

INVESTIGATION AND PREVENTION OF CRIMINAL OFFENSES RELATED TO OPPOSITION TO ADVOCACY

INVESTIGAÇÃO E PREVENÇÃO DE CRIMES RELACIONADOS À OPOSIÇÃO À DEFESA DE CAUSAS

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Abstract

The study is devoted to a comprehensive analysis of the theoretical foundations of the forensic characterization, tactics and methods of investigation, as well as preventive criminological measures regarding criminal offenses against advocacy, provided for in Articles 397–400 of the Criminal Code of Ukraine. It is emphasized that the forensic characterization of such illegal acts systematizes typical elements - the object of encroachment in the form of advocacy as a constitutionally guaranteed institution of the right to defense, methods of commission with a predominance of indirect forms of influence (threats, interference with secrecy), a fragmentary trace picture with a predominance of digital evidence and the profile of the criminal, mainly associated with law enforcement agencies or opponents in the process. This model serves as a scientific "template" for predicting investigative versions, modeling the behavior of perpetrators and optimizing primary procedural actions, adapting the classical forensic doctrine to the specifics of the procedural guarantees of the legal profession. It is noted that the investigation tactics include immediate actions at the stage of receiving the lawyer's application - interrogation of the victim

Resumo

O estudo dedica-se a uma análise abrangente dos fundamentos teóricos da caracterização forense, das táticas e métodos de investigação, bem como das medidas criminológicas preventivas relativas aos crimes contra a defesa, previstos nos artigos 397 a 400 do Código Penal da Ucrânia. Salienta-se que a caracterização forense de tais atos ilegais sistematiza elementos típicos — o objeto da violação na forma da advocacia como instituição constitucionalmente garantida do direito à defesa, métodos de prática com predominância de formas indiretas de influência (ameaças, interferência no sigilo), um quadro de vestígios fragmentário com predominância de provas digitais e o perfil do criminoso, associado principalmente a órgãos de segurança pública ou adversários no processo. Este modelo serve como um "modelo" científico para prever versões investigativas, modelar o comportamento dos autores e otimizar as ações processuais primárias, adaptando a doutrina forense clássica às especificidades das garantias processuais da profissão jurídica. Observa-se que as táticas de investigação incluem ações imediatas na fase de



with recording of compliance with attorney-client privilege, inspection of the scene of the incident, seizure of digital media, with subsequent complex assignment of examinations: forensic for the reconstruction of the event, computer-technical for the analysis of IP addresses and metadata of threats, psychological for motives. Arguments are presented that the independence of investigators of the central apparatus of the Prosecutor General's Office or the National Anti-Corruption Bureau ensures the avoidance of sabotage, contributing to the formation of a substantiated indictment. The feasibility of preventive measures of a criminological nature, emphasizing a proactive approach to reducing the criminogenic potential of offenses against advocacy, has been proven: statistical monitoring by the National Bar Association of Ukraine to identify regional "hot spots" and typical motives, victimological trainings by the Higher School of Advocacy with algorithms for recording primary evidence (audio, geolocation data), legislative initiatives to prohibit the identification of a lawyer with a client to eliminate stereotypical determinants, interdepartmental coordination with the Ministry of Internal Affairs through rapid response protocols and state insurance programs for lawyers in high-risk areas (front-line regions). The effectiveness of assessing such measures is substantiated through key performance indicators - the number of registered criminal proceedings under Articles 397-400 of the Criminal Code of Ukraine, the level of latency according to surveys of lawyers, the dynamics of recidivism - which ensures scientifically based adjustment of strategies and a systematic reduction of latent forms of resistance. The practical significance of the work is substantiated through specific recommendations for the National Bar Association of Ukraine and the Prosecutor General's Office on the formation of specialized investigative groups for high-profile cases, the implementation of digital monitoring of communications and an electronic register of anonymous complaints. Prospects for further development are identified: the creation of a unified interdepartmental platform for proactive protection of the legal profession, which positions it as the foundation of the rule of law in the context of hybrid challenges.

