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LEGAL PRINCIPLES OF PREVENTING DEVIANT BEHAVIOR OF MINORS IN WAR CONDITIONS

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The article defines the legal principles of prevention of deviant behavior of minors in war conditions, in particular, characterizes the legal mechanism of prevention of deviant behavior of minors, analyzes the relationship between social deprivation and deviant behavior in minors, reveals the content, forms and methods of legal work with socially deprived minors. Two types of deviant behavior are distinguished: external and internal, which differ in their goals. External deviant behavior of a minor is aimed at violating legal norms and social principles, which is dangerous not only for him, but also for society. Internal deviant behavior of a minor is aimed at disintegration and self-destruction of his personality, such actions create only temporary, short-term pleasure, and usually hinder his future successful development.

It is noted that the main factor in the formation of deviations in minors is social deprivation - the deviation of the individual standards of a minor from the real social norms of society. Therefore, within the framework of the legal mechanism for the prevention of deviant behavior of minors, we can distinguish three main areas of work: socio-pedagogical and legal prevention, preventive assistance (psychological, legal) and correction, adaptation, rehabilitation and resocialization. The subjects of the prevention of deviant behavior of minors, which we have identified above, should actively participate in the implementation of these areas.

Based on the generalization of scientific literature and practice of the prevention of deviant behavior, such effective areas as active informing adolescents about the consequences of the use of various types of alcohol, drugs and toxic substances by connecting the media and Internet content, distributing visual aids, holding "round tables", lectures and conversations; clarification of legal norms concerning various aspects of asocial behavior by involving legal professionals and establishing their close interaction with adolescents and their parents; formation of skills for active and cultural leisure activities; provision of advisory assistance in solving problems (consultations of a lawyer, psychologist, doctor, teacher, counseling through the media); updating the trend of a healthy lifestyle; creation of conditions for self-realization of the individual in various types of creative, intellectual, and social activities.

Key words: prevention, minor, deviation, deviant behavior, social principles, legal norms, adolescent offenses, crime, legal mechanism, prevention.

Formulation of the problem. The war of the Russian Federation against Ukraine led to significant transformations in all spheres of public life. Along with positive changes, stimulating factors for the improvement of various aspects of human activity (patriotic, volunteer, chaplaincy), a number of negative trends have intensified: unemployment, socio-economic instability, a decrease in the standard of living of many people, emigration, internal displacement of the population, socio-psychological disorientation and maladjustment, stress disorders, a complex criminal situation, etc. All these trends have led to the spread of such adverse phenomena in society as: moral degradation, alcoholism and drug addiction, vagrancy, prostitution, an increase in crime, and others.

The war affects every citizen and changes his behavior, but it is precisely minors who are most sensitive to social cataclysms. At this age, the following behavioral characteristics are most often observed: indiscipline, inability to control oneself, conflict, aggressiveness, which often lead to the development of juvenile delinquency and crime. The problems of deviant behavior of minors are caused by the special circumstances of the modern development of Ukrainian society. During any social catastrophe, and war is one of the largest, human behavior can become deviant due to the disintegration of social, moral and legal norms, the growth of social tension and stress factors. Therefore, the war in Ukraine, its disturbing trends, actualize the problem of determining the features of the formation of deviant behavior of minors, considering and improving the legal mechanism for the prevention of deviant behavior of minors.

Analysis of the study of the problem. The analysis of scientific research on the problem we have highlighted has shown that the content of deviant behavior has significantly expanded due to the emergence of new forms of deviations, asocial and illegal actions of minors: alcoholism, drug addiction, Internet addiction, gambling (O. Vitsko, K. Borshch, O. Guzman, Ya. Shurygailo), etc. It should be noted that the consideration of deviant behavior of minors is an interdisciplinary problem due to its multifaceted nature. Of particular value in the implementation of this scientific development were the works of the following scientists: T. Zhuravel, Yu. Udovenko [2], A. Kom'yaga, V. Golovko [3], V. Pavelkiv, O. Malakhova [4], L. Hachak-Velychko [5], N. Rohatynska N. Chyzhovska [7], A. Samoilov [8], N. Maksimova [9] and others. At the same time, the issues of the legal mechanism for preventing deviant behavior of minors are poorly researched and remain static in practice, since prevention methods and technologies have not yet had a noticeable positive impact on society.

