



## REVIEW OF HUNGARIAN PRISON STATISTICS



HUNGARIAN PRISON SERVICE

# REVIEW OF HUNGARIAN PRISON STATISTICS

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## **Cover Photo:**

Photo of the Hungarian Prison Service

## **Sources:**

Security Service  
Incarceration Affairs Service  
Department of Limited Companies  
Department of Central Transfer and Registry

## **Imprint:**

Published by  
the National Headquarters of the Hungarian Prison Service (BvOP)  
8 Steindl Imre street, H-1054 Budapest, Hungary

## **Publisher:**

Colonel Dr Kornélia Csató, Head of the Bureau  
Major General Dr Tamás Tóth, Director General

## **Responsible for Publishing:**

Colonel Dr Kornélia Csató, Head of the Bureau

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**ISSN 2416-1233**

**2020**

## CONTENTS

<b>I. INTRODUCTION.....</b>	<b>5</b>
<b>II. INMATE STATISTICS.....</b>	<b>6</b>
Number of inmates and their demographical data .....	6
Data related to detention .....	8
Data related to education and training .....	13
<b>III. DATA RELATED TO PROFESSIONAL ACTIVITY .....</b>	<b>14</b>
Data related to security activity .....	14
Data related to employment .....	15
<b>IV. OBSERVABLE TENDENCIES IN PRISONER NUMBERS .....</b>	<b>16</b>
Introduction.....	16
Distribution of prisoner by level of execution .....	17
Distribution of prisoners by gender and age characteristics .....	19
Summary .....	20
<b>V. GLOSSARY OF TERMS .....</b>	<b>21</b>

The statistical activity of the Department for Strategic Planning and Analysis of the National Headquarters of the Hungarian Prison Service is dedicated to satisfy society's general need for information, publishing data based on objective facts.

With publishing statistical information related to the activity of the Hungarian Prison Service, we present a fair picture to the professional political decision-makers, governmental organizations, local governments, civil organizations, professional and scientific organizations, institutions of the European Union and international organizations.

Our aim is that the scope of official statistics should meet the user demand for the activity of the Hungarian Prison Service.

The statistical data is published in a regulated and transparent way, taking into account professional impartiality, objectivity and user-orientation, all according to professional requirements.

The defining developmental directions of our scientific activity are relevance, data protection, established and updated methods, commitment toward quality, timeliness and punctuality, coherence and comparability, accessibility and understandability.

The Reviews of Hungarian Prison Service Statistics that were published in previous years as reference points and sources of data have strived to integrate new demands into statistical surveys and the transformation of statistical information according to the demand of the users.

With regard to the inmate statistics, the Review of Hungarian Prison Statistics provides more comprehensive statistics than the Central Statistical Office.

*Recommendation of the Editor-in-Chief*

## I. INTRODUCTION

The aim of this present publication is to provide periodical statistics about the data regarding inmates incarcerated by the Hungarian Prison Service and the activities of the organization. We would like to provide a wide-ranging and current background for research and analytical purposes.

We compile the data on inmates from the statistics downloaded from the software of the Basic Inmate Registry of the Hungarian Prison Service (hereinafter: BIR) and the data collected by certain Departments and Services of the Hungarian Prison Service Headquarters.

While analysing the statistics one must bear in mind that the numbers regarding inmates are dynamic data, the number of inmates may change a number of times a day. Because of this a part of the statistics can only be analysed while taking the date given into account and also, to facilitate analysis we have primarily worked with percentages.

The publication, apart from general organizational data, contains every time a special chapter on inmate groups or another professional area of the Prison Service. In this issue we present data related to tendencies in the number of prisoners and related data.

## II. INMATE STATISTICS

### Number of inmates and their demographical data

Based on the following diagram it can be stated that the average prison population in the recent period has continuously decreased.

<i>Average prison population changes (annual average)</i>			
<i>Annual average prison population<sup>1</sup></i>		<i>Prison population on closing date<sup>2</sup></i>	
<i>Year</i>	<i>pers</i>	<i>Year</i>	<i>pers</i>
<b>2017</b>	17 944	<b>2017</b>	17 343
<b>2018</b>	17 251	<b>2018</b>	16 303
<b>2019</b>	16 664	<b>2019</b>	16 334

**Table 1**

<i>Total prison population according to gender and age (31.12.2019)</i>				
	<i>Total prisoner population (No. of persons)</i>		<i>Juvenile prisoners<sup>3</sup> (No. of persons)</i>	
<i>Male</i>	15,079	92.32%	167	94.88%
<i>Female</i>	1,255	7.68%	9	5.12%
<b>Total:</b>	16,334 <sup>4</sup>	100.00%	176	100.00%
			<i>Total: 1.08%</i>	

**Table 2**

<sup>1</sup> 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 (BIR).

