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Organisational and legal basis for prioritising the activities of investigative units of the National Police of Ukraine in the context of criminal procedural activities

Artem Shevchyshen*

Doctor of Law, Professor

Main Investigative Department of the National Police of Ukraine
01024, 10 Akademika Bohomoltsia Str., Kyiv, Ukraine
<https://orcid.org/0000-0002-1342-6639>

■ **Abstract.** The study analysed the organisational and legal basis for prioritising the activities of investigative units of the National Police of Ukraine in the context of criminal procedural activities. The relevance of the study is conditioned by the growing burden on investigative units (more than 1.5 million criminal proceedings in 2024 with an average load of 307 proceedings per investigator) and the need for strategic management under martial law. In such circumstances, prioritisation acts not only as a management tool, but also as a factor in ensuring the efficiency, sustainability, and effectiveness of the activities of pre-trial investigation bodies. The purpose of the study was to substantiate and systematise the concept of prioritisation in the functioning of investigative units as a means of improving criminal procedural activities and optimising the use of limited resources. The methodology included: systematic and comparative legal approaches, analysis of statistical and regulatory data, and generalisation of empirical materials of pre-trial investigation practice. The use of these methods helped to identify both theoretical and applied aspects of prioritisation in criminal proceedings. The results of the study showed that determining the priority of criminal proceedings is based on a set of legal, procedural, and social criteria: the severity of the crime, the risk to the life and safety of individuals, the presence of procedural deadlines, public response, and the urgency of investigative (search) actions. The paper offered a detailed five-stage prioritisation algorithm that covers legal qualifications, procedural status, operational and official circumstances, the investigation stage, and the final assessment. The necessity of improving the mechanisms of interdepartmental coordination, optimising the workload, and considering the expectations of civil society was substantiated. The practical significance of the study was to develop a structured approach to managing priorities in the activities of investigative units, which will contribute to improving the effectiveness of pre-trial investigation, ensuring timely procedural response, and building public confidence. The necessity of introducing specialisation, updating the training system, and introducing uniform priority criteria, especially in the investigation of war crimes and crimes against vulnerable categories of persons, was justified

■ **Keywords:** management of investigative resources; algorithm for determining priorities; specialisation of investigative units; interdepartmental coordination of pre-trial investigation; criteria for the public significance of crimes; optimisation of criminal procedural activities

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■ *Corresponding author

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■ Introduction

In the current realities of limited administrative and human (service) resources, and growing public expectations and significant threats, the law enforcement agencies of Ukraine are obliged to act strategically and carefully to ensure human and civil rights and freedoms. In the context of a long war, it is critically important to determine priority areas of activity for investigative units of the National Police of Ukraine, since their task is to protect the individual, society and the state from criminal offences and illegal encroachments. Prioritisation, as a form of management in public activities, helps not only to increase the effectiveness of the investigation, but also to properly allocate resources, build public trust, and respond to current challenges. As of today, considering the realities of the functioning of the Ukrainian state, prioritisation is not about convenience, but about survival, sustainability, and efficiency.

The importance of applying this approach is primarily conditioned by the significant workload of investigative units of the National Police of Ukraine. According to information from the Office of the Prosecutor General of Ukraine (2025), in 2024, police investigators investigated more than 1.5 million criminal proceedings, of which 431,000 were initiated in 2024. The investigation of more than 280 thousand criminal proceedings was completed, of which 62 thousand materials were sent to the court. The average workload per investigator is 307 criminal proceedings. During the first quarter of 2025, police investigators investigated 1 million 185 thousand criminal proceedings, which is almost 8% more than during the same period previous year (1 million 100 thousand). 148 thousand criminal proceedings were initiated in the first quarter of 2025 (for this period in 2024 – 153 thousand). Of those that were in the proceedings, 61 thousand criminal proceedings were investigated. Materials on almost 16 thousand criminal proceedings were sent to the court in three months of 2025. Such a significant workload on the investigative apparatus of the National Police of Ukraine, which, according to internal service materials, has a staff of just over 11,000 employees (National Police of Ukraine, 2024), is a factor in increasing employee stress (Balynska *et al.*, 2024) and creates a need to apply prioritisation methods in their work, which, in turn, has not been researched from a scientific standpoint and therefore requires in-depth scientific analysis.

