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PECULIARITIES OF THE FORENSIC VETERINARIAN CONCLUSION STRUCTURE BASED ON THE RESULTS OF RESEARCH ON ANIMAL CORPSE BEARING SIGNS OF VIOLENT DEATH

The paper reveals features of a forensic report structure based on the results of a veterinary forensic examination of an animal corpse with violent death signs. It is argued that the sequence of presentation of the animal corpse study results is determined by the forensic veterinarian, taking into account peculiarities of forensic examination, state of the object under study and the questions posed to a forensic expert for resolution by a judge or investigator.

It is shown that the peculiarity of forensic report introductory part is a certain list of questions addressed to the forensic veterinarian for resolution by court or investigation.

Obligatory elements of the "Examination" section in a forensic report are the results outline of the study on individual documents available in the procedure materials and related to forensic examination (a discharge summary on the animal's medical history, a medical record of the animal, a crime scene report, etc.), registration data of the corpse, description of its external and internal examination results according to certain algorithms, results of additional examination, development of a forensic-veterinary diagnosis and drawing up the forensic report synthesizing part.

The final part of expert conclusion is the answer to questions provided in introduction, in a final or, as an exception, in a likely form.

A feature of the annex is that it is designed as photo tables, which provide information on the stages of the animal corpse veterinary medicine forensic examination, supplement and confirm an expert conclusion.

Keywords: veterinary forensic examination, features of forensic report structure, cruelty to animals, violent death, animal corpse.

Formulation of Research Problem. Animal violent deaths oftentimes relate to their abuse. This social problem was and is relevant in Ukraine and abroad both from a theoretical perspective and for justice since it concerns rights, health and life infringement of our “furry friends”: animals¹.

Criminal liability grounds for such an offense are injury or death of an animal, in accordance with Art. 299 of the Criminal Code of Ukraine², and Art. 89 of the Code of Ukraine on Administrative Offenses³ for administrative responsibility: violence against an animal that did not provoke injury, mutilation or its death: abuse, beatings, physical pain, suffering, abandonment, violation of the rules of keeping, as well as actions with an animal aimed at satisfying sexual desire⁴.

In any case, the cause of an animal’s health disorder or death can only be objectively determined by veterinary forensic examination which implements special knowledge based on the latest advances in science and best practices in the field of veterinary medicine⁵.

¹ Zapara S. I., Fotina H. A., Klochko A. M., Fotina T. I., Yatsenko I. V. Revisiting legal understanding of wild life as a sustainable value. The case of Ukraine//*Journal of Environmental Management and Tourism*. 2019. [S. 1.]. Vol. 10. No. 1. P. 14—21. URL: <https://journals.aserspublishing.eu/jemt/article/view/3182> (date accessed: 22.06.2020) ; Калмиков Д. О., Данилевський А. О. Кримінальна та адміністративна відповідальність за жорстоке поводження з тваринами: моногр. Луганськ: ПВВ ЛДУВС ім. Е. О. Дідоренка, 2013. 615 с. ; Yatsenko I. V., Zapara S. I., Zon G. A., Ivanovskaya L. B., Klochko A. M. Animal Rights and Protection against Cruelty in Ukraine//*Journal of Environmental Management and Tourism*. 2020. [S. 1.]. Vol. 11. No. 1. P. 91—103. URL: <https://journals.aserspublishing.eu/jemt/article/view/4584> (date accessed: 22.06.2020) ; Калмиков Д. О. Жорстоке поводження з тваринами: поняття та ознаки складу злочину//*Четверті харківські кримінально-правові читання: тези доп. та наук. повідомл. учасн. Міжнар. наук. конф. студ. та аспірантів (Харків, 16—17.05.2014)*. Kharkiv, Право, 2014. С. 373—375 ; Яценко І. В., Кириченко В. М. Суспільна небезпека та об’єктивна сторона злочину жорстокого поводження з тваринами в аспекті судово-ветеринарної експертизи//*Проблеми зооінженерії та ветеринарної медицини: зб. наук. пр. Харк. держ. зооветеринарної академії. Харків, ПВВ ХДЗВА, 2014. Вип. 28. Ч. 2. С. 259—272 ; Яценко І. В., Запара С. І., Захар’єв А. В., Скрипка М. В., Сердюков Я. К. Судово-експертні випадки дослідження трупів тварин з ознаками насильницької смерті від жорстокого поводження//*Ibidem*. 2018. Вип. 36. Ч. 2. С. 130—138.*

² Кримінальний кодекс України: Закон України від 05.04.2001 р. № 2341-III (as amended and supplemented)//*Відомості Верховної Ради України (ВВР)*. 2001. № 25—26. Ст. 131 ; Головка І. А. Кримінальна відповідальність за жорстоке поводження з тваринами: автореф. дис. ... канд. юр. наук: 12.00.08. Київ, 2010. 23 с.

³ Кодекс України про адміністративні правопорушення: Закон України від 07.12.1984 р. № 8073-X (as amended and supplemented)//*Відомості Верховної Ради України (ВВР)*. 1984. Додаток до № 51. Ст. 1122.

⁴ Турська В. О. Адміністративно-правове регулювання захисту тварин від жорстокого поводження: дис. ... канд. юр. наук: 12.00.07. Одеса, 2016. 232 с.

⁵ Benetato M. A., Reisman R., McCobb E. The veterinarian’s role in agsmal cruelty

Given the fact that veterinary forensic examination as a type of applied expert and scientific activity in the system of forensic expert support of justice was officially registered in the Ministry of Justice recently (in 2019) in Ukraine, there are still no approved methods of conducting and processing the results of veterinary forensic examination of various objects, in particular, animal corpses¹. Thus, the development of both material and procedural basis of veterinary forensic examination for ensuring justice is an essential issue.

Analysis of Essential Researches and Publications. A majority of domestic and foreign scientists have studied the issues of developing both material and organizational bases of any type of forensic examinations, in particular veterinary forensic examinations, to ensure justice, namely B. J. McEwen, V. Yu. Shepitko, M. L. Tsybmal, A. P. Zaiets, I. V. Iatsenko, A. M. Trush, M. M. Savenko, O. V. Lavrynovych, H. I. Kotsiumbas, M. V. Skrypka, M. M. Bondarevskiy, V. V. Kamianskyi, J. E. Cooper, M. E. Cooper and others².

