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КІБЕРБУЛІНГ ЯК ОДИН ІЗ СПОСОБІВ ДОВЕДЕННЯ ДО САМОГУБСТВА В ЕПОХУ ЦИФРОВІЗАЦІЇ

Анотація. *Фундаментальною основою правових систем, заснованих на загальному праві, є те, що люди мають вільну волю і несуть відповідальність за свої дії. Особливо складні та суперечливі питання кримінальної відповідальності виникають, коли одна особа спонукає іншу до самогубства, і, відповідно, питання свободи волі, причинності та відповідальності набувають все більшого значення. Причини самогубства мають насамперед соціально-економічний характер. Певну частку самогубств становлять ті, що стаються через негативний вплив третіх сторін на жертв. У цьому випадку слідча дія повинна встановити, що злочинець виявляв умисел у своїх діях таким чином, щоб піддавати потерпілого високому ризику серйозних психологічних ушкоджень. В епоху цифрової трансформації особливу увагу слід приділити стосункам злочинця з потерпілим, уважно вивчивши соціальні мережі обох, враховуючи той факт, що типовий учасник Інтернет-спілкування, що призводить до самогубства, емоційно нестійкий, підлеглий, невпевнений у собі, тасмничий, невпевнений підліток, і ця категорія більшою мірою представлена жіночою аудиторією. Масштабованість цифрових втручань дозволяє проникнути до населення, недоступного для звичайної медичної допомоги. Таким чином, існує потреба у використанні цифрових інтернет-втручань, у тому числі для допомоги у роботі правоохоронних органів у виявленні Інтернет-спільнот, які спонукають і схиляють людей до самогубства. Зроблено висновок, що епоха цифрових трансформацій постійно розвивається, соціальні мережі стають більш доступними як для злочинців, так і для їх жертв, внаслідок чого відповідні вимоги до розслідування та подальшого судового переслідування за підбурювання до самогубства ускладнюються. Наведені у дослідженні наукові пропозиції вчених -юристів спрямовані на вирішення відповідних проблем*

Ключові слова: самогубство, цифрова трансформація, жертва, психологічне насильство, злочинність

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CYBERBULLYING AS A WAY OF CAUSING SUICIDE IN THE DIGITAL AGE

Abstract. *The fundamental basis of legal systems based on common law is that people have free will and are accountable for their actions. Particularly difficult and controversial issues of criminal liability arise when one person instigates another to commit suicide, and, accordingly, issues of free will, causality, and responsibility become increasingly important. The reasons for committing suicide are primarily socio-economic in nature. A certain proportion of suicides are those that occur due to the negative impact of third parties on the victims. In this case, the investigative action must establish that the perpetrator displayed intent in his or her actions in such a way as to expose the victim to a high risk of serious psychological harm. In the era of digital transformation, special attention must be paid to the relationship of the criminal with the victim, carefully studying the social networks of both, taking into account the fact that a typical participant in Internet communication leading to suicide is emotionally unstable, subordinate, insecure, secretive, unassertive teenager, and this category is represented to a greater extent by a female audience. The scalability of digital interventions allows to penetrate populations beyond the reach of conventional mental health care. Thus, there is a need for the use of digital Internet interventions, including to assist in the work of law enforcement agencies in the detection of Internet communities that instigate and incline people to commit suicide. It is concluded that the era of digital transformations is constantly evolving, social networks are becoming more accessible for both criminals and their victims, as a result of which the corresponding requirements for the investigation and subsequent prosecution for incitement to suicide become more complicated. The scientific proposals of legal scholars presented in the study are aimed at solving the corresponding problems*

Keywords: *suicide, digital transformation, victim, psychological abuse, crime*

INTRODUCTION

According to the World Health Organisation, one person dies from suicide every 40 seconds [1]. The global age-standardised suicide rate for 2016 was 10.5 per 100,000 people. However, the rate varied widely across countries, from 5 suicides per 100,000 to more than 30 per 100,000. While 79% of the world's suicides occurred in low- and middle-income countries, the rate was the highest in high-income countries – 11.5 per 100,000 people [2]. Suicide is one of the leading causes of death among young people aged 15-29, second only to road traffic accidents. Among adolescents aged 15-19, suicide was the second leading cause of death among girls (after maternal illness) and the third leading cause of death among boys (after road injuries and

interpersonal violence).

Suicide is a desperate attempt to avoid suffering that has become unbearable. Most people make the decision to attempt suicide shortly before and on impulse, neglecting careful planning. While there are many factors that can influence a decision to commit suicide, the most common one is severe depression, which can cause people to experience severe emotional pain and loss of hope, leaving them unable to find any other way to relieve pain other than to end their life. Traumatic experiences, including childhood sexual abuse, rape, physical abuse, or military trauma, are the largest risk factors for suicide. Drugs and alcohol can also affect a suicidal person, making them more impulsive and more likely to act on their urges. The level of substance use and alcohol disorders is also higher among people with depression and other psychological disorders, which, as K. Snyder emphasises, together contribute to an increased risk of suicide. If a person suffers from chronic pain or illness with no hope of recovery or relief from suffering, suicide may seem like a way to regain dignity and control over one's life [3]. Often times, people may decide to commit suicide when faced with loss or out of fear of some kind of loss. These situations may include: academic failure, situations of arrest or imprisonment, the end of a close friendship or romantic relationship, loss of a job, loss of recognition from friends or family due to disclosure of sexual orientation, loss of social status. Many studies have found that hopelessness, whether short-term or long-term, contributes to the decision to commit suicide.

