

Newsletter of the *European Society of Criminology*

CRIMINOLOGY IN EUROPE



New Series: Trust in Justice

Contemporary Issues in Crime and Control in Hungary

Editorial office:

Max Planck Institute for Foreign and International Criminal Law
Günterstalstrasse 73
79100 Freiburg i. Br.
Phone: +49 (761) 7081-314
Fax: +49 (761) 7081-294
Email: c.gyoery@mpicc.de

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Communications should be addressed as follows

To the president:

Vesna Nikolić-Ristanović
Faculty for Special Education and Rehabilitation
University of Belgrade
Visokog Stevana 2
11000 Belgrade / Serbia
Email: vnikolic@eunet.rs

To the business office:

Marcelo Aebi
University of Lausanne
ESC-ICDP-Sorge-BCH
CH-1015 Lausanne, Switzerland
Phone: 41 21 692 4638
Fax: 41 21 692 4645
Email: secretariat@esc-eurocrim.org

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Vesna Nikolić-Ristanović

FROM BILBAO TOWARD BUDAPEST

ENHANCING LINKS BETWEEN WESTERN AND EASTERN EUROPE



I am writing this paper just a couple of months before the 13th Annual ESC Conference which is to be held in the beautiful city of Budapest. I cannot wait to once again meet so many people devoted to research in criminology, and to listen to new findings and explore uncharted territories 'beyond punitiveness'.

Having organised three of the five previous conferences in Central and Eastern Europe (Ljubljana in 2009, Vilnius in 2011, and now Budapest), it has become obvious that the ESC is a truly European organisation, mak-

ing a serious effort to bridge the gap between Eastern and Western European criminologies and criminologists.

During the same period, two ESC presidents, Professor Miklós Lévy and myself, have been from this region. This means that Executive Board meetings were also organised in the cities of Central and Eastern Europe. This year, while attending the Executive Board meeting in Belgrade, Professor Paul Knepper, the editor in chief of *European Journal of Criminology*, gave a lecture about the Journal to scholars and students at the University of Belgrade.

We are hopeful that all of these events will generate future cooperation, since they help to raise awareness about the ESC and the *European Journal of Criminology* with criminologists in Eastern Europe. However, it may also be wise to organise events in other countries of this region which are in many ways marginal in comparison to Western European criminology. These events may be specifically focused on informing scholars, students, and policy makers about the ESC and its activities. They may attract even younger criminologists to become members of ESC. This 'information campaign' may be one of our potential activities in the years to come.

ESC working groups are an existing and continuous opportunity for various forms of cooperation as well. Some of them developed important and innovative international projects, such as the International Self-Report Delinquency Survey, and the European Sourcebook on Crime and Criminal Justice Statistics, among others. Recently, some new and promising working groups were established that cover several important areas which should have better visibility at ESC conferences, such as: the European Historical Criminology (EHC) working group, the Victimology Working Group, and European

Criminology Group on Atrocity Crimes and Transitional Justice. The idea of establishing a working group for Central and Eastern European Criminology has also been proposed—we hope this group will also soon be among the many within the ESC. It would be good for the ESC to follow these trends and have an increasing number of active and innovative working groups.

Finally, I want to mention one more development which is very important for establishing a comparative perspective within European criminology. This is the country survey section in the European Journal of Criminology, which gives a brief yet comprehensive overview of crime and criminal justice in European countries. This is a very good base for developing a comparative perspective of our journal, since European countries have many similarities but, as we all know, even more differences that are relevant for criminology.

The time obviously flies, and it seems to me like it was yesterday when we enjoyed the 12th Annual ECS Conference in the beautiful city of Bilbao, which attracted more than 800 participants. I look forward to seeing even more participants and much more great and challenging papers this year in Budapest. I particularly would like to see more survey findings and theoretical reflections on the connection between positive life experiences, on one side, and crime prevention, on the other. I myself intend to look from this perspective to the conference topic in my presidential address by exposing possible connections between subjective perception of well-being and crime.

Viszontlátásra Budapesten!

Vesna Nikolic-Ristanovic is Professor of Criminology at the University of Belgrade and the President of the ESC.



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Mike Hough and Stefano Maffei

TRUST IN JUSTICE

THINKING ABOUT LEGITIMACY

This article discusses two large-scale research projects focused on trust in justice. Both were funded by the European Commission under the Seventh Framework Programme. Euro-Justis, co-ordinated by the first author, ran from 2008 until 2011; FIDUCIA, coordinated by the second author, started last year and will finish in 2015. Both projects have drawn heavily on procedural justice theory, and particularly on the work of Tom Tyler.

THEORIES OF NORMATIVE COMPLIANCE

The question which has dominated as well as defined criminology is, 'Why do people break the law?' Procedural justice theory in general, and our two projects in particular, invert this question to discover reasons for *compliance* with the law. This focuses attention on a different set of explanations. When we ask why we *ourselves* observe the criminal law most of the time, we immediately look to answers that are couched in terms of normative compliance. When people ask why *others* break the law, explanations tend to be in terms of instrumental factors, such as insufficient deterrence or insufficient responsiveness to deterrence.

The distinction between instrumental and normative compliance is a concept central to the work done here. Instrumental compliance occurs when an individual or an institution offers a reward to encourage others to do (or not to do) something, or threatens punishment to those who do (or fail to do) something. Instrumental strategies are a routine feature of everyday life. Rewards and punishment are widely used in schools to secure compliance; the workplace operates—at least on the face of it—as a reward-based system in which desired activities result in pay, promotion, and status. And of course the criminal justice system—again on the face of it—is essentially a system of deterrent threat, whereby the state promises to punish those who break the law.

Normative compliance, by contrast, is socially motivated behaviour, where people do what they are required or expected to do because they think it is the 'right thing,' and not simply in their own best interests. Normative compliance flows from internalised social norms. A moment's thought will tell us that most of

us obey the criminal law most of the time, and very rarely if ever contemplate shoplifting or burgling our neighbours' houses. This reflects the fact that we have well-engrained habits of compliance with the law that originate from a sense that law-breaking is morally wrong.

There is a wide range of theories for explaining what creates, sustains or weakens the impact of social norms on behaviour. Some are concerned with the relationship between crime and 'political economy' (cf. Reiner 2007; Cavadino and Dignan 2013), which has traced the connections between the social distribution of wealth and attachment to—or detachment from—social norms. Theories of institutional anomie (cf. Messner and Rosenfeld 2001, 2010) serve as good examples of this line of thought; they find linkages between macro-social factors and conformity to social norms. Other compliance theories are concerned with the effect on societal norms of the institutions of formal social control. For example Robinson and Darley argue that if the law's potential for building a moral consensus is to be exploited, judicial outcomes, and especially court sentences, must be aligned at least to some degree with public sentiments (Robinson and Darley 2007; Robinson 2012).

Procedural justice theory is a similar micro- or meso-level theory about institutional legitimacy, but it focuses more explicitly on the *processes* involved in the exercise of power and the transformation of power into legitimate authority in a way that generates normative compliance. The intellectual origins of procedural justice theory can be traced back to Durkheimian and especially Weberian thinking about the roots of social order. However, Tyler and colleagues (e.g. Tyler et al. 2007; Tyler 2011) have developed a set of consequentialist arguments, based on the role of *procedural* rather than *outcome* justice in shaping institutional legitimacy. This body of work emphasises the need for institutions of justice to pursue fair and respectful *processes*—in contrast to *outcomes*—as the surest strategies for building trust in justice, and thus institutional legitimacy and compliance with the law. This is the central hypothesis in procedural justice theory.

THE EBB AND FLOW OF PROCEDURAL JUSTICE THEORY

Procedural justice theories rely heavily on the traditional notion from political philosophy that proposes that winning ‘hearts and minds’ is central to the effective use of authority. This precept has enjoyed political currency, with varying degrees of saliency, in the past. UK policing, for example, was founded on principles of policing by consent. However, throughout the 1990s and into the new century, ideas of legitimacy and consent became increasingly submerged. In the United Kingdom for sure, but also in other European countries, politicians have used the no-nonsense “get tough” language of crack-downs on crime, appealing to ideas about a partnership between the police and ‘the law abiding majority’ which would yield public cooperation in the ‘fight against crime.’ Many commentators have referred to a ‘punitive turn’ in European politics that has left little room in political discourse for ideas of any complexity or subtlety. The reasons for this have been located in the interactions between politicians’ relations with the media, new forms of ‘new public management’ governance that rely on target setting and a growing public distrust of technocratic experts.

Nevertheless, procedural justice thinking is fast gaining traction in many countries. In the United States in particular, the sheer cost of strategies of mass incarceration is attracting criticism from the Republican right (www.rightoncrime.com),¹ opening up opportunities for alternative ways of thinking about social regulation. Added to this, many industrialised countries have seen declines in crime since the 1980s (e.g. the United States) and 1990s (e.g. the United Kingdom and Australia), which may have served to cool down the overheated politics of justice. This has created political space for more constructive crime control strategies. Whatever the case may be, the last 5 years has certainly seen what Tankebe (2013) has dubbed a legitimacy turn, at least in professional and academic discussions of crime policy.

EURO-JUSTIS AND OUR WORK WITH THE EUROPEAN SOCIAL SURVEY

In 2008, we and several colleagues at seven other universities and research centres secured a significant Framework 7 grant from the European Commission to develop survey-based measures of trust in justice. Euro-justis (www.eurojustis.eu) involved both conceptual and empirical work on the concepts of trust in justice, and legitimacy and compliance. A sub-group of the Euro-

justis consortium led by LSE used this work to make a successful bid for space in the questionnaire of the fifth European Social Survey (ESS) (www.europeansocialsurvey.org).

The ESS was established in 2001 and fieldwork for the fifth sweep was conducted in late 2010. A central coordinating team funded by the European Commission runs the survey, and each participating country covers its own fieldwork costs. The survey is recognised currently to be one of the highest quality cross-European surveys. The questionnaire comprises an invariant core of questions asked of all respondents in each round, and a series of rotating modules which are included in only some rounds. Academics are invited to bid for space on the questionnaire in each round, and the suite of questions that the sub-group proposed was derived largely from our Euro-justis work.

DEFINING INSTITUTIONAL LEGITIMACY

Legitimacy is a ‘slippery’ concept. We defined it in our ESS module as the right to rule and the recognition by the ruled of that right. Hirsch (2008, 2010) has distinguished usefully between normative (or objective) legitimacy and empirical (or subjective) legitimacy. On the one hand, legitimacy is a normatively laden term used by political philosophers to describe whether states (or state institutions) meet certain desirable standards. On the other hand, the term is also used in a less value-laden way, to describe whether those who are subject to authority actually confer legitimacy on that authority—regardless of its objective success in meeting accepted standards of legitimacy.

Our ESS work was concerned solely with questions of *empirical legitimacy* and its drivers. We conceptualised empirical legitimacy as having three sub-components—obligation to obey, legality, and moral alignment—and we constructed scales to measure each of these three components. We proposed a broader definition than that used by Tyler, at least in his early work, which tended to equate perceived legitimacy with deference to authority. Our definition follows David Beetham (1991) in arguing that an authority has legitimacy when three preconditions are met:

1 For a detailed discussion of this development, see the article by Susanne Karstedt in the previous edition of the Newsletter: Susanne Karstedt: Never Waste a Good Crisis. *Criminology in Europe*, 2013. 1. p. 5-10.



1. The ‘governed’ offer their willing consent to defer to the authority,
2. This consent is grounded, first, on the authority’s conformity to standards of legality (acting according to the law),
3. And, second, on a degree of ‘moral alignment’ between the power-holder and the governed, reflected in shared moral values.