Issues of veterinary forensic examination are intriguing not only in terms of improving procedural legislation, but also requires the development of

cases//*Journal of the American Veterinary Medical Association*. 2011. January 1. Vol. 238. No. 1. P. 31—34. URL: <https://avmajournals.avma.org/doi/full/10.2460/javma.238.1.31> (date accessed: 22.06.2020); Цимбал М. Л., Труш А. М., Савенко М. М. Перспективи становлення судової експертизи ветеринарної медицини в Україні//*Теорія та практика судової експертизи і криміналістики*: зб. наук. пр. Харків: Право, 2002. Вип. 2. С. 564—569; Яценко І. В., Запара С. І., Захар'єв А. В. Сучасний стан та перспективи розвитку судово-ветеринарної експертизи в Україні//*Ibidem*. Вип. 18. С. 568—575.

¹ Яценко І. В., Парилівський О. І. Новітні досягнення в судово-ветеринарній експертизі тварин, постраждалих від жорстокого поводження//*Науковий вісник Львівського національного університету ветеринарної медицини та біотехнологій імені С. З. Гжицького*. Серія «Ветеринарні науки». 2020. Т. 22. № 97. С. 95—105. DOI: 10.32718/nvlvet9716.

² McEwen B. J. Trends in Domestic Animal Medico-Legal Pathology Cases Submitted to a Veterinary Diagnostic Laboratory 1998—2010//*Journal of forensic sciences*. 2012. September. Vol. 57. Issue 5. P. 1231—1233. URL: <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1556-4029.2012.02123.x> (date accessed: 22.06.2020); Шепитько В. Ю., Цымбал М. Л. Развитие судебно-экспертной деятельности в Украине: проблемы и перспективы//*Теорія та практика судової експертизи і криміналістики*: зб. матеріалів Міжнар. наук.-практ. конф. Харків: Право, 2002. Вип. 2. С. 18—19; Заєць А. П. Організаційні проблеми судово-експертної діяльності//*Ibidem*. 2004. Вип. 4. С. 8—12; Цимбал М. Л., Труш А. М., Савенко М. М. Ор. cit.; Лавринович О. В. Судова експертиза як елемент реалізації конституційних прав громадян//*Ibidem*. 2004. Вип. 4. С. 5—8; Яценко І. В., Труш А. М., Коцюмбас Г. І., Скрипка М. В., Дегтярьов М. О., Бондаревський М. М., Кам'янський В. В. Судова ветеринарна медицина — наука і навчальна дисципліна: історія, сучасний стан проблеми, перспективи//*Проблеми зооінженерії та ветеринарної медицини*: 2008. Вип. 19. Ч. 2. Т. 2. С. 325—343; Cooper J. E., Cooper M. E. Forensic veterinary medicine: a rapidly evolving discipline//*Forensic science, medicine and pathology*. 20.05.2008. Vol. 4 (2). P. 75—82. DOI: 10.1007/s12024-008-9036-x.

effective methods of research on objects and uniform rules for systematization, documentation and evaluation of these studies results ¹.

An expert conclusion, which is based on the results of veterinary forensic examination, is one of the documents provided by the Procedural Codes of Ukraine, the Law of Ukraine: On Judicial Examination and the Instruction on the appointment and conduct of forensic examinations ².

An expert conclusion, in particular forensic veterinarian, is a source of evidence in the case since it is compiled by specialists in the veterinary medicine field who have all legal and factual grounds for conducting reasonable, objective, correct, truthful, professional research on issues raised by court or other forensic expert for their resolution ³. However, currently there are no methods and rules for documentation of animal corpse veterinary forensic examination results, which raise both theoretical and practical problems of this type of forensic examination realization.

The **Article Purpose** is to formulate and define peculiarities of an expert conclusion structure based on the results of carried out veterinary forensic examination of an animal corpse bearing signs of violent death.

Main Content Presentation. The results of an animal corpse veterinary forensic examination are drawn up in a document entitled: The expert conclusion on the results of veterinary forensic examination, which is provided with an appropriate serial number and is developed by a specialist in the number of copies stipulated by the Instruction on appointment and conduct of forensic examinations.

The title page of a conclusion is formulated in the headed note-paper of an institution where a veterinary forensic examination of an animal corpse is conducted.

¹ Угровецький О. П., Снігер'єв О. П. До питання оцінки висновку експерта// *Актуальні питання судової експертизи і криміналістики*: зб. матеріалів Міжнар. наук.-практ. конф., присвяч. 150-річ. з дня народж. Засл. проф. М. С. Бокариуса (Харків, 18—19.04.2019). Харків, 2019. С. 33—35.

² Про судову експертизу: Закон України від 25.02.1994 р. № 4038-XII (as amended and supplemented)//*Відомості Верховної Ради України (ВВР)*. 1994. № 28. Ст. 232 ; Інструкція про призначення та проведення судових експертиз та експертних досліджень: затв. наказом Мін'юсту України від 08.10.1998 р. № 53/5 (as amended and supplemented). URL: <https://zakon.rada.gov.ua/laws/show/z0705-98> (date accessed: 22.06.2020).

³ Давидова Д. В., Волобуєва О. О. Висновок експерта як процесуальне джерело доказів: окремі аспекти теорії та практики//*Південноукраїнський правничий часопис*: наук. журн. 2015. № 2. С. 151—154 ; Климчук М. П., Марко С. І. Інформаційна цінність висновку експерта, як джерела доказів у кримінальній справі//*Правова інформатика*. 2011. № 3—4 (31). С. 81—88. URL: <http://ippi.org.ua/klimchuk-mp-marko-si-informatsiina-tsinnist-visnovku-eksperta-yak-dzherela-dokaziv-u-kriminalnii-spr> (date accessed: 22.06.2020).

The conclusion of veterinary forensic examination consists of three parts stipulated by legislation: introductory, research and conclusions.

The first part of a forensic veterinarian conclusion is *Introduction*. It is compiled without any conclusions or subjective judgments, in an objective, accurate and multidisciplinary way.

Components of the introductory part of a forensic veterinarian conclusion

1. Document Title (Expert conclusion), date and number of an expert conclusion, category of forensic examination (whether it is additional, repeated, commission or multidisciplinary), type of forensic examination, document on forensic examination appointment (involvement of a forensic expert); according to which proceedings (criminal, civil, economic) and the number of a proceeding.

For example: *“An expert conclusion № XXX based on the results of commission veterinary forensic examination in accordance with materials of pre-trial investigation entered in the Unified Register of Pre-trial Investigations by № XXX dated on (date). Drawn (date)”*.

2. Date of a document receipt on the appointment of forensic examination (involvement of a forensic expert), of objects and materials to a forensic science institute; the case on which forensic examination is appointed (criminal, administrative offense, civil, economic, administrative, etc.), the case number (if any) or an article of the Law stipulating an expert conclusion provision.

