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Analýza trendů kriminality v České republice v roce 2018

Analysis of Trends in Criminality in the Czech Republic in 2018

ISBN 978-80-7338-179-0

Summary

Each year, the Institute of Criminology and Social Prevention prepares an analytical overview of trends in registered crime under the research topic *Monitoring and analysis of development trends in criminality, related socio-pathological phenomena and criminogenic factors that need to be addressed in criminal policy*. Preparation of the "**Analysis of Trends in Criminality in the Czech Republic**" yearbook is based on police, judicial and prison statistics, where the subject of research is the state of crime in the year preceding the publication, a year-on-year comparison and comparison to a longer (approx. ten-year) time series. The aim of the publication is to interpret to (not only) professional public data on the development of criminal activity in the Czech Republic, both in the year in question and in a longer-term context. The study offers an assessment of the state, structure and intensity of crime, including territorial changes, and changes in the state and composition of known offenders. It presents selected indicators of criminal activity, with integral appendices capturing ongoing trends in crime in general and the development of individual types of crime, in some cases dating from the beginnings of computer processed statistical data.

The structure of the publication loosely corresponds to the hierarchy of the criminal justice system, in an effort to illustrate trends in crime more comprehensively. The sources used, therefore, not only include statistical overviews of crime from the Police of the Czech Republic, or non-standard reports based on material from the Statistics Department of the Police Presidium of the Czech Republic, but also overviews and special reports at the level of public prosecution and the courts from the Ministry of Justice CSLAV (Central Statistical Sheets and Reporting) system. Prison Service yearbooks and regular annual reports by the Supreme Public Prosecutor's Office on the activities of public prosecution offices also continue to be used as a source. Selected statistical data from the Probation and Mediation Service of the Czech Republic is available on its website. Reports on the state of inland

security and public order in the Czech Republic compared to the previous year, presented by the Ministry of the Interior, are also included.

The continuity of the time series, especially with regard to the number of prosecuted and investigated individuals, was affected by the change in the criminal statistical records system of the Czech Police in 2016. Offenders are now counted with all criminal activity, not just the most serious offence. Another change concerns the calculation of the age of prosecuted offenders. The offender's age is no longer calculated by the recorder, but by machine. Before 2016, the age was calculated as the difference between the date criminal prosecution commenced and the date of birth; the date prosecution commenced is now replaced by the date the offence was committed. The age of the prosecuted offender is thus determined more accurately, but also with a slight shift to lower age categories.

Trends in crime in the Czech Republic based on police statistics, are mapped in the opening chapter, which monitors the state of registered crime in the year in question, changes from the previous year and over the last decade. It traditionally assesses the structure and intensity of crime and geographical indicators, including the crime index. It also interprets information on the composition of known offenders, broken down by gender and age, and examines the proportion of recidivists. Some information on suicides is also provided.

We continued to see a downward trend in crimes committed in 2018, with a year-on-year decline in registered offences of 5%. The structure of criminal activity remains unchanged, with just over half being property crimes, but with a significant fall in the number of less serious property offences. The most common crime is theft. A relatively significant increase (by 12%) can be seen in moral offences, which includes crimes committed via social networks. This also relates to the continuing increase in cybercrime in general.

The clearance rate of crimes over the monitored decade ranged from 37% to 47%; in 2018 it exceeded 48%. Naturally, there are differences in the clearance rate of individual types of criminal activity.

In terms of geographical breakdown, the Capital City of Prague still has the highest share of crime, with the lowest contribution from the Karlovy Vary Region. The publication also includes a commentary on regional crime rates.

The number of prosecuted and investigated individuals dropped again year-on-year, this time by approximately 2.5%, and the proportion of recidivists among known offenders

also decreased to 38%. The proportion of women among offenders remained stagnant, while offenders under the age of 18 totalled less than 5%

The phenomenon of the continuing decline in registered crime corresponds to the situation in other European countries, however significant latency and a shift to cybercrime must be taken into account.

The second chapter deals with issues related to current **trends in criminal and sanction policy**. In addition to monitoring trends in the number of prosecuted, charged and convicted offenders, including individuals discussed in summary pre-trial proceedings, it also deals with the application of the principle of opportunity by public prosecutors and the use of diversions in criminal proceedings, examining current trends in the structure of sanctions imposed by the courts in detail. In addition to an emphasis on monitoring trends in the imposition of unconditional prison sentences and developments in the prison population in the Czech Republic, it also focuses on the application of alternative sentences. The latest developments in the area of criminal and sanction policy against legal entities are also discussed.