According to this definition, legitimacy is not simply signified by a positive duty to obey authority and a perception of that authority’s entitlement to command. The second and third pre-conditions of empirical legitimacy—legality and moral alignment—ensure that the obligation to obey is grounded in a sense that the institutions of justice act morally and with legality.

We derived scales to measure the three dimensions of (empirical) legitimacy; we also operationalised measures, covering the work of the police and the courts, of:

- Trust in procedural fairness,
- Trust in outcome fairness,
- Trust in competence,

- Risks of sanction of law-breaking,
- Preparedness to cooperate with the police and the courts, and
- Self-reported offending.

This enabled us to use multivariate statistics on a database covering 27 countries and 52,000 respondents, to see if the predicted associations between trust and legitimacy existed, and whether these were consistent across participating countries. We do not propose to describe findings in any detail here.² The two charts below give a flavour of variations between countries in trust in police procedural fairness (Figure 1) and perceived police legitimacy, measured by an item on whether people felt a sense of obligation to obey the police (Figure 2).

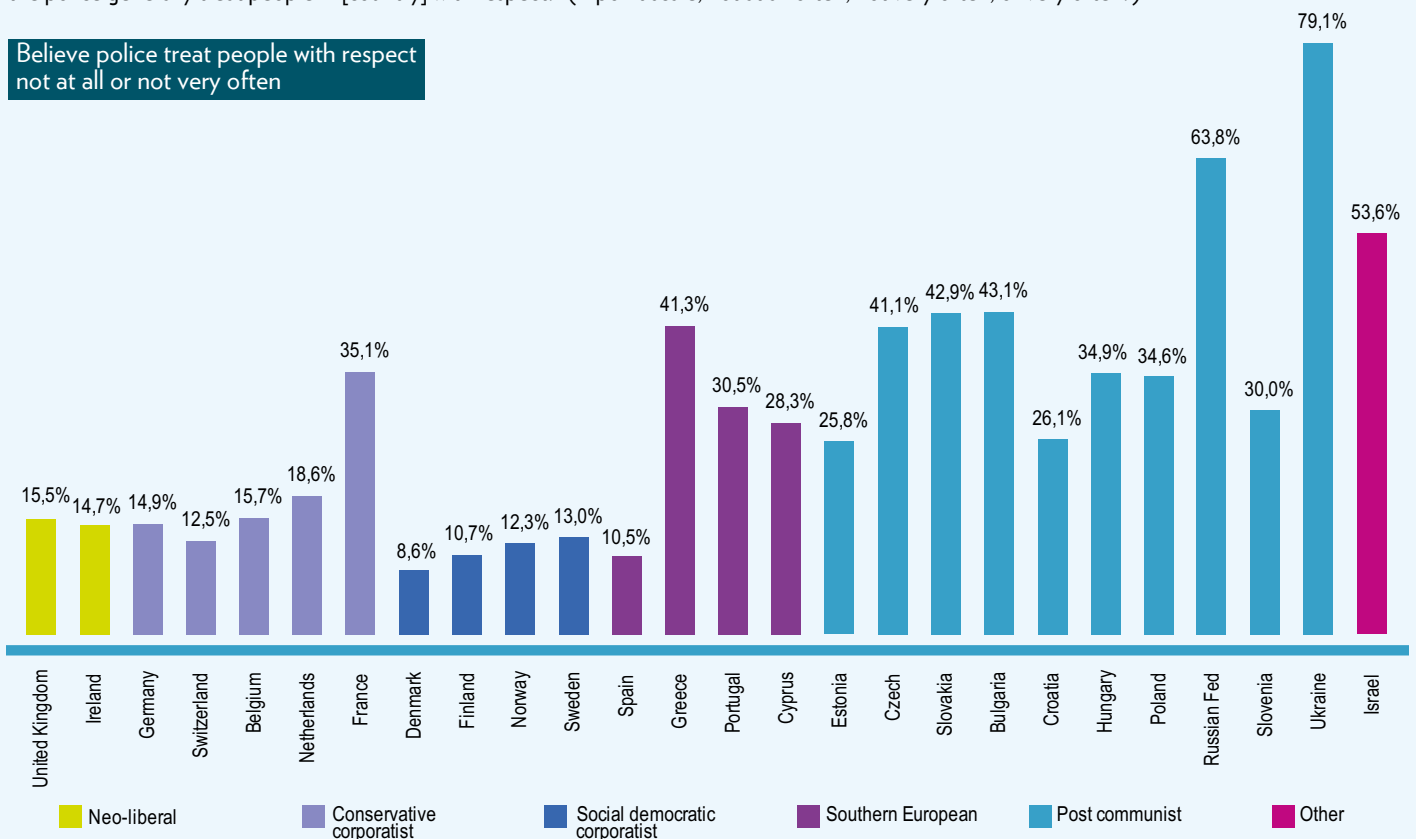
Whilst these ‘league tables’ are intrinsically intriguing, the theoretically more interesting issues are the relationships between concepts. Procedural justice theories

2 For detailed findings, see European Social Survey 2011, 2012; Hough et al. 2013a, 2013b; Jackson et al. 2012.

Figure 1. Trust in police fairness

Question: “Based on what you have heard or your own experience how often would you say the police generally treat people in [country] with respect? (4-point scale; not at all often, not very often, or very often?)”

Believe police treat people with respect not at all or not very often





maintain that trust in institutions—and particularly trust in their fairness—is predictive of the legitimacy granted to them by those they govern. The final graphic (Figure 3) shows correlations between public trust in police effectiveness, procedural fairness, and distributive fairness, on the one hand, and the most important components of police legitimacy (according to our analysis)—felt obligation to obey.

The graphic shows that trust in police procedural justice is the strongest and most consistent predictor of the felt obligation to obey. This association was positive and statistically significant in all 26 countries included in the analysis. Trust in police effectiveness and in distributive fairness were much less consistent predictors of the felt obligation to obey. Although, in some countries—notably the UK—there were significant and substantively large associations between trust in effectiveness and the felt sense of obligation to obey, this was in direct contrast to previous studies in the UK which found only weak correlations between trust in police effectiveness and legitimacy.

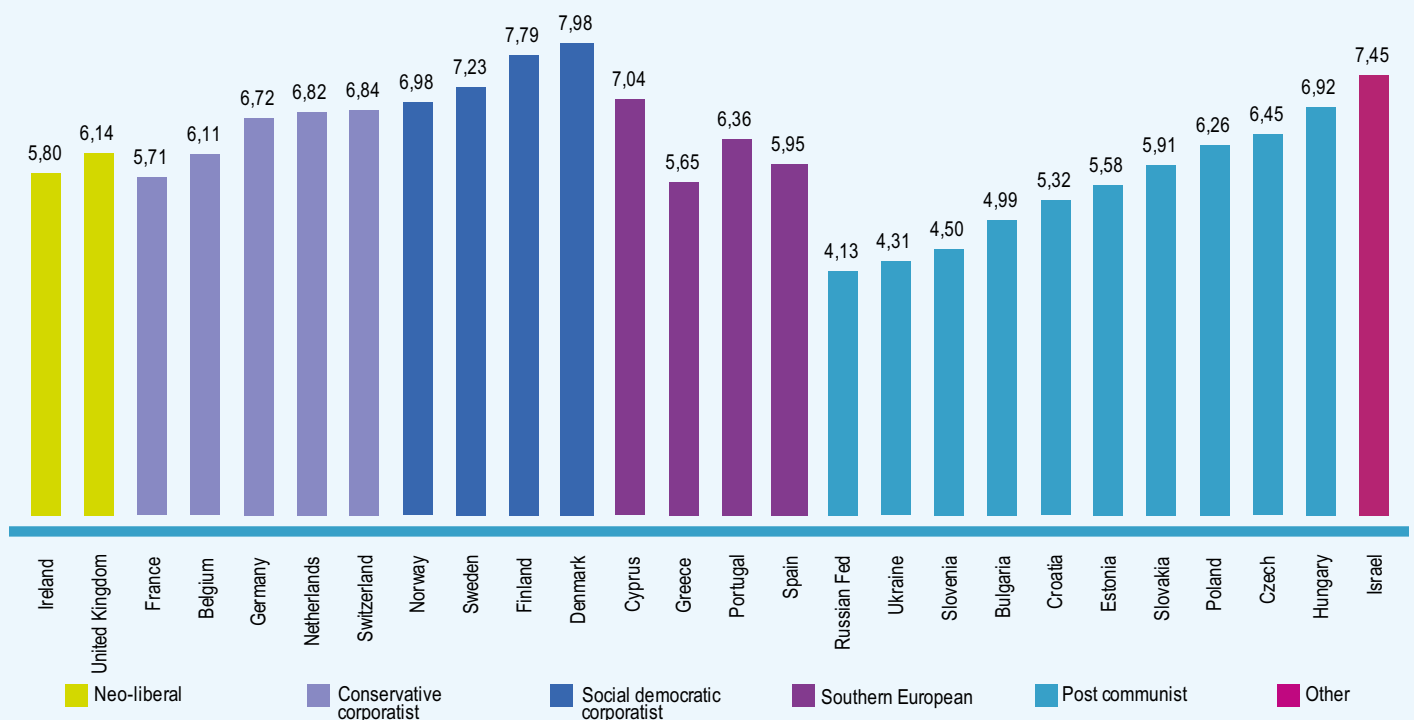
We have not yet completed a full analysis across all ESS countries pertaining to the relationships between empirical legitimacy on the one hand, and compliance with the law and cooperation with justice on the other. Analysis in progress shows that moral alignment is a strong predictor of cooperation with justice across all countries, whilst perceived obligation to obey is predictive in only some. Analysis of the links between empirical legitimacy and compliance with the law has been complicated by weak measures of self-reported offending, and is ongoing, but we have conducted analysis of the UK dataset, examining compliance and cooperation respectively (see European Social Survey 2012 for more details, and Hough et al. 2013b).

The emerging headline story is that trust in procedural justice is the strongest predictor of perceived legitimacy. However, other factors such as trust in outcome fairness, trust in competence, and assessments of the risk of punishment play a subsidiary, but statistically significant, role. Whilst hedging any claims that we make with cautious statements about ongoing research, we can say that the

Figure 2. Felt obligation to obey the police, by country

Question: “To what extent is it your duty to do what the police tell you even if you don’t understand or agree with the reasons? (11-point scale, running from ‘not at all’ to ‘completely.’)”

