The full contribution which our prisons can make towards a permanent reduction in the country’s crime-rate lies also in the way in which they treat prisoners.

_The Former President of South Africa, Nelson Mandela, June 25, 1998_

**IMPORTANCE OF PREVENTION OF CORRUPTION AMONG PRISON STAFF**

Overview of Kazakhstan prison system practice, best international practice and practical recommendations to prevent corruption in prison system
Kazakhstan, as a full-fledged subject of international law, implements the anticorruption policy, the result of which is the ratification of the UN Convention against Corruption in 2008 and the adoption of a number of laws in this field. Anticorruption program documents have been continuously implemented since 2001. The current Anticorruption Strategy is designed for 2015-2025. In addition, the laws "On Combating Corruption" dated November 18, 2015 and "On the Civil Service of the Republic of Kazakhstan" dated November 23, 2015, the Ethical Code of Civil Servants of the Republic of Kazakhstan (the Rule of office ethics of civil servants) dated December 29, 2015, and others acts have been adopted in the country.

At the same time, it has been acknowledged that insufficient transparency when making decisions influencing the most important issues of social life, lack of proper civilian control and of consideration of public opinion in activities of the state apparatus lead to excessive bureaucracy, administrative barriers and abuse of power, which, in aggregate, form negative factors that contribute to the growth of corrupt practices. Due to acts of corruption, wrongful extraction of tangible and intangible values takes place and leads to the undermining of interests of the public and deterioration of state authority¹.

United Nations Convention against Corruption as of 31 October 2003 (article 5)

Each State Party shall, in accordance with the fundamental principles of its legal system, develop and implement or maintain effective, coordinated anticorruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability.

In the legislation of Kazakhstan, corruption is understood as "illegal use of powers of office and related opportunities by persons holding public office, persons authorized to carry out state functions, persons equated to persons authorized to carry out state functions, and officials in order to receive and use personally or through intermediaries material (non-material) benefits and advantages either for own self or third parties, as well as bribery through benefits and advantages"².


² Penal Reform International (PRI) is an independent non-governmental organisation that develops and promotes fair, effective and proportionate responses to criminal justice problems worldwide.

To receive our monthly e-newsletter, please, sign up at www.penalreform.org/keep-informed
A BRIEF DESCRIPTION OF THE PENITENTIARY SYSTEM

Structurally, the penitentiary system of Kazakhstan is composed of: the Committee of the Criminal and Executive System (central apparatus), territorial departments, institutions and probation agencies directly executing penal sanctions. The majority of the employees of the penitentiary system are officers who perform law enforcement service and are given special ranks.

The Criminal and Executive System most deeply engages with the National Guard that is responsible for the following tasks:
- security of penitentiary system institutions;
- control and supervision over the behavior of convicts;
- escort of convicted persons and persons in custody.

In 2011, the Crime and Execution System was one again returned to the Ministry of Internal Affairs from the Ministry of Justice. Currently, it is a structural subdivision of the internal affairs bodies. In accordance with the law “On Internal Affairs Bodies” dated April 23, 2014, it is the responsibility with the law “On Internal Affairs Bodies” that should exist between the judiciary and the correctional system.

The European Code of Police Ethics, Recommendations (2001) 10, The Committee of Ministers of the Council of Europe «There shall be a clear distinction between the role of the police and the prosecution, the judiciary and the correctional system».

On the status of the prison system within the government structure of countries with a stable democracy, there’s practice that excludes subordination of prisons to police. This is explained by the need to prevent abuses, including corruptive ones that inevitably arise under the functions of the penitentiary system in the interests of the criminal prosecution and charge.

The following is stated in literature on this subject: “In terms of segregating functions, it is important to note the need for clear organizational delineation between the police and the prison administration. The main responsibility of the police is to investigate a crime and arrest criminals. Once an individual is detained or arrested, he/she must be brought before a judicial authority as soon as possible and, after that, must remain in custody of the prison system. In many countries, the prison administration is subordinate to the Ministry of Justice. It is one of the ways to ensure segregation of functions and focus on the close engagement that should exist between the judiciary and the penitentiary systems”.

Finding a system to enforce penal sanctions in one or another government structure body, as well as transferring it from one agency to another, should not affect compliance with international standards on treating prisoners and the quality of prison management.

The United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules)

Rule 1
All prisoners shall be treated with the respect due to their inherent dignity and value as human beings. No prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman or degrading treatment or punishment, for which no circumstances whatsoever may be invoked as a justification. The safety and security of prisoners, staff, service providers and visitors shall be ensured at all times.

