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CONTENT OF THE RIGHT TO DEFENCE OF PERSONS AFFECTED BY DOMESTIC VIOLENCE

The concept of the content of the right to defence of subjective rights and freedoms of an individual from domestic violence is studied. It is noted that universality is a qualitative feature of the legal category of the right to defence ion. The legal nature of the right to defence is considered, the concepts of "right to defence ion" and "protection of rights" are analysed, which will allow better understanding and ensuring the protection and safeguarding of human rights and freedoms. The features that characterise the right to defence ion of victims of domestic violence are presented, and their role in its implementation is determined.

In the conditions of legislative transformation and legal rethinking of modernity, great importance is attached to understanding of law, its nature, content, functions, and directions of influence on social relations. Therefore, there are grounds and a need to define the right to defence as a universal principle which forms a qualitatively new level of legislation not only at the federal but also at the regional level. It is indicated that the right to defence is a category in the theory of law which is an indicator of universality and preservation of its axiological significance for building a new system of legislation of Ukraine with a view to its development and compliance with international standards. The role of functions of law in the legal system cannot be underestimated. They, along with the principles of law, have become the starting structural components of this system.

There are a lot of regulations developed to ensure a comprehensive approach to combating domestic violence and to promote the rights of victims of domestic violence through preventive measures, as well as to respond in a timely manner to the facts of domestic violence. Unfortunately, the problems remain and there are many of them.

The starting point, the vector that will guide family policy, is the Strategy on Children's Rights (2022–2027) "Children's Rights in Action: from Stable Implementation to Joint Innovation". It is determined that the primary task of the Strategy is to protect the interests of the child.

Keywords: *content of the right to defence ion, legal nature of subjective civil rights, right to defence ion, domestic violence, domestic violence.*

Original article

INTRODUCTION. Today, domestic violence is one of the most widespread human rights violations. It can take many forms – physical, sexual, psychological, economic, etc. – and can be perpetrated against girls and women of all ages, as well as men. And it is not limited to any particular social group.

The problem of domestic violence is a global one. Different countries have been looking for ways to solve it for a long time and have created relevant programmes. But there is no effective mechanism yet. To counter this phenomenon, an effective fight is needed: we need to talk about the problem and be aware of the consequences. Despite the fact that domestic violence is the most widespread human rights violation, the pace of legislative and policy reform remains slow in the Council of Europe member states.

On 8 March 2022, the European Commission submitted for consideration a Directive on combating violence against women and domestic violence: protecting women's rights. The draft Directive proposes to fill a gap in EU legislation that does not contain direct provisions on violence against women and domestic violence, with the exception of specific provisions on the protection and support of victims of crime Sarah de Vido.

The Gender Equality Strategy for 2018–2023 identifies a number of measures under the strategic goal of combating and preventing violence against women and domestic violence, including supporting member states in the application of relevant international instruments prohibiting violence against women; accumulating knowledge in this area and providing technical and legal expertise.

Ukraine is also making efforts to ensure that its legislation complies with European standards, in particular, the Law of Ukraine "On the Execution of Judgments and Application of the Case Law of the European Court of Human Rights" of 23 February 2006, No. 3477-IV, explicitly states in Article 17 that "the courts shall apply the Convention and the case law of the European Court as a source of law in the consideration of cases". This means that the fundamental human rights and freedoms guaranteed by the Convention for the Protection of Human Rights and Fundamental Freedoms are subject to interpretation, and their application in the national legal system must be based on the case law of the court, i.e., comply with the standards of the Strasbourg Court.

For example, in Bulgaria, protection against domestic violence, according to the Law on Protection against Domestic Violence, is provided as follows: the offender is obliged by court order to refrain from committing domestic violence; he is prohibited from staying in the apartment/house where the victim of violence is; he is prohibited from being near the victim's home, place of work and places where the victim can communicate and rest. Such restrictions may be in place for a period of one month to one year (Baranova, 2016).

In the United Kingdom, domestic violence is addressed by the Domestic Violence Act 2004, which defines domestic violence as any incident of threat, violence or abuse (physical, emotional, psychological, financial or sexual) against family members or between adults who are or have been cohabitants, regardless of sexual orientation or gender.