Believe they have a duty to do what the police tell them to do





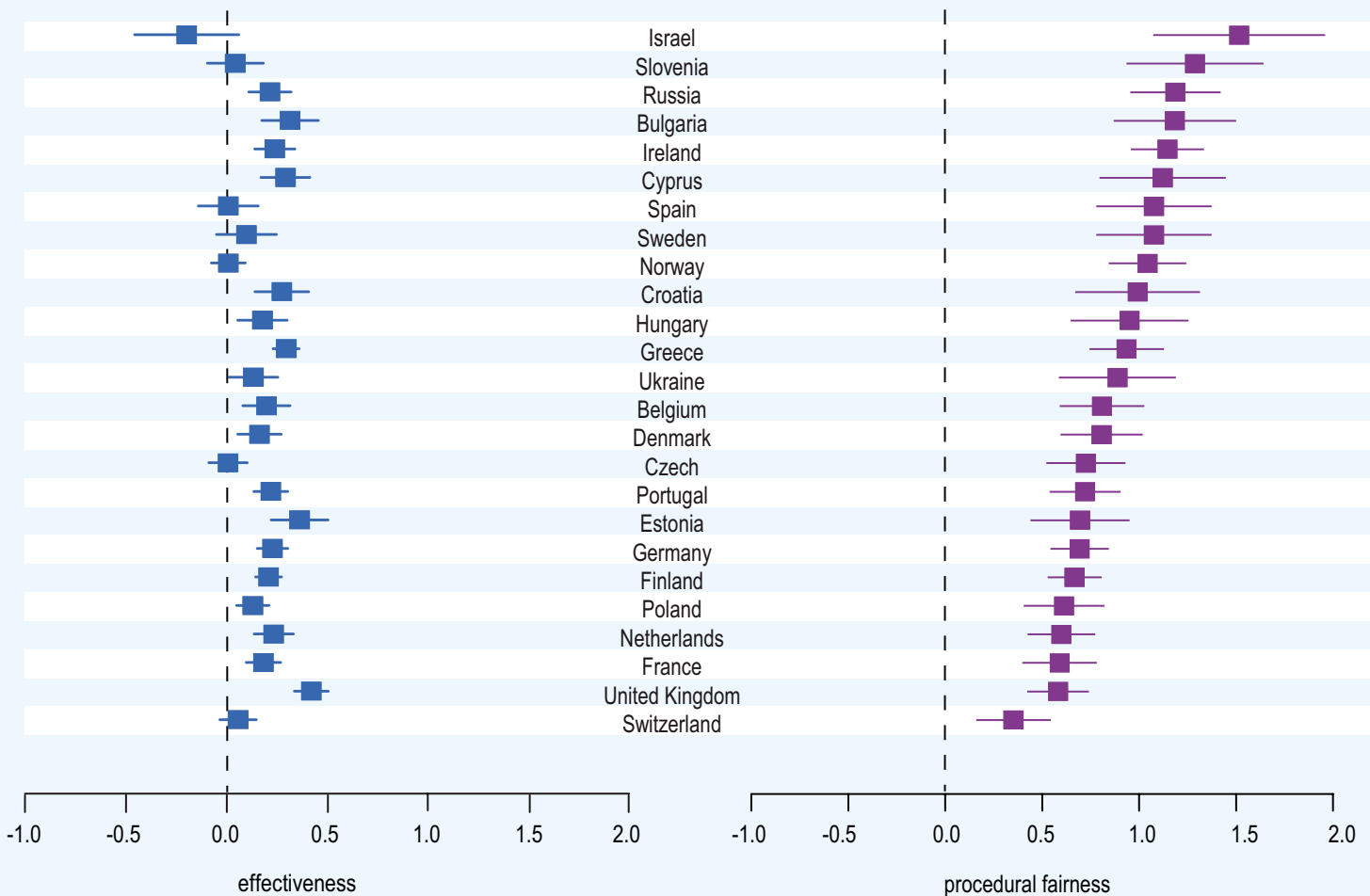
ESS provides strong evidence that public trust in procedural fairness by the police and courts is an important driver of public perceptions of the institutions of justice.

Whilst analysis continues, our work to date has shown that trust in the police is an important factor in shaping people's sense of police legitimacy, and trust in police fairness is a crucial factor across Europe. In one jurisdiction where analysis has been carried out, the hypothesised relationships between empirical legitimacy, compliance and cooperation emerge as strongly significant. We have established that there is strong empirical support for central aspects of 'procedural justice' theory. Of particular importance is the strong relationship between trust in fairness and dimensions of perceived legitimacy. The clear policy lesson here is that any strategies to build a sense of police legitimacy in the eyes of the public need to focus on procedural fairness. Fair and respectful treatment of the public by the police seems likely to be the fastest route to improved legitimacy, which is created by compliance from the policed.

THE FIDUCIA PROJECT

Our second FP7 project has been running for 15 months and has another 21 months to run. Its main objective is to explore the scope for regulating criminal behaviour through 'trust-based policies'—a shorthand term referring to strategies that rely on normative rather than instrumental levers to alter behaviour. The FIDUCIA project's objective is to produce a model, or set of principles, for the application of trust-based policy to the regulation of new forms of European crimes. The early part of the project involves conceptual analysis designed to assess the best "fit" between informal and formal systems of social control as cross-national and supranational systems of criminal justice become more significant across Europe. As our starting point, we are taking how normative compliance and instrumental compliance have traditionally interacted in European jurisdictions' systems of criminal justice, and assessing the scope for, and desirability of, harmonising formal systems of regulation with informal systems of social control.

Figure 3. Relationships between forms of trust in the police and felt obligation to obey



The key issue here is the extent to which it is possible to intentionally infuse criminal justice systems with a normative element. The goal is for people to comply with the law less because it is in their self-interest and more because they think it is the right thing to do. The conceptual analysis will aim to establish the limits of this trust-based approach to social regulation, with particular reference to emerging forms of European criminality. There are specific questions which need to be addressed about the scope for introducing a normative dimension to the regulation of three emerging forms of crimes that have priority status in EU criminal policy:

- Human trafficking,
- Trafficking in goods, and
- Cybercrime

There are also important topics to be considered about a fourth set of issues, relating to the policing (or over-policing) of migrant and ethnic minority groups, and the impact of this on trust in justice. The criminalisation and decriminalisation of specific crimes will be

studied and addressed by the project, with hopes of determining the best future actions to establish within the harmonised EU criminal system.

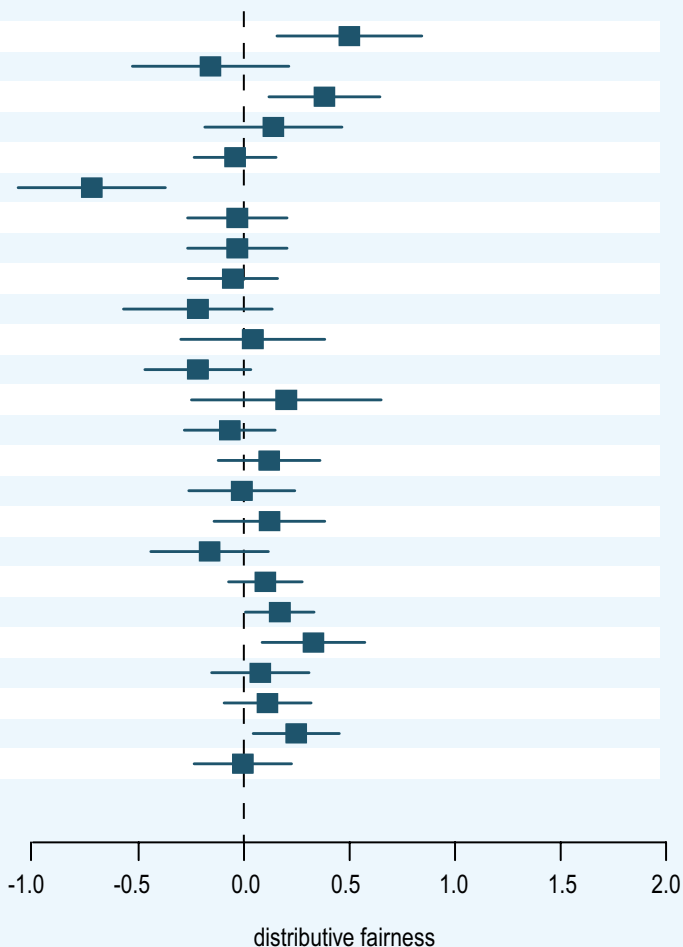
Finally, there are significant issues to be explored about the extent to which normative systems of social control ‘travel’ with people as they move beyond their own countries and cultures. It is important to study the extent to which foreigners generalise from their experiences with their home system of justice to that of other countries. In other words, do perceptions of institutional legitimacy (or lack of legitimacy) spill over from one system, and one country, to another?

This project raises significant policy questions. At one level, it strikes us as totally unproblematic that politicians and policy officials across Europe should pay greater attention to the legitimacy of their justice systems, and that they should do more to ensure that these institutions treat people fairly, respectfully and without bias. We have offered evidence from Euro-justis and the ESS to suggest that fair treatment of this sort is not simply a desirable ‘optional extra’ that supplements effective justice, but is a precondition for effective regulation of behaviour.

This perspective clearly has relevance for the fourth FIDUCIA focus—the policing of ethnic minority groups and migrants. Across Europe there are tendencies for the most socially marginalised groups to get involved in a downward spiral of involvement in crime. This spiral causes marginalised groups to become the focus of police suspicion, which in turn causes them to feel over-policed, and locks the two sides into a system of hostile and adversarial relations. Principles of procedural justice may provide a starting point for a ‘recovery strategy’ to interrupt this downward spiral.

However, there may be significant problems to overcome in finding normative levers that can affect the ‘new’ crimes which we are examining. These are partly practical. It is hard to see how strategies of legitimisation will, in the short term, have an impact on key participants of trafficking in persons, trafficking of goods, and cybercrime. The more that these participants are ‘career criminals’ whose behaviour is instrumentally motivated, the less plausible it is that they will take any account of the quality of their interaction with the police or the courts.

However, people do withdraw from engagement in crime—even those involved in organised crime—and it is not totally fanciful to think that the treatment they receive from the police and other justice officials may have some impact, at least at the margins. Whatever the case, it is likely that those who buy the services of organ-



ised crime groups might well be responsive to strategies designed to ‘morally tarnish’ these products. We have in mind those ‘viral campaigns’ designed to shift public perceptions of the morality of buying sex or illicit drugs.

There are also more complicated philosophical issues about the role of the law in relation to public morality, and about principles for criminalising—and decriminalising—behaviour that offends, or has in the past offended, against manners and morals. There is an argument to be made that the state should always ensure a reasonable correspondence between *morally corrupt* behaviour and *criminal* behaviour. This can be achieved either by decriminalising offences which become disconnected from any public censure, or by trying to re-infuse these offences with a sense of immorality that generates censure. But there is a clear counter-argument to be made that the state has no role for interfering in ethical or moral territory.

At this point in the FIDUCIA project, we remain agnostic—though tending towards optimism—about the extent to which it is feasible and desirable to replace or supplement traditional instrumental strategies of crime control with ones that rely on more normative levers for dealing with the new crimes that are emerging across Europe. As to the far-reaching question of whether political discourse about crime control should attend more closely to questions of institutional legitimacy, the answer must be a simple ‘yes.’

Mike Hough is Professor of Criminology and Co-Director of the Institute of Criminal Policy Research at Birkbeck, University of London, UK.

Stefano Maffei is Senior Lecturer in Criminal Procedure at the University of Parma, Italy.

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Peter Hack/Zoltán Fleck

TOUGH ON CRIME, SOFT ON CONSTITUTIONAL GUARANTEES

THE CASE OF HUNGARY

INTRODUCTION

Hungarian criminology faces very particular challenges. As a discipline, it is now an established and mature science, with well-functioning institutions and research programs. Hungarian criminology has long ago moved beyond the epistemological shortcoming of a young discipline, and reached a professionalism that is comparable to that of any other established criminology in Europe and beyond. Criminology is a compulsory subject at every law school and offered at most faculties for social sciences. ELTE University, one of the hosts of this year's conference, offers not only an MA in Criminology, but also a PhD Program in Cultural and Global Criminology, as a part of the Erasmus Mundus consortium. The research programs of Hungarian criminology cover a considerably wide field for such a small country, they range from large-scale longitudinal studies to cultural criminology. It is also well-connected internationally; Hungarian criminologists are involved in international scientific organizations, they take part in large-scale international research projects, and they are involved in the book projects (of which there are several) that aim to establish European criminology as a distinct tradition.

Criminology as a public actor, however, is facing a conundrum. Twenty years after the transition, Hungarian social sciences have overcome their past "transitional fervor" of feeling responsible for changing the institutions of society, a zeal that blurred the line between science and essayism, between advocacy of fact-based policies and activism. They have settled into a more professional pace. For criminology as a public actor, this has meant remaining within its own realm and not moving beyond crime, criminal policy, and criminal justice; battling punitive populism, or racism in criminal justice. But now criminology has to deal with additional challenges—a revival of authoritarianism and the erosion of the rule of law.