In general, it can be said there was an evident and continuing decrease in the number of prosecuted, charged and convicted individuals in the criminal justice system in 2018. There was a slight increase in the number of individuals sentenced to unconditional prison sentences, even in the structure of sanctions imposed as the main sentence. Conversely, there was an increase in the number of prosecuted, charged and convicted legal entities. Diversions with restorative elements were also used more often in pre-trial proceedings in 2018. The most frequent sentences imposed by the courts as the main sentence were suspended sentences, followed by financial penalties. The change in the sentencing practice of the courts, which was observed last year and consists of the more frequent imposition of this sanction, continued. However, this increase did not lead to a reduction in the proportion of unconditional prison sentences.

The launch of electronic monitoring in September 2018 as one form of overseeing house arrest has not yet led to an increase in the imposition of this sentence. A decrease in the number of prisoners was also recorded in 2018, which mainly consisted of a drop in the number of individuals serving prison sentences. The number of individuals in custody is relatively low in the long term. However, the Czech Republic remains a country with a very high prison population in a European context.

The following section deals with a specific category of offenders, namely **juveniles and children under the age of 15** (i.e. individuals under the age of 18) - and the crimes committed by this group. It continues to interpret trends in juvenile criminality (especially property, violent and moral crime) and maps trends and differences in punishing juveniles.

Monitoring the state of criminality (crimes and offences) and changes therein by young people is one of the important tasks of criminology. An assessment of current data on this issue suggests that, for many years, the clearance rate for crimes by offenders under the age of 18 has, in principle, remained at a lower level than in the distant past, and the number of offenders is currently at a comparable level. This means that certain fluctuations in the number of offenders may be due to arbitrary influences and that these changes do not necessarily reflect an unhealthy trend. The number of perpetrators of moral crime has not raised concerns about any major adverse shifts, only that there has been a certain increase in the number of offenders under the age of 15 charged with sexual abuse. It is worth noting that there was a year-on-year increase in the number of offences by juvenile perpetrators of violent crime in 2018 by approximately one fifth. Otherwise, it still holds true that offenders under the age of 18 most often commit property or other crimes. It should also be pointed out that it is still unclear whether the reduced state of crime in the public space has not come about as a result of a shift into certain hidden forms, such as often very dangerous (and insufficiently detected) offences in the virtual environment.

Another part of the chapter deals with the issue of criminal and sanction policy in the Czech Republic applied to offenders in the 15-18 age category. The focus is not only on developments in the number of prosecuted, charged and convicted juveniles and the criminal measures imposed, but also on the use of correctional measures – i.e. a specific category of sanctions designed specifically for juvenile offenders.

In 2018, after a long period of decline in the number of prosecuted and charged juveniles, there was a slight increase in their numbers, which began in 2017. In 2018, the number of convicted juveniles also increased, albeit slightly. In contrast to the overall use of diversions with restorative elements in pre-trial proceedings, their proportion decreased slightly in the case of juveniles compared to previous years. The structure of sanctions imposed on juveniles by the courts did not change much compared to the previous year. The proportion of community service decreased slightly, while the proportion of suspended sentences increased slightly. Alternative sanctions were also used more frequently than for adults. A decrease in the number of unconditional prison sentences was evident in 2018. The

number of juveniles serving prison sentences also continued to fall. This may be due to an increase in the number of juvenile first offenders before the courts. Financial penalties or house arrest are only imposed on juvenile offenders in exceptional cases. Prosecutors do not impose correctional measures very often. There is also an evident decrease in the use of probational programmes as one type of correctional measure by the courts. One of the main reasons is the problem of their availability in individual regions.

The chapter on **criminal activity by foreign nationals** in the Czech Republic provides updated data concerning the number of foreign nationals residing in the Czech Republic, their composition according to their nationality and their criminal activity. The number of foreign nationals living legally in the Czech Republic in 2018 was 564 thousand, i.e. 4.8% of the population. The largest number of foreign nationals living in the Czech Republic are still citizens of Ukraine, Slovakia, Vietnam and the Russian Federation. The proportion of foreign nationals in relation to the total population of the Czech Republic expressed as a percentage only concerns foreign nationals residing here long-term and permanently, not all foreigners, i.e. those only staying in the Czech Republic for a short time. This should be taken into account when comparing the share of criminal activity by foreign nationals, as crime statistics capture the number of offenders - foreign nationals, but do not distinguish whether they are foreign nationals staying in the Czech Republic long or short term or illegally.

Illegal migration in terms of the number of detected migrants has been relatively stable over the past three years. In 2018, a total of 4,992 illegal migrants were detected in the Czech Republic.

