

SUMMARIES

JÓZSEF KÓ

A survey of the attitudes to different crimes in two Districts of Budapest

The author writes about the results of an empirical survey carried out in two districts of Budapest within the framework of an international research project called “Insecurities in European Cities”. The aim of the survey was to examine what factors influence people’s feeling of security and how much crime influences their behaviour. Based on the results of the survey the author concludes that there are no significant differences between the behaviours and lifestyles of the inhabitants of the two districts and the differences that do exist are due to the socio-demographic characteristics of the districts and not to the different levels of crime in them. The differences resulting from the different numbers of crimes have an influence on how sensitive people are to problems and their sensitivity is related not to the absolute number of crimes but to the changes in their frequency.

GYÖRGY VIRÁG

An introduction to studying violence within the family

By giving an overview of this phenomenon and highlighting the most important issues the author provides introductory insights for the research going on in our institute concerning violence within the family. The lives of families have been hidden under the protection of the guarantees that protect the private sphere and keep it undisturbed. From the 1960s movements have gained strength and investigations have become more frequent to indicate the necessity of intervention and to demand it in order to cope with violence within the family and to decrease it. This paper outlines the social changes behind the attention paid to violence within the family and the difficulties to define this phenomenon. It touches on the most important issues: the frequency indicators, the predictors, the possibilities and the main areas of prevention, the relevant problems of legal protection (legislation and interpretation of law) and a few conclusions the author found important in connection with his view of the issue.

LENKE FEHÉR

Models for coping with violence within the family

Violence against women and children is a serious social problem all over the world. This is evidenced by the minutes of several international conferences, other documents, international research, initiatives by the public and proposals for new legislation. Based on the findings of research, in Europe one in four women becomes a victim of violence on the part of her partner or ex-partner. Because these crimes remain hidden, most of the victims suffer repeated attacks from within the family. Based on their different legal systems the different countries have different definitions of the instruments – belonging to criminal law or other areas of law – to be used against violence within the family. This area of legislation is highly important but there are other measures as well aimed at preventing violence within the family and further attacks on the victims.

MARIANN KRÁNITZ

Murder: Victims and perpetrators

This study gives an account of a research that examined the victims of murder in Hungary in the decade after the transition – between 1990 and 1998. Files concerning 2098 perpetrators and 1867 victims were processed. The study presents the general characteristics of murderers, among which it is worth noting the high percentage of women and the low percentage of minors. The group of the victims is characterised by a low level of schooling and the lack of qualifications. It was shocking to find that in nearly half of the cases the victims were spouses or partners, children (grandchildren) or

parents (grandparents) of the perpetrator. Analysing the relationship between the perpetrator and the victim led to the sad conclusion that at the end of the 20th century in Hungary the principle of talio generally prevails over respect for human life – even the life of a close relative.

ILDIKÓ RITTER

“Young people against crime” – a survey of victimology among secondary school students

In May of 2003 we carried out a targeted crime prevention (victimology) survey in cooperation with the Foundation for Healthy Youth among students of the second and the third year of secondary schools in Vác, Tatabánya and Salgótarján. The crimes the students said they had been the victims of most often were crimes against property. The second on this list was threat and blackmail while the third most frequent victimisation factor was when someone offered drugs to these students or tried to make them take drugs. Although crimes – and other incidents that the victim considers to be a crime or experience it subjectively as a crime – take place in schools, concerning the population we examined it would not be true to say that there are a lot of crimes in schools, young people are too violent against each other and drug abuse is frequent in schools.

SZILVESZTER PÓCZIK

Housing mafias – a socio-historical and sociological overview

Housing privatisation opened the doors wide for the real estate market but perpetrators also noted the chances it offered to them. The activity of the so-called housing mafia came to the centre of public attention in connection with the problem of homelessness. In the past decade owing to the changes in housing loans and energy prices poorer households became seriously indebted and vulnerable. Most of the crimes the perpetrators committed fall into the category of fraud but falsification of public and private documents, blackmail, coercion and infringement of personal liberty often take place as well. Several factors can be detected in the legal and institutional environment and in the behaviour of the victims that the perpetrators can capitalise on effectively. Real estate frauds create an atmosphere of distrust about the constitutional order so combating them is in the essential interest of the society. Among the initiatives against the housing mafia we should note the activities and the proposals of the “Kaptár” department of the Budapest Police Headquarters, the county police forces, the parliamentary working party formed to deal with this issue as well as a civil organisation defending the rights of the victims and the professional chambers.

