UDK:343.9

## INSPECTION OF THE AIRCRAFT AS AN EVENT

## Yulia Shyian National Aviation University, Kyiv

Scientific advisor – Semchuk N.O., Phd in Law

**Key words:** scene, inspection, aircraft, plane crash, search and rescue activities.

As you know, the inspection of the scene, in particular the aircraft, belongs to the priority and fundamental investigative actions.

The review is considered to be an investigative (search) action, during which the detection, evaluation and recording of the state, properties and signs of material objects is carried out in order to obtain factual data to establish the truth. The review is carried out by the investigator, prosecutor in order to identify and record information on the circumstances of the commission of a criminal offense [1].

Inspection of the aircraft as the scene is an investigative action consisting in the direct study of the territory in which the criminal act was committed, in order to retrospectively understand the essence of the event, as well as carried out to identify, record and seize material and other evidence as evidence of what happened [2, p. 144].

In forensics, the scene is the area or premises within which traces of the crime were found. The boundaries of the scene can be quite clear in cases where events unfolded strictly in one place. In large-scale events, such as the plane crash, the scene can be an area of tens of hectares of land [3,

p. 200-201]. In accordance with Art. 110 of the Air Code of Ukraine, an aircraft is considered to have suffered a disaster if the damage is incompatible with the subsequent implementation of a safe flight or it is completely destroyed, as well as if the vessel made an emergency landing while outside the aerodrome [4].

Despite the fact that air transport is deservedly considered one of the safest modes of transport, aviation accidents still occur and are often accompanied by high mortality among passengers and crew.

It should be noted that aviation accidents, serious incidents, emergencies and damage to aircraft on the ground occurring on the territory of Ukraine, as well as violations of the procedure for the use of Ukrainian airspace, are subject to mandatory investigation in order to establish their causes and measures are taken to prevent such events in the future, which is a technical investigation. Any administrative, official, prosecutorial, judicial investigation aimed at establishing guilt or liability

shall be conducted separately from the technical investigation of aviation accidents, serious incidents, incidents, emergencies and damage to aircraft on the ground[4].

Aviation search and rescue in the aviation search and rescue zone of Ukraine are carried out by the aviation search and rescue system. The organizer of the event is the State Emergency Service of Ukraine in the aviation field of search and rescue of Ukraine. Search planning includes the following stages: assessment of the situation based on the results of previous searches; calculation of the location of the aircraft; assessment of the movement of victims in an emergency; identifying the most effective search and rescue tool available; Identify search sub-scopes and search patterns for specific search tools development of a search plan containing a current description of the situation, a description of the object(s), specific search functions of search and rescue forces and means, instructions, etc. These actions are repeated until the survivors are found, or an assessment of the situation shows that further searches will not yield results [5].

Therefore, in order to ensure an effective inspection of the aircraft as the scene, it is necessary to improve the aviation search and rescue system and ensure an appropriate level of aircraft safety..

## **Referrenses:**

- 1. Кримінальний процесуальний кодекс України: Закон України від 13.04.2012 № 4651-VI. Дата оновлення: 24.03.2022. URL: https://zakon.rada.gov.ua/laws/show/4651-17 (date of access: 30.03.2022).
- 2. В.І. Цимбалюк. Процесуальний порядок огляду місця події. *Юридичний вісник 4 (33)*. 2014. С. 144-147.
- 3. Білецький Є. М. Білецька Г. А. Судова медицина та судова психіатрія: Навч. посіб. Харків: Одіссей, 2008. 200 с.
- 4. Повітряний кодекс України: Закон України від 16.09.2011 № 3393-VI. Дата оновлення: 19.02.2022. URL: https://zakon.rada.gov.ua/go/3393-17 (date of access: 30.03.2022).
- 5. Про затвердження Правил авіаційного пошуку і рятування в Україні (Наказ Міністерства внутрішніх справ) №279. 2015. URL: https://zakon.rada.gov.ua/go/z0364-15 (date of access: 31.03.2022).