



Wetenschappelijk Onderzoek- en  
Documentatiecentrum

Memorandum 2021-3

## The impact of the COVID-19 crisis on the Dutch criminal justice system

*Summary*

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**Memorandum**

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## Summary

### The impact of the COVID-19 crisis on the Dutch criminal justice system

The COVID-19 crisis had a major impact on Dutch society. An effect on crime and the criminal justice system was also observed. In 2020 there was a 1% decrease in recorded crime and a 9% decrease in the number of suspects compared to 2019. The effect of COVID-19 on crime is ambiguous. Less crime was expected in the physical world, but more crime in the online world. As a result of the COVID-19 measures, backlogs have increased throughout the criminal justice system. During the first lockdown, all government buildings were closed, including courthouses. Only urgent cases were handled by the courts. Cases were classified as urgent when delay would violate the rights of suspects or endanger the safety of victims. As a result, court cases started to pile up, affecting all government agencies responsible for enforcing court decisions, such as the prison and probation services. Furthermore, the prison and probation services also faced physical limitations in the enforcement of sanctions. During the second lockdown and the curfew court buildings remained open.

While it is tempting to blame the entire decline in production and backlog issues on COVID-19, the question is whether this is justified. Therefore, the main question is: what has been the net effect of COVID-19 on the criminal justice system? In this report, we assess the effect of the COVID-19 measures on crime and the criminal justice system. Firstly, the effect of COVID-19 on crime is estimated by means of a time series analysis on crime data. Secondly, the estimated models are used to make a prediction without COVID-19 effects, (i.e. a counterfactual prediction), which is then compared with the actual crime levels in 2020 and 2021. Finally, a long-standing forecasting model for the criminal justice system is used to assess the long-term effects of the declining number of suspects, shifts within crime categories, clearance of the court backlogs and the changing economic developments on the criminal justice system. In the following, we briefly described our findings for each step.

First, we performed a time series analysis on monthly and quarterly figures up to and including June 2021, taking into account seasonal influences, administrative changes and COVID-19 measures. Table 7 shows that no effect was found on the total number of recorded crimes and suspects. Only the second lockdown had a negative effect on the number of recorded crimes. But there are differences between different types of crime. COVID-19 has had a significant impact on property crime (excluding fraud), fraud and cybercrime. The estimated effect of the percentage of positive COVID-19 tests on recorded property crimes was negative, meaning that when more people test positive, less property crimes were committed. Also the second lockdown (with and without curfew) had a negative effect on the number of recorded property crimes. A positive relationship was estimated between the number of travelers and the number of property crimes, meaning the fewer travelers, the fewer property crimes. The percentage of positive COVID-19 tests and the second lockdown without a curfew also had a negative effect on the number of property crime suspects, but the evening clock had a positive effect. Cybercrime increases with the decline in the percentage of positive COVID-19 tests and also during the first lockdown. But the latter effect only

occurs in May 2020. The number of suspects of fraud and cybercrime increased with the decrease in the number of travelers, but decreased during the first lockdown. The percentage of positive COVID-19 tests and the curfew had a negative effect on the number of recorded violent crimes. The start of the second lockdown had a positive effect on recorded drug offences.

**Table 7 Significant effects of COVID-19(-measures) on recorded crime levels and the number of suspects**

	Percentage of positive COVID-19 tests	Limited travel	First lock down	Second lock down without curfew	Second lock down with curfew
<i>Recorded crime</i>					
Total				-	-
Violence	-				-
Drugs				+	
Property (excl. fraud)	-	-		-	-
Fraud					
Cybercrime	-		+		
Total excl. fraud and cybercrime	-			-	-
<i>Suspects</i>					
Total					
Violence					
Drugs					
Property (excl. fraud)	-			-	+
Fraud		+	-		
Cybercrime		+	-		
Total excl. fraud and cybercrime					

Second, using the estimated time series models, we make a forecast, setting the effects of COVID-19 to zero. In this way a world without COVID-19 is simulated. These forecasts are compared with the observed values. This analysis also shows that the effect of COVID-19 on the total number of recorded crimes and suspects is limited: the observed values largely fall within the 95% confidence interval of the forecasts. The exception to this are recorded property crimes and suspects thereof. The actual values deviate strongly from the forecasted values and fall almost entirely outside the 95% confidence interval. The same holds for cybercrime suspects. This suggests a major impact of COVID-19 for these crimes. The impact is less clear for the other offenses.

Finally, we use the forecasting model for the criminal justice system to forecast the effect of the decline in the number of suspects, shifts within crime categories, clear-

ance of the court's backlog and the changing economic circumstances on the criminal justice system. Because it is unknown at this stage whether the COVID-19 pandemic will have a structural or temporary effect, both scenarios are explored. These scenarios were compared to the pre-COVID-19 baseline scenario. If we assume that the effect of COVID-19 is temporary, we see a return to the original baseline scenario. Depending on the stage in the criminal justice system, this can vary from two to three years. If the effect of COVID-19 is permanent, all organizations in the criminal justice system will be requiring less capacity in 2024 and beyond compared to the pre-COVID-19 baseline scenario. In either scenario, the COVID-19 pandemic does not reverse the upward trend in the need for prison capacity that started in 2017.

Our main conclusion is that the overall effect of COVID-19 on the criminal justice system is limited, but that there are differences between crime types. Note that these results are preliminary in nature. Because we do not know how recorded crime will develop after the COVID-19 pandemic, it is difficult for the models to distinguish between temporary and structural changes.

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