



THE NEED AS AN OBJECT OF SCIENTIFIC RESEARCH FOR FACTORS AFFECTING THE PROFESSIONAL LEGAL CONSCIOUSNESS OF INVESTIGATORS. (IN THE CASE OF INTERNAL AFFAIRS)

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Annotation. Article the issues of the formation and development of the preliminary investigation institute in the Ministry of Internal Affairs of the Republic of Uzbekistan are studied as an object of research, the problems in the formation of the professional legal consciousness of investigators are analyzed in an epistemological way, and the factors affecting the professional legal consciousness of employees in the formation of the preliminary investigation system of the recent reforms are an object of scientific research. special attention is paid to qualitative learning.

Keywords. Scientific research, research methods, preliminary investigative activity, the investigator, professional legal consciousness, disorders in the legal consciousness of the investigator, professional deformation.

The jurisdiction of investigators and investigators operating in the investigative departments and subdivisions of the Investigative Department under the Ministry of Internal Affairs of the Republic of Uzbekistan and its subordinate structures includes the investigation of more than one hundred crimes.[1] This factor has a significant impact on the need for epistemological (scientific-analytical) study of their legal consciousness.

Furthermore, in the context of the legal modernization of modern Uzbekistan, the reform of the structure of the state apparatus, the implementation of comprehensive measures to ensure and strengthen legality and law enforcement, and the uncompromising fight against corruption, the requirements for the level of professional and legal awareness of law enforcement officers are significantly increasing.

Every investigator or investigator strives to know the position of the system in which he serves in other law enforcement agencies, the characteristics of service activities, and especially his position in internal affairs bodies. After all, a person feels the need to understand the essence of a certain rule, norm, that is, law, in the course of their activity.

The personality of the investigator and the inquiry officer, their activities, legal views, professional legal consciousness, the main directions of their activities, as well as systemic, complex socio-legal phenomena that negatively affect professional legal consciousness in the process of investigating crimes, develop in harmony with the development of society.

This development requires study based on scientific research for the following reasons:

Firstly, the socio-economic changes that have occurred in modern Uzbek society, on the one hand, have opened up opportunities for the growth of the spiritual potential of citizens of the Republic of Uzbekistan, the manifestation of a sense of personal dignity in them. On the other hand, social security, societal reforms, resulting in qualitative and quantitative changes in the fight against crime, have had an impact. In the current situation, the level of social claims against the activities of individuals professionally engaged in combating crime

and investigating crimes has sharply increased. Specifically, according to statistical data provided by the Supreme Court of the Republic of Uzbekistan, from 2017 to 2022, criminal courts issued acquittals against 4,712 accused individuals, while in 2023 alone, 1,244 individuals were acquitted in court, claiming that the same number of individuals were charged during the preliminary investigation without sufficient evidence to convict the individual.[2];

Secondly, socio-economic problems, complicated by changes in certain spheres of public life, have a negative impact on the legal views of investigative officers. In particular, in the process of inquiry and investigation, when restoring the property rights of citizens, it is necessary to prevent the use of illegal methods such as violence and abuse of official authority when recovering material damage, on the contrary, it is necessary to carry out activities in a procedural order, ensuring the rule of law. Sometimes, alongside instances of unjustified detention of individuals by investigators and investigators, falsification of criminal case materials, bribery, or the commission of crimes with the illegal use of official authority, there are instances of dissatisfaction (cooling down) among some investigators and investigators with their profession.

In modern conditions, it is advisable to study research on the professional legal consciousness of investigators and investigators, that is, the introduction and development of the investigative institute into internal affairs bodies in chronological sequence, based on the method of historicism.

Initially, on June 26, 1919, the foundation stone for the internal affairs bodies of the Republic of Uzbekistan was laid by the "Regulations of the Soviet Workers' and Peasants' Militia of the Russian Soviet Federation in the Turkestan Republic" of the People's Commissariat of Internal Affairs of the Turkestan ASSR, while the document granting the right to conduct a preliminary investigation in the internal affairs bodies was the legal basis for the decree of the Presidium of the Supreme Soviet of the former USSR dated April 6, 1963, "On the granting of the right

The President of the Republic of Uzbekistan, Sh.M. Mirziyoyev, in order to radically enhance the effectiveness of the activities of internal affairs bodies, reliably protect public order, the rights, freedoms, and legitimate interests of citizens, as well as ensure legality, timely detection of crimes, comprehensive, complete, and impartial investigation, and the creation and implementation of effective mechanisms for the unconditional implementation of the principle of inevitability of responsibility, adopted Resolution No. PP-2898 "On Measures to Fundamentally Impr The creation of the Investigation Department under the Ministry of Internal Affairs by this decree has raised this system to a new level. However, with an axiological approach to the preparation and selection of candidates for the position of investigator and prosecutor, only higher legal education was required, and the old-fashioned practice of appointing citizens who do not have sufficient knowledge and qualifications about investigative activities or employees working in areas not related to the preliminary investigation activities of the internal affairs bodies was preserved.

