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PSYCHOLOGICAL STRUCTURE OF FORENSIC EXPERT ACTIVITIES

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Abstract. The development of modern society is accompanied by qualitative changes in all spheres of life, including the legal environment. The formation of professional morality, and ethical principles in a forensic expert is a requirement of the time, without them his conscientious activity aimed at protecting the constitutional rights and freedoms of every citizen is impossible. The article presents a thorough theoretical analysis of forensic expert activity. A classification of approaches to determining the content of the forensic expert activity is carried out, based on which the following working concept of forensic expertise is presented: this is a study by an expert based on special knowledge of material objects, phenomena, and processes that contain information about the circumstances of the case. It has been established that the effectiveness of the activities of a forensic expert depends on many factors, namely the presence of his special knowledge and skills. The main role of expert activity is determined by identifying evidentiary facts as a result of applying the expert's special knowledge to the object of study. This is a key element that distinguishes forensic expert activity. Having determined which areas are the most important in the professional activity of a forensic expert, it is possible to improve the state of training of specialists in forensic activity and ensure the effectiveness of conclusions in the work of experts. Therefore, we have developed a model of the psychological structure of forensic activity, which includes cognitive, constructive, organizational, and communicative activities. The formation of the components presented in the model is the key to the professionalism of forensic experts and the independence of their conclusions.

Key words: forensic expert, criteria of professional activity, forensic expert opinion, expert activity, impartiality of the judicial opinion, professionally important qualities.

Introduction. After adopting the Law of Ukraine "On Forensic Expertise" in 1994, there was an active development of methodological, legal organizational, and managerial areas of forensic expertise in Ukraine. This law determined that the main goal of justice is independent and qualified expertise, which combines the high professional training of the expert and skillful use of technical means for an independent conclusion. Given the current circumstances and the war in Ukraine, forensic expertise is gaining particular relevance in the investigation of criminal offenses both within Ukraine and among Ukrainians from the aggressor country.

Today, expert services work in extremely difficult conditions of martial law, since the constant crimes of the enemy and the general state of danger prevailing in Ukraine increase the burden on forensic experts, who take an active part in recording illegal actions and ensuring that criminals are brought to criminal responsibility. All this proves that forensic activity is an integral part of the state security of Ukraine. This leads to increased requirements for the level of professionalism of a forensic expert, his knowledge and skills, and the ability to meet the established criteria for expert activity. This is what determines the relevance of the topic and the need to develop a structural model of the professional activity of a forensic expert, which will allow classifying the main areas and types of his activity.

Therefore, **the purpose** of the work is a theoretical analysis and development of a model of the psychological structure of forensic activity.

Main part. Forensic activity is on the verge of combining such branches of science as criminalistics, forensic expertise, psychology, sociology, technical sciences and information technologies. At the legislative level, the essence of forensic examination is defined by the Law of Ukraine "On Forensic Examination" (Article 1). In particular, it states that forensic expertise is "an expert's study based on special knowledge of material objects, phenomena, and processes that contain information about the circumstances of a case that is being conducted by the bodies of inquiry, pre-trial, and judicial investigation" (Law of Ukraine, 2025). The same Law states that a forensic expert can be a specialist who has the necessary knowledge to provide a conclusion on the issue under investigation. Thus, we see that a forensic expert cannot have a narrow specialization, since he must have a wide range of skills, knowledge, and abilities. Based on this, let's consider the main structural elements of the forensic expert's activity that allow him to be an effective professional. According to I. Pyrih, expert activity is "a specific type of human activity based on scientific knowledge, the content of which is the study of certain objects, processes or phenomena using special methods to provide scientifically sound conclusions" (Pyrih, 2015, p. 17). Y. Piliukov sees expert judicial activity as a multifaceted and complex process of studying objects, during which scientifically substantiated conclusions are formed using many tools regarding the reliability of facts, phenomena, or properties in the process of investigating criminal offenses (Piliukov, 2020, p.160).

