

OPINION

● **Revisiting reforming of investigating bodies**

Anatoliy M. Bagmet – PhD in Law, Acting Rector at the Academy of the Investigative Committee of the Russian Federation.

Alla V. Khmeleva – PhD in Law, Head of the Department of Criminalistics at the Academy of the Investigative Committee of the Russian Federation.

The article considers polemic issues of reforming of investigating bodies and investigation procedure in Russia. In particular, it analyses, in terms of historical and national continuity, criminal trial transformations in the middle of the 19th century and nowadays aimed at development of the adversarial principle. On the basis of statistical data, it assesses activity of the Investigative Committee of the Russian Federation. The authors draw a conclusion about inopportuneness of the suggestion to introduce now the institute of investigatory judges, prove the necessity of strengthening the Investigative Committee of Russia and gradual development of the adversarial principle in the criminal procedure.

Keywords: reforming of investigating bodies; adversarial principle; inspector; investigatory judge; Investigative Committee of Russia; investigatory activity performance; judicial reform concept.

● **Proving issues in the light of the suggestion to create the investigatory judge institute in the Russian Federation**

Valentina A. Lazareva – Doctor of Laws, Professor, Head of the Department of Criminal Procedure and Criminalistics at Samara State University.

The article analyses debatable problems of proof in connection with the initiative aimed at reforming the pre-trial investigation and creating the investigatory judge institute. The author considers eventual effect of this process on status of participants of the criminal procedure, ensuring the adversarial principle and equality of the parties, increasing independence of judicial authority and overall efficiency of justice.

Keywords: proving; collecting, checking and estimating evidence; preliminary investigation and inquiry; investigatory judge; investigator; directness of examination of evidence; adversarial principle; equality of parties; court trial justice.

CRIMINAL LAW

● **Revisiting necessity of essential elements of hooliganism in the criminal law**

Aleksandr A. Arutyunov – Doctor of Laws, Professor in the Department of Criminal Law at Moscow City Pedagogical University, Chairman of Moscow Bar Association «Arutyunov and Partners».

The article deals with topical issue relating to the necessity of defining essential elements of hooliganism in the Russian criminal law. The author analyses the object, objective and subjective (fault, molester motives) aspects of essential elements of hooliganism, and substantiates the necessity to define them using examples from modern court practice.

Keywords: disorderly conduct, hooliganism; object, objective and subjective aspects; public order; molester motives; publicity; use of weapons.

• **Using interbranch prejudice when handling the issue of prosecution according to article 216 of the Criminal Code of the Russian Federation**

Elena G. Bykova – PhD in Law, Senior Lecturer in the Department of Criminal Law of the Second faculty for Professional Development of the Institute for Professional Development of the Academy of the Investigative Committee of the Russian Federation (Yekaterinburg branch).

Aleksandr A. Kazakov – PhD in Law, Head of the Department of Criminal Procedure of the Second faculty for Professional Development of the Institute for Professional Development of the Academy of the Investigative Committee of the Russian Federation (Yekaterinburg branch).

The article addresses challenging issues of the use of the prejudice institute at criminal estimation of infringement of civil work rules which entailed grievous bodily harm or death of the victim. The authors draw a conclusion that court judgements for collecting damages for personal injury from legal entities do not foreclose the question of availability of the actus reus provided for by article 216 of the Criminal Code of the Russian Federation in the acts of specific entities which are in labour relations with the respondent.

Keywords: proving; prejudice; damages for personal injury; employer; infringement of civil work rules.

• **Improvement of criminal responsibility of military men for corruption crimes (on the basis of the Far East case study)**

Artem A. Volkov – PhD Student at the Far Eastern Federal University Law School, Court Chairman Assistant at Vladivostok Garrison Military Court.

The article analyses legal statistics data on imposition of criminal sanction on military men who committed corruption crimes. The basic trend of the practice of imposition of punishment to such military men is its mitigation. A penalty is the most widespread kind of punishment for committing corruption crimes by military men, and its share grows each year. On the basis of the legal statistics and social research data, the author draws a conclusion on the necessity of toughening criminal responsibility for committing corruption crimes, and gives recommendations on improvement of the criminal legislation.

Keywords: military men; criminal sanction; corruption; kind and extent of punishment.

• **Backbone elements of the Russian criminal law**

Anna V. Denisova – PhD in Law, Associate Professor in the Department of Criminal Law and Criminology at Samara State University.

