

Information Systems and Databases in Determining Models for Modernizing the System for Preventing Neglect and Juvenile Delinquency in Russia

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ABSTRACT

In any society juveniles are a vulnerable group which needs care and safeguard from dangers, threats, and temptations of the permanently complicating world. Any government realising the young generation importance and significance for its future defends and guards children and youth through a corresponding policy specially worked out. This article examines the information systems necessary for a successful model of modernization of the system of prevention of neglect and delinquency among children. The author assess child neglect and delinquency prevention system functional possibilities in case of its changes within each of the suggested modernization models. During analysis a special attention is given to commissions on juvenile affairs and protection of their rights in the future institutional models of the child neglect and delinquency prevention system.

Keywords: *information systems, criminalization of the adolescent environment, modernization of legislation, children’s rights*

1. INTRODUCTION

The adolescent environment is one of the most dynamic social systems in Russian society. The constant changes that occur in it are determined by a wide range of factors of economic, social and spiritual nature. Therefore, as the teacher A.S. Makarenko rightly noted, the upbringing of teenagers takes place «all our lives» [1]. This thesis is particularly relevant for the modern system of social relations. The increased intensity of social processes, their different speed and direction, and the tendency to interpenetrate have made it much more difficult to identify the key landmarks of legal socialization of the younger generation. As a result, the nature and specifics of the life of Russian youth are seriously affected by destructive, asocial factors of the "real" and "virtual" worlds. This impact is particularly strong on the state of the adolescent environment. One of its most dangerous consequences is its criminalization, which manifests itself in various forms and scales.

In modern social Sciences, the problem of criminalization of the subsurface environment has long ceased to have a sectoral character. It is actively studied in legal, social, economic, political, pedagogical, and cultural studies in an interdisciplinary manner. The need for such a broad scientific discussion of this problem is due to its dualistic nature. On the one hand, the criminalization of the adolescent environment provides for certain types of social actions of minors-actions that require close inter – subject study. On the other hand, illegal social actions of adolescents form a stable "cultural fabric" that serves both

as the basis for such actions in the present and as a resource for their sustainable reproduction in the future. Understanding the specifics of this phenomenon requires not only an interdisciplinary approach, but also the use of comparative "research optics".

The purpose of the article is to determine models for modernizing the system of prevention of neglect and juvenile delinquency based on the analysis of information systems and databases that contain information about the level of criminalization of the adolescent environment.

1.1 Empirical data

The empirical basis of the study was: open data prepared by Rosstat (including using the Federal statistical observation forms 103-RIK, 1-the Commission on Affairs of minors); data from regionals Commissions on Affairs of minors obtained, structured and processed by employees of the all-Russian center for methodological support of commissions on juvenile Affairs and protection of their rights; data from the RBC Agency (indexes, ratings, descriptive statistics); information from RIA-Rating (ratings of regions of the Russian Federation on the level of socio-economic development); data Portal of legal statistics (information about the total number of offences in territory of the subject, data on juvenile delinquency); statistical data of the Prosecutor General of the Russian Federation; statistical data of the project "Sober Russia", descriptive statistics "Atlas of prisons" (institutions of the Federal penal service of the Russian Federation); statistical information about the number of social pedagogues and teachers-psychologists in

educational organizations (form g-1) of the Ministry of education of the Russian Federation; data provided by other agencies. This article is a continuation and Supplement of the research on the factors of determining criminal behavior of minors (it was conducted by the staff of the all-Russian center for methodological support of the activities of commissions on juvenile Affairs and protection of their rights in 2017).

1.2 Research methodology

The complexity and interdisciplinarity of the research subject field determined the choice of methodological tools. The conceptual basis of the study is a comparative approach. Its functionality is to classify the subjects of the Russian Federation into certain groups in accordance with the purpose and hypotheses of the study, to generalize the factors of criminalization of the adolescent environment by identifying and describing negative socio-economic and spiritual phenomena that have similar characteristics, to typologize models of criminalization of the adolescent environment, and to identify their key features. prevention of criminalization of the adolescent environment.

