

# Tactical Support for Trial of Criminal Offenses against Justice

**Tetiana Bobko\***

\* Candidate of Legal Sciences, Kharkiv District Court of Kharkiv Region, Kharkiv, Ukraine,  
ORCID: <https://orcid.org/0009-0009-2911-9690>, e-mail: [tetiana.justice.ua@gmail.com](mailto:tetiana.justice.ua@gmail.com)

DOI: [10.32353/khrife.1.2026.07](https://doi.org/10.32353/khrife.1.2026.07) UDC 343.985(477)

Received: 14.02.2026 / Reviewed: 20.02.2026 / Accepted for printing: 31.03.2026 /

Available online: 31.03.2026



*Theoretical and applied aspects of tactical support for the trial of criminal offenses against justice are investigated. The purpose of the work is to determine the content, features and place of trial tactics in the system of forensics, as well as to substantiate its significance as an element of forensic support for judicial activity. Methodological basis of the research is general scientific methods of analysis, synthesis and generalization, as well as dialectical, logical-semantic, formal-legal, systemic-structural, comparative-legal and hermeneutic. The current state of scientific research in the field of forensic tactics and the organization of trial is analyzed, as well as the main approaches to determining the place of trial tactics in the system of forensics. The need to expand traditional understanding of forensic tactics beyond the pre-trial investigation and recognize its significance for the judicial stage of criminal proceedings is substantiated. It is proven that the tactical support of the trial of criminal offenses against justice is characterized by increased procedural sensitivity, conflict and risks of opposing the administration of justice, which necessitates the application of organizational and procedural and forensic techniques by the court. The key elements of the trial tactics are identified, including tactical planning of the process, rational sequence of evidence examination, ensuring procedural discipline and responding to detection of procedural abuses. It is concluded that the trial tactics are an important tool for increasing the efficiency of judicial activity, aimed at ensuring a complete, comprehensive and*

This article is translation of the original Ukrainian content, which source is available at the link: <https://khrife-journal.org/index.php/journal> (translated Andriy Bublikov). The author acknowledges translation as corresponding to the original.

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*objective investigation of the circumstances of criminal proceedings and strengthening public confidence in justice. Prospects for further research related to development of a typology of judicial tactical situations and practice-oriented recommendations for judicial activity are outlined.*

**Keywords:** criminal proceedings; pre-trial investigation; forensic support; tactics; tactical technique; justice; trial.

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## Research Problem Formulation

Current state of development of the criminal justice sector in Ukraine is characterized by increased requirements for efficiency and fairness of administration of justice, as well as the need to ensure an adequate level of protection of judiciary independence. Thereby criminal offenses against justice attract attention, which directly encroach on the normal functioning of the judicial system, the authority of the court and the principle of the rule of law, independence of Themis representatives, etc. Complexity of such proceedings, the use of modern methods of counteracting the establishment of the truth and influencing participants in the trial of a criminal case, actualize the issue of improving tactical approaches to the activities of the judiciary in carrying out their professional activities.

Despite a significant amount of scientific research in the field of forensic tactics and the organization of trial, the issue of tactical support for the trial of criminal offenses against justice remains insufficiently developed. In the practice of courts, there are difficulties associated with the assessment of specific situations, combating procedural abuse, protecting trial participants as well as the need to maintain a balance between the adversarial nature of the parties and the active role of the court. It indicates a discrepancy between

theoretical developments and the real needs of judicial practice.

Separate problem is the lack of a systematic approach to formation of a set of tactical means, techniques and recommendations that would take into account peculiarities of consideration of criminal offenses against justice, in particular their increased procedural sensitivity and potential impact on the functioning of law enforcement institutions. In this regard, there is a need to scientifically rethink existing approaches, determine the specifics of tactical support for the trial of these criminal offenses and develop practically-oriented recommendations to improve the efficiency of judicial activity.

Therefore, improving theoretical foundations and practical mechanisms for tactical support of the trial of criminal offenses against justice will contribute to improving quality of justice administration and strengthening public trust in the judicial system.

