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ISSUES OF DOMESTIC VIOLENCE

Today domestic violence is one of the most frequent daily offences in the world and Ukraine is no exception. From children to the elderly, it affects people in all stages of life.

An average of 137 women across the world are killed by a partner or family member every day, according to data released by the United Nations Office on Drugs and Crime.

Home, the most dangerous place for women, with majority of female homicide victims worldwide killed by partners or family. Every year about 1.85 million Ukrainian women suffer domestic violence. These are the results of the research conducted by UNFPA. Unfortunately, only a small part of victims contacts the police.

In December 2017, the Verkhovna Rada of Ukraine adopted the Law "On Prevention and Combating of Domestic Violence", which proposes a new approach (with the use of European standards) to combat this negative phenomenon in society, in an effort to solve the problem of domestic violence.

According to Art. 1 of this Law, the term "domestic violence" refers to the act or omission of physical, sexual, psychological and economic violence committed in the family or within the place of residence between relatives or current spouses or between other persons who live with one family, but don't stay in family relationships or in marriage with each other [1].

An act is recognized as violence only when it violates the requirements of the current legislation and leads or may lead to violation of the constitutional rights and freedoms of the family member. Domestic violence can take the form of: active action, such as, beating, beatings, destroying property, and inactivity, also the passive behavior of a person when he does not commit actions that he could and should do to prevent the passing of harmful consequences (for example, failure to provide assistance to a family member who is in a dangerous situation for life). [5, p. 116-126]

It is necessary to focus on 4 forms of domestic violence.

The first form of domestic violence is physical: slapping, kicking, pushing, pinching, flogging, biting, and also illegally imprisoning, beatings, mutilation, causing bodily harm of varying degrees of severity, leaving them

in danger, failing to help a person who is in dangerous to life, death, and other violent offenses.

The second form is sexual violence - an unlawful encroachment of one family member on the sexual integrity of another member of the family, as well as acts of a sexual nature is concerned to a minor member of the family.

It should be mentioned that an extremely dangerous manifestation of sexual violence is the abuse of a child, demonstration of a child of genitalia (exhibitionism); demonstration of an act of masturbation; involving a child in child prostitution or child pornography, etc.

The fourth form of domestic violence is economic – the deliberate deprivation of housing, food, clothing, other property, funds or documents or the opportunity to use them, leaving without care, obstructing the provision of the necessary services for treatment or rehabilitation, forbidding to work,

forcing to work, the prohibition on studying and other offenses of an economic nature.

Should be noted that the perpetrator usually becomes a person who has experienced violence itself, has an "underestimated" self-esteem, and also tends to dominate, control.

The main object of any violent crime is social relations that ensure the life, health or physical integrity of a person. An attack on the dignity, freedom or other benefits of a person without direct impact on the human body or threat of such influence is not violence.

The element that characterizes the objective side of a number of violent crimes is the kind of mental violence as a threat to the use of violence, under which in criminal science is the intimidation of the victim, actions or statements expressing the intention to apply physical violence to him, that is, to deprive injured life, harm his health or violate bodily integrity [4, p. 196].

The object of family violence can be any family member. The most successful is the classification of types of family cruelty carried out by P. O. Vlasov and A. V. Levkov:

- 1) Spouses (husband - wife);
- 2) Parents - minor children;
- 3) Adult children - parents;
- 4) Forced relationships between children in one family;
- 5) Violence among other members of the family [2, p.106].

It will be interesting to analyze the boiling as a behavior of torture. The main direct object of torture is health, and the additional binding - the will, honor and dignity of the individual. On the objective side, this crime is characterized by:

- 1) Actions – by beatings, torture or other violent actions;

2) Consequences in the form of causing severe physical pain or physical or moral suffering;

3) a causal connection between the indicated actions and consequences. The subject of torture is general. As a rule, it is a person who controls the victims, and the latter is dependent on him.

Thus, Ukraine declares zero tolerance for domestic violence, recognizes its social danger and with the help of the Law on Domestic Violence and introduces amendments to the Criminal Code introducing new approaches to counteract this social phenomenon. The problem of domestic violence is now recognized as a flagrant violation of human rights.

The European Court emphasizes that there can be as many laws in the state as possible to combat domestic violence, but if they are not provided with real mechanisms for their application, these laws have no meaning.

Список використаних джерел

Law of Ukraine dated 07.12.2017 No. 2229-VIII On Preventing and Combating Domestic Violence [Electronic resource]: Mode of access: <http://zakon.rada.gov.ua/laws/show/2229-19>.

Law of Ukraine dated November 15, 2001 No. 2789-S with amendments and supplements On the prevention of domestic violence // Bulletin of the Verkhovna Rada of Ukraine. – 2002. – No. 10. – p. 70

P.O. Vlasov, A.V. Levkov Violence in the family and the work of the internal affairs bodies for its overcoming: Information and practical manual– Dnipropetrovsk: Dnipropetrovsk City NGO "Women's Information Coordination Center", 2005. – p. 106.

Christova G.O. Theoretical and applied problems of classification of persons who committed domestic violence // State construction and local self-government. - X.: Right, 2009. - Vip. 18. - p. 116-126

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ONLINE CRIME

The development of the Internet and related communication technologies has had a transformative effect upon social, political, economic, and cultural life. It has also facilitated the emergence of a wide range of crimes that take shape in the spaces of virtual communication.

Internet crime is any crime or illegal online activity committed on the Internet, through the Internet or using the Internet. The widespread Internet crime phenomenon encompasses multiple global levels of legislation and