

REFLECTIONS ON THE STAFFING UNITS OF INVESTIGATIVE DIVISIONS OF INTERNAL AFFAIRS BODIES

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Abstract

This article provides a scientific and theoretical analysis of the legal nature of staffing units in investigative divisions of internal affairs bodies, as well as the need to determine them on the basis of workload, crime dynamics, the complexity of procedural tasks, and criteria for ensuring human rights. The article substantiates that a staffing unit is not merely an administrative position, but also an institutional guarantee for ensuring the quality of investigation, procedural independence, a professional culture of working with evidence, and public trust. Based on national legislation, the tasks outlined by President Sh.M. Mirziyoyev in the field of investigation, the theoretical views of Uzbek scholars, and the experience of the United Kingdom, the United States, and international organizations, the article develops scientific proposals for improving the staffing structure of investigative divisions.

Keywords: Investigative divisions, staffing units, investigator workload, vacant position, procedural independence, personnel policy, meritocracy, specialization, quality of investigation, foreign experience.

Introduction

At first glance, the issue of staffing allocations within the investigative units of internal affairs bodies appears to be an administrative and organizational matter pertaining to the number of positions, staffing tables, and budgetary discipline. However, its substantive scope is significantly broader: behind each investigator's position lies the fundamental duty of establishing the truth in a criminal case, lawfully collecting and evaluating evidence, and safeguarding the rights of the victim, suspect, accused, and other participants in the proceedings. In this context, a staffing unit transcends a mere "employee vacancy"; it constitutes a legal and institutional resource essential for the execution of criminal procedural functions [1].

The relevance of this topic is primarily dictated by the escalating caseloads in investigative activities, the disparity between allocated staffing and actual needs in certain regions, the prolonged periods of unfilled vacancies, and the increasing complexity of contemporary forms of crime. When an investigator concurrently manages an excessive volume of cases, it engenders a risk to quality concerning compliance with procedural deadlines, the rigorous scrutiny of evidence, the commissioning of expert evaluations, and the rendering of well-founded decisions. Under such circumstances, the matter of staffing allocations ceases to be exclusively an internal departmental resource issue and evolves into a broader problem of ensuring the rule of law and human rights [2].

The practical significance of this issue was further amplified by President Shavkat Mirziyoyev during a meeting held on January 27, 2026, dedicated to cultivating a safe environment and ensuring public security. In a critical review of the performance of law enforcement agencies, the President explicitly emphasized that the priority in investigative work must be "quality, not quantity." Official communications indicate that the imperative to revise the operations and staffing levels of investigative bodies in alignment with their actual workload has been formally raised [3].

The concept of an investigative staffing unit is understood not merely as an approved positional vacancy within a specific agency's structure, but as a comprehensive set of professional, organizational, material-technical, and legal capabilities necessary for the execution of criminal procedural powers. This approach allows for the comprehension of the staffing issue not solely as a quantitative indicator, but as a managerial category aimed at ensuring the quality of investigative activities. The requirements imposed on the position of an investigator, their procedural powers, professional training, service discipline, social guarantees, and responsibilities must be evaluated in tight interconnectivity [4].

From the perspective of the theory of law, if a state body's authority is not supported by an organizational mechanism capable of its implementation, the legal norm assumes a purely formal character. The textbook "Theory of State and Law," edited by Kh.T. Odilqoriyev, emphasizes that the practical functioning of legal institutions is inherently linked to their organizational and legal guarantees. Consequently, the criminal procedural powers of an investigator acquire real substance only when adequately provisioned with staffing, qualifications, independence, and resources [5].

In this regard, the investigative staffing unit manifests as an organizational guarantee for establishing the truth in a criminal case. Article 22 of the Criminal Procedural Code imposes an obligation on the inquirer, investigator, prosecutor, and the court to ascertain all circumstances of the case. This duty necessitates time, specialized knowledge, the capacity for independent decision-making, and sufficient organizational resources. If the staffing unit is not structured in accordance with actual needs, the "thorough, objective, and comprehensive investigation" mandated by law becomes practically encumbered [1].

When evaluating current staffing policy, it is crucial to distinguish between the concepts of "approved staffing" and "actual functioning staffing." The mere existence of a position within the approved staffing table does not signify that investigative practice is fully provisioned. If a position remains vacant for months, although it exists *de jure*, it does not fulfill the investigative function *de facto*; its burden falls upon the shoulders of other investigators. As a result, the distribution of cases becomes disproportionate, certain investigative actions are delayed, and the quality of procedural decisions may deteriorate [6].

The escalation of an investigator's caseload primarily impacts the quality of evidence handling. Conducting a crime scene inspection, interrogating witnesses, holding confrontations, conducting identification parades, commissioning expert evaluations, formalizing electronic evidence, and substantiating procedural decisions for each individual case demands substantial time and focus. An excessive accumulation of cases for a single

investigator may deprive them of the opportunity to approach each case with the requisite analytical depth [7].

