

# Determination of Offences Among Children

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**Abstract – The article focuses on the examination of general theory of reasons and conditions that breed administrative offences. The author of the article analyzes determinants of offences, committed by juveniles. Proposals that may improve practice of children agencies and services in detection and elimination of reasons and conditions that facilitate commitment of offences by children are defined in the article.**

Key words – reasons and conditions that breed administrative offences, children, juveniles, measures for the prevention of offences, children services and agencies.

## I. Introduction

Administrative offenses constitute a complex phenomenon that is developing under the influence of many factors. At the same time, administrative offenses are serious destructive base, and misjudgment of their danger, particularly of those, committed by juveniles, unfortunately has become a tradition in our society.

That is why the purpose of this article is to make an analysis of reasons and conditions that breed administrative offences among children, as well as to justify proposals that may improve practice of children agencies and services in detection and elimination of reasons and conditions that facilitate commitment of offences by children.

## II. Page Setup

According to the article 3 of the Law of Ukraine “On children agencies and services and special institutions for children” the prevention of offences among children is a practice of children agencies and services and special institutions for children, directed on detection and elimination of reasons and conditions, that facilitate commitment of offences by children, as well as positive influence on the behavior of a particular child on the territory of Ukraine, in particular region, at family, on entity, establishment or organization, domiciliary. Thus, major task of children agencies and services and special institutions for children is the detection and elimination of reasons and conditions which facilitate commitment of offences by children.

It should be mentioned, that general theory of reasons of administrative offences commitment is not yet well developed. General achievements in this sphere are connected with criminology – science about reasons of crimes and means of their preventions. Still the crime is a sort of the offence. Besides, it should be mentioned, that some authors transfer criminal determinants in the sphere of administrative torts.

Obviously, science about administrative torts is closely connected with criminal science, which has produced large conceptual device in the sphere of preventive

activity. At the same time, it should be noted that objects of the research in science about administrative torts and in criminal science have some differences.

Science about administrative torts researches significant part of social phenomenon that differs from crimes by legal and social features, forms and methods of crime prevention.

Criminal science studies administrative offences as “ancillary crimes”, though science about administrative torts studies administrative offences as a separate subject.

It should be mentioned that since the development of state, society has been searching for reasons and conditions that breed commitment of offences. Though, still there are different approaches in determining the value and meaning of the terms “circumstances”, “reasons”, “conditions” and “factors”. In philosophy, term “reason” means those types of determinants that cause appearance of a new phenomenon (consequence).

As to administrative tort science, the first who made a classification of reasons and conditions that breed offences was V.I. Remnov. This scholar points out: “general reasons and conditions that breed offences (economic, political, ideological, legal, organizational, cultural); reasons and conditions, connected with some kind of service activity (drawbacks of control, impunity of offenders); circumstances, connected with the person of offender (officials or civil citizens).

We support the view of the scholar, that involvement of mass media in prevention of offences, committed by juveniles, is one of the most perspective direction, taking into account their peculiarity and scope of impact on juveniles. Herewith preventive measures should cover all aspects of problem, in particular: involvement of mass media in promotion of healthy lifestyle, respect of human values, raising of the level of legal culture (beginning of a cycle of television and radio programs on this issue, the expansion of its informational illustration in press, development of appropriate methodological recommendations); reorientation of mass media, especially television, with emphasis on changing products containing elements of aggression and violence to propagation of national, cultural and artistic achievements.

It should be noted that recently mass media, especially internet, has become the main source of information for majority of minors all over the country, particularly information about drugs. Main hero or a few main heroes in every youth series start using drugs and their state of euphoria is described almost in details. («Friends», «Beverly hills»). Later on, or after several series they stop using drugs, but the harmful effect of such use is not specified. Besides, there is no information about origin of physical or psychological dependence from drugs. Another factor that breeds juvenile offences is a significant number of Ukrainian labor migrants. If formerly the main function of parents was the upbringing of their children, then now it has been reduced to give children a good education. That is why men and women go to work abroad, and leave their sons and daughters without upbringing.

The level of state policy of children, parents of which are working abroad, and which can be categorized as semi

orphans or social orphans, is very low. There was an active discussion in press on deprivation of parental rights of those parents, who moved to work abroad and left their children for a long time without supervision.

According to the report of General Secretary of United Nations Organization on world population monitoring, devoted to international migration and development, Ukraine takes the fourth place by the number of international immigrants.

In accordance with the joint directive from 14<sup>th</sup> of June 2006 "On approval of an order of cooperation between social workers and families that appeared in difficult situation" one of the object of social work with families which appeared in difficult circumstances are families with children which appeared in difficult circumstances and cannot cope with their problems independently because of the forced migration of parents. However, it is difficult to work with such families, because there is no official statistic of people who went to work abroad. Therefore it is impossible to define the quantity of children that were left without parental care.

To solve this problem, we offer to obligate children's detective force employees, systematically attend families where orphans or children of migrant workers are bringing up [1, c.141].

At the same time, teachers at school could carry preventive work with such children. It would be profitable to establish a database of children whose parents are abroad, in order to provide constant supervision over the children.

Thus, family troubles, negligence of parents, excess of free time, low extracurricular activities significantly reduces the effectiveness of minors upbringing and the main tutor of such children becomes "street".

Besides, yearly expansion of the number of offences, committed by minors, using internet or under the influence of negative content (information about production and distribution of drugs, methods of theft, production of explosives etc.) causes considerable worries. Particularly, most of children, who miss classes at school, spend all their time at computer and internet clubs, uncontrollably browsing websites, containing games and topics with elements of violence, cruelty, ordure. Unconditional ensure of safe access of children

and young people to network, teaching them basics of Internet security should help in solving these problem.

Increase of the parental level of education concerning the risks that hides global network, assistance in the protection of children from harmful information, needs special attention.

An important role in this process belongs to the teaching staff, which should provide educational work with students and their parents in prevention of risks of negative content of network. Such activity should be based on knowledge of consequences of negative impact of information on children and youth, the ability to persuade children in the importance of Internet security for their own spiritual and social well-being and mental balance.

In order to help parents and teachers to protect children from the risks of the Internet, the Ministry proposes to use, developed in Ukraine manuals and a list of recommended for children online resources. The materials will help to know which web sites visits your child, what programs you should install on your computer to protect it from online threats, how to teach your child safe web browsing.

## Conclusion

In the process of researching administrative offences among minors it is not necessary to point out some "fundamental" or "primary" reasons that would explain exhaustively the commitment of offence. At the same time, it is inappropriate to create a universal directory of reasons that breed administrative offences, because between the situation and the offense there is always a person of a minor. After all minority is a period when young person is developing physically and psychologically, therefore more easily falls under the influence of surroundings. Consequently, any offense is a possible behavior of every human being.

## References

- [1] The Constitution of Ukraine as of June 28, 1996. No. 254к/96-SC// Journal of the Supreme Council of Ukraine. – 1996. – No. 30. – P. 141.