

**Actual problems of criminal law,
criminal procedure and criminalistics**

Materials of scientific conference

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**Actual problems of criminal law,
Criminal procedure and criminalistics**
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Proofreading	Kristin Theissen
Cover design	Andreas Vogel
Additional design	Stephan Friedman
Editorial office	European Science Review "East West" Association for Advanced Studies and Higher Education GmbH, Am Gestade 1 1010 Vienna, Austria info@ew-a.org www.ew-a.org
Email:	
Homepage:	

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Some questions of qualification of depravity of juveniles

In article problems of differentiation of depravity of juveniles with adjacent crimes are considered. Signs of corpus delicti of juvenile's depravity are opened. Differentiation between depravity of juveniles and production, turnover of materials and objects with pornographic images of minors is carried out.

Key words: depravity, production, distribution, storage, pornography, criminal legislation, crime object, objective party, subject, subjective party.

The main object of a crime - public morality is possible to define as set of customs, views and rules of behavior existence of which is caused by cultural and spiritual traditions of this society and reflects the ideas of good and evil, justice, honor, conscience dominating in consciousness of most of his members which society executes without coercion threat, voluntarily. Therefore, at commission of crimes against public morality the moral damage is done to big groups of people because of serious violation of the settled norms. Concerning to this structure it is possible to say that in this case infringement of public morality has character of violation dominating in the society of representations about decent and admissible in relation to sex, intimate life of people as the sexual relations between children, or between adults and children, within modern society admit inadmissible. Thus, distribution among the population of the materials containing scenes of sexual relationship with participation of minors, first, is violation of public morality depending on censure of similar actions by the most part of the population, and, secondly, promotes promotion of the similar relations [1, p. 78].

However, in this respect there are also other opinions: so, in the researches devoted to history of regulation of the child pornography it is said that, at all inadmissibility of existence of the child pornography, in years when it was resolved (prior to the beginning of the 1980th years), sharp decrease in level of violent crimes in relation to minors was observed, and, therefore, it is capable to serve as a discharge

for aggressive-minded sexual criminals with the expressed frustration of an inclination (the example of Denmark is especially remarkable). Thus, it is necessary to choose between two socially blamed phenomena: a child pornography by which production children are exposed to sexual exploitation that is directly forbidden by international conventions or the level of violent sexual crimes in relation to minors increases. Meanwhile, on other researches distribution of a child pornography serves as promotion of sexual contacts with children for those persons who have no pronounced pedophilia orientation, or at whom this tendency is latent. The third authors say at all that it is difficult to reveal interrelation between viewing of a child pornography and transition by the persons who are looking through it to real sexual actions. Thus, the question of degree of public danger of a child pornography still is debatable what promotes to, including insufficient study of this subject (as well as study of prevalence the pedophilia of tendencies among the population in general what we wrote earlier about).

From our point of view even if existence of a child pornography also promotes decrease in crime, then it is impossible to lose sight of the fact that by its production the most part of minors (in any case, those minors who owing to age are incapable to realize the nature of the actions made by them) are exposed to sexual exploitation. Such production has to be unambiguously prohibited. The question of admissibility and morality of production with the minors, capable to realize the events, and going for shootings voluntarily, has to be resolved in