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**ВЕСТНИК**

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## **SOCIAL AND LEGAL PREVENTION OF CRIMES AND OFFENSES OF ORPHANS IN BOARDING SCHOOLS: ON THE EXAMPLE OF THE KEMEROVO REGION**

**Abstract.** The article is devoted to one of the urgent problems, such as social and legal prevention of delinquency of orphans in boarding schools in the Kemerovo region. To date, the problem of legal impact on a child is primarily due to the fact that it achieves the ultimate goal of all legal regulation - the implementation of legal prescriptions in the life of every teenage orphan who is in a boarding school.

Today in Russia the historical and socio-demographic situation has developed in such a way that the reform of Russian society has been accompanied and accompanied by a fairly widespread criminalization of various spheres of public life.

Involvement in illegal activities of large and small social groups also affected minors-orphans who are in boarding schools of the Kemerovo region, as the most sensitive stratum of Russian society, involvement in illegal activities of large social groups, also affected minors - orphans as the most sensitive part of the population in relation to transformational changes taking place in modern society.

Today, prophylactic work is being actively carried out with orphaned children in boarding schools in the Kemerovo Region - this is a complex, multidimensional, long-term process. The specific task of the boarding school for orphans in the field of crime prevention is to carry out early prevention, that is, to create conditions that ensure the possibility of normal development for the students of orphans.

The presented material in the publication does not contain information related to the state secret of the Russian Federation.

**Keywords:** social and educational prevention, boarding schools for orphans of the Kemerovo region, orphans and children left without parental care, juvenile offenders, educational colonies of the Federal Penitentiary Service of Russia, inspectorate for minors, criminal executive inspectorate, depopulation of family relationships among adolescents, teenage organized crime group, dysfunctional family.

The problem of delinquency invariably attracts interest, since there have always been acts that infringe on the priorities and values of human society. At the same time, it is obvious that the essence, content, specificity of forms of manifestation and other features of such a social and legal phenomenon as an offense cannot be perceived in the same way in different countries and in different historical epochs. In the modern period, the urgency of the problems of delinquency is explained by the significant complication of political, property, financial and other relations associated with fundamental transformations in all spheres of public life in Russia.

The legal behavior of orphans can be defined as a conscious activity in the sphere of the law, conditioned by cultural and moral views and human life experience. Depending on the form of expression, human behavior can be verbal (verbal), consisting of various statements, judgments and assessments that give an idea of the internal state of an individual, and real (practical), which includes certain actions of people. Human behavior consists of thoughts, words and deeds, but the most essential social characteristic of a person is her concrete actions, deeds, position.

So, G.V.F. Hegel in "Philosophy of Law" (1821) expounded in detail the idea that a person is responsible only for his actions, and not for beliefs and intentions, he defined a person as "a series of his actions" [7]. The nature of a person's actions in the field of law can be judged by his actions, lawful or unlawful.

The criteria of legitimacy proposed by various scholars show that in the legal literature there has not yet been a single point of view on what should be attributed to socially useful and legally significant, proper behavior. For example, Academician V.N. Kudryavtsev assumes the existence of "neutral" behavior between socially harmful and socially useful behavior, and Professor Y.A. Tikhomirov singles out a "neutral field" when the norms of the law, being formally observed, do not really regulate behavior. These actions are not assigned to the category that needs any legal mediation, and can be classified as legally indifferent (indifferent to the law).

Also, in the legal literature doubts are expressed about the inclusion of illegal behavior in legal behavior, since: illegal behavior is such behavior that contradicts the requirements of legal norms, therefore, it cannot be within the framework of legal behavior, but then legal behavior is identified with lawfulness. Such a judgment is formally supported by the terminological connection between the words "legal" and "correct". This point of view does not find wide support in the legal literature. Objectively, one should proceed from the fact that "Law", first of all, acts as a means of regulating social relations and determines the measure of individual freedom, draws a line, albeit in some places very conditional and not clear, between a free choice of actions and illegal actions, covering almost everything spheres of society. But, separating one from the other, on both sides there are many unresolved situations that, as a result of the movement of life, often surface and become obvious and quite problematic for modern society.

Indifferent behavior does not contradict the requirements of legal norms, it is "neutral" and can exist on the border of legitimacy. In some cases, this type of legal behavior is characterized by observance of the letter of the law, and in spirit it can very strongly conflict with it. It can also be the basis for the legislator. For example, if there are gaps in the legislation, a repeated violation of someone's interests cannot be considered an offense, although in another legal system this act is such. Until the attention of society, the court or the legislator is attracted, it can be regulated by other norms (moral, religious, ethical, etc.). So, professor N.I. Matuzov expresses his point of view on this matter, he argues that in the field of law, behavior is legal, since it is mediated by legal norms and, therefore, the subject must correlate his actions with their requirements. But indifferent behavior is not legal, since it goes beyond the legal field and, therefore, is not mediated by law [11].

That is why it is necessary to constantly formulate new theoretical concepts of combating offenses, develop new methods and measures. After all, crime, like any social phenomenon, is constantly evolving, taking new forms.

