



INDIVIDUAL PREVENTION OF OFFENSES CARRIED OUT BY THE CRIME PREVENTION SERVICES OF INTERNAL AFFAIRS BODIES

Amanov Abrorjon Abdullaevich

Professor of the Institute for Advanced Training of the Ministry of
Internal Affairs of the Republic of Uzbekistan

<https://doi.org/10.5281/zenodo.14509708>

Abstract

The article discusses the activities of individual crime prevention carried out by the crime prevention services of the internal affairs bodies, and offers proposals and recommendations for the more effective organization of this activity.

Key words: internal affairs bodies, crime prevention services, offenses, individual crime prevention, measures.

In our country, the crime prevention services of internal affairs bodies play a crucial role in protecting the rights, freedoms, and legitimate interests of individuals and legal entities, as well as in raising the legal awareness and legal culture of the subjects of social life. They are instrumental in strengthening the rule of law, identifying, studying, and implementing measures to eliminate the causes and conditions contributing to the commission of offenses. In other words, in the prevention of offenses, the crime prevention services of internal affairs bodies are essential, and within their activities, individual prevention of offenses is of particular importance.

The Law of the Republic of Uzbekistan "On Crime Prevention" states that "individual crime prevention is the activity of bodies and institutions directly engaged in crime prevention, aimed at identifying, keeping records of, and exercising educational influence on individuals with antisocial behavior, those prone to committing offenses, and those who have committed offenses."

It should be noted that to achieve effectiveness in the individual prevention of offenses, the crime prevention services of internal affairs bodies must implement these measures in accordance with regulatory legal acts, with a separate and systematic approach to each measure. To achieve this, it is important to develop and effectively organize the implementation of the most optimal measures for this type of prevention.

It can be said that the goal of individual crime prevention is for the bodies and institutions directly carrying out crime prevention to keep records of individuals with antisocial behavior, those prone to committing offenses, and those who have committed offenses. They aim to correct them morally through educational influence, shape and monitor their behavior and lifestyle in accordance with social life, as well as inform individuals with a high probability of victimization about the risk of becoming victims of crime. This includes informing them about the reasons for committing the crime that poses a threat and the conditions that enable them, the methods, forms, and means of committing offenses, calling for vigilance and caution, and ensuring security.

Measures for the individual prevention of offenses consist of preventive interviews, official warnings, notification of the causes of offenses and the conditions conducive to them,

social rehabilitation and social adaptation, preventive registration, mandatory treatment, and administrative supervision.

A preventive conversation is conducted in relation to individuals with antisocial behavior, prone to committing an offense, who have committed an offense, and who are on preventive account in order to convince a person to comply with accepted norms and rules of behavior in society, to explain the social and legal consequences of antisocial behavior and the liability established by law for committing an offense. During the interview, the characteristics of the individual, their lifestyle and socio-domestic living conditions, antisocial behavior or the causes and conditions of the offense committed are determined.

When applying a preventive conversation, it is always important to identify the presence of a criminogenic potential in a person's behavior in society and to ensure that he himself realizes this.[2] Based on foreign experience in this regard, it is recommended that the place, time, and duration of the preventive interview be determined by the subject applying it, and it should last approximately one hour, with the use of visual aids and video footage in this process.[3] As a rule, a preventive conversation is held at the place of residence, study, work of the persons in relation to whom the preventive conversation is held, or directly at the place where antisocial behavior or offense is detected.

It should be noted that during the preventive interview, the employee conducting the preventive interview should carry out work on the specific characteristics of the individual (place, character, knowledge, level of education, specialty, worldview, interests, needs, attitude towards life, etc.), his lifestyle and socio-domestic living conditions (family status, where he lives, type of activity, family and level of his financial security, etc.), as well as the causes and conditions of antisocial behavior or committed offense (material needs, lack of interest, neglect of education in the family,

As a rule, the employee is limited to a preventive conversation if the person with whom the preventive conversation was held realizes the nature of their antisocial behavior or committed offense and regrets it. On the contrary, if the person does not realize the essence of their antisocial behavior or the commission of the offense and does not repent, as well as if the employee finds it inadmissible to continue the revealed antisocial behavior, then an official warning is applied to the person. Unlike a preventive conversation, a formal warning explains in writing that a person cannot continue their antisocial behavior and warns them of responsibility for committing an offense. The official notice shall be signed by the person, and if he refuses to sign, it shall be recorded in the official notice. The right of an employee to notify the employer (administration) at the place of work (education) or the self-government body of citizens at the place of residence of the person to whom the official warning was issued is provided for in Article 31 of the Law of the Republic of Uzbekistan "On the Prevention of Offenses" [4].

