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Effectiveness of social rehabilitation measures against young offenders in Hungarian prisons

Skuteczność działań resocjalizacyjnych wobec młodocianych przestępców w węgierskich zakładach karnych

Hungary adopted a new prison law in 2015. The former prison law, adopted during the communist era, had been in effect for more than three-and-a-half decades. During the past quarter-century – but especially in the last 10 years – legislators had attempted to enact a new Code of Correction, but it is only recently that this purpose has been achieved. There were several concepts and drafts of legal texts prepared by successive ministries of justice, and there was also professional discussion and public debate. These drafts and debates often carried proposals for the situation of juveniles to be addressed in a separate law or even in subsidiary legal regulations. In the set of rules and principles of the new Code, a matter of utmost importance is the need to learn about the situation of each juvenile in full detail, utilizing all information obtained from his/her former social environment (family, school, civic organizations). With knowledge of this, a personalized reintegration plan should be worked out during the time of detention. In the framework of this plan – and during the whole correctional process – mistakes of insufficient or failed socialization should be corrected. The most important fields of activity for this purpose are moral education, general education and training, and work experience.

Key words: juvenile prison, juvenile delinquency, prison system, Hungarian prison system.

Węgry przyjęły nowe prawo karne w 2015 r. Poprzednie prawo karne, przyjęte jeszcze w czasach komunistycznych, obowiązywało przez ponad 35 lat. Na przestrzeni ostatniego ćwierćwiecza – a w szczególności ostatnich 10 lat – ustawodawcy próbowali uchwalić nowy kodeks karny, ale dopiero niedawno udało się ten cel osiągnąć. Wcześniej pojawiało się wiele pomysłów i projektów przygotowywanych przez kolejnych ministrów sprawiedliwości, a także prowadzono rzeczowe dyskusje i publiczne debaty na ten temat. Projekty te oraz debaty często zawierały propozycje, aby sytuacja młodocianych była opisana w oddzielnych aktach prawnych czy też drugorzędnych regulacjach legislacyjnych. W zbiorze przepisów i zasad zawartych w nowym kodeksie sprawą najwyższej wagi jest potrzeba dogłębnego zbadania sytuacji każdej osoby młodocianej, wykorzystując wszelkie informacje zdobyte ze środowiska, w którym osoba ta wcześniej przebywała (od rodziny, ze szkoły, organizacji społecznych). Posiadając tę wiedzę, można wypracować zindywidualizowany plan resocjalizacyjny do realizacji w trakcie odbywania kary pozbawienia wolności. W ramach tego planu – oraz w czasie całego procesu resocjalizacyjnego – można korygować błędy wynikające z niewystarczających lub nieudanych działań resocjalizacyjnych. Z tego powodu najważniejszy zakres działań dotyczy wychowania moralnego, edukacji ogólnej i zawodowej oraz doświadczenia zawodowego.

Słowa kluczowe: zakłady karne dla młodocianych, przestępczość nieletnich, system penitencjarny, węgierski system penitencjarny.

Preface

If a child psychologist were asked whether what it takes for a child to be considered normal is merely eating, growing and sweet smiles, the answer would undoubtedly be “not at all”.

If s/he trusts his/her parents, a normal child will try out everything. In the course of time s/he will try out to what extent s/he can disturb or exhaust others, destroy things, cause fear, manipulate or monopolize people. Everything that causes people to end up in court (or psychiatry) has its seed in the person’s early babyhood and childhood, or to be more precise, in the child’s relation with his/her own household. If the family is able to tolerate and set right all of the child’s “attacks”, the child will

sooner or later end up playing. However, “business first” – which means that attempts first have to be made, especially when the child feels the slightest doubt regarding the stability of his/her parents and of the home. For a child to be free, to play, to use his/her imagination and have an unclouded childhood, s/he first needs to be aware of the limits.

Why is this so? The fact is that the early phases of emotional development are filled with opportunities for conflicts and for destruction. The relationship with the outside world has not yet been firmly established, nor has the young personality become an integral whole. Primitive love has a destructive purpose, and the child has not yet learnt how to tolerate and handle his/her instincts. However, if the environment in which s/he lives is stable and personal, s/he can come to a point where s/he will be able to control his/her instincts. According to Winnicott, crime is the sign of some hope left. A child whose behavior is antisocial is not necessarily ill. In some cases it is merely a call for help, so that strong, loving and trustworthy people can provide him/her with the necessary control. It is important that a child should dare to and be able to speak. Also, there should be a supportive person who is able to listen and help him/her rebuild the broken trust¹.

