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Training as a Type of Grounding Experts on Forensic Air Technical Examinations



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The article emphasizes the lack of an effective administrative and legal mechanism in Ukraine for conducting internships for forensic experts including internships for forensic experts in conducting forensic air technical examinations that is a significant issue of their professional training. The need to develop and approve at the level of central executive body a unified legal act on organization of professional training of forensic experts where a separate section should be devoted to the internship issue.

Shortcomings in the procedure for conducting internships of forensic experts and gaps in the current legislation on this issue are highlighted. Scientific principles of improving this type of training are outlined. Emphasis is placed on the lack in the Register of methods of forensic examinations of the Ministry of Justice of Ukraine methods of forensic examinations according to the 10.25: *Research on aviation events and incidents* forensic expert specialization and the need for its development that should be a methodological basis for forensic expert training in this forensic expert specialization.

Keywords: forensic science institution, forensic air technical examination, forensic expert, training, internship, trainee.

Introduction. The training of forensic experts in Ukraine is currently being reformed and needs to be further improved by creating an effective administrative and legal mechanism for training of this category of employees. The lack of a legal act regulating the procedure for conducting internships for forensic experts significantly affects the final results of this type of training that inevitably leads to errors and shortcomings while drawing up forensic expert conclusions in the future.

Internships of forensic experts according to forensic expert specialization: 10.25: *Research on aviation events and incidents* are subject to general rules governing the conduct of this type of professional training. Their lack or imperfection leads to chaos and superficiality. In addition, the lack of methods of forensic examinations in the Register of forensic examinations of the Ministry of Justice of Ukraine according to forensic expert specialization: 10.25 *Research on aviation events and incidents* complicates the entire learning process of mastering knowledge, skills and abilities of forensic experts in this forensic expert specialization.

Forensic expert training in any forensic expert specialization is a complex and long term process that involves studying not only theoretical content, but acquisition of practical skills and abilities. In this regard, internship role as a type of practical training in the workplace is significantly increasing and requires outlining the scientific basis for improving this type of training.

Thus, research on the ways to create an effective administrative and legal mechanism for organizing and conducting internships for forensic experts becomes relevant that will have a positive impact on internships in each fo-

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TRAINING AS A TYPE OF TRAINING EXPERTS ON FORENSIC AIR TECHNICAL EXAMINATIONS

The article focuses on the lack of an effective administrative and legal mechanism in Ukraine for conducting internships for forensic experts, including internships for experts in conducting aviation technical examinations which is a significant problem of their professional training. The necessity of development and approval at the level of the central body of executive power of the unified normative-legal act on the organization of professional training of forensic experts where the order issue of carrying out of internship should be given to the separate section is proved.

Shortcomings in the procedure for conducting internships of forensic experts and gaps in the current legislation on this issue are highlighted. The scientific principles of improving this type of training are outlined. Emphasis is placed on the lack in the Register of methods of forensic examinations of the Ministry of Justice of Ukraine methods of forensic examinations according to the forensic expert specialization 10.25: Research on aviation events and incidents and the need for its development that should be a methodological basis for forensic expert training in this forensic expert specialization.

Particular attention is paid to the role of internships as practical on-the-job training and its division into planned internships in order to exchange practical experience between forensic experts of forensic institutions and internships as a practical part of training persons who intend to obtain or confirm forensic expert qualification.

Due to the lack of qualified forensic experts in Ukraine, namely: professionals in the 10.25 Research on aviation events and incidents forensic expert specialization and training bases in this forensic expert specialization, attention was drawn to the feasibility of concluding agreements between forensic institutions of Ukraine and abroad for training such forensic experts.

Keywords: forensic science institution, forensic air technical examination, forensic expert, training, internship, trainee.

rensic expert specialization including internships according to forensic expert specialization: 10.25 *Research on aviation events and incidents*.

Analysis of Essential Researches and Publication. The issue of internship order of employees as a type of professional training is paid attention in research papers of V. M. Andriyiv, T. M. Vakhoneva, L. B. Yavorskaya, V. M. Gladkova, O. M. Orgiets, I. E. Chernobyl, V. I. Konashchuk, D. O. Didenko, D. R. Leschukh, I. I. Zadoya, O.V. Mikhailenko, A. A. Starodubtsev and other scientists who have made a significant contribution to general theory of internships employees. Given existence in Ukrainian legislation of a significant number of gaps in the regulation of this type of training, these scientists have taken important steps in developing both strategic and tactical areas of rule-making work to improve this type of training.