For example: *“Hon. Prof. M. S. Bokarius Kharkiv Research Institute of Forensic Examinations of the Ministry of Justice of Ukraine received a Regulation dated on (date) as to appointment of veterinary forensic examination from the investigator; police lieutenant (Full name) of the Investigation Division Гxxxxxxx of National Police Headquarters Police Department in Bxxxxxxx region”*.

3. The Case circumstances section outlines necessary information from the document on forensic examination appointment (investigating judge or court ruling, investigator regulation), which are anamnestic data and will help a forensic veterinarian to properly evaluate a situation which resulted in an animal death.

As an example: *“From the regulation by the police lieutenant (Full name) from Investigation Division of Дxxxxxxx Police District Office of National Police Headquarters in Дxxxxxxx region it is known that a message (date) on the revealed fact of an animal (dog) abuse belonging to vertebrates, which resulted in its death (date) at 12:16 at the address: Дxxxxxxx Street, 14, Бxxxxx village, Дxxxxxxx region, Дxxxxx district, have been received by police control room of Дxxxxxxx Police District Office of National Police Headquarters Дxxxxxxx Police Department in Дxxxxxxx region from “102” emergency call service”*.

4. The list of objects to be examined and samples (upon receipt). For example: *“The corpse of a mongrel dog is provided for forensic examination. Objects offered for forensic examination correspond to the list of objects specified in the investigator regulation”*.

When required, the method of delivery and type of studied objects (animal corpses) packaging are indicated additionally with noting, if needed, information on whether the method of packaging affected the state of their preservation. If a forensic expert is provided with materials of proceedings apart from an animal corpse, it is mentioned separately noting the type (name) of materials (documents), for example: *“Copies of crime scene inspection report, a discharge summary on an animal’s medical history, medical record of an animal”* and the number of sheets or pages in each of provided documents.

5. The list of questions addressed to a forensic veterinarian is cited in the wording of the investigating judge ruling or investigator regulation, entitled: Questions to be resolved by a forensic expert.

The resolution of questions posed, in particular, to a forensic veterinarian while forensic examination of the corpse of an animal whose death was caused as a consequence of cruel treatment, often depends on the type of an animal, method of committing an offense, methods of masking a crime, investigative situation ¹. In each specific situation, when studying an animal corpse bearing signs of violent death, we developed and substantiated typical questions, including the following ²:

1. *What species does the corpse of a studied animal (animals) belong to?*
2. *What are sex and age of an animal corpse (animal corpses), what are its (their) physiological characteristics?*
3. *What injuries are found in an animal corpse (animal corpses), what is their localization and nature?*
4. *What are the mechanism and sequence, succession of causing injuries identified in an animal corpse (animal corpses)?*
5. *What is the cause of an animal (animals) death?*
6. *What is the age of formation of injuries identified in an animal corpse (animal corpses)? Are they lifelong or posthumous?*
7. *What is severity level of injuries detected in an animal corpse (animal corpses)?*

¹ Завидняк В. І. Призначення експертиз у провадженнях щодо злочинів, вчинених із особливою жорстокістю//*Міжнародний юридичний вісник*: зб. наук. пр. Нац. ун-ту держ. податкової служби України. 2015. Вип. 1. С. 78—82.

² Яценко І. В., Парилівський О. І., Коломоєць Д. К. Обґрунтування питань, що ставляться в ухвалі суду та постанові слідчого при призначенні судово-ветеринарної експертизи трупа тварини з ознаками насильницької смерті від жорстокого поводження//*Ветеринарія, технології тваринництва та природокористування*: наук.-практ. журн. 2019. № 4. С. 184—197. DOI: <https://doi.org/10.31890/vtpp.2019.04.34>.

8. *Are injuries identified in an animal corpse (animal corpses) fatal?*
9. *What are health complications occurred as a result of life-time injuries? Are these complications fatal?*
10. *Are there any mutilations in an animal corpse (animal corpses)?*
11. *Are there any characteristic features in an animal corpse (animal corpses) that can help to determine nature and characteristic features of a weapon or other equipment having caused injury?*
12. *What is cause-effect relation between detected injuries and an animal (s) death?*
13. *Could violence against an animal (s) has caused identified injuries?*
14. *Did identified injuries cause physical pain, suffering and torture to an animal (s) before death?*

The list of indicated questions is not exhaustive: it can be changed depending on various factors. However, if the question is vague, but the content of an expert task is clear, then (after question outline in document wording on forensic examination appointment) he may provide appropriate explanations and cover questions in wording. After that, questions are presented which a forensic veterinarian solves in the course of an expert initiative.

For example: *“According to paragraph 4.14 of the Instructions on the appointment and conduct of forensic examinations, a forensic veterinarian in the course of an expert initiative solves an issue № 15: Could injuries identified in an animal corpse during its life-time be formed independently, without outside interference?”*

If a judge ruling or investigator regulation on appointment of a veterinary forensic examination contains issues that do not belong to the subject of forensic examination or to the competence of a forensic expert, reasons of why these issues have not been solved are to be indicated.

6. Data about a forensic veterinarian (veterinarians): last name, first name and middle name, position, class of a forensic expert, academic degree and academic rank, education, educational and qualification level, expert specialization, expert work experience, date and number of certificate issuance on granting qualification of a forensic expert, who issued it and the term of validity.

For example: *“Forensic examination was entrusted to: Ivan Vladimirovich Yatsenko, a forensic expert of the 2nd qualification class, Leading Researcher at Biology Department of Criminalistics Laboratory at Hon. Prof. M. S. Bokarius Kharkiv Research Institute of Forensic Examinations, Doctor of Veterinary, Professor; who has a higher veterinary and legal education, qualification of a forensic expert in the specialization 18.1 “Veterinary Research” (certificate № 1102 issued by the Expert Qualification Commission of Hon. Prof. M. S. Bokarius Kharkiv Research Institute of Forensic Examinations on February 26, 2019, valid until February 26, 2024), experience in expert work: since 2017”*.

7. Warning of a forensic veterinarian regarding criminal liability for misleading a court or other authorized body under Art. 384 of the Criminal Code of Ukraine and for refusing to provide an expert conclusion under Art. 385 of the Criminal Code of Ukraine.

For example: *“In accordance with the requirements of Art. 70 and Part 2 of Art. 102 of the Criminal Procedural Code of Ukraine, a forensic expert was warned about the responsibility for a knowingly false conclusion and refusal to perform his duties without a valid reason under Arts. 384—385 of the Criminal Code of Ukraine _____ /I. V. Yatsenko /”.*

Later, information about the fact that a conclusion is prepared for submission to court or attachment to the materials of criminal proceedings (in the case of conducting forensic examination on the basis of a person written request containing such information);

8. Additional data related to studied objects. Thus, if a forensic veterinarian filed a request to the body or person who appointed forensic examination for filing additional materials, the date of sending an expert request for filing additional materials, the date of receipt of additional materials or information on the results of application must be indicated; circumstances vital for drawing conclusion with obligatory reference to the source of their receipt should also be outlined.

