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PROBLEMS OF ENSURING THE RIGHTS OF THE SUSPECT DURING THE PRE-TRIAL INVESTIGATION

The article deals with the problems of ensuring the rights of a suspect during the pre-trial investigation. The issues of balancing the interests of the individual and the state, which are most clearly manifested in the criminal process, are actualized by the example of the realization of the rights of the suspect, as well as the need for further improvement of legislation defining the legal regime of personal inviolability in criminal proceedings. The legal analysis of guarantees of ensuring the rights of the suspect, the content and nature of detective services was carried out, which allowed to reveal the essence of private detective activity, its focus on protecting the constitutional rights of citizens, access to justice, assistance to law enforcement agencies in the fight against crime. The problems of the current legislation in the field of private detective activity are considered and ways of their solution are proposed. The necessity of adopting a law on private detective activity is substantiated. As a result of the study, the system of theoretical provisions, approaches to adequate provision in the Criminal Procedure Code of the Republic of Kazakhstan for the protection of citizens who have fallen into the sphere of criminal proceedings from encroachments on their legitimate rights and freedoms by the bodies of inquiry, investigation, prosecutor's office, etc., the importance and role of private detective activity, acting as a guarantee of the rights and freedoms of the suspect, are also substantiated in criminal proceedings.

In the study of the questions posed, a logical, formal – legal, analytical, as well as functional method is used, revealing the qualitative characteristics of the subject of research, allowing to determine the essence of the institution under study, the possibility of regulatory impact of constitutional and sectoral legislation on the state of law and order in the Republic of Kazakhstan. In the scientific analysis undertaken by the authors, the principles of complexity and consistency are consistently implemented and productively combined, which made it possible to more fully, scientifically actualize the issues of improving criminal procedural capabilities for the realization of the rights and freedoms of a suspect during a pre-trial investigation.

As a result of the study, it was found that the information collected by a private detective on a criminal case can be used by the pre-trial investigation bodies and the court in proving a criminal case, filing petitions, appealing actions and decisions of the preliminary investigation bodies and the court, which, in turn, would help individuals and legal entities to realize the constitutional right to access to justice.

Key words: criminal proceedings, participant in criminal proceedings, suspect, pre-trial investigation, private detective activity, guarantees.

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Сотқа дейінгі тергеп-тексеру жүргізу кезінде күдіктінің құқықтарын қамтамасыз ету мәселелері

Мақалада сотқа дейінгі тергеу жүргізу кезінде күдіктінің құқықтарын қамтамасыз ету мәселелері қарастырылады. Күдіктінің құқықтарын іске асыру мысалында қылмыстық процесте неғұрлым айқын көрінетін жеке тұлға мен мемлекет мүдделерінің теңгерімділігі мәселелері, сондай-ақ қылмыстық процесте жеке тұлғаға қол сұғылмаушылықтың құқықтық режимін айқындайтын заңнаманы одан әрі жетілдіру қажеттілігі өзектендіріледі. Күдіктінің құқықтарын, детективтік қызметтердің мазмұны мен сипатын қамтамасыз ету кепілдіктеріне құқықтық талдау жүргізілді, бұл жеке детективтік қызметтің мәнін, оның азаматтардың конституциялық құқықтарын қорғауға, сот төрелігіне қол жеткізуге, құқық қорғау органдарына қылмысқа қарсы күресте жәрдемдесуге бағытталғандығын ашуға мүмкіндік берді. Жеке детективтік

қызмет саласындағы қолданыстағы заңнаманың мәселелері қаралды және оларды шешу жолдары ұсынылды. Жеке детективтік қызмет туралы заңды қабылдау қажеттілігі негізделген. Зерттеу нәтижесінде сондай – ақ теориялық ережелер жүйесі, Қазақстан Республикасының қылмыстық іс жүргізу кодексінде қылмыстық процесс саласына түскен азаматтарды анықтау, тергеу, прокуратура органдары тарапынан олардың заңды құқықтары мен бостандықтарына қол сұғудан қорғауды барабар қамтамасыз ету тәсілдері, күдіктінің құқықтары мен бостандықтарын іске асырудың кепілі болатын жеке детективтік қызметтің маңыздылығы мен рөлі негізделді қылмыстық процесте.