Portugal's law against domestic violence also describes domestic violence as a crime and classifies it as physical or psychological abuse of a spouse, minor or disabled person, and prosecution of the perpetrator does not depend on the victim's statement and provides for imprisonment of one to five years (Lehenka, 2017).

Having analysed the experience of Germany, it should be noted that the country has a special Law on Protection against Domestic Violence. According to its provisions, the abuser may be prohibited from entering the victim's home, contacting the victim or approaching the victim. If the perpetrator and the victim lived in a joint apartment, the victim is usually also entitled to sole possession of the apartment for a certain period of time. The Law on Protection against Violence also regulates cases of so-called stalking. Stalking is defined as unreasonable harassment in which the perpetrator systematically pursues the victim against his or her explicit will or pursues the victim using remote communication. In Ukraine, stalking is classified as a form of psychological violence, which is a type of domestic violence. In addition, in terms of combating domestic violence, the German criminal police – the so-called domestic violence ombudsman offices that deal with relevant cases – receive a fairly positive assessment (Costello, Mann, 2020).

An analysis of foreign legislation gives us grounds to believe that in many countries of the world, regulations on combating domestic violence have not yet been adopted. In many countries, the laws do not work at all. This is confirmed by the statistics presented by the World Health Organisation: 15 % of women in Japan, up to 71 % in Ethiopia, about 23 % in Sweden, 30–54 % in Bangladesh, Ethiopia, Peru and Tanzania have experienced domestic violence (Tuchak, 2003, p. 68). Similar problems exist in the United States and the United Kingdom – one in six women suffer from physical violence.

Sexual violence is widespread in the USA, UK, Canada, and New Zealand (Kolomoiets, 2011, p. 202). The cause of domestic violence is associated with violence against parents themselves in childhood.

We believe that it is necessary to consider in more detail the content of the right to defence ion and the legal options available to a person suffering from domestic violence. It is also necessary to analyse the experience of foreign countries in order to change legislation to comply with European standards, which will, on the one hand, create legal awareness and, on the other hand, allow for a timely response to cases of domestic violence.

PURPOSE AND OBJECTIVES OF THE RESEARCH. *The purpose* of the article is to define the content of the right to defence ion, to establish the legal nature and forms of manifestation of family violence in order to form a scientifically sound system of prevention, regulation and overcoming of violent relations in the modern Ukrainian family through civil law mechanisms.

Objectives of the study:

– study of legal policy to combat domestic violence;

– research and formation of the doctrinal concepts of "protection of rights" and "right to defence ion";

– analysis of the main mechanisms for protecting the rights of victims of domestic violence;

– analysis of legal acts regulating the elements of protection of the rights of victims of domestic violence.

METHODOLOGY. The methodological basis of the study is the general dialectical method of cognition. This principle is based on the fact that any phenomenon is a process that includes birth,

formation, death and the emergence of something new, more progressive. This principle made it possible to study the stages of development of the concept of "violence".

The historical method was also used. Through the appropriate procedures, which are evidence and facts, we investigated the emergence and development of the concept of domestic violence. The historical method made it possible to define and delineate the subject of the study, formulate the questions to be answered, determine the plan of this study, and locate and compile documentary sources. After analysing the sources in the last stage, the historical method was applied to obtain the final result, which is called historiographical synthesis.

The comparative method is also used to study the legal phenomena of "protection of a right", "right to defence", "content of law", and "principles of law". The concepts of "content of law", "essence of the principles of law" and their interrelation are defined using the logical and legal method.

The systematic approach was applied in implementing the requirements of the general theory of law with regard to the concepts of "essence of law" and "essence of the principles of law", according to which each content of law was considered separately from the principles of law.

The methods of statistical research were used to provide statistical data demonstrating the extent of the problem of violence. The methods and tools used to collect, process and analyse information on domestic violence in Ukraine were also applied.

RESULTS AND DISCUSSION. The development of the Ukrainian state, the return of society to the ideas of humanism and justice, and the search for ways of its democratic development make it important to use and fill the basic principles of legal regulation of the system of protection of women from domestic violence with real democratic content. Therefore, the problem of domestic violence is one of the priority tasks of regulating family law policy. The concept of legal policy as the basis of family law policy, justification of the form of its implementation, determination of efficiency criteria, principles, as well as aspects of public and private elements are the subject of a number of studies by such scholars as Ye. Vaskovskyi, O. Pidopryhora, O. Pushkin, I. Spasybo-Fateeva, R. Bodnar, L. Krasytska, G. Kryshtal, T. Mazur, L. Melnychuk, M. Mendzhul, A. Mishyn, Z. Romovska, V. Truba, S. Fursa, V. Chernega, Y. Shevchenko, O. Yavor, et al.

