

Social control as a factor determining a criminality of the minors

Abstract: It is considered a notion of social control, examined its official and non-official types, system.

It is analyzed a role of the Law of Azerbaijan Republic “On prevention of homelessness and juvenile delinquency” in fulfillment of a social control.

Conclusion made about inevitable conditionality of the motives of criminal behaviour with conditions of objective reality, social environment, meaning of motivation of the minors’ behaviour in determination of criminal deeds and some others.

Keywords: social control; juvenile delinquency; prevention; educational institution; motivation; rehabilitation.

There is no unit opinion in respect of a notion of social control in scientific literature. Though, we agree with point of view of V.N. Kudryavtsev and use in the article his concept. He wrote that a social control is a combination of the norms, institutes and relationships directed to providing of people’s behaviour in compliance with the norms of behaviour, which are protected by society, state and social groups, expressing their interests [7, p. 227-228].

A.I. Dolgova distinguishes an official and non-official social control, believing that the first one is fulfilled with the state, institutes of citizen society and separate persons at the base of special powers, by which they are provided by the Constitution, the laws and subordinate legislations or the acts of public organizations, which are registered in compliance with order, stipulated to the law. Non-official control is carried out in various forms by a family, closest relatives and friends [5, p. 267-268].

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Control and law enforcement activity have a criminological significance in a system of official social control. There might be exposed different violations in process of implementation of the first one: behaviour, not corresponding to certain standards, offences. In process of realization of law enforcement activity is exposed the violations of legislation and is carried out an appropriate reaction on them.

According to S.R. Shahmammadov, reduction of a control in respect of the minors in Azerbaijan at certain periods of its modern history happened at various reasons and different directions. This statement is related, first of all, to activity of the institutions of education, family, law enforcement and controlling bodies. Commissions for Cases of Minors like coordinating bodies on prevention of the minors' offences have not practically worked for a long, and their today's work has not also given the optimistic grounds. Specialized police subdivisions have not involved in prevention of children neglect for number of years. They were only controlling the minors who, in compliance with the departmental normative act, had to be registered in these subdivisions. There was stopped activity of numerous young public and leisure organizations, minors offenders were deprived their preceptors and public educators [12, p. 116-121].

In addition, in our point of view, reduction of effectiveness of social control had happened under absence or insufficiently worked out legal regulating of many relations associated with minors. Here, we mean the different branches of Azerbaijani legislation (labour, administrative, criminal and others). Let's consider in the details the Law of Azerbaijan Republic "On prevention of homelessness and offences of minors", which was adopted on 24 May 2005 with supplements and changes as for 2014.

According to article 4 of the Law of Azerbaijan Republic "On prevention of homelessness and offences of minors", the system of bodies and institutions implementing of prevention of homelessness and offences of the minors are included the following – commission of cases for minors and protection of their rights, bodies of social protection of population, education, guardianship and trusteeship, public health, internal affairs, and also the bodies on cases for youth [3, p. 76].

Participations other bodies, institutions and organizations, including non-governmental organization in prevention of homelessness and minors offences are fulfilled in the frames of powers of these bodies, stipulated with legislation of Azerbaijan Republic.

In our point of view, such “monopolization” of activity on prevention of homelessness and minors offences is to be wrong. It seems that, opposite, prevention of homelessness and minors offences should be related to the duties all bodies, institutions, organizations and official persons functioning in Azerbaijan Republic in the frames of their activity. It does not mean that they have to be involved only in problems of homelessness and prevention of minors’ offences. They should take into consideration a certain provision of the law when touching to the same issues and minors.

According to article 5 of the Law, individual practical work is carried out in respect of the following minors: homeless and orphan children, indocile children involved in vagabondism, vagrancy, registered in the bodies of internal affairs for different offences, incorrigible and maliciously evading from studying in school; who use alcohol drinks and drugs and psychotropic substances with violation of the rules established by the legislation of Azerbaijan Republic without medical prescription; who achieved 16 years age, committed offences that is caused for application of administrative punishment; who committed administrative offences, but not reached the age to bringing to administrative responsibility; who is recognize to be corrected, released from forcible measures of educational nature; who committed socially danger deed having the signs of crime, but not reached the age to bringing to criminal responsibility that established by legislation of Azerbaijan Republic; who suspected or accused, in respect of which are chosen a measure of restraint, excepting an arrest; who are early released in ground of amnesty or pardoning or suspended prison sentence; who released from prisons; who sentenced to different kind of punishment, excepting imprisoning for a certain term [3, p. 76-77].