Қойылған мәселелерді зерттеу кезінде зерттелетін институттың мәнін, Конституциялық және салалық заңнаманың Қазақстан Республикасындағы заңдылық пен құқықтық тәртіптің жай – күйіне реттеушілік әсер ету мүмкіндігін айқындауға мүмкіндік беретін зерттеу нысанасының сапалық сипаттамаларын айқындайтын логикалық, формальды-құқықтық, талдамалық, сондай-ақ функционалдық әдіс пайдаланылады. Авторлар қабылдаған ғылыми талдауда сотқа дейінгі тергеуде күдіктінің құқықтары мен бостандықтарын іске асыру үшін қылмыстық іс жүргізу мүмкіндіктерін жетілдіру мәселелерін неғұрлым толық, ғылыми өзектендіруге мүмкіндік беретін кешенділік пен жүйелілік қағидаттары дәйекті түрде жүзеге асырылады және нәтижелі біріктіріледі.

Зерттеу нәтижесінде жеке детектив жинаған қылмыстық іс бойынша мәліметтерді сотқа дейінгі тергеу органдары мен сот қылмыстық іс бойынша дәлелдеуде, өтінішхаттарды мәлімдеуде, алдын ала тергеу органдары мен соттың іс-әрекеттері мен шешімдеріне шағымдануда пайдалана алатыны анықталды, бұл өз кезегінде жеке және заңды тұлғаларға сот төрелігіне қол жеткізуге конституциялық құқықты іске асыруға ықпал етеді.

Түйін сөздер: қылмыстық процесс, қылмыстық процеске қатысушы, күдікті, сотқа дейінгі тергеп-тексеру, жеке детективтік қызмет, кепілдіктер.

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Проблемы обеспечения прав подозреваемого при производстве досудебного расследования

В статье рассматриваются проблемы обеспечения прав подозреваемого при производстве досудебного расследования. Актуализируются вопросы сбалансированности интересов личности и государства, наиболее ярко проявляющиеся в уголовном процессе, на примере реализации прав подозреваемого, также необходимость дальнейшего совершенствования законодательства, определяющего правовой режим неприкосновенности личности в уголовном процессе. Проведен правовой анализ гарантий обеспечения прав подозреваемого, содержания и характера детективных услуг, что позволило раскрыть сущность частной детективной деятельности, её направленность на защиту конституционных прав граждан, доступа к правосудию, содействие правоохранительным органам в борьбе с преступностью. Рассмотрены проблемы действующего законодательства в области частной детективной деятельности и предложены пути их решения. Обоснована необходимость принятия закона о частной детективной деятельности. В результате исследования также обоснованы система теоретических положений, подходы адекватного обеспечения в уголовно – процессуальном кодексе Республики Казахстан защиты граждан, попавших в сферу уголовного процесса от посягательств на их законные права и свободы со стороны органов дознания, следствия, прокуратуры и др., важность и роль частной детективной деятельности, выступающей гарантией реализации прав и свобод подозреваемого в уголовном процессе.

При исследовании поставленных вопросов используются логический, формально – правовой, аналитический, а также функциональный метод, выявляющий качественные характеристики предмета исследования, позволяющий определить суть исследуемого института, возможность регулятивного воздействия конституционного и отраслевого законодательства на состояние законности и правопорядка в Республике Казахстан. В предпринятом авторами научном анализе, последовательно осуществляется, и продуктивно сочетаются принципы комплексности, и системности, что позволило более полно, научно актуализировать вопросы совершенствования уголовно – процессуальных возможностей для реализации прав и свобод подозреваемого на досудебном расследовании.

В результате исследования установлено, что собираемые частным детективом сведения по уголовному делу могут быть использованы органами досудебного расследования и судом в доказывании по уголовному делу, заявлении ходатайств, обжаловании действий и решений

органов предварительного расследования и суда, что, в свою очередь, это способствовало бы физическим и юридическим лицам реализовать конституционное право на доступ к правосудию.

Ключевые слова: уголовный процесс, участник уголовного процесса, подозреваемый, досудебное расследование, частная детективная деятельность, гарантии.

