

Valery Shepitko, Michael Shepitko

PROBLEMS OF TEACHING CRIMINALISTICS IN UKRAINE

Problemy nauczania kryminalistyki na Ukrainie

Criminalistics in its formation has made a long way from the emergence of a scattered sphere of special knowledge in natural science essential for specific tasks in criminal proceedings – to a highly structured system of legal science, which solves the problems of establishing the truth and restoring justice in various forms of judicial proceedings.

The necessity of teaching criminalistics in the structure of legal education was approved in 1895 and 1913 by the decisions taken at the Congresses of the International Criminalistic Union (Internationale Kriminalistische Vereinigung). These decisions had profound significance for the development of criminalistics as a science and academic discipline (Linz and Copenhagen Congresses of the International Criminalistic Union).

The historical scientific sources indicate that in 1895 and 1913 famous scientists Hans Gross and Franz von Liszt¹ initiated the issue of introduction of criminalistics into the system of legal education.

The contribution to science made by Hans Gross: he published his fundamental work, *Handbook for Magistrates, Police Officials, Military Policemen* (Handbuch für Untersuchungsrichter, Polizeibeamte, Gendarmen) (1893), created a criminalistic journal “Archiv für Kriminal-Anthropologie und Kriminalistik”, established the Institute of Criminalistics (K.K. Kriminalistische Universitätsinstitut) at the University of Graz (1913), created a forensic kit (*Tatortkoffer*), contributed to the opening of the criminalistics museum (Kriminalmuseum) at the University of Graz, personally helped to include criminalistics as an academic discipline in the university program of legal education².

Franz von Liszt – a recognized authority in criminal law, the founder of the sociological school of criminal law, the creator of the International Criminalistic

¹ R. Grassberger, *Pioneers in Criminology XIII – Hans Gross (1847–1915)*, „Journal of Criminal Law and Criminology” 1956, t. 47, nr 4.

² See: www.crimcongress.com/portretnaya/gross-gans/; www.alexandra.unisg.ch/export/DL/28389.pdf.

Union (1888–1889), which addressed the most important issues of criminal law and criminal justice³.

We can not say that the fundamental work of Hans Gross was the first and only one work which gave impetus to the emergence and formation of criminalistics as a science, academic discipline and practice. There were of course other works by known criminalists: *Quaestiones Medico-legales* by Paolo Zacchia (1621–1650); *Traité des Poisons... ou Toxicologie générale* (1813) by Mathieu Orfila; *Handbook for the Judicial Investigation* (1838) by Ludwig von Jagemann; studies in forensic medicine (1855–1879) by Auguste Tardieu⁴; *L'Uomo Delinquente* (1876) by Cesare Lombroso; *On the Skin-furrows of the Hand* (1880) by Henry Faulds; *Les Tatouages, étude Anthropologique et médico-légale* (1881) by Alexandre Lacassagne; *La photographie judiciaire* (1890) by Alphonse Bertillon and others.

Of course these works are hardly comparable – they are different in scope and deal with different spheres of knowledge⁵. But all these works are full of practical experience of the authors, which they share by publishing scientific articles and books. One can say with certainty, that criminalistics arose long before it was given a name by Hans Gross. We should also agree with the fact that Hans Gross is rightfully considered to be the “father” of criminalistics because it was he who managed to raise a high methodological and systemic levels of criminalistics.

Criminalistics on the territory of modern Ukraine appeared together with a renowned criminalist Hans Gross, who held in 1898 the position of professor ordinarius, and in 1899–1900 worked as the dean of the School of Law at Franz-Josephs-University (Czernowitz, The Austro-Hungarian Empire, now – Chernivtsi, Ukraine)⁶.

