
Interview by Head of the Novgorod Region Investigations Directorate, Valery Simkin to RIA Novosti

Head of Novgorod Region Investigative Committee: corrupted officials can't hide from us

Since the beginning of the year there have been a record number of corruption crimes for the region revealed in the Novgorod Region 150. This is five times as many as there were in entire 2011. Head of the Novgorod Region Investigations Directorate, Valery Simkin in interview to RIA Novosti told about investigations of high-profile corruption cases and problems in anti-corruption activity.

- Mr Simkin, over the past year courts in the region passed sentences in a number of corruption cases, which can be called surprising. Namely, in May the jury acquitted a Novgorod citizen Dmitry Sergeyev, accused of murdering an eminent businessman from Novgorod, and Alexander Valaytis, the supposed organizer of the crime, the jury considered as deserving lenience. In August, the jury court acquitted the Chairman of Valday district committee for managing municipal property Vitaly Krayev, charged with a large bribe-taking. Can you give any comments on these court decisions?

- We do not think that Sergeyev and Krayev were acquitted. As far as I know, the RF Supreme Court has already reversed the decision on the case of Sergeyev and Valaytis and returned it to the regional court for new trial. The same about Krayev's sentence. It can't be said that in these cases investigators did not do their work to the end. Any serious cases before the court go through a very serious check. The cases are studied by investigators, heads of investigating bodies, and they are studied here in the region directorate by one of my deputies and by me, then the prosecutor's office looks into evidence and only after all that the cases go to the court. That is, believe me, if a case gets into court there are evidence of guilt in it. It does happen sometimes that the quality of work is second-rate, but not so much as the accused to be acquitted.

Probably the reason is in the jury court itself, the situation with which, I think, is rather controversial. I was a public prosecutor in jury courts, I have first-hand knowledge of them and not entirely support the idea of bringing them back. The member of jury is, as a rule, an average man, to whom everything that is going around in the court should be explained and the more details the better. This is the job for public prosecutors and lawyers. The jury's decision depends on how they present the circumstances of the case and convince the jury in their rightness. There is no job for investigators anymore, they've done what they could, nothing depends on them in the court and they do not have right to interfere in the process.

- Maybe it has something to do with the recent division of prosecutor's office and the investigative Committee? In the past prosecutor's office both investigated cases and forwarded them to court, and then even defended their point of view in the court...

- No, supervision and investigation should be separate, they shouldn't have been left in one agency. But what it was before? Let us suppose that I was a prosecutor and my investigator was investigating a case. No matter what, I would have signed the case and sent it to the court because they judged my work based on the investigator's work. Today prosecutors are not connected with the investigators by common result indicators and regard cases from purely legal point of view. If there are no violations in the case, the investigators have done a good job and the case is forwarded to the court. If there are – the case returns for additional investigation. But if a prosecutor approves indictment and agrees with it, than the case goes to court and the prosecutor defends our rightness there.

If a prosecutor has no contact with investigators and officers conducting operational support, or if he knows his job not well enough than yes, indeed, the case may fail in the court. Especially if the case is a complex one, with many crimes and of about 100 volumes.

As for our Novgorod Region Prosecutor's Office, I can say that there are a lot of professional there. It has experienced competent specialists. The prosecutor of the region has set up a system in which

the prosecutor's office supervises the case from the moment of its initiation. In addition, we have weekly operational meetings to discuss the most complicated cases. Even if the case is already in the court, but there are some problems, we still discuss it together.

- Mr Simkin, but why do we still get the verdicts which seem unfair to an ordinary person? Investigators do their best, prosecutors say that everything is within the law, but we can only lift our hands in dismay on the verdict – it is either too tough, almost cruel, or too lenient, seems almost a birthday present. Let's take for example a verdict in a case against former Head of Regional Directorate of Federal Service for Supervision of Environment, Technology and Nuclear Management, Nikolai Ruban and his Deputy Natalia Fyodorova. It was proved that they had taken bribes, they had committed several hundreds of crimes. The court fined them and, as far as I know, they didn't stay a single second in prison. But to others Justice is not so gracious! For example, some average John Smith steals 20 thousand rubles, and gets not a fine, but 2 years in prison.

The case of Ruban and Fyodorova was investigated before I became Chief of the Directorate and I don't know by what reason the court was guided in passing a sentence on them. Maybe the court decided that the fine would be enough to reform them, that they regretted their crimes and were no longer dangerous for the public. Maybe their lawyer did an excellent job, and a public prosecutor on the contrary – did not... Anyway, we can call it an exception to the rules. In general, courts now give real prison terms for corruption crimes, this is the current practice.

As for the arrests, I take a very tough stance here. Arrest of the suspects deprives them of a chance to affect the investigation in any way. If there are grounds to take those suspected of bribery or exceeding official powers under arrest, I give orders to go for it. Since the beginning of the year all suspects have been subject to this restraining measure except cases where the law forbade it.

- Why sometimes does very long time elapse between the moment the crime was committed and the moment the criminal proceedings are initiated and the case is considered by the court? For example the case against former Head of Novgorod Center for Standardization and Metrology "Novotest", Sergey Kodynev accused of frauds with the money of shareholders for 300 million rubles in

2006-2009 has only recently gone to court...

Probably, I could joke and say that was as fate willed... Kodynev was a Deputy and a well-known person in the Novgorod Region. To initiate criminal proceedings against such a person as Kodynev, one should assume certain amount of responsibility, moreover this responsibility should be assumed not by an investigator, but a chief of division. They wouldn't take the responsibility before.

But not always somebody's indecision is a cause of later initiation of a criminal case. Sometimes there are no reasons to initiate a case just now - there not enough evidence or they should be more solid. Sometimes we face unwillingness of officials or all of this at once.

I started to make priority of crimes of past years and corruption early this year when I took the position. As a result over the past nine months we have solved 35 crimes of past years including 4 murders. There has been nothing like that ever in the Novgorod Region. Most of people have already forgotten about those crimes committed in 1999, 2000...

By the way, I think, that such a small number of revealed corruption crimes as were last year will be no more. In 2011 we exposed 30 such crimes, this year – 150. Today it is very difficult for a corrupt official to hide from us. Our “tentacles” will reach them everywhere...

Изображения



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