However, the issue of internships for forensic experts in aviation and technical types has so far remained out of scientific attention. In addition, the time requirement is to develop an administrative and legal mechanism for the training of forensic experts in general that will be the basis for the procedure regulation for training of experts in forensic air technical examinations.

This **Article Purpose** is to identify the shortcomings of the internship of forensic experts according to forensic expert specialization: 10.25 *Research on aviation events and incidents*, outlining the scientific basis for its improvement to acquire professional skills, knowledge and abilities while conducting forensic air technical examinations.

Main Content Presentation.

Legal Encyclopedia Edited by Yu. S. Shemshuchenko treats an internship as a form of training that provides acquisition of practical experience and skills to students (audience), for the first time adopted by employees and candidates for more qualified work (higher position), verifying their professional level and business qualities as well as advanced training¹.

According to Article 18 of the Law of Ukraine: *On Education*, an internship is the acquisition by a person of practical experience in performing tasks and responsibilities in a certain professional activity or field of knowledge².

Article 29 of the Law of Ukraine: *On Employment of Population* defines the internship purpose as gaining experience as an individual in performing professional tasks and responsibilities, improving professional knowledge, skills and abilities, learning and mastering new technologies, techniques, acquiring additional competencies³.

The Law of Ukraine: **On Professional Development of Employees** (Article 6) allows for internships for employees belonging to the categories of managers, professionals and specialists⁴. However, this Law does not define this term, as well as the procedure for internships, as a form of professional staff training that in our opinion is a significant gap in legislation.

V. M. Andriyiv and T. M. Vakhoneva consider internships as a kind of gaining theoretical and practical experience in a particular profession or type of professional activity, as well as a kind of verification of professional level and business qualities of employees applying for promotion and employees who apply for the first time to hold a certain position. They also understand the purpose of the internship as the acquisition by the employee

¹ Стажування // Юридична енциклопедія : [у 6 т.] / ред. кол. Ю. С. Шемшученко (відп. ред.) [та ін.]. К.: країнська енциклопедія ім. М. П. Бажана, 2003. Т. 5: П С. 736 с. URL: <https://leksika.com.ua/12550909/legal/stazhuvannya>

² Про освіту : Закон України від 05.09.2017 р. № 2145-VIII(зі змінами та доповненнями). Відомості Верховної Ради України (ВВР). 2017. № 38-39. URL: <https://zakon.rada.gov.ua/laws/show/2145-19>

³ Про зайнятість населення : Закон України від 05.07.2012 р. № 5067-VI (зі змінами та доповненнями). Відомості Верховної Ради України (ВВР). 2013. № 24. URL: <https://zakon.rada.gov.ua/laws/show/5067-17>

⁴ Про професійний розвиток працівників : Закон України від 12.01.2012 р. № 4312-VI (зі змінами та доповненнями). Відомості Верховної Ради України (ВВР). 2012. № 39. URL: <https://zakon.rada.gov.ua/laws/show/4312-17>



О. В. Курдес

СТАЖУВАННЯ ЯК ВИД ПІДГОТОВКИ ЕКСПЕРТІВ ДО ПРОВЕДЕННЯ АВІАЦІЙНО-ТЕХНІЧНИХ ЕКСПЕРТИЗ

of practical experience in performing certain tasks and responsibilities in the workplace under the guidance of an experienced professional before starting independent work⁵. While research on internship concept as a legal category, scientists come to the conclusion that it is not regulated and insist on a detailed definition of this concept at the level of the codified normative act taking into account the specifics of different internship types⁶.

According to L. B. Yavorska, internship is a type of professional training that is aimed at gaining new experience of performing tasks and responsibilities of a certain type of professional activity, improving the level of professional qualification. It is impossible to disagree with her statement that relations formed in the process of vocational training (including internships) should be governed by law. After all, training relationship is a relationship that arises between a trainee and an employer (or educational institution where training takes place) in order to acquire (or increase) the level of professional knowledge and skills to perform a certain type of professional tasks or responsibilities⁷.

Thus, according to the content of legislation and taking into account the conclusions of scientists, internship can be interpreted as a process of formation and consolidation in practice of professional knowledge, skills and abilities obtained as a result of theoretical training.