Above stated is true, though it seems that the list of the categories of minors are included those who have to be registered and have to be under the bodies of social

control. Prevention of homeless children and offences of the minors should be related all without excepting of juveniles studying, living or working at an area sub-controlled these or those bodies or official persons.

Prevention in respect of the persons listed in article 5 of the Law is correction of the mistakes and deficiencies as prevention of antisocial actions and deeds, including the offences, in respect of the persons who committed them, are a punishment, but not prevention.

Structure of prevention of homelessness and offences in Azerbaijan Republic compiles an activity of the commissions on cases of minors, bodies of social protection of population, education, guardianship and trusteeship, on cases of youth, public health, internal affairs, special educational institutions etc.

In frames of their powers the commission on cases of minors and protection their rights provide:

- defence of the rights and legal interests of juveniles, carrying out measure to disclose and eliminate the reasons and circumstances, which create condition for homelessness, orphanhood, commission of offences by minors;

- monitoring of organization of educational work among juveniles in secondary schools and other educational institutions, and at institutions, organizations and enterprises where minors work;

- interrelation of activity of the bodies and institutions implementing of prevention of homelessness and offences of the juveniles;

- addressing to appropriate public bodies to bring to responsibility of the persons who violate the rights of minors or inciting and incline them to commission of illegal deeds;

- assisting the juveniles released from prisons, special educational institutions opened or closed type, creation them labour and home conditions, discovering the minors who need a public help and assist them, implementation other functions on social protection on the minors' rehabilitation, which stipulated with the legislation of Azerbaijan Republic;

- sending in special educational institutions of opened type the minors who committed socially dangerous deeds not presenting great social danger or having the signs of less serious crimes, but not reached the age to bring to criminal responsibility that established with legislation of Azerbaijan Republic; and also sending the indolent children with consent of parents or other legal representatives; minors who are registered in the bodies of internal affairs for various offences and conducting an immoral life, but are not come to correction;

- lodging of petition in court about sending of minors in special educational institutions of closed type, who committing socially dangerous deeds having the signs of grave or especially grave crimes, but not reaching the age to bring to criminal responsibility that provided with legislation of Azerbaijan Republic;

- application in respect of the juveniles and their parents or legal representatives the measures of administrative punishment and disciplinary influence that stipulated with legislation of Azerbaijan Republic;

- implementation other prevention measures of minors' offences and social protection of them, which provided with legislation of Azerbaijan Republic [3, p. 77-78].

It seems that the most part of enumerated provisions have a declarative nature and are not provided with concrete guarantees. For example, the statements about defence of the rights and legal interests of the minors, implementation of measures on disclosing and eliminating of the reasons and circumstances that are caused of homelessness, orphanhood, crimes' commission and other contain the parameters, which might not be covered even high developed state with its rich working experience in this area – based on activity of hundreds of specialized institutions and the works of the scientists in many branches of sciences. As for measures on disclosing and eliminating of the reasons and circumstances of orphanhood, this paradox should be deleted from the Law as soon as possible.

According to the Law, the bodies of social protection of population are implementing the measures on prevention of homelessness of juveniles, arrange an individual preventive work in respect of the parents or other legal representatives

who are not fulfilled their duties on education, supporting of these persons, negatively influencing to their behaviour or maltreated to them; are controlling an activity of specialized institutions of social rehabilitation of the minors, and also other institutions and services, which provide social services to the juveniles and their families. Institutions and services of social protection of population in the frames of their powers: upon request of the minors, their parents or other legal representatives or initiative of the bodies, implementing prevention of delinquencies, these institutions are providing free social services to minors who have social problems; they discover the problematic minor, their families and fulfill their social rehabilitation, assist them through individual programmes of social rehabilitation; participate in conducting of individual preventive work to the juveniles through organization of minors' leisure, development of their creative abilities [3, p. 78-79].

It seems that the above state has a declarative nature as the Law is not said a mechanism of providing with free social services to the minors and their families, organization of leisure, development of creative abilities etc.