The purpose of the article is to characterize the legal mechanism for preventing deviant behavior of minors, in particular, to analyze the connection between social deprivation and deviant behavior in minors, to reveal the content, forms and methods of legal work with socially deprived minors.

Presenting main material. Deviant behavior is an act or action of a person (group of people) that does not correspond to the officially established or those that have actually formed in a given society (culture, subculture, group) norms and expectations. In this case, officially established norms should be understood as formal, legal norms, and actually formed norms should be understood as existing norms of morality, customs, traditions [1, p. 176]. Regarding deviant behavior of minors, this is a deviation from customary moral principles or a violation of established legal norms: running away from home, vagrancy, skipping classes or refusing to study at all, lying, aggressive behavior, promiscuity, vulgar graffiti, destructive subculture, computer addiction, food addictions, etc.

A historiographical review shows that scientists mostly distinguish such types of deviant behavior of minors as: aggressive behavior, autoaggression, accentuated behavior, asocial behavior, maladaptive behavior, abnormal behavior, destructive behavior, addictive behavior, conflict behavior, delinquent behavior, etc.

However, based on the work of the scientist-pedagogue T. Zhuravel and the scientist-psychologist Yu. Udovenko [2], we believe that in the legal context it is appropriate to distinguish two types of deviant behavior: external and internal, which differ in their goals.

External deviant behavior of a minor is aimed at violating legal norms and social principles, which is dangerous not only for him, but also for society. Ukrainian legislation for such actions of a minor mostly provides for legal liability – civil, administrative, criminal. Forms of external deviant behavior are: moral humiliation of other persons (bullying, provoking conflicts, psychological violence, offensive clinging, etc.); violation of social norms (missing classes or refusing to study, vagrancy, running away from home, deception, aggressive behavior, violence, shouting for hooligan motives in public places at night, appearing in a public place naked; etc.); slander (use of obscene language); ecocide (damage to natural objects: arson, pollution of the natural environment, destruction of animals); cruelty to animals (bullying, torture, mortification); vandalism (damage to inanimate objects, monuments of culture, history, works of art, graffiti (wall drawings) of an obscene nature); intentional infliction of physical harm to other people (hooliganism, theft, beatings, murder).

Internal deviant behavior of a minor is aimed at disintegration and self-destruction of his personality, such actions create only temporary, short-term pleasure, and usually hinder his future successful development. Among the forms of internal deviant behavior, we can distinguish: alcohol/drug abuse, smoking; pathological addiction to social networks, computer and gambling games; eating disorders (overeating, starvation, malnutrition); excessive modification of one's own body (tattooing, piercing, scarring); impulsive and risky sexual behavior (prostitution, promiscuous sexual relations); actions with a risk to life (hooking, parkour, etc.); self-harm (cutting, pulling out hair, burns); attempted suicide (deliberately taking one's own life), etc.

Depending on the type of violation of norms, scientists A. Kom'yaga and M. Golovko classify deviant behavior of minors according to the following features:

- by the level or scale of deviations (individual or mass);
- by the orientation of deviations to the external environment (family misunderstandings, violent crimes, etc.) or to oneself (alcoholism, drug addiction, suicides, etc.);
- by belonging to a particular social group (subculture), sexual-age or gender characteristics;
- by offense (criminal, administrative) and immoral acts (drunkenness, prostitution) [3, p. 119].

In general, we support scientists in the proposed classification, however, in our opinion, it needs to be expanded according to the following criteria: global processes (technical progress, IT technologies, fashion, media, etc.); by state orientation (legal system, state policy); value orientations (moral, patriotic, religious), etc. The proposed criteria for such a division are related to the dynamics of development not only of society, but of each individual with his microsocial and social environment, as well as global challenges and military realities that directly affect every person, and in particular a minor. Among the main factors of the formation of deviant behavior of minors, V. Pavelkiv identifies: external conditions of the physical environment; external social conditions; internal hereditary-biological and constitutional prerequisites; internal personal causes and mechanisms of deviant behavior [4, p. 157]. According to L. Hachak-Velychko, the main factors that cause the development of deviant forms of behavior in minors are external and internal factors, namely: biological, social, pedagogical, socio-psychological and individual-psychological (internal-personal) [5, p. 157]. We believe that the main factors of deviations in the behavior of minors are genetic heredity, home environment, socio-economic conditions, psychological formation, moral attitudes, pedagogical and educational atmosphere, information and technical progress, communication capacity, socio-economic crises, conflicts (ethnic, religious, racial), military aggression and the effectiveness of the national legal system, etc. In order to reduce the level of offenses among minors, modern forms and methods of preventive measures should be used, as well as the prompt identification of the causes and conditions that lead to deviant behavior in minors, high-quality planning and implementation of the necessary preventive measures.