V. M. Gladkova offers three stages of general internship program: instructional, working and final. The main time of the internship, in her opinion should be allocated to the internship working stage that should include such forms of training as: distance learning, distance learning and coaching⁸. She considers it necessary to conduct trainings during the internship including four main components:

- preparatory;
- information (notification of theoretical provisions of the topic);
- basic (conducting a cycle of classes);
- final (analysis and evaluation of results)⁹.

O. M. Orgiets considers so-called "institutional memory" as the ability to collect, store, use, update, possibility of applying knowledge based on experience which sources are informal and formalized professional knowledge. This knowledge and skills acquired while internship and applied in further practical activities, contribute to development institutional memory of the whole institution¹⁰. The scientist comes to the conclusion about the need to develop a scientific and methodological basis for the internship, methods of assessing internship effectiveness by staff management unit and differentiation of internship terms depending on nature of professional activity, as well as working experience in the specialization¹¹.

I. E. Chornobyl opinions on the internship role as one of the main methods of staff adaptation to new working conditions which contribute to reduction of its terms¹² and which apply to both future and current employees, deserve

У статті акцентовано увагу на бракуванні в Україні діювого адміністративно-правового механізму проведення стажування судових експертів, зокрема і стажування експертів із проведення авіаційно-технічних експертиз, що становить суттєву проблему їхнього професійного навчання. Доведено необхідність розроблення та затвердження на рівні центрального органу виконавчої влади уніфікованого нормативно-правового акту з організації професійної підготовки судових експертів, у якому питанням порядку проведення стажування має бути приділений окремий розділ.

Висвітлено недоліки в порядку проведення стажувань судових експертів та пробіли в діючому законодавстві з цього питання. Окреслено наукові засади удосконалення цього різновиду підготовки. Акцентовано увагу на тому, що в Реєстрі методик проведення судових експертиз Міністерства юстиції України бракує методики проведення судових експертиз за експертною спеціальністю 10.25 «Дослідження авіаційних подій та інцидентів», а також на необхідності її розроблення, що стане методичною основою для організації навчання експертів із цієї експертної спеціальності.

Особливу увагу приділено ролі стажування як практичного навчання на робітничому місці та запропоновано її поділ на планове стажування з метою обміну практичним досвідом між судовими експертами судово-експертних установ та стажування як практичної частини підготовки осіб, які мають намір здобути або підтвердити кваліфікацію судового експерта.

За браком в Україні кваліфікованих судових експертів □ фахівців з експертної спеціальності 10.25 «Дослідження авіаційних подій та інцидентів» □ та баз підготовки з цієї експертної спеціальності звернено увагу на доцільність заключення договорів між судово-експертними установами України та зарубіжжя з підготовки таких судових експертів.

Ключові слова: науково-дослідна судово-експертна установа, авіаційно-технічна експертиза, судовий експерт, навчання, стажування, стажер.

⁵ Андрій В. М., Вахонсева Т. М. Стажування як категорія трудового права. Актуальні проблеми правознавства : зб. наук. праць. Тернопіль : ТНЕУ, 2018. Вип. 1 (13). С. 115.

⁶ Там само, С. 121.

⁷ Яворська Л. Б. Відносини професійного навчання як об'єкт правового регулювання. Науковий вісник Херсонського державного університету. Серія «Юридичні науки» : зб. наук. праць. Херсон : Видавничий дім «Гельветика», 2015. Вип. 5. Том 2. С. 76.

⁸ Гладкова В. М. Стажування як форма професійного самовдосконалення менеджера вищого навчального закладу. Педагогічний дискурс : зб. наук. праць. Хмельницький : ХГПА, 2012. Вип. 12. С. 92.

⁹ Там само, С. 98.

¹⁰ Оргієць О. М. Стажування в органах виконавчої влади як інструмент накопичення передового досвіду управлінської діяльності. Актуальні проблеми державного управління : зб. наук. праць. Одеса : ОРДУ НАДУ, 2017. Вип. 1(51). С. 129-130.

¹¹ Там само, С. 133.

¹² Чорнобиль І. Є. Механізм державного управління процесом адаптації персоналу в органах публічної влади України. Ефективність державного управління : зб. наук. праць. Львів : ЛРІДУ НАДУ, 2012. Вип. 31. С. 281.