In compliance with the legislation of Azerbaijan Republic, the officials of the bodies for social protection of population and institutions of social service have the right: to visit the minors, to conduct talking to them, their parents or other legal representatives; to receive information from public bodies and other institutions concerning the issues that covering their competence. The specialized institutions of social rehabilitation of the minors are the following: the centres of social rehabilitation of the minors, implementing of social rehabilitation of the juveniles and prevention of homelessness; social shelters, which providing social rehabilitation and temporary inhabitation of the juveniles, who have a hard life and are needed in an urgent state aid.

According to legislation of Azerbaijan Republic, specialized institutions of social rehabilitation of the minors are accepted: minors who deprived the custody of parents or other legal representatives; minors who live in the socially dangerous families; lost or left juveniles; minors who left without permission of educational institutions for children, run away home, lost the parents or deprived parental

custody, other institutions for children, minor who have no material funds for living; juveniles are needed in social help and rehabilitation.

The ground to send the minors who are needed in social rehabilitation in specialized institutions are: a personal addressing of a minor; addressing of parents or other legal representatives of a minor with considering of a minor's opinion, whose age is reached ten years, excepting the cases when minor's opinion contradicts his interests; resolution of a court on detention, arrest or conviction of parents or other legal representatives of a minor; resolution of a body of internal affairs about sending a minor, who needed in social rehabilitation to specialized institutions for social rehabilitation. A copy of this letter is sent for 3 days in a body for social protection of population.

It is not allowed placing in specialized institutions for social rehabilitation the minors who are in intoxicated state or having mental illness. But, the Law says nothing about these cases.

Person, voluntarily addressing to specialized institution for social rehabilitation of the minors, may leave this institution with submission of his application.

Specialized institutions for social rehabilitation of the minors in frames of their powers: participate in disclosing and eliminating of the reasons and circumstances creating conditions for homelessness and orphanhood of the juveniles; assist to minors, their parents or other legal representatives social, psychological and other help in eliminating of hard living conditions of the juveniles, restoration of their social status in place of residence, in educational institutions, at working places, undertake the measures to returning minors to their families; in compliance with legislation of Azerbaijan Republic, provide the minors with state supporting, implement their social rehabilitation, protect their rights and legal interests, provide with medical services, arrange studying process of the minors at appropriate studying programmes, create conditions for their professional skills and gaining a specialty; notify about placing the minors in specialized institutions for social rehabilitation of juveniles, their parents or legal representatives [3, p. 79-80].

According to the Law, the bodies of education in frames of their powers: carry out a control over execution of legislation of Azerbaijan Republic in area of education for minors; implement the measures on creation of chain of special educational institutions of opened and closed type, educational institutions, orphanage and boarding schools, and also to development of institutions providing with pedagogical and other help to the juveniles, who have disabilities in mental development or behaviour; participate in arrangement of summer rest and leisure of the minors; register the minors in educational institutions, who are avoided from studying; develop the programmes and methods to form to the juveniles a behaviour to respect a society and the laws, and apply them in educational institutions; create psychological, medical and pedagogical commissions discovering the minors, who have disabilities in mental or physical development, implement a complex examination of these children and prepare the recommendations for providing them with psychological, medical and pedagogical help and determination of the forms for subsequent teaching and upbringing of the juveniles.

The Law provides to creation of special educational and upbringing institution of opened and closed type. On decision of commission for cases of the minors and protection their rights the following juveniles are accepted in special teaching and educational institutions: the minors from eight up to eighteen years who are required a special pedagogical approach, from a consent of the minors reached fourteen years, their parents or legal representatives; minors committed socially dangerous offence that does not present a great social danger or have the signs of less grave crime, but not reached age limitation, stipulate with legislation of Azerbaijan Republic, to bringing to criminal responsibility; minors who recognize as an indocile ones, from a consent of their parents or other legal representatives; juveniles who are registered with the bodies of internal affairs for various delinquents, and cannot be corrected. Special teaching and educational institutions of opened type arrange a psychological, medical and pedagogical rehabilitation of the minors and, in frames of their powers, participate in conducting with them an individual preventive work, and also

protection of the rights and legal interests of the juveniles, provide them with receiving of education and medical service.

The following minors are received in special teaching and educational institutions of closed type:

- minors committed socially dangerous deed having the signs of grave or especially grave crimes who are not reached the age to bring to criminal responsibility, stipulated with legislation of Azerbaijan Republic;

- juveniles who are not reached the age limit for bringing to criminal responsibility, stipulated with legislation of Azerbaijan Republic, committing less grave crimes, released by a court from punishment, provided with article 89.2 of Criminal Code of Azerbaijan Republic, in the order stipulated with criminal procedure legislation of Azerbaijan Republic.

