

Criteria to Estimate the Cost of Crime



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Abstract. In research analyzed the criteria of the crime's cost a criminological indicator, to consider and suggest possible ways (methods) for its definition.

Keywords: methodology of definition of the crime's cost; criteria of the crime's cost; crime cost; quantitative index; criminological measures to prevent crime.

Problem statement

The need to study the issue of “the cost” of crime due to controversial in the science of criminology options for calculating the cost of crime, which is hindering the clarification of the actual social consequences of crime.

Analysis of statistical data. According to statistics, in recent years there has been a steady increase in crime, which is directly proportional to the increase in its cost. Thus, for the 9 months of 2018, 407,334 criminal offenses (in 2017 – 446,158) were taken into account in Ukraine, 2159 violations were prevented during the preparation and attempt stage (2017 – 1798). In particular, 9258 criminal offenses were detected by employees of the prosecutor's office (2017 – 9 432). The total amount of the established pecuniary damage is UAH 7 542 760 (2017 – UAH 16 690 490), the reimbursed reference was UAH 1 696 219 (in 2017 – UAH 1 096 063), including reimbursed with the assistance of the prosecutor's offices – 81: UAH 702 (2017 – UAH 150 708).

The overall level of crime in Ukraine for the 10 months of this year has decreased by 13%, the number of serious and especially grave crimes in the total amount of criminal offenses decreased by 11%.

52,755 criminal proceedings were filed in the single register of pre-trial investigations, which is 13% less than in 2017 [1, p. 2].

Based on official figures, there is an urgent need to study the issues of calculating the total effects of crime on a particular territory during the reporting periods.

Analysis of recent research and publications. Criminological studies, which reflect the cost of crime within the criminological profile of certain types of crimes, their quantitative and qualitative dimensions, were carried out by such scientists as: Yu. Antonian, M. Babaiev, O. Bandurka, M. Byrheu, I. Danshyn, L. Davydenko, T. Denysova, V. Dromin, O. Dzhuzha, V. Holina, B. Holovkin, O. Kalman, T. Korniakova, O. Kostenko, O. Kulyk, V. Lunieiev, O. Lytvak, O. Lytvynov, P. Serdiuk, N. Smetanina, V. Shakun, D. Shestakov, A. Zakaliuk, V. Zelenetskyi and others. However, the works of these authors do not have a comprehensive analysis of the cost of crime, but only indirectly provided a characteristic within a specific group of crimes.

These works are important developments in the study of quantitative and qualitative indicators of crime, but modern conditions in Ukrainian society require a new reflection of this problem.

Determining the cost of crime requires today a new criminological understanding, the rejection of simplistic approaches to this important and complex issue.

The purpose of the article within the scope of this article is to identify the criteria that need to be included in the pseudo-cost definition of crime and to suggest ways (ways) to determine it.

Presentation of the main research material. V. Holina and S. Broiakov, studying the theoretical and applied questions of the concept of the cost of crime and the possibility of its calculation, indicate that the progressive growth of crime directly affects the growth of the “cost” of crime, and suggests to its content to pecuniary damage, which is determined in numerical terms and contains the total cost of the criminal offenses committed losses incurred by any objects of the material world; moral (non-material) harm is defined as the harm caused by a crime to encroach on life, health, morale of the victim and close people of the victim [2, p. 5]. This position of scientists does not accurately determine the problem issues in determining the “cost” of crime. Apart from the attention of the scientists, questions remained about all the criteria of calculation.

The cost of crime involves a quantitative indicator, according to which the material, social, moral and physical damage caused by the crimes are deducted. Most criminologists say that it is inappropriate to use such a concept as the cost of crime, because it is in their opinion impossible to determine.

Huge quantitative scales are estimated losses in preventing crime. This is the cost of maintaining an operational search, prosecution facility (for example, reimbursement of damage for unlawful arrest, detention or detention). Taking into account the current situation of the socio-economic, political imbalance of our state against the backdrop of military events in certain annexed and especially designated territories of Ukraine, the complete destruction of the Eastern part – Donetsk and Luhansk oblasts, additional expenditures from the budget considerably exceed salary sizes. This situation requires an immediate cost-effective analysis and planning of personnel costs, which includes both material motivation justifying each item of expenditure, making estimates

of all production costs for each structural unit (cost centers). Therefore, we believe that only under such conditions a clear analysis, it is possible to talk about improving the system of personnel management in the context of material motivation of staff.

If to analyze the state and tendency of crime in Ukraine, first of all, it is necessary to take into account the level of local budget financing, pension and social security, compensation of damages that can not be determined only by statistical indicators of law enforcement agencies. From here, you can form the cost of crime, the level of material damage, as well as the possibility of effective development of measures to prevent and prevent such violations through the use of monitoring activities of quantitative and qualitative indicators.

It is also the cost of expertise, the costs of retaining the penitentiary system, carrying out scientific activities, paying pensions, compensating victims according to information on the material damage from crime, and the costs incurred in preventing crime. As a criterion for the cost of crime, the total assets of criminal organizations are also allocated. This component of the crime cost is proposed by analysts from the World Federation Group, which executes the UN order. O. Shostko notes that organized crime worsens the existing dangerous indicators of economic inequality of the population in the world dimension. Its size is estimated at 2 trillion US dollars, as evidenced by a recent study conducted under the auspices of the United Nations. The annual profits of criminal groups around the world are staggering: they are equal to the GDP of Great Britain and double the combined defense budgets of the countries of the world [3, p. 1]. And according to the United Nations Office on Drugs and Crime, total criminal proceeds from all illegal activities of international syndicates now make up about 3,6% of the world's GDP, which is equivalent to 2,1 trillion dollars. Symantec, a company dedicated to software development in the field of computer security, cites data that in 2011 the world economy lost about \$114 billion as a result of online crimes [4, p. 32–33].