The article is devoted to the analysis of backbone elements of the Russian criminal law serving as a foundation of the law branch system and organising its functioning. The author formulates conclusions about necessity to carefully take into account in the legislative and law enforcement activity of the dependence of each criminal law element upon its place and functions within the entire system, as well as on their influence on efficiency of this law branch and on possibilities of achievement of the goals in hand and handling the challenges it is facing.

Keywords: criminal law; criminal law rules; criminal law institutes; criminal law relations; criminal law system.

• **Stalking as a kind of mental violence**

Larisa N. Klochenko – PhD in Psychology, Lecturer in the Department of Criminal Law at the Military University of the Ministry of Defence of the Russian Federation.

The article considers a kind of mental violence, which is new for the Russian reality - stalking, identifies its public danger and particularities of its manifestation in Russia, as well as substantiates the necessity to establish a criminal responsibility for this offence.

Keywords: harassment; stalking; mental violence; criminal responsibility.

• **Imposition of an additional punishment on lawyers in the form of disqualification for lawyer activity**

Lyubov Yu. Larina – PhD in Law, Associate Professor in the Department of Criminal Law and Procedure at Ryazan State University.

The article analyses the issue of imposition on lawyers guilty of crimes of an additional punishment in the form of disqualification for lawyer activity. On the basis of theoretical provisions on the essence of additional punishments, as well as analysis of the current legislation and court practice, the author gives reasons for the necessity to change court approach to the formulation of this punishment.

Keywords: lawyer; crime; professional activity; punishment; additional punishment; lawyer activity; disqualification for certain activity.

• **Using extremist materials when committing transnational crimes**

Aslan KH.-A. Pikhov – PhD in Law, Head of the Department of Special Disciplines at Krasnodar University of the MIA of Russia.

The article studies the role of extremist materials in committing transnational extremist crimes. The author identifies and considers topical issues of legislative regulation of responsibility for actions made with the use of extremist materials. On the basis of the analysis of provisions of the criminal and administrative legislation, as well as the international and foreign experience, the author suggests methods of enhancement of legal means of counteracting extremist activity.

Keywords: terrorist crimes; transnational crimes; extremist crimes; extremist activity; extremist materials.

• **Sanction median: its significance for criminal responsibility differentiation**

Evgeniya V. Rogova – PhD in Law, Associate Professor in the Department of Criminal Law and Criminology at the East-Siberian Institute of the MIA of Russia.

The article exposes the author's point of view on medians of criminal law sanctions. Based on analysis of the effective criminal legislation, the author identifies outstanding issues relating to the construction of sanctions, and gives recommendations on median use when framing sanctions with respect to basic, qualified and preferential essential elements of crimes. The author suggests establishing the range between the minimum and the maximum term of custodial sanction of no more than six years, and accordingly, punishment limits should deviate from the sanction median in the opposite direction by three years maximum.

Keywords: median; sanction; criminal law rules; actus reus; criminal responsibility differentiation.

• **Qualification of criminal acts made with the use of weapons**

Elina L. Sidorenko – Doctor of Laws, Associate Professor, Professor in the Department of Criminal Law, Criminal Procedure and Criminalistics at Moscow State Institute of International Relations (University) of the MFA of Russia, Head of the Laboratory of Criminology Analysis and P-rognostication at the Institute of Legislation and Comparative Law under the Government of the Russian Federation.

The article deals with disputable issues of qualification of crimes committed with the use of weapons and items used as weapon. The author focuses on the court practice analysis and recommendations of the Plenum of the Supreme Court of the Russian Federation, analyses contradictions in existing approaches and formulates suggestions on optimisation of the practice of qualification of criminal acts corresponding to more than one definition.

Keywords: weapon; items used as weapon; hooliganism; violence; personal injury; murder.

• Minutes of a criminal case court session

Maksim O. Baev – Doctor of Laws, Professor in the Department of Judiciary and Law Enforcement Organization at Voronezh State University.

Oleg Ya. Baev – Doctor of Laws, Professor, Head of the Department of Criminalistics at Voronezh State University.

The article presents a short journey into the history of requirements imposed on a court session minutes in the national criminal procedure law. Based on the analysis of the contents of article 259 of the Criminal Procedure Code of the Russian Federation the authors draw a conclusion that absence of the minutes of the court session held in the case with duly considered remarks made by appropriate participants in the criminal procedure available to the court by the time it recesses for deliberation in the consultation room for drawing up judgment casts doubt on validity and objectivity of the final judgement. Besides, the authors consider a number of others issues relating to the matter of court session minutes and come up with respective legislative suggestions.

Keywords: evidence in a criminal case and their form; court session minutes; court session minutes reviewing by the participants in the criminal procedure.

