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STATE POLICY OF THE REPUBLIC OF KAZAKHSTAN IN THE FIELD OF PREVENTION OF JUVENILE DELINQUENCY

One of the need bearings of the state social approach is to guarantee compliance with the rights of the child cherished within the Structure of the Republic of Kazakhstan, universal settlements and other standardizing lawful acts. The concept of lawful arrangement of the Republic of Kazakhstan for the period from 2010 to 2020, in Admirable 24 of 2009, No. 858, offers arrangements to a number of complex issues, counting moving forward the framework of measures to anticipate wrongdoing among minors. Right now, the avoidance of adolescent misconduct is respected by the universal community as one of the most regions of the battle against wrongdoing. The issue of adolescent wrongdoing in Kazakhstan, in spite of the endeavors of a huge number of administrations, remains one of the foremost troublesome to illuminate. Anticipation is carried out by state and open organizations of different sorts. Among them, an critical part is played by the inside Undertakings bodies, which incorporate specialized divisions in this line of work. Work goes continually in this heading. Each state is inquisitive about guaranteeing that each child, each young person, develops up to be a genuine individual and a commendable citizen of their nation. The criminal policy of the state decides the most bearings and shapes of wrongdoing control, standards, strategies, errands and substance of the exercises of state bodies authorized to combat criminal encroachment. Criminal legislative issues pointed at securing the person, the sacred rights and flexibilities of citizen, management order, equity, peace and security of mankind. Subsequently, the proper arrangement of criminal approach is one of the measures against wrongdoing, contributes to the solidness of the state and the arrangement of gracious society. It decides the substance of criminal enactment, in settling issues of criminal obligation, introduce the objectives, framework and sorts of criminal punishments, the plausibility and grounds for exception from discipline, as well as issues of moving forward the framework of measures to anticipate adolescent wrongdoing. This can be not coincidental, since at show the avoidance of adolescent misconduct is respected by the worldwide community as one of the most headings of the battle against crime.

Key words: state policy, juvenile delinquency, prevention, crime prevention, juvenile crime control.

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Кәмелетке толмағандар арасындағы қылмыстың алдын алу саласындағы Қазақстан Республикасының мемлекеттік саясаты

Мемлекеттік әлеуметтік саясаттың басым бағыттарының бірі Қазақстан Республикасының Конституциясында, халықаралық шарттарда және өзге де нормативтік құқықтық актілерде бекітілген бала құқықтарының сақталуын қамтамасыз ету болып табылады. Қазақстан Республикасының 2010 жылдан 2020 жылға дейінгі кезеңге арналған құқықтық саясат тұжырымдамасы 2009 жылғы 24 тамыздағы № 858 кәмелетке толмағандар арасындағы қылмыстың алдын алу шаралары жүйесін жетілдіру мәселелерін қоса алғанда, бірқатар күрделі мәселелерді шешуді ұсынады. Қазіргі уақытта кәмелетке толмағандар арасындағы қылмысты алдын алуы әлемдік қоғамдастықтың бірі ретінде қылмысқа қарсы күрестің негізгі бағыттарын бағалайды. Қазақстандағы кәмелетке толмағандардың қылмыстылық проблемасы көптеген қызметтердің күш-жігеріне күқарамастан, қиын шешілетін қызметтердің бірі болып қалуда. Ескертумен түрлі сипаттағы мемлекеттік және қоғамдық ұйымдар айналысады. Олардың ішінде ішкі істер органдары маңызды рөл атқарады, олардың құрамында осы желі бойынша мамандандырылған бөлімшелер жұмыс істейді. Бұл бағытта жұмыс үнемі жүргізілуде. Әрбір мемлекет әрбір бала, әрбір жасөспірім нағыз адам және өз елінің лайықты азаматы болып өсуіне мүдделі. Мемлекеттің қылмыстық саясаты қылмысқа бақылау жасаудың негізгі бағыттары мен нысандарын, мемлекеттің қылмыстық қол сұғушылыққа қарсы күрес жүргізуге уәкілетті органдар қызметінің нормаларын, әдістерін, міндеттері мен мазмұнын айқындайды. Қылмыстық саясат

тұтастай алғанда жеке тұлғаның, азаматтың конституциялық құқықтары мен бостандықтарын, меншікті және басқару тәртібін, сот төрелігін, бейбітшілік пен адамзат қауіпсіздігін қорғауға бағытталған. Сондықтан қылмыстық саясатты дұрыс қалыптастыру қылмысқа қарсы іс-қимыл шараларының бірі болып табылады, мемлекеттің тұрақтылығына және азаматтық қоғамның қалыптасуына ықпал етеді. Ол қылмыстық заңнаманың мазмұнын, қылмыстық жауапкершілік мәселелерін шешуін айқындайды, қылмыстық жазалардың мақсаттарын, жүйесі мен түрлерін, жазадан босату мүмкіндігі мен негіздерін, сондай-ақ кәмелетке толмағандардың қылмыстылығын алдын алу шараларының жүйесін жетілдіру мәселелерін белгілейді. Бұл кездейсоқ емес, өйткені қазіргі уақытта кәмелетке толмағандар қылмысын алдын алуды әлемдік қоғамдастық қылмысқа қарсы күрестің негізгі бағыттарының бірі ретінде бағалайды.

Түйін сөздер: мемлекет саясаты, қылмыстылық, кәмелетке толмағандардың қылмыстылығы, алдын алу, құқықбұзушылықтың алдын алу, кәмелетке толмағандардың қылмыстылығымен күрес.