There were always voices in social science that warned that building the rule of law would require much more time than the swift dismantling of the traditional institutions of the authoritarian state. That with a weak democratic culture the project of democratization would be in constant danger, that freedom needs sophisticated skill,

and pluralism a routine of tolerance. But, as time has passed, a cautious optimism has slowly spread. Compared to the turbulent politics of other Eastern European countries, institutions seemed to be stable. Some of them, like the Constitutional Court, which established a sophisticated case law in less than a decade, quickly became a respected institution even beyond the Hungarian borders. But now, two decades later the warning seems useless, not because it lacks relevance, but the opposite: the dangers it depicted suddenly appear to become reality. The fragility of institutions within new democracies now appears commonplace and unsurprising.

This new turn has reshaped the very background of the traditional argument of criminologists: both academic and public criminology is facing weakened institutions. The very basic rule of law prerequisites for the operation of criminal justice seem to be eroding. Shall criminologists venture again beyond their realm and raise their voice?

THE CRIMINAL LAW REFORM

The criminal policy of the present center-right, conservative majority is no less controversial than other parts of their legislative achievements. The competition between the conservative FIDESZ-KDNP Party Alliance and the far right Jobbik Party as to who is tougher on crime started years before the 2010 parliamentary election. Jobbik, an openly racist and anti-Semitic far-right party, appeared on the political scene shortly before the 2010 parliamentary election, when it acquired 16.67 percent. With the primary message that something must be done against 'Roma Criminality,' the party campaigned to reestablish the death penalty, and among other ideas, suggested the establishment of correctional camps for Roma people (it is with this policy Jobbik got 16.67 percent of the votes in 2010).

FIDESZ's policy has always been more moderate, and more in line with the European conservative mainstream. Which does not mean they did not have their share in law-and-order policies: during their first time in government (1998–2002), they introduced life without parole into the criminal code and dramatically strengthened

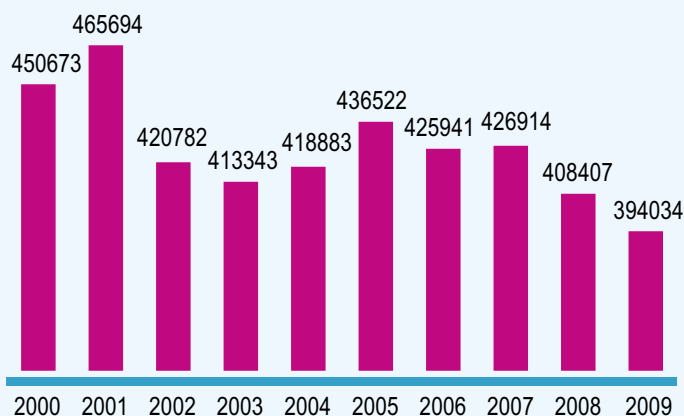


Figure 1. Registered crimes

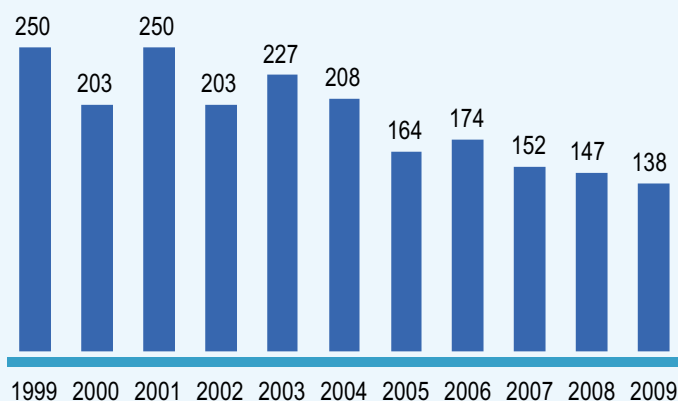


Figure 2. Murder Cases

the criminal sanctions of drug-related crimes, including that of the recreational use of light drugs. To counter the purportedly lenient tendencies in sentencing, they also adopted a new rule that made it compulsory for judges to base their punishment on the mean of the available range of imprisonment (for example, in a range of 2 to 8 years, a judge would mete out 5 years) and to justify any departure from the mean, which inevitably pushed up the length of prison sentences. But all-in-all, apart from these changes, criminal policy was not high on the agenda for FIDESZ during those times, and they had not yet elevated law and order to a policy that defines the government. Unfortunately, that is not the case with the current FIDESZ administration.

A new quest for toughness started 1 year prior to the general election, when a famous sportsman was stabbed to death after a brawl in a pub in Veszprem city. Riding the wave of public outrage—at the time in opposition—FIDESZ proposed a modification of the Criminal Code through implementation of the ‘third strike’ policy against violent crime.¹ In the reasoning to these amendments the MPs argued that there is a need for tougher punishment because the ‘dramatic increase of the serious violent crimes.’ The social-liberal governing majority of that time rejected the idea, but the sentiment returned following the election.

Tough criminal policy was a priority in the government program, which declared that ‘rigor of the laws, more severe punishments, the more frequent use of life sentences, and the protection of the victims will restrain the offenders, and will make it clear to the members of the society that Hungary is not the paradise of criminals.’²

After the election, in the summer of 2010, the new majority adopted changes to the Criminal Code by increasing the punishment of violent crimes, and adopting

a law ‘For the Improvement of Public Security.’³ The new law dramatically broadened the possible use of imprisonment as a sanction for misdemeanors, and introduced imprisonment as sanction for juveniles for minor offences.

In 2012 the Parliament adopted a new Criminal Code.⁴ The Code, while it retained progressive elements from the earlier Code, such as various forms of restorative justice, clearly represents a shift towards a more punitive criminal policy. In the reasoning of the draft law, the government states that its priority is to ‘restore the order in the country and increase the security of the citizens.’⁵

From these statements one might conclude that according to the government, Hungary is the ‘Paradise of the Criminals,’ there is no order in the country, and the people do not feel secure. The validity of these observations could be checked based on different sources. The first two should have been justified by the criminal statistics—but alas, as you will see, they were not. Various polls indicate that the third statement might be true: the question is, however, whether public sentiments about crime should set the framework for criminal policies.

If we look at the criminal statistical data from the first decade of the 21st Century (which ended with the election year), we can see that after the peak in 2001, the crime rate declines, and from 2005 on this can be de-

1 T/8875 draft, <http://www.parlament.hu/irom38/08875/08875.pdf>.

2 <http://www.kormany.hu/download/c/27/10000/a%20nemzeti%20egy%C3%BCttm%C5%B1k%C3%B6d%C3%A9s%20programja.pdf>.

3 Act of LXXXVI of 2010.

4 Act C of 2012

5 <http://www.kormany.hu/download/c/27/10000/a%20nemzeti%20egy%C3%BCttm%C5%B1k%C3%B6d%C3%A9s%20programja.pdf>.

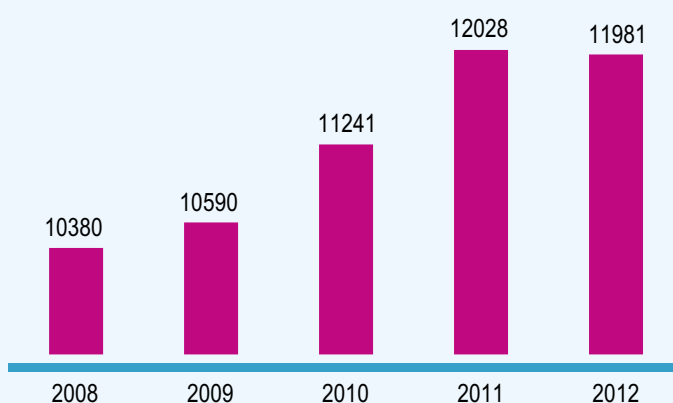


Figure 3. Number of prisoners

scribe as a tendency (in this period there is more than a 10 percent decrease in the number of registered crimes).⁶

The same tendency is visible in Chart 1, which shows that the number of crimes declined by 20 percent between 1999 and 2009, which is a significant change.

The most significant change happened in the case of crimes against property (excluding robbery). This statistics was, however, dramatically influenced by changes in the regulation. In Hungary, as in many other European countries, property offences can be classified as both crimes and misdemeanors, depending on the value of the property involved (other qualifying factors excluded). In the past couple of years, there was a continuous tendency to raise the value limit for misdemeanors. In 2007 it was raised from 10,000 Forints (34 EUR) to 20,000 Forints (68 EUR),⁷ then again in 2012 to 50,000 Forints (169 EUR). The change in 2007 is clearly reflected in the statistics, and, given the raise in 2012, we can reasonably expect the decline in property crimes to continue in 2013.

The same positive tendencies can be seen in the case of murder (which can hardly be as easy a target for regulatory changes as the value limit for property crimes). Chart 2 shows that the number of murder cases declined by nearly half; the number of murder cases in 2010 were 133, which is a 53.2 percent decline compared to 2001.

From these figures it is hard to conclude that Hungary at the time was a 'Paradise of Criminals' with little to no order. It is very likely that if the diagnosis is wrong the cure will be wrong as well. The conservative parties' propaganda described a much worse picture of Hungarian criminality than the actual situation dictated.

Their narrative appeared to be supported, however, by the public opinion. In April 2009, a majority of the population thought that public security was bad, and 59 per-

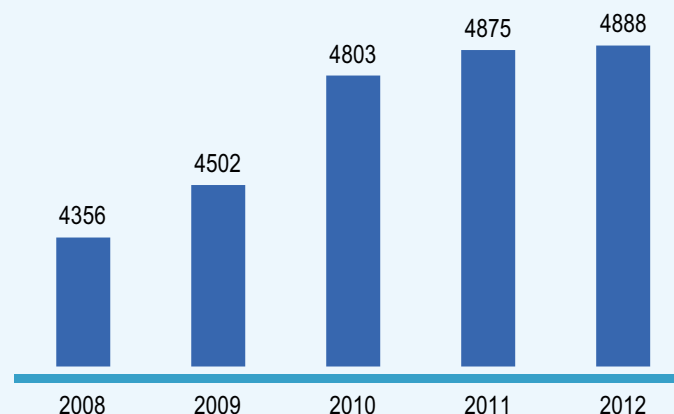


Figure 4. Number of arrests

cent between the ages of 30-39 believed that stricter punishments was the solution.⁸ After the 2010 election, the new majority willingly served this constituency. Despite the fact that the 'dramatic increase of violent criminality' didn't actually happen, the punishments were increased, and in some cases life imprisonment became mandatory. The new Criminal Code raised the minimum time of imprisonment from 2 months to 3 months, and the maximum from 20 years to 25 years. So the promised cure for the 'problem' came into practice, and this cure was the implementation of harsher and longer punishments.⁹

The results of this populist criminal policy are very visible if we look at the prison population and the number of arrests.¹⁰

The increase of the prison population is creating very serious problems. According to the latest figures the prisons in Hungary are seriously overcrowded. The general figure shows that the Hungarian prison system, which has a capacity of 12,639, is currently housing more than 18,000 prisoners, which means the system is over-capacity by 146 percent. (In some of the prisons this figure is over 200 percent, such as in the prison in Szabolcs-Szatmár Bereg County, where this number is 233 percent.)¹¹

6 Source of the information: Az ezredfordulót követő bűnözési helyzet. IRM Statisztikai Elemző Osztály Budapest, 2010. <http://crimestat.b-m.hu/B%C5%B1n%C5%91z%C3%A9si%20helyzet%C3%A9rt%C3%A9kel%C3%A9s.pdf>

7 Act XXVII of 2007. 5. § (2)

8 http://www.hirszero.hu/cikk.dramai_mertekben_visszaesett_a_tarsadalom_biztonsagerzete_-_felmeres.106523.htm

9 Reasoning for the Criminal Code 189 p.

10 Source: Büntetés-végrehajtás Országos Parancsnoksága. Tények adatok 2012. 5. old. <http://www.bvp.hu/?mid=77&cikkid=1973>

Without a very expensive prison construction program, Hungary will face serious challenges in this field.

