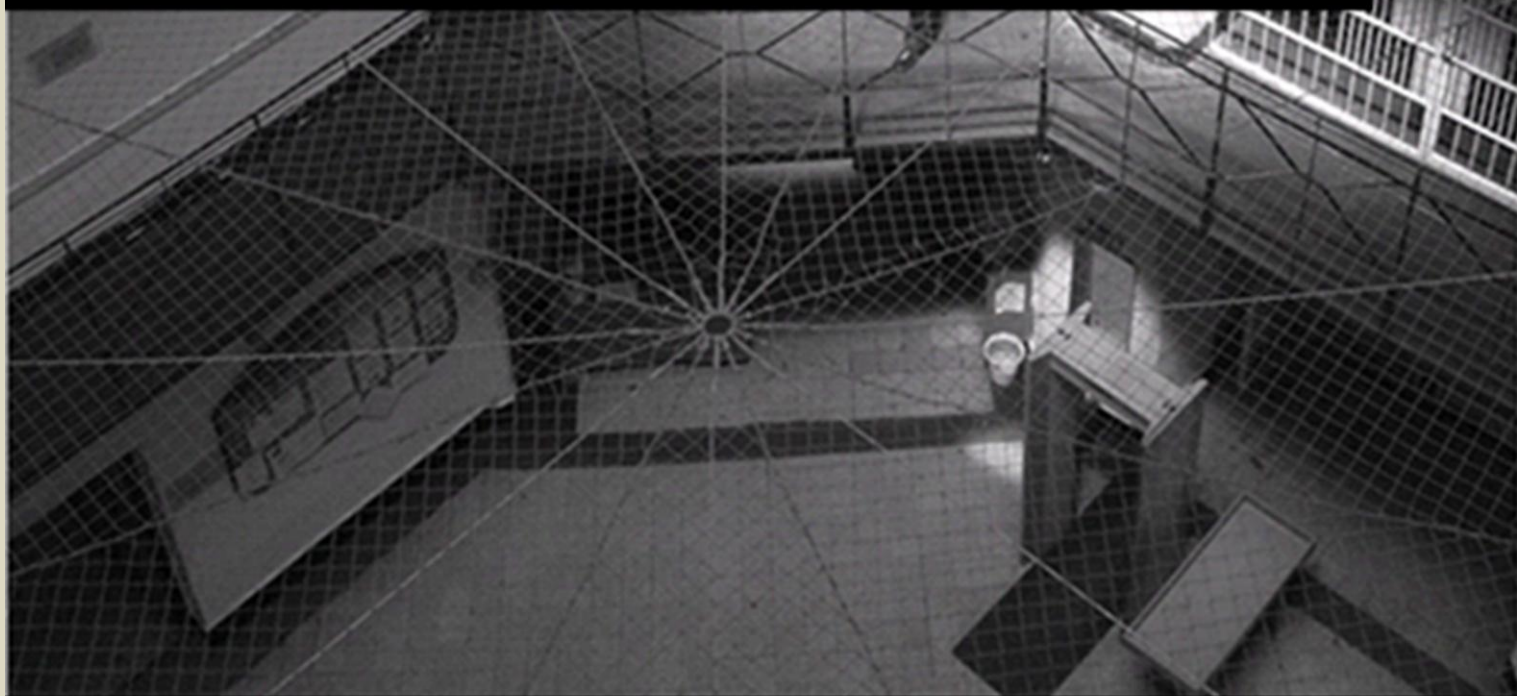




2017/1 | REVIEW OF HUNGARIAN PRISON STATISTICS



HUNGARIAN PRISON SERVICE

REVIEW OF HUNGARIAN PRISON STATISTICS

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I. INTRODUCTION

The aim of this publication is to present periodical statistics on prisoners detained by the Hungarian Prison Service and to introduce the activities of the Prison Service. In addition to fulfilling our legal obligation of providing data of public interest, we would also like to provide a wide range of up-to-date information for research and analysis purposes.

The data of prisoners is based on statistics excerpted from the Prisoner Records software used by the Hungarian Prison Service and on data collected by the various services and departments of the Hungarian Prison Service Headquarters.

When interpreting the statistics on inmates, it needs to be considered that the number of prisoners may change dynamically, even over the course of a single day. Accordingly, some of the statistics may only be interpreted together with their respective dates of origin. In order to facilitate easier comparison and analysis, percentage indicators have been used wherever possible.

The international comparison of prison population is broadly supported by the SPACE I publications of the Council of Europe. The comparable European statistics presented along with the domestic data are also based on the secondary analysis of SPACE I statistics. As the processing of data supplied by the Member States of the Council of Europe requires a long time, SPACE I statistics are generally published with significant delays of up to several years.

In addition to presenting general organisational data, the Review of Hungarian Prison Service always dedicates a chapter to a special segment of prison population or a specific area of the Prison Service. The current publication focuses on data regarding juvenile detainees.

II. STATISTICS OF PRISONERS

Number and demographic data of prisoners

The average size of prison population tended to increase steadily, with a halt observed in recent years. Based on the closing figures of 2015 the average number of inmates decreased, followed by a slight increase in 2016, although to a lesser degree. Based on the following diagram it can be stated that the average prison population in the recent period has been around 18 000 inmates.

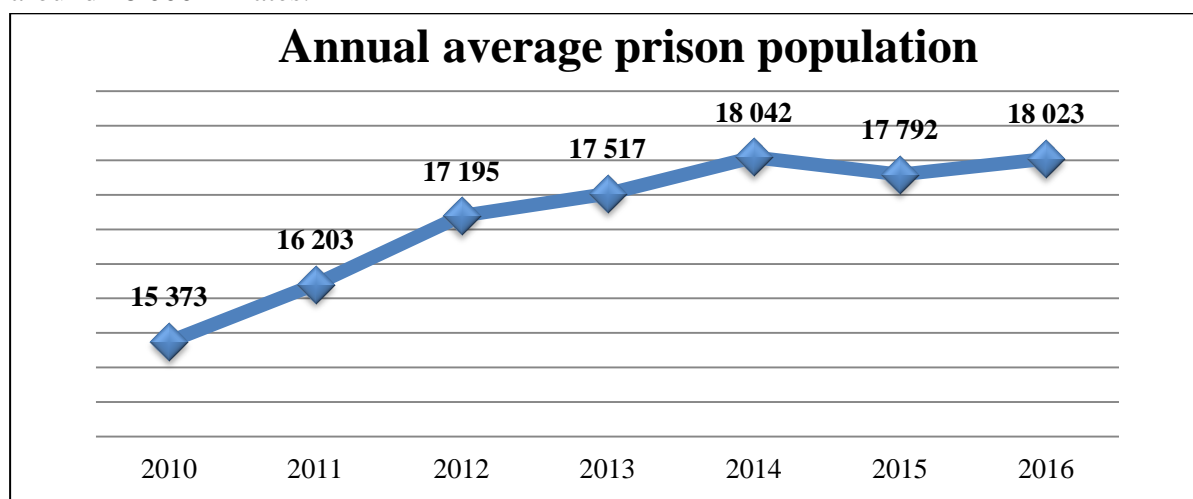


Figure 1¹

	<i>Total prison population</i>		<i>Prisoners younger than 21 years</i>		<i>Juvenile detainees²</i>	
<i>Male</i>	16 434 persons	92.72%	982 persons	95.53%	291 persons	95.41%
<i>Female</i>	1 290 persons	7.28%	46 persons	4.47%	14 persons	4.59%
<i>Total:</i>	17 724 persons ³	100.00%	1 028 persons	100.00%	305 persons	100.00%
			<i>Total: 5.80%</i>		<i>Total: 1.72%</i>	

Table 1

¹ Instead of average figures published in former Reviews of Hungarian Prison Statistics, in order to ensure comparability and objective analysis, the statistical comparison of the average annual prison populations of the specific years are presented based on subsequent query from the Prisoner Records software.

² Juvenile minimum security facility, juvenile medium security facility, juvenile pre-trial detention until sentence at first instance, juvenile pre-trial detention without a final sentence.

³ In this publication not the prison population data of 31 December 2016 (17 658 persons) already published via other statistical data services have been used for analyses but a detailed analytical database of the specific date which facilitate a more detailed analysis of data retrieved from the Prisoner Records system. Any potential differences in data may result from queries performed on the same day but at different times, however, using this more detailed database was considered important in order to obtain the most comprehensive and objective picture possible regarding the data and statistical characteristics of prisoners.

Based on the demographic data of prisoners it can be stated that women represent only 7.28% of the total prison population (with no significant change observed), while the ratio of juvenile inmates decreased further (2015: 1.97%, 2016: 1.72%, of them 95.41% male).

Distribution according to age (31.12.2016)		
Age groups	Persons	%
<i>under 16 years</i>	9	0,05
<i>16-18 years</i>	168	0,95
<i>19-24 years</i>	2 314	13,06
<i>25-29 years</i>	2 742	15,47
<i>30-39 years</i>	5 356	30,22
<i>40-49 years</i>	4 673	26,37
<i>50-59 years</i>	1 846	10,42
<i>over 60 years</i>	616	3,48
<i>Total:</i>	17 724	100,00

Table 2

The 19-29 year age group represents approximately 30% of the prison population; it is also important to mention the age group over 60 years due to specific needs, representing 3.48% of all inmates.

Based on the data the average age of prisoners increased from 35 years 8 months in 2011 to 37 years 6 months in 2016. The older age groups increased in terms of both number and ratio.

