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ЕЖЕМЕСЯЧНЫЙ НАУЧНЫЙ ЖУРНАЛ

Медицинские новости Грузии
საქართველოს სამედიცინო სიახლენი

GEORGIAN MEDICAL NEWS

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GMN: Georgian Medical News is peer-reviewed, published monthly journal committed to promoting the science and art of medicine and the betterment of public health, published by the GMN Editorial Board since 1994. GMN carries original scientific articles on medicine, biology and pharmacy, which are of experimental, theoretical and practical character; publishes original research, reviews, commentaries, editorials, essays, medical news, and correspondence in English and Russian.

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GMN: Медицинские новости Грузии - ежемесячный рецензируемый научный журнал, издаётся Редакционной коллегией с 1994 года на русском и английском языках в целях поддержки медицинской науки и улучшения здравоохранения. В журнале публикуются оригинальные научные статьи в области медицины, биологии и фармации, статьи обзорного характера, научные сообщения, новости медицины и здравоохранения. Журнал индексируется в MEDLINE, отражён в базе данных SCOPUS, PubMed и ВИНТИ РАН. Полнотекстовые статьи журнала доступны через БД EBSCO.

GMN: Georgian Medical News – საქართველოს სამედიცინო სიახლენი – არის ყოველთვიური სამეცნიერო სამედიცინო რეცენზირებადი ჟურნალი, გამოიცემა 1994 წლიდან, წარმოადგენს სარედაქციო კოლეგიისა და აშშ-ის მეცნიერების, განათლების, ინდუსტრიის, ხელოვნებისა და ბუნებისმეტყველების საერთაშორისო აკადემიის ერთობლივ გამოცემას. GMN-ში რუსულ და ინგლისურ ენებზე ქვეყნდება ექსპერიმენტული, თეორიული და პრაქტიკული ხასიათის ორიგინალური სამეცნიერო სტატიები მედიცინის, ბიოლოგიისა და ფარმაციის სფეროში, მიმოხილვითი ხასიათის სტატიები.

ჟურნალი ინდექსირებულია MEDLINE-ის საერთაშორისო სისტემაში, ასახულია SCOPUS-ის, PubMed-ის და ВИНТИ РАН-ის მონაცემთა ბაზებში. სტატიების სრული ტექსტი ხელმისაწვდომია EBSCO-ს მონაცემთა ბაზებშიდან.

WEBSITE

www.geomednews.com

К СВЕДЕНИЮ АВТОРОВ!

При направлении статьи в редакцию необходимо соблюдать следующие правила:

1. Статья должна быть представлена в двух экземплярах, на русском или английском языках, напечатанная через **полтора интервала на одной стороне стандартного листа с шириной левого поля в три сантиметра**. Используемый компьютерный шрифт для текста на русском и английском языках - **Times New Roman (Кириллица)**, для текста на грузинском языке следует использовать **AcadNusx**. Размер шрифта - **12**. К рукописи, напечатанной на компьютере, должен быть приложен CD со статьей.

2. Размер статьи должен быть не менее десяти и не более двадцати страниц машинописи, включая указатель литературы и резюме на английском, русском и грузинском языках.

3. В статье должны быть освещены актуальность данного материала, методы и результаты исследования и их обсуждение.

При представлении в печать научных экспериментальных работ авторы должны указывать вид и количество экспериментальных животных, применявшиеся методы обезболивания и усыпления (в ходе острых опытов).

4. К статье должны быть приложены краткое (на полстраницы) резюме на английском, русском и грузинском языках (включающее следующие разделы: цель исследования, материал и методы, результаты и заключение) и список ключевых слов (key words).

5. Таблицы необходимо представлять в печатной форме. Фотокопии не принимаются. **Все цифровые, итоговые и процентные данные в таблицах должны соответствовать таковым в тексте статьи**. Таблицы и графики должны быть озаглавлены.

6. Фотографии должны быть контрастными, фотокопии с рентгенограмм - в позитивном изображении. Рисунки, чертежи и диаграммы следует озаглавить, пронумеровать и вставить в соответствующее место текста **в tiff формате**.

В подписях к микрофотографиям следует указывать степень увеличения через окуляр или объектив и метод окраски или импрегнации срезов.

7. Фамилии отечественных авторов приводятся в оригинальной транскрипции.

8. При оформлении и направлении статей в журнал МНГ просим авторов соблюдать правила, изложенные в «Единых требованиях к рукописям, представляемым в биомедицинские журналы», принятых Международным комитетом редакторов медицинских журналов - <http://www.spinesurgery.ru/files/publish.pdf> и http://www.nlm.nih.gov/bsd/uniform_requirements.html В конце каждой оригинальной статьи приводится библиографический список. В список литературы включаются все материалы, на которые имеются ссылки в тексте. Список составляется в алфавитном порядке и нумеруется. Литературный источник приводится на языке оригинала. В списке литературы сначала приводятся работы, написанные знаками грузинского алфавита, затем кириллицей и латиницей. Ссылки на цитируемые работы в тексте статьи даются в квадратных скобках в виде номера, соответствующего номеру данной работы в списке литературы. Большинство цитированных источников должны быть за последние 5-7 лет.

