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***Summary***

The Institute of Criminology and Social Prevention has been preparing and publishing an analysis of trends in crime in the Czech Republic each year for many years. This analysis presents concentrated data on the development of crime based on statistical databases available in the Czech Republic and includes commentaries on this data, as well as examining the long-term development of crime in an attempt to identify possible factors affecting these development trends. It also examines selected areas of crime that either appear regularly or at certain intervals in the analysis. The analysis largely relies on statistical data from the databases of the Ministry of Justice and Ministry of the Interior, including non-standard data prepared at the request of the ICSP. It also utilises annual documents prepared by the Supreme Public Prosecutor's Office and the Government of the Czech Republic, data published by the Czech Statistical Office and findings from relevant research by other organisations and institutions.

As usual, the introductory chapter maps trends in crime in the Czech Republic, primarily based on police statistics. It assesses the structure and intensity of criminal activities and geographical indicators, including the crime index. It interprets information on the composition of known offenders by gender and age, and examines the proportion of recidivists. Some information on the targets of crime and suicides is also mentioned.

The decline in registered crime continued in 2021; the Police of the Czech Republic recorded 153,233 crimes, which is a year-on-year decrease of 7.5%; this was the lowest level of registered crime in the independent history of the Czech Republic. However, the specifics due to restrictive measures relating to the Covid-19 pandemic still persisted, and the doubling of the limit for individual damages implemented by the amendment of the Criminal Code effective from October 2020 was also reflected in the number of offences. Statistical reporting was also optimised based on amendments of police tactical-statistical classification.

The falling crime rate was seen in all major areas of crime, with the exception of crimes against morality. The spectrum of crime has not changed significantly, crimes against property continue to account for half of all cases.

The clearance rate was slightly over 47%, however, there are still major differences between individual types of crime.

Damages caused by criminal activity exceeded CZK 27 billion, which is CZK 4.6 billion higher than in the previous year. Financial (economic) crime was the largest contributor to the amount of damages caused. The Police of the Czech Republic seized CZK 7 billion in money/assets from criminal activity.

From a geographical perspective, there was a decrease in crime in all regions, with the highest rate still recorded in Prague (approx. 23%) and the lowest in the Karlovy Vary Region with 2.4%.

There was also a decrease in the number of prosecuted and investigated individuals - falling to 7.5% year-on-year, which was 6,656 fewer individuals in absolute numbers. The proportion of recidivists among known offenders rose to approx. 42%, and recidivists committed more than 49% of crimes in 2021. The proportion of female offenders in the Czech Republic remained stagnant compared to last year at 16.5%. Adolescents under the age of 18 consistently account for 5% of all prosecuted and investigated individuals, and the number of offenders in this category continues to decline.

Based on the number of known offenders, the most frequently committed offences were theft, obstruction of the execution of a decision by the court or other public authority, obstruction of a sentence of banishment, endangerment under the influence of an addictive substance and intoxication.

There was an increase in certain crimes in connection with the Covid-19 pandemic in 2021 (e.g. spreading an infectious human disease or forgery and alteration of public documents - specifically forging EU certificates). The transition of crime into cyberspace has been noted for some time.

From the perspective of the long-term development of criminal policy, there is an evident downward trend in the number of prosecuted, charged and convicted individuals, with the exception of a slight increase in 2019. The evident decrease in the number of prosecuted and, to a lesser extent charged individuals in the last two years can be linked to the Covid-19 pandemic. The effects of decriminalisation in the area of property crime were probably even

more pronounced in 2021 than in the previous year. In contrast to previous years, the number of convicted individuals increased slightly. To a certain extent this can be explained by the fact that the standard work of criminal justice authorities was no longer as strongly affected by measures relating to the Covid-19 pandemic, and it can be assumed that cases which would have already been decided under other circumstances in the previous year, were also heard by the courts.

After a certain deviation in 2020, associated with a decrease in registered crime, which was evidently related to the Covid-19 pandemic and the impact of the measures applied in this context in the criminal justice system, there was a degree of stabilisation and consolidation in 2021. Nevertheless, the impact of the pandemic, and especially the impact of decriminalisation related to property crimes in connection with the increase in the threshold of damages as a defining characteristic of a number of crimes and their related depenalisation, was also evident in 2021. This was particularly reflected in the continued fall in the number of prosecuted and charged individuals. In the case of legal entities, this was only evident in case of prosecuted individuals. There was an increase in the number of convicted individuals again, as was the case for legal entities, which was a significant increase that can probably be attributed to a certain consolidation of the criminal justice system.