СТАЖИРОВКА КАК ВИД ПОДГОТОВКИ ЭКСПЕРТОВ ПО ПРОВЕДЕНИЮ АВИАЦИОННО-ТЕХНИЧЕСКИХ ЭКСПЕРТИЗ

В статье акцентировано внимание на отсутствие в Украине действующего административно-правового механизма проведения стажировки судебных экспертов, в том числе и стажировки экспертов по проведению авиационно-технических экспертиз, что составляет существенную проблему их профессионального обучения. Доказана необходимость разработки и утверждения на уровне центрального органа исполнительной власти унифицированного нормативно-правового акта по организации профессиональной подготовки судебных экспертов, в котором вопросу проведения стажировки должен быть уделен отдельный раздел.

Освещены недостатки порядка проведения стажировок судебных экспертов и пробелы в действующем законодательстве по этому вопросу. Определены научные основы совершенствования этого вида подготовки. Акцентировано внимание на отсутствие в Реестре методик проведения судебных экспертиз Министерства юстиции Украины методики проведения судебных экспертиз по экспертной специальности 10.25 «Исследование авиационных происшествий и инцидентов» и необходимости ее разработки, что станет методической основой для организации обучения экспертов по этой экспертной специальности.

Особое внимание уделено роли стажировки как практического обучения на рабочем месте и предложено ее разделение на плановую стажировку с целью обмена практическим опытом между судебными экспертами судебно-экспертных учреждений и стажировки как практической части подготовки лиц, которые намерены получить или подтвердить квалификацию судебного эксперта.

В связи с отсутствием в Украине квалифицированных судебных экспертов-специалистов по экспертной специальности 10.25 «Исследование авиационных происшествий и инцидентов» и баз подготовки по этой экспертной специальности обращено внимание на целесообразность заключения договоров между судебно-экспертными учреждениями Украины и зарубежья по подготовке таких судебных экспертов.

attention. It is impossible to disagree with his opinion that in practice the internship is mostly short-term, mostly familiar. The researcher considers it expedient to set differentiated terms of internship depending on the category of positions, professional activity, length of service and draws attention to modern foreign experience in using internships as a method of personnel selection, adaptation, training and development¹³.

V. I. Konashchuk and D. O. Didenko taking into account the need to expand the processes of training and retraining of junior professionals, their adaptation to working conditions, propose to create an effective mechanism for training this category of employees. They believe that it is through internships that it is possible to gain necessary practical skills to perform the duties assigned¹⁴.

I. I. Zadoya considers the main tasks of the internship, including:

- study of methods of work and acquaintance with features of professional activity;
- raising the level of theoretical knowledge and acquiring practical skills;
- deepening of professional specialization and accumulation of professional experience¹⁵.

Thanks to the analysis of the procedure of the internship, the researcher comes to conclusion about the need for detailed legal regulation of the rights and responsibilities of internship participants.

D. R. Leschuk singles the following tasks of the Institute of Internship, as:

- staffing according to their professional, business and moral qualities and state of health are capable of performing official duties;
- checking professional level, business and moral qualities of candidates for positions;
- training of professionals for independent work;
- prevention of mistakes in staff selection¹⁶.

O. V. Mikhailenko analyzing the order of internships on the example of US law colleges highlights interesting facts that can be used while organization of internships of forensic experts in air technical examinations, namely:

- performance of professional role-playing games by trainees in different situations;
- practice bases and internship managers should meet normatively established criteria;
- internship program has a clearly specialized nature of future area of specialization;
- setting standards for internship control;
- pre-approved project and constant monitoring of its implementation;
- creating conditions for the interaction possibility of trainees with internship managers;
- provision of the internship process with necessary means and equipment¹⁷.

A. A. Starodubtsev believes that the internship should consist of:

- theoretical training;
- work with regulatory and other documentation;

¹³ Там само, С. 282.

¹⁴ Конашук В. І., Діденко Д. О. Ефективне стажування як резерв підвищення ефективності праці. Економічний вісник Запорізької державної інженерної академії : зб. наук. праць. Запоріжжя : ЗДІА, 2016. Вип. 5-1 (05). С. 73.

¹⁵ Задоя І. І. Проходження стажування особою для набуття права на заняття адвокатською діяльністю. Науковий вісник Міжнародного гуманітарного університету. Серія : «Юриспруденція» : зб. наук. праць. Одеса : Видавничий дім «Гельветика», 2014. №10-1. Том 1. С. 119.

¹⁶ Лещук Д. Р. Окремі питання правового регулювання трудових відносин в органах прокуратури України. Вісник Львівського університету. Серія юридична : зб. наук. праць. Львів : ЛНУ, 2013. Вип. 58. С. 252.

