

SUMMARIES

LÁSZLÓ KORINEK

Has the world made any progress thanks to criminology?

In one of his previous studies, the author of the study had already tried to find an answer to the meaning and utility of criminology, and back then, he had given an affirmative answer to the question in the title. Since then, there have been developments that have made the author reconsider this issue, and he has found it necessary to publish some additional thoughts on the meaning and utility of research into crime.

Every researcher is concerned about whether there is any point in their job, and whether it contributes to increasing and preserving values, even if only to a small extent. This study seeks to answer in respect of criminology, whether it has managed to help to reduce crime. And in general, whether there are any demonstrable benefits to crime research.

Based on the conclusions of the study it can be confirmed that criminology has contributed to making criminal legislation and the application of criminal law more humane and to the consolidation of the values of civilisation. Its effect on the volume and quality of crime is not clear, but the balance is positive, despite the harmful manifestations mentioned in the study.

KLÁRA KEREZSI

Why has crime fallen?

This article presents crime statistics in Hungary and across the European Union (EU), based on official figures for police-recorded offences. Crime in Hungary has been decreasing significantly since 2000, in terms of both property crime and violent crime. This observed decrease in crime also been seen in a large number of other industrialised countries. What is known about these changes? What brought them about? After declining or remaining stable for more than a decade, criminal policy continues to be based on the concept of increasing crime. Without useful and reliable information, national and local policy makers fly blind when formulating and evaluating the effectiveness of policy interventions. We examine the key features of the decline in crime in Hungary, but also take a broader look at the fall in crime globally. An analysis of the research literature on crime trends has identified several different explanations for the crime drop.

RENÁTA GARAI

**Views on the felonies of sexual exploitation and sexual violence
in the national application of the law**

Criminal offences against the freedom of sexual life and sexual morality regulated in Chapter XIX of the Criminal Code are always in the centre of interest on account of the common legal interest protected by this chapter, not only in relation to the criminal conducts and the manner of the commission of these crimes, but also due to problems of qualification, concurrence and distinction. The study outlines the main characteristics of sexual exploitation and sexual violence provided for in Sections 196 and 197 of the Criminal Code based on cases which have been finally closed by a court ruling, highlighting the importance of relevant definitions and conceptual elements. In addition to the dogmatic analysis, the research report prepared on

this subject contains a detailed discussion of the questions relating to legal practice, of the factors that render the presentation of evidence more difficult, as well as of possible solutions, criminological characteristics and the main trends; therefore, this paper only focuses on the cornerstones.

ÁGNES SOLT

Characteristics of homicides committed against newborns and the trend in recent decades

This research covers the analysis of the acts of killing newborns detected in almost twice twenty years, and the comparison of the acts and circumstances of the two longer periods (1981–1997; 1998–2018). The basic question is whether, as part of social changes of a historic scale, the criminogenic effects that force a girl or woman to kill her newborn have changed. The crime of killing a newborn has been significantly reduced, to about a third. The primary reason for this is that our society has undergone important changes: a number of NGOs have emerged that provide opportunities, real solutions, in the event of an unwanted pregnancy to vulnerable mothers without having to reveal their fearfully guarded, shameful secrets.

ORSOLYA BOLYKY – ESZTER SÁRIK

Still Standing... Resilient Lives

The current paper deals with the last period of a study conducted over three years. Our research was based on the life trajectories of recidivists. According to this, an old theory was confirmed: it says that the enhanced appearance of risk factors determines a criminal career. In the second period of our research, we examined the trajectories of people who also grew up under adverse circumstances but they stayed away from a deviant lifestyle and succeeded to adapt to the 'normal' (or rather regular) social expectations. They are the so-called resilient and the phenomenon is called resilience, in psychological terms. In our current research we were searching for the conditions that may play important roles in the examined success stories, and were seeking the answer to the question of how does social-conformist prosperity depend on personal or environmental factors?

LÁSZLÓ TIBOR NAGY

The interpretation of provocative anti-social behaviour in the case of disorderly conduct

Though not from the very beginning, provocative anti-social behaviour has already been considered a substantial factual element of the criminal offence of disorderly conduct for more than four decades. Nevertheless, its interpretation and perception is still fraught with difficulties to this day and can be considered highly controversial, which also endangers legal certainty. This is also proved by the fact that the Vas County Prosecutor's Office initiated an investigation into the issue at the National Institute of Criminology. Using the results of research, this study outlines the relevant precedents in legal history, changes in codification, the etymological approach and the approach in the legal literature, it describes the practice of jurisdiction and the opinions of legal practitioners, and it also makes *de lege ferenda* proposals.