## Article Purpose

Identify theoretical and applied aspects of tactical support for the trial of criminal offenses against justice.

## Research Methods

The goal was achieved through comprehensive application of scientific knowl-

edge methods. In particular, dialectical method was useful for studying the evolution of scientific views on the content and place of forensic tactics in criminalistic system, as well as for identifying the relationship between development of the criminal process and the transformation of tactical approaches in judicial activity.

Logical-semantic method helped in the analysis of the conceptual apparatus of the study, in particular the categories of *forensic tactics, trial tactics, tactical support for trial*, which made possible to clarify their content, correlation and limits of scientific application.

Formal-legal (dogmatic) method was used to study the norms of the criminal procedural legislation of Ukraine determining procedural position of the court, limits of its activity in research of evidence and the legal prerequisites for implementation of tactical decisions during the trial. Using the system-structural method, an analysis of the place of trial tactics in the general system of forensics was carried out, and structural elements of tactical and forensic support of judicial proceedings in cases of criminal offenses against justice were determined.

Comparative legal method contributed to the comparison of scientific approach-

es to determining the status of judicial tactics, possibilities of its isolation as an independent direction and its correlation with the tactics of pre-trial investigation. Hermeneutic method was used with the aim of interpreting doctrinal provisions and scientific concepts related to forensic support of the trial, which helped to clarify their substantive accents and practical significance.

Method of generalization and analysis of judicial practice made possible to systematize typical tactical situations characteristic of consideration of criminal offenses against justice, as well as to formulate practically oriented conclusions regarding organizational and tactical principles of the court's activities.

### **Analysis of Essential Researches and Publications**

Scientists are constantly developing and improving the issues of combating crimes against justice. In particular, the issue of criminal liability for their commission has been studied by N. Alieksieieva, H. Ber-shov, A. Vorontsov, S. Didyk, V. Zato-lochnyi, A. Martirosian, L. Paliukh, V. Tiutiuhin, O. Shnyenko et al <sup>1</sup>.

- 1 Алексеева Н. Ю. Кримінальна відповідальність за злочини проти правосуддя, що вчиняються свідками, експертами, перекладачами або щодо них : дис. ... канд. юрид. наук. Київ, 2017. 223 с. URL: <http://dspace.lvduvs.edu.ua/handle/1234567890/3501> (date accessed: 04.02.2026) ; Бершов Г. Є. Кримінальна відповідальність за втручання у діяльність судових органів : монографія. Харків, 2014. 228 с. ; Воронцов А. В. Кримінальна відповідальність за злочини проти правосуддя, які вчинюються службовими особами органів дізнання та досудового слідства : дис. ... канд. юрид. наук. Одеса, 2011. 269 с. ; Дідик С. Є. Кримінально-правова охорона правосуддя від незаконних діянь судді як спеціального суб'єкта злочину : дис. ... канд. юрид. наук. Київ, 2008. 227 с. ; Затолочний В. С. Кримінальна відповідальність за завідомо незаконне затримання, привід, домашній арешт, тримання під вартою : дис. ... канд. юрид. наук. Львів, 2022. 212 с. URL: <https://lpnu.ua/sites/default/files/2022/dissertation/20826/diszatolochnyiys.pdf> (date accessed: 04.02.2026) ; Мартіросян А. Г. Кримінальна відповідальність за втручання в діяльність осіб, які здійснюють правосуддя : дис. ... канд. юрид. наук. Луцьк, 2011. 212 с. ; Тютюгін В. І., Борисов В. І. та ін. Злочини проти правосуддя : навч. посіб. / за заг. ред. проф. В. І. Борисова, В. І. Тютюгіна.

Issue of tactical support for the trial of criminal cases (trials) in modern legal science is considered within the framework of research on forensic tactics, forensic support for judicial proceedings, and the problems of organizing the administration of justice. A significant contribution to the development of procedural and tactical aspects of supporting the prosecution in court and trial was made by I. Kohutych, I. Shepitko et al.<sup>2</sup>.

