
ҚЫЛМЫСТЫҚ ҚҰҚЫҚ, КРИМИНОЛОГИЯ, ҚЫЛМЫСТЫҚ ПРОЦЕСТІК ҚҰҚЫҒЫНЫҢ ӨЗЕКТІ МӘСЕЛЕЛЕРІ АКТУАЛЬНЫЕ ПРОБЛЕМЫ УГОЛОВНОГО ПРАВА, КРИМИНОЛОГИИ, УГОЛОВНОГО ПРОЦЕССУАЛЬНОГО ПРАВА CURRENT ISSUES IN CRIMINAL LAW, CRIMINOLOGY, AND CRIMINAL PROCEDURE LAW

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The use of artificial intelligence technologies in interrogations within the criminal justice system: current status and prospects

This study aims to examine ways of improving the efficiency and accessibility of criminal proceedings through the application of artificial intelligence (AI) technologies in law enforcement. The authors examine the application of new technologies in one of the most common investigative actions—interrogation—as this mechanism enhances the accuracy and efficiency of criminal investigations and increases transparency in the conduct of investigative actions. This study employed cybernetic and comparative legal methods, which enabled an analysis of how artificial intelligence functions during interrogations, as well as an examination of international experience in the application of various artificial intelligence technologies. The authors have investigated the potential for applying machine learning algorithms to optimise interrogation procedures, including automatic transcription, analysis of participants’ non-verbal behaviour, and the identification of inconsistencies in testimony. The authors have concluded that by using artificial intelligence technologies, law enforcement officers can obtain more accurate evidence and expedite criminal investigation procedures.

Keywords: criminal procedure, evidence, interrogation, artificial intelligence, digitalisation, interrogation protocol, transcription, psychophysical condition, machine learning.

Introduction

Against the backdrop of rapid digital transformation, the introduction of artificial intelligence (AI) technologies into the criminal justice system is of particular relevance. The application of new technologies helps to improve the efficiency of detecting and investigating criminal offences, thereby ensuring quality and speed, as well as respect for the rights and legitimate interests of all participants in the criminal process. The application of artificial intelligence in the legal environment is revolutionising most areas of legal practice, improving efficiency, accuracy and decision-making [1].

In the Address by the President of the Republic of Kazakhstan, Kassym-Jomart Tokayev, entitled “Kazakhstan in the Age of Artificial Intelligence: Current Challenges and Their Solutions through Digital Transformation”, a strategic course towards innovation and the application of artificial intelligence technologies

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was outlined. In it, the Head of State noted that “The widespread implementation of artificial intelligence and total digitalisation, which can exponentially enhance the country’s potential in all spheres, must become a key component of our strategic course” [2].

The focus on developing an effective digital infrastructure for public administration involves the introduction of mechanisms to automate administrative processes, the optimisation and streamlining of bureaucratic procedures, and a significant improvement in the speed and soundness of decision-making. Artificial intelligence technologies, therefore, take on particular significance in criminal proceedings and can be regarded as a tool for enhancing the efficiency of investigations, optimising procedural activities, and strengthening oversight of compliance with the law.

The scientific community is currently engaged in lively debate regarding the use of artificial intelligence technologies by law enforcement agencies; however, the question of the limits and admissibility of such technologies—for instance, in the conduct of investigative activities—remains contentious. On the one hand, the positive aspects of its use in reducing workload and minimising the influence of the human factor are being discussed; on the other hand, researchers fear a breach of procedural safeguards and the rights of those involved in legal proceedings.

When considering this issue, particular attention must be paid to the conduct of interrogations, which constitute one of the most important investigative measures. The results of an interrogation often contain important evidential information, and this investigative measure is carried out during the investigation of any criminal case. The procedure for conducting an interrogation is set out in detail in Chapter 26 of the Criminal Procedure Code of the Republic of Kazakhstan [3].