• International cooperation in the field of criminal procedure: concept, attributes, sources and basic forms

Aleksandr G. Volevodz – Doctor of Laws, Professor in the Department of Criminal Law, Criminal Procedure and Criminalistics at Moscow State Institute of International Relations (University) of the MFA of Russia.

The article considers theoretical bases of international cooperation in the field of criminal procedure. The author focuses attention on its concept, attributes and place within the international cooperation system for crime control. The author also provides data on polysystem nature of legal regulation of international cooperation in the field of criminal procedure and its basic forms of interaction of courts, public prosecutors, inspectors and investigative authorities with respective competent authorities and officers of foreign states and international organisations, namely, submission and execution of requests for legal assistance in criminal cases.

Keywords: international cooperation in crime control; international cooperation in the field of criminal procedure; mutual legal assistance in criminal cases; extradition; transfer of criminal prosecution (legal proceedings); execution of sentences and other rulings of foreign and international criminal courts in criminal cases; interaction with international criminal justice bodies; sources of law; polysystem nature of legal regulation; international agreement; interaction of courts, public prosecutors, inspectors and investigative authorities with respective competent authorities and officers of foreign states and international organisations; request for legal assistance in criminal cases.

• Issues of public participation in crime prevention

Svetlana I. Danilova – PhD in Law, Associate Professor, Higher Doctorate Candidate in the Department for Research Personnel Training at the All-Russian Research Institute of the MIA of Russia.

The article addresses modern issues of legal regulation of crime prevention and participation of public therein. The author analyses historical national experience, international and national legislation, as well as law-enforcement activity of pre-trial investigation bodies in terms of exercising by them of preventive authorities and interaction with general public for preventive purposes, investigates basic reasons of insufficient legislative regulation of public participation

in crime prevention in Russia, and suggests methods for overcoming the existing critical situation.

Keywords: crime prevention; criminal trial; criminal procedure prevention; legislation; public.

● **Particularities of interrogation of some subjects of criminal procedure activity**

Aleksandr N. Kalyuzhny – PhD in Law, Officer in the Academy of the Federal Security Service of the Russian Federation.

Victoria N. Chaplygina – PhD in Law, Associate Professor in the Department of Criminalistics and the Preliminary Investigation at Lukyanov Orel Law Institute of the MIA of Russia.

The article considers tactical and procedural particularities of interrogation of some subjects of criminal procedure activity, analyses eventual infringements of the criminal procedure legislation, suggests tactics for handling conflict situations, investigates elements of the procedural status of some participants of i-nterrogation.

Keywords: interrogation; subjects of interrogation; criminal procedure status; procedural infringements; witness immunity; right of defence.

● **Particularities of the criminal procedure status of an arrested person in drug trafficking cases**

Oksana V. Korneliuk – PhD in Law, Associate Professor in the Department of Criminal Law and Procedure at the Bashkir State University Institute of Law.

The article considers organisation and carrying out of criminal procedure detention in drug trafficking cases. The author reveals legislative problems of the practice of realisation of this measure of criminal procedure compulsion, and suggests measures for improvement of the criminal procedure legislation.

Keywords: Criminal Procedure Code of the Russian Federation; criminal procedure detention; suspect; narcotics; psychotropic substances; personal search; institution of criminal p-roceeding.

● **Regarding interaction of criminal procedure and special investigation activities**

Irina A. Nasonova – Doctor of Laws, Professor in the Department of Criminal Procedure at Voronezh Institute of the MIA of Russia.

The article provides justification of the necessity and possibility of interaction of criminal procedure and special investigation activities in disclosing crimes. The author analyses various forms of interaction of criminal procedure and special investigation activities. Among them, special attention is given to the interaction at solution of issues of forming of evidentiary base, institution of criminal proceeding, carrying out investigatory and other legal activities, crime detection, investigation of crimes using a group method. Besides, the author substantiates the necessity for strengthening guarantees of a person during special investigation activities relating first of all to the restriction of constitutional rights of citizens.

Keywords: special investigation activities; special investigation activities; criminal procedure activity; institution of criminal proceeding; crime detection; investigatory actions; evidence; guarantees of individual rights; inspector instructions; special investigation group; inspector; investigator; investigative agency.

● **Seizure of money gained through illegal banking activity**

Yulia B. Samoylova – PhD in Law, Associate Professor in the Department of Criminal Procedure of the First faculty for Professional Development of the Institute for Professional Development of the Academy of the Investigative Committee of the Russian Federation (Rostov-on-Don branch).

