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THE IMPACT OF THE COVID-19 PANDEMIC ON THE DIGITALISATION OF CRIMINAL PROCEEDINGS

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Abstract:

This article examines the impact of the COVID-19 pandemic on the digitalisation of criminal proceedings. The pandemic exposed significant institutional and technological vulnerabilities in justice systems worldwide, including difficulties in ensuring the continuity of judicial and investigative activities under restrictive conditions. At the same time, it accelerated the introduction of digital tools, online procedures, remote communication mechanisms, and elements of virtual justice. The article argues that digital transformation in criminal proceedings is not merely a technical response to crisis conditions, but an important legal and institutional requirement aimed at ensuring access to justice, procedural efficiency, transparency, and the rule of law. Particular attention is paid to the need for the consistent development of digital technologies in criminal justice and the improvement of criminal procedural legislation in accordance with modern digital realities.

Keywords: COVID-19 pandemic; criminal proceedings; digitalisation; digital transformation; criminal justice; judicial system; investigative activities; virtual courts; access to justice; rule of law.



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In 2020, amid the global spread of COVID-19, including in Uzbekistan, restrictions were introduced from 1 April on entry into and exit from the cities of Tashkent and Nukus, as well as regional administrative centres¹. These circumstances created an urgent need to organise work processes and provide services remotely in both the public and private sectors. Consequently, the pandemic became a significant catalyst for the accelerated digitalisation of social, administrative, and institutional life.

According to M. Thompson and J. Lewis, the COVID-19 pandemic led to the closure of many courts in 2020 and seriously disrupted the uninterrupted functioning of judicial systems. This situation became an important factor in accelerating the use of technology to ensure the continuity of judicial and investigative activities. In this regard, the pandemic substantially intensified digital transformation: online consideration of applications was introduced, digital procedural mechanisms were implemented, and virtual courts were established. These rapid developments demonstrated the need for comprehensive modernisation and digitalisation of judicial and investigative systems at the global level².

F. Drabo, a scholar at Walden University, observed that the pandemic revealed a significant technological deficit in judicial systems worldwide. At the same time, states that were institutionally and technologically prepared for digital transformation were able to adapt more effectively and with fewer difficulties. By contrast, less developed countries encountered substantial challenges caused

¹<https://podrobno.uz/cat/obchestvo/pyat-let-nazad-v-uzbekistane-vyyavili-pervyy-sluchay-covid-19-hto-izmenilos-s-tekh-por/>

² The Pew Charitable Trusts. (2021). How Courts Embraced Technology, Met the Pandemic Challenge, and Revolutionized Their Operations. The Pew Charitable Trusts <<https://www.pewtrusts.org/-/media/assets/2021/12/how-courts-embraced-technology.pdf>> (Last accessed: January 12, 2024).



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by insufficient technological infrastructure, poor connectivity, and limited access to the Internet³.

O. B. Arewa, in turn, noted that in some countries the activities of judicial and investigative bodies were completely suspended during the pandemic. This demonstrates that the absence of adequate digital infrastructure may directly affect the ability of justice systems to ensure institutional continuity, access to justice, and the timely consideration of cases⁴.

The views expressed by M. Thompson, J. Lewis, F. Drabo, and O. B. Arewa appear well-founded. The COVID-19 pandemic, despite its severe social, economic, and institutional consequences, served as a powerful impetus for technological development not only in judicial and investigative practice, but also in the broader functioning of society. It revealed both the vulnerabilities of traditional institutional models and the practical necessity of introducing digital tools into the administration of justice.

According to A. N. Yakubov, the COVID-19 pandemic significantly accelerated the introduction of “smart governance” technologies into the digital economy and social relations. This process, which had developed gradually and often inconspicuously in certain states over the preceding decade, acquired new intensity under pandemic conditions. In a market economy, modern information and communication technologies, artificial intelligence, and digitalised methods of “smart governance” demonstrated their effectiveness within a relatively short period of time⁵.

In this context, A. N. Yakubov’s position may be regarded as highly relevant, since the pandemic had a substantial impact on the development and practical

³ Drabo, F. (2021). The Digitization of Court Processes in African Regional and Subregional Judicial Institutions. (Doctoral dissertation, Walden University). p. 21.

⁴ Arewa, O. B. (2021). *Disrupting Africa: Technology, Law, and Development*. Cambridge University Press. pp. 16-28.

⁵ Якубов А.Н. Кибермаконда рақамли мулк ҳуқуқи ва уни ҳуқуқий тартибга солиш. Ю.ф.д. Дисс.Автораёф. 2023- Б-5



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application of digital technologies across various spheres of human activity. It confirmed that digital transformation is not merely a technical process, but also an institutional and legal necessity.

Thus, the pandemic demonstrated that technological development not only contributes to greater efficiency, but may also serve as an important instrument for strengthening the rule of law, ensuring transparency, and maintaining the stability of justice systems in crisis situations.

In this regard, it is necessary to continue the consistent digitalisation of criminal proceedings, to introduce modern digital technologies into this sphere, and to ensure the qualitative digital transformation of criminal procedural norms. At the same time, legislative provisions should be systematically improved in order to create a coherent legal framework for the effective use of digital technologies in criminal justice.

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