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Criminogenic Influence of Mass Media on Consciousness of Local or Mass Audiences and Varieties of its Negative Consequences

Abstract. *Criminogenic influence of mass media on consciousness of local or mass audiences and varieties of its negative consequences. On the analysis basis of various doctrinal criminological positions, normative provisions of current legislation of Ukraine and existing judicial practice, the concept of criminogenic influence of mass media on consciousness of an individually defined person or group of people is determined, various types of its negative consequences are singled out, and on this basis, own generalized conclusions are determined. This article purpose is to define the criminogenic influence concept of mass media on consciousness of local or mass audiences, identify its signs, various types of negative consequences, and to formulate one's own generalized conclusions on this basis.*

Criminogenic influence of the mass media is a negative informational and psychological influence on consciousness of a person or a group of people consisting in interaction of the mass media with a local or mass audience, i.e. in dissemination of destructive information about the of influence object by mass media, that leads to distortion of consciousness of a person or group people regarding the perception of surrounding objective reality and forms their determination to commit various types of deviant practices as a justified and rightly chosen behavior choice, which result is the onset of negative legal consequences. These consequences can be represented by legal responsibility for illegal, socially dangerous activity of legal entities and individuals in the form of criminal, administrative or civil liability, measures of a criminal legal nature against legal entities or other restrictive measures, which content are certain restrictions on property, physical, organizational, legal or other nature.

Keywords: *criminogenic influence, informational and psychological influence, media violence, information trauma.*

Problem Formulation. According to its main purpose, mass media are called to collect, process and distribute information for mass and local audiences, with aim of establishing ideological, spiritual and moral values inherent in any society. At the same time, while collecting, processing and disseminating certain information, mass media can exert a socio-psychological influence on the behavior of both an individually defined person and a separate group of people or society, that can be as positive as negative or destructive (criminogenic) one. In the latter case, such influence can cause not only criminalization of individually determined person or a separate group of people, but occurrence of other negative consequences as for the object as for the subject of such influence. This creates a prerequisite for clarifying the question: what exactly is criminogenic influence of mass media, what are its main signs and varieties of negative legal consequences.



The analysis of these questions is undoubtedly interesting not only from a theoretical, but from a practical point of view.

Analysis of Recent Sources and Publications. The issue of criminogenic influence of mass media on consciousness of local or mass audiences; it is possible and in certain cases, inevitable negative consequences was the focus of several domestic and foreign scientists, in particular V. V. Borovykova, P. S. Bulatetskyi, V. I. Halahan, Yu. I. Hololobova, M. O. Diachkova, M. O. Mokriak, O. H. Radziivska and many others. Paying tribute to the value of the scientific pilot projects of specified authors, we note that many issues of the specified issues remain not fully resolved, and the solution of some of them is not indisputable. Such issues include issues regarding essence of criminogenic of mass media influence, its main signs and various negative consequences.

Purpose Statement. This article purpose this is defining concept of the criminogenic influence of mass media on consciousness of local or mass audiences, distinguishing its signs, various types of negative consequences and formulate its own generalized conclusions on this basis.

Main Content Presentation. The study of special criminological literature allows us to single out various options for understanding the criminogenic influence of mass media on the consciousness of local or mass audiences. Thus, according to M. O. Diachkova, mass media can exert as direct as indirect influence not only on criminalization, but on victimization of an individual, which result is transformation of a person's criminogenic/victim genic potential into externally expressed forms of criminological behavior¹. O. H. Radziivska notes that under criminogenic (negative or destructive) informational influence of the mass media, one should understand such information effect using special means and technologies, that a certain person or object or phenomenon reveals in relation to another person or object, which poses a danger to individual or social consciousness, causes harm to a person's physical or mental health, or encourages him to deviant behavior². According to M. Mokriak, criminogenic influence of mass media in various fields of human activity is a latent influence aimed at emotional state and people behavior which contributing to criminalization and victimization of as society in general as specific individuals is expressed in criminal (criminogenic) behavior³. P. S. Bulatetskyi believes that under criminogenic influence should be understood informational and psychological influence on individual (social groups) that has an in addition repulsive potential, the result of which is a change (deterioration or improvement) of the criminological situation⁴. V. I. Halahan, under the influence understands interaction of a certain subject with an object, which result is achievement of a certain goal or obtaining a (positive or negative) result by such influence subject. Directly under negative influence of mass media, on the consciousness of minors, in his opinion, should be understood such influence, during which a minor is given information from the mass media, which directly or indirectly affects his choice of various types and forms of criminal behavior by convincing him of the validity and justice of the made choice⁵.

