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Interference in the Activities of Government Authorities: Peculiarities of Situation

During the investigation of any criminal offense, it is essential to clarify and substantiate key details about the event, such as the location, time, manner, etc. Among these, details regarding the circumstances surrounding criminal offense commission hold particular importance, as they are pivotal in determining the investigative (search) algorithms and procedural actions that need to be taken to ensure the resolution of tactical investigation tasks. The issue of situation during interference in the activities of government authorities is no exception. In light of the above, the Article Purpose is defined as figuring out the place of situation in the activities of government authorities within forensic characterization, determining its inherent components and specific characteristics. The results of scientific research have revealed that circumstances of a criminal offense are an essential element of forensic characterization of criminal offenses related to interference in the activities of government authorities, which includes information regarding the time and place of these criminal offenses and other features characterizing each of these elements.

Keywords: criminal offense, interference, government authority, representative, civil servant, statesman/stateswoman, forensic characterization, situation.

Research Problem Formulation. The pre-trial investigation of a criminal case aims to fulfill a set of tasks primarily focused on gathering evidence to confirm the existence of signs of socially dangerous behavior manifested in the individual, as outlined in the Special Part of the Criminal Code of Ukraine. What is more, it involves establishing circumstances specified in Article 91 of the Criminal Procedure Code of Ukraine (hereinafter referred to as the CPC of Ukraine), which must be proven during a criminal proceeding. Among these circumstances, as outlined by legislation, are details about the event, including place, time, manner, and other relevant factors ¹. This also includes information about criminal offense situation.

The scientific category “criminal offense situation” is the subject of study by many disciplines within the criminal law cycle, each of which attributes its own inherent meaning and distinctive features to it. In the field of criminalistics, the study of this category holds great importance due to its significant role. Information characterizing the circumstances of a criminal offense serves as a basis utilized by both theorists and practitioners in determining algorithms for investigative (search) and procedural actions that should be implemented to solve tactical tasks of investigation in particular, as well as the broader tasks of a criminal proceeding in general. The situation of interference in the activities of government authorities, characterized by its own inherent features, is no exception. Therefore, we believe that such

¹ Кримінальний процесуальний кодекс України : Закон України від 13.04.2012 № 4651-VI. Верховна Рада України: офіційний веб-портал. URL: <http://zakon.rada.gov.ua/laws/show/-4651-17>



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ВТРУЧАННЯ У ДІЯЛЬНІСТЬ ПРЕДСТАВНИКІВ ОРГАНІВ ДЕРЖАВНОЇ ВЛАДИ: ОСОБЛИВОСТІ ОБСТАНОВКИ

Під час розслідування будь-якого кримінального правопорушення з'ясуванню та доказуванню підлягають такі відомості про подію, що відбулася, як місце, час, спосіб тощо. Вагоме місце серед них посідають і відомості про обстановку вчинення кримінального правопорушення, адже вони відіграють вагоме значення під час визначення алгоритмів слідчих (розшукових) і процесуальних дій, котрі слід провести задля забезпечення вирішення тактичних завдань розслідування. Не становить винятку і обстановка втручання у діяльність представників органів державної влади. У зв'язку з цим мету статті визначено, як з'ясування місця обстановки в криміналістичній характеристиці втручання у діяльність представників органів державної влади, визначення її іманентних складових і специфічних характеристик. За результатами проведення наукових пошуків установлено, що обстановка кримінального правопорушення є обов'язковим елементом криміналістичної характеристики кримінальних правопорушень, пов'язаних із втручанням у діяльність представників органів державної влади, який включає в себе відомості щодо місця та часу вчинення цих кримінальних правопорушень та інші ознаки, охарактеризовано кожен із цих елементів.

Ключові слова: кримінальне правопорушення, втручання, орган державної влади, представник, державний службовець, державний діяч, криміналістична характеристика, обстановка.



a category as the situation of interference in the activities of government authorities requires thorough study and development.

