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VICTIMITY AS A STRUCTURAL ELEMENT OF THE MECHANISM OF CRIMES, COMMITTED AGAINST WOMEN

Background. Woman as a victim of crime is a kind of victims of crime, determined on the basis of such criteria as sex of the subject of victim. Study of the peculiarities of this type of victims is due not only to value differences between victims on the criterion of sex, but also to determine the conditions that determine the commitment to women such crimes, methods and characteristics of their commission.

The degree of scientific development. The literature widely covered criminal law, criminological, socio-psychological and other aspects of female crime, the condition of, the causes of crime, some of its species (recurrent, group, selfish, violent, etc.), This detailed criminological characteristics of female criminality.

In this area worked by such scholars as Y.M. Antonian, M.I. Arsenyev, L.S. Berekashvili, A.A. Habiani, M.N. Golodnjuk, I.A. Kirillova, I.V. Korzun, L.A. Melikashvili,

V.D. Pakhomov, V.A. Serebriakova, E.V. Wednesday, T.N. Yavhunovska and others.

As criminological characteristics of female victims, then the problem is investigated enough. At present, this gap victimology almost full, despite the fact that deep working out general theoretical problems quite obvious.

Purpose and objectives. This article aims to explain the concept of victimology, victim and victiming situation and analyze victimological characteristics of personality and behavioural characteristics of female victims of crime.

Main presentation content. Victimology - the doctrine of the sacrifice, the direction of research that covers issues related to victims of crime [1, p. 102]. Victimological approach to the prevention of crimes and excesses has a very long tradition. Even in ancient times it was observed that the destiny of man to a certain extent dependent on itself. Some are more likely to be victims of crime, others - less. Some of the most provocative criminal, others, or avoid conflict, or so ably treated in a conflict situation that can prevent crime or reduce its effects to a minimum.

Since the mid XVIII century criminology engaged in criminal behaviour, and at the end of XIX century. - Problems of criminal personality. The victim of the crime was the subject of criminological research only since the Second World War.

Victim of crime (victim) is an essential element in the formation of crime and crime control. In 1941, Hans von Hentih highlighted the connection between the offender and the victim, such as the interaction between fraud and cheated. He highlighted some of the crime as "a process in which anti-social elements devour each other." This dynamic genetic approach Benjamin Mandelson opposed its static concept of "victiming," by which he means a "common phenomenon" that "covers all categories of victims, regardless of reasons that led them to this situation "[2, p.248]. So he asked her out to determine the bio and psycho and social features characterizing the victim.

If criminology is looking criminogenic factors that promote crime, and their place in the structure of offender in terms of Gestalt psychology, the victimology should do the same regarding victimogenic factors that cause crime, in the person of the victim. Thus, these two areas (the offender and the victim) become independent and not related to each other. The victim and the offender appear in the social process of crime and crime control as entities that mutually define and interpret themselves and their actions. In this sense, Hans von Hentiha interested in the relationship

of the perpetrator that "acting", and the victim that "suffer loss," which he defined as a complementary partnership, so as to obtain damages is something active. The essence of victimization is that the offender tries to sacrifice their object. And the criminal justice characterizes one party tort as "criminal" that caused damage or loss to the victim, and the other - as a "victim" who suffered losses. However, both before and during the act of the offender and the victim are the subjects that are together in symbolic interaction [2, p.250].

Domestic scientists also actively involved in research victiming. Speaking of victimology, L. Frank implies no sacrifice at all (eg. accidents, operation, alcoholism, etc.) and not the victims of any offense (administrative, labour, civil). The subject of the study of victimology LV Frank defines a person who is the victim of the crime, his personality and behaviour, which is in a particular relation to the crime, his relationship (legal, economic, spiritual, family, love, etc.) at the time the criminal offense and to others, the environment in which criminal acts committed or criminal situation ripened [3, p.246-247].

Victimology not "compete" with criminology, criminology, criminal law and criminal procedure, but instead, it serves as an auxiliary discipline that complements their more in-depth study of issues at the intersection of criminal science, the problems that none of these areas of law specifically dealing.

One of the main issues of victimology is the role of the victim in the case of the crime situation in the genesis of a criminal act. The practical significance of the study of a particular crime in a particular victimological plan is that the investigator, the court, prosecutor, a person conducting an inquiry, new additional features, comes a new approach for comprehensive, full and objective investigation of the circumstances of the criminal case, to identify causes and conditions that contribute to crime, for the correct classification of the offense. Indisputable importance to the study of personality and behaviour of the victims, their relationship to the offender for the crime.