The amendment of the institute of plea bargaining also had quite a significant impact in 2021. This may have been negatively reflected in a slight decrease in the proportion of diversions with restorative elements. The number of cases dealt with by a penalty order/order of punishment in 2021 also declined, which may be related to the increase in unconditional sentences and its share in the structure of sanctions imposed as the main penalty. The proportion of financial penalties imposed as the main sanction continues to increase. No significant changes were noted with regard to other sanctions, including house arrest. Its application may also be negatively affected next year by the shutdown of the electronic monitoring system. There was a slight decline in the prison population in 2021. However, the decline was not as significant as in the previous year. At the same time, given the increasing number of unconditional sentences imposed, the decline in conditional releases (parole) and the increase in the conversion of alternative sentences to unconditional prison sentences, it must be assumed that without a significant change in sanctions policy, the number of prisoners will increase again in the future. At the same time, even with the current number of imprisoned individuals, we still have a very high prison population compared to other

European countries, which naturally significantly limits the individual impact of the execution of this sentence on convicted individuals.

As in the previous year, statistical data and other sources (expert studies, public opinion polls, foreign sources) were used to assess the impact of the Covid-19 pandemic on crime in 2021. We repeated a survey of experts working in the field of criminal justice, prisons, social welfare and prevention and others, especially non-government organisations and institutions working in this area. Personal structured interviews were chosen again for its implementation, with the same organisations and institutions being approached and the same respondents answering as in 2021. Two organisations were added compared to the previous year (a district court and primary school), and the High State Prosecutor's Office was contacted instead of the Supreme Public Prosecutor's Office.

A total of 20 interviews were conducted between 1 April and 12 July 2022, which focused on whether there were any forms of crime or problem behaviour in 2021 that were less significant in 2020 or if there was a noticeable decrease in the frequency of some forms of crime, whether there were any noticeable changes in behaviour among clients or offenders as a result of the pandemic compared to 2020, what issues the pandemic had highlighted and what changes brought about by the pandemic respondents felt were likely to create a more permanent trend.

A decrease in crime, particularly property crime and crime by foreign nationals, was noted in Prague and large agglomerations during the Covid pandemic. In addition to the impact of the pandemic and related measures put in place, reasons for the decline can also be seen in the continued and noticeable shift of crime to cyberspace, which is linked to its high latency. The decrease in property crime was influenced by the increase in the threshold of damages to CZK 10 thousand. The deterrent effect of the state of emergency and more serious criminal consequences was minor. The structure of crime remained basically unchanged, with only a slight increase in crimes against morality, probably due to a reduction in latency, and cybercrime.

The number of detected crimes decreased in the area of financial/economic crime, but the damages caused increased. Financial crime, in particular, was more serious, with a large number of victims figuring in individual cases (extensive fraud with thousands of victims). The drug market recovered in 2020 and continued this trend in 2021. Manifestations of hate crime persisted as a venting of aggression, but aggressive manifestations against politicians and public officials prevailed.

The most frequently cited effects included an increase in depression and anxiety in children and adolescents. The impact of this period on children and adolescents in the future appears to be a high risk factor. The critical category is the period at the end of primary school. There is a lack of psychological help and underfunded psychological and psychiatric healthcare, especially for children.

The impact of Covid was more severe on people from at-risk and previously problem groups and settings. There was also a more detrimental impact on high-risk drug and alcohol users. In general, Covid meant another slump for people on the edge with social problems.

In this context, there is concern of deeper social polarisation in combination with the accumulation of other current problems (inflation, migration, rising living costs, etc.) and a possible increase in socially motivated crime.

In terms of juvenile crime and related criminal policy, a total of 3,288 individuals under the age of 18 were prosecuted in 2021, which is 4.7% of the total number of individuals prosecuted by the Police of the Czech Republic. The share of these prosecuted individuals of the total number of prosecuted individuals increased slightly (by 0.3%) in 2021 compared to the previous year 2020 - however, the representation of individuals under the age of 18 in the total number of crimes was 5.1% in 2019. The proportion of men under the age of 18 of all prosecuted men in 2021 was 4.8%, with a similar number for women at 4.4%. The representation of young offenders in terms of delinquency was basically stable, with no excessive fluctuations. The absolute number of prosecuted young offenders in the Czech Republic was below the five-year average in 2021, while, in principle, the number of prosecuted young offenders is decreasing year-to-year or remaining at a comparable level.

The number of prosecuted offences committed by individuals under the age of 18 fell again in 2021, essentially continuing the steady trend of recent years. Compared to the situation in 2019, when the number of offences was the highest in recent years (but only by 55 offences compared to 2018), the number of prosecuted offences in 2021 decreased by 1,077, i.e. by more than one quarter. The main decline was in the area of property crime.

