



THE ACTIVITY OF THE CRIME PREVENTION INSPECTOR IN THE PREVENTION OF PRESSURE AND VIOLENCE IN FAMILIES

Nodirbek Jalilov

TSUL Specialized Branch

jnbek93@gmail.com

ANNOTATION

In the article, the activities of the Inspector of Prevention in the prevention of harassment and violence in families, types of harassment and violence, the procedure for issuing a protection order, grounds for issuing a protection order, restrictions on a protection order, prevention of violent crimes and the persons who commit them the procedure for organizing cases, the causes of violent crimes and the conditions that made them possible, and similar issues were scientifically analyzed and appropriate proposals were put forward in this regard.

Keywords: harassment, violence, protection order, prevention, legal aid, restrictions, victim, harassed person, physical violence, sexual violence.

At the current stage of the development of the society of Uzbekistan, a person, his dignity, rights and freedoms are recognized as the highest value. The inviolability of this unique value has become one of the main goals of our independent state.

"Fighting crime in our country during the past period and large-scale reforms aimed at improving crime prevention are being implemented.

Such efforts, first of all, with the participation of the general public In 2018, a 36% reduction in total crime was achieved, 3 thousand. Not a single crime was committed in 205 or more than 35% of neighborhoods"

The President of the Republic of Uzbekistan Sh. Mirziyoyev: "Unhealthy relationships in families, quarrels between mother-in-law and wife, husband and wife,

The fact that there are cases of suicide among our women makes me personally very sad" clearly shows how urgent the topic is. The employees of the internal affairs bodies are one of the first links in protection against oppression and violence, and the qualifications of the employees and the initial actions taken in cases of violence are of great importance. The future actions of a woman victim of violence depend on her confidence that the prevention inspector will provide state protection. The procedure for preventing victims of violence and providing them with social, legal, psychological, and medical assistance, as well as the implementation of preventive measures for the





early prevention and effective prevention of this type of offenses, are currently being submitted to the internal affairs bodies. is one of the most important requirements. In the national legislation of all countries of the world, special importance is attached to ensuring human rights and freedoms, in particular to protecting the life, health, honor and dignity of a person from various criminal attacks. The Universal Declaration of Human Rights recognizes that "recognition of the inherent dignity and equal and inalienable rights of all members of the human family is the basis of freedom, justice and universal peace." Men can also be victims of violence, but given that women are more likely to be victims of violence, and the types of violence, severity and consequences vary greatly, recent reforms are aimed at protecting them. "Violence" is characterized by an impressive epidemic of aggression, often directed against loved ones or acquaintances. Egocentrism, disrespect for the condition and feelings of others, indifference to suffering, rudeness, brutality, individual discretion are the main moral and psychological characteristics of the majority of criminals who commit violent crimes.¹

We have another term that goes hand in hand with the term violence. This is considered harassment, and now we will describe its legal description. Harassment is an action (inaction) that demeans the honor and dignity of women, for which no administrative or criminal responsibility is provided. These two terms are often used together and are interrelated.

Taking into account that violent crimes are often committed within the family today, we should pay special attention to the term "Domestic Violence".

A person who commits violence is a person, group or organization that directly supports the act of violence against another person or otherwise commits abuses against his will. (Basic Principles of Humanitarian Operations on Gender-Based Violence: Preventing and Responding to Sexual Violence in Emergencies).²

O'zbekiston Respublikasi Vazirlar Mahkamasining 2020-yil 4-yanvardagi "Xotin-qizlarni tazyiq va zo'ravonlikdan himoya qilish tizimini takomillashtirish chora-tadbirlari to'g'risida"gi 3-son Qarori va boshqa hujjatlardan iborat.

O'zbekiston Respublikasi "Xotin-qizlarni tazyiq va zo'ravonlikdan himoya qilish to'g'risida"Qonunining maqsadi xotin-qizlarni tazyiq va zo'ravonlikning barcha shakllaridan himoya qilish sohasidagi munosabatlarni tartibga solishdan iborat.