Vyacheslav G. Statsenko – PhD in Law, Head of the Department of Criminal Procedure of the First faculty for Professional Development of the Institute for Professional Development of the Academy of the Investigative Committee of the Russian Federation (Rostov-on-Don branch).

The article handles the issue of seizure of money gained through illegal banking activity. The author analyses the procedural order of application of this measure of procedural coercion. Conclusions stated in the article may be used in law-enforcement practice.

Keywords: illegal banking activity; procedural coercion measures; seizure of money.

• **Methodological issues of criminal procedure understanding of suspicion**

Elena V. Sopneva – PhD in Law, Associate Professor, Professor in the Department of Criminal Procedure at Stavropol branch of Krasnodar University of the MIA of Russia.

At procedural and extraprocedural activity of suspicion there is no its clear understanding at theoretical and legislative levels that inevitably creates difficulties in implementation practice. Used methods of legalisation in a criminal case of the suspect and, accordingly, suspicions, give rise to justified criticism since they do not allow the autonomous legal nature of the considered phenomena to be manifested to the full extent. In particular, there are no independent attributes of suspicion – the origin, initiation subjects, qualitative characteristics, etc. which are «disguised» by procedural decisions and actions of other nature. The essence of suspicion as legal and extralegal phenomenon may be understood through such categories as logic, philosophy, psychology. The article states conditions of an efficient understanding and implementation of suspicion.

Keywords: suspicion; suspect; suspicion problematics; theory; practice; law; methodology; recommendations.

• **Factual grounds for conduct of investigative activities**

Vladimir YU. Stelmach – PhD in Law, Associate Professor in the Department of Criminal Procedure at the Ural Law Institute of the MIA of Russia.

The article analyzes the notion of factual grounds for conduct of investigative activities. As a result of the research made, the author comes to a conclusion that from the epistemological point of view, a factual ground for conduct of investigative activity means substantiated assumptions on availability, with the object, of information about the crime, on the possibility of displaying such information and recording such information by means of conduct of the respective investigative activity. The factual ground for conduct of investigative activity consists of two elements: reconstruction of the crime event and choice of the investigative activity. From the viewpoint of the character of the information to be taken into account when assigning the investigative activity, the factual ground may include evidence, results of operational investigatory activities and verification activities, as well as reasonable assumptions of the investigator based on materials in the case. Choice of a particular investigative activity is conditional on the information source, the subject matter of the investigative activity and the immediate aim of its conduct.

Keywords: criminal proceedings; preliminary investigation; investigative activities; factual grounds.

• **Some procedural issues of investigation of crimes committed onboard sea and river ships in a long journey**

Artur G. Kholevchuk – PhD in Law, Senior Lecturer in the Department of Civil and International Law at the State Marine University named after F.F. Ushakov.

Anastasiya A. Golovina – Assistant in the Department of Public Law at the State Marine University named after F.F. Ushakov.

The article addresses some problematic procedural and criminalistic issues of investigation of crimes committed onboard sea and river ships in a long journey. The article is a result of analysis

of the effective legislation in this field and identification of challenges of its practical application under conditions of a long journey, and suggests methods of their solution.

Keywords: investigation of crimes onboard sea and river ships; long journey; urgent investigatory actions; institution of criminal proceeding; captain of a sea-going vessel.

● **Proving in criminal and arbitration processes: «unconstrained» distinctions**

Aliya R. Sharipova – PhD in Law, Senior Lecturer in the Department of Criminal Law and Procedure at the Bashkir State University Institute of Law.

The article envisages general and particular aspects in perception by the court of testimony of witnesses and other persons within the framework of arbitration and criminal procedure, estimates various roles of court session minutes in the said legal procedures, and investigates the attitude of courts towards new kinds of evidence, in particular to “screenshots”.

Keywords: criminal procedure; arbitral procedure; testimony of witnesses; court session minutes; screenshot.

● **Rights of an accused at election and application of a pre-trial restriction in the form of house arrest**

Magomed V. Esendirov – Department of Criminal Law, Criminal Procedure and Criminalistics at Moscow State Institute of International Relations (University) of the MFA of Russia.

The article is devoted to the study of particularities of exercising by an accused of his/her rights in case of election against him/her of a pre-trial restriction in the form of house arrest. This measure is an alternative of the most strict kind of pre-trial restriction - placement in custody. House arrest allows an accused to undergo deprivations connected with coercive measures to a lesser extent, at home. This measure reflects humanistic orientation of the criminal procedure. Implementation of changes in the current legislation substantiated in the article shall result in a wider use of house arrest in practice.

Keywords: accused; charge; criminal trial; pre-trial investigation; preventive punishment; house arrest.