The theft of four-wheel motor vehicles has traditionally been the most common property crime committed by offenders under the age of 18. In 2021, 109 people were prosecuted for this offence, which is approx. one quarter less than in previous years (143 offences in 2020, 157 in 2019). Other offences ranked according to the number of prosecuted property crimes are pickpocketing, simple burglary and shoplifting.

The "unauthorised procurement, forgery and alteration of a means of payment" is also represented more frequently, with 110 prosecuted offenders.

The most common form of moral crime was the offence of sexual abuse, which was committed by a total of 291 individuals under the age of 18; rape also contributed significantly to crimes of a moral nature (with a total of 62 prosecuted cases committed by 32 juveniles and 30 boys under the age of 15).

As in the case of overall criminal policy, a decrease in the number of prosecuted (1,630) and charged (1,340) individuals was also registered in the case of juvenile offenders in 2021. There was a slight increase in the absolute number of convicted juveniles (1,132). However, per 100,000 of the population aged 15 to 17, a decline can be seen in all categories, with a significant decline in prosecuted juveniles.

There was a prevailing decline in diversions with restorative elements for juveniles in the monitored period, followed by some stabilisation or a slight increase in 2019 and 2020. The decline occurred in 2021. In terms of applied criminal policy, it is important to monitor the trend in the proportion of juveniles who have received these diversions in the total number of prosecuted juveniles. In general, with some exceptions, this share increased in the second half of the monitored period, although not significantly.

In terms of the different types of diversions with restorative elements, conditional stays of prosecution dominate here, followed by, to a lesser extent than for the total number of prosecuted individuals, conditional postponement of a motion for punishment.

The most frequently imposed alternative sanction is a simple suspended prison sentence. Community service is the second most frequently used sanction. The low number of unconditional prison sentences corresponds to the low number of imprisoned juveniles. This applies both in the case of offenders serving prison sentences, and juveniles in custody, which is also used as an ultima ratio.

Overall, sanctions policy in the case of juveniles has not seen any major changes from the previous year.

In 2021-2022, the Institute of Criminology and Social Prevention, in cooperation with the Diagnostic Institute and Centre for Educational Care (hereafter Diagnostic Institute), undertook a secondary analysis of case files focusing on adolescent girls who had been placed in institutional care based on a court decision. The influence of the family environment,

problems at school and personality problems, as well as the psychological and sociological characteristics of the girls were monitored.

The analysis showed that the problems of girls placed in the Diagnostic Institute were multifactorial in nature, mutually affecting and reinforcing each other. The basis of their problems are defects in their family of orientation, the instability and ambiguity of their social background, problems stemming from the personality, social or socio-pathological characteristics of their parents and other (often changing) formative influences. Thus, serious problems can be noted in the socialisation of girls in disrupted family systems, which often lead to attempts at premature separation from families and an escape to alternative - often inappropriate - environments.

The chapter devoted to the imposition and enforcement of security detention first briefly addresses the more general characteristics of this criminal sanction, which newly appeared in the application practice of the courts in 2009. The amendment of the Criminal Code, Act No. 330/2011 Coll., expanded the range of cases in which security detention could be imposed, and relaxed the conditions for imposing it on an offender of unsound mind or an offender who indulged in substance abuse, in the sense that it was now possible to impose this protective measure even in cases where such an offender had "only" committed a crime (or an otherwise criminal act that fulfils the definition of a crime), and not a particularly serious crime as before. This also affected the ability to change institutional protective treatment to security detention, extending it to cases where the conditions for its imposition were not met, but where imposed and implemented institutional protective treatment did not fulfil its purpose or did not provide sufficient protection for society (especially if the offender escaped from the healthcare facility, used violence against employees of the healthcare facility or other persons in protective treatment, or repeatedly refused examination or treatment or otherwise maintained a negative position on protective treatment). One of the effects of this amendment was that the capacities of existing facilities for the implementation of this measure, i.e. institutions for the implementation of security detention, quickly ceased to be sufficient. In 2016-2021, an average of 18 inmates per year entered detention, after deducting those released to institutional protective treatment and those who died, the average absolute increase was around ten inmates per year. At the end of 2021, 113 inmates (12 of whom were women) were in security detention, which means that the capacity of the Brno detention facility was 113 % and the capacity of the second facility, attached to Opava Prison, was 108 %. The

opening of a new institution as part of Prague Pankrac Prison on 1 January 2022 will certainly help this situation, but only in the short-term.