In the majority of cases these children do not have anyone to whom they can talk about their problems. Their parents are abusive and rejecting; the image of themselves they have had to create within their age-group needs to be preserved. Correctional institutions are not the best places for this purpose, even though these youngsters crave attention and interest.

Today we already know that the crimes committed by young offenders are closely related to social and economic processes such as child poverty and increasing income gaps, increased divorce rates, experimentation with psychoactive substances (alcohol and drugs) at an early age and in growing numbers, reduced opportunities for young people to get jobs, and increasing unemployment among young adults, especially those having a low level of education or no education at all. We must also mention social and economic problems leading to crimes and violence, which are concentrated in deprived areas or the outskirts of cities.

In Hungary the number of registered children and juveniles being placed under protection has been over 15,000 for several years. A large

¹ D.W. Winnicott, *Kisgyermek, család, külvilág*, Animula Kft, 2000, p. 112.

group of minors live their lives without any future prospects; they hang out aimlessly, they spend their free time wandering around in gangs. Having no proper family relations, they have little chance to integrate into society; most of them achieve below-average results at school, or have failed several times and are now over-age.

Another publicly reported fact is that in Hungary in recent years crimes have been committed against more than 8000 juveniles and almost 5000 children, these figures being averages for the past five years. One of the greatest problems concerning child abuse is that it is extremely difficult to estimate actual numbers. Such crimes are often latent, due to the fact that they are mainly committed within the family, where the child is dependent on the offender, who in many cases is the child's parent. Threatening actions usually happen at home, where child abuse can remain hidden for a long time without being noticed by anyone who could possibly provide help. Sadly, those who work in the correctional system usually encounter cases of child abuse when it is already too late².

The new prison law

Hungary adopted a new prison law in 2015. The former prison law, adopted during the communist era, had been in effect for more than three-and-a-half decades. During the past quarter-century – but especially in the last 10 years – legislators had attempted to enact a new Code of Correction, but it is only recently that this purpose has been achieved. There were several concepts and drafts of legal texts prepared by successive ministries of justice, and there was also professional discussion and public debate. These drafts and debates often carried proposals for the situation of juveniles to be addressed in a separate law or even in subsidiary legal regulations.

In the set of rules and principles of the new Code, a matter of utmost importance is the need to learn about the situation of each juvenile in full detail, utilizing all information obtained from his/her former social environment (family, school, civic organizations). With knowledge of this, a personalized reintegration plan should be worked out during the time of detention. In the framework of this plan – and during the whole

² O. Czenczer, *Veszélyes fiatalok vagy fiatalok veszélyben*, NKE Szolgáltató Kft, 2014, p. 41.

correctional process – mistakes of insufficient or failed socialization should be corrected. The most important fields of activity for this purpose are moral education, general education and training, and work experience.

The new Code also emphasizes the importance of strengthening family relations. Juveniles should be prepared for their release by promotion of their being taken back into the family, a process in which grandparents might also play an important role. For this purpose the Code introduces two new legal institutions: family consultation and family therapy.

At the juvenile detainee's own request or upon the request of his/her legally appointed representative, and with the permission of the penal institution, every three months the detainee participates in family consultation. These opportunities for free contact take place within the institution. Persons participating in the consultations are the parent or any other person entitled under the Civil Code to maintain contact with the detainee, unless this right has been withdrawn or limited by a common court or family court. At the juvenile detainee's own request or upon the request of his/her legally appointed representative, and with the permission of the penal institution, the detainee may participate in family therapy. If the parent is not entitled to maintain contact with the juvenile, he/she may not participate in these family therapy sessions. The number of sessions is determined according to need. In exceptional cases, juveniles may even be permitted to attend family therapy sessions outside the penal institution. Family consultation and family therapy sessions are not classified as visits, and may be permitted even among detainees themselves. Juveniles are allowed to maintain contact with the educator at their training institution, in the interest of their educational and exam obligations and for the sake of their personality development. Family consultation is a free form of meeting, in contrast to family therapy, where a family therapist performs his/her role at regular thematic sessions, being built one upon the other. Family therapy is a method used in psychotherapy, by means of which the therapist can explore the reasons for the problems occurring in the family in collaboration with the person presenting the symptoms and his/her family. In the course of therapy the specialist optimizes – as far as possible – the functioning of the family system, changes the quality of living through experiences, and thus changes the behavior of the family as well. There is no justification for defining the notion of family therapy in law, as these concepts have