According to the Decree of the Cabinet of Ministers of Ukraine dated August 23, 2024 No. 792-p¹, which approved a comprehensive strategic plan for

reforming law enforcement agencies as part of the security and defence sector of Ukraine for 2023-2027, paragraph 2.4.1. provides for an annual (considering the results of an analytical report on the structure, dynamics of crime and features of the criminal situation on the territory of the state) determination of national and regional priorities for countering crime. Given that the National Police of Ukraine is responsible for implementing this task, the issue of creating a scientific and theoretical basis for the application of a system of national and regional priorities for combating crime, based on the results of practical activities, is of paramount importance in terms of conducting pre-trial investigations.

Considerable attention is paid to the problem of allocating and prioritising police resources, which directly affects the effectiveness and fairness of criminal investigations, and in the world scientific literature. H. Maslen & C. Paine (2024) substantiated the ethical specificity of such decisions, arguing that, unlike in the medical field, the police act in the context of a collective assessment of needs and a balance between efficiency and fairness. In this context, E. Halford (2024) proposed the Decision-Making Framework for Policing, which provides a cognitive-analytical approach to prioritisation and resource allocation, integrating heuristic, naturalistic, and rational principles.

From the legal standpoint, L. Landström *et al.* (2019) showed that prioritisation in the police has legal limits: excessive selectivity in investigations can run counter to the principle of legality and equality of citizens before the law. T. Sullivan *et al.* (2018) proves that in organised crime cases, decisions on the order of investigations should be based on a set of criteria – public harm, level of corruption risks, geographical prevalence, and criminal impact.

The problem of effective management of investigative units was considered by H. Prince *et al.* (2021), who assessed the evidence base of effective investigative practices. A similar opinion was developed by N. Deslauriers-Varin & F. Fortin (2021), emphasising the importance of evidence-based approaches for justifying decisions on the priority of investigations. In the field of digital forensics, G. Horsman (2022) proposed a formalised method for prioritising cases in digital evidence laboratories using the Hierarchy of Case Priority (HiCaP) model, which is based on risk assessment and case characteristics. D. Wilson-Kovacs & J. Wilcox (2023) analysed how risk-based demand assessment in digital forensics in England and Wales faces challenges, and offered updated

¹ Resolution of the Cabinet of Ministers of Ukraine No. 792-p “On Approval of the Action Plan Aimed at Implementing the Comprehensive Strategic Plan for the Reform of Law Enforcement Agencies as Part of the Security and Defence Sector of Ukraine for 2023-2027”. (2025, August). Retrieved from <https://zakon.rada.gov.ua/laws/show/792-2024-%D1%80#Text>.

system approaches to improve backlog management and collaboration between operational and technical teams. Ultimately, R.A. Wickenheiser (2023) suggested a proactive approach to crime scene processing that indirectly promotes prioritisation of high-value evidence through rapid analysis such as Rapid DNA, reducing the accumulation of cases in laboratories. In the context of prioritising suspects, D.K. Rossmo & A.M. Jones (2025) demonstrated how group-individual probability confusion distorts ranking in information overload investigations, leading to cognitive errors and recommendations for probabilistic training for investigators.

Thus, in the modern doctrine, the prioritisation of police activities is interpreted as a multidimensional management phenomenon that combines legal restrictions, ethical principles, and analytical tools for optimising resources. The purpose of the study was to reveal the content and significance of prioritisation in the activities of investigative units, and to determine its role in improving the effectiveness of criminal procedural activities in conditions of limited resources.

■ Materials and Methods

The methodological basis of the study was a combination of systematic, functional, and activity-based approaches to the analysis of criminal procedural activities. Within this conceptual framework, prioritisation was considered not as a separate management technique, but as an element of organising the activities of pre-trial investigation bodies, which is developed under the influence of legal, procedural, social, and security factors. The theoretical basis also included scientific approaches to the problem of allocating limited resources in law enforcement activities, and advanced foreign concepts of media influence on justice and prioritisation of criminal proceedings.

In the course of the study, a complex of general scientific and special legal methods was used. The formal legal method was used to analyse the provisions of the Criminal Code of Ukraine¹ and the Criminal Procedure Code of Ukraine², in particular, regarding the categories of crimes, procedural terms, and the procedure for performing certain procedural actions. With its help, regulatory limits were established within which criminal proceedings were prioritised. The method of system analysis allowed considering the activities of investigative units as an integral mechanism in which prioritisation was associated with the workload, specialisation of investigators, stages of criminal proceedings and external control.