9. Для получения права на публикацию статья должна иметь от руководителя работы или учреждения визу и сопроводительное отношение, написанные или напечатанные на бланке и заверенные подписью и печатью.

10. В конце статьи должны быть подписи всех авторов, полностью приведены их фамилии, имена и отчества, указаны служебный и домашний номера телефонов и адреса или иные координаты. Количество авторов (соавторов) не должно превышать пяти человек.

11. Редакция оставляет за собой право сокращать и исправлять статьи. Корректур авторам не высылаются, вся работа и сверка проводится по авторскому оригиналу.

12. Недопустимо направление в редакцию работ, представленных к печати в иных издательствах или опубликованных в других изданиях.

При нарушении указанных правил статьи не рассматриваются.

REQUIREMENTS

Please note, materials submitted to the Editorial Office Staff are supposed to meet the following requirements:

1. Articles must be provided with a double copy, in English or Russian languages and typed or computer-printed on a single side of standard typing paper, with the left margin of 3 centimeters width, and 1.5 spacing between the lines, typeface - **Times New Roman (Cyrillic)**, print size - 12 (referring to Georgian and Russian materials). With computer-printed texts please enclose a CD carrying the same file titled with Latin symbols.

2. Size of the article, including index and resume in English, Russian and Georgian languages must be at least 10 pages and not exceed the limit of 20 pages of typed or computer-printed text.

3. Submitted material must include a coverage of a topical subject, research methods, results, and review.

Authors of the scientific-research works must indicate the number of experimental biological species drawn in, list the employed methods of anesthetization and soporific means used during acute tests.

4. Articles must have a short (half page) abstract in English, Russian and Georgian (including the following sections: aim of study, material and methods, results and conclusions) and a list of key words.

5. Tables must be presented in an original typed or computer-printed form, instead of a photocopied version. **Numbers, totals, percentile data on the tables must coincide with those in the texts of the articles.** Tables and graphs must be headed.

6. Photographs are required to be contrasted and must be submitted with doubles. Please number each photograph with a pencil on its back, indicate author's name, title of the article (short version), and mark out its top and bottom parts. Drawings must be accurate, drafts and diagrams drawn in Indian ink (or black ink). Photocopies of the X-ray photographs must be presented in a positive image in **tiff format**.

Accurately numbered subtitles for each illustration must be listed on a separate sheet of paper. In the subtitles for the microphotographs please indicate the ocular and objective lens magnification power, method of coloring or impregnation of the microscopic sections (preparations).

7. Please indicate last names, first and middle initials of the native authors, present names and initials of the foreign authors in the transcription of the original language, enclose in parenthesis corresponding number under which the author is listed in the reference materials.

8. Please follow guidance offered to authors by The International Committee of Medical Journal Editors guidance in its Uniform Requirements for Manuscripts Submitted to Biomedical Journals publication available online at: http://www.nlm.nih.gov/bsd/uniform_requirements.html
http://www.icmje.org/urm_full.pdf

In GMN style for each work cited in the text, a bibliographic reference is given, and this is located at the end of the article under the title "References". All references cited in the text must be listed. The list of references should be arranged alphabetically and then numbered. References are numbered in the text [numbers in square brackets] and in the reference list and numbers are repeated throughout the text as needed. The bibliographic description is given in the language of publication (citations in Georgian script are followed by Cyrillic and Latin).

9. To obtain the rights of publication articles must be accompanied by a visa from the project instructor or the establishment, where the work has been performed, and a reference letter, both written or typed on a special signed form, certified by a stamp or a seal.

10. Articles must be signed by all of the authors at the end, and they must be provided with a list of full names, office and home phone numbers and addresses or other non-office locations where the authors could be reached. The number of the authors (co-authors) must not exceed the limit of 5 people.

11. Editorial Staff reserves the rights to cut down in size and correct the articles. Proof-sheets are not sent out to the authors. The entire editorial and collation work is performed according to the author's original text.

12. Sending in the works that have already been assigned to the press by other Editorial Staffs or have been printed by other publishers is not permissible.

**Articles that Fail to Meet the Aforementioned
Requirements are not Assigned to be Reviewed.**

ავტორთა საქურაღებოლ!

რედაქციაში სტატიის წარმოდგენისას საჭიროა დაიცვათ შემდეგი წესები:

1. სტატია უნდა წარმოადგინოთ 2 ცალად, რუსულ ან ინგლისურ ენებზე დაბეჭდილი სტანდარტული ფურცლის 1 გვერდზე, 3 სმ სიგანის მარცხენა ველისა და სტრიქონებს შორის 1,5 ინტერვალის დაცვით. გამოყენებული კომპიუტერული შრიფტი რუსულ და ინგლისურენოვან ტექსტებში - **Times New Roman (Кириллица)**, ხოლო ქართულენოვან ტექსტში საჭიროა გამოვიყენოთ **AcadNusx**. შრიფტის ზომა – 12. სტატიას თან უნდა ახლდეს CD სტატიით.