In this context, the need to consider issues related to unlawful acts aimed at driving to suicide in the era of digital transformations is very relevant, which indicates the advisability of conducting research in the relevant field. To achieve the intended goal, the tasks of the study are determined as follows: 1) to investigate the main tasks and ways of implementing international regulation of suicide prevention, taking into account modern digital transformations; 2) to consider the features of the current mechanism for regulating criminal liability for a wrongful act aimed at driving to suicide in the era of digital transformations using the example of the regulations of the Russian Federation; 3) to outline the criminological problems of the investigation of a crime and the specific features of bringing to criminal responsibility for an unlawful act aimed at driving to suicide in the era of digital transformations in the Russian Federation and possible prospects for their resolution, taking into account the experience of foreign countries.

1. LITERATURE REVIEW

Sometimes people try to commit suicide not so much because they really want to die, but because they simply do not know how to get help. Suicide attempts are not a cry for attention, but a cry for help. Unfortunately, these cries for help can sometimes be fatal if the person underestimates the lethality of the method chosen. People who make a failed attempt are also at a much higher risk of trying again, and their second attempt is more likely to be fatal. In the era of digital transformations, social networks have become the basis for positive communication and exchange of opinions, ideas and information of many people and organisations, but also with the development of Internet technologies, completely new ways of mental influence on victims have appeared, such as, for example, cyberbullying and its an extreme manifestation – cyberbullycide, which K.A. Krasnova defines as “a suicide that occurred as a result of facing direct or indirect aggression online” [4]. Notably, in 2019, the Russian Federation entered the top three countries in terms of the number of suicides committed, and rated first by the number of suicides among men. The results of the analysis carried out by the Federal State Budgetary Institution “V.P. Serbskiy Federal Medical Research Centre for Psychiatry and Narcology” indicate the fact that the rates of suicide frequency in the age groups of 10-14 years old and 15-19 years old exceed the world average levels by 1.5 times.

The greatest resonance among the society in the Russian Federation was caused by G. Mursalieva's study “The Death Groups”, which analysed the mechanism of functioning of criminal groups operating in a new environment – social media. Adults with well-formed life orientations can also become objects of cyberbullying. An example of this is one of the first Russian cases of incitement to suicide on the Internet. Anna Symonenko, aged 31, was accused of registering on the Odnoklassniki social network under various fictitious names and deciding to take revenge on a young man who decided to end a romantic relationship with her. On the page of the young man, who had just returned from the army at the time of the quarrel with Symonenko, the woman posted false information about his “non-standard sexual orientation”. As a result, Symonenko's ex-boyfriend decided that his honour was besmirched, and he was forced to commit suicide, which he repeatedly told his relatives about. On March 21, 2010, the young man fulfilled his intention and committed suicide.

And while the number of deaths is growing, the dynamics of criminal cases under articles on driving to suicide and inclining to suicide is changing towards decreasing. According to judicial statistics for 2018, under Part 1 of Article 110 of the Criminal Code of the Russian Federation, 14 people were convicted, under Part 2 of Article 110 – 2 people, under Part 3 of Article 110.1. – 3 people, under Part 5 of Article 110.1 – 1 person [5].

Lawyer Kaloi Akhilgov points to the fact that “in recent years it has become more difficult to prove a causality between the impact on a person who committed suicide and the suicide itself”. According to the lawyer, the number of suicides themselves and cases of driving to them is not decreasing in Russia, since there is no practice of preventing them.

In modern theory and practice of legal science, a considerable number of fundamental works, studies, abstracts, and publications cover the issues of unlawful actions associated with driving to suicide. However, modern digital transformations and the challenges of globalisation have qualitatively influenced and continue to exert a corresponding reformatory impact on the criminological aspects of this type of crime around the world. Thus, the research carried out by the author in this study is based on the works of such authors as: D. Butler [6], M. Torok, S. Baker, D. Khan, M.E. Larsen et al. [7], A.M. Bychkova [8], R. Baron [9], E.K. Volkonskaya [10], N.M. Eliseeva [11], V.A. Lelekov and E.V. Kosheleva [12], K.A. Krasnova [4], N.E. Krylova [13], M.A. Campbell [6], A.M. Bychkov and E.L. Radnaeva [8], F.S. Safuanov [14], K. Snyder, V.K. Spittal et al. [15], O.V. Sosnina [16], R.S. Tokunaga [17], S.V. Filippov [18] and other authors.

The studies of these authors are of immense scientific and practical importance. At the same time, with the emergence of new forms of committing crimes, a number of issues of determining the nature and content of prevention of driving to suicide remain unresolved. The relevance of the subject matter is determined by the high level of latency, the degree of social danger of driving to suicide, as well as the difficulty of identifying the criminal acts of the personality of the offender and the victimological signs of the victim that affect his or her behaviour when committing this crime. The subject of the study is also mainstreamed by the need to develop ways to prevent the commission of violent crimes against the individual in the era of digital transformations.

2. MATERIALS AND METHODS

The methodological basis of the research covered in this study comprises the provisions of the theory of knowledge and conceptual provisions of forensic science. Thus, the dialectical method as a general scientific method of cognition of social and legal phenomena served as a stable basis for scientific research in the selected subject. With the help of this method, the study considered the criminological foundations of preventing the incitement to suicide in their dynamics and interrelation with criminal law approaches. The use of the dialectics of the general and the particular in the study of acts aimed at driving to suicide has led to a complex system approach and the use of various scientific methods, for example: Aristotelian, systemic, historical legal, statistical and comparative legal, and other methods and techniques. The complex-systemic approach was used upon examining the literature of other scientific areas: philosophy, logic, psychology, general theory of law, criminology, international law, as well as appeals to encyclopaedias, dictionaries, and other reference publications.