The comparative legal method was used to analyse approaches to prioritisation in foreign research, in particular, in the framework of the discussion on

the concept of “No viral – no justice”. This allowed comparing the conclusions of foreign researchers with the results obtained in Ukrainian conditions, and substantiating the specifics of the national context. The logical and structural method was used in the construction of the author’s algorithm for prioritising the activities of investigative units, which helped to form a consistent model for evaluating criminal proceedings based on a set of legal and procedural parameters.

The empirical basis of the study was the materials of law enforcement practice, in particular, court decisions of the Cassation Criminal Court within the Supreme Court, which revealed the ambiguity of approaches to the application of procedural deadlines and statute of limitations. Official statistics of the Office of the Prosecutor General of Ukraine on the state of pre-trial investigation and the structure of criminal offences, including in terms of war crimes, were also used. These materials helped to substantiate the conclusions regarding the congestion of investigative units and the impact of “dead” criminal proceedings on the prioritisation system.

The source base of the study also consisted of laws and regulations, in particular, the Order of the Ministry of Internal Affairs of Ukraine on the organisation of the activities of pre-trial investigation bodies, which allowed analysing the issues of specialisation of investigators, including administrative documents of the Cabinet of Ministers of Ukraine in the field of law enforcement reform. The processing of these materials established an institutional framework for implementing prioritisation mechanisms.

The sequence of the study included, firstly, the analysis of legal regulation and scientific approaches to prioritisation; secondly, the investigation of the practice of applying procedural deadlines and statute of limitations; thirdly, the analysis of the features of prioritisation under martial law; and, fourthly, the development of a generalised author’s algorithm for prioritising the activities of investigative units. It was this logic of the study that ensured the achievement of the goal and the validity of the results obtained.

■ Results and Discussion

Present-day realities define new requirements for the justice system, in particular, for the organisational processes of pre-trial investigation. An important aspect of this system is its adaptation to the specifics of the internal and external situation. Law enforcement agencies, in particular pre-trial investigation bodies and the prosecutor’s office under martial law, inevitably face new challenges and the need to review the structure and organisation of pre-trial

¹ Criminal Code of Ukraine. (2001, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/2341-14#Text>.

² Criminal Procedure Code of Ukraine. (2012, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/4651-17#Text>.

investigation. The change in political and social life caused by the introduction of martial law brings to the fore the need to optimise the organisational processes of pre-trial investigation. A. Kubaienko (2023) argues that under martial law, changes in the political and social context make it necessary to review the organisational models of pre-trial investigation and implement structural changes aimed at improving the efficiency, stability, and fairness of the functioning of the criminal justice system.

In this context, it becomes an important task to ensure effective and prompt detection and investigation of illegal actions, and on the part of the prosecutor's office, effective procedural management of the investigation of criminal offences under martial law. Thus, the issues of optimising the processes of pre-trial investigation are really defined as priorities and require constant scientific and practical attention, which is impossible without analysing the opinions of scientists and researchers. However, the issues of factors influencing the definition of priority and the very concept of priority in the pre-trial investigation management system require additional clarification, considering the subject and object of research.

Priority, in the classical socio-philosophical sense, is the degree of importance or preference given to a particular task, action, solution, or object over others. Priorities set the order of actions or choices based on goals, resources, and circumstances (Busel, n.d.). Accordingly, in a broad sense, the priority in the functioning of the investigative units of the National Police of Ukraine in the context of criminal procedural activities can only be those criminal procedural foundations and specifically formulated and socially established public demands that will objectively influence the further functioning of the relevant investigative unit and satisfy society, whose rights and freedoms are ensured by the functioning of law enforcement agencies in general.

Among the main factors influencing the determination of priority in Ukraine, it is worth highlighting: the severity of the crime (particularly serious and serious, according to Article 12 of the Criminal Code of Ukraine¹ (CC of Ukraine) – priority is given to crimes against life, health, sexual freedom, or committed against particularly vulnerable categories (children, persons with disabilities, the elderly, victims of domestic violence); the presence of a threat to the life or safety of persons – higher priority is given to those where there is a risk of re-committing a crime or a threat to victims, witnesses, or society; the presence of procedural deadlines – those where persons are detained in accordance with Article 208 of the Criminal Procedure Code of Ukraine² (CPC of Ukraine) are

primarily investigated, as this is conditioned by time constraints in respect of their retention, notification of suspicion to such persons; public outcry and public interest – proceedings which arouse considerable public and public attention or are actively covered by the media or with a large number of applicants; urgency of carrying out procedural actions – existence of a threat of destruction, alteration, or concealment of evidence – carrying out a search, questioning, inspection of the scene of an accident or temporary access to things and documents; investigation stage – if the pre-trial investigation is at the final stage, the investigator can focus on its completion, in order to prevent violation of deadlines or loss of evidence.