It is worth noting that the traditional model of conducting an interrogation may have a number of shortcomings, such as subjective assessment of the interviewee’s behaviour, the influence of the human factor, and the risk of incomplete recording of information. However, to improve the effectiveness and reliability of the data obtained, it is recommended that modern information technologies be actively utilised during interrogations [4]. In this regard, there is a pressing need to apply artificial intelligence technologies to enhance the objectivity, accuracy and completeness of the information obtained during interrogations.

Moreover, at present, the interrogation procedure within the criminal police is predominantly manual, labour-intensive and demanding in terms of human effort, both for analysis and for documentation. In this context, it is crucial to equip the security and justice sectors, particularly criminal investigations, with tools capable of assisting investigators in analysing the content of interrogations, as well as ensuring the full digitalisation of the relevant administrative processes.

The scientific literature increasingly discusses the potential application of AI for analysing the psychophysical states of interrogation participants, such as speech, emotions and behaviour, as well as in the automation of the recording process. The introduction of such technologies will improve the accuracy of recording statements, reveal hidden behavioural inconsistencies, and reduce the influence of the investigator’s subjective perception when assessing the information obtained. At the same time, such technologies are used primarily as an auxiliary tool, requiring regulatory framework and procedural safeguards for their use to prevent the infringement of the rights of participants in criminal proceedings.

It should be noted that research conducted in this field has mainly focused on the use of AI technologies in criminal proceedings in general, and that there has been insufficient research into the specific application of AI in interrogations to assess the psychological and physiological states of the person being questioned, as well as into automated record-keeping within the context of investigative practice.

The aim of this article is to analyse the use of artificial intelligence technologies during interrogations, to examine the specific features of their application in investigative work, and to develop proposals for their implementation in the criminal justice system of the Republic of Kazakhstan. To achieve this aim, the following tasks are proposed: to examine the legal nature of interrogation; to study the potential of AI technologies that can be applied in interrogation; to analyse international experience in the use of AI technologies during interrogation; and to formulate proposals for the application of AI technologies during interrogation within the criminal justice system of the Republic of Kazakhstan.

The scientific novelty of the research lies in a comprehensive examination of the possibilities for applying artificial intelligence technologies during interrogations in the criminal justice system of the Republic of Kazakhstan. The article examines the specific features of using speech and behaviour analysis technologies and automated recording within the framework of investigative activities, and identifies promising areas for their implementation in the practice of pre-trial investigation bodies. The practical significance of this work

lies in the potential to utilise the findings to improve the criminal procedure legislation of the Republic of Kazakhstan governing the use of digital technologies in investigative activities.

The authors' position is essentially that the use of AI technologies during interrogations represents a promising avenue for the development of criminal proceedings; however, this tool should be used only as an auxiliary one, whilst preserving the investigator's key role and without infringing upon the procedural safeguards of those being questioned.

Methods and Materials

The methodological framework of the study was developed using a combination of general and specialised scientific methods to understand the socio-legal reality, including cybernetic and comparative legal approaches. The application of the cybernetic method has led to the conclusion that new AI technologies can effectively improve criminal proceedings, in particular by enhancing the quality of interrogations and obtaining accurate, reliable data. The application of the comparative legal method enabled an analysis of international experience in the use of artificial intelligence technologies and the development of proposals for their adaptation to the criminal procedure system of the Republic of Kazakhstan.

The application of these methods enabled a comprehensive and holistic analysis of the subject matter under investigation, identified key patterns and trends in the use of artificial intelligence technologies during interrogations, and formulated scientifically grounded conclusions and proposals for the implementation of such technologies in Kazakhstan's criminal justice system. The theoretical framework is based on the works of domestic and foreign scholars who have contributed to research into the application of artificial intelligence in law enforcement activities.

Results

An analysis of this study has shown that the use of information and digital technologies in the conduct of interrogations enables a range of tasks to be carried out: automatic recording of investigative proceedings in accordance with legal requirements; analysis of the speech and behavioural characteristics of the person being questioned; identification of contradictions in testimony; rapid processing of large volumes of information; increased objectivity in data recording; and the provision of intellectual support to the investigator during the conduct of investigative proceedings.

