

UDC 343.226–053.2/.5

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Characteristics of Persons Committing Violent Crimes against Children

The effectiveness of preventive activities is based on the criminological analysis of crime, the study of its causes and conditions, the identification of general characteristics of those who commit crimes. Such activity is realized in a specific socio-political, economic, cultural environment. But the processes taking place in Ukraine have led to an increase in the criminogenic potential of society, which manifests itself in committing crimes that encroach on life and health. Despite the fact that in the last year, according to official statistics, there is a reduction in crime, the share of crimes affecting life and health is 16,3 %. The victims of these acts were 3174 people. Particular concern is the perpetration of crimes affecting children's life and health, as they are the most vulnerable in the population. 95 children were victims of these crimes and 134 children were affected by domestic violence. This suggests that violence today is not only a legal problem, but also a large extent philosophical and sociocultural one. This is because aggressive and violent behavior is the subject of research in psychology, sociology, conflictology, criminology, pedagogy and medical sciences. In theoretical and methodological terms, an issue that requires careful study is the study of perpetrators of violent crimes against children, and a set of factors that determine such behavior. In studying the behavior of a person, who encroaches on the life and health of children, an important role is played by knowledge of the socio-demographic characteristics of such persons, their settings, value orientations, views, habits and ways to meet them. Taking into account the received data it is possible not only to carry out the classification and typology of individuals, encroach on the life and health of children, but also to determine the features of their behavior in a particular life situation, which led to the commission of a crime. And on this basis, it is possible to develop a system of precautionary measures.

Keywords: violent crimes; children; psychological portrait; criminal; cruelty; aggression.

Problem statement. Violent crimes committed against children are characterized by high social danger, as they are associated with severe consequences for victims. Modern violent crimes in many cases are domestic or situational in nature. At the same time, there is an increasing number of pre-prepared crimes, which are often characterized by special cruelty and impudence. Violence exists in all social groups, regardless of the level of income, origin, position in society.

Analysis of recent research and publications. The studies of the characteristics of perpetrators of violent crimes against children are the works of these scientists: M. Bazhanova, I. Bandurka, Yu. Baulin, V. Borisov, V. Grischuk, T. Daurov, A. Juzha, O. Juzha,

M. Kolos, M. Korolenko, M. Korzhansky, A. Kostenko, A. Litvinov, M. Melnik, P. Mihailenko, V. Navrotsky, V. Osadchy, M. Panov, P. Pilipchuk, A. Savchenko, V. Stashys, M. Havronyuk, N. Yarmish and others.

Presenting main material. The cornerstone of the humanitarian policy of our state is to prevent any unlawful manifestations of children. Among victims of crimes, children have the least opportunity to protect their rights and, of course, have increased victimity. Children are a separate, independent part of society, which has special rules of behavior, peculiar life stereotypes that ensure its development and formation and transformation into a (main) part of society. The birth, growth and development of a child - a representative of a new generation of humanity – takes place in the system of certain social relations aimed at preserving a new life, protecting it from various dangers, providing comprehensive support, care, supervision and care. In the process of proper execution (functioning) of these social relations, the child receives first of all vital and necessary material goods, to create (to acquire), which on its own can not due to age features [1].

Despite the legislative assertion of the inadmissibility of any violence against children, this problem remains relevant for Ukraine. The child faces manifestations of aggression in various spheres of life: at home, in educational institutions, in the street, and so on. Earlier, the problem of violence against children was considered only in the «adult-child» plane, but in recent times, the dominant, most common form of violence against the child is violence from peers. Despite a relatively small proportion of violent crimes in the overall structure of crime, they are characterized by increased social danger, as they are associated with grave consequences for the victims. Modern violent crime in many cases is of a domestic or situational nature. At the same time, the number of pre-prepared crimes, which are often characterized by special cruelty and insolvency, is increasing.

The instability of socio-economic and political processes in Ukraine has become one of the reasons for the growth of manifestations of deviant behavior in children and, consequently, an increase in the number of violent offenses committed against them. Violence exists in all social groups, regardless of the level of income, origin, position in society.

A negative trend is the dynamics of the increase in the number of violent crimes against minors. Violence against children or neglect of their basic needs has a negative impact on the child's mental development, disrupts its socialization, generates unattended, etc.