Criminogenic influence of mass media on the consciousness of local or mass audiences and types of its negative consequences.

Based on the analysis of various doctrinal criminological positions, normative provisions of current legislation of Ukraine and existing judicial practice, the concept of criminogenic influence of mass media on the consciousness of an individually identified person or group of people is determined. Different types of its negative consequences are distinguished and, according to that, own general conclusions are made.

It is noted that the criminogenic influence of the media is a negative informational and psychological impact on the consciousness of a person or group of people, which is the interaction of the media with local or mass audiences, i.e. the dissemination of destructive information about the object of influence which leads to people's being manipulated in terms of perceiving the surrounding objective reality and forms their determination to commit various types of deviant practices as a reasonable and fairly chosen choice of behavior, the result of which is the occurrence of negative legal consequences.

It is emphasized that the negative (destructive) consequences of criminogenic influences of the media, as an unconditional essential feature of the concept of criminogenic influence of the media, should be considered in three aspects: 1) negative consequences associated with the object of criminogenic influence of the media on a person or group of people; 2) negative consequences for ricochet victims in the form of physical, property or moral damage to them; 3) negative consequences associated with the subject of criminogenic influence on a person or group of people, i.e. the media. These consequences may be represented by legal liability for illegal socially dangerous activities of legal entities and individuals in the form of criminal, administrative or civil liability or measures of criminal law against legal entities, the content of which is certain restrictions of property, physical, organizational or other nature.

Key words: criminogenic influence, informational -and -psychological influence, media violence, information trauma.

¹ Куріння, вживання алкоголю та наркотичних речовин серед підлітків, які навчаються: поширення й тенденції в Україні : за результатами дослідження 2019 року в рамках міжнародного проекту «Європейське опитування учнів щодо вживання алкоголю та інших наркотичних речовин – ESPAD» / О. М. Балакірева (кер. авт. кол.). Київ : ТОВ «ОБНОВА КОМПАНІ», 2019. С. 93.

² Радзівська О. Г. Правові засади та пріоритети розвитку негативним інформаційним впливам на дітей. *Інформація і право*. 2017. № 2 (21). С. 91.

³ Мокряк М. Вплив засобів масової інформації на детермінацію злочинності. *Підприємництво, господарство і право*. 2017. № 11. С. 195–198.

⁴ Булатецкий П. С. Влияние средств массовой информации на насильственную преступность (криминологический аспект) : дис. ... канд. юрид. наук : 12.00.08 / «Московский университет» МВД РФ. Москва, 2013. С. 8.

⁵ Галаган В. І. Запобігання негативному впливу засобів масової інформації на формування злочинної поведінки неповнолітніх : дис. ... канд. юрид. наук : 12.00.08 / Нац. акад. внут. справ. Київ, 2015. С. 45.

Криміногенний вплив засобів масової інформації на свідомість локальних або масових аудиторій та різновиди його негативних наслідків. На підставі аналізу різних доктринальних кримінологічних позицій, нормативних положень чинного законодавства України та наявної судової практики визначається поняття криміногенного впливу засобів масової інформації на свідомість індивідуально визначеної особи або групи людей, виокремлюються різні види його негативних наслідків та на цій основі визначаються власні узагальнені висновки.

Ключові слова: криміногенний вплив, інформаційно-психологічний вплив, медіанасильство, інформаційна травма.

Some domestic researchers also note that by spreading certain messages and materials, mass media create a certain public opinion, shape views, moods, and therefore behavior of individuals, social groups, and ultimately, the entire society. Thus, by informing their readers, listeners or viewers of certain information, the mass media evoke feelings, impressions, and reflections in them, according to which certain behavior patterns are formed in people⁶.

