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## **ISSUES OF IMPROVING THE ACTIVITIES OF THE INVESTIGATION OF FRAUD**

It should be said that the inept and unprepared transition to a market economy, the formation and development of its institutions created the conditions under which the violation of the law turned into a forced way of life for a part of the population, and criminal activity became profitable. This was the prerequisite for the emergence of various types of fraud.

Fraud is characterized by rapid adaptation to innovations in market relations and changes in legislation, disguise as the implementation of civil law agreements, the creation of fictitious firms and notary offices, the use of technical means, knowledge by criminals of the legal regulation of transactions, etc.

The growth of the professionalization of crime in various sectors of the economy requires that fraudsters be opposed by experienced masters, who thoroughly know the "laws" and the conditions of their life and criminal activity. However, in recent years, staff turnover has led to a sharp reduction in the professional core of the investigation. The majority of employees in these categories have less than 2-3 years of work experience. Together with experienced employees, knowledge of the characteristics of the criminal environment, proven forms and methods of combating it are becoming a thing of the past. We should agree with the researcher of criminal activity N. Karpov that the lack of a stable core of qualified law enforcement personnel today is one of the significant reasons for the low level

of combating professional crime [1]. And, as a result, only a small percentage (35%) of criminal fraud proceedings reach the stage of trial.

As the results of a survey of employees specializing in the investigation of criminal offenses of this category showed, there are other factors that have a negative impact on both the organization of the investigation and the investigation itself as a whole, in particular:

1) the absence in law enforcement agencies of departments from among employees who would have a separate specialization in the knowledge and skills of identifying, disclosing and investigating criminal offenses in the field of real estate, in the field of tourism, in the banking sector, in the field of information technology, etc.;

2) difficulties in distinguishing fraud from civil torts;

3) interference in the process of pre-trial investigation by interested parties that influence the relevant decisions of law enforcement agencies;

4) insufficient interaction of pre-trial investigation bodies with specialists on issues of validity and compliance with the execution of documents related to the conclusion of transactions;

5) making a decision to stop the investigation even without carrying out all the necessary investigative (detective) actions and operational-search measures;

6) active opposition from criminals, etc.

In order to improve the activities of the pre-trial investigation bodies and improve their interaction with the operational-search services, their efforts should be combined, which is especially important when uncovering and investigating complex and multi-episode fraud. The pre-trial investigation body needs information obtained promptly in order to put forward versions, increase the efficiency of procedural actions, and ensure a quick and complete investigation. Properly organized communication, a clear distribution of responsibilities of various services, the ultimate goal of which is to solve common problems and achieve a common result, allows you to achieve it in a shorter time with less effort and money. It is also very necessary to interact with the bodies that draw up documents for the conclusion of civil law agreements and are directly related to this process. These bodies will allow the investigator to find out the content of the process, provide explanations of its stages, the documents that must be used in this case and the persons who executed the necessary documents, help to limit the civil tort from criminal acts.

In general, investigative activities to investigate various types of fraud require an official to have direct possession of a certain amount of civil law, criminal law, criminal procedure, and forensic knowledge in order to be able to distinguish between a criminally punishable act and a civil legal tort, make a correct balanced conclusion about the circumstances of the fraud, the reasons and conditions under which it occurred, correctly navigate the motivation of the offender, find out the issue of the victim's victimhood and the presence of provocative actions on his part, etc. To perform these tasks, the investigator must also be a psychologist and a rather tactful person, it is important to use evaluation criteria regarding the information that comes in connection

with the investigation of the crime and forms the investigative situation.

Therefore, ways to improve the activities of fraud investigators are:

- 1) creation of departments under the GUNP of the regions from among the most qualified specialists specializing in the investigation of fraud in various fields;
- 2) development and distribution among these persons of appropriate methodological support for the investigation of fraud;
- 3) establishing interaction between investigators and employees of operational units, specialists, public and private bodies related to the execution of documents when committing various types of fraud, etc.;
- 4) qualified training of future investigators in higher education institutions with specific learning conditions, who will study a special course on the methodology of fraud investigation, etc.

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### **ЩОДО ПРЕДМЕТА ТА СУТНОСТІ СУДОВОЇ ЕКСПЕРТОЛОГІЇ**

На сьогодні судову експертологію розглядають як самостійну науку, не зважаючи на дискусії науковців, які включають її у систему криміналістики. Предметом судової експертології ми вважаємо закономірності проведення судових експертиз та заснованих на них засобах та методах дослідження різного роду матеріальних об'єктів, процесів або явищ [1, с. 126]. При цьому ми не повною мірою погоджуємось з визначенням предмета судової експертології, запропонованого М. Г. Щербаковським, який вважає таким «закономірності виникнення, розвитку, функціонування, методології, нормативного регулювання, організації судових експертиз» [2, с. 4]. На нашу думку, нормативне регулювання та організація проведення судових експертиз не входить в предмет судової експертології. Організація проведення експертиз є діяльністю, що покладається, скоріше за все, не безпосередньо на судових