

the changes taking place in the legal life of Ukraine, respectively, in various branches of law: restructuring of the legal system, development of a modern legal framework in accordance with the requirements and needs of today, emergence of new scientific concepts, etc. These factors have certainly influenced the language of law, which is realized through a professional (legal) text. It is noted that the review of intra-system relations in the field of legal terminology derivatives shows the interconnection and interdependence of the conceptual, term-formation and semantic levels of the criminal law terminology system. It is proved that the lexical composition of the The Criminal Code of Ukraine (further – CCU) text is stratified into special (terminological) and non-special (words of broad semantics, commonly used) vocabulary. The vocabulary of the texts of the modern CCU is a system of linguistic units organized according to the general language laws, which consists of interrelated and interdependent parts, the key of which is the terms used to nominate legal phenomena and concepts. It consists of special (basic (narrowly specialized) terms, terms borrowed from other terminology systems (legal and non-legal), non-special vocabulary (words of broad semantics (commonly used vocabulary)) and nomenclature (nomenclature names). Criminal procedural terminology includes names of concepts, objects, actions, phenomena, persons, etc. that are directly related to such a branch of law as criminal procedure and its functioning in society.

The terminology of criminal law produces an update, modernization of the text both through changes in the lexical composition and through semantic transformations. The author focuses on the use of clear and unambiguous terms in criminal law which provide clarity to the text of the criminal law norm and affect related areas of law and legislation, including operative-search activity.

Keywords: *definitions, criminal law provision, nomination, nomenclature names, operational and investigative activities, term, criminal law terminology system, stratification.*

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METHODOLOGY FOR SYSTEMATIZATION OF BODIES ENTRUSTED WITH FUNCTIONS OF PREVENTING AND COMBATTING VIOLENCE IN UKRAINE

Олена Проценко. МЕТОДОЛОГІЯ СИСТЕМАТИЗАЦІЇ ОРГАНІВ, НА ЯКІ ПОКЛАДЕНО ФУНКЦІЇ ЩОДО ЗАПОБІГАННЯ ТА ПРОТИДІЇ НАСИЛЬСТВУ В УКРАЇНІ. Детально проаналізовано діяльність та взаємодію органів, що виконують функції з попередження та запобігання насильству на території України.

Окремо виділено проблематику щодо зв'язку між відповідальними особами, які наділені повноваженнями у сфері боротьби з домашнім насильством та насильством за ознакою статі. Розглянуто перелік діючих в Україні органів, їхні функції, відповідальність та вплив на загальну ситуацію щодо насильства, що склалася на території держави. Визначено принципи, цілі та функції розглянутих суб'єктів. Окреслено діючі методи систематизації відповідальних органів у зазначеній сфері.

Запропоновано актуальні пропозиції щодо оновленої структури суб'єктів, їх інформування, звітності, відповідальності та розширення повноважень у сфері запобігання та протидії насильству в будь-якій формі прояву.

Виділено доцільність проведення низки наукових досліджень за цим напрямом для визначення існуючих теоретичних та практичних проблемних питань з метою створення єдиного якісного алгоритму дій, пов'язаних із відпрацюванням викликів, що надходять на лінію 102, та письмових заяв від громадян, які зазнали насильницьких дій (суттєвої моральної, фізичної, економічної, психологічної шкоди) від кривдника в результаті вчинення адміністративного або кримінального проступку.

Також наголошено на необхідності перегляду діючого законодавства, що регламентує відносини між органами, на які покладено функції щодо забезпечення попередження та протидії насильству в Україні. Запропоновано запровадити новий порядок розгляду звернень громадян до

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органів Національної поліції, а також інформування освітніх закладів та закладів охорони здоров'я про випадки насильства, навіть якщо до підрозділів поліції не надійшло письмової заяви від потерпілої сторони, в ситуації, якщо для цього є достатньо підстав вважати, що насильницькі дії можуть спричинити тяжкі наслідки. Особливо наголошено на розгляді протиправних дій з ознаками насильства, що є повторними протягом тривалого часу. Запропоновано розробку окремої мобільної програми для термінових повідомлень про вчинення домашнього насильства або насильства за ознакою статі всіх суб'єктів, на які покладено функції щодо запобігання та протидії насиллю.