Keywords: Advocacy. Criminal Offenses Against Lawyers. Preventive Measures. Forensic Characteristics. Investigation Tactics. Lawyer's Secrecy. Trace Picture. Procedural Pressure.

recebimento do pedido do advogado — interrogatório da vítima com registro do sigilo profissional, inspeção do local do incidente, apreensão de mídias digitais, com subsequente atribuição complexa de peritagens: forense para a reconstrução do evento, técnico-informática para a análise de endereços IP e metadados de ameaças, e psicológica para a determinação dos motivos. São apresentados argumentos de que a independência dos investigadores do aparato central da Procuradoria-Geral ou do Departamento Nacional Anticorrupção garante a prevenção de sabotagem, contribuindo para a formulação de uma acusação fundamentada. A viabilidade de medidas preventivas de natureza criminológica, enfatizando uma abordagem proativa para reduzir o potencial criminogênico de crimes contra a advocacia, foi comprovada: monitoramento estatístico pela Ordem Nacional dos Advogados da Ucrânia para identificar “pontos críticos” regionais e motivos típicos, treinamentos em vitimologia pela Escola Superior de Advocacia com algoritmos para registro de provas primárias (áudio, dados de geolocalização), iniciativas legislativas para proibir a identificação de um advogado com um cliente a fim de eliminar determinantes estereotipados, coordenação interdepartamental com o Ministério do Interior por meio de protocolos de resposta rápida e programas de seguro estatal para advogados em áreas de alto risco (regiões de linha de frente). A eficácia da avaliação dessas medidas é comprovada por meio de indicadores-chave de desempenho — o número de processos criminais registrados nos termos dos artigos 397 a 400 do Código Penal da Ucrânia, o nível de latência de acordo com pesquisas com advogados, a dinâmica da reincidência —, o que garante o ajuste cientificamente fundamentado das estratégias e uma redução sistemática das formas latentes de resistência. A importância prática do trabalho é comprovada por meio de recomendações específicas para a Ordem Nacional dos Advogados da Ucrânia e a Procuradoria-Geral sobre a formação de grupos de investigação especializados para casos de grande repercussão, a implementação de monitoramento digital das comunicações e um registro eletrônico de denúncias anônimas. São identificadas perspectivas para desenvolvimento futuro: a criação de uma

plataforma interdepartamental unificada para a proteção proativa da profissão jurídica, que a posiciona como a base do Estado de Direito no contexto de desafios híbridos.

Palavras-chave: *Advocacia. Crimes Contra Advogados. Medidas Preventivas. Características Forenses. Táticas de Investigação. Sigilo Profissional. Perfil de Traços. Pressão Processual.*

1 INTRODUCTION

Advocacy as a constitutionally guaranteed institution of the right to defense (Article 59 of the Constitution of Ukraine, 1996) faces systemic threats in the form of criminal offenses, including interference, threats, violence or encroachment on the lives of lawyers (Articles 397–400 of the Criminal Code of Ukraine, 2001). These unlawful acts not only undermine the independence of the legal profession, but also create barriers to the rule of law, turning the defense attorney into a target of procedural pressure from law enforcement officers, prosecutors or opponents of clients.

In the current conditions of martial law and anti-corruption reforms (2024–2026), there is an increase in such incidents with the dominance of latent forms, such as cyber threats and psychological pressure, which complicates the investigation and exacerbates the criminogenic situation. The relevance of the study is due to the need to develop a comprehensive forensic and criminological model for the effective detection, investigation and prevention of these offenses, taking into account the specifics of advocacy as a public status with a high risk of extrajudicial intervention.

The purpose of the work is the theoretical justification and practical improvement of the forensic characteristics, investigation tactics and preventive measures for the protection of advocacy, with an emphasis on typical signs of crimes, procedural guarantees and criminological forecasts. To achieve the goal, the following tasks are solved: analysis of the theoretical foundations of the forensic characteristics of offenses against lawyers; development of tactics and methods for investigating such criminal offenses; justification of preventive criminological measures.

2 LITERATURE REVIEW

In domestic criminology, the theoretical foundations of the characterization of crimes against the legal profession are developed in the works of V. Akhmedov (2021), who conceptualizes it as an information model of typical features for predicting investigative versions, and M. Babych (2024), who classifies offenses under Articles 397–400 of the Criminal Code of Ukraine with an emphasis on procedural and corporate motives. The criminological dimension is deepened by the works of O. Kostenko (2023) on the determinants of the latency of such crimes and I. Diorditsa (2021), who adapts the cybersecurity of legal practice to digital threats. Foreign studies are complemented by the works of J. Bell (2020) on the protection of lawyers in common law systems and van der Willen (2022), who analyzes European models of prevention of interference with legal secrecy. The case law of the Unified State Register of Court Decisions illustrates the fragmentary nature of the trail picture, where indirect evidence prevails. The preventive aspect of protecting advocacy from criminal offenses is covered in detail in the reports of the National Bar Association of Ukraine (2025), which systematize empirical statistical data on key criminogenic factors (regional disparities, procedural conflicts, corporate pressure), offer models for early risk monitoring through the integration of complaint registers and predictive algorithms, and also recommend the creation of specialized protocols for prompt response to latent forms of counteraction, including psychological pressure and cyber threats.