Evaluating the above mentioned doctrinal positions, it is possible to conclude that the criminogenic influence of mass media has its own specific characteristics. They can be reduced to the following:

1) criminogenic influence of mass media is a type of negative informational and psychological influence on consciousness of a person or a group of people;

2) criminogenic influence of the media is a certain interaction of mass media with a person or a group of people. This interaction consists in the fact that mass media, spreading destructive information about the influence object distorts the consciousness of a person or a group of people regarding perception of surrounding objective reality and forms determination to commit various types of deviant practices as a justified and rightly chosen choice of behavior option;

3) criminogenic influence of mass media inevitably leads to occurrence of negative consequences in the form of damage not only to physical or mental health of a person or a group of people who are the object of such influence, but damage to ricochet victims, as well as the onset of legal responsibility for illegal socially dangerous activity legal entities and individuals, the content of which is certain restrictions of a property, physical, organizational and legal or other nature.

Thus, criminogenic influence of mass media is a negative informational and psychological influence on consciousness of a person or a group of people consisting in interaction of the mass media with a local or mass audience, i.e. in dissemination of destructive information about influence object by the mass media that leads to a distortion of consciousness a person or a group of people regarding perception of surrounding objective reality and forms in them determination to commit various types of deviant practices as a justified and justly chosen choice of behavior option that result is onset of negative legal consequences.

It is appropriate to note that negative (destructive) consequences of criminogenic influence of mass media, as an unconditional essential sign of criminogenic influence concept of mass media, can relate not only to the object of such influence, in other words, to an individual person or a group of people, but also be felt by ricochet victims and actual subject of such influence is mass media. In this regard, it seems that negative consequences of criminogenic influence of the mass media should be considered in the following three aspects: 1) negative consequences associated with the object of the criminogenic influence of the mass media in the form of damage to physical or mental health of a person or a group of people ; 2) negative consequences for ricochet victims in the form of physical, property or moral damage; 3) negative consequences associated with the subject of criminogenic influence on a person or group of people, i.e. mass media. These consequences can be represented by legal responsibility for illegal socially dangerous activity of legal entities and individuals in the form of criminal, administrative or civil liability, measures of a criminal legal nature against legal entities or other restrictive measures which content are certain restrictions on property, physical, organizational, legal or other nature.

⁶ Правові засади взаємодії військовослужбовців Управління державної охорони України з представниками засобів масової інформації: навчальний посібник. Київ : Інститут УДО України, 2021. С. 9.



Let us consider further the main provisions laid down in foundation of this approach organizing the limits of possible aspects of negative consequences of criminogenic mass media influence.

The first aspect of negative consequences of criminogenic influence of mass media, given the above, can be presented in the form of information trauma (media intoxication), which has its own signs (symptoms) and determines a certain type (form) of deviant behavior of an individual or a group of persons. Such main symptoms can be: 1) Weld's syndrome, that consists in lowering the barriers to restrain aggression after its repeated reproduction in media reality or fantasies and leads to the commission of violent criminal offenses characterized by unmotivated aggressiveness and cruelty; 2) Werther's syndrome manifesting itself in increased suicidal activity of the masses as a result of suicides; 3) Lara Croft effect which is one of the determinants of the feminization of violent crime; 4) game transformation syndrome, characterized by the painful nature of reincarnations, reduction or loss of their arbitrary control and blurring of the boundaries regulating behavior between media reality and reality, stability that can lead to mental deformation of individual; 5) finally, syndrome of four factors is a consequence of influence of pornography expressed in four consecutive manifestations of behavior: addiction, escalation, desensitization and the tendency to imitate new patterns of sexual activity. Manifestation of this syndrome is sexual crimes⁷.

In addition to its various symptoms, information psychotrauma (or media intoxication) inevitably causes a certain type (form) of deviant behavior of an individual or a group of individuals. In this regard, P. S. Bulatetskyi notes that informational trauma determines criminal, delinquent, and deviant behavior⁸ which, in our opinion, somewhat unnecessarily complicates the perception of conditioned behavior, since criminal behavior is a type of delinquent behavior, and, in turn, delinquent behavior is a type of negative deviant behavior of a person or group of persons. With this in mind, we consider it necessary to note that informational psychotrauma (or media intoxication) causes the following types (forms) of deviant behavior:

1) addictive behavior of an individual or a group of individuals. This form of deviation is expressed in such negative actions as: addiction to alcohol, drugs, tobacco, addiction to gambling and computer games, prostitution, etc.;

2) suicidal behavior of an individual or a group of people;

3) delinquent behavior of an individual or a group of individuals, manifesting itself at the following three levels:

a) low level represented by commission of minor offenses that do not attract punishment as a meaningful sign of criminal responsibility, for example, petty hooliganism, cursing in public places, public drinking of alcohol;

b) medium level: manifestations of disciplinary violations of labor legislation (appearance during working hours in a state of alcohol intoxication);

c) serious level: socially dangerous actions that violate the law and lead to the onset of criminal liability⁹.

