

REBALANCING RESPONSIBILITY FOR CRIME PREVENTION: A LEGAL-INSTITUTIONAL MODEL FOR LAW ENFORCEMENT AND SOCIAL-SECTOR AUTHORITIES IN UZBEKISTAN

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Abstract

This article examines an institutional imbalance that arises when crime-prevention legislation recognizes a broad range of competent authorities while day-to-day preventive responsibility remains concentrated in law-enforcement bodies. The problem is especially significant where major criminogenic risks - unemployment, social exclusion, addiction, family instability, school disengagement, and health-related vulnerabilities - fall primarily within the professional competence of employment, social-protection, health, education, probation, and local-government institutions. The study uses comparative legal and institutional analysis to distinguish formal inter-agency participation from shared preventive responsibility. It proposes a functional responsibility principle under which the public authority that possesses the legal mandate and professional tools to reduce a specific risk factor should bear a measurable preventive duty for that factor, while law-enforcement bodies retain public-safety, risk-detection, legal-intervention, and coordination functions. Particular attention is given to Uzbekistan's evolving legal framework and Resolution No. 754 of the Cabinet of Ministers, which strengthens mahalla-level social prevention, individualized programmes, digital information exchange, and joint monitoring. The article concludes that sustainable prevention requires a shift from formal cooperation with law enforcement to a legally structured system of shared institutional responsibility, case management, outcome accountability, and feedback.

Keywords: Crime prevention; institutional responsibility; law enforcement; social prevention; employment; social protection; public health; inter-agency coordination; case management; Uzbekistan.

Introduction

Crime prevention is frequently treated as a law-enforcement function because police and other internal-affairs bodies are the institutions most visible at the point where risk becomes an incident, complaint, disorder problem, or offence. Yet many of the conditions that generate or intensify offending arise outside the professional competence of law enforcement. Persistent unemployment, unstable housing, substance dependence, family conflict, school disengagement, untreated mental-health problems, social exclusion, and weak reintegration after punishment cannot be removed through patrol, supervision, warning, registration, or administrative control alone.

This creates a structural problem for preventive governance. When legislation formally recognizes many competent bodies but does not convert their participation into enforceable preventive duties, the institution with the strongest territorial presence and the clearest operational mandate tends to absorb the practical burden. In such a system, law-enforcement bodies identify the problem, initiate the intervention, monitor the person, prepare records, coordinate other organizations, and remain publicly answerable when the social cause itself belongs to another sector. Employment authorities may be responsible for employment policy, health institutions for treatment, social-protection bodies for social support, education authorities for school participation, and probation for reintegration, yet their role in a concrete preventive case may remain limited to assistance after referral.

The resulting imbalance should not be interpreted as a failure of individual institutions or employees. It is primarily a problem of legal design. If one body is assigned a concrete, continuous, and measurable preventive workflow while other bodies receive broad formulations such as “cooperates”, “assists”, or “takes measures”, responsibility becomes asymmetric. The system may therefore be multi-actor on paper while remaining operationally concentrated around internal-affairs bodies.

International standards point toward a different model. The United Nations Guidelines for the Prevention of Crime treat prevention as a responsibility shared across government and society and emphasize social and economic prevention, local partnerships, knowledge-based policy, and evaluation [1]. UNODC guidance similarly stresses that effective prevention requires coordinated action

by criminal-justice institutions, social services, education, health, local authorities, civil society, and other relevant sectors [2, 3]. The OSCE's community-policing approach also views police effectiveness as dependent on partnership with other public institutions and communities rather than on police activity alone [4].

The central question of this article is therefore not simply how to improve “cooperation” among prevention actors. It is how legal responsibility for prevention should be distributed when the causes of offending are institutionally dispersed. The article argues that responsibility should follow functional competence: where a risk factor lies primarily within the mandate and professional capacity of a sectoral authority, that authority should bear a defined preventive duty for reducing the risk, while law-enforcement bodies should perform functions that genuinely require policing authority and coordinate rather than substitute for other sectors.