Distribution of age groups in percentage terms and changes in the average age of prisoners						
Age group	31.12.2011	31.12.2012	31.12.2013	31.12.2014	31.12.2015	31.12.2016
<i>under 18 years</i>	0,87	1,03	0,84	0,61	0,46	0,47
<i>18 - 21 years</i>	8,29	8,53	7,77	6,84	6,35	5,33
<i>22 - 24 years</i>	8,95	8,98	9,44	9,35	8,81	8,25
<i>25 - 29 years</i>	15,76	15,00	15,41	15,10	15,28	15,47
<i>30 - 39 years</i>	34,04	33,24	31,90	31,32	30,69	30,22
<i>40 - 49 years</i>	21,44	22,45	23,37	24,58	25,35	26,37
<i>50 - 59 years</i>	8,81	8,64	9,14	9,54	9,98	10,42
<i>60 years or older</i>	1,83	2,14	2,13	2,66	3,037	3,48
<i>Average age:</i>	35 years 8 months	35 years 9 months	36 years 1 month	36 years 8 months	36 years 6 months	37 years 6 months

Table 3

Based on the above it is clearly seen that the ratio of juvenile inmates, both under 18 years and between 18-21 years of age, decreased slowly but steadily, similarly to young adults

between 21-24 years. The figures indicating the average age of prisoners show that the average age increased by more than 18 months over the past 5 years.

<i>Distribution of prisoners according to county of residence⁴</i>			
<i>County</i>	<i>Persons</i>	<i>%</i>	<i>Ratio⁵</i>
<i>Budapest</i>	2 991	17,59	170,6
<i>Bács-Kiskun</i>	891	5,24	175,06
<i>Baranya</i>	545	3,20	148,9
<i>Békés</i>	530	3,12	155,0
<i>Borsod-Abaúj-Zemplén</i>	1 921	11,30	293,7
<i>Csongrád</i>	588	3,46	146,3
<i>Fejér</i>	454	2,67	108,6
<i>Győr-Moson-Sopron</i>	442	2,60	96,7
<i>Hajdú-Bihar</i>	1 151	6,77	216,4
<i>Heves</i>	560	3,29	188,6
<i>Jász-Nagykun-Szolnok</i>	931	5,47	248,9
<i>Komárom-Esztergom</i>	604	3,55	203,4
<i>Nógrád</i>	396	2,33	205,2
<i>Pest</i>	1 684	9,90	135,0
<i>Somogy</i>	672	3,95	218,9
<i>Szabolcs-Szatmár-Bereg</i>	1 259	7,40	224,0
<i>Tolna</i>	252	1,48	113,5
<i>Vas</i>	264	1,55	104,3
<i>Veszprém</i>	540	3,18	157,9
<i>Zala</i>	331	1,95	121,2
<i>Total:</i>	17 006	100,00	173,55 ⁶
<i>No permanent residence</i>	60	N.r. ⁷	N.r.
<i>Permanent residence abroad</i>	587	N.r.	N.r.
<i>No data available⁸</i>	71	N.a.	N.a.
<i>Total:</i>	17 724	N.r.	N.r.

Table 4

⁴ The data regarding distribution of population according to county have been downloaded from the 'Tables (STADAT) – Time series of annual territorial data – Population, vital statistics' accessible at the website of the Hungarian Central Statistical Office.
https://www.ksh.hu/docs/hun/xstadat/xstadat_eves/i_wdsd003b.html

⁵ Ratio of total population in the specific area to reported permanent residence of inmates prior to incarceration * 100 000.

⁶ Average value (calculated from the total Hungarian population of citizens and inmates).

⁷ Henceforth 'N.r.' shall indicate cases not relevant from a specific aspect.

⁸ Henceforth 'N.a.' shall indicate the number of cases with no applicable data available. As for the distribution of prisoners according to county of residence, no data had been recorded for inmates subjected to admission proceedings at the time of query.

The data refer to the permanent residence reported prior to incarceration. The actual place of residence before or after release may differ.

A separate column of the table shows the percentage of inmates originating from a specific county, as well as the ratio of inmates to 100 000 residents of the same county.

For example, in Borsod-Abaúj-Zemplén county a high ratio can be observed, but the applicable ratios of Jász-Nagykun-Szolnok, Szabolcs-Szatmár-Bereg and Somogy, as well as Hajdú-Bihar, Nógrád and Komárom-Esztergom counties are also well above the average.

It is important to note, however, that the figures do not represent crime statistics relevant for the specific counties.

Data related to detention

The average occupancy rates of penitentiary facilities are mostly due to reasons related to criminal legislation and capacity changes (creation of additional spaces, restructuring). The overpopulation of penitentiary facilities is a severe problem requiring solution in most European countries. The Hungarian law enforcement authorities intend to meet the applicable requirements by adopting a specific occupancy balancing programme, implementing capacity extension projects and constructing new penitentiary facilities.

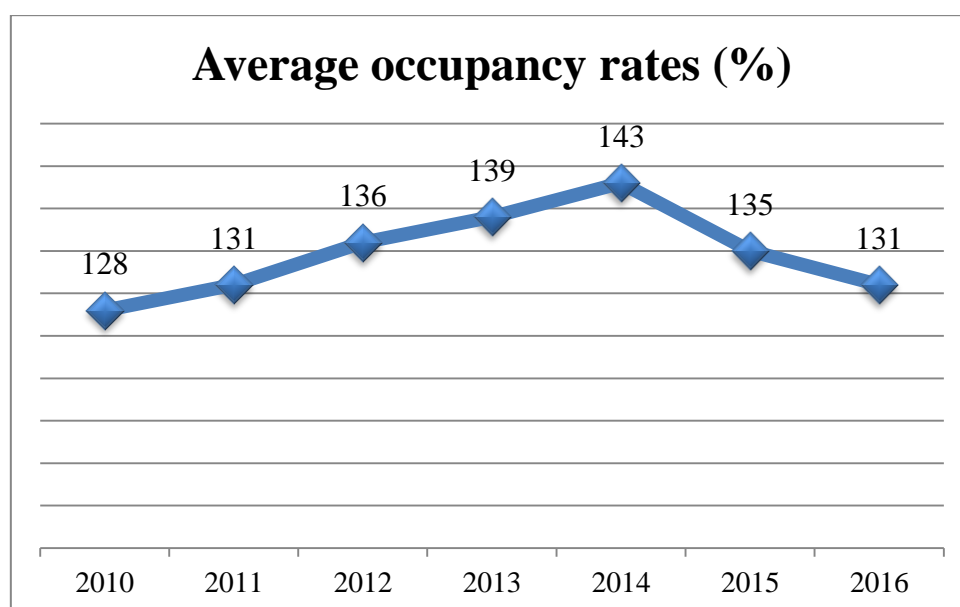


Figure 2⁹

The increasing capacities, along with relatively stable number of inmates, resulted in a decreasing level of overcrowding.

<i>Top 5 penitentiary facilities with highest number of inmates</i>	
<i>Budapest Remand Prison</i>	1 719 persons
<i>Szeged Strict and Medium Regime Prison</i>	1 594 persons
<i>Budapest Strict and Medium Regime Prison</i>	1 518 persons
<i>Pálhalma National Prison</i>	1 383 persons
<i>Szombathely National Prison</i>	1 301 persons

Table 5

⁹ For easier comparison, the average occupancy rates calculated from the average number of prisoners on the closing days of the specific years are indicated based on subsequently calculated data.

There is no direct relationship between the number of prisoners detained in the individual facilities and overpopulation as it depends on the ratio of the potential and the actual number of prisoners held in the specific facilities. At the same time, the largest facilities according to number of detainees is considered interesting, and therefore indicated in the above table.

<i>Distribution of prisoners according to detention severity</i>						
<i>Detention severity</i> ¹⁰	<i>Total</i>	<i>%</i>	<i>Male</i>	<i>%</i>	<i>Female</i>	<i>%</i>
<i>Remand detainee subjected to handover/takeover</i>	25	0,14	21	0,13	4	0,31
<i>Medium regime prison</i>	7 742	43,68	7 157	43,55	58	45,35
<i>Correctional detention</i>	127	0,72	120	0,73	7	0,54
<i>Correctional remand detainee subjected to takeover</i>	6	0,03	5	0,03	1	0,08
<i>Pre-trial detention until sentence at first instance</i>	2 850	16,08	2 610	15,88	240	18,06
<i>Pre-trial detention with no final sentence imposed</i>	622	3,51	571	3,47	51	3,95
<i>Custody</i>	235	1,33	208	1,27	27	2,09
<i>Maximum regime prison</i>	4 446	25,08	4 193	25,51	253	19,61
<i>Juvenile, medium regime prison</i>	114	0,64	109	0,66	5	0,39
<i>Juvenile, pre-trial detention until sentence at first instance</i>	94	0,53	87	0,53	7	0,54
<i>Juvenile, pre-trial detention with no final sentence imposed</i>	6	0,03	6	0,04	0	0,00
<i>Juvenile, minimum security prison</i>	91	0,51	89	0,54	2	0,16
<i>Minimum security prison</i>	869	4,90	811	4,93	58	4,50
<i>Provisional compulsory therapy</i>	29	0,16	28	0,17	1	0,08
<i>Compulsory therapy</i>	165	0,93	137	0,83	28	2,17
<i>Community service converted to imprisonment (minimum security)</i>	142	0,80	132	0,80	10	0,78
<i>Financial penalty converted to imprisonment (minimum security)</i>	161	0,91	150	0,91	11	0,85
<i>Total:</i>	<i>17 724</i>	<i>100</i>	<i>16 434</i>	<i>100</i>	<i>1 290</i>	<i>100</i>

Table 6

The above table indicating the distribution of prisoners according to detention severity shows that more than 70% of the inmates have been delivered a final sentence, with the majority still held in medium regime facilities. Therefore, considering the severity of detention relevant for inmates it can be stated that the sentences imposing medium regime detention are dominant (43.68%), followed by sentences imposing maximum regime (25.08%) and pre-trial detention (until sentence at first instance).