In order for the result of the official warning applied to the person in the future to be positive and in order to prevent possible offenses, it is necessary to change the sentence "a person has the right to notify the employer (administration) at the place of work (education) or the self-government body of citizens at the place of residence" to..."notify the employer (administration) at the place of work (education) or the self-government body of citizens at the place of residence." The amendment of this law will be carried out in accordance with the reforms being carried out in our country. Specifically, as President Shavkat Mirziyoyev noted,..."We should all be concerned about the fact that there is only one crime."

Furthermore, the fact that the law does not establish liability for a person who has received an official warning, if they continue to violate the norms of behavior established in society after receiving an official warning, often leads to the ineffectiveness of an official warning. To enhance the effectiveness of an official warning, it is advisable to establish in the legislation that the relevant legal consequences arise when a person fails to comply with the requirements imposed by an official warning.

One of the measures of individual crime prevention is the informing of the causes of crime and the conditions that allow them to be committed. In other words, the body or institution directly carrying out or participating in the prevention of offenses, within its competence, has the right to inform the employer (administration) at the place of work (education) about antisocial behavior, persons prone to committing offenses, the self-government body of citizens at the place of residence, indicating the circumstances of antisocial behavior and committed offenses, as well as the causes and conditions that allow them, is defined in Article 32 of the Law of the Republic of Uzbekistan "On Prevention of Offenses"

As a logical continuation of our above opinion, that is, as in the official warning, the sentence "has the right to notify" in the norm of this law should be changed to..."notify." The reason is that the study revealed that in most cases, the self-government body of citizens at their place of residence, the management of the institution where they work or study, is not aware of an individual's antisocial behavior, inclination to commit an offense or the state of their offense. The introduction of a corresponding amendment to the law will have an effective impact on the conduct of preventive work with this category of persons in the self-government body of citizens at their place of residence or at their place of work or educational institution.

Another measure of individual crime prevention is social rehabilitation and social adaptation. The purpose of these measures is to provide legal, social, psychological, medical, pedagogical, and other types of assistance to victims of offenses, individuals prone to committing offenses, and to instill in them accepted norms and rules of conduct in society. In particular, in this regard, employees of the crime prevention service of the internal affairs bodies will assist in identifying persons whose place of work and residence is unclear in the territory of their service, providing employment for able-bodied citizens who do not have a permanent place of work, as well as placing those who do not have a permanent place of residence and are left without care in charitable homes and persons with disabilities in charitable homes. The rehabilitation process helps individuals recover from medical, professional, and social conditions.

It should be noted that the most painful point in this direction is the social rehabilitation and social adaptation of persons released from penal institutions. Employees of the crime prevention service of the internal affairs bodies organize work in this direction in cooperation with social adaptation centers under district (city) khokimiyats, and it is advisable to increase the responsibility of social adaptation centers under local khokimiyats in this area.

Another measure of individual crime prevention is preventive accounting. It is a set of preventive measures carried out by the internal affairs bodies in order to ensure the correction of persons who have committed offenses and prevent them from committing repeated offenses. That is, preventive accounting is carried out by internal affairs bodies in relation to individuals in order to correct them and prevent them from committing repeated

offenses, and its regulation at the level of law serves to ensure the inevitable protection of the rights and freedoms of individuals in this area.

It should be noted that employees of crime prevention services of internal affairs bodies should take into account personal characteristics such as age, gender, mental state, social status, education and specialization, needs, interests, and abilities of a person when carrying out individual preventive measures with persons on preventive account. In other words, taking into account the individual characteristics of a person who is taking preventive account will lead to a faster positive outcome of the individual preventive measures being implemented.

The purpose of referral for compulsory treatment is to timely treat persons registered in healthcare institutions, study their living conditions, and prevent the commission of crimes by them.

Administrative control is another measure of individual crime prevention. Administrative supervision of the internal affairs bodies over persons released from penitentiary institutions consists of a set of measures of educational and preventive influence and includes the application of restrictions provided for by law in relation to those under supervision. In this direction, crime prevention services are also of great importance. In other words, in accordance with the procedure established by the Law of the Republic of Uzbekistan "On Administrative Supervision of Certain Categories of Persons Released from Penal Institutions" of April 2, 2019,[11] and other legislative acts, they draw up documents for the establishment of administrative supervision in relation to a previously convicted person and submit the collected materials to the court to resolve the issue of establishing administrative supervision. It also exercises administrative control based on the court's decision to establish administrative control.

The main task of administrative supervision is to provide individual preventive influence in order to prevent the commission of offenses by certain categories of persons released from penitentiary institutions. Administrative control shall be established for a period of six months to one year. The grounds for establishing, exercising and terminating administrative control, as well as the rights and obligations of the supervised person, shall be determined by law. If we turn to statistics in this direction, the fact that 638 crimes were committed by persons under administrative supervision in 10 months of 2024, including 20 by highly dangerous recidivists, also indicates the need to further strengthen preventive measures with this category of individuals.