already been accepted in the supporting sciences and are widely known among professionals. Both the supporting family consultation and family therapy may be carried out with the permission of the institution, after careful consideration of whether the presence of the parents is in the interest of the juvenile and whether it endangers the success of the correctional procedure and the order and security of the correctional system³. The experiences gained by Family Group Decision Making (FGDM), a group still in its infancy, should be utilized during family-type meetings. FGDM is a model for socialization by means of which, with the help of family members and close relatives, correctional staff, patrons and the detainee can make decisions together and can draw up a plan which best meets the needs and expectations of the detainee and those of the family members. The discussions are held with the participation of a facilitator, who facilitates dialogue among the parties.

A further notable innovation is that upon his/her request, the detainee and his/her same-sex sibling may be placed together, in so far as this is in the interest of both juveniles and the penal institution is able to implement such an arrangement. Factors to be taken into consideration in such cases are the detainees' past records and crimes, the effect the common accommodation may have on the order and security of the detention system, the security of the juvenile, and his/her emotional and mental state of development. The measure, however, is already a step towards strengthening family relations.

Another innovation is that participation in these reintegration programs cannot be forbidden to juveniles even in case of solitary confinement resulting from a disciplinary offence. Thus, after the detainee has joined a group in which he/she regularly receives help to cope with problems resulting from abuse or aggression, a disciplinary punishment cannot cause him/her to drop out of the process.

The new Code breaks with the former upper age limit for compulsory education, which was set at 16. The national public education act CXC/2011 makes it possible, in the case of students with special educational needs (SEN), for an expert committee to extend the age limit on compulsory education to 23, or to 21 for juveniles in a penal institution. In penal institutions this power is exercised by the reformed Commission

³ J. Lőrincz, Csányiné Lukács Emese, *Akiket nevelésre ítélték. Emlékkönyv a fiatalok büntetés-végrehajtási Intézete fennállásának 50. Évfordulójára*, Duna Mix kft, 2013, p. 142.

for Reception and Detention. On this basis, the most important task of juvenile penal institutions is education and training. In the case of studies that have already commenced, the opportunity to meet examination obligations may be provided by the penal institution upon the juvenile's request and with the joint permission of the leader of the educational institution and the head of the penal institution. With the permission of the head of the penal institution, juveniles can become students or private students of outside educational institutions, with school attendance and the taking of examinations also taking place in the specified educational institution. School achievements and diligence should be evaluated not according to general standards, but rather based on individual abilities, taking into consideration the juvenile's special needs, personality development and intellectual capacity. This makes it possible even for those with the need for special treatment – resulting from a possible experience of abuse – to gain a real sense of achievement.

In accordance with the spirit of the new Code, the penal institution is entitled to request a pedagogical opinion from the educational institution or from the institute for the protection of children, with the purpose of learning more about the juvenile in terms of behavior, diligence, family background, and skills that need to be improved. The data obtained may be utilized for the preparation of an individual development plan, for the protection of the juvenile, and for the assessment of possible risks. Both the educational program in the penal institution and the juvenile's individual development plan should be based on the professional experience gained by correctional institutions, which are overseen by the minister responsible for the protection of children and youth. The aims to be kept in view are: promotion of the juvenile's integration into society, alleviation of problems resulting from integration, stabilization of the juvenile's psychological state, and improvement of his/her education towards gaining professional qualifications, acceptance of basic moral standards and preparation for a healthy lifestyle⁴.

A further change made in the new Code is that before the release of juveniles who are not yet 18 years of age, the legal representative should be notified 60 days in advance so that the juvenile can later be placed in the hands of a parent having the right of supervision, or a guardian.

⁴ O. Czenczer, *A gyermekbántalmazás és az erőszakos bűnelkövetés összefüggéseinek vizsgálata a hazai büntetés-végrehajtásban*. In: *Ünnepi kötet Dr. Nagy Ferenc egyetemi tanár 70. születésnapjára*, Szeged, 2018, p. 188.