This article develops that argument through comparative legal analysis, network-governance theory, and the evolving legal framework of Uzbekistan. The Uzbek case is particularly relevant because the Law “On the Prevention of Offences” establishes a broad circle of authorized bodies [12], while recent reforms - especially Resolution No. 754 of the Cabinet of Ministers - introduce more structured social prevention, individualized adaptation programmes, digital information exchange, and mahalla-level coordination [13]. These reforms create a useful basis for moving from formal participation toward shared institutional responsibility.

LITERATURE REVIEW AND METHODS

The literature on crime prevention has long distinguished policing from social and developmental prevention. Tonry and Farrington emphasized that prevention may operate through law enforcement, developmental interventions, community mechanisms, and situational measures rather than through a single institutional channel [5]. UN crime-prevention standards similarly recognize that crime is affected by social, economic, educational, family, and community conditions [1, 2]. This approach is important for legal design because it implies that the institutions capable of altering those conditions must be treated as substantive prevention actors rather than peripheral partners.

Empirical criminology also demonstrates that economic and social conditions can affect offending. Research on unemployment and crime, for example, has identified significant relationships between labour-market exclusion and certain forms of crime [14, 15]. The legal significance of this literature is not that unemployment mechanically causes crime, but that employment policy is part of the preventive environment. A police officer may identify an unemployed person at elevated risk, but the institutional tools for sustainable employment, vocational placement, benefits, or labour-market integration belong to other public authorities.

The same logic applies to addiction, family instability, school exclusion, and social vulnerability. Each domain contains a distinct professional intervention system. The legal problem arises when these sectoral systems are connected to crime prevention only through general cooperation clauses. In that configuration, law enforcement may remain the only institution with a continuous case file, a monitoring obligation, and an explicit expectation to produce a preventive result. Network-governance scholarship helps explain why formal participation does not automatically produce shared responsibility. Provan and Kenis distinguish participant-governed networks, lead-organization networks, and network administrative organizations [6]. Ansell and Gash show that collaborative governance depends on institutional design, leadership, incentives, trust, and shared understanding [7]. Huxham and Vangen further warn that collaboration can produce “collaborative inertia” where purposes are vague, responsibilities overlap, and the costs of coordination exceed the gains [8]. These insights suggest that a prevention network needs clear functional ownership, not simply a larger number of participants.

The study therefore uses a comparative legal and institutional method. Primary materials include international crime-prevention standards, statutory partnership mechanisms in foreign jurisdictions, the Law of the Republic of Uzbekistan “On the Prevention of Offences”, and Resolution No. 754 of the Cabinet of Ministers [1-4, 9-13]. The analysis focuses on the allocation of legal mandates, operational responsibility, referral procedures, information exchange, case management, outcome measurement, and accountability. Generalized, non-identifying observations from crime-prevention practice are used only to identify recurring institutional design problems, such as concentration of operational workload,

formalized cooperation, fragmented social interventions, and weak feedback between agencies. No locality-specific data, individual information, internal audit results, or operational statistics are reproduced or cited.

The article introduces two analytical concepts. The first is the functional responsibility principle: the authority that has the legal mandate, professional competence, and service instruments to reduce a particular risk factor should bear a defined preventive duty for that factor. The second is the determinant-to-competence rule: preventive responsibility should be allocated according to the nature of the criminogenic determinant rather than according to which institution first encounters the person or incident.

RESULTS

1. Formal institutional plurality does not equal shared preventive responsibility

The first finding is that legislation can be institutionally broad but operationally narrow. A law may designate numerous authorities as subjects of prevention and still concentrate the most concrete preventive functions in one sector. The decisive question is not how many authorities are named, but which authorities are legally required to assess a risk, design an intervention, provide a service, monitor compliance, report the result, and remain accountable if the measure is not implemented.

