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## INDECENT SEXUAL ACTS AGAINST CHILDREN AND ADOLESCENTS

*The article deals with criminological and criminal legal description of indecent sexual acts against children and adolescents. Considered terms of various scientists and their approaches to this problem. It is emphasized varieties of preventive effects and prevention of depraved actions with sexual nature.*

**Keywords:** indecent acts; children; sexual harassment; sexual exploitation; children's rights; preventive effects; prevention.

*Розкрито кримінологічну та кримінально-правову характеристику розпусних дій сексуального характеру щодо дітей і підлітків. Розглянуто погляди різних учених стосовно цієї проблеми, а також особливості профілактичного впливу та запобігання розпусним діям сексуального характеру.*

**Ключові слова:** розпусні дії; діти; сексуальне домагання; сексуальна експлуатація; права дитини; профілактичний вплив; запобігання.

*Раскрыта криминологическая и уголовно-правовая характеристика развратных действий сексуального характера в отношении детей и подростков. Рассмотрены точки зрения различных ученых касательно этой проблемы, особенности профилактического воздействия и предотвращения развратных действий сексуального характера.*

**Ключевые слова:** развратные действия; дети; сексуальное домогательство; сексуальная эксплуатация; права ребенка; профилактическое воздействие, предотвращение.

There is no single definition of indecent sexual acts in the scientific sources. Diversified of the solvation of question: what kind of actions should be referred to the objective side of the crime.

Some authors refer to lewd acts satisfying sexual desire:

by exposure of the genitals of the child, followed by touching it with his hands, penis and rubbing it between the thighs of the child;

employment masturbation in front of a teenager;  
forcing the child to touch the genitals molesters that are physical actions that occur on the victim [1].

Others argue that the depraved acts must be committed against a child and there must always have a place close physical contact [2].

Describing the objective side of the corpus delicti, we can identify a number of features:

of the need to wear a distinctly sexual nature;

actions should not be natural, anal, or oral sexual intercourse committed by the victim (nd);

actions should be addressed to the person who has not attained the age of fourteen;

the action should be allowed to violate the objective property interest in sex. at the same time, not every behavior that is sexual abuse, is a harlot action – such as indecent assault should be distinguished from affection, true love train, etc.

Therefore, we need clearly to examine the content of the legal term «indecent assault», which consists of two related semantics of concepts such as «debauchery» and «action». Where the word «fornication» means:

Sexual looseness, wicked sex life;

The corruption of public morals, moral decay;

Spoiled, the habit of extravagance, and «action» in turn, is a manifestation of any energy activities, the operation of something, in this case, «corrupt» means to teach debauchery, ruin, bring to a complete moral decay.

So, indecent assault should wear a sexy character, give vicious impact on the victim and adversely affect of it's sexual development, creating a false impression of the relationships of man and woman [3]. Following the indecent assault – it is always action of an individual who is clearly contrary to the standards of sexual morality, acting in a particular society and a in a particular historical period of its development.

The specificity of the objective of the act is that indecent assault should not allow contact with the subject. Any contact should be regarded as either sexual intercourse or as sexual acts.

Indecent assault constitute the act of conduct which aim is in meeting the sexual desire of the perpetrator, or the excitement of

sexual instinct in a person who has not attained the age of sixteen, which, however, didn't involve violence.

There are differently interpreted indecencies of assault in the scientific sources. In terms of protection of the interests of minors and strengthen of the principles on sexual morality, indecent assault must be understood in a broad sense, both physical and intellectual abuse [4].

Perhaps that is why a special forensic literature [5]. states that the typical signs depraved acts committed with causing some injury on victims are isolated injury to the genital area and on the body. Indecent assault intelligent character in turn directed to the formation of a person under the age of sixteen, certain conduct that violates the standards of sexual morality in force on modern society.

Indecent assault traditionally expressed:

to demonstrate to children pornographic materials and products;

the children playing audio and video recordings of a similar nature;

sexually cynical talk with children, etc.