Introduction

The democratic approach to the state – legal social structure implies increased attention to the individual, the priority of his rights and freedoms over other institutions, including the institutions of power. The legal status of the individual, which is based on natural and inalienable rights and freedoms, includes a reliable system of protection and protection of these rights. Thus, the norms of the Constitution of the Republic of Kazakhstan establish the basic rights and freedoms of man and citizen, guarantees of their implementation, including the responsibility of obligated persons to observe and implement them (Constitution of the Republic of Kazakhstan <https://adilet.zan.kz/rus/docs/K950001000>). These norms should be fully implemented even in the conditions of transition, despite the international standards of democratic sources of law laid down in it, such as the Universal Declaration of Human Rights (Universal Declaration of Human Rights of December 10, 1948 // <https://prg.kz>), Pacts on Political and Economic Rights (Pacts), etc. Practice shows that the rights and freedoms enshrined in the basic law are not always fully feasible for many reasons. A number of obstacles arise in the practice of law enforcement, the elimination of which largely depends on the Kazakh legislator, the subjects of law enforcement. The study of the Institute of human and Civil Rights and freedoms is also supplemented by the sphere of criminal procedure, characterized by the application of state coercion measures to an individual, in which the latter's freedoms are subject to significant restrictions. Human rights, including the right to personal freedom, constitute the legal basis for the inviolability of the individual. Based on the analysis of the norms of the Constitution of the Republic of Kazakhstan, we see that the right to inviolability includes such rights and freedoms as: the right to life; inviolability of the person, dignity, home, private life, property, etc. The inviolability of the individual means that the law not only protects and protects the rights and freedoms of the individual (all the rights and legitimate interests of the individual are protected by law), but also creates a kind of “enhanced regime” of protection, which is implemented in strictly defined life situations. One of these situations occurs when an individual falls

into the sphere of criminal proceedings. Here his rights and freedoms are limited by the state system of coercion. In such conditions, a person needs increased legal “attention”.

One of the participants involved in the orbit of criminal proceedings and defending their rights is a suspect. A suspect is a participant in the criminal process, who is a representative of the defense and enters into criminal procedural relations, primarily at the stage of pre-trial investigation (paragraph 18 of Article 7 of the CPC).

According to Article 64 of the Criminal Procedure Code of the Republic of Kazakhstan, a suspect is a person:

1) in respect of whom a decision on recognition as a suspect has been made, agreed with the prosecutor;

1-1) interrogated as a suspect in accordance with the procedure provided for in part 1-2 of Article 202 of the CPC, until the prosecutor refuses to approve the decision to recognize the person as a suspect;

2) detained in accordance with Article 131 of the CPC;

3) in respect of which a decision has been made on the qualification of the suspect's act by the prosecutor or a person conducting a pre-trial investigation, agreed with the prosecutor;

4) questioned in connection with the presence of suspicion of committing a criminal offense or criminal offenses specified in parts two – 11-1 of Article 191 of the CPC (Criminal Procedure Code of the Republic of Kazakhstan, <https://prg.kz>).

Methods

In the study of the issues raised, logical, formal – legal, analytical, as well as functional methods are used to identify the qualitative characteristics of the subject of research, which allows to determine the essence of the institution under study, the possibility of regulatory impact of constitutional and sectoral legislation on the state of law and order in the Republic of Kazakhstan. In the scientific analysis undertaken by the authors, the principles of complexity and consistency are consistently implemented and productively combined, which made it possible to more fully, scientifically actualize the issues of improving criminal procedural capabilities for the

realization of the rights and legitimate interests of the suspect.

Discussion

The red thread separating the legality and social validity of the application of such measures and arbitrariness, in which the constitutional rights and freedoms of an individual are violated (whether by bodies conducting criminal proceedings or “negligent” norms of legislation) are constitutional and criminal procedural guarantees of respect for the rights and legitimate interests of an individual. Limiting ourselves to the legislative definition of a suspect, we will analyze the rights of a suspect enshrined in the Code of Criminal Procedure (Part 9 of Article 64 of the CPC), and along with constitutional and criminal procedural guarantees, we will consider private detective activity as one of the guarantees for the effective implementation of some of them.

The suspect has the right: to receive an explanation of his rights from the person who carried out the detention; to know what he is suspected of. In accordance with Part 3 of Article 14 of the Criminal Procedure Code of the Republic of Kazakhstan, each detainee is immediately informed of the grounds for detention, as well as of what act, provided for by criminal law, he is suspected of committing. The criminal prosecution body at the time of detention, immediately before the start of any investigative actions involving the suspect, is obliged to explain to the suspect his rights provided for by the CPC, which is noted in the protocol of detention, the protocol of interrogation of the suspect and the decisions on the recognition of a person as a suspect and the qualification of the suspect’s act (Part 2 of Article 64 of the CPC). The basis of this guarantee is the norm of Part 3 of Article 18 of the Constitution of the Republic of Kazakhstan, which establishes that state bodies, public associations, officials and mass media are obliged to provide every citizen with the opportunity to familiarize himself with documents, decisions and sources of information affecting his rights and interests. There are cases when the body carrying out criminal prosecution has information about the commission of another criminal offense by the suspect or the qualification of the act will be changed to a more serious or less serious one, or new qualifying signs are indicated in the resolution on the qualification of the suspect’s act. However, until this information becomes part of at least one of these procedural documents, the suspect will not suspect the commission of such a criminal offense from the