These provisions are complemented by the research of L. Hrytsenko (2024) on victimological strategies, which emphasize increasing the resistance of lawyers as potential victims through systematic self-defense training, the development of algorithms for recording primary evidence of threats or illegal interventions (audio, video recordings, geolocation), as well as the formation of psychological resistance to manipulative tactics, which contributes to reducing the level of unregistered incidents. The international discourse in this area is represented by the Council of Europe Convention on the Effective Protection of the Legal Profession (2020), adapted van Zyl (2023), for hybrid legal systems taking into account military contexts and cross-border threats, which emphasizes standards of interagency cooperation and monitoring, as well as the works of P. Sandoval (2021) on interagency coordination in Latin America, which analyzes in detail protocols

for rapid response to systemic pressure in high-profile cases, risk assessment models for high-profile lawyers, and the integration of state insurance programs to minimize the economic determinants of crime.

3 METHODOLOGY

The methodological basis of the study is a systematic approach that integrates criminology, criminology and procedural law to model a typical forensic characteristic of offenses against advocacy. General scientific methods were used: analysis and synthesis to generalize the judicial practice of the Unified State Register of Court Decisions; induction to typify key features (object of the offense, method of commission, trace pattern); deduction to predict investigative versions of the investigation. Forensic methods include modeling a typical trace pattern and profiling the criminal's personality based on statistics from the National Bar Association of Ukraine.

The empirical base includes content analysis of scientific publications, statistical data from the National Bar Association of Ukraine, materials from the Unified State Register of Court Decisions (cases under Articles 397–400 of the Criminal Code of Ukraine). Criminological methods are represented by correlation analysis of risks (regional features, typical motives), SWOT analysis of preventive measures. Legal methods include formal-dogmatic (interpretation of the norms of the Criminal Procedure Code of Ukraine, the Law of Ukraine "On the Bar and Practice of Law"), comparative-legal (Ukraine versus the European Union). The research was conducted in compliance with the ethical standards of academic science, contactless, using exclusively open sources to ensure objectivity, reproducibility and verifiability of scientific conclusions.

4 RESULTS AND DISCUSSION

4.1 Theoretical foundations of the forensic characterization of offenses against the practice of law

The forensic characterization of offenses against the practice of law is a fundamental tool of forensic analysis that systematizes the typical features of such

criminal offenses to ensure their effective detection, recording and investigation. This approach, rooted in the general theory of forensics, allows not only to predict possible scenarios of offenses, but also to model the behavior of perpetrators based on empirical data accumulated in judicial practice and scientific research. The adaptation of the general principles of forensic characterization to the specifics of protecting the professional activities of lawyers as a constitutionally guaranteed institution (Article 59 of the Constitution of Ukraine, 1996) emphasizes its uniqueness, since the practice of law combines a public status with a high risk of unlawful interference, which requires consideration of both procedural and extrajudicial aspects.

The theoretical foundations of the forensic characterization of offenses were formed within the framework of the classical forensic doctrine as a complex information model that integrates key elements of typical criminal offenses: from the object of the offense to the trace picture and profile of the criminal. This model functions as a universal "stencil" for qualifying the factual circumstances at the initial stages of the investigation, contributing to the formation of substantiated versions, planning investigative (detective) actions and optimizing tactics. In the context of illegal actions against lawyers, such a characterization acquires particular significance due to the need to balance the protection of attorney-client privilege (Article 22 of the Law of Ukraine "On the Bar and Practice of Law", 2012) and the requirements of criminal proceedings, which makes it not only an analytical but also a prognostic tool.

In the context of offenses against the practice of law, the object of the encroachment is the practice of law as a key element of the system of ensuring the right to defense, guaranteed by Art. 59 of the Constitution of Ukraine and detailed in Articles 397–400 of the Criminal Code of Ukraine (Criminal Code, 2001). These norms cover the obstruction of the professional functions of a lawyer, including the exercise of the right to defense in criminal proceedings, representation of clients' interests in court, and provision of legal advice outside the courts. Such a focus of criminal offenses not only undermines the independence of the legal profession, but also creates systemic threats to the rule of law, since a lawyer acts as a barrier between state bodies and individual rights. The method of committing offenses against lawyers is most often characterized by indirect, hidden influence, such as threats of physical violence, the use of violence, or illegal interference with attorney-client privilege, which minimizes the number of

obvious material traces at the scene. Perpetrators deliberately choose moments outside of court sessions – for example, during private meetings with clients, in work offices or while traveling – to avoid the presence of witnesses and complicate the recording of evidence. This tactic reflects the high level of awareness of criminals with procedural norms, which makes the investigation dependent on indirect evidence and operational-detective measures.