For example: *“A request for providing additional materials, in particular; a crime scene inspection report during exhumation of a dog corpse (nickname) was sent (date) to the senior investigator, the captain of police (Full name) of Bxxxxxxx National Police Headquarters Police Department in Пxxxxxxx region. The expert request was granted. Hon. Prof. M. S. Bokarius Kharkiv Research Institute of Forensic Examinations of the Ministry of Justice of Ukraine (Date) has received: a crime scene inspection report while a dog (nickname) corpse exhumation dated on (date) in 5 pages from the senior investigative police captain”.*

In the case of a veterinary forensic examination of an exhumed animal corpse, this is additionally indicated in an expert conclusion. As an example: *“The exhumed (date) corpse of a dog (name) was sent to forensic experts for forensic examination while crime scene inspection (crime scene inspection report (date)). The corpse of an animal is packed in polypropylene and plastic sacks (bags). The neck of a sack (bag) is taped, has a label with the inscription: (text)”.*

When performing a repeated veterinary forensic examinations, information about the initial (preliminary) forensic examination (name and initials of forensic experts; name of a forensic science institute or forensic experts workplace; number and date of an expert conclusion; content of initial forensic examination final conclusions (preliminary forensic examinations); content of questions that were submitted to a forensic veterinarian for reconsideration, as well as reasons for imposing forensic re-examination

which are specified in the investigating judge decision on its appointment. If such reasons are not contained in a decision, a corresponding record is made. If other persons than a forensic expert (experts) were present during veterinary forensic examination, the introductory part of an expert (experts) conclusion shall contain information on procedural grounds and data about these persons (surname, initials, status).

9. The last is the section: *Regulatory legal acts and sources of literature used while veterinary forensic examination* therefore it is important to list main sources¹ here.

An expert conclusion while commission or multidisciplinary veterinary forensic examination is compiled taking into account the following peculiarities: the data on the chairman of the experts commission and information about forensic examinations, which results are provided as source data by a corresponding body (person) who appointed forensic examination (involved a forensic expert).

The second part of an expert conclusion: *Research* should contain the following data:

- 1) information on condition of studied objects, applied research methods (techniques), their registration numbers, conditions of their use, list of objects sent for laboratory testing;
- 2) references to illustrations, appendices and their clarifications;
- 3) expert evaluation of research results.

If there are issues in the document on the appointment of forensic examination (involvement of a forensic expert) that do not belong to the subject of forensic examination or a forensic expert competence, reasons why these issues cannot be solved are outlined.

In the course of a repeated veterinary forensic examination in the research part of an expert conclusion, reasons for discrepancies with conclusions of previously performed forensic examinations, if such discrepancies are identified, are considered.

In the research part of a forensic veterinarian conclusion in accordance with paragraph 4.15 of *Instructions* on the appointment and conduct of forensic

¹ Яценко І. В., Труш А. М. Практика судово-ветеринарної експертизи: хрестоматія. Харків: Стиль-Издат, 2015. 314 с. ; Яценко І. В., Скрипка М. В., Коцюмбас Г. І., Сердюков Я. К. Організаційні та процесуальні основи судово-ветеринарної експертизи в Україні: навч. посіб. Харків, 2015. 112 с. ; Сердюков Я. К., Гаркуша С. Є., Яценко І. В., Богатко Н. М. Судово-ветеринарна танатологія: навч. посіб. Київ: Компрінт, 2017. 104 с. ; Зон Г. А., Скрипка М. В., Івановська Л. Б. Патологоанатомічний розтин тварин: навч. посіб. Донецьк: ТОВ «Такрус», 2009. 222 с. ; Малинин О. А., Хмельницький Г. А., Куцан А. Т. Ветеринарна токсикологія. Корсунь-Шевченковский: ЧП Майдаченко, 2002. 464 с. ; Сердюков Я. К., Яценко І. В., Богатко Н. М. Судово-ветеринарна експертиза у випадках асфіксії: метод. вказівки. Київ: ЦР «Компрінт», 2016. 42 с. ; Скрипка М. В., Яценко І. В., Панікар І. І. Основи судово-ветеринарної експертизи трупів та живих тварин: навч. посіб. Ізюм: ФЛП Глазунов Р. О., 2019. 304 с.

examinations, the process of examining an animal corpse and its results presentation are outlined, as well as justification for the obtained results is provided.

The sequence of performing forensic examination of an animal corpse bearing signs of violent death is determined by a forensic veterinarian: in accordance with peculiarities of forensic examination, the object and tasks of research. To ensure convenience in description and research of an expert conclusion, it is recommended to introduce the following sections into the research part:

- 1) forensic examination of documents related to forensic examination and contained in materials of proceedings or provided to a forensic expert in addition to his request (for example: *Study of a medical record of the animal named "Rita" in the Kharkiv veterinary clinic*), *Investigation of the death anamnesis* (as an excerpt from the investigator regulation), *Study of the scene inspection report*, etc.);
- 2) research on an animal death anamnesis (determining circumstances under which an animal may have received fatal injuries; when it died; describe a corpse location, what was detected while forensic examination of a corpse at the scene or other animal death cases). Such information is obtained from materials of proceedings, in particular the court judgment or investigator regulation are studied;
- 3) veterinary forensic examination of an animal corpse which consists of the following sections: *A. Registration data. B. External examination of a corpse. C. Internal examination of a corpse. D. Further research. E. Forensic veterinary diagnosis.*

Experts conclusion while commission or multidisciplinary veterinary forensic examination is compiled considering the following peculiarities: research conducted by individual forensic experts are outlined in the corresponding sections of the research part which is signed by these forensic experts indicating their names; generalization and evaluation of research results are recorded in the synthesizing section of an expert conclusion research part.

Generalization and expert evaluation of individual research results, which are the basis for conclusions formulation, are drawn in the synthesizing section of the research part of an expert conclusion.

This section of an expert conclusion starts from the following phrase: *"Having summarized materials of criminal proceedings recorded in the Unified Register of Pre-trial Investigations № xxxxxxxxxxxx dated on (data), and generalized and substantiated expert evaluation based on the results of forensic autopsy № 1 and № 2, in accordance with the investigator regulation dated on (date), forensic experts establish the following"*. Later, generalized data obtained as a result of research, their substantiation, are outlined in a logical order; however, they should be as close as possible to question answers in conclusions.