An examination of the legal nature of interrogation has made it possible to identify its key features as a procedural and psychological process requiring strict observance of the rights of those involved. It is worth noting that interrogation is one of the most common investigative actions, as it yields important information that contributes to the detection and investigation of crimes. Conducting a transparent interrogation is of particular importance, both in terms of ensuring the admissibility and reliability of evidence and in terms of safeguarding the rights and legitimate interests of persons involved in criminal proceedings. The use of artificial intelligence technologies in investigative actions allows for their recording and the establishment of factual circumstances relevant to the case transparently and openly.

In this regard, artificial intelligence technologies are capable of achieving these objectives by providing a more accurate and objective analysis of the interviewee's verbal and non-verbal reactions, automating the recording and processing of the information obtained, and identifying hidden patterns and contradictions in testimony, which collectively enhance the effectiveness and quality of the interrogation. However, it is worth noting that in most countries, artificial intelligence is viewed not as an independent mechanism, but as an auxiliary tool that complements the work of the investigator.

The authors concluded that the use of artificial intelligence technologies enhances transparency in the conduct of interrogations and simplifies the work of investigators; however, it does not imply the complete replacement of the human role in criminal proceedings, as the essence of applying such technologies lies in improving the execution of specific processes and enhancing the efficiency of information analysis. On this basis, it can be argued that artificial intelligence technologies are of an auxiliary nature and are applicable only if the principles of criminal proceedings are strictly observed.

Discussion

Artificial intelligence technologies are currently developing at an ever-increasing pace, expanding their applications across all sectors. Criminal proceedings are keeping pace with these developments. Artificial intelligence has already established itself as a tool capable of fundamentally transforming the organisation of

procedural and analytical activities within law enforcement agencies, as its use allows for a significant reduction in routine paperwork and accelerates the collection, verification and assessment of evidence.

In the academic literature, issues relating to the introduction of digital technologies and elements of artificial intelligence into criminal proceedings are primarily considered in the context of the digitalisation of law enforcement activities. Thus, E.P. Shulgin noted that the digital transformation of law enforcement activities is an inevitable factor affecting all public institutions without exception [5]. According to V.B. Batoev, the processes of introducing artificial intelligence technologies, including neural network solutions, into the activities of law enforcement agencies are objective and inevitable in nature [6; 87]. In turn, D.A. Amangeldiev emphasised that the use of artificial intelligence in the analysis of criminological data enhances the soundness of management decisions, contributes to a more efficient allocation of resources and reduces crime levels [7].

Shulgin E.P. and Kussainova L.K. rightly noted in their work that AI is capable of automating routine analytical operations, speeding up the processing of case materials, reducing the workload on judges, and even increasing the objectivity of decisions made through comprehensive data analysis [8; 127]. According to D.V. Pshichenko, the use of artificial intelligence in the work of law enforcement agencies, particularly in the fight against crime, is both practically necessary and highly relevant [9].

We would like to focus on the application of AI during investigative activities carried out by law enforcement agencies, specifically at the interrogation stage, to enhance the effectiveness of investigations, minimise subjective factors, and ensuring more accurate recording of evidential information.

Interrogation is the most common investigative action, as it is impossible to investigate a criminal case without conducting interrogations, given that the statements of those involved in criminal proceedings constitute the primary source of evidence. The Criminal Procedure Code of the Republic of Kazakhstan (CPC RK) stipulates that testimony from the suspect, victim and witness constitutes a form of evidence. Chapter 26 of the CPC RK sets out the procedure and rules for conducting an interrogation [3].