Sending of the minors to special teaching and educational institutions of closed type is implemented on a court's resolution.

Minors are sending to special teaching and educational institutions of closed type till reaching eighteen years, but provided that staying there not much three years.

Employees of the special teaching and educational institutions have in advance to notify a minor about application of physical force, to give him time to stop illegal deeds commissions. Physical force might be applied in respect of the minors only in exceptional cases if other methods were failed. It is prohibited to apply a physical force in respect of the minors who have physical or mental disabilities (excepting their armed resistance, group or other attack, which create a danger for life and health of people).

It is allowed to apply a physical force to punish or to inflict physical or mental pains. A minor who, was applied a physical force, gets a medical examination, and is provided with medical aid, if necessary. If there is no necessary any medical aid, a minor would be placed in special recreation room for 24 hours. Here, psychotherapist and psychologist carried out appropriate measures on his psychological recovery. All measures on a minor's placing in recreation room should be proper registered.

Administration of a special teaching and educational institution of a closed type should for 24 hours inform a prosecutor's office about each case of physical force application in respect of a minor, to carry out an official inspection of this accident and to prepare an appropriate conclusion. For three days this conclusion should be presented to prosecutor's office.

We should note that from 2000 till 2009 prosecutor's office of Azerbaijan Republic was not registered any case of official examination of a fact of physical force application in respect of minors containing in special teaching educational institution of a closed type. It would be considered as a positive fact if there is no doubt in reliability of this information.

According to article 14 of the Law, bodies of the orphanhood and guardianship: give their consent to transmission of children, who lost their parents and deprived parental guardianship, from one educational institution in other one or a change of education form before receiving of main education, and also expelling such persons from any educational institution; in frames of their powers participate in conducting an individual preventive work with the minors who lost their parents, deprived of parental or other representatives' guardianship, and also implement of the measures on protection of personal and properties rights of the minors in need, which are stipulated by the legislation of Azerbaijan Republic.

Bodies on youth cases in the frames of their powers: take part in development and implementation of purposeful programmes on prevention of homelessness and juveniles' offences; carry out an organizational and methodic supporting subordinating them social institutions, clubs and other organizations and coordinating their activity on prevention of homelessness and minors' delinquents; together with proper non-governmental organizations assist to social institutions, funds, other institutions and organizations, take part in arranging of recreation, leisure and employment of the minors.

Health care bodies in the frames of their powers: promote the sanitary and hygienic knowledge and healthy life among the minors, their parents or other legal representatives; provide a development of the medical educational institutions'

network, which provide psychiatric aid to the juveniles; fulfill a reception and keeping the children up to four year age who were lost, abandoned or lost by parents, deprived the guardianship of parents or other legal representatives; provide with medical examination of the minors, who lost their parents or other legal representatives, and give recommendations of their placing; carry out keeping and upbringing of the children up to four years age, who lost parents, deprived guardianship of the parents and other legal representatives or those, whose parents are in hard living situation, assist to the bodies of guardianship in placing such children; issue a reference about presence of medical contraindications for sending the minors to teaching educational institutions of a closed type; discover the minors who use alcohol drinks or drugs and psychotropic substances, register, examine and treat of the homelessness and the children who are in socially dangerous state; prevent alcoholism, drug addiction, toxic substance abuse and associated with them behavioral violations on the children [3, p. 81-82].

In compliance with the legislation of Azerbaijan Republic, the bodies of internal affairs fulfill an activity to prevent the minors' delinquencies. For this, there are created a special police department in the bodies of internal affairs on prevention of homelessness and minors' delinquencies.

The bodies of internal affairs: carry out a preventive work in respect of minors, and also parents or other legal representatives who do not fulfill their duties of upbringing, education and supporting; disclose the persons, who involve the minors in criminal deeds, prostitution or other lascivious deeds etc.; discover parents or other legal representatives, official persons who do not fulfill or improper fulfill their duties of upbringing, education and supporting, accept the measuring respect to them, stipulated in legislation of Azerbaijan Republic; consider the statements about commission by the minors who are not reached the age to bringing to administrative or criminal responsibility, which established with legislation of Azerbaijan Republic, and also about parents or other legal representatives or officials who do not fulfill or improper fulfill their duties on upbringing, education and supporting of the minors; inform appropriate public and institutions about the reasons and circumstances

creating conditions for homelessness, commission of illegal deeds of the minors; submit suggestions in appropriate public bodies, enterprises, organizations and institutions about eliminating of the reasons and circumstances creating conditions for commission of delinquencies by the minors; lodge suggestions in appropriate public bodies about application of the measures, provided with legislation of Azerbaijan Republic, in respect of the minors who committed offences, and also parents or other legal representatives or officials, who do not fulfill or improper fulfill their duties on upbringing, education and supporting of the minors, or negatively influencing at the upbringing or maltreated with them.