Descriptive statistics – it processed a large array of empirical data that contains information about socio-demographic characteristics of subjects of the Russian Federation, about the level of their economic development basic indicators of juvenile delinquency, etc., Descriptive statistics allowed the obvious way, as tables, to make a quantitative description of trends of criminalization of the teenage environment.

Measurement - this method was used to assign quantitative characteristics to the studied objects, in particular, to the regions of the Russian Federation, depending on the socio-economic and spiritual factors that form a certain level of criminalization of the adolescent environment.

Analysis of documents used to systematize data from regional commissions for minors ' Affairs and protection of their rights in 85 regions of the Russian Federation. This involved both content analysis, which is necessary for quantitative processing of the obtained data, and informative-target analysis, which implies a qualitative interpretation of information necessary to assess trends in the criminalization of the adolescent environment.

Correlation analysis was used to test the scientific hypotheses of a article study on the dependence of the values of several variables (socio-economic development of subjects, features of criminalization of the adolescent environment of regions), which can be measured and recorded empirically. Namely, this dependence consists in the fact that an increase in the level of one variable is accompanied by an increase in the level of another (positive correlation), and, on the contrary, the growth of one variable occurs when the level of another decreases (negative correlation). Also, the lack of connection of variables allowed us to fix a zero correlation.

2. BACKGROUND

According to Law the Commission organize control over conditions of education and treatment of juveniles in the child neglect and delinquency prevention system institutions as well as exercise measures on protection and restoration of juveniles' rights and legal interests.

The granting of State powers and coordination powers to commissions of bodies and institutions of the prevention system by legislators, unfortunately, does not define this concept, does not indicate the methods and forms of coordination activities, which leads to the fact that commissions do not have feasible levers for the exercise of these powers and powers. In fact, this leads to the fact that commission officers do not exercise the powers and powers of commissions to coordinate the activities of bodies and institutions of the system of prevention of neglect and offences of children on the grounds that they do not know what is meant by the coordinating powers and powers of commissions and how they are implemented. For the most part, the commissions' statements on measures to remedy child neglect and offences sent to the bodies and institutions of the prevention system receive no reaction.

Decisions taken by the commission have no legal effect and are therefore not binding, which generally calls into question the value of the coordinating activities of the commissions without appropriate legal security. At the same time, they recognize the most effective early prevention of crime related to the safe physical and moral development of children and the provision of assistance to minors at risk. It is common knowledge that the prevention and suppression of unlawful acts committed by or against minors is more effective and easier, and moreover requires less effort than combating criminal consequences. The strategic very important task is to identify crisis situations involving a minor and his environment at the earliest stage, to organize a system and structure for the protection of the rights of minors both within and outside the family. In the current socio-economic conditions and the situation of imperfections of law-making, the legal status of commissions has many shortcomings and problems that need to be eliminated for the effective work of this body.

The Commission administrative-legal status is that until now a federal law regulating Commissions' activities in modern conditions has not been passed yet. After passing in 1999 of the Federal Law (FL) "On Core of Child Neglect and Delinquency Prevention System" a logical legislator's step was passing a special federal law defining a Commission status. A draft Federal Law "On Core of Organizing the Work of Commissions on Juvenile Affairs and Protection of Their Rights" was passed by the RF State Duma in a first reading as far back as on June 7, 2001 but then the work on this draft was stopped. Initially the Law had essential drawbacks relating to the issue of the Commission legal status assignment, one of which was creating a system different from the functioning today three tiered system of commissions: interagency commission on juveniles affairs attached to the RF Government (nowadays the Governmental commission on juvenile affairs and protection of their rights); commissions on juvenile affairs

and protection of their rights attached to the RF constituents' executive bodies; commissions on juvenile affairs and protection of their rights attached to the local authorities .