Many children-victims of violence leave home or children's institutions, are drawn into antisocial behavior, are beginning to use alcohol or drugs. The public danger of criminal violence is that it causes significant harm to social values such as life, health, honor and dignity of the individual; their property interests, public order, which are a prerequisite for the normal functioning of society's life.

Concepts of the child and childhood are related to the biological state of immature, the growth and development of man, both physical and mental. The child's age of mental development of a person is a conditional, generalized concept that combines a number of scientifically dedicated age periods of mental development. The era of childhood combines the following age periods: the newborn crisis, infant periods, early childhood, pre-school childhood, junior school age. However, it is impossible to take into account all the psychological characteristics of a young person who became a victim of a crime. It is very important to consider the consequences of violence experienced by the child, taking into account her age characteristics. In different periods of life, the reaction to a similar psychological trauma can manifest itself in different ways. The most common symptoms, depending on the age of the child, are:

- for children under 3 years of age – fears, confusion of feelings, behavior characterized by sleep disorders, loss of appetite, aggression, fear of other people, sexual games;

- for preschoolers – anxiety, timidity, confusion of feelings, feelings of guilt, shame, disgust, feeling helpless, spoiled;

- in behavior are observed regression, detachment, aggression, sexual games, masturbation;

- for children of junior school age – ambivalent feelings towards adults, difficulty in determining family roles, fear, feelings of shame, disgust, corruption, distrust of the world;

- in behavior discriminating from people, sleep disturbance, appetite, aggressive behavior, feeling of «dirty body», silence or unexpected talkativeness, sexual acts with other children;

- for children 9–13 years old – the same as for children of junior school age, as well as depression, feeling of loss of sensation; in behavior are marked by isolation, manipulation of other children in order to receive sexual pleasure, contradictory behavior [2].

An analysis of many crimes has shown that the actions of the offender and the neutral behavior of the victim in a pre-trial situation are a decisive factor for the person who was harmed. It is here that the social connection, which contains the behavior, which is realized by all the participants and deliberately directs them on the actions of other persons, is manifested.

As for the person of the offender, their personality differs from the person of law-abiding person by social danger, it has intrinsic criminal needs and motivation, emotional-volitional deformations and negative social interests. The problem of the personality of the offender is one of the central for the sciences related to crime, and, above all, for criminology.

The social danger of a person is formed, as a rule, even before the crime is committed. This process is expressed in disciplinary and administrative offenses, immoral acts. However, criminology defines and committing a crime as a moment of qualitative transition from an individual who has socially dangerous qualities to the offender's personality. Some scholars argue that the existence of an offender person can only be said within the timeframe defined by the law: from the legal validity of the indictment of the court and until the sentence is served and the conviction expired. Others indicate that, unlike the criminal-executive system, the criminologist should consider not only convicts, but also actual criminals, since the most experienced and dangerous criminals often avoid criminal responsibility; and do not take them to consideration – this means not seeing an essential layer of criminal motivation. In any case, modern science believes that the presence of a person of socially dangerous qualities does not give grounds for pre-treating it as a criminal.

Criminology studies socio-demographic, socio-role and moral and psychological characteristics of the offender's personality. In addition, the key to criminology in general is the question of the nature of the criminal behavior of man: biological or social [3].

The offender's personality is one of the main criminological problems. Among the most important prerequisites for criminal behavior there are personal, subjective determinants. In order to study them, it is necessary to investigate the identity of the perpetrator of a crime and only on this basis it is possible to analyze the objective factors of crime. Occupying a central place in the chain of criminological causality, the perpetrator is a central element of the analysis of the causes of criminal behavior and the main object of preventive influence. It plays a special role among the factors of criminal behavior: all the negative effects of various conditions, circumstances and situations in which they lived and brought up, are accumulated in the criminogenic qualities of people.

Therefore, the study of the person who committed the crime is essential for a retrospective analysis of the objective factors of criminal behavior (and with a wide study of this problem, that is, with the allocation of typical crime-related qualities, it is possible to analyze the causes of crime throughout the country) [4].

The criminal behavior of a person is a process that consists not only of actions that change the external state, but also includes the previous psychological factors that determine the nature of behavior. In the genesis of crime, an important place belongs to the mechanism of criminal behavior. In psychology, behavior is defined as the voluntary activity of the individual, that is, on which there is a deliberately pursued goal and there is the ability to control the progress of deployable processes [5].