FACTORS ASSOCIATED WITH CORRUPTION IN PENITENTIARY INSTITUTIONS

Research shows that corruption in prisons has increased latency. The main advantage factor for such latency is the closed nature of the prison system.

The closed nature of prison institutions – is the main requirement for their functioning. Places where convicts are detained belong to secure facilities and that is why free access to all prisons around the world is prohibited. Due to this fact, the society does not have an objective picture of occurrences within the penitentiary institutions, and, to a great extent, many state structures have an idea of what this field is from official information and reports of representatives of the Crime an Execution System.

At the same time, the isolation of the penitentiary system creates ideal conditions for the spread of corruption within it. Convicts do not have the opportunity to refer to the anticorruption service or other law enforcement agencies unhindered and directly about being forced to take illegal actions, such as giving bribes.

The United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules)

Rule 56
1. Every prisoner shall have the opportunity each day to make requests or complaints to the prison director or the prison staff member authorized to represent him or her.

2. It shall be possible to make requests or complaints to the inspector of prisons during his or her inspections. The prisoner shall have the opportunity to talk to the inspector or any other inspecting officer freely and in full confidentiality, without the director or other members of the staff being present.

3. Every prisoner shall be allowed to make a request or complaint regarding his or her treatment, without censorship as to substance, to the central prison administration and to the judicial or other competent authorities, including those vested with reviewing or remedial power.

4. The rights under paragraphs 1 to 3 of this rule shall extend to the legal adviser of the prisoner. In those cases where neither the prisoner nor his or her legal adviser has the possibility of exercising such rights, a member of the prisoner’s family or any other person who has knowledge of the case may do so.


The aforementioned responsibilities do not apply to institutions for juvenile offenders, women, pretrial detention facilities and the only institution in Kazakhstan named prison.

In accordance with the Article 14 of the PEC of Kazakhstan “In institutions and bodies that execute punishments, special mailboxes are provided to convicted individuals to submit claims of unlawful actions of their officials. Once a week, these applications are withdrawn by the prosecutor together with representatives of the institution’s administration or another body executing the punishment, based on which an act is drawn. Special mailboxes are installed on the territory and premises of institutions and bodies executing punishment, in places accessible to convicted individuals.”

However, as practice shows, these mailboxes in many institutions do not inspire confidence in convicted individuals because the users are not safe from persecution or revenge on the part of institution staff. There is a law that prohibits filing of a complaint to the detriment of the convict who submitted a claim (Paragraph 9 of Article 14 of the PEC).

A convicted individual, serving the sentence of deprivation of liberty and avowing to corrupt acts of the institution staff, automatically deteriorates his position and is pressured. Generally, the convicted person is subjected not only to psychological pressure from the institution staff, but, what is more dangerous, to physical abuse from other prisoners that may include competent international or domestic legal instruments to protect victims, witnesses and other participants of criminal proceedings have been adopted. In addition to Chapter 12 “Ensuring the safety of persons involved in criminal proceedings” of the Criminal Procedure Code, a fleshed-out law “On the State Protection of Persons Participating in the Criminal Procedure” dated July 5, 2000 is in force. Article 7 of this law provides security measures, such as:

- An official warning about a possible prosecution is issued to the person from whom the threat of violence or other acts prohibited by criminal law stem;
- A restriction on access to information about the protected person;
- Personal protection, protection of home and other property;
- Provision of weapons, means of individual protection and technical means, in the permitted manner;
- Temporary placement in a safe place;
- Ensuring information confidentiality regarding protected persons;
- Replacement of documents;
- Change of appearance.

However, these security measures within prison conditions are not effective. A convicted person who has reported of corruption will, nevertheless, remain, if not in this, then in another institution. Therefore, aware of the negative consequences for themselves, for example, at the time of parole, convicts will not risk entering into conflict with the staff of the institution.

Thus, the closed nature of penitentiary institutions, as a necessary requirement for the safety of society, creates favorable conditions for the latency of prison corruption.

The degree to which institutions are closed can be different and depends on the transparency of the prison system as a whole. Nevertheless, society has the right and should be able to monitor places of detention and receive reliable information about the situation within them through legal instruments to protect persons involved in criminal proceedings have been adopted. In addition to Chapter 12 “Ensuring the safety of persons involved in criminal proceedings” of the Criminal Procedure Code, a fleshed-out law “On the State Protection of Persons Participating in the Criminal Procedure” dated July 5, 2000 is in force.

