



SUMMARY

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Results of the second analysis

Corruption offences and perpetrators in Hungary

In the framework of the CRITCOR-project (<https://critcor.okri.hu/>) a research was carried out at the National Institute of Criminology in Hungary (www.okri.hu) on the phenomenon of corruption primarily based on criminal files and focusing on the bias and dilemmas stemming from the criminal statistics. Besides the profound interpretation of the definition of the corruption, 205 files from prosecution-investigative authority were examined in the course of the research, which became final in 2016. The analysis was proceeded in order to gain knowledge on both the features of the crimes themselves and the perpetrators of the corruption-cases. In this short summary we aim to focus on the characteristic of the *offenders*.

The vast majority of offenders were Hungarian citizens, which was not surprising in the context of corruption. The few foreigners committed very similar offences: they intended to bribe border guards, but were unsuccessful.

Besides the nationality, the most important demographic features were also measured and some typical characteristics could be observed by the analysis. The *gender* aspect did not show any specifics: 10-12% of the offenders were women, which is in line with the data in general. As for the *age*, the research has found that the corruption offenders were significantly older than perpetrators in general. Though there is a significant proportion of young males and young adults (18-20 years old) misusing power to gain advantage, a much higher percentage of corruption-offenders were in *their 40s and 50s*. The majority of those who were convicted of corruption offences were over 34 years old, and 37% was already over 45 at the time of the offence. The older age was likely to be associated with greater life experience, which may not be helpful in detection.

In terms of education, corruption offenders could also be titled as a distinct group, significantly better off than the average detected among criminals. It is well known that

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almost 60% of the average offender only finished primary school and 3-4% completed his/her college or university degree. Whilst the 17% of the perpetrators of corruption offences have a *high level education*; which means that we find nearly twice as many high school graduates and three times as many tertiary graduates among them. Only 21% have concluded nothing but primary school education, which was also in line with complexity of the criminal case committed by them.

As a counterpoint to ‘poverty’ or subsistence crime, ‘white-collar’ crime is mostly emerging among those who provide with economic or political power, authority or recognition. Some of those, involved in corruption cases have a socio-economic status which is ‘above’ or ‘well above’ the social average. In the cases examined 16% of the offenders were living in ‘good’, and 4.5% in ‘exceptionally good’ material circumstances. This status also implies a *wider network of contacts* and a greater capacity for advocacy. The better access to material goods and relational networks can often result in a much more effective defence, which makes the work of investigating authorities and prosecutors’ offices more difficult, as the authorized counsels (or often ‘star’ lawyers) do a demonstrably better job than public defenders.

Compared to other offences, the case-law also shows different characteristics for corruption offences. On the one hand, there were a *high proportion of harsher prison sentences*; whilst on the other, significant number of suspensions of the imprisonment could be detected, which demonstrated the manifestation of the duality in the administration of justice for this type of offence. Harsh sentences were usually imposed because of the need to convict the perpetrators of these dangerous acts which are detrimental on society as a whole; whilst, at the same time, a large number of sentences were suspended. This is due to the fact, that corruption crimes are generally not committed by habitual offenders and their higher social status may have also influenced their punishment, thereby giving them some kind of ‘immunity’. Furthermore, it is also well-known that these cases represent only *the tip of the iceberg*, and therefore there is a unique understanding of this rather widespread phenomenon, which seems to be reflected in the sentencing practice of judges, too.