In assessing workload, relying solely on the sheer number of cases is insufficient. It is inequitable to equate a single-episode case with few participants and a limited scope of evidence to a multi-episode case involving numerous victims and accused persons, which requires financial documents, electronic data, international requests, and multiple expert evaluations, treating both merely as "one case." Therefore, calculating an investigator's workload based on the formula of "quantity – complexity – volume of procedural actions" is scientifically sound [8].

In national legal scholarship, the effective organization of state bodies, mechanisms for implementing legal norms, and issues of personnel capacity are regarded as crucial components of state-legal administration. Within the framework of the theory of state and law, A.Kh. Saidov and U. Tojikhonov scientifically substantiate that the practical efficacy of legal regulation depends not only on the existence of a norm but also on the organizational perfection of the institutions implementing it. This perspective enables the evaluation of investigative staffing levels as an independent element of the law enforcement mechanism.

From the standpoint of criminal procedural law, a high-quality investigation necessitates strict compliance with legal requirements during the collection, examination, and evaluation of evidence. Textbooks on criminal procedural law note that pre-trial proceedings, the activities of preliminary investigation bodies, the rights of trial participants, and the validity of procedural decisions occupy a central position. Consequently, staffing shortages or low personnel qualifications directly impact the tangible functioning of criminal procedural guarantees [9].

In the works of M.H. Rustambayev regarding criminal law and combating crime, the effectiveness of the fight against crime is examined in connection with the clarity of legal norms, the professional training of law enforcement personnel, and the assurance of legality in practice. Based on this theoretical approach, the staffing allocations of investigative units must also be viewed as a complex system inextricably linked to personnel quality, specialization, and the equitable distribution of workload [10].

In the experience of the United Kingdom, the training and accreditation of investigators according to professional tiers play a pivotal role. The Professionalising Investigation Programme (PIP), developed by the College of Policing, categorizes investigative activities into distinct levels, ranging from volume crime to serious and complex crimes. The PIP framework is designed to validate an investigator's competency to handle specific categories of cases through training, examinations, workplace assessment, and formal accreditation [11]. The significance of this experience for Uzbekistan lies in the potential to reconceptualize investigative staffing allocations not merely as a generic "investigator" position, but as a system of specialized roles based on case complexity and crime typology. For instance, forming a corps of investigators with specialized training in cybercrimes, economic crimes, corruption, human trafficking, cases involving minors, and grave offenses against persons would enhance investigative quality.

In the practice of the US Federal Bureau of Investigation (FBI), the joint training of new special agents and intelligence analysts lays the groundwork for their subsequent collaborative work in field divisions. According to the FBI, new agents and intelligence analysts are trained together within the Basic Field Training Course; this serves to strengthen the collaboration among investigators, analysts, and other specialists in criminal investigations [12].

This experience demonstrates that the imperative in investigative units is not merely to increase the number of investigator positions, but to cultivate supporting roles such as investigator's assistant, criminal analyst, digital evidence specialist, document analyst, and procedural clerk. If a substantial portion of an investigator's time is expended on technical and organizational tasks, they are unable to allocate sufficient time for procedural analysis and evidence evaluation. Therefore, a modern staffing model should approximate the principle of "investigator – analyst – digital specialist – support staff."

The experience of international organizations also prioritizes transparency, objectivity, and accountability in staffing and personnel policy. The OECD Public Integrity Handbook identifies the introduction of meritocratic human resource management, open competition, and criteria of qualification and performance in the civil service as tools to mitigate corruption risks and bolster public trust. Furthermore, UNODC manuals on police accountability, oversight, and integrity underscore the critical importance of responsibility and control mechanisms in investigative activities.

The determination of investigative staffing levels is inextricably linked to the guarantees of procedural independence. An investigator exercises their authority based on criminal procedural legislation and must render procedural decisions grounded in evidence, inner conviction, and legal requirements. If the caseload is excessively high, vacant positions remain unfilled for prolonged periods, administrative leadership pressure is intense, or statistical indicators are prioritized, the investigator's independence may be reduced to a mere formality.

The concept of "quality, not quantity" in investigations, advanced by the President, necessitates a novel reassessment of the investigative staffing issue. The primary conclusion derived from this concept is that staffing allocations must serve not to artificially inflate statistical indicators in criminal cases, but rather to ensure the lawful, objective, comprehensive, and high-quality investigation of each individual case. The genuine effectiveness of an investigative body's operations should be evaluated not by the sheer number of cases forwarded to the court, but by the degree of legality, validity, and adherence to human rights.

The introduction of specialized staffing emerges as a practical mechanism for elevating investigative quality. For instance, an investigator handling cybercrimes must possess specialized competencies in acquiring, preserving, and evaluating digital evidence, documenting the chain of custody for electronic data, collaborating with service providers, and executing international requests. Conversely, in economic crimes, proficiency in analyzing accounting, financial documents, tax relations, and asset tracing is imperative.

The efficacy of staffing allocations is determined not by their sheer volume, but by the professional capacity, service discipline, ethical resilience, and practical performance of the

personnel appointed to these positions. Consequently, the optimization of investigative unit staffing must be examined in conjunction with the systems of personnel selection, training, appointment, career advancement, certification, and incentivization. Increasing the number of staff while appointing inadequately qualified personnel will merely result in an inflation of positions, not an enhancement of investigative quality.