Human behavior unfolds in time and space, it has an external (objective) and an internal (subjective) side. The outside side is reproduced in the form of an action directed towards a certain object (or inactivity); the internal side not only accompanies this action (inaction), but also assumes it. We mean prevision of the act, imaginary modeling of it. These processes, characterizing the arbitrary activity of the person, are elements of the behavior, which are reflected in the external act (action) at the final stage.

«The act is not just an action; in fact, it is a result of action, and a person is aware of advisability of it before it is committed. Every act receives a certain evaluation of not only the person himself but also of other people. Depending on the relevant act, interests and needs of society, he is either endorsed or criticized» [6].

Analyzing the behavior of a person, who commits violent crimes against children, in the genesis of unlawful behavior it is possible to identify the features that they possess, and direct the measures of preventive influence on them, and when studying the materials of criminal proceedings – this allows you to determine which typological group he/she belongs to. The basis of the typology is the motivation for unlawful behavior, the degree of stability of the criminal installation and the nature of criminal acts.

In addition to the retrospective analysis of the negative conditions of education of a merciless perpetrator, that is, the reasons for the formation of criminogenic qualities of individuals and conditions, their stability, research of the typology allows to determine the conditions for the implementation of crime-related qualities in criminal behavior, since in order for potential readiness to commit a crime to be realized in unlawful actions, some appropriate conditions are necessary. For the manifestation of these or other negative qualities, certain criminal situations are needed: conditions that complicate the lawful conduct and facilitate wrongful one.

Violent sexual offenses involving minors, which are often committed by males aged 31 to 40, are unaccounted for, unmarried, unemployed, previously convicted, acquaintances or close relatives of a victim's child. They have unfinished secondary education, while

in the process of committing a crime they are in a state of intoxication. Based on the study of materials of criminal proceedings and the results of scientific research, these individuals can be divided into the following groups:

The first group – the so-called «regressive» type – persons who commit violent sexual offenses concerning juveniles aged 7–14 years. This type – «regressive» is called so because criminals make a conditional return from more complex sexual relationships with adults to the more simple – with adolescents. Most of them are either elderly men or men with low sexual ability. Persons who commit violent acts against children tend to have a family, but sexual contact with their spouse or any other adult does not bring them sexual satisfaction.

The second group of criminals is called «conformal». A distinctive feature of these individuals is that they commit violent acts, usually in the group, but are never initiators (characteristic of juveniles). The main psychological characteristic of this category of criminals is the lack of volitional qualities, so they become obedient instruments in the hands of the leader of the group, and commit crimes under his influence. Sexual violence against children is committed, as a rule, in order to maintain their belonging to the group.

The third type of persons who commit violent crimes against the sexual integrity of minors is called «affective». These criminals are abusing children under the age of 5. This type is called so, because the main role in committing them crimes acquire certain affective traces that have arisen in the psyche in the process of socialization.

The fourth type includes so-called «disadvantaged» rape, that is, those who can not meet their sexual needs in a socially acceptable manner. The bulk of this category of criminals is oligophrenia (in the degree of debauchery), as well as persons with physical defects. Explanations of the causes of an offense of oligophrenia usually do not lead or claim that the child has entered into sexual intercourse voluntarily with them.

A separate (fifth) group is made up of persons who commit incidents of a criminal incident. This is often the father (stepfather), less elder brother [8].

Today, violence is not only a legal problem, but also to a large extent philosophical and sociocultural [9]. Various aspects of aggressive-violent behavior are the subject of studying in psychology, sociology, conflictology, criminology, pedagogy and medical sciences [10]. In the theoretical and methodological terms, an issue that needs a careful study is the study of persons who commit violent crimes against children and a combination of factors that determine such a behavior.

Focus on violence involves violence as a normal means of achieving the goal. This orientation is characterized by cruelty, neglect of the rights of others, indifferent attitude to human life.

Aggression is characteristic of violent crime. It arises as the reaction of the subject to frustration (an obstacle to achieving the goal of the aggressor) and is accompanied by an emotional state of anger, hostility, hatred, and the like. Readiness of the individual for aggressive behavior belongs to the persistent features of the rapist person. The development of aggressiveness as a person's quality depends on the level of its socialization and the assimilation of cultural and social norms. But it should be noted that aggressive behavior can be provoked by other persons (victims of aggression), unfavorable development of the situation, misinterpretation of the intentions of others, etc.

