

## **THE INTERROGATION OF SUSPECT DURING THE ILLEGAL HUNT INVESTIGATION**

**G.A. KUSHNIR, *Candidate of Juridical Science, Associate Professor,  
National University Life and Environmental Sciences of Ukraine***

*We identified the conceptual framework of a comprehensive study of vehicles and documents accompanying them (CSV). We did the delimitation between "review" and "research" in order to separate the allocation of such definitions as "expert review" and "expert research". We substantiated the expediency of CSV for detection and prevention of crimes related to the theft of vehicles. We described the objects, main stages and components of this research. We showed the method, with the help of which this type of research is conducted and technical means, used during their application.*

***Review, research, indentificatory number, vehicle, document.***

In this article are shown the questions about tactical peculiarities of holding of suspect's interrogation during the illegal hunt investigation.

Suspect, interrogation, methods of speaking, types of interrogation, information, illegal hunt, conflict situation, witnesses, material sources, evidence.

One of the most wide spread investigation proceedings during the illegal hunt investigation is the interrogation, in course of which the investigating agency, investigator, public prosecutor, court get some information (according to the effective legislation's order) from the suspect about the cases which are important for establishment of truth during investigated case. In the cases about illegal hunt the peculiarity of

interrogative tactics is in progress of its regulations. The peculiarities of getting some information during the investigation consists in the fact that its source is the circle of people, who can be suspects (accused) or witnesses in tactical methods of their detection and succession of holding of interrogation.

**The aim** of the state is to clear up some theoretical and practical questions of holding of suspect's interrogation in illegal hunt perpetration and tactical peculiarities of its holding in conflict and conflict-free situations.

The specificity of suspect's interrogation in illegal hunt is caused by the atmosphere of crime, peculiarities of place where it is committed and also by the refinement of methods of committing and misprision of tracks of crime.

In this case in historical literature interrogation is seen both as the mean of proof, as the specific speaking in order to get some information about the crime and as the social phenomenon, which has moral and educational functions.

On the one hand, interrogation can be seen as the method of getting some information about psychical reflection of factual information, which is reflected in human's consciousness, and on the other hand, as the activity about realization of this method, which is embodied in the procedural form (state №224 of CC of Ukraine). Such approach is perspective for some systematization of tactical modes of interrogation in unitary method of practical activity.

Interrogation, being as the method of speaking, is a doctrine about special modes and means of speaking that are used during criminal investigation for getting some conclusive information from the interrogated.

This doctrine includes a system of means of criminal tactics, separate statements about psychical and moral means of investigation of the interrogated. Here getting some information with the help of interrogation

forms some well-managed totality of approaches and means of speaking with getting some information, which concerns to the interrogation.

In such way, interrogation is a purposive information exchange, during which the investigators, public prosecutor, court try to determine some circumstances, connected with the investigated event. Since in the cases about illegal hunt these events have peculiar character, so the approximate list of questions for thier disclosure can be following:

1. Where, when, on which conditions was the crime perpetrated?
2. The method of illegal hunt committal (concrete approaches, operations about transportation of killed animals, transport, firearm, which is used in crime);
3. Were there some preparatory actions before illegal hunt committal and what were they?
4. The activity of misprision of poaching in places, where were some objects and other material evidences.
5. Which are technical means and other tools, which are used in crime?
6. Which criminal staff committed illegal hunt?
7. Time, during which the crime was committed.
8. Reasons and conditions, which incited to illegal hunt committal.

This list of questions is not exhaustive. It has general character and can be changed depending on the object of interrogation, procedural state of the suspect and criminal information, which the investigator has.

The interrogation of the suspect about illegal hunt committal has conflict character and the interrogated counteracts the investigator in truth establishment. In this connection the suspect's interrogation assists getting more information. Person, which is suspected of crime committal, is in some psychological confusion and has not still prepared to excuse. The suspect justifies himself, pleading free refusal from illegal hunt committal, conceals about abettors and some separate episodes of illegal hunt or refuses deposing.

Analysis of inquest and legal practices of illegal hunt investigation helps us to underline such typical situations of interrogation of suspect:

1. Conflict-free person, suspected of illegal hunt, deposes and pleads guilty in crime committal.
2. Person, who is apprehended for illegal hunt, objects the fact of offence and purposely bears untruthful witness or refuses it.

Let's observe this investigative procedures giving into consideration some tactical approaches, that assist getting the most full and truthful information about the crime.

In some situation, when the position of interrogated person is positive, tactical aim of interrogation consists in giving conflict-free character of speaking, checking of truth and authenticity of getting testimony. For memory renewal of interrogated person's facts, we can use tactical modes, which excite emotional connections, which give possibility to rule the person's interrogation, who wrongly reproduce the observed event. Here we can use the following modes:

1. Association by community (when the forgotten facts are reproduced with the help of preceding or next event);
2. Association by likeness (the reminding of ecological fact or object, which is similar to that one, which the interrogated saw in the past);
3. Association by opposition (the notional excitation to the opposite object);
4. Giving of some material sources of information or material evidences, connected with the forgotten facts.

With this aim sometimes we can use the interrogation on the scene of action, when the repeated perception brings back to mind some facts.

Negative position of the interrogated in conflict situation is shown in the untruthful deposition's giving, ignoring of known facts or speaking refusing. In this situations the interrogated person purposely perverts given information, objects the illegal hunt committal, that's why the result of

interrogation in this case depends on the fullness of collected information about illegal poacher's actions and also on the right choice and use of tactical modes. For untruthful evidential disclosure it is necessary to take into consideration some symptoms of untrue:

1. The contradiction of results of collected proof.
2. Nonconcreteness of evidence, which are situated in the testimony of interrogated.
3. Different explanations of the same events at different interrogations.
4. Slips of the tongue in testimony.
5. Avoiding of answering the direct questions.
6. Outer display of changes of interrogated person's psychical activity as the reaction to the questions.

Tactical modes, aimed at the interrogated person's disclosure in untruthful testimony, by the character and trend can be divided into three groups: the modes of emotional influence; the modes of logical influence; tactical combinations. To the modes of logical influence we can refer: a) producing of testimony, that decline the interrogated person's evidence; b) producing of testimony, that demand some detailing of evidence with the aim of contradiction disclosing between him and abettors; c) logical analysis of contradictions between the interests of interrogated person and his abettors; d) proof of absurdity of interrogated person's position.

In such a way the interrogation of the suspect in the cases about illegal hunt is one of the most important investigation acts, aimed at the collecting of convincing and oriental information. Its results determine the fullness and effectiveness of the process of proof of illegal hunt.