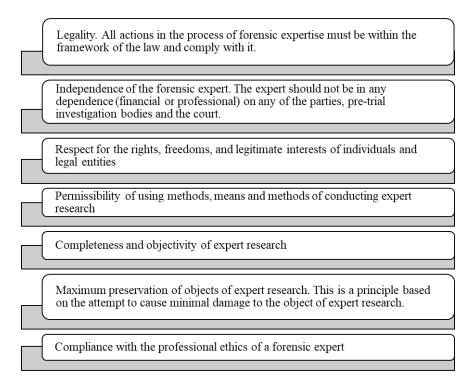
Forensic expert activity is a rather complex structure carried out in the process of legal proceedings by forensic experts. It combines and interrelates many types of human activity: cognitive, mental, and psychological, which are aimed at solving the main task – providing assistance to law enforcement agencies in establishing the circumstances that are subject to proof in a specific case. In each of the many areas of forensic expert activity, the competence and competence of the forensic expert, which is manifested in various aspects, is necessarily taken into account.

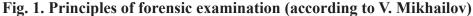
V. Mykhailov defines forensic expertise as an important basic basis in the interpretation of legislation, which fills gaps in procedural law and contributes to the improvement of the forensic expertise system as a whole. In a narrow sense, the scientist interprets forensic expertise as the activity of individuals or legal entities to ensure independent justice using objective qualified expertise (Mykhailov, 2023, p. 155). The author argues that in forensic expertise it is important to adhere to the principles that serve as the fundamental guideline for the effectiveness of conclusions in court cases (Fig. 1).

These principles form the basis of forensic expertise and allow experts to follow the specified procedure in each case. It follows that forensic experts must make qualified observations and conclusions, minimally compromised by bias, to provide reliable and accurate conclusions to the courts. However, there is little data in this field on how well forensic experts perform these tasks, partly because there has been no clear basis for a systematic study of their experience. In particular, due to the lack of a clear psychological structure of forensic expertise. Being a multi-level system, forensic expertise involves the reception, processing, and transmission of information received by the forensic expert's conclusion are significantly influenced by his mental characteristics, intellectual abilities, social position, and emotional component. Thus, the professional activity of a forensic expert is a certain set of physical actions and mental processes carried out by him (Malyk, 2009, p. 113).

At this stage, the following urgent problem arises: the training of forensic experts. First of all, this depends on the fact that expert activity is largely regulated by procedural legislation, therefore, theoretical and methodological provisions that determine the scientific basis of individual types of forensic examinations are developed not only on the principle of comprehensive use of data from natural and technical sciences, but also taking into account the generally binding conditions of procedural legislation. Thus, it becomes obvious that a forensic expert, entering into relations with other subjects of legal proceedings, has as its main goal the establishment of facts of objective reality, and this, of course, entails specific psychological features of expert activity. To determine these features,

it is necessary to start from the system of general characteristic features of the expert's activity, since both of these elements of the psychological portrait of the expert's personality are closely interrelated.





Today, among the general elements of the activity of a forensic expert, they note: the social nature of expert activity and the purposefulness and systematicity of this activity. The social nature of the expert activity is manifested in the fact that the institute of forensic examination in the modern judicial system acts as one of the most important factors in increasing the efficiency and fairness of the entire judicial system. The social nature of expert activity is also manifested in the scientific foundation of the theory and practice of forensic examination, because any branch of knowledge, from a global perspective, is based in its content on the achievements of mankind throughout the history of the formation of sciences (Petrova, Sniherov, 2018). The main vector of expert activity is that, in conducting research, the expert provides answers to the questions posed to him, thereby contributing to justice. An important element of forensic expertise is also its systematic nature: expertise is assigned and conducted in a strictly regulated manner by law, and the determination of an expert institution and an individual expert to conduct the necessary research depends on the type of expertise, qualifications and specialization of the expert himself (Shevtsov, Lozova, 2011, p. 127). A. Piskunova, studying the features of making judicial decisions by an expert, argues that the main factors influencing the effectiveness of the expert's work are his intelligence and social orientation. The author emphasizes that "the psychology of the expert's activity cannot be considered without studying his mental characteristics" (Piskunova, 2019, p. 319). At the same time, the psychological characteristics of the expert's activity combine properties and qualities that are formed under the influence of the conditions of his professional activity. This includes clear legal regulation of professional activity; ensuring official secrecy; conducting expertise in conditions of increased interest or pressure from third parties; conditions of psychological and physical workload, as well as (as for the situation in Ukraine) in difficult circumstances of war. As we can see, forensic examination is a complex psychological process in which the expert must think through the techniques and methods that should be applied in a specific situation, as well as skillfully use the