Moving on to analysis of individual types (forms) of deviant behavior caused by criminogenic mass media influence, we wanted to draw attention to such impressive statistical information. Thus, if we talk about addictive

Kriminogener Einfluss der Massenmedien auf das Bewusstsein lokaler oder Massenpublikationen und Arten ihrer negativen Folgen.

Basierend auf der Analyse verschiedener doktrinäer kriminologischer Positionen, normativer Bestimmungen der geltenden Gesetzgebung der Ukraine und der bestehenden Rechtspraxis wird das Konzept des kriminogenen Einflusses der Massenmedien auf das Bewusstsein einer individuell identifizierten Person oder Personengruppe bestimmt. Es werden verschiedene Arten seiner negativen Folgen unterschieden und daraus eigene allgemeine Schlussfolgerungen gezogen.

Es wird darauf hingewiesen, dass der kriminogene Einfluss der Medien eine negative informative und psychologische Auswirkung auf das Bewusstsein einer Person oder Personengruppe ist, also die Interaktion der Medien mit einem lokalen oder Massenpublikum, d.h. die Verbreitung destruktiver Informationen über das Objekt Einfluss, der dazu führt, dass Menschen in Bezug auf die Wahrnehmung der umgebenden objektiven Realität manipuliert werden und ihre Entschlossenheit, verschiedene Arten abweichender Praktiken zu begehen, als eine vernünftige und fair gewählte Verhaltenswahl formt, deren Ergebnis das Eintreten negativer rechtlicher Konsequenzen ist. Es wird betont, dass die negativen (destruktiven) Folgen kriminogener Einflussnahme der Medien als unbedingtes wesentliches Merkmal des Konzepts der kriminogenen Einflussnahme der Medien in drei Aspekten berücksichtigt werden sollten: 1) negative Folgen, die mit dem Objekt der kriminogenen Einflussnahme verbunden sind der Medien auf eine Person oder Personengruppe; 2) negative Folgen für Querschlägeropfer in Form von körperlichen, materiellen oder moralischen Schäden; 3) negative Folgen im Zusammenhang mit dem Thema kriminogene Einflussnahme auf eine Person oder Personengruppe, d. h. die Medien. Diese Folgen können eine rechtliche Haftung für rechtswidrige sozialgefährdende Aktivitäten juristischer und natürlicher Personen in Form einer strafrechtlichen, verwaltungsrechtlichen oder zivilrechtlichen Haftung oder strafrechtlicher Maßnahmen gegen juristische Personen sein, deren Inhalt bestimmte Beschränkungen des Eigentums, physischer oder

⁷ Булатецкий П. С. Влияние средств массовой информации на насильственную преступность (криминологический аспект) : дис. ... канд. юрид. наук : 12.00.08 / «Московский университет» МВД РФ. Москва, 2013. С. 86-89.

⁸ Там само. С 90.

⁹ Деявiнтна поведiнка: форми, види, причини, профiлактика / ukr.mdia. URL: <https://ukr.mdia/psihologiya/379091/>



organisatorischer Art sind oder
anderer Natur.

Schlüsselwörter: kriminogener
Einfluss, informationeller
und psychologischer
Einfluss, Mediengewalt,
Informationstrauma.

behavior of, say, modern Ukrainian youth, then according to the results of ESPAD research, 85.7% of all surveyed teenagers have consumed alcoholic beverages at least once during their lifetime. The number of those who drank alcohol ten or more times in their life is 46.3%, which is almost half of the respondents. According to the survey, it is especially interesting that, girls try alcohol for the first time a little earlier than boys. In the younger age group, the share of boys who drank alcohol at least once is 79.1%, and among girls - 86.6%. The same trend persists in the group of teenagers who had big: from 10 to 19 times and very big: 40 or more times, experience of consuming alcoholic beverages. Among boys, it is 16.8%, and among girls - 21.8%. In addition, a significant number of respondents (16.0%) assessed the degree of their intoxication during the last drinking session at the level of 5 to 10 points that can be characterized as significant intoxication¹⁰.