This distinction is particularly important in Uzbekistan. The Law “On the Prevention of Offences” establishes a wide system of authorized bodies and institutions, including internal-affairs bodies, prosecution authorities, security institutions, justice bodies, labour and employment institutions, education bodies, health authorities, youth institutions, and other actors [12]. Formally, this is a multi-sector legal architecture. However, the intensity and procedural specificity of preventive powers are not uniform across sectors. Internal-affairs bodies possess concrete mechanisms connected with preventive registration, individual preventive work, monitoring, warnings, control measures, and territorial public-safety functions, while the preventive role of social-sector institutions is more often expressed through assistance, participation, support, or the performance of their ordinary sectoral functions.

The practical consequence is institutional asymmetry. Internal-affairs bodies become the point of entry for a wide range of social risks even when the sustainable solution lies outside law enforcement. They may detect unemployment, family distress, addiction, school disengagement, or social vulnerability, but they do not control the employment vacancy, treatment programme, social benefit, school reintegration measure, psychological service, or rehabilitation resource required to remove the underlying factor. If sectoral actors are not given a corresponding duty to accept, assess, act, and report back, the preventive system remains dependent on law-enforcement initiative.

Table 1. From formal cooperation to shared institutional responsibility

Dimension	Formally cooperative model	Shared-responsibility model	Legal implication
Risk identification	Mainly law-enforcement initiated	Any competent authority may identify and trigger action	Trigger rules must be defined
Social risk ownership	Referral to sectoral body as assistance	Sectoral body accepts responsibility within its competence	Duty to assess and act
Coordination	Law enforcement informally follows up	Designated coordinator tracks the whole case	Coordination separated from substantive delivery
Information	Ad hoc requests and responses	Defined digital workflow and feedback	Purpose, access and response duties
Planning	Separate agency actions	One integrated plan with task owners and deadlines	Case-management procedure
Results	Activities completed by each body	Risk factor reduced or stabilized	Outcome indicators, not only outputs
Accountability	Mainly concentrated on the initiating body	Each agency accountable for its controllable task	Responsibility follows competence

2. The functional responsibility principle

The second finding is that preventive responsibility should follow competence rather than visibility. The fact that a law-enforcement body encounters a problem first does not mean that it is institutionally best placed to resolve that problem. Crime prevention requires a distinction between detecting a risk and owning the intervention required to reduce it.

Under the functional responsibility principle, internal-affairs bodies should retain core functions connected with public safety, lawful coercive measures, early risk detection, immediate protection, individual preventive measures where legally justified, and coordination in cases that require law-enforcement participation. However, where the principal risk is unemployment, employment authorities should bear a measurable responsibility for the employment intervention; where the risk concerns addiction or untreated mental-health problems, health institutions should own the treatment component; where the risk concerns social vulnerability or family crisis, social-protection services should own the relevant support plan; and where the risk concerns school exclusion or educational disengagement, education authorities should bear the primary preventive duty. This model does not transfer responsibility away from law enforcement; it makes responsibility more precise. The role of police and internal-affairs bodies becomes stronger where policing competence is actually required, while social authorities become responsible for preventive outcomes within the domains they control. The system therefore moves from “law enforcement plus supporting agencies” to a chain of mutually dependent public duties.

Table 2. Determinant-to-competence allocation in crime prevention

Risk domain	Primary sectoral responsibility	Law-enforcement role	Expected preventive outcome
Unemployment / labour exclusion	Employment and labour authorities	Identify risk; refer; coordinate where public-safety risk exists	Employment, training or verified labour-market integration
Addiction / treatment need	Health and specialized treatment services	Safety assessment; lawful control where required; referral	Assessment, treatment and continuity of care
Family crisis / social vulnerability	Social-protection and family-support services	Immediate protection and legal intervention where necessary	Stabilized family or social-support plan
School disengagement / youth vulnerability	Education and child/youth services	Risk information and safety intervention where required	Return to education, attendance and support