So, today the degree of knowledge of this problem is quite large, but, nevertheless, this does not lead to a significant decrease in the number of various crimes and offenses, the degree of their cruelty.

These or those criminological concepts were expressed by ancient thinkers. We find the first theoretical constructions in this area in Plato and Aristotle. The ancient Greek philosophers Plato and Aristotle thought about this, and several centuries later Sh. L. Montesquieu, G. Hegel, I. Kant, utopian socialists T. More, T. Campanella, C. Fourier, Saint-Simon, lawyer C. Beccaria, thinkers and writers Voltaire and J.J. Rousseau, the founders of the Marxist doctrine K. Marx and F. Engels.

Various aspects of the prevention of juvenile delinquent crimes were developed in the works of such prominent scientists as: A.I. Alekseev, V. Bazhenov, N.I. Vetrov, Y.I. Gilinsky, A.I. Dolgova, D.Z. Ziyadova, K.E. Igoshev, N.G. Kobets, V.N. Kudryavtsev, N.P. Meleshko, G.M. Minkovsky, P.A. Pankratov, E.I. Petrov, J. Ryan, V.P. Revin, T.A. Tretyakov, V.V. Ustinov and others [18, 19].

Minors, due to their age and social immaturity, constitute a special group of convicts from among those serving sentences in prisons. The peculiarities of adolescence, to a certain extent, complicate the work with the contingent, since they force the staff of boarding schools in the Kemerovo region and educational colonies of the Federal Penitentiary Service of Russia. Taking into account the "explosiveness" and "impulsiveness" of their convicts, but at the same time, the "plasticity" of the developing personality-individual, allows us to hope for the success of the purposeful social and pedagogical work of the personnel specially trained in the field of juvenile law and social pedagogy of boarding schools of the Kemerovo region and educational colonies of the Federal Penitentiary Service of Russia [17, 19].

In addition, the maximum possible sentences, limited to ten years, provide social prospects for working with juvenile offenders. The terms of punishment of adults, especially convicts, for life, doom them to long-term living in places of deprivation of freedom and postpone or deprive them of the possibility of release. Thus, convicts under age leave the educational colonies of the Federal Penitentiary

Service of Russia at an active age that allows them to socially define themselves and gain a foothold in the future: continue their studies, find a job, start a family. The "social perspective" of the contingent of boarding schools in the Kemerovo region and educational colonies of the Federal Penitentiary Service of Russia predetermines the differences in the organization of the activities of correctional colonies, colonies of settlements of the system of the Federal Penitentiary Service of Russia [17].

In accordance with the current criminal-executive legislation of the Russian Federation, convicted juveniles serve a sentence of imprisonment in educational colonies of the Federal Penitentiary Service of Russia, in which they are held separately from adults. This is due to the need to prevent the negative influence of more experienced adult criminals on minors. Convicted minors held in the educational colonies of the Federal Penitentiary Service of Russia serve their sentences in "normal", "lightweight", "preferential" and "strict" conditions. The four-stage system of regime requirements, stimulating the process of correcting juvenile convicts, helps to increase the effectiveness of the educational impact on them [5].

The need to study the reform of the system of the Federal Penitentiary Service of Russia and educational work with juvenile convicts is determined by the fact that in recent years (2015-2020) juvenile delinquency in Russia has significantly decreased. Thus, the share of juvenile convicts serving a criminal sentence in the form of imprisonment in penitentiary institutions of the Federal Penitentiary Service of Russia, by type of crime: convicted of theft - 15.2%, for robbery - 14.1%, for robbery - 12.2%, for intentional infliction of grievous bodily harm - 11.8%, for murder - 10.1%, for rape - 12.6%, other crimes - 24.2% of convicted minors [22]. Of course, criminal acts with the use of various weapons began to prevail. Currently, the number of schoolchildren armed with various types of weapons and means of self-defense is about 27.8% [as of 10/01/2020] [12].

To date, the most criminally affected part of the population are teenagers from disadvantaged families, teenagers-orphan (from 10 to 14 years old and 14 to 17 years old), left without parental care, who are brought up in boarding institutions of the Kemerovo region of the Russian Federation.

Among adolescents-orphan and youth, signs of moral demoralization began to appear more and more clearly, expressed in negative phenomena - drunkenness, drug addiction, substance abuse, prostitution, in the emergence and growth of various informal associations of asocial orientation. The consequence of the immoral behavior of these adolescents, firstly, is not a prosperous and not full-fledged family, which is involved in a conflict with the law, who previously served a sentence in places of detention, etc. Secondly, adolescents, former pupils of correctional boarding schools for orphans and children left without parental care (VIII type) of the Kemerovo region of the Russian Federation [15, 16].

The precipitous increase in juvenile delinquency is alarming both for theorists in the field of juvenile law, sociology of law, social pedagogy, criminology, and among practitioners of law enforcement. The dynamics and rates of this growth force the alarm to sound, because, by and large, we are talking about the fate of the country, its future. The problem of juvenile delinquency has become even more relevant in view of the epochal event - with the onset of the third millennium - the 21st century.