¹⁰ The explanation of detention severity indicated in the table is contained in the Glossary of Terms forming part of this publication.
The data regarding reintegration detention are not indicated separately.

At the same time, the trend in relation to highest detention severity, i.e. prisoners with maximum regime sentences is still growing (2015: 4 136 persons, 2016: 4 446 persons).

<i>Suicide events</i>								
<i>Year</i>		2010	2011	2012	2013	2014	2015	2016
<i>Number of inmates¹¹</i>		15 373	16 203	17 915	17 517	18 042	17 792	18 023
<i>Suicide</i>	<i>Persons</i>	7	9	8	7	6	5	9
	<i>Ratio¹²</i>	4,55	5,55	4,65	4,00	3,33	2,81	4,99
<i>Suicide attempt</i>	<i>Persons</i>	75	36	34	42	49	41	21
	<i>Ratio</i>	48,79	22,22	19,77	23,98	27,26	23,04	11,65

Table 7

The above figures related to suicide and attempted suicide only indicate the cases with a real¹³ suicide crisis in the background. Behind the incidents involving self-harm at the specific institutions there is not necessarily a ‘genuine intent to die’. Such incidents can be caused by *tension relief* or *problems related to imprisonment* (including ‘manipulative’ acts aimed at gaining potential benefits).

As for attempted suicide, looking at our own retrospective data a steadily decreasing trend can be observed in terms of ratios compared to both the number of actual cases and the number of inmates. The ratio of incidents involving completed suicide has been between 2.81-5.55 for years, which despite an increase in 2016, is still well below the international average.¹⁴

<i>Recidivism rates (all inmates)</i>		
<i>Recidivism grade</i>	<i>Persons</i>	<i>%</i>
<i>First time offender</i>	8 863	50,01
<i>Repeat offender not classified as recidivist</i>	535	3,02
<i>Repeat offender</i>	2 194	12,38
<i>Multiple repeat offender</i>	2 851	16,09
<i>Habitual offender</i>	1 746	9,85
<i>Violent multiple repeat offender</i>	362	2,04
<i>N.a.¹⁵</i>	1 173	6,62
<i>Total:</i>	17 724	100,00

Table 8

¹¹ According to international standards, for the calculation of annual ratios the actual average number of registered inmates at closing date (31 December) have been used, although it caused only negligible change in ratios compared to formerly published Reviews.

¹² Ratio: per 10 000 inmates.

¹³ Real suicide crisis means cases where immediate suicide risk is perceived based on exploration, tests and other psychological methods.

¹⁴ See data indicated in Chapter IV ‘International Outlook’.

¹⁵ In terms of recidivism rates no data have been recorded for individuals in relation to whom, based on the relevant notification forms, the court failed to establish or release crime related data.

Based on recidivism data half of the inmates are first time offenders, while repeat offenders represent approximately 40%, of whom 12.38% are repeat offenders, 16.09% are multiple repeat offenders, 9.85% are habitual offenders and 2.04% are violent multiple repeat offenders.

<i>Foreign national prisoners</i>		
<i>Country</i>	<i>Persons</i>	<i>%</i>
<i>Nationals of neighbouring countries</i>	461	54,75
<i>Nationals of other countries</i>	379	45,01
<i>Stateless persons</i> ¹⁶	2	0,24
<i>Total:</i>	842	100

Table 9

4.75% of the total prison population are foreign nationals therefore their ratio, similarly to former years, remained on a scale between 4-5%. 54.75% of foreign national prisoners are citizens of neighbouring countries, indicating a moderate increase compared to last year (50.54%). Overall, however, it can be stated that no significant change in the statistical characteristics of foreign national prisoners occurred.

Data related to education and training

<i>Enrolment rates</i>									
<i>Academic year</i>	<i>Primary school</i>		<i>Secondary school</i>		<i>Vocational training</i>		<i>Tertiary education</i>		<i>Total</i>
	<i>Persons</i>	<i>(%)</i>	<i>Persons</i>	<i>(%)</i>	<i>Persons</i>	<i>(%)</i>	<i>Persons</i>	<i>(%)</i>	
<i>2001/2002</i>	811	37,10	137	6,27	1 238	56,63	N.a.	N.a.	2 186
<i>2002/2003</i>	904	39,56	190	8,32	1 191	52,12	N.a.	N.a.	2 285
<i>2003/2004</i>	991	46,75	240	11,32	889	41,93	N.a.	N.a.	2 120
<i>2004/2005</i>	889	33,91	383	14,61	1 350	51,49	N.a.	N.a.	2 622
<i>2005/2006</i>	878	44,28	457	23,05	648	32,68	N.a.	N.a.	1 983
<i>2006/2007</i>	789	35,29	497	22,23	950	42,49	N.a.	N.a.	2 236
<i>2007/2008</i>	908	48,45	451	24,07	515	27,48	N.a.	N.a.	1 874
<i>2008/2009</i>	968	47,85	715	35,34	340	16,81	N.a.	N.a.	2 023
<i>2009/2010</i>	896	43,41	933	45,20	235	11,39	N.a.	N.a.	2 064
<i>2010/2011</i>	1 020	42,50	878	36,58	479	19,96	23	0,96	2 400
<i>2011/2012</i>	1 159	42,55	920	33,77	606	22,25	39	1,43	2 724
<i>2012/2013</i>	787	34,78	836	36,94	602	26,60	38	1,68	2 263
<i>2013/2014</i>	1 151	42,07	819	29,93	720	26,32	46	1,68	2 736
<i>2014/2015</i>	1 083	34,91	858	27,66	1 131	36,46	30	0,97	3 102
<i>2015/2016</i>	1 016	31,80	967	30,27	1 156 ¹⁷	36,18	56	1,75	3 195
<i>2016/2017</i>	909	30,92	1 218	41,43	770	26,19	43	1,46	2 940

Table 10

¹⁶ Based on declarations of inmates and/or missing documents.

¹⁷ Due to impact of data related to training not completed within the calendar year or not adjusted to academic schedule as well as other factors, instead of the data published in the 2016/1 Review of Hungarian Prison Statistics (1 993 persons), subsequently corrected data have been published.

Formal education is a fundamental pillar of reintegration. For the interpretation of enrolment rates and internal ratios the size of the prison population, the changes occurred in the educational attainment of inmates and the labour market trends should be taken into consideration as well. The values may be influenced by the educational requirements of obtaining marketable qualifications (e.g. specific vocational training courses may be subject to completion of year 10). From the above table it can be seen that the number of enrolled inmates, although with slight fluctuations, has been stable in recent years. The tenders of the National Crime Prevention Council should be mentioned as well, in the framework of which detainees had the opportunity to participate in various courses.

Level of education						
	Total		Male		Female	
	Persons	%	Persons	%	Persons	%
<i>Illiterate</i>	103	0,59	78	0,48	25	1,96
<i>Less than 8 years of primary education</i>	1 951	11,16	1 743	10,75	208	16,31
<i>Primary education</i>	9 691	55,43	9 042	55,78	649	50,90
<i>Unfinished secondary education</i>	1 135	6,49	1 057	6,52	78	6,12
<i>Vocational education</i>	2 654	15,18	2 558	15,78	96	7,53
<i>Secondary school leaving examination</i>	1 532	8,76	1 375	8,48	157	12,31
<i>University/college</i>	418	2,39	356	2,20	62	4,86
<i>Total:</i>	17 484	100,00	16 209	100,00	1 275	100,00
<i>N.a.</i> ¹⁸	240		225		15	

Table 11

For the interpretation of educational data it should be noted that the values indicate the current status. Therefore, the table also contains qualifications obtained since the start of detention, i.e. during incarceration, in addition to the formerly acquired level of education.

The majority of inmates, more than 55% of the total prison population, completed primary level of education, while the second most populous group is made up by those who completed vocational education (15%). It can be observed that among female prisoners the ratio of illiterate inmates or those with less than 8 years of primary education is higher, while the ratio of inmates with secondary and tertiary level of education (college/university) is also higher among female prisoners.

¹⁸ Inmates subjected to admission proceedings at the time of querying data have no educational attainments due to incomplete data recording. In addition, no educational information have been recorded for individuals refusing to answer the relevant question during admission proceedings.

III. DATA RELATED TO PROFESSIONAL ACTIVITY

Data related to security activity

<i>Security related data</i>							
<i>Year</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>
<i>Number of inmates¹⁹</i>	15 373	16 203	17 195	17 517	18 042	17 792	18 023
<i>Absconding</i>	<i>Persons</i>	2	1	3	0	2	3
	<i>Ratio²⁰</i>	1,30	0,62	1,74	0,00	1,11	0,55

Table 12

In terms of absconding, it is important to distinguish between two different forms (i.e. violation and offence). Violation occurs if a detainee fails to return to the penitentiary facility within a specified period of time from any type of authorised leave or short term absence. Offence occurs if a detainee removes himself from penitentiary custody (from a closed and/or guarded area or a transport vehicle of the penitentiary facility). The above table presents the latter cases.

