

SUMMARIES

LÁSZLÓ TIBOR NAGY

**The trends of violent crime based on ERÜBS data
(Crimes and offenders 1995-2005)**

Violent crime – independent of its quantitative volume – always means the hardest line of crimes. It counts as the most substantial component of the picture people have of the totality of crimes because it is highly dangerous to society, it has a huge impact on the assessment of public security and because the media is especially interested in it. In Hungary in the 1970s and 1980s the share of violent crimes was 10-13 % within the totality of crimes that came to be known and the number of these crimes was always under 20 thousand. After the transition there was a great change in its volume, but the rate of this change, however, proved much slower than the change in the totality of crimes. Therefore the share of these crimes dropped to 5-6 %, but from 1999 we can see slow increase. At the same time, the change in the quality of violent crime, its becoming more brutal, seems worrying. The murders that are planned in advance and committed with brutal methods and murders of the showdown type as well as robberies that are becoming more violent and dangerous alarmed the public. Crimes that have been practically unknown before, like violent recovery of money, or demanding money in exchange for protection have been spreading. The proportion of instances when people take the law into their own hands, blackmail and assault and battery has increased significantly.

TÜNDE BARABÁS

The victims of violent crimes, 1995-2005

According official statistics the number of crimes, and the number of victims together with it, have been decreasing year by year. In contrast to this, the proportion of violent crimes and their victims have been on the rise in the past 10 years, similarly to international tendencies. According to experience the perpetrators and the victims have several special characteristics compared to those of “average” crimes. On the basis of the analysis of statistical data from Hungary, the author of this study aims to identify those characteristics that markedly distinguish the victims of violence from the victims of other crimes and on the basis of this outlines the profile of victims of violent crimes in present-day Hungary.

SZILVIA GYURKÓ

**Age limit of criminal liability and dilemmas around legal consequences of
crimes committed by youth offenders**

Youth crime – and the problem of criminal liability – became the most analyzed and debated problem of crime policy and criminal law. The Hungarian and European situation of child delinquents and 14-18 years old juvenile offenders are studied in several survey and international research by the researchers of National Institute of Criminology in the last few years. This study (based on the results of previous researches) focuses on the problem of the age limit of criminal liability and looks for the most adequate answers in this field.

KLÁRA KEREZSI – JÓZSEF KÓ

Efficiency of juvenile criminal jurisdiction

In the course of our research we investigated the postponement of indictment, and the efficiency of the reformatory schools and imprisonment. We have used the results received for the above mentioned sanction groups as control group for the analysis of the results.

The sample used for the investigation included juvenile offenders in the case of which

- the postponement of indictment started between 1 January – 31 December 2004
- release from reformatory school (Aszód, Debrecen) was in 2003-2004
- release from prison (Tököl) was in 2003-2004

The sample basis was formed based on the list of the executing institutions. The protection of personal data was ensured by a code system. The research constituted of two separate blocks: a questionnaire survey and an analysis of case statistics data.

KATALIN PARTI

Computer related deviances and social bounding (ISR2 2)

This paper focuses on the computer deviance related questions of the ISR2 study. Home PC endowment and computer-games/Internet Relay Chat as a leisure time activity might indicate computer knowledge level among pupils taken to the sample. Role of peers, schoolmates and family in leisure time activities can also indirectly show pupils' social attitude. Those who claimed they had computer at home which they could use and those who spent considerable time watching television, playing with computer and chatting on Internet spent actually less time with the peer group and were alone or with parents at home in their spare-time. On the other hand, people who spent more time with computer games and watching television went less frequently out in the evenings than those who had a peer group. Downloading films and music from the Internet and computer intrusion is not a social activity why pupils did them mostly alone, without friends and family members.

PETRA BÁRD

Constitutional challenges against the principle of mutual confidence through the example of the European Arrest Warrant

The present paper analyses a European Union piece of legislation, the European Arrest Warrant adopted in the framework of the third pillar, i.e. police and judicial cooperation in criminal matters. The EAW seems to be a major step as compared to previous rules on extradition, however its application is not without conflicts. The fate of the framework decision reflects the deficiencies of cooperation in the third pillar. The principle of "mutual recognition" defined as the cornerstone of a genuine European area of justice by the Tampere European Council's Presidency conclusions, is only present at a political declarative level, however another branch of government, equally important from the point of view of criminal cooperation, i.e. the judiciary has serious – primarily constitutional and human rights-based – doubts about closer cooperation. The even partial giving up of national criminal sovereignty is still one of the most sensitive issues within the European Union, and this will remain so until mutual confidence has been established.

TÜNDE BARABÁS – ÁDÁM MÉSZÁROS – SZANDRA WINDT

The efficiency of the postponement of accusation – empirical research

The postponement of accusation seems like the most intensive instrument of the aims of the prevention and the simplification of criminal procedure in Hungary. Because of this it should get more important role in the Hungarian praxis law. In 2006 a previous study checks the practice of this diversions' instrument on the basis of statistical data analysis. In 2007 following the statistical analysis, about 1300 files were studied to know more about the efficiency of the postponement of accusation. These files were closed in 2006 and they contained information on victims according to the 51§ of the Hungarian Law of Criminal Procedure. In the focus were the special behavioural requirements. In the 16% of the analysed files were just some kind of special behavioural requirements. In the 80% of the files the postponement of accusation were effective, and the procedure were closed without accusation.

ÁGNES FÜLÖP – ANNA KISS

The Notion of Bail in the Act on Criminal Procedure and in Practice

The research has found that after having introduced the possibility of bail, numerous requests had been made to the courts, however this legal option has only been applied in few cases. This finding has multiple reasons: on the one hand the inaccuracy of the legal provision and the restrictive interpretation of the law; on the other hand the poor social situation of the accused make the application of the provisions on bail difficult. The research draws the attention of the lawmakers to the need of legislative amendments, moreover it suggests that more weight shall be given to the public prosecutor in addressing this issue.

SZILVESZTER DUNAVÖLGYI – KATALIN TILKI

Obstacles of the procedure in case of crimes against environment

The environmental damage and the breach of the waste management's order are new state of affairs of the penal code which have been coming into effect on 1st September 2005.

The study reports on the empirical research had been conducted in 2006. The purpose of the research was to get picture about the reasons and cases of denunciation's rejections and investigation's stoppages. We came to the conclusion that great number of criminal matters commenced because of the breach of the waste management' order are finishing with the rejections of the denunciation or the stoppage of the investigation, first of all because the action was not a criminal action. Criminal procedure was commenced because of the reasonable suspicion according to the point a.) of the paragraph (1) of the 281/A § of the penal code. The typical committing behaviour was illegal waste placement. During our research we felt that the question of delimitation of waste management's order breach's criminal case and environmental protection infringement is still unsolved. We try to answer this problem as well.

SZILVIA ANTAL

Public Private Partnership

The so-called PPP (Public Private Partnership) appears in connection with the construction of prisons as well. The abbreviation stands for incorporating private capital into national targets, within the framework determined by laws. Entrepreneurs will control the maintenance of private institutions, and the state will pay the costs of investment and maintenance within time previously agreed, and it will control these private institutions afterwards. I examined the international and Hungarian PPP-system with its past and present, the rules and institutes, benefits and disadvantages.