Such an increase in crime among juvenile offenders is due to a number of objective reasons: most of the public and state institutions that previously dealt with the problems of the younger generation, including the Komsomol, the system of work in boarding schools, palaces of pioneers, were destroyed, and nothing new was proposed in exchange [12]. A significant percentage of recidivism of minors, especially, this concerns amnestied persons according to 2001 data, thanks to the amnesty (June-November) the number of convicts in educational colonies decreased by 7.8 thousand, of which more than 44.7% of juvenile offenders in 2002-2004 years have come back, having committed new crimes [22].

Today, solving the problem of juvenile delinquency is impossible without a thorough study of the historical experience of correcting juvenile offenders, without studying the characteristics of their personality and the current state of educational work that is now being carried out in the educational colonies of the Federal Penitentiary Service of Russia. The problems of educating the younger generation also remain. Among them, one of the most urgent is the fight against negative (immoral) phenomena among juvenile delinquents and juvenile delinquency [15, 17, 22].

Thus, the problem of juvenile delinquents in modern society is one of the most complex and controversial. Unfortunately, not every teenager who is brought up in a non-family realizes what illegal acts they commit lead to difficult and difficult-to-correct consequences.



In our opinion, an offense is, first of all, a guilty behavior, the right of a legally capable person (an orphan in an orphanage or boarding school of the VII type), which contradicts the prescriptions of the rule of law, causes harm to other persons and entails legal liability [15, 16].

In turn, all offenses are usually divided into two groups: misdemeanors and crimes (the most serious offenses). Offenses can be labor, disciplinary, administrative and civil (tort obligations). As a rule, crimes are understood as criminal offenses, that is, acts that violate the criminal law. They can vary in severity category. Depending on the type of offense, the appropriate responsibility is distinguished - criminal, administrative, disciplinary, civil.

✓ First, criminal liability is responsibility for violation of laws provided for by the Criminal Code of the Russian Federation. A crime provided for by the criminal legislation of Russia belongs to the category that is classified as socially dangerous, infringing on the constitutional and social structure of the state, property, crimes against the person, the rights and freedoms of citizens, public order, etc.;

✓ Secondly, administrative responsibility is applied for violations provided for by the Code of Administrative Offenses. Administrative offenses include: violation of traffic rules, violation of fire safety. For administrative offenses they are brought to justice from the age of 16. Punishment: fine, warning, correctional labor;

✓ Thirdly, disciplinary liability is a violation of labor duties, that is, a violation of labor laws, for example: being late for work, absenteeism without a good reason.

✓ And, fourthly, civil liability regulates property relations. Punishments for the offender: compensation for harm, payment of damage [20].

Today, preventive work is being actively carried out with orphans in boarding schools in the Kemerovo Region - this is a complex, multidimensional, long-term process. The specific task of the boarding school for orphans in the field of crime prevention is to carry out early prevention, that is, to create conditions that ensure the possibility of normal development for the students of orphans. This is, first of all, the identification of students who are inclined to violate moral and legal norms, the study by teachers of the individual characteristics of such students. The reasons for the moral deformation of the personality of the offender are analyzed. Typical crisis situations arising in pupils from 9 to 17 years of age are used. Also, the work uses the possibilities of student self-government and their involvement in the conduct of school social and cultural events. Timely noticed deviations in the behavior of children and adolescents-orphans and properly organized pedagogical assistance can play an important role in preventing situations that can lead to delinquency and crime [20].

We also highlight the following stages of deviant behavior of adolescents-orphans and adolescents from a dysfunctional family (for example, correctional boarding schools No. 66, 88 for orphans and children from dysfunctional families of the VIII type of the city of Novokuznetsk, Kemerovo region):

1) Unapproved behavior - behavior associated with pranks, mischief, disobedience, restlessness, stubbornness;

2) Publicly condemned behavior - behavior that causes more or less condemnation of others, teachers, foster parents, guardians, which consists in an episodic violation of discipline, systematic cases of pugnaciousness, rudeness, impudence, dishonesty, etc.;

3) Deviant behavior - morally negative actions and actions that have taken on the character of systematic or habitual, which manifests itself in: deceit, pretense, hypocrisy, selfishness, conflict, aggressiveness, petty theft (theft) from peers, etc.;

4) Pre-criminal behavior - behavior that carries the beginnings of criminal and destructive behavior (episodic deliberate violations of the norms of requirements governing the behavior and relationships of people in society, hooliganism, beatings, extortion, drinking alcohol, malicious violations of discipline and generally accepted rules of conduct, etc. etc.) [15, 16, 20];

5) Delinquent (illegal, criminal) behavior of a teenager is a system of actions aimed at total violation (destruction) of moral foundations, rules of generally accepted norms and behavior, committing crimes against the person, theft and destruction of other people's property. This behavior manifests itself in the form of disregard for moral and ethical norms, demonstrating asociality, as well as criminal acts pursued by the criminal legislation of Russia [9].

