

PARTICULARITIES REGARDING THE PREVENTION OF OFFENCES AGAINST SEXUAL FREEDOM AND INTEGRITY

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Abstract: *Offences against sexual freedom and integrity are among the most dangerous ones, also having individual and social consequences. Criminology has an important role in the study, analysis and prevention of such offences, relatively disseminated by the public, and, although the causes have been discovered, little has been done to combat them. The world in general is not interested in the causes of crime, but in the acts committed. A murder with sexual connotation creates a state of excitement and fear among the population as long as the criminal is being chased, but after being identified, tried and convicted, the case is no longer interesting, and the essential question of how many possible authors there are among us and why a new sexual murder sexual might happen again is never asked.*

Keywords: criminology, murder, sexual offences, the diagnosis of causes, rape, sexual psychopath, psychoanalysis

1. Introduction

The criminal offences against sexual integrity and freedom produce indignation and protests among the population, such acts being committed by persons lacking moral sense and concern for the victim, by brutal ones and persons deprived of the power of control of the sexual impulse.

Being a sensitive issue, sexual exploitation continues to be a widely encountered reality.

In accordance with the decisions of the European Court of human rights, the sex life of the person represents "an intimate aspect of private life", this institution recognizing the right of every person to have the sex life they chose, in accordance with their inner identity.

Human sexuality has had since time immemorial an institutionalised form,

legitimated and controlled by legal regulations, civil institutions and religious confirmations and it may represent an important source of conflicts affecting social order. At the same time, the physical and moral integrity of a person clearly includes sex life, too.

Human sexuality could not make abstraction of the evolution of society, thus we live in an age in which it has become a topic of public interest, subject to the influence of social and cultural nature and marked by the pressures of social norms and values.

International documents recognize a person's right to privacy and the right to life. The sphere of life includes the intimate sex life of the individual, as well as those activities that contribute to the development

and fulfillment of one's personality.

The sexual instinct was considered to be a psychophysical unit requiring a certain period of development up to reproductive maturity.

It is composed of a whole series of instinctual components and their evolution is not a continuous but a shifting process until maturity is reached.

Environmental factors can alter the fully-formed sexual instinct, covering the conduct of its various functions and at its direction.

All these things can be manifested through different ways of behavior that violate the social rules of the spouses, inside the family, of human society in general.

The sexual instinct is complicated in terms of its influence on the evolution of the environment, through susceptibility and constituted numerous elements, lead to the conclusion that traditional means designed to impede the production of certain ways of behaviour contrary to the legal rules did not have the expected results.

Such persons are "sexual brakes", in which case we can say that there are several categories of sex offenders, respectively those committing acts: in relation to minors; in relation to persons taking advantage of the incapacity to defend themselves or to express their will; in relation to close relatives and a partner with the same sex.

Violation of rules concerning sexual life represents a social danger, because facts which are detrimental to a person's freedom and morality are contrary to the interests of the entire society, any attempt on freedom of sexual inviolability also representing an attempt against the person's right to physical integrity and health, honor, and sometimes, even to life itself.

International statistics show that in 70 per cent of the acts of sexual violence, the abuser is known by the victim, which hampers the lodging of the complaint by the victim, often blackmailed or intimidated to remain silent or to withdraw the complaint.

Shame and distrust of authorities determined most of victims to lodge the complaint.

If the victim does not receive any help and support, sexual violence leaves traces on the victim's life: psychological trauma, sleep disorders and nutrition, but also sexually transmitted diseases or unwanted pregnancy. Victims from Romania do not have the possibility to call for support services. Although, the Council of Europe provides for the existence of rape crisis centers (1 to 100,000 inhabitants) in Romania, there are no such crisis centers at all. Furthermore, there is no legal framework for the establishment of such services. The law defines the services only for victims of domestic violence.

When a woman is assaulted by someone outside the family, she does not have the services of specialized information, free legal advice or psychological and may not seek an order of protection.

Attitudes that strike when you report an incident of sexual violence are often blaming and deterrence, as if she is liable for suffered abuse and nobody else can do otherwise.

Most often women did not receive any kind of support to be able of tutoring times exceed the crisis situation, while most of the perpetrators have escaped free from any consequences of their violent deeds.

The discrepancy between the number of incidents of sexual violence and the number of sentences to demonstrate lack of interest to the authorities for a situation endangers the lives of women on a daily basis.

In addition, even where state authorities are acting, they do it without any consideration for the victims.

The most serious obstacle to recognition and prevention of sexual violence remains, however, the public opinion what victims lasting blood feuds. The reality is that the victims of sexual violence acts from Romania are blamed by

the aggressor.