Рекомендовано впровадження окремих стаціонарних підрозділів у районних відділеннях поліції для більш детального розгляду кожного звернення та вивчення кожного окремого випадку повторного характеру для забезпечення превентивних дій задля викорінення насильства в кожному районі. Оскільки різнобічний характер функцій, покладених на дільничних офіцерів, зменшує швидкість та якість реагування на подібні виклики.

З огляду на ст. 173-2 КУпАП та ст. 126-1 КК України виникає нагальна потреба в посиленні та перегляді санкцій за правопорушення, пов'язані зі вчиненням насильницьких дій за ознакою статі та іншими видами насилля. Таким чином, запропоновано впровадити більш жорсткі міри покарання кривдників, які вчиняли протиправні дії за вищезазначеними статтями.

Ключові слова: *домашнє насильство, насильство за ознакою статі, гендерно зумовлене насильство, суб'єкти, взаємодія, методологія, систематизація, кривдник, потерпілий, жертва.*

Relevance of the study. At present, a number of urgent questions arise in Ukraine regarding the issues of interaction and systematization of bodies performing functions related to the prevention and countermeasures of violence. First of all, the reduction of positive statistics regarding the commission of administrative offenses and misdemeanors related to violence is influenced the consistency and coherence of all subjects entrusted with the above-mentioned functions. Therefore, the study of the methodology of the systematization of bodies performing functions to counter and prevent manifestations of any kind of violence must be carried out taking into account all possible formats, including the analysis of existing services and institutions in the specified field and possible ways of their cooperation. The responsibility of the persons who are the direct executors of this referral is regulated in a narrow circle of the regulatory framework, which can influence the increase in the number of cases of gender-related and domestic violence. It is advisable to consider the possibility of expanding the powers of responsible persons in cooperation with other bodies, since the number of cases of violence has increased significantly under the conditions of martial law in Ukraine. The undeveloped mechanism of work of the responsible bodies increases the risks, which will negatively affect the indicators of the number of victims of manifestations of violence, and may also become a catalyst for the increase of administrative and criminal offenses based on the commission of domestic and other types of violence. First of all, the commission of an administrative offense provided for by Art. 173-2 of the Code of Ukraine on Administrative Offenses entails such serious consequences as bodily harm, property damage, possession of property, forced deprivation of liberty, suicide and even death. An important role in the prevention and prevention of violence is the timely notification of its commission, because very often the victim keeps silent about the fact of violence and the offender repeats his actions again. In order to effectively process citizens' appeals regarding these violations, the bodies that cooperate with each other in the specified direction must have a fairly simple and automated scheme for reporting the facts of the manifestation of any type of violence, receive information simultaneously and in full.

Recent publications review. The authors O. Moroz, Yu. Khatniuk considered the question of the participation of the national police in countering and preventing violence [1]. V. Hrytsanyuk conducted research on ensuring access to women's shelters [2]. In her scientific publication N. Mokrytska analyzed the topic of types of social services provided to victims of domestic violence [3]. O. Protsenko studied the problems of violence in practical activities [4]. The activity of police officers in response to citizens' appeals about facts committed in the field of domestic violence was investigated by M. Belov and M. Maksimova [5]. M. Naumenko also studied the legal authority of the subjects involved in preventing and countering violence and analyzed the need to ensure an integrated approach to the system of combating violence in Ukraine [6]. In his article I. Melnychenko investigated the main directions of cooperation of specialized services regarding the prevention of sexual violence related to military actions on the territory of Ukraine [7]. K. Manuilova and P. Rudetska chose the topic of the world experience of countries as the basis of their scientific research and considered the normative framework of the international level [8].

The article's objective is an improvement of the structure of bodies entrusted with the functions of preventing and countering violence on the territory of Ukraine and the interaction of all bodies and services carrying out measures in the above-mentioned direction.