#### **The main signs of problematic orphans brought up in boarding schools may be:**

1) Evasion from studies due to: poor progress in most subjects; lag in intellectual development; orientation to other activities; lack of cognitive interests;

2) Low social and labor activity: rejection of public assignments; disdain for class matters; demonstrative refusal to participate in labor affairs; disdain for public property, its damage;

3) Negative manifestations: drinking alcohol; the use of psychotropic and toxic substances; craving for gambling; smoking; unhealthy sexual manifestations;

4) Negativism in assessing reality;

5) Increased criticality towards teachers and adults: rudeness, fights; truancy; missing classes; indiscipline in the classroom; beating the weak, younger ones; extortion; cruelty to animals; theft; public order disturbance; unmotivated actions;

6) Attitude towards educational activities: indifferent; skeptical; negative; fierce [8, 20, 21].

Why is this behavior formed in orphans brought up in boarding schools? What acts as an agent (provocateur) of a negative impact on adolescent orphans brought up in boarding schools? Let's try to answer the formulated questions:

✓ Firstly, it is the unfavorable conditions of the family environment and upbringing (as one of the main reasons for a child who ended up in a boarding school from a *dysfunctional family*<sup>1</sup> aged 7-14 and older). For a child and an orphaned teenager, the most effective model was his parents. Asocial, immoral (behavior contrary to social norms and principles) the behavior of his parents, which manifested itself in systematic drunkenness, family scandals and fights with drinking companions, open debauchery with cohabitants and guests-drinking companions of a drinking mother, a manifestation of cruelty towards young children.

✓ Secondly, insufficient attention and love on the part of parents (*due to the fact that their parents are deprived of this right by decision*). A well-groomed, well-fed and fashionably dressed child can be internally lonely, psychologically neglected, since no one cares about his mood, interests and experiences. Such children especially strive to communicate with peers and adults outside the family, which to a certain extent compensates for their lack of attention, affection and care from their parents. However, if this communication acquires an unhealthy interest, it is detrimental to the moral development and behavior of children;

✓ Thirdly, overprotection of children. There is no freedom of choice for a teenager and an orphan child, since the educators of boarding schools in the city of Novokuznetsk, Kemerovo region, fearing that their pupils would not make mistakes, do not allow them to live, they try to solve everything for them. The consequence is the childishness, lack of independence, personal failure of the orphaned child.

✓ Fourthly, excessive satisfaction of the needs of the orphaned child of the boarding school. In boarding schools, where educators try to please orphans in many ways. Also, they poorly teach them social and everyday skills, which directly in the needy, affects their post-boarding adaptation, when adolescents enter an independent life. From such children, consumers (dependents) grow up, yearning for more and more pleasures and social benefits. And, of course, the lack of a habit of reasonable self-restraint often pushes them to crimes committed under the influence of motives and desires of a purely consumer nature.

✓ And, fifthly, the excessive exactingness and authoritarianism of parents. Excessive severity of educators and teachers of boarding schools, excessive use (abuse) of all kinds of restrictions and prohibitions that carry out various punishments (of a moral, psychological and physical nature), humiliating and insulting the human dignity of orphans. On the part of the teachers, there is a total desire to subordinate the pupil to their will, the imposition of their opinions and ready-made solutions, the categorical judgments and all this in an orderly tone. The use of coercion and repressive measures, including physical punishment, destroy the atmosphere of mutual understanding and trust, often pushing orphans to self-leave residential institutions where adolescents (street children) commit crimes [8, 17, 20, 21].

The logic of prevention dictates the need to create all the necessary conditions in boarding schools in the Kemerovo region that would not provoke deviant behavior of adolescents-orphans, but expand the space that is safe for the orphan, where he feels good, comfortable and interesting. Where he could fully realize his dreams and ideas, become a mature person with the best traits of behavior that reflect his individuality.

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<sup>1</sup>*Dysfunctional family* - the word combination "*Dysfunctional family*" comes from lat. dis - "*violation*", "*frustration*", "*loss of something*", and function - "*activity*". This is a family that engenders maladaptive, destructive behavior of one or more of its members, in which conditions exist that, impede their personal growth.

Today, it is considered the most effective in the prevention of offenses in a boarding school with a developed structure of extracurricular activities that takes into account the interests of different ages, especially adolescents. This is the compulsory creation in boarding schools of the Kemerovo region of structural subdivisions of additional education, the implementation of leisure programs, the organization of amateur performances (artistic, technical, sports), the organization of family leisure, which will directly be a powerful source of attractiveness of the orphanage and a resource for the prevention of deviant behavior [13, 14, 15, 16].

So, in turn, crime prevention presupposes that the boarding school for orphans becomes a place where the pupil really finds use of his capabilities and initiative, where he can fully realize himself as a person, reveal his creative and scientific potential.

In boarding schools of the Kemerovo region today, it is necessary to form social norms and rules of behavior, since without this it is impossible to effectively solve the problems of teaching and educating the younger generation [13, 14, 15, 16].

***In this regard, it is necessary:*** 1) to form the way of boarding life following the example of the "Gorky boarding school", where all pupils will be vocationally oriented, and also focused on the development of creative, scientific, technical, mathematical and analytical potential; 2) help the pupils learn their rights and learn, use them, protect them in case of violation; 3) help adolescents see the relationship between personal freedom and responsibility of each individual; 4) help orphans learn how to resolve disputes in a legal way; 5) to form the skills of legal culture among pupils [20].