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Государственная политика Республики Казахстан в сфере предупреждения преступности несовершеннолетних

Одним из приоритетных направлений государственной социальной политики является обеспечение соблюдения прав ребенка, закрепленных в Конституции Республики Казахстан, международных договорах и иных нормативных правовых актах. Концепция правовой политики Республики Казахстан на период с 2010 до 2020 года, от 24 августа 2009 года № 858 предлагает решение ряда сложных вопросов, включая вопросы совершенствования системы мер предупреждения преступности среди несовершеннолетних. В настоящее время предупреждение преступности среди несовершеннолетних расценивается мировым сообществом как одно из основных направлений борьбы с преступностью. Проблема преступности несовершеннолетних в Казахстане, несмотря на усилия огромного количества служб, остается одной из трудно решаемых. Предупреждением занимаются государственные и общественные организации различного характера. Среди них важную роль играют органы внутренних дел, в составе которых действуют специализированные по данной линии работы подразделения. В этом направлении работа ведется постоянно. Каждое государство заинтересовано в том, чтобы каждый ребенок, каждый подросток вырос настоящим человеком и достойным гражданином своей страны. Уголовная политика государства определяет основные направления и формы контроля над преступностью, нормы, методы, задачи и содержание деятельности органов государства, уполномоченных вести борьбу с преступными посягательствами. Уголовная политика в целом направлена на защиту личности, конституционных прав и свобод человека и гражданина, собственности, порядка управления, правосудия, мира и безопасности человечества. Поэтому правильное формирование уголовной политики выступает одной из мер противодействия преступности, способствует стабильности государства и формированию гражданского общества. Она определяет содержание уголовного законодательства в решении вопросов уголовной ответственности, устанавливает цели, систему и виды уголовных наказаний, возможность и основания освобождения от наказания, а также вопросы совершенствования системы мер предупреждения преступности несовершеннолетних. И это не случайно, поскольку в настоящее время предупреждение преступности несовершеннолетних расценивается мировым сообществом как одно из основных направлений борьбы с преступностью.

Ключевые слова: политика государства, преступность несовершеннолетних, профилактика, профилактика правонарушений, борьба с преступностью несовершеннолетних.

Introduction

Adolescent misconduct alludes to the worldwide issues, which is interested the whole world community, which is clarified by the definitive part of the more youthful era in guaranteeing the reasonability of society and its improvement, even for the foremost creating

within the circles such as vote based system and economy. This affirms the inconceivability of tackling the issue of adolescent wrongdoing only by national implies and causes the value to join together the endeavors of the whole world community, which causes the development and advancement of a framework of benchmarks and standards pointed at fathoming this issue.

The concept of legitimate arrangement of the Republic of Kazakhstan for the period from 2010 to 2020 proposes arrangements to a sum of complex issues, including moving forward the framework of steps to deflect adolescent delinquency. Research on juvenile crime prevention has always been the focus of attention of criminologists (Narikbaev M.S., 1996; Begaliev K.A., 2002; Kairzhanov E.I., 2003; Borchashvili I.Sh., 2007; Akhmetov A., 2012; Bimbetov A.B., 2014; Kenzhekhanov Ch.S., 2010; Shayakhmetova Zh.B., Buzko H.M., 1999; Edward P., 1997-Siegel, J Larry, 2002; Kalra, Michelle, 1996; Zigler E. 1992; Shelle D., 2010)

The reason of this consider is to decide the establishments of the criminal approach of the Republic of Kazakhstan within the field of adolescent wrongdoing anticipation and ways to encourage improve the National enactment within the field of adolescent wrongdoing anticipation. To accomplish this objective, the taking after tasks were solved:

- analyzed measurements on adolescent wrongdoing within the Republic of Kazakhstan;
- considered worldwide legal acts within the field of adolescent wrongdoing prevention;
- analyzed national enactment within the field of adolescent wrongdoing prevention.

Materials and methods

When composing this work, we connected the common logical, historical-legal, comparative, formal-logical, system-structural and other strategies customarily utilized in statute. The work utilized a set of private strategies translated to the nature of inquire about assignments: the think about of narrative sources; comparative lawful strategy for looking into and analyzing universal lawful archives and regulating lawful acts of national enactment administering criminal obligation and sentencing minors.

Results and discussion

1. Critical state changes are underway within the Republic of Kazakhstan, counting the change of criminal and criminal procedural legislation, which is ought to fortify sacred ensures to ensure person rights, ensure the viability of legitimate procedures and legitimate risk measures, and the ought to advance improve the competitiveness of the national lawful framework at the show arrange, approximations to universal human rights guidelines. Having announced the most noteworthy values of the state of a individual, his life, rights and flexibilities, the

interface of the state, and the identity – his rights and flexibilities are set at the cutting edge (<https://www.zakon.kz/4678433-sovremennaja-ugolovnjaja-politika.html>). The destiny of the state as a entire and the destiny of youth are indivisible. Their show and future depend on how they associated. To pick up the certainty of the more youthful era can as it were be thought out arrangements towards youthful individuals, unequivocal activities to back their vocations.

One of the needs of the state social arrangement is to guarantee compliance with the rights of the child cherished within the Structure of the Republic of Kazakhstan and other standardizing legitimate acts, in worldwide arrangements. In this way, the Tradition on the rights of the child, embraced on November 20 in 1989, is called the World Structure of the rights of the child. The Tradition on the rights of the child is the primary worldwide record that records and unveils the rights of the child in such a wide way. It is imperative to note that article 40, section 3, of the Tradition stipulates that States parties should look for to advance the foundation of laws, methods, and bodies and teach that are specifically important to children who have damaged, are charged off or are found blameworthy of abusing criminal law. The criminal lawful affect on minors is to the extreme degree subordinated to the reason of their adjustment.

