

CRIMINOLOGICAL MECHANISMS FOR PREVENTING AND COMBATING DOMESTIC VIOLENCE: A THEORETICAL AND PRACTICAL ANALYSIS

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Abstract

This article provides a theoretical and practical analysis of criminological mechanisms for preventing and combating domestic violence. It examines the social, psychological, cultural, and legal factors contributing to violence, as well as the significance of preventive interviews, protection orders, and corrective programmes. Based on official statistical data and international experience, the article substantiates the need to improve the effectiveness of prevention measures, ensure early identification of risks, expand safe reporting channels for victims, and evaluate preventive interventions based on outcome-oriented indicators.

Keywords: Domestic violence, criminological prevention, victimological prevention, protection order, harassment, victim, legal culture, social prevention.

Introduction

Introduction. In the policy of combating crime, alongside establishing liability for criminal acts, increasing importance is being attached to eliminating the causes of crime and the conditions that facilitate its commission. Modern criminology views crime not merely as a legal phenomenon in the narrow sense, but as a complex socio-legal phenomenon arising under the influence of an individual, the social environment, psychological conditions, and a particular system of social relations. For this reason, crime prevention is becoming one of the central areas of law enforcement policy.

In this regard, as noted by the President of the Republic of Uzbekistan, Shavkat Mirziyoyev: “Let us never forget that domestic violence is not merely a private

family matter; it is an issue concerning society as a whole. No one has the right to leave a woman alone with her problems!”¹[1] From this perspective, domestic violence is one of the most complex areas of crime prevention. Its key characteristic is that violence often occurs within the family - the environment that should be the safest for an individual. The fact that the victim and the perpetrator live in the same household, their economic, emotional, or social interdependence, the private nature of family relationships, and the victim's limited ability to seek external assistance all contribute to the high level of underreporting and hidden incidence of such offences.

The purpose of the study is to identify the main criminogenic factors contributing to crimes related to domestic violence, assess general social, special criminological, and victimological prevention mechanisms, conduct a comparative analysis of national and international practices, and develop scientifically grounded recommendations for improving the effectiveness of prevention measures.

Materials and methods

The study examined national legislation governing the prevention of domestic violence, preventive mechanisms, criminological scholarly perspectives, official statistical data, and the experience of selected foreign countries as research materials. Particular attention was paid to preventive interviews, protection orders, placement in specialized centers, assistance to victims, and mechanisms aimed at changing the behavior of perpetrators.

The study employed formal-legal, doctrinal, organizational-systemic, and statistical methods. The formal-legal method was used to analyze the legal substance of preventive measures and the mechanisms for their implementation. The doctrinal method enabled a comparative examination of scholarly approaches to the origins of violent behavior, the concept of prevention, and the motivation of offenders.

The organizational-systemic method was used to assess the interrelationship between prevention targets, responsible actors, preventive measures, and the determinants of violence. The statistical method was applied to analyze protection

¹ https://uza.uz/cn/posts/prezident-oilaviy-zoravonlik-bu-faqat-oilaning-ichki-ishi-emas-bu-butun-zhamiyatga-tegishli-masala_800903

orders, types of violence, and regional indicators, which demonstrated the need to evaluate the effectiveness of preventive measures on the basis of outcome-oriented criteria.

Analysis results

Constitutional provisions, as the supreme legal basis for the protection of human rights, determine the substance and direction of legislation aimed at combating and preventing domestic and family-related violence. Our analysis demonstrates that the practical implementation of these constitutional guarantees is reflected in preventing violence within the family, protecting the rights and freedoms of victims, and providing a legal framework for the preventive responsibilities of competent authorities.

In Uzbekistan, the specialized legal mechanisms in this area were systematized by the Law “On Protection of Women from Harassment and Violence,” adopted in 2019. An analysis of the provisions of the Law demonstrates that it establishes a set of interrelated measures aimed at identifying domestic violence, preventing it, protecting victims, and providing preventive interventions targeting perpetrators. In this regard, preventive interviews, protection orders, placement in specialized centers, the provision of legal, psychological, and medical assistance, and measures aimed at changing violent behavior are of particular legal significance.

At the same time, our analysis indicates that certain challenges remain in the implementation of these mechanisms. In particular, some measures tend to be activated only after an act of violence has occurred; procedures for the early identification and assessment of risks are not uniformly defined with sufficient clarity in all cases; and information exchange and coordination of responsibilities among the competent authorities may not be sufficiently effective. These factors may adversely affect the overall effectiveness of prevention efforts.

From this perspective, it can be concluded that legal mechanisms for combating domestic violence should be further developed not merely as instruments for responding to incidents that have already occurred, but as an integrated preventive and legal system aimed at the early identification of risks of violence, the timely protection of victims, the rehabilitation and behavioral correction of perpetrators, and the prevention of recurrent violence.

