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About Features Of The Mechanism Of Activity Of Law-Enforcement Bodies On Preventive Maintenance Of Offences Among Earlier Offenders Of Persons

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ABSTRACT

In article questions of the mechanism of activity of law-enforcement bodies on preventive maintenance of offences among earlier offenders of persons are considered, the special attention is turned on the analysis of algorithm of preventive measures spent by inspectors of preventive maintenance in the given sphere.

KEYWORDS

Preventive maintenance, an offence, earlier offenders of the person, the mechanism, algorithm, the inspector of preventive maintenance.

INTRODUCTION

Among the tasks provided for in Art. 4 of the Law of the Republic of Uzbekistan "On the prevention of offenses" provides for the identification, study of the reasons for the commission of offenses and the conditions that contribute to them, the adoption of

measures to eliminate them. The Decree of the head of our state No. PP-2833 "On measures to further improve the system of crime prevention and combating crime" states that the lack of targeting and comprehensiveness of preventive measures in

the fight against crime does not give the expected results. Therefore, the internal affairs bodies (OVD) and, in particular, the prevention inspectors directly involved in solving crimes should carry out targeted preventive measures with various categories of citizens. Among them, a special place is occupied by previously convicted persons with whom the ATS are obliged to carry out preventive work with the involvement of all forces and means. This follows from the peculiarities of their functions and the content of their competence. Of all the bodies conducting preventive work, prevention inspectors, more often than others, have to deal with the direct implementation of appropriate preventive measures.

Consequently, among the many tasks solved by the internal affairs bodies in the field of crime prevention, one of the most important is the prevention of repeated crimes by persons who were previously prosecuted or as they are commonly called previously convicted.

The commission of offenses by this category of persons directly depends on the work carried out on their social adaptation to changing living conditions, the organization of work on their full accounting, ensuring preventive monitoring of their lifestyle, as well as on the timeliness and effectiveness of the preventive measures taken as provided for by the current legislation. It is on these areas that the efforts of the activities of the internal affairs bodies, in particular of the prevention inspectors, who carry out their professional activities in the strong points of the internal affairs bodies, should be focused.

Prevention of offenses is the most effective, humane direction in the fight against offenses,

in particular against crime, which requires little investment. Currently, the practice of combating crime poses an even more stringent task of radically changing the theory of crime prevention.

The main task of crime prevention, based on the needs of the theory and practice of combating offenses, is the formation of knowledge about the essence, features and patterns of crime prevention, the development and implementation of the necessary recommendations to improve the efficiency of theoretically and practically grounded solutions to problems associated with this area.

It should be noted that upon release from places of confinement, as well as upon registration, all those released are checked for the presence of a passport, as well as the desire and opportunities for employment are ascertained. The presence of working specialties and the ability to find a job independently are found out. In the absence of specialties or a desire to work in another specialty, as well as on other issues of employment, previously convicted persons are sent to employment units for employment. Together with the employees of the employment service, work is being carried out to find employment for persons previously convicted and released from prison. For persons released from prison, appropriate measures are taken to provide them with work and other measures of social adaptation.

MATERIALS AND METHODS

Upon release from penitentiary institutions, persons are issued special reminders indicating the types of assistance that can be provided to persons released from prison (issues related to the competence of the

Internal Affairs Directorate, employment issues, receiving humanitarian assistance, medical assistance, legal assistance, etc). It contains addresses and contact numbers of government agencies.

In order to increase the effectiveness of preventive work with previously convicted, working meetings are held, which are attended by the district prosecutor, khokimiyat employees, representatives of the Ministry of Employment and Labor Relations, a neurologist, as well as previously convicted persons released from prison and registered.

As the people say: do not excuse yourself from prison and money. What to do if you have a criminal record behind you? How to return to a normal, fulfilling life? The issue of employment is perhaps one of the most pressing for those who have just returned from places not so remote. It will not be difficult for an employer to find out about past convictions, for this there are a lot of electronic databases, forms, and other sources. Such curiosity on the part of the employer has no legal basis. The employer has the right to request from the applicant only information that is directly related to the forthcoming work.

For a number of positions (teachers, employees of the Ministry of Internal Affairs, financially responsible persons, etc.), there are restrictions on hiring related to the applicant's criminal record. The list is not so long. Questions about convictions are found in questionnaires when passing an interview, applying for a job.

Of course, during employment, a person who had a previous conviction may face a number of problems, mainly of an ethical nature. But do not forget that now there are a number of

social programs for adaptation, assistance in finding a job, and re-profiling. There are also employment agencies that always have a number of vacant offers for a wide variety of professionals.

The main problem is not even that people (with extinguished) criminal records do not want to be hired, but that they cannot overcome internal psychological barriers and do not even try to find one.