<i>Compulsory attendance - transport</i>			
<i>Year</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>
<i>Compulsory attendance (persons)</i>	25 711	25 085	25 281
<i>Compulsory attendance (cases)</i>	67 879	64 429	64 066
<i>Transport (persons)</i>	67 051	63 794	61 260
<i>Targeted transport (persons)</i>	17 926	15 332	14 528

Table 13

Compulsory attendance means the transportation of inmates to court, prosecution service, medical care or other purposes. As regards the individual penitentiary facilities, the number or compulsory attendances also depends on the number of detainees, as well as the professional profile and the specific purpose of the facility. Transport means, among others, the transportation of detainees to the appropriate penitentiary facilities, medical facilities, or for purposes of compulsory attendance.

In general, the above data can be interpreted as a kind of workload indicator describing the activity of the Prison Service. Compulsory attendance (in terms of number of persons) tended to stagnate over the examined period, while the number of cases decreased continuously.

Based on last year's data the transport and targeted transport figures decreased further, presumably as a result of wide-scale attempts to rationalise the number and organisation of compulsory attendance and transport.

¹⁹ According to international standards, for the calculation of ratios the actual average number of registered inmates at closing date have been used, although it caused only negligible change in ratios compared to formerly published Reviews.

²⁰ Ratio: per 10 000 inmates.

Data related to employment

Average number of employed prisoners (persons)					
<i>Employment by limited companies of prison service</i>	3 570	3 753	4 137	4 405	4 548
of which employed by industrial companies:	1 653	1 846	2 082	2 334	2 521
of which employed by agricultural companies:	1 917	1 907	2 055	2 071	2 027
<i>Penitentiary employment</i>	2 430	2 765	2 741	2 963	3 334
<i>PPP employment²¹</i>	781	723	684	672	749
<i>Total:</i>	6 781	7 241	7 562	8 040	8 631

Table 14

Employment is a key element and an important tool of reintegrating prisoners into society. The above table shows the types of employment according to the nature of activity carried out by inmates. It can be seen that the number of inmates employed both by the limited companies and the penitentiary institutions of the prison service increased almost continuously.

Employment of prisoners (annual average number of persons)				
		2014	2015	2016
<i>Average number of prisoners obliged to work</i>		11 746	11 933	10 166
<i>Employment</i>		7 562	8 040	8 631
<i>including:</i>	limited companies	4 137	4 405	4 548
	penitentiary facilities	2 741	2 963	3 334
	PPP	684	672	749
<i>Other employment</i>		1 819	1 654	2 059
<i>including:</i>	therapeutic employment	186	214	123
	education and training only	1 633	1 440	1 936
<i>Total employed:</i>		9 381	9 694	10 690

Table 15

The employment of prisoners is carried out via budgetary organisations, limited companies of the prison service and other forms of employment. The annual number of prisoners involved in various forms of employment is shown in the above table. The employment ratio in 2014 was 80%, in 2015 it was on average 87%, while at the end of 2016 it reached 88.4%.

²¹ Public-Private Partnership (PPP) – agreed number of prisoners employed by penitentiary facilities operated in the framework of PPP contract.

Distribution of employment according to type in 2016

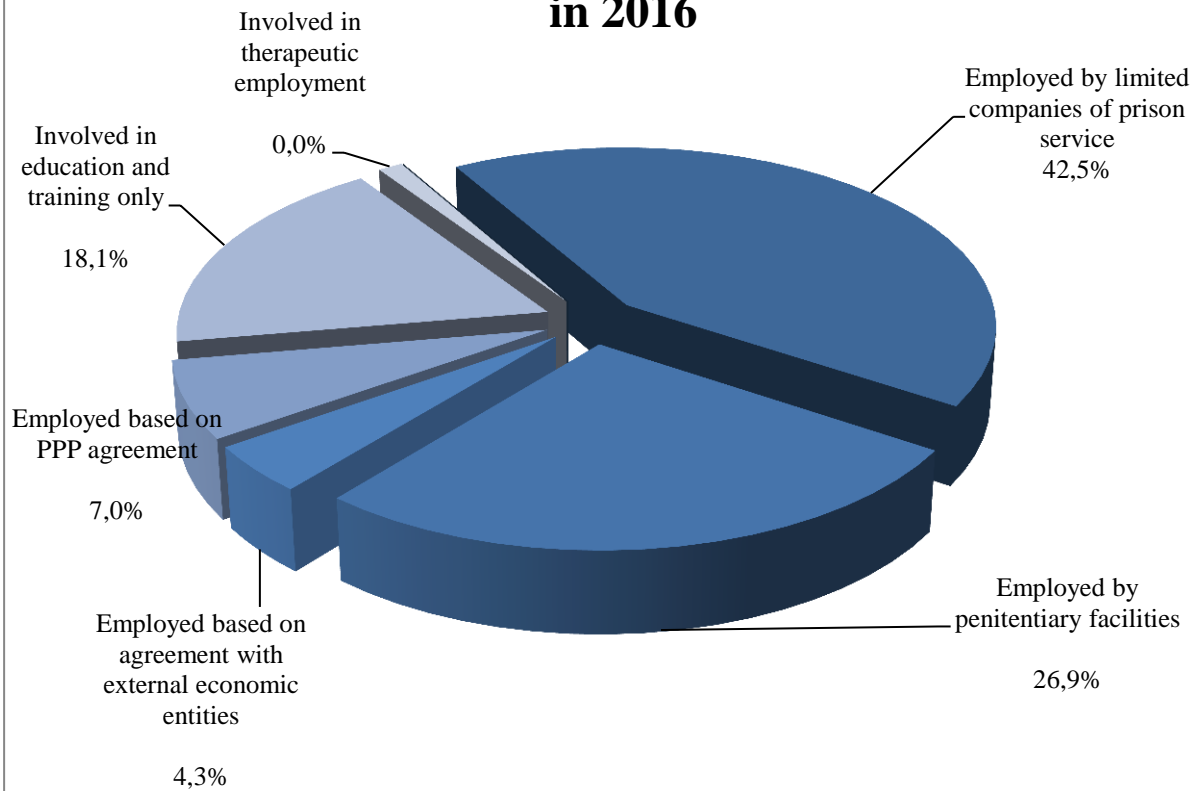


Table 3

The average ratios according to type of employment during the period between 1 January 2016 and 31 December 2016 are indicated in the pie chart above.

Probation supervision carried out by penitentiary services

Correctional probation officers, along with reintegration officers, involved a total of 4 441 convicts in reintegration care (2015: 2 187), indicating a significant growth. The work carried out by decision makers was facilitated by the expert opinion of correctional probation officers (1 581 cases), of which the majority was related to procedures involving placement in reintegration custody (802) and interruption of custodial sentence (560).

Probation supervision remains a markedly significant task; 55 probation officers acted in a total of 5 036 cases, indicating a minimal decrease of 13% compared to previous year (2015: 5 759).

Reintegration into the labour market is a fundamental pillar of successfully re-entering society. As a result of effective cooperation with the competent labour authority 333 individuals became involved in public employment, while additional 31 persons received training and 2 051 persons entered the labour market assisted by probation services.

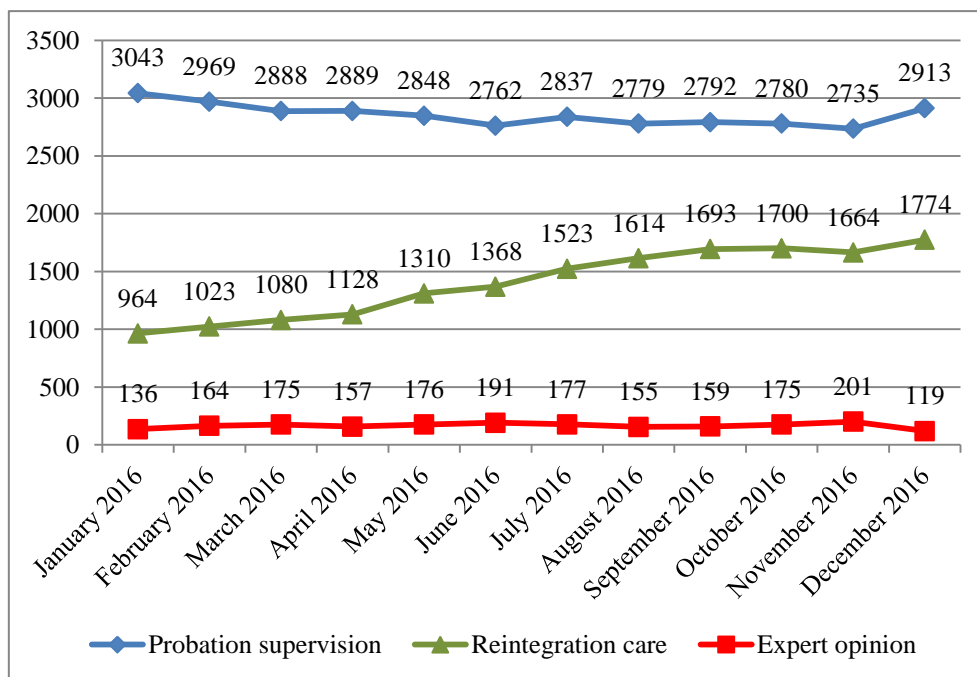


Table 4

Reintegration custody

Over the last year reintegration custody was effectively applied in relation to 364 convicts. Altogether 772 applications were filed by convicts or defence lawyers, of which the penitentiary judges granted permit in 412 cases. Penitentiary facilities initiated proceedings in 205 cases, of which reintegration custody was applied in 110 cases. It should be highlighted that such measures had to be terminated only in 7 cases due to repeated or serious behavioural offences committed by the concerned individuals. Absconding, as a violation, was committed by one individual.