<sup>2</sup> Numbers of prison population on 31 December of the given year - the reference number used most frequently in analyses (e.g. in the Prison Service Yearbook, see: <https://bv.gov.hu/hu/evkonyv>).

<sup>3</sup> Juvenile minimum security prison, juvenile prison, juvenile pre-trial detention until sentence at first instance, juvenile pre-trial detention with no final sentence imposed

<sup>4</sup> For showing statistics and analysis in this edition we are using the number of prisoners on 31 December 2019 (16 334 persons) this data was already published in other statistical data provisions, which is received by a subsequent query for that day from a so-called analysis database, which makes it possible to analyse in more detail the data received from FÁNY software. We consider it important to use this more detailed database in order to receive a more comprehensive and objective view of the data and statistical characteristics of prisoners.

Based on the demographic data of prisoners it can be stated that women represent only 7,68% of the total prison population (with no significant changes in this respect), while the ratio of juvenile inmates decreased further (2015: 1,97%, 2016: 1,72%, 2017: 1,37%, 2018: 1,23%, 2019: 1,08%), approx. 95% is male.

<b><i>Distribution according to age (2019. 12. 31.)</i></b>		
<b><i>Age groups</i></b>	<b><i>pers</i></b>	<b><i>%</i></b>
<i>under 16 years</i>	2	0.01
<i>16-18 years</i>	56	0.34
<i>19-24 years</i>	1,740	10.65
<i>25-29 years</i>	2,537	15.53
<i>30-39 years</i>	4,716	28.88
<i>40-49 years</i>	4,420	27.06
<i>50-59 years</i>	2,116	12.95
<i>over 60 years</i>	747	4.58
<b><i>Total:</i></b>	<b>16,334</b>	<b>100.00</b>

**Table 3**

Similarly to the previous year's data, the detailed breakdown according to age shows that detainees belonging to the 30-39 year age group are highest represented. The second most populous age group is the one between 40-49 years, therefore it can be concluded that more than half of the prison population is aged between 30-49 years.

The ratio of prisoners older than 40 years increased similarly to previous years (2014: 38,36%, 2015: 36,96%, 2016: 40,3%, 2017: 41,09%, 2018: 42,2%, 2019: 44,59%).<sup>5</sup>

4.58% of the prisoners are over the age of 60, so their proportion shows an increase compared to previous years (2017: 3,8%, 2018: 3,98%), which we thought was important to highlight mainly due to their special needs.

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<sup>5</sup> Collected data based on distribution of age groups published in previous Reviews of Prison Statistics.

<i>Distribution of age groups in percentage terms and changes in the average age of prisoners</i>						
<i>Age group</i>	<i>31.12.2014</i>	<i>31.12.2015</i>	<i>31.12.2016</i>	<i>31.12.2017</i>	<i>31.12.2018</i>	<i>31.12.2019</i>
<i>under 18 years</i>	0.61	0.46	0.47	0.84	0.72	0.35
<i>18 - 24 years</i>	16.19	15.16	13.58	11.00	12.23	10.65
<i>25 – 29 years</i>	15.1	15.28	15.47	17.88	15.20	15.53
<i>30 – 39 years</i>	31.32	30.69	30.22	29.23	29.67	28.88
<i>40 - 49 years</i>	24.58	25.35	26.37	26.18	26.28	27.06
<i>50 – 59 years</i>	9.54	9.98	10.42	11.11	11.94	12.95
<i>over 60 years older</i>	2.66	3.037	3.48	3.80	3.98	4.58
<b><i>Average age:</i></b>	36 years 8 months	36 years 6 months	37 years 6 months	37 years 10 months	37 years 9 months	37 years 11 months

**Table 4**

Based on the above table it is clear that the ratio of juvenile inmates has been continuously decreasing for years. It can also be observed that the ratio of inmates above 60 is on constant rise every year. From the numbers presenting average age it can be seen that until 2017 it is increasing and then after a small decrease this process continues in 2019.

### **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 and the prison service intend to meet the applicable requirements by adopting a specific occupancy balancing programme, implementing capacity extension projects and constructing new penitentiary facilities.