The issue of methodological and forensic support for the investigation of crimes

against justice is analyzed in research papers by S. Knyzhenko<sup>3</sup>, Ye. Sup<sup>4</sup>, K. Romanaukas<sup>5</sup>, M. Shepitko<sup>6</sup>, researchers emphasize the need to adapt tactical and methodological approaches to specifics of this category of criminal offenses (in particular, at the stage of trial). The theoretical principles of the formation of methodological complexes of forensic support for judicial proceedings and the role of situational approach in making tactical decisions are revealed in multidisciplinary research by Yu. Myroshnychenko<sup>7</sup>.

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- Харків, 2011. 160 с. URL: [https://library.nlu.edu.ua/POLN\\_TEXT/POSIBNIKI\\_2012/NMP.0017.pdf](https://library.nlu.edu.ua/POLN_TEXT/POSIBNIKI_2012/NMP.0017.pdf) (date accessed: 04.02.2026) ; Шнирко О. С. Кримінально-правове дослідження злочину завідомо незаконні затримання, привід, домашній арешт або тримання під вартою (ст. 371 КК України) : дис. ... канд. юрид. наук. Київ, 2017. 282 с. та ін.
- 2 Когутич І. І. Галузеві правові та теоретико-прикладні аспекти методики підтримання державного обвинувачення в суді : навч. посіб. Дрогобич — Львів, 2015. 476 с. ; Шепітько І. І. Судовий розгляд (судове слідство) в системі судового провадження у першій інстанції : дис. ... канд. юрид. наук. Харків, 2018. 281 с. URL: <https://url.li/ckreoa> (date accessed: 04.02.2026).
  - 3 Книженко С. О. Особливості розслідування злочинів проти правосуддя, що вчиняються шляхом порушення порядку відбування покарання або попереднього ув'язнення. *Форум права*. 2016. № 3. С. 121—125. URL: [http://nbuv.gov.ua/UJRN/FP\\_index.htm\\_2016\\_3\\_24](http://nbuv.gov.ua/UJRN/FP_index.htm_2016_3_24) (date accessed: 04.02.2026) ; Її ж. Розслідування злочинів, що вчиняються службовими особами правоохоронних органів шляхом порушення порядку здійснення або забезпечення правосуддя. *Науковий вісник Міжнародного гуманітарного університету. Серія: Юриспруденція*. 2017. № 30. Т. 2. С. 94—97. URL: [http://nbuv.gov.ua/UJRN/Nvmgu\\_jur\\_2017\\_30\(2\)\\_26](http://nbuv.gov.ua/UJRN/Nvmgu_jur_2017_30(2)_26) (date accessed: 04.02.2026) ; Її ж. Поняття та структурні елементи криміналістичної характеристики злочинів проти правосуддя. *Судова та слідча практика в Україні*. 2018. Вип. 6. С. 111—115. URL: [http://nbuv.gov.ua/UJRN/jipu\\_2018\\_6\\_21](http://nbuv.gov.ua/UJRN/jipu_2018_6_21) (date accessed: 04.02.2026).
  - 4 Суп Є. Ю. Протиправна діяльність професійних учасників судочинства як об'єкт пізнавальної діяльності слідчих і науковців. *Вісник Кримінологічної асоціації України*. 2024. Т. 33. № 3. С. 406—413. DOI: [10.32631/vca.2024.3.37](https://doi.org/10.32631/vca.2024.3.37) (date accessed: 04.02.2026) ; Його ж. Елементи криміналістичної характеристики кримінальних правопорушень, учинених професійними учасниками правосуддя. *Теорія та практика судової експертизи і криміналістики*. 2025. Вип. 1 (38). С. 112—125. DOI: [10.32353/khrife.1.2025.08](https://doi.org/10.32353/khrife.1.2025.08) (date accessed: 04.02.2026).
  - 5 Романукас К. А. Основи методики розслідування надання завідомо неправдивих показань свідком і потерпілим : монографія / за заг. ред. д-ра юрид. наук, проф. В. О. Гусевої. Харків, 2024. 203 с.
  - 6 Шепітько М. В. Теоретико-методологічні засади формування системи протидії злочинам у сфері правосуддя : автореф. дис. ... д-ра юрид. наук. Харків, 2018. 42 с. URL: <https://dspace.nlu.edu.ua/handle/123456789/15385> (date accessed: 04.02.2026).
  - 7 Мирошніченко Ю. М. Криміналістичне забезпечення судового провадження: концептуальні основи : дис. ... д-ра юрид. наук. Кропивницький, 2024. 493 с. URL: <https://>