CRIMINOLOGY

● **Classification of criminal fires**

Vadim V. Antonchenko – PhD in Law, Deputy Head for educational and scientific work at Far-Eastern Fire-Safety Academy.

The article is devoted to criminological analysis of criminal infringement of fire safety. According to the author, considered as criminal shall be all kinds of fires which occurred through the fault of a person and resulted in destruction of or damage to property, personal injury or harm to life of victims irrespective of whether the fire was caused by deliberate or reckless acts. Depending on the form of fault of the incendiary, as well as on the motives and purposes of arsons, the author suggests classification of criminal fires.

Keywords: fire; arson; fire safety; criminological analysis.

● **Criminal subculture as a threat to public morals**

Anton E. Shalagin – PhD in Law, Associate Professor, Head of the Department of Criminology and Criminal Executive Law at Kazan Law Institute of the MIA of Russia.

The article gives a definition of criminal subculture, shows its danger for the existing public relations, in particular, in the field of protection of public morals, and analyses various kinds and elements of criminal subculture. A special attention is given to the stratification (hierarchy) of

criminals, criminal slang, prison folklore. The author places emphasis on minimisation of criminal subculture in the current context.

Keywords: criminal subculture; customs and traditions of a criminal environment; criminal status; hierarchy of criminals; criminal slang; criminal folklore; prison games.

CRIMINALISTICS

• **Criminalistic classification of crimes against journalists relating to their professional activity**

Marina A. Boiko – PhD Student in the Department of Criminalistics at Barnaul Law Institute of the MIA of Russia.

The article analyses various points of view of scientists on the said problematics, and contains respective conclusions. The author reviews the matter of the meaning of criminal-law and criminalistic classification of crimes for construction of specific techniques of their investigation, and gives criminalistic classification of crimes against journalists relating to their professional activity on various grounds.

Keywords: crime investigation technique; criminal-law classification; criminalistic classification; journalist; professional activity.

• **Particularities of revealing and use of characteristics of appearance of a person at crime detection**

Vyacheslav A. Gazizov – Associate Professor in the Department of Forensic Expert Activity at Moscow University of the MIA of Russia named after V.Ya. Kikot.

Igor N. Podvolotskiy – PhD in Law, Associate Professor in the Department of Forensic Expertise at Kutafin Moscow State Law University.

The article considers importance of all-round studying of appearance of a person for obtaining maximum information from the first minutes of crime detection. The author focuses on the necessity to improve terminology and the system of verbal description of the searched person.

Keywords: search; verbal description; subjective portrait; person; appearance element; appearance attribute.

• **Some particularities of use of special knowledge at investigation of crimes involving distribution of extremist materials**

Veronika A. Grushikhina – PhD Student at the East-Siberian Institute of the MIA of Russia.

The article describes some particularities of use of special knowledge at investigation of crimes involving distribution of extremist materials. The author studies basic forensic examinations carried out at investigation of extremist crimes, challenges relating to the carrying out of the same, as well as specific feature of taking up the matters with the experts.

Keywords: extremism; theological examination; social and humanitarian examination; linguistic examination; special knowledge, investigation.

• **Regarding contents of the concept «counteraction to court proceedings»**

Pavel I. Zinchenko – PhD in Law, Associate Professor in the Department of Criminal Law Disciplines at Derzhavin International Slavic Institute.

The article is essentially a research within the framework of which the author gives a definition of the term «counteraction to court proceedings» and discloses its contents. The author envisages positions of some scientists on this issue, and exposes the nature of such counteraction.

Keywords: counteraction; court proceedings; court; public prosecutor; criminalistics.

• **Theoretical bases of algorithmization and rationalization of public prosecution within the framework of court proceedings in criminal cases**

Sergey L. Kislenko – PhD in Law, Associate Professor in the Department of Criminalistics at Saratov State Law Academy.

In any professional activity automated methods of performance of actions (skills) are crucial. Knowledge and application of skills in public prosecution practice are an integral part of the public prosecutor's workflow. The analysis of professional activities (skills) closely intertwines with the issues of their algorithmisation (programming) and rationalisation. The necessity of algorithmisation of the public prosecutor's activity is caused by a need for such criminalistic recommendations which would allow this participant of the criminal trial to perform actions critical for his/her professional activity according to a specific premeditated scheme. The use of such schemes (algorithms, programs) will make it possible to focus on important areas of professional activity relating to the implementation of public prosecution, and will provide an intellectual component for solution of many practical tasks.

Keywords: criminal trial; public prosecutor; public prosecution; adversarial principle; parties in a process; proving; algorithms; programs; reflexion; rationalisation.