The UN Common Get together welcomed UN part States to bring their national enactment in line with the Beijing rules approximately guidelines for the anticipation of adolescent misconduct (UN standard Least rules for the organization of adolescent equity in 1998). The Joined together Countries rules for the avoidance of adolescent wrongdoing (the Riyadh rules) acknowledge the noteworthiness of adolescent wrongdoing anticipation programs. In this way, area 1, "Principal standards", emphasizes. "Avoidance of adolescent wrongdoing is the foremost critical viewpoint of wrongdoing avoidance in society. Take an interest in true blue, socially valuable exercises, create a humanistic see of society and life. youthful individuals can be brought up on standards that don't permit criminal movement. In arrange for the avoidance of adolescent wrongdoing to be compelling, endeavors are required by society as a entirety to guarantee the concordant improvement of teenagers, whereas regarding their identity and empowering its advancement from early childhood. When executing these Rules in agreement with national legitimate frameworks, the center of any wrongdoing anticipation program ought to be on the well-being of youthful individuals from early

childhood”(United Nations Guidelines for the Prevention of Juvenile Delinquency, 2000).

As a part of the UN, the Republic of Kazakhstan entirely watches these prerequisites. It is for this reason that the cardinal changes within the nation within the social, socio-economic, political, legitimate and instructive circles of the Kazakh state made it conceivable to have a noteworthy positive affect on the flow of adolescent misconduct, on its subjective and quantitative characteristics.

On November 23 in 2010, Law No. 354-IV of the ZPK “On Corrections and Increments to A few Administrative Acts on the Assurance of the Rights of the Child” was received. The most alter presented by this administrative act is the minimization of the application of correctional measures and restrictions to minors related to separation from society. In expansion, in arrange to moderate the criminal approach with respect to minors, the age at which criminal obligation for the commission of a amount of violations from 14 to 16 a long time has been risen.

Be that as it may, not all nations have a comparable propensity to humanize criminal equity for minors. For illustration, in all US wards adolescents are attempted on an break even with premise with grown-ups and sentenced to “adult” jail sentences. In 14 states, there’s no least age for criminal arraignment on a common premise; in others, such obligation happens from 10, 12, or 13 a long time. In a few states, young people over 14 a long time of age are naturally arraigned on an rise to premise with grown-ups. In 15 states, the issue of denying to allude adolescent equity is cleared out to the prosecutor, but not the court. All through the nation, tens of thousands of youngsters beneath the age of 18 are held in grown-up jails and pre-trial detainment centers The United States remains the as it were nation where minors are sentenced to life detainment without the proper to parole (World Report, 2016). At the same time, in 2015 there was a certain tendency towards a diminish within the number of minors arraigned on an rise to premise with grown-ups. In Illinois, a unused law nullified the programmed exchange of cases for youths beneath the age of 15 to standard courts. In Unused Shirt, the least age of criminal arraignment on a common premise has been increased from 14 to 15 a long time. In California, for the primary time in 40 a long time, the criteria that the court must take after when considering the exchange of a case have been finalized, which can offer assistance diminish the number of minors arraigned on a common premise (World Report, 2016). Adolescent misconduct is

due to the shared impact of the negative truths of the outside environment and the character of the adolescent himself. Most frequently, the so-called “troublesome”, educationally “dismissed” young people commit the wrongdoing.

A characteristic highlight of adolescent wrongdoing is savagery and remorselessness. At the same time, minors regularly transgress the constrain of savagery and brutality, which in a specific circumstance would be very adequate to attain the objective. Within the prepare of committing violations, youths commit violations such as murders, appalling real hurt, burglaries in case they come up short to meet circumstances.

Concurring to Thomas Neal, traumatic occurrences within the lives of youthful individuals can contribute to the criminal behavior of minors. According to his investigate, within the advanced world a critical number of children and youth are subjected to manhandle and savagery each day. A few of these illegal impacts on minors are uncommon, whereas others happen on a normal premise. Manhandle and viciousness against minors may vary in nature as physical, sexual or mental, or as a combination. There’s no question that, notwithstanding of character, it can have long-lasting and significant results for the life of a youthful individual (Thomas, 1980).

The analyst moreover claims that peers can cause a minor to ended up a criminal. Usually likely the only other gather exterior the guardians that incorporates a gigantic affect on the behavior of the child, since, frequently, a youngster with companions spends more time than with his family. From here, he receives propensities, great or awful, of his companions or peers. Ineffectual child rearing leads to association with freak companions, which in turn leads to offenses. Subsequently, the creator accepts, the most cause of adolescent wrongdoing is destitute child rearing (Thomas N., 1980).

The conclusive part in forming the degenerate behavior of youthful individuals within the social environment and society as a entirety is emphasized by H. Tokuoka, S. Yonekawa and R. Yodera. H. Tokuoka bolsters S. Cohen’s speculation that society “names” freak on teenagers whose behavior does not fit into the unbending system of social standards, and subsequently incites the appearance of more serious shapes of deviation (<https://almavest.ru/ru/node/1377>). The American analyst R. Yoder, who has conducted research in auxiliary schools within the rural areas of Tokyo for 15 a long time, concurs with this point of see. R. Yoder accepts that strict social control and social taboos influence adversely

both youths from the center lesson and lower social strata (Yoder R., 2004).