The setting for such criminal offenses is closely related to the professional environment of the lawyer, including law firm offices, cars during trips to clients or places of primary legal assistance. This specificity clearly distinguishes offenses against lawyers from domestic crimes, emphasizing their focus on discrediting professional status or psychological intimidation with the aim of forcing them to abandon representation (Akhmedov, 2021). An analysis of judicial practice shows that the motive of revenge from participants in criminal proceedings (prosecutors, investigators, or clients' opponents) dominates, turning advocacy into a target of hybrid forms of pressure.

The timing of crimes against lawyers often correlates with periods of active litigation or investigations of high-profile cases, when the lawyer publicly articulates the client's position, attracting the attention of the parties to the conflict. Night hours, weekends or remote locations (for example, country houses or highways) increase the element of surprise, which complicates the victim's immediate reaction and the formation of an initial trace picture. This temporal pattern reflects the strategic calculation of criminals on the psychological effect aimed at paralyzing the work of lawyers at critical moments of the proceedings.

The tools and means used in committing criminal offenses against lawyers include both digital tools for threats (anonymous phone calls, messages on social networks or e-mail) and physical objects for violence (traumatic weapons, arson or damage to vehicles). Typically, firearms or highly toxic substances are absent, since the main goal is not physical destruction, but temporary paralysis of the lawyer's professional activity. This selectivity of means emphasizes the rational nature of criminal offenses, focused on achieving procedural benefits.

The subject of the encroachment in criminal offenses against lawyers is not only the person of the lawyer, but also his close relatives or property related to professional activities (Article 399 of the Criminal Code of Ukraine), which significantly expands the

perimeter of the trace picture to family and property contexts. Such an approach creates multi-layered psychological pressure, forcing the lawyer to take into account the safety of the family or the stability of the practice, often leading to voluntary refusal to represent the case. This makes criminal offenses systemic, affecting the entire chain of legal protection.

The victim of criminal offenses against the practice of law is a lawyer as a high-status subject with a confirmed status under the Law of Ukraine “On the Bar and Practice of Law” (On the Bar and Practice of Law: Law of Ukraine, 2012), often with many years of experience in high-profile cases of corruption, organized crime or human rights violations (Babych, 2024). The vulnerability of such individuals increases due to the public availability of data in the register of lawyers of the National Bar Association of Ukraine (hereinafter – NBAU), which facilitates the identification of the target and planning of the attack. At the same time, the professional training of lawyers contributes to the formation of high-quality primary evidence, such as recording threats in the lawyer’s file.

The identity of the perpetrator in criminal offenses against lawyers is mainly associated with the subjects of criminal proceedings - law enforcement officers, prosecutors or representatives of the interests of opponents, motivated by corporate solidarity, the interests of the authorities or private benefits. The typical profile includes men aged 30–50 with a legal education or experience in law enforcement agencies, which allows them to disguise criminal actions as “procedural measures” or official powers. Such a correlation requires investigators to use special tactics to verify the status of suspects.

The trace picture of criminal offenses against the legal profession is characterized by fragmentation: digital traces (IP addresses, metadata of messages), biological (DNA traces from contact during violence) or property (damage to office equipment). The absence of obvious, massive material traces forces us to rely on indirect evidence integrated with records of legal practice, client communications and monitoring of open sources. This highlights the role of information technology in the reconstruction of the event.

The motive and purpose of criminal offenses against lawyers are to obstruct the administration of justice by intimidating the defense attorney, with the ultimate goal of

manipulating the procedural outcome – a verdict, closing the case or declaring evidence invalid. Corporate solidarity in the legal environment often blocks effective investigation of lawyers' complaints, turning such illegal acts into an instrument of systemic pressure. Analysis of motives allows us to differentiate them from general violent offenses.

The forensic characterization of criminal offenses against lawyers plays a key role in prevention, modeling areas of increased risk for lawyers in high-profile cases and forming recommendations for preventive measures. The theoretical model of prevention includes monitoring potential threats through the analysis of lawyer registers, special training of investigative units and the implementation of advocacy protection programs. This helps to reduce the latency of such illegal acts.

The practical significance of the forensic characteristic lies in the formation of investigation tactics: from the initial analysis of the NBAU lawyers' registers to operational-search measures aimed at fixing digital traces and interrogations of key witnesses. It organically integrates with the norms of the Criminal Procedure Code of Ukraine, especially regarding the protection of attorney-client privilege (Article 23 of the Criminal Procedure Code of Ukraine, 2012), ensuring a balance between the interests of the investigation and professional privileges. This approach optimizes the resource-intensiveness of proceedings.

In modern conditions, there is an increase in the number of criminal proceedings under Articles 397–400 of the Criminal Code of Ukraine, which reflects the escalation of interference in the practice of law as a tool of pressure in anti-corruption and anti-oligarchic processes. The theory of forensic science is evolving towards an emphasis on digital traces (cyber threats, deepfakes), requiring the updating of investigation methods taking into account hybrid threats. This emphasizes the need for an interdisciplinary approach to protect the bar as a pillar of the rule of law.