<i>Average occupancy rates (%)</i>		<i>Closing day average occupancy rates (%)</i>	
<i>Year</i>	<i>%</i>	<i>Year</i>	<i>%</i>
<b>2017.</b>	129	<b>2017.</b>	124
<b>2018.</b>	122	<b>2018.</b>	113
<b>2019.</b>	112	<b>2019.</b>	110

**Table 5**<sup>6</sup>

<sup>6</sup> For easier review and comparison, the average occupancy rates are shown first based on subsequently calculated data, and second as calculated from the number of prisoners on the closing days of the specific years.



With regards to the year 2019 the average number of prisoners was 16 64. Due to the capacity expansions implemented, the average overcrowding shows a significant decrease compared to previous years, at an average overcrowding level of 112%.

<i>Distribution of prisoners according to detention severity (31.12.2019)</i>						
	<i>Total</i>	<i>%</i>	<i>Male</i>	<i>%</i>	<i>Female</i>	<i>%</i>
<i>Strict Regime Prison</i>	4,844	29.65	4,608	95.12	236	4.88
<i>Medium Regime Prison</i>	6,807	41.67	6,215	91.3	592	8.7
<i>Minimum Security Prison</i>	726	4.44	661	91.04	65	8.96
<i>Community service and financial penalty converted to imprisonment (minimum security)</i>	405	2.47	375	92.5	30	7.4
<i>Juvenile, medium regime prison</i>	84	0.51	79	94.04	5	5.96
<i>Juvenile, minimum security prison</i>	52	0.31	49	94.23	3	5.77
<b>Convicts</b>	<b>12 918</b>	<b>79.08</b>	<b>11,987</b>	<b>92.79</b>	<b>931</b>	<b>7.21</b>
<i>Pre-trial detention until sentence at first instance</i>	2,300	14.08	2,070	90	230	10
<i>Pre-trial detention with no final sentence imposed</i>	369	2.25	335	90.78	34	9.22
<i>Pre-trial detention of juvenile offenders until sentence delivered at first instance</i>	38	0.23	37	97.36	1	2.64
<i>Juvenile, pre-trial detention with no final sentence imposed</i>	2	0.01	2	100	0	0
<b>Arrested</b>	<b>2 709</b>	<b>16.57</b>	<b>2,444</b>	<b>90.21</b>	<b>265</b>	<b>9.79</b>
<i>Custody, correctional detention</i>	450	2.75	424	94.22	26	5.78
<i>Compulsory therapy</i>	188	1.15	159	84.57	29	15.43
<i>Preliminary compulsory therapy</i>	32	0.19	28	87.5	4	12.5
<i>Handover/takeover arrestees</i>	33	0.2	33	100	0	0
<i>Internal transfers</i>	4	0.02	4	100	0	0
<b>Total:</b>	<b>16,334</b>	<b>100</b>	<b>15,079</b>	<b>92.31</b>	<b>1,255</b>	<b>7.69</b>

**Table 6**

The above table indicating the distribution of prisoners according to detention severity shows that more than 80% of the inmates have been delivered a final sentence, with majority still held in medium regime facilities (43, 26% of total number of prisoners).

According to detention severity the next most populous group is of prisoners held in maximum regime prisons (28, 99% of total number of prisoners).

Despite the general decrease in the number of prisoners, the number of strict regime prisoners continued to increase in 2019 (according to the analytical numbers used in previous issues of the Prison Statistics Review, 2014: 3 869 persons, 2015: 4 136 persons, 2016: 4 446 persons, 2017: 4 446 persons, 2018: 4 446 persons, 2019: 4 844 persons)

<i>Duration of sentence</i>		
	<i>2019. 12. 31.</i>	
	<i>pers</i>	<i>%</i>
<i>Shorter than 1 month</i>	46	0.34
<i>1 month – 6 months</i>	332	2.48
<i>6 months – 1 year</i>	696	5.20
<i>1 year – 2 years</i>	2,288	17.08
<i>2 years – 3 years</i>	1,933	14.43
<i>3 years – 5 years</i>	2,647	19.76
<i>5 year – 10 years</i>	3,623	27.05
<i>10 years or more</i>	1,768	13.20
<i>Indefinite period</i>	62	0.46
<b>Total:</b>	13,395	100
<i>Undetermined</i>	411	N.r. <sup>7</sup>
<i>No final sentence imposed<sup>8</sup></i>	2 528	N.r.
<b>Total:</b>	16,334	N.r.