2. სტატიის მოცულობა არ უნდა შეადგენდეს 10 გვერდზე ნაკლებს და 20 გვერდზე მეტს ლიტერატურის სიის და რეზიუმეების (ინგლისურ, რუსულ და ქართულ ენებზე) ჩათვლით.

3. სტატიაში საჭიროა გაშუქდეს: საკითხის აქტუალობა; კვლევის მიზანი; საკვლევი მასალა და გამოყენებული მეთოდები; მიღებული შედეგები და მათი განსჯა. ექსპერიმენტული ხასიათის სტატიების წარმოდგენისას ავტორებმა უნდა მიუთითონ საექსპერიმენტო ცხოველების სახეობა და რაოდენობა; გაუტკივარებისა და დაძინების მეთოდები (მწვავე ცდების პირობებში).

4. სტატიას თან უნდა ახლდეს რეზიუმე ინგლისურ, რუსულ და ქართულ ენებზე არანაკლებ ნახევარი გვერდის მოცულობისა (სათაურის, ავტორების, დაწესებულების მითითებით და უნდა შეიცავდეს შემდეგ განყოფილებებს: მიზანი, მასალა და მეთოდები, შედეგები და დასკვნები; ტექსტუალური ნაწილი არ უნდა იყოს 15 სტრიქონზე ნაკლები) და საკვანძო სიტყვების ჩამონათვალი (key words).

5. ცხრილები საჭიროა წარმოადგინოთ ნაბეჭდი სახით. ყველა ციფრული, შემაჯამებელი და პროცენტული მონაცემები უნდა შეესაბამებოდეს ტექსტში მოყვანილს.

6. ფოტოსურათები უნდა იყოს კონტრასტული; სურათები, ნახაზები, დიაგრამები - დასათაურებული, დანომრილი და სათანადო ადგილას ჩასმული. რენტგენოგრამების ფოტოასლები წარმოადგინეთ პოზიტიური გამოსახულებით **tiff** ფორმატში. მიკროფოტოსურათების წარწერებში საჭიროა მიუთითოთ ოკულარის ან ობიექტივის საშუალებით გადიდების ხარისხი, ანათალების შედეგის ან იმპრეგნაციის მეთოდი და აღნიშნოთ სურათის ზედა და ქვედა ნაწილები.

7. სამამულო ავტორების გვარები სტატიაში აღინიშნება ინიციალების თანდართვით, უცხოურისა – უცხოური ტრანსკრიპციით.

8. სტატიას თან უნდა ახლდეს ავტორის მიერ გამოყენებული სამამულო და უცხოური შრომების ბიბლიოგრაფიული სია (ბოლო 5-8 წლის სიღრმით). ანბანური წყობით წარმოდგენილ ბიბლიოგრაფიულ სიაში მიუთითეთ ჯერ სამამულო, შემდეგ უცხოელი ავტორები (გვარი, ინიციალები, სტატიის სათაური, ჟურნალის დასახელება, გამოცემის ადგილი, წელი, ჟურნალის №, პირველი და ბოლო გვერდები). მონოგრაფიის შემთხვევაში მიუთითეთ გამოცემის წელი, ადგილი და გვერდების საერთო რაოდენობა. ტექსტში კვადრატულ ფხიხლებში უნდა მიუთითოთ ავტორის შესაბამისი N ლიტერატურის სიის მიხედვით. მიზანშეწონილია, რომ ციტირებული წყაროების უმეტესი ნაწილი იყოს 5-6 წლის სიღრმის.

9. სტატიას თან უნდა ახლდეს: ა) დაწესებულების ან სამეცნიერო ხელმძღვანელის წარდგინება, დამოწმებული ხელმოწერითა და ბეჭდით; ბ) დარგის სპეციალისტის დამოწმებული რეცენზია, რომელშიც მითითებული იქნება საკითხის აქტუალობა, მასალის საკმაობა, მეთოდის სანდოობა, შედეგების სამეცნიერო-პრაქტიკული მნიშვნელობა.

10. სტატიის ბოლოს საჭიროა ყველა ავტორის ხელმოწერა, რომელთა რაოდენობა არ უნდა აღემატებოდეს 5-ს.

11. რედაქცია იტოვებს უფლებას შეასწოროს სტატია. ტექსტზე მუშაობა და შეჯერება ხდება საავტორო ორიგინალის მიხედვით.

12. დაუშვებელია რედაქციაში ისეთი სტატიის წარდგენა, რომელიც დასაბეჭდად წარდგენილი იყო სხვა რედაქციაში ან გამოქვეყნებული იყო სხვა გამოცემებში.