In a few cases, adolescent misconduct is clarified by the reality that within the move period to a advertise economy, numerous individuals shaped a misshaped see of commerce, commerce, and entrepreneurial movement. In a few cases, for the reason of speedy enhancement, a few teenagers go to different traps, fakes, extortion, extortion, resort to rough acts within the frame of racketeering and other illicit activities.

Japanese analysts A. Kadovaki and M. Taki contend that the most reason for the deviation of teenagers may be a need of socialization abilities (Taki, 1996). Hone appears that disregard of child rearing is one of the most causes of adolescent wrongdoing (Begaliev, 2002: 3).

Inside the system of criminal approach, imperative measures are taken to fortify the family as the most social institution of society; to combat child disregard and illuminate social issues of teenagers; to reinforce the fabric and specialized base of recreation and other issues related to the utilize of free time of young people and youthful individuals; to present a wide run of mental help to young people on the premise of instructive educate, youthful recreation centers, royal residences of youth inventiveness, and so on. the wide development of lawful mindfulness within the youthful and youth environment, the avoidance of purposeful publicity of viciousness, erotica within the media, the battle against tipsiness, liquor addiction and sedate habit, and prostitution. It is fundamental to continue from the reality that not one or the other schools nor law authorization offices alone can adapt with the existing issues (Baimbetov, 2014) , but an broad framework of preventive measures, it'll play a positive part and offer assistance diminish the level of adolescent misconduct.

For criminal approach, it is critical to continually analyze the affect of criminal discipline on adolescent misconduct, for which it is fundamental to compare changes in wrongdoing patterns and the level of recidivism.

Ensuring that the rights of minors are regarded is specifically related to their lawful assurance. The legitimate assurance of minors incorporates assurance of the rights and interface of children who have fallen inside the scope of criminal equity. Such assurance in world hone is carried out inside the system of a specialized adolescent equity framework (adolescent equity).

Conceptually, the adolescent equity framework ought to be centered on the social restoration of

youthful individuals in society. This approach has been defined in different universal legitimate disobedient for the organization of equity in connection to conditional acts. concerning the rights of children and minors. The creation of adolescent equity is Legitimized by Kazakhstan's universal commitments, in specific, by the approval of the UN Tradition on the rights of the child by the Republic of Kazakhstan in 1994, as well as by the Least guidelines of the UN rules embraced by the UN Common Get together in 1985. Agreeing to these guidelines, adolescent equity is characterized as a uncommon adolescent equity framework. The central interface could be a specialized court, which closely interatomic with social services, both some time recently the young person is within the circle of the procedures, and after the sentencing. It does not matter on the off chance that it is almost securing the rights of a young person or around his conviction for a wrongdoing. The most run the show – at all stages of equity ought to be to guarantee the assurance of the rights and interface of the minor (Abrusulov, 2005).

In 2003, a pilot venture of the OSCE “Juvenile Equity in Kazakhstan” was propelled within the Republic, the purpose of which was to supply lawful and mental assistance to minors in struggle with the law, to extend the proficiency and quality of adolescent equity at all stages.

The usage of this venture within the period from 2003 to 2006 permitted to essentially make strides the hone of criminal proceedings.

On August 19 in 2008 N 646, the Concept for the Advancement of the Adolescent Equity Framework within the Republic of Kazakhstan for 2009-2011 was endorsed. The enhancement of the adolescent equity framework was one of the need ranges of the state's social and lawful policy.

The concept given for the staged usage and improvement in Kazakhstan of components of adolescent equity, which permitted to extend the effectiveness and quality of the organization of equity for minors at all its stages. Counting the creation of specialized units for working with minors within the organs of equity, inside undertakings, instruction and science, within the courts, prosecutors and advocates.

Hence, concurring to the investigation, the standards of the recorded universal acts have really shaped a approach of treatment of minors who commit offenses, counting preventive measures, guaranteeing ensures of human rights for adolescent wrongdoers, applying elective measures to hardship of freedom, capturing, confining or imprisoning a

child as it were as a final resort and for the most brief conceivable time, and denying to force a sentence of passing or life detainment on minors. The most thought of the above-mentioned worldwide rebellious is that “the work of minors need is the avoidance of wrongdoing, for a more careful approach to the thought of cases of violations committed by the specifics of the subject when choosing a minor, the age of preventive measures and the issue of sentencing in most outside nations set up and work uncommon organs – adolescent courts.

The adolescent equity framework is fundamentally pointed at guaranteeing their well-being. To guarantee that measures of impact on youthful guilty parties are continuously commensurate with both the characteristics of the offender’s identity and the circumstances of the offense.

Therefore, in the event that conceivable, without turning to an official audit by the court, cases are ended at the pre-trial organize or at the preparatory hearing organize. This makes a difference to play down the negative results of the strategy for harming adolescent equity. And on the off chance that the case was not dismissed, the procedures are conducted within the interface of minors and in an air of understanding.

The courts of Kazakhstan in connection to minors are basically utilized punishments not related to hardship. IEM of flexibility. Courts are progressively applying the rules of the criminal code of the Republic of Kazakhstan, giving for the discharge of young people from criminal obligation for wrongdoings of little or medium seriousness. In this case, the courts name obligatory measures of instructive impact. And discipline within the shape of hardship of freedom is forced as it were when minors commit particularly grave and grave wrongdoings, or in connection to previously indicted, taking under consideration disturbing and moderating circumstances, the age of the minor, his living and childhood conditions, the level of mental advancement, other identity characteristics, behavior some time recently and after committing violations, etc.