The works of a well-known specialist and expert in forensic medicine and forensic examination Nikolay Sergeyevich Bokarius gave a major impetus for the promotion of criminalistic knowledge and establishment of criminalistics as a university discipline in Ukraine. His intense practical and teaching activities, as well as published works, which became widely known outside of the Russian Empire and later the Ukrainian SSR (thesis, defended in 1902 – *Florence Crystals, Chemical Nature and Importance for Forensic Medicine*; other scientific works – *On the Significance of Strangulation Caused by Hanging* (1904); *Forensic Medical Microscopic and Microchemical Researches of Physical Evidence* (1910); *A Short Course of Forensic*

³ See: P. Lublinsky, *International congresses on criminal law for ten years (1905–1915)*, comp. and introd. article by V.S. Ovchinsky, A.V. Fedorov, INFRA-M, Moscow 2013, s. 36, 112; www.alexandra.unisg.ch/export/DL/28389.pdf.

⁴ E.g. *Étude médico-léale sur la pendaison, la strangulation les suffocation* (1870).

⁵ Forensic medicine, forensic toxicology, forensic chemistry, criminal policy, criminal anthropology, criminology and other sciences, which in the late XIX – early XX centuries were called “auxiliary” for criminal law and procedure. However, later their special methodological level was not questioned any more.

⁶ See: www.crimcongress.com/portretnaya/gross-gans/.

Medicine (1911), and others)⁷. We can say that N.S. Bokarius created a national criminalistic school in Ukraine (in some respect the only one), which can comprise the works of N.N. Bokarius, V. Kolmakov, L. Arotsker, G. Granovsky, Z. Sokolovsky, M. Saltevsy, V. Konovalova and other well-known criminalists. In 1910 at the Kharkov Imperial University (Kharkov, The Russian Empire) on the application of A. Kiselyov, a lecturer of the Criminal Law Department together with the Professor of Forensic Medicine N.S. Bokarius a course of criminalistics, which was included in the curriculum, was given for the first time.

Vigorous activity of N.S. Bokarius and N.N. Bokarius led to creation in Kharkov in 1923 of the Office of Forensic Examination (now – Professor Emeritus N.S. Bokarius Kharkiv Research Institute of Forensic Examination), organization of the first Ukrainian Congress of Medicolegists in 1925 by N.S. Bokarius, in 1939 – the Department of Criminalistics and Forensic Medicine of the Kharkov Law Institute (now – Criminalistics Department of Yaroslav the Wise National Law University, Kharkiv), establishment of the Kharkov Scientific Society of Medicolegists and Criminalists functioning till the present time (now – Kharkiv Society of Medicolegists and Criminalists named after Professor N.N. Bokarius)⁸.

In the Soviet times since 1920 – when the Institute of the National Economy was founded (after – Kharkov Law Institute (since 1937), now – Yaroslav the Wise National Law University) the teaching of criminalistics as an academic discipline has been carried out in the context of educational disciplines of Forensic Medicine and Criminal Techniques. In that period the course of “Crime Investigation Technique” was read by the famous professor N.S. Bokarius. His follower, N.N. Bokarius (Jr.) wrote that “N.S. Bokarius can be rightfully regarded as the founder of criminalistic school in Forensic Medicine, which went mainstream in both scientific and practical work of medical examiners in the coming years. This approach permeates N.S.’s works, and was always applied in his practical activities”⁹.

The technique of crime investigation for a certain period of time was taught at that educational institution by an officer of the UkrSSR Prosecutor’s Office Ye. Yevgenyev-Tish (till 1935), and later by the researcher of the Institute of Scientific Forensic Examination O. Yeliseyev. In 1936, as part of the Institute of Soviet Construction and Law (later Kharkov Law Institute) the Department of Forensic Law was established (headed by M. Grodzinsky), which provided the teaching of the course of “Technique of Crime Investigation (Criminalistics)”. And in the period from 1939 to 1941 an independent Criminalistics Department was organized, which was headed by a well-known scientist in the field of forensic medicine and criminalistics professor N.N. Bokarius (Jr.). In the postwar period in the beginning there was no independent department. The department was established in 1952, when it separated from the

⁷ See: www.crimcongress.com/portretnaya/bokarius-nikolaj-sergeevich-2/.

⁸ See: www.crimcongress.com/portretnaya/bokarius-nikolaj-sergeevich-2/; www.crimcongress.com/portretnaya/.

⁹ N.N. Bokarius, *Life and work of professor emeritus Nikolay Sergeyevich Bokarius*, „A First Printed Criminalist” 2013, № 7, p. 144, 145 (category „Anthology of Criminalistics”).