Analysis of Essential Research and Publications. The study of the forensic characterization of criminal offenses has been conducted for a long time by P. V. Bernaz, A. F. Volobuev, V. O. Husieva, V. A. Zhuravel, A. V. Ishchenko, A. V. Kovalenko, V. V. Kovalenko, I. I. Kohutych, V. V. Korniienko, S. O. Knyzhenko, O. V. Oderii, A. M. Poliakh, O. V. Pchelina, O. A. Samoilenko, R. L. Stepaniuk, N. M. Tataryn, V. V. Tishchenko, O. V. Fedosova, S. S. Cherniavskiy, Yu. M. Chornous, V. Yu. Shepitko, and many others. The scientists have significantly enriched the scientific body of knowledge within the outlined problem area by formulating a series of provisions characterized by a proper level of substantiation and scientific novelty. However, when it comes to defining and characterizing the forensic characterizations of criminal offenses related to interference, there is a certain gap, as most of the offenses in this category remain unexplored at the scientific level.

Thus, specific elements of the forensic characterization regarding interference in the activities of law enforcement officers have been discussed in research papers by V. O. Husieva². S. O. Knyzhenko³ has described forensic characterizations of crimes committed through illegal interference with the activities of government authorities. O. O. Posashk⁴ has defined the theoretical prerequisites for constructing a forensic characterization related to interference in the activities of a forensic expert. In their research papers, scientists have elaborated on the analysis of individual characteristics of a situation related to committing crimes of the investigated type, but only episodically, which does not allow to characterize such scientific endeavors as thorough and comprehensive. Therefore, we are of the opinion that an element of forensic characterization involving interference in the activities of government authorities' representatives, such as the situation, is crucial and requires its in-depth investigation, since it is significant for the development of other components of the forensic methodology for investigating criminal offenses of the specified type.

The Article Purpose is to figure out the role of a situation in the forensic characterization of interference in the activities of government authorities' representatives, and to determine its inherent components and specific characteristics.

Main Content Presentation. The group of criminal offenses involving interference in the activities of government authorities' representatives is quite extensive. In our opinion, it includes criminal offenses envisaged in the following articles of the Special Parts of the Criminal Code of Ukraine: 1) Art. 343 Interference in the activities of a law enforcement officer, forensic expert, employee of the state executive service, private executor; 2) Art. 344 Interference with activity of a statesman;

² Гусева В. О. Теоретичні основи методики розслідування злочинів проти авторитету органів державної влади у сфері правоохоронної діяльності: дис. ... д-ра юрид. наук: 12.00.09. Харків, 2021. 538 с.; Ї ж. Обставини, що підлягають з'ясуванню під час розслідування втручання в діяльність працівника правоохоронного органу. *Право і безпека*. 2021. № 2 (81). С. 97-103. <https://doi.org/10.32631/pb.2021.2.12>.

³ Книженко С. О. Криміналістична характеристика злочинів, що вчиняються шляхом незаконного втручання в діяльність судових органів або протиправного впливу на учасників судочинства. *Право і суспільство*. 2016. № 2. Ч. 1. С. 196-200.

⁴ Посашков О. О. Теоретичні передумови формування криміналістичної характеристики втручання в діяльність судового експерта. *Юридичний вісник*. 2017. Вип. 1 (16). Т. 4. С. 303-306.

EINGRIFFE IN DIE TÄTIGKEITEN VON VERTRETERN STAATLICHER BEHÖRDEN: MERKMALE DER SITUATION

Bei der Aufklärung einer Straftat müssen folgende Angaben zum Tathergang wie Ort, Zeit, Art und Weise etc. ermittelt und nachgewiesen werden. Einen wichtigen Platz unter ihnen nehmen auch Informationen über die Umstände der Begehung einer Straftat ein, da sie eine wesentliche Rolle bei der Festlegung der Algorithmen der Ermittlungs- (Durchsuchungs-) und Verfahrenshandlungen spielen, die durchgeführt werden sollten, um die Aufklärung der Straftat sicherzustellen taktische Aufgaben der Ermittlungen. Die Situation der Einmischung in die Tätigkeit von Vertretern staatlicher Behörden ist keine Ausnahme. In diesem Zusammenhang besteht der Zweck des Artikels darin, die Lage der Situation in den forensischen Merkmalen der Einmischung in die Tätigkeit von Vertretern staatlicher Behörden zu klären und ihre immanenten Komponenten und spezifischen Merkmale zu bestimmen. Nach den Ergebnissen wissenschaftlicher Untersuchungen wurde festgestellt, dass die Situation der Straftat ein zwingender Bestandteil der forensischen Charakterisierung von Straftaten im Zusammenhang mit Eingriffen in die Tätigkeit von Vertretern staatlicher Behörden ist, zu denen auch Angaben zu Ort und Zeit gehören Die Begehung dieser Straftaten und anderer Zeichen ist für jedes dieser Elemente charakterisiert.