**Table 7**

The largest group in terms of the length of sentences imposed is still the group sentenced to 5-10 years of imprisonment followed by 3-5 years and then to 1-2 years sentences. Sentences of less than one year are less typical.

In case of sentence periods of more than 3 years an increase can be observed both in terms of proportion and number of persons, compared to the data of the previous year.

<sup>7</sup> Hereinafter the abbreviation "N.r." will refer to cases Not Relevant from the point of view of the survey.

<sup>8</sup> When doing calculations for the table showing the ratio numbers of length of sentences we considered only final sentences as relevant, thus we did not include the following groups: juvenile detainees without a final sentence imposed / detainees with no final sentence imposed, detainees before sentence delivered at first instance / juvenile detainees before sentence delivered at first instance.

<i>Suicide events</i>								
<i>Year</i>		<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
<i>Number of inmates</i>		17 517	18 042	17 792	18 023	17 944	17 251	16 664
<i>Suicide</i>	<i>pers</i>	7	6	5	9	4	6	6
	<i>Ratio</i> <sup>9</sup>	4.00	3.33	2.81	4.99	2.23	3.48	3.60
<i>Suicide attempt</i>	<i>pers</i>	42	49	41	21	8	12	5
	<i>Ratio</i>	23.98	27.16	23.04	11.65	4.46	6.96	3.00

**Table 8**

The above figures related to suicide and attempted suicide only indicate the cases with a real suicide crisis in the background. Behind the incidents involving self-harm at the specific institutions there is not necessarily a „genuine intent to die”<sup>10</sup>. Such incidents can be caused by tension relief or problems related to imprisonment (including „manipulative” acts aimed at gaining potential benefits).

As a professional development, and as a result of more efficient treatment of prisoners it can be stated, that while observing some fluctuation, the numbers of attempted suicides are decreasing with a slight downward trend over a number of years, the number and rate of finished suicides is also well below the international average, despite a slight increase over the last year.

<sup>9</sup> Ratio: value per 10 000 prisoners, proportion.

<sup>10</sup> Real suicide crisis means cases where immediate suicide risk is perceived based on exploration, tests and other psychological methods.

<i>Recidivism rates (2019. 12. 31.)</i>		
<i>Recidivism grade</i>	<i>No. of persons</i>	<i>%</i>
<i>First time offender</i>	7,351	45.00
<i>Not a recidivist</i>	509	3.12
<i>Repeat offender not classified as recidivist</i>	1,127	6.90
<i>Repeat offender</i>	1,239	7.59
<i>Multiple repeat offender</i>	2,963	18.14
<i>Violent multiple repeat offender</i>	449	2.75
<i>Habitual offender</i>	2,051	12.56
<i>Habitual multiple repeat offender</i>	41	0.25
<i>Not classified</i>	604	3.70
<b>Total:</b>	16,334	100.00

**Table 9**

Based on recidivism data half of the inmates are first time offenders

<i>Prisoners by nationality</i>		
<i>Nationality</i>	<i>pers</i>	<i>%</i>
<i>Inmates who are Hungarian nationals</i>	15,529	95.07
<i>Foreign national prisoners<sup>11</sup></i>	805	4.93
<b>Total:</b>	16,334	100.00

**Table 10**

The ratio of foreign and non-Hungarian nationals in the prison population was similar to previous years. In addition it can be stated that no significant change occurred in the statistical characteristics of foreign national prisoners.

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<sup>11</sup> Foreign national prisoners are defined as prisoners with foreign nationality who do not have Hungarian citizenship.

## Data related to education and training

<i>Enrolment rates</i>									
<i>Academic year</i>	<i>Primary education</i>		<i>Secondary school</i>		<i>Vocational training</i>		<i>Higher education</i>		<i>Total</i>
	<i>pers</i>	<i>(%)</i>	<i>pers</i>	<i>(%)</i>	<i>pers</i>	<i>(%)</i>	<i>pers</i>	<i>(%)</i>	
2011/2012	1,159	42.55	920	33.77	606	22.25	39	1.43	2,724
2012/2013	787	34.78	836	36.94	602	26.60	38	1.68	2,263
2013/2014	1,151	42.07	819	29.93	720	26.32	46	1.68	2,736
2014/2015	1,083	34.91	858	27.66	1,131	36.46	30	0.97	3,102
2015/2016	1,016	31.8	967	30.27	1,156 <sup>12</sup>	36.18	56	1.75	3,195
2016/2017	909	30.92	1,218	41.43	770	26.19	43	1.46	2,940
2017/2018	821	27.90	1,252	42.54	828	28.13	42	1.43	2,943
2018/2019	831	27.50	1,193	39.48	969	32.06	29	0.96	3,022
2019/2020	856	27.21	1,242	39.48	1,024	32.55	24	0.76	3,146

