

фахівці), які відповідають сучасному рівню розвитку відповідних галузей суспільної діяльності, що використовуються слідчим, прокурором та судом під час розслідування та судового розгляду зазначених кримінальних правопорушень.

Крім того, при розслідуванні складних багатоепізодних кримінальних правопорушень потрібні також спеціальні юридичні знання, а саме знання основних законів та нормативних актів, що регламентують порядок та умови діяльності тих чи інших суб'єктів господарювання або сфер діяльності, наприклад галузі економіки, оборонний комплекс та інші.

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Микола Єфімов

доктор юридичних наук, професор,
професор кафедри криміналістики
та домедичної підготовки
Дніпровського державного
університету внутрішніх справ

FEATURES OF INSPECTION OF THE SCENE DURING THE INVESTIGATION OF HOOLIGANISM COMMITTED BY FOOTBALL FANS

The investigation of any criminal offense requires an appropriate list of investigative (search) actions, covert investigative (search) actions and other procedural measures. Cases of hooligan acts by football fans are no exception. Among the mandatory investigative (search) actions that must be implemented in the specified category of criminal proceedings is an inspection of the scene of the incident. The tactics of its implementation depend on many factors and require detailed clarification. Since the most complete collection of the optimal amount of evidentiary information will ensure the high-quality drafting of the indictment.

Moving on to the coverage of individual investigative (search) actions, we will immediately begin with an examination of the scene of the incident. In

particular, according to Part 1 of Art. 237 of the Criminal Procedure Code of Ukraine, in order to identify and record information about the circumstances of the commission of a criminal offense, the investigator and prosecutor conduct an inspection of the area, premises, things and documents [4]. In turn, E. I. Makarenko noted that the inspection of the scene is an urgent procedural action aimed at investigating the territory (premises or structures) where an event containing signs of a crime took place [5, p. 32]. Supporting the stated position, we note that the individuality of the material situation is the basis for each investigated event. After all, the relationship between football fans who committed hooliganism and other participants of this event will in any case be different depending on many conditions. That is why the authorized person, investigating the situation during the inspection of the scene of the incident, can restore their mechanism, find out the likely participants, their psychology, etc.

During the study of the materials of criminal proceedings instituted under Art. 296 of the Criminal Code of Ukraine [3], we established that during the inspection of the scene of the incident, mistakes were made in determining its boundaries. This mostly happens as a result of fixing traces and the situation at the scene without understanding them. At the same time, the nature of the events and the situation determine in each specific case the boundaries of the territory, which must be carefully inspected. Due to the unreasonable narrowing of the boundaries, those areas of the terrain that may contain traces and objects that are directly related to hooligan actions remain unexamined. After all, the specificity of the investigation of hooliganism is that offenders sometimes move over a fairly large territory during a certain period of time [1, p. 277]. This aspect is also important in the investigation of hooliganism committed by football fans.

For example, on June 1, 2019, around 3 p.m., O., gr. B. and gr. Yu. at the municipal stadium, on Fizkulturnaya Street in the village of Dubove, Tyachiv District, after the football match of the Zakarpattia Higher League between FC Karpaty and FC Polyana, which took place at the above-mentioned municipal stadium, one of the fans, being dissatisfied with the decisions of the football referee of the match, O. went to the football field, where he approached the referee and, knocking him to the ground, grabbed his clothes and started dragging him on the ground. At this time, with the same motives and incentives, gr. ran up to them. B., who hit the victim with his right foot once in the head. After that, gr. Yu., who was also dissatisfied with the decisions of the referee of the match, went to the football field, approached the place where the victim was lying, pushed Gr. B. and struck the victim with his right foot once in the chest area [6]. The criminal proceedings on the given fact continued for about 4 years due to the narrowing of the scope of inspection of the scene of the incident, in connection with which the opportunity to collect a sufficient amount of material evidentiary information was lost.

We also share the opinion of B. V. Klimov regarding the fact that carriers of digital information about the event of a committed criminal offense should be identified and removed during the inspection of the scene of the event, and not after the opening of criminal proceedings. The author cites an example in which

only three months after entering information into the Unified Register of Pretrial Investigations, the press attache of one of the football clubs provided information that during the match one of the fans took photos, including the event of a fight that began on tribune, and continued on the field. In addition, the scientist points out that these photos were also posted on the website of one of the football clubs some time after the event [2, p. 400-401].

In addition, during the investigation of hooliganism committed by football fans, the investigated procedural action can be conducted to establish the mechanism of committing the illegal act. In this case, as S. M. Stakhivskyi aptly pointed out, it is necessary to restore the previous conditions if possible, if they were violated, to warn the owners of the relevant premises about the time of the intended experiment [7, p. 32].

Summing up, we note that a mandatory investigative (search) action, which must be implemented in the specified category of criminal proceedings, is an inspection of the scene of the incident. It is emphasized that the individuality of the material situation is the basis for each investigated event. After all, the relationship between football fans who committed hooliganism and other participants of this event will in any case be different depending on many conditions.

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