In conclusion, it can be said that, like other types of crime prevention, there are specific aspects of individual prevention, that is, when conducting individual prevention work in relation to a person, it is advisable to study the socio-demographic (such as age, gender, marital status, profession, education, place of residence and study), spiritual-psychological (such as needs, interests, social processes, universal and national values, attitude to work, study and work, environment, worldview, temperament and character, physical and mental health, genetic characteristics, physical). The reason is that individual prevention is a very complex process that requires a complex set of knowledge in the psychological, pedagogical, legal, ethical, and aesthetic spheres from the subject conducting it.

At the same time, it is necessary to possess theoretical knowledge and skills related to the application of methods such as logic, induction and deduction, analysis and synthesis in engaging in preventive communication. Based on these opinions and the analysis conducted,

it can be said that individual crime prevention is carried out by employees who have been working in the crime prevention system for more than five years, have a wealth of practical experience, and are open to communication.

References:

- 1.Ўзбекистон Республикасининг «Хукукбузарликлар профилактикаси тўғрисида»ги қонуни // Ўзбекистон Республикаси Қонун ҳужжатлари маълумотлари миллий базаси - <http://Lex.uz>.
- 2.Энциклопедия современной юридической психологии/Под общей редак. проф. А.М. Столяренко, 2002 г. / [Эл. манба]. – Режим доступа: – URL: <http://determiner.ru/dictionary/993> (мур. вақти: 30.03.2022).
- 3.Павловский А. Профилактика правонарушений на новых основах / [Эл. манба]. - ЦКБ: Ы1ф://8Ши1.БуЛ1сЬпу]-_ип81/13-ге8рес1-1а№/624 (мур. вақти: 30.03.2022).
- 4.Ўзбекистон Республикасининг «Хукукбузарликлар профилактикаси тўғрисида»ги қонуни // Ўзбекистон Республикаси Қонун ҳужжатлари маълумотлари миллий базаси – <http://Lex.uz>.
- 5.Ўзбекистон Республикаси Президенти Шавкат Мирзиёев раислигида 27 июль куни жиноятчиликнинг олдини олиш, давлат идоралари ва жамиятнинг бу борадаги масъулиятини ошириш масалаларига бағишланган видеоселектор йиғилиши 27.07.2018 <https://president.uz/uz/1914> (07.12.2021 мурожат вақти).
- 6.Ўзбекистон Республикасининг «Хукукбузарликлар профилактикаси тўғрисида»ги қонуни // Ўзбекистон Республикаси Қонун ҳужжатлари маълумотлари миллий базаси – <http://Lex.uz>.
- 7.Зиёдуллаев М.З., Исаев С.А. Хукукбузарликлар профилактикасининг ҳуқуқий асосларини такомил-лаштириш йулида // Қалқон – 2015. – № 1. – Б. 10.
- 8.Ўзбекистон Республикаси Вазирлар Маҳкамасининг 2019 йил 3 октябрдаги «Ўзбекистон Республикаси аҳолисига наркологик ёрдам кўрсатиш тизимини такомиллаштириш чора-тадбирлари тўғрисида»ги 842-сон қарори // Ўзбекистон Республикаси Қонун ҳужжатлари маълумотлари миллий базаси – <http://Lex.uz>.
- 9.Ўзбекистон Республикасининг 2020 йил 27 октябрдаги «Наркологик касалликлар профилактикаси ва уларни даволаш тўғрисида»ги қонуни // Ўзбекистон Республикаси Қонун ҳужжатлари маълумотлари миллий базаси – <http://>
- 10.Аманов А. Ички ишлар органлари хукукбузарликлар профилактикаси хизматларининг хукукбузарликларни олдини олишда фуқаролик жамияти институтлари билан ҳамкорлиги: миллий ва хорижий тажриба //Евразийский журнал права, финансов и прикладных наук. – 2023. – Т. 3. – №. 10. – С. 85-93.
- 11.Аманов А.А. Янги Ўзбекистон ислохотлари даврида ички ишлар вазирлиги жамоат хавфсизлиги департаменти хукукбузарликлар профилактикаси хизматлари фаолияти ҳуқуқий асосларининг такомиллаштирилиши //Eurasian Journal of Academic Research. – 2024. – Т. 4. – №. 11-2. – С. 22-29.
- 12.Аманов А.А. Ички ишлар вазирлиги жамоат хавфсизлиги департаменти хукукбузарликлар профилактикаси хизматларининг жамоат тартибини сақлаш ва жамоат хавфсизлигини таъминлаш фаолияти //Eurasian Journal of Academic Research. – 2024. – Т. 4. – №. 11-2. – С. 41-47.

13.Аманов А.А. Ички ишлар вазирлиги жамоат хавфсизлиги департаменти ҳуқуқбузарликлар профилактикаси хизматларининг жамоат тартибини сақлаш ва жамоат хавфсизлигини таъминлаш фаолияти //Eurasian Journal of Academic Research. – 2024. – Т. 4. – №. 11-2. – С. 41-47