These days, the enhancement of adolescent equity as a legitimate base for social approach due to minors is one of the fundamental viewpoints of administrative, Official and legal bodies, nearby specialists, as well as the socio-psychological service of the instruction framework within the Republic of Kazakhstan. Adolescent equity ought to maintain a strategic distance from advance criminalization

of the individual and advance social restoration of the child, instead of estrangement. This approach is compelling and beneficial to society, which needs a full-fledged citizen, not a potential criminal. Usually a key thought of adolescent equity, for which the guilty party is more vital than the offense itself. Long-term stay in prison teach not as it were does not rectify them, but indeed more fortifies the negative side of behavior shaped within the handle of life and family instruction.

On August 23 in 2007, specialized inter-district juvenile courts were established such cities as Astana and Almaty. Over the years, Russian judges have developed a whole methodology not only for reviewing offenses and crimes, but also for returning minors home.

The Republic of Kazakhstan is effectively moving forward enactment on the preclusion of adolescent wrongdoing and obviation of child disregard and vagrancy. This is the Code of the Republic of Kazakhstan “the Oaka (matrimony) and family”, Law “On children’s villages of family type and youth Houses”, “On state targeted social assistance”, Labour code of the Republic of Kazakhstan “On special state benefit in the Republic of Kazakhstan”, “On physical culture and sport” (code of the Republic of Kazakhstan of 26 December 2011 No. 518-IV “On marriage (matrimony) and family”; The law of the Republic of Kazakhstan of December 13, 2000 № 113-II “On children’s villages of family type and houses of youth”:

the Law of the Republic of Kazakhstan dated July 17, 2001 No. 246-II “On state targeted social assistance”, Labour code of the Republic of Kazakhstan from November 23, 2015 No. 414-V the Law of the Republic of Kazakhstan of 5 April 1999, No. 365-I On special state benefit in the Republic of Kazakhstan: Law of the Republic of Kazakhstan from July 3, 2014 No. 228-V “On Physical Culture and Sport”), legitimate acts controlling the action of commissions for minors, assessments of inside undertakings bodies for minors, etc.

This differing qualities of sources of law, giving for the avoidance of adolescent misconduct, may be a result of the reality that each region of social relations to one degree or another incorporates a back framework that ensures the advancement of the character of minors, and for the most part those who are at hazard or in a socially perilous position, and needs uncommon assurance and support. “We must not lose vision of a few antagonistic actualities, which, take put in society. The meaning is that almost one and a half thousand children, who live in Kazakhstan per annum gotten

to be vagrants. Numerous of them don't have live guardians. These days in Kazakhstan there are around 34 thousand vagrants and children cleared out without care. Nearly 149 thousand children have limited development possibilities, they need our support" (Speech by the President of Kazakhstan N. Nazarbayev at the awards ceremony of the National contest "Mereyli Otbasy", 2014).

The pioneer of state named fortifying national security and the battle against wrongdoing, counting adolescent wrongdoing, among the most needs within the Kazakhstan-2030 program. Usually related to the reality that not everything within the government is happening sufficient well and without any issues. Eventually of the financial downturn, the profit and living benchmarks of the larger part of our citizens have weakened. The liquidation of populism, and the advancement of a working labor advertise caused to a large refinement between wealthy and destitute. In addition, the center lesson is moo -the driving column of the state, the most stabilizing calculate in society. The difficult move from a command economy to a advertise economy has made an intense, up to this point obscure to us on such a scale issues of destitution and unemployment. They create a fertile ground for crime, drug addiction, give rise to social depression and increase the potential for social instability ("Kazakhstan – 2030" Program).

2. The most administrative lawful act directing the exercises for the anticipation of adolescent misconduct is the Law of the Republic of Kazakhstan "On the Anticipation of Adolescent Misconduct and the Avoidance of Child Disregard and Homelessness" (Law of the Republic of Kazakhstan "On the Avoidance of Adolescent Misconduct and the Avoidance of Child Disregard and Homelessness" of 9 July 2004 N 591.). This Law is drawn up in agreement with the standards revered within the Tradition on the Rights of the Child. The Service of the Insides, in participation with state bodies and respectful society educate, in understanding with the Law on the Anticipation of Adolescent Wrongdoing and the Anticipation of Child Disregard and Vagrancy, carries out a arrangement of exercises in different zones of anticipating child disregard and vagrancy and anticipating adolescent misconduct. As a result of measures taken over the past ten a long time, there has been an yearly diminish in high school wrongdoing by an normal of 6 -7% (Report on the situation of children in the Republic of Kazakhstan, 2015).

The Law decides the anticipation of offenses among minors and the anticipation of child

disregard and vagrancy as a framework of legitimate, educational, restorative and other measures coordinated at obviation misconduct, disregard, vagrancy and reserved activities among minors, distinguishing and dispensing with the causes and conditions that contribute to them, carried out in conjunction with person preventive work with minors, as well as guardians or other legitimate suppliers of minors who don't fulfill the commitments of their childhood, preparing and support, or antagonistically influencing their behavior.

The taking after assignments are required for authorities who conduct preventive exercises. In agreement with which the targets of wrongdoing anticipation, disregard and vagrancy among adolescents are:

1) the anticipation of violations, disregard, vagrancy and reserved activities among adolescents, the distinguishing proof and end of the causes and conditions that advance to them;

2) guaranteeing the security of the rights and genuine interface of minors;

3) social recovery of individuals in a troublesome life situation;

4) the creation of law-abiding behavior of minors;

5) the avoidance of components including minors within the commission of offenses or acts that hurt society;

6) coordination of the exercises of legitimate substances within the anticipation of violations, disregard and vagrancy among minors.