D. Keatley (2025) suggests applying the Analysis of Competing Hypotheses (ACH) method, a structured analytical approach to evaluating competing versions in criminal proceedings. This method allows organising hypotheses and evidence in the form of a proof-hypothesis matrix, clearly recording which factual data is compatible or incompatible with each version of events. This approach helps to avoid cognitive biases, in particular, confirmation bias and tunnel vision, and provides a more objective definition of further areas of investigation.

Further development of the idea of analytical prioritisation is observed in the study by J. Mortera & W.C. Thompson (2025), who, using Bayesian modelling, proved that the epistemic value of evidence depends not only on its content, but also on the sequence of its receipt in relation to the development of the hypothesis. Evidence obtained after putting forward a version may have a different credibility than those that appeared before it, which makes it necessary to consider the time logic of forming an evidence base when planning investigative (search) actions. This Bayesian approach avoids “fitting” facts to assumptions and increases the reliability of conclusions in the prioritisation process.

In addition, it should be emphasised that complaints received from interested persons in the framework of criminal proceedings can potentially indicate problems in its investigation and serve as an indicator of the need to implement control measures for a specific pre-trial investigation, that is, to prioritise it. It should be noted that these priorities in general may not be effective in practical application, provided that there are strategically distorted approaches to calculating the burden on investigators, which now has a stable regulatory and legislative basis.

In particular, the practice of pre-trial investigation contains situations when criminal proceedings are subject to closure due to the expiration of the statute of limitations (in accordance with parts 5 and

¹ Criminal Code of Ukraine. (2001, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/2341-14#Text>.

² Criminal Procedure Code of Ukraine. (2012, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/4651-17#Text>.

6 of Article 49 of the Criminal Code of Ukraine¹ and Paragraph 3¹ of part 1 of Article 284 of the Criminal Procedure Code of Ukraine²), however, the courts do not take appropriate decisions or examine the application within a reasonable time. Thus, as of April 01, 2025, investigators and investigators are conducting more than 180 thousand criminal proceedings that are subject to closure on the specified grounds (of which 44 thousand and, for a minor crime; 70 thousand, for serious crimes; 3 thousand and, for a particularly serious crime). Simultaneously, materials of about 10 thousand such proceedings were sent to the court for closure, which is 5.3% of those that are subject to closure (Office of the Prosecutor General of Ukraine, 2025).

The judicial practice has developed ambiguously, and only the decisions of the Supreme Court (ruling of March 22, 2021 in Case No. 326/1101/20³) determine that within the meaning of Article 284 of the CPC of Ukraine⁴, the closure of the criminal proceedings on the basis of its paragraph 3-1 of part 1 is the court's duty, while other decisions (ruling of 15 February 2024 by the panel of judges of the First judicial chamber of the Cassation Criminal Court in Case No. 687/1066/22⁵) it is indicated that the closure of criminal proceedings on the basis of paragraph 3-1 of part 1 of Article 284 of the CPC of Ukraine⁶, in which the victim, who noted that the criminal offence was committed by specific persons directly indicated by the pre-trial investigation body, is a significant violation of the requirements of the Criminal Procedure Code of Ukraine. Researchers also draw attention to the fact that the issue of ambiguity in the application of the provisions of paragraph 3-1 of part 1 of Article 284 of the Criminal Procedure Code of Ukraine⁷ are relevant and require detailed information.

V.V. Dovhanych (2022) points to the fact that the application of the statute of limitations for bringing to criminal responsibility has its own differences at certain stages of criminal proceedings. If this period expired during the pre-trial investigation, the court must close the proceedings by applying Article 49 of the Criminal Code of Ukraine⁸. Logically linking these criminal procedural features, it should be emphasised that this category of criminal proceedings, first of all, blurs the part of them in which an active pre-trial investigation is carried out, procedural

decisions are made and investigative (search) actions are carried out, and accordingly, it is impossible to establish priority in those criminal proceedings in which the terms of involvement have expired, but this indicator continues to be considered in the total number of proceedings in which a pre-trial investigation is carried out. These arguments concerning the prioritisation of the criminal proceedings to be investigated demonstrate that this is not a matter of the investigator's subjective choice, it relies on clear criteria provided for both by law and by internal acts of the pre-trial investigation bodies.