To understand the essence of interrogation, we will refer to researchers' opinions on its legal nature. S.D. Ospanov, in his analysis of interrogation, writes that it "consists of the authority conducting the criminal proceedings obtaining and recording, in the form prescribed by law, statements from individuals regarding circumstances relevant to the case" [10; 96]. Thus, R.S. Belkin understands interrogation as "a procedural (investigative and judicial) action consisting in the obtaining of testimony (information) regarding an event that has become the subject of criminal proceedings" [11; 36]. A.G. Kan defines interrogation at the preliminary investigation stage as "an investigative action regulated by criminal procedure law and constituting the process of the criminal prosecution authority directly obtaining and recording from the person being interrogated full and objective testimony regarding circumstances known to them that are relevant to the criminal case and subject to proof" [12; 68].

It should be noted that interrogation is a complex psychological and communicative investigative action that determines both the psychophysiological state of the person being questioned and behavioural indicators, such as nervousness or, conversely, complete calmness, gestures, facial expressions, and tone of voice when answering certain questions, etc. This makes it possible to identify hidden emotional reactions, assess the degree of sincerity of the information provided, record possible contradictions in testimony, and form a more objective view of the reliability of the information obtained.

An analysis of scientific approaches to the study of human psycho-emotional and behavioural reactions reveals a correlation between an individual's internal state and their external non-verbal manifestations, which are significant for assessing the reliability of information provided during an interrogation. In his work "The State of Neuropsychological Stress", T.A. Nemchin concluded that the symptomatology of neuropsychological stress is determined by both the baseline level and the characteristics of the activation and functioning of the perceptual-cognitive, psychomotor and somatic subsystems [13; 130]. An analysis of the arguments presented in the book "The Language of the Subconscious" leads to the conclusion that a person's internal psycho-emotional state manifests itself through non-verbal reactions—gestures, facial expressions, postures and features of motor behaviour—which can serve as external indicators of the emotions being experienced, the level of tension, cognitive load and the degree of sincerity of the information being communicated [14]. In another study, O. Vrij notes that a person telling a lie may experience various emotions or face logical difficulties, which are expressed in facial expressions and gestures—signs of emotions and the complexity of the content [15; 18]. A review of this literature has led us to conclude that the provision of false information during an interrogation is objectively linked to increased self-control and emotional tension, which may manifest itself in changes in the interrogated person's psychomotor and autonomic reactions.

The relevance of using AI technologies in the criminal prosecution process stems from the need to analyse complex and diverse information, including not only text but also audiovisual data. The effectiveness of applying artificial intelligence technologies during interrogation is based on a combination of natural language processing (NLP) and computer vision technologies. The use of these technologies allows for the analysis of the interviewee's speech, facial expressions and behaviour based on objective digital data, reducing the dependence of information assessment on the investigator's subjective perception.

For example, modern speech recognition models convert audio information into text, including the recognition of context and intonation with punctuation marks, i.e. transcription. It is worth noting that the drafting of the interrogation report is the most labour-intensive final stage of this investigative action [16]. In this regard, the use of transcription reduces the hours spent on transcription to minutes of automated processing. Transcription, as a modern method of converting spoken language into text, will contribute to the completeness and objectivity of the recorded statements, speed up the process of drawing up the record, and enable more effective use of interrogation tactics. However, in our opinion, the investigator should inform the person being questioned of the use of transcription for the purpose of drawing up the interrogation record and explain its nature in accordance with the provisions of the Criminal Procedure Code of the Republic of Kazakhstan.

AI technologies can also perform semantic analysis, identifying hidden contradictions with previous statements, or by comparing the information obtained with a vast array of data relating to the criminal case and detecting discrepancies in the information. Furthermore, the technologies under investigation make it possible to identify verbal cues in the person being questioned, which are defined by specific markers (tone, rate of speech). These indicators may vary depending on the circumstances of the interview, for example, in the case of threats, manipulation or pressure, as speech contains prosodic features and spectral characteristics that serve as indicators of truthful and false information. It is also worth noting that when collecting verbal data, it is necessary to suppress external noise, which may be caused by microphone quality or environmental interference. To this end, median filtering is applied, which removes such noise and allows for the acquisition of high-quality voice data from the interrogated person.