**Table 11**

Aggregate data on education and vocational training show an increase compared to the figures of the previous year. In terms of headcount data, the number of participants in both primary and secondary education has increased. Overall it is a positive trend that while the average number of prisoners is decreasing, the overall enrolment numbers are showing a slight increase, so the enrolment rate is also increasing.<sup>13</sup>

In addition to evaluating the data, it should be noted that an increasing number of prisoners are joining vocational training or education while working, thereby helping them to successfully reintegrate into society and to follow a law-abiding lifestyle.

<sup>12</sup> 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.

<sup>13</sup> In one of the previous Prison Statistics Review (<https://bv.gov.hu/sites/default/files/Review%20of%20Hungarian%20Prison%20Statistics%202018%201.pdf>) there is a detailed analysis of prisoner education and training numbers.

### III. DATA RELATED TO PROFESSIONAL ACTIVITY

#### Data related to security activity

<i>Security related data</i>						
<i>Year</i>		<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
<i>Number of inmates</i>		17,792	18,023	17,944	17,251	16,664
<i>Absconding</i>	<i>Cases</i>	3	1	6	4	2
	<i>pers</i>	3	1	6	5	2
	<i>Ratio</i>	1.69	0.55	3.34	2.90	1.20

**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.

The number of escapes decreased compared to the previous years, in all cases the escaped detainees were returned to the penitentiary facility within a short period of time.

<i>Compulsory attendance - transport</i>						
<i>Year</i>		<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
<i>Compulsory attendance</i>		64,429	64,066	62,248	55,823	45,616
<i>Transportation</i>		63,794	61,260	56,549	51,955	41,201
<i>Targeted transportation</i>		15,332	14,528	13,478	11,673	11,745
<b><i>Total:</i></b>		79126	75788	70027	63627	52,946

**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 penitentiary facility. Transport means, among other things, the transportation of detainees to the appropriate penitentiary facilities, civil medical facilities.

Based on this data figures for transport and compulsory attendance decreased further. The reasons include wide-scale attempts to rationalise the number and organisation of compulsory attendance and transport, moreover because of the newly introduced teleconferencing technique and the decreasing number of arrests.

## Data related to employment

<b>Average number of employed prisoners (persons)</b>						
	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
<b><i>Employment by companies of prison service</i></b>	<b>4,137</b>	<b>4,405</b>	<b>4,548</b>	<b>4,678</b>	<b>3,861</b>	<b>3,643</b>
of which employed by industrial companies:	2,082	2,334	2,521	2,620	2,320	2,195
of which employed by agricultural companies:	2,055	2,071	2,027	2,058	1,541	1,448
<b><i>Penitentiary employment</i></b>	<b>2,741</b>	<b>2,963</b>	<b>3,334</b>	<b>3,483</b>	<b>3,125</b>	<b>3,495</b>
<b><i>PPP employment<sup>14</sup></i></b>	<b>684</b>	<b>672</b>	<b>749</b>	<b>633</b>	<b>723</b>	<b>759</b>
<b><i>Total:</i></b>	<b>7,562</b>	<b>8,040</b>	<b>8,631</b>	<b>8,794</b>	<b>7,709</b>	<b>7,897</b>

**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. The total employment of detainees by the end of 2017 continued, and the results achieved were maintained.

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<sup>14</sup> Abbreviation for *public-private partnership (PPP)* in which employment of prisoners in penitentiary facilities is arranged on a contracted basis, in the numbers according to the contract.

## IV. OBSERVABLE TENDENCIES IN PRISONER NUMBERS

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### Introduction

As a result of the transformation and reform of criminal law and other regulations in previous years, the coercive measures and penalties imposed by the courts also brought significant changes to the Penitentiary Organization. Our organization is in constant dynamic renewal, as a result it is essential that the changes of the recent period are reviewed from time to time to be able to foresee situations to which we have to react. This is based on continuous evaluation and analysis.