Measures to avoid adolescent misconduct, disregard and vagrancy are based on the standards of legitimacy, sympathetic treatment of youthful children, family bolster and interaction with them, an person approach to correcting minors, taking under consideration the secrecy of data gotten, state back for the exercises of nearby specialists and open affiliations to avoid disregard and adolescent misconduct, guaranteeing the obligation of authorities and citizens for infringement of the rights and genuine interface of juveniles.

Article 1 of Area 6 of this Law clearly portrays the list of bodies and teach that are effectively working to anticipate child disregard and wrongdoing, with a definition of their obligations: the bodies of inside undertakings, instruction, wellbeing, equity, the state body that facilitates the usage of state arrangement within the field of business, neighborhood agent and official bodies, commissions for the issues of minors and the security of their rights and other state bodies inside their competence.

As portrayed in art. 19-1 of the Law, measures of person avoidance of crimes, disregard and vagrancy among youthful children are:

- 1) preventive dialogue;
- 2) a comprehension of the disposal of the causes and conditions conducive to the execution of crimes;
- 3) preventive bookkeeping and control;
- 4) referral to extraordinary instructive organizations and instructive organizations with uncommon treatment regimes;
- 5) instructive measures; 6) a defensive order; 7) authoritative penalty; 8) measures taken by a court verdict.

Measures of person avoidance of offenses, disregard and vagrancy among adolescents are classified taking into consideration the person highlights of the minors in regard of which they are connected, the nature and degree of open peril of the offenses committed by them.

In art. 20 of the Law decides the base for person preventive measures against children, their guardians or lawful agents. This article guarantees nearly all lawful grounds for starting preventive work against a "lost" minor. Such grounds include:

- 1) a decision, administering or arrange of a court;
- 2) the choice of the commission for minors and the assurance of their rights, the prosecutor, examiner, the body of inquiry;
- 3) a conclusion affirmed by the head of the body or institution of the framework for the avoidance of offenses, disregard and vagrancy among minors, based on the comes about of the confirmation of complaints, articulations or other communications;
- 4) a articulation by a minor or his guardians or legitimate agents on helping them in things falling inside the competence of bodies, teach and other organizations included within the avoidance of adolescent wrongdoing, disregard and vagrancy (Law of the Republic of Kazakhstan on the Prevention of Juvenile Delinquency and the Prevention of Child Neglect and homelessness" of July 9, 2004 N 591.).

It is additionally worth noticing the instructive teach that work to avoid child disregard and vagrancy. Art. 12 of the Law is given to the powers of instructive authorities.

The law decides that instructive educate realize their proficient exercises in uncommon instructive substances and organizations with a certain administration of detainment. Instructive bodies in comprehensive schools set up mental, restorative and academic commissions.

They are planned to distinguish minors with deviations in improvement or behavior, conduct a

comprehensive examination of children and make suggestions on deciding the shapes of their encourage education.

3. Another advancement within the field of adolescent wrongdoing avoidance is the presentation of school police auditors in 2007. "With the presentation of the established of school police examiners, there has been a yearly diminish within the number of violations committed by school understudies. The most assignment of school police reviewers is to avoid misconduct among understudies, guaranteeing the security of children in instructive educate (<https://www.zakon.kz/4833651-v-otvete-za-junoe-pokolenie-juvenalnaja.html>).

Customarily, adolescent wrongdoing is characterized by state and flow. The state gives a comprehensive portrayal of wrongdoing in insights. Elements characterizes the state of wrongdoing in movement and is communicated through the distinguishing proof of changes in level and structure.

When assessing the information of official insights on adolescent misconduct, it is fundamental to require into consideration the real and legal circumstances, due to which the factual markers don't completely reflect the genuine picture of adolescent wrongdoing (tall idleness of adolescent family violations, the hone of exception from criminal risk with instructive measures, and age limits for criminal obligation of minors 14-15 a long time for numerous introverted assaults and et al.)" (Zaripov, 2009: 24).

4. Guaranteeing open arrange and decreasing the level of offenses among understudies generally depends on the facilitated work of the school police examiner, educating staff and understudy self-government. As a result of the measures taken, the number of violations committed by school understudies diminished by 15.4%. One of the positive angles is the preparing of instructive offices with video cameras, which makes it conceivable to track the appearance of unauthorized people on the domain of instructive teach and to reply in a opportune way to their illegal acts against minors.

As of now, all auxiliary schools of the city are prepared with video reconnaissance, which incorporates a positive impact on the state of law and arrange, as prove by the avoidance of violations on the domain of schools in this objective. By the way, children and youth organizations (squads "Young Police Assistants", "Zhas Ulan", "Zhas Kyran") are effectively included within the progressing preventive work, which give help to school police reviewers within the anticipation and anticipation of understudy offenses. Existing understudy bunches have a positive affect on the state of law and arrange in in-

structive educate (<https://www.zakon.kz/4833651-v-otvete-za-junoe-pokolenie-juvenalnaja.html>).

Generally youngsters from low-income families commit violations. We as of late did an examination of this issue. Agreeing to comes about, 15% of minors did not work and did not think about, 14% lived totally exterior the family, 51% from single-parent families and 20% committed a wrongdoing whereas inebriated or inebriated (Zaripov, 2009).

The Japanese researcher S. Yonekawa too accepts that social imbalance influences the flow of freak behavior. Turning to measurements, he contends that of all violators of the law on minors in Japan, the lion's share are agents of the lower strata of society who are incapable to memorize and do not set themselves the objective of getting higher instruction (<https://almavest.ru/ru/node/1377>).

