

D.O. Ozbekov^{*}, A.Zh. Mashabaev, N.Zh. Siubayeva

*Karaganda University of the name of academician E.A. Buketov, Kazakhstan
(E-mail: d_ozbekov@mail.ru, mashabaev.a@mail.ru, s.nuka-92@mail.ru)*

About some issues of victimological prevention of fraud

Fraud, traditionally regarded in the history of law as the fraudulent acquisition of someone else's property, is characterized by the emergence of new areas and methods that do not fit into the standard framework of the Criminal Code. Illegal acts in the field of high technology, investment, banking, insurance, etc., are qualified under the general rule of "Fraud". The purpose of the study is to develop recommendations for improving victimological measures to combat fraud. During the study, general scientific and private methods and techniques were used: historical, legal, logical, the study of special literature, analysis, and generalization of the obtained data. The authors, examining the characteristics of victims that cause their victimization, reveal the content side of the mechanism of fraudulent actions. Using official statistics data, the analysis of the spheres and methods of fraud, the use of computer technology in the commission of fraudulent actions are carried out. Based on the analysis of the most common ways of committing fraud, victim-dangerous situations, and the properties of its potential victims, the authors formulated measures of victimological prevention of this crime. Among the promising directions in scientific and practical terms, constant informing of the population about new methods of deception, updating of practical tips on "How to protect yourself from fraudsters", increasing the level of legal culture of citizens are proposed. These measures will create a model of human interaction with other people, society and the environment, which will lead to a reduction in the number of possible victims of fraudsters.

Keywords: fraud, behavior of a crime victim, specific victimization, recognition and prevention of a victim-threatening situation, preventive impact.

Introduction

Modern information processes, penetrating into all spheres of society, are reflected in domestic science. At the intersection of criminal law, criminology, computer science, sociology, and legal statistics, a private criminological theory has been formed – cyber victimology, which studies crime in the Internet space, its causes, personality traits of a cybercriminal, and measures to counter this phenomenon.

Working with Internet resources is associated with various kinds of risks, including the increasing facts of fraud, which is traditionally regarded as the fraudulent taking of someone else's property. At the same time, articles about the use of new types of fraud in the field of high technologies, investments, various funds, banking, insurance, etc. have been published in the Kazakh and foreign press lately.

According to official statistics, the number of registered fraud cases in Kazakhstan is steadily growing: in 2018, 29282 fraud cases were registered, in 2019 - 32286 (+9,3 %), in 2020 - 33759 (+4,4 %), in 2021 - 41083 (+17,8 %) [1].

We also note that official statistics highlight areas and methods of fraud: "by borrowing money", "in the field of lending", "using payment cards", "in the field of insurance", "Internet fraud", "in the field of land legal relations", "related to real estate".

In the report of form No. 1-M, Appendix 1 "Information on registered offenses with the use of weapons and technical means" is highlighted. Thus, in 2018, legal statistics authorities recorded 34 frauds committed with the use of computer technology, in 2019 - 48 (+29 %), in 2020 - 387 (+87,6 %), in 2021 - 160 (-58,6 %) [1]. It can be seen that there are significant fluctuations in registration: a consistent increase from 2018 to 2019, a sharp increase in 2020, then a decrease in 2021.

However, the majority of researchers explain the reasons for unregistered fraud: "the unwillingness of the victims to admit their short-sightedness, excessive gullibility, fear of publicity of the content of financial and economic activities by the management of legal entities, distrust of the population in law enforcement agencies, legal nihilism" [2].

The success of modern fraudsters is associated with such factors as the general availability of the Internet, the interregional nature of the activity, non-personality, the intellectual and remote nature of the acts.