Schlüsselwörter: Straftat, Intervention, Staatsgewalt, Vertreter, Beamter, Staatsmann, forensische Merkmale, Situation.

3) Art. 376 Interference with activity of judicial authorities; 4) Art. 157 Preclusion of the right to vote, or the right to take part in a referendum, the work of an election commission or referendum commission, or activities of an official observer⁵. It is important to stress that each of the identified criminal offenses is characterized by its own specific elements of criminal law and forensic characterizations, as well as a number of other inherent features that distinguish them from similar acts.

One of the essential elements in both the criminal-legal and forensic characterization of any criminal offense is a situation. This element has numerous definitions formulated by the sciences of criminal law, forensic science, and criminology. At the same time, before delving into the essence of each of these formulated definitions, we believe it is necessary to understand how scholars justify the need to study the key category of our research. For example, V. V. Tishchenko has determined that knowledge of the circumstances of a criminal offense enables the investigator to form opinions regarding the perpetrator, criminal offense mechanism, as well as goals and motives⁶. A more comprehensive approach to clarifying the significance of circumstances has been taken by V. A. Dyntu. The author notes that based on the criminal procedural examination of criminal offense circumstances, evidence can be obtained which allows for the establishment and proof of the essence of the criminal event that has occurred. It assists in the following: identification of certain characteristic features of the perpetrator, which enable his/her individualization among a certain group of criminal offenses; collection of a distinct information about a person's behavior at the time of committing a crime, his/her guilt, including the form of guilt, motives, and purpose behind the criminal offense; refutation of the fact of the criminal's use of specific tools and means, as well as their types, etc.⁷. We agree that a situation surrounding the commission of a criminal offense play a significant role; therefore, we consider the question of its investigation to be rhetorical and requiring a positive answer in any situation.

In criminal law theory, crime situation is understood as a systemic formation uniting a series of elements that provide it with qualitative determinateness. In this regard, a particular situation is structured and embodied by an inconsistent number of elements that are closely interconnected and collectively lead to the emergence of one situation or another⁸. We certainly agree that the nature of the interaction between individual elements of the situation can vary: from accidental to regular. Consequently, the internal situation may consist of both elementary mechanical interactions, where such interaction is reduced to spatial-temporal coincidence of elements forming it, and complex organic systems, where interconnections between elements are determined by their inherent properties⁹.

As a rule, such elements include the time and place of crime commission. In the

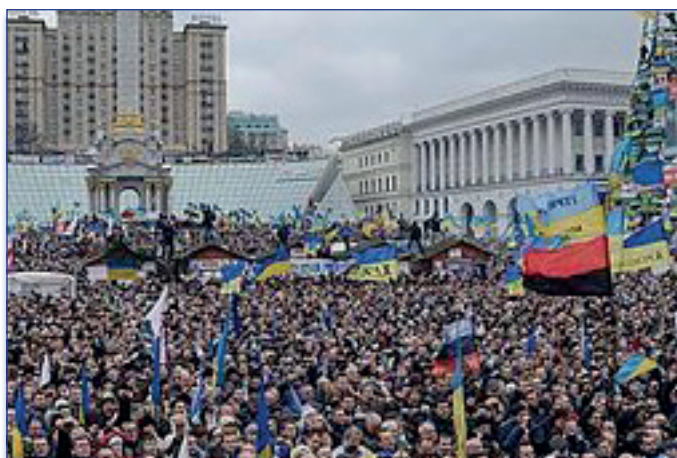
⁵ Кримінальний кодекс України: Закон України від 05.04.2001 №2341-III. Верховна Рада України: офіційний веб-портал. URL : <https://zakon.rada.gov.ua/laws/show/2341-14#Text>.