The aggression of perpetrators of violent crime, characterized by: a) accompanying processes of infection; b) mutual induction; c) stereotyping of representations in the created «image of the enemy»; d) presence of initiators and provocateurs; e) readiness of the person to solve his problems at the expense of others; e) anonymity of each participant in aggressive manifestations [11].

As for the perpetrators of domestic violence, males dominate the sexually, more than 86 % of those convicted of violence. The highest criminal activity is observed in persons aged 30–40 years – about one-third of people and 25–29 years – 24 % of people. Most guilty parties were married or were in actual marriage. The educational level is dominated by convicts with incomplete secondary and secondary education.

As the scientific study «Family-domestic conflicts in the system of determination of intentional murders and severe bodily injuries» most typical emotional-volitional features of the criminals were: agility, impulsivity, aggressiveness – more than a third; rude, cruelty – at 20 %; Conflict, jealousy – in 40 %.

Summarizing the typical features and psychological properties of the personality of the offender in his psychological portrait:

1. Intelligence: mythology is a myth about its special role and special abilities; availability of own point of view that is not subject to change and discussion; their own understanding of power; the level

¹Aggression [Aggression (lat. *agressio* – assault) – is a motivated destructive behavior of an individual, which contradicts the accepted rules and norms of human existence in society, which inflicts moral, physical, material or psychological harm to other people // Aggression. Psychological dictionary. – M., 1996.

of culture is often low, but there are abusers with a high level of awareness; lack of knowledge of legislation; lack of ability to discuss problems; hypertrophied thirst personally to make all decisions.

2. Values: own career; the value of their own parent, often dysfunctional or totalitarian family; actually self-affirmation, even at the expense of other people; be with a man who should serve and serve me; nobody should have any doubts about my genius or ability.

3. Motives: power at all costs; to overcome their children's complexes due to violence against their loved ones; realize their systematic aggressive behavior without receiving any punishment; belief in the fact that love can be with fists; belief in the fact that the life of the victim and the children is nothing compared to mine; belief in the fact that I know exactly what the sacrifice and children's happiness is; fear of changes in their lives (for example, the wife will go to work).

4. Ethics, morals: setting on what for all or close ends of his or her goals everyone must sacrifice; readiness to resolve all matters by force; readiness for close friends to lose their dignity; Adoption of the ethics of relations in their parent's family, which is (was) dysfunctional or totalitarian in norm.

5. Self-esteem: an overpriced self-esteem or a hidden one is undervalued if you wish to have a high self-esteem; loss of faith in relatives and hypertrophied belief in oneself; the stigmatization of loved ones and the provision of social roles to them: the «slack», «no-name», «bad mistress», «bad mother», «ignorant», etc., and because of this, artificial elevation of their own self-esteem; having children's psychological trauma, an attempt to solve the problem through artificial elevation of self-esteem and artificial decrease in self-esteem of close people.

6. Emotional state: the feeling of justice always and in everything; chronic stress, systematic aggressive behavior; equilibrium loss; abuse of the means of «gaining balance» – alcohol, drugs, etc.; fear of society, chiefs; a sense of everyday reality of domestic violence.

7. Life skills: low relaxation; low culture of overcoming stress and trauma (in all sins accuses not itself but others); the lack of practice of receiving psychological help and belief in what exactly it is necessary for him; lack of skills for changing the usual stereotypes and finding new ways to solve problems; low level of partnerships.

8. Personality traits: interdependence from other people; lack of partner coexistence skills; hypertrophied desire to be a leader; traumatism; aggressiveness; irritability; authoritarianism.

9. Psychological consequences of creating a person a situation of domestic violence: the instability of value orientations; feeling of doom is always an aggressor; the formation of skills to manage and

be aggressive in situations of violence; inadequacy of self-esteem; stigmatization of all others; fear of losing power in the family; readiness for a systematic aggressive situation in the family [12].