So, in preventive activities with a specific person, as Professor G.A. Avanesov, it is important not to waste time. At the very early stage, when the person has not yet acquired stable attitudes and habits, it may be easier to achieve success.

If early prevention measures prove to be insufficient, then they can be replenished with measures of a different level, since a certain reserve of time remains for this. Early prevention can be defined as a set of measures taken in order to: 1) Improve the living conditions and education of minors in cases where the situation threatens their normal development; 2) Suppress and establish the actions of sources of antisocial influence; 3) To influence minors who admit deviations in behavior in such a way as not to allow antisocial views and habits to take hold [20].

***The main areas of early prevention are:*** 1). Identification and establishment of unfavorable living conditions and upbringing even before they have affected the behavior, the formation of the views of specific adolescents-orphans of boarding schools; 2). Identification and elimination (neutralization) of sources of negative influences on adolescent orphans, who can form an antisocial position of the individual and contribute to the commission of crimes [20].

***This direction assumes:***

✓ the application of measures to improve the unfavorable conditions of the family upbringing of an orphaned teenager of a boarding institution with the help of various measures of influence towards his peers;

✓ removal of adolescent orphans from the environment negatively affecting the adolescent (immoral environment);

✓ the application of measures provided by law to persons involving teenage orphans in drunkenness and other antisocial activities [13, 14, 15, 16, 20].

Providing a deterrent and corrective influence on orphans of boarding schools in the Kemerovo region with socially deviant behavior. Moreover, measures can be singled out: impact on teenage orphans, whose antisocial views have not yet strengthened and are manifested in the commission of individual minor offenses.

The purpose of their application is to prevent antisocial attitudes and habits from gaining a foothold; impacts applied to adolescent orphans with a rather pronounced antisocial position of the individual who commit offenses that are not of a criminal nature. Their goal is to prevent an individual's antisocial position from becoming a crime [20, 21].

Here, along with providing, if necessary, assistance to a teenager who has fallen into unfavorable conditions of family upbringing, up to withdrawal from a negative environment and referral to an orphanage, boarding school, etc. It is also possible to apply specific measures to organize control over his behavior and individual educational and preventive work (registration and inspection for minors, appointment of a chief, public educator, etc.). This also includes the application of various measures of

influence (public, administrative, civil law, compulsory measures of an educational nature) against adolescents who commit offenses [19, 20, 21].

Based on the foregoing, social and pedagogical work with juveniles prone to delinquency should solve the following tasks: 1) implementation of complex medical, psychological and pedagogical diagnostics in order to determine the causes of problems in learning, communication and others; 2) the choice of the optimal way of teaching for each child and the choice of measures of psycho-corrective influence on his personality; 3) provision of individually oriented pedagogical, psychological, social, legal and medical assistance to children and adolescents-orphan of boarding schools. [19, 20, 21].

Special emphasis should be placed on the educational and social and legal direction in the activities of the boarding school for orphans and children left without parental care.

In our opinion, the educational direction of the activity of any boarding institution is the implementation of education for orphans who have difficulties in mastering educational programs due to the peculiarities of psychophysical development and unfavorable social conditions of life, within the federal state educational standard.

Creation of conditions in boarding schools for student-centered learning, providing a variable nature of education with the setting of correctional and developmental tasks, as well as for the restoration of learning and raising the level of education of orphans.

The social and legal direction provides for assistance to adolescents-orphan in social and labor adaptation, career guidance, obtaining a profession and employment, in protecting their rights and interests protected by law; advising minors and their parents on legal issues; prevention of asocial behavior, vagrancy, homelessness, attempts at suicide of juvenile delinquents who are brought up in boarding schools in the Kemerovo region.

So, at the present time, in boarding schools No. 66, 74, 88 and 95 in Novokuznetsk, Kemerovo region, a data bank is being created for students who find themselves in a difficult life situation, and their families in a socially dangerous situation, with the aim of further assistance to them [13, 14, 15, 16].

Employees of the social and educational service - work with adolescents with deviant (delinquent) behavior is carefully planned, such as: 1) a plan for the work of the Council for the Prevention of Offenses is drawn up, a plan for joint work of a boarding school for orphans and a unit for juvenile affairs on the prevention of offenses among juvenile offenders, a work plan for the prevention of the use of mentally active substances among orphans, an action plan for anti-alcohol, anti-nicotine propaganda; 2) sanitary and educational work is planned [20].

At the meetings of the Council for the Prevention of Offenses, questions of the behavior and performance of "difficult" teenagers-orphan of boarding schools in the Kemerovo region are regularly heard. In solving the problems of preventing delinquency among minors, the "Months" of prevention of delinquency are effective. They are organized by employees of the traffic police, teaching staff, fire brigade, representatives of public organizations represented by members of the commission on juvenile affairs, a psychologist, deputy director for educational work of a boarding school for orphans in Novokuznetsk, Kemerovo region. Also, as part of the month of crime prevention, conversations are held for students on traffic rules, about a healthy lifestyle, about rights and obligations, and the promotion of legal knowledge.