However, the effectiveness of these measures cannot be assessed solely on the basis of their normative existence. Without understanding the causes of domestic violence and the mechanisms underlying the formation of the perpetrator's behavior, it is impossible to fully assess the extent to which preventive and legal measures are appropriately targeted. Therefore, at the next stage of the study, the doctrinal method was used to analyze scholarly approaches to the origins of violent behavior, the substance of crime prevention, and the motivation of offenders.

The interplay between biological and social factors in the formation of criminal behavior is considered one of the controversial issues in criminology. Q. R. Abdurasulova emphasizes the need to distinguish between aggressiveness as a relatively stable personality trait and aggression as behavior manifested under specific circumstances.²[2] Although this approach makes it possible to distinguish between an individual's characteristics and their behavior in a particular situation, explaining aggressive behavior primarily in terms of biological or hereditary characteristics does not fully reveal the complex nature of domestic violence. The presence of a predisposition to aggressiveness does not necessarily mean that an individual will inevitably commit violence. The formation of such behavior is also significantly influenced by the family environment, social experience, methods of conflict resolution, values, and situational criminogenic factors.

Doctrinal perspectives on the concept of prevention also make it possible to gain a deeper understanding of the substance of these legal mechanisms. I. V. Nikitenko describes crime prevention as a set of measures aimed at eliminating the causes of crime and the conditions that facilitate its commission.³[3] Although this definition correctly reflects the main direction of prevention, understanding it merely as a set of individual measures does not fully encompass the continuous nature of domestic violence prevention. From the researcher's perspective, prevention should be interpreted as a consistent and systematic process encompassing risk identification and assessment, victim protection,

² Абдурасулова Қ.Р. Аёллар жиноятчилигининг жиноят-хуқуқий ва криминологик муаммолари: Монография / Масъул муҳаррир: ю.ф.д., проф. М.Х.Рустамбоев. –Т.: ТДЮИ нашриёти, 2005. – Б 25-26.

³ Никитенко И.В. Криминологическая характеристика миграционной преступности в приграничных территориях дальневосточного Федерального округа России. // Вестник Московского университета МВД России. – №5. – 2009. – С. 136.

intervention targeting the perpetrator, and monitoring the risk of recurrent violence.

This aspect is particularly important when assessing the content of behavioral change programmes for perpetrators of violence examined through formal-legal analysis. A. N. Ilyashenko emphasizes the need to identify the motives underlying criminal behavior when conducting a scholarly study of the offender's personality, since motivation is closely interconnected with the individual's characteristics, needs, and interests. ⁴[4] E. S. Zhigarov and V. I. Petukhov, in turn, draw attention to the influence of life difficulties, pressure, and negative changes in psychological states on the emergence of criminal behavior. ⁵[5] However, treating external difficulties or psychological pressure as the direct and sole cause of violence is debatable. This is because not all individuals exposed to the same social conditions engage in violent behavior. Therefore, such factors acquire criminogenic significance through their interaction with individual characteristics and specific situational circumstances.

A. Sh. Murodov indicates that individuals who commit offences involving domestic violence may exhibit characteristics such as irritability, emotional impulsiveness, rudeness, poor self-control, and an inadequate consideration of the consequences of their actions. ⁶[6] Although this approach is relevant to describing the psychological characteristics of perpetrators of violence, explaining domestic violence solely in terms of emotional instability is insufficient. In some cases, violence manifests itself as a conscious and repeated pattern of behavior aimed at controlling, subjugating, intimidating, or restricting the victim's actions. Therefore, emotional instability may be considered a potential risk factor for violent behavior; however, treating it as a universal cause is not fully justified from a scientific perspective.

An integrated assessment of the results of our analysis demonstrates that the effectiveness of domestic violence prevention is determined not only by the existence of legal measures, but also by the extent to which these measures address the individual, psychological, and social factors contributing to violent behavior. On this basis, preventive interviews, protection orders, placement in

⁴ Ильяшенко А.Н. Борьба с насильственной преступностью в семье. – М., 2003. – 115 с

⁵ Жигаров Е.С., Петухов В.И. Философия. Криминология. – М.: Олма-Прес, 2006. – С. 562.

Муродов А.Ш. Оилада зўравонлик билан боғлиқ ҳуқуқбузарликлар содир этувчи шахсларнинг хусусиятлари // Ўзбекистон Республикаси ИИВ академияси Ахборотномаси. –2018. –№3. – Б. 73.

specialized centers, and behavioral correction programmes should be applied not as isolated measures, but as interconnected elements of a unified preventive system aimed at the early identification of risks and the prevention of recurrent violence.