Since 1 February 2016 penitentiary facilities have been obliged to investigate the potential usability of reintegration measures already at the time of admission, notifying the concerned individuals in a documented manner. On 9 August the number of detainees simultaneously placed in reintegration custody reached 177, considered as an outstanding achievement.

Based on the amended legal regulation²² the scope of convicts that can be placed in reintegration custody respectively the applicable period of reintegration custody have been extended since 1 January 2017.

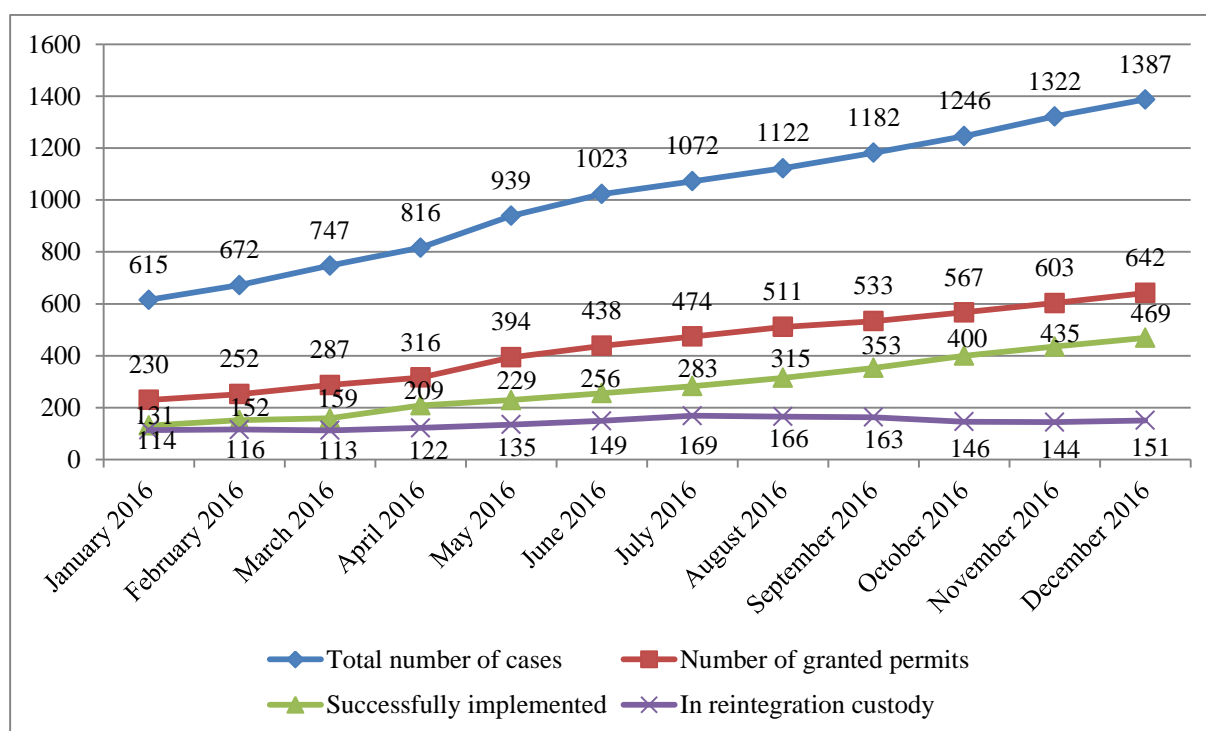


Table 5

²² Act CCXL of 2013 on the execution of punishments, measures, certain coercive measures and minor offence confinement (hereinafter: Penitentiary Code), Art. 187/A (1) and (1a) have been amended.

IV. INTERNATIONAL OUTLOOK

The Council of Europe²³ operating based on intergovernmental cooperation, currently with 47 member states, is a key organisation in view of penitentiary enforcement. The recommendations of the CoE set out important guidelines for the member states with no legally binding force, in addition to carrying out statistical data collection related to penitentiary issues. The Council of Europe gathers annual penal statistics by means of SPACE questionnaires (based on abbreviated name in French). The SPACE essentially covers two areas. The collection of SPACE I data is aimed at detainees held in the member states of the CoE as a result of custodial sentences or other measures. The collection of SPACE II data is aimed at individuals subjected to non-custodial measures or alternative sanctions. The data are collected annually via questionnaires completed by the competent authorities of the member states responsible for penitentiary enforcement and custodial supervision. The collected data are verified, interpreted and analysed for comparison by a specific working group, which carries out consultations with the national data providers in order to ensure the accuracy of analyses as much as possible while drafting its reports. The processing and validating of data and the drafting of the resulting reports generally takes a year, therefore the latest available verified data usually apply to a date two years previously. Accordingly, the following chapter presents reviews based on the latest available reports. The most recent statistics available in 2017 refer to statuses and numbers as of 1 September 2015, while in terms of annual figures the calendar year of 2014 has been applied.

²³ The Council of Europe has 47 member states, with headquarters in Strasbourg, and the official languages being French and English. The CoE member states signed the European Convention on Human Rights, and established the European Court of Human Rights to ensure the enforcement thereof.

Ratio of prisoners

According to SPACE I data the prisoner ratios of the region typically exceed the average values of CoE member states; as regard the Czech Republic, Slovakia, Romania and Hungary there have been generally increasing trends compared to the earliest available values of 2007.

<i>Ratio of prisoners²⁴ in East European countries</i>									
	2007	2008	2009	2010	2011	2012	2013	2014	2015
<i>Council of Europe average</i>	136,8	140,4	143,8	149,3	154	149,9	136,3	136,1	134,1
<i>Bulgaria</i>	150,7	147,6	131,8	124	151,1	145,5	121,3	108,6	106,0
<i>Czech Republic</i>	184,8	200,6	210,4	209	220,9	215,5	154,7	177,5	197,7
<i>Poland</i>	234,2	216,0	220,3	211,5	211,2	218,4	205,0	203,5	204,9 ²⁵
<i>Romania</i>	140,5	122,5	125,7	131,4	139,3	158,7	165,4	158,6	144,9
<i>Slovakia</i>	151,2	152,4	169,4	185,6	198,7	204,9	187,6	187,9	185,9
<i>Hungary</i>	149,6	151,8	164,1	164,4	174,4	177,1	184,8	185	180,8
<i>East European average</i>	168,5	165,1	170,2	170,9	182,6	186,6	169,8	170,2	170,0

Table 16 The data refer to 1 September of the indicated years based on the Council of Europe Annual Penal Statistics - Space I questionnaire.²⁶

Changes occurred in the number of prisoners

<i>Changes occurred in the total number of prisoners</i>				
<i>Czech Republic</i>	22 640	16 266	18 658	20 866
<i>Slovakia</i>	11 075	10 152	10 179	10 087
<i>Poland</i>	84 156	78 994	77 371	77 872
<i>Romania</i>	31 883	33 122	31 637	28 642
<i>Hungary</i>	17 585	18 313	18 270	17 773
<i>England and Wales</i>	86 048	83 842	85 509	86 193
<i>France</i>	76 407	78 363	77 739	65 544
<i>Spain</i>	69 621	68 099	65 931	64 017
<i>Italy</i>	66 271	64 835	54 252	52 389
<i>Sweden</i>	6 431	5 868	5 861	5 770

Table 17

²⁴ Unlike before, the ratio of prisoners indicates a value per 100 000 persons.

²⁵ Data relevant for 1 January 2015.

²⁶ Unless otherwise indicated, the SPACE I questionnaire data refer to 1 September of the specific year.

<i>Changes occurred in the available capacities</i>				
	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>
<i>Czech Republic</i>	21 307	20 924	20 020	20 782
<i>Slovakia</i>	10 798	11 302	11 318	11 184
<i>Poland</i>	86 906	97 311	87 742	N.a.
<i>Romania</i>	26 821	28 487	28 989	N.a.
<i>Hungary</i>	12 668	12 639	12 869	13 736
<i>England and Wales</i>	90 897	87 784	87 688	88 321
<i>France</i>	56 991	57 435	58 054	57 810
<i>Spain</i>	77 895	77 895	59 464	53 512
<i>Italy</i>	45 568	47 703	49 397	49 624
<i>Sweden</i>	7 040	6 586	6 417	6 347

Table 18

<i>Changes occurred in occupancy rates</i>				
	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>
<i>Council of Europe average</i>	97,7	94,2	91,6	91,4
<i>Czech Republic</i>	106,3	77,7	93,2	100,4
<i>Slovakia</i>	102,6	89,8	89,9	90,2
<i>Poland</i>	96,8	81,2	88,2	N.a.
<i>Romania</i>	118,9	116,3	109,1	101,3
<i>Hungary</i>	138,8	144,9	142,0	129,4
<i>England and Wales</i>	94,7	95,5	97,5	97,6
<i>France</i>	134,1	136,4	114,5	113,4
<i>Spain</i>	89,4	87,4	110,9	119,6
<i>Italy</i>	145,4	135,9	119,5	105,6
<i>Sweden</i>	91,3	89,1	91,3	90,9

Table 19

The international data indicate comparison with regard to a specific date, instead of annual average occupancy rates. It can be observed that the overcrowding of Hungarian penitentiary facilities improved slightly along with the gradual implementation of the capacity extension programme.

