

Shkolnikov V. The legal basis of obtaining information from the Internet in criminal proceedings

The rapid development of information technology leads to the emergence of new ways to commit crimes, in particular on the Internet.

The purpose of this publication is a description of the legal basis for obtaining information from the Internet in order to change the law enforcement practice of law enforcement agencies during the pre-trial investigation of criminal offenses.

The author has attempted an analysis of Ukrainian legislation. Legal acts concerning the procedure of obtaining information from the Internet in criminal proceedings have been described.

In the article the problems of law enforcement practice have been determined. The author considers that an inspection as an investigative (detective) action is unacceptable.

The proper covert investigative actions has been proposed. Levels of legal regulation of the order of obtaining information from the Internet in criminal proceedings have been defined.

The gaps in the criminal procedural law concerning the procedure of obtaining information from the Internet has been identified.

The imperfection of the current legislation and the availability of gaps in order to receive information from the Internet in criminal proceedings necessitates the development of a unified strategy of legislative improvement of the procedure for obtaining such information. For this purpose, cooperation between law enforcement officers, scientists and specialists in the IT sphere is the key to a qualitative development of a new criminal procedural law that will meet all the requirements that the modern information society is implementing.

Key words: criminal procedure, legal basis, information, Internet.