LÁSZLÓ TIBOR NAGY

An empirical study of the crimes of the housing mafia

One of the serious social problems nowadays, which causes public uproar and justified worries is the rise of the so-called housing mafia. The study shows the results of the empirical survey carried out to explore this phenomenon. It can be seen that this crime is not limited to the capital city and its conurbation although we cannot speak of a national network of the housing mafia. The greatest problems in judging the often complex crimes are caused by the difficulties of producing evidence and by the differences in the approach. Among the causes especially important are the roles the victims unwillingly play and the role of lawyers (public notaries).

MIKLÓS LIGETI

The status of illegal depositing of hazardous waste in the criminal law

The article shows the many problems existing concerning the legal status of hazardous waste. The concepts that were not chosen carefully enough by the legislator and were often used in an inaccurate way, cast doubts on the framework this piece of legislation is supposed to provide. The legal status took the special norms into consideration to such little extent only when defining the objects of

perpetration and the behaviours of perpetrators that in the end – against the will of the legislator – in many aspects autonomous criminal legislation was created. In this case the inaccuracies are near the imaginary borderline that separates criminal law from norms with an indefinite content that infringe the guarantees of the constitutional order. This makes the validity of the regulations doubtful and problematical. Of course, it is possible to develop an interpretation in the practice of judges that makes the regulations more accurate but it would be better to eliminate such prominent discrepancies in the course of the legislative process.

KATALIN TILKI

The practice of the interpretation of law with regard to the damaging of the environment and the damaging of nature

The study presents the detailed results of the empirical survey carried out in 2003, through which 257 criminal cases of damaging the environment and damaging of nature were processed. The author also discusses how the environmental protection authorities interpret the law. The main conclusions are the following: the percentage of cases in which investigation is denied or cancelled is high (especially for damaging the environment), there are different behaviours of the perpetrators, the interpretation of the law is not uniform and the typical sanction is imposing a fine.

KATALIN PARTI

Certain issues of the investigation of internet crimes

The study – within the framework of a survey carried out in 2003 – aims at presenting the difficulties in the investigation of Internet crimes in connection with their detection and the process of collecting and producing evidence and data about them. It analyses the activity of the persons, organs and authorities that are in connection with the investigating authorities, without whose cooperation it would not be possible to produce the evidence.

SZILVESZTER DUNAVÖLGYI – GÉZA FINSZTER

The regulations of parliamentary immunity in Europe and its practice in Hungary

We give an overview of the different regulations of parliamentary immunity in Hungary and in Western-Europe and assess the empirical information available about this topic. We provided a summary of Western-European experience, analysed the current Hungarian regulations of this immunity and presented proposals to create *de lege ferenda* parliamentary immunity. Against the classical interpretation of parliamentary immunity a new approach is gaining ground, which reduces the privileges of the MPs to a minimum and lays a stress on the responsibility and accountability of politicians. The authors make mention of the fact that with regard to parliamentary representation in the European Union, the process of integration also requires a uniform interpretation of parliamentary immunity. The regulation of secret collection of information is not satisfactory because in this area the investigation of crimes lacks outer control (a step forward would be the extension of legality control by the prosecution). A complete rethinking of this immunity, however, would be possible only within the framework of a new constitution.

TÜNDE BARABÁS A. – SZANDRA WINDT

Diversion or imprisonment?

Although according to official statistics the number of crimes is decreasing in Hungary year by year, prisons are getting more and more overcrowded and the number of inmates is continuously increasing. The percentage of prisoners within the population is so high that government sees the construction of new prisons as the only way out of the present situation. The responses to this challenge, however, are different in other European countries: usually they try introducing alternative punishments and the so-

called diversion in order to reduce the congestion in prisons. These are usually economical solutions: while saving the costs of incarceration they also lay a stress on compensating the victims. A good example of this is mediation, an agreement between the perpetrator and the victim. This study examines the feasibility of these alternative solutions for both perpetrators and the victims.

ANNA KISS

The media and the criminal proceedings

The reform of criminal proceedings affected the relationship of the media and the criminal proceedings. The 2003/11 amendment of the 1998/XIX law contains a new passage, 74/A, which made it possible for the press to receive information about criminal proceedings that are in progress and to publish information about open court sessions. In her study the author aims to find out how the conflicts between the interests of the media and the administration of justice appear in the criminal proceedings of the individual countries. She writes about how the declared basic rights are sometimes in conflict with each other and how the conflict between different interests intensifies in concrete situations. Before analysing the problems in Hungary, the author takes a look at Europe and examines how the different countries deal with this problem and what instruments they use.