¹⁷ Михайленко О. В. Вимоги до стажування у юридичних коледжах США. Наукові записки. Серія Психолого-педагогічні науки (Ніжинський державний університет імені Миколи Гоголя). Ніжин: НДУ ім. М. Гоголя, 2017. № 2. С. 164-166.



Oleg Kurdes

**STAGE COMME TYPE DE
FORMATION D'EXPERTS
JUDICIAIRES POUR LES
EXPERTISES TECHNIQUES
AÉRONAUTIQUES**

Cet article fait remarquer le manque d'un mécanisme administratif et juridique efficace en Ukraine pour effectuer des stages pour les experts judiciaires y compris des stages pour les experts en matière d'expertises techniques aéronautiques; ce qui constitue un problème important de leur formation professionnelle. La nécessité d'élaborer et d'approuver au niveau de l'organe central du pouvoir exécutif l'acte normatif et juridique unifié sur l'organisation de la formation professionnelle des experts judiciaires où la question de l'ordre d'exécution du stage devrait être confiée à la section est prouvée.

Les lacunes dans la procédure de réalisation des stages des experts judiciaires et les lacunes de la législation actuelle sur cette question sont mises en évidence. Les principes scientifiques d'amélioration de ce type de formation sont exposés. L'accent est mis sur l'absence de méthodes d'expertises judiciaires du ministère de la Justice de l'Ukraine dans le Registre des méthodes judiciaires pour la spécialité d'expert 10.25 « Enquête sur les événements et incidents aéronautiques » et la nécessité de le développer qui constituera la base méthodologique pour former des experts dans cette spécialité d'expertise.

Une attention particulière est accordée au rôle des stages en tant que formation pratique sur le tas et à sa division en stages planifiés afin d'échanger des expériences pratiques entre les experts judiciaires des institutions judiciaires et les stages en tant que partie pratique de la formation des personnes ayant l'intention d'obtenir ou de confirmer la qualification d'expert judiciaire.

En raison du manque d'experts judiciaires qualifiés en Ukraine, à savoir: professionnels en spécialité 10.25 « Enquêtes sur les événements et incidents aéronautiques » et les bases de formation dans cette spécialité d'experts, l'attention a été attirée sur la possibilité de conclure des accords entre les institutions judiciaires d'Ukraine et de l'étranger pour la formation de ces experts judiciaires.

Mots-clés: institut de recherche judiciaire, expertise technique aéronautique, expert médico-légal, formation, stage, stagiaire.

- preparation of analytical content and draft regulations with appropriate justification;
- acquisition of professional and business skills;
- immediate performance of official duties according to job position;
- study of organization experience where the internship is carried out;
- participation in conferences, workshops, business meetings.

The researcher insists on individual internship nature and lists the main internship forms:

- performance of official duties;
- acquisition of special theoretical knowledge and practical skills in scientific institutions, enterprises, organizations and institutions, including foreign ones;
- performance of official duties in other structural subdivisions;
- participation in monitoring or expert activities (inspections, inspections, control);
- study of foreign experience¹⁸.

The procedure for training and internships of forensic research institutions of the Ministry of Justice of Ukraine and specialists who are not employees of state specialized institutions who intend to obtain or confirm the qualification of a forensic expert is regulated by Section III of the Regulations on the Central Expert Qualification Commission at the Ministry of Justice of Ukraine¹⁹ (hereinafter referred to as Regulations). According to Annex 5 to the Regulation, forensic experts of forensic science institutions of the Ministry of Justice of Ukraine have the right to conduct air technical examination in forensic expert specialization: *Research on aviation events and incidents*. However, in accordance with Annex 6 to this Regulation, this right is limited to specialists who are not employees of state specialized institutions. The regulation does not define the internship concept does not clearly separate *training* from *internship* in terms of content. According to paragraph 1 of Section III of the Regulation, training (internship) of employees of forensic science institutions (hereinafter referred to as FSI) who intend to obtain or confirm the qualification of a forensic expert is carried out by training programs in relevant expert specializations: namely, FSI. The same paragraph stipulates that training programs (internships) are approved by the Chairman of the Central Expert Qualification Commission and published on the official website of the Ministry of Justice of Ukraine. These programs provide for both lectures and practical classes, as well as the preparation of draft conclusions (in the case of forensic expert) qualification and copies of the conclusions (in the case of confirmation of the qualifications of a forensic expert). Providing copies of conclusions during the internship by forensic experts who confirm the qualification of a forensic expert, we consider a shortcoming and propose to change this rule to the rule on providing copies of opinions drawn up to improve forensic expert skills.