The absolute number of solved crimes committed by foreign nationals decreased by 112 in 2018 compared to 2017, while the number of prosecuted foreign nationals increased by 109. Citizens of Slovakia, Vietnam and Ukraine were the most frequently prosecuted and charged foreign nationals, which corresponds to their representation in the Czech Republic.

The number of foreign nationals in Czech prisons decreased in 2018, ending a certain upward trend over the last few years. Foreign nationals account for 29.7% of the number of individuals in custody and 6.2% of those serving prison sentences in Czech prisons.

Overall, it remains true that the share of foreign nationals in known and registered crime is relatively stable in the Czech Republic and rather low, especially in comparison with a number of other European countries.

Part of the **research into organised crime** conducted by the Institute of Criminology and Social Prevention since 1993 includes an annual survey of experts from special police and customs units. Experts comment on the degree of organisation of criminal groups, the level of participation and management of illegal activities by outsiders, women and foreign nationals, and the extent of criminal activities by organised groups in the Czech Republic. The long-term collection of this data allows trends and changes to be captured and monitored. From a methodological perspective, it is important to remember that experts make subjective comments of both a quantitative and qualitative nature based on their overall view rather than on specific cases with which they have come into direct contact.

The organisation of criminal groups is gradually increasing. Slightly over half the groups in the last survey were fully developed, hierarchically organised groups with a three-tier management structure.

The estimated proportion of women in organised criminal groups in the Czech Republic is subject to fluctuation, ranging between 11% and 20%. According to experts, there were 17% of women in organised crime in 2017 and 2018. The share of outsiders has been stable at 40% from 2016 to the present. Despite minor fluctuations, the share of foreign nationals in organised crime in the Czech Republic is basically the same as the share of Czechs. The most frequently represented foreign nationals are Vietnamese, Ukrainians, Russians and Albanians. From a long-term perspective, there has been an increasing share of a purely Czech element.

Each year, surveyed experts also comment on which activities are the most widespread among organised criminal groups; in 2018 it was money laundering, corruption, tax, credit and insurance fraud. The production, smuggling and distribution of drugs decreased, while the establishment of fraudulent companies and the illegal production and smuggling of alcohol and cigarettes remains among the most widespread activities long-term. The misuse of computers for criminal activities and the misuse of EU funds has also increased. Car theft and the organisation of prostitution have gradually fallen from the top positions. We have seen fluctuations in customs fraud and illegal migration. The theft of art objects has been decreasing since the beginning of the 1990s. Blackmail, the collection of “protection” money, debt recovery on demand, counterfeiting CDs and similar media have also decreased. Criminal activity by U.S. nationals was registered for the first time in 2018, namely subsidy fraud and corruption.

The final chapter describes **development trends in unconditional prison sentences** in 2008–2018, especially with regard to the population of individuals serving these sentences. Attention was also devoted to changes in those who ensure the execution of unconditional prison sentences, i.e. employees of the Prison Service of the Czech Republic.

Several major changes were decisive for the prison system between 2008 and 2018, however, these have all largely been reflected in the formulation of objectives in strategic documents (Prison Development Concept up to 2015 and subsequently up to 2025) rather than real impacts on the prison population. The number of prisoners was influenced by the amnesty declared by the President of the Czech Republic, Václav Klaus, in 2013, which resulted in a temporary decrease in prison occupancy, although this returned to 2011 figures, when it was at its maximum, within three years.

The prison population is growing more dynamically in the case of women. Overall, the population of prisoners serving unconditional prison sentences, like the population in general, is aging. What can be described as a static variable, is the highest level of education achieved by prisoners serving unconditional prison sentences. Throughout the monitored decade, the largest group of prisoners were those with a basic education, which has increased by almost six percent. There were no significant changes in the composition of prisoners in terms of first-time prisoners and those who have had previous experience serving unconditional prison sentences. The composition of the population serving unconditional prison sentences did not show any major changes, even in terms of the length of the sentence, most fell in the categories administered by the Prison Service, of one to two years, and this for the entire reporting period from 2008 to 2018. However, if we summed up the individual categories of imposed prison sentences up to one year, then these would come in first place.

The final note provides summary information on the (un)availability of comprehensive data on the **victims of crime** in the Czech Republic, both at the level of police and judicial statistics. Data from the Probation and Mediation Service is also of limited informative value. Another source may be data from victimisation studies, but only by taking into account the limitations of the subjectivity of respondents' opinions, the range of selected offences and the reference period of specific studies.

The appendices published at the end of the publication supplement the individual chapters with additional statistical data.

The yearbook is available in electronic form on the ICSP website at www.kriminologie.cz.

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