Important place in development of the concept of judicial tactics is occupied by the works of I. Kohutysh, devoted to the use of forensic knowledge during the consideration of criminal cases in court and the analysis of methodological problems of the development of forensic tactics<sup>8</sup>. Theoretical aspects of tactics of judicial consideration of criminal proceedings, in particular the principles of selectivity of tactical influence and ensuring the tasks of judicial consideration, contain research papers by V. Alik-sieichuk<sup>9</sup>, O. Oderiyi and R. Hiertsyk<sup>10</sup> et al.

Separate area of researches is related to the issues of overcoming resistance to the judicial examination of criminal proceedings, that is highlighted in research papers by R. Mudretskyi<sup>11</sup>.

At the same time, the analysis of scientific sources indicates that most of the research is devoted to general issues of forensic tactics of pre-trial investigation or general aspects of legal proceedings. However, the specifics of tactical support for trial of criminal offenses against justice as an independent object of research are not sufficiently covered. It necessitates further scientific understanding of this issue and development of a systematic approach to the formation of relevant tactical recommendations.

## Main Content Presentation

Forensic tactics are traditionally considered as a component of forensics, encompassing a system of scientifically based provisions, recommendations and techniques for organizing and implementing procedural activities aimed at establishing the circumstances of a criminal offense, effectively using evidentiary information and achieving the objectives of criminal proceedings. The provisions that currently comprise an independent section of criminalistics are the result of generalizing practical experience in solving crimes: they were accumulated and passed down from generation to generation, so they gradually acquired a more orderly nature. Scientists note that the criterion for history periodization of criminalistics is nature of knowledge, according to which two large time periods are distinguished in development of science. The same applies to forensic tactics. The first, pre-scientific, covers the time from the emergence of primary forensic knowledge to the end of the 19<sup>th</sup> century. and contains two stages: the emergence of elements of tactical-forensic knowledge (from ancient times to the 1830s) and the formation of theoretical prerequisites for the forensic branch

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[dnuvs.ukr.education/wp-content/uploads/2024/08/dysertacziya\\_myroshnychenko\\_yu\\_m\\_compressed.pdf](https://dnuvs.ukr.education/wp-content/uploads/2024/08/dysertacziya_myroshnychenko_yu_m_compressed.pdf) (date accessed: 04.02.2026).

- 8 Когутич І. І. Теоретичні основи використання криміналістичних знань під час розгляду кримінальних справ у суді : автореф. дис. ... д-ра юрид. наук. Київ, 2010. 37 с. URL: <http://search.nbuv.gov.ua/aref/20101202001867> (date accessed: 04.02.2026).
- 9 Алексейчук В. І. Криміналістична методика судового розгляду в кримінальному провадженні (місце в системі криміналістики). *Право і суспільство*. 2016. № 6. С. 162—166. URL: <https://elar.navs.edu.ua/server/api/core/bitstreams/ca035412-b508-4a33-b2e3-fef51a8beb90/content> (date accessed: 04.02.2026).
- 10 Одерій О. В., Герцик Р. В. Методика судового розгляду кримінальних проваджень (теоретичний аспект). *Правовий часопис Донбасу*. 2024. Т. 2. № 4. С. 178—184. DOI: 10.32782/2523-4269-2022-81-4-2-178-184 (date accessed: 04.02.2026).
- 11 Мудрецький Р. В. Подолання протидії судовому розгляду у кримінальних провадженнях : дис. ... канд. юрид. наук. Кривий Ріг, 2019. 263 с. URL: <https://uacademic.info/ua/document/0420U100095> (date accessed: 04.02.2026).



of knowledge (1830s – end of the 1830s). Research in the second period is related to the formation and further development of forensic tactics as a component of the science of criminalistics<sup>12</sup>.