Currently in the system of professional training of forensic experts of the Ministry of Justice of Ukraine the issue of internship procedure is not regulated. In our opinion, it is urgent to define the *internship* term to develop a procedure for conducting internships for forensic experts in a separate annex to the Regulations or to adopt a separate legal act on this issue. It is suggested to be sure to decide on:

- internship purpose;
- internship terms (depending on the length of service in forensic expert specialization);
- samples of individual internship projects, feedback and reports;
- implementation order of internship management;

¹⁸ Стародубцев А. А. Порядок здійснення стажування в органах внутрішніх справ. Вісник ХНУВС: зб. наук. праць. Харків: ХНУВС, 2012. №2 (57). С. 414.

¹⁹ Про затвердження Положення про Центральну експертно-кваліфікаційну комісію при Міністерстві юстиції України та атестацію судових експертів: наказ Мін'юсту України від 03.03.2015 р. № 301/5 (зі змін. та допов.). URL: <https://zakon.rada.gov.ua/laws/show/z0249-15>

ПРАКТИКУМ ALS EINE ART DER VORBEREITUNG VON EXPERTEN AUF DIE DURCHFÜHRUNG DER FLUGTECHNISCHEN EXPERTISE

Im Artikel achtet man auf das Fehlen eines wirksamen administrativen und rechtlichen Mechanismus in der Ukraine für die Durchführung vom Praktikum für Forensiker, einschließlich Praktikum für Experten zur Durchführung flugtechnischer Expertisen, was ein erhebliches Problem ihrer beruflichen Ausbildung darstellt. Die Notwendigkeit der Entwicklung und Zustimmung auf der Ebene des zentralen Organs der Exekutive der einheitlichen normativen Rechtsvorschrift über die Organisation der Berufsausbildung von Forensikern, in der die Frage des Verfahrens zur Durchführung vom Praktikum ein gesonderter Abschnitt vorgesehen werden, wird nachgewiesen.

Die Nachteile im Verfahren zur Durchführung des Praktikums von Forensikern und die Lücken in der geltenden Gesetzgebung zu diesem Thema werden aufgezeigt. Die wissenschaftlichen Grundlagen zur Verbesserung dieser Art der Vorbereitung werden aufgezeigt. Es wird einen besonderen Akzent darauf gelegt, dass es keine Methodik zur Durchführung von forensischen Expertisen im Sachverständigengebiet 10.25 «Untersuchung von Luftfahrt ereignissen und -zwischenfällen» im Register der Methodiken der forensischen Untersuchungen des Justizministeriums der Ukraine gibt. Der Schwerpunkt liegt

- rights and responsibilities of the internship manager and trainee;
- procedure for monitoring the internship;
- results and consequences of the internship.

Thus, internship is a planned process of employee training in the workplace under the guidance of a designated responsible person after passing the theoretical part of the training in order to acquire practical skills in the specialization and accelerate adaptation to new working conditions. This is a special form of additional training programs involving improvement of existing special knowledge in practice. The main criterion of the place of internship is availability of material resources regardless of its location. Based on the internship results, it is considered expedient to take tests with the subsequent issuance of a standard certificate which has legal force and certifies training completion.

It is proposed to divide the internship of forensic experts into two types: planned internship for the purpose of advanced training, that is conducted in accordance with the annual Project of the Ministry of Justice of Ukraine (hereinafter referred to as Minjust);

internships as part of the training of persons who have expressed a desire to obtain or confirm forensic expert qualification.

Each type of internship should be regulated separately in the draft legal act on the procedure for conducting internships of forensic experts that is proposed to be developed and adopted. In addition, the research requires a study of conditions for the inclusion of experts to participate in the planned internship. Among these conditions, in our opinion, the main should be the regulatory experience in the expert specialization. Each expert should, at regular intervals, improve his/her qualification in each expert specialization, in domestic and foreign expert institutions. The annual internship project of the Ministry of Justice should be formed in advance at the request of the FSI heads.

Duration of the planned internship depends on the tasks and goals set. In this case, duration of arrival time at the internship base and departure from it should not be included in the total internship period. However, the internship duration, as part of the training of persons who have expressed a desire to obtain or confirm the qualification of a forensic expert should be clearly determined by the programs of this training depending on the amount of initial hours.