Risk domain	Primary sectoral responsibility	Law-enforcement role	Expected preventive outcome
Post-sentence reintegration	Probation, employment, social and local services	Public-safety monitoring within legal competence	Housing, employment, treatment and reduced reoffending risk
Immediate threat / repeated offending risk	Internal-affairs and other competent law-enforcement bodies	Primary operational responsibility	Risk containment, lawful intervention and coordinated referral

3. Why formal cooperation produces institutional imbalance

The third finding concerns the structure of cooperation clauses. General formulations such as “cooperates”, “assists”, “participates”, or “takes measures” establish a legal basis for involvement but do not necessarily create a complete operational duty. They often leave unanswered five essential questions: who must accept the referral, what assessment must be performed, within what period, what service must be considered, and what information must be returned to the coordinating actor.

Where these elements are absent, social-sector bodies may remain formally connected to prevention but institutionally peripheral to the preventive case. They perform their ordinary functions when approached, yet they are not necessarily evaluated by whether a criminogenic risk within their own field was reduced. The operational burden therefore remains with the authority that maintains continuous contact with the person, most commonly internal-affairs bodies.

This imbalance can generate several consequences. First, law-enforcement personnel may spend time coordinating employment, health, social, family, or educational problems that require specialized professional intervention. Second, sectoral institutions may receive referrals without a shared case objective or feedback obligation. Third, preventive plans can become collections of disconnected actions rather than a coherent strategy for reducing risk. Fourth, accountability may be distorted because one institution remains visibly responsible for an outcome that depends on several institutions.

4. Resolution No. 754 as a move toward shared social-prevention responsibility

Resolution No. 754 of the Cabinet of Ministers represents an important development because it moves social prevention beyond a general duty of cooperation and toward a more structured workflow [13]. Under the “Prosperous and Safe Mahalla” principle, prevention is connected with legal, social, psychological, medical, pedagogical, and other forms of assistance. This is conceptually important because it recognizes that elevated risk may arise from social conditions rather than from unlawful conduct alone.

The regulation also creates a digital information-exchange mechanism through “E-ijtimoiy profilaktika”, individualized social-adaptation programmes, distribution of tasks among relevant participants, implementation records, monitoring, and joint completion procedures [13]. These elements are consistent with a case-management logic: a problem is identified, the required interventions are assigned, progress is recorded, and completion is reviewed collectively.

From the perspective of the functional responsibility principle, the significance of Resolution No. 754 is that it provides an institutional platform through which social-sector authorities can move from peripheral assistance to substantive preventive responsibility. The decisive next step is not to expand the number of participating bodies, but to make the responsibility of each actor measurable: what risk factor belongs to its competence, what intervention must be considered, when the response is due, what result must be reported, and what happens when the measure is not implemented or does not work.

The mahalla level is especially suitable for this model because social risks often become visible locally before they develop into criminal justice problems. However, local coordination should not transform the preventive inspector or any single local actor into the universal executor of all tasks. The coordinator should maintain continuity of the case, while the substantive intervention should remain with the competent sector.

5. Comparative mechanisms for distributing preventive responsibility

Comparative experience shows that shared responsibility can be institutionalized in different ways. In England and Wales, the Crime and Disorder Act 1998 imposes cooperation duties on designated responsible authorities and links their

activity to local crime-and-disorder strategies [9]. The significance of the model is that cooperation is treated as a statutory responsibility rather than informal support.

Norway's SLT model provides another useful mechanism. It separates strategic leadership, coordination, and operational implementation, with a dedicated coordinator linking the levels [10, 11]. This institutional separation is particularly relevant to Uzbekistan because it demonstrates that the body coordinating prevention does not have to perform the substantive tasks of every participating sector.

Both approaches support the same principle: the lead or coordinating institution should guarantee continuity, information flow, and follow-up, while specialized institutions remain responsible for the interventions that correspond to their legal mandate and professional tools.

