

THE MEANING OF INFORMATIONAL AND INQUIRY SUPPLY OF THE JUDICIAL EXAMINATION

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In this paper, based on a study of terminological framework of analysis and generalization of the concept of «information» that is central in the context of the test questions, the proposed wording of the definition of «Informational support forensic examination» in accordance with the requirements and tasks that rely on individuals perform forensic activities.

Judicial examination of informational and inquiry supply of the judicial examination, law enforcing bodies, information, cybernetics, computer systems, legality, material objects, judicial expert work, criminality, sources of investigation, terminology, judicial inquest, court.

In this state on the basis of investigation of some terminological base and analysis and generalization of the meaning «information», which has the main meaning in the context of the investigated question, there is a proposed statement definition of the meaning «informational and inquiry supply of the judicial examination» according to norms and problems, which are relied on people, who make judicial work.

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The modern stage of judicial examinational development is characterized by purposive and active search of effective ways of expert practice development on the fundamental theoretical base, which needs some detailed learning and analyzing for solving of problems. That's why it will be methodologically correctly and suitable to determine the next sequence of investigation of the meaning of informational and inquiry supply of the judicial examination – to analyze terminological base of the given definition, scanning and generalizing some interpretations of this

definitions by different authors and normatively lawful acts, which form normatively lawful base, so that the result of made work is to propose the definition of the meaning «informational and inquiry supply of the judicial examination».

The aim of the state is to investigate some terminological base of informational and inquiry supply of the judicial examination. Analysis and generalization of the meaning «information», which has the main meaning in the context of the investigated question on the basis of consideration of different interpretations and vague treatments of this meanings of different authors and normatively lawful acts, that form normatively lawful base.

The problem of informational and inquiry supply of the judicial examination is one of the most actual ones for judicial experts of all specialties. Their job demands the usage of information from different informational and inquiry sources and, as a result, needs some appropriate supply.

It is lawful to scan judicial expert's activity of all specialties as the process of collecting, investigating, estimating and processing of necessary information for its the further usage. It is necessary to lay the stress on the fact that the success of criminal activity depends on the level of collected and classified information criminalistic information and functioning of informational and inquiry systems.

The practice of prevention and struggle against criminality affirms the leading role of informational and inquiry supply of judicial examinations, so far as it increases the effectiveness of work of the whole law enforcing system, especially in modern informational society.

It is well worth scan, what the meaning «informational and inquiry supply of the judicial examination», so far as now there is no clear and full explaining of it.

Analyzing scientific, learning and popular science literature, and also normatively lawful acts, which pertain to its question, we can find a great number of definitions of «information», «reference», «supply», «judicial examination».

So, the meaning «informational and inquiry supply of the judicial examination», playing leading role in struggle against criminality and securing the effective judicial activity, has not existed on the pages of scientific investigations.

In order to improve this situation and propose the definition of investigated question, let's try to investigate its fundamental definitions.

In the context of informational and inquiry supply of the judicial examination the meaning «information» has a leading meaning, although it is abstract because of some reasons. That's why in order to understand this meaning, let's analyze the investigations by some native and foreign scientists.

Different conceptions of the term «information» are just, depending on the theories and practical actions, which we have to adhere to. Some separate ways and theories of the same science can propose different approaches for the term «information». «There are many definitions of information, in which are described either the specificity, in which this term is used, or the peculiarities of professional activity of the person» [1, p. 114–115]. In our opinion, having a leading place in solving our problem, the meaning «information» has to suit the peculiarities of professional activity of judicial experts, reflection some specificity of their work.

In general, the meaning «information» (from Latin – informatio) means «the meeting, explaining, conception, meaning» [2, p. 222] .

In philosophy the term «information» is one of the general meanings of science, which manifests itself in two aspects:

- semantic, when information is «some statement, totality of some facts»;
- cybernetic, information is «one of the most substantial types of human activity» [3, p. 244].