forecasting method. The formation of the expert's internal conviction and the formulation of expert conclusions deserve special attention. Without considering in detail all the components of the expert's internal conviction, since they have been studied in several works by scientists, let us recall that the expert's internal conviction is "a psychological, emotional and intellectual state, which consists in a feeling of confidence in the correctness of the applied knowledge, expert methods, techniques and in the correctness of the conclusions drawn by him" (Chepa, 2007, p.292).

The formation of internal conviction is the basis of the conducted research, the study of the presented samples, expert experiments, and, if necessary, the case materials. The expert, when analyzing the entire process, proves how convincing the signs he has identified are and whether they confirm the reliability of the formulated conclusions. Internal conviction is characterized by a firm confidence in the truth of the results obtained, which objectively reflect the state of proof of the event, fact. When conducting a forensic examination, an important place is occupied by psychological factors and mental processes of the forensic expert (for example, perception, representation, attention, memorization, intuition, heuristics, etc.). They determine the features of his activity and his functional capabilities. Heuristic thinking is of particular importance in the cognitive process, since the expert constantly puts forward working hypotheses, checks them, rejects them, and puts forward new ones until he eliminates all contradictions or doubts and is convinced of the correctness of his judgments and conclusions. Psychological features also include the expert's assessment of the results of the conducted research. It is a rather complex mental process in which the previous stages of his cognitive activity are implemented. On its basis, an evaluative judgment about the meaning of the information received is first formed, and then a conclusion based on the data objectively obtained as a result of the conducted research. It should be noted that when forming conclusions, an important component is the procedural autonomy and independence of the expert, which is a guarantee of the objectivity of the conclusion (Dror, Murrie, 2018, p.16).

The organization of complex examinations is especially difficult from a psychological point of view if they are conducted by a commission. The head of the expert institution creates a commission of relevant specialists to conduct a comprehensive examination and must consider which of them to appoint as the leading expert. At the same time, he needs to know the psychological characteristics of such an expert, his level of knowledge, and how communicative he is in relations with colleagues. This is an important psychological component, since various situations may arise in the work of the commission (incompatibility between commission members, lack of cohesion between them, trust/ distrust of the results, etc.). The leading expert is assigned an important role in organizing the examination process, and here the psychological aspect is very important, which he must respond to. For example, in the event of a conflict between commission members, he must skillfully, using his professional knowledge, explain, convince, and direct the work of experts to fulfill the general task set before him. He must adhere to the ethics of behavior so that these actions do not degrade the dignity of commission members, and that the results obtained are used to the maximum.

An important place during comprehensive examinations is occupied by the assessment of all the results obtained. A collegial discussion of the results obtained by each specialist in the commission may not always immediately lead to a common opinion. Existing disagreements should be carefully checked, except for erroneous judgments or doubts about the results obtained. In some cases, an expert with little work experience may not notice the mistake of an expert with extensive work experience and trust his results (Azarov, Rafalskyi, 2014, p. 88). In this regard, N. Tkachenko argues that a forensic expert, in addition to having special knowledge, must possess personal moral, ethical and professional qualities that will contribute to the effective performance of his professional activities. N. Tkachenko notes that the psychological side of the forensic expert's activities is determined by the peculiarities of professional activity and the circumstances to which the expert must adapt and find the opportunity to work effectively in such conditions (Tkachenko, 2019, p. 208) (Fig. 2).

