

© E.O. VINNICHENKO

z-vinnichenko@yandex.ru

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PROBLEMS OF INFORMATION PROVISION ON THE PREVENTION OF JUVENILE DELINQUENCY

SUMMARY. This article demonstrates the problem of the lack of a unified electronic database that would include information about families and minors' groups "requiring special attention". Exchange of information on the prevention of juvenile crime in most regions of the Russian Federation is still carried out on paper, which dramatically reduces the efficiency of the activity of preventing juvenile delinquency. We think that the positive experience of the Russian Federation has created a policy and legislative basis for an electronic database at a local level. It is proposed that the development of the federal act regulating the activities of uniform electronic databases in all regions of the Russian Federation, should be carried on.

KEY WORDS. Prevention, juvenile delinquency, electronic data bank, legal cooperation.

Protection of minors' rights is gradually becoming more and more vital in the Russian Federation, attracting the attention of the public and the authorities. The number of offences committed by teenagers is still considerable. For example, according to the data of the activity of the Department of Minors' Affairs (DMA) of Tyumen city, by the Ministry of Internal Affairs (Home Office) order № 1310 МВД РФ (MIA RF), dated 26.12. 2011, in May 2012, there were more than 400 reports on administrative offences by minors. More than 200 of them were for drinking in public places, or drug or psychotropic substance abuse. The juvenile delinquents' parents were also subject to liability: more than 2000 reports on administrative law breaking were made, 140 of them for involving a minor in beer and spirits drinking [1].

Officials in the Departments of Minors' Affairs have to handle a considerable amount of information when dealing with juvenile delinquents. Frequently, the number of revealed and prevented administrative offences depends on the speed of receiving and elaborating the information obtained. In particular, a DMA inspector handles documents in large quantities: informative and statistical materials for educational institutions, record cards for juvenile delinquents and their parents, registers of juvenile delinquents, observation cards for minors with early behavioral difficulties, etc. However, in the majority of RF regions, all information concerning juvenile delinquents is kept on paper; to handle it one needs a lot of time, which impedes the work of DMA officials and the efficiency of interaction and information exchange between the police subdivisions, reducing the efficiency of juvenile crime

prevention. The current situation calls for the creation of a fundamentally new mechanism of information organization and exchange between the bodies of juvenile delinquency prevention.

Nowadays, an increasing number of scholars, politicians and policemen are coming to the conclusion that it is necessary to create a unified electronic database containing information concerning children and teenagers who have committed administrative or other law violations. A database of this kind could be introduced in the agencies which deal with juvenile delinquency prevention. The innovation in question is supported by such scholars as L.S. Kazakova, V.V. Domashenko, A.A. Bezhentsev, A.V. Lysenko, N.V. Shedrin, N.V. Vysotskaya, N.A. Nikitina, E.Ju. Fedorenko, B.I. Khasan, E.Ju. Tcherkashina, S.K. Zhilyaeva. However, the issue of a unified database creation has not been the object of a special discussion yet, it was only considered in the light of common aspects of juvenile delinquency prevention.

According to Article 4 of Federal law № 120-Φ3 (FL) “On the basics of a juvenile delinquency and neglect prevention system” dated 24.06.1999, the above-mentioned system includes bodies of the home office [2]. According to Article 12 of Federal law №3-Φ3 (FL) “On the police” dated 07.02.2011 (hereafter FL “On the police”), the police are in charge of juvenile delinquency and neglect prevention. The police have the right to process data referring to citizens when it is necessary to carry out their responsibilities, and then make databases composed of the data in question. Database formation and maintenance is carried out in accordance with the requirements stipulated in the legislation of the Russian Federation. Information concerning minors released from custody or released by the court from compulsory penal measures of pedagogical correction: minors who committed offences or broke public order; their parents or any other legitimate representatives neglecting their duties on raising, educating or supporting children and (or) having a negative impact on their behavior or abusing them [3].

In accordance with §13.2.2 of MIA order № 569 “On the approval of the instruction regulating the work of minors’ affairs departments within the framework of internal affairs bodies” dated 26.05.2000, inspectors of these departments examine the features of the territory they are responsible for, including the information concerning juvenile delinquents, their lifestyle and connections, parents negatively influencing their children, as well as information presented by officials of different departments of the internal affairs bodies, ordinary citizens, interested state authorities, educational institutions, public associations, religious organizations and mass media. The DMA officials, aiming at juvenile delinquency prevention, due detection and elimination of the reasons and conditions promoting it, analyze them over a given period or a number of years and, if necessary, from different angles, depending on the situation, and prepare analytical materials to inform the relevant bodies of executive power and local authorities on law and order among minors [4].