However, this system may face a number of challenges, such as linguistic adaptation and ethno-psycholinguistic characteristics. This manifests itself in the use of bilingualism, for example, in Kazakh-Russian speech, where switching from one language to another may be a sign of stress or an attempt to give false testimony. It is also worth considering the peculiarities of national speech etiquette, where a manner of speaking may simply be a cultural norm rather than an attempt to evade a question.

It is worth noting the computer vision system, which analyses visual information obtained from video footage. In this case, we can identify non-verbal cues, including facial expression recognition, eye-tracking and gesture analysis. For example, avoiding eye contact or, conversely, an excessively intense gaze in an attempt to control the investigator's reaction are recognised by the algorithm as deviations from the subject's usual behaviour. Also, indicative is the use of illustrative gestures (describing an incident) and manipulative gestures (touching the face, adjusting clothing), which often correlate with the unreliability of testimony.

Extensive experimental data show that internal emotional and psychophysiological states are manifested through facial expressions, micro-expressions, intonation, speech rate, sentence structure, the frequency of pauses, and the incoherence of responses. Correlating verbal signs of uncertainty with visual markers of stress allows for a comprehensive assessment of the credibility of testimony. This knowledge forms the basis for identifying indicators that can be detected using neural networks and machine learning algorithms.

The application of machine learning to audio and video recordings of interrogations is of interest not only as a technical tool for the digitalisation of criminal proceedings, but also as a potential mechanism for procedural protection of the individual. In this context, the algorithm's task must be formulated with the utmost precision: not as "lie detection" or "reading the internal state" of the person being questioned, but as the identification and recording of risk indicators of procedurally significant violations during the interrogation—signs of pressure, coercion, undue influence, disregard for the right to defence, the right to an interpreter, the right not to testify against oneself and not to be compelled to confess.

It follows that machine learning may be useful primarily for recording structural signs of pressure, rather than for psychological profiling of an individual. The system could, for example, automatically flag instances of repeated interruptions, aggressive dominance by one participant, a series of leading questions, the absence of pauses for a response, repeated phrases such as "you'd better confess", "we have already proven everything", "a lawyer won't help you", "otherwise it will be worse", as well as discrepancies between the transcript and the actual duration, sequence or completeness of the recording.

During interrogation, a lack of coherence in the interviewee's answers or statements often leads to the involvement of specialists to analyse specific behavioural characteristics with the aim of examining the interviewee's behavioural and emotional patterns. These characteristics can range from body posture to the position of the hands and wrists, as well as the interviewee's emotional reactions, visible through facial expressions.

As previously noted, emotions have long been studied by renowned scientists, who have examined emotional indicators as relevant behavioral signals. For example, the scientific literature discusses the possibility of using eye-tracking technology to identify signs of false information and determine the validity of information in testimony. This approach is based on observing a person's eye movements and analysing the resulting data, which can subsequently be used as an additional indicator when assessing the veracity of the information provided [17]. This method was examined in a research study by K. Büttner, who raised the question of whether eye-tracking technology could be used as a new psychophysiological tool for detecting concealed information, specifically for determining the guilt of suspects [18]. The study aimed to investigate differences in eye movement activity between categories of individuals, such as those "guilty" and "innocent" of committing a crime, including the identification of witnesses from the aforementioned category. Another study by D. Borza, R. Itu and R. Danescu also examined the characteristics of eye movement activity in individuals who gave false answers [19]. In this study, eye-tracking technology was used to examine eye characteristics such as the centers of the iris, gaze direction, blink intervals, blink rate, and the number of saccades.

Eye movements and gaze patterns have proven to be particularly reliable indicators of deceptive behaviour, with studies revealing characteristic patterns of blink rate, pupil dilation and gaze avoidance during deceptive interactions. Based on the data collected, artificial intelligence technologies are capable of identifying behavioural patterns and recording responses to specific topics or the wording of questions. The effectiveness of this method can exceed 80 %. A significant advantage of this approach is that it does not require physical contact with the interrogated person, as well as its simplicity, in contrast, for example, to the traditional polygraph. This method is widely used in the Russian Federation, which demonstrates its popularity and practical significance [20; 156–165].