If despite the prior notification the juvenile cannot be successfully placed in the hands of a parent or guardian, or if the enforcement process reveals that the juvenile had been the victim of serious abuse, the penal institution appeals to the family court in order for necessary child protection measures to be taken. Also, if the legal representative does not appear in person at the arranged time to take the juvenile into their care, and has not previously consented to the juvenile's departure without supervision, the penal institution immediately contacts the competent authority with the purpose of ensuring temporary placement at a location specified in a decision regarding the temporary placement of juveniles. In other words, in the spirit of the exercise of responsibility, a juvenile person under the age of 18 is not permitted to leave the institution alone, unless appropriate authorization has been given. The same obligation exists with regard to protective supervision. If by the expected release date the juvenile has not yet turned 18, the penal institution informs the competent service so that measures can be taken regarding his/her protective supervision. If the juvenile does not wish to reside at his/her previous permanent address and notifies the penal institution of this in writing, the penal institution notifies the service for protective supervision appropriate to the address at which the juvenile wishes to reside after his/her release. If prior to imprisonment the juvenile was taken into temporary or permanent care, the local service for the protection of children must also be notified before the release in order to arrange the juvenile's placement.

Thus, the legislation represents a clear and definite tendency regarding the juvenile correctional process. We have available the following data regarding numbers of juveniles in the stages of this process:

Table 1. Juveniles in the stages of the correctional process

Total (aged 14–21)	Males	Females	As at September 11, 2019
221 persons	204	17	Juv. in detention
	51	6	Juv. convicted subject to appeal
	48	3	Juv. in minimum security prison
	105	8	Juv. in prison

(Source: own research, 2019)

When these data are compared with past years, the figures are seen to have remained largely constant since 2014. As has already been mentioned, when receiving detainees, penal institutions take into consideration several factors with regard to the grouping of detainees. Among these are the type of crime committed and other criminological aspects. The most frequent crime committed by juvenile offenders is robbery, followed by theft, fraud, bodily harm and breach of the peace. Considering the age and number of such offenders, homicide is also very frequent. This is followed in frequency by criminal damage, sexual assault, rape, and drug abuse.

From the point of view of both institutions and detainees, one of the most important issues is the assessment of discipline and the reward system. The main purposes of penal institutions are maintaining order and security, guarding, and controlling. For detainees, however, it is rather the long-awaited release – be it full release, probation or temporary leave – that counts more than anything, and for this the detainee's disciplinary situation is very important. In all penal institutions of this type the section responsible for detainees aims to implement a principle of gradation. They employ verbal admonishment as a first method, but if this does not lead to a result, punishment is employed. Solitary confinement is used only as a last resort. Due to the characteristics of the age group, juveniles have difficulty coping with solitary confinement, since it deprives them of contact with their everyday community. Reduction of the amount of money that may be spent on personal needs is a form of punishment rarely used with juveniles, since they generally do not have deposited money available. According to the data for the analyzed time period, the rate of breaches of discipline is much higher among juveniles held on remand than among those already serving sentences. The reason for this behavior is that those in the former category do not understand that if they are sentenced to imprisonment, disciplinary breaches might deprive them of the possibility of being put on probation. Even if they expect such a sentence, the release date seems so distant that they are unable to judge the importance of future legal consequences. There are many in this category who notoriously breach discipline, and even the use of solitary confinement does not lessen this behavior. Those who have received a final sentence – as long as the possibility of probation is not

excluded – are much more prudent and easier to manage, especially if they are in the “prison” stage of correction⁵.

As far as rewarding is concerned, positive management is the standard. It is characteristic of the majority of penal institutions that the frequency of rewards for the sake of achieving improvement and maintaining motivation is higher than the frequency of disciplinary actions. The most common form of reward is praise, but being allowed to maintain personal relations is another form that serves integration purposes. Measures usually applied in this regard include lengthening of visiting hours, acceptance of visitors out of turn, short-term leave, and permission to stay out in small groups. For the reasons mentioned above, another important form of reward is the removal of punishments from the record, since this increases the chance of success when the detainee is proposed for probation. With their own resources and by involving outside organizations, penal institutions organize numerous programs for detainees. Successful participation in these programs is also a form of reward, especially when they are linked to national and religious holidays. Factors that some institutions take most into consideration in their rewarding practice are outstanding school achievement and exemplary work. Considering the fact that adherence to the rules and working without payment are basic requirements of detainees, these are rewarded only rarely, mainly upon the initiative of the local supervisor.