აღნიშნული წესების დარღვევის შემთხვევაში სტატიები არ განიხილება.

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IRREPARABLE FACIAL DISFIGUREMENT: THE RELATIONSHIP OF MEDICAL AND LEGAL CRITERIA IN THE PRE-TRIAL INVESTIGATION OF CRIMINAL OFFENSES

Streliuk Yan¹, Ihnatiuk Oleh², Bondarenko Yevhen³, Moshniaha Liubov⁴, Krupiei Viktoriia⁵.

¹Doctor of Juridical Sciences, Professor of the Department of law enforcement and anti-corruption activities of the Educational and Scientific Institute of Law. Prince Vladimir the Great of Interregional Academy of Personnel Management, Kyiv, Ukraine.

²Doctor of Juridical Sciences, Professor of the Department of law enforcement and anti-corruption activities of the Educational and Scientific Institute of Law. Prince Vladimir the Great of Interregional Academy of Personnel Management, Kyiv, Ukraine.

³Candidate of Juridical Sciences, Professor of the Department of law enforcement and anti-corruption activities of the Educational and Scientific Institute of Law. Prince Vladimir the Great of Interregional Academy of Personnel Management, Kyiv, Ukraine.

⁴Candidate of Juridical Sciences, Associate Professor of the Department of Criminal Law and Criminology of Donetsk State University of Internal Affairs, Kropyvnytskyi, Velyka Perspektyvna str. 1. Ukraine

⁵Candidate of Juridical Sciences, Associate Professor of the Department of law enforcement and anti-corruption activities of the Educational and Scientific Institute of Law. Prince Vladimir the Great of Interregional Academy of Personnel Management, Kyiv, Ukraine. 03039 Kyiv, Frometivska str., 2.

Abstract.

The purpose of the study is to characterize irreparable facial disfigurement through the prism of medical science and from the perspective of legal criteria in the pre-trial investigation of criminal offenses.

The practical basis of the research is the statistical and analytical materials of the Ministry of Internal Affairs of Ukraine and the National Police of Ukraine, the General Prosecutor's Office, the State Judicial Administration of Ukraine for 2016 – 2021 regarding the commission of criminal offenses, namely infliction of grievous bodily harm on the grounds of irreparable facial disfigurement of the victim; summarized data of the study of 50 materials of criminal proceedings based on the specified facts (resolution on the appointment of forensic and other examinations, as well as relevant conclusions), materials of the mass media.

As a result of the research, it was established that the medical criteria for irreparable facial disfigurement specified in the legal acts need to be improved due to the wide application and systemic nature of the problems, due to the wide application and systemic nature of the problems, which entail both complication of qualification of the committed act and other difficulties in the process of pre-trial investigation. The studied views of researchers in the area of medical and legal sciences made it possible to substantiate the essence and content of irreparable facial disfigurement not only as a legal criterion, but also as a primarily negative phenomenon in the provision of public health care.

Key words. Damage to health, irreparable disfigurement, serious bodily injury, offenses against life and health, expertise.

Introduction.

Among the rights and freedoms of a person and a citizen, the Constitution of Ukraine singles out a number of fundamental and most protected ones from the point of view of legal regulation. Thus, the human being, his or her life and health, honour and dignity, inviolability and security are recognized in Ukraine as the highest social value. Human rights and freedoms and their guarantees determine the essence and orientation of the activity of the State. The State is answerable to the individual for its

activity. To affirm and ensure human rights and freedoms is the main duty of the State [1]. Determining life and health as the highest priority in the context of legislative protection and from a practical point of view, sectoral regulations (for example, the Criminal Code of Ukraine) ensure the functioning of a complex of rules and provisions that not only establish the list of illegal acts (delineating in this context the concept of regularity), but also specifying what liability and to what extent it applies to persons who have committed the corresponding offense.

Along with the conditions of qualification and the imposition of punishment, a prominent place in the system of pre-trial investigation of the specified category of criminal offenses and criminal prosecution of offenders is occupied not only by criminal procedural legislation, but also by the science of criminology as a branch of scientific knowledge that includes the main elements of forensic medicine and relevant medical definitions, categories, and qualifications.

The possibility of recognizing the evidence as admissible and questioning the correctness of the formation of the investigative version, based on the received facts and their probative value, creates an environment in which the fragility of the evidence gathered is unacceptable [2]. In our opinion, this significantly actualizes the issue of scientific research on the ratio of medical and legal criteria for irreparable facial disfigurement in the pre-trial investigation of criminal offenses. One of the most widespread under the increase in the level of the criminogenic situation in society (as evidenced by the relevant statistics and the presence of a large number of registered criminal proceedings) is such criminal offense as intentional grievous bodily harm (Article 121 of the Criminal Code of Ukraine) [3], which in turn, can be committed in a wide number of ways, one of the most ambiguous of which is irreparable facial disfigurement.