Centres of contemporary isolation of the minors under the bodies of internal affairs: provide receiving and contemporary keeping for a day of the minors to protect life, health of the juveniles and non-commission by them repeated crime; implement an individual preventive work with minors in a centre of contemporary isolation, establish the reasons and circumstances, which create the conditions for committing of illegal deeds, and inform appropriate public bodies about it; deliver minors to special teaching educational institutions of closed type and in frames of their powers undertake other measures of their placing in these institutions [3, p. 82].

As it seen from the law content, it regulates public relationships on prevention of homelessness and minors' delinquencies, establishes the rights and duties of the public bodies, institutions and organizations in this area. Though, in our point of view, some its provisions should be corrected.

It seems to be necessary included a provision in the Law about interaction of the public bodies with non-governmental organizations, recommendations of which should be used.

Article 8.2.3 of the Law stipulates the right to minors to appeal in a court a decision of institution on prevention of homelessness. Though, the fact that the minors up to 16 years are not possessed with civil procedural capability.

According to article 11.4 of the Law, there are no allowed placing in specialized institutions of social rehabilitation of the alcohol state minors, though the law nothing say about where they should be sent.

Provisions touching of physical force application in respect of the minors are compromise one.

As justly I.P. Murzin notes, unsatisfactory demand in communication, absence of positive ties in small social groups where is passing a positive life of adolescents, their deep estrangement from society through a family and system of public education, reducing or sometimes full absence of social control, imperfection of valid legislation in respect of minors is caused of teenagers' involving in streets groups, where adolescents are getting a certain comfort, equal partnership in communication, and in most number of the cases – social protection of their interests [11, p. 19-20].

Naturally, “leaving” of a minor in street group of coevals does not mean that he mandatorily commits offence. The matter is that these communities fulfill very important social function – through them is implemented a process of socialization of the adolescents, therefore the most part of the teenagers, who did not commit crimes, passed through these streets communities. But, it is known that there were always a certain link between criminal world and streets groups and some teenagers were involved in crimes' committing trough concrete men and due to specific living circumstances.

There were existed certain parallels between criminal and teen subculture: criminal romance and “thieves” folklore etc. Though, criminal and teen world lived on various laws. As R.M. Bulatov and A.V. Shesler justly note, at the last years the teenagers communities, being left themselves and happened to be out of positive influence of the institutions of education, are subjected to serious impact of criminal world [1, p. 35-42]. Traditional forms of life of the teenagers' street groups (territorial organization, group fights, codes of honour etc.) are transformed in a form of organization of the minors and youth, which are inherent for criminal groups. This strong influence of criminality on moral conditions of the minors' socialization is currently a factor, to which should be considered and fought.

A content of the Law “On prevention of homelessness and delinquencies of the minors” shows that under fulfilling a social control, a number of fundamental issues, containing of its content, were given to officials complete control, who were obliged

to implement a social control. What is more, these issues are related to special knowledge, with which the subjects of social control command insufficiently. We are talking about criminological and psychological notions of a motive and motivation, which are directly associated with problems of crimes' prevention and development of typology of their personality.

The works of B.S. Volkov, V.N. Kudryavtsev, N.F. Kuznetsova, V.V. Luneeva and other scientists are dedicated to the problems of motive and criminological motivation [2, p. 151; 6, p. 76-79; 8, p. 204; 9, p. 382].

Research made did not eliminate discords full in determination of an essence of motive and motivation of criminal behaviour due to diversity of issues considered; nevertheless, they allowed developing common primary provisions. They are the following: conclusions about inevitability of conditionality of criminal behaviour's motivation with conditions of objective reality, social environment, significance of behaviour's motivation in determination of criminal deeds and some others.