Besides policy requiring stricter punishment, the new Criminal Code implemented some other controversial changes, such as lowering the age of criminal responsibility from 14 to 12 years (but only in the case of certain violent crimes), and redefining self-defense, making it legal to kill somebody in the protection of property. The Code only came to force on the 1st of July 2013, so what effects it will have (for example, how willing the prosecution will be to prosecute children aged 12 or 13) remains to be seen.

UNDERMINING THE RULE OF LAW

The legislative activity of the Hungarian Parliament is under heavy criticism by different international organizations, from the European Parliament¹² to the European Council, from the Venice Commission¹³ to the Parliamentary Assembly of the Council of Europe; even the UN Chief Representative of Human Rights raised her concern. Additionally international NGOs, like the *International Bar Association*, the *Helsinki Watch*, and the *Freedom House* published their critical opinions about the Hungarian legislative changes. Within 3 years the Hungarian Parliament adopted and modified more than 600 laws, adopted a new Constitution, added new laws to the Constitutional Court, the judiciary, and the prosecution services, adopted new Civic Code, and Criminal Code, etc. The critics say that these steps altogether undermine the rule of law and endanger the constitutional system of checks and balances. The Constitutional Court was not spared either. The parliamentary majority, which entered into a conflict with the Constitutional Court mere months after coming into power, has not tolerated the Court declaring its pet projects unconstitutional. It regularly abused its constitutional majority and elevated many regulations previously declared by the Court to be unconstitutional onto a constitutional level. It did not shy-away from trimming the competences of the Court either: *actio popularis*, the right of every citizen to turn to the Court to declare a regulation unconstitutional was thrown out of the Constitution. After a conflict about the constitutionality of a tax law, the majority quickly changed the Basic Law banning the Court to adjudicate tax laws and fiscal regulation. The nomination and election process of the members of the Constitutional Court was also changed in 2010, creating a new opportunity for the governing majority to nominate and elect Constitutional Court judges without consensus (which was the practice in the past). According to the Venice Commission, 'a consistent pattern of reacting with consti-

tutional amendments to the rulings of the Constitutional Court may be observed in Hungary in recent times, and the Fourth Amendment follows this pattern. Provisions which were found unconstitutional and were annulled by the Constitutional Court have been reintroduced on the constitutional level: this pattern of "constitutionalisation" of provisions of ordinary law excludes the possibility of review by the Constitutional Court.'¹⁴

JUDICIARY REFORM

The new Fundamental Law has changed the constitutional regulations regarding the judiciary. The Venice Commission emphasized that, 'The new Constitution only establishes a very general framework for the operation of the judiciary in Hungary, leaving it to a cardinal law to define "the detailed rules for the organizations and administration of courts, and of the legal state and remuneration of judges".'¹⁵ The sweeping reforms took barely a month to take shape, on 12 October 2011 the Ministry of Public Administration and Justice published two draft proposals for the organization and administration of the judiciary, and the legal status and remuneration of judges. On 21 October the Government presented the two drafts to Parliament, and on 28 November the Parliament adopted the New Laws.¹⁶

The New Laws raise further serious concerns. Critics (including the President of the Supreme Court) say that

- 11 Dr. Istvan Lajtar's presentation May 31 2013, Budapest, at the Annual Meeting of Criminal Law Professors.
- 12 The so called Taveres Report said, that the Hungarian legislation weakened the checks and balances, and the role of the Constitutional Cort. <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COMPARL+PE-508.211+02+DOC+PDF+Vo//EN&language=EN>
- 13 In its latest Report on the Hungarian Fundamental Law, and in the previous 7 reports on different aspects of the Hungarian legislative changes. [http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2013\)012-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2013)012-e)
- 14 Venice Commission Report CDL-AD (2013)O12, p. 18 [http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2013\)012-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2013)012-e)
- 15 Opinion on the new Constitution of Hungary adopted by the Venice Commission at its 87th Plenary Session (Venice, 17-19 June 2011) 102, 103 [hereafter Venice Commission Opinion] <http://www.venice.coe.int/docs/2011/CDL-AD%282011%29016-e.pdf> [accessed 13 July 2011]
- 16 Proposal for the Organisation and Administration of the Judiciary, and the Legal Status and Remuneration of Judges October 11th, 2011. <http://www.kormany.hu/download/6/ea/50000/A%20b%C3%ADr%C3%B3s%C3%A11gok%20szervezet%C3%A9r%C5%91%20%C3%A9s%20b%C3%ADr%C3%A1k%20jog%C3%A1ll%C3%A1s%C3%A1r%C3%B3l%C3%B6rv%C3%A9nyjavaslat.pdf> Document- Browse [accessed on 13 October 2011]; Act CLXI of 2011



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the law will weaken the independence of the judiciary by depriving the self-governing bodies of judges of their significant competences and delegating them to one person instead, the President of the National Judiciary Office (PNJO).¹⁷ The President of the NJO who should be a judge, is elected for 9 years, by a two-thirds majority vote in Parliament, following the nomination of the President of the Republic.¹⁸

Although both the Constitution and the new Fundamental Law declare judicial independence both in procedural as well as institutional terms, the new regulations are not sufficient to exclude political interference in the operation of the judiciary.¹⁹

According to the law, judges are independent and answerable only to the law. The new regulations, however, raise concerns with regard to the independence of the judiciary as they increase the risk of political influence through the appointment, promulgation, and remuneration of judges. These are now the sole competence of the President of the National Judiciary Office, who is not accountable for his or her decisions.

According to the right to fair trial, also anchored in the Hungarian Constitution, in the determination of civil rights and obligations for any criminal charge, everyone is entitled to a fair and public hearing within a reasonable period of time by an independent and impartial tribunal established by law.²⁰ The New Laws, however, allow the President of the NJO to reallocate cases to courts other than the ones with jurisdiction over the case—a decision against which no appeal is possible. This procedure is considered by many experts to be a clear violation of international treaties.

The results of the reform was evaluated by different organizations. According to the International Bar Association's Human Rights Institute, the reform is a 'threat to the independence of judiciary, and rule of law.'²¹ The Venice Commission stated that, 'the Commission concludes that the essential elements of the reform—if they remained unchanged—not only contradict European standards for the organization of the judiciary, especially its independence, but are also problematic as concerns the right to a fair trial under Article 6 ECHR.'²²

Institutional diversity in the judicial administration is a characteristic of traditional, old, or older democratizing states as well. At the same time, monolithic regulation does not exist in the central administration of courts, in Europe it is only present in Hungary and Romania, obstructing rule of law modernization in both. The story of the Hungarian regulation of the judicial administration serves as a strong illustration for the fate of the monolith

administration. Between 1998 and 2011 many lawyers voiced strong criticism of the structural shortcomings of the judicial self-administration. The most important objections were the lack of accountability, the administrative weakness, and the opacity of the judicial selection, these features of the judicial administration lead to serious efficiency problems. Thus the politicians of the newly elected government overemphasized the efficiency argument. According to the new and deeply questionable model and its political protagonists, a strong central administration can enhance the formal efficiency and in doing so also increase the popular support. Hungarian lawmakers once again missed the point: the strategy of balancing did not play a role; sharing administrative authority has not been emerged. The pure and corporatist judicial administration was forced to give way to a strong central administration without relevant judicial control. Neither the accountability nor the openness appear to be improved, moreover judges have lost their ability to have a say in selecting the high administration. The former system, because of some serious organizational faults, was a only an illusion of self-government; the present system cannot be described as judicial self-government, and thus it raises the question of infringement of independence. And as such it cannot be efficient in the long run.

Besides the changes in Criminal Law and the Judiciary, the present parliamentary majority implemented new procedural rules for the so called 'priority cases.'²³ The main goal of the legislator was to speed up the process when handling 'priority cases.' Among other regulations, the original draft proposed some highly questionable regulations, such as the possible custody of the defendant

on the Organisation and Administration of the Judiciary [hereafter Act on Organisation] (T/4743 Draft Act <http://www.parlament.hu/irom39/04743/04743.pdf> [accessed 22 October 2011]), and Act CLXII of 2011 on the Legal Status and Remuneration of Judges [hereafter Act on Status] (T/4744 Draft Act) http://parlament.hu/internet/plsql/ogy_irom.irom_adat?p_ekl=39&p_izon=4744 [accessed 22 October 2011]

17 A főbíró Orbánék reformjáról: teljesen hiányoznak a fékek. hvg.hu http://hvg.hu/itthon/20111023_Baka_interju_birosagi_reform [accessed 24 October 2011]

18 Art. 66–67, Act on Organisation

19 Art. 50 Act XX of 1949, Art. 26 (1) of the Fundamental Law

20 Art. XXVIII, Fundamental Law

21 <http://www.ibanet.org/Article/Detail.aspx?ArticleUid=f95a6bf2-99cf-42c8-9c24-d3b7a531207c>

22 Opinion Adopted by the Venice Commission at its 90th Plenary Session (Venice, 16–17 March 2012) CDL-AD(2012)001

23 LXXXIX Act of 2011

for 120 hours without judiciary approval, or depriving the defendant from meeting his or her counsel for 48 hours.²⁴

CONCLUSION

Despite these disappointing developments, however, the situation in Hungary today does not look irreversible for two reasons. One is that Hungary belongs to the community of European states which have a strong commitment to democratic values and to the rule of law. Institutions, such as the Constitutional Court or the Commissioner for Human Rights have stepped up and have not shied away from conflict with the parliamentary majority. European efforts to influence the Hungarian development are not entirely futile either, as of the submission of this article, the government appears to be relenting on some controversial elements of the judicial reform, such as the right of the President of the National Judiciary Authority to reallocate cases, and appears

willing to revoke them (whether this will actually happen, it remains to be seen). Hungarian students, many with experiences as European exchange students behind them, took to the streets to protest against the abuse of the Constitutional majority and against the trimming of the powers of the Constitutional Court. One would think that the powers of the Constitutional Court are hardly an issue that would incite younger people to protests, but it appears that the rule of law and constitutional culture does matter to the younger Hungarian generations.

The second reason for hope is the current state of social sciences, such as criminology. These are strong, established, and self-confident fields of study, and the knowledge they produce is hard to disregard. Their strong, clear voice will endure and achieve influence, both in the establishment of policy goals and in the preservation and restoration of the rule of law.

Zoltán Fleck is Professor of Legal Sociology at the ELTE University Faculty of Law; Budapest, Hungary

Peter Hack is Associate Professor of Criminal Procedure at the ELTE University Faculty of Law, Budapest, Hungary

²⁴ Art 554/G LXXXIX Act of 2011. Some of these were not enacted at the end, others were, but deemed unconstitutional by the Constitutional Court later.

Eva Inzelt/Lena Podoletz

PROFILE OF THE CONFERENCE ORGANIZERS

This year's conference is jointly organized by the Department of Criminology at the Eötvös Loránd University (ELTE) Faculty of Law, and the Hungarian Society of Criminology (HSC).

