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Widening the Use of Mediation in the Domestic Criminal Justice System



Summary

In Hungary, criminal mediation is available for crimes against persons, property and traffic offences. The legal requirement is, on the one hand, that the perpetrator admits to the crime and, on the other hand, that the perpetrator compensates for the damage caused, punishable by imprisonment of up to three years, within the framework of the mediation procedure. If the above conjunctive conditions are met, the offender is not punishable. The legal regulation of the mediation procedure in Hungary has undergone changes in the last few years which justify the conclusion that the extension of the mediation procedure is a legitimate legislative objective in Hungary. This is evidenced by the fact that criminal mediation can be used even if the offence in question is not punishable by law with a prison sentence of more than five years. In this case, the sentence may be reduced without limit. However, under the current national legislation, criminal mediation is excluded if the offender is a repeat offender, and it is not available if the offender is serving a custodial sentence with a final court decision. Mediation is therefore still a limited institution, despite the continuous demand for its expansion, and its positive benefits, such as the joint processing of trauma experienced by the victim and the offender, the possibility of reparation, or the promotion of social bonding, are not fully integrated into the re-integration policy of prisons. Instead, prisons use the so-called mainstream reintegration tools, with particular attention to education and forms of employment.

Journal of Economic Literature (JEL) codes: K14, K15, K19, K49

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REINTEGRATION POLICIES IN THE DOMESTIC CRIMINAL JUSTICE

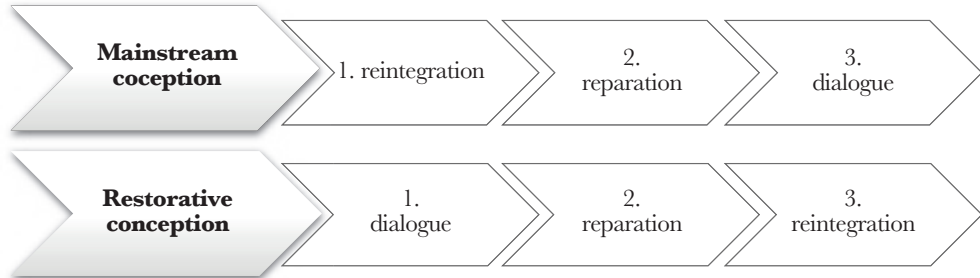
In the justice system of a well-functioning society, criminal law under the rule of law is based on the concepts of both punishment and reintegration. In such a multipolar justice system, mainstream reintegration policies are increasingly becoming obsolete. This has given rise to the development of a new approach to criminal justice, which is no longer confined to the traditional range of prison activities (education, employment) aimed at developing competences. With the development of this new approach, the focus of reintegration is increasingly shifting towards the processes of personal development promoted by interdisciplinary and multidisciplinary disciplines such as criminal psychology, social psychology or criminal pedagogy, and its horizon is expanding to include the system of social relations. To ensure the long-term effectiveness of social reintegration, it is essential to broaden the reintegration approach of prisons, to rethink the current strategy, to integrate social bonding programs more effectively into crime prevention programs and to motivate inmates' willingness to participate. Although almost all the relevant Hungarian penal studies on the subject analyze possible tools for reintegration - and do so with expanding means - the strategy of focusing on personal development has not been widely adopted in Hungarian prisons. Therefore, there is a need for in-depth study of alternative dimensions of reintegration tools and their practical utility, with a particular focus on mediation, which can have significant reintegration effects through relational rehabilitation.

The domestic penitentiary institutions try to restore the criminogenic factors (such as attitudes, personality, willingness to take responsibility, etc.) that motivate people to commit crimes, mainly through behavior correction-based reintegration programs. Although reintegration concepts focusing on personality development and supported by several disciplines are currently to be found in the national literature, the need for reintegration on the part of both the state and society is driving the institutions to integrate theories into practice and to constantly innovate their methods. They do so with the aim of promoting the reintegration of inmates into society with prosperous results. However, a complex, strategic application and systematic analysis of these methods is still to be carried out. The question arises why an interdisciplinary approach to reintegration is so important. The answer lies in the personality-transforming effect of these methods, since a well-designed reintegration process can transform the offender into a repentant, the victim into a survivor and the conflict into a community.