Prevention of deviant behavior of minors is a purposeful process of organizing and implementing a set of measures to prevent, overcome or neutralize factors that cause deviations in the behavior of minors. The subjective component of the prevention of deviant behavior of minors is: 1) central executive bodies that ensure the formation and implementation of state policy in the field of family and children, relevant structural units of regional, district state administrations, executive bodies of city and district councils in cities; 2) authorized units

of the National Police; 3) special educational institutions of the State Penitentiary Service of Ukraine; 4) educational institutions (in particular, schools, social rehabilitation schools, etc.); 5) centers for medical and social rehabilitation of children of health care institutions; 6) centers for social and psychological rehabilitation; 7) non-governmental organizations (public, charitable, religious); 8) individuals, etc. As we can see, our state has formed a whole complex of institutions that should carry out preventive activities against deviant behavior of minors, however, as practice shows, positive results are minimal.

It is clear that the behavior of people, including minors, during wartime changes dramatically due to a combination of a number of factors: psychological trauma, socio-economic instability, a decrease in the standard of living, educational innovations, internal population displacement, loss of loved ones and housing, which contribute to the emergence of deviant behavior among minors. Due to their age characteristics, they are more prone to asocial actions, therefore, in such conditions, state support programs, education and work with the mental health of the population become vitally necessary for the prevention of deviant behavior among minors.

The main factor in the formation of deviations in minors is social deprivation - the deviation of the individual standards of the minor from the real social norms of society. Therefore, within the framework of the legal mechanism for the prevention of deviant behavior of minors, we can distinguish three main areas of work: socio-pedagogical and legal prevention, preventive assistance (psychological, legal) and correction, adaptation, rehabilitation and resocialization [4, p. 160]. The subjects of the prevention of deviant behavior of minors, which we have identified above, should actively participate in the implementation of these areas.

Socio-pedagogical prevention is a system of educational and preventive measures and pedagogical models of influence on a minor in order to prevent, overcome or neutralize the consequences of social deprivation and the deviations formed as a result of it. It should be based on positive pedagogical activity, which is aimed at identifying and eliminating adverse factors that cause deviations in the psychological, moral, legal and social development of minors, their behavior, and health status. For the most part, socio-pedagogical prevention of deviant behavior of minors is carried out at their place of residence, study, recreation, leisure, etc. The content of such prevention is the formation of knowledge, skills, attitudes and motives for choosing socially approved and legal models of behavior; preparation and dissemination of preventive information through the media, print and Internet; holding interactive events (trainings, informal events, educational hours, etc.).

It should be noted that socio-pedagogical and legal prevention of deviant behavior is carried out by the efforts of socio-psychological and legal centers, teachers, employees of social services, services for minors, law enforcement officers, etc. However, there are many problems in this area, which are associated with the lack of established cooperation between various subjects of prevention of deviant behavior of minors, the use of usually group mass forms of work and limited use of innovative interactive methods (role-playing games, trainings, etc.), which develop the appropriate worldview of minors.

As statistics of social service centers for youth, formed on the testimony of minors themselves, show, the reasons for committing offenses: not realizing the consequences of their actions – 67 %; excessive use of alcohol, drugs – 28 %; ignorance of the laws of Ukraine – 5 %; insufficient upbringing and attention from parents – 59 %; influence of friends, negative company – 50 %; difficult financial situation – 18.5 % [6]. Therefore, among the determining risk factors for the impact on deviant behavior, we can include: insufficient level of legal awareness and legal knowledge; lack of an organized leisure system; alcohol and drug use; low level of legal knowledge of parents and insufficient attention on their part to upbringing, etc. Therefore, preventive activities regarding deviant behavior should be carried out both within the educational process and during leisure time. Forms and methods of work should meet the needs of minors, arouse their interest and encourage positive actions.

