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INTERNATIONAL
SCIENTIFIC AND PRACTICAL CONFERENCE
“PENITENTIARY SECURITY:
NATIONAL TRADITIONS AND FOREIGN EXPERIENCE”

МЕЖДУНАРОДНАЯ
НАУЧНО-ПРАКТИЧЕСКАЯ КОНФЕРЕНЦИЯ
«ПЕНИТЕНЦИАРНАЯ БЕЗОПАСНОСТЬ:
НАЦИОНАЛЬНЫЕ ТРАДИЦИИ И ЗАРУБЕЖНЫЙ ОПЫТ»

Abstract. The article is devoted to the main events that took place as part of the International scientific-practical conference “Penitentiary security: national traditions and foreign experience”, which took place on 11–12 October, 2018 at Samara Law Institute of Federal Penal Service of Russia. Participants’ recommendations on the improvement of the criminal and penal legislation, practice of appointment and execution of criminal penalties, ensuring penitentiary security, personnel, psychological and pedagogical support of the FPS of Russia were among the considered group of problematic issues.

Keywords: International scientific and practical conference, penitentiary security, penal system, scientific-practical seminar.

Аннотация. В статье освещаются основные мероприятия, прошедшие в рамках работы Международной научно-практической конференции «Пенитенциарная безопасность: национальные традиции и зарубежный опыт», которая состоялась 11–12 октября 2018 г. на базе Самарского юридического института ФСИН России. Рассматриваются обсуждаемые вопросы и выработанные участниками рекомендации, направленные на совершенствование уголовного и уголовно-исполнительного законодательства, практики назначения и исполнения уголовных наказаний, обеспечения пенитенциарной безопасности, кадрового, психолого-педагогического сопровождения деятельности уголовно-исполнительной системы.

Ключевые слова: Международная научно-практическая конференция, пенитенциарная безопасность, уголовно-исполнительная система, научно-практический семинар.

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Annual International scientific and practical conference “Penitentiary security: national traditions and foreign experience” took place on 11–12 October, 2018 at Samara Law Institute of the FPS of Russia. The conference was attended by over 350 participants from 5 countries (Russia, Belarus, Germany, Kazakhstan, Tajikistan): penitentiary scientists from research and educational institutions, including Scientific research Institute of the FPS of Russia, Scientific research Institute of information technologies of the FPS of Russia, Russian Scientific research Institute of the Ministry of internal Affairs; institutions of the FPS of Russia from Ryazan, Vladimir, Vologda, Voronezh, Novokuznetsk, Perm, Academy of the Ministry of Internal Affairs of the Belarus Republic, Kostanay Academy of the Ministry of Internal Affairs of the Kazakhstan Republic named after Shyrakbek Kabylbayev, Academy of the Ministry of internal Affairs of the Tajikistan Republic, University of the Prosecutor’s office of the Russian Federation, Kazan Law Institute of the Ministry of internal Affairs of Russia, Nizhny Novgorod Academy of the Ministry of internal Affairs of Russia, Saratov military Institute of the national guard of the Russian Federation; representatives of the Central office of the FPS of Russia, law enforcement agencies of the Samara region and other regions, human rights organizations and religious denominations.

The conference was opened by the chief of Samara Law Institute of the FPS of Russia, PhD (Pedagogy), Associate Professor, colonel of the internal service A. A. Votinov, noting that the annual holding of scientific events on the basis of the Institute, devoted to the problems of penitentiary security, demonstrates the close attention of the scientific community to the issues of functioning and improvement of the Penal system’s activity.

A. A. Votinov stressed the importance of participation in the scientific event by representatives of the Central office and territorial bodies of the FPS of Russia for a comprehensive study of problematic issues in the context

of prevention and counteraction to the factors of intra- and inter-systemic nature, destabilizing the process of criminal penalties execution and violating effective interaction with civil society institutions. The deputy chief of the personnel department of the FPS of Russia, colonel of the internal service A. A. Pirogov, made a welcoming speech during the opening session of the conference, having wished all participants a successful and productive work, vibrant discussions, as well as new scientific achievements.