DISCUSSION

1. Crime prevention should follow the causes that institutions can actually influence

The central policy implication is that prevention should be organized around controllable determinants. Law-enforcement bodies can influence immediate public-safety risks, enforce legal restrictions, respond to violence, collect criminal intelligence, and carry out legally authorized individual prevention. They cannot, however, directly create jobs, provide long-term medical treatment, deliver social benefits, restore school attendance, or provide specialized family services. A legal framework that expects law enforcement to remain the principal holder of preventive responsibility despite this division of competence creates an institutional mismatch.

The functional responsibility principle corrects that mismatch. It does not assume that every social problem causes crime, nor that social authorities should be judged for crime rates. It requires only that when a specific preventive case identifies a risk factor within an authority's competence, that authority should be responsible for the quality and timeliness of the intervention it controls. Employment bodies are accountable for the employment measure, health bodies for treatment, social services for support, education bodies for educational reintegration, and law enforcement for public-safety and legal-intervention tasks.

This approach also respects the controllability principle of public administration. Institutions should be answerable for results they can reasonably influence, while broader crime outcomes should be evaluated jointly and contextually. Shared responsibility therefore means differentiated responsibility, not collective blame.

2. Police-centred operational burden should be treated as a system-design issue

When internal-affairs bodies become the default operational centre for employment, family, health, social, and educational risks, the problem should not be framed as excessive activity by law enforcement. It is a consequence of an incomplete institutional chain. The initiating institution continues to follow the case because no other actor is legally positioned to assume ownership of the relevant social intervention.

This can gradually shift preventive work from early risk reduction toward administration, monitoring, repeated referral, and reactive problem handling. The result is paradoxical: the institution that has the least direct control over the social determinant may carry the greatest visible responsibility for preventing the offence associated with it.

A balanced system therefore needs a formal transfer of task responsibility without a loss of case continuity. Once an employment, health, social, or educational risk is identified, the competent sector should become the owner of that component of the case, while the coordinator maintains the integrated plan and law enforcement remains involved only to the extent required by public-safety risk or legal mandate.

3. Case management is the bridge between law enforcement and social prevention

A referral alone is not a preventive intervention. Effective inter-agency work requires a case-management procedure that defines how a risk is opened, assessed, assigned, monitored, reviewed, and closed. The plan should identify the risk factor, the responsible authority, the intervention, the deadline, the information to be returned, and the outcome used to determine whether the risk has been reduced or stabilized.

This procedure should also contain a feedback duty. A social-sector authority should not be treated as having “participated” merely because it received information. It should record whether the person was assessed, whether a service was offered, whether the person accepted or refused the intervention, whether the measure was completed, and whether the underlying risk changed. The coordinator can then determine whether further action is necessary.

Such a model protects both sides. Law-enforcement bodies are not required to manage specialist services outside their competence, while sectoral authorities are not asked to assume policing functions. Each institution remains professionally autonomous but procedurally connected to the same preventive objective.

4. The role of a lead coordinator

A shared-responsibility model still requires leadership. Without a coordinator, the case may fragment between agencies; with an excessively dominant coordinator, specialized actors may become passive. The legal solution is to distinguish coordination authority from substantive responsibility.

The coordinator should ensure that the case has an owner at every stage, that referrals are accepted, that deadlines are visible, that information is returned, that unresolved tasks are escalated, and that the case is not closed prematurely. The coordinator should not automatically perform the employment, treatment, social-work, educational, or rehabilitation tasks of other agencies.

This distinction is consistent with network-governance theory and with comparative models that separate strategic leadership, coordination, and frontline implementation [6-8, 10]. It is also consistent with the direction of Uzbekistan's recent social-prevention reforms, which increasingly connect local coordination with specialized services [13].

5. Accountability should be attached to controllable tasks and shared outcomes

The accountability problem has two levels. At the task level, each authority should be answerable for what it controls: assessment, timeliness, service provision, legal quality, data accuracy, and completion of its assigned measure. At the system level, the participating institutions should jointly evaluate whether

the preventive objective was achieved and why the intervention succeeded or failed.