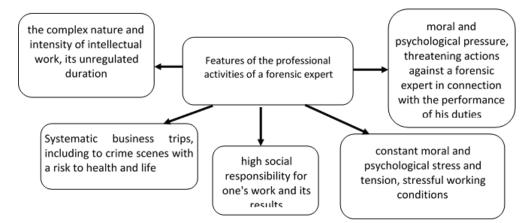


Fig. 2. Features of the professional activity of a forensic expert (according to N. Tkachenko)

Given the highlighted features of the activities of forensic experts, it is worth noting that such specialists perform their duties in conditions of time shortage, the influence of particularly strong stimuli on them and the dominance of negative emotions in the absence of positive ones, increased responsibility in decision-making and the need for urgent measures, etc. At the same time, the above conditions are simultaneously determined by the nature of the forensic expert activity as a separate type of profession and also give rise to new difficulties in the course of implementing this activity. The conditions for the implementation of their tasks by subjects of forensic expert activity can arise under the influence of both objective and subjective factors.

An example of these factors may be the impossibility of fully predicting changes in their professional activity, which leads to an uneven workload of specialists in different periods; the presence of regulatory and legal regulation of the deadlines for the implementation of the list of actions and measures provided for within the framework of conducting a forensic examination; the presence of problems with the staffing of specialists (staff turnover, insufficient professional and psychological potential); inadequate level of material and technical support of specialists, etc. (Zaiats, Chechil, Kishko, 2023, p. 97).

Considering the features of the expert's activities, one can distinguish the psychological features of his personality, with the help of which he solves the set professional tasks (Petrova, Sniherov, 2018, p. 18): 1) properties of cognitive processes: thinking (analytical, i.e. the ability to study the objects of expert research, the ability to choose research methods depending on the type of object): criticality, logic, the ability to notice contradictions; speech: oratory skills, language culture, imagery, expressiveness, discursiveness, mastery of professional terminology and the ability to explain special terms during a speech in court; perception and attention: observation, distribution, switching, the ability to high concentration of attention; memory (volume of professional experience, efficiency, i.e. the ability to quickly obtain the necessary special expert knowledge); imagination: imagery, forecasting, reproduction, creativity; 2) properties of regulatory processes: humanism, honesty, perseverance, stress resistance; 3) properties of communicative processing), verbal activity, ability to dialogue, informativeness (volume and speed of information processing), verbal activity, tolerance. Complementing the highlighted list, it is worth adding that a forensic expert must be independent of the pre-trial investigation bodies, the court, and other participants in the process.

Therefore, his independence must be ensured by the state by creating the necessary conditions for his activities and providing him with proper material and social support. As in any other profession, the professionalism of forensic experts lies in possessing the appropriate means, skills, and work operations. In psychology, they are usually divided into two separate, but at the same time interconnected stages: skill (action, the basis of which is the practical application of the acquired knowledge) and skill (formed automatic action, which does not require conscious control of special volitional efforts for its implementation). The level of development of this knowledge, skills, and abilities determines the general culture of a person, as well as his professional skills. At the same time, emphasis is placed on the fact that the professionalism and skill of a forensic expert are based on professional and psychological competence. This competence is a multi-structural phenomenon in its content.

N. Tkachenko includes three areas in the composition of the professional and psychological competence of a forensic expert, each of which consists of separate components. The first sphere is motivational (includes personal and motivational competence, general cultural competence, and social competence), the second is subject-practical (methodological competence, practical and activity competence, didactic and methodological competence, special-scientific competence, economic and legal competence, ecological competence, ideological competence, information competence, managerial competence, communicative competence), the third is the sphere of self-regulation (psychological competence, self-assessment, auto-competence) (Tkachenko, 2019, p.208).

Analyzing the psychological sphere of training of a forensic expert as a whole, I. Dror and D. Murray identified several components in the structure of the work of an expert psychologist, such as motivational, diagnostic, and analytical. The motivational component provides the direction of the professional activity of a forensic expert. This includes his values, interests, needs, motives, means of self-development, planning of activities, and abilities for self-regulation. The diagnostic component involves the ability to select research methods, the means that are needed for this and to conduct research activities according to the assigned work task. The analytical component includes the ability to analyze information, generalize, systematize facts, substantiate hypotheses, and use techniques for their confirmation or refutation. The latter component, in particular, includes the cognitive abilities of the expert and directly determines the success of the conclusions made by him (Dror, Murrie, 16, p.18).

So, based on the theoretical analysis of scientific approaches to the problem of the psychological component of the forensic expert's activity and taking into account our developments, a model of the psychological structure of the forensic expert's activity has been developed (Fig. 3).