One of the most promising areas for the integration of digital technologies into interrogation procedures and other investigative activities is the development of tools capable of identifying signs of false information. International experience, including that of the United States of America, demonstrates the widespread use of the DARE system, which features a built-in function for detecting false information (lies) in the statements of those being questioned. One of the artificial intelligence neural networks was trained on a large number of video recordings (over 120 court trial videos) [21]. This model, built using artificial intelligence technologies, takes into account facial expressions, voice, tone of speech and other implicit behavioural characteristics of the individual to determine the presence of deception.

It is also worth highlighting another study in which a group of researchers led by Garcia J. P., Grilo, C. and others proposed a concept for conducting interrogations based on the INTU-AI system, which serves as a support tool for investigators [22]. Its essence lies in documenting and analysing the interrogation, as well as using multimodal analysis (facial expressions, speech, text) to identify emotional inconsistencies in testimony. This concept has been tested and received a positive assessment from practitioners, which indicates the prospects for its implementation in law enforcement. In their study, Kleinberg and Verschuere noted that when machine learning was used, it was able to identify truth-tellers and liars with 69 % accuracy [23].

At the same time, recent scientific research shows that it is extremely difficult for a person to control all channels of communication simultaneously, including speech patterns, motor activity and facial expressions. Further development of lie detection systems may be based on the results of research conducted by A.A. Kibrik and his colleagues [24; 180–191]. This research enables us to examine in detail the signals received from various communication channels, treat them as elements of natural language, and determine their communicative role.

The study by Brennen and Magnussen is, in our view, of particular interest; they argued that traditional verbal and physiological methods do not meet legal standards due to their high error rates and limited reliability [25]. In the same vein, the position of Valerie Hauch and her co-authors is indicative; in a meta-analysis of computer-based lie detection, they concluded that computer systems are indeed capable of extracting statistically significant signs of deception from speech, but that these signs do not, in themselves, constitute an absolute and universal criterion [26]. For the legal profession, this has a very important implication: machine learning can be useful as a tool for identifying probabilistic linguistic patterns, but it should

not be interpreted as an infallible mechanism for establishing the credibility of testimony. Critical limitations pose a challenge in this field, as illustrated by the work of Alex Constancio [27]. The author reports an accuracy rate of approximately 54 % in detecting human deception and challenges the widespread view that non-verbal cues, such as avoiding eye contact, are scientifically unreliable.

In order to examine the practical application of AI technologies during interrogations, it is necessary to consider international experience of using such technologies in law enforcement. First and foremost, the experience of the United States, where artificial intelligence technologies are used primarily for analytical and auxiliary purposes. For instance, automated speech recognition systems are used to transcribe interrogations, as well as software solutions that enable the analysis of the behavioural and speech characteristics of the person being questioned. At the same time, considerable attention is paid to the admissibility of such technologies: courts critically assess the results of automated analysis, particularly regarding the detection of lies, as such tools are not recognised as sufficient evidence without corroboration by other means.

In China, there is a more active introduction of intelligent systems into law enforcement activities. So-called “intelligent interrogation systems” are being developed and implemented, which include real-time analysis of the interviewee’s facial expressions, speech and behaviour [28]. Such technologies make it possible to identify inconsistencies in testimony and generate recommendations for the investigator.

The experience of Japan is particularly interesting, as it employs AI technologies to record the psychophysiological aspects of interrogations, with a particular focus on analysing the emotional state and behaviour of the person being questioned. In Japanese practice, active research is being conducted into the impact of interrogation methods on confessions, and psychophysiological approaches are being used to analyse human reactions during investigations, as well as exploring the potential of modern technologies to enhance the objectivity of investigations. Thus, current Japanese research focuses on the development of technologies for analysing facial expressions, micro-expressions and human emotional reactions. Such technologies are viewed as a potential tool to assist law enforcement agencies in analysing the behaviour of those involved in investigative proceedings. Nevertheless, Japanese researchers emphasise that the results of such analysis cannot stand alone as evidence and should be used exclusively as an auxiliary tool for evaluating information [29].