⁶ Тищенко В. В. Корисливо-насиленницькі злочини: криміналістичний аналіз : монографія. Одеса : Юрид. літ., 2002. С. 69-70.

⁷ Динту В. А. Обстановка злочину як джерело доказової інформації. Юридичний науковий електронний журнал. 2016. №3. С. 149.

⁸ Маслова О. О. Кримінально-правова характеристика обстановки вчинення злочину : дис. ... канд. юрид. наук : 12.00.08. Харків, 2019. С. 2.

⁹ Маслова О. О. Кримінально-правова характеристика обстановки вчинення злочину: автореф. дис. ... канд. юрид. наук: 12.00.08. Харків, 2019. С. 7.



INTERFÉRENCE DANS LES ACTIVITÉS DES REPRÉSENTANTS DES AUTORITÉS DE L'ÉTAT : CARACTÉRISTIQUES DE LA SITUATION

Lors de l'enquête sur toute infraction pénale, les informations suivantes sur l'événement, telles que le lieu, l'heure, la méthode, etc., doivent être vérifiées et prouvées. Parmi elles, les informations sur les circonstances de la commission d'une infraction pénale occupent également une place importante, car elles jouent un rôle important dans la détermination des algorithmes d'enquête (recherche) et d'actions procédurales qui doivent être menées afin d'assurer la solution du problème. tâches tactiques de l'enquête. La situation d'ingérence dans les activités des représentants des autorités de l'État ne fait pas exception. À cet égard, le but de l'article est défini comme clarifier la localisation de la situation dans les caractéristiques médico-légales de l'ingérence dans les activités des représentants des autorités de l'État, en déterminant ses composantes immanentes et ses caractéristiques spécifiques. Selon les résultats de la recherche scientifique, il a été établi que la situation de l'infraction pénale est un élément obligatoire de la qualification médico-légale des infractions pénales liées à l'ingérence dans les activités des représentants des autorités de l'État, qui comprend des informations sur le lieu et l'heure de la commission de ces infractions pénales et d'autres signes chacun de ces éléments est caractérisé.

Mots clés : infraction pénale, intervention, autorité de l'État, représentant, fonctionnaire, homme d'État, caractéristiques médico-légales, situation.

theory of criminal law, crime scene is proposed to be viewed as the territory or another location characterized by physical, social, as well as legal criteria, where criminal activity was initiated (prepared), continued (criminal intent was directly realized), or terminated. In this context, the place of a crime is differentiated according to the following criteria: 1) the site of commission of a socially dangerous act as a physical space; 2) the site of occurrence as a social formation; 3) the site of commission of a criminally punishable offense as a formation with legal status ¹⁰.

Examining a situation through the prism of criminalistics, it is proposed to understand it as an element of forensic characterization. O. V. Oderii, studying the situation of committing environmental crimes, has emphasized that it is typically interpreted in two approaches: 1) excessively narrow, as it is mostly understood as material, tangible situation; 2) overly broad, encompassing territorial, climatic, demographic, and other specific characteristics of the region or the crime scene ¹¹. We prefer the definition according to which the situation of committing a criminal offense is regarded as a component of the physical environment, including a territory, a variety of objects, the behavior of event participants, and the psychological interactions among them. This definition reproduces the mechanism of the criminal event and accounts for peculiarities of actions by suspects and other participants, thus correlating with other elements of forensic characterization ¹².

Currently, it is quite common to come across approaches interpreting a situation as a combination of temporal and spatial characteristics ¹³. Such an element as time influences all stages of unlawful activity, resulting in the emergence, existence, and utilization of evidential information. Research into the temporal factor, as noted by scientists, aids in determining the time of the crime event, establishing temporal connections between facts, clarifying the sequence of events, actions, or occurrences, calculating the duration of various events and phenomena, etc. ¹⁴. In the course of scene investigation, it is crucial to determine: 1) the place where actions related to the preparation for the commission of a crime likely took place; 2) the place of its immediate commission; 3) the place or objects where any traces of unlawful interference have been left; 4) the place where concealment of traces of a criminal offense occurred as well as the hiding of the tools and means used in its commission.

