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PERSONNEL'S BUSINESS COMMUNICATION STYLES AND
SEPARATE PERSON'S RIGHTS SENTENCED TO DEPRIVATION
LIBERTY

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Abstract

The article solved such problems as addressing the issues of correctional facilities staffing; research personnel's business communication styles, along with realization separate person's rights sentences to deprivation liberty and their interrelationship. The article indicates such most commonly violated rights of prisoners as right to courteous treatment from the personnel of correctional facilities; right to health protection, including obtaining primary preventive and curative and special medical aid; right to personal security and etc. The subject of research is correctional facilities staffing within the issue impact personnel's business communication styles on realization convicted persons rights. In the article were applied such methods as comparative-legal approach of scientific knowledge, methods systematic and structural-functional analysis along with a questionnaire «Styles of business communication» by V.A. Tolochek. As a result of analysis styles of business communication undertaken identified such non-effective styles as «Emotional limitation, insistence, position depending on the surrounding», «Spontaneity, passivity, lack of system, reliance on life and professional experience» and «Avoiding responsibility, activism, self-development and search for change others». Based on undertaken research the conclusion is made regarding the impact personnel's business communication styles, as a pillar of correctional facilities staffing, on realization of convicted prisoners rights. Moreover, it is necessary to enshrine, most all, on the level of institutional regulatory acts, the above-mentioned personnel procedures, that would allow to ensure the relevant selection, placement and preparation of personnel to correctional facilities.

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1. Introduction

Respecting the persons rules sentenced to deprivation of liberty depends largely on activity personnel correctional facilities, on high-quality recruitment, based on their personal particularities, as well as on their professional training and sense justice.

Constitutional provision on supreme value of a human, his rights and freedoms is enshrined in “Code of ethics and official conduct of employees and federal government civil servants”. In this Code and other outlined provisions, in particular, it is stated, that employees and federal government civil servants, conscious of their responsibility towards the country, society and citizens are aimed at:

- proceeding from assumption that recognition, respecting and protection of human’s rights and freedoms define the core sense and content of their activity;

- observing the norms of service, professional ethics and rules business behaviour (Order FSIN of Russian federation from 11.01.2012 N 5 (About confirmation of the Code of ethics and official conduct of employees and federal government civil servants of executive penal system..., 2012).

Law enforcement experience, in particular, a questionnaire for convicted, undertaken by Belik (2015) demonstrate that in correctional facilities in some Russian regions there is a violation of the convicts’ rights. Most often, when examining legal protection issues, there is a violation of the following convicts’ rights:

- right to courteous treatment from the personnel of correctional facilities;
- right to health protection, including obtaining primary preventive and curative and special medical aid;
- right to personal security;
- right to appeal the violation of rights and legal interests;
- right to labour and fair remuneration on for its results;
- right to receive secondary (complete) general education;
- right to food, sufficient for life support;
- right to use individual sleeping area in the time of lights out;
- right to receive bedding from administration;
- right to receive tableware and cutlery from administration;
- right to sanitary norm of living space;
- right to required sanitary and hygienic conditions of detention.

The conditions activity correctional facilities are specific nature that appears in communication with special contingent; activity under conditions of increased risk; work in a closed institution, which assumes limited circle of interactions and, consequently, possible hardships in communication. The activity personnel is governed by some regulatory legal acts and, at first place, by Constitution of the Russian Federation, by Law from 21st July 1993 № 5471-1 «About facilities and bodies, enforcing the sentence in a form of deprivation of freedom» (Law of Russian federation from 21 July 1993 N 5473-I «About facilities and bodies, enforcing the sentence in a form of deprivation of freedom»), by order of Ministry of justice of Russia from 16th December 2016 № 295 «About adoption of Rules of internal rules of correctional facilities» (About adoption of Rules of internal rules of correctional facilities..., 2016b), by Federal law

from 27.07.2007 № 79-FL «About governmental civil service of the Russian Federation» (About adoption of Rules of internal rules of correctional colonies of executive penal system..., 2016a).