^{*} Correspondent author's E-mail: d_ozbekov@mail.ru

Fraud belongs to the category of crimes where the victimological factor is of great importance, the choice of the victim of each of the methods of deception is based on certain personality qualities. That is why, in our opinion, one of the promising areas of combating fraud is victimological prevention, which means “a comprehensive impact on potential and real victims, targeted activities of public institutions to identify and eliminate factors, circumstances, situations that form victim behavior”. Preventive work should include “working out the skills of recognition and prevention, as well as overcoming a victim-threatening situation, and explaining the mechanisms of legal protection in case of harm caused by a crime” [3]. The purpose of this study is to develop proposals and recommendations for improving organizational, legal, and victimological measures to combat fraud.

Methods and materials

The article discusses regulatory documents and special literature on the objective side of fraud, characteristics of victims of fraud. The criminal-legal and criminological characteristics of fraud are compiled; modern manifestations of fraud are described; an analysis of the problems of victimological prevention of fraud is presented. Controversial issues that are ambiguously understood both in science and in practice are revealed.

In solving the formulated tasks, various general scientific and private methods and techniques are used, including historical and legal, logical, the study of special literature, analysis and generalization of the data obtained.

Results

The legalization of private mediation has caused an increase in the number of private commercial enterprises engaged in intermediary and trading activities, and, accordingly, an increase in the number of mercenary economic crimes.

In the absence of established rules, traditions, and ethics of business entrepreneurship in society, the influx of criminal elements into business has become a subjective prerequisite for the commission of economic crimes.

The greatest concentration of commercial and financial fraud is observed in areas where “imitation of financial and economic activities carried out in order to mislead a partner does not require large financial costs and a long time period of the legal part of the actions” [3].

Currently, this is the sphere of commodity circulation - the implementation of transactions based on a purchase and sale agreement, when partners, without pursuing long-term goals, focus on obtaining direct benefits from a one-time purchase and sale transaction. This circumstance predetermines the possible unfair actions of one of the parties and the increased interest of professional fraudsters in transactions with goods and the consumer market. Their victims are numerous legal entities of various forms of ownership and citizens suffering significant damage.

The objective side of fraud is expressed either in the embezzlement of someone else's property or in the acquisition of the right to someone else's property. Fraud, being one of the forms of embezzlement, fully complies with all the generic features of theft, which are indicated in Paragraph 17) of Article 3 of the Criminal Code of the Republic of Kazakhstan, namely: the property must be someone else's; this property is confiscated or converted in favor of the guilty person or other persons; the act is committed unlawfully and without compensation; as a result of the act, the damage is caused to the owner or other owner; mercenary purposefulness of the act.

Fraud differs from other forms of embezzlement of other people's property in its objective side, the specificity of which lies in the way it is committed – “by deception or breach of trust”.

Fraud is inherent in the informational method; the act is based on a special trusting relationship between the perpetrator and the injured party. According to some researchers, a combination of physical and informational actions is possible in fraud. Thus, “deception as an informational action is a condition, a technique for performing a physical action - taking possession of property” [4].

The method of taking possession of the property in fraud is peculiar: the criminal resorts to deceiving the persons in possession or in charge of which the property is located, as a result of which they, being misled, voluntarily transfer the property to the criminal, believing that the latter has the right to receive it. In case of abuse of trust, the property may also be in the possession of the culprit himself, to whom it is transferred based on trust either in connection with civil law relations (for example, a lease agreement) or in con-

nection with personal relations between the person who owns the property and the culprit (for example, the transfer of property on loan, for temporary storage).

In all cases, the criminal, having deceived the trust placed in him, turns the property in his favor without the intention to return this property or reimburse its value [4].

Fraudulent deception is the deliberate distortion or concealment of the truth to mislead the person who owns or manages the property and thus achieves the voluntary transfer of the property to the disposal of the criminal. The victim should not realize that he is being deceived, he acts assuming the conscientiousness of the guilty person's behavior. Otherwise, there will be theft by embezzlement or abuse of official position committed by the person responsible for the property, in complicity with a private person [5].

In the content side of the mechanism of fraudulent actions, the following types can be distinguished:

- verbal (oral, verbal);
- documentary (receipt, contract, etc.);
- material (material);
- technical (including using computer technology);
- technological (falsification of products, etc.);
- the creation of a false image based on distorted, limited information (misleading about the status of a person, etc.) [6].