The second stage characterizes the functioning of forensic tactics within the boundaries of mature science (from the 1980s to the present) and is marked by internal stages associated with the end of the conventional “era of Soviet criminalistics” and the inertial continuation of its paradigm in the first decade of Ukraine independence. The period from the beginning of the 1960s was marked by an increase in the pace of development of forensics and general theory, which contributed to the clarification of the doctrine of investigation planning and forensic versions, as well as an active analysis of the nature of investigative actions and the tactics of their conduct. At this time, new directions in forensic tactics were developed (in particular, doctrine of investigative situations, tactical combinations and forensic operations), approaches to tactical decisions were formed, and methods for performing individual investigative actions continued to be improved. Researchers separately emphasize the role of research papers devoted to the leading categories of tactics (tactical technique, tactical combination, investigative situation, surprise factor), as well as the contribution of research on the situational approach, conflict situations, tactical risk, and theory formation of investigative situations<sup>13</sup>.

It is worth noting that forensic tactics were formed and continue to develop at the intersection of criminal procedural law, psychology, logic and law enforcement practice, providing optimal methods of action for participants in criminal proceedings depending on the specific procedural situation. In the modern sense, forensic tactics go beyond the limits of exclusively pre-trial investigation and also cover the activities of subjects related to the forensic examination of evidence<sup>14</sup>.

In scientific literature, there has been a long-standing discussion about the possibility of distinguishing trial tactics as an independent direction of forensic tactics. Skeptical positions were justified by the fact that the court, unlike the parties to criminal proceedings, should remain impartial and cannot use tactical techniques in an adversarial sense. At the same time, modern development of forensics and the analysis of the practice of legal proceedings indicate the validity of using the category *trial tactics*.

One of the main issues in formation of a system of scientific provisions on forensic support for the trial of criminal cases is determining their place in the general system of forensics. The traditional structure of this science includes general provisions, forensic techniques, forensic tactics (mainly focused on pre-trial investigation) and forensic methods of investigating crimes. In connection with the development of the judicial aspect of criminal proceedings, there is a need to expand this

12 Мирошніченко Ю. М. З історії криміналістичної тактики (донауковий період). *Науковий вісник Міжнародного гуманітарного університету. Серія: Юриспруденція*. 2019. № 42. Т. 1. С. 141–144. DOI: 10.32841/2307-1745.2019.42-1.30 (date accessed: 04.02.2026).

13 Його ж. Криміналістична тактика в період становлення науки криміналістики. *Юридичний бюлетень*. 2020. Вип. 13. С. 201–207. DOI: 10.32850/LB2414-4207.2020.13.26 (date accessed: 04.02.2026).

14 Журавель В. А., Коваленко А. В. Дослідження доказів у кримінальному провадженні як складова процесу доказування. *Вісник Національної академії правових наук України*. 2022. Т. 29. № 2. С. 313–328. DOI: 10.31359/1993-0909-2022-29-2-313 (date accessed: 04.02.2026).

system through provisions and recommendations intended for the stage of trial. We agree with V. Aliksieichuk that in scientific literature the issue of the place of means of forensic support for the trial is interpreted differently, and the most debatable issue is the determination of the status of forensic methods of trial. The author summarized approaches of scientists to feasibility of studying the tactics of trial. Thus, one of the approaches she singled out involves introducing such methods as separate sets of recommendations into full-fledged forensic methods that cover both pre-trial investigation and trial of certain types of crimes. However, this approach raises doubts, since the grounds for classification that are relevant at the investigation stage do not always retain their significance at the trial stage, where the specifics of the case may lose their distinguishing significance. More justified, in the scientist's opinion, is the position according to which forensic methods and forensic tactics are internally divided into two parts: pre-trial and trial. Such an approach makes it possible to single out the methodology of trial and the tactics of judicial actions as independent components within the existing sections of forensics. At the same time, the problem of targeting such recommendations arises: they can be oriented towards the court, defense prosecution necessitating differentiation of recommendations taking into account the procedural functions of each subject.