In their turn, regulations and legal interests, whose bearers are convicted persons, despite the restrictions they have, assume presence of particular responsibilities the personnel correctional facilities. Which these persons are to perform impeccably, despite the above stated conditions of activity that can be named “special”. Failure to perform these conditions can lead to violation of rights and legal interests convicted persons and to wilful order infringement and conditions of serving a sentence in correctional facilities.

Dejurova (2012) study found that specific of work in correctional facility, in particular, directly with convicted persons, affects negatively on personnel communication function. Professional staff activity is initially defined by control borders, required for interaction with prisoners (verbal, behavioural). Apart from that, the whole range of negative factors, such as recidivism, negative phenomena in the prisoners' environment and many other factors indicate that professional communication of the personnel correctional facilities with convicted persons doesn't meet the criteria of psychologically optimal communication.

2. Methods

The stability, about which it is commonplace to say in terms of work in public institution, it is a dual nature. On the one hand, employees receive social benefits, increased pensions and early retirement. The procedure of dismissal is rather complicated, however, it speeds up under particular circumstances. On the other hand, the nature of activity employees in correctional facilities cannot be called stable, since oftentimes unforeseen situations take place from the side of prisoners; requirements for personal and professional people qualities are tightened; the activity is regulated by bureaucratic procedures and accountability.

Dobrynina (2006) study found that it is necessary to implement a qualitatively new approach to staffing of penitentiary system. It's even more important, since direct realization of principles penal policy, developed on a legal level, is focused on personnel of penitentiary facilities. In terms of reformation of national penal correction system, the tasks, faced by its employees got more complicated. The objective increase in the level of civil liability of employees in penal correction system obtains specific relevance.

In accordance with article 12 of the Russian Executive Penal Code «Major rights of convicted persons» (Executive Penal Code of Russian Federation..., 2020), the prisoners have right for courteous treatment from the side of personnel correctional facilities, and also other above-mentioned rights, that impose respective obligations on correctional facilities employees on their implementation and form particular styles business communication, that are one of the most crucial components professional activity any employee. Business communication includes any professional communicative form of activity (most often – verbal one) (Zaretskaya, 2018). Also, professional activity of the personnel correctional facilities is not an exception.

3. Results

With a purpose to analyse staffing and its impact realization of convicted persons rights, the research was undertaken, which based on selection personnel of Federal government facility «Colony-settlement №2» of Zelenograd city (32 persons). In the research respondents civilian employees holding various positions took part, namely such as chief economist, warehouse manager, accountant, registry manager, labour protection and safety engineer, master, special bookwork inspector. Among the attested employees the following positions were presented: chief inspector, junior inspector, detachment chief, on duty assistant of colony's chief, deputy assistant of colony's chief, senior legal consultant, senior psychologist.

As a result of the research, the following six styles were outlined which obtained by means of the method of factor analysis Varimax.

«Constructive, socially desired style» is not supported by socially-demographic characteristics. Such behaviour is characterizes with activism, openness to communication and contact. Display of various behavioural strategies occurs situationally: cooperation, collaboration, compromise, adaptation, rivalry. Moreover, for this style taking strong position, system are relevant in setting goals and tasks.

«Emotional limitation, insistence, position depending on the surrounding». The style is typical for employees have female gender, not married, taking low positions. This behavioural type assumes propensity to precise argumentation, use of threats, early planning and time distribution, at that the position depends on the surrounding, but with demonstration of emotional attachment. Such employees oftentimes work with documents and hold negotiations by phone.

4. Discussion

«Spontaneity, passivity, lack of system, reliance on life and professional experience». This type is typical for women in mature age, with large seniority, who have been working for a long time in a facility on a particular position and who have long family experience and children. The behaviour of this type is not burdened by any strategies, allowing to make interaction with the surrounding people efficient. Such employees are quite private, they act distant, don't take active actions and «go with the flow».

For a style that can be defined as «Disassociation, rigidity, emotional participation» power demonstration, preference to far psychological distance, allocation of strict criteria at work, fixed communication time, appeal for help to other people are typical. The main aims of communicate on lie in showing emotional inter relationship and participation, and search for change the behaviour of surrounding. The style doesn't have connection with socially-demographic parameters and is, perhaps, demonstrated by employees, who work directly with prisoners.