Noticeably, the range of alternative sanctions and other coercive measures involving deprivation of liberty has expanded, and the number of people involved in these is constantly increasing. With the introduction of judicial supervision (regulated by Act XC of 2017 on Criminal Procedure) and reintegration custody (regulated by the Penal Code), the number of detainees in institutions has decreased significantly.

On 31 December 2019, a total of 395 prisoners were under reintegration custody which amounts to the headcount of two smaller institutions. According to the data of the National Police Headquarters, 1.391 people were under judicial supervision on 31 December 2019 (of which 658 were equipped with electronic surveillance devices).

As a result, the overcrowding rates have been steadily improving in penitentiary institutions. In addition, over the past nine years, the reception capacity of the Penitentiary Organization has increased by 2.822 new places. While in the second half of 2013 18.439 inmates were accommodated in 12.584 places (which represents an overcrowding of 146.6%), in the first half of 2019, 16.664 inmates were placed in 14.866 places. In 2019, the Kiskunhalas National Prison was integrated into the system, as a result the overcrowding dropped to 112%.

<i>Average number of places (persons)</i>						
	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
<i>Annual average number of prisoners</i>	18,129	17,792	18,023	17,944	17,251	16,664
<i>Average number of places</i>	12 869	13 209	13 774	13 922	14,149	14,866
<i>Capacity shortage</i>	5,260	4,583	4,249	4,022	3,102	1,798

**Table 15**

However, the amount of our tasks did not change in direct proportion to the decrease in the number of prisoners. Differentiated segregation, placement in accordance with fundamental rights, and compliance with the criminological, health and age characteristics of detainees are one of the tasks of the present day, which must be faced and which must be met while maintaining safe detention.



## Distribution of prisoners according to detention severity

In the course of segregation by degree of detention severity and differentiated placement, the provision of specific involved rights and the imposition of obligations can be particularly well observed within the Penitentiary Organization. While penitentiary facilities usually located in county capitals or in the neighbourhood of courts specialize in the execution of detention, national prisons serve to keep convicts of medium regime. Strict Regime Prisons and remand prisons are places of detention classified as more severe. Some prison facilities are multifunctional, performing their tasks in separated facilities or departments.

The capacity of the county type facilities is 3.336, the number of persons that can be accommodated at the national prison facilities within legal conditions is 4.742, and 6.450 persons can be placed in closed institutional conditions, while the capacity to accommodate juveniles is 301.

Detainees are placed primarily according to above rules, and their long-term placement must meet the requirement of safe and lawful detention.

<i>Distribution of convicts<sup>15</sup> according to detention severity (persons)</i>					
	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
<i>Strict Regime Prison</i>	4,123	4,496	4,710	4,727	4,844
<i>Medium Regime Prison</i>	7,492	7,688	7,325	7,052	6,807
<i>Minimum Security Prison</i>	1,165	817	767	725	726
<b>Total:</b>	<b>12,780</b>	<b>13,001</b>	<b>12,802</b>	<b>12,504</b>	<b>12,377</b>

**Table 16**

Among the convicted prisoners of the analysis above, the largest ratio is still made up of the medium regime prisoners, as 6807 persons) of the convicts with a final sentence fall into that category.

In the case of convicted prisoners, there has been a significant change in the proportion of penalty types.