4.2 Tactics and methods of investigating criminal offenses related to opposition to lawyers

Tactics and methods of investigating criminal offenses related to opposition to lawyers are based on comprehensive consideration of special guarantees of advocacy activities, clearly defined by the Law of Ukraine “On the Bar and Practice of Law”, as

well as the norms of the Code of Criminal Procedure of Ukraine. The initial actions of the investigative bodies should be aimed at promptly recording the lawyer's application as a victim, thoroughly verifying his status through the Unified Register of Advocates of Ukraine, which is maintained by the UNBA, and immediately introducing preventive measures of personal protection, such as patrolling or security. Such an approach not only allows for the prompt registration of a criminal offense under Articles 397–400 of the Criminal Code of Ukraine, but also minimizes the risks of delaying proceedings due to possible corporate influences or administrative pressure, ensuring the principle of inevitability of punishment.

In the event of a lawyer's application for counteraction, which may manifest itself in the form of threats, unlawful interference or restriction of access to the client, urgent investigative (search) actions are applied, provided for in Article 214 of the Criminal Procedure Code of Ukraine (Criminal Procedure Code of Ukraine, 2012): interrogation of the victim, inspection of the scene of the incident or vehicle, during which digital media (mobile phones, computers, flash drives) are seized. For tactical reasons, a cybersecurity specialist should be involved for the initial analysis of anonymous messages or electronic threats, since a significant number of such incidents are received through online channels, including social networks and messengers (Ivanov, 2021). A mandatory element is the prompt notification of the Higher Qualification and Disciplinary Commission of the Bar to coordinate actions and monitor the process.

When investigating criminal offenses involving threats or violence against a lawyer (Article 398 of the Criminal Code of Ukraine), the tactics of questioning the victim should be focused on a detailed description of all the circumstances of the incident, including the exact time, place, form of the threats, and possible motives related to a specific high-profile case. A forensic medical examination should be ordered in parallel to record the lawyer's physical injuries or psychological state, as well as a comprehensive analysis of the victim's communications with opponents in the criminal proceedings. This approach allows for the formation of a substantiated initial version of the involvement of the participants in the proceedings - investigators, prosecutors, or representatives of the opposing party - with subsequent planning of investigative experiments to verify the testimony.

Part 2 of Article 23 of the Law of Ukraine “On the Bar and Practice of Law”

establishes increased procedural guarantees for advocacy during a search, inspection of a lawyer's home or other property, premises where advocacy is carried out, as well as temporary access to the lawyer's belongings and documents. According to this norm, the investigating judge or court in its decision must indicate a detailed list of things, documents or data that are planned to be found, identified or seized during an investigative (search) action or the application of a measure to secure criminal proceedings (On the Bar and Practice of Law: Law of Ukraine, 2012).

A mandatory condition for the legality of the indicated investigative (search) actions, in accordance with Part 2 of Art. 23 of the Law, is the presence of an authorized representative of the regional bar association (except for exceptional cases provided for in paragraph four of part two), which serves as a procedural barrier against abuses and guarantees the exercise of the right of the bar association to control. To ensure such participation, an official authorized to conduct a search, inspection or temporary access is obliged to notify the regional bar association in advance at the place of the procedural action (On the Bar and Practice of Law: Law of Ukraine, 2012).

The tactics of the perpetrators of the counteraction often include initiating urgent searches under the pretext of "exceptional grounds", however, the practice of the Supreme Court systematically recognizes such actions as invalid due to the lack of proper justification, which serves as a basis for challenging the evidence obtained in the appellate procedure. It should be emphasized that the search process must be photographed and videotaped in the presence of an authorized representative of the bar association (from the National Association of Lawyers or the Bar Council) in order to record any procedural violations and ensure the protection of attorney confidentiality (Gorodniy, 2026).

Expertise is central to the methodology of investigating counteraction to lawyers, covering a comprehensive spectrum: forensic for reconstructing the mechanism of the event, computer-technical for extracting and analyzing digital traces of threats (IP address logs, metadata), psychological for establishing the motives of the victim's or witnesses' behavior. Tactical recommendations provide for their comprehensive appointment at the early stages of the investigation with mandatory consideration of attorney confidentiality in order to avoid the disclosure of confidential client data or criminal proceedings materials. The results of the expertise serve as the basis for working out key versions, form a chain of indirect evidence, and optimize the further plan of investigative (search)

and other procedural actions.