In the course of the study, a systemic-structural method was used, which allowed to work out and identify problems in the features of the forensic characteristics of driving to suicide, to determine its constituent elements; to develop a system of standard versions for the development of general author's conclusions and proposals in the field of reforming the national legislation of the Russian Federation; a set of criminal intelligence activities and a typical set of forensic examinations for the investigation of incitement to suicide) allowed to analyse the practice of law enforcement and develop a comprehensive idea of the vectors of modifying approaches in the implementation of investigative actions in this category of cases in the era of digital transformations; the Aristotelian method was used to identify criteria for the classification of elements of forensic characteristics, typification of investigative situations and investigative versions; the functional method has found its application in the study of methods of driving to suicide, methods of committing suicide, establishing the features of the organisation of the investigation of this category of crimes; the comparative method was used to determine the specifics of the method of committing this type of crime); the comparative legal method allowed to conduct a comparative analysis of the criminological aspects of this type of crime in various jurisdictions with the subsequent possibility of testing positive foreign practice; the statistical method was used in the generalisation of criminal cases, as well as in the study of statistical information provided by law enforcement and judicial authorities.

The method of content analysis allowed to distinguish between the materials of criminal proceedings according to individual quantitative and qualitative parameters with the subsequent interpretation of the results obtained; the dogmatic method was used in the interpretation of criminal law and criminological categories, in the improvement of the terminology of the study; the logical and normative method was applied to analyse legislative and departmental (interdepartmental) regulations on the prevention of a person's suicide; method of system analysis was applied upon considering theoretical and practical issues of the activities of law enforcement agencies.

With the help of the formal dogmatic (logical) method and the systemic method, the objective and

subjective signs of the *corpus delicti* of this crime were considered, the shortcomings of the provision enshrined in the Criminal Code of the Russian Federation were covered, proposals were formulated regarding the improvement of the legislative regulation of criminal liability for driving to suicide. The historical legal method helped explore the history of the development of legislation, which stipulated responsibility for driving to suicide. Conducting a historical legal analysis is impossible without taking into account the transformations that took place not only with the object of study, but also with all the processes and phenomena associated with it. The above, first of all, allows to identify and consider all the factors and conditions that determined the evolution of the criminological component of this type of crime; therefore, the historical legal method was used to determine the stages, analogues and determinants of the development of national legislation and its enforcement in the studied area; problem-chronological method allowed to structure the text of the study, empirical analysis contributed to the comparison of historical facts.

3. RESULTS AND DISCUSSION

At present, for criminological science, undoubtedly, examples of suicide are relevant, according to which the desire to die was developed from the outside, through the deliberate creation of situations by other persons leading to the commission of suicide. The concept of driving to suicide is broad, since it covers both the process comprising a certain set of actions, including instigation, impelling suicide, and the result of such actions. Thus, “driving” makes provision for a completed action aimed at depriving the victim of his or her life, allows one to qualify the act as driving to suicide, regardless of the consequences. The concept of “abetting” is narrower, it covers only the process of developing the victim's intentions to commit suicide, that is, this is a deliberate influence on another person, aimed at causing (inciting) the person's determination to commit suicide, namely, actions to convince, persuade, force and, ultimately, induce the victim to commit suicide. Therewith, abetting is also participation in committing suicide by creating appropriate conditions for the implementation of the intention to take one's life, assisting in this with advice, instructions, providing information, means or tools, or removing obstacles to committing suicide [16]. In turn, modern realities have led to a qualitative change in approaches to the commission of unlawful acts, and one specific phenomenon in the Internet space was also identified – the criminal activity of users or their communities, the result of which is driving other users to commit suicide by means of mental influence on them in social networks. Traditional bullying on the Internet, involving overt or covert verbal, relative, and physical aggression, has focused on bullying between children and young people, but recent studies have indicated that bullying among adults can also have serious consequences [19].

This is how the concept of “cyberbullying” was gradually introduced into modern reality. There is currently no consensus among scientists as to what behaviour is cyberbullying and what is its definition. Media representations of cyberbullying focused on interactions between young people using mobile phones and the Internet, highlighting cases where cyberbullying was a factor in suicide or self-harm [20]. This contributed to the widespread belief that cyberbullying occurs exclusively among young people and is more serious than traditional personal bullying, reinforced by adults' lack of awareness of the means by which cyberbullying occurs. However, scientists such as M.A. Campbell and C. Privitera argue that cyberbullying is simply a new form of conventional bullying, often leading to suicide, adapted to new technologies [19]. R.S. Tokunaga defines cyberbullying as “any behaviour committed through electronic or digital media by individuals or groups that repeatedly communicates hostile or aggressive messages aimed at causing harm or discomfort to others” [17]. In support of the description of cyberbullying as an old problem in a new form, according to D. Butler, S.M. Kift, M.A. Campbell, says the fact that when comparing both conventional and cyberbullying, both situations include the intention to harm the victim, create an imbalance of power, repetition or threat of further aggression, and the victim's inability to defend oneself [6]. While power imbalances are usually related to the physical strength or social status of the perpetrator, in a cyberbullying situation, “the act of intimidation itself” creates an imbalance of power, often leading to suicide, along with the anonymity offered to online criminals.

