

Sentence passed in criminal case over Lane Horse nightclub fire in Perm



The court has found the evidence collected by the Main Investigations Directorate of the Russian Investigative Committee as sufficient to sentence 8 accused in a criminal case over a fire in the café Lane Horse (Khromaya Loshad). The co-founder Anatoly Zak, executive manager Svetlana Yefremova and art director Oleg Fetkulov were found guilty of a crime under part 3 of article 238 of the RF Criminal Code (rendering of services which do not meet safety standards entailing by negligence the death of two or more persons). Organizers of the pyrotechnical show Igor and Sergey Derbenyov were found guilty of a crime under article 218 (violation of rules of use of explosive, highly inflammable materials and pyrotechnical products). Former chief state fire inspector in Perm Territory Vladimir Mukhutdinov – article 285 (abuse of office). Inspectors of Perm Territory State Fire Control Dmitry Roslyakov and Natalia Prokopyeva – part 3 of article 293 (negligence).

Investigation and the court have found that the defendants organized a show during which there were fireworks inside the nightclub which violated fire safety rules. The use of pyrotechnics led to a fire

in the nightclub *Lame Horse* at night of 5 December 2009. The fire killed 156 people, 64 suffered grievous harm, 9 suffered moderate injuries and 7 – mild injuries. In all there are more than 400 people who were recognized as victims in this investigation. The victims filed actions claiming more than 2 billion rubles.

The investigation took 5 months. Over this period investigators not only found all those who were more or less involved in the tragedy, but took all possible measures to prevent its repetition as people should not suffer because of greed and negligence. During the investigation for the first time charges of rendering services dangerous for lives and health of consumers were brought against actual managers and owners of the café. The investigation showed that all activities of the *Lame Horse* managers were aimed at gaining profit. Not thinking about basic safety of their clients, they had equipped the building of the café with highly inflammable constructions and materials. Trying to make as much money as they could have they let inside 300 people, though it could have accommodated only 50 and had only one fire escape.

When questions to the controlling bodies arose, it turned out that the employee of State Fire Control had shut his eyes to all violations and had illegally issued a positive conclusion on observance of fire safety rules. It was this conclusion and the license on selling alcohol which allowed the managers to make the number of clients more. Except for owners of the café and staffers of the State Fire Control investigators prosecuted pyrotechnicians, who used hand-made fireworks without taking mandatory tests in their show in the nightclub. Investigators did a lot of work to find the role of each one of the accused: they studied documents, carried out hundreds of questionings and expert examinations. A complex commission fire technical, explosive technical, electric technical, construction and chemical expert examination gave the answer to main questions – What was the cause of the fire? What violations were made when changing the layout of the café? The reason why so many people were killed.

It should be noted that investigators have taken all measures to not only bring to justice every guilty person, but to provide compensation for the victims. For that, personal and real assets of the accused were arrested. This way, investigators took all possible legal measures.

The court sentenced Anatoly Zak to 9 years and 10 months in prison; Svetlana Yfremova – to 4 years in prison; Oleg Fetkulov – 6 years in Prison, Sergey Derbenyov – to 5 years in prison; Igor Derbenyov – to 4 years in prison. They will serve their terms in minimum-security prisons. Igor and Sergey Derbenyov are stripped of the right to get engaged in the activity connected with handling of pyrotechnics and creation of pyrotechnical effects for 3 years each.

Dmitry Roslyakov was sentenced to 5 years in prison and stripped of the right to occupy positions in state service and in local governments for 3 years; Natalia Prokopyeva – to 4 years in prison and stripped of the right to occupy positions in state service and in local governments for 3 years. They will serve their sentences in penal settlements.

Vladimir Mukhutdinov was sentenced to a fine of 70 thousand rubles and stripped of the right to occupy positions in state service and in local governments for 3 years.

In addition, all the accused, except Mukhutdinov, were made to pay compensations of moral damage to the victims: 1.5 million rubles for each dead; 1.3 million rubles to each injured, who suffered grievous bodily harm and underwent long treatment; 1 million rubles to each injured, who suffered grievous bodily harm; 500 thousand rubles to each injured, who suffered moderate bodily harm; 200 thousand rubles to each injured who suffered mild injuries; 50 thousand to each victim, who did not suffered grievous, moderate or mild bodily harm.

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