Thus, based on the overview of judicial perspectives, we may conclude that a criminal offense associated with obstructing the exercise of suffrage (the right to vote), the work of the election commission, or the activities of an official observer most often occurs in the evening and at night. This is due to the fact that actions aimed at obstructing the exercise of suffrage and interfering with the activities of a member of the election commission, its members, the referendum commission, most often manifested through actions such as destroying campaign



¹⁰ Мороз В. Г. Поняття місця вчинення злочину як ознаки об'єктивної сторони злочину. *Юридична наука*. 2014. № 5. С. 132, 133.

¹¹ Одерій О. В. Обстановка вчинення злочину як елемент криміналістичної характеристики злочинів проти довкілля. *Науковий вісник Ужгородського національного університету Серія: Право*. 2013. Т. 3. Вип. 23. Ч. 2. С. 95.

¹² Криміналістика : підручник / В.Ю. Шепітько, В.О. Коновалова, В.А. Журавель та ін. ; за ред. В.Ю. Шепітька. Київ : Ін Юре, 2016. С. 426.

¹³ Чиж А. П. Методика розслідування умисного знищення або пошкодження майна працівника правоохоронного органу: дис. ... д-ра філософії: 081 Право. 2023. Вінниця. С. 58.

¹⁴ Криміналістика: Підручник / Кол. авт.: В. Ю. Шепітько, В. О. Коновалова, В. А. Журавель та ін. / За ред. проф. В. Ю. Шепітька. 4-е вид., перероб. і доп. Харків : Право, 2010. С. 277.



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Ingerencja w DZIAŁALNOŚĆ PRZEDSTAWICIELI WŁADZ PAŃSTWOWYCH: CECHY SYTUACJI

Podczas dochodzenia w sprawie jakiegokolwiek przestępstwa należy ustalić i udowodnić następujące informacje na temat zdarzenia, takie jak miejsce, czas, metoda itp. Ważne miejsce wśród nich zajmują także informacje o okolicznościach popełnienia przestępstwa, gdyż odgrywają one istotną rolę przy ustalaniu algorytmów czynności dochodzeniowo-śledczych (poszukiwawczych) i procesowych, jakie należy przeprowadzić, aby zapewnić rozwiązanie zagadki taktyczne zadania śledztwa. Sytuacja ingerencji w działalność przedstawicieli władz państwowych nie jest wyjątkiem. W tym względzie cel artykułu określono jako wyjaśnienie umiejscowienia sytuacji w kryminalistycznej charakterystyce ingerencji w działalność przedstawicieli organów państwa, określenie jej immanentnych składników i specyfiki. Na podstawie wyników badań naukowych ustalono, że sytuacja karalna jest obowiązkowym elementem kryminalistycznej charakterystyki przestępstw związanych z ingerencją w działalność przedstawicieli organów państwowych, która obejmuje informację o miejscu i czasie popełnienia przestępstwa. Scharakteryzowano popełnienie tych przestępstw oraz inne znamiona.

Słowa kluczowe: przestępstwo, interwencja, organ państwowy, przedstawiciel, urzędnik państwowy, mąż stanu, charakterystyka kryminalistyczna, sytuacja.

materials, deceiving voters, and otherwise impeding citizens of the territorial community from exercising their rights to vote, etc. Thus, persons involved in carrying them out attempted to do so secretly, hidden from third parties, especially when there were few witnesses in public places. Moreover, such actions are structurally complex and involve the implementation of a series of preparatory actions taking place over some time. However, in investigative practice, little emphasis is placed on determining the period of time during which an individual formed the intent to commit such a crime, entered into a criminal conspiracy with accomplices, and carried out a series of other acts. As for offense location, it typically involves cities and other populated areas, premises, or public places where campaign materials are placed.

Interference in the activities of the election commission occurs in the premises where they are located, most often in office spaces owned by communal authorities or local self-government bodies, or in places where polling stations are established, which typically include school premises, cultural centers, other facilities of enterprises, institutions, organizations, or government authorities. At times, interference with election commission activities occurs during daytime, often in the afternoon. A notable aspect of this specific criminal offense is its context, closely linked to the time of local elections (regular and snap, repeat and interim), as well as nationwide elections such as the Ukrainian presidential elections or elections to the Verkhovna Rada. Typically, this crime is committed on the eve of elections, and information about it is usually registered in the Unified Register of Pre-trial Investigations within the first week after its commission.