It is hard to understand an essence of "motivation" category without determination of the notions of motive and motivation of criminal behaviour. Majority of the authors who study regularities, which lie in basis on motivation of criminal behaviour, understand the motive like an incentive element to commit criminal deeds, by other words, crime's motive is considered like an incentive. An issue on determination of psychological structure of crime's motive is discussable. According to G.G. Sheykin, this or that need lies in a basis of each incentive [13, p. 71-72].

V.V. Luneev believes that along with needs, interests, emotions, ideals, habits etc. are also independent elements of motives' forming [9, p. 481]. V.I. Muravyev believes that needs have a subordinate place in genesis of motivation of criminal behaviour or does not include at all in psychological structure of crime's motive [10, p. 119-121].

Consequently, decision of an issue about psychological structure of the motive depends on determination of a core and significance of category of "need". It seems that the more correct notion of needs was formulated by D.P. Kotov, who had

determined it like “mental reflection of a demand by individual in certain conditions of life and development, but not a need like expression of real objectively existed relations between subject and environment” [4, p. 61-62]. Essentially, a demand is a designed model in psychics, which expresses real existing relations of objective reality. Man’s behaviour is formed from committed by him actions. Each of these actions is directed to satisfaction of and need, in basis of incentive force of each of them lies a demand. It is important to note that the demand does not coincide “direct” with the need, like there are not coincided a model and original. Sometimes, the demand is a reflection of the need. Such distorted demands lie in the basis of the motive a lot of crimes.

Though, a demand is not a motive. It is become as such only in process of motive forming. A system of valuable orientations is in continued movement. As result, reflection of the relations of internal world appear new demands, under influence of which go continuous transformation formed demands, and, consequently, system of valuable orientations. Therefore, motivational sphere of personality is constantly developed and changed. Thus, an essence of a process of motive forming is concluded in correlation with existing demands like a system of socially determined attitudes of a person to environment with newly appeared demand presenting one more attitude, link with this environment.

It is quite difficult to discover the real motives of the actions due to dynamics and multilevel nature of human motivational sphere. The fact that is presented to be a leading motive sometimes might be acted as secondary stimulus or not to have any stimulating significance.

As it has been noted above, detection and studying of the motives of criminal behaviour has an important significance not only for investigation, preventive work to specific persons, but not for development of typology of criminal personality.

Speaking about motive of criminal behaviour, there is necessary to take in account that a notion “motive of crime” and “motivation of criminal behaviour” is not identical.

Motive does not exhaust whole content of motivation. Its formation is not stopped with formation of the motive. It is continuing under reasonable forming, under choice of the way of goal's achievement, under forecasting by a subject of his future actions and their possible consequences, under acceptance of decision to act by certain way and in course of execution of criminal actions. Motivation penetrates a content of listed elements at all stages of criminal behaviour. It remains to be unchangeable. This is testified with known in criminal law excess of an executor. The latter reflects motivation changing in course of crime committing. At the same time, a choice of the ways of goal's achievement, making a decision is formed on the base of dominating motivational state of a subject in strict accordance with actual motivation.

Classification of the motives of criminal behaviour has been suggested by V.V. Luneev, who brings together all combination of criminal motivations to five main kinds: 1) political; 2) mercenary; 3) forcibly egoistic (aggressive); 4) anarchic-individualistic; 5) frivolous and irresponsible [9, p. 186-187].

Studying the motives of commission of separate types (subtypes) of crimes one may not that at this level of motivation is seen characteristic features of the motivations, which are inherent to separate groups of crimes and are found concrete forms of manifestation this or that motive.

The motives determining a commission of separate crimes and separate typical actions and entering at structure of a way of commission of these crimes are the next level.

The following level of generality includes the motives of concealment of some types (subtypes) of crimes. Here, there is possible to determine interlinks between concealment motivations and other elements of criminalistical characteristics of crimes. The last group is the motives of separate actions entering in a structure of concealment's way.

Above stated shows that in addition to the science of criminal circle like criminal law, criminology, criminalistics and other, in the base of social control implementation are physiology, psychology and its branches, as opposite one

excludes making correct decisions on determination of actual, but not superficial reasons of the minors' criminality.

Unfortunately, research made has shown that employees of the law enforcement bodies, which are main structure in social control implementation, have not such knowledge. So, none of 50 questioned district inspectors could say difference between motive and motivation, though just they make primary decision determining the minors' fate.

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