There are many scientific works on family law policy, but no unified and comprehensive definition of family law policy has been developed. There is also no consensus on the implementation of family law policy within the framework of family law of Ukraine. It can be stated that in the national doctrine of civil and family law, the problem of legal policy has remained unexplored until recently.

The role of legal policy in the formation of family law is particularly important for Ukraine. Firstly, it streamlines the legal sphere, secondly, it regulates the flow of legal information, thirdly, it strengthens the administrative function of law, as well as raises the legal awareness of society, makes it possible to apply the contractual principles of legal regulation, which requires coordination and management by the authorities, and fourthly, the increased importance of family law policy creates the foundation for the development of legal life in Ukraine. Therefore, the primary task of the national legal science should be to develop the Concept of Family Law Policy of Ukraine for 2024–2029, which should be based on the ideals of justice, equality and freedom. The current Family Law Policy Concept was developed in 1999. Since then, much has changed and it needs to be rethought, supplemented, improved and implemented in modern legislation to regulate social relations and comply with European standards. The legal vectors that indicate the focus of legislation on the regulation of family relations are youth protection, family support, protection of children's rights, and the definition of the content of the right to defence ion from domestic violence.

The study shows that the attitude of legal scholars to the issue of the content of law has varied over the years, with most of them reflecting on the essence of law. The content of law was discussed with a considerable amount of scepticism, and there were even opinions that it was impossible to identify the substantive side of law, so we should turn to the formal side of law.

Classical civilisation states that the content of law is the content of social relations that it reflects and the volitional moment that it contains. In other words, the content of law is related to its essence. There have been attempts to characterise the content of law, but scholars have combined it only with the economic needs of society and the desires of the ruling class, and proposed to consider the content of law as a set of circumstances of dispassionate reality, which has been changed in the understanding of the legislator, which has caused the need to adopt a legal norm. It was believed that the actual content of law is class-will, state-will, and enshrined in the legal structure. The modern view of the content of law is as follows: it is a set of legal provisions that regulate

social relations. There are two types of content of law:

– socio-political, which reflects the economic, political and state purpose of law;

– special legal content, which "characterises law as a specific institutional formation (social institution, a necessary attribute of the functioning of society)" (Husariev, Oliinyk, Sliusarenko, 2008). In general, the content of law is determined by the needs of modern society, the interests of citizens, and the subjects of social relations. To summarise, the essence of law is revealed through its principles, which have been developed and enriched over the centuries.

When analysing the concept of the content of law, we constantly refer to the principles, because principles are a category that is closely related to the categories of "regularity" and "essence", i.e. content, in the epistemological aspect. Through the essence and basic content of law, through rights (legal principles), and also through the laws of society development, principles can be defined (Hida et al., 2011). The term "principle" comes from the Latin word "principium", which means basic, most general, initial provisions, means, rules. Principles are also enshrined in law, and they also acquire the appropriate meaning of generally applicable rules of conduct that are binding and authoritative. In all cases where we are talking about the starting ideas and provisions of jurisprudence, the category "principles of law" should be used. The term "principle" depends on the scope of its existence and functional orientation (Kolodiy, 2012).

It can be said that legal policy is closely related to the principles of law. Legal policy is a component of state policy, and it has its own tasks and goals, the implementation of which is determined by its principles, i.e. legal principles. The category of "principle" is interpreted in legal literature as a social phenomenon that reflects the laws of development of social life. Principles consolidate, so to speak, social relations, acting as ideas, guiding principles (Koziubra, 2017). The content of legal policy is also revealed through its principles as fundamental ideas of a legal nature. The main foundation of legal policy is the general legal principles, as well as the principles inherent exclusively in legal policy, which generally characterise its essence and serve to improve the mechanism of legal regulation of social relations. Therefore, by directing the principles of legal policy towards compliance with European standards, we can argue that in this way it is possible to influence the content of law itself. However, it cannot be said that the principles of law and the principles of legal policy are the same, but they have much in common: the principles of legal policy stem from objective laws of legal development, they should serve as criteria for assessing law-making decisions; the principles of law should be the guiding "vectors of strategic development of legal policy and be the guidelines for legal reforms" (Ternavska, 2018).