Another fundamental element of reintegration is education. For juvenile detainees daily school education is extremely important; thus the above-mentioned penal institutions have a contractual relationship with 16 local or foundational schools nationwide, and work together with nearby teachers. On demand, all four of the juvenile penal institutions provide opportunities for both primary and secondary education.

Juveniles who – for some reason – do not attend either primary or secondary school take part in specialized courses organized by the penal institution and/or civic organizations. Currently the most popular courses are those for the following professions: house painter, folk craftsman, goods vehicle driver, building repairer, paver, kitchen assistant, butcher, and agricultural worker. Based on the data available for the period analyzed, it can be stated that compared with previous years the number of juvenile detainees enrolled in education and training has risen. Despite

⁵ G. Vókó, *Magyar büntetés-végrehajtási jog*, Dialóg Campus, Pécs, 2004, p. 102.

this, the organization and running of training and courses come up against several difficulties. One of these is the fact that attendance of officially accredited training requires a grounding which juveniles do not always have (completion of the 8th or 10th school grade is a basic requirement for vocational learning). Furthermore, training is partly dependent on some kind of application process, which in some institutions can be carried out with the help of a civic organization. Once a person has taken part in some kind of course or training, it is no longer possible to attend further courses free of charge. Also, if in civilian life a person has already attended officially accredited training, there is no possibility of obtaining further qualifications free of charge.

Procedure and methodology

The target group of the research was a group of juvenile delinquents⁶ – both boys and girls – serving a sentence of imprisonment, irrespective of the stage of correction. The investigation took place at the four national–regional juvenile penal institutions⁷. In view of the primarily empirical nature of the research, as a first step the juveniles were asked to complete a questionnaire package which consisted of three complete psychological questionnaires and one complementary sociological questionnaire. Aggression and hostility were measured with the Buss–Durkee questionnaire, childhood memories with the EMBU questionnaire, and abuse with the Duluth Minnesota BIG 26 questionnaire⁸. The complementary questionnaire was intended to supplement the BIG 26 questionnaire with a focus on social aspects, and they were thus assessed together.

The questionnaires were filled in by the juveniles themselves within the penal institutions, in rooms assigned for this purpose by the institution. Each subject was given a research number, which consisted of the initials of his/her penal institution and three digits. Coding was considered extremely important, since it is likely that these juveniles have serious problems of trust. Thus, before supplying the questionnaires

⁶ Juvenile delinquent: a young person between the ages of 14 and 21 serving a sentence of imprisonment.

⁷ At the time of the investigation the numbers of juveniles in our penal institutions were as follows: 157 persons in Tököl; 24 persons in Kecskemét; 52 persons in Szirmabesenyő; 32 persons in Pécs.

⁸ In selecting the questionnaires, consideration was given only to those which were valid questionnaires in the Hungarian language expediently measuring the specific issue, and which had already been used in similar international research. It was on this basis that the aforementioned three questionnaires were selected.

we explained to them what we were measuring and what we aimed to find out, and we emphasized the anonymous nature of the questionnaires. The questionnaires were handed out individually, with no time limit set for their completion⁹.

The Buss-Durkee questionnaire was the first to be completed, since its 75 items supposedly required the most serious concentration. This was followed by the 23 items of the EMBU questionnaire (with 2x4 possible answers) and then the BIG 26 (consisting of twenty-six questions with the possible answers “yes/no/don’t know”). Thanks to the supportive attitude of the institutions, juveniles were able to fill in the questionnaires even if they were assigned to work or educational activities at the time, or for various reasons were subject to security separation or solitary confinement. Completion of the questionnaires – except in the case of those in solitary confinement – took place in the presence of invigilators (supervisors were not present), and the juveniles were seated in the room in such a way that they could not see each other’s paper or answers and could not communicate with each other. After one set of questionnaires had been completed, the invigilators collected them and handed out the next set. Our primary goal was to create an atmosphere where those filling in the questionnaire would not be afraid to mark the answers that best described their actual situation. If there had been a danger that they or the invigilator might have looked into each other’s papers, the juveniles would have tended to mark the answers that they thought others expected of them. The wish to be seen as non-conforming and to preserve the image they have created for themselves in front of others sometimes leads to total denial of the true situation.