Turning to the Commission system higher echelon – Governmental commission on juvenile affairs and protection of their rights (further the Governmental commission), it is necessary to note that Russian Federation Government Regulation # 272 of May 6, 2006 formalizes The Commission Charter and its identities. Clause 1 of the Charter states that the Governmental commission is a coordinating body established for securing a unified state approach to solving the issue of juveniles' rights and legal interest's protection. The Governmental commission is a coordinator of activities only of governmental agencies (federal and regional levels). It is necessary to agree with this provision as governmental and municipal powers are independent in many questions. However, in compliance with RF Constitution Article 132 Part 2 local authorities can only be vested with certain governmental powers together with transferring material and financial resources necessary for their exercising. As today an immediate transition of state powers and authority in child neglect and delinquency prevention is regulated only by regional laws there is an obvious gap between federal agencies and local authorities in the issue at question.

The identities and frequency of Governmental Commission meetings (at least once in half a year) prompts an assertion that it is intended for solving long-range and tactical issues. However, for more effective consideration and solution of current issues of law enforcement and shaping directions of law enforcement practices of regional and municipal Commission it is necessary to have a full time federal specialized executive body which could guarantee methodological provision of regional and municipal Commission practical work, provided coordination of the whole system of child neglect and delinquency prevention bodies. Such body should not be attached to the RF Government as the Governmental Commission is, we need an executive power body in the system of RF Ministry of Justice, which would have a personal responsibility for the quality of work in this sphere conditioned by availability corresponding resource provision.

3. RESULTS OF RESEARCH

3.1 Abolition of Commissions and Establishing a New Executive Power Body

The first variant means abolition of the Commissions and establishing a new executive power body – the Federal service of assistance to the family and children which competence will include the whole spectrum of activities on child neglect and delinquency prevention as well as trying cases concerning administrative offences committed by juveniles.

The structure of the Federal Family and Children 's Service includes three levels - federal, regional and municipal. At the federal level, the central office of the Service is established, whose functions include monitoring and coordinating the activities of the Service as a whole, including the regional and municipal levels. At the level of the constituent entities of the Russian Federation, regional departments of the service are being established, with the functions of monitoring and coordinating the activities of the service in the regions, as well as its methodological support. Territorial service units, resource and methodological centers are being established at the municipal level. The functions of the territorial units of the service include working with families, organizing work with orphans and children without parental care (hereinafter referred to as orphans), listing disadvantaged families, administrative response, participation in parental disputes, protection of the rights of children, social education and placement of the child in a resource center.

The resource centers established at the municipal level together with the territorial units of the service include four sub-divisions: a sub-section for young mothers, a sub-section for orphans, a sub-section for children in difficult situations, a sub-section for daily stay. The resource center and its branches perform a family support function. Methodological centers are also being established at the municipal level, the functions of which include methodological support of service activities, improvement of skills of service personnel, reassignment.

The main feature of this option is the concentration of all measures to prevent neglect and offences among children in one service. On the one hand, this feature eliminates deficiencies that may be caused by poorly coordinated inter-agency interaction, as the Service does not need to be engaged in its activities.

Service bodies' administrative reaction to offences committed by juveniles bears the risks of realization of principal of undivided authority and institutionalization of a closed procedure of trying cases. Municipal Service subdivisions do not have an authority to transmit to a higher (regional) level organization of work with certain special (difficult) incidents [2].

The scheme of Service work with juveniles and/or families where they live is the following: a first logical step is receiving by the Service a corresponding application. Then the Service studies the situation caused the application and assesses the risks. There are possible results of risks assessment: "low risk – assistance is needed", "medium risk – a conflict", "high risk – taking out a child". Then a plan of measures on situation reconciliation is set up and a curator coordinating measures plan completion is appointed. Measures plan realization is within the competence of a resource center. On the completion of measures realization there is carried out an evaluation of work results which can take on one of three meanings: "closing the situation – a child stays in a biological family", "a child stays in a substitute family", "a child stays in the organization".