To facilitate an expert conclusion comprehensibility for persons without veterinary education (investigator, prosecutor, judge, lawyer, proceeding parties,

etc.), records are kept in the national language as understandable expressions with a minimum number of special veterinary terms. If these terms cannot be avoided, their meaning should be explained. The description of pathological and anatomical changes requires accuracy, clarity and brevity. It is crucial to avoid any introductory expressions characterizing the action of a person who performed forensic autopsy (for example, while examination, after incision, etc.). Words cannot be abbreviated in the text of an expert conclusion, except for generally accepted abbreviations.

Before submitting the results of an external forensic examination of an animal corpse, its distinguishing features (identification) should be examined, noting:

- animal species (cattle, sheep, goat, pig, horse, dog, cat, chicken, duck, turkey, etc.);
- sex: male or female (sow, hog, wild boar, piglets: piglet, pig; foal, mare, stallion, gelding, horse; male dog, bitch, etc.);
- breed, cross breeding, line;
- color of an animal (black, white, speckled);
- pet name or individual number;
- number and content of an animal passport;
- body weight (in case of impossibility of weighing, it is possible to specify approximate weight);
- age;
- physique features and special features (especially in the case of horse corpse examination);
- type of animals economic use (for example, harness, pack horses; riding horse; weight carrier; service dog; meat or egg-laying chicken breeds, etc.);
- animal owner data;
- clinical diagnosis;
- date of death;
- date and place of forensic autopsy.

The second part of an expert conclusion: *Research* should objectively and comprehensively record all factual data detected while research on an animal corpse. Not only detected traumatic or painful changes, normal condition of certain organs, tissues and parts of the body, foreign smell, etc. but also the absence of changes or features that are significant in a particular case (no damage, hemorrhage, foreign smells, water in alveolar lumen, etc.) are established. It is not allowed to replace the detailed description of body with diagnoses such as abscess, edema, charring, to use the expressions normal, without features and so on.

At least three cavities (thoracic, abdominal and cranial) should be examined during forensic autopsy, and all organs are to be examined in the cavities. When

describing organs of an animal corpse, it is possible to group the same types of injuries by areas with obligatory indication of their number and size in each area.

While describing results of external and internal examination of a corpse and its organs, objectivity of statement is achieved through methodologically correct research and description of the main parameters of organs: location, size and shape, color, consistency, tissues pattern from organ external surface and at the incision. In the presence of a smell its features are indicated. The condition of natural orifices, secretions from them are outlined. The amount of fluid in the body cavities, its properties (color, consistency, transparency, impurities, etc.) are considered. When describing the organs of any pathologically altered parts of the body, first their length, thickness are measured, and if necessary: weigh. While describing paired organs, first their general characteristic is given, and then changes in each of them are described in detail. In unpaired organs focal changes and their character are studied after general characteristic.

The section: *External examination of a corpse* presents data on the appearance of a corpse (location of a corpse before autopsy, its physique, constitution, fatness, the degree of cadaveric cooling and hardening, intensity of decay signs; the condition of the visible mucous membranes (eyes, nose and mouth), the condition of coat (color, density, contact with skin are described, tousled animal coat, intensity of molting); skin condition (pigmentation, color, elasticity, moisture, odor, the state of subcutaneous tissue development).

For example: *“The fur of the corpse of a gray and white color cat is thick, dull, evenly covers the body, molting is moderate, hair is well fixed in the hair follicles. The fur is contaminated with soil residues (after exhumation). In the area of head and torso on the left, the coat is heavily contaminated with a brown liquid resembling blood (photo № xx). The skin is anatomically intact, without damage, elastic (photo № xx)”*.

Later, the condition of organs of the oral and nasal cavities available for external examination is outlined. The following is indicated: the condition of the mouth (closed or open), presence of foreign items in the oral cavity, color and relief of lips mucous membrane, cheeks, gums, their pigmentation, presence of ulcers and layers.

Describing a tongue of an animal corpse, its topographic position (in the oral cavity or protruding beyond it), anatomical integrity, condition of mucous membrane (color, humidity, relief, presence of tooth bites, hemorrhages, ulcers, etc.) are outlined.

For example: *“Tongue. The back of the tongue is light red, dry. The relief of the mucous membrane of the tongue is preserved. Numerous spot hemorrhages are recorded on the back, lateral surfaces, ventral surface and bridle of the tongue. There is a fibrous pattern in the tongue at the incision, consistency is sluggish”*.

When assessing the condition of an animal corpse teeth, it is indicated how well they are developed (according to the age of an animal or not), their number,

complete or partial absence of individual teeth on dental arches, crown color, state of tooth fixation in their alveolar bones, presence of tartar layering, are noted.

Analyzing eyes condition, the condition of palpebral fissure (closed, opened), condition of the conjunctiva and cornea (anatomical integrity, color, moisture, hemorrhage, ulcers), presence and nature of eye discharge, are outlined.

While describing auricles of an animal corpse, the state of their development (correct, defective, anatomical integrity, condition of internal and external surfaces, patency of external auditory canals and the presence of foreign items, the amount of earwax).

During nose condition evaluation in an animal corpse, the condition of skin around nostrils, patency of the latter, focus on the anatomical integrity of the nose, the relief of the nasal or nasolabial mirror, the patency of the nasal passages, are indicated.

For example: *“Nose. The nostrils contain flakes of brown liquid, similar to blood (photo № xx). The skin in the area of the tip of the nose is dry with a characteristic relief, anatomically intact. When rotating a corpse head, a brown liquid similar to blood is released from nostrils. The bones and cartilage of the nose have unnatural mobility to the touch. The nasal passages are filled with brown liquid (photo № xx)”*.

Analyzing the condition of the corpse neck, its proportionality to the torso is assessed; describing the shape of chest, attention is paid to the integrity of ribs to the touch, as well as the shape and consistency of stomach to the touch are evaluated.

For example: *“The neck is developed in proportion to the torso. Chest is flat-cylindrical (photo № xx). Ribs and spine are intact to touch. The abdomen is round and soft”*.

Describing the condition of anus, its condition (closed, open, semi-open) is indicated, or it's noted whether hair around this opening is contaminated with feces.

When considering the condition of external genitalia, it is mentioned how they are developed (correct or there are malformations), by what type (female or male), whether their development corresponds to the age of an animal.

In outlining the condition of thoracic and pelvic limbs, spine and head, the degree of their development (correct or there are defects in development) is evaluated, integrity to the touch.