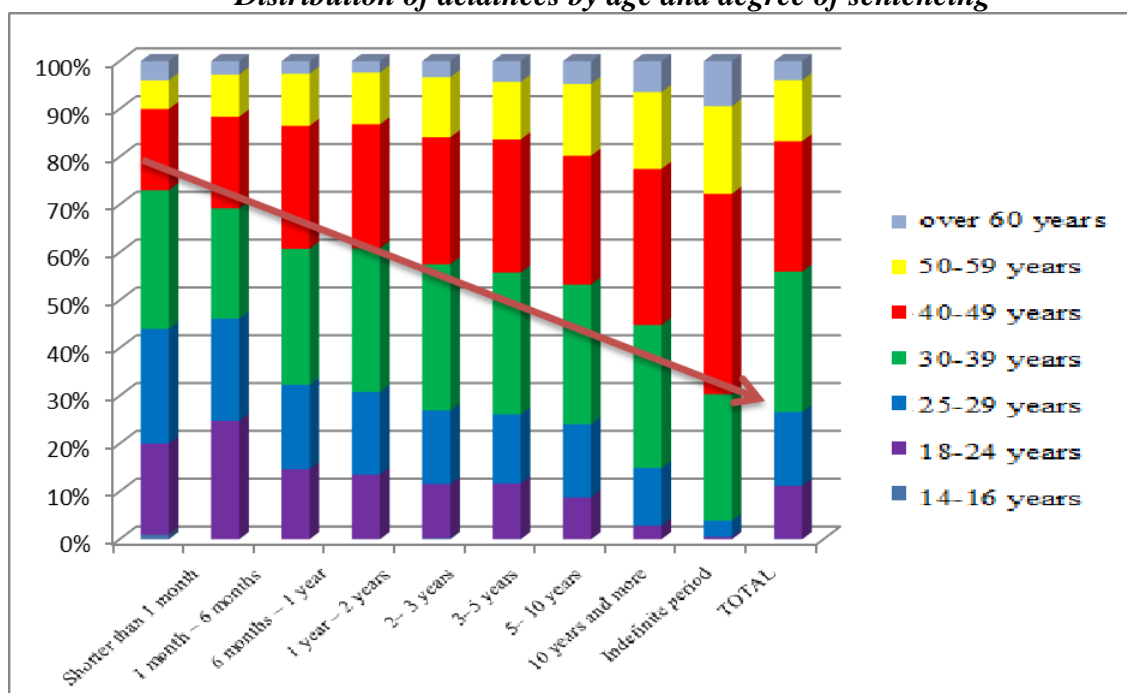
Examining the last five-year time interval, it can be stated that, in addition to the significant reduction in the number of prisoners, the detainees are serving imprisonment increasing in degree of severity and length.

The number of medium and minimum security prison sentences has dropped by thousand detainees altogether, while an increasing number of people are serving their sentences in strict regime prison terms, and as of 31 December 2019, 4.844 people were in the most severe category.

It is important to emphasize that despite the general decrease in the number of prisoners, the number of prison convicts in strict regime facilities increased by 117 in 2019, which is a constant challenge in terms of overall placement, security and reintegration activities, and also indicates that new places should be planned with this group in mind.

<sup>15</sup> The author of this article shows in this table analyses the numbers and statistics of convicts based exclusively on the group of adults sentenced to imprisonment by final judgement.

*Distribution of detainees by age and degree of sentencing*



**Figure 1.**

In addition to long-term imprisonment, the median of the average age of inmates also increased.

The number of people sentenced to life imprisonment is summarized in the table below.

<i>The number of people sentenced to life imprisonment on the closing date of the year (persons)</i>						
	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Number of persons serving life imprisonment	283	313	338	346	357	382

**Table 17**

During the years under review, the number of persons serving life imprisonment has increased even more significantly than the strictest degree of enforcement, of which the number of persons sentenced to actual life imprisonment is constantly increasing as well. Their detention carries a high risk, and their placement requires great care, as they are dangerous not only to others but also to themselves.

The Szeged Strict and Medium Regime Prison, the Budapest Strict and Medium Regime Prison, the Tiszalök National Prison, the Institute, the Sopronkőhida Strict and Medium Regime Prison and the Sátoraljaújhely Strict and Medium Regime Prison register 85% of detainees serving life imprisonment. It can be observed that during their placement such a penitentiary institute has been designated where there is available a Long-Term Special Department, or was previously a Special Security District, so staff and building features are better suited to their safe detention.

<i>The number of people arrested and non-convicted persons on the closing date of the year (persons)</i>						
	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Arrested/non-convicted	4,610	4,021	3,622	3,401	2,694	2,709

**Table 18**

It can be clearly seen in the table above that the number of those arrested and not convicted has decreased, but the declining trend has stopped compared to the previous period, and their number seems to be stabilizing.

The number of people receiving psychiatric treatment is currently stagnant; on 31 December 2019 it was 188. Their special placement is provided at the Forensic Observatory and Mental Healing Institute.

The number of detainees serving detention is also steadily increasing, having increased by 72 percentage points over the past five years, and on 31 December 2019, 450 people were deprived of their liberty in this degree of severity, representing 2.75% of the total.

### **Distribution of prisoners by gender and age characteristics**

The gender distribution of inmates has not changed over the years, with the proportion of female inmates ranging from 7 to 7.5%. The penal institutions had a total of 1.518 female placements in 2019, with 1.255 inmates.