Statistical indicators of suicidal behavior for 2020 indicate that although the number of suicides in Ukraine was 76 fewer than in 2019 (7,730), it still amounted to 7,654. The Dnipropetrovsk region became the leader in terms of suicides, where 745 people took their lives voluntarily. In Kharkiv Oblast, this indicator is 597, in Odesa Oblast: 523. In fourth place is Kyiv, where 461 people committed suicide, and Donetsk Oblast rounds out the top five anti-rating. 450 suicides were committed there during the year. The lowest number of suicides is in the Ternopil region (108)¹¹. At the same time, in 2020, 123 cases of teenage suicide were recorded in Ukraine, and since 2017-518 cases in total. Most often, teenagers between the ages of 12 and 16 commit suicide. According to the Unified State Register of Pretrial Investigations, 166 teenagers committed suicide in 2017, 97 in 2018, 111 in 2019, and 123 minors in 2020. As of February 2021, 21 cases were recorded¹².

Delinquent behavioral consequences of severe informational injuries indicate cases when a person or a group of persons, because of informational contamination, commits various criminal offenses, causing damage to social relations protected by criminal law or creating a threat of such damage. Finally, it can be stated that at a serious level of delinquent behavior of an individual or a group of persons, criminalization of an individual or society occurs, that as we have already noted is paid attention to by other domestic researchers.

Thus, negative consequences of the criminogenic mass media influence of can be represented, on the one hand, by various symptoms of information psychotrauma (media intoxication) caused to the object of such influence that causes determination of a person or a group of people to participate in various variants of deviant practices, on the other hand, by various socially dangerous consequences (damage to a person's physical or mental health or property status), that are ascertained as a result of criminalization of an individual, a group of people, and society as a whole.

The analysis of the second aspect of negative consequences of criminogenic mass media influence goes beyond the scope of this publication and will be the subject of further scientific investigations.

The third aspect of the negative consequences of the criminogenic influence of the mass media, as already stated, can be represented by consequences of a criminal-legal or other nature, which in a certain way are directly related to the subject of the criminogenic influence, that is, the mass

¹⁰ Куріння, вживання алкоголю та наркотичних речовин серед підлітків, які навчаються: поширення й тенденції в Україні : за результатами дослідження 2019 року в рамках міжнародного проекту «Європейське опитування учнів щодо вживання алкоголю та інших наркотичних речовин – ESPAD» / О. М. Балакірева (кер. авт. кол.). Київ : ТОВ «ОБНОВА КОМПАНІ», 2019. С. 25-40.

¹¹ 7654 українці покінчили життя самогубством у 2020 (інфографіка) // Фокус. URL: <https://focus.ua/uk/ukraine/473181-7654-ukrainca-pokonchili-zhizn-samoubiystvom-v-2020-infografika>

¹² Скільки дитячих суїцидів зафіксовано за останні роки. Відповідає ОПІУ // Суспільне. URL: <https://suspijne.media/107326-silki-vipadkiv-ditacih-suicidiv-zafiksovano-za-ostanni-roki-vidpovidaie-ogpu/>



media, or may have their own relation to the latter. So, we should not forget that the mass media can be not only a source of destructive informational and psychological influence, but also act as a means of committing certain criminal offenses or civil torts and increase responsibility for their commission. Mass media can be used in committing several criminal offenses provided for in the Special Part of the Criminal Code of Ukraine (Articles 161, 162, 168, 176, 258-1, 301, 301-1, 301-2, 436, 436-1 of Criminal Code of Ukraine and many others). It will not be out of place to point out that in the civil and legal fields, mass media can be used in violation of the right to inviolability of honor and dignity and business reputation as a means of committing similar offenses or directly as a source (or subject) of their commission. Thus, in such cases, use of mass media facilitates the commission of the specified illegal acts or contributes to causing more damage to public relations protected by criminal law. By the way, some foreign researchers pay attention to¹³.