Digital communications can include repetition, both in the traditional form of a series of repetitive messages, and in terms of the digital longevity of communications. A single harmful comment on a social networking site like Facebook can be viewed by hundreds of others, who can “like” or “share” the comment, keeping it publicly available and damaging the target as much as traditional repetition. Aside from these similarities, cyberbullying poses unique challenges that offline bullying incidents do not. In addition to the problems associated with longevity and anonymity, the global reach of the Internet means that digital communications have a much greater potential geographic reach than non-digital communications. Combined with the speed at which digital communication is spreading, this creates a considerably wider audience for cyberbullying incidents, increasing the probability of target harm. Cyberbullying is primarily carried out via the Internet or from mobile phones. However, as increasingly more mobile phones allow users to access the

Internet and Internet messaging services, the distinction is blurring. Cyberbullying can take many forms, including wilful, hostile insult, online harassment, cyberbullying, and defamation, which often leads to victim suicide.

For the “suicidal cult” that has developed on the Internet, the following points are characteristic: ideology of devaluation of life guidelines, such as love, friendship, family; distinctive symbolism, in the capacity of which the image of a blue whale is used (associating with whales being thrown ashore with their subsequent death); specific audio sequence and slang: “to off oneself” – commit suicide; “offing” – suicide; “play the blood violin” – slit one's wrists; “a whale” – a suicide or a participant in the corresponding “challenge”, etc.; video sequence: broadcasting documentary frames containing falls from a height, cutting veins, hanging processes, jumping in front of a moving vehicle, or using the corresponding feature films; visual sequence: pictures with images of cuts, bruises, gallows, drowned men, lips pierced with needles, tongue, etc.; text sequence: quotes and slogans (“Whales die in puddles of gasoline”, etc.); “suicide icon”, the image of which is attached to Rina Palenkova (Rina #Nya-Poka, real name – Renata Kambolina) – on November 23, 2015, this 16-year-old girl put her head on the rails in front of a moving train, and the day before her death she was photographed against the background of a freight carriage and posted a photo with the inscription “nya.bye”, and a photo of a body with a cut off head on the day of her death appeared on the Internet, and later the administrator of the suicide group F57, in order to promote the group, started a rumour that Rina had committed suicide influenced by this community; the idea of continuing life after suicide – thus, the participants are peddled the idea of “existence beyond the grave” as a “psychoenergy-informational essence”, which corresponds to the worldview of modern youth about the structure of the world.

In this context, archaic legal regulation requires its qualitative renewal and transformation aimed at effective prevention. The primary vectors of such activities were laid down in the policy of the World Health Organization (WHO), which is aimed at preventing suicide. An example of this is the publication of the First WHO World Suicide Report “Suicide Prevention: A Global Imperative” in 2014 [20], the main purpose of which was to increase the level of knowledge about the importance of suicide and suicide attempts, and, accordingly, the role of suicide prevention in the healthcare system. Implementing a community strategy, the WHO, in collaboration with the Mental Health Canada Commission, developed Suicide Prevention: A Toolkit for Community Engagement, which was published on 24 June 2019 [20] and provides a step-by-step guide for countries wishing to start activities to prevent suicide in their communities. It describes a collaborative bottom-up process through which communities (including community leaders, healthcare professionals, parliamentarians, teachers, social workers, police and firefighters, and business leaders) can work together to prioritise and implement appropriate interventions. The said Toolkit includes tips and practical tools to help set goals and develop an action plan, as well as examples of successful initiatives in Canada, India, Kenya, Nepal, Trinidad and Tobago, USA.

As for the national legal regulation, the responsibility for driving, attempt, abetting, assistance, and inducement to suicide is given serious attention in the legislative acts of the Russian Federation. Article 110 of the Criminal Code of the Russian Federation [5] stipulates criminal liability for a criminal act related to driving someone to suicide or to attempted suicide using threats and cruel treatment. In the same Article, legislators have introduced situations containing confirmed data on the systematic humiliation of human dignity. In Part 2 of this Article, the emphasis is placed on the commission of an act against a minor, a helpless person, financially dependent on the perpetrator of this act. The legislator singled out as separate aggravating criteria – driving pregnant women to suicide (the offender being aware of pregnancy), a crime committed against two or more victims, committed by a group of persons by prior conspiracy or by an organised group. A special place in this Article is given to responsibility for driving to suicide in public engagement, publications on the Internet, and in the media. Part 1-2 of Article 110.1 of the Criminal Code of the Russian Federation [5] make provision for liability for abetting to commit suicide or assistance in committing suicide. Part 3 of Article 110.1 prescribes the same situations as Part 2 of Article 110. Article 110.2 of the Criminal Code of the Russian Federation [5] contains provisions of responsibility for organising actions, the result of which is inducement to commit suicide. Any individual is considered a victim of this type of crime. Criminal liability is stipulated for any person contributing to the dissemination of defamatory information and threats, including people who are complete strangers for the victim. Based on forensic research, in the “criminal-victim” relationship in the process of bringing to suicide, depending on the nature of social contacts, it is possible to distinguish the corresponding types of victims of this crime. The victim could be in a relationship or family relationship with the offender. In addition, the victim could have been an acquaintance of the criminal at the place of residence, birth, work, study, military service, joint recreation. These types of victims can also include situations that have arisen as a result of chance encounters on the streets; participation in criminal activities. Also, the victim is a stranger to the criminal, they met just before the crime. At the present stage of

the development of society, which is based on digital transformations, situations in which the acquaintance of the victim with the criminal takes place on the Internet is of particular relevance.