Based on the above, it is advisable to identify a number of areas for adapting international experience in the application of AI technologies to the interrogation system of the Republic of Kazakhstan. Firstly, it is proposed to consider the possibility of introducing automated interrogation recording systems based on speech recognition technology for the Kazakh and Russian languages, with subsequent transcription of the recorded information. Secondly, it is proposed to introduce the use of analytical tools to identify contradictions in testimony, provided that these are subject to oversight by investigators and serve a supplementary role. Thirdly, we consider it necessary to establish a regulatory framework for the use of AI technologies in criminal proceedings, setting out criteria for the admissibility and assessment of the results of their application as evidence.

Despite the significant potential of artificial intelligence technologies in law enforcement, there are a number of legal, organisational and methodological challenges. Firstly, the level of scientific reliability of such technologies remains a matter of debate. As AI systems are trained using large datasets, the accuracy of this data remains questionable. International practice shows cases where the results of AI analysis have demonstrated varying levels of accuracy with regard to individuals of different ages, genders or ethnic origins. In this regard, it is necessary to adopt an objective approach to the application of such technologies, as their use without taking into account possible algorithmic errors, bias in training samples, and limitations in the interpretation of results may lead to a breach of the principles of objectivity, equality and the admissibility of evidence in criminal proceedings.

Furthermore, it should be noted that the criminal legislation of the Republic of Kazakhstan currently lacks legal provisions governing the use of the results of AI technologies as a source of evidence, which makes it impossible to determine their admissibility and procedural significance.

Moreover, for the implementation of such technologies, it is necessary to regulate the algorithm of AI operation during questioning in order to minimise the risks of violating the procedural rights of those involved in the questioning. Such violations may manifest, for example, in the reliability of AI technology conclusions during questioning for the independent determination of truthfulness. Many researchers point out that the psychophysical state of those involved in the interrogation does not allow the truthfulness of testimony to be determined with 100 % certainty. There remains a high percentage of erroneous interpretation of

behaviour, as it is impossible to unequivocally demonstrate the unreliability of testimony due to a person's emotional state, stress or individual characteristics.

We also consider it necessary to highlight the issue of law enforcement officers formally accepting the system's conclusions as objectively reliable. Such an approach runs counter to the principle of internal conviction and the free assessment of evidence, as enshrined in criminal procedure legislation. In this regard, these technologies should be used solely as an auxiliary tool for analysing information, without replacing the procedural activities of the investigator. An analysis of other countries has shown that even in states with a high level of digitalisation of law enforcement activities, artificial intelligence technologies are predominantly used in a limited and auxiliary capacity.

Consequently, the introduction of modern artificial intelligence technologies into the criminal justice system, including during the interrogation procedure, helps to enhance the efficiency, objectivity and quality of investigative procedures. The use of intelligent systems allows for the automation of the process of recording statements, the analysis of participants' speech and behavioural characteristics, and the identification of contradictions in the information obtained. At the same time, these technologies are viewed primarily as an auxiliary tool requiring clear legal regulation and compliance with procedural safeguards for the rights of those being questioned.

Conclusions

At present, all areas of life are undergoing a profound transformation driven by the rapid development of digital technologies. Against the backdrop of digitalisation, the use of innovative technologies is becoming increasingly widespread, including for the purpose of improving crime detection and investigation. Artificial intelligence is of the greatest significance in this regard, as it is being actively integrated into all areas of life.

The research conducted leads to the conclusion that the use of artificial intelligence technologies during interrogations represents a promising direction for the development of criminal proceedings in the context of the digitalisation of law enforcement activities. Interrogation, being a key investigative action, is characterised by a high degree of psychological and communicative complexity, which explains the relevance of applying modern technological solutions to enhance its effectiveness and objectivity.