The second stage of the research – based on the results gained from the processing and assessment of the questionnaires – involved setting up a focus group consisting of those juveniles who most likely came from abusive families. The group comprised 148 people. With each member of the group we conducted a semi-structured in-depth interview, prepared by us and lasting several hours, on multiple occasions. By means of this interview – and already in possession of the questionnaire results – we intended to create a dialogue whereby becoming better acquainted with the juvenile might reveal problems related to the area concerned,

⁹ As regards the time needed to complete the questionnaires, the juveniles in all four institutions spent an average of 1.5-2 hours filling in the packages.

and we might also learn about possible demands concerning treatment. For this purpose, when preparing the interview guidelines we took into consideration those items of the Euro ADAD structured interview which could be applied to the target group of our research. Subsequently, the interview was complemented with the guidelines of the “Rooming In” reception interview used by juvenile penal institutions. After obtaining general information, we aimed to examine the subject’s parental and family background (it is not always appropriately referred to as parental background, as a significant number of juvenile convicts grew up in community homes or were brought up by grandparents or other relatives). The aim of the in-depth structured interview was to initiate a conversation in which we might obtain details not revealed in the questionnaire, such as the identity of the abusive person, the type and degree of abuse, the current relationship with the abusive person, the post-release situation (whether the detainee has to return to the abusive person) etc.

Throughout the interview we never lost sight of the question of reliability. Continuous focus was required on the information supplied by the detainees and its correspondence with the official information from their files. It is a characteristic feature of abused juveniles that they are prone to confabulate¹⁰. In addition, it is possible that the detainee may distort reality, and there arises a question of credibility – whether or not the interviewee is lying. We also had to take into consideration the possible effects of subjective value judgment and fading of memories.

Before the interview was conducted the questionnaire results had been examined, and beside detailed analysis of certain items we also looked into the interviewee’s background files. These were mainly provided by psychologists of the institutions and the subject’s reintegration officer. We also looked into the study of the patron’s living conditions, the record of the reception interview, the reward and disciplinary record of the detainee during the time of detention, his/her relationships, and notes of any other observations that might help us prepare for the interview. In this way we were able to direct our questions to encourage answers that were related to the topic of our research and often carried significant emotional content.

¹⁰ Confabulation: a kind of pathological inaccuracy where during recall, memories are complemented with or replaced by false, fictitious elements. Numerous studies have proven that recall of false memories or confabulation may also occur if the person has experienced serious traumatic events and thus finds it difficult to distinguish between real memories and associations originating from his/her fantasy.

After the interviews, and being in possession of properly grounded facts, a further analysis was made. The juvenile's reintegration officer was asked to give verbal details about the detainee's non-official behavior inside the institution, about his/her conduct with cellmates, classmates and staff members, and about his/her position, if any, in the institution's informal network – in short, all data not included in the detainee sub-system, in the studies of living conditions, or in the sentencing document. After summarizing all of the above data, we were able to complete an abuse profile for each juvenile¹¹.

A brief survey of the Hungarian research

In 2015-2016 we carried out longitudinal research on the population in Hungarian juvenile prisons. Our main goal was to assess on a national level the relations existing between juveniles' offending and their being abused: that is, the proportion of young offenders in the penal institutions who come from abusive families, the type of crimes they have committed, and whether there is a pattern to be found in those crimes or in the way in which they were committed. The primary focus of our research was the examination of relations between child abuse and violent crimes among juvenile convicts held at our institutions.

The research involved the investigation of two aspects. Our primary goal was to examine how many of the juvenile offenders imprisoned in our penal institutions had been abused by their families. Furthermore, we examined whether juveniles from abusive families had committed more violent crimes than those from non-abusive families, and also how they behaved during the time of their detention. A somewhat indirect, but still very significant aim of the research was to draw attention to a specific group which is not considered separately by the correctional system, even though the significant size of that group would give cause for attention. It is a fact that among juveniles detained in our institutions a significant number come from a severely abusive and high-risk family background. These children have very little chance of successful reintegration if they undertake only the currently applied programs and activities. In their case

¹¹ The profiles can be read in a monograph published by the author (O. Czenczer, *Dangerous juveniles or juveniles in danger?* NKE Kiadó kft, Budapest, 2014).

a great deal more attention is needed; they require activities arranged separately and expediently, as well as extensive mental health care.

