

ICEST 2022**III International Conference on Economic and Social Trends for Sustainability of Modern Society****CRIMINOLOGICAL CHARACTERISTICS OF VICTIMS OF
CRIME IN THE SPHERE OF FAMILY RELATIONS**

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Abstract

Most studies of crimes in the field of family and domestic relations are concentrated to a large extent on the personality of the offender, however, for preventive work, the study of the personality of the victim is more valuable. The purpose of the study is to study the criminological characteristics of victims of crimes in the sphere of family and domestic relations. The conceptual idea of the study is that, in a preventive sense, it is more appropriate not to construct individual types of victims, but to study socio-demographic markers that indicate potential victimization. An empirical study of victims of crimes in the sphere of family and domestic relations in this work was carried out on the basis of a study of the materials of 441 criminal cases initiated in the Moscow region in the period 2019-2021. The study of victims of domestic crimes was also carried out in the context of two classifications: by types of relationships and crimes. The following results of the study were obtained: the offender and the victim are most often connected either by friendly, neighborly or family relations. In the structure of kinship relations, the victims are most often those who are connected in the present or the past with the perpetrator by marital or civil marriage. In terms of gender, relative equality is observed among crime victims. The predominant age of the victims is 30-49 years old. The dominant social status of the victims is employees or workers.

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Keywords: Crimes in the field of family and domestic relations, criminology, the identity of the victim, victimology

1. Introduction

Crimes in the sphere of family and domestic relations are a trigger topic for the modern Russian professional legal community, the media and society as a whole. In public rhetoric on this issue, value, social and legal contexts are often mixed, which, on the one hand, is quite natural and expected, on the other hand, it is not always constructive due to the difference in the mechanisms of functioning of these areas of activity. The relevance of this problem is often due to high-profile cases that have received publicity, as well as an unsatisfactory assessment of the activities of law enforcement agencies, the criminal law system. Concern is caused by statistical data, methods of their collection and analysis, since the activities of law enforcement agencies are based on these data.

Most studies of crimes in the sphere of family and domestic relations are concentrated to a large extent on the personality of the offender. It is this approach that is extremely actively used in domestic preventive practice. However, according to Artemiev and Polishchuk (2007), Grishko (2020), Isaev (2003), Kolpakova (2007), Rivman (2002) and others, the study of the personality of the victim is equally valuable for preventive work.

In general, the victimological direction of criminology and criminal psychology is quite powerfully developed in Russian science (Fedorova, 2014; Luneev, 2018; Mayorov, 2015, 2018, 2019, 2020; Nifontov & Yuzikhanova, 2014; Rivman, 2002 etc.). The key setting of victimology is the recognition that certain complexes of behavioral reactions, psychological and socio-demographic characteristics of a person can determine a person's propensity to become a victim, including criminal acts.

Opponents of the victimological concept, usually represented by foreign feminist forensic scientists (Anderson, 2008; Archer, 2002; Capaldi et al., 2007; Crossman & Hardesty, 2018; Jones, 2021; Miller & Meloy, 2006; Swan & Snow, 2002; and others), argue that an attempt to determine the triggers of a person's victimhood, on the one hand, deprives him of the will to be active, freedom of choice, makes him responsible for the events that have occurred, on the other hand, actually supports the non-democratic patriarchal foundations of the world.

Nevertheless, apologists of both points of view share the idea that in most cases a potential victim is characterized by a complex of psychological and behavioral reactions, such as passivity, lack of desire to take responsibility, defend their rights, gullibility, undifferentiated sociability, etc.

2. Problem Statement

Regarding the subject of this study most typologies of victims of domestic crimes are built on two grounds. The first basis is the universal typology of crime victims developed by Rivman (2002). According to the concept of the scientist, six types of victims are distinguished: aggressive, active, passive, initiative, non-critical and neutral types. The aggressive personality type is characterized by the fact that the status of the victim is assigned to him as a result of his aggressive, provocative behavior. The aggressive type of the victim himself initiates the conflict, in the resolution of which he becomes a victim. The active type of victim in a milder form, often in a veiled request or demand, provokes another person to illegal actions directed against him. The passive type of the victim is citizens who do not resist the

criminal due to various objective and subjective circumstances, such as young age, physical incompatibility of the person's capabilities with the force being presented, fear of possible consequences, etc. The initiative victim becomes such because of her special social or professional status, which obliges her to intervene in conflict and dangerous situations. An uncritical victim does not have the ability to assess the potential danger of a situation. A neutral victim is a victim who has become such by the will of circumstances (Rivman, 2002).