¹ Криминальное насилие: общие проблемы и опыт борьбы в Республике Саха (Якутия) [Текст] / отв. ред. А. И. Долгова. – М., 2004.

² Gender zo'ravonlik bo'yicha ichki ishlar organlari tomonidan huquqni muhofaza qilish xizmatlarini taqdim etishning standart operatsion ish tartiblari [Матн]: йўриқнома / адаптация бўйича мутахассис В. О. Самадович. — Тошкент: Baktria press, 2021. — 48 б.





Qonunning 23-moddasida tegishli hududda tazyiq va zo'ravonlikning yakka tartibdagi profilaktikasini amalga oshirish uchun mas'ul bo'lgan ichki ishlar organining mansabdorshaxsi tazyiq va zo'ravonlik fakti yoki ularni sodir etish xavfi aniqlangan paytdan e'tiboran 24 soat ichida himoya orderini o'ttiz kun muddatgacha berishi belgilangan. Qonunning 26-moddasi bilan himoya orderida qayd etiluvchi cheklovlar belgilangan. Year 2020 of the Cabinet of Ministers of the Republic of Uzbekistan Resolution No. 3 of January 4 "On measures to improve the system of protection of women from harassment and violence" and other documents.

The purpose of the Law of the Republic of Uzbekistan "On Protection of Women from Harassment and Violence" is to regulate relations in the field of protection of women from all forms of harassment and violence. According to Article 23 of the Law, the official of the internal affairs body responsible for the implementation of individual prevention of harassment and violence in the relevant area shall issue a protection warrant within 24 hours from the moment when the fact of harassment and violence or the risk of their occurrence is discovered. It is set to be given within 30 days. Article 26 of the law defines the restrictions to be recorded in the protection order.

Within three days after the issuance of the protection warrant, the relevant district (city) department for coordinating the activities of internal affairs bodies, crime prevention department (department, group) of the district (city) internal affairs department (department) about the issuance of the protection warrant informs his superior.

Within three days after the issuance of the protection warrant, the relevant district (city) department for coordinating the activities of internal affairs bodies, crime prevention department (department, group) of the district (city) internal affairs department (department) about the issuance of the protection warrant informs his superior.

Preventive inspector within five working days:

- examines the victim's application to extend the validity period of the protection order, including whether the danger has been eliminated or not;
- receives the opinion (summary) of relevant state bodies and organizations on this issue;
- submits the information collected in connection with the extension of the protection warrant to the head of the crime prevention department.

In case of extension of the validity period of the protection warrant, the preventive (senior) inspector of the base of the internal affairs bodies shall specify in the protection warrant that the person who committed the violence will undergo a correctional program to change his behavior and sign the person undergoing the



correctional program. introduces. According to paragraph 9 of the Regulation "On the procedure for undergoing a correctional program for changing violent behavior of persons who have perpetrated harassment and committed violence or are prone to commit violence" , the preventive inspector provides the information about the person undergoing the correctional program within 24 hours to the specialist for working with women and strengthening moral and moral values in families. The authorized bodies and organizations will send the information about the events held with the persons undergoing the correction program to the citizens' meeting.

The abuser's desire for dominance and control causes the victim to become increasingly enslaved, and the woman develops the "battered wife" symptom (lack of self-worth, shame, guilt, and the need to protect the aggressor). The experience of violence in childhood does not allow to look at the situation with intelligence, and therefore to solve it reasonably. If a girl child witnesses or experiences violence at a young age, she will experience violence in her family or apply it to her own children when she grows up. Boys who grow up in the environment of domestic violence will use it themselves after starting a family. There are certain myths in society about domestic violence. They justify the abuser, blame the victim, or hide the problem ("if he hits, it means he loves him", "if the woman does not leave the abuser, then he likes her", "the woman deserves such a relationship", "husband can discipline and punish his wife" etc.). Such views are shared by many members of our society, including participants of domestic violence. Domestic violence cannot be fought without ending such attitudes. Let's take a closer look at some common myths about domestic violence.