The priority task that needs to be reformed at the legislative level is the right to defence ion from domestic violence. The Verkhovna Rada of Ukraine has ratified the Council of Europe Convention on preventing violence against women and domestic violence (Istanbul Convention). The Convention offers many measures to prevent and combat violence (Medvedska, 2022). In addition, the Istanbul Convention clearly states that violence against women and domestic violence can no longer be considered a private matter, and states must take a firm stand and take measures to prevent violence, protect victims and punish perpetrators. Ratification of the Convention will also lead to the exchange of information between countries on practices and approaches to combating domestic violence[1].

When analysing the right to defence ion from domestic violence, it is necessary to determine its legal nature. The issue of the legal nature of the right to defence ion of civil rights is still controversial. According to part 1 of Article 15 of the Civil Code of Ukraine (hereinafter – the CCU), every person has the right to defence ion of his or her civil right in case of its violation, non-recognition or contestation. The right to defence, given the context of this Article of the Civil Code of Ukraine, is considered as a subjective right of a person who is a party to public legal relations, arising in case of violation of his/her civil rights and interests (Blaha, 2014).

As rightly noted by O. Krupchan (2012), the right to judicial protection of civil rights and interests is a primary element of civil law construction, characterised by its absolute nature, since property rights also give a person the opportunity to choose the form of protection - jurisdictional or non-jurisdictional (self-defence), using appropriate means of protecting a person's rights.

Pursuant to Article 19 of the Civil Code of Ukraine, a person has the right to self-defence against offences and unlawful encroachments, and the right of a person to protect his or her rights at his or her own discretion is enshrined in Article 20. It can be said that the protection of

[1] Kuzmenko, Ye., & Holub, O. (2020). *Myths and facts about the Istanbul Convention*. Council of Europe. https://rm.coe.int/ukr-2020-brochure-ic%20myths-and-facts-ukr-25112020/1680a07ee9.

rights can be carried out both with the involvement of authorised persons and independently by the right holder.

In this regard, O. Kot (2016) also noted that the right to defence in its material sense is the possibility of applying coercive measures to the offender. At the same time, the possibility of applying these measures should not be understood only as the introduction of the state coercion apparatus. Another view is to qualify the right to defence when the right is a power that is "an element of subjective civil law along with two other components – the right to act and the right to demand certain behaviour from another person" (Zhylinkova, 2012, p. 101). There is also an opinion that the right to defence is one of the powers of subjective law, but as a result of an offence it is transformed into an independent subjective right (Stefanchuk, 2008).

To summarise, each theory has a right to exist. However, a number of questions arise as to the separation of the right to defence from the subjective right that is being protected. In this case, the right to defence should have its own separate object, but its main purpose is to restore the violated right.

The above confirms the fact that a subjective right is very closely related to its protection. It can be said that the possibility of protection is a property of subjective law, not its component. However, it is necessary to draw a line between the right to defence and actions aimed at protecting a violated civil right. Therefore, the right to defence, in our opinion, should be considered as a statutory opportunity to apply measures provided for by law or contract and aimed at stopping the offence and restoring the violated right, as well as compensation for losses and non-pecuniary damage caused by the offence. In this case, the protection of rights is the actions of an authorised person directly aimed at achieving this goal (Kot, 2016).

The ability to apply coercive measures to stop an offence is the ability to apply legal mechanisms to protect a person's right to protection from domestic violence. The Constitution of Ukraine sets out a high standard of norms that correspond to the concept of relations between a person and the state. In Ukraine, however, the issue of exercising and protecting human and civil rights is not fully addressed (Chuiko, 2006).