The second basis lies in statistical myths. Let us explain this statement. There are quite a lot of statistical myths about victims of domestic violence in the public space. The scientific literature often argues that the main victims of domestic violence are women. For example, in the study of M.I. Galyukova (2007) cites statistics that about 14,000 women die every year in Russia as a result of domestic conflicts.

Turning to the official statistics of the Ministry of Internal Affairs of the Russian Federation, presented by the Regnum agency, one can diagnose a completely different picture: among the victims of domestic violence, 16.80% (9,118 people) are minors, 60.06% (32,602 people) are women, 23.14% (12,562 people) are men. Moreover, the following trend is observed: the proportion of male victims of domestic violence dominates among grave and especially grave crimes. Of the total number of murders in the domestic sphere, the victims are 3.40% (36 people) of minors, 28.68% (304 people) of women, 67.92% (756 people) of men. Of the total number of infliction of grievous bodily harm 1.53% (44 people) are minors, 24.91% (716 people) are women, 73.56% (2,158 people) are men (Study of the level of domestic violence in the Russian Federation, 2019).

The situation is changing with regard to beatings, torture and threats of murder or serious bodily harm. Of the total number of beatings in the domestic sphere, the victims are 41.65% (6,680 people) of minors, 62.02% (9,947 people) of women, 37.98% (6,092 people) of men; torture - 12.29% (198 people) of minors, 87.27% (1,406 people) of women, 12.73% (205 people) of men; threats of murder or serious bodily harm - 4.26% (967 people) of minors, 70.06% (15,916 people) of women, 25.68% (6,801 people) of men (Titaev, 2019).

Considering the above two circumstances the problem that is solved in this article is the study of victims of crimes in the sphere of family and domestic relations in the context of gender, sex-role, social and other factors.

3. Research Questions

Based on a preliminary study of this problem, the logic of the article is built as follows. First, the study of the typologies and characteristics of victims of crimes in the sphere of family and domestic relations, carried out by scientists in recent years, is of decisive importance. Secondly, in this context, it is important to form scientific ideas about the criminological characteristics of victims of crimes in the sphere of family and domestic relations based on the material of a specific sample.

4. Purpose of the Study

The purpose of the paper is to study the criminological characteristics of victims of crimes in the sphere of family and domestic relations.

5. Research Methods

The study of typologies and characteristics of victims of crimes in the field of family and domestic relations, conducted by scientists in recent years, was carried out on the basis of the analysis of scientific databases (SCOPUS, Web of Science, Google Scholar, eLIBRARY) for the following keywords: "victims of domestic crimes" , "victims of domestic violence", "victims of crimes committed in the sphere of family and domestic relations", "victims of domestic crimes", "victims of violent crimes in the sphere of family and domestic relations". In total, 278 scientific articles, 19 dissertations were studied. The article is based on 25 sources selected in accordance with the research problem.

The basis of the research methodology is the interactionist approach. In particular, it is presented in the works of Mayorov (2015, 2018, 2019, 2020), who believes that in a preventive sense it is more appropriate not to construct individual types of victims, but to study socio-demographic markers that indicate potential victimization. Also, general scientific (analysis and synthesis, formal logical method, generalization, typology) and private scientific methods (questionnaires, interviews, content analysis of documents, statistical methods) were used in the work.

Based on this approach we conducted an empirical study. The empirical base of the study includes statistical data on demographic, economic and other indicators presented in official sources; statistical reports of the Ministry of Internal Affairs of the Russian Federation for the Moscow Region for the period 2017-2021; materials of 441 criminal cases initiated in the Moscow region in the period 2019-2021; survey of 441 victims in the period 2019-2021 The main criteria for studying victims of domestic crimes were the following: the degree of kinship or the type of relationship with the offender; floor; age; social status; the presence of aggravating factors, such as alcoholism or drug addiction.