Official statistics of law enforcement agencies of Ukraine show that the commission of intentional grievous bodily harm, for which Article 121 of the Criminal Code of Ukraine provides for criminal punishment, is a priority in the system and structure of crime in Ukraine. For example, in 2017, 2 096 cases of serious bodily injury were recorded, in 2018 – 2 130, in 2019 – 1 940, in 2020 – 1 703, in 2021 – 1 thousand 601 [4]. Such a high volume of registrations of the number of committed serious

bodily injuries indicates the need to significantly improve the methodology of their pre-trial investigation.

It is necessary to emphasize that separate medical and legal criteria (including inter-ratio), as well as through the prism of carrying out pre-trial investigation of serious bodily injuries, were not examined by the scientists, as well as the essence and content of such a medical characteristic as “irreparable facial disfigurement”, which is one of the possible signs of the severity of bodily injuries and is clearly defined in the legislation of Ukraine, was not analyzed.

Materials and methods.

The practical basis for the research is the statistical and analytical materials of the Ministry of Internal Affairs of Ukraine and the National Police of Ukraine, the Office of the General Prosecutor, the State Judicial Administration of Ukraine for 2016 – 2021, regarding the commission of criminal offenses, namely infliction of grievous bodily harm on the grounds of irreparable facial disfigurement of the victim; summarized data of the study of 50 materials of criminal proceedings based on the specified facts (resolution on the appointment of forensic and other examinations, as well as relevant conclusions), materials of the mass media.

In the course of the scientific and theoretical study of the problematic issues, a number of scientific methods were applied, which made it possible to comprehensively establish the idea on the object and subject matter of the research, to characterize it and draw relevant conclusions, namely:

dialectical approach was applied for use laws of unity and struggle of opposites, quantity, and quality, as well as negation of negation and isolation of the main theoretical and legal and applied trends, which are in a dynamic state.

Historical and legal method helped to highlight the evolution of scientists' view on the forensic characteristics of severe bodily injuries inflicted in the manner of irreparable facial disfigurement.

Comparative and legal approach was used in the analysis of Ukrainian legislation and scientific provisions concerning the issue under consideration.

Dogmatic method was helpful in the interpretation of legal terms and concepts, such as “disfigurement”, “irreparable”, “face”, “bodily injuries”.

Formal logic approach allowed explication and characterization of the abovementioned phenomena and categories at the detailed, basic level of scientific knowledge.

Description method helped to provide a description of the meaningful elements forming the process of pre-trial investigation of serious bodily injuries caused by irreparable facial disfigurement.

System and structural approach were useful in the process of considering the components of proving serious bodily injuries caused by irreparable facial disfigurement.

Using statistical method, the authors will achieve the result on formation of the practical significance of scientific results, because under present conditions, taking into account relevant dynamics of committing the corresponding type of offenses, as well as judicial practice (which should also be analyzed both quantitatively and qualitatively), the relevant problematic

issue should be investigated comprehensively and applying all scientific resources.

Result and Discussion.

The issues related to irreparable facial disfigurement primarily have a number of medical criteria to characterize the commission of a criminal offense as committed in an appropriate manner. Attention should be paid to the fact that the Criminal Code of Ukraine directly appeals to the concept of “face”, which at first glance can significantly narrow the law enforcement of the corresponding legislative category. According to A. Korchahin and N. Fedotova, such a solution is unlikely to be correct. After all, neck or scalp generally give an additional impression of facial features; moreover, they organically fit into the features of the victim's face. Neck injury, for example, in the front visible part will give an overall disgusting, ugly look [5]. At the same time, since the criteria defined by the legislation of Ukraine contain a number of relevant “inaccurate” characteristics, this creates grounds for conducting a comparative analysis with the application of judicial practice to establish the correspondence between the content of the specified concept and its name, which in turn affects the processes of law enforcement.

Characterizing the institution of the protection of citizens from serious violent attacks, attention should be to the fact that one of the most problematic issues is precisely the legal criterion for determining the place of irreparable mutilation, because it can be widely spread over the human body, which similarly can be mutilated [6]. As an example, we suggest including the neck as an object of criminal assault and irreparable mutilation as part of a criminal offense.

The corresponding view clearly reflect the instability of the legal regulation of the corresponding offense, since it is in the category “against life and health of a person” the criterion “irreparability” in the context of inflicting physical damage on a person is unclear, since such qualification criteria cannot be applied except in the light of article 121 of the Criminal Code of Ukraine.

At the same time, researchers of the medical criteria for irreparable facial disfigurement draw attention to the fact that such a medical characteristic as “irreparable disfigurement” can be spread to other parts of a person's body, which are visually reflected on visible parts of the body [7]. It is stressed that only the visibility of such a body part can characterize a social danger. At the same time, we do not support such a position, as all the harm inflicted on the person is twofold: medical and legal. Through the prism of protecting a person's life and health, mutilation of any part (site) of a person's body is harmful to him (her), and the provisions of the Criminal Code of Ukraine in terms of State protection of human life and health only confirms and allows this.