Preventive care and correction is the implementation of psychological, pedagogical, legal, social and medical activities aimed at helping «risk groups» of minors. This area of preventive work involves psychological, pedagogical, legal and socio-therapeutic influence on the individual in order to master self-help methods, help others in solving problems that provoke deviant behavior. In this aspect, it is advisable

to implement preventive education programs with «risk groups» with the involvement of state, legal, public, religious organizations, volunteers; patronage work with «risk groups», minors from dysfunctional families, which contributes to the elimination of socio-psychological prerequisites for deviant behavior; various forms of preventive education at the place of residence, study, leisure, etc. The main directions of preventive education are instilling moral and legal values in adolescents, increasing their intellectual development, supporting physical health, promoting the development of creative abilities, forming self-control and social and legal skills [7, p. 203].

Adaptation, rehabilitation and resocialization are the reconstruction of the socio-cultural environment for various categories of minors, providing assistance in learning, legal and moral assistance and support for the restoration of lost social ties or adaptation to a new social reality. Within the framework of this work, it is necessary to:

- create scientific and methodological support for preventive socio-therapeutic activities in educational institutions, in particular orphanages, boarding schools and other specialized institutions;
- establish cooperation and scientific and methodological support for the work of social adaptation centers, anonymous drug addiction clinics, diagnostic and advisory centers, the functions of which include solving problems of deviant behavior of minors;
- create a system of scientific and methodological assistance in the organization and development of therapeutic mutual support groups for minors;
- integrate into the system of preventive activities domestic and world experience of social adaptation and rehabilitation.

The system of preventive education should be built on the principles of complexity, systematicity, integrativity, mobility, continuity, specificity, realism, ethics [8, p. 99]. The expected result of this will be the creation of an optimal structure of preventive education, which will contribute to: activating the activities of scientists, specialists, consultants, practitioners in researching and solving problems of preventive education; involving educational, medical, social and law enforcement institutions in the implementation of the tasks of preventing the spread of various forms of deviant behavior among children and youth caused by social deprivation; changing the attitudes and behavior models of adolescents «at risk», etc.

Among the most effective technologies for working with deviants who have experienced social deprivation is socio-legal prevention – a complex of state, legal, social, socio-medical and organizational and educational measures aimed at preventing, eliminating and neutralizing the main factors that cause various negative social deviations and dangerous, harmful actions. The purpose of socio-legal prevention is to create the prerequisites for the formation of a law-abiding, highly moral personality.

Also effective is the method of preventing and correcting social deprivation among minors. For example, if properly organized, social care (patronage) can be a special form of state protection of the rights of the individual, property of incapacitated persons and other citizens in cases specified by law. Social care is a technology that involves identifying persons in need of care, selecting appropriate caregivers for them, working with them properly, effectively regulating relations between caregivers and their dependents, and protecting the rights and interests of the latter. Patronage involves conducting preventive, health-improving, sanitary-educational activities, and providing social services.

Among the correction of deviations of minors, the method of social rehabilitation should be distinguished, which contributes to the restoration of the minor's ability to live in social reality. The method of social rehabilitation primarily involves individual and group consultations of a psychological and legal nature with the aim of successfully adapting the minor to the social environment; the formation of a positive "I-concept", psychological and legal support in the process of adapting to a certain society; correction of negative behavior patterns caused by social deprivation. When analyzing the methods of socio-legal assistance and correction of deviations of minors, it is also appropriate to note socio-legal therapy, which is a purposeful process of practical influence of state structures, public organizations and associations, and the microenvironment on specific forms of manifestation of social relations or social actions. Socio-legal therapy

is a complex of interdependent measures of a legal, socio-economic, organizational-educational and socio-psychological nature that contribute to the normalization of the behavior of minors [9, p. 37].

In the process of working with minors, the technology of legal and socio-psychological counseling should also be used, which involves providing assistance through targeted and informational influence on a person or a small group regarding their socialization, restoration and optimization of social functions, guidelines, and development of social norms of communication. The use of this technology in the process of preventing and correcting social deprivation of minors is quite effective, since it provides one such request of this age period as grouping. The environment plays an extremely important role in the daily life of a minor, contributing to the formation of his personality and helping to find his own system of value guidelines. Therefore, creating a positive environment within the framework of legal and socio-psychological counseling is an operational method of preventing and correcting the consequences of deviant behavior of minors.