Discussion. Let's consider the structure of effective bodies that have the authority to carry out activities related to countering and preventing domestic violence.

According to Art. 5 of the Law of Ukraine «On Prevention and Combating Domestic Violence», the state policy in the areas of combating violence is aimed at comprehensive, integrated actions to provide assistance to victims and eradicate domestic and other types of violence. Currently, various bodies are involved in Ukraine that cooperate in this direction. In Art. 6 lists the entities that ensure the implementation of measures in the field of prevention and countermeasures against domestic violence [9].

According to Art. 6 entities implementing measures in the field of prevention and counteraction of domestic violence are:



Specially authorized bodies include the central bodies of the executive power, which form and implement state policy in the field of domestic violence. Actions on violence are carried out by the structural divisions of local state administrations, village, settlement, city and district communities, to whose powers this sphere of activity belongs, as well as by the Council of Ministers of the Autonomous Republic of Crimea. All of them are aimed at coordinating the activities of entities engaged in combating and preventing domestic violence, researching and improving legal regulations, developing and implementing methodological recommendations, typical programs for victims and offenders, approving methods for determining the creation of special assistance services and models for providing social assistance to victims of violent crimes. With regard to other existing organizations and institutions that carry out the duties of implementing measures regarding domestic violence, they include: services that deal with children's affairs, units of the National Police of the state, educational management bodies, educational institutions and other structures related to education systems, institutions related to health care and institutions subordinate to the Ministry of Health of Ukraine. Separately, bodies dealing with issues of the legal field, such as judicial institutions, organizations that provide free legal assistance, and others, should be singled out.

As for the services dealing with support and assistance to persons who have suffered violence, it is necessary to single out social services, children's shelters and rehabilitation centers, institutions that provide psychological assistance and other institutions dealing with social security.

In the age of advanced computer technologies, an information site for victims of

violence is available on the Internet, which includes a list of contact centers and hotlines for urgent consultation. In particular, recently, a 24-hour access line 1547 was created, the employees of which provide continuous clarification of the algorithm of actions for victims, taking into account an individual approach to each situation, free of charge. The service is in demand and has many positive reviews, but theoretical solutions to problems in practice have a rather sad result. It depends on the person's place of residence. For example, not all cities, let alone villages, have shelters for victims of violence. There are many cases when, after receiving an urgent restraining order, the offender still returns to the victim and continues illegal actions. In this situation, the best solution is to separate the victim and the perpetrator in different places of stay. If the victim does not have a personal home, it complicates the process of preventing new cases of domestic violence. The best solution to this issue would be to move the victim to a shelter or asylum, but the number of such institutions is limited throughout Ukraine. As for the cities in which such services operate, most people do not have information about them or the number of places in such institutions is limited. Instead, the authorized bodies dealing with issues of violence do not yet have established cooperation. The Ministry of Social Policy of Ukraine has developed a single algorithm of actions of entities that carry out measures in the field of countermeasures and prevention of domestic violence. The algorithm is presented in a schematic form, which makes it possible to visually examine all the positions of the response of the authorized services entrusted with the performance of functions in relation to violent, illegal actions. In our opinion, the above-mentioned algorithm also needs to be revised because the tools of interaction of the responsible authorities are not specified and the reporting procedure is complicated, which prevents an urgent response system to appeals of a similar nature. Also, reporting on cases of domestic violence or gender-based violence takes place through the central executive body, which slows down the formation and generalization of statistical data in each settlement or district. Thus, the reliable indicators of the above-mentioned illegal actions do not have accurate analytics to create a final analysis and comparison with previous periods.

Another problematic issue is the coordination and monitoring of reliable reporting by authorized bodies of cases of domestic violence or gender-based violence in each individual district, since the calculation of statistical data begins directly with the reporting of district police departments, social and other services. Most of the materials remain unexamined, as the victim withdraws his written statement after a certain time, but in some cases there is a repetition of acts of a violent nature, which entail already criminal misdemeanors (serious bodily injuries, damage to property and even the death of the victim).