Some philosophers, who are of the theory of Marx – Lenin's philosophy, made an attempt to correlate information with the meaning of reflection, opening some necessity of unity of reflection and interaction as some dialectical unity of different categories [4, p. 114].

English scientist U.R. Ashbey defines information as «something that eliminates vagueness» [5, p. 254].

N. Viner says that information is «the definition of message content, taken from the environment in the process of our adaptation and our feelings to it» [6, p. 56].

To sum up the views according to the term «information», we can generalize them, proposing the following definition:

Information is the totality of statements, taken from the environment that eliminate to vagueness.

According to normatively lawful acts, in Ukraine the term «information» is used in many acts, many of which form laws. But, in three laws we have the meaning «information». They are:

- 1) The law of Ukraine «About information»

- 2) The law of Ukraine «About the protection of economical competition»
- 3) The law of Ukraine «About TV-communication»

Especially The law of Ukraine «About information» under «information» understands documented or public declared statement about events and phenomena, which happen in society, state and environment (state 1 of The law of Ukraine «About information») [7].

According to the state 1 of The law of Ukraine «About the protection of economical competition» information is the facts in any form and manner and saved on any mediums (including correspondence, books, marks, illustrations, photos, holograms, microfilms, sound tapes, bases of data of computer systems or full or partial reproduction of their elements), explaining of persons and any other publicly proclaimed news. [8]

In The Law of Ukraine «About TV-communications» [9, p. 1] we find that information is some news, given in the form of signals, signs, sounds, movable and immovable pictures etc.

So, after analyzing legislative terminology, that defines the category of «information», despite nonidentity of interpretation of the given term, we can mark a list of mutual features, one of which is that one, when the native legislator means information as some news, that emphasize on the accepted theory.

That's why, after studying the meaning «information», given by different scientists and in the foregoing laws we may mark the following:

Information is the news, given from the environment, saved in any form on any bearers and given in any way for vagueness eliminating.

After determining the terminology of such words as «reference», «referential» and «to supply», let's look in the Ukrainian language dictionary, in which we can find the following:

«Reference» is «the news, which are given or getting by someone».

«Referential» means «prescribed for getting and giving some references». [10, p. 334]

«To supply» has a list of interpretations, any of which means the next:

1. After supplying something in sufficient quantity, to satisfy someone or something in some needs. To give someone sufficient materials means for of existence.

2. To create sure conditions for realizing something; to guarantee something.

3. To protect, guard someone or something from danger. [11, p.18]

After generalizing the foregoing, we can formulate the meaning of informational and inquiry supply, which will be general and will be the following:

Informational and inquiry supply is the news, given from the environment, saved in any form on any bearers and given in sufficient quantity in any way for satisfaction of someone's needs, vagueness eliminating, creating of sure conditions for realizing something and guaranteeing someone's or something's protection from danger.

In The law of Ukraine «About judicial examination» is said that this investigation is conducted by the expert on the basis of special knowledge about material objects, phenomena and processes, which have some information about circumstances of the case, which have judicial investigation bodies or court [12]. In the same law we can find that judicial experts are the persons, who have some necessary knowledge for concession of conclusion about the investigated questions, have to hold full investigation, to give reasonable and objective written conclusion and, according to the effective legislation, can be called to account in case of inexecution of their duties [12, p. 10, 12, 14]. The whole judicial and expert activity is accomplished on the principles of legality, independence, objectivity and full investigation [12, p. 3].

To sum up the foregoing, it is logical and right decision to propose the definition of the meaning «informational and inquiry supply of the judicial examination»:

Informational and inquiry supply of the judicial examination is the news, given from the environment, saved in any form on any bearers and given in sufficient quantity in any way for satisfaction of needs of judicial examination, vagueness eliminating, creating of sure conditions for full, detailed investigation of material objects, phenomena and processes, which are within investigation, concession of objective written conclusion and is a guarantee of protection of people, who realize judicial and expert activity.

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