When conducting a forensic examination, regardless of its direction, the expert's cognitive activity is divided into three main stages (Akhtyrska, 2007, p. 5). The first stage includes knowledge of the facts necessary to answer the question posed to the forensic expert. At this stage, the forensic expert perceives the available information about the objects of the expert study and establishes the content of the questions posed to him. In this regard, it may be necessary to obtain additional information from the body that appointed the examination, or the forensic expert may conclude that the questions posed go beyond his competence or the field of knowledge in which he specializes. It happens that the scientific arsenal lacks tools or knowledge that would allow answering the question posed, which also makes it impossible to conduct further expert research. In the second stage, studies are conducted that allow obtaining additional information about the objects of the examination by using the forensic expert's special knowledge. At this stage, the primary importance of the cognitive activity of a forensic expert is the methods of observation and comparison recorded in the corresponding description.

The second stage is completed by the analysis of the information received, during which the forensic expert forms a certain belief about the significance of known facts for solving the tasks set before him. The third, and final stage of the cognitive activity of a forensic expert is the preparation of an expert's conclusion, which sets out the conclusions drawn based on known facts and beliefs. In addition to cognitive activity, in the professional practice of a forensic expert, his constructive activity takes place, which consists in planning the course and possible results of his research. Each action of a forensic expert is the result of purposeful efforts. Before conducting an expert study, the forensic expert mentally draws up a plan and determines the sequence of further actions necessary to obtain an answer to the question. Therefore, the constructive activity of a forensic expert consists of

planning work, which is a necessary condition for forensic expert activity. The constructive activity of an expert includes planning: the content of future research; the sequence and methodology of research; and developing a strategy for the necessary experiments. The constructive activity of an expert consists in planning his work. In the planning process, an activity is previously created in the planner's imagination, which is carried out in real actions. Planning carried out by an expert in the process of constructive activity can be divided into prospective, current, and planning for the production of a specific examination. Prospective planning is carried out within the framework of the general plan of the expert institution in which the expert works (Akhtyrska, 2007, p. 6).

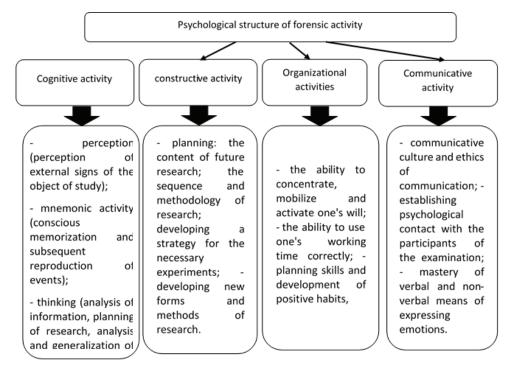


Fig 3. Model of the psychological structure of the forensic expert's activity

Current planning is carried out by the expert taking into account the examinations and other tasks that are in his production. Usually, it covers a relatively short period (week, month). Planning for the production of a specific examination includes several stages. The first stage is familiarization with the resolution on the appointment of the examination and establishing the principle possibility of its implementation, taking into account the specialization, competence of the expert, and the sufficiency of the materials presented. In the second stage, the expert determines when he will be able to proceed with this examination and whether he is provided with the technical means necessary for its production. In the third stage, taking into account the accepted stages of performing this examination and the requirements of the research methodology for this type of object, the sequence and nature of the necessary studies are planned.

The organizational activity of a forensic expert is directly related to constructive activity. Its content consists of organizing the process of his work and conducting complex or commission studies. Such activity enables the specialist to implement the tasks and plans set in practice. The organization of a forensic expert's work involves the ability to concentrate, mobilize, and activate his will, and to use his working time correctly. The issue of communicative culture is becoming increasingly relevant today, as one of the defining properties of a modern person, which occupies a prominent place in the general cultural formation of a person. In this regard, one of the most important aspects of professional education in general and special training of forensic experts, in particular, is the training of specialists