The objective side of the *corpus delicti* contains: the actions of the guilty person; creating a hopeless situation for the victim; based on these actions, a victim makes a decision on suicide. Threats, cruel treatment, systematic humiliation of the victim's human dignity are criminally punishable components of driving to suicide. When considering the nature of the threats, it is important that the perception is real, posing a threat to the life of the victim. In this context, ill-treatment implies the regular humiliation of human dignity, carried out in the repeated acts of bullying and insults of the victim. The corresponding methods act as mandatory alternative signs of the composition of bringing to suicide. The result of driving to suicide is considered to be the moment of suicide or an attempt on it by the victim. In accordance with the Commentary to the Criminal Code of the Russian Federation [5], driving to suicide is carried out with indirect or direct intent. The subject in this case is a sane natural person who at the time of the crime turned 16 years old. Legal scientists classify this act as a crime of average gravity. The structural element of the forensic characteristic of driving to suicide is the personality of the perpetrator. When characterising the personality of a criminal who commits such a crime in the form of intent, it is necessary to take into account that the subject of the crime is a person in relation to whom the victim was in material or other dependence. This crime is classified as a violent, intentional encroachment on a person's life, which is contrary to the moral principles of human community. The personality of a criminal, like any other person, is described by a variety of signs: demographic (gender, age, health status), moral (worldview, interests, orientation), social (work, family, and household) and psychological (emotions, temperament, volitional qualities, etc.). These signs are reflected in the individual properties of the personality of the offender, his or her relationship with the victim. The personality of the offender is described by a number of forensically significant attributes specific to driving the victim to suicide, reflecting the way the victim is driven to suicide, the characteristics of the behaviour of the offender, his or her temperament, skills in life and work. Such attributes are as follows: cruel treatment of the victim, humiliation of the victim's human dignity, blackmail, use of material and other dependence of the victim on the offender, spreading rumours about the victim's alleged intentions to commit suicide, staged suicide or an accident, which may indicate the cunning of the offender, his or her intellectual level. When committing a crime, especially when preparing for it, the offender assesses not only the environment where he or she will act, but also the victim (gender, age, physical strength, intellectual capabilities, moral, psychological, and other personal features).

The behaviour of a criminal when committing criminal acts is associated with his or her psychological, moral, social properties and manifestations. The perpetrator models his or her behaviour to provoke the victim to attempt suicide. A person commits a crime due to the exploitation of the victim's material (or other) dependence on him or her, brings it to a state of frustration, heat of passion, and auto-aggression (suicide). Through the result of the criminal's actions (suicide of the victim), it is possible to determine the purpose, motive and method of committing a crime, because based on it, there is a real opportunity to get an idea of the main elements of the criminal's activity, his or her social and psychological qualities. The issue of considering the emotional state of the offender is a mandatory attribute of *corpus delicti*. Violence of the perpetrator in various forms affects the victim, has its manifestations, features, it can perform the function of not only coercion, but also direct suppression or destruction of the object of violence. The offender, as a rule, is aware that his or her actions will lead to the suicide of the victim. Aggression is often the cause of frustration; the latter can be associated with other possible prerequisites for aggression. The criminological characteristics of the personality of a criminal during the driving to suicide is identified through personal characteristics: hatred (behaviour), aggression (personality type), destructiveness. Psychologists distinguish the following defects in a criminal: individual sense of justice, pathology of the needs of the sphere of personality and mental development. The most common features of violent criminals include selfishness, disregard for the interests and opinions of members of society, lack of ability and desire to put oneself in the victim's place, cruelty, and affective behaviour. Violent motives for committing a crime describe the behaviour of the offender: cruel treatment, blackmail, coercion into unlawful actions, systematic humiliation of human dignity. Unlike conventional bullying, cyberbullying is becoming especially common. The development of technological communications allows criminals to embarrass their victims in front of a huge audience, and such communications can never be completely destroyed. According to the time of occurrence, the connection can be divided into the one that arose to commit a crime, and the one that arose in the process of criminal encroachment. By the nature of the interaction between the victim and the offender (presence or absence), the connection can be direct and mediated. According to the circumstances, the creation of a connection can be divided into: developing as a result of certain relationships that existed between the offender and the victim to commit a crime; to the resulting acute conflict situation, intermediate before or at the time of the crime. In modern realities, a special place in the establishment of this connection is given to the study of social networks,

the participants of which were both the perpetrator and the victim.