Department of Criminal Law, Procedure and Criminalistics (V. Kolmakov, who was at the same time the Director of Professor Emeritus N.S. Bokarius Kharkov Research Institute of Forensic Examination was appointed the head of the department)¹⁰.

During the Soviet time, criminalistics was developing quite intensively and in fact it was “in the service of investigation”. R. Belkin notes that having successfully overcome the crisis stage of the scientific paradigm shift in 1970–1980-ies, criminalistics sharply increased its research potential and advanced its practical efficiency. Both processes took place in the context of “informational explosion”, which reflected the increased productivity of scientific research in terms of its quality¹¹. Development of the general theory of criminalistics and its subtheories is an indisputable achievement of the national science.

Preparation and publication of textbooks indicate the high level of development of criminalistics in Ukraine in that period. A textbook, written by Ukrainian criminalists and edited by V. Kolmakov *Soviet Criminalistics. Criminalistic Technique and Investigatory Tactics* was published in 1973. A textbook *Soviet Criminalistics. Methodics of Investigating Selected Types of Crimes*, edited by V. Lisichenko was published in 1988.

In independent Ukraine the first textbook for law universities and faculties *Criminalistics. Criminalistic Tactics and Methods of Crime Investigation* was prepared in 1998 by the staff of the Department of Criminalistics of the Yaroslav the Wise National Law Academy of Ukraine and edited by V. Shepitko. In 2001 the above mentioned writing staff prepared and published a complete course of criminalistics in the Ukrainian language *Criminalistics* (2004, 2008, 2010, 2016).

Close relationship of criminalistics with science and its specific areas (Forensic Medicine, Forensic Chemistry and Toxicology, Forensic Physics, Forensic Psychology etc.), as well as with practical law enforcement (the work of intelligence, investigative and prosecutorial agencies, court) and expert activities are very important for its development as an academic discipline. N. Pirogov, a prominent surgeon, anatomist, naturalist and educator noted that the university was not a purely scientific institution any more, i.e. it did not just satisfy the need for knowledge. Most of university students study with the express practical purpose. Clergymen, judges, doctors and teachers are trained at the university for the society. But you can not call it a specialized educational institution either. Then it would not be a university ... No university is a universal representative of modern science, in all of its aspects¹².

¹⁰ On the history of the Department of Criminalistics of the National University Yaroslav the Wise Law Academy of Ukraine for more details see: S.P. Kushnirenko (ed.), *Criminalistics: 100 Years of Teaching in Higher Educational Institutions of Russia*, SPb: Publishing House of the St. Petersburg State University, St. Petersburg 2011, p. 90–97.

¹¹ R. Belkin, *Criminalistics: The Problems of Today. Topical Issues of Russian Criminalistics*, Publishing House Norma, Moscow 2001, p. 17.

¹² N. Pirogov, *University Question – Selected Pedagogical Works*, Publishing House of the Acad. Ped. Sciences of the RSFSR, Moscow 1953, p. 324.

Development of criminalistics as an academic discipline in Ukraine occurred in the system of university (civil) legal education (Kharkiv, Odesa, Kyiv, and others), as well as in the system of special training of law enforcement officers in the structure of higher (military) schools or academies. Differences in approaches to the educational sphere, study and science and their correlation, intended functions of academic and special subjects, contributed to the formation of certain trends (schools) in criminalistics, limitations by pragmatic approaches or the development of scientific concepts.

The development of criminalistics as a university discipline is directly related to the activity of scientific criminalistic schools, institutes, particular structural subdivisions. Education can be efficient only when it is connected with practice and has a scientific level. Criminalistics is focused on the implementation of tasks in the sphere of law. For this reason criminalistic training implies pragmatic (activity-based) and personal components¹³. This differs teaching criminalistics from other legal sciences, which focus on a normative, dogmatic aspect.