Suicide

<i>Changes occurred in the number of suicide incidents²⁷</i>				
	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>
<i>Czech Republic</i>	9	16	7	12
<i>Slovakia</i>	7	6	4	6
<i>Poland</i>	22	18	19	<i>N.a.</i>
<i>Romania</i>	9	22	19	13
<i>Hungary</i>	9	8	7	6
<i>England and Wales</i>	57	60	75	89
<i>France</i>	100	96	97	77
<i>Spain</i>	17	30	39	31
<i>Italy</i>	63	56	42	43
<i>Sweden</i>	7	7	6	7

Table 20

<i>Suicide rates²⁸</i>				
	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>
<i>Council of Europe average</i>	7,7	11,2	7,6	7,0
<i>Czech Republic</i>	5,7	5,5	4,3	6,4
<i>Slovakia</i>	6,3	6,9	3,9	5,9
<i>Poland</i>	4,0	2,8	2,4	<i>N.a.</i>
<i>Romania</i>	2,2	2,7	5,7	4,1
<i>Hungary</i>	4,0	4,9	3,8	3,3
<i>England and Wales</i>	6,7	6,8	8,9	10,4
<i>France</i>	12,4	12,8	12,4	9,9
<i>Spain</i>	4,6	2,5	5,7	4,7
<i>Italy</i>	8,3	9,7	6,5	7,9
<i>Sweden</i>	1,6	11,9	10,2	11,9

Table 21

The above international data indicate the comparison of rates with regard to the specific calendar years. Similarly to previous years, the suicide rates in Hungary can be considered low in the examined period, not exceeding half of the average rate of the CoE member states in the last three years.

²⁷ The data refer to the specific calendar years.

²⁸ The data refer to the specific calendar years in proportion to 10 000 detained individuals.

V. TYPICAL FEATURES OF JUVENILE INMATES

Over the past decades juvenile delinquency has been considered a key area in terms of criminology, psychology, sociology and criminal law. It is important to know that based on the current effective Criminal Code Act²⁹ juvenile delinquents are considered to be minors older than twelve years, but younger than eighteen years of age at the time of committing criminal offence³⁰.

In this chapter a wider scope than the above definition of the Criminal Code Act shall be applied. The term juvenile detainee shall mean juvenile offenders held in pre-trial detention as well as juvenile convicts. In addition to convicts younger than eighteen years of age, the category of juvenile convicts shall therefore also include convicted juvenile detainees older than eighteen years, but younger than twenty one years of age.³¹ Based on the current effective legislation, if a convicted individual turns 21 at the start of or during imprisonment, it will be up to the penitentiary judge to decide which type of regime should be applied to detention after that date.³²

Due to their specific background and social characteristics juvenile detainees could be understood as a special group within the total prison population, therefore we considered it important to provide a more detail presentation based on specific statistical characteristics, comparing them to the total prison population from various aspects.

Due to age characteristics there are different penitentiary regulations applied compared to adult prisoners. In relation to juvenile offenders both the method and the scale of imprisonment are different. Presumably the principle *ultima ratio* is particularly applied to this age group, therefore instead of being sentenced to imprisonment in penitentiary facilities they are generally placed in young offender institutions or subjected to alternative sanctions.

It is also important to note that in addition to the measures discussed in this chapter juvenile offenders may also be subjected to confinement imposed due to minor offence³³, imprisonment in minimum security facility in lieu of financial penalty or community service, compulsory therapy or provisional compulsory therapy. The placement of such groups of detainees represents additional responsibility for the Prison Service, fulfilled in a professional and lawful manner. At the same time, in view of the low number³⁴ of detainees this publication will not focus on these juvenile groups and it will not comment on the relevant statistical characteristics either.

²⁹ Act C of 2012 on the Criminal Code (hereinafter: Criminal Code Act)

³⁰ Art. 105 (1) of the Criminal Code Act

³¹ Art. 82.1 of the Penitentiary Code

³² Art. 54 of the Penitentiary Code

³³ Art. 27 of Act II of 2012 on minor offences, procedures related to minor offences and the relevant registration system (hereinafter: Minor Offences Act)

³⁴ Based on the data subsequently queried from the Prisoner Records system the total number of inmates was statistically insignificant in the examined period.

Number of individuals

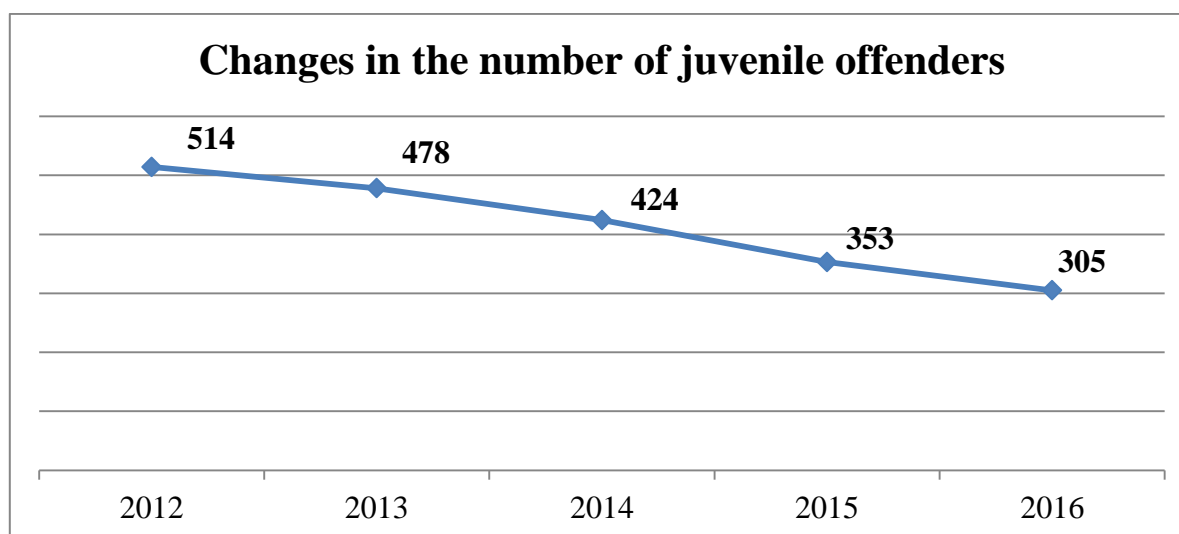


Figure 10³⁵

Based on the analysis data of 31 December 2016 305 individuals were held as juvenile offenders in various penitentiary facilities in Hungary.

According to the data it is clear that the number of juvenile offenders decreased continuously over the past five years. Among them female offenders represent 4.59%, in line with the ratio applicable to the total prison population.

Age characteristics

<i>Distribution of juvenile detainees according to age</i>						
	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	<i>Persons</i>	<i>%</i>	<i>Persons</i>	<i>%</i>	<i>Persons</i>	<i>%</i>
<i>under 14 years</i> ³⁶	N.r.	N.r.	N.r.	N.r.	0	0,00
<i>14-15 years</i>	9	3,09	0	35,71	9	2,95
<i>16-18 years</i>	120	41,24	5	64,29	125	40,98
<i>19-24 years</i>	162	55,67	9	35,71	171	56,07
<i>Total:</i>	291	100,00	14	100,00	305	100,00

Table 22

Based on the above table it can be seen that detainees older than 18 years are still considered among juvenile inmates. Analysing the distribution of juvenile inmates represented by the sample according to age it can be established that the respective ratios under and over the age of 18 are 44% to 56%.

³⁵ Data presented according to closing dates of the specific years.

³⁶ Juvenile offenders younger than 14 years of age must spend pre-trial detention in young offender institutions [Art. 454 (2) and (3) of Act XIX of 1998 on criminal procedures].

Based on the age related data it can be established that as regards offenders committing violent crimes, the minimum age of criminal liability, i.e. 12 years did not increase the number of juvenile detainees held in penitentiary facilities. The pre-trial detention of inmates aged between 14-18 years must be spent primarily in young offender institutions, or in exceptional cases in other penitentiary institutions. Similarly, as regards those with a final sentence, the courts may impose imprisonment in a penitentiary facility dedicated to young offenders (juvenile minimum or medium regime prison), or confinement in a young offender institution. Based on the data both the number of inmates subjected to imprisonment and the number of those subjected to pre-trial detention in a juvenile penitentiary facility decreased therefore, although we have no data relevant for inmates of young offender institutions, it is presumed that the courts generally prefer to impose confinement to be spent in young offender institutions.