A brief analysis of the legislation on combating domestic violence reveals the following. The Law of Ukraine "On Preventing and Combating Domestic Violence" defines the relevant legal framework for preventing and combating domestic violence, as well as the main directions of legal policy implementation. The Law of Ukraine "On the National Police" defines the main tasks and measures to prevent and combat domestic violence. The Law of Ukraine "On Ensuring Equal Rights and Opportunities for Women and Men" provides for the implementation of appropriate measures to prevent gender-based violence. The Law of Ukraine "On Free Legal Aid" provides for the right to free legal aid for victims of domestic violence or gender-based violence. The Family Code of Ukraine defines the grounds for the emergence, change or termination of family legal relations, as well as the content of personal non-property and property relations of spouses, parents and children, adoptive parents and adopted children, as well as other family members and relatives. As can be seen, a number of regulations have been developed to ensure a comprehensive approach to combating domestic violence, as well as to promote the rights of victims of domestic violence through preventive measures and timely response to domestic violence. However, unfortunately, most problems remain unresolved. For example, the Family Code of Ukraine promotes the principle of voluntary marriage, while Article 110 of the Code stipulates that a lawsuit for divorce cannot be filed during a wife's pregnancy and up to one year after the birth of a child. This restriction leads to a violation of the rights of victims of domestic violence to protection from the abuser's unlawful actions, as it does not allow for the termination of a marriage even when a pregnant woman or a woman with a child under the age of one is subjected to domestic violence by her husband. This problem can be overcome if the Verkhovna Rada of Ukraine adopts the registered draft Law of Ukraine "On Amendments to Articles 110 and 111 of the Family Code of Ukraine" No. 5492, which regulates the abolition of the rule prohibiting the filing of a divorce claim in court during pregnancy or before the spouses' child reaches the age of one, as well as the addition of a regulatory provision that the court may not apply measures of spousal reconciliation in cases where the reason for divorce is signs of domestic violence, despite the results of civil, administrative or criminal cases concerning domestic violence.

On 24 March 2021, the European Commission adopted a Strategy on Children's Rights and a proposal for a European Child Guarantee, which will aim to protect equal opportunities for children at risk of poverty or social exclusion (Kolomoiets, 2010). The primary objective of the Child Rights Strategy (2022–2027) "Children's Rights in Action: From Sustained Implementation to Collaborative Innovation" is to ensure the interests of the child. For example, India has adopted amendments to the Child Marriage Prohibition

Act and introduced severe penalties for child abuse. This demonstrates the growing seriousness and understanding of the need for strict measures to protect children's rights.

The case law of the European Court of Human Rights in this context is quite diverse, as when considering the Convention for the Protection of Human Rights and Fundamental Freedoms, it can be interpreted in the context of Articles 2 (right to life), 3 (prohibition of cruel treatment), 8 (right to respect for private life) and 14 (prohibition of discrimination) (Akhmedshina, 2020).

In many European countries, society accepts and even approves of some unsystematic forms of violence against children for educational purposes, particularly in the family environment. One third of the Council of Europe members have outlawed corporal punishment. However, despite these positive developments, corporal punishment remains legal in most countries and is still perceived as an acceptable form of "discipline", especially in the home. The legality of corporal punishment also contradicts children's right to equal legal protection (Peterman et al., 2020).

The UN Committee on the Rights of the Child defines corporal or physical punishment as any punishment involving the use of physical force and intended to cause any degree of pain or discomfort, however slight. The Committee considers that corporal punishment is in any case degrading to the dignity of the child. In addition, other forms of punishment that do not involve the use of physical force are also cruel and degrading and are incompatible with the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms. They can be classified as psychological violence. This includes, for example, punishment by humiliation, insult, slander, ridicule, threats, intimidation or mockery.

The Children's Rights Strategy (2022–2027) "Children's Rights in Action: From Sustained Implementation to Joint Innovation" sets out six strategic goals: child-friendly justice, freedom from violence, children's rights in crisis and emergency situations, empowering children to express their feelings and opinions, access to technology and safety in use[1].

CONCLUSIONS. We believe that it is necessary to examine in greater detail the substance of the right to protection, as well as the legal remedies available to individuals who suffer from domestic violence. It is also important to analyse the experiences of foreign countries in order to bring about legislative changes that align with European standards. This would, on the one hand, promote legal awareness, and on the other hand, ensure timely responses to instances of domestic violence.

In our view, it is essential to undertake a more thorough investigation and development of the doctrinal concepts of "protection of rights" and "the right to protection"; to analyse the normative legal acts governing the mechanisms for protecting the rights of individuals affected by domestic violence; and to provide recommendations for improving Ukrainian legislation in line with European legal frameworks.