ELTE UNIVERSITY DEPARTMENT OF CRIMINOLOGY

The Department of Criminology at the Law Faculty of the ELTE University was established in 1979. It was one of the first criminology departments in the Socialist Block, and is, to this date, the only university department in Hungary solely devoted to teaching Criminology. The first Head of Department was József Vigh, who in the eighties also served as member of the Board of the The International Society of Social Defence for a Humane Criminal Policy (iSSD). After József Vigh's retirement, the Department was taken over by István Tauber. Fol-

lowing Professor Tauber's tragically early death, Professor Klára Kerezi served as the Head of the Department. Currently, the Department is headed by Professor Miklós Lévy, the former President of the ESC. Professor Lévy also serves as a Judge at the Hungarian Constitutional Court, currently heads the Advisory Board of HEUNI, and is member of the Scientific Committee of the ISC. Other full time-members of the Department are: Professor Katalin Gönczöl, one of the founders of the ESC, and the current Vice-President of the International Society for Criminology; Professor Klára Kerezi, who also works as a senior researcher at the National Institute of Criminology, and serves on the Scientific Committee of the ISC; Associate Professor Andrea Borbíró and Assistant Professor Éva Inzelt also work at the Department. Their work is assisted by many part-time lecturers, such as Dávid Vig, an employee of the Open Society Institute



in Budapest, who is involved in teaching law students as well as criminology MA students.

The research topics of the Department include the social reproduction of crime; the human rights of offenders; victimology; criminal psychology; international organized crime; corruption; economic crime; drug criminality; criminal policy; social changes and crime; crime prevention; community sentences, and restorative justice. Among others, the Department has participated in the ISRD 2 and 3 surveys; it is conducting a large-scale empirical project on youth crime, which is designed to be the first stage of a longitudinal study, the first of its kind in Hungary (both projects under the supervision of Prof. Klára Kerezsi); it is also involved in a qualitative research on corruption in Hungary (Prof. Miklós Lévy and Assistant Professor Éva Inzelt).

MA IN CRIMINOLOGY

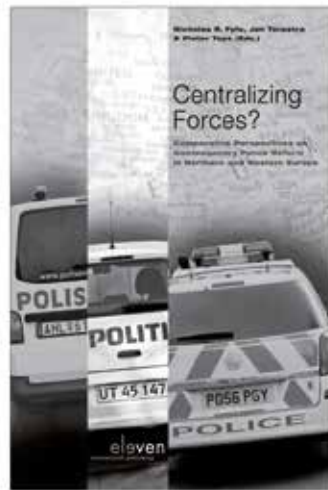
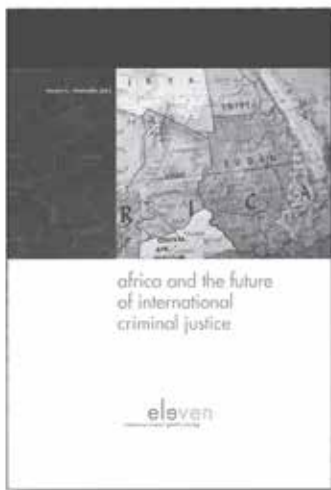
The Department has been involved in teaching ever since its founding. Currently, criminology is a 2-semester compulsory course for law students. However, the teaching responsibilities of the Department now go far

beyond this 2-semester criminology course: since 2011, the Department offers a 2-year, full-time MA Program in Criminology, thus offering the only specialized criminology diploma in Hungary.

While the Program is hosted by the Department, it is taught in cooperation with the Faculty of Social Sciences at ELTE. The faculty also includes experts from the National Institute of Criminology as well as practitioners, such as probation officers, correctional psychologists, defence lawyers and mediators.

The Program takes 2 academic years. To acquire the degree, the students have to obtain 120 credits, which covers core and optional courses, professional practice and the MA thesis. The classes are taught in Hungarian.

The main course modules are the followings: criminological courses (e.g. Introduction to Theoretical Criminology; The Social Reproduction of Crime; The Criminology of Drug and Alcohol Abuse; Crime and the Media; Family Sociology and Socialization; Juvenile Delinquency and Juvenile Justice), Crime control (e.g. Criminal Policy; Criminal Justice; Policing; Social Policy; Penology; Restorative Justice; Probation and



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Community Service; Crime Prevention), Methodology (e.g. Introduction to Social Science Research; Statistics; SPSS; Qualitative Methods in Criminology), and Legal Studies (e.g. Criminal Law; Constitutionalism and Human Rights; Criminal Procedure; The Law of Criminal Sanctions and Prison Law; Police Law; Data Protection and Freedom of Information). The Program also includes 200 hours of traineeship, which can take place in the government, the police department, the justice system, a municipality, or at an NGO. The student body, which has a population of around 40 each year, is fairly mixed: most of them studied social sciences or social work before (a BA is the minimum requirement for enrolment). There is always a relatively large number of practitioners, such as social workers or correctional psychologists enrolling, which clearly shows that the Program not only provides academic training, but is also important in the further education of professionals.

DOCTORATE IN CULTURAL AND GLOBAL CRIMINOLOGY

ELTE (and the Department of Criminology) is also part of the Doctorate in Cultural and Global Criminology (DCGC) Program. The DCGC Program is a 3-year collaborative PhD Program which is funded by the European Union as an Erasmus Mundus Joint Degree Doctorate. The four partner universities are the University of Kent, the University of Hamburg, Utrecht University, and ELTE. The innovative nature of the Program lies in the development of an international and inter-cultural outlook on crime and crime control, facilitated by the interdisciplinary convergence of the two components of criminology: social science and law. This groundbreaking approach, using innovative methodologies, enables a far better criminological understanding and response to new crimes and related social problems. Participating students conduct their research projects within the four main research themes: Crime, Media and Culture; Criminal Justice Policy, Social Change and Exclusion; Globalization, Transnational Crime and Control; Human Rights and International Security. One of the key elements of the DCGC Program is mobility. During the 3 years of the Program each student follows their own mobility path which is shaped by their personal research topic and research plan and they each have mobility periods at two different partner universities. Apart from this there is the possibility to conduct external research at the associate university partners in non-European countries.

The PhD students—as well as interested student within the MA Program—also have the opportunity to take part in the Common Study Program in Critical Criminology, offered in cooperation with the universities of Hamburg, Utrecht, Rotterdam, Ghent, Kent, Middlesex, Bologna, Thrace, Peloponnese, Porto, and the John Jay College at CUNY.

THE HUNGARIAN SOCIETY OF CRIMINOLOGY

The Hungarian Society of Criminology (HSC) was founded in 1983. The Society aims to promote the development of criminology, and strengthen the cooperation between academics and practitioners, as well as experts from different countries. The President of the Society is Professor Katalin Gönczöl. The HSC currently has around 500 members: defence attorneys, prosecutors, judges, probation officers, and law students, as well as academics of criminology, criminal law, and criminal justice from Hungary and abroad. Over the past two decades, the Society has been the most prominent platform for discussions on current issues of crime and crime control: the Society has organised conferences, workshops, and round tables. These events always attract a large number of professionals and academics.

The major publication of the HSC is *Proceedings of Criminology*, a semi-annual journal, which contains the written versions of the presentations, lectures held at the scientific meetings, round table discussions, and conferences. The HSC's aim with this publication is for it to become an essential source of criminological literature in Hungary (a goal that has been, to a great extent, accomplished) and to help disseminate the results of criminological research to wider academic audiences.

The HSC is a long-standing member of the International Society of Criminology. The HSC was the co-organizer of the 11th International Congress of the International Society for Criminology which was held in Budapest in 1993, and of the 65th International Course of the International Society for Criminology, which took place in March 2003 in Miskolc, Hungary.

Éva Inzelt is Assistant Professor of Criminology at the ELTE University Faculty of Law, Department of Criminology

Léna Podoletz is a PhD Student at the ELTE University Faculty of Law, Department of Criminology

Paul Knepper

EJC MOVES TO SAGETRACK

The *European Journal of Criminology* is moving to Sagnetrack. Sagnetrack is the web-based peer review and submission system powered by ScholarOne's Manuscript Central, a platform used by many social science journals. From June 1, 2013, we no longer accept submissions by email. Details about submitting papers using the new system can be found by visiting the journal's webpage.

We will carry on with the former email-based system until we have completed the decision-making process for all papers currently under review. So, for some months, we will operate two journal management systems. We would appreciate an extra measure of understanding as we learn the new and wind down the old. Once we are fully established on Sagnetrack, we will be able to offer contributors and reviewers a better service. The system provides for tracking of papers, improved information sharing, and procedures to reduce mistakes. But there

will inevitably be some difficulties along the way, for which we apologise in advance.

The journal's webpage also contains a link to the EJC reader survey. If you have not already done so, would you take a few minutes to give us your views of the journal? We would appreciate your thoughts on content, special features and editorial policies. The survey will also allow us to examine some issues which remain important to the founding ambitions for the journal, such as the distribution of contributions across Europe. We will share initial survey results at the next editorial board meeting, which will take place during the ESC conference this September. See you in Budapest!

Paul Knepper is Professor of Criminology at Sheffield University and editor of the *European Journal of Criminology*.

EXECUTIVE SECRETARIAT ANNUAL REPORT

Marcelo F. Aebi and Grace Kronicz

ESC EXECUTIVE SECRETARIAT ANNUAL REPORT 2012

In 2012, the European Society of Criminology (ESC) had 877 members, while 792 criminologists participated in the 12th Annual ESC Conference that took place in Bilbao, Spain, from 12 to 15 September. During the conference, Roger Hood received the 2012 European Criminology Award and Christoffer Carlsson the 2012 ESC Young Criminologist Award; in addition, the General Assembly voted Michael Tonry as President-Elect of the ESC. The ESC also awarded a fellowship to attend the conference to Ines Sučić. The day following the General Assembly, Vesna Nikolic-Ristanovic took office as President, replacing Henrik Tham until the end of the next conference, which will take place in Budapest, from 4 to 7 September 2013. Also in 2012, the *European Journal of Criminology* reached an impact factor of 1.017, placing it 25th out of the 52 journals included in the *Criminology and Penology* ranking.

Figure 1 shows the evolution of the ESC membership from 2004 to 2012. It can be seen that in 2012 the ESC

reached its highest number of members. Among these 877 members, 21 percent (191 members) were students, a percentage that has remained relatively stable since 2008. The number of participants at the Bilbao conference was also remarkably high. Indeed, only the 2007 Bologna conference, which took place just before the beginning of the current European economic crisis, registered a slightly higher number of participants (see Figure 2). Taking into account that among the 792 Bilbao conference participants—of which 27 percent (212) were students—there were 245 that were not members of the Society, it turns out that a total of 1,122 criminologists were linked to the ESC in 2012 (877 members and 245 non-members participating at the conference), an absolute record since the creation of the Society in 2001.

In 2012 ESC Members came from 51 countries (54 if figures for the United Kingdom are broken down by nations), covering five continents. The United Kingdom remained the most well-represented country with 167



members, followed by Belgium (80 members), Germany (79), the United States of America (71), Spain (54), The Netherlands (51), Switzerland (43), Italy (37), Portugal (29), Austria (19), Norway (18), Sweden (18), Canada (15), Poland (15), Hungary (14), Finland (13), Greece (13), Slovenia (13), Australia (12), Ireland (10), Japan (10), Turkey (10), Czech Republic (9), France (9), Israel (9), Denmark (8), Serbia (8), Lithuania (5), Bosnia and Herzegovina (3), Cyprus (3), Estonia (3), Luxembourg (3), Armenia (2), Brazil (2), Iceland (2), Iran (2), Malta (2), Slovakia (2), Ukraine (2), Albania (1), Argentina (1), Bulgaria (1), Croatia (1), Korea (1), Latvia (1), Mexico (1), New Zealand (1), Philippines (1), Romania (1), Russia (1), and South Africa (1). As can be seen in Figure 3, which presents the countries with at least 10 members, Japan and Turkey reached that symbolic number in 2012, an evolution that corroborates the expansion of the ESC. Indeed, a closer look at Figure 3 reveals that 10 out of the 22 countries included in it have already organized an ESC conference. In that context, an analysis of the evolution of the composition of the ESC membership year after year—see our former Annual reports in previous issues of the ESC Newsletter—reveals that in all cases the organization of a conference increases the number of members from the organizing country during the year of the conference. It also reveals that, after the conference, the number of members from that country remains at a higher level than before. This sort of ‘ESC addicted’ effect usually also reaches the organizing country’s neighbouring states, thus corroborating the importance of expanding the range of places where ESC conferences are organized. In that perspective, proposals for organizing future conferences of the ESC are always welcomed and can be sent to the Executive Secretariat, preferably before the annual May meeting of the ESC Executive Board.