Detention of juvenile inmates

<i>Detention of juvenile inmates (persons)</i>			
	<i>2014</i>	<i>2015</i>	<i>2016</i>
<i>Borsod-Abaúj-Zemplén County Remand Prison (Szirmabesenyő)</i>	107	116	102
<i>Juvenile Remand Prison (Tököl)</i>	163	144	94
<i>Baranya County Remand Prison (Pécs)</i>	43	39	38
<i>Bács-Kiskun County Remand Prison (Kecskemét)</i>	34	30	30
<i>Other penitentiary facilities³⁷</i>	77	24	305
<i>Total:</i>	424	353	305

Table 23

As regards juvenile detention facilities dedicated to confinement due to minor offences and criminal offences, the Prison Service also takes into account closeness to the respective places of residence as far as possible. Juvenile inmates must be separated from adult inmates at all times by confinement in a separate penitentiary facility or in a separate unit of the same penitentiary facility³⁸. The facilities dedicated to juvenile offenders include the Juvenile Remand Prison in Tököl, the juvenile facility of the Borsod-Abaúj-Zemplén County Remand Prison in Szirmabesenyő, the Juvenile Regional Prison of the Baranya County Remand Prison in Pécs, and the Juvenile Regional Prison of the Bács-Kiskun County Remand Prison in Kecskemét. More than two-thirds of juvenile detainees are held in these penitentiary institutions, while the rest are detained in other penitentiary facilities.

³⁷ Detainees subjected to admission proceedings, transportation, compulsory attendance, pre-release, etc.

³⁸ Art. 99.1 c) and Art. 192.2 of the Penitentiary Code.

Level of education

<i>Level of education</i>						
	<i>Male</i>		<i>Female</i>		<i>Juvenile convicts</i>	
	<i>Persons</i>	<i>%</i>	<i>Persons</i>	<i>%</i>	<i>Persons</i>	<i>%</i>
<i>Illiterate</i>	1	0,34	0	0,00	1	0,33
<i>Less than 8 years of primary education</i>	110	37,80	4	28,57	114	37,38
<i>Primary school</i>	136	46,74	9	64,29	145	47,54
<i>Unfinished secondary school</i>	39	13,40	0	0,00	39	12,79
<i>Vocational school</i>	2	0,69	1	7,14	3	0,98
<i>N.a.</i>	3	1,03	0	0,00	3	0,98
<i>Total:</i>	291	100,00	14	100,00	305	100,00

Table 24

As regards level of education, based on the above table it can be established that 37.38% of juvenile detainees began but did not complete primary education, while the majority of inmates (47.54%) had primary educational attainment. Young offenders held in penitentiary facilities are obliged to undertake education until the legally specified age of 16; they may complete primary education, possibly followed by secondary and tertiary education, and they may undertake vocational training.

It is important to note that due to their specific circumstances, the reintegration of juvenile inmates is supported by the Prison Services via special training opportunities.

Data related to detention

Based on detention data that can be queried from the Prisoner Records system it is possible to analyse the scope of *committed crimes* as well as *characteristic crimes*.

'*Committed crime*' covers a wider category, including all the offences committed lately or previously by an inmate currently detained in a penitentiary facility (even if a particular crime is not considered to be the most serious one in view of the currently imposed sentence).

'*Characteristic crime*' covers a narrower category, typically meaning the most serious crime committed. For example, if a detainee is held in relation to homicide, physical assault, theft and possession of drugs, the characteristic crime registered in the system will be homicide.

The following analyses will be based on '*characteristic crimes*' recorded in the registration system.

The findings established in relation to the overall prison population, i.e. that the majority of crimes involve damage to property (theft) or damage to property inflicted in a violent manner (robbery) holds true to juvenile offenders as well. Such crimes are followed by offences against life and physical integrity.

<i>Characteristic crimes frequently committed by juvenile offenders</i>				
	<i>2015</i>		<i>2016</i>	
	<i>Persons</i>	<i>%</i>	<i>Persons</i>	<i>%</i>
<i>Robbery</i>	169	47,88	144	47,21
<i>Theft</i>	79	22,38	59	19,34
<i>Physical assault</i>	22	6,23	22	7,21
<i>Homicide</i>	24	6,80	20	6,56
<i>Sexual offence</i>	9	2,55	20	6,56
<i>Other</i>	50	14,16	40	13,11
<i>Total:</i>	353	100,00	305	100,00

Table 25

The above table also indicates that compared to previous year the ratio of offenders committing theft as a characteristic crime decreased in 2016, while the ratio of offenders committing robbery remained almost unchanged, and the ratio of those committing physical assault and sexual offence increased. Consequently, it can be established that although the number of registered characteristic crimes committed by juvenile detainees decreased, in terms of ratios, the overall ratio of violent crimes³⁹ increased moderately (from 63.5% to 67.5%).

<i>Ratio of characteristic crimes frequently committed by juvenile offenders compared to the total prison population</i>				
	<i>Juvenile offenders</i>		<i>Total prison population⁴⁰</i>	
	<i>Persons</i>	<i>%</i>	<i>Persons</i>	<i>%</i>
<i>Robbery</i>	144	47,21	3 310	18,68
<i>Theft</i>	59	19,34	3 972	22,41
<i>Physical assault</i>	22	7,21	1 443	8,14
<i>Homicide</i>	20	6,56	1 558	8,79
<i>Sexual offence</i>	20	6,56	425	2,40
<i>Other⁴¹</i>	40	13,00	7 016	39,58
<i>Total:</i>	305	100,00	17 724	100,00

Table 26

³⁹ Our analysis includes robbery, physical assault, homicide and sexual offence.

⁴⁰ The table compares the typical categories characteristic of young offenders to the total prison population, therefore the separate rows of the table indicate crimes in relation to the total prison population that are most typical of young offenders. For this reason the frequent characteristic crimes and the relevant values indicated in the table have been categorised only for comparison, but they do not provide an overall picture of the total prison population.

⁴¹ This category includes other crimes cumulatively to provide a better overview. For example, individual young offenders committed the following crimes: sexual assault, procuring, harassment, violence against public official, traffic offence, etc.

Analysing the data relevant for the total prison population it can be seen that of all offenders committing property crime as a characteristic crime the majority committed offences purely against property. It is interesting to note, however, that among young offenders the ratio of robbery committed as a characteristic crime is particularly high.

Comparing the overall ratios of violent incidents based on the above table, as regards the already mentioned ratio of 67.5% representing juvenile offenders to 38.01% of the total prison population it can be concluded that among young offenders, partly due to specific age characteristics, the violent nature of crimes is particularly dominant.

<i>Duration of sentences</i>				
	<i>Juvenile offenders</i>		<i>Total prison population</i>	
	<i>Persons</i>	<i>%</i>	<i>Persons</i>	<i>%</i>
<i>less than 1 month</i>	0	0,00	39	0,27
<i>1 - 6 months</i>	8	3,86	274	1,91
<i>6 months - 1 year</i>	20	9,66	950	6,62
<i>1 - 2 years</i>	57	27,54	2 887	20,12
<i>2 - 3 years</i>	45	21,74	2 149	14,98
<i>3 - 5 years</i>	47	22,71	2 708	18,87
<i>5 - 10 years</i>	25	12,08	3 643	25,39
<i>10 years or more</i>	5	2,42	1 648	11,49
<i>Actual life-long imprisonment</i>	N. r.	N. r.	51	0,36
<i>Total:</i>	207	100,00	14 349	100,00
<i>N.a.</i> ⁴²	98	N.r.	3 375	N.r.

Table 27

Considering the duration of the imposed sentences, the picture is very similar for both juvenile offenders and adult offenders: imprisonment between 1-5 years is most dominant, while sentences shorter than 1 year are less typical, and along with the increasing duration of sentences the ratio of convicts decreases proportionally. In view of the analysed group of juvenile detainees, the courts presumably prefer confinement in young offender institutions, rather than imposing imprisonment for less than 12 month duration. The above table well indicates that compared to the total prison population, sentences longer than 10 years are rarely applied to young offenders.⁴³

⁴² The automatic query of data of the Prisoner Records system does not cover individuals admitted with a final sentence the enforcement of which was being processed at the time of data service.

⁴³ The maximum duration of imprisonment that may be imposed on juvenile offenders under the age of 16 shall be 10 years, and in the case of juvenile offenders older than 16 years the maximum duration of imprisonment shall be 15 years (Art. 109 of the Criminal Code Act).

‘A sentence of imprisonment imposed shall be carried out in a juvenile detention facility if : a) the juvenile is sentenced to imprisonment of two years or more for a criminal offence, b) the juvenile is a recidivist and was sentenced to imprisonment of one year or more, or c) the juvenile sentenced to imprisonment of one year or more and, within a period of three years prior to having committed a criminal offence intentionally, he was sentenced to confinement in a young offender institution for an intentional criminal offence.’⁴⁴ The above table well indicates that the majority of juvenile offenders were sentenced to confinement of more than two years. At the same time, considering the total population of young offenders against the total prison population, sentences shorter than three years are most typical: 62.8% of young detainees served confinement for such duration, i.e. maximum 3 years.

<i>Detention severity</i>								
	<i>2013</i>		<i>2014</i>		<i>2015</i>		<i>2016⁴⁵</i>	
	<i>Pers ons</i>	<i>%</i>	<i>Perso ns</i>	<i>%</i>	<i>Perso ns</i>	<i>%</i>	<i>Perso ns</i>	<i>%</i>
<i>Juvenile medium security facility</i>	171	35,77	167	39,39	137	38,81	114	37,38
<i>Juvenile minimum security facility</i>	129	26,99	137	32,31	110	31,16	91	29,84
<i>Juvenile pre-trial detention until sentence at first instance</i>	153	32,01	97	22,88	101	28,61	94	30,82
<i>Juvenile pre-trial detention with no final sentence imposed</i>	25	5,23	23	5,42	5	1,42	6	1,97
<i>Total:</i>	478	100,00	424	100,00	353	10,00	305	100,00

Table 28

Approximately 1/3 of all juvenile offenders are held in pre-trial detention, while approximately 2/3 of them had a final sentence delivered. In their case imprisonment in a minimum or a medium regime penitentiary facility may be imposed, and the above table indicates that just over 50% of young offenders are subjected to imprisonment in medium regime facilities, and less than 50% are subjected to imprisonment in minimum security facilities. Consequently, 35-39% of the total analysed group were subjected to imprisonment in a medium regime facility, and 26-32% of them were subjected to imprisonment in a minimum security facility.