Taking account of the present situation, some regions realized the necessity of a unified database, allowing to find a specific person as well as a certain category

of delinquents under 18 according to any criteria which would be almost impossible when processing the cards manually. For example, in the Rostov region, to coordinate the efforts of the relevant ministries and departments dealing with juvenile homelessness and neglect and the formation of a unified, interdepartmental information field on such children, a database was generated, containing data on 1511 juvenile delinquents. This information promoted more purposeful work on the prevention of juvenile delinquency and neglect [5]. At present, the database of socially dangerous situations is the source reflecting the basic indices of family troubles and neglect of minors. In the Omsk region, an information system on problem families began in 2005, in the process of forming a territorial and regional database of the families and minors suffering from socially dangerous situations (hereafter SDS). Maintenance of the database of SDS is conducted in accordance with the Regulations confirmed by the Resolution of the Committee of minors' affairs and their rights protection within the framework of the Omsk regional government, dated 29 November 2005, and in accordance with "The order of forming and using the unified SDS database", approved by Resolution № 126-п. of Omsk regional government dated 22 July 2009 [6].

One should mention that the Tyumen region authorities pay much attention to juvenile delinquency prevention. Thus in 2011 was created a regional interdepartmental database of the families and minors belonging to groups requiring special attention. In compliance with the regulation dated 02.08.2011 on the order of forming and processing the regional interdepartmental database of families and minors requiring special attention, and approved by the first deputy of the Governor of the Tyumen region, the head of the committee on minors' affairs and their rights protection, N.A. Shevchik, a database is one of the basic mechanisms to improve the efficiency of prevention of family social problems, juvenile neglect and delinquency.

The major purposes of a database are as follows:

- detecting the reasons and conditions promoting family problems, parental neglect and juvenile delinquency, and determining a complex of measures for their elimination;

- creating a system of efficient response to and interaction with the subjects of parental neglect and juvenile delinquency, socially problematic families, minors in difficulty, including orphans and adopted children.

Database creation and processing means solving the problems associated with creating:

- an efficient mechanism of detection of the families and juveniles of the 'special attention group', information exchange between the subjects of the precautions system;

- a unified interdepartmental system of families and juveniles of the 'special attention group' control, as well as efficient mutual informing on the facts of socially problematic families with children, minors' rights violations, including orphans and children without parental care;

— a unified system of families, guardians or trustees, patronage tutors, adoption and foster families and checking their social stability.

— a system of coordinated actions to carry out a complex of efficient measures aimed at prevention of social problems of families and overcoming their difficulties;

— a mechanism of resource coordination and competence differentiation among the organizations and institutions implementing the social rehabilitation of the families and minors from the groups of “special concern”, orphans and children without parental care, and for the provision of the necessary aid to them;

— a mechanism of complex problem solving for socially adverse families, the creation of conditions for efficient social rehabilitation and adaptation of children suffering from difficult situations, orphans, and adopted children.

The mandatory condition of work organization with families and minors registered in the database is complex tracking of all departments of the prevention system [7]. This provision regulates database formation and maintenance, technical and organizational maintenance of the database.

Thus at the regional level, electronic databases are being generated and functioning successfully, enabling to process information concerning juvenile delinquents and their families. The activity of such banks is thoroughly regulated by local legislation and the efficiency of such systems is indisputable. However, not all the regions of the Russian Federation generate their own electronic databases, and at the federal level this matter is still not settled. Currently, there is only one draft of law № 408759-4 “On Amendments to Article 9 of the Federal Law ‘On Principles of Prevention of Child Neglect and Juvenile Delinquency’”, which contains the suggestion to add to Article 9 of Federal Law № 120-FL dated June 24, 1999 “On the Principles of Prevention of Child Neglect and Juvenile Delinquency” (Code of Laws of the Russian Federation, 1999, №26 Art. 3177; 2004, №35, Art. 3607; №49, Art. 4849; 2005, №17, Art. 1485) an amendment supplementing § 2 with Clause 9 stating the following:

“9) a unified database of the Russian Federation Subject on minors enduring a socially dangerous situation, and their families (if generated in the Russian Federation) – on revealing minors enduring a socially dangerous situation and their families” [8]. In our opinion the above mentioned draft is insufficient, and a separate Federal legal document is needed. Elaborating a law regulating the functioning of the unified electronic data bank containing information on children and teenagers, administrative offences committed or other socially dangerous deeds, one should follow the available experience of the Subjects, where the matters concerning the legal provision of electronic databases are thoroughly regulated. Furthermore, some Subjects, Tyumen region, for example, have already generated software for the efficient functioning of the database. The legal regulation and generation of a unified electronic database in all Subjects will enable permanent monitoring in the sphere of juvenile justice, improve the efficiency of interaction and information exchange between the police departments and the agencies of juvenile delinquency prevention, detect and prevent minors’ offences at early stages.

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