In this regard, in the case of mass media playing the role of means of committing criminal offenses, a negative consequence of criminogenic mass media influence can be increased criminal liability of criminal offense subject committing it with mass media help. For example, public calls for a violent change or overthrow of constitutional order or for the seizure of state power, as well as content distribution with calls to commit such actions, committed by a person using the mass media, increase the severity of the criminal liability of the guilty person compared to similar actions without the use of mass media (part 3 of Article 109 of Criminal Code of Ukraine). Similarly, a more severe punishment is provided by the law: 1) for public calls to commit a terrorist act, as well as distribution, production or storage for the purpose of distribution of materials with such calls, made using mass media (Part 2 of Article 258-2 of Criminal Code of Ukraine); 2) or for production, distribution of communist and Nazi symbols and propaganda of communist and national socialist (Nazi) totalitarian regimes committed by a person using mass media (Part 2 of Article 436-1 of the Criminal Code of Ukraine). This is clearly evidenced by the available judicial practice¹⁴.

In addition to the increased criminal liability of persons guilty of committing criminal offenses with the use of the mass media, a separate legal consequence of the criminogenic influence of the mass media, primarily those that have the status of a legal entity, may be the so-called quasi-criminal liability of the mass media, since according to the current criminal legislation of Ukraine, the media may be subject to provide for in Chapter XIV-I of the General Part of the Criminal Code of Ukraine, measures of a criminal legal nature against a mass media legal entity in the event that it is committed by its authorized person: on behalf of such a legal entity, a criminal offense provided for in Art. 258-2 of the Criminal Code of Ukraine (clause 3 of Article 96-3 of Criminal Code of Ukraine); in the interests and on behalf of such a legal entity of criminal offenses provided for in Art. 109, 110, 301, 301-1, 301-2, 343, 345, 376, 377, 436, 437, 447 of Criminal Code of Ukraine (clauses 4–6 of Article 96-3 of Criminal Code of Ukraine).

Negative consequences of the criminogenic influence of mass media of a different nature, i.e., not of a criminal-legal nature, may take place in the administrative-legal or civil-legal plane. In particular, the criminogenic activity of mass media can be stopped by the court. Thus, as part of the administrative proceedings, the court suspended the publishing activity of the Workers' newspaper (Rabochaya gazeta) based on the results of pre-trial investigations on the grounds of the commission of a criminal offense,

Kryminogenny wpływ środków masowego przekazu na świadomość odbiorców lokalnych lub masowych i rodzaje jego negatywnych konsekwencji.

Na podstawie analizy różnych doktrynalnych stanowisk kryminologicznych, przepisów normatywnych obowiązującego ustawodawstwa Ukrainy oraz istniejącej praktyki sądowej, określana jest koncepcja kryminogennego wpływu środków masowego przekazu na świadomość indywidualnie zidentyfikowanej osoby lub grupy osób. Wyróżnia się różne rodzaje jej negatywnych konsekwencji i na tej podstawie formułuje się własne wnioski ogólne.

Zauważa się, że kryminogenny wpływ mediów to negatywny wpływ informacyjny i psychologiczny na świadomość osoby lub grupy osób, jakim jest interakcja mediów z lokalną lub masową publicznością, czyli rozpowszechnianie destrukcyjnych informacji o obiekcie wpływu, który prowadzi do manipulacji ludźmi w zakresie postrzegania otaczającej ich obiektywnej rzeczywistości i kształtuje ich determinację do popełniania różnego rodzaju praktyk dewiacyjnych jako rozsądny i sprawiedliwie wybrany wybór zachowania, którego skutkiem jest wystąpienie negatywnych konsekwencji prawnych. Podkreśla się, że negatywne (niszczące) skutki kryminogennych wpływów mediów, jako bezwarunkowa istotna cecha koncepcji kryminogennego oddziaływania mediów, należy rozpatrywać w trzech aspektach: 1) negatywne konsekwencje związane z przedmiotem oddziaływania kryminogennego mediów na osobę lub grupę osób; 2) negatywne konsekwencje dla ofiar rykoszetu w postaci wyrządzenia im szkód fizycznych, majątkowych lub moralnych; 3) negatywne konsekwencje związane z przedmiotem oddziaływania kryminogennego na osobę lub grupę osób, tj. media. Konsekwencje te mogą być reprezentowane przez odpowiedzialność prawną za nielegalne społecznie niebezpieczne działania osób prawnych i osób fizycznych w postaci odpowiedzialności karnej, administracyjnej lub cywilnej lub środki prawa karnego wobec osób prawnych, których treścią są pewne ograniczenia majątkowe, fizyczne, organizacyjne lub inny charakter.

