
Board on operational support of the preliminary investigation of criminal cases by bodies conducting search and investigation operations

September 27, the Investigation Committee of the Russian Federation held a board to discuss the operational support of the preliminary investigation of criminal cases by bodies conducting search and investigation operations. Deputy Chairmen of the Investigative Committee, heads of the departments of the central apparatus, heads of regional and specialized, including the military ones, investigation departments, the chief of the investigation department of the FSB of Russia, the Head of the 3rd Division of the "M" department of FSB of Russia, Deputy Head of the main department of economic security and anti-corruption activities of the Russian Ministry of the Interior, Deputy Head of the main directorate of the Criminal Investigation Department of the Russian Ministry of the Interior, First Deputy Director of the Federal Penal Enforcement Service of Russia, and the Acting Chief of the operational department of the Federal Penal Enforcement Service of Russia participated in the board, which was held by the Chairman of the Investigative Committee Alexander Bastrykin.

Opening the board, A. Bastrykin noted that "today, no one has any doubt that the successful investigation of the most crimes depends on how efficiently and harmoniously the investigative bodies and operational units collaborate. The aim of this work is to solve every crime and to punish the guilty persons. This largely depends on our collective work - consistently and coherently conducted search operations, the investigative actions and efficient use of existing expert opportunities."

This year, the overall crime solving rate (for all law enforcement agencies) has increased and reached more than 57%, and the number of the unsolved crimes has reduced by 8%. As for the criminal cases of the Investigative Committee of the Russian Federation, the proportion of the unsolved cases is a little more than 7%. There is a positive trend. According to the results of the work in the six-month period of this year this figure reduced by 0.5%.

The Investigators have achieved rather decent results in the Penza and Novgorod regions, the Chuvash Republic and the Republic of Khakassia.

Meanwhile, in the Kaliningrad, Irkutsk and Samara regions, in the Chukotka Autonomous District and the Jewish Autonomous Region this figure is much lower than the national average.

"Here, I will note - we all know that every unsolved crime is not only our professional failure, but the most dangerous thing is that the unexposed offender is on the loose and may re-offend at any time," - Alexander Bastrykin said.

7 319 murders (detection rate for 8 months of 2012 is 88%), 4 831 cases of infliction of grievous bodily harm resulting in death of the victim (detection rate is 91%), more than two and a half thousands cases of rape (detection rate is 92%) were solved by the joint work of the investigators and the staff of the bodies of inquiry.

In some regions, for example, in the Tambov region, the Republics of Adygea, Kalmykia and Khakassia the murder solving rate reached a 100%.

The efficient interaction in discovering grave and especially grave crimes was noted in Moscow and the Moscow region. Thus, in these regions, more than 22 thousand grave and especially grave crimes were solved, which is nearly a half of all crimes solved in the Central Federal District of the Russian Federation (51 683).

However, in the Kaluga, Saratov, Lipetsk and Irkutsk regions the interaction between the investigative and operational units was considered unsatisfactory.

The positive trends in cooperation on criminal cases of hate crimes, as well as crimes committed against minors were noted in the course of the board.

The active and high-quality interaction between the investigators and the FSB of Russia at the trial stage allowed us to ensure the safety of participants of criminal proceedings and to avoid delays in the consideration of the criminal case on the fact of explosion of the "Nevsky Express" train in 2009.

The investigation of the criminal case on the fact of sexual assault against a minor by the Investigation Department of the Investigative Committee in the Irkutsk region presents a positive interaction example. A criminal case was filed on February 3, 2012. The investigation revealed that during the period from 2009 to 2011, the crimes with a similar method of committing had been repeatedly registered in Irkutsk. As a result of search and investigation operations the suspect in committing more than 10 crimes against sexual integrity of minors was established.

In order to solve the crimes of past years the interagency analytical group has been established in all the regions of the Russian Federation. They were formed of the staff of criminology, process control departments, operational officers, forensic experts of the Criminal Expertise Centre of the Russian Ministry of the Interior in the subjects of the Russian Federation, as well as veterans of the prosecution bodies (in the investigation field) and veterans of the criminal investigation.

They are constantly studying criminal cases and hold operational meetings, plan search and investigation measures. This work allows them to annually disclose and submit to the court the

criminal cases of crimes of past years.

A positive example of analytical groups' operation is presented in the investigation of the criminal case of causing grievous bodily harm that resulted in the death of Yanchuk which was opened by the Investigation Department of the Murmansk region in 2003. During the examination of the case it was established that when the decision had been made to suspend the preliminary investigation, not all the investigation activities legally possible in the absence of the accused had been carried out. During the interagency operational meeting, based on the existing prospect of disclosure, a joint plan of search and investigation operations was made up. In February 2012, the criminal case was reopened. As a result, the crime was solved and the criminal case was submitted to the court in April this year.

In the Vladimir region, the investigating authorities of the Investigative Committee, in close cooperation with the regional offices of the Federal Security Service and Interior Ministry of Russia, the work continues to decriminalize the situation in Gus-Khrustalny. Currently, the main problem is solved to neutralize the leaders and members of five organized criminal groups, as well as to detect and prevent corruption links which had allowed the members of these groups to act with impunity for a long time. There are 5 police officers and a former local MP among the defendants.

Despite the overall positive results of the interaction between the investigating authorities and operational units, the board has found a number of drawbacks.

Thus, the subject of rigorous debate became the facts of violations of the terms, formalism in execution investigator's orders to conduct specific investigation and search operations, improper registration of the results of the operational activities in some regions. So, of 43,671 submitted by the operational services to the investigating authorities in 2012, only 10,230 criminal cases were filed.

One of the main factors that adversely affect the efficiency of interaction between the investigators and operational staff is the lack of legally approved mechanism of this interaction, the powers of the investigator to give binding orders, to control the conduct of search and investigation operations.

According to the result of the work of the Board a number of decisions have been taken. In particular, proposals will be developed to vest the head of the investigative body of the Investigative Committee of Russia (the investigator) with the right to examine the operational records; the advisability of legislative proposals was studied to vest the investigators with the right to give the operational bodies the orders to eliminate violations of the current legislation, not limited by the finding of circumstances led to the commission of the crime. Besides, the board members agreed on the need for a regulation on interagency collaboration of investigators and bodies of inquiry in the disclosure of grave and especially grave crimes.

27 September 2012

Page address: <https://en.sledcom.ru/news/item/511345>