Planning and carrying out a set of activities within the framework of the month on crime prevention allows you to involve all participants in the educational process in the prevention of juvenile delinquency and crime, which, in turn, has a positive effect on the operational environment and contributes to the qualitative improvement of preventive work in adolescents. Creative circles work in all children's homes in the Kemerovo region. Sports sections for table tennis, football, and chess are successfully operating. Orphans are willingly engaged in them in their free time [13, 14, 15, 16, 20].

The leading role in organizing cooperation of boarding schools in the Kemerovo Region is played by class teachers. It is their work that determines the extent to which families understand the policy pursued by the school in relation to the education and upbringing of orphans in senior classes and participate in its implementation. Class teachers are doing a lot of work to promote pedagogical knowledge among parents, lectures are regularly held on educating students according to their age characteristics, parent meetings, joint events with children and parents. All these activities are aimed at improving social skills, healthy lifestyles and legal culture of orphans [13, 14, 15, 16, 20].

*From the positive practice of boarding schools in the Kemerovo region:* So, in the 2019/2020 academic year, the work of the teacher-organizer of the crime prevention department L.A. Elizarova was aimed at the implementation of measures for the prevention of offenses in children, unauthorized departures from the boarding school and the formation of a healthy lifestyle. Employees of the Zavodskoy police department and the branch in the Zavodskoy district of Novokuznetsk, Federal State Institution UII of the Main Directorate of the Federal Penitentiary Service of Russia for the Kemerovo Region, took an active part in the preventive measures carried out by the organizer teacher [13].

In the 6th and 7th grades with the guys from the "Garant" detachment, in cooperation with the psychologist "Children's Home-School No. 95" and the senior inspector of the PDN, Police Major V.A. Amelchenkova gave a lesson "We and Conflicts". lesson was devoted to the ways of effective communication. During the lesson, they clarified the concept of "conflict", "conflict situation", sorted out what are the causes and consequences of conflicts, to what offenses a conflict can lead, the children mastered the skills of constructive conflict resolution [13].

For the 7th, 8th and 9th grades were carried out by inspector V.A. Amelchenkova lessons-workshop on the topic: "My safety". The purpose of the lesson is to prevent unauthorized departures from the boarding school. In the course, we analyzed using a specific example what consequences occur when minors do not follow the rules of safe behavior on the streets and other public places. What types of crimes are committed by street children during the period of independent stay on the streets of the city and village. Who do they communicate with, which organized crime groups they are involved in, and carry out raid attacks in order to loot kiosks and shops. Examples of criminal proceedings over juvenile offenders are given. The punishment for theft, robbery, murder, etc. is determined in accordance with the Criminal Code of the Russian Federation. We watched and discussed the info-lesson "Rules of communication with strangers" [13].

In the 4th and 5th grades, in cooperation with the psychologist "Orphanage-School No. 95" O.V. Koshkina spent an hour of communication on the topic: "Don't let yourself be fooled! Know how to say no!" The goal is to form a healthy lifestyle in orphans. Also during the conversation, they discussed issues related to people's health, repeated what health is. The orphans made a conclusion about how bad habits affect human health, why people become dependent on bad habits and how to behave in order not to become hostage to bad habits. In the course of work with the pupils, we analyzed the rules of safe behavior on the street and in other places [13].

In cooperation with the psychologist of the branch in the Zavodskoy district of Novokuznetsk, the FSI Penitentiary Inspectorate of the Main Directorate of the Federal Penitentiary Service of Russia in the Kemerovo Region, Major of the Internal Service O.S. Bobyleva held a drawing competition on the theme "My family". The competition was attended by pupils of the "risk group" (8th - 10th grades), consisting of different types of accounting. The purpose of the event is to form a conscious attitude towards family, family relations, family values, respect and reverence, kindness and mercy to the older generation in orphans, fostering patriotism and citizenship based on initiation to creativity. Not a single participant was left without prizes [13].

Students in grades 4, 5, 6 and 7 went on an excursion to the Center for the temporary detention of juvenile offenders. The purpose of the excursion is the prevention of delinquency and unauthorized departures from the boarding school. During the excursion, the pupils got acquainted with the rules of keeping adolescents in the Center, learned about the offenses for which adolescents can be placed in this center and about the negative impact on the fate of a person of an asocial lifestyle. The guys listened with interest, asked questions to the staff of the Center, they were interested in what their peers do in their free time, what they can do, what is prohibited. Within the framework of the "Day of Good Deeds" action, pupils of the 7th, 8th and 9th grades made handicrafts, souvenirs and postcards for the children of the "Hospice, Children's City Clinical Hospital No. 3" in Novokuznetsk, Kemerovo Region [13, 14].

In December 2019, in Orphanages No. 74 and No. 95, meetings were held with 4th year cadets of the Kuzbass Institute of the Federal Penitentiary Service of Russia. The cadets conducted a conversation "On the dangers of snus" for pupils of the 7th, 8th and 9th grades. Representatives of the Institute told the orphans about the consequences of drug use, about physical and psychological dependence, answered the questions of the inmates of orphanages in Novokuznetsk.