The EFOP flagship project "Reintegration of Inmates" is a positive innovation for reintegration efforts in Hungary, with around HUF 4.2 billion channeled into the Convergence regions by spring 2021, thus helping to promote successful social inclusion. The reintegration paradigm shift in Hungarian penitentiaries is also benefiting from the National Council for Crime Prevention's strategy until 2023, which calls for innovative programs to be implemented during imprisonment in Hungary. The strategy is unique in that it aims to reduce re-offending by developing the personality, personal competences and social skills of inmates. However, in addition to improving the quality of the reintegration guidelines currently in use, it is necessary to open up to new, alternative tools and to introduce a restorative approach.

The restorative approach differs from mainstream reintegration in that its starting point is a reinterpretation of crime as an interpersonal conflict that causes damage to human relationships (Christie, 1977). The restorative adjective is directed at the primary goal of the approach, which is none other than the restoration of the violated order. Furthermore, restorative theory aims not only to support the victim but also to reintegrate the perpetrator (Barabás, 2020).

Figure 1: Mainstream and restorative justice paradigm shift



Source: based on Kerezsi (2011), edited by the author

The advantage of a paradigm shift is that a forward dialogue can even naturally lead to successful reintegration. And the link between the two is created by the personality transforming factors induced by dialogue, in this case mediation. All of this suggests that without a social dialogue-based program focusing on personal development, it is not possible – even at the level of the model set by the legal framework – to sustain a successful reintegration framework in the long term (Duff, 2001).

The Reintegration Situation in Hungary, with a Special Focus on Mainstream Reintegration

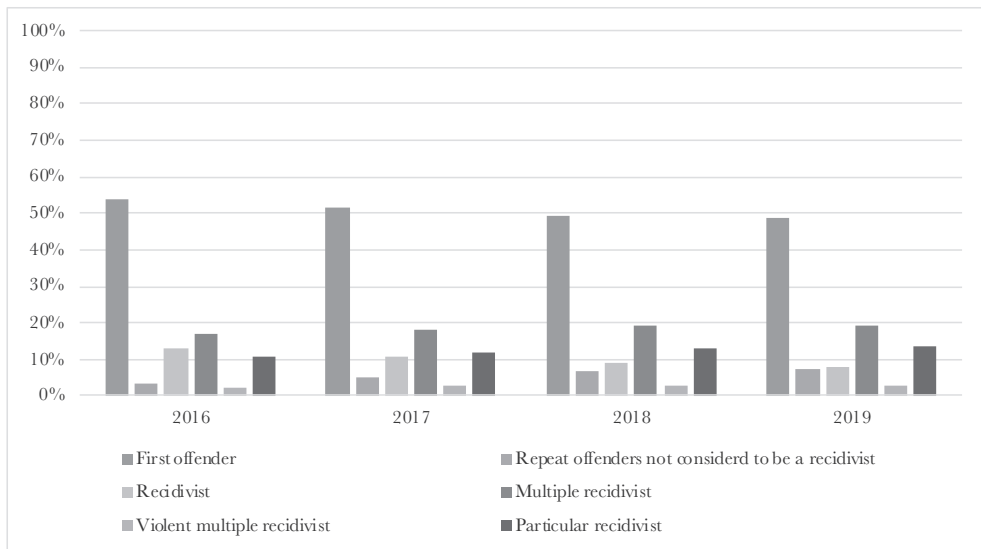
In domestic penitentiary institutions, an average of 7400 inmates are serving their prison sentence in a prison enforcement grade (55% of the average prison population). In contrast, the proportion of inmates serving their sentence in prison is around 34 %, i.e. on average 34% of inmates are exposed to the destructive effects of a more severe enforcement level and to more pronounced social isolation. On the positive side, while the total prison population increased by around 3% in 2020 compared to the previous year, the number of inmates serving their sentences in the penitentiary system decreased by the same amount (according to the Hungarian Prison Service).

Inmates, especially those serving long sentences in the penitentiary system, represent a continuous and serious challenge for the reintegration of inmates in the domestic penitentiary system, as they are subject to increased deprivation of liberty, isolation from the environment, lack of contact and other deprivation effects. This can have a negative impact on the personality of the detainee. However, a mediation process based on dialogue, repentance and moral confrontation can be a suitable means of mitigating these

negative effects, even if the use of mediation does not entail an immediate suspension of the custodial sentence or the preferential measures that inmates would otherwise wish to receive.