In addition, an important aspect of the study of the issue related to prioritisation in pre-trial investigation is the incorrect determination of the priority of criminal proceedings, which can lead to serious negative consequences – both procedural and official. This helps to identify the main groups of risks, namely: service and disciplinary risks (complaints of victims, lawyers, deputies, prosecutor, and other interested parties, negative assessment during certification or inspection, growing distrust of the law enforcement system); procedural risks (violation of the terms of pre-trial investigation defined in Article 219 of the Criminal Procedure Code of Ukraine⁹, delay in criminal proceedings with detainees, failure to comply with the instructions of the prosecutor or investigating judge, late delivery of suspicion or conducting a search, acquittal of the perpetrator or failure to prove guilt, etc.). A study of police attitudes to prioritising fraud shows that cultural factors often exceed resource constraints, leading to biases in the distribution of attention (Kassem & Turksen 2025).

Moreover, since the criminal procedure legislation of Ukraine defines the protection of individuals, society, and the state from criminal offences and illegal encroachments as the highest priority in the activities of pre-trial investigation bodies, the opinion of relevant public institutions and other subjects of civil society is also taken into consideration when prioritising the activities of investigative units of the National Police of Ukraine.

Effective interaction between civil society and the state is the basis for building a strong democracy in Ukraine. It requires the creation of institutional prerequisites, such as guarantees of human rights, a high level of self-organisation of citizens, and a

¹ Criminal Code of Ukraine. (2001, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/2341-14#Text>.

² Criminal Procedure Code of Ukraine. (2012, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/4651-17#Text>.

³ Ruling of the Cassation Criminal Court within the Supreme Court in Case No. 326/1101/20. (2021, March). Retrieved from <https://reyestr.court.gov.ua/Review/95682158>.

⁴ Criminal Procedure Code of Ukraine. (2012, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/4651-17#Text>.

⁵ Ruling of the Cassation Criminal Court within the Supreme Court in Case No. 687/1066/22. (2024, February). Retrieved from <https://reyestr.court.gov.ua/Review/117044181>.

⁶ Criminal Procedure Code of Ukraine. (2012, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/4651-17#Text>.

⁷ Ibidem, 2012.

⁸ Criminal Code of Ukraine. (2001, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/2341-14#Text>.

⁹ Criminal Procedure Code of Ukraine. (2012, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/4651-17#Text>.

consistent state policy. In this context, I. Kovbas & L. Bzova (2025) pointed to the fact that the lack of trust in state institutions, the formal nature of public involvement, and limited transparency of the authorities negatively affect the quality of interaction between civil society and law enforcement agencies and the perception of the results of their activities. Only through partnership between the authorities and the public, supported by effective interaction, can sustainable progress be achieved in the development of civil society and the realisation of public interests. Accordingly, the criteria expressed by civil society for prioritising the activities of investigative units should be considered and taken as the basis for forming a policy for the functioning of the relevant law enforcement agency. An analysis of open sources and law enforcement practices shows that the criteria by which civil society measures priority in this context are based on the values, emotions, fears, and expectations of citizens.

However, the definition of public resonance as one of the key criteria for prioritising criminal proceedings in contemporary scientific literature is considered not only as an instrument of democratic control, but also as a potentially problematic factor that generates the risk of the so-called “No viral – no justice” phenomenon. The essence of this concept is that the effectiveness and intensity of the response of the law enforcement system depends on the level of information “virality” of a particular event in the media space, while less public, but no less serious criminal offences risk remaining out of the focus of institutional attention. In particular, S. Charman & E. Williams (2021), analysing the mechanisms of distribution of police resources, proved that the criteria of “resonance” and “media” often correlate not with objective public harm, but with the idea of “deservedness” of victims. In their opinion, this logic undermines the principle of equal access to justice, because vulnerable, socially marginalised groups of people usually have much less media resources to mobilise public support.