In the process of researching this topic, taking into account the current legislation and foreign experience, we make the following suggestions for improving these situations: First, the Law of the Republic of Uzbekistan "On Protection of Women from Harassment and Violence" adopted on September 2, 2019

Adding the concept of "Domestic violence" to Article 3 and classifying it as follows: "Domestic violence is physical, mental, economic, sexual, physical, mental, economic, sexual, physical, or sexual abuse that can be committed by a family member at home or in a public place. 'all acts of violence'.

Secondly, to increase the number of subjects to whom protection warrants are issued, i.e. to issue protection warrants not only to women, but also to men, the elderly, minors, foreign citizens and stateless persons who suffer from oppression and violence. eat

All normative legal acts on the issuance of a protection warrant, including the issuance of a protection warrant for women victims of harassment and violence, as





approved by the decision of the Cabinet of Ministers dated January 4, 2020 No. 3, ensuring its implementation and monitoring Entering the amendment to the statute of departure. That is, after the scope of the subjects of the protection warrant has been expanded, instead of the phrase "women" in the term "issuance of a protection warrant to women who have suffered harassment and (or) violence by internal affairs bodies (hereinafter referred to as victims)" it would be appropriate to use the term "persons".

Thirdly, an example of a protection warrant is provided in Appendix 1 of the Regulation on Issuing, Ensuring Execution, and Monitoring Protection Warrants for Women Victims of Harassment and Violence, approved by Cabinet of Ministers Resolution No. 3 dated January 4, 2020 . In this model, the requirements for the victim and the perpetrator of violence are also given. Now the issue is that if the protection warrant is issued not only to women, but also to other categories of persons, there is a direct need to change the requirements of this warrant. Our suggestion is that, depending on the subject of the protection warrant, its model forms are developed, that is, the requirements for the protection warrant against the elderly, men, foreign citizens and stateless persons, as well as minors, are developed on the basis of separate criteria. it would be appropriate if the warrant forms were formed.

Fourthly, as a result of our study of foreign experience, we found out that according to US law, a warrant issued for the purpose of protecting a victim from a person who committed violence is not only the police, but also the court, lawyers, business leaders in enterprises, and in the case of minors, special authorized bodies also have the right to issue. Even foreign citizens are given the right to use this practice, and they are given a protection warrant by the court. Applying this practice to our practice, we would also propose to expand the state bodies authorized to issue protection warrants. For example, a representative of the women's committee works in every neighborhood. If they are also given the authority to issue warrants for the protection of women from harassment and violence, as well as to ensure that minors who are victimized by their parents are issued by the Juvenile Commission, and foreign citizens are issued protection warrants through the relevant consular offices. would not be without purpose.

Fifth, non-fulfillment of the requirements of the Protection Order or violation of these requirements by the person who committed violence is the basis for prosecution under Article 2061 of the Code of Administrative Responsibility.

The current practice shows that more than 3 cases of issuance of Protection warrant against one person have been observed in one year. Violations of protection order requirements are no less common. Therefore, MJTK





Part 2 should be added to Article 2061, i.e. repeated harassment and (or) repeated non-compliance with the requirements of the protection order by a person who committed violence or is inclined to commit it, and it would be appropriate to introduce a heavier sanction.

Sixth, in practice, in many cases, the process of bringing a person's action to court for failure to fulfill the requirement of a protection warrant includes several processes, and the prevention inspector, who avoids excessive documentation, considers it necessary not to bring cases to court in most cases.

He reconciles them as he reconciles the couple. This does not always give positive results. This is the reason why many crimes remain latent. As we have seen in practice, in the room where reconciliation was achieved after a simple quarrel, a crime of intentional grievous bodily harm (Article 104 of the Criminal Code) was committed after 1 week. This causes a big problem to arise as a result of not preventing a small problem in time. Article 2061 of the Criminal Code is considered by the courts in criminal cases. By making changes to this situation, the authority to apply sanctions under Article 2061 of the Criminal Code of Ukraine, Article 248, Part 2, Clause 4, is given to the prevention senior inspectors of the base points of the internal affairs bodies.

and should be added to the list of articles that inspectors have the right to consider and apply administrative punishment. As we mentioned above, this article

If it consists of part 2, the application of administrative punishment according to part 1 of the article falls under the right of preventive senior inspectors and inspectors of the base points of internal affairs bodies, the heavier sanction in part 2, of course, criminal cases will be considered by the courts.