At the end of this section, all the injuries detected in the course of external examination of a corpse are considered. For example: *“**Damage:** in the area of the base and cranial vault of the skull unnatural mobility and crepitation of bone fragments are determined. Unnatural mobility and crepitation of bones is recorded in the area of the mandibular symphysis (fusion of the right and left mandibular bones). The lower jaw is shifted slightly to the left. Soft tissue*

swelling is noted in the head and neck. Extraarticular mobility in the area of the temporomandibular joint is also noted. Open fracture of the hard palate bones”.

The section: *Internal examination of an animal corpse* contains a description of serous cavities (peritoneal, pleural, pericardial), position of organs in body cavities and the position of diaphragm dome, as well as a detailed description of each organ with emphasis on injuries or pathological lesions.

Describing the condition of the subcutaneous fat layer, color of fat is assessed, its consistency, humidity, blood distending of blood vessels, the presence of hemorrhages, their location, size. Analyzing head organs, outlining the condition of lymph nodes, salivary glands, hyoid bone, etc. indicate their shape, color at a cut, consistency.

When evaluating the condition of neck, attention is drawn to the position of organs and the condition of soft tissues. Usually the condition of the pharynx, esophagus, larynx, trachea (according to the scheme of tubular organs description), as well as the thymus and thyroid gland (according to the scheme of parenchymal organs description) is described among neck organs.

The cavities of an animal corpse are outlined according to the scheme: the presence of foreign smell, the state of serous membranes (peritoneum, pleura, serous pericardium): humidity, relief, color, transparency, layering, adhesions, blood vessels distending, hemorrhages and their location; thickening, adhesions with organs.

Foreign content in the serous cavities of an animal corpse is described according to the following scheme: volume (ml), color, the presence of blood mixture, fibrin, feed and fecal masses, parasites, its consistency, composition, nature and odor of gases, foreign items and damages, their nature, location, size. If necessary, the results of microscopic and bacteriological examination of effusion from body cavities are provided.

The position of organs can be natural (anatomically correct), or certain organs are displaced within the body cavity or outside the body cavity (in case of prolapse or the presence of hernias). It is obligatory to consider the presence of self-digestion signs.

The following organs of the thoracic cavity: pleura, pericardial sac, heart, large blood vessels (aorta, jugular veins, vena cava), lungs, should be outlined.

For example: *“Lungs in the form of a truncated cone are straightened, unevenly colored on the surface and at the incision, there are areas of dark purple-scarlet color (corpse imbibition), the lungs at the incision are: dark red, friable-doughy, with distended blood vessels”.*

Description for the organs of an animal corpse abdominal and pelvic cavities is provided in an expert conclusion: peritoneum, liver, gallbladder, spleen, stomach, greater omentum, gastrointestinal tract, pancreas, kidneys, adrenal glands, ureters, urinary bladder; testicles with epididymis, sperm ducts, urethra (in males) or ovaries, oviducts, uterus, urogenital sinus (in females).

For example: *“Bean-shaped kidneys, cherry-brown colored, not enlarged in volume (photo № xx). The adipose capsule is moderately distinct. The fibrous capsule is easily removed from kidneys, under which there is kidneys smooth surface. It’s light brown-red on the outside. The boundary between layers is clear; the outer cortex is light brown, its blood vessels are insufficiently blood-filled, the inner medulla is gray, and the middle layer is dark cherry. The renal pelvis is not dilated, its mucous membrane is gray, anatomically intact”.*

Description of parenchymal organs (lungs, liver, kidneys, spleen, pancreas, adrenal glands, thyroid gland, ovaries, testes, etc.) is carried in conformity with the scheme: shape, color, consistency, size of the organ (is determined by the condition of edges, tension of the organ capsule, state of the parenchyma while capsule incision (increase in volume, protrusion of parenchyma in the incision area; in accordance with the results of measurement and weighing, linear sizes, weight are taken into account)); condition of the capsule and serous membrane (color, thickness, transparency, blood vessels distensibility, layering on the surface, damage); condition of the organ tissues in the incision: the type of incision surface (color, degree of blood vessels distensibility, expressiveness of anatomical structures, pattern structure, humidity, nature of the fluid flowing from the incision surface, parenchyma scrape); condition of the surrounding soft tissues.

Tubular organs outline (esophagus, larynx, trachea, stomach, intestines, bladder, fallopian tubes, vas deferens, uterus, etc.) is carried out according to the scheme: position of organs (natural or displaced); size; form; organ content (quantity, consistency, color, odor, composition); mucous membrane (thickness, color, nature of secretion (layering), relief, detachment from underlying tissues, the presence of ulcers); condition of muscular and serous membranes; the degree of organ wall blood vessels distensibility.

When describing the affected areas, the following is considered: localization of lesion (tissue dissection with blood flow, pus; presence of cavities and their contents; presence of tumors, necrosis outbreaks, dystrophic changes); bone fracture; their number, size, shape, consistency; color, pattern of tissue structure in lesions; reaction of surrounding tissues, are estimated.

In addition, the state of skeletal muscles (state of development, color, consistency, severity of the fibrous pattern at incision); condition of skeletal bones (shape, consistency, anatomical integrity), ligaments (shape, color, consistency), joints (configuration, mobility, condition of synovial membrane and synovium, surrounding tissues) are outlined in the research part of an expert conclusion when examining an animal corpse;

As an example: *“Skeletal muscles, skeletal bones and ligaments, except for the head, are anatomically integral, without visible changes. The ligaments are shiny, moist. The joints of limbs are of a correct natural configuration, mobile, its surrounding tissues are anatomically integral, synovial membrane is thin, whitish, there is a little amount of gray-white color synovial fluid in the cavity*

of joints. It's consistency is thick, stretchy. The muscles of limbs are normally developed, dark red, flabby, fibrous at the incision. Configuration of limb and spine bones is anatomically correct".

A significant place in the section: Internal examination of a corpse belongs to description of the brain and its membranes. The state of the meninges (anatomical integrity, color, blood vessels distensibility, state of fusion with the skull bones, humidity, presence of foreign items), the state of brain matter (anatomical integrity, state of blood vessels distensibility, state of convolutions and furrows, consistency of brain matter, odor).