These types of fraudulent actions are often used by criminals in combination, that is, in combination with other elements of the above classification.

Fraud is recognized as completed from the moment when the stolen property is seized and transferred to the illegal possession of the perpetrator or other persons, and they have a real opportunity to own, use or dispose of it at their discretion as their own.

If fraud is committed in the form of acquiring the right to someone else's property, the crime is considered completed from the moment the perpetrator has a legally fixed opportunity to own, use and dispose of someone else's property as his own, after appropriate certification or registration of this right.

Practice shows that the victims of fraudsters are usually the least protected participants of economic activity. Due to the lack until recently of the vast majority of legal entities and individuals skills of economic behavior in market conditions, low awareness of the procedures and rules of transactions, other business transactions, their vulnerability to fraudulent encroachments has significantly increased; the level of property protection has decreased.

The most numerous group of victims of fraud, which caused them significant damage, are natural persons consumers of goods and services, who for the most part have limited incomes and are not experienced in possible ways of deception.

The analysis of information shows that consumers, who have been taught by the past experience of mass deceptions, now trust their funds much less under the promises of the supply of goods in the future, although such facts continue to take place and advertising campaigns are carried out in the media to commit them. The sphere of consumer services is increasingly becoming a place of increased criminal activity of fraudsters. Deception is based on the promise of solving those issues, the resolution of which has become difficult on its own, in particular, on the use of objective difficulties of citizens with employment, characteristic of almost most cities, and for a smaller but solvent category of citizens - in studying or vacationing abroad.

The commission of a mercenary crime in victimological aspects is facilitated by frivolous or immoral acts of the victim; negligent attitude to the safety of their property, promiscuity in choosing acquaintances, excessive credulity towards dubious "friends" and outsiders, joint gambling, etc.

In general, studying the personality and behavior of the victim of a crime, criminology considers the problem of the victim mainly in the following aspects:

- a) general characteristics of the relationship between the victim and the criminal, their relationship;
- b) the identity and behavior of the victim in the general structure of the causes and conditions of the commission of the crime;
- c) the identity and behavior of the victim in the specific life situation in which the crime occurred;
- d) the personality and behavior of the victim after the commission of a crime (especially in the study of recidivism);
- e) the relationship of the personality and behavior of the victim with latent crime [7].

A significant place in many cases of committing a crime is occupied by the “neutral” behavior of the victim. As a rule, this is the physical inaction of the victim, who either does not have time to do anything to protect himself due to suddenness (a crime against the person) or is inactive because his will is paralyzed by fear caused by threats and violence from the perpetrator. For example, to release a relative or acquaintance from “custody”, it is necessary to pay a person with a “position” who has the power to influence the speedy release of the victim for the amount of “bail” called on the phone.

Of particular note is obstructive behavior, that is, situations in which a potential or real victim takes precautions (data verification, distrust).

According to the results of many studies, only 25 % of victims provide counteraction to the criminal, while the remaining 75 % of victims go into liability [8].

The development of measures for victimological prevention of fraud should be based on an analysis of the most common ways of committing this crime and the properties of its potential victims.

At the same time, it should be considered that in science there are general criminal fraud (which takes place in the domestic sphere, in the field of personal property relations between citizens and organizations) and economic (encroaching on the economic security of an economic entity) [9].

In the current criminal legislation, qualifying signs of fraud are identified: by deception or abuse of the trust of the user of the information system; in the field of public procurement.

Fraud committed by a person authorized to perform state functions, or a person equated to him, or an official, or a person holding a responsible public position, if it involves the use of his official position, is classified as corruption crimes.

Let us focus on the victimological aspects of ordinary fraud because it is here that the characteristics of victims that cause victimization are most clearly manifested.

With all the variety of methods of deception, fraud can be divided into the following groups.