Article 24. Notice of corruption offenses 3. The person who reported the fact of corruption offense or otherwise assisting in the fight against corruption

In Kazakhstan, legislatively, effective legal instruments to protect victims, witnesses and other participants of criminal proceedings have been adopted. In addition to Chapter 12 “Ensuring the safety of persons involved in criminal proceedings” of the Criminal Procedure Code, a fleshed-out law “On the State Protection of Persons Participating in the Criminal Procedure” dated July 5, 2000 is in force.

In accordance with the Article 14 of the PEC of Kazakhstan “In institutions and bodies that execute punishments, special mailboxes are provided to convicted individuals to submit claims of unlawful actions of their officials. Once a week, these applications are withdrawn by the prosecutor together with representatives of the institution’s administration or another body executing the punishment, based on which an act is drawn. Special mailboxes are installed on the territory and premises of institutions and bodies executing punishment, in places accessible to convicted individuals.”

However, as practice shows, these mailboxes in many institutions do not inspire confidence in convicted individuals because the users are not safe from persecution or revenge on the part of institution staff. There is a law that prohibits filing of a complaint to the detriment of the convict who submitted a claim (Paragraph 9 of Article 14 of the PEC).

A convicted individual, serving the sentence of deprivation of liberty and avowing to corrupt acts of the institution staff, automatically deteriorates his position and is pressured. Generally, the convicted person is subjected not only to psychological pressure from the institution staff, but, what is more dangerous, to physical abuse from other prisoners that may include competent international or domestic legal instruments to protect victims, witnesses and other participants of criminal proceedings have been adopted. In addition to Chapter 12 “Ensuring the safety of persons involved in criminal proceedings” of the Criminal Procedure Code, a fleshed-out law “On the State Protection of Persons Participating in the Criminal Procedure” dated July 5, 2000 is in force. Article 7 of this law provides security measures, such as:

- An official warning about a possible prosecution is issued to the person from whom the threat of violence or other acts prohibited by criminal law stem;
- A restriction on access to information about the protected person;
- Personal protection, protection of home and other property;
- Provision of weapons, means of individual protection and technical means, in the permitted manner;
- Temporary placement in a safe place;
- Ensuring information confidentiality regarding protected persons;
- Replacement of documents;
- Change of appearance.

However, these security measures within prison conditions are not effective. A convicted person who has reported of corruption will, nevertheless, remain, if not in this, then in another institution. Therefore, aware of the negative consequences for themselves, for example, at the time of parole, convicts will not risk entering into conflict with the staff of the institution.

Thus, the closed nature of penitentiary institutions, as a necessary requirement for the safety of society, creates favorable conditions for the latency of prison corruption.

The degree to which institutions are closed can be different and depends on the transparency of the prison system as a whole. Nevertheless, society has the right and should be able to monitor places of detention and receive reliable information about the situation within them through legal instruments to protect persons involved in criminal proceedings have been adopted. In addition to Chapter 12 “Ensuring the safety of persons involved in criminal proceedings” of the Criminal Procedure Code, a fleshed-out law “On the State Protection of Persons Participating in the Criminal Procedure” dated July 5, 2000 is in force.

In this context, the construction of the Article 49 of the PEC regarding the interaction of the Human Rights Ombudsman with state bodies, including law enforcement agencies, has been taken into account. According to the meaning of the norm, based on reports of the participants of the national preventive mechanism, law enforcement agencies should be forwarded this information (appeal). Otherwise, criminal liability may arise for the failure to report a crime or for concealing a crime.
It is not difficult to imagine that violation of human rights can be expressed in the refusal of the head of the institution to respect legal rights of the prisoner to receive due benefits, for example, in the form of relaxing the term for serving punishment, accompanied by extortion.

Taking into account the abovementioned, Article 49 of the PEC requires further elaboration and clarification

Another factor contributing to the latency of penitentiary corruption is the mutual interest in corrupting prison staff and convicted individuals. Of course, not all prisoners and not in all situations, benefit from such a relationship. When it comes to strong-willed, communicative and enterprising convicts or convicts with increased material and financial resources, as practice shows, they quickly establish personal informal contacts with the administration of the institution. This gives them privilege over the majority of prisoners; they undeservedly receive positive reinforcements, and also avoid negative reinforcements for obvious violations. As a result, this positively influences the consideration of issues such as the transfer of convicted individuals within the institution from one condition of serving punishment to another, parole, replacement of the expired term of the sentence of deprivation of liberty with other mild penalties etc.