The doctrine of family law also requires certain reforms within the framework of an appropriate family law policy. It should determine the priority areas, patterns, and trends in the development of Ukrainian family legislation, such as:

– comprehensive study of the current legislation;

– careful analysis of practical experience in applying the law to protect individuals from domestic violence;

– improvement of the rights of children and youth, which sets out the key directions and trends in the evolution of Ukrainian family law;

– examination of international experience in the legal regulation of family relations;

– incorporation of authentic family customs and traditions to enhance contemporary legislation.

There is a significant number of legal acts in place, designed to provide a comprehensive response to domestic violence and to ensure the realisation of the rights of those affected. However, regrettably, many issues remain unresolved.

Family law policy must also be directed towards supporting young people and fostering a healthy generation. This involves creating conditions for self-realisation and development, independence, and the professional competence of young people in Ukraine, as well as raising the level of cultural awareness, grounded in historical traditions, to enhance global competitiveness. A noteworthy example is the Safe Childhood Initiative in Ireland, which aims to educate citizens, families, and teachers on preventing violence and supporting victims.

The media also plays a key role in raising awareness and shaping public opinion. For instance, a journalistic investigation in Spain led to

[1] Omelianenko, V. (2020, December 1). *Digital rights and online safety: how to protect children online*. Ukrainian Pravda. https://life.pravda.com.ua/columns/2020/12/1/243194/; Council of Europe. (2022). *Council of Europe Strategy for the Rights of the Child (2022–2027): "Children's Rights in Action: from continuous implementation to joint innovation"*. https://rm.coe.int/0900001680a5a064.

the exposure of a large-scale domestic violence case, prompting authorities to take effective action and revise their approach to tackling violence.

All these examples highlight the growing attention being paid to, and the concrete measures being taken for, combating domestic violence against children at various levels – from local to international.

As information technologies continue to evolve in Ukraine and globally, so too do the forms and methods of committing crimes. This includes the emergence of cyberviolence, which can also manifest as a form of domestic violence. At present, Ukrainian legislation does not provide for liability for such actions, nor does there exist a sufficient body of academic research on the issue. Therefore, one of the promising areas for future research should be an in-depth study of the concept of "cyberviolence", particularly in the context of domestic violence, with a view to defining the term, identifying its forms and methods, and exploring the possibility of introducing administrative liability for certain types of cyberviolence.

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ЗМІСТ ПРАВА НА ЗАХИСТ ОСІБ, ПОСТРАЖДАЛИХ ВІД ДОМАШНЬОГО НАСИЛЬСТВА

Досліджено поняття змісту права на захист суб'єктивних прав і свобод особистості від побутового насильства. Наголошено, що універсальність – це якісна особливість правової категорії права на захист. Розглянуто правову природу права на захист, проаналізовано поняття «право на захист» і «захист прав», що дозволить краще зрозуміти і забезпечити захист та охорону прав і свобод людини. Наведено ознаки, що характеризують право на захист осіб, які постраждали від домашнього насильства, та визначено їх роль у його реалізації. В умовах трансформації законодавства та правового переосмислення сучасності важливе значення приділяється розумінню права, його природи, змісту, функцій, напрямів впливу на суспільні відносини. Таким чином, виникають підстави та необхідність визначення права на захист як універсального початку, що формує якісно новий рівень законодавства не тільки федерального, а й регіонального рівня. Зазначено, що право на захист є категорією в теорії права, яка є показником універсальності та збереження його аксіологічного значення для побудови нової системи законодавства України з метою її розвитку і відповідності міжнародним стандартам.

Неможливо недооцінити роль функцій права у правовій системі. Вони, як і принципи права, стали відправними структурними компонентами цієї системи.

Нормативних актів дуже багато, вони розроблені з метою забезпечення комплексного підходу до протидії домашньому насильству та сприяння реалізації прав осіб, постраждалих від домашнього насильства, шляхом проведення попереджувальних заходів, а також із метою своєчасного реагування на факти домашнього насильства. Але, на жаль, проблеми залишаються та їх дуже багато.

Відправною точкою, вектором, який спрямує сімейну політику, є Стратегія з прав дитини (2022–2027) «Права дітей – в дію: від стабільної реалізації до спільного новаторства». Визначено, що першочерговим завданням Стратегії є охорона інтересів дитини.

Ключові слова: *зміст права на захист, правова природа суб'єктивних цивільних прав, право на захист, побутове насильство, домашнє насильство.*

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