Victimizing - a set of personality traits that lead her wrong, suboptimal behaviour in a criminal setting. As a result, the person increases the likelihood of becoming a victim of crime. This term was first introduced in national science LV Frank. In the term "victimizing " fit a double meaning: it affected and a social phenomenon, and mode of action of a person. In this sense, the phenomenon victimological inextricably connected with crime. This means that human behaviour can by its nature be not only criminal but also victim - reckless, risky, frivolous, perverse, provocative, ie. dangerous to himself.

Thus, under victimological means increased human capacity because, firstly, the social role and status, and secondly, a series of spiritual and physical properties under certain circumstances become victims objective [4, p.8].

Victimization - the process or result of increased victiming person. Clearly, in this case is not about any charges or acquittal of criminal victims, but we can not agree that the establishment of solidarity blame the victim in any case can cause a real state of affairs, criminal law response (functional responsibility). Research belonging to victims of crime is more of problem solving ability of potential victims to prevent crime. There are certain periods of time and place when and where certain groups in particular are often victims of certain offenses. Our goal is to identify those periods and places informing this data sectors of society in order that they may take this into account and do not get into victimogenic situation, which is very easy to develop processes of victimization. Of course, in a free society, every citizen has the right to put themselves at serious risk becoming a victim of crime. Sometimes it is simply not possible to fend off the attack without isolating themselves from society. And victimology must show him to the risk to which it exposes itself to he took precautions and better able to resist this threat.

There is no "innate victims" or "victims of nature." But man acquired physical, mental and social traits and characteristics (for example, some physical and other conditions, inability to self-defence, or lack of commitment to it, especially interior, mental, material and financial attractiveness) may make it prone to becoming a victim of crime. If he realizes that his high victimogenic, it can learn a behaviour that allows resist and cope with this threat. Unlike static concepts of vulnerability and susceptibility to victims becoming a victim Model lifestyles and victimization to facilitate, stimulate and direct cause offense is dynamic. People acquire skills of criminal and victim behaviour in the process of symbolic interaction. Mutual attitudes and

relationships, and different interpretations of behaviour and those of the offender and the victim have for these processes crucial.

So victiming - a multifunctional phenomenon. Its main features include:

- Difficulty in predicting precriminal situations;
- Obstacle avoidance situations of this kind;
- Provocation criminal attacks;
- Reduction of man to the protection of criminal assault;
- Strengthening the negative effects of crime [2, p.320].

Around the core issue of victimology - the victim - a lot of discussion and controversy. For example, V.M. Polubinskaya believes that the crime in most cases is the education system, the result of the unity of interrelated elements: the offender's wrongful act or omission of the victim, his behaviour, which immediately precedes the offense or conduct during the commission of a crime [5, c. 5].

With the offer of further narrowing the range of persons who may act as the victim, the pages print made by V.M. Kudryavtsev. Referring to D.V. Rivmana that 39.3% of the victim's behaviour objectively situation created an opportunity implementation of the rape and about 81% of murder victims do not do proper resistance

V.M. Kudryavtsev wrote: "The foregoing and given the data suggest that in most cases of criminal behaviour related to the victim. Therefore, in our opinion, the victim, the fault which occurred criminal situation, should be deprived of the right to damages, and his right to appeal should not be linked to the deterioration of the accused "[6, p. 145 - 146].

This understanding of the issue, in our opinion, lead to unjustified hyperbole as a victim of a crime committed against him, and to unnecessary humiliation of public danger criminal offense.

Here are, for example, statistics on victims received LV Frank in the "concept of victimology and criminal victimology and some aspects of crimes against life." From these data, 50% of cases the behaviour of the victims was the immediate reason for the murder. In 60% of cases, this behaviour was of a negative in terms of moral character, in 35% of cases - positive (protective, performance of public duty, and so on), 5% - neutral [3, p.60-61] .

In 30% of women - victims do not realize that their behaviour is provocative and rich danger to themselves. In 43% of cases of daring, provocative behaviour was of a long and permanent [3, p.61].

These are some statistics, but they lack to see how urgent the problem is and how victimology phenomena in relation to all offenses against the person, and in all kinds of crime as a woman alone and in comparison with non-aggressive male sub 'object of objective reality, and it is more than a man can become a victim.

Thus, victimology is part of criminology as behaviour of the victim - an organic part of the mechanism of the crime. It also contains material that is essential for the prevention of crime.