In particular, if we take the example of the last five years, it is no secret that several dozen investigators or investigators who have formed as investigators have been transferred to work in other branch services of the internal affairs bodies, in addition, when necessary, employees of the internal affairs bodies who do not have a specific skill in the investigation

have been involved in investigative activities, and as a result, the lack of qualified personnel in investigative activities has led to the weakening of the system.

It is necessary to radically increase the effectiveness of the system of training and retraining highly qualified specialists in the field of inquiry and investigation, which meets the requirements of the time and the large-scale reforms being carried out in the judicial and legal sphere in our country. In order to bring the practice of training and retraining qualified personnel in the field of criminal investigation to a qualitatively new level, to widely introduce advanced international standards and modern information technologies in this area, and to meet the need of law enforcement agencies for highly qualified personnel, on November 28, 2022, the Decree of the President of the Republic of Uzbekistan No. UP-257 "On the introduction of a qualitatively new system for training qualified personnel in the field of criminal investigation" was signed.[3] The signing of this decree elevated investigative activities in the internal affairs bodies to a new level and positively influenced the formation of professional legal awareness among investigators and investigators.

It should be noted that along with positive changes in the professional legal consciousness of investigators and investigators serving in the Investigative Department under the Ministry of Internal Affairs and its subordinate departments (divisions), there are also factors leading to professional disruption of legal consciousness. Regarding the causes of deformation in the legal consciousness of investigators and investigators, N.L. Granat[4] in his research identifies the following causes of deformation in the legal consciousness of investigators and investigators:

- a) public opinion on bribery by officials and violations of the law;
- b) the fact that the unfounded idea of "judicial acquittal is a rare phenomenon" in the judicial system is passed down from generation to generation;
- c) violation of the essence and content of the concept of legality;
- g) violation of human and civil rights and freedoms as a result of insufficient legal literacy of legislative and executive officials;
- d) the equal significance of the law and the order for some employees, and sometimes the priority of the orders of officials over the law.

In our opinion, changes in the professional legal consciousness of investigators and investigators can vary depending on space and time. In particular, the factors influencing legal consciousness are related to:

- selection of candidates for investigative activities;
- organization of moral and legal, spiritual and educational work with inquiry officers and investigators;
- professional training, retraining, advanced training;
- strengthening the effective economic foundations;
- improving the interaction between the investigator and the investigators;
- abandoning the authoritarian style of leadership;
- adequate use of material and moral forms of incentives in the activities of investigative workers;
- rational allocation of the workload of employees for each investigator or investigator;
- determination of specific working hours in accordance with labor legislation;
- regulation of horizontal and vertical inspections, meetings carried out during the activity to strengthen the legislation;

ensuring the safety of the private life of investigators, etc.;

Meanwhile, investigators and inquiry officers improve their skills by carrying out the complex work assigned to them, such as the investigation. However, "the truth and objectivity in establishing facts, circumstances, and causes are questioned in the investigation process, causing the investigator to be constantly stressed, nervous, and stressed." [5] Such stresses negatively affect the fulfillment of the tasks of the Criminal Procedure Code of the Republic of Uzbekistan "to promptly and fully uncover crimes, to ensure that every person who commits a crime is given a fair punishment, and that no innocent person is prosecuted or convicted, as well as to ensure the correct application of the law."

The Criminal Procedure Code of the Republic of Uzbekistan. Adolat, Tashkent 2023. p. 4.

Based on the above analysis, in order to prevent and eliminate violations of the professional legal consciousness of investigators and investigators of internal affairs bodies, the following tasks are carried out in the process of conducting comprehensive scientific research:

- studying the concept, characteristics, content, and tasks of the legal consciousness of investigators and investigators of internal affairs bodies;
- studying the real state of professional legal consciousness of investigators and investigators of internal affairs bodies, taking into account the socio-economic changes that have occurred, based on the characteristics of modern investigative practice;
- analysis of the legal knowledge of inquiry officers and investigators, their attitude towards existing legal institutions and their legal worldview;
- analysis of the content of violations in the professional legal consciousness of investigators and investigators, as well as the study of the forms of their manifestation;
- it is necessary to develop proposals aimed at identifying, preventing, limiting, and eliminating factors that contribute to the formation of deformation of professional legal consciousness.

In short, to protect the human rights and freedoms of employees of internal affairs bodies, it is advisable to raise their legal awareness, legal literacy, and legal culture, which should become the subject of scientific research and develop theoretical conclusions and proposals for improving legislation and the work process, which will serve practice in the future.

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