The study of victims of domestic crimes was also carried out in the context of two classifications: by types of relationships and crimes.

The first classification assumes that the main feature is to consider the totality of relations that make up the family and household sphere. These relations are classified as follows: family and household (relations between relatives), communal (relations between neighbors), leisure and household (relations between friends and acquaintances), industrial and household (relations between colleagues, colleagues).

The second classification is based on the study of the personality types of the offender in accordance with the specifics of the criminal act. In this study, the second classification is presented by studying the personalities of criminals who have committed intentional attacks on life (Articles 105, 106, 107, 108, 109, 110.1 of the Criminal Code of the Russian Federation), health (Articles 111, 112, 113, 114, 115, 116, 117 , 118, 119, 125 of the Criminal Code of the Russian Federation), sexual inviolability and sexual freedom (Articles 131, 132, 133, 134, 135 of the Criminal Code of the Russian Federation), human property (Articles 158, 159, 161, 162, 163, 164, 165, 166, 167 of the Criminal Code of the Russian Federation).

6. Findings

Scientists construct typologies of victimhood based on the victim status of a female victim. Let us give as an example the typology of victims of domestic violence developed by Artemiev and Polishchuk (2007) based on the typology of Rivman (2002).

The authors are guided by a behavioral approach to the analysis of victims of crimes in the sphere of family and domestic relations. Consequently, the authors distinguish four types of behavior of victims as the basis of the typology: positive, neutral, non-critical, negative. Artemiev and Polishchuk (2007) characterize the types of behavior of the victim as follows. Positive behavior is behavior within the framework of the moral imperative of the culture of a particular community and within the framework of the current legislation in the course of resolving a family and domestic conflict. Neutral behavior is a variant of positive behavior, but there is no resistance motive in it. Uncritical behavior is due to the inability of the individual to assess the potential threat or danger within the circumstances. Negative behavior is characterized by forms of aggression towards a potential offender - a domestic aggressor or abuser.

Within each type of behavior, Artemiev (2019) identifies specific types of victims. In particular, positive behavior may be characteristic of the active or proactive type of victim. The strategy of neutral behavior is often used by the following types of victims: passive, interfering and neutral types. This type of behavior is typical for people who are in a deficit of opportunities: minors, the elderly, people with disabilities, people with disabilities, some women.

So, according to a study conducted by Nigmatullin, "every sixth (16.9%) intra-family violent crime was committed against a person who was obviously in a helpless state for the perpetrator. Every seventh (14.8%) of the victims suffered from various kinds of serious illnesses that were not related to the category of mental illnesses. Almost every fifth (18.3%) of the studied persons had one or another mental anomaly. Among all the victims of these crimes, patients with chronic alcoholism accounted for 12.0%, psychopathy - 4.2%, schizophrenia - 1.4%, drug addiction - 0.7%" (Nigmatullin, 2017, p. 29).

Uncritical behavior is characteristic of two types of victims whose names speak for themselves: frivolous and careless victimological types.

Negative behavior is found in the provocative and aggressive victim. As an example, we can cite the following results of an empirical study by Ilyashenko (2002):

Most of the interviewed criminals (56.2%) indicated that before they committed the crime, the victim behaved aggressively and rudely. Moreover, 26% noted that the victim insulted, humiliated them or other family members; 11% - threatened with murder, infliction of bodily harm; 9.6% - inflicted light blows (slaps, etc.), caused physical pain (pinching, twisting arms, squeezing various parts of the body); 5.5% - forbade, limited the use of property, residential premises; 4.1% - limited freedom (p. 21).

An empirical study of victims of crimes in the sphere of family and domestic relations, conducted by the authors of this article, revealed a few discrepancies with the data obtained earlier by other scientists.

