

## TEMPLATE POLICY PAGE

<b>Category:</b>	<b>Youth Crime</b>
<b>Country:</b>	<b>Hungary</b>
<b>Year:</b>	<b>/</b>

<b>Main policy page:</b>	<b>/</b>
<b>Relevant legislation:</b>	<p>Both the Act C. of 2012 on the Criminal Code and Act XIX of 1998 on the Criminal Proceedings are comprehensive laws covering criminal laws on adults and juveniles, so there is no separate code on juveniles' criminal law and criminal procedure law. However, both the Criminal Code and the Criminal Proceedings Act do set out rules on juveniles, in a separate chapter each.</p> <p><b>Act C. of 2012 on the Criminal Code</b> English translation: <a href="http://www.academia.edu/4602286/Criminal_Code_of_Hungary_2012">http://www.academia.edu/4602286/Criminal_Code_of_Hungary_2012</a></p> <p>The Criminal Code contains provisions referring to juveniles in a separate chapter (<i>Chapter XI.</i>). It defines the category of juvenile offender and sets forth specific rules related to these offenders. The governing principle of provisions of criminal law on juveniles is education and protection of juvenile offenders. This is why they face less harsh punishments which apply only in exceptional cases, should protective and educational measures prove insufficient.</p> <p><i>Section 105.</i> (1) 'Juvenile offender' means any person between the age of twelve and eighteen at the time of committing a crime. (2) The provisions of this Act shall apply to juveniles with the exceptions set out in this Chapter.</p> <p><i>Section 106.</i> (1) The most important objective of any punishment or sanction imposed upon a juvenile is to positively influence the juvenile's development to become a useful member of society. (2) A punishment shall be imposed when the application of a sanction appears to be impractical. (3) A sanction or punishment involving any length of incarceration may only be applied if the aim of the sanction or punishment cannot otherwise be achieved.</p> <p><b>Act CXXIII of 2006 on mediation in criminal</b> (available in Hungarian on-line: <a href="http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600123.TV&amp;celpara=#xcelparam">http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600123.TV&amp;celpara=#xcelparam</a>)</p> <p>The mediation technique has already been used in the fields of civil law, family law and employment law. From 2007 onwards, it can also be applied in criminal proceedings. According to Section 221/A of the Code on Criminal Proceedings (Act XIX of 1998)., the mediation process may be used in criminal proceedings dealing with certain offences against the person, property or traffic offences if the crime is</p>

	<p>punishable with no more than five years' imprisonment, and the offender has pled guilty during the criminal investigation. The possibility of mediation is excluded in several cases, for example, if the offence caused death or the offender is a multiple re-offender.</p> <p><b>Act XIX of 1998 on the Criminal Proceedings</b>  (available in Hungarian on-line:  <a href="http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800019.TV">http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800019.TV</a>)</p> <p>According to the Criminal Proceedings Act special rules apply to juvenile offenders. Under <i>Chapter XXI</i>, the proceedings against a juvenile offender shall be conducted by taking into account the characteristics of his age and in a way that promotes the juvenile offender's respect for the laws. In the course of the criminal proceedings – when necessary or under the provisions of the relevant legal regulation – protective and precautionary measures should be initiated in the interest of the juvenile offender, as well as actions against the person having neglected to educate, care for or supervise the juvenile offender.</p> <p><b>Act XXXI of 1997 on the Protection of Children and Guardianship Administration</b>  Hungarian on-line:  <a href="http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV&amp;celpara=#xcelparam">http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV&amp;celpara=#xcelparam</a>)</p> <p><b>Parliamentary resolution no. 1744/2013 (X.28.) on the National Strategy for Community Crime Prevention</b>  a short summary in English is available here:  <a href="http://eucpn.org/strategies/index.asp">http://eucpn.org/strategies/index.asp</a></p>
<b>Trends:</b>	Trends in attachments.

<b>Contacts:</b>	<p><b>National organisations:</b></p> <p>Ministry of Human Capacities –  <a href="http://www.kormany.hu/en/ministry-of-human-resources">http://www.kormany.hu/en/ministry-of-human-resources</a></p> <p>Ministry of Interior –  <a href="http://www.kormany.hu/en/ministry-of-interior">http://www.kormany.hu/en/ministry-of-interior</a></p> <p>Ministry of Justice –  <a href="http://www.kormany.hu/en/ministry-of-justice">http://www.kormany.hu/en/ministry-of-justice</a></p> <p>National Police –  <a href="http://www.police.hu/hirek-es-informaciok/bunmegelozes/aktualis">http://www.police.hu/hirek-es-informaciok/bunmegelozes/aktualis</a></p> <p>Office of Justice of the Ministry of Justice –  <a href="http://www.kih.gov.hu">www.kih.gov.hu</a></p> <p>National Institute of Family and Social Policy –  <a href="http://ncsszi.hu/national-institute-for-family-and-social-policy">http://ncsszi.hu/national-institute-for-family-and-social-policy</a></p> <p>Csagyai (Family, Child, Youth Association) –</p>
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	<a href="http://www.csagy.hu/en/researches-projects/archive/child-abuse">http://www.csagy.hu/en/researches-projects/archive/child-abuse</a>
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