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FORMATION OF PSYCHOLOGY AS A SCIENCE AND ITS INFLUENCE ON SHAPING THE PROCEDURAL LAW: HISTORICAL AND LEGAL ASPECTS

This article relates to topical problems of modern justice on the psychological adaptation of the trial participants to the peculiarities of procedural form, which is hearing, because procedural form of judicial session, despite its democratic character, is based on the discipline of the procedural rules of law and those limitations and rules of court etiquette that is not characteristic of everyday life.

The author argues that despite the fact that law schools and faculties study today legal psychology and legal ethics, yet the data items are of general character, without detailing and explaining the psychological behaviour, actions of each of the trial participants, which is very important for practical work of not only judges but also prosecutors, lawyers, notaries, legal advisers, etc., because the trial is not only a legal process that is primarily a psychological process that occurs in every system of proceedings, the order of which is determined by procedural law.

In the development of forensic psychology, a significant contribution is made by some Ukrainian law-

yers-philosophers whose thoughts are reduced to the fact that the legislature needs to know the human heart, and so it should make laws considering the psychology of the people, the penalty should be considered as a means of psychological coercion, and so on.

The author takes the view that forensic psychology is an independent science of knowledge concerning human behaviour at the trial. It is within this specific form where a consciousness of a person, will, emotions, temperament, attention, memory, and other mental phenomena are manifested. In addition, these psychological phenomena are invisible procedural and psychological substance, where procedural law regulates procedural and technical actions of all trial participants, and psychological support of these actions is made by trial participants independently with their unique individual psychological component.

In fact, this study is a prelude to the formation of a new modern science of forensic psychology.