Turning to the analysis of the scheme of Service work with juveniles and/or families it seems justified to include into

the scheme the following stages: situation study; analysis and assessment of risks which the situation bears in itself. At the same time the attention is drawn by a reactive (passive) approach in Service activities – the work is carried out only after an application has been received; there is no activity on revealing cases and situations requiring assistance and support from the Service. Moreover, it seems that the variants of risks assessment results and corresponding them Service solutions (“low risk – assistance is needed”, “medium risk – a conflict”, “high risk – taking out a child”) need a follow on development as in the presented form they do not take into account the diversity of possible situations requiring assistance and support of juveniles and/or their families. Realization of a measures plan only by resource centers can also be considered as a drawback of this model as such variant bears a risk of a unilateral approach to work and decreasing the quality of assistance provided.

Also a follow on development is necessary in determining variants of Service work results in terms of criteria of child’s stay in a biological or substitute family or an organization (“closing the situation – a child stays in a biological family”, “a child stays in a substitute family”, “a child stays in the organization”): the principle underlying this approach is less than fully clear. Moreover, the mechanism of closing the case in variants “a child stays in a substitute family”, “a child stays in the organization” seems not quite complete [3].

3.2 “Commissions and Courts”

The second model “Commissions and Courts” means preservation of Commissions and their functions in coordination of child neglect and delinquency prevention system activities and transmitting the function of trying cases concerning administrative offences committed by juveniles to the courts.

Bodies and other subjects constituting the prevention system may be grouped in the following way: Commissions; prevention bodies; subjects promoting prevention. Commissions carry out the function of coordinating child neglect and delinquency prevention system activities; prevention bodies’ competence includes actual carrying out measures on offences prevention and juveniles’ rights protection; subjects promoting prevention in reply to prevention bodies applications perform assignments on promoting juveniles’ rights protection and offences prevention [4].

Within the framework of this model, it seems advisable to have a three-tier organizational structure of commissions. At the federal level, the Government Commission for Minors 'Affairs and Protection of their Rights is responsible for its activities. Its competence includes coordination of the activities of federal executive bodies and executive bodies of the constituent entities of the Russian Federation in the field of prevention of neglect and juvenile delinquency, Elaboration of agreed approaches to work in this field. In order to ensure the functioning of this commission, a new executive body may be established - the staff of the

Government Commission on Minors 'Affairs and Protection of their Rights (sub-item 1) or the functions of the staff of this commission may be transferred to one of the already existing executive bodies (its structural division), for example, the Department of National Policy for the Protection of Children 's Rights of the Ministry of Education and Science of the Russian (sub 2). In addition to the function of ensuring the work of the Commission, the Bureau of the Commission organizes the monitoring of the implementation of the decisions of the Commission adopted by the bodies and institutions of the system for the prevention of neglect and juvenile delinquency.

At the regional level, the function of coordinating the activities of the system of prevention of neglect and offences of children in the territory of the subject of the Russian Federation is carried out by regional commissions, the activities of which are provided by branches of commissions, which also organize monitoring of the implementation by bodies and institutions of the system of prevention of neglect and offences of children of decisions of regional commissions.

At the municipal level, the activities of the system of prevention of neglect and offences of children within the municipality are coordinated by territorial (municipal) commissions, whose activities include monitoring the implementation of decisions of the departments of these commissions.

Offered by this structure Commissions working both at the municipal and regional levels implies the possibility to transmit the most difficult situations of juveniles’ rights violation from a municipal level to a regional one which has more resources for qualified and effective assistance [5].

In addition, the designation of the Commission to the coordinating body of the system for the prevention of neglect and child delinquency implies a collegial principle (implemented in the form of a session) that reduces the risk of ineffective decisions, as sessions have the opportunity to discuss and overcome unilateral approaches.

The group of prevention bodies includes social protection authorities; governing bodies of education; Guardianship and guardianship bodies; bodies of health care; bodies of the employment service; Youth affairs bodies; law-enforcement bodies; bodies of penal correction system; governing bodies of culture.