Criminalistics under this name has been taught for the purposes of legal education throughout the world for a little more than 100 years. At the same time a single subject of criminalistics on the global scale has not been finally determined yet. The science and academic discipline known in the Eastern European tradition of understanding criminalistics, is known by different names – Police Scientifique, Forensic Sciences, Criminal Justice, Criminology. These spheres of knowledge can not be considered as exact equivalents, because in their research and application only specific properties of criminalistics known in the Eastern European traditions are used. The world still needs time to accept (understand) criminalistics, in particular regarding the development of its general theory. Therefore, criminalistics on the global scale still need popularization.

A law enforcer, who has no practical criminalistic skills, can not be a well-trained lawyer; he is a helpless party to the legal proceedings. He is initially in the situation when he has to enforce the law through attempts and errors. Why is this happening? On the global scale the answer lies in the insufficient amount of academic hours spent on such practically focused academic disciplines as Criminalistics, Forensic Medicine, Forensic Psychiatry, Forensic Psychology, Forensic Toxicology, Criminal Anthropology and others.

The sphere of legal education in different countries is in a position, where the emphasis is mostly put only on the study of laws and their interpretations. In the “ideal form” education is provided through the research of sectoral institutes of Legal Sciences, based on the interpretation of the standard content (with reference to scientific research results or without it), as well as collective solution of model problems on a particular issue. Normally training takes place in the classroom with a group of 25–30 students. Carrying out this function, a student actually is bound to review the norm of law again and again. And the student, who knows this norm better or knows how to deal with it, is the best. But how can a student, a prospective lawyer understand how and in what situation this norm should be applied? How to move

¹³ That is, answers for the question – Who is criminalistics meant for?

from the study of legal norms to legal (law enforcement) activities? There is only one way – it is the study of Criminalistics (and related sciences with the practical focus – Forensic Medicine, Forensic Psychiatry, Forensic Psychology, etc.). It is important to remember that in law (jurisprudence) only criminalistics and related sciences are understood as a practical activity.

Comprehension of criminalistics and related sciences with regard to their practical focus is possible only small groups of 10–12 students. Along with that we should emphasize the fact that teaching criminalistics and related sciences requires in-class learning to a lesser extent. Rather, there is a need for more class hours in laboratory conditions, with due consideration of modeling situations in which a prospective lawyer can apply practical knowledge and take decisions, which are right from the legal viewpoint.

These classes may include visiting Museums of criminalistics, forensics examination, forensic medicine, forensic psychiatry etc., judicial and criminal sciences. It is also important in the course of legal training to enable students to apply their criminalistic knowledge personally in the context of traineeship in various bodies of criminal and/or other justice – the prosecutor’s office, the Bar, court, notary offices, internal affairs agencies, tax administration, and so forth.

The knowledge of criminal law, criminal procedure or any other law for the purposes of criminal and/or other justice is not sufficient. The knowledge of law just introduces students to the field of justice, its legal form. Without specific theoretical, and more importantly, practical knowledge of criminalistics a certified Bachelor/Master has to “stand on the brink of a precipice”, and only “attempts and errors”, the price of which is someone’s destiny, can brace his fall. The knowledge of law does not enable us to answer the question: “how to implement this knowledge in law enforcement?”. Only through studying criminalistics, professional participants of legal proceedings can get prepared to master the art of achieving the goal of justice – revealing the truth and restoration of justice. There is no other way of protecting the rights, freedoms and interests of people and citizens in the modern globalized world. A lawyer without the knowledge of criminalistics and forensic sciences – is a workshop without a master (the workshop can be beautiful and appropriate, but nothing will be produced without the master).

The teaching of criminalistics in the framework of academic programs, can be implemented in two ways: 1) as extra-university legal education: a) through preparatory and introduction courses prior to proper legal education; b) through post-graduate (special) education providing courses in both general, and specific problems of criminalistics, subject to the needs of a particular legal profession; 2) in the context of “Bachelor’s” and “Master’s” programs.

The Bachelor degree course should be considered as the main stage in the lawyer’s training, because this degree confirms the basic higher education in law (jurisprudence). At this level a lawyer should gain knowledge of the basic academic disciplines. Taking into account the significance of criminalistic knowledge in legal practice, we should point out that criminalistics should be taught as a basic course.