• **Principle of objectivity of investigation in criminalistics**

Oleg S. Kuchin – Doctor of Laws, Professor in the Department of Criminalistics at Kutafin Moscow State Law University.

The criminalistics science is an aspect of the process of cognition of the objective reality, reflexion of subjects and phenomena of the material world in the consciousness of people and on the basis of practice. The inspector, when investigating a crime, deals with an event which has already occurred and, using available methods, he/she tries to clarify all events of the past. In this connection there is a question whether it is possible to learn 100% of the objective truth in a criminal case with the use of criminalistics methods or the inspector shall just endeavour to such knowledge, foreknowing that this goal cannot be reached due to objective reasons.

Keywords: criminalistics; identification; criminal case; object; individuality; authentication; differentiation; criminal trial; objective truth; objectivity of investigation; cognition process; evidence.

• **Bases of formation of specific criminalistic and special investigative techniques**

Vasily D. Larichev – Doctor of Laws, Professor, Leading Researcher at the All-Russian Research Institute of the MIA of Russia, Honored Science Worker of the Russian Federation.

The article addresses contents of special investigative and criminalistic techniques, analyses approaches to their construction, presents the author's point of view, considers basic elements of special investigative and criminalistic characteristics of criminality and special investigative and criminalistic techniques.

Keywords: criminalistic technique; special investigative technique; criminalistic characteristic of criminality; special investigative characteristic of criminality; elements of criminalistic and special investigative characteristics of criminality; elements of criminalistic and special investigative techniques.

• **Modern criminalistic lighting equipment**

Elena V. Prokofieva – PhD in Physical and Mathematical Sciences, Senior lecturer in the Department of Forensic Technology at Volgograd Academy of the MIA of Russia.

Vasily V. Veselin – Lecturer in the Department of Forensic Technology at Volgograd Academy of the MIA of Russia.

Olga B. Dronova – PhD in Law, Associate Professor in the Department of Forensic Technology at Volgograd Academy of the MIA of Russia.

The article reviews modern criminalistic lighting equipment, estimates its possibilities and describes in details particularities of its application, depending on environment and trace picture at the crime scene. The authors present a differentiated approach to the choice and the use of criminalistic lighting equipment at incident site examination, as well as when carrying out other investigatory actions and special investigative events.

Keywords: criminalistic lighting equipment; lighters; traces; IR radiation; UV radiation.

● **Use of criminalistic diagnostics when carrying out investigatory actions in criminal cases relating to the abuse of office by officers of border control authorities**

Inna V. Rummyantseva – PhD in Law, Associate Professor in the Department of Criminal Procedure, Criminalistics and Legal Informatics at Immanuel Kant Baltic Federal University.

Pavel A. Kholopov – PhD Candidate in the Department of Criminal Procedure, Criminalistics and Legal Informatics at Immanuel Kant Baltic Federal University.

The article demonstrates applicability of the criminalistic diagnostics theory to investigatory actions in criminal cases relating to the abuse of office by officers of border control authorities. The authors prove possibility – when carrying out urgent investigatory actions, using criminalistic diagnostics – to reconstruct the crime mechanism, to develop criminal case versions and to plan the finding of circumstances to be proved at other investigatory actions at investigation of criminal cases relating to the abuse of office by officers of border control authorities.

Keywords: criminalistic diagnostics, mechanism of abuse of office by officers of border control authorities, evidence of abuse of office by officers of border control authorities, crime mechanism diagnostics during a survey, search, interrogation, examination.

● **Criminalistic classification of crimes committed by women**

Elena N. Kholopova – Doctor of Laws, PhD in Psychology, Professor in the Department of Criminal Procedure, Criminalistics and Legal Informatics at Immanuel Kant Baltic Federal University.

Anastasiya E. Makoveeva – Assistant in the Department of Criminal Procedure, Criminalistics and Legal Informatics at Immanuel Kant Baltic Federal University.

The article reviews the following criminalistic classifications of crimes committed by women depending on the method of their perpetration and concealment; specific features of the woman's personality characteristics; specific features of the victim's personality characteristics; direct object and subject of a criminal encroachment; state of mind of the offender; particularities of the crime scene, time, and environment.

Keywords: criminalistic classification; bases and criteria of classification; women delinquency; crimes committed by women.

FORENSIC EXAMINATIONS

● **Methodical and methodological bases of forensic and psychological examination of distribution of drugs**

Artem V. Moiseyev – Expert-Psychologist of Research Centre for Forensic Science and Criminalistics at Kaluga State University by K.E. Tsiolkovsky.