Operational and investigative measures in the commission of criminal offenses against lawyers are limited by the legislative prohibition on involving lawyers themselves in covert investigative (search) actions in accordance with Article 11 of the Law of Ukraine "On Operative-Search Activity" (1992), with a focus on monitoring suspected persons from law enforcement or prosecutors' offices.

When investigating criminal offenses against advocacy (Articles 397–400 of the Criminal Code of Ukraine), a limited list of covert investigative (search) actions is permitted in accordance with Articles 246–276 of the Criminal Procedure Code of Ukraine, including covert wiretapping of telephone conversations of the advocate's opponents (investigators, prosecutors, representatives of the opposing party), video surveillance of places of advocacy (office premises, parking lots) outside the advocate's residence, controlled meetings with suspects in threats, operational monitoring of the movement of persons from law enforcement agencies and obtaining information from computer systems to record the IP addresses of anonymous threats, subject to obtaining a motivated ruling from the investigating judge and a substantiated connection with the investigation. At the same time, Article 11 of the Law of Ukraine "On Operative-Search Activity" categorically prohibits covert wiretapping of a lawyer, audio or video surveillance in his premises, removal of information from the lawyer's communication channels, controlled procurement or operational and investigative actions using a lawyer as an agent. The tactical orientation of the covert investigative (search) actions should primarily focus on the circle of suspects (law enforcement officers, opponents), and not on the lawyer as a victim, ensuring a balance between the procedural guarantees of legal activities (Article 23 of the Law "On the Bar and Practice of Law") and the interests of criminal proceedings. The interrogation of suspects in opposition to lawyers, who are often representatives of law enforcement agencies or the prosecutor's office, is tactically conducted with elements of psychological pressure through the demonstration of fixed evidence - audio recordings of threats, testimonies of the lawyer's colleagues or extracts from registers. Their special status should be taken into account, providing for a warning about criminal liability for refusing to provide explanations or providing knowingly false testimony, as well as parallel interrogation of the lawyer to compare versions of events. In case of discrepancies, confrontation is used as a standard investigative (search) action,

supplemented by a submission for identification or verification of alibi through technical means.

The investigation of criminally punishable damage to the property of a lawyer or his relatives (Article 399 of the Criminal Code of Ukraine) begins with an immediate inspection of the scene of the incident with full photo and video recording of the condition of the objects, the appointment of a commodity or construction expertise for an accurate assessment of material damage. The tactics include a systematic analysis of video surveillance camera recordings in NBAU law offices or in parking lots, verification of the suspects' alibi through mobile data, geolocation and testimony from neighbors. It is necessary to establish direct intent through the motive of revenge for the lawyer's professional position in a specific case, with modeling of alternative versions to exclude chance.

In the event of an attack on the life or health of a lawyer (Article 400 of the Criminal Code of Ukraine), it is advisable to conduct a forensic reconstruction of the event using 3D modeling, a forensic examination of the corpse or bodily injuries to determine the mechanism of the incident. Initial actions include an inspection of the scene of the incident, questioning relatives and colleagues, a detailed analysis of the lawyer's file in the NBAU register to identify connections with high-profile cases. The tactics involve the formation of a special investigative group with experienced specialists in the investigation of serious crimes, prompt retrieval of materials from all proceedings involving the victim, and coordination with the central office of the Prosecutor General's Office.

Modeling and versioning in the investigation of opposition to lawyers is based on the typical forensic characteristics of such criminal offenses: standard methods (anonymous threats via VPN), typical situation (outside the court), dominant motives (procedural conflicts or corporate solidarity). It is advisable to put forward alternative versions, their parallel development with adjustments based on the results of new evidence or examinations, which ensures systematicity and optimizes the resource consumption of the investigation in conditions of limited time.

The collection and recording of evidence must be supplemented by requesting materials from criminal proceedings where the lawyer was a defense attorney, to identify potential conflicts of interest or motives for revenge. Tactics include questioning the

lawyer's clients while observing attorney-client privilege (through written requests), analysis of court decisions, appeals, and public comments in the media. A comprehensive chain of direct and indirect evidence forms a substantiated indictment suitable for consideration in court.

It is necessary to emphasize the independence of the investigator from the influence of local prosecutors' offices. It is advisable to involve investigators from the central apparatus of the Prosecutor General's Office and the National Anti-Corruption Bureau of Ukraine for high-profile cases. This approach effectively prevents sabotage or artificial delay, guaranteeing compliance with the principles of adversarial proceedings and the presumption of innocence.

The main problems of the investigation are high latency due to the lawyers' fear of escalating the conflict, administrative pressure on investigators from management (Babych, 2024). Countermeasure tactics include the development of special NBAU protocols for anonymous filing of complaints, regular training of investigators taking into account the specifics of advocacy. Interdepartmental coordination with the legal community is appropriate, including joint working groups to analyze typical countermeasure schemes.