Also, corruptive relationships often result in the transportation of various banned items inside the institution by the staff: alcoholic beverages, narcotic drugs, money, cell phones and other items and things in demand among prisoners. In some cases, the employees carry forbidden items for a certain reward from the prisoner, his/her relatives or friends. In other cases, these acts are committed for commercial purposes, that is, items are purchased outside the institution at a low price and resold to a convicted person at a higher price. In addition, prohibited items can come through parcels when a responsible officer of the institution, for a certain reward, does not prevent it.

Of course, this does not happen in all institutions, but only in those where the level of corruption is high enough. In such institutions, convicted individuals, regardless of the ban, have cash to bribe the staff of the institution and use mobile communications, which are in turn used to establish corrupt contacts between the staff and the right people on the outside.

The prohibited items that enter the penal and correctional institutions create a multiplicative effect. So, the prohibited items, in particular money, alcoholic drinks, narcotic drugs and psychotropic substances, form around themselves an infrastructure supported by illegal actions of convicted individuals.

The anticorruption strategy of the Republic of Kazakhstan for 2015-2025, approved by the Decree of the President of the Republic of Kazakhstan dated December 26, 2016

The level and quality of sociological research devoted to the study of corruption issues and the effectiveness of state anticorruption measures leave much to be desired.

Attempts to find any up-to-date official statistics on prohibited items seized were unsuccessful. The latest such statistic is provided in the Program for the development of the penitentiary system in 2012-2015: "So in recent years, the number of prohibited items seized has been growing annually. So, from illicit trafficking, in 2011 alone, more than 11 million tenge, more than 11 tons of alcoholic beverages, more than 10 thousand mobile communication equipment and about 12.5 thousand units of piercing-cutting items were confiscated"⁶.

Another point of interest is the issue of subjects of delivery and transfer of prohibited items to convicted persons, an answer to which was also not found. Therefore, let us turn to the research of Russian scientists.

This will rather fitting and comparable, since the organization of execution of imprisonment in Kazakhstan and Russia are similar for known historical reasons.

Thus, according to survey results of workers of correctional institutions, the following persons deliver to the territory of correctional institutions and pass prohibited items to convicted individuals: civilian employees - 28%; relatives and acquaintances of convicted individuals - 25.1%; convicts who are free to move without an escort - 11.6%; other citizens who have access to correctional facilities - 5.3%; certified employees - 38.4%⁴. As evidence shows, the third of violations - 66.4% are committed by certified employees and civilians, that is, by people who work for an institution on a regular basis.

According to the Rules of visiting penitentiary institutions, all persons attending the institution, including the staff of the penitentiary system and National Guard servicemen who serve in this institution, should be warned about the liability for carrying prohibited items and then undergo a screening procedure, including passing through a stationary metal detector and body search with a portable metal detector.

However, as the sample interview of current employees of penitentiary system institution in Kazakhstan has shown, this requirement is not always fulfilled. The reasons for this are: connivance on the job, friendly relations between employees, reluctance to spoil relations with colleagues, lack of exactingness on this issue from the management, the established practice to not check each other, and

⁴ Approved by Resolution No. 775 of the Government of the Republic of Kazakhstan dated June 9, 2012
⁵ Markov V.P., Steklov S.A. The main factors contributing to the spread of corruption in the penitentiary system of Russia. // Penitentiary system journals. 2011, No. 4, p. 19.
Corrupt relations between employees and prisoners result in the administration of the institution gradually losing control over the institution. First of all, to stop unofficial corruption ties is always more difficult than to start, as there is resistance from convicted individuals who are accustomed to receiving personal benefits from this.

Second of all, any employee who permitted oneself to receive material or financial benefits from the prisoner automatically becomes a hostage of this relationship. In such a case, some administrative functions gradually and informally transfer into the hands of a small number of prisoners who, through psychological and physical abuse, infiltrate the majority of convicted individuals, the so-called prison subculture, from which they and the corrupt part of the administration of the institution derive material benefits.

This is how such a situation is described in European sources: “In penitentiary systems of some countries, people that head prisons lost control of their institutions and allowed strong groups of prisoners to create an illegal monitoring system, both over prisoners and over the staff. Sometimes this happens due to prisons being understaffed. Often, the administration demonstrates special treatment towards such prisoners in terms of providing living quarters, food and other amenities, which encourages them to supervise or manage other prisoners. Such relationships are always open to abuse and should not be tolerated.