One of the compelling measures for the avoidance of adolescent misconduct is to extend their lawful proficiency. In this association, the Service of Inside Undertakings of the Service of Inner Undertakings and the Division of Instruction of the city compiled a plan of gatherings with understudies of common instructive teach and their guardians, the reason of which is to anticipate and avoid adolescent misconduct, counting against their sexual integrity, as well as to extend the obligation of guardians for instruction children. Since the starting of the year, around 9 thousand addresses and dialogs on legitimate points have been held within the city's instructive educate with the interest of instructive, wellbeing, prosecutor's and non-governmental organizations. For the same purposes, at the side interested state bodies, the hone of going by minors who are enrolled with the Division of Inside Issues of the instructive colony, uncommon instructive organizations and teach of the Division of Inner Issues proceeds.

When considering cases including minors, the part of a clinician plays an critical part. He ought to give ethical, social and mental bolster to a young person who falls into the scope of respectful and criminal equity. To do this, he ought to set up contact with the minor, communicate with guardians (lawful agents of the youngster); participate with a minor's legal counselor, connected with law requirement authorities, judges, and corrective redress framework officers.

Clinicians work in all specialized adolescent courts beneath contract.

The hone of the court appears the require for a analyst to take an interest within the trial when considering cases including minors. Involving an analyst within the prepare of considering cases

gives incredible comes about, uncovers the mental characteristics of a youngster and his environment. Clinicians moreover make suggestions on measures essential to anticipate adolescent wrongdoing within the future, and recommend ways to adjust and rectify his behavior.

5. Hence, clinicians really give counsel to the court in understanding the character of minors, conjointly take an interest within the prepare of re-education (<https://vlast.kz/obsshestvo/13464-kak-rabotaut-avenalnye-sudy-v-kazahstane.html>).

The reason of adolescent equity is to avoid assist criminalization of the person and to advance the social restoration of the child, and not to distance him from society. Juvenile courts listen criminal, gracious and regulatory cases. With respect to criminal procedures, it is basically considered cases of wrongdoings committed by minors. Generally, these are burglaries, thefts, blackmail. The unused Code of Criminal Method, which came into constrain on January 1, 2015, extended the list of criminal cases beneath purview of adolescent courts. This contributes to distant a much better thought of cases including minors.

On November 23, 2010, he signed the law "On Amendments and Additions to Certain Legislative Acts Regarding the Protection of the Rights of the Child" dated 11.23.2010 N 354-IV ЗПК. The main change introduced by this regulatory act is the minimization of the application of punitive measures and restraints to minors related to isolation from society. One of the innovations is the possibility of exempting minors from criminal liability for the reconciliation of the parties in the event of serious crimes, with the exception of the condition if the damage is not remedied. All these innovations are aimed primarily at "pulling" young people from the networks of the criminal world. An analysis of the judicial investigative practice shows that minors who have committed serious crimes for the first time are, as a rule, condemned to imprisonment, where, as you know, adolescents absorb all the negative aspects of the prison environment, their legal consciousness changes, their future fate breaks down, and subsequent measures which we accept do not bring the expected result to correct the young man. Regularly, having no victory in school, sports, social life, or being brought up in an unfavorable family, a youngster starts to induce familiar with road life, where, as a run the show, there are their possess laws. Moreover, numerous violations are committed by minors in arrange to attest themselves and damaging the law, the minor accepts that he can thereby show his strength.

The drift within the development of criminal arrangement can be followed through the method of changing and modernizing legislation.

On July 3, 2014, the new Criminal Code of the Republic of Kazakhstan was received, which came into constrain on January 1, 2015, where the foremost significant oddity, taking under consideration universal encounter, is the presentation of a two-tier framework of criminal offenses comprising of violations and criminal offenses. Criminal offense – a blameworthy act (activity or inaction) that does not constitute a extraordinary open peril, causes minor hurt or postures a danger of hurt to an person, organization, society or state, the commission of which is culpable by a fine, restorative labor, inclusion in community benefit capture. That's , for the commission of criminal offenses gives a wide extend of tolerant disciplines.

Given the characteristics of the mind of the minor and his social status, the criminal punishments for the minor are milder, more centered on the instructive affect and reflect the living conditions of the minor in society.

Both within the Criminal Code of the Republic of Kazakhstan in 1997 and within the Criminal Code of the Republic of 2014, Chapter 6 is given to the criminal obligation of minors. The allotment of an autonomous chapter is due to a number of circumstances: the significance that society connects to this issue; the specifics of adolescent wrongdoing; socio-psychological characteristics of young people; highlights of the criminal law measures connected to minors; the have to be precisely build up the rules of criminal duty of minors. Be that as it may, the standards of these chapters have noteworthy differences.

The upper constrain of the term for locks in in community benefit has been decreased from 160 to 150 hours, so minors will be doled out to community benefit for a period of 40 to 150 hours. When relegating such discipline, it is vital to require into consideration the age of the minor. On the off chance that he isn't 16 a long time ancient, at that point the term of community benefit ought to not surpass 2 hours a day. In the event that the minor is more seasoned than 16 a long time, at that point the duration of community benefit is up to 3 hours a day.

Also, within the modern Criminal Code, the upper constrain of the text style estimate forced on a minor has diminished from five hundred to two hundred and fifty MCI.