Within the framework of the first classification a portrait of the victim of domestic crimes was generalized. In the vast majority of cases the victim was in a marital relationship with the perpetrator (27.3%) or were in a civil marriage (21.1%). It should be noted that 13.7% of the victims were in broken relationships (divorced, no longer cohabiting). 16.4% of the victims were children of the convicts, 3.1% were grandchildren. 11.7% of the victims were grandparents of the perpetrators, 9.4% were parents. 10.9% of the victims were other relatives of the convicted (uncles, aunts, brothers or sisters, etc.). According to the gender distribution 83.6% of the victims were female, respectively, 16.4% - male. By age the largest group are victims aged 30-49 (44.5%), followed by citizens aged 18-29 (27.3%), then minors (19.5%), and finally, persons over 50 years of age (8.6%). In terms of social status, employees (38.3%), workers (20.3%), and students (19.5%) stand out most among the victims. Victims without a permanent source of income (9.4%), entrepreneurs (7.0%), pensioners (5.5%) can be considered small groups. Most of the victims (80.5%) are not prone to excessive use of alcohol or drugs. At the same time, among them there are persons with alcohol (18.0%) or drug (1.6%) dependence. The most common crimes are crimes against health (75.8%), then in descending order - against property (11.7%), against life (10.9%).

Victims of communal crimes are in 100% of cases the offender's neighbors. There is a gender balance in this group of victims: men 52.8%, women 47.2%. By age, the largest group are victims 30-49 years old (54.6%), over 50 years old (34.3%), the smallest group are people 18-29 years old (11.1%). A study of the social status of victims of communal crimes showed that they are mainly employees (31.5%), less often pensioners (25.9%) or workers (19.4%). It was also found that the victims of communal crimes are persons without a permanent source of income (12.0%) or entrepreneurs (11.1%). Most of this type of victims do not suffer from alcohol or drug addiction (93.5%). Alcoholization is characteristic of only 5.6% of victims of communal crimes, drug addiction is observed only in 0.9% of respondents. In relation to victims of this category, most often crimes are committed that involve an attempt on the health of citizens (76.9%), property (12.0%), life (11.1%).

Victims of leisure and domestic crimes are, as a rule, friends, acquaintances or acquaintances of the offender (100%). A study of the gender distribution of victims of leisure and domestic crimes made it possible to establish that they are mostly men (78.2%), less often women (21.8%). The dominant age of this group of victims is 30-49 years old (45.5%) and 18-29 years old (42.9%). Significantly less often in this group of victims of leisure and domestic crimes there are persons over 50 years old (11.5%). In terms of social status, an approximately equal distribution among the people of this group is observed between employees (31.4%), workers (23.7%) and people without a permanent source of income (26.3%). Pensioners (16.3%) and entrepreneurs (1.9%) are represented in this category of victims of leisure and domestic crimes by rather small groups. Among the persons of this group, the use of alcohol is widespread (53.2%), less often drugs (14.1%). Only 32.7% of the victims of leisure and domestic crimes are not inclined to abuse alcohol or drugs. The most common crimes that are committed against victims

of this group are crimes against health (64.7%), then in descending order - against sexual integrity and sexual freedom (17.3%), against life (10.3%).

The last category of victims in the first classification is the victims of industrial and domestic crimes. In 100% of cases, they are colleagues of criminals. This group of victims is dominated by men (85.7%), less often by women (14.3%). The predominant age for this category of citizens is 30-49 years (51.0%), less often - 18-29 (38.8%). The category of people over 50 years of age for victims of industrial and domestic crimes is uncharacteristic (10.2%). In terms of social status, in the vast majority of cases these are workers (73.5%), less often employees (26.5%). The majority of victims of industrial and household crimes are not prone to alcohol abuse (91.8%). Only 8.2% of respondents in this category of victims showed alcohol dependence. In relation to victims of this category, most often crimes are committed against human health (75.5%), his property (14.3%), rarely life (10.2%).