In the field of employment - for example, job advertisements are placed. A prerequisite is the passage of a medical commission, for which money is collected from those who want to find a job. The study of judicial practice has shown that in the Karaganda region in 2021, such acts are committed repeatedly. So, A. Yu. was convicted on six episodes of assisting in obtaining medical certificates and sanitary books [10].

Fraud in the housing market. Such a variant of deception is possible: fraudsters who rent an apartment for a short time, rent it to several tenants at the same time, take a deposit for six months and hide.

Fraud in the field of alternative medicine and magic. Today, modern methods of diagnosis and treatment are successfully used, for example, bioresonance therapy, which not everyone knows about. The development of progress is also successfully used by fraudsters who pass off an ordinary computer for expensive equipment with special software. Citizens want to believe that there is a panacea for all diseases, buy miracle drugs and do not get the expected result. The services of fortune tellers, magicians, folk healers, among whom there are many fraudsters, are still in demand. There is no proper control over their activities by the state, taxes are not paid. The problem of providing occult and mystical services is widely discussed in central publications [11].

So-called street frauds: involving passers-by in lotteries, tossing a purse with money (when a round sum is demanded from the finder under threat of contacting the police for theft).

Marriage scams, the victims of which are often single people who are usually emotionally vulnerable. After a romantic courtship period, the fraudster offers to invest a certain amount of money in a joint business, and then disappears.

Receiving an advance payment for a product or service based on ads. According to official statistics, such acts account for half of all Internet frauds. The most common cases in the judicial practice of the Karaganda region in 2021 are cases of repeated fraud by publishing ads on Internet sites for the sale of auto parts (V.D. - thirty-three episodes, M.I. - thirty-one episodes, S.R. - thirteen episodes), for the installation of plastic windows (G.V. - eleven episodes) [10].

Making online loans on the websites of micro-credit organizations and embezzlement of funds from bank accounts after receiving personal data of citizens have become a consequence of the development of digital technologies. At the same time, the culprit uses a computer, computer programs, the Internet, a cell phone, etc., or places deliberately false information or programs in the information system (through a Qiwi-wallet, Internet banking, etc.). In most cases, fraudsters present themselves as bank employees and call from fake numbers. In some cases, victims voluntarily enter their data on “phishing” Internet resources. There are facts of fraud committed under the pretext of profitable investment of money in various projects, games, investments.

Discussion

Having a high latency, fraud consistently penetrates various spheres of economic activity, requiring adequate efforts from law enforcement agencies of the state and society as a whole to combat it. Today it has many manifestations, in connection with which the implementation of criminal liability measures for fraud should gradually transform into one of the priority areas of the criminal policy of the Republic of Kazakhstan.

Advisory measures may take place if necessary:

1) explanations to certain groups of people, distinguished by age, gender, place of residence, place of work, of certain rules of conduct that are objectively capable of ensuring maximum personal safety in the process of professional and everyday life;

2) informing about the rules of saving property from fraudsters;

3) the wording of the most appropriate action in a collision with a criminal, including an accurate description of the addressees (means) of communication and the procedure for contacting law enforcement agencies (duty stations, helplines).

The qualities that cause victimization in the commission of ordinary fraud are excessive credulity, uncriticism, insufficient level of legal knowledge, the desire to get rich quickly.

The victimological aspect includes three categories: “specific” victimization, expressed in the “predisposition” of individuals to become victims of certain types of crimes due to a number of circumstances (for example, fraud, robbery, etc.); “group” victimization is common to certain categories of people with similar social, demographic, psychological, biophysical and other qualities of “increased ability” to become victims of crimes (bankers, sellers, etc.); “mass” victimization is an objectively existing opportunity for a certain part of people, due to their subjective qualities, to bear physical, moral and material damage from crimes.

When determining “victimhood”, as can be seen from these sources, the decisive and only criterion is considered the peculiarity of the victim. However, an individual may be injured not only because of “personal” characteristics but because of their combination or relationship with other factors. In addition, the human condition is terminologically referred to unsuccessfully as “ability”. It should be about the probability of an individual being in the role of a victim under certain objective conditions. Taking into account these comments, in general, we need to agree with the above proposals on the role of knowledge of criminological victimization.