The participants of the conference were welcomed by foreign colleagues: associate professor of operational-search activity department of Kostanay Academy of the Ministry of Internal Affairs of the Kazakhstan Republic named after Shyrakbek Kabylbayev police Lieutenant Colonel A. A. Boyko, vice-rector for scientific work of Academy of the Ministry of Internal Affairs of the Belarus Republic, PhD (Law), Associate Professor A. V. Yaskevich, deputy head for scientific work of Academy of the Ministry of internal Affairs of the Tajikistan Republic, PhD (Law), police Colonel Saidzoda Zikrullo Ali, who paid attention to the importance of the scientific event. This is a discussion platform where representatives of Russian and foreign penitentiary systems along with scientific community can discuss current problems in the work of penitentiary institutions and exchange with experience.

At the plenary session, well-known scientists, human rights defenders, representatives of law enforcement agencies of Russia and foreign countries discussed the issues of improving the system of criminal sanctions’ execution in Russia and in foreign countries, especially the development of Penitentiary systems, topical problems in correctional institutions’ operation, etc. The following participants presented their reports:

– S. I. Gir’ko, DSc (Law), Professor (Scientific research institute of the FPS of Russia) on the topic “Provision of security in correctional institutions and problems of criminal-procedural powers of Penal system at the pre-trial stage of legal proceedings”;

– S. V. Rastoropov, DSc (Law), Professor (University of Prosecutor's office of the Russian Federation) on the topic "On the issue of legality and efficiency of Prosecutor's supervision, positive experience and problems in the sphere of execution of criminal penalties";

– N. V. Gerasimov (office of the Human Rights Ombudsman in the Samara region) on the topic "Public monitoring commissions in ensuring social control over observance of human rights in places of detention of FPS of Russia on the example of the Samara region";

– V. S. Shabal', PhD (Law) (Academy of the Ministry of Internal Affairs of the Belarus Republic) on the topic "Supervisory Commission as the subject of social influence on convicts sentenced to imprisonment?";

– R. Z. Useev, PhD (Law), Associate Professor (Samara Law Institute of the FPS of Russia) on the topic "Service in Penitentiary system: employee status, microsocial conditions, personnel issue";

– Aziz Abumansur Abdurashidzoda, PhD (Law) (Academy of the Ministry of internal Affairs of the Tajikistan Republic) on the topic "Problems of Tajikistan Penal system at present stage";

– S. I. Kuz'min, DSc (Law), Professor (Scientific research institute of the FPS of Russia) on the topic "Activation of prosecutorial supervision over correctional- labor camps in the late 30s";

– A. V. Kalach, DSc (Chemistry), Professor (Voronezh Institute of the FPS of Russia) on the topic "Improving efficiency of divisions work of the FPS of Russia in conditions of emergency situation";

– V. V. Polyanskiy, PhD (Law), Professor (Samara National Research University named after S.P. Korolev) on the topic "Rights protection of persons sentenced to imprisonment as a condition of penitentiary security";

– K. S. Liseckiy, DSc (Psychology), Associate Professor (Samara National Research University named after S. P. Korolev) on the topic "Psychological safety provision of penitentiary institutions' employees";

– S. B. Ponomarev, MD, Professor (Scientific research institute of the FPS of Russia) on the topic "Penitentiary stress as a specific type of distress";

– G. V. Shcherbakov, PhD (Psychology), Associate Professor (Academy of the FPS of Russia) on the topic "The possibility of using innovative psychological technologies in Penal system".

The work of the conference continued in four sections: "Problems of organization, supervision, operational-investigative and criminal-procedural activities in penal system"; "Problems of appointment and execution of criminal penalties: history and modernity"; "Problems of educational, social and psychological work in penal system"; "Actual aspects of management and legal regulation of penal system activities".