Another approach, as V. Aliksieichuk notes, suggests forming separate systems of forensic recommendations intended for specific participants in the trial: judges, prosecutors or lawyers. However, such a model can lead to a loss of integrity of forensic knowledge and complicate a uni-

fied understanding of typical situations of legal proceedings, since the assessment of evidence and circumstances should be carried out in an interconnected context. Another concept she singled out involves the creation of an independent section of forensics: *forensic criminalistics*. However, this approach is criticized for a possible violation of the systematic nature of science, since technique, tactics and methodology are considered universal categories of forensics, and their judicial manifestations are more appropriate to treat as components of existing sections, rather than as a separate system. Summing up, the researcher notes that scientific discussions indicate lack of a unified approach to determining the place of forensic support for legal proceedings in the system of criminalistics that necessitates further theoretical understanding of this problem, taking into account systematic nature of science and the specifics of the judicial stage of criminal proceedings<sup>15</sup>.

We consider appropriate to take the approach of studying and improving the principles of trial tactics, taking into account the fact that it should not be understood as influencing the outcome of the case in the interests of a particular party, but as a scientifically sound organization of judicial activity aimed at ensuring a complete, comprehensive and objective examination of evidence. Thereby, in our opinion, the position that trial tactics are a system of organizational, procedural and forensic techniques used by the court to effectively manage the procedure of proving evidence, examining evidence, overcoming procedural difficulties that arise during consideration of the case and ensuring implementation of the principles of fair trial seems justified. This is

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15 Алексейчук В. І. Зазнач. твір. URL: <https://elar.navy.edu.ua/server/api/core/bitstreams/ca035412-b508-4a33-b2e3-fef51a8beb90/content> (date accessed: 04.02.2026).

not about the tactical struggle of the parties, but about the tactical rationality of judicial activity, embodied in the choice of sequence of evidence examination, responding to procedural abuses, determining the optimal form of evidence examination and maintaining the proper dynamics of the trial.

Tactical support for the trial of criminal offenses against justice has a special specificity, due to the nature of these acts. Since such criminal offenses are directly related to the functioning of the justice system, the trial can be accompanied by an increased level of procedural tension, the presence of conflicting interests of the participants in the proceedings and the risks of influencing the evidentiary procedure. In such conditions, tactics of the trial are manifested primarily in ability of the court to timely identify typical tactical situations and choose adequate ways to resolve them without violating independence and impartiality principles.

Among the main components of trial tactics, it is advisable to single out tactical planning of the trial, determining rational sequence of evidence examination, ensuring procedural discipline, and organizing effective communication between the participants in the proceedings. Of particular importance is overcoming resistance to the trial (in particular, attempts to delay the trial or other forms of resistance) that requires the court to make balanced organizational and tactical decisions.

Therefore, the use of the category of *trial tactics* is scientifically justified provided that it is understood as an element of forensic support for the court's activities, aimed at achieving the objectives of crim-

inal proceedings through the rational organization of procedural activities. Court performance of procedural duties within the limits of the objectives of criminal proceedings objectively determines its active participation in the investigation of case circumstances aimed at comprehensive and objective establishment of the truth. This implies the court ability to choose the most rational methods of examining evidence, combining procedural mechanisms defined by law with scientifically sound recommendations of criminalistics<sup>16</sup>.

In the context of criminal offenses against justice, such tactics are an important tool for ensuring the effectiveness of judicial proceedings and strengthening confidence in justice.

Tactical support for the trial of criminal offenses against justice is a system of scientifically based provisions, techniques and recommendations aimed at creating optimal conditions for the court to conduct a full, comprehensive and objective investigation of the circumstances of the criminal proceedings, as well as *"the selection by the judge of a rational line of conduct, effective methods of conducting procedural actions aimed at researching, checking and evaluating judicial evidence in order to establish the actual circumstances of the event under investigation and making a lawful and informed decision"*<sup>17</sup>.