Słowa kluczowe: wpływ kryminogenny, wpływ informacyjny i psychologiczny, przemoc medialna, trauma informacyjna.

¹³ Боровикова В. В. Проблемы освещения преступности в средствах массовой информации и профилактическая деятельность органов внутренних дел : дис. ... канд. юрид. наук : 12.00.08 / «Московский университет» МВД РФ. Москва, 2002. С. 31-32.

¹⁴ Вирок Новотроїцького районного суду Херсонської області від 11.11.2020 у справі № 665/1486/20 // Єдиний державний реєстр судових рішень. URL: <https://reyestr.court.gov.ua/Review/92804835>

provided for in part 1 of Article 109 and Part 1 of Art. 111 of Criminal Code of Ukraine¹⁵.

As for mass media, civil sanctions can be imposed in case of dissemination of unverified data in the form of reliable reports or discrediting of individuals and organizations¹⁶.

The provision of the Law of Ukraine: On Sanctions (hereinafter referred to as Law № 1644-VII¹⁷ [12] deserves special attention in terms of the negative consequences of the criminogenic influence of the mass media. The decision on application of sanctions is made by National Security and Defense Council of Ukraine of Ukraine and is put into effect by decree President of Ukraine.

It is appropriate to note that from the content of the analysis of the provisions of Law № 1644-VII sanctions that can be applied in the information sphere are not a type of punishment or other legal responsibility, they perform the functions of a restrictive temporary economic measure against persons who constitute for of Ukraine the threat of encroachment on its national interests, national security, sovereignty, and territorial integrity. At the same time, without diminishing the preventive value of the specified sanctions, some Ukrainian human rights organizations emphasize the need to make changes to sanctions legislation to comply with legality, reasonableness, and proportionality of sanctions in relation to information resources and to ensure independent judicial control against abuses during their adoption¹⁸.

Conclusions. Summarizing, we note that criminogenic mass media influence is a negative informational and psychological influence on the consciousness of a person or a group of people consisting in interaction of mass media with a local or mass audience. In other words, in dissemination of destructive information about the object of influence by the mass media, which leads to the distortion of the consciousness of a person or a group of people regarding perception of the surrounding objective reality and forms in them determination to commit various types of deviant practices as a justified and accepted behavior choice which result is the onset of negative legal consequences.

The negative (destructive) consequences of the criminogenic mass media influence, as unconditional essential signs of concept of criminogenic mass media influence should be considered in the following three aspects: 1) negative consequences associated with the object of criminogenic mass media influence in the form of damage to physical or mental health of a person or groups of people; 2) negative consequences for ricochet victims in the form of physical, property or moral damage to them; 3) negative consequences associated with the subject of criminogenic influence on a person or group of people, i.e. mass media. These consequences can be represented by legal responsibility for illegal socially dangerous activity of legal entities and individuals in the form of criminal, administrative or civil liability, measures of a criminal legal nature against legal entities or other restrictive measures, which content are certain restrictions on property, physical, organizational, legal, or other nature.

¹⁵ Рішення Окружного адміністративного суду м. Києва у справі від 19.08.2019 № 640/6624/19 // Єдиний державний реєстр судових рішень. URL: <https://reyestr.court.gov.ua/Review/84329415>

¹⁶ Суд визнав недостовірною інформацію Бутусова та Гордона про громадянство РФ у Пальчевського / Інформаційне агентство. URL: <https://ua.interfax.com.ua/news/general/785216.html>

¹⁷ Про санкції : Закон України від 14.08.2014 № 1644-VII Закон України від 13.04.2012 № 4651-VI // БД «Законодавство України» / ВР України. URL: <https://zakon.rada.gov.ua/laws/show/1644-18#Text>

¹⁸ Дворовий М. Санкції та блокування вебсайтів в Україні: як непомітно відкрити скриньку пандори: аналітичний звіт. ГО «Лабораторія цифрової безпеки», 2021. 41 с.

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