point of view of criminal procedural law. The red thread separating the legality and social validity of the application of such measures and arbitrariness, in which the constitutional rights and freedoms of an individual are violated (whether by bodies conducting criminal proceedings or “negligent” norms of legislation) are constitutional and criminal procedural guarantees of respect for the rights and legitimate interests of an individual. The guarantees are in this case:

- 1) legality;
- 2) the procedure for the production of procedural actions regulated by the norms of law;
- 3) appeal against actions and decisions of criminal prosecution bodies;
- 4) prosecutor’s supervision of the investigation and inquiry;
- 5) responsibility of officials for violation of the rights and legitimate interests of the individual, etc.

Taking into account the specifics of the institutions of criminal proceedings, these guarantees may be modified, supplemented, etc. So, for example, during the production of detention and arrest, the obligation of the bodies of inquiry to notify the family of relatives of the detainee, the arrested person acts as additional guarantees.

The suspect has the right: independently or through his relatives or trusted persons to invite a defender. If the defender is not invited by the suspect, his relatives or trusted persons, the criminal prosecution body is obliged to ensure his participation in accordance with the procedure provided for in part three of Article 67 of the CPC; to have a meeting with the chosen or appointed defender in private and confidentially, including before the start of the interrogation; to give evidence only in the presence of the defender, except in cases rejection of it. The presence of an indictment in the criminal process requires the opposition of a defense to it. A principled approach to ensuring the right to protection follows from the norm of Part 2 of Article 13 of the Constitution of the Republic of Kazakhstan, according to which “Everyone has the right to receive qualified legal assistance ...”. The right to protection is enshrined in Articles 26 and 27 of the Criminal Procedure Code of the Republic of Kazakhstan. In the Normative Resolution of the Supreme Court of the Republic of Kazakhstan dated December 6, 2002 No. 26 “On the practice of applying criminal procedure legislation regulating the right to defense” it is established that “the conduct of legal proceedings on the principles of priority of protection of human and civil rights, freedoms, inviolability, respect for the honor and

dignity of the individual, presumption of innocence, competition, equality of all before the law and the court is inextricably linked with ensuring the constitutional right of everyone to obtaining qualified legal assistance from a lawyer (defender)» (Normative resolution on the practice of application of criminal procedure legislation regulating the right to protection, https://adilet.zan.kz/rus/docs/P02000026S_).

The right to defense allows the suspect both personally and with the help of a defender to prove his innocence or to bring mitigating circumstances. In using the opportunities provided by the law to defend himself, both by himself and with the help of a professional defender (lawyer), an individual in the criminal process has a guarantee of compliance and protection of his rights and legitimate interests.

A brief overview – analysis of the norms of the current CPC indicates significant legal transformations in the republic. However, despite the new democratic foundations for building protection in criminal proceedings, the comprehensive strengthening of the positions of the rights and legitimate interests of citizens, in connection with the practice of law enforcement, the problem of real ensuring the right to qualified legal assistance and protection of participants in criminal proceedings, whose rights and freedoms may be subject to compulsory restriction on general grounds, remains urgent today.. Thus, practicing lawyer Kanafin D.K. believes that in criminal proceedings, the rights of the defender are significantly expanded and detailed in comparison with Soviet times, including in terms of collecting evidence, earlier entry into the process, securing the right to witness immunity, obtaining copies of case materials, judicial appeal against illegal actions of criminal prosecution authorities, interviewing persons, presumably possessing information related to the criminal case, initiating examinations, etc. Despite the relatively positive trend of changes in legislation and law enforcement practice in this area, he also recognizes that the overall situation is far from perfect (Kanafin D.K., 2018 https://online.zakon.kz/Document/?doc_id=34872845&pos=8;-60#pos=8;-60). Also, the chairman of the Republican Bar Association Bikebay A.Zh. notes that participating in the program of state-guaranteed legal assistance, in fact, depends on the investigator and the judge (Bikebai A.Zh., 2022 https://forbes.kz/process/expertise/aydyin_bikebay_pochemu_poyavlyayutsya_karmannyie_advokaty/?utm_source=forbes&utm_medium=mlt_articles). It is precisely in violation of