The criminal identity is the main element of the mechanism of criminal behavior. Social contacts and the entire field of communication may change. All changes in the personality of the offender, his behavior and the field of communication after the beginning of criminal actions depend on various factors, of which, in our opinion, it is necessary to distinguish: a) the features of the offender – his moral, psychological, demographic, intellectual, role and other characteristics; b) the peculiarities of the crime situation – favorable, unfavorable or neutral for the continuation of the crime and bringing it to the end.

Considering the personal and situational factors of criminal behavior, it is necessary to turn to the study of their dependence on the living conditions of people. Needs, inclinations and motivation of human behavior are subjective. But this subjectivity is secondary, because the person himself is formed by an objective external environment; internal motivations, plans and interests are actualized and get specific significance – turn into motives of behavior and decision; any interests can not be satisfied without the use of environmental objects. Therefore, violent behavior against children is hidden in social conditions, and they are determined by the state of social development [13].

With this, it is possible to uncover the entire mechanism of criminal behavior, to comprehensively approach the study of the complex process of its determination. The interaction of objective and subjective factors is determined by the sequence of elements «situation» – «person» – «action», and implemented in various variations: 1) a person with a clearly expressed anti-social orientation – a situation that does not matter for criminal behavior; 2) a person with a relatively stable anti-social orientation – a situation that is favorable to the commission of a crime; 3) a person with a weakly anti-social orientation – a situation that provokes a crime.

Important factors for the study of violent behavior towards children are specific life circumstances that led to the commission of unlawful acts. A specific criminal situation is the totality of external (objective) circumstances in which the person appeared and which affects his consciousness, feeling, will, on the basis of which the person decides to commit an act that forms the composition of the willful offense or leads to a crime of negligence [14].

Effectiveness of preventive measures is impossible without an extensive analysis of information that allows us to comprehensively study the criminological factors (both general and those that

characterize a particular crime), namely, place, time, methods of committing crimes, the most typical categories of persons who were involved in these situations as criminals or victims. The received information allows to identify potential victims, which can be carried out in three directions. First, depending on the situation, when the circumstances of the crime are revealed and analyzed and the concrete individuals potentially vulnerable in this situation are determined; secondly, in the study of the behavior, ties of the offender or his typical behavior, the path of potential victims of his criminal activity is determined; Third, the study of a particular person can determine the increased victimological quality of children.

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Стаття надійшла до редколегії 07.09.2018

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Характеристика осіб, які вчиняють насильницькі злочини щодо дітей

Ефективність запобіжної діяльності ґрунтується на кримінологічному аналізі злочинності, дослідженні її причин та умов, виявленні загальних характеристик осіб, що вчиняють злочини. Таку діяльність реалізують у конкретному соціально-політичному, економічному, культурному середовищі. Процеси, що відбуваються в Україні, призвели до посилення криміногенного потенціалу суспільства, що виявляється в учиненні злочинів, які посягають на життя та здоров'я. Попри те, що за даними офіційної статистики відбувається загальне зниження рівня злочинності, частка злочинів, що посягають на життя та здоров'я, становить 16,3 %. Потерпілими від цих діянь стали 3174 особи. Занепокоєння викликає вчинення злочинів, що посягають на життя і здоров'я, щодо дітей, оскільки вони є найбільш вразливою категорією населення. Потерпілими від цих злочинів стали 95 дітей, 134 дитини постраждали від домашнього насильства. Насильство є не лише правовою проблемою, а й філософською та соціокультурною. Агресивно-насильницька поведінка є предметом дослідження психології, соціології, конфліктології, кримінології, педагогіки та медичних наук. У теоретико-методологічному аспекті потребує ретельного вивчення дослідження осіб, що вчиняють насильницькі злочини щодо дітей, і сукупність факторів, що обумовлюють таку поведінку. Важливу роль відіграє під час вивчення поведінки особи, що посягає на життя і здоров'я дітей, знання соціально-демографічної характеристики таких осіб, їх установки, ціннісні орієнтації, погляди, звички, способи їх задоволення. Ураховуючи отримані дані, можна не лише здійснити класифікацію і типологію осіб, що посягають на життя та здоров'я дітей, а й визначити особливості їхньої поведінки в конкретній життєвій ситуації, що призвела до вчинення злочину; на цій підставі розробити систему запобіжних заходів.

Ключові слова: насильницькі злочини; діти; психологічний портрет; злочинець; жорстокість; агресія.