

# The Concept and Specific Characteristics of Early Prevention of Offence

**M.Z. Ziyodullaev,**

Professor of the Public Safety Chair of the University of the Public Safety of the Republic of Uzbekistan,  
Doctor of Law, Professor

**Annotation.** The article reveals the concept and specific characteristics of early prevention of offence, aspects of early prevention of offence that are different from the prevention of offenses and its types. The author discusses the legal documents and practical measures on the actual implementation of early prevention of offence that were adopted in the Republic of Uzbekistan in recent years as well.

**Keywords:** early prevention of offence, educational process, identification and elimination of the causes of offence and the conditions that enable them, respect for the law, inculcating a sense of intolerance to any form of law violation, bodies that directly implement and participate in the prevention of offence and institutions.

## Introduction

Prevention of offence is one of the important areas of law enforcement in the state and society and over the past years, a specific normative legal framework that regulates crime prevention activities has been formed in Uzbekistan.

The Law of the Republic of Uzbekistan “On prevention of offence” as of May 14, 2014 gave a legal definition of the concept of “prevention of offence” for the first time in our country: “Prevention of offence is the maintenance and strengthening of law and order, detection of crimes, their elimination, as well as the reasons for the commission of offenses and their the system of legal, social, organizational and other measures of general, special, individual and victimological prevention of offenses used for the purpose of identifying and eliminating the enabling conditions[1].

## Result

Over the past period, in our country, significant work has been done on the development and strengthening of the lower link in the field of ensuring public safety, combating crime and early prevention of offence, especially in neighborhoods (makhallas). The implemented measures made it possible to ensure peaceful life of citizens and to prevent the increasing of offence in our country.

However, some serious problems and shortcomings accumulated in the activities of ensuring public safety and prevention of offence over the past years became an obstacle to the effective performance of the priority tasks set in this regard. According to the decree of the President of the Republic of Uzbekistan No. PD-5005 as of April 10, 2017 “On measures to fundamentally increase the effectiveness of the internal affairs bodies, to strengthen their responsibility in ensuring public order, the reliable protection of citizens’ rights, freedoms and legal interests” was shown that prevention and preventive measures are mainly aimed only at combating the consequences of committed illegal acts, but not at early prevention of offence, analyzing the reasons of committing, identification and solving offence. Therefore, as one of the most important directions of the reform of the system of internal affairs bodies of the Republic of Uzbekistan, the Decree defines, first of all, early elimination of the causes and conditions of the commission of violations, increasing the legal culture of all layers of the population, respect for the law, and a sense of intolerance to any form of violation of the law. It was determined that it is to ensure the early prevention of offenses by means of absorption.

After that, the decree of the President of the Republic of Uzbekistan as of April 18, 2017 “On measures to fundamentally improve the activity of the prevention of offence units of internal affairs bodies” was adopted. According to the decree the most important task of the Ministry of Internal Affairs of the Republic of Uzbekistan and its territorial units in early prevention of crimes are clearly defined. At the same time to organize the work in

cooperation, to focus on ensuring the early prevention of offence, to raise the legal culture in society, to instill in citizens respect for the law and an attitude of intolerance to any form of violation of the law are considered to be the most effective way in early prevention of offence.

In 2020, the President of the Republic of Uzbekistan Shavkat Mirziyoyev, in his Address to the Oliy Majlis of the Republic of Uzbekistan, emphasized the need to raise the reforms in the field of early prevention of offence to a new level and has played an important role in the systematic organization of work in this regard in recent years. A number of legal and practical measures have been implemented in recent years in order to ensure early prevention of offence in society. In particular, with the decision of the President of the Republic of Uzbekistan as of April 2, 2021 “On additional organizational measures to further improve the activities of internal affairs bodies in the field of ensuring public safety and fighting against crime” was adopted. In the internal affairs bodies of the city, there are 2000 state units of juvenile inspector-psychologist positions and their direct service in general secondary educational institutions has been established. Among them, the tasks of forming a sense of tolerance towards violations of the law, working with student’s problems in their places of residence with the participation of their parents were assigned.

Systematic work is being carried out to achieve early prevention of violations through the implementation of concepts such as “Safe Road”, “Safe city”, “Safe area”, “Safe neighborhood”, “Safe school”, “Safe house”, “Safe yard” and the use of video surveillance devices at the entrances and exits of each neighborhood (village) and other facilities in the area.