who have a communicative culture, which ensures the establishment of communications and further mutual coordination of actions in professional activities. Yu. Malik also points out the dependence of professional culture on the level of communicative culture. She suggests distinguishing two components of communicative culture: activity, which characterizes the importance of values, knowledge, skills, and qualities of the individual for effective professional activity; communicative, which determines the importance of these components for the implementation of effective professional communication (Malyk, 2009, p. 155). When considering the psychological features of forensic expert activity, one cannot ignore such issues as the professional ethics and etiquette of a forensic expert, which are based on several psychological components. Professional ethics reflects moral norms and moral principles that an expert must adhere to, both in the process of his activity and procedural subjects. This is, first of all, principledness, objectivity, impartiality, independence, and self-criticism. Professional ethics reflects moral norms and moral principles that an expert must adhere to, both in the process of his activity and procedural subjects. We also note that one of the forms of professional morality in forensic expertise is the service etiquette of an expert. It has its specific features in any profession, including in the professional activity of an expert. As for the figure of an expert, he must be characterized by correct behavior both with procedural subjects and with the head of the expert institution and with colleagues. The features of service etiquette include such moral qualities as accuracy, and language etiquette, which includes content, logic, demonstrability, clarity, and comprehensibility, in particular when using terms and concepts that must be understandable to all procedural subjects when familiarizing themselves with the expert's conclusion (Azarov., Rafalskyi, 2014, p. 90).

Moral requirements for an expert oblige him to continuous professional development, study of scientific and methodological literature in the specialty and related sciences, and use of his own experience and the experience of colleagues. In addition, a moral requirement is to provide professional assistance to colleagues and transfer their experience to young novice psychologists when conducting complex examinations. A forensic expert independently performs expert studies and makes decisions on the examination, in turn, the conclusion of the examination affects the fate of the sub-experts, as well as indirectly the fate of loved ones. This imposes additional responsibility on the expert and, of course, only a high level of special psychological knowledge gives him the moral right to make independent responsible decisions in the examination process. Expert research takes place in direct contact with other persons, which determines the implementation of several ethical norms of interaction and communication.

These norms are associated with such important ethical principles: respect for the rights of the individual, honor and dignity, independence from judicial and investigative bodies, as well as from other participants in the criminal process, from other experts, and confidentiality (Cheremnova, 2023, p.217). Taking into account all of the above, we can argue that the work of a forensic expert is psychologically stressful and requires significant psychological efforts and the possession of general and special professionally important and personal qualities.

In this regard, I. Petrova and O. Sniherov argue that it is worth paying active attention to the training of forensic experts, among which he highlights the need to form such moral and volitional qualities as purposefulness, psychological stability in stressful situations, analytical and creative thinking, the ability to determine cause-and-effect relationships, responsibility and efficiency in decision-making (Petrova, Sniherov, 2018, p. 19).

Conclusions. Forensic expert activity belongs to the category of professions that involve the performance of official duties in intense, extreme, and stressful conditions. Based on this, it is characterized by all the same features as other types of critical activity: lack of time; the impact on specialists of especially strong stimuli and the dominance of negative emotions with a lack of positive ones; increased responsibility in decision-making and the presence of situations of urgent application of measures. The specificity of the activity of a forensic expert is that its implementation

often occurs in situations with an unpredictable outcome, associated with the increased responsibility of the forensic expert for actions. These specific features of the activity have a significant impact on the personal characteristics of forensic experts. A forensic expert as a subject of forensic expert activity and as a subject of responsible professional and moral actions is obliged to realize, feel, and remember his responsibility. The relationship of responsible dependence, which a forensic expert enters into in the process of conducting a forensic examination, is of an objective nature, which is especially clearly manifested in the analysis of his activities when he deals with an area of increased responsibility and must express and demonstrate a measure of responsibility. This is manifested in the rigor, accuracy, richness of argumentation, depth, objectivity, and truthfulness of expert research, in the positive impact of the expert opinion on establishing the truth in criminal proceedings. He is obliged to treat his work objectively and fairly, to present a conclusion by the concepts of professional ethics and conscience. The expert bears legal (criminal, disciplinary) moral and ethical responsibility for the results of his activities. Therefore, the psychological side of forensic expert activity contains the main structural components that reflect each construct of his activity, which ensures its effectiveness.

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