы с преступностью. Доказана необходимость создания отдельной криминалистической теории тактических операций, создание которой будет способствовать усовершенствованию действий правоохранительных органов по определению места тактических операций в системе криминалистики. Предложены перспективные направления дальнейших научных разработок по рассматриваемой проблематике. Сегодня перспективным направлением является разработка частной криминалистической теории тактических операций, которая в дальнейшем будет способствовать обогащению общей теории криминалистики, обеспечит повышение эффективности и рационализации уголовного производства.

Ключевые слова: тактические операции, место тактических операций в системе криминалистики, формирование и реализация тактических операций, криминалистическая теория тактических операций.
Listed in the list of scientific specialized publications of Ukraine on legal sciences: the order of the Ministry of Education and Science of Ukraine on 11.07.2016 № 820

Recommended for publication by the scientific council of the Hon. Prof. M. S. Bokarius Kharkiv Research Institute of Forensic Examinations (Minutes № 11 on November 07, 2018)

Certificate of state registration of the printed mass media № KB № 23467–13307IPI dated on 06.08.2018


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