Irina G. Moiseyeva – PhD Candidate, Lecturer in the Department of General and Legal Psychology at Kaluga State University by K.E. Tsiolkovsky.

Inspectors and judges need special knowledge for estimation of evidence in the form of a plant visually similar to hemp. However novelty of this research generates methodological and methodical problems in carrying out such forensic examinations. The authors suggest solution of

these two problems, substantiate the methodology of forensic and psychological examination of distribution of drugs and determine the structure and contents of its conclusion.

Keywords: forensic and psychological examination; drugs; distribution; advertising; hemp; methodology; structure and contents of conclusion.

● **Pressing issues of judicial forensic graphology**

Aleksandr N. Pershin – PhD in Law, Associate Professor, Higher Doctorate Candidate at Omsk Academy of the MIA of Russia.

The article studies the objects of forensic graphology for the purpose of revealing pressing issues of their modern research. The article is based on analysis of the law-enforcement practice of examination of handwritten texts and signatures, as well as of the scientific theory in the field of forensic graphology. The results of the work allowed to come to conclusion about some lagging of handwritten text and signature examination techniques behind modern realities of their performance at commission of crimes. The main reason of that is a wide use of computers, smartphones, printing devices and other digital equipment, which reduced the use of manuscript records. Besides, the author draws a conclusion about frequent forgery of forensic graphology objects by means of digital devices. Therefore the article suggests improving scientific, methodical and educational activity in the field of forensic graphology. Namely, to develop new techniques of forensic graphology which would take into account modern trends of formation and development of writing and motor skills of a person; and to include in the training programme of experts in the field of examination of hand-written objects knowledge of technical examination of requisite elements of documents.

Keywords: forensic graphology; signature; handwritten text; handwriting examination technique; graphologist; digital hand-written data input method.

● **Deceleration as a key parameter of technical expert examination of motor vehicles**

Sergey I. Tikhomirov – PhD Student in the Department of Automobile Transport at Volgograd State Technical University.

The article addresses the issue of investigation of road traffic incidents based on technical expert examination of motor vehicles. The author vividly demonstrates how conclusions of an expert may change depending on various values of initial parameters, in particular, the value of the stable deceleration of the car at various ambient temperature values.

Keywords: road traffic incident; technical expert examination of motor vehicles; car deceleration; road accident investigation.

● **Particularities of appointment and carrying out of forensic examinations in criminal cases on illegal bankruptcies**

Sergey P. Shcherba – Doctor of Laws, Professor, Honored Worker of Science of Russia, Head of the Section for International Cooperation and Comparative Law at the Research Institute of the Academy of the Prosecutor General's Office of the Russian Federation.

Pavel E. Vlasov – PhD in Law, Leading Researcher in the Research Center for Criminal and Criminal Procedural Legislation Development and Research on Preliminary Investigation at the All-Russian Research Institute of the MIA of Russia.

The article analyses problematic issues of investigation of illegal bankruptcies, thoroughly reviews specific features of the subject, object and purposes of appointment and carrying out of forensic accounting, financial and economic examinations in criminal cases on illegal bankruptcies, provides recommendations for inspectors pertaining to the procedure of appointment, carrying out and estimation of results of such examinations.

Keywords: criminal cases on illegal bankruptcies; forensic accounting, financial and economic examinations; issues to be investigated.

LAW ENFORCEMENT AUTHORITIES

• **Russian police as an inquiry body**

Stanislav V. Bazhanov – Doctor of Laws, Professor, Leading Researcher of problems Prosecutorial Oversight and the rule of law in the economic sphere at the Research Institute of the Academy of the Prosecutor General's Office of the Russian Federation, Academician at Petrovsky Academy of Arts and Sciences.

The article addresses issues relating to the legislative regulation of the legal status of police in the Russian criminal procedure.

Keywords: law-enforcement authorities; inquiry body; investigator; police; head of inquiry body.

INTERNATIONAL CRIMINAL LAW AND JUSTICE

Litvishko P.A.

• **Grounds and procedure for relations of pre-trial investigation agencies with diplomatic missions and consular posts of foreign states issues of acknowledgement and application of deprivation of rights (disqualification) in the European Union law**

Pyotr A. Litvishko – PhD in Law, Head of the Division of International Cooperation, Department of International Legal Cooperation of the Investigative Committee of the Russian Federation, Colonel of Justice.

