

REVIEW

**of the scientific consultant on the dissertation of Halibiyati Halibati
on the topic "Problems of legal liability of juveniles for offenses in the
sphere of informatization and communication,"
submitted for the degree of Doctor of Philosophy (PhD)
in the educational program "8D04203 - Jurisprudence"**

Relevance of the research topic. In the era of digital transformation, the deep penetration of ICT into social relations gives rise to fundamentally new challenges for the institution of legal responsibility of minors. According to the 2025 data of the Committee on Legal Statistics under the Prosecutor General's Office of the Republic of Kazakhstan, the share of Internet fraud reached approximately 90% of registered crimes, while 56% of persons involved in dropper schemes are aged 16 to 24. Acts such as cyberbullying, digital grooming, unlawful profiling and AI-based manipulation draw minors into criminal-legal relations as victims, offenders and instruments. The relevance is reinforced by the underdevelopment of special mechanisms in the Criminal Code and the Code on Administrative Offences of the Republic of Kazakhstan, and by the need for differentiated reception of advanced international experience - the UN Convention A/RES/79/243 (2024), the PRC Regulation on the Protection of Minors in the Online Environment (2024), and the EU GDPR and DSA Regulations.

Analysis of the dissertation. In the first chapter, the author substantiates the concept of "digital delict" and systematises its elements and types (unlawful access to information systems, theft of digital property, online fraud, dropper schemes, dissemination of malware and deepfake materials), and, drawing on the study by Halibiyati H. et al. in the Journal of Criminal Justice (2024, Scopus Q1) based on the Add Health dataset (n = 20,745), demonstrates with statistical significance the role of neuropsychological functioning as an independent predictor of juvenile criminal behaviour. In the second chapter, the relevant articles of the Criminal Code (Chapter 7, Articles 205-213; Articles 15, 78, 80, 84) and the Code on Administrative Offences are analysed against international standards (CRC/C/GC/25 (2021), the Lanzarote Convention CETS No. 201, recommendation CM/Rec(2018)7), revealing the absence of separate norms on cyberbullying, digital grooming and digital fraud, and the lack of mechanisms accounting for age, digital maturity and neuropsychological features. In the third chapter, a comparative-legal analysis of the legislation of the CIS countries, the Baltic States and the PRC is conducted, and the tripartite institutional-legal model "State - Platform - Legal Representative" is proposed as the doctrinal foundation of children's digital security, alongside recommendations on digital-literacy education and methodological guidelines for law enforcement.

Main scientific results. The author conducted a deep comparative analysis of the legislation of the Russian Federation, Belarus, Ukraine, Latvia, Lithuania, Estonia and the PRC. For the first time, offences in the field of ICT

are characterised as a "digital delict" and substantiated as an independent doctrinal category; the need to supplement Chapter 7 of the Criminal Code with Section 7-1 ("Criminal offences against the information-psychological security of a minor") and to introduce Article 213-1 is substantiated. Proposals were made on the procedure for using digital evidence, on the digital parenting obligations of parents, on introducing the specialised institutions of the cyber-squad and the digital ombudsman, and on mechanisms for the re-socialisation of children.

Research methods. The methodological base combines the dialectical method (analysis of offences in connection with social, neuropsychological and technological factors), the comparative-legal method (foreign experience of the Russian Federation, Belarus, Ukraine, the Baltic States, the PRC, the USA and Germany), the statistical method (official 2020-2025 data of the Committee on Legal Statistics), the legal-normative analysis (the 2022 Law "On the Rights of the Child," the Criminal Code and the Code on Administrative Offences, the Laws on personal data and on the protection of children from harmful information, and the Budapest, Lanzarote and A/RES/79/243 conventions), and the neuropsychological-empirical approach integrating the Add Health data of the Journal of Criminal Justice study into legal reasoning.

Main results of the research. The research contains specific legislative proposals: to introduce into the Code on Administrative Offences new offences (cyberbullying, digital grooming, online and digital fraud); to supplement the Criminal Code with Section 7-1 (Article 213-1); to supplement Article 80 with the category of digital maturity, part 2 of Article 84 with an expanded list of digital educational measures (digital hygiene courses, cyber-squad programmes, digital probation), and Article 79 with the mechanism of digital expungement; and to supplement Article 65 of the Code on Administrative Offences with the unconditional priority of educational measures over fines, and Article 57 with the aggravating circumstance of the use of ICT. The results are of applied significance for law enforcement bodies, educational institutions and social workers. Directions for further research were identified: a legal response to AI, deepfake materials, the metaverse, blockchain and cryptocurrency, and the development of a "National Strategy for the Digital Security of Children."

Novelty and significance of the obtained results. The scientific novelty consists in the following: offences of minors in the field of ICT are for the first time conceptualised as an independent legal category ("digital delict"); the categories of "digital maturity," "restorative digital justice," "counterpart obligations" and "differentiated reception" are introduced as independent doctrinal foundations; the three independent role statuses of a minor (victim, offender, instrument) are substantiated as an independent scientific category; the three-fold legal regime of participation of a minor in a crime under conditions of artificial intelligence is proposed for the first time; and a comprehensive institutional-normative architecture for the prevention of offences of minors in the field of ICT is developed as an author's model consisting of four mutually

coordinated pillars (regulatory-platform, institutional-subject, reactive-educational, systematising-codification).

Theoretical and practical significance. Theoretically, the work contributes to the development of domestic juvenile justice, information law, criminal law and administrative delictology; the introduction at the doctrinal level of the categories "superinstitution of information relations," "digital delict," "digital maturity," "restorative digital justice," "counterpart obligations" and "differentiated reception" opens a new stage in the development of the legal doctrine of Kazakhstan. Practically, the proposals are suitable for the law-making activity of the committees of the Parliament, the methodological work of the Committee on Legal Statistics under the Prosecutor General's Office, and the practical activity of the Ministry of Internal Affairs and the Office of the Commissioner for the Rights of the Child.

Approbation of the work. The main provisions were made public in two Scopus articles published in co-authorship of the author - Halibiyati H. et al. "Neuropsychological Functioning and Its Association with Juvenile Arrest and Adulthood Incarceration" (Journal of Criminal Justice, 2024, Vol. 91, Article 102153, Scopus Q1) and Kubanova N. et al. "Countering cyber attacks in the Republic of Kazakhstan" (Social & Legal Studios, 2025, Vol. 8, No. 1, Scopus) - as well as in articles in journals recommended by the relevant Committee and in reports at republican and international scientific-practical conferences.

General assessment. The dissertation is deep in content, systematic in structure, and its scientific apparatus is clearly applied. The author's analysis and conclusions make a significant contribution to strengthening the legal protection of minors in the Republic of Kazakhstan, and the work fully meets the requirements for PhD dissertations. On the basis of the foregoing, I consider that the dissertation of Halibiyati Halibati may be recommended to award the degree of Doctor of Philosophy (PhD) in the educational program "8D04203 - Jurisprudence."

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