A meritocratic approach to selection for investigative positions demands establishing professional knowledge, mastery of criminal procedural legislation, the ability to resolve practical legal scenarios, integrity, psychological stability, the culture of communication with citizens, and prior service records as primary criteria, rather than personal affiliations, nepotism, or subjective recommendations. OECD recommendations highlight meritocracy in the civil service as an essential precondition for transparency, fairness, and integrity.

The issue of personnel stability constitutes an integral component of staffing policy. When an experienced investigator departs the system, it is not merely a single vacancy that opens; the practically cultivated "institutional memory"—comprising experience in handling complex cases, knowledge of the regional criminogenic situation, the culture of procedural decision-making, and the capacity to mentor junior staff—is also lost. Therefore, staffing policy must be augmented with mechanisms designed to retain experienced personnel, incentivize mentorship, and clearly delineate pathways for professional growth.

Taking the aforementioned circumstances into consideration, the following proposals are advanced:

First, it is imperative to develop a unified scientific and practical methodology for determining staffing allocations within the investigative units of internal affairs bodies. This methodology must account for the regional crime rate, the severity and complexity categories of cases, the volume of investigative actions, the number of expert evaluations, the proportion of electronic evidence, international and interagency requests, the duration of vacancies, and the actual working hours of personnel. Such a methodology will facilitate the allocation of staff based on objective rather than subjective criteria.

Second, it is advisable to establish a maximum workload for an investigator and correlate it with a case complexity coefficient. In this context, each criminal case should be evaluated based on its episodes, participants, the number of expert evaluations, the volume of electronic evidence, international requests, and the quantity of procedural actions. This will enable the accurate determination of an investigator's actual workload and the equitable distribution of staffing.

Third, a dedicated monitoring system must be implemented for investigator positions that remain vacant for more than three months. If a position is unfilled for a prolonged period, substantiated information should be submitted to the superior body, the causes of the vacancy analyzed, and mechanisms such as temporary support staff, mobile investigative groups, or interregional personnel reserves should be activated.

Fourth, specialized staffing units should be introduced in a phased manner within investigative divisions. Forming a corps of investigators who have undergone specialized training in cybercrimes, economic crimes, corruption, human trafficking, drug-related

offenses, cases involving minors, and grave offenses against persons will significantly enhance investigative quality [8].

Fifth, the institution of analytical and support staff within investigative units must be developed. Introducing positions such as digital evidence specialist, criminal analyst, investigator's assistant, and procedural clerk will enable the investigator to focus primarily on procedural analysis, evidence evaluation, and decision-making.

Sixth, it is expedient to introduce a supplementary provision into the "Regulation on the Procedure for Serving in Internal Affairs Bodies," approved by Presidential Resolution No. PR-3413, that explicitly defines meritocratic criteria for appointment to investigative positions. This provision should stipulate the candidate's knowledge of procedural legislation, performance in investigative practice, service discipline, integrity, adherence to legality, activities in ensuring citizens' rights, and certification results as the primary assessment criteria.

Seventh, during the drafting of a dedicated law "On the Activities of Investigative Bodies," the legal status of investigative staffing units, the criteria for their determination, specialized positions, guarantees of procedural independence, procedures for personnel selection and training, socio-psychological support, and accountability mechanisms must be codified in independent chapters. Such a law will serve to systematically regulate investigative activities and provide robust legal guarantees for staffing policy.

Based on the preceding analyses, the optimization of staffing allocations within the investigative units of internal affairs bodies should be evaluated not merely as a quantitative increase in positions, but rather as a comprehensive legal reform aimed at enhancing investigative quality, ensuring procedural independence, robustly protecting human rights, and strengthening public trust. The investigator's staffing unit constitutes the organizational guarantee for establishing the truth in a criminal case, rendering lawful decisions, and presenting high-quality materials to the court.

The concept advanced by President Shavkat Mirziyoyev, stating that "investigations must prioritize quality, not quantity," demands a reassessment of investigative staffing in accordance with actual workloads, the nature of criminality, and contemporary procedural imperatives. In this process, the prompt filling of vacant positions, the normalization of workloads, the introduction of specialized staffing, the development of analytical and support roles, and the reinforcement of meritocratic criteria in personnel selection are of paramount importance.

Foreign experience demonstrates that enhancing investigative quality necessitates the training and accreditation of investigators according to professional tiers and specializations, workplace evaluations, the provision of analysts and digital evidence specialists, as well as ensuring transparency and meritocracy in personnel policy. In the context of Uzbekistan, adapting these practices to the specific characteristics of the national legal system will significantly augment the operational efficiency of investigative bodies.

Thus, the scientifically grounded reorganization of investigative staffing allocations serves as a critical mechanism that aligns with the principles of the rule of law, guarantees the rights and freedoms of citizens, and fortifies legality and justice in investigative activities.

Ultimately, staffing policy will only yield the anticipated outcomes when implemented in synergy with personnel policy, professional training, social guarantees, psychological stability, digital competencies, and procedural independence.

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