

Administrative  
treatment of health  
offences during the  
Covid-19 crisis :  
the case of Brussels

Christine Guillain and Diletta Tatti

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"The repression of Covid offences: administratization of criminal  
justice and respect of fundamental rights".

The research is conducted at the University Saint-Louis of Brussels (Christine Guillain  
and Diletta Tatti)

in partnership with the national Institute for Criminalistics and Criminology (Alexia  
Jonckheere and Elodie Schils)

## Interest of the research

new ways adopted by the legislator to repress infringements of sanitary rules

- Mixed treatment by the judiciary and local administrative authorities
- Priority use of the municipal administrative sanctions

# The history of the municipal administrative sanctions

- ❖ Law of 13<sup>th</sup> May 1999 : security policies focused on the local level : fight against incivilities

  - Goal : avoid the filing of minor offences and the feeling of impunity

- ❖ Law of 24<sup>th</sup> June 2013 : mixed offences

  - The criminal proceeding has priority

    - 350 euros maximum fines

## Covid-19 crisis : An unprecedented articulation between the criminal and administrative response

- Royal Decree of 6 April 2020
- Directive of criminal policy of the College of the general prosecutors of 25 March 2020

*Reversal of the logic to avoid overloading the courts*

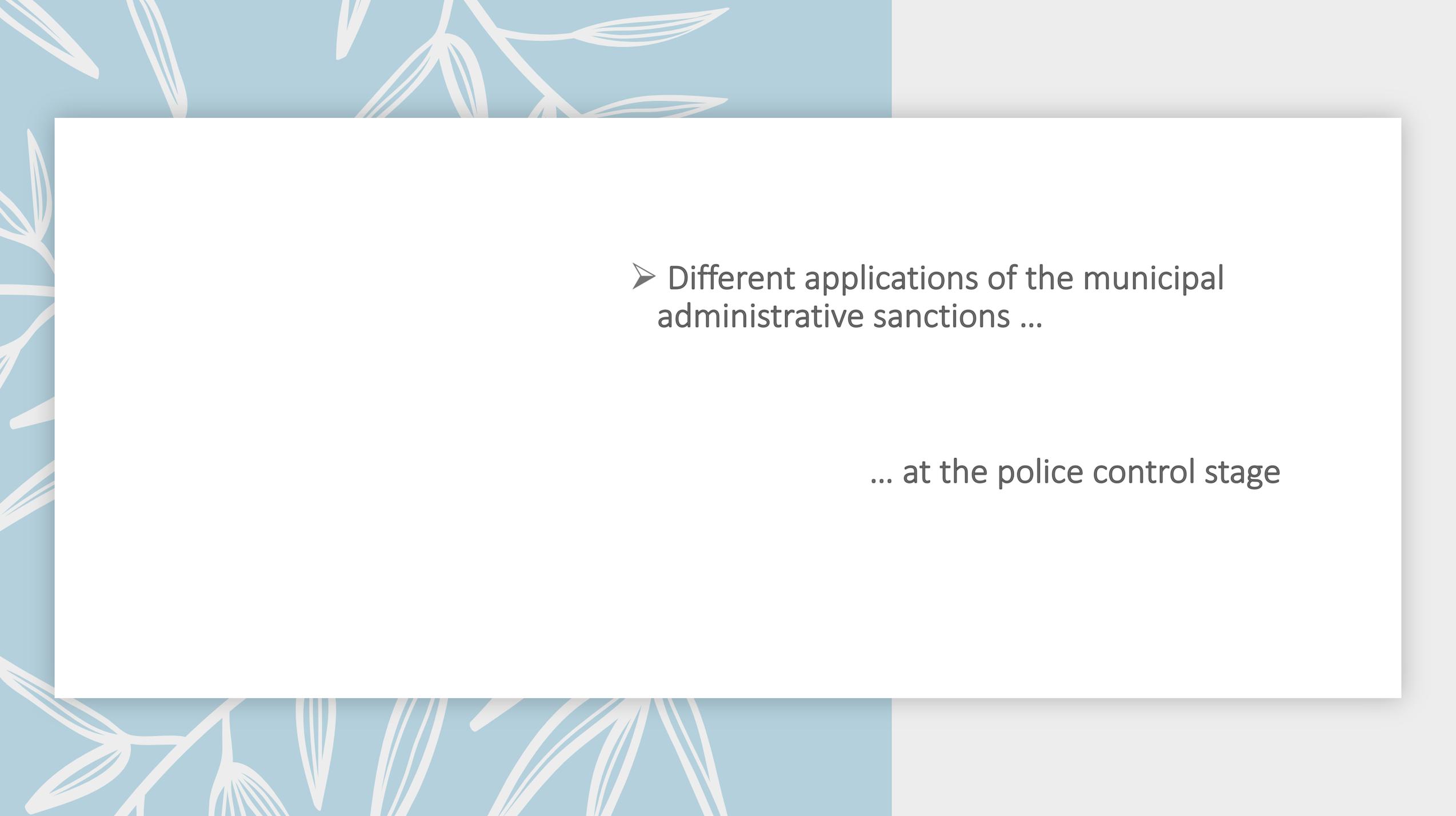
## Covid-19 crisis : general figures

- All 19 Brussels municipalities used municipal administrative sanctions vs. approx. 10% of municipalities in Flanders and Wallonia
- In Brussels, 12 999 cases handled through municipal administrative sanctions between March and June 2020 vs. 9326 cases handled by the judiciary system during the same period

## A regulated access to public spaces

- Different applications of the municipal administrative sanctions

Forest	Saint-Gilles	Woluwe-Saint-Pierre	Woluwe-Saint-Lambert
56 581	49 678	42 119	57 712
6,2km <sup>2</sup>	2,5 km <sup>2</sup>	8,9 km <sup>2</sup>	7,5 km <sup>2</sup>
More than 700 rep.	More than 1000 rep.	Approx. 40 rep.	108 rep.



➤ Different applications of the municipal administrative sanctions ...

... at the police control stage

- Different applications of the municipal administrative sanctions...

... in the processing of police reports

Molenbeek	Saint-Gilles
1364 police reports	More than 1000 police reports
1364 adm. files	382 adm. files

➤ Different applications of the municipal administrative sanctions...

... in the sanction imposed

→ administrative fine  
alternative measures ←

# Conclusion