A portrait of the personality of a modern victim from driving to suicide: a man aged 25, who is described by the fact that in his entire life he did not have mental illnesses, but was in a state of mental disorder at the time of the suicide; the result of this case was self-inflicted death; also described by the presence of close relationships with those who, according to the evidence of the investigation (court), could drive (drove) to suicide. The following motives can be attributed to the motivation of a suicidal act (%): “psychological” (47.6%), “medical” (40.5%), “criminological” (35.7%), “personal” (23.8%), “material and household” (11.9%) [15]. A teenager may be tempted to commit suicide due to certain life circumstances, such as having a mental disorder, including depression; loss or conflict with close friends or family members; a history of physical or sexual abuse or exposure to abuse; problems with alcohol or drugs; a physical or medical problem, such as pregnancy or a sexually transmitted infection; factors of bullying; uncertainty about sexual orientation; susceptibility to suicide of a family member or friend. Warning signs of teenage suicide may include statements such as, “I am going to kill myself” or “I will not be a problem for you anymore”; refusal of social contacts; mood swings; increased use of alcohol or drugs; feeling trapped or hopeless about the situation; change in the daily routine, including eating or sleeping patterns; engaging in risky or self-destructive behaviour; giving away personal belongings when there is no other logical explanation why it is being done; developing personality changes, severe anxiety or agitation when some of the warning signs listed above appear [21]. The public outcry caused by articles about cyberbullying in the mass media led to a corresponding reaction from the state authorities of the Russian Federation. In 2017, the activity of about 1.4 thousand “death groups” was recorded on the social networks VK, Instagram, Facebook, YouTube, RuTube, Odnoklassniki, which included more than 12 thousand users. About 200 thousand corresponding messages were found, 1.279 thousand administrator accounts were recorded, 234 criminal cases were initiated on the fact of persuading minors to commit suicide in prohibited associations, and a number of organisers were arrested. Law enforcement officials found that the age category of the organisers included young people from 13 to 25 years old, the fact of supervision by girls whose age did not exceed 18 years became characteristic. The leaders of such groups were people from well-to-do families, dismissive of suicide victims, classifying such adolescents as representatives of “bio-waste”.

In this regard, the adoption of the Federal Law No. 248-FZ “On Amendments to the Criminal Code of the Russian Federation” of July 29, 2017 [5] was rather important. In accordance with this law, there was a legislative increase in liability for the above criminal acts (for up to 15 years), which was reflected in the relevant articles. The maximum penalties for inciting another person to commit suicide have a wide range and require the accused to have intent for the victim to commit suicide. In addition, based on the Order of the Government of the Russian Federation No. 2098-p “On the approval of a set of measures until 2020 to improve the system of prevention of suicide among minors” of September 18, 2019 [22], in March 2020, the Ministry of Healthcare of the Russian Federation prepared guidelines “Suicidal behaviour of minors (preventive aspects)”, which are used by school psychologists in their work; specialists of medical organisations; employees of anti-crisis centres; mass media; electronic resources. Recommendations can become a substantial component of federal and local anti-crisis developments with a statement of age, professional and clinical groups with the highest risk of suicidal behaviour, which will facilitate productive interaction of mental health professionals.

Proceeding from the above, the following conclusions can be drawn:

- the criminological characteristics of the personality of the offender during the drive to suicide is revealed through the defects of personal characteristics: hatred (behaviour), aggression (personality type), destructiveness;
- the most typical characteristics of a criminal's personality include: 1) demographic; 2) professional education; 3) the sphere of employment; 4) communication with the victim; 5) propensity to commit crimes (convictions) 6) physical, psychological state;
- in the era of digital transformations, special attention must be paid to the connection between the offender and the victim, carefully studying the social networks of both;
- a typical participant in death groups is an emotionally unstable, driven, notorious, secretive, insecure teenager, and this category is represented to a greater extent by a female audience, despite the fact that, according to statistics, men commit suicide on average 4 times more often;
- cyberbullying is a real problem in Russian society, which can have serious consequences for health and life due to the spread of the suicide factor;
- in the Russian Federation, attitudes towards violence are changing, combined with the growing importance of digital communication technologies in modern conditions, which has led to a legal solution to the problem of cyberbulicide in terms of a corresponding increase in criminal liability.

There are factors that, according to R. Baron and D. Richardson, influence the transition from frustration to aggression, these include: the level of frustration that a potential aggressor feels; the presence of prerequisites for aggression; the degree to which the frustrator behaves unexpectedly; emotional and cognitive

processes of frustration of the aggressor [9]. Psychologists, studying aggression, identified in it the concept of criminal aggression – a form of behaviour of a criminal who fulfils any intention or urge regarding the victim and who is associated with this intention due to a certain meaningful attitude, objectively aimed at causing harm to the life and health of the victim. As F.S. Safuanov notes, the criminal may not be capable of implementing his or her intentions for reasons beyond his or her control [14] (for example, the victim commits suicide and remains alive). The affective state of the victim is preceded by an acute conflict situation with the guilty person, prompting an immediate response. The signs of such a situation are: circumstances that threaten human life and the actions of others; their statements, social assessments that deeply affect or traumatise the person. Involvement of the offender in the consequences when driving to suicide in most cases is expressed in the form of indirect intent. When driven to suicide with indirect intent, the perpetrator realises that his or her actions (inaction) are cruel or degrading the dignity of the victim, that is, they are socially dangerous; the perpetrator assumes that his or her behaviour towards the victim may lead to suicide or attempted suicide, but the perpetrator does not want the victim's death, treats it indifferently and deliberately admits it. In case of criminal arrogance, the perpetrator realises that the actions (inaction) performed by him or her are capable of driving a person to suicide, but in this particular case, in his or her opinion, this should not happen, since there are circumstances that can prevent suicide. Negligence in bringing to suicide makes provision that the perpetrator failed to foresee the possibility of suicide as a result of his or her unlawful or immoral actions (inaction), but was on the spot and could have foreseen it. Research shows that even when the perpetrators can be identified, they and their victims often need help. A study in the Netherlands found that boys who bully others are eight times more likely to develop suicidal thoughts than girls. Students who reported bullying others also reported “higher levels of school loneliness” and lack of school connections compared to those who did not. The correlation between the suffering of cybercriminals and their violent behaviour is unclear, but these results indicate that these situations need to be investigated. If factors such as loneliness, lack of school connections and aggression are found to cause bullying, they must be addressed before bullying and cyberbullying can be reduced or eradicated.