Field research results

There are many tasks to be dealt with in the field of juvenile correction. Taking one step back and looking at the whole picture from a distance, it might be stated that existing penal institutions, especially juvenile prisons, in fact perform the tasks of a parent. This is a substantial challenge, since we receive the offender as s/he is in his/her actual physical, mental, spiritual and financial state. Then begins a race against time, where we have a predetermined period of time at our disposal to turn that offender into a law-abiding person, in proper physical, mental and spiritual condition, who will wish to turn his/her back on a criminal lifestyle. During all of this time we fulfil the role of a parent: we provide accommodation, food three times a day, clean clothes, health care, and certain opportunities to maintain relations with others. This parental role is all the more important considering that these inmates are teenagers, with all the features of that developmental stage¹². Furthermore, we provide education, vocational training, tasks and employment to everyone according to their needs. We create groups so that our assistance can be more effective in preventing the use of drugs and dealing with personality disorders and psycho-social problems. We raise spirits and organize group activities; we employ pet-stroking, drama teaching and acting; we provide sports facilities, cultural programs, concerts, a library, a guitar club and numerous other opportunities. We have a set unit of time at our disposal to correct, develop, support, or remove those primary or secondary socialization deficiencies, models, and patterns where parents or schools have failed. Furthermore, we need to ensure that all of this is measurable, and thus we measure ourselves as well by estimating the risks of relapse. However, it should be considered what happens if in the course of all of these measures, or rather before them, we come to realize that we need to re-evaluate our task and our role as “parent” because we are faced with an abused child.

¹² Á. Lehoczki, *Börtönártalmak, totális intézet, fogvatartotti speciális csoportok*, [In:] Ruzsonyi P., Czenczer O. (szerk.), *Büntetés-végrehajtási reintegráció ismeretek*, Dialóg Campus, Budapest, pp. 191-226.

Results and findings of our research

The research provided us with a comprehensive and thorough picture about the past abuse experienced by juvenile detainees serving sentences in our national penal institutions. Due to the limited length of this study, there is no possibility for a detailed presentation of the situation. Thus we intend only to give a brief description of the statistical analysis and the questionnaire results, and for demonstrative purposes we will present certain suggestions which we have formulated.

The research brought certain somewhat surprising findings. One of these was the fact that the frequencies of answers on the paternal and maternal scales were about the same. It is notable that the majority of respondents stated that they had never experienced hard treatment, corporal punishment, judgment, the role of the black sheep, a sense of shame, or punishment administered by either parent. In fact, love, consolation, and the showing of pride occurred very frequently with the majority of respondents. On the maternal scale, excessive anxiety had been experienced often by the majority of the respondents. The rather infrequent presence (representation) of a negative parental relationship can be assessed only to a moderate degree, since it was precisely the EMBU questionnaire that the fewest respondents completed thoroughly. These frequency results – together with those previously presented which showed the average score on the BIG-26 abuse questionnaire to be significantly higher in the case of those not having completed the EMBU questionnaire – raise the possibility that it may have been exactly those who were sensitive to this topic who were “hiding” and refused to fill in certain items of the EMBU questionnaire; in other words, those having bad memories about their relationship with their parents. This, however, would be very difficult to prove scientifically. For this reason, we need to consider a number of possible reasons for the results:

As a basic method of functioning or inner driving force, detainees of penal institutions tend to present themselves in a favorable light, and conceal their deficiencies or hide certain features from the staff with the intention of strengthening their own imagined or actual status within the closed community. This can most easily be done with regard to their outside circumstances and relationships, which are difficult to check. Regarding the aforementioned scales of rejection and abuse, besides the suppression or rejection of memories, a further reason for a distorted

frequency of answers may be the intent of subjects to conceal information or to present themselves in a favorable light.

At the same time, we should consider and – through further research – examine the possibility that due to their socialization circumstances and subcultural characteristics, juvenile detainees in this study-sample may relate dissenting interpretations and concrete behavior to certain items of the questionnaire. Also, they may not even understand the exact meaning of the statements.