The article considers in-depth the main situations giving rise to pre-trial investigation bodies entering into relations with diplomatic and consular missions of foreign countries, and their legal regulation in international treaties and domestic law: consular notifications and visits of the sending State's nationals in custody, including dual citizens, notifications to consuls of their compatriots' death, as well as participation of consular officers in criminal proceedings of the host country.

Keywords: consular notification; consular access; notification of death; dual citizenship; consular representation in criminal proceedings; international criminal justice cooperation.

• **Characteristic of legal provisions of the European Human Rights Court regarding detention in custody by the example of the case «Nasrulloev against Russia»**

Andrey I. Sidorenko – Junior Researcher of the Department of Implementation of Court Decisions in the Legislation of the Russian Federation at the Institute of Legislation and Comparative Law under the Government of the Russian Federation.

The article presents the structure of decisional provisions of the European Human Rights Court by the example of a specific case relating to the issue which existed in the Russian law-enforcement practice – that of placement and detention in custody of persons liable to extradition. The author also emphasises basic structural problems in this field designated by the European Court, and analyses their solution at the present stage of the national legal regulation.

Keywords: European Human Rights Court; detention in custody; extradition; protection against arbitrary decisions; legal certainty.

COMPARATIVE LAW

• **A legal act as a criminal law source in foreign countries (comparative legal aspects)**

Alexey A. Malinovskiy – Doctor of Laws, Associate Professor, Head of the Department of Criminal Law, Criminal Procedure and Criminalistics at Moscow State Institute of International Relations (University) of the MFA of Russia.

The article analyses a wide approach to the understanding of a legal act as a criminal law source in foreign countries. The author proves the necessity of application of a comparative legal technique of studying of foreign criminal law according to which not only foreign Criminal Codes should be objects of research, but also constitutions, special (additional) criminal legislation, acts of other law branches and bylaws.

Keywords: criminal law source; constitution; Criminal Code; criminal legislation; bylaw.

● **Other criminal law measures applied to minors in the english-american law countries (common law system)**

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The article is devoted to the concept and contents of other criminal law measures applied to minors in the English-American law countries (common law system).

Keywords: coercive measures of educational influence; criminal law measures; minor as a subject of criminal law relations; law system; legislation system; criminal policy.

FROM LEGAL SCIENCE TO PRACTICE

● **Problematic issues of law-enforcement practice at consideration of complaints submitted according to article 125 of the Criminal Procedure Code of the Russian Federation**

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Evgeny A. Kiselev – PhD in Law, Associate Professor, Head of the Forensic Laboratory of the Fifth faculty for Professional Development of the Institute for Professional Development of the Academy of the Investigative Committee of the Russian Federation (Khabarovsk branch).

The article addresses problematic issues arising at application in the criminal procedure activity of legal provision contained in articles 125 of the Criminal Procedure Code of the Russian Federation. These legal remedies of protection of rights and freedoms of a person are the most efficient at the pre-trial investigation stage. Implementation of the said means of judicial appeal against actions and decisions of authorities and officers in charge of investigation in many respects is complicated by availability of contradictions in the legislation. The authors not only reveal these problems, but also suggest mechanisms of legislative solution of problematic issues arising in law-enforcement practice through amendment to the legislation.

Keywords: legal remedies; law-enforcement practice; criminal trial; appeal to the court against actions and decisions; consideration of complaints; preliminary investigation bodies; participants of criminal trial; amendment to the legislation.

● **Regarding some challenges of increasing efficiency of proving in court with participation of jury members**

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Participation in a jury trial is a task successful accomplishment of which by a professional lawyer means his/her ascension to the higher level of his/her skill. There are a lot of reasons for this. One of them, according to the author, is associated with the issue of procedural “filters” varying by nature but creating obstacles in the way of forming of inner belief with the jury members. This knowledge allows the subject of proving to improve his/her tactics at work with jurymen.

Keywords: jury trial; proving; judicial tactics; examination.

REVIEWS

• **A fundamental book about the present and the future of special investigation activities. Review of monograph by S.I. Zakhartsev, Yu.Yu. Ignashchenkov and V.P. Salnikov «Special investigation activities in the 21st century» (Moscow, Norma Publishers, 2015. 400 pages)**

Victor I. Rokhlin – Doctor of Laws, Honorary Worker of the Public Prosecutor of the Russian Federation, Honored Lawyer of the Russian Federation.

The author reviews monograph «Special investigation activities in the 21st century». The reviewer draws a conclusion about fundamental nature of this book for the science of special investigation activities. He believes that it will become for a long time a basis for science, practice and training in the field of special investigation activities.

Keywords: philosophy of law; theory of law; special investigation activities; science of special investigation activities; philosophy of special investigation activities.