According to E.K. Volkonskaya, 14 years should be defined as the minimum age limit for suicide. This age threshold (in the vast majority of cases) corresponds to such a level of development of the psyche, which allows, when performing independent actions, not only to realise their importance in individual and social relations, but also to exercise the necessary control over them [10]. The lawyer, based on the fact that criminal liability for incitement to suicide is stipulated with regard to a sane person who has reached the age of 16, concludes that if proceeding from the above provision, according to which the minimum age limit for suicide is 14 years age, the age of the person who drove the victim to suicide should also be recognised as equal to 14 years and older. E.K. Volkonskaya believes that amending this provision at the legislative level will increase the effectiveness of suicide-preventive activities in the field of application of the criminal law. The existing editions of articles of the Criminal Code of the Russian Federation, which stipulated criminal liability for actions related to the promotion of suicide, require further development. Articles 110 and 110.1 of the Criminal Code of the Russian Federation are in many respects similar, and in carrying out the acts stipulated in them, the offender performs actions that lead to the same result [5]. According to legal scholars, the optimisation of these articles will allow for the correct concentration of the presentation of legal information and the proper capacity of criminal law regulations, thereby simplifying the work of the law enforcement officers. This suggests the possible merging of the said articles. In connection with the change in the content of the propaganda of deviant violent behaviour in social networks and other means of exchanging information, which is becoming more widespread in the context of the informatisation of society, scientists propose to expand the scope of Article 110.2 of the Criminal Code of the Russian Federation by establishing criminal liability for incitement to commit a murder through the dissemination of information about the methods of murder, as well as calls to commit it. The proposed wording of the article would cover socially dangerous acts that do not currently fall under the signs of any *corpus delicti*, but which take place in reality.

In this regard, N.M. Eliseev, to ensure the correct qualification of the analysed acts, differentiation of criminal liability, construction of reasonable sanctions and the subsequent individualisation of punishment for driving to suicide, guided by the provisions of the institution of complicity, based on the provisions of Articles 110, 110.1, and 110.2 considers it appropriate to construct one article of the Criminal Code of the Russian Federation in a new wording (excluding Articles 110.1 and 110.2 from the Code) [11]. S.V. Filippova [18] suggests that the main components of the abetting to commit suicide and the facilitation of its commission be formed according to the type of material components, as a result of which the responsibility for committing ineffective actions, i.e., not leading to suicide or attempted suicide, will proceed in accordance with the general rules of an unfinished crime. A.M. Bychkov and E.L. Radnaev believe that in the case of Article 110.2 of the Criminal Code of the Russian Federation, the legislator does not quite correctly define the object of the encroachment:

the article is located in Section VII (“Crimes against a person”), while in this case, according to the scientist, the object lies in fundamentally different social relations [8]. After the emergence of information about the phenomenon of “death groups”, the legal scientists concluded that the actions of organisers of such groups extend to an individually indefinite circle of people. Consequently, these acts encroached on the health of the population and public morality and could be qualified under Article 239 of the Criminal Code of the Russian Federation. N.E. Krylova came to a similar conclusion [13]. Reasonable opinion is expressed by V.A. Lelekova and E.V. Kosheleva, who believe that upon studying the problems of deviant behaviour of minors, social institutions such as family, school, work collective, etc. deserve special attention, which, unlike in the Soviet period, are of lesser importance in the socially positive socialisation of the personality of a teenager, first of all, in solving the key issue – the development of the right attitude towards life [12]. Young people who experienced bullying or cyberbullying as perpetrators or victims had more suicidal thoughts and were more prone to attempt suicide than those who did not experience similar forms of peer aggression. In addition, victimisation was more closely associated with suicidal thoughts and behaviour than with insult. Admittedly, the scholars emphasise, educators must be careful not to instil in young people the idea that suicide is a viable solution to their interpersonal problems. However, it is important to boldly (but delicately) address this subject to prevent this form of harm and remind young people that help is always available. Parents should also discuss the connection between offline and online peer harassment and suicidal thoughts, and consider using stories in the news to highlight the seriousness of the issue. Self-directed digital interventions, designed for use without professional guidance and delivered via web programmes or mobile apps, have proven effective in preventing and reducing depression and anxiety in many countries. Over the past 5 years, digital suicide prevention techniques have been developed that can and should be widely promoted through the Internet and digital distribution platforms such as application services as part of suicide prevention efforts [15]. Their ability to provide quality therapeutic support at the discretion and pace of the user, anonymously and at minimal cost, means that digital interventions can overcome barriers to accessing conventional care and offer a sustainable, scalable solution. Currently, there is growing international interest in finding immediate, technology-based solutions with a focus on suicidal ideation and mental health, especially in countries with no adequate mental health services and in countries where access to such services is insufficient. Determining whether these innovative solutions will work has become a global public health priority. There is growing evidence of the effectiveness of digital interventions in reducing suicidal ideation.

M. Torok, D. Hahn, S. Baker, A. Werner-Seidler, J. Wong, M.E. Larsen [7] point to the efficiency of self-directed digital interventions for suicide prevention and emphasise the importance of including information on direct suicide prevention in digital interventions. Scientists point to the fact that digital interventions directly aimed at combating suicidality can and should be promoted on the Internet and integrated into health systems in the countries where they have been tested so that they are available to those who need them, especially after any security problem has been ruled out. There is also a need to expand and test their use in various countries, including the Russian Federation, to help law enforcement agencies in detecting Internet communities that abet suicide.