Agreeing to Article 83 of the Criminal Code of the Republic of Kazakhstan, a minor sentenced of

a wrongdoing of minor or medium gravity for the primary time can be discharged from discipline by the court in case it is recognized that his adjustment can be accomplished without criminal arraignment, by applying obligatory instructive measures : caution, exchanging beneath the supervision of guardians or people supplanting them, or a specialized state body, imposing an commitment to form alters for the hurt caused, constraining recreation time and setting up uncommon necessities for the behavior of a minor, arrangement in a extraordinary instructive or therapeutic institution for minors.

The foremost serious punishments, such as the passing penalty and life detainment, don't apply to minors.

The criminal code reflects the specifics of the application of these sorts of disciplines to minors. In this way, the components of discipline within the sorts of disciplines forced on minors are essentially debilitated in comparison with the correctional substance of the same sorts of disciplines connected to adults.

The most serious discipline utilized by a minor is detainment. The particular highlights of this degree of discipline connected to minors are the terms of punishment.

The most extreme term for which minors can be sentenced to detainment is 10 a long time, and for kill beneath exasperating circumstances or within the total of violations, one of which is kill beneath disturbing circumstances – 12 years.

The Criminal Code of the Republic of Kazakhstan in 2014 incorporates a unused, already unanticipated obligatory degree of instructive affect – trial control. Trial control is set up for a period of up to one year.

Probation control is served at the put of home of the sentenced individual without confinement from society. Trial control is carried out by an authorized state body and, by a court choice, incorporates the execution by a convict of obligations: not to alter his changeless put of home, work, or think about without take note to an authorized state body that screens the behavior of a minor; Don't visit certain places; experience treatment for liquor addiction, sedate compulsion, substance mishandle, sexually transmitted illnesses; other obligations that contribute to the adjustment of the individual and the anticipation of the commission of modern criminal offenses (Criminal Code of the Republic of Kazakhstan dated July 3, 2014 No. 226-V).

In addition, the Criminal Code of the Republic of Kazakhstan in 2014 presents a modern standard in this chapter – the substitution of the unserved

portion of the sentence. People serving a sentence of detainment for committing a wrongdoing at a minor age, within the nonappearance of malevolent infringement of the built up method for serving a sentence, the remaining unserved portion of the discipline might be supplanted by a court with a limitation of freedom after the real serving:

1) at slightest one fifth of the sentence forced by the court for a wrongdoing of little or medium gravity;

2) one fourth of the sentence forced by the court for a genuine crime;

3) one third of the sentence forced by the court for a especially genuine wrongdoing not including an infringement on a person's life;

4) half of the sentence forced by the court for an especially genuine wrongdoing including an infringement on a person's life.

Replacement of the unserved portion of the discipline may be connected to people indicted of committing a wrongdoing as a part of a criminal gather at a minor age.

The terms of reimbursement of a criminal record were somewhat changed. In case prior the common term for the reimbursement of a conviction for genuine and particularly genuine wrongdoings was three a long time, at that point at show the terms are separated depending on the seriousness.

The conviction term for a genuine wrongdoing is two a long time, and for a especially genuine one – three years. All developments are pointed essentially at “pulling” youthful individuals out of the systems of the criminal world.

Conclusion

Hence, having examined the worldwide lawful acts and the standards of national enactment within the field of preventing adolescent misconduct, ready to conclude that nowadays within the improvement drift of the criminal arrangement within the field of combating adolescent misconduct there is a slow humanization and modernization of the components for its implementation.

At the display arrange of advancement of the Republic of Kazakhstan, the viable arrangement of open security and the anticipation of adolescent wrongdoing is inconceivable without the joint endeavors of gracious society and state bodies.

There's little alter within the enactment, it is vital to define a state approach for the avoidance of

adolescent wrongdoing, to maximize the utilize of accessible assets for the anticipation of adolescent wrongdoing by centering on the arrangement and advancement of a avoidance framework, and to arrange avoidance programs at the republican level with programs and needs at the nearby level.

Due to the reality that the criminalization of minors is altogether influenced by unseemly child rearing, it is proposed to extend the duty of guardians for the upkeep and childhood of their minor children. Guardians ought to be aware that child rearing isn't a private matter for each parent. For these purposes, we propose portion 2 of article 2 of the Code of the Republic of Kazakhstan dated December 26, 2011 “On marriage (marriage) and the family” to supplement clause 9 with the taking after substance: “each parent's individual obligation for the upkeep and childhood of their minor children”. Such an expansion to the list of standards of marriage and family law will be pointed at expanding the duty of guardians, and this in turn will offer assistance to prevent juvenile misconduct and diminish child wrongdoing within the nation. Too, this supplement will comply with the arrangement of Article 27 of the Structure of the Republic of Kazakhstan, which states that caring for and raising children could be a common right and commitment of guardians.

Moreover, uncommon consideration must be paid to understanding the relaxation of minors. In arrange to organize the relaxation of minors as an compelling implies of avoiding wrongdoing, it is fundamental to maximally cover minors with different circles, sports areas, etc. Lock in open organizations, instructive teach, lock in in volunteering, make brief occupations. To guarantee this work, we propose correcting and supplementing the significant administrative acts of the Republic of Kazakhstan. Akimat of all levels are able to carry out this errand, one of the obligations of which ought to be decided by the work on the anticipation of adolescent wrongdoing. To actualize this proposition, craftsmanship. 27, 31, 35 of the Law of the Republic of Kazakhstan dated January 23, 2001 “On Nearby Government and Self-Government within the Republic of Kazakhstan” with modern passages: it guarantees the usage of state arrangement within the field of wrongdoing anticipation; coordinates work with minors to help them in finding business, organizing recreation exercises, and anticipating adolescent misconduct.

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