an equal and adversarial process, namely in leveling the role of the defender and his legal powers, that there is a danger for the observance of the interests of the individual, guarantees of her inviolability, because the defender (especially professional) is a criminal procedural guarantee of the realization of the rights and freedoms of the individual in the criminal process. Thus, we find a violation of the rights and interests of the individual whenever the role of the defender, his procedural rights and obligations are restricted in any way, for example, if the prosecutor's office, the court, the bodies of inquiry and preliminary investigation, other state bodies, organizations and officials interfere in the activities of the lawyer in violation of the law.

One of the essential rights of a suspect is to receive an explanation from the person conducting the pre-trial investigation about the procedure and conditions for applying a preventive measure in the form of bail and other measures not related to detention. One of the guarantees of ensuring the rights and legitimate interests of a suspect in criminal proceedings is the norm according to which the court has the right to replace the preventive measure imposed on the suspect in the form of detention with bail (paragraph 9, part 9 of Article 64 of the CPC, part 5 of Article 148 of the CPC). In accordance with part 8 of Article 148 of the CPC, this measure is applied in cases where there are no sufficient grounds for applying a preventive measure in the form of detention to a suspect.

For the first time in the Republic of Kazakhstan, the institution of pledge was supplemented by the Law of June 13, 1997 “On Amendments and Additions to Some Legislative Acts of the Republic of Kazakhstan” as another preventive measure in the Criminal Procedure Code of the Kazakh SSR (Law, https://adilet.zan.kz/rus/docs/Z970000124_#z0). With the adoption of this norm, we can say that the criminal process of the Republic of Kazakhstan has moved forward, and this is another facet that shifts the measuring scales of judicial proceedings towards democratization and humanization. In cases of transition to market relations, this type of preventive measure is applied more widely, especially in cases of criminal offenses in which punishment of a property nature is provided. However, the institution of bail, although more rational for the suspect, the accused, is not applicable in all cases. Thus, when an investigative judge or court issues a decision on authorizing a preventive measure in the form of detention, bail is not established in the following cases:

1) suspicions, accusations of a person in the commission of intentional crimes that caused the death of the victim;

2) suspicions, accusations of a person of committing a crime as part of a criminal group; terrorist and (or) extremist crimes; especially grave crimes provided for in Chapters 1, 4, 5, 11 and 17 of the Criminal Code of the Republic of Kazakhstan, as well as especially grave crimes committed in an emergency situation or during mass riots; especially grave military crimes committed during wartime or in a combat situation;

3) the presences of sufficient grounds to believe that the suspect, the accused will obstruct the proceedings or hide from the investigation and the court;

4) availability of data on the continuation of criminal activity by the suspect, accused;

5) violations by the suspect, the accused of the previously chosen preventive measure in the form of bail in the criminal case under investigation (Part 9 of Article 148 of the CPC).

In the framework of this study, considering the guarantees of ensuring the rights and legitimate interests of a suspect in criminal proceedings, it is necessary to pay attention to this institution as contributing to the protection of the rights and freedoms of citizens, often falling into the sphere of criminal prosecution, as an alternative to detention.

Above, we mentioned the rights of suspects, which correspond to the numerous duties of the investigation and inquiry bodies, the scope and content of which predetermines the guarantee of the rights and freedoms of these persons. Here, citizens get into the bodies that have state powers and, if the investigator fails to fulfill his procedural duties, they become “victims” of official arbitrariness. The legal status of an individual must be guaranteed by the current legislation, which provides a solid mechanism for protecting his rights, freedoms and legitimate interests.

The participation of a private detective as a participant in the criminal process is, perhaps, the most important guarantee of ensuring the rights of the suspect, also meets the main task of private detective activity, which is to protect the rights and legitimate interests of the individual. The main purpose of private detective activity is to provide legal assistance in the interests of protecting the rights of the individual and ensuring the security of property and property of citizens and legal entities, including assistance to law enforcement agencies in the fight against criminal offenses and their prevention. Earlier, we proposed to regulate in the CPC the collection

