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# The conclusions of detectives can become evidence in the courts

The State Duma has prepared a bill, according to which it is proposed to attach evidence collected by the private detectives to the criminal cases.

The document clarifies article 89 of the Criminal Procedure Code, and will be submitted to the government for consultation. According to the document, the results of private investigations are equal to the data of operational search activities. By the way, now it is almost impossible to use the information received from the private detectives in court.

The author of the document, Deputy of the State Duma, Anatoly Vyborny, proposes to clarify article 89 of the Criminal Procedure Code and in fact equate private detective activity to the operational search, as well as to prescribe in the Code the definition of the "results of private detective activity".

## **According to the results of a study conducted by the Prosecutor General's office, the reason for the refusal to use the materials of a private investigation:**

- ▶ In 55,8% of cases, the investigators referred to the absence of a corresponding clause in the Criminal Procedure Code of the Russian Federation;
- ▶ In 44,2% of cases, it was indicated that a private detective is not entitled to present the results of his work in criminal proceedings;
- ▶ A survey of lawyers showed that in 89% of cases, those defense lawyers who applied for the services of a private detective, experienced difficulties in using the information received from the private detectives.

## **According to the bill, the investigation of a private detective can be attached to the case in two cases:**

if the client (lawyer, accused, victim) has entered into an official contract with a private detective;

if the evidence is obtained by means permitted by the Code of Criminal Procedure.

Today, the results of the investigation of a private detective have the status of the documents submitted by the defense. However, in most cases, the courts do not attach these materials to the case, but simply call the detective to the court as a witness.

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