In the apparatus of victimology occupies an important place concept victimological situation. No component analysis and consideration of these situations it is impossible to understand the role of female crime victims in the mechanism of the crime.

The victim often plays a significant role in criminological mechanism offense. These observations, which are based on assessment of multiple situations specific crimes are now in generalizations, to judge the direction victimological criminal activity as a phenomenon typical. Considering this phenomenon (all its components - personal, motivational, situational, behavioural) can and should be as part of general criminological mechanism.

Of course, the default can be active and passive, positive and negative behaviour of female victim. But it would be wrong to assume that the importance of criminological female victim behaviour associated only with activity and negative motivation. Passive, uncritical behaviour, positive motivation act or omission of the injured is not neutral in the mechanism of the crime. Faced with the different roles of victims of crime, we need to understand the extent of criminological significance. However, this role is not limited to the victim. It may be the mechanism of crime not only because of the situation, but also through the offender, if in the past the future sacrifice made him a formative influence.

Often the "authors" of negative impacts on the potential tort injurer later (sometimes after a long time) are their victims.

According to V. Kudryavtseva, specific life situation - is "a combination of objective circumstances of life that directly affect the behaviour at the moment. In criminological sense - an event or state which leads to criminal intent or outcome as a result of negligence. Thus, the situation always precedes the crime "[6, p. 68].

At the time, G.M. Genting noted that "in a sense creates a victim offender" [7, p. 384]. This observation has long lost its novelty, but not lost importance. Analysis of many crime shows that criminal action would seem to be completely caused by the behaviour of the victim in precriminal situation is actually more or less the result of the contribution of the person who caused harm to the formation of a criminal. Clearly, there is already a 'social bond that involves behaviour that is recognized by all parties involved, and consciously directs them to the actions of others "[7, p.385].

Content victimological situation is a set of circumstances forming the person with high potencies of victim: Specific precriminal (life) situation, the offense and the circumstances prevailing after the crime, which directly implemented by individual victiming considered as the only cause-related processes.

Operating discussed above terms, concepts and definitions, we can consider the role of victims in the mechanism of offenses classified situation of individual victimization and typology of the victim.

A person can not just emotionally react to what is aimed directly against it, but that brings suffering to others. Forms such responses may vary, and jurisprudence is replete with such cases.

According to I. Korzun, the following types of positive behaviours women victims of crime:

1. Implementation of public debt (take action to stop violations; resistance offender; Message authority of the perfect or that preparing a crime, giving witness, victim testimony, which exposes a person committing a crime).

2. Foolish, trusting behaviour [8, p.25].

In addition, there are other types of positive behaviours victim, for example, depending on the rules by which it is governed, stands lawful and ethical behaviour [9, p.55].

For victims of positive behaviour characteristic rigor, courage.

Type victims - scandalmaker - are women 25 - 40 years (at least - another age), neighbours, colleagues at work, relative, lover man, and so on, educational and cultural level is low, often excessively drink alcohol, disrespectful, rude and harsh in communication, tactless, deliberately and easy to go to the scandal, danger situations that arise as a result, assess uncritically, frivolous. With regular scandals threaten appeal to the police, but rarely actually do it.

Type sexual victim as follows: a woman aged 26 - 40 years (at least - older or younger), educational and cultural level of predominantly low interests and needs primitive, potentially dangerous for a situation created by itself, does not know how to critically evaluate, the prospect of seeing bad situation, evaluate possible enemy "humiliation", fiery, sharp, aggressive, has a bad, drink alcohol excessively, selfish, poorly developed sense of gratitude, hysterical, suffering from disabilities in the field of sexual and psyche. Installing person - violent antisocial. This is the type of person that demonstrates negative behaviour (immoral, illegal, criminal) dangerous for others and for herself. In such cases, the person who committed the murder or caused serious injury, should not be seen as the main culprit of the crime. We must distinguish two variants of this type. First - sexy suffered an overall plan that implements those negative qualities in situations where the tort injurer may be a person with whom it did not linking. And the second - selectively sexual victim, which, however, is relative, friend, colleague, etc. for a tort injurer [5, p.137-138]. You can also highlight other types of female victims depending on what we take as the basis of the division, which will be discussed in other papers.

Conclusions. So, summing up all above mentioned, it should be noted that the assessment of criminological situations related to a crime where the victims are the women is impossible without clarification of the nature of relationships linking the offender and his victim. Knowledge

of these conditions allows us to determine the extent of stability of contact between them and reveal to some extent, the content of conflicts that have caused offense.

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