The overwhelming majority of prisoners will react positively to a firm and fair method of management by the staff because if the staff does not maintain management of the prison in their hands, this void is then filled with strong and willful prisoners. Alternatively, if there is a lack of firm enough management from the top management, then, individual staff members may establish their own informal management methods. In either case, life for the majority of prisoners becomes very unpleasant”.

The experience of many countries shows that the issue of illegal carrying of prohibited items inside the institution by the staff is best solved in the following way – for employees responsible for oversight and monitoring to demonstrate qualities such as integrity, professionalism and incorruptibility. A super-modern scanning equipment can also be installed at the entrance of an institution, A modern surveillance system can create a safeguard system. A super-modern scanning equipment can also be installed at the entrance of an institution, and over the staff. Sometimes this happens due to prisons being understaffed. Often, the administration demonstrates special treatment towards such prisoners in terms of providing living quarters, food and other amenities, which encourages them to supervise or manage other prisoners. Such relationships are always open to abuse and should not be tolerated.

The overwhelming majority of prisoners will react positively to a firm and fair method of management by the staff because if the staff does not maintain management of the prison in their hands, this void is then filled with strong and willful prisoners. Alternatively, if there is a lack of firm enough management from the top management, then, individual staff members may establish their own informal management methods. In either case, life for the majority of prisoners becomes very unpleasant”.

The experience of many countries shows that the issue of illegal carrying of prohibited items inside the institution by the staff is best solved in the following way – for employees responsible for oversight and monitoring to demonstrate qualities such as integrity, professionalism and incorruptibility. A super-modern scanning equipment can also be installed at the entrance of an institution, and over the staff. Sometimes this happens due to prisons being understaffed. Often, the administration demonstrates special treatment towards such prisoners in terms of providing living quarters, food and other amenities, which encourages them to supervise or manage other prisoners. Such relationships are always open to abuse and should not be tolerated.

The overwhelming majority of prisoners will react positively to a firm and fair method of management by the staff because if the staff does not maintain management of the prison in their hands, this void is then filled with strong and willful prisoners. Alternatively, if there is a lack of firm enough management from the top management, then, individual staff members may establish their own informal management methods. In either case, life for the majority of prisoners becomes very unpleasant”.

The United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules)

**Rule 77**

All prison staff should behave and fulfill their duties in such a way that be an example for prisoners and win their respect.

A lot depends on the head of the penitentiary institution. For example, in Kazakhstan institutions there is no practice to search the representatives of senior management and sometimes the persons who follow them inside the prison. Usually this procedure is limited to checking documents and issuing a pass. However, if the head of the institution, like in Western countries, will demand a quality inspection, then the attitude of the inspection service to other employees will be of the same principle.

**CORRUPTION RISKS IN THE PENITENTIARY SYSTEM**

It is important to identify the weak areas in the activities of penitentiary institutions, that contain the most favorable conditions for abuse of power. In other words, identification of corruption risks leads to effective fight against corruption in the penal system.

Despite the variety of these issues, they play a very important role in the lives of convicts. Thus, the collection of encouragement and punishments directly affects the determination of the behavior on a 6-level scale, which includes 3 positive and 3 negative degrees. In turn, these degrees influence upon the detention conditions within the institution. This includes the number of permitted visits with relatives, telephone calls, parcels, the limit of pocket money for personal needs. The behavior degrees also influence on the issue of changing the type of institution, i.e. worsening or easing the detention conditions. Finally, the history of penalties and rewards is considered by court when examining issues of parole and commutation of the undischarged portion of sentence to a milder form of penalty.
The following measures of punishment for the violation of the established order of serving punishment are provided by the Article 131 of the PEC:

1) comment;
2) reprimand;
3) disciplinary fine in the amount of up to two monthly calculation indicators;
4) disciplinary confinement for the period of up to fifteen days;
5) transfer to single cell for a period of up to six months;
6) the abolition of the right to reside outside the dormitory, prohibition of leaving the institution territory during free time for up to thirty days (regarding convicts serving a sentence in a minimum-security institution).

The Article 133 of the PEC authorizes the heads of institutions and relevant persons, performing their duties, to apply the encouragement and punishment measures. Deputy heads of the institution have the right to apply incentive measures in the form of: 1) declaration of gratitude; 2) permission to spend extra money on food and essentials; 3) early removal of the penalty, previously imposed by the deputy head of the institution on the under; and impose penalties in the form of comments and reprimands.