A similar opinion is held by H. Maslen & C. Paine (2024), who, as part of an ethical analysis of resource allocation in policing, pointed out that unlike the healthcare system, where prioritisation is based primarily on clinical indicators, in policing it is often formed under the influence of political pressure, emotional resonance, and public expectations, which creates the risk of situational rather than strategic prioritisation. Simultaneously, the results of the analysis carried out in this study show a different picture. On the one hand, public outcry acts as a real factor in managing attention to criminal proceedings, which is confirmed by the practice of responding to

high-profile violent crimes, corruption offences, and criminal proceedings against public figures. On the other hand, the statement about the dominance of the media factor as a determining factor in the prioritisation process seems debatable, since the results of this study indicate a much more complex multi-factor decision-making model.

In particular, in the activities of investigative units of the National Police of Ukraine, public resonance does not function independently, but is closely interrelated with such objective legal parameters as: the severity of the crime (Article 12 of the Criminal Code of Ukraine¹), the presence of a threat to the life and safety of persons, procedural terms (articles 208, 219 of the Criminal Procedure Code of Ukraine²), pre-trial investigation stage, risk of loss of evidence. It is this set of factors, and not just information activity that forms the real logic of allocating an investigative resource.

The reason for the discrepancy between the critical approaches of Western researchers to the phenomenon of “No viral – no justice” and the results of this study may lie in the differences in the institutional context. In countries of sustainable democracies, where basic standards of access to justice are relatively stable, media influence can be a factor in distorting prioritisation. But in the conditions of martial law, a massive increase in the number of criminal offences and limited human and time resources in Ukraine, public attention also performs a compensatory function – it serves as an indicator of social tension, the level of fears and expectations of citizens.

The conclusions by S. Charman & E. Williams (2021) regarding the risk of discriminatory selectivity in prioritisation, given the results of this study, it is advisable to consider in a different plane. In Ukrainian conditions, the threat of violation of the principle of equality is created not so much by the media, but by the objective congestion of investigative units and the accumulation of “dead” criminal proceedings, in particular, those that are formally subject to closure due to the statute of limitations, but continue to be considered in the general load array.

The study by R. Kassem & U. Turksen (2025) also confirmed that cultural attitudes within law enforcement agencies can exceed resource constraints in importance, forming a bias in priority selection. In this context, the results of this study complement these conclusions, demonstrating that in Ukraine, the source of prioritisation distortions is often not only the organisational culture, but also the regulatory unsettled filtering mechanisms of proceedings that have actually lost their procedural perspective.

Thus, the results of the study partially support criticism of the concept of “No viral – no justice”,

¹ Criminal Code of Ukraine. (2001, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/2341-14#Text>.

² Criminal Procedure Code of Ukraine. (2012, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/4651-17#Text>.

recognising the risks of media-dependent selectivity, but at the same time deny its universality for the Ukrainian context. Prioritisation in the activities of investigative units of the National Police of Ukraine is formed not as a consequence of exclusively Information pressure, but as a result of a complex interaction of legal restrictions, procedural deadlines, public expectations, security threats, and management decisions under martial law.

In the future, it is necessary to move from a theoretical understanding of the priority of criminal proceedings to its practical instrumentation. Generalisation of the results obtained helped to form an expanded algorithm for prioritising the activities of investigative units of the National Police of Ukraine. It is a comprehensive model that combines legal, procedural, organisational, and social factors, and can be used as an internal reference point for distributing the investigative burden.

The algorithm includes five consecutive steps. At the first stage, a legal assessment of the crime is carried out: determining its category in accordance with Article 12 of the Criminal Code of Ukraine¹, the number of episodes, and the number and special status of victims. The parameters obtained affect the initial level of priority, which increases in the case of serious crimes, multiple episodes, or the presence of vulnerable categories of victims. The second stage concerns the procedural state of criminal proceedings. Presence of a detainee, declared suspicion or deadlines approaching the limit under Article 219 of the Criminal Procedure Code of Ukraine², increases the priority level. Urgent investigative (search) actions are also important, the implementation of which is of urgent importance or is associated with the risk of loss of evidence. At the third stage, operational and official circumstances are taken into consideration, in particular, external control by the prosecutor, the court, the management of the pre-trial investigation body or society, the connection of proceedings with other criminal cases, and the existence of an international element that may cause additional time or procedural restrictions. The fourth stage concerns the stage of criminal proceedings. The readiness of materials for the completion of the investigation forms an average level of priority, while waiting for the conclusions of expert examinations can either reduce or increase priority, depending on whether the corresponding results have been obtained. The fifth stage involves the final assessment of all previous indicators and assigning criminal proceedings one of

three priority levels: high, medium or low. Thus, the algorithm serves as a consistent assessment mechanism that allows ensuring the proportionality of the distribution of the investigative burden in accordance with legal significance, risks, and operational circumstances.