A review of international practice has shown that, in other countries, artificial intelligence is used exclusively as a supporting tool, the use of which must be strictly regulated and confined within the framework of respect for human rights. We believe it is essential to apply this concept when developing a national model of legal regulation.

The analysis has shown that artificial intelligence technologies have significant potential in terms of automating the recording of proceedings, analysing the speech and behavioural characteristics of the person being questioned, and identifying contradictions in testimony. Their use can improve the quality of the recording of evidential information and reduce the influence of subjective factors.

At the same time, it should be noted that neural technologies do not replace human judgement in procedural decision-making at any stage of criminal proceedings. They serve as a tool for intellectual support in the investigator's work, since the assessment, analysis and final interpretation of the results obtained remain within the investigator's remit. This conclusion stems from the need to uphold the fundamental principles of criminal proceedings, including legality, reasonableness and fairness.

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Қылмыстық сот ісін жүргізуде жауап алу кезінде жасанды интеллект технологияларын қолдану: жағдайы мен болашағы

Зерттеудің мақсаты — құқық қорғау қызметінде жасанды интеллект (ЖИ) технологияларын енгізу арқылы қылмыстық сот ісін жүргізудің тиімділігі мен қолжетімділігін арттыру мәселелерін зерделеу. Авторлар тергеу әрекеттерінің ішіндегі ең кең таралған түрі — жауап алу барысында жаңа технологияларды қолдану мәселелерін қарастырған. Бұл механизм қылмыстық тергеудің дәлдігін қамтамасыз етіп, тергеу әрекеттерінің ашықтығын арттыруға мүмкіндік береді. Зерттеу аясында кибернетикалық және салыстырмалы-құқықтық әдістер қолданылды; бұл жауап алу процесіндегі ЖИ жұмысына талдау жасауға, сондай-ақ осы технологияларды қолданудың шетелдік тәжірибесін зерделеуге мүмкіндік берді. Сонымен қатар жауап алу процесін оңтайландыру үшін машиналық оқыту алгоритмдерін, соның ішінде автоматты транскрипциялауды, вербалды емес реакцияларды талдауды және айғақтардағы қайшылықтарды анықтау мүмкіндіктері талданған. Зерттеу нәтижесінде авторлар ЖИ технологияларын қолдану арқылы құқық қорғау органдарының қызметкерлері неғұрлым дәл бұлтартпас дәлелдер алып, қылмысты тергеу процедураларын жеделдете алады деген қорытындыға келді.

Кілт сөздер: қылмыстық іс жүргізу, дәлелдемелер, жауап алу, жасанды интеллект, цифрландыру, жауап алу хаттамасы, транскрипция.

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Использование технологий искусственного интеллекта при проведении допроса в уголовном судопроизводстве: состояние и перспективы

Целью данного исследования является изучение вопросов повышения эффективности и доступности уголовного судопроизводства путем применения технологий искусственного интеллекта (ИИ) в правоохранительной деятельности. Автором рассмотрены вопросы применения новых технологий при проведении одного из самых распространенных следственных действий — допроса, поскольку данный механизм повышает точность и эффективность уголовного расследования и позволяет повысить прозрачность в проведении следственных действий. В рамках данного исследования применялись кибернетический и сравнительно-правовой методы, которые позволили провести анализ функционирования ИИ в процессе проведения допроса, а также исследовать зарубежный опыт применения различных ИИ-технологий. Автором проанализированы возможности применения алгоритмов машинного обучения для оптимизации процесса допроса, включая автоматическую транскрипцию, анализ невербальных реакций и выявление противоречий в показаниях. Автор пришел к выводу, что, используя технологии искусственного интеллекта, сотрудники правоохранительных органов могут получить более точные доказательства и ускорить процедуры расследования преступлений.

Ключевые слова: уголовный процесс, доказательства, допрос, искусственный интеллект, цифровизация, протокол допроса, транскрипция.

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