During the work of sections the following problematic questions were discussed: the problems of legal regulation of penal system of Russia and foreign countries; tendencies of modern penal policy; implementation of the control mechanism and identification of protected information users in penal system; topical issues of improving the efficiency of the regime and protection, prevention of extremism in correctional institutions and detention centers; the influence of the subcultural environment on convicts' education and Correctional Institutions' functioning; features of public formations interaction with penitentiary institutions, training of scientific and pedagogical personnel for the FPS of Russia, normative-legal provision of psychologists activity, etc.

The work of sections was controlled by leading Russian scientists, human rights defenders and practitioners: chief researcher of Scientific research institute of the FPS of Russia DSc (Law), Professor, retired police Major-General S. I. Gir'ko; head of 4th "F" department of General operational management of the FPS of Russia Colonel of the internal service A. V. Kuvshinov; head of information security and protection of information constituting a state secret department of Voronezh Institute of the FPS of Russia, DSc (Chemistry), Pro-

fessor, Colonel of internal service A. V. Kalach; adviser of office of the Human Rights Ombudsman in the Samara region N. V. Gerasimov; chief researcher of Scientific research Institute branch of the FPS of Russia, MD, Professor, Honored doctor of the Russian Federation S. B. Ponomarev; dean of the psychology faculty of Samara National Research University named after S. P. Korolev DSc (Psychology), Associate Professor K. S. Liseckiy; deputy chief in scientific work of Academy of the FPS of Russia, PhD (Psychology), Associate Professor, Colonel of internal service G. V. Shcherbakov etc.

The second day of the Conference was devoted to the problem of personnel safety in correctional institutions and detention centers, the discussion of which was arranged in the format of scientific and practical seminar.

The seminar was attended by the deputy chief of the personnel department of the FPS of Russia, colonel of the internal service A. A. Pirogov; head of 4th "F" department of General operational management of the FPS of Russia Colonel of the internal service A. V. Kuvshinov; scientists of Russia and Kazakhstan; representatives of territorial bodies of the FPS of Russia, in particular, O. B. Belevitin, deputy chief of the FPS of Russia in the Samara region, Colonel of internal service; A. I. Apanasik, chief of the regional Office for guard (Federal state institution of the FPS of Russia in the Samara region), Colonel of internal service; N. N. Nesterov, chief of Medical and correctional institution of the FPS of Russia in the Samara region, Colonel of internal service; I. E. Tret'yakov, chief of Correctional facility-4 of the FPS of Russia in the Samara region, Colonel of internal service; assistant chiefs for the organization of work with religious people of the FPS of Russia in Samara, Penza, Orenburg regions, etc.

The following issues were discussed during the discussion:

interaction of science and practice to ensure regime and supervision in correctional institutions; criminal-procedural aspects of human rights in penal system activities;

usage of forensic tools and security techniques in institutions and bodies of Penal system on the adjacent regime territories;

investigation of criminal cases about disorganization of institutions' activities providing isolation from society;

usage of biometric technologies to ensure employees' safety of institutions providing isolation from society;

features of violent crimes qualification committed against employees of Penal system;

criminal law qualification of honor and dignity violation of employees of Penal system;

prevention of employees of Penal system non-service relations as a factor of ensuring staff safety of correctional institutions and pre-trial detention centers, etc.

The report of DCs (Law), Professor S. I. Gir'ko on criminal procedural means of protection of personnel working in penitentiary institutions and other persons who are in the location of correctional institutions, in cases of obviously false accusations, aroused special interest.

Summing up the results of the International conference sections' moderators announced the developed recommendations by participants to improve the criminal and penal legislation, practice of appointment and execution of criminal penalties, ensuring penitentiary security, personnel, psychological and pedagogical support of the FPS of Russia.