## Discussion

In ensuring the early prevention of offence, special attention is paid not only to increasing the efficiency of law enforcement bodies, but also to strengthening the role of citizens’ self-governance bodies. In particular, with the Decree of the President of the Republic of Uzbekistan as of November 29, 2021 “On the approval of the concept of public safety of the Republic of Uzbekistan and measures for its implementation”, the Ministry of Mahalla and Family Support of the Republic of Uzbekistan introduced the principle of “Prosperous and safe neighborhood” in order to organize full and effective implementation, to ensure public safety in neighborhoods within the scope of authority, including early prevention of offence, to implement measures to strengthen citizens’ sense of respect and obedience to the law and in this regard, to interact with internal affairs bodies. In this regard, other state bodies and public organizations tasks of strengthening cooperation were assigned.

Therefore, as the President of the Republic of Uzbekistan, Shavkat Mirziyoyev, said, “From the first days of our reforms, we recognized human dignity as the highest value. In our updated Constitution, we sealed that Uzbekistan is a legal state. Our only goal is to please our people by ensuring justice and the rule of law”.

All conditions are being created for the authorized structures for this. In the last two years, 10 regulations on law enforcement activities, about 40 decrees and decisions of the President, and more than 60 government decisions were adopted. The monthly salaries of law enforcement agencies, especially internal affairs officers, were drastically increased and many benefits were given. More than 30,000 new states have been introduced for the “Five members in neighborhood (makhalla)”. Because maintenance of peace of population should start from neighborhood (makhalla)”. [2]

Therefore, the early prevention of offenses (crimes) has now become the most priority area of activity of law enforcement bodies, and also of citizens’ self-government bodies.

So what do we mean by “early crime prevention?” How does it differ from crime prevention? What characteristics does it have?

We will try to find answers to these questions below.

Early prevention of offenses is a narrower concept in terms of content, structure and scope compared to prevention of offenses and differs from it to a certain extent.

This can be justified by the following factors:

1) if prevention of offence has the goal of maintaining and strengthening law and order, identifying and eliminating offence, as well as identifying and eliminating the causes of offence and the conditions that make them possible, early prevention of offence means maintaining and strengthening law and order, committing offence is limited to identifying and eliminating the causes and conditions that enable them.

Because the early prevention of offenses refers to the measures that are taken before the crime is committed, before it is committed and the prevention of offenses is the measures after it, in particular, the detection of the offenses, its elimination, preventive work only with the person who committed it, includes conducting victimological preventive measures with persons affected by crime;

2) if the types of general, special, individual and victimological prevention of offenses are used in the prevention of offenses, the early prevention of offenses is limited to the use of general prevention of offenses.

In order to implement special, individual and victimological types of prevention of offence, the occurrence of a certain legal consequence in accordance with the law, including antisocial behavior in a person, the formation of a tendency to commit a crime and suffer from it, the commission of crimes or the person suffering from a offence, or certain types of offence, the increase of categories of persons, as well as the emergence of threats to public safety and public order, to the interests of the individual, society and the state are required. This is essentially not characteristic of the early prevention of offenses.

Early prevention of offence is the stage of crime prevention based on working with the sources of illegal behavior, the roots of the crime, which are distant from the commission of the offence.[3]

In general, early prevention of violations is effective in the following stages:

- a) in cases where certain illegal stereotypes may occur during the formation of personal behavior;
- b) when non-criminal law violations are committed.[4]

Early prevention of crimes is aimed at changing anti-social, illegal behavior of a person in a socially acceptable, positive way and thereby preventing the commission of offence.[5]

3) if the special, individual and victimological prevention of offenses is carried out by the bodies and institutions that directly implement the prevention of offenses authorized by law, the early prevention of offenses is carried out by the bodies and institutions that implement and participate in the prevention of offenses.

It can be seen that in order to implement the early prevention of violations, it is not necessary to be a body or institution that directly implements the prevention of violations, it can be implemented by the bodies and institutions participating in this process defined by law;

4) the basis of prevention of offence constitutes prevention of offence and the basis of early prevention of offence is does not mean prevention of offence, but the educational process embedded in prevention of offence.

It should not be forgotten that one of the functions of the educational process is to prevent the formation of a tendency to delinquency and antisocial behavior. Therefore, education and prevention, especially early prevention of offenses, cannot be separated from each other. Education serves to prevent the formation of anti-social behavior and criminal tendencies in a person, to improve legal culture, to form and strengthen obedience to the law, and to prevent anti-social behavior and crimes. Therefore, the level of legal culture, moral education and law enforcement of citizens is one of the important factors affecting the effectiveness of prevention of offence. At the same time, one of the reasons for committing offence in society is related to the existence of deficiencies in the educational process.