Encouragement and punishment issues and their procedures are regulated by the criminal-executive legislation. As it is noted above, the receipt of incentives and penalties is a very sensitive issue for convicts, since it directly affects their legal position.

The distinctive feature of these encouragements and punishments lies in the fact that a person, being in prison, inevitably receives, and therefore, is dependent on them. In a free society, a person can be successful without any incentives or be an outsider without penalties. However, a permanent evaluation of the prisoner's personality is necessary at the penitentiary institutions, and the results of this assessment are attached in his personal file. Since the places of imprisonment are based on the principle of will suppression (especially in the post-Soviet countries) and where almost every step of the convict is painted, then it takes little effort to obtain reprimand. In most cases, bad relations with the institution staff are enough to receive penalty for the slightest slip in observing the established order of serving punishment.

Receiving encouragement is the main motivation for a good behavior. From the point of view of penitentiary system, good behavior is a behavior that indicates a person's fitness for life in isolation, and not in a free society after release. Therefore, demonstration of high level of commitment to the requirements of the institution are necessary to receive encouragement. The Article 11 of the PEC obliges convicts to fulfill only legitimate demands of prison personnel, but the isolation and full dependence force to fulfill any requirements in order to confirm their loyalty to the administration of the institution and receive incentive.
Creation of a similar database was repeatedly initiated in Kazakhstan. Thus, “development and implementation of a centralized automated database” were included into the Plan of Program for the Development of the Correctional System in the Republic of Kazakhstan for 2012-2015. 617 million tenge⁸ were budgeted for this activity in 2015.

Later, this idea migrated to the Action Plan for the implementation of the State Program for Further Modernization of the Law Enforcement System of the Republic of Kazakhstan for 2014-2020. 615.9 million tenge⁹ were budgeted for its creation and implementation during 2014-2015.

Rules for the conduct of educational work with prisoners sentenced to deprivation of liberty", approved by the order of the Minister of Internal Affairs of the Republic of Kazakhstan dated August 13, 2014 No. 508

22. In the event that the convicted persons have actually served part of the sentence, and in order to solve the possible resolution of the issue of changing the detention conditions, the type of institution, and parole, the Detachment Chief makes a description on the convicts, according to the Annex 7 of this Regulation, which is attached to a personal case.

One of the ways to neutralize this corruption-related factor could be the creation of database of convicts with full information about them. With the aim of the verification of materials submitted by the penalty institutions to the courts, the prosecutor’s office, as well as the judges while considering the applications of the convicted persons, could use this data and have more complete and objective information about the convicts. Such official databases are used in many developed countries, where a limited number of officials have access to them through personal electronic key.

CONCLUSION

The above material does not cover all aspects of corruption in the penal system. There are corruption-related spheres that are common to all public service agencies, for example: public procurement, writing-off of material resources, “personnel business”, etc. Only a few corruption aspects that arise between the staff of the penitentiary institutions and the convicts are mentioned in this work.

The quality of the prison staff, namely, their moral-volitional features are crucially important in the fight against corruption. Convicted persons, confronted corruption abuses by employees in prisons, feel powerless. Attempts to resist this problem in conditions of isolation lead to a deterioration in their position. So, they are forced to accept the existing rules of interaction that are behind the scenes. Consequently, this completely undermines the criminal-executive concept of the state, based on the idea of correcting criminals.

The state should pay more attention to the criminal-executive system, increase its authority in the public consciousness and make its activities transparent, as well as make the penitentiary service more prestigious. Andrew Coyle, one of the leaders of the International Center for Prison Studies, noted: “in any democratic society the work in prison is a public service. Prisons, as well as schools and hospitals, are organizations that to be administered by civil authorities for the benefit of society. The prison authorities must, to one extent or another, report to the parliament, and the public should regularly receive information about the situation there. Ministers and senior executives should make it clear that they highly value the work done by prison officials, and the general public should always remember that work in prison is an important public service”¹⁰.

*Approved by the Decree of the Government of the Republic of Kazakhstan dated June 9, 2012 No.775
*Approved by the Decree of the Government of the Republic of Kazakhstan dated April 1, 2014 No. 292

¹⁰Andrew Coyle. Approach to the management of the prison from the standpoint of human rights. Guide for prison staff. - London,