Thus, in order to improve the efficiency of the regime and supervision of convicts and persons in detention, it seems necessary to ensure normative regulation, including the procedural component, of certain aspects of the activities of officers for the prevention, suppression, detection and disclosure of crimes committed in Correctional Institutions. This need is due to the peculiarities of crimes investigation committed in institutions executing punishment in the form of imprisonment, the specifics of the stage of initiation of criminal proceedings. During the period of proceedings in criminal matters to persons among prisoners not only measures of criminal procedural actions are applied, but also measures of penal influence. In addition,

the results of operational-regime work, carried out by the administration of the correctional institution within the existing powers, can be used not only for preliminary examination or serve as a pretext for initiating a criminal case, but also for the preparation and implementation of investigative and judicial actions.

In order to solve organizational problems associated with supervision of persons prone to suicide and self-harm, it is proposed to involve persons, who have committed self-harm, not only to disciplinary responsibility for storage, production and use of prohibited items, but also to material (causing material damage). Besides to exclude detention of suspects, accused and convicts sentenced to imprisonment, prone to suicidal behavior and auto-aggression, in punishment cells and detention centers without video control.

It was suggested to include in the Federal Law a new Standard "About the detention of suspects and accused in committing crimes". This Standard supplements the second paragraph of article 34, where it is set that the administration of detention centers have a right to inspect persons, their belongings, vehicles, as well as to seize prohibited things and documents on the territories adjacent to the Correctional institutions, in which regime requirements are established (by analogy with article 82 of Penal Code).

Participants of the conference paid attention to the need to develop and standardize the concept of "security in penal system", including the personnel safety of Penal system bodies and institutions; the safety of suspects, accused and convicts sentenced to imprisonment.

It was suggested to include in Chapter 17 of Criminal Code of the Russian Federation "Crimes against freedom, honor and dignity of the person" a new component of crime that does not require the use of the sign of "publicity"— article 128.2 of Criminal Code "Insult by a person previously subjected to administrative punishment" in following words:

"Insult, that is, humiliation of another person honor and dignity, expressed in an inde-

cent form, committed by a person subjected to administrative punishment for a similar act, is punished by a fine up to forty thousand rubles or in the amount of wages or other income for a period up to three months, or compulsory work for a period up to two hundred and forty hours, or correctional labor for a period up to six months, or arrest for a period up to three months".

The inclusion of the specified formulation in the number of criminal acts will lead to the need for amendments to Administrative Offense Code of the Russian Federation in the part concerning the powers of authorities and institutions of Penal system to examine administrative offences cases. In this regard, it is proposed to change paragraph 5 of part 5 of article 28.3 of Administrative Offense Code of the Russian Federation, including the list of administrative offences for which officials of the bodies and institutions of Penal system have the right to make protocols, the composition of article 5.61 of Administrative Offense Code of the Russian Federation ("Insult").

During the discussion of legal regulation of convict's labor activities, strengthening their interest in employment, increasing of labor efficiency, participants suggested a method of convict's work evaluation based on their stimulation. Stimulation of convict's labor activity is supposed to be carried out on the basis of an assessment of their positive or negative attitude to work, which is determined by the indicators and coefficients of the labor contribution scale (LCS). Formation of the resulting indicator, characterizing the relation of the concrete convict sentenced to work, is carried out by summation of indicators values according to LCS.

The necessity of destructive manifestations prevention on the part of employees by strengthening the block of psychological and pedagogical disciplines (in particular, the introduction of a course on self-regulation of mental state) in the preparation (training) of employees engaged in direct interaction with convicts is also discussed.

In conclusion, the deputy chief of the personnel department of the FPS of Russia, colonel of the internal service A. A Pirogov highly valued the presented reports, noted the scientific and practical significance of such events,

which serve as a basis for a comprehensive and creative analysis of the complex problems arising in the practice of criminal penalties and contribute to the development of a constructive approach to their solution.