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THE OBJECTIVE SIDE OF A THREAT OR VIOLENCE AGAINST A JOURNALIST

The article, considering the recent global changes in Ukraine, reveals that the protection of journalists from violence is one of the priorities of state policy. Threat

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as an objective sign of the crime of Part 1 Art. 345-1 of the Criminal Code of Ukraine, can be expressed verbally, in writing, by gestures and demonstration of weapons or objects that replace them, as well as by the use of technical means, the victim must be clearly aware that the risk of harm, which threatens the perpetrator, in certain circumstances, it may become a reality, and socially dangerous consequences will be caused. With that in mind, the authors proposed to supplement the corpus delicti of the crimes under Art. 345-1 of the Criminal Code of Ukraine, by criminalizing acts of torture and torture. It should be noted that the first part of Art. 345-1 of the Criminal Code of Ukraine according to the degree of public danger is the main composition of the crime and by the design of the objective side is defined as a crime with a formal composition. In the first part of the article cited, the legislator describes a socially dangerous act, and such features as socially dangerous consequences are causally optional. Parts 2 and 3 are also the principal crimes of material crime, the obligatory features of which are socially dangerous acts, socially dangerous consequences and the causal link between them. Part 4 of the degree of public danger is a qualified crime and on the obligatory features of the objective side (not forms of manifestation, but signs) coincide with Part 1–3. 345-1 of the Criminal Code of Ukraine, but are organized by an organized group. Given this, moment of termination of the crime provided for h. 1 Art. 345-1 of the Criminal Code of Ukraine, there is a time when the threat was reported and perceived by the journalist or his close relative or family member (the moment when the threat was expressed may not coincide with the moment of its perception by the victim). The threat is a form of mental violence that inseparably linked to physical violence, which is a form of the objective side of Part 2 and 3 of Art. 345-1 of the Criminal Code of Ukraine. In this regard, authors proposed to change the title of the article: “Violence against a journalist, his close relatives or family members”.

Keywords: criminal responsibility, threat, violence, journalist, close relatives, family members, legal professional activity, mass media.

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