⁴⁴ Art. 110 of the Criminal Code Act.

⁴⁵ In accordance with the footnote on page 5 of this publication, the data have been calculated based on a so called detailed analytical database.

VII. GLOSSARY OF TERMS

The terms listed below are not accurate legal definitions; they primarily serve the better understanding of statistics. Their purpose is to facilitate the interpretation of terms used in prison statistics without extensive legal knowledge.

BASIC TERMS RELATED TO PRISON SERVICE ORGANISATION

Prison Service

The Prison Service is responsible for the enforcement of legally specified custodial sanctions,⁴⁶ in addition to tasks related to aftercare upon release from prison and correctional probation services. The Prison Service is an independent armed public law enforcement authority under control of the Ministry of Interior.

Hungarian Prison Service Headquarters (HPSH)

The Hungarian Prison Service Headquarters serve as a mid-level governing body of the Prison Service, headed by the Director General. The HPSH is responsible for the supervision, control and professional guidance of the penal institutions and bodies.

Limited company of the Prison Service

The limited companies of the Prison Service are 100% state-owned limited liability companies serving outstanding social and public safety interests, with an aim to provide employment to detainees by means of efficient use of resources in a profit-oriented manner, organised in a holding structure.

Penitentiary institution

Penitentiary institutions, commonly known as *prisons*, are the organisational units of the Prison Service for the actual execution of detention. Such institutions may be categorised based on various aspects. Accordingly, they may be defined as pre-trial or custodial facilities. Pre-trial or county facilities are mainly dedicated to the execution of pre-trial detention, while custodial or national facilities are dedicated to the execution of judicial orders (sentences). In addition, there are various institutions that serve specific professional purposes, including the custody of women, juvenile offenders and detainees receiving therapeutic treatment. In professional terms ‘penitentiary institution’ is used due to the fact that prison has a different meaning according to the severity of the applied regime (see later).

Minimum, medium and maximum security prison facilities

Sentences involving deprivation of liberty must be served according to the regime imposed by the specific court order, i.e. in a minimum, medium or maximum security prison facility.

⁴⁶ Punishments, measures, correctional coercive measures, confinement due to minor offence.

Therefore, in addition/contrary to its commonly used meaning, prison is not an institution, but a penitentiary regime determined by the specific court order, ranging from minimum security to maximum security. The strictness of each regime is reflected in the different conditions, the level of institutional control exercised over the individual detainees, the available benefits, etc. Custodial sentences are served as close to the respective places of residence as possible, in penitentiary facilities designated by the Prison Service.

Correctional probation service

Correctional probation service is provided by officers who, through enforcement of the applicable support and control functions, carry out legally available / specified probation services, also supplying environmental reviews and expert opinion as requested by the Ministry of Justice, the courts of justice and the penitentiary authorities in order to support specific decisions, in addition to actively and effectively participating in the preparation of detainees for release and re-integration into society. In functional terms probation officers are crime prevention experts with the primary aim of facilitating successful reintegration and reducing the risk of recidivism.

BASIC TERMS RELATED TO PRISONERS

Prisoner

According to law-enforcement terminology prisoner is a collective term used for individuals subjected to deprivation of liberty on any grounds, held in various penitentiary facilities. This category includes any individual with a final court order, as well as pre-trial detainees, individuals subjected to compulsory therapy and offenders serving correctional detention.

Correctional detention

Correctional detention is a criminal sanction involving deprivation of liberty, mainly imposed on offenders in relation to whom, based on the relevant social, economic, family related or age related circumstances, no other punishment would be practical due to the moderate gravity of the particular offence, or in relation to whom correctional detention would be considered more effective in the interest of prevention. Correctional detention may be imposed for a period of 5-90 days (as regards juvenile offenders for a period of 3-30 days).

Pre-trial detention until sentence delivered at first instance

Deprivation of liberty ordered by court in relation to offenders subjected to coercive measures (pre-trial detainees) until sentence delivered at first instance.

Pre-trial detention without a final sentence imposed

Deprivation of liberty ordered by court in relation to offenders subjected to coercive measures (pre-trial detainees) until sentence becomes final.

Detention

Detention is a form of punishment involving deprivation of liberty, mainly imposed in cases where the purpose of the specific punishment may be served by deprivation of liberty of a short duration. This kind of punishment may be applied to individuals committing minor offence or criminal offence as specified by the law in lieu of a fine, to be served in penitentiary institutions designated by the law.

Pre-trial detention of juvenile offenders until sentence delivered at first instance

Deprivation of liberty ordered by court in relation to offenders subjected to coercive measures (pre-trial detainees) until sentence delivered at first instance, if the detainee is younger than 18 years of age at the time of committing the specific offence.

Pre-trial detention of juvenile offenders without a final sentence imposed

Deprivation of liberty ordered by court in relation to offenders subjected to coercive measures (pre-trial detainees) until sentence becomes final, if the detainee is younger than 18 years of age at the time of committing the specific offence.

Reintegration custody

Reintegration custody is aimed at optimising the contrast between deprivation of liberty and independent responsible living through control applied over a specific period of time by the competent public authorities. It serves the purpose of reducing overpopulation and deprivation of liberty as well as achieving reintegration goals, and it can be applied to offenders committing less serious crimes, by using electronic monitoring devices based on judicial decision, allowing offenders to spend the last 10-12 months of punishment at home.

In legal terms, it is an atypical form of home confinement.

Immigration detention

Immigration detention may be applied to non-Hungarian nationals of third countries imposing restriction of liberty as a coercive measure, and it can be served in a penitentiary facility, based on the applicable decision of the acting court as specified by the law. Immigration detention is aimed at providing safe custody to third-country nationals for the duration of proceedings while ensuring availability to the relevant authorities. Immigration detention may be ordered for a maximum duration of 72 hours, to be extended by the court having jurisdiction according to the place of detention by maximum thirty days at a time, until removal or handover of the third-country national concerned.

Provisional compulsory therapy

Provisional compulsory therapy involves deprivation of liberty of persons with mental disorder, imposed by a judge in the course of proceedings (without a final order). Such measures are applied if based on the court's conclusion compulsory therapy would be required upon completion of proceedings. Without establishing liability, the court may order compulsory therapy if an offender suffering from mental disorder was not accountable at the time of committing a violent crime or punishable act involving public threat, and if there is danger of committing a similar act in future, provided that, in case of punishability, the

offender would be subjected to a sentence more severe than deprivation of liberty imposed for one year. Provisional compulsory therapy must be performed at the Psychiatric and Mental Institution of the Prison Service.

Compulsory therapy

Compulsory therapy is applicable to offenders committing violent crime against person(s) or a punishable act involving public threat if, due to mental disorder, such an offender is not deemed punishable, and if there is danger of committing a similar act in future, provided that, in case of punishability, the offender would be subjected to a sentence more severe than deprivation of liberty imposed for one year.

Criminal law measures for therapeutic purposes should be applied to offenders committing violent crime against person(s) or a punishable act involving public threat if, due to mental disorder, such an offender is not deemed punishable. The primary aim of these measures is to provide treatment.

Community service converted to imprisonment (to be served in minimum security prison)

An unfulfilled community service imposed in infringement proceedings shall be converted to imprisonment if failure to perform such community service (in full or in part) is attributable to the individual concerned. Four to six hours of unfulfilled community service shall be equivalent to one day of imprisonment.

Financial penalty converted to imprisonment (to be served in minimum security prison)

An unpaid financial penalty shall be converted to imprisonment if failure to pay the imposed fine or, if payment by instalment was granted, failure to pay one month worth of instalment occurs. Imprisonment in lieu of fine shall be of minimum 30, but maximum 540 days duration, where one day of imprisonment shall be equivalent to a fine of minimum HUF 1,000, but maximum HUF 500,000.

Remand detainee subjected to handover-takeover

Remand detainee handed over from Hungary to foreign jurisdiction based on European arrest warrant or criminal justice assistance with temporary or definitive effect.

Correctional remand detainee subjected to takeover

Remand detainee handed over to Hungarian jurisdiction based on European arrest warrant or criminal justice assistance with temporary or definitive effect.

Repeat offender not classified as recidivist

A convicted individual formerly sentenced to executable imprisonment due to committing wilful crime, with more than three years passed since the time of release. This category also includes detainees who committed crime formerly or lately, or in both cases, without a wilful intent.

Habitual offender

A repeat offender who committed crime both times in the same or in a similar manner.

Repeat offender

A wilful offender formerly sentenced to executable imprisonment due to committing wilful crime with less than three years passed since completion of sentence or termination of enforceability.

Multiple repeat offender

A wilful offender formerly sentenced to executable imprisonment due to repeat offence with less than three years passed since completion of sentence or termination of enforceability.

Violent multiple repeat offender

A multiple repeat offender who committed all three crimes against person(s) in a violent manner.