In this context, increasing the legal culture of the population, ensuring the effective operation of prevention actors, addressing the determinants contributing to violence, and coordinating special criminological measures are of particular importance.

Crime prevention can be viewed as a system consisting of prevention objects, prevention subjects, and preventive measures. However, in relation to domestic violence, limiting the object of prevention solely to the committed offence or the person who committed it does not constitute a comprehensive approach. From the researcher's perspective, the object of prevention should also encompass the socio-economic, cultural and moral, organizational and managerial, political, and legal determinants that contribute to violence. This is because these factors may, not independently but through their interaction, contribute to the formation of a criminogenic situation within the family environment.

From this perspective, addressing socio-economic factors can be regarded as one of the important areas of general social prevention. However, identifying such factors as the primary or sole causes of domestic violence is debatable. Economic hardship, unemployment, or financial dependence may increase the risk of violence; nevertheless, not all individuals living under such circumstances engage in violent behaviour. Therefore, it is appropriate to assess socio-economic factors in conjunction with personal and psychological factors, as well as factors inherent in cultural norms and family relationships.

The cultural and moral dimension of domestic violence prevention also constitutes an independent, yet closely interconnected, component of the overall system. Enhancing legal culture, preventing the normalization of violence as a form of family relations, and developing skills for resolving conflicts without the use of force are characteristic of general social prevention. At the same time, targeted work with families belonging to risk groups, the implementation of corrective programmes for individuals who repeatedly perpetrate violence, and the protection of victims require special criminological measures. Therefore,

these two areas should not be treated separately but rather applied as complementary mechanisms that reinforce one another.

In this regard, statistical data indicate that in 2025 alone, protection orders were issued to more than 90,000 individuals who had been subjected to harassment and violence.

It should be noted that, among the protection orders issued to women who had been subjected to harassment and violence, more than 14,000 were related to physical violence, nearly 2,000 to economic violence, more than 30,000 to psychological violence, and more than 50,000 to cases of harassment.

An analysis of women who had suffered from harassment and violence reveals that, in the majority of cases, such violence and harassment occurred within the family, which is particularly noteworthy. Specifically, of the cases officially recorded in 2025, 77,131 occurred within the family, 7,104 in the street, 1,492 in public places, 1,057 in workplaces, and 482 in educational institutions.⁷

An analysis of the cases for which protection orders were issued indicates that incidents of physical, psychological, sexual, and economic violence, as well as harassment, were recorded. The relatively high proportion of psychological and physical forms of violence among these cases demonstrates that it would be incorrect to assess domestic violence solely in terms of the use of physical force. At the same time, these indicators do not fully reflect the severity of each form of violence or the likelihood that it may lead to further criminal escalation. Therefore, statistical reports should, alongside the type of violence, also include outcome-related indicators such as the frequency of recurrence, violations of protection orders, and whether a subsequent offence was committed.

The data analysed indicate that the majority of cases of harassment and violence occurred within the family. This finding confirms the need to examine the family environment as an independent setting of criminological risk. However, these figures may not fully reflect the actual scale of domestic violence, as offences of this nature are characterised by a high degree of latency. A victim's economic or emotional dependence, fear of family breakdown, pressure from relatives, or reluctance to approach law enforcement authorities may result in a proportion of cases remaining outside official statistics.

⁷ From the documents of Prosecutorial supervision

In this regard, statistical analysis at the level of administrative and territorial units serves as an important source of information for the targeted organisation of preventive measures. However, assessing the effectiveness of prevention solely on the basis of the number of recorded cases or protection orders issued is insufficient. From the researcher's perspective, indicators should also be analysed across regions, including the distribution of cases by type of violence, recurrence rates, violations of protection orders, and the availability and effectiveness of support services for victims.

Thus, the results of the statistical method confirm the argument advanced through the systemic-structural analysis and demonstrate the need to organise domestic violence prevention not as a collection of separate measures, but as an integrated system aimed at identifying territorial and individual risks, allocating preventive resources in a targeted manner, and assessing outcomes based on measurable indicators. On this basis, it would be more appropriate to evaluate the effectiveness of prevention not by asking "How many measures have been taken?", but rather by using the criterion: "How much repeat violence has been prevented, and to what extent has the level of risk been reduced?"

An analysis of international experience also demonstrates that the effectiveness of domestic violence prevention depends not only on strengthening accountability measures, but also on early detection, risk assessment, identification of hidden cases of violence, and the establishment of safe channels through which victims can seek assistance. In particular, the latent nature of domestic violence necessitates preventing the prevention system from being limited solely to officially recorded cases.