You can defend your rights by demanding a written refusal to apply for a job with a justification of the reason, but in practice, of course, it is unlikely to get it. In this case, even if there is no refusal in writing, there is still a reason to go to court to protect your rights. If the conviction is canceled or canceled ahead of schedule, then you can safely write in the questionnaires - "we are not convicted." Filling out the application form when applying for a job, a previously convicted applicant can safely write that he is not convicted (in the event that, of course, if the criminal record has been canceled). It is better to get a job in small companies and in ordinary positions: most likely, the security service will not check the candidate. In the future, you can climb the career ladder and move to a large company. Remember, if a person has been tried, it does not mean that he will not be able to get a normal job and return to a full life. This is due to the fact that the initial information about crimes, as a rule, goes to the internal affairs bodies, which carry out the bulk of the work on the prevention and prevention of crimes by specific individuals. Subdivisions of the preventive service, and in particular the prevention inspectors, occupy a special place in the system of crime prevention by the internal affairs bodies.

In the legal literature, there are many different definitions of preventive activities with previously convicted persons, which are most often considered from the standpoint of legal regulation of public relations related to the prevention of offenses.

The effective functioning of the state mechanism to ensure the rights of the personality of a previously convicted person is possible only if this principle is unswervingly observed, both in law-making and in law enforcement. The main elements of legality include: the supremacy of the constitution and law; equality of all before the law; availability of legal and social mechanisms for the implementation of the rule of law; the effectiveness of the application of law, ensuring the inevitability of legal liability; effective operation of the entire mechanism of legal regulation. To them can be added the coordination of activities and interaction of various services for the prevention of offenses between the preventive service and other structural units.

In our opinion, consideration of the issues of prevention of offenses among previously convicted should begin with clarification of social relations, which are the subject of research in this case. We believe that these include relations that develop: within the system of internal affairs bodies in connection with the performance of their functions of preventing offenses; between the internal affairs bodies as subjects of crime prevention and other subjects of preventive activity; between the internal affairs bodies and with previously convicted persons in need of individual preventive treatment.

The last group of relations is of particular interest. Legal norms governing public

relations in the field of crime prevention with previously convicted persons of the Internal Affairs Directorate turn these relations into legal ones, i.e. in communication between persons through their legal rights and obligations. The content of the legal regulation of preventive activities with previously convicted persons of the Internal Affairs Department consists, first of all, in a clear definition of the rights and obligations of both the bodies themselves (their services, divisions and the employees themselves) and those previously convicted, acting as the other side of these relations.

In defining these rights and obligations, the principle of sustaining the rule of law must be at the fore. In this regard, it seems necessary, on the one hand, to thoroughly regulate the competence of police officers and, first of all, preventive inspectors, on the other, an exhaustive system of guarantees of the rights, freedoms and legitimate interests of previously convicted persons. Actually, this is the main content of the analyzed concept.

Thus, the legality in relation to the prevention of offenses with previously convicted persons is, first of all, in the creation of legal mechanisms for ensuring human rights and freedoms and requires the strict fulfillment of the relevant regulatory obligations, both by citizens and employees of the preventive service of the internal affairs bodies.

The study of the legality of the prevention of offenses with previously convicted persons by police officers will not be complete without an analysis of the regulatory legal framework governing these activities. This approach, in our opinion, will reveal the problems associated with ensuring the rule of law in the

implementation of preventive measures by the prevention inspectors.

Traditionally, in the science of crime prevention, the legal basis is usually understood as a set of rules and regulations contained in laws and by-laws that create legal conditions for the implementation of preventive activities, determine its goals and place in the system of state functions, or directly regulate its implementation.

The right of bodies carrying out preventive activities to collect information about the private life of previously convicted persons is not directly enshrined in the Law on the Prevention of Offenses, but it logically follows from the content of the law and prohibits the disclosure of such information. A prohibition on disclosure of information cannot but imply permission to collect it. The right of the state to interfere in the private life of citizens on the basis of the law and in order to combat offenses meets the requirements of Art. 12 of the Universal Declaration of Human Rights (1948) and Art. 17 of the International Covenant on Civil and Political Rights (1966).

The prohibition on disclosure of information affecting privacy, personal and family secrets is a guarantee of compliance with the requirements of the Constitution of Uzbekistan. These constitutional provisions are also being developed in modern legislation and by-laws.

The Law “On the Prevention of Offenses, being the legal basis for preventive activities in Uzbekistan, it defines the tasks of the preventive service of the Internal Affairs Directorate, which includes the prevention of offenses with previously convicted persons. Thus, the specified Law regulates the preventive functions of the internal affairs

bodies in the Republic of Uzbekistan, and serves as a legal basis for the publication of departmental regulations governing the prevention of offenses with previously convicted persons.

It can be concluded that all of the above with sufficient evidence indicates the need to improve the departmental normative regulation of issues related to the prevention of offenses by previously convicted persons.

Improvement of legal regulation “is manifested, first of all, in improving the quality of departmental regulations, their effectiveness in the prevention of IAB offenses and, in particular, prevention inspectors with previously convicted persons, bringing them closer to the needs of the practice of the preventive service of the internal affairs bodies to ensure law and justice.

CONCLUSION

As a conclusion, we can say that in Uzbekistan in the years of independence, much attention was paid to the development of crime prevention, in particular to such a type as the prevention of offenses with previously convicted persons. The prevention of offenses, the fight against it, were raised to the level of state policy, a national system for the prevention of offenses was formed, which served to its further development.

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