In modern in the scientific sources (literature) [6]. all indecent assault interpreted as:

commit sexual acts without the use of violence against adolescent (child);

the inducement or coercion of persons who have not attained the age of fourteen, to commit sexual acts;

committing of the sexual acts in the presence of the victims;

the inducement or coercion of persons who have not attained the age of fourteen, to commit sexual acts with each other;

teens showing pornographic materials or objects and so on.

Under the definition of pornographic material is understood some spethific pictorial, graphical, literal, musical or other publications (paintings, drawings, posters, movies, video, audio, etc.), which represent sexual act with a focus on physical contact of sexual organs in a rough, naturalistic and shame way [7].

During pornographic material refers to items that are grossly naturalistically depict sexual organs (penis at the moment of orgasm, erect phallus, etc.) [8].

Indecent assault may be related to the commission of other sex crimes. In this case, they are subject to additional qualifications under the relevant provisions of the current criminal law.

Sexual offenses against children were varied and consisted of carrying out indecent acts (56 %), rape (14 %) and acts of sodomy (10 %), as well as a diverse mix of acts of murder victims (20 %) [9].

The point of some authors is in believing that the main offense is relatively minor include indecent assault (rubbing genitals, exhibitionism), at least oral sex and even more rarely – vaginal coitus. Most criminals – pedophiles claim they often cling to male children, which is clearly contrary to expert practice, where more than 90 % of victims – girls [9].

Overall, our calculations shows that over 50 % of the victims were victims of indecent acts. Sexual crimes involving murder and causing grievous injuries rarely met, despite the fact that the investigated contingent offenders aimed at forensic psychiatric examination.

Basic maintenance of work to prevent sexual offenses, including rape, sexual serial murder, depraved actions by individuals with mental problems is actively identifying these people and making some complex measures with them.

These measures should consist of a warning, search operations, moral and psychological (psycho), medical -depth study based on their personality, existing mental abnormalities and their specific behavioral terms in order to prevent criminal offenses of sexual acts. It is very important combination and complementarity of operational and medical measures, the maximum convergence special criminological and medical and rehabilitation programs use not only criminological, psychological and patopsyhologhycheskyh but seksopatolohichnyh knowledge, including the presence of disorders of sexual desire [10].

Identification and registration of persons with mental abnormalities that can carry dangerous sex offenders is one of the key organizational challenges in the prevention of such crimes. It would be desirable to prepare and adopt legislative acts of the Interior Ministry, which regulates the activity of preventing all kinds of sexual criminal behavior of persons with mental abnormalities, as well as guidance on the same issues [11].

In carrying out the preventive effects which is the main in the context of the following attributes:

- committing sexual offenses in the past;

- the existence of such mental abnormality, in which sexual offenses most possible;

- expression of these people, their preferences in choosing employment, forms of entertainment and social circle (pedophiles – child molesters are constantly striving to work in child care and are showing increased interest in the children of their friends and neighbors, especially the girls;

- commitment in childhood or early adolescence sexual misconduct;

- hysterical manifestations, emotional dullness, dementia, significantly impede the establishment of normal relations and relations with the opposite sex;

- hypersexuality, perversiyni (perverse) sexual acts and cynical violation of a sexual nature, which for some reason is not caused by the adoption of criminal activities;

- suicide attempts associated with failures in the intimate life;

- committing violent acts outside without motive, but sexually cynical [12].

Completeness of detection of sexual offenses and the successful results of preventive work with them in a way which depend on the appropriate sources of information, which include:

- materials coming into released from prison, especially in the part relating to his sexual behavior;

- Materials for Civil proceedings, divorce cases, deprivation of parental rights, etc., as well as materials not to institute criminal cases related to sexual immoral behavior, operational and investigative data;

- information available in medical detoxification center, reception centers, including for minors;

- characteristics of the place of residence, work, study, leisure activities against specific persons;

- Data NGOs operating in the field of law enforcement;

- materials medical institutions, including the acts and declarations of examinations, medical history, dispensary observation data, interviews with psychiatrists, neurologists, sexologists, sex therapist.

All this mentioned information shows us the significant improvement of policeman training in the way of sexological knowledges in preventing and disclosure of sexual crimes

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