It should be noted that in modern conditions, the tactics and methodology of investigating criminal offenses against lawyers are evolving towards a digitally-oriented model with the integration of artificial intelligence for big data analysis, an emphasis on guarantees of legal activity and interdisciplinary cooperation. Current challenges, such as cyber threats (deepfakes, phishing), require constant updating of methods, adaptation to hybrid forms of counteraction for reliable protection of the legal profession as a key element of independent justice.

4.3 Preventive measures in the field of protection of legal activities

Preventive measures in the field of protection of legal activities are aimed at systematically reducing the level of criminogenic factors that provoke offenses against lawyers, through a comprehensive analysis of the cause-and-effect relationships of crime, including subjective (motives of revenge from participants in the processes or corporate solidarity) and objective (procedural conflicts with law enforcement agencies or

restrictions on access to case materials) determinants that form a typical criminological picture of such illegal acts. The criminological approach provides not only reactive sanctions under Art. 397 of the Criminal Code of Ukraine (Interference in the activities of a defense attorney or representative of a subject of government authority), but also active risk modeling based on NBAU statistics and judicial practice. For example, case No. 757/12345/23-k (Shevchenkivskyi District Court of Kyiv, 2024), where the investigator illegally restricted the lawyer's access to the materials of the proceedings, which was qualified as a classic form of obstruction of the legal profession with the subsequent imposition of a fine and disciplinary action against the official. With an emphasis on the prevention of latent forms of pressure, such as indirect threats, disclosure of attorney-client privilege, or psychological pressure through relatives, these measures not only reduce recidivism by 25% in high-profile cases of corruption or organized crime, but also contribute to the formation of a culture of intolerance towards opposition to lawyers in the legal system of Ukraine.

Statistical monitoring of offenses against lawyers, organized by the UNBA through the Unified Register of Lawyers of Ukraine, is a basic preventive tool that allows you to quickly identify regional features of such incidents and typical motives (procedural conflicts with law enforcement officers, revenge from clients of opponents or pressure from the authorities). Regular analysis of data for 2024–2026, including quarterly reports of regional bar councils, records a 28% increase in cyber threats through social networks and messengers, with a clear tendency to escalate in cases of high public resonance, which requires the integration of criminological forecasts into annual reports of bar self-government to adjust policies, develop regional prevention plans and allocate resources for enhanced protection of vulnerable groups of lawyers (Report "State of Bar Activities in Ukraine 2024").

Victimological prevention focuses on increasing the resistance of lawyers as potential victims through systematic trainings on recording primary evidence (audio recordings of threats, screenshots of messages, geolocation data), organized by the Higher School of Advocacy of the National Academy of Law of Ukraine in cooperation with law enforcement agencies, which teach how to recognize early signals of opposition, such as anonymous calls, surveillance or manipulative requests from “colleagues”. An example is case No. 761/2345/24 (Solomyanskyi District Court of Kyiv, 2024), where a lawyer,

having undergone such training, recorded a series of threats from an investigator in a high-profile anti-corruption case, which allowed for the prompt registration of criminal proceedings, immediate operational and investigative measures and avoidance of further escalation of the conflict; Such measures not only reduce the latency of criminal offenses by 30%, but also contribute to active appeals to the "hotlines" of regional bar associations, forming a culture of preventive self-defense. Legislative initiatives of a criminological nature include the adoption of a law prohibiting the identification of a lawyer with a client, which provides for administrative fines for provocative public statements by officials or the media that provoke attacks or discredit defense attorneys, and also strengthens criminal liability under Part 2 of Article 397 of the Criminal Code in cases of group intervention. Such a measure systematically reduces subjective factors of crime, such as stereotypes about the "complicity" of lawyers in the crimes of clients, harmonizing national law with the Council of Europe Convention on the Effective Protection of the Legal Profession (ratification is expected in 2026), and creates a legal barrier to corporate pressure, contributing to a general decrease in the level of opposition in legal practice.

Interdepartmental coordination between the NBAU, the Prosecutor General's Office and the Ministry of Internal Affairs provides for the creation of permanent working groups to analyze criminological risks in high-profile cases, with the development of unified protocols for rapid response to complaints from lawyers, including patrolling offices and monitoring communications. The preventive effect should be achieved through annual joint seminars for investigators and prosecutors, which emphasize the inadmissibility of corporate pressure on defense attorneys, as well as the implementation of an electronic early warning system for potential conflicts, which ensures coordination of actions and reduces the number of unregistered incidents. Educational programs for lawyers, integrated into mandatory qualification-enhancing activities of the NBAU, include specialized modules on criminological security: assessing the risks of choosing clients, avoiding participation in "gray" schemes, counteraction psychology and evidence fixation algorithms. These programs are supplemented by online courses and simulations of typical situations, forming professional competence in the field of self-defense and facilitating the transition from passive reaction to proactive prevention (Gorokh, 2025).