We consider the most effective division of all types of internships into three stages:

– preparatory (issuance of an administrative document on the internship, approval of an individual internship project, presentation of the internship supervisor to the intern);

– content (direct training in accordance with the individual internship plan);

– final (preparation of reporting documentation on internship).

In order to successfully complete the internship, it is important to determine the initial internship bases, in connection with it is necessary to issue an administrative act of the Ministry of Justice approving the list of such bases. These internship bases should have highly qualified staff, as well as sufficient material and technical equipment.

As for the bases for training experts in forensic expert specialization: 10.25 *Research on aviation events and incidents*, the situation





is the worst compared to other expert specializations. This forensic expert specialization in Ukraine is new. As of September 2021, only three forensic experts (all from Kyiv Scientific Research Institute of Forensic Expertise) received it in May 2021. Therefore, due to the lack of experience in this specialization, they will not be able to be interns in the near future. The problem of actual lack of an internship base in forensic expert specialization: 10.25 *Research on aviation events and incidents* could be solved by concluding agreements between the Ministry of Justice and foreign partners on training (including internships) of professionals from Ukraine in forensic science institutions. This would further lead to emergence in our country of highly qualified forensic experts in air technical examination with creation of real internship base.

Conclusion of agreements on training of professionals between forensic science institutions of Ukraine and abroad would also help to improve situation with air technical examinations in Ukraine. Thus, in accordance with Article 24 of the Law of Ukraine: *On Judicial Examination*, state specialized institutions performing forensic examinations have the right to establish international scientific relations with institutions of forensic science, criminalistics, etc. of other states, hold joint scientific conferences, symposia, seminars, exchange trainees, scientific information and printed publications and to carry out joint publications in the field of forensic science and criminalistics²⁰.

We consider it important to conclude agreements with foreign partners on the exchange of methods of forensic examinations with subsequent organization of internships in the countries of origin of these methods, exchange of scientific and special educational literature, as well as guidelines for examinations. The use of videos on examinations and their exchange with foreign partners will have a positive impact on the quality of expert conclusions.

In our opinion, documentation of planned internship should contain the following (provided in chronological order):

- submission of a person's application for a desire to undergo an internship in forensic expert specialization;
- signing an agreement on internship with a person who is not an employee of a state specialized institution;
- sending a letter about possibility of internship by the institution that sends the employee for internship to the institution that will conduct the internship;
- sending a letter by the institution that will conduct the internship to the institution that sends the employee for an internship, agreeing on the term of this internship;
- drawing up an individual internship project;
- based on the results of the internship, drawing up a feedback by the supervisor and a report by the trainee;
- drawing up the minutes of the meeting of the structural subdivision that organized the internship, on the issue of mastering forensic expert specialization by the intern.

An important document that should ensure the proper training of a person who intends to obtain or confirm the forensic expert qualification is the program of such training. Training programs for forensic expert specialization: 10.25 *Research on aviation events and incidents* are freely available on the website of the Ministry of Justice of Ukraine. The website contains three training programs in this specialization that differ depending on the purpose of training by forensic expert. Thus, the training program № 1 is intended for persons intended to obtain the forensic expert qualification in a specific expert specialization for the first time. Training programs №№ 2-3 are intended for forensic experts intended to confirm the forensic expert qualification. These programs have a significant disadvantage: the topics that should

auch auf der Notwendigkeit der Entwicklung der Methodik, die methodische Grundlage für die Organisation der Ausbildung von Experten in diesem Expertengebiet sein wird.

Besondere Aufmerksamkeit wird der Rolle des Praktikums als berufspraktische Ausbildung gewidmet und seine Einteilung in geplantes Praktikum zum Austausch praktischer Erfahrungen zwischen forensischen Experten forensischer Einrichtung und ins Praktikum als praktischer Teil der Ausbildung von Personen, die die Qualifikation zum Forensiker bekommen oder bestätigen wollen, wird vorgeschlagen.

Aufgrund des Mangels an qualifizierten forensischen Experten in der Ukraine □ Spezialisten der Fachrichtung 10.25 «Untersuchung von Luftfahrtereignissen und -zwischenfällen» □ und an Ausbildungsbasen in diesem Expertenfach weist man auf die Zweckmäßigkeit des Abschlusses von Verträgen zwischen forensischen Institutionen der Ukraine und des Auslands zur Ausbildung solcher forensischen Experten hin.