One of our most significant findings was that the most important factors influencing the score for aggression in the whole study-sample were maternal and paternal rejection, and abuse. Based on the aggression subscales, the sample was clearly divided into two groups: one group with a higher and one with a lower score for aggression. In the group with higher aggression the scores for maternal and paternal rejection, for maternal emotional warmth, and for abuse were higher. We should consider the fact that those who had only partially completed the EMBU questionnaire scored significantly higher for the abuse item than those who had fully completed it. Thus it is possible that refusal to complete the questionnaire might be related to a psychological averting mechanism, whereby those who have been severely abused by their parents try to exclude or deny their traumatic experiences.

Another possible explanation is that being abused was considered to be a normal pattern and had become part of the subject's set of values to such an extent that its actual character had never been questioned. Several detainees affirmed during the interview that physical violence is a normal means to be used by a parent when raising a child. Thus, it is possible that the persons examined in this study interpreted abstract notions like love, parental pride, tenderness, over-protection, and anxiety exclusively through their own socialization patterns. If we accept the fact that these semantic contents may have significantly different interpretations in certain subcultural communities, it will be easier to understand how opposite scales parallel each other in terms of high scores. In this regard it would be useful to examine the effect of subcultural differences as well. In certain small, closed communities statements like “my father was proud of me”, “they comforted me when I was sad”, or “they worried too much about me” may have entirely different meanings or behavioral manifestations.

A further possibility might be that protection of the desired maternal or paternal image was a stronger driving force than the motivation for filling in the questionnaires. These juveniles may not have had a tender, emotionally warm relationship with their father or with either of their parents, but since the questionnaire was focused on exactly this sore point, they may have assigned higher scores on the positive scales in order to protect the parental pattern and also their own self-image.

Professionals state that neither those committing domestic violence nor its victims exhibit a special psychological profile. Naturally, studies show that there exist some risk or resistance factors that influence the complex phenomenon of domestic violence. The first risk factors to be emphasized by these studies are those socio-cultural traditions or “patriarchal features” which in certain social groups “prescribe” the abuse of family members (“I was also beaten by my father, this is how I ended up being a decent man” or “the more you beat a woman, the better they be”). Alcohol and drug addiction are also to be mentioned here, as well as the occurrence of violence in earlier family history. However, there are people (both women and men) who, despite these risk factors, are not violent in the family; their psychological resistance – inner rejection – is stronger than family traditions or patterns.

Summary

According to Daniel Coleman, juvenile prisons have become almost inevitable stations in the stormy life of those who have been abused since their early childhood. As the statistical data obtained in our study show, the score for aggression in the case of juveniles living in our penal institutions was influenced mainly by paternal or maternal rejection, and by abuse. Thus, it has been made clear that violence, which occurs in the majority of crimes committed at a young age, is a manifestation of a deviant approach to handling a problem in a community, and it may originate from home¹³.

The study has revealed some interesting connections; however, it is likely to have raised even more questions than to have found answers.

¹³ D. Coleman, *Emotional intelligence*, Hatter 2008, p. 33.

It was an interesting finding that the majority of juveniles “officially” considered to have been neglected had a positive opinion about prisons. For them the prison is a strong and stable environment where the staff handle them with love (the educator, the priest, the psychologist, and even the district representative care about them). It was also interesting to note how many physically abused children protect their parents and seek some excuse or absolution for them. Especially in those cases where both parents were emotionally cold or abusive, the child tended to blame himself, the situation or life in general. However, he understands, protects his parents and searches for explanations. In those cases where there is a secure and loving relationship with the mother, the child usually recognizes the inappropriate behavior of the father. As a result the child stands aloof or turns away from the father, does not want to have any relationship with him, and is aware of the fact that the father’s hurting him was unfair. A further interesting observation was that every child had a desperate desire to have a family. Despite a series of disappointments, unreturned relationship sheets, or parents not attending visiting days, the moment the slightest sign of interest appeared on the part of the parent the majority of the children reacted in an extreme way: either they responded immediately and positively anticipated the visit, or they became aggressive, venting their tension on others, turning against themselves, against others, or against the rules. Among those juveniles who, based on the results of the questionnaires, belonged to the “abused” group, there was found to be a connection between the maintenance of a relationship with a relative and the frequency of disciplinary, educational, or psychological hearings.

Programs organized by penal institutions should be personalized where needed. It is a task of the correctional system – especially in the case of juveniles – to organize programs and activities adjusted to the characteristics of the age-group, promoting their physical development as well as the improvement and maintenance of their skills and abilities. Reintegration can be compared to ascending a staircase: omitting a stair or taking them two at a time is not a possibility.

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