For example: *"The dura mater has numerous tears in the back, which is adjacent to the occipital squama. It is grayish-parchment color; with the bones of the skull tightly fused, moist, extremely blood-filled. Individual bone fragments lie on the dura mater. The blood vessels of the brain are tortuous, blood-filled. The gyri of the brain are smoothed, the sulci are flattened. The tissue of the brain hemispheresis is very flabby, moist, with an unpleasant putrid odor as a result of putrefactive phenomena".*

At the end of the section: *Internal examination of a corpse* all damages found while internal examination of the corpse are considered. For example: **"Damages:** *the soft tissues of the head from the inner surface have hemorrhages in the base and vault of the skull, as well as hemorrhages in the mandibular symphysis projection. After removing soft tissues in the skull area, a closed fragmentary fracture of the vault and base of the skull, an open fracture of the hard palate, traumatic opening of the mandibular symphysis, traumatic dislocation of the temporomandibular joint were identified. The soft tissues of the head (muscles, connective tissue and fascia) in the areas of fractures are squashed, soaked in blood".*

While describing the condition of any organ or tissues of an animal corpse in the research part of an expert conclusion, it is advisable to make a reference to the corresponding photo in a photo table as a confirming fact in parentheses, for example: *"The location of the abdominal and pelvic organs is anatomically correct (photo № xx). The abdominal cavity contains an insignificant amount of dark red liquid (up to 5 ml; photo № xx)".*

The section: *Further research* outlines the results of performed research using special devices (microscope, spectroscope, fluorescent illuminator, etc.) or laboratory studies of biological material extracted from a corpse (pieces of organs, biological fluids) using various research methods: forensic toxicology, forensic histological, forensic immunological, microbiological, parasitological, forensic, etc. indicating the number and date of their execution.

In the case of organs and tissues seizure for expert, scientific or educational purposes, it is noted that intervention was carried out and what exactly was removed, to whom and to which institution transferred.

After analyzing all results of further research, a forensic veterinary diagnosis is formulated: a list of all pathological and morphological changes

and processes detected during autopsy of an animal (using relevant terms) is compiled.

Forensic veterinary diagnosis provides a better understanding of conclusions for the investigator and court, offers a complete picture of the nature of injuries or diseases identified while forensic autopsy. The diagnosis makes it possible to formulate and justify the cause of death more precisely, as well as improves the descriptive part in general and facilitates formulation of conclusions.

Forensic diagnosis is made up on the basis of described changes identified while an animal autopsy. Therefore, each point of diagnosis should correspond to the research part of an expert conclusion and be based on it.

Postmortem changes are not provided in the forensic veterinary diagnosis.

Forensic veterinary diagnosis is worded briefly, clearly, fully, accurately, with formulation of pathological and morphological changes arranged in a logical sequence, considering the pathogenetic principle, clarifying main disease and processes that accompany it, which is the basis of an expert conclusion.

Forensic veterinary diagnosis confirms, clarifies or expands the clinical diagnosis (in case of an animal death during treatment). The diagnosis is not a conclusion, it only enhances correct, consistent and reasonable drawing of conclusions. If results of laboratory tests should be obtained for diagnosis formulation, it is compiled after their receipt.

Development of forensic veterinary diagnosis and its placement at the end of the research part of an expert conclusion is not regulated. The diagnosis does not explain or substantiate anything, however, the diagnosis must be full, i.e. should contain all pathological and morphological changes or injuries identified by a forensic veterinarian in the course of an animal autopsy. In this case, homogeneous injuries, diseases or conditions are united.

Forensic veterinary diagnosis is based on nosological and pathogenetic principles with reflection of the sequence of detected changes development. The most important are its parts: the main disease (injury), its complications, opportunistic, background diseases or injuries.

For example: *“Closed fragmentary fracture of the skull vault and base; gross mechanical destruction of the brain matter, open fracture of hard palate bones; traumatic opening of the mandibular symphysis; traumatic dislocation of the temporomandibular joint”*.

Occasionally, a forensic veterinarian cannot prove and explain the cause of an animal death. In this case, he declares the impossibility of determining the cause of death and notes the exact cause (for example, due to severe signs of a corpse decay, due to skeletonization of a corpse, etc.).

As an example: *“In the corpse of a dog offered for veterinary forensic examination, no injuries were detected, however, the phenomena of decay and skeletonization are distinct, and therefore it is impossible to determine the age of injuries formation”*.

In the final part of an expert conclusion on the results of the corpse study of an animal bearing signs of violent death, in accordance with paragraph 4.16 of Instructions on the appointment and conduct of forensic examinations, conclusions on the results of forensic examination as answers to the questions posed in the sequence outlined in the introductory part of an expert conclusion are considered.

Conclusions is the most accountable section of the final part of an expert conclusion, which is the result of a dead animal corpse study, the final part of an autopsy report, the document providing conclusion as to the reason of death, etiological and pathogenetic relationship of certain diseases or injuries, pathological and morphological changes. The conclusion is compiled on the basis of forensic veterinary diagnosis, anamnestic data and results of additional researches. The following should be indicated in this section: the main disease or injury, its complications, opportunistic and background diseases.

Conclusions must be full, motivated, scientifically sound, consistently stated, clear, specific, expressive, understandable, based on factual data, avoiding repetition, special veterinary terms overload.

In the final part (summary), a forensic expert provides full and substantiated answers to the questions addressed to him set out in the court judgment or the investigator regulation on appointment of veterinary forensic examination. The numbering of answers should correspond to the numbering of questions in the document on appointment of a specified examination. It is allowed to combine similar questions and change their sequence without changing the question wording.

The final part of an expert conclusion may also reflect such issues that weren't asked by the investigator, but which, according to the opinion a forensic veterinarian, are significant for investigation.

We begin this final part of an expert conclusion with the following phrase: *“According to an expert conclusion based on the results of veterinary forensic examination of a corpse (animal species) by name (indicate name), criminal proceeding materials № xxxxxxxx dated on (data), answering the questions posed in the investigator regulation dated on (date), a forensic expert concluded the following”.*

Each of the questions asked should be provided with solid answers, or it have to be indicated what are the reasons for their solution impossibility.

For example: *“What is the species of an animal corpse: a dog named Nika?*

The corpse of a dog named “Nika”, veterinary forensic examination of which was conducted, belongs to the species “domestic dog” of the Canidae family (dogs), class of mammals, chordates. This animal belongs to the vertebrates, has a brain and spinal cord, circulatory and nervous systems”, or:

“What was the cause of an animal death: a dog named “Nika”?”

“The cause of death of a dog named Nika was mechanical asphyxia from compression of the neck organ by an object or tool, which type according to available data can not be identified”, or

“It is impossible to determine the age of animal injuries whose corpses have been examined since dogs corpses are in a state of severe corpse rotting and have significant defects in tissues and organs”.

No poison was found in the corpses of dogs № 1, 2 (from the possible list provided in the conclusions of toxicologists № xxxx and № xxx dated on (date)), therefore it is impossible to determine the cause-effect relation between possible poisoning and death of animals”.

If the final conclusion cannot be formulated in a concise form, we can refer to the results of researches outlined in the research part of an expert conclusion.