The content of tactical and forensic support of the trial is due to specifics of criminal offenses that directly impinge on the functioning of the justice system and may be accompanied by an increased level of procedural conflict, attempts to influence the participants in the process, as

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16 Мирошниченко Ю. М. Криміналістичне забезпечення ... : дис. ... . С. 387. URL: [https://dnuvs.ukr.education/wp-content/uploads/2024/08/dysertacziya\\_myroshnychenko\\_yu\\_m\\_compressed.pdf](https://dnuvs.ukr.education/wp-content/uploads/2024/08/dysertacziya_myroshnychenko_yu_m_compressed.pdf) (date accessed: 04.02.2026).

17 Там само. С. 105–106, 389.



well as various forms of counteraction to the establishment of the truth in the case.

We agree that *“the tactics of the court are largely determined by the procedural conditions of the trial, as well as by a number of objective and subjective factors under the influence of which the situation of a particular trial is formed a specific judicial situation”*<sup>18</sup>. The study of criminal case materials, court decisions and sentences allows us to generalize that the following features are characteristic of judicial situations formed during the trial of criminal offenses: opposition, which consists in providing contradictory and biased testimony by the participants in the proceedings; a high level of interest of individual subjects in the results of the trial, which in some cases borders on opposition to the lawful activities of the court; the complexity of evaluating evidence of a procedural nature, the need to protect the participants in the trial. Within the limits of each tactical situation, the court must form an appropriate model of behavior, which involves planning, choosing the optimal sequence of evidence examination, tactical planning of judicial actions and their effective conduct that allows achieving the planned results.

Therefore, in the context of determining the principles of tactical support for the trial of criminal offenses against justice, it should be noted that it is necessary to ensure a balance between the active role of the court in examining evidence and compliance with the principles of adversarial proceedings and procedural equality of the parties. Tactical support in this case involves the application by the court of a complex of organizational and intellectual solutions aimed at timely identification and neutralization of pro-

cedural risks, in particular, delaying the trial, fabricating and falsifying evidence, or creating artificial obstacles to justice administration.

Organizational and tactical aspect of a trial includes planning trial, determining sequence of evidence examination, managing dynamics of the trial and ensuring proper communication between trial participants. Effective combination of organizational and tactical elements helps ensure reasonable trial deadlines and improves quality of the court decision.

Specific of tactical support in cases of criminal offenses against justice is the need to take into account increased standards for the validity of court decisions, since such proceedings directly affect authority of the judiciary and the level of public trust in justice. This determines the importance of careful examination of evidence, critical analysis of the parties' positions, and the use of forensic knowledge in the process of judicial investigation of case circumstances.

## Conclusions

Traditional understanding of forensic tactics as predominantly *investigative* (pre-trial) at the current stage of development of science and the field of criminal justice does not reflect the real needs of modern judicial practice. Forensic tactics by their nature are a complex of scientifically based techniques and recommendations that ensure the rational organization of procedural activities depending on the specific situation, and therefore cover judicial stage of criminal proceedings. This makes it possible to justify the expediency of distinguishing such a section as tactical

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18 Мирошниченко Ю. М. Криміналістичне забезпечення ... : дис. ... . С. 390. URL: [https://dnuvs.ukr.education/wp-content/uploads/2024/08/dysertacziya\\_myroshnychenko\\_yu\\_m\\_compressed.pdf](https://dnuvs.ukr.education/wp-content/uploads/2024/08/dysertacziya_myroshnychenko_yu_m_compressed.pdf) (date accessed: 04.02.2026).

and forensic support for the trial of criminal offenses against justice that should be considered as a comprehensive tool for increasing the efficiency of judicial activities, combining forensic, procedural and organizational components and aimed at achieving the objectives of criminal proceedings and ensuring fair justice.

