

**CRIME AND SOCIAL CONTROL
IN PANDEMIC TIMES**

SOCIOLOGY OF CRIME, LAW AND DEVIANCE

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CRIME AND SOCIAL CONTROL IN PANDEMIC TIMES

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INTRODUCTION: TOWARD A CRIMINOLOGY OF THE PANDEMIC

Mathieu Deflem

Since the spring of 2020, the COVID-19 pandemic has affected everybody everywhere, or at least so it has seemed. What is without question is that the pandemic has presented an unusual, if perhaps not entirely unprecedented, societal condition that social scientists from various disciplines and research domains are well-placed to examine from the viewpoints of their various perspectives, methodologies, and substantive interests. In this volume, a diverse and international group of scholars address a range of issues and problems in relation to the pandemic's relevance for the study of crime and the control thereof.

The COVID-19 pandemic is not only a medical, but also a broader social phenomenon that poses a broad range of concerns which social science scholars are ideally equipped to investigate (Deflem, 2022). Among the wider field of the social and behavioral sciences, the fields of criminology, criminal justice, and socio-legal studies can address numerous issues and problems posed in the realm of crime and social control, including quantitative and qualitative shifts in criminality as well as the control thereof by various institutions. Judging from the work that already has been conducted, and is still ongoing, about the pandemic, criminological questions are being examined in many pieces of research and critical reflection. Among the published contributions now available concerning the impact of COVID-19, indeed, many have focused on criminological questions on matters of crime and violence (e.g., Boman & Gallupe, 2020; Lantz & Wenger, 2022; Stickle & Felson, 2020), policing and law enforcement (e.g., Jones, 2020; Kyprianides et al., 2022; Ralph, Jones, Rowe, & Millie, 2022), and punishment and corrections (e.g., Powell, Hyatt, & Link, 2022; Zeveleva & Nazif-Munoz, 2022).

The unsettling nature of the pandemic is in formal respects similar to other disturbing events – whether they be distinctly social, such as economic crises, or

natural, such as in the case of natural disasters – that have wide and, at times, lasting repercussions in respect of the organization of society and its constituent parts. Focused on criminological questions, the present volume of *Sociology of Crime, Law, and Deviance*, is as such in line with earlier volumes in the series that have dealt with the criminological impact of other momentous events, specifically the September 11 terrorist attacks (Deflem, 2015), the global financial crisis of 2007–2008 (Deflem, 2011), and problems associated with disasters following the 2011 earthquake and tsunami in Japan (Deflem, 2012). What such special, disturbing moments in time demonstrate is that questions concerning crime and the control thereof are central concerns in society at large. Such matters therefore beg for the attention of scholars in criminology, criminal justice, socio-legal studies and related social and behavioral sciences who, by virtue of their training and acquired expertise, can examine relevant issues with all due attention to appropriate perspective and method. This criminological interest is also in line with the history and systematics of criminological thought as it recalls Emile Durkheim's (1895) classics understanding that, while the existence of criminal behavior is a normal fact of life, its drastic reconfiguration during uncommonly troubling times poses unique challenges to society.

The 16 chapters in this volume are divided over four thematic parts, dealing with pandemic-related issues in relation to violence and crime, media and law, policing, and corrections, respectively. In Part I, a variety of problems associated with crime are researched, especially regarding issues of domestic violence. Ronagh McQuigg investigates the impact of the COVID-19 on domestic violence globally and is especially interested in the implications thereof for the regulation of human rights. Adan Silverio-Murillo, Jose Balmori de la Miyar, and Lauren Hoehn-Velasco study the impact of the pandemic on domestic violence in Mexico City and seek to account for the mixed nature of findings regarding such violence. Laura Iesue, Jenifer González, and Kelly V. Martinez turn to Guatemala to investigate that country's domestic violence situation during the pandemic and the conditions that influence its reporting. The research team of Veroni Eichelsheim, Anne Coomans, Anniek Schlette, Sjoukje van Deuren, Carlijn van Baak, Arjan Blokland, Steve van de Weijer, and David Kühling extends the international reach of the study of domestic violence by focusing on the situation in The Netherlands to argue that an upward trend in the reporting of domestic violence already began before the pandemic. Gideon Fishman and Arye Rattner examine the reporting of crime, including domestic violence, in Israel and argue among their findings that lockdowns have limited value. Ben Stickle, Basia Pietrawska, and Steven K. Aurand address a form of crime related to property, specifically in the form of a study of crime in the retail sector.

The chapters in Part II address questions concerning the construction of crime and its control during the COVID-19 pandemic in the institutions of media and law. Both focusing on media, the chapters by Justin Piché and Kevin Walby and Lisa Kort-Butler analyze the role of news media in reporting on crime and crime-related events during the pandemic to argue, each in their own unique way, how media of different types interact to influence important dimensions of criminal justice. Turning to law and policy, the chapters by Samantha Joy Cheesman and

Laura Alessandra Nocera address, respectively, questions related to the rule of law in Hungary and emergency legislation at the international level to show the variations that exist in has the COVID-19 pandemic has been addressed at the level of various national states. The chapters in Part II collectively show how much that is to do about crime and social control relates to institutional behaviors that are far beyond the immediate context of criminal justice.