According to paragraph 4.17 of Instruction on appointment and conduct of forensic examinations, the conclusion of a forensic expert or forensic experts on results of research on an animal corpse is signed by a forensic expert (signed by forensic experts) who carried out forensic examination. Signatures in the final part are certified with the seal imprint of a forensic science institute on each page of final conclusions text.

The peculiarity of an expert conclusion appendices is that they are drawn up in the form of photo tables which are a source of information as to the stages of veterinary forensic examination of an animal corpse, supplement and confirm an expert conclusions.

Example:

Photo table for an expert conclusion № xxxxxxx dated on (date)



Photo № 1.

The corpse of a dog named *Nika*.
Wound in the forehead on the left
(1). Hair around the wound
contaminated with brown liquid
(2). Macro photo. (Date)



Photo № 2.

The corpse of a dog named *Nika*.
Petechial hemorrhaging on the mucous
membrane of lips, gums, back of the
tongue. Mechanical asphyxia.
Macro photo. (Date)



Photo № 3.

The corpse of a dog named *Nika*. Petechial hemorrhaging on the lower surface and frenulum of the tongue. Mechanical asphyxia. Macro photo.
(Date)

FORENSIC EXPERT: Ivan Yatsenko, Doctor of Veterinary Medicine,
Professor

Conclusions. Results presentation sequence of forensic examination of an animal corpse bearing signs of violent death, including abuse, is determined by a forensic veterinarian, taking into account specifics of forensic examination, state of a studied object and questions addressed by court or an investigator for resolution to a forensic expert.

A peculiarity of the introductory part of an expert conclusion is a specific list of questions raised by court or investigator to a forensic veterinarian for resolution. These questions relate to affiliation of an animal to vertebrates, as required by Art. 299 of the Criminal Code of Ukraine or Art. 89 of the Code of Ukraine on Administrative Offenses, death cause, nature and severity of injuries, their mechanism, priority, prescription, lifelong implication or mortality, signs of mutilation, signs that help to determine nature and features of weapons or other equipment that caused damage, cause-effect relation between injuries and an animal death; to define whether detected injuries could be the result of violent actions against an animal and whether the detected injuries resulted in physical pain, suffering of an animal before death.

Required elements of the section: *Research* are presentation of research results on individual documents that are contained in proceeding materials and relevant to forensic examination (a discharge summary on an animal's medical history, a medical record of an animal, a crime scene report, etc.), registration data of a corpse, description of its external and internal examination results according to established algorithms, results of further researches, formulation of a forensic veterinary diagnosis and compiling of the synthesizing part of forensic examination.

The final part of an expert conclusion is the answer to questions formulated in the introductory part in a categorical or, as an exception, in a probable form.

The peculiarity of appendices is that they are designed in the form of photo tables which are a source of information regarding the stages of veterinary forensic examination of an animal corpse, supplement and confirm conclusions of a forensic expert.

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ОСОБЛИВОСТІ СТРУКТУРИ ВИСНОВКУ
СУДОВО-ВЕТЕРИНАРНОГО ЕКСПЕРТА
ЗА РЕЗУЛЬТАТАМИ ДОСЛІДЖЕННЯ ТРУПА ТВАРИНИ
З ОЗНАКАМИ НАСИЛЬНИЦЬКОЇ СМЕРТІ

У роботі розкрито особливості структури висновку експерта за результатами проведення судово-ветеринарної експертизи трупа тварини з ознаками насильницької смерті. Стверджується, що судово-ветеринарний експерт визначає послідовність викладу результатів дослідження трупа тварини, зважаючи на такі особливості: проведення експертизи, стану об'єкта дослідження і питань, поставлених суддею чи слідчим на розв'язання експерта.

Показано, що особливістю вступної частини висновку є специфічний перелік питань, поставлених на розв'язання судово-ветеринарному експерту судом чи слідчим.

Обов'язковий елемент розділу «Дослідження» у висновку експерта — це виклад результатів дослідження окремих документів, що є в матері-

алах провадження і мають відношення до експертизи (витяг з історії хвороби тварини, амбулаторна карта тварини, протокол огляду місця події тощо), реєстраційні дані трупа, опис результатів його зовнішнього та внутрішнього дослідження за визначеними алгоритмами, результати додаткових досліджень, формулювання судово-ветеринарного діагнозу та складання синтезуючої частини експертизи.

Заключна частина висновку експерта є відповіддю на питання, сформульовані у вступній частині в категоричній, або, як виняток, у ймовірній формі.

Особливістю додатків є те, що їх оформлюють у вигляді фототаблиць, які містять інформацію про етапи судово-ветеринарного дослідження трупа тварини, доповнюють і підтверджують висновки експерта.

Ключові слова: судово-ветеринарна експертиза, особливості структури висновку експерта, жорстоке поводження з тваринами, насильницька смерть, труп тварини.

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ОСОБЕННОСТИ СТРУКТУРЫ

ЗАКЛЮЧЕНИЯ СУДЕБНО-ВЕТЕРИНАРНОГО ЭКСПЕРТА ПО РЕЗУЛЬТАТАМ ИССЛЕДОВАНИЯ ТРУПА ЖИВОТНОГО С ПРИЗНАКАМИ НАСИЛЬСТВЕННОЙ СМЕРТИ

В работе раскрыты особенности структуры заключения эксперта по результатам проведения судебно-ветеринарной экспертизы трупа животного с признаками насильственной смерти. Утверждается, что последовательность изложения результатов исследования трупа животного определяется судебно-ветеринарным экспертом с учётом особенностей проведения экспертизы, состояния объекта исследования и вопросов, поставленных судьёй или следователем.

Показано, что особенностью вводной части заключения эксперта является специфический перечень вопросов, поставленных судом или следствием перед судебно-ветеринарным экспертом.

Обязательными элементами раздела «Исследование» в заключении эксперта являются: изложение результатов исследования отдельных документов, находящихся в материалах производства и имеющих отношение к экспертизе (выписка из истории болезни животного, амбулаторная карта животного, протокол осмотра места происшествия и т. п.), регистрационные данные трупа, описание результатов его внешнего и внутреннего исследования по определённым алгоритмам, результаты дополнительных исследований, формулировка судебно-ветеринарного диагноза и составления синтезирующей части заключения эксперта.

Заключительная часть заключения эксперта является ответом на вопросы, приведённые во введении, в категорической или, как исключение, в вероятной форме.

Особенностью приложений является то, что их оформляют в виде фототаблиц, которые являются источником информации об этапах судебно-ветеринарного исследования трупа животного, дополняют и подтверждают заключение эксперта.

Ключевые слова: судебно-ветеринарная экспертиза, особенности структуры заключения эксперта, жестокое обращение с животными, насильственная смерть, труп животного.

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