

Bohatyrov Ivan,

professor of the Department of Criminal law and criminology of the University of the State Fiscal Service of Ukraine, Doctor of Law, Professor, Honored Worker of Science and Technology of Ukraine;

Buriak Katerina,

assistant of the Department of European and International Law of Oles Honchar Dnipro National University, Candidate of Legal Sciences

DOMESTIC CRIME IN UKRAINE: CRIMINOLOGICAL ASPECT

Domestic crime – both on the part of the offender and the victim-is one of the most public dangers of the Ukrainian present. One of the tasks of criminological science at the present stage of its development is to generalize certain knowledge about a particular criminogenic phenomenon in order to systematically show the characteristic features of this phenomenon, which, in turn, require in-depth knowledge in order to develop an appropriate system of counteraction and prevention.

This also concerns the problem of domestic crime – which is quite complex in its essence and manifestations of a phenomenon which, according to various estimates of domestic scientists, is becoming a large-scale phenomenon in Ukraine. What do we know about domestic crime today? What is the sphere of values of family life, if it has manifestations of domestic crime? Are the legal norms, which are enshrined in the criminal law effective to overcome domestic crime and punish the offender? Are the law enforcement agencies of Ukraine ready to counteract organized crime? Is the Ukrainian criminological science ready to offer society a model for countering and preventing organized crime?

These and other questions, at least in fragments, we will attempt to present our own vision of this problem. First of all, we must understand the base of the criminological theory of domestic in an open discussion of this problem in society through the mass media (television, radio, Internet) or its informational restriction in the framework of scientific reports at conferences, seminars, round tables, and so on.

In this case, specialists of the scientific school «Intellect» have interviewed 2000 respondents in Dnepropetrovsk, Kiev, Sumy, Cherkasy, Chernihiv regions regarding their understanding of domestic crime. Thus, 89% of respondents believe that domestic crime in Ukraine is quite common, but they have a superficial knowledge of its scale. However, they know a lot more about domestic violence. We think there is a definite explanation for this. Firstly, the mass media reports domestic violence to Ukrainian citizens on a daily basis. Secondly, a public movement on domestic violence has been created in all regional centers.

Thirdly, national police officers receive appropriate training in countering and preventing domestic violence.

And, last, the problem of domestic violence in Ukraine, not domestic crime is discussed at international and all-Ukrainian conferences, round tables, scientists of various fields of knowledge.

Such way, we are confident that the problem of domestic crime will enter a new round of discussion among the scientific community and civil society. And although, in fact, domestic crime in our society appeared in 2017, when the legislator made appropriate changes and additions to the Criminal code of Ukraine, fixing in the relevant articles criminal liability for committing domestic violence article 126-1; forced marriage article 151-2; illegal abortion or sterilization article 134; article 152 rape; sexual violence article 153 of the Criminal code of Ukraine, we cannot reject its past, which was manifested in various types of criminal behavior of the offender and was enshrined in other norms of the Criminal code of Ukraine.

In General, it seems obvious to us recently that, from a criminological point of view, domestic crime is at least increasing its relevance and acuteness. Taking into account the fact that crime at all is a historically variable social phenomenon, which is a system of criminal acts committed on a certain territory or among members of certain social groups over a certain period of time, we decided to highlight the criminological features of domestic crime, namely:

- domestic crime appeared in the conditions of a new economic formation, in the XXI century, as a type of criminal attacks on human life and health;

- domestic crime, as a social phenomenon, is perceived by society as negative because it causes harm not only to society, but, first of all, to the family as its main unit;

- domestic crime is characterized by criminal-legal characteristics, because it consists of four types of crimes;

- domestic crime occurs when the offender commits a crime in the family sphere for a certain period of time;

- domestic crime has its own state, dynamics, geography, trends of commission, causes and conditions, quantitative and qualitative indicators, victims of domestic crime and so on.

It is worth listening to the opinion of the Ukrainian criminologist V. V. Golina that domestic violence, for example, is not a random fact of human destructiveness, but as a different in genesis persistent, mass, extremely dangerous phenomenon, which requires (ultra ratio) state intervention. Therefore, according to the scientist, the fact of criminalization of domestic violence in Ukraine deserves a positive assessment. But from the point of view of the adequacy of such criminalization criteria established by the European Union, public receptivity, the effective implementation of criminal law the protection of human as the highest social value (article 3 of the Constitution of Ukraine), legislative and legal techniques, the wording of article 126-1 of the Criminal code of Ukraine raises certain objections[1, p. 38].

Ukrainian scientist O. I. Bogatyreva in the article «Criminological model of countering and preventing domestic crime» notes that it requires

an objective and critical analysis of the criminal situation in the family and the results of the activities of the court, Prosecutor's office, bar, national police units and the public regarding their adequate use of social and legal response, the introduction of a more severe punishment for the commission of domestic crime by the offender [2, p. 23].

Thus, it is worth talking about domestic crime and not keeping silent. Unfortunately, modern civilized society has not yet offered a model of behavior to the family yet that would allow the offender to commit crimes in the family sphere in the future.

What is the sphere of values of family life, if it has manifestations of domestic crime?

Are the legal norms, which are enshrined in the criminal law to overcome domestic crime and punish the offender?

Are the law enforcement agencies of Ukraine ready to counteract organized crime?

Is the Ukrainian criminological science ready to offer society a model for countering and preventing organized crime?

By the way, according to our research, the strategy for countering and preventing domestic crime should be based on open communication of the family, a dialogue between the abuser and the victim, discussion of this problem in the mass media and so on.

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Богатирьов Андрій Іванович,

доцент кафедри кримінального права та кримінології Університету державної фіскальної служби України, кандидат юридичних наук

ЗАПОБІГАННЯ ПОШИРЕННЮ КОРУПЦІЙНОЇ ЕКСПАНСІЇ В УКРАЇНІ

Анотація. У тезах зазначимо, що корупційна експансія в Україні це сфера панування та впливу на всі галузі суспільного життя людей, яка виходить за межі правового виміру і, є наслідком системних суперечностей політичного, морально-психологічного, економічного, організаційно-управлінського, правового та ідеологічного характеру.

Ключові слова: корупційна експансія, запобігання, правовий вимір, корупціонери, суспільство.