A. Shamatul'skyi [8] and O. Savelieva [9] are unanimous in their view on the need to include open areas of the body that cannot always be covered by clothing (face, neck and shoulders, scalp) to the list of qualifying constructions of the corresponding article of the Criminal Code of Ukraine, namely for the reasons that the unpredictable display of those parts of the body, which may be irreparably mutilated by unlawful acts, causes mental suffering to a person and contributes to the creation of a number

of social restrictions.

We, in turn, stress on medical and biological indicators, the concept of “disfigurement”, which literally involves causing such damage to the skin (and other tissues) of an individual that leads to visual deformation of the original appearance of the person in question, and should be characterized as a high degree of public danger precisely for such reasons, and not because of “social distancing” or other objective circumstances not related to the criminal law protection of life and health of a person.

A number of biological criteria inherent in the appearance and structure of the head can also act as elements of the corresponding composition of a criminal offense. Thus, the classification of such elements as: upper face (in practice it is conditionally and traditionally limited by the edges of the scalp in the frontal and temporal areas), the ear shells (according to the anatomical classification relating to the temporal areas) and teeth (aesthetic dentistry considers frontal teeth) as an important element of smile and facial beauty) [10].

In our opinion, such a remark is quite valid, because the relevant elements are not related to the medical and biological characteristics of the person of the face, and therefore cannot be considered as an object of the criminal offense, enshrined in Article 121 of the Criminal Code of Ukraine. Characterizing the international anatomical nomenclature, it should be emphasized that the face is the front part of the human head, bounded from above by the edge of the head hair, from below – by the corners and the bottom edge of the lower jaw, on the sides – by the edges of the branches of the lower jaw and the base of the ears [11]. Thus, the previously indicated point of view is confirmed.

Defining the position on the limits and content of facial injuries, the expert establishes their severity in accordance with the qualifying signs, enshrined in the relevant Ukrainian legal acts. However, the development of invasive clinical cosmetology and new therapeutic methods of non-invasive and non-surgical treatment of skin lesions can significantly affect the scar-deforming formations [12]. In this way, from the point of view of medicine, human health acquires more stable characteristics of rehabilitative capacity, recovers faster, and those damages that could previously be characterized as “irreparable” are eliminated in a non-surgical way with the help of clinical treatment.

It has been repeatedly emphasized that modern methods of treatment of various types of bodily injuries, first of all, enable rehabilitation after damage, and since there is a need to undergo such treatment as soon as possible, the problems of recognizing such injuries as “irreparable”, in particular, in the context of their application in the face area, are increasing not only in scientific medical circles (which actually use medical and legal terminology to determine the severity of bodily injury), but also among law enforcement practitioners (investigators, prosecutors, investigating judges and judges).

In the context of providing medical and biological characteristics, establishing the fact of incapacitation of facial disfigurement lies primarily in the need to provide an assessment of the damage caused to the person after healing such injuries, since it is impossible to ascertain it immediately after the

infliction and during treatment from a logical perspective (high probability of involutory changes of such damage is among the main factors).

Describing the main processes of restorative and functional neurosurgery E. Pedachenko notes that injuries associated with physical damage to the face cannot be estimated before 21 days (which directly relates to the need for regression of traumatic edema of tissues). At the same time, such features as anatomical distortion of facial features or facial expressions are similarly evaluated no earlier than 40 days after receiving physical damage (depending on their severity) [13].

The above logically substantiates that the content and essence of irreparable facial disfigurement as a medical criterion is not perfect, since in order to establish the degree of physical injury severity, the victim must be treated and given a final diagnosis indicating extent, quantity, nature, and density of damage, as well as those features that characterize it as “irreparable”.

The Criminal Procedure Code of Ukraine provides for the possibility of involving in the pre-trial investigation the person with special knowledge – the forensic specialist or a forensic expert, who, based on the type of scar on the face can make a professional judgment about its irreparability. However, the practice of law enforcement and the research of other scientists indicate otherwise.

However, in all without exception criminal proceedings under Article 121 of the Criminal Code of Ukraine, in which forensic medical examination on the issue under consideration was conducted, just the court decided whether the disfigurement of the face was irreparable [14]. Relying on judicial practice, we can conclude that it is reasoned and should be used for additional justification of the relevant issue.

For example, one of the main criteria for the recognition of the results of such an examination is that the time of its conduct should be correlated with the detected injuries characterized as irreparable, since in some situations such an estimation is possible only in the first hours after receiving an injury (complete loss of the nose or auricle). At the same time, in order to prove the irreparability of disfigurement in the form of visible and bulky scarring, cuts, tears and other facial injuries, recognition of such damage as irreparable is possible only after healing [15].