To date, science has not developed a unified approach to determining the place of forensic support for trial in the system of criminalistics. The most controversial issue is the status of forensic methods of trial and their relationship with methods of pre-trial investigation (in particular, regarding the criteria for classification and the limits of differentiation of recommendations). Relevance of solving the problem of developing and studying tactical support for the trial of criminal offenses against justice is due to increasing requirements for the efficiency and fairness of justice, as well as the increasing procedural complexity of such proceedings, in which there are often manifestations of opposition to establishment of the truth and influence on trial participants.

Based on generalization of case law content, it was determined that the tactical support of the trial of criminal offenses against justice is characterized by increased procedural sensitivity, conflict and risks of counteraction that requires the court to timely identify typical tactical situations and select adequate organizational and procedural solutions taking into account adversarial nature and equality of the parties. Leading elements of the trial tactics in this category of proceedings are tactical planning of the trial; determining rational sequence of evidence examination; ensuring procedural discipline; organizing communication between participants; responding to procedural abuses

and other forms of counteraction; taking into account security aspects of participation of the parties and witnesses.

It is emphasized that specificity of criminal offenses against justice requires increased standards of validity of court decisions, and therefore requires enhanced control over quality of evidentiary content, critical analysis of the parties' positions, and the correct use of forensic knowledge during the trial. Therefore, there is a need to further develop a systematic approach to the formation of a set of tactical recommendations for the trial of criminal offenses against justice, in particular by developing a typology of judicial tactical situations, algorithms for responding to procedural opposition, and methodological guidelines for organizing research on evidence within the framework of fair trial.

**Тактичне забезпечення  
судового розгляду  
кримінальних правопорушень  
проти правосуддя**

**Тетяна Бобко**

*Досліджено теоретичні та прикладні аспекти тактичного забезпечення судового розгляду кримінальних правопорушень проти правосуддя. Метою роботи є визначення змісту, особливостей і місця тактики судового розгляду в системі криміналістики, а також обґрунтування її значення як елемента криміналістичного забезпечення судової діяльності. Методологічне підґрунтя дослідження становлять загальнонаукові методи аналізу, синтезу й узагальнення, а також діалектичний, логіко-семантичний, формально-юридичний, системно-структурний, порівняльно-правовий і герменевтичний. Проаналізовано сучасний стан наукових досліджень у сфері криміналістичної тактики й організації судового розгляду, а також основні підходи до визначення міс-*

ця тактики судового розгляду в системі криміналістики. Обґрунтовано необхідність розширення традиційного розуміння криміналістичної тактики за межі досудового розслідування та визнання її значення для судової стадії кримінального провадження. Доведено, що тактичне забезпечення судового розгляду кримінальних правопорушень проти правосуддя характеризується підвищеною процесуальною чутливістю, конфліктністю та ризиками протидії здійсненню правосуддя, що зумовлює потребу в застосуванні судом організаційно-процесуальних і криміналістичних прийомів. Визначено ключові елементи тактики судового розгляду, поміж яких тактичне планування процесу, раціональна послідовність дослідження доказів, забезпечення процесуальної дисципліни й реагування на вияви процесуальних зловживань. Зроблено висновок, що тактика судового розгляду є важливим інструментом підвищення ефективності судової діяльності, спрямованим на забезпечення повного, усебічного й об'єктивного дослідження обставин кримінального провадження та зміцнення довіри суспільства до правосуддя. Окреслено перспективи подальших досліджень, пов'язані з розробленням типології судових тактичних ситуацій і практико-орієнтованих рекомендацій для судової діяльності.

**Ключові слова:** кримінальне провадження; досудове розслідування; криміналістичне забезпечення; тактика; тактичний прийом; правосуддя; судовий розгляд.

### Financing

This research did not receive any specific grant from funding institutions in the public, commercial or non-commercial sectors.

### Disclaimer

Founders had no role in the research design, data collection and analysis, decision to publish or manuscript preparation.

### Participants

Author contributed solely to the intellectual discussion underlying this document, case law research, writing and editing and assumes responsibility for its content and interpretation.

### Declaration of Competing Interest

Author declares no conflict of interest.

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