The group of subjects contributing to prevention includes the prosecution authorities of the Russian Federation; Bodies of the Investigative Committee of the Russian Federation; The Commissioner for Human Rights in the Russian Federation and the constituent entities of the Russian Federation; courts; Legislative bodies of the Russian Federation and constituent entities of the Russian Federation; local governments; Federal executive bodies; The executive authorities of the constituent entities of the Russian Federation in the field of justice, defense, protection of consumer rights and standards of living, civil defense, protection of the population and territories from emergencies, fire and water security, information technologies and mass media, execution of court decisions; public organizations; citizens.

In order to ensure a balance between the necessary level of specialization necessary for the provision of assistance to minors (this is provided by the activities of the various bodies that unite the group of prevention bodies) and the corresponding level of coordination of the system (this is provided by the commissions and their units), three groups of bodies and entities forming the prevention system in this option are being developed. The inclusion in the system of actors contributing to prevention is intended to increase the speed and specificity of systemic response to a situation related to the interests of minors through interaction with the entity whose competence is related to such a situation.

A scheme of work with a case (a particular problematic situation connected with a juvenile) begins with appearing of information about this case which can be received from different subjects: juveniles themselves [6], their parents, prevention system bodies. This information comes to the coordinating part of delinquency prevention system – territorial (municipal) Commissions' offices where preparatory measures for the beginning of the work with the case are carried out. The preparatory measures include collection of information about the case (about the juvenile, his/her family, academic standing, level of his/her socialization, the situation in particular and its background, etc.), an analysis of the information received using methods of risks and possibilities assessment, working out a draft of a plan of measures for work with the juvenile with the purpose of his/her rights violation remediation and/or prevention of similar situations generation in the future, of choosing from a number of prevention bodies and subjects promoting prevention, bodies and subjects participating in the work with this case, and of determining a body supervising the work with this case.

The approval or rejection of a draft action plan for follow-up on development is the responsibility of the Commission and is carried out collectively at its session. The approved action plan is sent to specific prevention authorities and (if it has been defined) entities that contribute to prevention for implementation. Activities are implemented in accordance with the risk and opportunity assessment. Upon completion of the implementation of measures, the Supervisory authority prepares and sends to the Commission's management a report on the work done, the report is reviewed by the specified specialists of the Department. When reviewing the report, experts also use a methodology for assessing risks and opportunities. As a result of this review, a draft decision has been prepared either to complete or to continue work on this particular case. The approval of such a draft decision is within the competence of the Commission and is taken collectively at its session. If there is a decision to continue working with the case and it is necessary, a new action plan may be developed with the appointment of another Supervisory authority.

Analyzing the scheme of work with the case, it should be noted that it involves not only working with applications received from outside the system for the prevention of child neglect and delinquency, but also the work of the system itself to identify situations of violation of the rights of minors and the need to conduct preventive work with them. It is better to use methods of assessing risks and

opportunities when developing and evaluating the plan of measures for a particular case. A key feature of the system for preventing child neglect and delinquency is the collective decision - making on how to work with the case, which is within the competence of the Commission and is carried out in the form of a session. The collegial principle reduces the risk of making ineffective and unilateral decisions, since sessions have the opportunity to discuss different points of view and approaches to working with the case, and increases the likelihood of finding effective ways to work with minors.

4. CONCLUSION

Thus, the modernization of the system of prevention of neglect and offences of children can be carried out within the framework of two main models. The first model, called "service," involves the abolition of juvenile affairs commissions and the protection of their rights and the establishment of a specialized Federal Service. In general, this option of modernizing the system of prevention of neglect and offences is the most radical and implies a minimum level of continuity as a result of the creation of a new executive body - the Federal Service for Family and Children Affairs - instead of the current system of prevention of neglect and offences. The second model, called "commissions and courts," involves the preservation of juvenile commissions and the protection of their rights, but cases of administrative offences committed by minors are to be referred to the court for consideration. The analysis of each of the developed and proposed models for modernizing the system of prevention of neglect and child delinquency shows the important functional role of commissions for minors 'affairs and protection of their rights in its structure.

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