This distinction prevents two opposite errors. The first is to make law enforcement responsible for social outcomes it cannot control. The second is to allow every sector to report successful completion of its own activity even when the common preventive risk remains unchanged. Shared outcome review therefore becomes the mechanism that connects institutional performance to the actual purpose of prevention.

Outcome indicators should be tailored to the risk. Employment-related prevention should examine labour-market integration rather than the number of referrals; treatment-related prevention should examine engagement and continuity of care rather than the number of medical directions issued; social-support interventions should examine stabilization of the identified vulnerability; and integrated cases should examine recurrence of the problem, repeat incidents, victim safety, or other relevant results. The purpose is not to create punitive numerical quotas, but to ensure that each measure can be connected to a substantive preventive result.

6. Proposed legal-institutional model for Uzbekistan

The analysis supports a model of shared institutional responsibility built on six connected rules. First, legislation should distinguish coordination from substantive intervention. Internal-affairs bodies may identify and coordinate complex risks without becoming responsible for delivering services outside their mandate.

Second, risk factors should be legally mapped to competent sectors. Employment risks should trigger duties for employment authorities; health and addiction risks for medical institutions; family and social vulnerability for social-protection services; educational disengagement for education and youth bodies; and post-sentence reintegration for probation and relevant social institutions.

Third, referral should create a procedural duty. The receiving authority should be required to assess the matter, determine the appropriate measure, act within a defined period, and provide feedback. A referral that creates no duty to respond is coordination in name only.

Fourth, complex cases should have one integrated plan. The plan should contain task owners, deadlines, legally permissible information, expected outcomes, and

review points. The coordinator should monitor the plan without substituting for the competent sector.

Fifth, digital information exchange should be connected to responsibility. A shared system should show not only that information was sent, but whether the responsible actor accepted the task, what action was taken, and what result was reached. Data access, confidentiality, accuracy, correction, and retention must remain legally regulated.

Sixth, case closure should be based on joint review. The file should not be treated as completed simply because individual agencies finished separate activities. Closure should confirm that the identified risk has been addressed, stabilized, transferred to an appropriate long-term service, or requires further intervention. Resolution No. 754 already contains important elements of this architecture: mahalla-level cooperation, individualized social-adaptation programmes, information exchange, task distribution, monitoring, and joint completion [13]. Its broader institutional significance is that it provides a platform for making social-sector bodies substantive participants in prevention rather than external recipients of requests from law enforcement.

CONCLUSION

The principal weakness of a formally broad crime-prevention system is not necessarily the absence of institutions. It is the unequal distribution of operational responsibility among them. Where law-enforcement bodies possess the clearest procedures, continuous monitoring duties, and strongest territorial presence, they can become responsible in practice for risks whose underlying causes lie in employment, health, education, social protection, family support, or rehabilitation.

The article therefore proposes a functional responsibility principle: preventive responsibility should follow legal competence and professional capacity. Internal-affairs bodies should remain responsible for public safety, lawful coercive measures, early risk detection, immediate protection, and those individual preventive functions that require law-enforcement authority. Social-sector institutions should bear measurable responsibility for the risk factors that fall within their own mandate.

For Uzbekistan, the task is not to remove internal-affairs bodies from the centre of public safety, but to prevent the preventive system from depending on them as the universal executor of social interventions. The Law “On the Prevention of Offences” already provides a broad institutional basis [12], while Resolution No. 754 moves toward a more integrated social-prevention architecture [13]. The next stage should convert general cooperation into procedural responsibility through mandatory referral responses, integrated case plans, clear task ownership, digital feedback, outcome monitoring, and joint review.

A sustainable prevention system is therefore one in which the institution that identifies the risk is not automatically expected to eliminate every cause of that risk. Law enforcement, employment, health, social protection, education, probation, local government, and community institutions should remain legally distinct, but their responsibilities must form a continuous preventive chain. That is the difference between formal cooperation and genuine shared institutional responsibility.

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