At the end of 2017, the first open-type prison in the Czech Republic was established in Jiřice to better prepare prisoners for life after their release. From November 2017 to 1 September 2022, 215 individuals from 9 prisons were assigned to this prison. 150 people successfully completed the prescribed programme. As of 30 June 2022, the rate of recidivism by individuals released from prison after completing their stay in the OP was approximately 11%.

In 2018-2021, the ICSP conducted a study whose primary objective in evaluating the effectiveness of the pilot project was to, among other things, compare the rates of recidivism of individuals released from the open prison (OP), from which the research group was selected, and individuals from other prisons, from which the control group was selected. The two research cohorts each consisted of 28 prisoners from low-security prisons. Matching methods were used to select individuals for both the research and control group, with an emphasis on the matching number of penological recidivists and first-time prisoners, their age, their matching marital status and their highest level of education. In 2019 and 2020, records of released individuals from both groups were monitored in the Criminal Register.

5 individuals in the research group from the OP re-offended, two of them repeatedly. Three individuals committed penological recidivism.

Four individuals in the control group committed penological recidivism and three persons committed criminal recidivism. A total of 7 individuals re-offended, one of them repeatedly.

The operation of the open prison was affected by the incidence of Covid-19 over the past two years. Strict hygiene regulations had to be respected, which resulted in increased demands on the work of prison staff in particular, who had to implement individual treatment programmes (outside the 3Z programme). The ban on visiting prisoners introduced a new form of communication with family members at the prison, via Skype. Based on a decision by the Ministry of Health on the temporary shared accommodation of prisoners, prisoners from medium-security prisons who worked at the same workplace as prisoners from the OP were also placed in the OP facility. The temporary suspension of escorts also had an impact on the operation of the prison, as it was not possible to accept new applicants for placement in the OP from other prisons.



In spite of all the aforementioned obstacles, prisoners in the OP went through all stages of the individual treatment programme and their employment rate was 100%, even during times of the strictest hygiene measures.

Both official statistics on registered primary drug crime and the practical knowledge of authorities involved in detecting and prosecuting this type of crime indicate that after an evident increase in relevant indicators between 2009 and 2014, there has been a stagnation in drug-related crime in the monitored period 2016-2021. The number of registered primary drug offences decreased by approx. one quarter over the 6 years under review. However, the share of primary drug crime of total registered crime in the Czech Republic has remained at 2%-3% in recent years. An interesting fact in this respect, however, is the significant decrease in the number of registered offences under Section 283 of the Criminal Code (production and distribution of drugs) and, in contrast, the significant increase in registered offences under Section 284 of the Criminal Code (possession of drugs for own use).

The number of individuals against whom pre-trial criminal proceedings were conducted for one of the primary drug offences, as well as the number of individuals lawfully convicted for such offences, did not change significantly in the monitored period. Similarly, the share of individuals convicted of drug offences of the total number of convicted individuals in the Czech Republic has remained stable at 5% - 6%.

In terms of sentences imposed for primary drug offences, the situation in the monitored period continued the trend in the immediately preceding years, where the proportion of unconditional prison sentences stabilised at just under 30%, suspended prison sentences accounted for around 60%, and, apart from a few dozen cases where the offender's punishment was waived, the remainder were alternative sanctions. The only interesting fact is perhaps the development of the structure of imposed sanctions for drug-related offences (Sections 284 and 285 of the Criminal Code), where the proportion of alternative sanctions has gradually increased, but at the expense of suspended sentences rather than unconditional imprisonment (which has also increased in recent years).

The observed trend therefore is more a reflection of the overall situation in the field of crime and criminal policy, whether related to the decline in the rate of registered drug crime or changes in the structure of imposed sanctions (greater use of financial penalties). The "qualitative" changes in the area of primary drug crime are also more closely related to significant phenomena in societal development than to the specifics of drug crime (the boom in the use of information technology, the transition of the drug trade to the virtual

environment, the growing popularity of cryptocurrencies, the impact of the Covid-19 pandemic). There is also no evidence of significant changes in the area of latent drug crime, which is probably partly reflected in the relatively stable situation on the Czech drug scene.

The number of foreign nationals living legally in the form of long-term or permanent residence in the Czech Republic was 658 thousand as of 31 December 2021, i.e. 6.28 % of the population. As of 31 December 2021, the largest number of foreign nationals living in the Czech Republic continued to be citizens of Ukraine, Slovakia, Vietnam and the Russian Federation.