Seventhly, today it is noticed that some women pretend to be victims of their husband, mother-in-law or similar close relatives and other persons, and after receiving a protection order, blackmail them with this order. there are also cases of doing so. Taking into account such negative situations, the Resolution No. 3 of the Cabinet of Ministers of the Republic of Uzbekistan dated January 4, 2020 "On Measures to Improve the System of Protection of Women from Harassment and Violence" No. 3 Article 29 of Chapter 5 entitled "Procedure for Expiration of Protection Warrant" of the Regulations on Issuing, Ensuring Execution and Monitoring Protection Warrants for Women Victims of Violence an additional reason should be added to the reasons for the termination of the term. It is appropriate that it should be as follows: "if the victim uses the protection order with the intent of greed, if this situation is justified by sufficient evidence", it is appropriate if the reason for the validity period of the protection order is terminated is also attached. were



LIST OF REFERENCES

1. Mirziyoyev Sh.M. Bilimli avlod – buyuk kelajakning, tadbirkor xalq – farovon hayotning, do'stona hamkorlik esa taraqqiyotning kafolatidir: O'zbekiston Respublikasi Konstitutsiyasi qabul qilinganining 26 yilligiga bag'ishlangan tantanali marosimdagi ma'ruza // Xalqso'zi. – 2018. – 8 dek.
2. Inson huquqlari umumjahon deklaratsiyasi (1948-yil 10-dekabr)/ Birlashgan Millatlar Tashkiloti Bosh Assambleyasi// <http://constitution.uz/uz/pages/humanrights>.
3. Криминальное насилие: общие проблемы и опыт борьбы в Республике Саха (Якутия) [Текст] / отв. ред. А. И. Долгова. – М., 2004.
4. Gender zo'ravonlik bo'yicha ichki ishlar organlari tomonidan huquqni muhofaza qilish xizmatlarini taqdim etishning standart operatsion ish tartiblari [Matn]: йўриқнома / адаптация бўйича мутахассис В. О. Самадович. — Тошкент: Baktria press, 2021. — 48 б.
5. https://www.hotpeachpages.net/lang/RussianTraining/myths_and_realities_of_dv.pdf, <http://kraism.by/obshhestvo/45469-pravda-i-mify-o-domashnem-nasilii.html>
6. Жалилов, Н. 2022. Профилактика инспектори маъмурий иш юритиш фаолиятининг ўзига хос хусусиятлари. Жамият ва инновациялар . 2, 12/S (Feb. 2022), 348–352. DOI:<https://doi.org/10.47689/2181-1415-vol2-iss12/S-pp348-352>.
7. Жалилов, Н. 2022. Ҳуқуқбузарликларнинг яқка тартибдаги профилактикаси институтининг назарий асослари. Жамият ва инновациялар . 3, 4/S (May 2022), 397–403. DOI:<https://doi.org/10.47689/2181-1415-vol3-iss4/S-pp397-403>.
8. Jalilov, N. (2022). PROFILAKTIK HISOB TUSHUNCHASI VA UNI HUQUQIY TARTIBGA SOLISH MUAMMOLARI. Academic research in modern science, 1(9), 313-318.
9. Джалилов, Н. (2021). Профилактика инспектори маъмурий иш юритиш фаолиятининг ўзига хос хусусиятлари. Общество и инновации, 2(12/S), 348-352.
10. Bozorova, O., & Jalilov, N. (2022). Jamiyatda xotin-qizlarning zo'ravonlik jinoyati jabrlanuvchisi bo'lib qolishining oldini olish masalalari. Davlat Boshqaruv Sohasida Korrupsiyaviy Xavf-Xatarlarni Bartaraf Etish Mehanizmlarini Takomillashtirish Masalalari, 1(01), 117–121. Retrieved from <https://inlibrary.uz/index.php/issues-improving/article/view/12630>.