As mentioned in the introduction, the ESC awarded the 2012 ESC European Criminology Award to Roger Hood in recognition of his lifetime contribution to European criminology. The award committee—composed by former ESC presidents Elena Larrauri (chair, Pompeu Fabra University, Barcelona, Spain), Sophie Body-Gendrot (University Sorbonne-Paris IV, France), and Miklós Lévay (Eötvös Loránd University, Budapest, Hungary)—was impressed by ‘his significant contribution to criminological theory and empirical research in criminology, as well as by the significance of his work for the development of criminology in his own country and at the international level, and its impact for practice on legislation and crime control policies’ (see the details in a separate box).

Christoffer Carlsson received the 2012 ESC Young Criminologist Award in recognition of his article ‘Using

“Turning Points” to Understand Processes of Change in Offending: Notes from a Swedish Study on Life Courses and Crime’, published in 2012 in *The British Journal of Criminology*. The award committee, composed by Rosella Selmini (chair, University of Modena and Reggio Emilia, Italy), Anabel Cerezo (University of Malaga, Spain), and Paul Knepper (University of Sheffield, United Kingdom), considered that ‘the article by Christ-

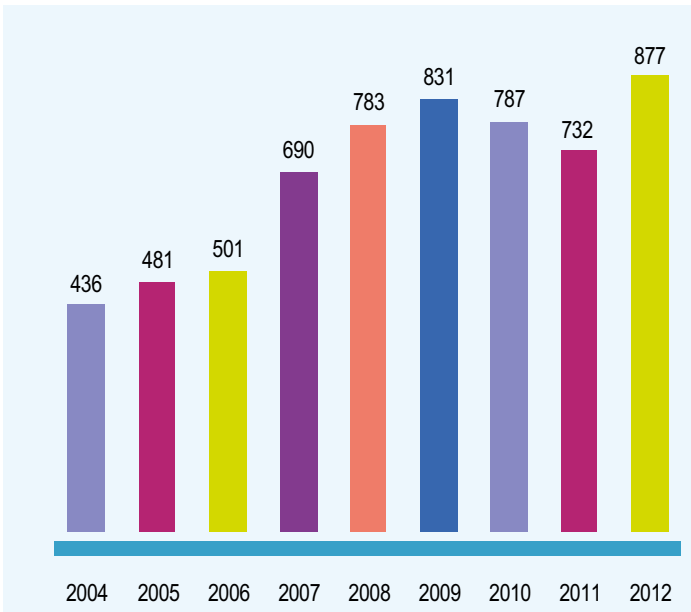


Figure 1. Membership of the ESC

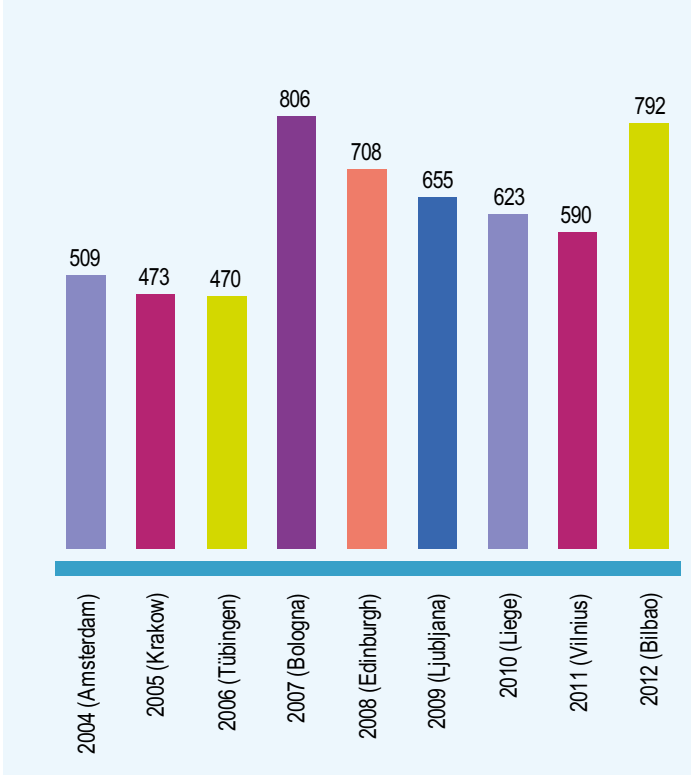


Figure 2. Participants in ESC conferences

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Shadd Maruna – Desistance; psychosocial criminology; prisoner reintegration

Anne-Marie McAlinden – Child sexual abuse; sex offenders; restorative justice

Kieran McEvoy – Restorative justice; truth recovery; transitional justice

Marny Requa – Truth recovery; human rights; transitional justice

Phil Scraton – Deaths in controversial circumstances; criminological theory; prisons

Pete Shirlow – Segregation and violence; ethno-sectarianism; political violence

Yvette Russell – Feminist legal theory; gender & crime; sexuality

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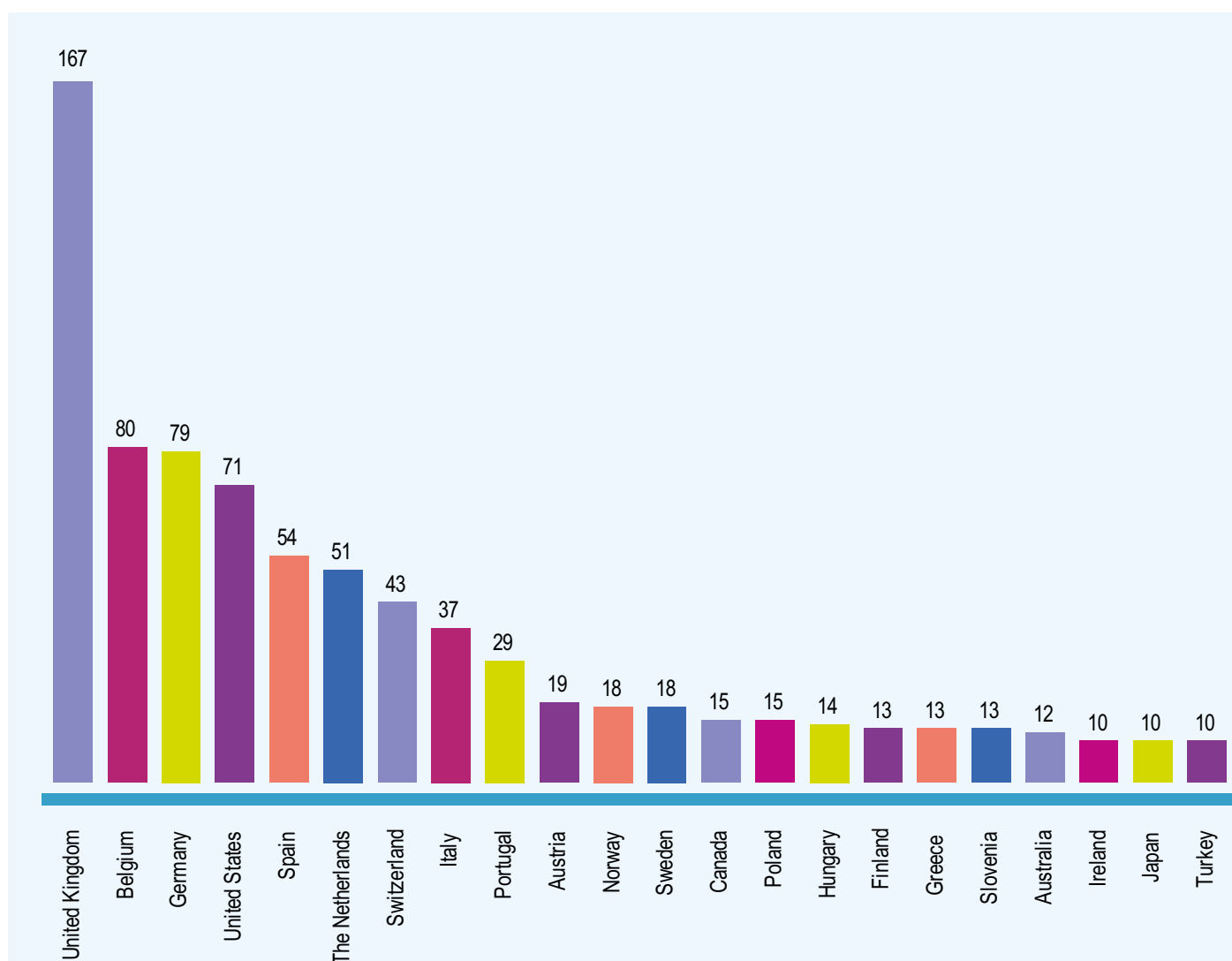


Figure 3. Members of the ESC in 2012 by countries with at least 10 members

offer Carlsson investigates an emerging topic in continental European criminology, that of life course studies. Using data from the project “Stockholm Boys: Life courses and crime in the Swedish welfare state through a century”, Carlsson takes under critical scrutiny the problems related to the use of the concept of “turning point”. He shows how the concept should consider the broader context of the criminal’s life conditions and the whole process in which turning points occur. Carlsson aims to develop a better understanding of the role played by turning points in criminal careers and in desistance processes, using life stories narratives. In the first part of the article, Carlsson demonstrates an extensive knowledge of criminological studies on life course and a strong capacity to go deeper into the analysis of the concepts used in this field. He follows this with a presentation of the results of his research based mostly on qualitative inquiry. In doing so, he provides a strong methodological background that enables him to point out

how the use of life narratives, and qualitative studies more generally, can improve European research on life course. His work holds the promise of further advances in this field of research within European criminology’.

At the same time, Ines Sučić (from the Institute of Social Sciences Ivo Pilar, in Zagreb, Croatia) received an ESC Fellowships to attend the 2012 Bilbao conference. The panel that awarded the fellowship was composed by Krzysztof Krajewski (Jagiellonian University, Poland), Aleksandras Dobryninas (University of Vilnius, Lithuania), and Jaime Waters (Sheffield Hallam University, United Kingdom). We would like to take this opportunity to encourage criminologists from European countries that do not belong to the European Union to submit their candidacy for these fellowships according to the rules available on the ESC website.