Elements of the forensic characterization of interference in the activities of a statesman/stateswoman are determined by the criminal law characterizations of this offense, with the victim's identity being crucial. Since statesmen/stateswomen hold positions of official authority, occupying the highest ranks within government authorities, and therefore have strictly defined workplaces and regulated schedules, the location and time period of these socially dangerous acts should be linked to their official workplace and approved schedule. However, interference in the activities of a statesman/stateswoman can still occur both at his/her workplace and elsewhere, over an extended period of time, etc.

The situation of interference in the activities of a statesman/stateswoman must necessarily be characterized by the time period of interference in a statesman/stateswoman's activities, which corresponds to the period when statesmen/stateswomen perform their official duties. During the time when a person is relieved of his/her professional duties, it cannot be stated that interference has taken place.

For instance, we can illustrate the situation that had been reported in the media, in particular concerning three judges of the Constitutional Court of Ukraine, M. Melnyk, S. Sas and I. Slidenko, who allegedly agreed to hinder the activities of Judge S. Shevchuk. According to published information, actions of these persons were as follows: sending letters to Judge S. Shevchuk regarding the alleged illegality and cancellation of the Order On the Regulations for the External Advisor to the Chairman of the Constitutional Court of Ukraine dated October 3, 2018; sending a letter to the standing committee on budget and staff matters of the Constitutional Court to request verification of the legality of the aforementioned order; submitting a motion to the chairman of the Constitutional Court standing committee on regulations and ethics regarding potential disciplinary offenses by S. Shevchuk; and pressuring him to sign a request to relinquish his duties as the chairman of the Constitutional Court in his office ¹⁵. Thus, the place of interference in the activities of statesmen/stateswomen is most often the office rooms of these officials.

¹⁵ Тараненко В. Заступник Венедіктової реанімував скандальну справу проти суддів Конституційного суду. Главком: новини. URL: <https://glavcom.ua/news/pislya-znesennya-aks-antikorupciynogo-zakonodavstva-zastupnik-venediktovoji-reanimuvav-kriminalnu-spravu-zakritu-u-kvitni-2020-roku-773919.html>

Concerning interference in the activities of law enforcement officers, forensic experts, and employees of the executive service, it also frequently takes place at the place of work or service of the mentioned employees. Exceptions are cases of interference in the activities of law enforcement officers when they are summoned regarding reports of criminal offenses in order to execute court decisions, etc. An example of the latter is the case heard by the Bohuslav District Court of Kyiv Region. Thus, according to the case circumstances, on January 04, 2016, at around 10:30 a.m., being on the territory of his own yard, the accused exerted pressure on the Chief Statesman of the Bohuslavskiy District Department of the State Executive Service of the Main Territorial Department of Justice in Kyiv Region, in order to prevent the latter from fulfilling his official duties within the framework of enforcement proceeding No. 48907976 dated October 06, 2015, namely: he picked up an axe and, standing in the doorway of the house, threatened the statesman with physical violence, thereby preventing the inventory of the debtor's property, which forced the victim to stop the enforcement proceeding and leave the farm ¹⁶.

Another example is a case heard by the Yuzhnoukrainsk City Court of Mykolaiv Region. According to the determined case circumstances, on October 14, 2017, at 03:45 a.m., the operational duty officer of the Yuzhnoukrainsk Police Department received a telephone message from an unknown man that a fight between unknown persons was taking place on a dime on Myru Street in Yuzhnoukrainsk. A team of the Patrol Police Response Unit was sent to the scene. Upon arrival at the given address, the policemen heard three shots coming from the direction of the Bourbon cafe, located on Myru Street in Yuzhnoukrainsk, after which an unknown citizen, running to the roadside with a gun in his hand, turned and fired a shot in the direction of the cafe, which resulted in hooliganism. Later, when the policeman tried to detain this person, the accused (another man), acting intentionally and bearing in mind that they were policemen fulfilling law enforcement functions, without having any reason to do so, with the aim of disrupting the normal activities of law enforcement agencies and negatively affecting the performance by policemen of their duties under Art. 2 of the Law of Ukraine On the National Police on ensuring public safety and order and combating crime as well as without responding to the comments of the policemen concerning cessation of unlawful behavior, forcibly helped a man that had committed hooliganism escape from the policemen and put him in a silver Mercedes car, resulting in his leaving the scene. Accordingly, the accused's actions are qualified under Part 2 of Art. 343 of the Criminal Code of Ukraine as interference in the activities of a law enforcement officer in order to prevent him/her from performing official duties, in particular, detention of a person who has committed hooliganism,