The children asked the cadets how to behave in a situation when you are offered to try snus or offered to a classmate. The cadets in an accessible manner, talking on equal terms, explained to the children how to behave in such situations, what tricks the snus sellers use so that the child is not afraid to try the

"poison". Such meetings are always very beneficial for both parties. The children receive information in an accessible form from their almost peers, and the cadets will find out what questions are of interest to teenage orphans brought up in boarding schools in the city of Novokuznetsk, Kemerovo region [13, 14].

**In conclusion of the publication, we present a systematic analysis of the social and pedagogical work of boarding schools in the city of Novokuznetsk, Kemerovo region on the prevention of delinquency and crime among orphans:**

**I). *Diagnostic activity:*** 1) identification of orphans with behavioral deviations in the first grade and timely organization of work to correct their behavior; 2) studying the level of development and upbringing of orphans; 3) monitoring orphan students in various situations; determination of the position of an orphan child in a peer group (in a group, class); 4) conducting a sociometric study to determine the reference groups and the position of an orphan child in a team (in a group, class); 5) determination of the level of self-esteem, self-control, self-education skills; 6) identification of positive qualities and shortcomings in behavior, communication; 7) studying and identifying the interests and inclinations of an orphan child; 8) studying the characteristics of the character and temperament of an orphan child; 9) determination of the motives of behavior and communication; 10) registration of the health status of an orphan child; 11) monitoring the contact of an orphan child (guardians).

**II). *Individual correctional work:*** 1) individual counseling on the issues of correcting behavior defects of an orphan child; 2) the study of individual characteristics, the level of education of orphans and, on the basis of the studied, the definition of specific tasks and methods of further pedagogical influence; 3) keeping a diary of psychological observations of the behavior, communication, position of the pupil of the boarding school in the team, starting from the 1st grade and transferring the diary to the class teacher of the 4th grade for further consistent work; 4) individual work of the class teacher, group educator, social teacher, psychologist, boarding school administration for orphans with students requiring behavior correction; 5) creation of conditions for the development of the creative abilities of an orphan child, assistance in organizing reasonable leisure time (circles, hobby clubs, sports clubs, etc.); 6) involvement of students in active social work; 7) unobtrusive control by a teacher, class teacher, psychologist, social teacher, administration of a boarding school for orphans over the behavior of an orphan student in the classroom and after school hours; 8) conducting communication trainings; 9) conducting trainings of psychological relief; 10) attraction to reading fiction, enrollment in the library; 11) individual conversations, meetings with interesting and outstanding people (artists, scientists, politicians) in Russia.

**III). *Interaction with interested organizations:*** 1) cooperation with the commission on minors' affairs of the Department of the Ministry of Internal Affairs of Kuznetsk, Central, Zavodskoy districts of the city of Novokuznetsk, Kemerovo region; 2) cooperation with doctors: psychologists, narcologists, sex therapists, gynecologists, venereologists, etc.; 3) cooperation with the city Center for Children's Creativity named after N.K. Krupskaya town of Novokuznetsk, Kemerovo region.

**IV). *Information, organizational and methodological activities of municipal boarding schools in the city of Novokuznetsk, Kemerovo region:*** 1) conducting joint small and large pedagogical councils, targeted meetings, discussions, etc.; 2) interaction of methodological associations of senior class teachers and primary school teachers (continuity in work); 3) development of a comprehensive target program "Prevention of delinquency and crime among orphans"; 4) development of an individual program for correcting the behavior of difficult teenagers-orphans; 5) drawing up a psychological and pedagogical map of orphans who are on the inside of school control and in the commission on juvenile affairs of the department of the Ministry of Internal Affairs of the city of Novokuznetsk, Kemerovo region; 6) development of materials to help the class teacher; 7) compilation of psychological and pedagogical characteristics of the senior classes of municipal boarding schools; 8) organization of exhibitions of literature, posters; 9) conducting a sociometric study of correctional and general education classes of boarding schools in the Kemerovo region.

**V). *Legal education of orphans from municipal boarding schools in the city of Novokuznetsk, Kemerovo region:*** 1) study of the UN Convention on the Rights of the Child, 1989; 2) study of the Constitution of the Russian Federation as amended in 2020 [1, 4]; 3) study of the Criminal Code of the Russian Federation on the responsibility of minors, 1996; 4) study of the Federal Law "On additional guarantees for social support of orphans and children left without parental care" dated December 21, 1996 No. 159-FL; 5) study and discussion of the Rules for orphans of boarding schools in the Kemerovo region; 6) organization of meetings with employees of the juvenile affairs department of the Ministry of Internal Affairs of Novokuznetsk, Kemerovo region; 7) holding a month of legal knowledge in municipal boarding

schools in the city of Novokuznetsk, Kemerovo region; 8) conducting disputes, conferences on the basis of the Institute for Advanced Training of Teachers and the Inspectorate for Minors of the Department of the Ministry of Internal Affairs of Novokuznetsk, Kemerovo Region.