2. The importance of preventing criminal offences against sexual freedom and integrity

Violence affects women in Romania on a daily basis. Whether it is rape, marital rape or rape in the relationship of courtship (date-rape), whether we are talking about forced marriages, about sexual harassment at work or on the street, whether we are dealing with organized crime in the form of trafficking in human beings for sexual exploitation, whether we are talking of sexual abuse of minors, the risk and fear of being a victim of a forms of sexual violence are a daily reality for women and not only , and the consequences of sexual violence are high.

Any slave state, in the case of perpetrators of crimes, which means kissing pressure, in turn, causes a counter pressure, the excess pressure is increased, and the excess pressure pushes the release and, implicitly, to commit new offences. Fight against sexual offences should comprise, firstly, measures on line forensic Diagnostics, pedagogy individual sexual offender causes determining the measures to be taken.

Secondly, you have included prevention of committing such offences, in which case it is necessary to deepen the systematic study of the causes in order to more easily identify potential authors.

Principles of the prevention of offences against sexual freedom and integrity are in general the territoriality principle preventive action is going to fit into a determined territory (district, section, sector, community), involving the intervention of central and local structures;

- contracting- principle requires state participation; According to this principle, preventive actions should be continuous;

- the principle of social partnership in achieving effective prevention needs to collaborate with the different social actors, including the population must be involved

in this kind of activity;

- the principle of cooperation and social usefulness-the need for the involvement of all the authorized institutions in preventing and combating the phenomenon of crime, as well as civil society, is fully given to the needs of specific groups of the population;

- the principle of transparency and the proximity of the Community (proximity)-actors of prevention must get closer to the population, that category for which prevention is carried out. Proximity is accomplished by creating a cooperative link among the police-citizens-public and private institutions (school, Church, business, environmental NGOs, the media, local authorities);

- the principle of priority, preventive measures against the coercive-Translation Centre of gravity of the criminal policies and strategies to combat crime in the area to a repressive, preventive and social reinsertion;

- the principle of legality-the entire business crime reduction is carried out in compliance with the Constitution and legislation in force and in compliance with the international conventions to which Romania is a party;

- the principle of avoiding the stigma-the preventive actions, so that they will avoid preventing revictimization;

- the principle of respect for cultural differences-prevention activities will take account of the particularities of the cultural values of the area, while respecting the right of minorities to freedom of expression;

- proportionality principle the intervention of preventive intervention — will be proportional to the need expressed by the general public safety and criminal status [2].

The question of respect for and defence of human rights has established itself over time by leading to either repeal or amend the existing legal provisions that contravened the requirements imposed, either the adoption of new provisions, in

line with international commitments assumed [3].

Sexual abuse has a devastating impact on the victim, the family and its friends, the local community and the whole society. Service providers play a crucial role in preventing these acts of aggression, bringing perpetrators to justice and provide services for victims.

The most important recommendations for action to improve the professional response to sexual assaults were grouped as follows:

- the development and/or adaptation of standards, guidelines, protocols and intervention procedures that ensure the quality of intervention in each sector to promote and support collaboration between different sectors, ensuring that every sector is working with others to understand the needs of the victim;

- developing specialized services for long-term support for victims of sexual violence or specialization existing services for victims of domestic violence including for this purpose. Given that emotional support services for victims of sexual assault are not available and the recovery in private practice is costly package should be included in the social insurance / medical assistance to the victim's long-term psychological (and possibly family members);

- developing training programs for professionals involved in intervention unit in case of sexual assault. These programs include specific training is recommended for each category of professionals involved in intervention in cases of sexual assault and mixed teams of professional training and exchange of experience between them. Training programs that produce long-

term effects are those that include, in addition to the transmission of information about sexual violence, activities focused on the adoption and / or changing attitudes and behaviors;

- awareness-raising activities on the consequences of sexual violence and the promotion of services and institutions that can intervene in cases of sexual assault;

- monitoring and evaluation of the intervention of the institutions involved in the intervention and control throughout a case of sexual assault;

- inclusion on the government agenda of the subject and its recognition of sexual violence as a social, economic and public health that affects the whole society [4].

3. Conclusions

To sum up, the prevention of offences against sexual freedom and integrity represents the instrument used by the state institutions for a better grasp of the crime, by eliminating or limiting criminological factors inducing and by means of the proper physical management and social factors that provide opportunities to commit offences.

In other words, the preventive measures shall include both the criminal and the social ones.

The objectives of awareness are to prevent or mitigate risk and reduce vulnerability and exposure to sexual violence, to enhance recovery of survivors of sexual assault and create a protective environment.

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