Part III is concerned with the role of law enforcement agencies and policing practices during the pandemic. Xiaochen Hu and Nicholas P. Lovrich study the complexity of the interactions between police and members of the community, especially focusing on the role of online forms of communication. Turning to the situation in Israel, Gali Perry, Tal Jonathan-Zamir, and Roni Factor also address police–community relation, particularly examining how support for the police fluctuated over the course of the pandemic. In the context of the United States, Scott M. Mourtgos and Ian T. Adams report from their research on police staffing and proactivity in the wake of the COVID-19 pandemic and the video-taped police killing of George Floyd in May 2020, whereby the authors propose a methodology of disentangling the impacts of these two critical events.

Finally, in Part IV of this volumes, three chapters address the impact of the COVID-19 pandemic on the correctional community. Molly Smith and Nancy R. Gartner examine the available literature on the correctional effects of the pandemic and find that the prison communities have been impacted greater than the public at large. Barbara H. Zaitzow investigates the correctional impact of COVID-19 to make several public health recommendations. In the volume's last chapter, Megan Demarest, Daniel O'Connell, Darryl Chambers, and Christy Visser suggest the value of participatory action research in prison settings, noting the impact the COVID-19 had on this important kind of work.

Taken as a whole, the chapters in this volume have much good food to offer, for both thought and action on COVID-19 policies in the realm of crime and social control. Contributing to the ever-growing criminological literature on the pandemic and similar disturbing events, the authors show the value of examining relevant questions, in multiple settings, from a variety of perspectives and methodologies. Much can be learned from their valuable contributions to advance research and a proper understanding of some of the important ways in which the pandemic has affected matters of crime and social control in profound ways.

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PART I

DOMESTIC VIOLENCE AND CRIME

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CHAPTER 1

THE COVID-19 PANDEMIC, DOMESTIC ABUSE, AND HUMAN RIGHTS

Ronagh McQuigg

ABSTRACT

Purpose: The chapter aims to analyze the impact of the COVID-19 pandemic on levels of domestic abuse at the global level; examine the responses of international and regional human rights bodies; and identify lessons which can be learnt with regard to responding to domestic abuse in a post-pandemic context.

Methodology/Approach: The chapter discusses the increase in rates of domestic abuse since the beginning of the COVID-19 pandemic, and proceeds to examine this form of abuse as an issue for international human rights law. The chapter then focuses on the responses of international and regional human rights bodies to the increased levels of domestic abuse in the context of the pandemic.

Findings: There is a danger of viewing the recent issues surrounding domestic abuse as simply being caused by the COVID-19 pandemic. However, in reality the pandemic has served to expose and exacerbate pre-existing difficulties with the responses of States to this form of abuse.

Originality/value: The chapter adds to the literature on domestic abuse as a human rights issue by focusing on the specific context of the COVID-19 pandemic.

Keywords: COVID-19 pandemic; domestic abuse; human rights; human rights policies; international law; United Nations

INTRODUCTION

The COVID-19 pandemic has undoubtedly constituted a public health emergency that is unprecedented in living memory. However, the lockdown measures which were adopted by many States, although necessary to limit the spread of the virus, nevertheless had the impact of exacerbating the suffering of many victims of domestic abuse. This chapter will examine the increase in instances of such abuse since the onset of the pandemic, and will proceed to discuss domestic abuse through the lens of international human rights law, and in particular as a health issue. The chapter will then focus on the responses of UN entities such as the UN Special Rapporteur on violence against women, its causes and consequences, the UN Committee on the Elimination of Discrimination Against Women (CEDAW Committee), and UN Women, to the increased levels of domestic abuse since the onset of COVID-19. Responses of human rights bodies to this issue have not been limited to those at the UN level, and the responses of regional human rights entities will also be discussed. In particular, the chapter will focus on the recommendations which have been made by such bodies with regard to the measures which should be adopted by governments to address domestic abuse in the context of the pandemic. However, there is a danger of viewing this issue as simply being caused by the COVID-19 pandemic. In reality, the pandemic served to expose and exacerbate pre-existing difficulties with the responses of States to domestic abuse.

DOMESTIC ABUSE DURING THE COVID-19 PANDEMIC

Following the identification of the first cases of COVID-19 in December 2019, the virus spread rapidly around the world. On January 30, 2020 the World Health Organization declared a Public Health Emergency of International Concern, and later declared a pandemic on March 11, 2020. In such a fast-moving situation, it was imperative for States to act quickly, with many imposing a range of restrictions including lockdown measures which permitted individuals to leave their homes for only a strictly limited range of reasons. However, “Violence against women tends to increase during every type of emergency, including epidemics” (World Health Organization, 2020). As Macy (2022, p. 719) comments,

Quickly ... alarms about the unintended consequences of pandemic mitigation strategies began to emerge. A particularly worrisome set of unintended consequences was increases in and exacerbations of family violence generally, as well as intimate partner violence.

Since the beginning of the pandemic, rates of domestic abuse have increased significantly around the world, and UN Women (2021) has termed violence against women during the COVID-19 pandemic as being “the shadow pandemic.” For example, in England and Wales, the police recorded 259,324 offenses flagged as domestic abuse-related in the period from March until June 2020. This represented a 7% increase from the same period in 2019 (Office for National Statistics, 2020). In the Republic of Ireland, An Garda Síochána (the Irish police service) reported a 25% increase in domestic violence calls in April and May 2020 as