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#### **ИНТЕРНАТ МЕКЕМЕЛЕРІНДЕГІ ЖЕТІМ БАЛАЛАРДЫҢ ҚЫЛМЫСЫ МЕН ҚҰҚЫҚ БҰЗУШЫЛЫҒЫН ӘЛЕУМЕТТІК-ҚҰҚЫҚТЫҚ АЛДЫН АЛУ: КЕМЕРОВО ОБЛЫСЫ НЕГІЗІНДЕ**

**Аннотация.** Мақала Кемерово облысы интернатындағы жетім балалар арасындағы құқық бұзушылықтың әлеуметтік-құқықтық алдын алу сынды өзекті мәселенің біріне арналған. Бүгінге дейін балаға құқықтық әсер ету мәселесі, ең алдымен, оның барлық құқықтық реттеудің түпкі мақсатына – интернатта оқитын әрбір жасөспірім жетім баланың өмірінде заңды рецептілерді жүзеге асыруына байланысты.

Бүгінде Ресейде тарихи және әлеуметтік-демографиялық жағдай осылай қалыптасты, сондықтан Ресей қоғамын реформалау қоғамның түрлі саласын кеңінен криминалдаумен қатар жүрді.

Үлкен және кіші әлеуметтік топтардың заңсыз әрекеттеріне қатысу орыс қоғамының ең сезімтал қабаты ретінде Кемерово облысындағы интернатта оқитын кәмелетке толмаған жетім балаларға әсер етті, ірі әлеуметтік топтардың заңсыз іс-әрекеттерге тартылуы қоғамда болып жатқан трансформациялық өзгерістерге байланысты халықтың ең сезімтал бөлігі ретінде кәмелетке толмағандарға – жетімдерге де ықпал етті.

Бүгінде Кемерово облысында интернат мекемелерінде жетім балалармен профилактикалық жұмыстар белсенді жүргізілуде, бұл – күрделі, көпөлшемді, ұзақ мерзімді үдеріс. Құқық бұзушылықтың алдын алу саласындағы жетім балаларға арналған мектеп-интернаттың нақты міндеті – ерте профилактика жүргізу, яғни жетім балаларға қалыпты даму мүмкіндігін қамтамасыз ететін жағдай жасау.

Басылымда ұсынылған материалда Ресей Федерациясының мемлекеттік құпиясына жатпайды.

**Түйін сөздер:** әлеуметтік-педагогикалық алдын алу, Кемерово облысының жетім балаларға арналған мектеп-интернаттары, жетім балалар мен ата-ана қамқорлығынсыз қалған балалар, кәмелетке толмаған құқық бұзушылар, Ресей ФҚАҚ тәрбие колониялары, кәмелетке толмағандардың ісі жөніндегі инспекция, қылмыстық-атқару инспекциясы, жасөспірімдер арасында отбасылық қатынастар депопуляциясы, жасөспірімдердің ұйымдасқан қылмыстық тобы, дисфункционалды отбасы.

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#### **СОЦИАЛЬНО-ПРАВОВАЯ ПРОФИЛАКТИКА ПРЕСТУПЛЕНИЙ И ПРАВОНАРУШЕНИЙ ДЕТЕЙ-СИРОТ В ИНТЕРНАТНЫХ УЧРЕЖДЕНИЯХ: НА ПРИМЕРЕ КЕМЕРОВСКОЙ ОБЛАСТИ**

**Аннотация.** Статья посвящена одной из актуальных проблем, такой как социально-правовая профилактика правонарушений детей-сирот в школах-интернатах Кемеровской области. На сегодняшний день проблема правового воздействия на ребенка обусловлена прежде всего тем, что в нем достигается конечная цель всего правового регулирования - реализация правовых предписаний в жизни каждого подростка-сироты, находящегося в интернате.

Сегодня в России историческая и социально-демографическая ситуация сложилась таким образом, что реформирование российского общества сопровождалось и сопровождается достаточно широкой криминализацией различных сфер общественной жизни.

Вовлечение в противоправную деятельность больших и малых социальных групп также затронуло несовершеннолетних-сирот, находящихся в интернатах Кемеровской области, как наиболее чувствительный слой российского общества, вовлечение в противоправную деятельность больших социальных групп также затронуло несовершеннолетних - сирот как наиболее чувствительную часть населения по отношению к трансформационным изменениям, происходящим в современном обществе.

Сегодня активно проводится профилактическая работа с детьми - сиротами в школах-интернатах Кемеровской области-это сложный, многоплановый, длительный процесс. Специфической задачей школы-интерната для детей-сирот в области предупреждения преступности является проведение ранней профилактики, то есть создание условий, обеспечивающих возможность нормального развития воспитанников детей-сирот.

Представленный в публикации материал не содержит сведений, относящихся к государственной тайне Российской Федерации.

**Ключевые слова:** социально-педагогическая профилактика, интернатные учреждения для детей-сирот Кемеровской области, дети-сироты и дети, оставшиеся без попечения родителей, несовершеннолетние правонарушители, воспитательные колонии ФСИН России, инспекция по делам несовершеннолетних, уголовно-исполнительная инспекция, депопуляция семейных отношений в подростковой среде, подростковая ОПГ, дисфункциональная семья.

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