5) taking into account that the structures are interrelated, without their help and support of different public in all stages, directions and areas of the educational process aimed at identifying the reasons and conditions for the commission of offence and their early elimination, increasing the legal culture of the population, moral education, instilling in them respect for the law, intolerance to any form of violation of the law it is difficult to effectively ensure the early prevention of offence. National and regional commissions, women's councils, youth organizations, trade unions, councils of luminaries, etc. can be included in such public structures, along with self-government bodies of citizens. It should be recognized that the public is a great force that not only re-educates criminals, but also helps the internal affairs bodies in the fight against crime and prevention of crimes.[6]

Therefore, early prevention of offenses has the following features:

firstly, the early prevention of offenses is carried out not only by the bodies and institutions that carry out the prevention of offenses, but also by participating in it;

secondly, the early prevention of violations is ensured by eliminating the causes and conditions of violations in time, increasing the legal culture of all layers of the population, instilling in them respect for the law, intolerance to any form of violation of the law;

thirdly, early crime prevention is the earliest, initial stage of prevention of offence and includes the system of legal, social, organizational and other measures, like other types of prevention of offence;

fourthly, the basis of early prevention of offenses is the educational process;  
fifth, the effectiveness of early prevention of offence largely depends on its continuous cooperation with the general public.

Based on the above analysis, it is possible to come to the following conclusion: “Early prevention of offence is timely elimination of the causes and conditions of crime by the bodies and institutions that directly implement and participate in prevention of offence, increase the legal culture of all layers of the population, moral education, it is the first step in prevention of offence by instilling in them a sense of respect for the law and intolerance to any form of violation of the law”.

It should be noted that the early prevention of offenses is carried out in connection with the education of a person, the prevention of antisocial behavior and the tendency to commit offenses. So many legal scholars consider the early prevention of offenses to be the prevention of offenses among minors and they try to learn by connecting them.

### Conclusion

In the theory of prevention, early prevention of delinquency among minors is understood as a set of measures implemented by local law enforcement agencies, authorities, educational institutions and other organizations together with the public and aimed at:

- a) to improve the living conditions and education of minors in a situation that threatens their normal development;
- b) to stop the actions of entities that have a negative impact on minors;
- c) working with the minors who may fall under the influence of anti-social views and customs.[7]

However, based on the above, it is not necessary to conclude that early prevention of offenses is carried out only among minors. Early prevention of offence can be carried out not only among minors, but also among young people, among women, among adults, and even among those with previous convictions.[8]

So the conclusion is that the early prevention of violations:

- is carried out by bodies and institutions that implement and participate in crime prevention;
- affects the sources and roots of violations;
- the initial stage of prevention of offence;
- timely elimination of the causes and conditions of violations, improvement of the legal culture of all layers of the population, respect for the law, instilling in them a feeling of intolerance to any form of violation of the law;
- can be carried out with any category of persons, as well as used in the prevention of offenses in any field.

To ensure the implementation of the important tasks defined by the legislation on early prevention of violations, as well as to systematically and consistently continue the work in this regard, to ensure the safety of citizens in our country, to effectively protect their rights and freedoms, legal interests from various attacks, to maintain peace, tranquility and well-being in society.

### References

1. Law of the Republic of Uzbekistan “On Prevention of offenses” (14.05.2014) // Collection of legal documents of the Republic of Uzbekistan. – 2014. – №. 20. – 221-a.
2. President: Our goal is to please our people by ensuring justice and the rule of law // [Electronic source]. - URL: <https://president.uz/uz/lists/view/6519>. (time of application: 24.08.2023).
3. Tuzov A.P. Motivation for illegal behavior of minors. – Kyiv, 1982. – P. 139, 162.
4. Berzhanskas Z.B. On the issue of early prevention of selfish crimes committed by officials // Problems of crime prevention and further strengthening of law and order (Fifth Scientific Conference of Postgraduate Students and Applicants). – M., 1974. – P. 33.
5. Kashirina O.N. Some aspects of the legal status of subjects of early crime prevention in Russian legislation // Society and Law, 2011. – No. 3. – P. 223-228.

6. Ziyadullaev M.Z. Advantages of police strongholds (experience of the Republic of Uzbekistan) // Law and order in modern society. 2014. No. 20. URL: <https://cyberleninka.ru/article/n/preimuschestva-opornyh-punktov-militsii-opyt-respubliki-uzbekistan> (date of access: 11/11/2023).
7. Ustinova V.V. Concept, tasks, main links of early prevention of juvenile crimes // Personality of the offender and problems of preventing juvenile delinquency: Sat. scientific tr. – M., 1977. – P. 77.
8. For example: Yuzhanin V.E., Babunov V.Yu. Legal basis for early prevention of post-penitentiary recidivism. – Criminal executive law, – No. 1, – P. 18-20.