Prioritising the areas of work of investigative units of the National Police of Ukraine is not just words, but real changes in the organisation of their activities. To this end, the structure of investigative units is constantly being updated by creating specialised departments to investigate the most pressing and socially significant categories of crimes (as regulated by the relevant organisational and staffing regulations), and by determining the specialisation of investigators for specific types of crimes (in accordance with subparagraph 6 of paragraph 4 of Section V "Powers of the heads of investigative units of the National Police" of the Order of the Ministry of Internal Affairs of Ukraine No. 570³ of 6 July 2017), in particular: against the life and health of a person; committed by organised groups and criminal organisations); corruption, including in the sphere of official activities; involving minors and with their participation; committed in conditions of armed conflict or in temporarily occupied territories; against the environment; related to human trafficking; in the sphere of transport and critical infrastructure, etc.

This approach helps not only to improve the quality of investigations, but also to accumulate experience and knowledge to work with complex and sensitive cases, build a productive team, and predict future challenges. In the context of the functioning of the National Police of Ukraine during global security challenges related to the large-scale invasion of Russia on the territory of Ukraine, it is necessary to pay attention to the fact that police investigators, as part of joint investigative teams with the security service of Ukraine, are also involved in the investigation of war crimes. A significant part of the collection of primary materials and the actual work on the ground falls on the police investigators.

As of May 01, 2025, investigators of the National Police of Ukraine registered almost 152 thousand criminal proceedings on the facts of crimes committed in the context of armed conflict (Office of the Prosecutor General of Ukraine, 2025). Of these, more than 135 thousand were initiated under Article 438 of the Criminal Code of Ukraine⁴ on the established facts of committing war crimes by Russian troops (laws and customs of war: generally accepted norms

¹ Criminal Code of Ukraine. (2001, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/2341-14#Text>.

² Criminal Procedure Code of Ukraine. (2012, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/4651-17#Text>.

³ Order of the Ministry of Internal Affairs of Ukraine No. 570 "On Approval of the Instruction on the Organisation of Activities of Pre-Trial Investigation Bodies of the National Police of Ukraine". (2017, July). Retrieved from <https://zakon.rada.gov.ua/laws/show/z0918-17#Text>.

⁴ Criminal Code of Ukraine. (2001, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/2341-14#Text>.

of international humanitarian law established by international treaties, primarily the Geneva and New York conventions). Documentation of such offences requires prioritisation based on the risk of loss of

evidence and international attention (Chlevickaitė, 2025). Considering the above discussion approaches, generalised public criteria and expected actions of the police can be presented in Table 1.

Table 1. Public criteria and expected actions of the police in the process of prioritising criminal proceedings

Public criterion	What society expects	What the police / investigator should do
Resonance	Publicity, result, report	Communication, pressbriefings
Cruelty	Severe punishment	Prioritisation, focus on uncompromising evidence
Mass character	System response, post-prevention	Cooperation with other bodies, approval of strategies/plans to strengthen the area of work
Potential inequality	Integrity, openness	Neutrality, legality, permissible public disclosure, speed

Source: developed by the author

Given that the investigation of these crimes is a priori the highest priority among others, it should be noted that the possibility of allocating internal priority to this category is quite complex from both a scientific and practical standpoint. Such criteria include: probability of loss of physical evidence; scale (number of deaths, destruction of infrastructure), resonance (public or international attention), the presence of victims who need help, or witnesses who are still available. At a time when the number of war crimes is growing every day and resources remain limited, prioritisation is not a choice, but a necessity. And it is precisely because of this that it is a guarantee that the cases that pose the greatest threat to human rights, historical memory, and international reputation of Ukraine will be properly documented.

■ Conclusions

The subject of this study was the organisational and legal basis for prioritising the activities of investigative units of the National Police of Ukraine in the context of criminal procedural activities in conditions of increasing workload, martial law, and limited resources. The analysis indicated that the set goal of the study, which was to substantiate and systematise the concept of prioritisation in the functioning of investigative units as a means of improving criminal procedural activities and optimising the use of limited resources, was achieved.