In the case of social reintegration methods and reintegration models, particular attention should be paid to ensuring that detention-related personality and behavioral problems are addressed by the detention facilities. The struggle for reintegration caused by a long period of imprisonment is evidenced by the recidivism rate.

Figure 2: Distribution of first offenders and recidivists in relation to the total prison population (%)

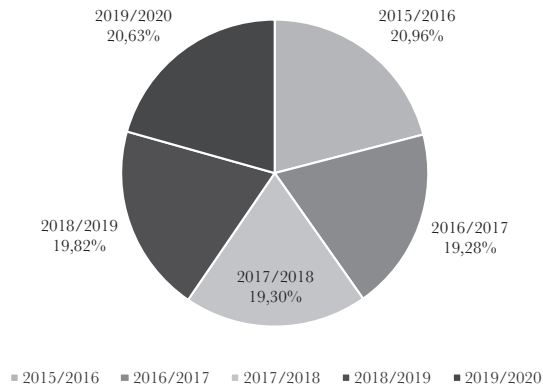


Source: Prison Statistics Review 2016-2020, edited by the author

More than 51% of inmates were first-time offenders in the years under review, and the proportion of recidivists is decreasing. However, the statistics, which at first glance seem convincing, are worth examining further, as the proportion of repeat offenders is rising. The trend is similar for multiple repeat offenders. It can therefore be concluded that criminal policy efforts to reduce offending are presumably not ineffective, but that the current police measures are not significantly reducing and stabilising the number of new offences.

The current model of prison reintegration is dominated by education and employment, which suggests that prisons see the development of social bonds primarily as a means of promoting successful entry into the labor market (Schmehl, 2015). The results expected from these forms of reintegration are supported by data on inmates who have participated in education and employment.

Figure 3: Percentage of inmates in education (%)



Source: *Prison Statistics Review (2020)*, edited by the author

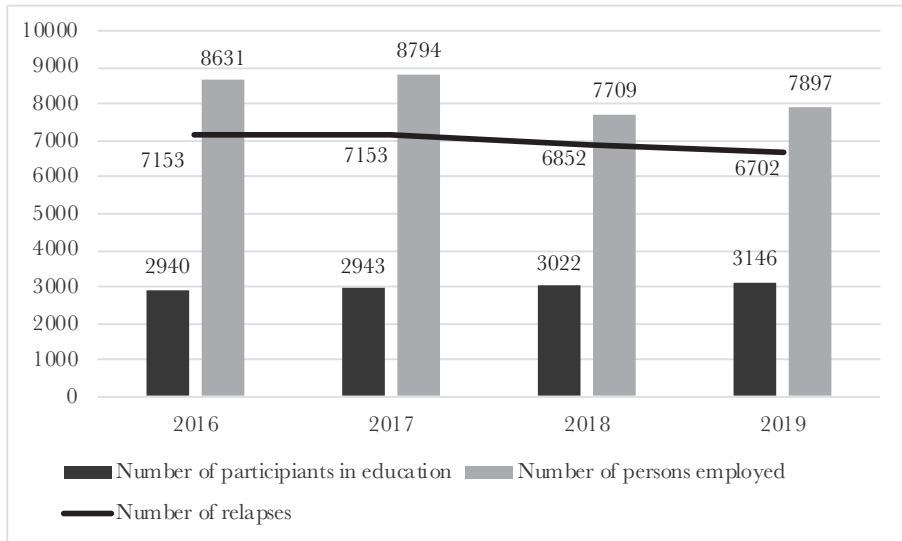
The proportion of inmates in education as a percentage of the total prison population has been permanently increasing from the 2016/2017 school year until the 2019/2020 school year. In terms of the type of education, inmates tend to attend mainly secondary education (40%) and vocational training (30%). There is little interest in general education (29%) and tertiary education (1%).

It should be noted that in mainstream reintegration, prisons rely as much on the positive returns to employment as on education. For this reason, institutions should constantly strive to ensure that the right number of employers are available by providing the maximum number of jobs available (Szakolczai, 2015). This is ensured through the establishment of companies with a mainly industrial and agricultural profile, through the employment of prison service institutes, and through public-private partnerships (PPPs). In order to determine whether the mainstream reintegration model can be considered effective, it is useful to examine the correlation between the number of people participating in education and employment and the number of reoffenders.