As specific recommendations, we note the following: prohibition of communicating your personal data, details and code words of plastic cards; prohibition of making transfers on dubious transactions; refusal to participate in financial schemes without a transparent source of income; use of official sources to install applications; prohibition of opening links, spam mailings from unknown contacts or in pop-up windows; regular change of the password for access to banking services, the use of 3D protection and other security measures offered by banks; frequent checking of the movement of money in bank accounts.

Conclusions

The conducted research has shown that criminalization and victimization from fraud are interrelated processes and, in many cases, mutually dependent since often it is the victim’s victim behavior, or possession of any of the types of victimization, that affects the offender’s determination to commit fraud.

It is necessary to form a well-coordinated holistic system of preventive measures of a general social, special criminological, and individual nature.

Given the above, the victimological direction of fraud prevention should include:

1) constant informing of the population about new methods of deception (such work is already being carried out, criminal cycle broadcasts are regularly broadcast, mass media publish articles on how to protect themselves from fraudsters, safe Internet rules are posted on websites);

2) updating of practical tips on “How to protect yourself from fraudsters” of the publication “100 tips of the prosecutor”, a mobile application and a special page on the website of the Prosecutor General's Office of the Republic of Kazakhstan;

3) raising the level of legal culture of citizens by conducting special training, seminars on victimological orientation.

Every person who does not want to become a victim of a fraudster should, first of all, be law-abiding and attentive in their behavior.

The main task in the implementation of victimological prevention of fraud is to identify, based on data on victims, their most typical personality traits, characteristics of behavior and victim-dangerous situations that contribute to increasing the individual victimization of a particular person. It is possible to successfully combat fraud not only by bringing perpetrators to criminal responsibility and reducing the number of persons prone to offenses but also by taking appropriate measures to reduce the number of possible victims.

References

- 1 Официальный сайт Комитета по правовой статистике и специальным учетам Генеральной прокуратуры Республики Казахстан. Стат. отчет формы №-М. Сведения о зарегистрированных уголовных правонарушениях и результатах деятельности органов уголовного преследования [Электронный ресурс]. — Режим доступа: <http://pravstat.prokuror.kz/rus>
- 2 Криминология. Криминологическая характеристика и профилактика мошенничества [Электронный ресурс]. — Режим доступа: <https://www.freepapers.ru/95/kriminologiya/51951.339866.list1.html>
- 3 Криминология: учеб. [Электронный ресурс] / под ред. Н.Ф. Кузнецовой, В.В. Лунеева. — М., 2004. — Режим доступа: https://all-sci.net/kriminologiya_885/kriminologiya-uchebnik-izd-pererab-dop-volters.html
- 4 Постатейный Комментарий к Уголовному кодексу РФ [Электронный ресурс] / под ред. А.В. Наумова. — М., 2002. — Режим доступа: <http://www.5rik.ru/clear/list-991-str-33.php>
- 5 Мошенничество по российскому уголовному праву [Электронный ресурс]. — Режим доступа: <https://doc4web.ru/ugolovnoe-pravo/moshennichestvo.html>
- 6 Уголовное право. Общая и Особенная части: Интенсивный полный курс / под ред. Л.Д. Гаухмана, А.А. Энгельгардта. — М.: ЮрИнфоР, 2002. — 788 с.
- 7 Личность преступника / под ред. В.Н. Кудрявцева, Г.М. Миньковского, А.Б. Сахарова. — М., 1975. — 153 с.
- 8 Алексеев А.И. Криминология: курс лекций. / А.И. Алексеев. — М.: Цит-М, 1999. — 323 с.
- 9 Курс советской криминологии: Предмет. Методология. Преступность и ее причины. Преступник. — М.: Юрид. лит, 1985. — 374 с.
- 10 Архив Октябрьского районного суда г. Караганды за 2021 г. [Электронный ресурс]. — Режим доступа: <https://office.sud.kz/lawsuit/document.xhtml>
- 11 Алиева Д.Н. Мошенничество: уголовно-правовой и криминологический анализ (по материалам Республики Дагестан): автореф. дис. ... канд. юрид. наук: 12.00.08 – «Уголовное право и криминология; уголовно-исполнительное право». — Махачкала, 2005. — 28 с.