«Avoiding responsibility, activism, self-development and search for change others» – this behaviour type is demonstrated by workers who have family. They are pretty active, even though prone to avoid problem solution and prefer to communicate with a purpose of changing the behaviour and activity of people, and also for self-development. They prefer to work with written sources.

«Career growth and delegating issues solving to others», according to factor loadings, are typical, usually, for men with management experience and high position. They are not limited with time at interaction, they are not prone to active actions, and they prefer to attract others to issue solving.

As a result of analysis styles of business communication undertaken, non-effective styles might include: «Emotional limitation, insistence, position depending on the surrounding», «Spontaneity, passivity, lack of system, reliance on life and professional experience» and «Avoiding responsibility, activism, self-development and search for change others». «Constructive, socially desired style» is considered an effective style, however it serves more as a projection of a perfect style, it is unlikely used by personnel or is used from time to time. «Disassociation, rigidity, emotional participation» can be defined as conditionally effective style due to presence of emotional component, however it is demonstrated by the personnel from time to time, since no connection with socially-demographic parameters was unveiled. «Career growth and delegating issues solving to others» are supported by corporate culture and employees on high positions.

It is noteworthy, that the main factor in styles formation is an environment, which involves a subject into particular style repertoire. However, still some significant correlations with socially-demographic characteristics were found. For instance, female gender respondents are prone to systematically organize time; state the problem in general and provide a partner with autonomy in making a decision, and also time for preparation; collaborate in terms of high activity; frequent use phone at work. The difference under age parameter was unveiled by two indicators: demonstration of temper force is typical for young employees; strategy of adaptation – for older generation.

Hence, it can be stated, that the data, obtained as a result of research undertaken, allows to use its results as an additional resource in the issue of staff work organization in correctional facilities. The styles of business communication unveiled in the process of staff selection allow to accordingly analyse the specificities of separate workers and reserve for specific positions, and also implement their following career development. Undoubtedly, in the process of personnel promotion, it is necessary to undertake additional periodical research styles of business communication every worker.

At that, needs to be stated, that realization of convicted persons rights to some degree depends on styles of business communication of personnel correctional facilities, since in the process of service activity, officials of correctional facilities firstly interact with prisoners and take managing decisions, directly affecting such crucial elements of legal status an individual, as rights and freedoms, as well as liabilities. With this purpose, it is necessary, at employment process to correctional facilities, to take into account personal styles, match them with labour conditions and with performance of particular official duties. For example, direct and daily contact with convicted persons, in particular, on position the detachment chief of correctional facility, assumes «Disassociation, rigidity, emotional participation», and a position of security inspector, who practically has no contact with prisoners «Avoiding responsibility, activism, self-development and search for change of others». The style «Career growth and delegating issues solving to others» is inherent to employees on managing positions.

From the point of view realization convicted persons rights, it is not advisable for personnel services to collaborate with persons, prone to the following styles of business communication: «Emotional limitation, insistence, position depending on the surrounding»; «Spontaneity, passivity, lack of system, reliance on life and professional experience» and «Avoiding responsibility, activism, self-development and search for change others». However, as it was already mentioned before, the ineffective styles («Spontaneity, passivity, lack of system, reliance on life and professional experience», «Career growth and

delegating issues solving to others») are currently supported by the management of correctional facilities as most acceptable ones.

5. Conclusion

Moreover, it is necessary to enshrine, most all, on the level of institutional regulatory acts, the above-mentioned personnel procedures, that would allow to ensure the relevant selection, placement and preparation of personnel to correctional facilities.

Hence forth, within the frame work of realization executive penal policy, it is necessary to pay attention to issues of staffing correctional facilities on the level of federal laws. At the same time one needs to take into account, that in compliance with executive documents, defining the direction of development FSIN of Russia, the main tasks staffing executive penal system in modern circumstances are: optimization quantitative and qualitative composition of personnel, improvement professional training employees, increase social status employees executive penal system and social prestige service in correctional facilities (Dolinin, 2016).

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