Conclusions. Summarizing the above, it should be concluded that the methodology and mechanism of interaction of subjects that carry out and ensure the implementation of measures for the prevention and prevention of domestic violence and gender-based violence needs to be revised and the introduction of new units that work only in the direction of processing appeals and ensuring the implementation of appropriate measures against violence in each district police station. Also, the existing sanctions of Art. 173-2 of the Code of Ukraine on Administrative Offenses and Art. 126-1 of the Criminal Code of Ukraine for repeated actions of the same nature need to be supplemented in the form of compiling materials without a written statement from the victim, in the event that there are sufficient grounds to believe that an illegal act has taken place and there is a threat to life and health. The development of a new system of communication and informing the authorized bodies, which are entrusted with the functions of countering and preventing domestic violence, should be highlighted separately. For high-quality cooperation of authorized bodies, it is proposed to develop a special mobile program for informing all services about cases of violence. This will allow a more careful and detailed approach to each appeal and provide professional assistance to citizens who have become victims of violence. That is, in accordance with the criteria for assessing the situation, depending on the age, condition of the victim, risk assessment, living conditions and other positions (which also require methodological development), information is provided to all necessary services through a mobile application, which helps to comprehensively consider each individual case and provide the necessary assistance to the victim.

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Адміністративно-правові, кримінально-правові, кримінологічні та кримінально-виконавчі аспекти ...
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ABSTRACT

Olena Protsenko. Methodology of the systematization of bodies in charge of the functions regarding prevention and combating violence in Ukraine. The activities and interaction of authorities performing functions related to the warning and prevention of violence in Ukraine have been analyzed in detail. The issues regarding the communication between responsible persons endowed with powers in the field of combating domestic violence and violence based on gender have been highlighted separately. The list of active authorities in Ukraine, their functions, responsibilities, and impact on the overall situation regarding violence within the country's territory has been considered. The principles, goals, and functions of the examined subjects have been identified. The current methods of systematization of responsible authorities in the specified sphere have been outlined. A series of relevant proposals have been put forward regarding the updated structure of subjects, their information dissemination, reporting, accountability, and expanded powers in the field of prevention and counteraction of violence in any form of manifestation.

The expediency of conducting a series of scientific research in this direction to identify existing theoretical and practical problematic issues for the creation of a unified, high-quality algorithm of actions related to addressing challenges received on the 102 hotline and written complaints from citizens who have suffered violent actions (significant moral, physical, economic, psychological harm) from the offender as a result of committing an administrative or criminal offense has been highlighted. The need of reviewing the existing legislation regulating the relations between the authorities responsible for ensuring the prevention and counteraction of violence in Ukraine has been proposed. It was introduced a new procedure for considering citizens' appeals to the National Police, as well as informing educational institutions and healthcare facilities about cases of violence even if no written complaint has been received by the police from the victim, if there are sufficient grounds to believe that violent actions may have serious consequences, has been suggested. Special attention has been paid to the consideration of unlawful acts of violence that are repetitive over a long period.

The development of a separate mobile application for urgent reports of domestic violence or violence based on gender by all the authorities responsible for preventing and countering violence has been proposed. The implementation of separate stationary units in district police departments for a more detailed consideration of each appeal and the study of each individual case of recurring nature to ensure preventive measures for eradicating violence in each district has been recommended. Since the functions assigned to patrol officers have a multifaceted nature, this reduces the speed and quality of response to such calls. From the review of Art. 173-2 of the Code of Ukraine on Administrative Offenses and Art. 126-1 of the Criminal Code of Ukraine, there is an urgent need to strengthen and review sanctions for violations related to gender-based violence and other types of violence. Thus, it is proposed to introduce stricter measures of punishment for offenders who have committed illegal actions under the above-mentioned articles.

Keywords: *domestic violence, gender-based violence, subjects, interaction, methodology, systematization, perpetrator, victim.*