The share of foreign nationals in the total population of the Czech Republic, expressed as a percentage, only refers to foreign nationals residing here permanently and long-term, not all foreign nationals, i.e. those staying in the Czech Republic for a short time only. This should be taken into account when comparing the share of foreign nationals in the number of committed crimes, because although crime statistics record the number of offenders - foreign nationals, they do not differentiate whether they are foreign nationals staying in the Czech Republic for a long or short period or illegally.

Illegal migration in terms of the number of detected migrants increased by 4,077 individuals year-on-year. A total of 11,170 individuals were detected in the context of illegal migration in the Czech Republic in 2021. The increase in detected illegal migration has been striking in the last two years.

The absolute number of cleared crimes committed by foreign nationals in 2021 fell by 10 compared to 2020, while the number of prosecuted foreign nationals increased by 67 offenders. The share of foreign nationals in the number of offences increased to 8.7% and the number of prosecuted individuals increased to 9.2%.

Citizens of Slovakia and Ukraine are the most frequently prosecuted foreign nationals, which corresponds to their representation in the Czech Republic. According to police statistics, foreign nationals were most often prosecuted for being under the influence of addictive substances, obstructing the execution of a decision by the court or other public authority and accidents due to careless driving in 2021. Drug-related crime was the most frequent reason for foreign nationals being sentenced to unconditional prison sentences.

The number of individuals of foreign nationality in Czech prisons decreased by 253 in 2021. Foreign nationals account for 25.1% of the number of incarcerated individuals and 6.1% of the number of individuals serving unconditional prison sentences in Czech prisons.

Despite minor fluctuations, the number of crimes by foreign nationals has been relatively stable over the last five years, with a certain tendency towards an increase in the share of prosecuted individuals and offences. This increase in the proportion of crimes by foreign nationals is due to a decrease in the total number of detected crimes and known offenders in the last two years.

In 2022, an expert survey on trends in the development of organised crime in the Czech Republic was conducted for the thirtieth time by interviewing police officers - members of special units of the Police of the Czech Republic (officers from the General Directorate of Customs have also been interviewed since 2012). A total of 44 respondents answered the survey, including 34 employees of the National Centre for Combating Organised Crime, 7 employees of the National Anti-Drug Agency and 3 employees of the General Directorate of Customs.

According to experts, the creation of fraudulent and fictitious companies has moved to the top of the list of organised crime activities compared to previous years, and together with money laundering, which remains in second place, drug production, smuggling and distribution have moved to third place. Corruption and the use of information and communication technologies remained at the top of the rankings, but both can be seen as tools that facilitate the perpetration of their own profitable crime. Nevertheless, this illustrates both the traditional role of corruption in the spectrum of organised crime activities and the ongoing shift towards modernising the way crime is committed. In addition to drug crime and the organisation of illegal migration, various forms of economic crime appear in the "top ten". This confirms the long-standing shift of organised crime into this spectrum of criminal activity.

According to the experts, fully developed groups represented 47% of the spectrum of criminal groups, with 53% being groups with incomplete structure in 2021. Experts put the proportion of women in the composition of the groups at 20%, a relatively noticeable increase to a level never reported before. Experts estimate women's involvement in organised crime groups essentially follows the general trend of an increase in the share of women in detected criminal activity.

A comparison of the results of experts' statements in 2018 to 2021 shows a certain shift towards a higher representation of the domestic element, i.e. Czech citizens, in the composition of organised crime groups. In terms of foreign nationals, the strongest representation for several years in the opinion of experts has been the Vietnamese,

Ukrainians, Russians, Albanians/Kosovo Albanians, with their rank stabilising and the increasing predominance of the Vietnamese, Ukrainians and, from 2020, Russians.

The view that the use of corruption is declining or remains at the same level has strengthened slightly. Corruption efforts are predominantly aimed at securing the primary objective of organised crime, i.e. profit-making, and are largely directed at public finances. Corruption objectives aimed at influencing state administration and the political sphere and gaining power and influence are also common.

Of the experts surveyed, 47% do not consider the adoption of amendments to Czech legislation on organised crime to be necessary, while 53% do. Positive answers point to potential amendments in the area of laundering the proceeds of crime (reversal of the burden of proof) and the need for greater and more effective cooperation within the European Union and Schengen.

With regard to the impact of the pandemic and measures taken on the development of organised crime in the Czech Republic, experts were more clear. A total of 67% said that the pandemic had an impact, while 33% did not think so. The impact of the pandemic and measures taken to counter the pandemic were seen as the reason for the curtailment of some activities or reorientation to others, e.g., the change in the mode of transport and final distribution of drugs and in the substantial shift of criminal activities to the virtual environment.

Translated by: Presto