The results of the study showed that prioritisation in the activities of investigative units has a complex multi-factor character and is formed under the influence of a combination of legal, procedural, organisational, and social factors. It was found that the determination of the priority of criminal proceedings is based on the gravity of the crime, the presence of a threat to the life and safety of persons, procedural deadlines, the stage of pre-trial investigation, the risk of loss of evidence, and public expectations and resonance. The analysis of the legislation helped to establish that the procedural terms and specifics of detention significantly affect the logic of distributing

the investigative burden. The obtained data indicate that prioritisation is not a situational managerial response, but a systematic tool for organising criminal procedural activities.

The analysis of the practice of pre-trial investigation and judicial practice showed that a significant distorting factor in the contemporary system of prioritisation is the presence of a significant number of criminal proceedings, which are formally subject to closure due to the statute of limitations, but in fact continue to be considered and affect the workload of investigators. The ambiguity of judicial approaches to the application of relevant procedural norms is revealed, which increases management risks and complicates the development of a stable practice of determining priorities. It was also found that under martial law, the investigation of war crimes objectively acquires the highest level of priority, while simultaneously requiring internal differentiation depending on the risk of loss of evidence, the scale of damage, and international resonance.

Summarising the results obtained, it can be noted that the prioritisation of the activities of investigative units appears as a key tool for ensuring the real ability of the state to perform its criminal procedure functions in conditions of system overload. Conceptually, the above shows that without scientifically based approaches to prioritisation, even formally stable procedural mechanisms lose their practical effectiveness. Further scientific research should focus on a comparative analysis of the national prioritisation model with international practices and on exploring the possibilities of integrating analytical tools into the activities of pre-trial investigation bodies.

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Організаційно-правові засади пріоритезації діяльності слідчих підрозділів Національної поліції України в контексті кримінальної процесуальної діяльності

Артем Шевчишен

Доктор юридичних наук, професор
Головне слідче управління Національної поліції України
01024, вул. Академіка Богомольця, 10, м. Київ, Україна
<https://orcid.org/0000-0002-1342-6639>

■ **Анотація.** У статті проаналізовано організаційно-правові засади пріоритезації діяльності слідчих підрозділів Національної поліції України в контексті кримінальної процесуальної діяльності. Актуальність дослідження зумовлена збільшенням навантаження на слідчі підрозділи (понад 1,5 млн кримінальних проваджень 2024 року за середнього навантаження 307 проваджень на одного слідчого) і необхідністю стратегічного управління в умовах воєнного стану. Аргументовано, що пріоритезація не лише відіграє роль управлінського інструменту, а й є чинником забезпечення ефективності, стійкості та результативності діяльності органів досудового розслідування. Метою дослідження було визначення поняття та обґрунтування ролі пріоритезації у функціонуванні слідчих підрозділів як засобу вдосконалення кримінальної процесуальної діяльності та оптимізації використання обмежених ресурсів. Методологія охоплювала: системний і порівняльно-правовий підходи, аналіз статистичних і нормативних даних, а також узагальнення емпіричних матеріалів практики досудового розслідування. Застосування цих методів надало можливість дослідити як теоретичні, так і прикладні аспекти пріоритезації в кримінальному процесі. Результати засвідчили, що визначення пріоритетності кримінальних проваджень ґрунтується на сукупності юридичних, процесуальних і соціальних критеріїв: тяжкості злочину, ризику для життя та безпеки осіб, наявності процесуальних строків, суспільного резонансу й невідкладності слідчих (розшукових) дій. У статті запропоновано деталізований п'ятиетапний алгоритм пріоритезації, який охоплює юридичну кваліфікацію, процесуальний стан, оперативно-службові обставини, стадію розслідування та підсумкову оцінку. Обґрунтовано потребу вдосконалення механізмів міжвідомчої координації, оптимізації навантаження та урахування очікувань громадянського суспільства. Практичне значення дослідження полягає у формуванні структурованого підходу до управління пріоритетами в діяльності слідчих підрозділів, що сприятиме підвищенню ефективності досудового розслідування, забезпеченню своєчасного процесуального реагування та зміцненню довіри суспільства. Доведено необхідність запровадження спеціалізації, оновлення системи підготовки кадрів і впровадження єдиних критеріїв пріоритезації, передусім у розслідуванні воєнних злочинів і злочинів проти вразливих категорій осіб

■ **Ключові слова:** управління слідчими ресурсами; алгоритм визначення пріоритетів; спеціалізація слідчих підрозділів; міжвідомча координація досудового розслідування; критерії суспільної значущості злочинів; оптимізація кримінальної процесуальної діяльності