The judicial practice also indicates that, for example, at the stage of the pre-trial investigation, the victim was found to have moderate physical injuries (bodily injuries) that caused a long-term health disorder and facial wounds, which were classified as light bodily injuries resulting in a short-term disorder health. However, another forensic medical examination, which was conducted in the court proceedings, concluded that soft facial tissue wounds found on the victim were scarred to the left, and the scar cannot disappear on its own, will not become less noticeable over time and requires surgical intervention, so this injury can be considered severe if it is recognized as having disfigured the face [16]. Such view indicates the expediency of specifying clear medical criteria for irreparable disfigurement, which is considered by the medics first of all through the prism of biological signs, and only after that is subject to procedural evaluation in the pre-trial investigation.

The difficulty of qualification lies in the difference between some aspects of qualification of criminal offence committed and actual consequences suffered (which, at the time of such an occurrence, cannot be accurately determined).

Scientists and researchers have repeatedly drawn attention to the fact that forensic experts point to the absence of clear rules (medical criteria) for determining the irreparability of facial disfigurement, as well as the terms of conducting such an examination. Besides, there are a number of diseases that can be caused in the process of committing such an offense and are fraught with undeniable progress complications of the maxillofacial area [17]. This suggests the need to define clear criteria for such a qualifying element of establishing signs of severe bodily injury as irreparable facial disfigurement.

Conclusions.

The functioning of law enforcement agencies in the context of the protection of human and citizen's rights and freedoms lies in the performance of a number of duties aimed at the relevant activity. At the same time, the pluralism of criminal offenses, their volume, and the list of methods of committing them is extremely high, which greatly complicates the process of criminal prosecution. That is why the importance of the forensic characteristics of medical and procedural criteria in the processes of proving certain types of criminal offenses is of great importance [18].

As the result of the conducted research, it was established that the medical criteria for irreparable facial disfigurement specified in the regulatory acts need to be improved due to the wide application and systemic nature of the problems, which entail both complication of qualification of the committed act and other difficulties in the process of pre-trial investigation. The studied views of researchers in the area of medical and legal sciences made it possible to substantiate the essence and content of irreparable facial disfigurement not only as a legal criterion, but also as a primarily negative phenomenon in the provision of public health care.

The new standards of pre-trial investigation in general and the materials of court practice made it possible to substantiate significant scientific results. The main proposal is to make changes to the rules for determining the irreparability of facial disfigurement, as well as to develop medical and biological criteria for establishing the appropriate degree of severity on the basis of such a feature. In our opinion, this issue should be referred to the competence of a comprehensive forensic examination, which would be most appropriate if include a forensic medical expert, a plastic surgeon, a psychiatrist, and other medics, if necessary.

When drawing up a conclusion on the irreparability of facial disfigurement, the commission must be guided by the main medical and biological indicators characterizing this type of injury, namely: nature and type of injury; estimated time and method (mechanism) of its formation; other special characteristics that are important for the final conclusion; whether or not the appearance of the facial part of the body can be returned to the priority state (before the injury).

In addition, the applied method of statistics and analytics, as well as the rapid increase in the number of registered offenses

of this type, clearly indicate the need to penalize this act and the likelihood of its being a separate part of the criminal offence under article 121 of the Criminal Code of Ukraine.

REFERENCES

1. Law of Ukraine No. 254k/96-VR. Constitution of Ukraine. Official Web site of the Verkhovna Rada of Ukraine. 1996.
2. Drozd V, Burlaka V, Gavrilyuk L, et al. Recognizing evidence as inadmissible in criminal proceedings: analysis of investigative practice through the prism of court decisions: monograph. Kyiv: Ministry of Internal Affairs of Ukraine. 2021;425:115.
3. Law of Ukraine No. 2341-III. Criminal Code of Ukraine. Official Web site of the Verkhovna Rada of Ukraine. 2001.
4. Official statistics of the Office of the Prosecutor General. <https://gp.gov.ua/ua/posts/pro-zareyestrovani-kriminalni-pravoporushennya-ta-rezultati-yih-dosudovogorozsliduvannya-2>
5. Haliukova MI. Indelible disfigurement of the face as a sign of serious harm to health, 2007.
6. Borodin S, Pobehailo E, Chitlov D. Protection of the health of citizens from severe violent attacks. Saratov: Saratov University Publishing House. 1974;183:93-94.
7. Polikarpova IV. Criminal responsibility for intentional infliction of serious harm to health. M.: Yurлитinform Publishing House. 2009;176:22.
8. Shamatulskii A. Indelible disfigurement of the face as a sign of serious harm to health. Actual problems of Russian law. 2014;8:1716-1720.
9. Savelieva O.Yu. Responsibility for causing serious harm to health according to Russian and foreign criminal legislation. Ph.D. Dissertation. Moscow: Law and Order Research Institute at the Office of the Procurator-General of the Russian Federation. 2004;239:14-15.
10. Korchahin AH, Fedotova NP. Criminal law policy of combating crimes of intentional infliction of serious harm to health. Moscow: Yurлитinform Publishing House. 2014;176:53.
11. Mikhailov SS. International anatomical nomenclature (with an official list of Russian equivalents). Moscow: Medicine. 1980;240:82-85.
12. Zadarnovsky AL, Solodun Yu V, Isaev Yu S. Expert approaches to the establishment of indelibility in cases of assessment of caused harm to health. Current issues of forensic medicine and expert practice. 2009.
13. Pedachenko Ye. Standardization in neurosurgery. Part 6. Restorative and functional neurosurgery. Kyiv: State University "INH NAMNU". 2020;144:28-29.
14. Mitrofanov II, Lysenko IV, Riabushko NN. Indelible disfigurement of the face: from medical to legal assessment. The world of medicine and biology. 2018;4:81-87.
15. Decision of the Pokrovsky District Court of the Dnipropetrovsk Region of May 12, 2017. In case No. 189/1320/16-k.
16. Decision of the Prydniprovskiy District Court of Cherkasy of June 22, 2017. In case No. 711/9623/16-k.
17. Mironenko AN, Popov VL, Egorova OA. Clinical and medico-legal aspects of injuries of the maxillofacial area and neck, complicated by infectious processes. Herald of the