The prison facilities and departments for women a total of 378 women of arrested status can be placed, while 1.140 women can be placed as convicts and detainees under conditions in accordance with the law. Based on the above, it can be concluded that the Penitentiary Organization has a total of 263 free capacities, which can be redeployed to other places of detention in the detainee population.

Such an opportunity is available by the Szombathely National Prison in an institution from which the transfer of female prisoners is continuous and the department for their placement is redeployed to a different prisoner population. In the Kiskunhalas National Prison regarding the building “A” in addition to the above, a decision was made at the local level, according to which the building was converted exclusively for male detention, with a positive effect on the more differentiated, better adapted placement of detainees.

Regarding the age in terms of criminal law, the number of detainees changed significantly during the period under review.

The number of juveniles dropped radically, as the system had to be set up at the end of 2014 to accommodate 456 juveniles arrested and convicted. Given their special needs and placement, the possibility of which capacities could be involved in their detention had to be constantly examined. Currently, 136 juveniles convicted and non-convicted and 40 juveniles arrested (176 in total) have been accommodated in the 301 available detention facilities for juveniles.

Due to the significant free capacities of the departments, adult detainees were also accommodated in the facilities for this purpose, taking into account the architectural features of the facility.

In order to support this practice, it is necessary that the number of places for juveniles be better aligned with the number of detainees corresponding to such characteristics, therefore - where this is architecturally possible - it is justified to reallocate individual departments and floors to the prison facilities to align capacity needs.

Based on the data, the Tököl National Prison for Juvenile detainees had the possibility to reallocate the reception capacity of the institute on 1 November 2019, so a total of 131 places were transferred to the Tököl National Prison.

Since November 2019, the majority of juveniles were redeployed from the Baranya County Remand Prison, Facility II. as well, so it was possible to accommodate adult men who received their final judgment (the capacity of the building is 56 people). In Pécs, only arrested juveniles and participants in EFOP programs will be accommodated.

The utilization of the capacities liberated in this way can be done in the most expedient way if there is a placement of male convicts for strict regime prison facilities.

## Summary

Examining today's Hungarian placement possibilities, it can be stated that - although in a limited number - there are some capacities available, with the rethinking and utilization of which the implementation of differentiated placement becomes easier to implement. The penitentiary institutions should look for opportunities that serve not only societal expectations but also the interests of the Penitentiary Organization.

The reduced number of prisoners should direct our attention to move from the examination of the overall overcrowding of the organization to the analysis and efficient management of the overcrowding.

## V. 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

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#### ***Prison Service***

The Prison Service is responsible for the enforcement of legally specified custodial sanctions,<sup>16</sup> in addition to tasks related to aftercare of persons 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.

#### ***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).

#### ***Limited companies 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.

#### ***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. Therefore, in addition/contrary to its commonly used meaning, prison is not an institution, but

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<sup>16</sup> Punishments, measures, criminal procedure enforcement measures, criminal foreclosure, confinement for minor offences.

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. Custodial sentences are served as close to the respective places of residence as possible, in penitentiary facilities designated by the Prison Service.

## **BASIC TERMS RELATED TO PRISONERS**

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### ***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.

### ***Pre-trial detention before sentence at first instance***

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

### ***Pre-trial detention before sentence is delivered at first instance***

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 form of punishment is used for offences and crimes as well - in cases defined by law. Types: criminal foreclosure, confinement for minor offences, confinement in lieu of a fine, to be served in penitentiary institutions designated by law for this purpose.

### ***Pre-trial detention of juvenile offenders before sentence is delivered at first instance***

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

### ***Juvenile, pre-trial detention with no final sentence imposed***

Deprivation of liberty ordered by court in relation to offenders subjected to coercive measures 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 overcrowding 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.

### ***Temporary involuntary therapy***

Temporary involuntary 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 that involuntary therapy would be required upon completion of the criminal procedure. 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. Temporary involuntary therapy must be performed at the Psychiatric and Mental Institution of the Prison Service.

### ***Involuntary therapy***

Involuntary 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 measure of 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 medical treatment.

### ***Community service converted to imprisonment***

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. The content of community service should be defined in hours, the smallest amount is 48, the largest amount is 312 hours. Four hours of unfulfilled community service shall be equivalent to one day of imprisonment, which should be served in a minimum security prison facility.

***Financial penalty converted to imprisonment***

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. Financial penalty converted to imprisonment should be served in a minimum security prison facility.

***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.

***Recidivist***

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 repeated offender (recidivist)***

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 (recidivist)***

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