In the Russian Federation, international programmes for the prevention of suicide are successfully applied. An example of this is the Facebook content monitoring programme developed by the UK, Ireland, the USA, and Norway. The result of the corresponding project was the use of a specific form that allows to report a potential suicide with the subsequent immediate transfer of this data to the police and social services. In April 2020, the Public Chamber of the Russian Federation formulated a proposal to toughen the responsibility for insults and bullying on the Internet, due to the fact that these atrocities often lead to suicide of victims. The corresponding initiative was submitted to the State Duma and the Federation Council. In particular, it is proposed to stipulated up to seven years of forced labour for the threat of murder and grievous bodily harm in the social media, and a fine of up to 6 million roubles for libel. Both chambers of parliament are ready to consider the amendments that are to be introduced to the Criminal Code and the Administrative Code. Lawyers believe that the innovations will expand the capabilities of law enforcement officers to qualify crimes in the network, in particular, with respect to Article 110 of the Criminal Code of the Russian Federation [5]. The discussion provided an opportunity to state the following: a) in the era of digital transformations, it is necessary to scrutinise the existing factors that influence the transition of frustration to the aggression of a criminal who leads or induces suicide on the Internet, paying attention to such a concept as “criminal aggression”; b) the involvement of the offender in the consequences when driving to suicide in most cases is expressed in the form of indirect intent; c) the correlation between suffering on the part of cyber bullies and their violent behaviour is unclear, but the results of this study indicate that these situations need to be investigated, and an anti-bullying education campaign to address the causes and consequences of bullying can help both criminals and their victims; d) 14 years of age should be defined as the minimum age limit for suicide; therefore, the age of a

person who has driven another person to suicide should also be recognised as equal to 14 years and older; e) Articles 110 and 110.1 of the Criminal Code of the Russian Federation are in many respects similar, and by carrying out the acts stipulated in them, the offender performs actions leading to the same result, thus, it is possible to merge these articles; f) scientists propose to expand the scope of Article 110.2 of the Criminal Code of the Russian Federation by establishing criminal liability for incitement to commit a murder by disseminating information about the methods of murder, as well as calls to commit it; f) the actions of the organisers of “suicidal quests” are aimed not only at specific users, but also at an individually indefinite circle of people; therefore, these acts infringe on public health and public morality and can be qualified under Article 239 of the Criminal Code of the Russian Federation; g) in solving the key issue – the development of the correct attitude towards life, when studying the problems of deviant behaviour of minors such social institutions as the family, school, work collective, etc. deserve special attention, which, in contrast to the Soviet period, have less significance in the social positive socialisation of the personality of a teenager; h) serious attention is paid to the prevention of suicides in the Russian Federation, as evidenced by effective international programmes; i) legal scholars emphasise that parents have a responsibility to discuss the relationship between offline and online peer harassment and suicidal thoughts, and consider using stories in the news to highlight the seriousness of the issue; j) digital interventions directly aimed at combating suicidality can and should be promoted on the Internet and integrated into health systems; k) there is a need to use digital Internet interventions in the Russian Federation, including to assist in the work of law enforcement agencies in detecting Internet communities that induce people to commit suicide.

CONCLUSIONS

The criminological characteristics of the criminal's personality during the driving to suicide is determined through the defects of personality features: hatred (behaviour), aggression (personality type), destructiveness; the involvement of the offender in the consequences when driving to suicide in most cases is expressed in the form of indirect intent. Cyberbullying is a real problem in Russian society, which can have serious consequences for health and life due to the spread of the suicide factor. In the era of digital transformations, special attention should be paid to the connection between the offender and the victim, carefully studying the social networks of both, taking into account the fact that a typical member of “death groups” is an emotionally unstable, subordinate, insecure, secretive, unassertive teenager, and this category is represented to a greater extent by a female audience. In the Russian Federation, attitudes towards violence are changing, combined with the growing importance of digital communication technologies in modern conditions, which has led to a legal solution to the problem of cyberbullicide in terms of a corresponding tightening of criminal liability. In the era of digital transformations, it is necessary to scrutinise the existing factors that influence the transition of frustration to the aggression of a criminal who leads or induces suicide on the Internet, paying attention to such a concept as “criminal aggression”.

The result of the discussion was the conclusion that 14 years of age should be defined as the minimum age limit for suicide; therefore, the age of the person who drove another person to suicide should also be recognised as equal to 14 years and older; Articles 110 and 110.1 of the Criminal Code of the Russian Federation are in many respects similar and by carrying out the acts stipulated in them, the offender performs actions leading to the same result, thus it is possible to merge these articles; in addition, it appears acceptable to expand the scope of Article 110.2 of the Criminal Code of the Russian Federation by establishing criminal liability for incitement to commit suicide by disseminating information about the methods of suicide, as well as calls to commit it. It is concluded that parents, school teachers, and work groups are obliged to discuss the connection between offline and online harassment and suicidal thoughts. It can also be concluded that the Russian Federation pays serious attention to the prevention of suicides, as evidenced by effective international programmes. Digital interventions (such as online or app-based) represent a promising strategy for removing many of the barriers to treatment because these interventions are confidential, can be accessed in a timely manner from anywhere, and they empower people to help themselves. The scalability of digital interventions allows to reach populations beyond the reach of conventional mental healthcare. Thus, there is a need to use digital Internet interventions in the Russian Federation, including to assist in the work of law enforcement agencies in the detection of Internet communities that abet people to commit suicide.

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