The curriculum of the full-time department at the Yaroslav the Wise National Law University (Kharkiv, Ukraine) provides for 252 academic hours for criminalistics, including: lectures – 60 hours; practical classes – 80 hours (including 13 compulsory laboratory works); independent work – 80 hours; Individual work – 32 hours. Criminalistics is taught for two semesters in the last (fourth) year of the Bachelor's course and includes a test based on the results of the first semester, and an exam – based on the results of the two semesters. As part of the criminalistics course a student has an option of doing a course project or preparing a scientific report (if the student is a member of the Criminalistics Scientific Society).

In reference to the Bachelor's course, the number of academic hours provided for the course of criminalistics should correlate with the number of hours for the courses of criminal law and law of criminal procedure. It seems that the number of hours allocated to these two basic academic disciplines should at least be equal to the number of hours provided for criminalistics (ratio – 1: 1). This is due to the fact that criminal law and law of criminal procedure represent just a form of teaching criminalistics. The knowledge of the form enables the student to learn the terminological apparatus of criminal justice, to understand the concepts of crime and punishment, their types, examine existing criminal procedures. That is why – the study of criminal law and law of criminal procedure should precede the course of criminalistics.

Criminalistics can be taught as extra-university legal education through preparatory and introduction courses prior to proper legal education. This introduction to criminalistics should be offered in the context of training prospective students for the university course of law (jurisprudence). It is obvious that before doing the course of law, a prospective student should and has the right to acquire knowledge in the form of introductory classes in basic academic disciplines – including criminalistics, in order to determine his intellectual needs and assess the possibilities of a particular educational institution. These classes may cover the following topics: 1. The subject, method and system of criminalistics. 2. The history and current state of criminalistics. 3. The position of criminalistics in the system of legal sciences.

After the selection and admission of the most talented students to the School of Law of the University or Law Institute (Academy), we can say that as a result of such training before the course, there are more active students with higher motivation, and eventually law-enforcers.

Post-graduate and special education providing courses in both general, and specific problems of criminalistics, subject to the needs of a particular legal profession is also in demand. Here it is important to focus on two areas.

The first area is related to the work of a law-enforcer after obtaining the bachelor's degree and/or master's degree in law (jurisprudence). Such training can be provided on the basis of the agencies of criminal and/or other justice, university, Criminalists Society for the participants of the legal proceedings on a professional basis: for defense lawyers, prosecutors, investigators, legal advisors and others. This training should be provided on the basis of mutual benefit with the involvement of the teaching staff of the Department of Criminalistics and/or members of the criminalists

Society on a pre-agreed issue. These courses are necessary to deal with the professional deformation of the participants of the legal proceedings, to solve practical problems (we believe, such courses should be offered, not less frequently than once every 5 years).

The second area is connected with the teaching of criminalistics as a special academic discipline out of the bounds of legal education. It may include courses for the Faculty of Economics, for example, teaching criminalistics for the banking sector is important to counteract falsification of public documents, counterfeiting of money, etc. The courses may also provide training for the military personnel – on the problems of criminal investigation technique: trace evidence analysis, forensic ballistics, forensic photography etc. Such courses are crucial for the implementation of the tasks undertaken by the abovementioned or other professions that is why teaching the courses of criminalistics for these subjects is no less important than teaching in the sphere of legal education.

Here we encounter the problem of how to teach criminalistics and impart this knowledge to students. Currently, the educational policy in Ukraine is focused on the achievements of modern European and world level; radical renovation of the content, forms and methods of training is carried out at universities. The priority ranking of education is recognized at the state level. The period from 2010 to 2020 should become crucial for the implementation of strategic plans for the integration of education, science, production, scientific and innovative components in the activity of higher educational establishments for the purpose of recognition of Ukraine in the European and world educational space.