Within the framework of the second classification the victims were studied by types of crimes. Victims of murder or attempted murder were most often on friendly terms with the perpetrator (40.4%), were in an official (14.9%) or civil (10.6%) marriage, were a work colleague (15%), a neighbor (10.6%), less often a parent (4.3%), a grandparent (2.1%), a child (2.1%). In terms of gender composition, relative equality is observed among the victims of murders, with a slight preponderance towards women (53.2%), respectively, 46.8% of men. The predominant age of the victim is 30-49 years old (66.0%), less often - 18-29 years old (19.1%), over 50 years old (12.8%), much less often - a minor (2.1%). In terms of social status, employees (51.1%) and workers (23.4%) predominate in this group of victims. In relation to other social groups, there is a wide range of values: pensioners (8.5%) and persons without a permanent income (8.5%), entrepreneurs (6.4%), students (2.1%). Most of the victims of the killers did not have problems with alcohol or drugs (68.1%), however, 25.5% of the victims of this category have alcoholism, 6.4% - drug addiction.

Victims of attempts on health are, as a rule, people who are on friendly terms with the perpetrator (31.8%), are the perpetrator's neighbor (29.6%), colleague (10%), spouse or spouse (7, 5%), partner or cohabitant (5.7%), child (4.7%) or grandchild (1.3%), indirect relative (3.8%), grandparent (3.5%), parent (2.2%). At the gender level, among the victims of this category, men are more represented (61.9%), less often women (38.1%). By age this category of victims is dominated by people aged 30-49 years (49.1%), as well as 18-29 years old (29.6%), less often citizens over 50 years old (15.4%), even less often - minors (6.0%). In terms of social status, employees (29.2%) and workers (27.7%) are equally represented in this group, less often - people without income (17.0%) or pensioners (16.4%), much less often - students (6.0%) and entrepreneurs (3.8%). Most of the victims did not have problems with alcohol or drugs (64.2%), however, 29.2% of the victims of this category have alcoholism, 6.6% - drug addiction.

Victims of crimes against sexual inviolability were either a friend, acquaintance (72.4%), or a son or daughter (17.2%), or a former spouse (6.9%) or cohabitant (3.4%) to the perpetrators. As a rule, the victims of these crimes are females (93.1%), less often males (6.9%). The dominant age for victims of crimes against sexual integrity is 18-29 years old (51.7%), less often - 30-49 years old (24.1%), minors (17.2%), much less often - 50 and older (6, 9%). A study of the social status of this category of victims did not reveal the dominant category: employees (37.9%), workers (24.1%), without a permanent source of income (20.7%), students (17.2%). Most victims of this type do not suffer from alcohol or drug

addiction (89.7%). Alcoholization is characteristic of only 6.9% of victims, drug addiction is observed in 3.4% of respondents.

The victim of crimes against property is associated with the perpetrator, as a rule, by friendship (31.9%), work (21.3%), neighborly (19.1%) or family relations (spouses, including former (4.3%) , cohabitants (6.1%), the offender's parent (6.4%) or his grandparents (6.4%), other family ties (4.3%). According to the gender distribution, 55.3% of the victims were female, respectively, 44.7% were male. The predominant age of the victim is 30-49 years old (38.3%), also 18-29 years old (31.9%), over 50 years old (29.8%). In terms of social status, employees (36.2%), workers (29.8%), and entrepreneurs (19.1%) stand out most among the victims. Small groups can be considered victims without a permanent source of income (4.3%), pensioners (10.6%). Most of the victims (80.9%) are not prone to excessive use of alcohol or drugs. At the same time, among them there are persons with alcohol dependence (19.1%).

7. Conclusion

Thus, the study of the portrait of the victim of crimes in the sphere of family and domestic relations in the context of classifications by types of relations and crimes made it possible to qualitatively characterize each group of victims. At the same time, it is possible to enumerate the most characteristic features characteristic of the entire array of victims of domestic crime. Thus, the perpetrator and the victim are most often connected either by friendly (35.4%), neighborly (24.5%), or family (29.0%) relations. In the structure of kinship relations, the victims are most often those who are currently or in the past connected with the perpetrator by marital (7.9%) or civil (6.1%) marriage. In the gender aspect, relative equality is observed among the victims of crimes in the sphere of family and domestic relations. The predominant age of the victims is 30-49 years (48.1%). The dominant social status of the victims is employees (32.9%) or workers (27.2%). Most of the victims are characterized by the absence of alcohol or drug addiction (68.0%).

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