of information by a private detective on a criminal case as a participant in the criminal process. Retired officers are also confident that if the law had come into force, detectives would have already helped the police in solving serious crimes (Nurgalieva R., 2019 <https://newtimes.kz/silovoj-blok/86832-kak-rabotayut-chastnye-detektivnye-agentstva-v-kazakhstane>). We have also repeatedly talked about the need for legalization and legal regulation of private detective (detective) activities. The first bill was drafted 15 years ago, but it was never adopted. According to Article 1 of the Draft Law of the Republic of Kazakhstan “On Private Detective Activity”, private detective activity is a licensed type of activity for rendering detective services on a paid contractual basis related to the protection of the legitimate rights and interests of the customer (Resolution, <https://adilet.zan.kz/rus/docs/P1300000548>). At that time, the Minister of Justice noted that, along with state guarantees of the personal life of citizens, the security of entrepreneurial activity, the state has the right to transfer to specialized entities the right to implement certain functions of state bodies aimed at meeting the needs of individuals and legal entities of an individual nature and carried out at the request of individuals and (or) legal entities (Forecasts, https://online.zakon.kz/Document/?doc_id=31382137&pos=273;-34#pos=273;-34). Thus, a private detective, like a lawyer, could collect information on a criminal case, which can be used by the preliminary investigation bodies and the court in proving a criminal case, filing petitions, appealing actions and decisions of the preliminary investigation bodies and the court. The information collected by a private detective would help individuals and legal entities to realize the constitutional right to access to justice.

Detective work is not new in the world. In many countries, private detectives are active participants in the criminal process and collect evidence. Let’s focus on some of them. For example, in England, detectives have special skills in obtaining information necessary to solve a case or prove offenses (John Piquet, 2022 <https://opsecsolutions.net/blog/what-methods-do-private-investigators-use/>). UK private detectives can use innovative technologies to identify the digital footprint left by a person and collect any evidence necessary for further development of the situation. (John Piquet, 2022 <https://opsecsolutions.net/blog/what-evidence-do-i-need-to-hire-a-private-investigator/#>). In the private sector, private detectives and corporate security officers can investigate an incident, even if no civil or criminal cases have been initiated. The vast majority of the

theft is investigated by private detectives (Inge Sebastian Black, Lawrence J. Fennelly, 2020: 101).

In New Hampshire, clients of private detectives are not only individuals, but also lawyers. Typical responsibilities may include the following:

- Conducting interviews;
- Conducting a thorough search in computer databases, public records and other resources to collect important information for investigations, missing persons cases and other cases;
- Performing personal background checks, such as pre-employment checks, to obtain relevant information about a person's personal history and financial situation;
- Collecting and analyzing evidence for clients;
- Writing reports or case summaries (Michelle Jones, 2022, https://www-forbes-com.translate.google/advisor/education/become-a-private-investigator/?_x_tr_sl=en&_x_tr_tl=ru&_x_tr_hl=ru&_x_tr_pto=sc).

Private detectives have the right to force a police officer or any law enforcement officer to take action against someone by providing all the necessary information and evidence, such as photographs, surveillance videos or some other physical documents collected during the investigation (Privin Network, 2022 https://privin-net.translate.google/what-can-a-private-investigator-do-and-not-do/?_x_tr_sl=en&_x_tr_tl=ru&_x_tr_hl=ru&_x_tr_pto=sc).

Private Investigator Amanda Clement notes, regardless of whether private detectives collect physical evidence, interview witnesses or receive digital evidence, it is extremely important that the evidence obtained is obtained in a legal manner, in an easily accessible way and with proper documentation (Amanda Clement, 2019 <https://www.pinow.com/>

articles/2618/how-to-handle-evidence-as-a-private-investigator).

The best private investigators are very careful when collecting evidence, because anything obtained illegally will affect their credibility and their future in providing services to clients. That is why it is extremely important to find a private detective with a clean track record in collecting evidence that helped solve cases or prove the innocence of suspects earlier (Will Evidence Collected by a Private Investigator Be Useful in Court?, Sep 26, 2022 // https://gicagency-com.translate.google/will-the-court-honor-evidence-gathered-by-a-private-investigator/?_x_tr_sl=en&_x_tr_tl=ru&_x_tr_hl=ru&_x_tr_pto=sc).

Conclusion

Based on the above, it can be concluded that private detectives in Europe and the United States collect data on a criminal case, which, in turn, is a guarantee of ensuring the suspect's right to pre-trial investigation. The process of reforming the legislative base of the republic, which has reached a high pace to date, predicts us for subsequent changes, which, hopefully, will give us reliable legal foundations and guarantees, with the help of which, in the present and in the future, an individual will be able to exercise his rights to personal freedom in relation to the investigation of criminal cases.

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