Three groups of questions are still relevant for teaching criminalistics: 1) who should teach it; 2) who should be taught; 3) when and how to teach it. These questions were framed in 1921 by Professor Herbert Manns and remain matters of current interest. In this regard Prof. H. Manns pointed out that “more rapid development of teaching criminalistics seems imperative”¹⁴. In the modern context N. Yablokov cautions that the question of the nature of criminalistics is not a purely theoretical question. Recognition of criminalistics as a non-legal science may lead to its exclusion from the list of general compulsory subjects provided in the state educational standard of higher professional education. Such trends have already emerged in the sphere of higher legal education¹⁵. The Bologna process is being widely introduced in Ukraine; academic programs, educational disciplines, their intensity are being changed, the vector of legal education is also being transformed. H. Malevski rightly warns that narrow-purpose specialization of lawyers enables them to enter into practice quicker, however, lack of basic special knowledge, makes them completely

¹⁴ H. Manns, *Criminalistics as an applied discipline and teaching subject*, „A First Printed Criminalist” 2011, № 3, p. 93 (category “Anthology of Criminalistics”).

¹⁵ N. Yablokov, *Legal nature of criminalistics – an important factor in reducing its integrity as a science, general professional discipline in training lawyers*, „Criminalist Incunabula” 2011, № 2, p. 23.

dependent on experts and specialists, thereby, essentially transforming the latter into “the modern judges of fact”¹⁶.

The questions framed by H. Manns, may be interpreted with respect to the current situation. Who should teach criminalistics. At present, the answer, at first glance, is simple – a teacher (lecturer), criminalist (scientist). On the other hand, the answer is rather complicated, because a question arises: where to get a professional, knowledgeable about the theory of criminalistics and practice of combating crime (the practice of law-enforcement). At the same time, it is presumed that an expert in criminalistics has the knowledge of criminal law, criminal procedure, the judicial system at a high level, with due consideration for changes in legislation, adoption of new laws and codes. In addition, this person must have knowledge in the field of natural and technical sciences and forensic examinations. The complexity of the subject of criminalistics and its place in the system of other sciences allows us to put the question of whether the teacher of criminalistics should give the full course, or limit it to some specific sections (forensic technology, forensic investigation tactics or technique), or specific topics.

Who should be taught Criminalistics? Do all lawyers need criminalistics, or just investigators and prosecutors? It seems that criminalistics is necessary for all lawyers regardless of their career choice in the future (lawyer, notary, legal counsel, judge). Another thing is that different lawyers need different amount of criminalistic data. All prospective lawyers should master the basics of criminalistics. In the future, more in-depth knowledge can be gained by teachers of specific legal professions in the context of the development of special criminalistic courses.

When and how to teach it? Criminalistics should be taught after studying such subjects as criminal law, criminal procedure, organization of courts. First statics, then – dynamics. Acquisition of criminalistic skills requires training of a mixed character: lectures, practical classes, laboratory works. Therefore, the need for laboratory facilities, computer labs, a criminalistic test site, the museum of criminalistics is presumed. H. Manns at the time recommended allocating 2-4 academic hours of practical training for 2 hours of lectures in criminalistics per week¹⁷. Some parameters of teaching criminalistics were set in the Order of the Minister of Higher and Secondary Education of the USSR of September 13, 1950 № 1598 “On measures to improve the teaching of criminalistics in law schools”, which pointed shortcomings in teaching criminalistics and suggested measures for overcoming them. Among them an increase in the number of hours provided for criminalistics in the curricula was essential. 138 academic hours were allocated to legal institutes, 94 academic hours to law faculties, and the maximum number of students in an academic group in the course of practical training was set as 12–15¹⁸.

¹⁶ H. Malevski, *Special knowledge – the cornerstone postulate of Hans Gross’ concept of criminalistics and its modern integration*, „Criminalist Incunabula” 2012, № 5, p. 120.

¹⁷ H. Manns, *op. cit.*, p. 97.

¹⁸ I. Krylov, *Pages of the history of teaching criminalistics*, in: *Didactic questions of criminalistics (proceedings of the symposium on the improvement of criminalistics, which took place*

In modern conditions not only the content of a discipline, but also the essence of teaching it, the introduction of new didactic approaches is important. Lectures in criminalistics are now unthinkable without displaying visual materials (presentations), the use of modern multimedia facilities, which should be an integral part of lecture hall equipment.