The ESC website received 38,086 visits during 2012, representing an average of 3,174 visits per month or 104

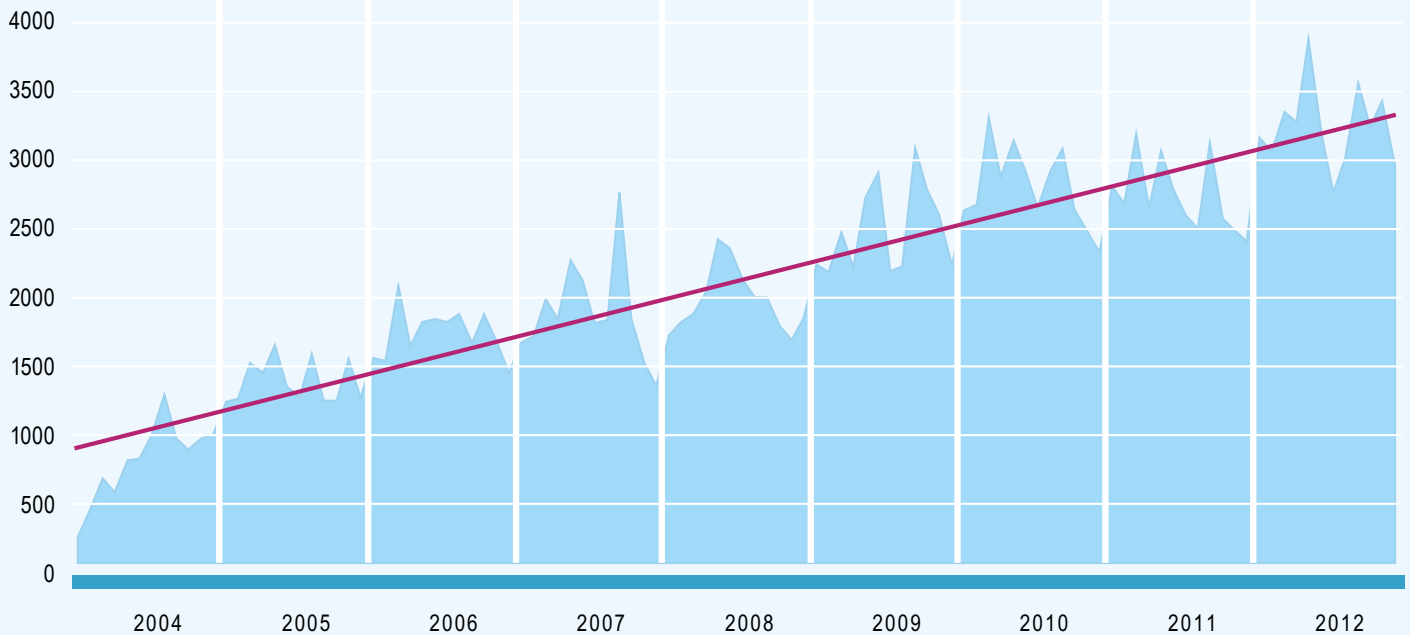


Figure 4. Visitors to the ESC website per month from January 2004 to December 2012

per day. These are the highest figures registered since the creation of the ESC website in 2004 (see Figure 4), and they are more impressive when one takes into account that they do not include the visits to the new Newsletter website (<http://www.escnewsletter.org>) and the conference websites, which are kept by the Newsletter editor and the local conference organizers respectively. In that context, the most downloaded documents are precisely those available on these websites. For example, the 2012 Bilbao conference book of abstracts was downloaded from the ESC website 2410 times, followed by the Bilbao programme (2,045 times), the 2009 Ljubljana conference book of abstracts (1,843 times), the July 2012 Newsletter (1,219 times) and the 2011 Vilnius conference book of abstracts (977 times). The

top 10 countries providing visitors were the United States of America, the United Kingdom, China, Belgium, Australia, Spain, Switzerland, Ireland, Italy, and Japan.

In sum, 2012 was an excellent year for the ESC, which registered its highest number of members since its creation in 2001, the second highest numbers of participants to its annual conference, and the highest number of visits to its Website. These figures were also reflected in the work of the Executive Secretariat, whose main e-mail address (secretariat@esc-eurocrim.org) received 10,037 e-mails (i.e., 4 times more than in 2005) and sent 19,530 e-mails (i.e., 7 times more than in 2005), which is also the highest number of messages sent and received since we took office.

FROM THE NEXT ISSUE

- › *Dietrich Oberwittler and Sebastian Roche on Trust in Police Among Minority Adolescents*
- › *Anna-Maria Getoš on Criminology in the Balkans*

Jan van Dijk

ESC WORKING GROUP ON VICTIMOLOGY

Last year the European Society of Criminology working group on Victimology was established to stimulate (cooperation in) research on a wide range of issues relating to victims of crime and abuse of power. This included issues concerning particular types of victims—of human trafficking, domestic violence, or terrorism—victims in different settings—the media, justice procedures, politics—and victimisation issues at the national and international levels.

It is a particularly timely initiative, seeing the growing public and policy attention to the subject of victims of crime, maybe most manifestly visible in the adoption by the Council of the European Union and the European Parliament of the Directive (2012/ 29/EU) establishing minimum standards on the rights, support, and protection of victims of crime. In the process of implementing the Directive criminological expertise will be pivotal in realizing its potential in improving the position of victims of crime, while at the same time avoiding the pitfall of populist, anti-offender initiatives that are often sold under the guise of victim initiatives.

The working group has two main priorities. The first is to convene panels and symposia on key victimological topics at the Annual ESC Conference. The second is the development of a network of criminologists who can draw on each other in the preparation of victim-related proposals at the European level. Increasingly the EU is an important source of funding for victimological research, both at the level of the European Research Council and the EU policy departments Justice and Home Affairs.

We would like to invite all of you, who share our interest in the study of victims of crime, to join this working group, and to offer your input into how we can bring this subject forward. You can sign up by sending an e-mail to Jan van Dijk, at jan.vandijk@uvt.nl or our secretary Antony Pemberton at a.pemberton@uvt.nl

Jan van Dijk is Professor of Victimology at Tilburg University, The Netherlands

Arjan Brokland

EUROPEAN WORKING GROUP ON DEVELOPMENTAL AND LIFE-COURSE CRIMINOLOGY (EDLC)

NEW WEBSITE LAUNCHED!

Central to the Developmental Life-Course Criminology perspective is the belief that the criminal career is an integral part of the many other developmental trajectories that together make up the life-course. From this perspective it follows that to understand criminal development, and to design and implement policies aimed at curbing criminal trajectories, detailed knowledge on the interdependencies between criminal trajectories and developments in other life course domains is pivotal.

Since its establishment in 2006 the efforts of the European Working Group on Developmental and Life-Course Criminology have been aimed at promoting

and facilitating contact between European researchers involved in developmental and life course research and establishing collaborations between the various research groups working on DLC-issues. As in other years, the working group will be organizing thematic sessions during the annual meeting in Budapest. In addition, to further achieve its goal the working group has now launched a website and is putting together a new book on the criminal career and life course criminology.

For the upcoming Annual Meeting of the European Society of Criminology in Budapest the working group has organized three thematic sessions on the following



topics: criminal career patterns, life-course transitions and sanctioning. The EDLC hopes to welcome a broad audience interested in DLC issues and longitudinal research designs.

The working group has also launched a new website: www.edlcgroup.com. On this website you will find information on the working group's activities, including workshops and book activities, and a showcase of European DLC datasets. DLC researchers are invited to contribute. For more details or any suggestions on how to improve the contents, please do not hesitate to contact us.

To further increase the visibility of European criminal career and life course research both within and outside the European continent, the working group is currently

putting together the European Handbook on Criminal Careers and Life-Course Criminology. This book aims to provide an overview of recent theoretical advancements by European scholars and high quality cutting edge empirical DLC studies by European research groups.

We encourage all researchers with an interest in DLC issues, or those who want to keep updated about EDLC activities, to join the working group. To do so, please contact the working group chairs Arjan Blokland (ABlokland@nscr.nl) or Victor van der Geest (V.vander.Geest@vu.nl).

Arjan Brokland is Professor of Criminology and Criminal Justice at Leiden University, the Netherlands.

WORKING GROUP REPORTS

Kristel Beyens, Fergus McNeill and Ioan Durnescu

NEWS FROM THE ESC WORKING GROUP ON COMMUNITY SANCTIONS AND MEASURES

The ESC working group on Community Sanctions and Measures (WG CSM) was established in 2008 and held its first meeting in Barcelona, with Fergus McNeill from the Scottish Centre for Crime and Justice Research of Glasgow University as the initiator and first chair. Starting with just 12 founding members, the group has flourished into one of the most active ESC working groups; currently there are 57 members enrolled. Every year we organise our own symposium with interesting presentations and discussions on theoretical, methodological, and empirical aspects of the development, use, and administration of community sanctions in Europe. We have held meetings in Barcelona, Glasgow, Edinburgh, Utrecht, and Liverpool. We also organise four to six thematic panels at the ESC Annual Conference, which are always a big success and a great opportunity to connect. We have recently created our own website and blog (<http://communitysanctionsblog.wordpress.com>, <https://docs.google.com/spreadsheets/d/1WxyZG15RnNHUkVfek5kUzNuN1E#gid=0>), in order to archive our work and initiate discussions. Within the context of the working group other successful initiatives have also been taken.

On April 1, 2009 the *European Journal of Probation* was launched, with Ioan Durnescu as editor in chief and several members of the working group on the editorial board. It is an open access peer reviewed academic journal aiming to promote comparative research on probation and community justice across Europe. To date 12 issues have been published, with several special issues on topics such as community service, judicial rehabilitation, occupational culture in skills and probation practice, and conditional release.

In 2011 we applied for a COST Action, which began in March 2012 (Chair: Fergus McNeill, Vice Chair: Kristel Beyens, http://www.cost.eu/domains_actions/isch/Actions/IS1106?management). The action focuses on four themes in four different working groups: *Practising Supervision* with Gwen Robinson and Kerstin Svensson as working group leaders, *Experiencing Supervision* with Ioan Durnescu and Christian Graffl as working group leaders, *European Policy and Practice* with Christine Morgenstern and Elena Larrauri as working group leaders, and *Decision-Making and Supervision* with Miranda Boone and Martine Herzog-Evans as working group leaders. This COST Action, a direct result of the close collaboration of a core group



of ESC working group members, has boosted our work and collaboration on a European level. Currently 19 countries are participating from all over Europe and we have more than 70 individual participants. More information about our working group and our activities can be found at our website <http://www.offendersupervision.eu>.

Kristel Beyens is Professor of Penology at the Vrije Universiteit Brussel, Belgium

Fergus McNeill is Professor of Criminology and Social Work at University of Glasgow, Scotland, UK

Ioan Durnescu is Senior Lecturer at the University of Bucharest, Romania

CANDIDATES FOR ESC OFFICES



CANDIDATE FOR PRESIDENT OF THE ESC



GERBEN BRUINSMA

Since 1999, Professor Dr. Gerben Bruinsma has been the director of the Netherlands Institute for the Study of Crime and Law Enforcement (NSCR) in Amsterdam, a research institute of the National Organization for Scientific Research (NWO). In 2009, he became a professor of environmental criminology at VU University of Amsterdam. He has also held positions as professor of criminology at Twente University and Leiden University.

He studied sociology and criminology at Utrecht University and finished his doctoral dissertation 'Crime As A Social Process. A Test of the Differential Association Theory in the version of K-D. Opp' at the Radboud University Nijmegen. In the 90s he co-founded the International Police Institute at Twente University. He was president of the Dutch Society of Criminology and one of the founding fathers of the ESC, he has

been editor of various journals and has held a great number of advisory and board positions in the field. In 2009 he received the Freda Adler Distinguished International Scholar Award from the Division of International Criminology of the ASC. He has researched and published on juvenile delinquency, organised crime, police, theory, and methodological issues. Together with David Weisburd he is editor of Springer's Encyclopedia of Criminology and Criminal Justice (8 volumes). With Brandon Welsh and Anthony Braga he recently edited *Experimental Criminology. Prospects for Advancing Science and Public Policy* (Cambridge University Press, 2013). He also publishes this year in *Criminology*, *Crime & Delinquency*, *British Journal of Criminology*, *Policing*, and *European Journal of Criminology*. His current interests are geographical, theoretical, and historical criminology.

MASTER

CRIMINAL JUSTICE GOVERNANCE POLICE SCIENCE



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Prof. Marleen Easton, Director of the Research Group 'Governing and Policing Security' (GaPS) at the University College Ghent.

Our teaching staff is part of an international, academic network with close ties to institutions, affiliated with international security, peace keeping and law enforcement.



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