Д.Ө. Өзбеков, А.Ж. Машабаев, Н.Ж. Сиубаева

Алаяқтықтың виктимологиялық алдын алудың кейбір сұрақтары туралы

Құқық тарихында әдеттегідей басқа адамдардың мүлкін алдау арқылы иеленіп алу деп саналатын алаяқтық қылмыстық кодекстің стандартты шеңберіне сәйкес келмейтін жаңа бағыттар мен тәсілдердің пайда болуымен сипатталады. Жоғары технологиялар, инвестиция, банк саласындағы, сактандыру және т.б. құқыққа қарсы әрекеттер «Алаяқтық» жалпы нормасы бойынша сараланады. Зерттеудің мақсаты алаяқтықпен күресудің виктимологиялық шараларын жетілдіру бойынша ұсыныстар әзірлеу болып табылады. Мақала жазу кезінде жалпы ғылыми және жеке әдістер мен әдістеме қолданылды: тарихи-құқықтық, логикалық, арнайы әдебиеттерді зерттеу, алынған мәліметтерді талдау және жалпылау. Авторлар құрбандардың ерекшеліктерін пайдаланып, олардың виктимділігін анықтап, алаяқтық әрекеттер механизмінің маңызды жағын ашқан. Ресми статистика деректерін пайдалана отырып, алаяқтық тәсілдері мен салаларына, алаяқтық іс-әрекеттер жасау кезінде компьютерлік техниканы қолдануға талдау жасалды. Алаяқтықтың ең көп таралған әдістерін, виктимді қауіпті жағдайларды және оның ықтимал құрбандарының қасиеттерін талдау негізінде авторлар осы қылмыстың құрбандарының алдын-алу шараларын тұжырымдады. Ғылыми-тәжірибелік бағыттағы перспективалық бағыттардың ішінде халықты алдаудың жаңа тәсілдері туралы тұрақты хабардар ету, «Алаяқтардан өзінді қалай қауіпсіздендіру керек» тәжірибелік кеңестерін өзектендіру, азаматтардың құқықтық мәдениетінің деңгейін арттыру ұсынылды. Көрсетілген шаралар адамның басқа адамдармен, қоғаммен және қоршаған ортамен өзара іс-қимылының осындай моделін құруға мүмкіндік береді, бұл алаяқтардың ықтимал құрбандарының санын азайтуға әкеледі.

Кілт сөздер: алаяқтық, қылмыс құрбандарының мінез-құлқы, виктимділік түрлері, виктимдіқауіпті жағдайды тану және алдын-алу, алдын-алушылық әсер ету.

О некоторых вопросах виктимологической профилактики мошенничества

Мошенничество, в истории права традиционно рассматривающееся как обманное завладение чужим имуществом, характеризуется появлением новых сфер и способов, которые не вписываются в стандартные рамки уголовного кодекса. Противоправные деяния в сфере высоких технологий, инвестиций, в банковской сфере, страховании и т.п. квалифицируются по общей норме «Мошенничество». Целью исследования является разработка рекомендаций по совершенствованию виктимологических мер борьбы с мошенничеством. При написании статьи применялись общенаучные и частные методы и методики: историко-правовой, логический, изучение специальной литературы, анализ и обобщение полученных данных. Авторы, используя особенности жертв, обуславливающие их виктимность, раскрыли содержательную сторону механизма мошеннических действий. С использованием данных официальной статистики выполнен анализ сфер и способов мошенничества, применения при совершении мошеннических действий компьютерной техники. На основе анализа наиболее распространенных способов совершения мошенничества, виктимно опасных ситуаций и свойств его потенциальных жертв авторами сформулированы меры виктимологической профилактики данного преступления. В числе перспективных в научно-практическом плане направлений предложены постоянное информирование населения о новых способах обмана, актуализация практических советов «Как обезопасить себя от мошенников», повышение уровня правовой культуры граждан. Указанные меры позволят создать такую модель взаимодействия человека с другими людьми, обществом и окружающей средой, которая приведет к уменьшению числа возможных жертв мошенников.