Law students develop their practical skills by way of different forms: 1) participation in seminars, colloquia, practical training; 2) on-the-job training; 3) participation in generalizations of practical training organized by the Department; 4) participation in the problem laboratories of the department; 5) preparation of scientific reports with some practical elements; 6) assistance to the staff of law enforcement agencies on a voluntary basis; 7) participation in scientific and practical conferences, “round” tables, seminars.

The main objective of practical training in criminalistics is to develop relevant skills, acquire practical experience. The acquisition of the material by the students depends to a large extent on the proper organization of classes. The following specific forms can be used: business and role-playing games, express tests, setting problem tasks, solving situational problems (case-study), experimental studies. Verbal information should be accompanied by a multimedia presentation. Practical training in criminalistics is characterized by originality and its potential of using a criminalistic test site, frame-up premises, criminalistic museum. Practical classes are impossible without the use of materials of criminal cases (proceedings), forensic examination reports, books of standards, modern scientific tactical methods and equipment.

Teaching criminalistics to law students involves the development of their creative thinking, acquisition of skills at undertaking practical activities, making the right decisions. Criminalistics is an important university discipline, a segment of scientific knowledge crucial for the formation of a lawyer’s personality and his/her preparation for independent practice of law.

Summary

This article is devoted to the problem of criminalistics teaching in Ukraine. Because of this, authors decided to demonstrate historical development of criminalistics. In this part of the article it was showed problems of criminalistics emergence in Ukraine and other countries from 19th century. Special attention was paid to the decisions of Congresses of International Criminalistic Union (1895, 1913), and Hans Gross’ and F. von Liszt’ influences to it. After this historical event, attention was paid to Criminalistics development in Ukraine in different periods: publishing books and textbook on forensic medicine (N. S. Bokarius, N. N. Bokarius) and criminalistics (V. Kolmakov, V. Lisichenko, V. Shepitko, etc.); including Criminalistics to the curriculum as a teaching course; foundation Expert and Criminalistics institutions (now – Professor Emeritus N.S. Bokarius Kharkiv Research Institute of Forensic Examination; Criminalistics Department of Yaroslav the Wise National Law University, INGO “Criminalists Congress”, etc). Also authors gave information about criminalistics teaching in modern academic programs in two different ways: 1) as extra-university legal education: a) through preparatory and introduction courses prior to proper legal education; b) through post-graduate

(special) education providing courses in both general, and specific problems of criminalistics, subject to the needs of a particular legal profession; 2) in the context of “Bachelor’s” and “Master’s” programs.

Keywords: criminalistics teaching, criminalistic didactics, criminalistic emergence, history of criminalistics in Ukraine

Streszczenie

Niniejszy artykuł poświęcony jest zagadnieniu nauczania kryminalistyki na Ukrainie. Autorzy prezentują historyczny rozwój kryminalistyki. W części artykułu poświęconej temu zagadnieniu omówiono problemy pojawienia się kryminalistyki począwszy od XIX wieku. Szczególną uwagę zwrócono na decyzje Kongresów Międzynarodowej Unii Kryminalistycznej (1895, 1913) oraz wpływ Hansa Grossa i F. von Liszta na jego rozstrzygnięcia. Następnie omówiono rozwój tej dyscypliny na Ukrainie w różnych okresach: publikowanie książek i podręcznika medycyny sądowej (N. S. Bokarius, N. N. Bokarius) oraz kryminalistyki (V. Kolmakov V. Lisichenko, V. Szepitko, itp.); włączenie kryminalistyki do programu nauczania w ramach kształcenia uniwersyteckiego, założenie zajmujących się tą dziedziną nauki instytucji (obecnie Instytut Badawczy Nauk Sądowych im. prof. N.S. Bokarius w Charkowie, Wydział Kryminalistyki na Narodowym Uniwersytecie Prawniczym im. Jarosława Mądrego), organizację Kongresu Kryminalistyki INGO etc. Autorzy omówili również metody nauczania kryminalistyki zarówno w procesie edukacji akademickiej (w programie studiów magisterskich i licencjackich), jak i w trakcie edukacji przedstawicieli zawodów prawniczych (w ramach programów nauczania dla absolwentów).

Słowa kluczowe: nauczanie kryminalistyki, dydaktyka kryminalistyczna, historia kryminalistyki na Ukrainie