Schlüsselwörter: forensische Forschungseinrichtung, flugtechnische Expertise, Forensiker, Ausbildung, Praktikum, Praktikant.

²⁰ Про судову експертизу : Закон України від 25.02.1994 р. № 4038-ХІІ (зі змінами та доповненнями). Відомості Верховної Ради України (ВВР). 1994. № 28. URL: <https://zakon.rada.gov.ua/laws/show/4038-12>



The fall of the hang glider

be mastered by a person are repeated in each program and differ from each other in the number of hours.

All training programs for forensic experts in forensic expert specialization: 10.25 *Research on aviation events and incidents* contain lectures and practical classes. At the same time, there is an issue of unified methodological support for conducting both lectures and practical classes on the basis of internships. To this end, there is a need for an organizing and coordinating role of the Ministry of Justice of Ukraine in developing the necessary lecture and methodological content.

A completely different situation exists with scheduled internship programs in expert specializations. Thus,

as of September 2021, this issue is not regulated that creates a significant problem for this type of internship. In practice, individual internship plans are based on standard internship project designed to train individuals intended to obtain or confirm forensic expert qualifications that essentially duplicates this type of training. We consider it necessary to create an effective mechanism of administrative and legal regulation of the planned internship of forensic experts. The purpose of scheduled internships should be to exchange experience in conducting forensic examinations. Therefore, the basis for drawing up individual projects for this type of internship should be study of the best practices.

The problem of the ratio of such concepts as: training, internship, practical training requires a separate research. The Regulation on the Central Expert Qualification Commission under the Ministry of Justice of Ukraine and the Attestation of Forensic Experts does not provide a clear interpretation of the terms: *training* and *internship* and the term: *practical training* is completely missing. Given the research of scientists on this issue, we propose to interpret the practical training according to forensic expert specialization as an internship. In turn, training in forensic expert specialization should be divided into two components: theoretical training and internship.

After undergoing training in forensic expert specialization, its results should be considered at a meeting of the structural unit where the training was conducted with conclusions on assimilation of educational content by the person. The course of the discussion is recorded in the minutes. In addition, the possibility of normative regulation of the issue of taking final tests for of new knowledge acquisition, skills and abilities needs additional research.

Proposals for streamlining and improving forensic expert training according to forensic expert specialization should be regulated by administrative law. After all, administrative and legal regulation is a purposeful influence of norms of administrative law on public relations. In our case, it is a relationship that arises between a person seeking to obtain the forensic expert qualification (or improve their skills) and government agencies that provide the training. This requires normative work on creation of a unified legal act that should regulate the procedure for professional training for forensic experts including its component: training in forensic expert specialization. However, existence of a normative legal act regulating the procedure for conducting professional training of forensic experts will not lead to a positive result if there are no methods of conducting forensic examinations. Thus, as of September 2021 according to the Register of methods of forensic examinations of the Ministry of Justice of Ukraine, there is no method of conducting forensic examinations in forensic expert specialization: 10.25 *Research on aviation events and incidents*.

Fuel drain from the wing of a damaged aircraft



Conclusions. Thus, currently in Ukraine there is no effective administrative and legal mechanism for conducting internships of forensic experts including forensic experts in conducting air technical examinations that is a significant issue of their professional training. We consider it necessary to develop and approve at the level of the central executive body a unified legal act on organization of professional training for forensic experts where the internship issue should be given a separate section.

Normative regulation requires the definition training concepts, internships and advanced training for forensic experts. Also, the types of internships of forensic experts need to be normatively structured, their division into planned internships and internships conducted while training of persons intended to obtain or improve expert qualification. It is proposed to divide the training of forensic experts in specialization into theoretical training and internship that should become a systematic process of forensic expert training at workplace under guidance of a designated responsible person after the theoretical part of training to acquire practical skills and accelerate adaptation to new working conditions.

The purpose of scheduled internships should be the exchange of experience between forensic science institutions, therefore the basis for drawing up individual projects for this type of internship should be acquisition of practical experience in conducting forensic examinations.

Methodology for forensic examinations in the expert specialization: 10.25 *Research on aviation events and incidents* and its Register of methods of forensic examinations of the Ministry of Justice of Ukraine needs to be developed that will be the methodological basis for training experts in this forensic expert specialization.



Example of research objects

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