KRISZTINA FARKAS

The Regulation of Integrity Testing in the light of international experience

In the field of the fight against corruption, new ways and solutions have emerged over recent decades. The integrity test is one of these solutions. Integrity test is a process originating in the USA, which took root in the Anglo-Saxon region and was then extended to Central and Eastern Europe. The concept of integrity testing is even well-known in legal practice; the relevant academic literature is becoming more extensive and the legitimacy of the legal institution is beyond dispute. Following the theoretical basis, the study provides insights into foreign regulations. The focus was primarily the US and Romanian solutions, given that these states have broader experience in this field.

ILDIKÓ RITTER

Alcohol consumption and traffic – in figures

In the past few years, the number of road traffic accidents caused under the influence of alcohol and resulting in personal injury or death has decreased in Hungary, whilst there was no meaningful change in the number of registered alcoholics in the country. By contrast, the number of cases of the misdemeanour of driving under the influence of alcohol has been slightly but steadily increasing since 2012. According to the conclusion drawn from the results of international studies and the relevant Hungarian institutional statistics, drivers on public roads are increasingly careful in Hungary, and in order to prevent accidents, fewer and fewer of them risk driving under the influence of alcohol. However, it cannot be ignored that there is a group of drivers who are not deterred either by road safety interventions or by penalties. In this study, I examine the relationship between alcohol consumption and traffic on the basis of statistical data of long time series.

ANNA KISS

The expected effect of the developments in the vehicle industry on issues of criminal liability

The first question to ask when examining issues of liability relating to accidents caused by autonomous vehicles is whether the law should regulate this area, and if so, whether this belongs to the field of criminal law. If criminal law does not renounce the regulation of this liability issue, it must decide who to punish in the event of an accident. It cannot punish the robot itself, as criminal law only considers a conduct a criminal offence if it is culpable, that is, attributable to the perpetrator (meaning that it can only be a human behaviour), and therefore, only vicarious liability may be considered in this case according to the study. In addition to the issues of criminal liability, the author also addresses other forms of liability and issues regulated by the Civil Code.

SZANDRA WINDT

Characteristics of Human Trafficking and Forced Labor based on an empirical study

In our research, we investigated the notion of exploitation in law as of July 1, 2013, and its enforcement practice.

We used several methods: in addition to processing international and domestic literature, we also analyzed the prosecution records of criminal proceedings initiated between 2013 and 2018,

conducted in-depth interviews, analyzed the statistical data; reviewed the Hungarian and international literature on this topic and organized a round table discussion. When retrieving documents, the Sections 192 and 193 of the Criminal Code, on Human Trafficking and Forced Labor, were noted, with a total of 127 records at our disposal. Here you can read a summary of the empirical study based on the files, following the presentation of the available statistical data.

KRISZTINA FARKAS – GABRIELLA KÁRMÁN

International cooperation procedures of gathering evidence in criminal matters

The aim of the research was to examine the procedures for gathering evidence from other states within the framework of international cooperation in criminal matters. A special topicality of this issue is the 2017 entry into force of Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters, which aimed at the introduction of faster and more effective procedures among the member states.

In the course of the research, the theoretical background was laid down before the domestic and foreign experiences were explored. The experiences regarding the practical application of the European Investigation Orders (EIO) issued by the Hungarian authorities were examined based on the files from criminal cases.

Based on the results of the research, it can be concluded that the functioning of the legal instrument complies with the regulations and, according to the feedback from prosecutors, the EIO actively supports the cooperation of the member states in criminal cases.

Eurojust and the EJM have significant roles in facilitating cooperation and solving the problems. The practice has shown that the international exchange of evidential measures and the effectiveness of their application can be enhanced by the involvement of these organisations.

FERENC IRK

On unacceptable production risks and their consequences

In the economy of the globalised world, there is a correlation between risky jobs that accompany exploitation in the production of goods and health impairment affecting masses of people on the one hand, and on the other hand, the increasingly accelerated consumption of products and the increasing amount of waste and global environmental damage resulting from that. We have economic, social, moral and legal information, whose analysis can help us to understand these phenomena and processes and to describe the metamorphosis of causes and consequences. It depends on the cooperation between science, politics, economy and civil society whether a more optimistic or pessimistic vision will materialise.