In France, mechanisms have been established to enable victims of violence to seek assistance through pharmacies; counselling centres have been set up in grocery stores; measures have been introduced to accommodate victims in hotels; and the possibility of seeking assistance via SMS has been provided.

In Italy, the YouPol mobile application is designed to enable victims to seek assistance without making a phone call.⁸[7]

Канада ва Буюк Британияда махсус марказлар ҳамда жабрланган шахсларни қўллаб-қувватлаш учун молиявий ресурслар ажратилган.

⁸ La tua sicurezza a portata di smartphone. <https://youpol.poliziadistato.it/landing>

In Spain, a support service via WhatsApp has been introduced, while the Mascarilla-19 code signal has been implemented in the Canary Islands.⁹[8] Under this mechanism, victims were able to discreetly alert the police by using a designated code word when speaking to a pharmacy employee.

A similar approach can also be observed in initiatives such as Ask for Angela in the United Kingdom and Ist Luisa hier? in Germany.¹⁰[9]

The common feature of these models is the creation of a rapid and secure channel for seeking assistance that remains discreet even when the victim is under the control of the perpetrator. In our view, this particular aspect provides the most important comparative insight for the national prevention system.

Conclusion

The study conducted demonstrates that the prevention of crimes related to domestic violence constitutes an independent, dynamic, and multi-level area of combating crime.

Firstly, the factors contributing to domestic violence are not limited to individual personal characteristics. Its determinants are socio-economic, cultural and moral, legal, and organisational and managerial in nature. Therefore, prevention should also be comprehensive in its scope.

Secondly, general social prevention and special criminological prevention should not operate separately but rather function as an interconnected system. The promotion of healthy relationships within the family, the enhancement of legal culture, and the strengthening of social stability fall within the scope of general prevention, whereas protection orders, preventive interviews, individual supervision, and corrective programmes constitute special criminological measures.

Thirdly, the fact that a significant proportion of officially recorded cases of violence occur within the family environment indicates that the family itself should be regarded as one of the primary objects of preventive activities.

Fourthly, a protection order should not be regarded solely as an administrative-procedural document, but rather as a comprehensive criminological prevention

⁹ Campaña contra la violencia de género que se ... <http://mascarilla19.com/>

¹⁰ „Luisa ist hier!“ wurde 2016 von der Beratungsstelle Frauen-Notruf Münster initiiert. <https://luisa-ist-hier.de/>

instrument that combines the protection of the victim, the imposition of restrictions on the perpetrator, and the correction of the perpetrator's behaviour. Fifthly, rapid-response mechanisms for seeking assistance should be diversified. In addition to telephone calls, it would be appropriate to expand access to SMS, mobile applications, messaging platforms, SOS signals, and specialised text-based channels for persons with disabilities.

Sixthly, it is appropriate to shift the assessment of prevention effectiveness from activity-based indicators to outcome-based indicators. In other words, the effectiveness of prevention should not be measured by the number of protection orders issued, but rather by the number of instances of repeat violence prevented, the number of victims whose safety has been ensured, and the number of high-risk situations that have been prevented from escalating into serious offences.

In our view, precisely such an approach can contribute to the effective protection of individuals' lives, health, and dignity, while reducing the recurrence and severity of domestic violence.

References:

1. https://uza.uz/cn/posts/prezident-oilaviy-zoravonlik-bu-faqat-oilaning-ichki-ishi-emas-bu-butun-zhamiyatga-tegishli-masala_800903
2. Абдурасулова Қ.Р. Аёллар жиноятчилигининг жиноят-хуқуқий ва кримнологик муаммолари: Монография / Масъул муҳаррир: ю.ф.д., проф. М.Х.Рустамбоев. –Т.: ТДЮИ нашриёти, 2005. – Б 25-26.
3. Никитенко И.В. Криминологического характеристика миграционной преступности в приграничных территориях дальневосточного Федерального округа России. // Вестник Московского университета МВД России. – №5. – 2009. – С. 136.
4. Ильяшенко А.Н. Борьба с насильственной преступностью в семье. – М., 2003. – 115 с
5. Жигаров Е.С., Петухов В.И. Философия. Криминология. –М.: Олма-Прес, 2006. – С. 562.
6. Муродов А.Ш. Оилада зўравонлик билан боғлиқ хуқуқбузарликлар содир этувчи шахсларнинг хусусиятлари // Ўзбекистон Республикаси ИИВ академияси Ахборотномаси. –2018. –№3. – Б. 73.

7. La tua sicurezza a portata di smartphone.

<https://youpol.poliziadistato.it/landing>

8. Campaña contra la violencia de género que se ... <http://mascarilla19.com/>

9. „Luisa ist hier!“ wurde 2016 von der Beratungsstelle Frauen-Notruf Münster initiiert. <https://luisa-ist-hier.de/>