Ключевые слова: мошенничество, поведение жертвы преступления, видовая виктимность, распознавание и предотвращение виктимоопасной ситуации, профилактическое воздействие.

References

- 1 Ofitsialnyi sait Komiteta po pravovoi statistike i spetsialnym uchetaм Generalnoi Prokuratury Respubliki Kazakhstan. Statisticheskii otchet formy №1–M. Svedeniia o zaregistrirovannykh ugovolnykh pravonarusheniiaх i rezultatakh deiatelnosti organov ugovolnogo presledovaniia [Official website of the Committee on Legal Statistics and Special Accounts of the General Prosecutor's Office of the Republic of Kazakhstan. Statistical report form No. 1-M. Information on registered criminal offenses and the results of the activities of the criminal prosecution authorities]. *pravstat.prokuror.kz/rus*. Retrieved from pravstat.prokuror.kz/rus [in Russian].
- 2 Kriminologiya. Kriminologicheskaia kharakteristika i profilaktika moshennichestva [Criminology. Criminological characterization and fraud prevention]. Retrieved from <https://www.freepapers.ru/95/kriminologiya/51951.339866.list1.html> [in Russian].
- 3 Kuznetsova, N.F., & Luneev, V.V. (Eds.). (2004). Kriminologiya: uchebник [Criminology: textbook]. Retrieved from https://all-sci.net/kriminologiya_885/kriminologiya-uchebnik-izd-pererab-dop-volters.html [in Russian].
- 4 Naumov, A.V. (Eds.). (2002). Postateinyi Kommentarii k Ugolovnomu kodeksu RF [Article-by-article Commentary to the Criminal Code of the Russian Federation]. Retrieved from <http://www.5rik.ru/clear/list-991-str-33.php> [in Russian].
- 5 Moshennichestvo po rossiiskomu ugovolnomu pravu [Fraud under the Russian criminal law]. Retrieved from <https://doc4web.ru/ugolovnoe-pravo/moshennichestvo.html> [in Russian].
- 6 Gaukhman, L.D., & Engelgardt, A.A. (Eds.). (2002). Ugolovnoe pravo. Obshchaia i Osobennaia chasti: Intensivnyi polnyi kurs [Criminal law. General and Special parts: Intensive full course]. Moscow: YurInfoR [in Russian].
- 7 Kudriavtsev, V.N., Minkovskii, G.M., & Sakharov, A.B. (Eds.). (1975). Lichnost prestupnika [Identity of the perpetrator]. Moscow [in Russian].
- 8 Alekseev, A.I. (1999). Kriminologiya: Kurs lektsii [Criminology: Course of lectures]. Moscow: Shchit-M [in Russian].
- 9 (1985). Kurs sovetskoi kriminologii: Predmet. Metodologiya. Prestupnost i ee prichiny. Prestupnik [Course of Soviet Criminology: Subject. Methodology. Crime and its causes. Criminal]. Moscow: Yuridicheskaiа literatura [in Russian].
- 10 Arkhiv Oktyabrskogo raionnogo suda g.Karagandy za 2021 g. [Archive of the Oktyabrsky District Court of Karaganda for 2021]. *krg.sud.kz/rus/sub/oktyabrray*. Retrieved from <https://office.sud.kz/lawsuit/document.xhtml> [in Russian].
- 11 Alieva, D.N. (2005). Moshennichestvo: ugovolno-pravovoi i kriminologicheskii analiz (po materialam Respubliki Dagestan) [Fraud: criminal law and criminological analysis (based on the materials of the Republic of Dagestan)]. *Extended abstract of candidate's thesis*. Makhachkala [in Russian].