But over this criterion one has to think again, since these assets can be included

in economics, pay legal products, create jobs, etc.

Particularly difficult to determine and calculate harm are crimes committed against a specific person. You can calculate the cost of treatment as a direct material damage, but it is difficult, even sometimes impossible, to determine moral and psychological costs in the monetary equivalent, an image of honor and dignity, a change in the attitude of the person to the environment and himself after the crime (direct personal harm).

The crime cost is defined as a mandatory quantitative indicator for the calculation and reimbursement of losses incurred as a result of the commission of crimes, at the stage of investigation of criminal proceedings, the establishment of guilty persons, their prosecution and the imposition of punishment. Litigation in court sentences indicates only the amount of damages caused by a person as a result of a crime and the possibility of a civil claim for damages.

The methodology for determining the costs of combating crime can be defined within the following areas:

- direct harm from criminal behavior;
- costs of the person, supesdyty and the state for the prevention of crimes, bringing the perpetrators to justice;
- the costs of the offender.

Thus, the cost of crime should be defined as the total amount of injuries, deaths, stolen motor vehicles, lost working days, etc., it is also direct and indirect costs of physical, material, spiritual and moral character, due to perfect criminal offenses, costs of society in connection with the need to overcome the consequences of criminal acts, the content of the entire law-enforcement and penitentiary system, other institutions of the state, as well as the assets of criminal organizations in support of its illegal activity ones.

By the provisions of this work, in our opinion, it is necessary to determine the social consequences of crime:

- 1) criminal-law consequences, that is, damage, direct and indirect losses;
- 2) material, moral and physical harm to specific citizens;
- 3) social costs associated with responding to crime and counteracting it;

4) expenses for the maintenance of law enforcement bodies, development of legislation and measures of counteraction.

Scientists S. Denisov, T. Denisov, S. Kulik, O. Sheremet, complexly generalizing the theoretical foundations of criminological science, suggest, taking into account the calculation “cost” of crime to approach the solution of the problem in the following way:

1. To evaluate the damage extended in time by taking into account the consequences not only of crimes committed in the year under consideration, but also of past crimes, if the consequences of these crimes still continue to have a negative impact.

2. To assess the damage caused by a fixed method in which the damage was caused (for example, a calendar year), based on the assessment of only the damage caused by crimes committed during the year included in the object of research [5, p. 201]. The indicated ways of solving the problem of determining the “cost” of crime can be carried out in order to form an adequate effective criminological policy.

The questions raised may be reduced to the possibility of determining the “cost” of crime as the aggregate number of crimes of general-criminal orientation, resonant crimes and lost working days; direct and indirect costs of physical, material, spiritual and moral character, caused by a person as a result of committing criminal offenses; expenses of society in connection with the need to overcome the consequences of criminal acts; the maintenance of the entire law-enforcement and penitentiary system and other state institutions; general assets of criminal organizations and their referral in support of all unlawful activities.

The above concept can be introduced into the draft law “On Prevention of Crimes (Criminal Offenses)” or to be included in the Comprehensive Crime Prevention Program for the relevant years.

Proceeding from the above, social consequences, as one of the content components, may contain real harm, which is caused by a crime of public interest, is expressed in the form of direct or indirect negative consequences falling within the comprehension of social values, and also the totality of economic and other expenses of society, Combating crime and social prophylaxis.

Conclusions

Proceeding from the above, within the limits of this article, to determine the “price” of crime we propose:

1. Normally regulate the possibility of determining the price of crime as direct and indirect costs of physical, material, moral, socio-ethical, spiritual nature for the state and society as a whole as a result of committed crimes aimed at overcoming the consequences of criminal acts, the content of all law enforcement, penitentiary systems, other institutions, assets of criminal gangs, total number of corporal injuries, deaths, stolen vehicles, lost working days, etc.

The peculiarity of determining the harm done by a particular crime depends on the direct object of the criminal encroachment (life, health, social values, objects of the material world) on the basis of the method of personification as a combination of methods, methods and techniques that are consistent, systematic, reasonable use to determine the negative impact of direct and indirect harm, depending on the type of socially dangerous act.

2. To calculate losses from committed crimes to determine the amount of loss taking into account monetary (determination of monetary equivalent) non-material damage to life, health, the moral state of the victim and his relatives, as well as the calculation of the incidence of harm to crime (the price of “prevention” of criminal acts and damage to the immaterial state of affairs of society). The price of preventive measures to combat crime: the cost of society to properly finance mechanisms and institutions aimed at preventing manifestations of deviant criminal behavior, victimization.

3. Establish specialized monitoring centers to process the data received and inform the public.

Thus, given the complexity of the criminological indicator and the methodology, the methods of calculation, there is a need to develop a calculation table for determining the price of crime, taking into account the type of crime in accordance with the uniform statistical form of the Prosecutor General’s Office of Ukraine, which will facilitate the assessment of the level and state of crime in Ukraine, the determination of the crime situation in the state, the development of effective, cost-effective means of combating crime at the state and interstate levels, the prognosis of development and, in turn, the timely response the society’s attention to the challenges of crime.

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