i.e., a criminal offense ¹⁷. Summarizing the above, we can stress that interference in the activities of law enforcement officers and private executors is committed during the day, evening and night, and the place of its commission is both public places, private property, and the office premises of these government authorities. In other words, the place of interference in activi-



¹⁶ Вирок Богуславського районного суду Київської області від 20.12.2016 у справі №1-кп/358/94/16. Єдиний державний реєстр судових рішень: офіційний сайт. URL: <https://reyestr.court.gov.ua/Review/63523195>

¹⁷ Вирок Южноукраїнського міського суду Миколаївської області від 13 грудня 2021 р., у справі №486/99/18. Єдиний державний реєстр судових рішень: офіційний сайт. URL: <https://reyestr.court.gov.ua/Review/101843031>

ties is tied to the location of a person against whom a crime is committed. As for the time, it is usually the period when the employee of a law enforcement agency, forensic institution or executive service was authorized to fulfil his/her functional duties.

Interference in the activity of the judicial authorities by the time of a crime should be associated with court working hours, which in the majority of cases correspond to the period from 08.00 to 17.00 or from 09.00 to 18.00. At the same time, there are cases when a crime is committed at other times. To illustrate the above, we can cite the facts of money transfer to the judge's account through Internet banking in order to use it as a reason for his/her recusal as a biased party to the case in the future¹⁸.

Predominately, the place of interference in the activities of the judicial authorities is the court premises, in particular, the courtroom and the judge's office. As V. S. Yakovleva accurately notes, it is here that the criminal intent to interfere in the activities of judicial authorities is realized through various methods, such as making requests, demands, as well as other actions aimed at restricting the independence of judges, and the criminal intent to interfere with the activities of the judicial authorities is implemented. Overall, the situation of interference is viewed to be typical and is related to a court hearing on a specific case, during which participants or other attendees, i.e., public activists, take various measures to influence the court's decision¹⁹.

Conclusions. Therefore, empirical data analysis on the group of criminal offenses involving interference in the activities of government authorities proves that the situation of committing such offenses and criminal misdemeanors is characterized by its own specific features. Its inherent components are: time and place. At the same time, characterizations of certain crimes related to this group are associated with the following circumstances: holding of national or local elections in the state or a particular territorial community; exercise of official powers and functional duties by a person. Given the above, typical time of committing crimes associated with interference in the activities of government authorities' representatives is the working hours of employees from corresponding services, in accordance with the established schedule of the relevant institution. The place of commission of these crimes is official premises, in particular the offices of these subjects. The specified information should be the grounds for research on the establishment of tactical and organizational features of conducting investigative and procedural actions during investigation of criminal offenses involving interference in the activities of government authorities' representatives.

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¹⁸ БВП вимагає від ГПУ розслідування злочину за фактом втручання в діяльність судді Верховного Суду Мачульського Г. М. URL: https://www.yurfact.com.ua/fakty/vrp-vymahaie-rozsliduvannia-zlochynu-za-faktom-vtruchannia-v-diialnist-machul'skoho#google_vignette; БВП розглянула повідомлення суддів апеляційного суду щодо втручання в їхню діяльність. URL: <https://court.gov.ua/archive/694534/>; Втручання адвоката в діяльність судді: БВП звернеться до ГПУ. URL: <https://sud.ua/ru/news/ukraine/141773-vtruchannya-advokata-v-diialnist-suddi-vrp-zvernetsya-do-gpu>

¹⁹ Яковлева В. С. Втручання у діяльність судових органів в Україні: оцінка сучасного стану. *Питання боротьби зі злочинністю*. 2020. № 40. С. 128.

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