Therefore, in order to prevent and correct deviations of minors caused by social deprivation, we propose to introduce a complex of legal, pedagogical and socio-psychological measures, which involves the involvement of lawyers, law enforcement agencies, psychologists, social workers, teachers, public organizations and the family, as the primary link in the socialization of a minor, in preventive and corrective work.

Conclusions. Thus, the socialization of a person in the context of modern legal requirements and social standards of behavior directly depends on their compliance, otherwise the non-acceptance of them by a minor can be stated as behavioral deviations. During war, deviant behavior of minors is quite often a consequence of deep social and psychological shifts in society. War not only destroys infrastructure, but also creates conditions for manifestations of aggression, violation of legal norms and social principles, growth of crime, increased suicidal tendencies and other deviations. Based on the generalization of scientific literature and practice of prevention of deviant behavior, such effective directions as active informing of adolescents about the consequences of using various types of alcohol, drugs and toxic substances by connecting the media and Internet content, distributing visual aids, holding «round tables», lectures and conversations; clarification of legal norms concerning various aspects of antisocial behavior by involving legal professionals and establishing their close interaction with adolescents and their parents; formation of skills for active and cultural leisure activities; provision of advisory assistance in solving problems (consultations of a lawyer, psychologist, doctor, teacher, counseling through the media); updating the trend of a healthy lifestyle; creation of conditions for self-realization of the individual in various types of creative, intellectual, and social activities.

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ПРАВОВІ ЗАСАДИ ПРЕВЕНЦІЇ ДЕВІАНТНОЇ ПОВЕДІНКИ НЕПОВНОЛІТНІХ В УМОВАХ ВІЙНИ

У статті визначено правові засади превенції девіантної поведінки неповнолітніх в умовах війни, зокрема схарактеризовано правовий механізм профілактики девіантної поведінки неповнолітніх, проаналізовано зв'язок соціальної депривації та девіантної поведінки у неповнолітніх, розкрито зміст, форми і методи правової роботи із соціально депривованими неповнолітніми особами. Виокремлено два види девіантної поведінки: зовнішню та внутрішню, що відрізняються своїми цілями. Зовнішня девіантна поведінка неповнолітнього спрямована на порушення правових норм і суспільних засад, що є небезпечною не лише для нього, але й соціуму. Внутрішня девіантна поведінка неповнолітнього спрямована на дезінтеграцію та саморуйнування своєї особистості, такі дії створюють лише тимчасове, короткочасне задоволення, і зазвичай перешкоджають його майбутньому благополучному розвитку.

Зауважено, що основним чинником формування девіацій в осіб неповнолітнього віку є соціальна депривація – відхилення індивідуальних стандартів неповнолітнього від реальних соціальних норм суспільства. Відтак, у межах правового механізму профілактики девіантної поведінки неповнолітніх можемо виокремити три основні напрямки роботи: соціально-педагогічна та правова профілактика, превентивна допомога (психологічна, правова) і корекція, адаптація, реабілітація та ресоціалізація. У реалізації цих напрямів повинні брати активну участь суб'єкти профілактики девіантної поведінки неповнолітніх, які нами вищеозначені.

На основі узагальнення наукової літератури та практики профілактики девіантної поведінки систематизовано та відібрано такі ефективні напрямки, як активне інформування підлітків про наслідки вживання різних видів алко-, нарко- та токсичних речовин за рахунок підключення ЗМІ та інтернет-контенту, поширення наочних засобів, проведення «круглих столів», лекцій та бесід; роз'яснення правових норм, що стосуються різних аспектів асоціальної поведінки шляхом залучення фахівців правової сфери та запровадження їх тісної взаємодії з підлітками та їхніми батьками; формування навичок активного та культурного проведення дозвілля; надання консультативної допомоги з вирішення проблем (консультації юриста, психолога, лікаря, педагога, консультування за допомогою ЗМІ); актуалізація тренду здорового способу життя; створення умов для самореалізації особистості в різних видах творчої, інтелектуальної, громадської діяльності.

Ключові слова: превенція, неповнолітній, девіація, девіантна поведінка, суспільні засади, правові норми, підліткові правопорушення, злочинність, правовий механізм, профілактика.