Northwestern State Medical University named after I. I. Mechnikov. 2016;8:62-66.

18. Oleksandr Y, Serhii S, Anna-Mariia A, et al. Description of proving intentional homicides involving poisonous substances: the relationship of medical and procedural contexts. Georgian Medical News. 2022;7:158-164.

РЕЗЮМЕ

НЕПОПРАВИМОЕ ОБЕЗОБРАЖИВАНИЕ ЛИЦА: СООТНОШЕНИЕ МЕДИЦИНСКИХ И ЮРИДИЧЕСКИХ КРИТЕРИЕВ В ДОСУДЕБНОМ РАССЛЕДОВАНИИ УГОЛОВНЫХ ПРАВОНАРУШЕНИЙ

Стрелюк Ян Владимирович⁶, Игнатюк Олег Владимирович⁷, Бондаренко Евгений Викторович⁸, Ангеленок Анна-Мария Юрьевна⁹, Крупей Виктория Юрьевна¹⁰

⁶Доктор юридических наук, профессор кафедры правоохранительной и антикоррупционной деятельности Учебно-научного института права имени Князя Владимира Великого Межрегиональной академии управления персоналом, Киев, Украина. 03039 г. Киев, ул. Фрометовская, 2.

⁷Доктор юридических наук, профессор кафедры правоохранительной и антикоррупционной деятельности Учебно-научного института права имени Князя Владимира Великого Межрегиональной академии управления персоналом, Киев, Украина. 03039 г. Киев, ул. Фрометовская, 2.

⁸Кандидат юридических наук, профессор кафедры правоохранительной и антикоррупционной деятельности Учебно-научного института права имени Князя Владимира Великого Межрегиональной академии управления персоналом, Киев, Украина. 03039 г. Киев, ул. Фрометовская, 2.

⁹Кандидат юридических наук, доцент кафедры правоохранительной и антикоррупционной деятельности Учебно-научного института права имени Князя Владимира Великого Межрегиональной академии управления персоналом, Киев, Украина. 03039 г. Киев, ул. Фрометовская, 2.

¹⁰Кандидат юридических наук, доцент кафедры правоохранительной и антикоррупционной деятельности Учебно-научного института права имени Князя Владимира Великого Межрегиональной академии управления персоналом, Киев, Украина. 03039 г. Киев, ул. Фрометовская, 2.

Целью исследования является предоставление характеристики несправимому изувеченю лица через призму медицинской науки и с точки зрения юридических критериев в досудебном расследовании уголовных правонарушений.

Практическую основу исследования составляют статистические и аналитические материалы Министерства внутренних дел Украины и Национальной полиции Украины, Офиса Генерального прокурора, Государственной судебной администрации Украины за 2016-2021 годы по совершению уголовных правонарушений, а именно нанесению тяжких телесных повреждений по признаку несправимого изувеченья; обобщены данные изучения 50 материалов уголовных производств по указанным фактам (постановлений о назначении судебно-медицинских и других экспертиз, а также соответствующих выводов), материалы средств массовой информации.

В результате проведенного исследования установлено, что медицинские критерии несправимого изувеченья лица, указанные в нормативно-правовых актах требуют совершенствования, в связи с широким применением и системностью проблем, влекущих как проблемы квалификации совершенного деяния, так и другие сложности процесса досудебного расследования. Ряд позиций исследователей в области медицинских и юридических наук, сделали возможным обоснование сущности и содержания несправимого изувеченья лица не только как правового критерия, но и как прежде всего негативного феномена в обеспечении здравоохранения населения.

Ключевые слова: вред здоровью, невосполнимое изуродование, тяжкие телесные повреждения, преступления против жизни и здоровья, экспертиза.