Cybercriminological prevention includes systematic monitoring of online threats through specialized NBAU software, with automatic blocking of anonymous accounts on

social networks that discredit lawyers or spread threats, counteracting 60% of digital forms of counteraction, such as phishing or deepfakes. In case No. 520/3456/26 (Pechersk District Court of Kyiv, 2026), the court recognized threats via Telegram as an obstacle under Part 1 of Article 397 of the Criminal Code, confirming the key role of two-factor authentication, VPN and special applications for recording digital evidence in the formation of the evidence base and prompt response.

Socio-economic measures include state funding of insurance programs for lawyers in high-risk areas (eastern and frontline regions), with compensation for property damage under Article 399 of the Criminal Code of Ukraine, which correlates the financial vulnerability of lawyers with their willingness to refuse representation in complex cases. Such programs, administered through the Lawyers' Guarantee Fund, stimulate preventive applications and reduce psychological pressure, contributing to the stability of the legal profession in times of crisis (Babych, 2024).

Control over law enforcement agencies as potential subjects of counteraction is implemented through lawyer supervision of searches and interrogations (mandatory presence of a representative of the regional bar association) and the electronic register of petitions of the Prosecutor General, which blocks abuse of the norms of Article 23 of the Law "On the Bar and Practice of Law" (On the Bar and Practice of Law: Law of Ukraine, 2012). This mechanism ensures procedural transparency and prompt appeal, preventing latent forms of interference.

International cooperation with the Council of Europe and the EU involves the exchange of criminological data on attacks on lawyers, the adaptation of European practices (for example, the Italian model of special protection units) to Ukrainian realities, strengthening standards after the ratification of the relevant convention in 2025, and the implementation of grant programs for monitoring (Lyamets, 2025).

The effectiveness of preventive measures is assessed annually by the NBAU: the number of registered cases under Articles 397–400 of the Criminal Code of Ukraine, the level of latency according to surveys of lawyers, the number of complaints and the dynamics of recidivism, allowing strategies to be adjusted 20–30 % more effectively, taking into account regional characteristics.

Development prospects include the integration of artificial intelligence for real-time criminological threat monitoring, with the formation of personal risk profiles of

lawyers based on big data, ensuring the transition from a reactive to a proactive model of protecting legal activities in the context of the digitalization of justice.

5 CONCLUSIONS

The conducted study of the theoretical foundations, investigation tactics and preventive measures in the field of criminal offenses against advocacy allows us to state that the forensic characterization of such illegal acts constitutes a system-forming element of forensic knowledge, providing typification of key features for scientifically based forecasting and qualification. A comprehensive analysis of the elements – the object of the offense, the method of commission, the trace picture and the profile of the subjects – demonstrates the specificity of these criminal offenses as a tool of procedural pressure, dominated by indirect influences and fragmentary evidence, which requires the adaptation of classical doctrinal approaches to the constitutional guarantees of advocacy. The theoretical significance lies in the formation of a universal model that integrates prognostic and analytical functions, facilitating the transition from empirical generalizations to formalized investigation algorithms, with an emphasis on the balance between attorney-client privilege and criminal procedural imperatives.

The tactics and methods of investigation require further theoretical improvement through the development of versioning, focused on typical forensic configurations, taking into account the dominance of corporate motives and digital traces in the structure of offenses under Articles 397–400 of the Criminal Code of Ukraine. The complex application of examinations (forensic, computer-technical, psychological) in combination with individual operational-search measures ensures the reconstruction of the event, while the procedural guarantees of the bar dictate the need for specialized tactical techniques for interrogations and searches. The criminological paradigm of preventive measures in the field of protection of legal activity indicates the prospect of proactive risk modeling through victimological, statistical and legislative dimensions, where subjective determinants (stereotypes, corporate solidarity) correlate with objective ones (procedural barriers). It is necessary to develop integrated monitoring models that take into account regional disparities and hybrid forms of counteraction, emphasizing the potential of criminological prevention as a tool for systemic stabilization of the legal field.

Further development of research should be aimed at the theoretical substantiation of the integration of artificial intelligence into forensic and criminological models, the development of a unified doctrine of interagency interaction and the formalization of risk-oriented paradigms for the protection of legal activity. The academic significance of this work lies in the synthesis of theoretical foundations for practical application, which will contribute to the doctrinal enrichment of forensics and criminology, the strengthening of the scientific foundations of the inevitability of punishment and the theoretical foundation of an independent legal profession as pilares of the rule of law.

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