It should be noted, however, that the trend in recidivism and the prison population may be influenced by the use of a more restrictive penal policy, with the intended legislative aim of deterring offenders by providing for dissuasive penalties.

While the number of inmates in education shows a slight but steady increase, with on average more than half of all inmates taking up employment, the rate of recidivism, including recidivists, repeat offenders and multiple recidivists, is much lower (3% on average), so the correlation is weak. The need to increase the effectiveness of the programs used in the current reintegration model is therefore well justified by the statistical results. However, extending reintegration policy to include a mediation element could support domestic criminal policy objectives in the short, medium and long term.

Figure 4: Relationship between mainstream reintegration and relapse



Source: Prison Statistics Review (2020), edited by the author

THE CHALLENGES OF MAINSTREAM REINTEGRATION

Addressing Interdisciplinary Challenges

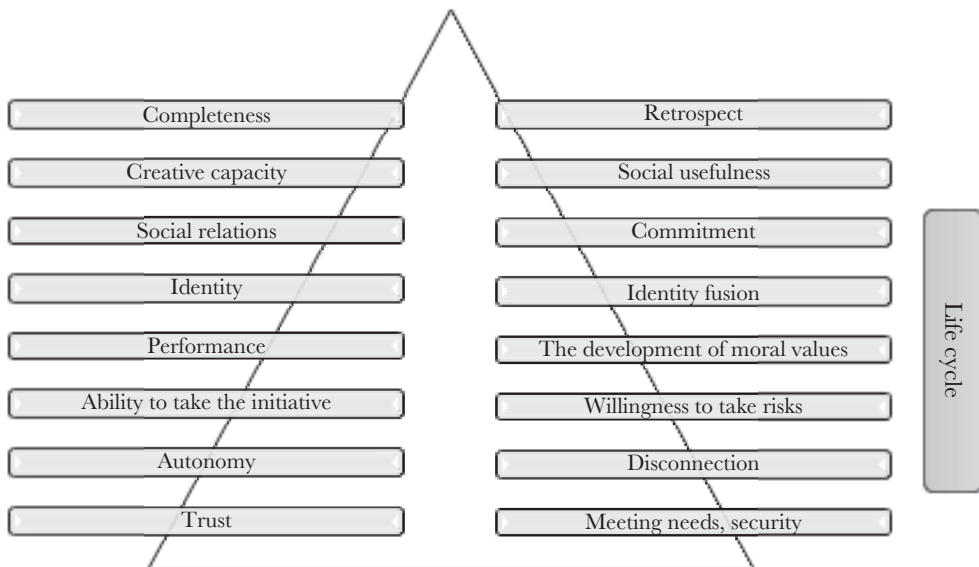
Research on offending behavior has shown that after the offence has been committed and the victim has been perpetrated, untreated trauma typically causes distress, disconnection and a gradual deterioration in quality of life. This is of course cumulative for perpetrators and victims of more serious or violent crimes, but can also occur in the context of less serious crime (Barabás, 2020). Therefore, it is of utmost importance to address the trauma caused, either during the ongoing criminal proceedings or during the period of imprisonment after the final sentencing.

Several factors can hinder effective reintegration. From the point of view of the inmates, the total institution is clearly difficult to tolerate. A further obstacle is that, despite the tightening of penal policy, if non-compliance does not become part of the personality, i.e. if non-compliance is not *internalized*, the punishment must be applied permanently in order to have a deterrent effect. External shaping forces are therefore constantly needed, as socially accepted behavior does not become a belief in itself (Zimbardo et al., 2017). And the behavioral modifying power of punishment will disappear when the threat of punishment ceases to exist (Skinner, 1953). A factor that hinders the effectiveness of punishment is the *lure of the perceived reward*, i.e., when the promise of the reward is so great that it is able to override the price to be paid through the potential punishment (Lewitt-Dubner, 2005). A system that controls behavior through punishment will therefore fail if the reward cannot be controlled.

It is also a common phenomenon in the domestic prison system that punishment becomes counterproductive because the prison environment triggers *aggression*. Finally, we cannot ignore the phenomenon of *fear*, which can also prevent the acquisition of the desired behaviour (Zimbardo et al., 2017).

For the social control of crime advocates, it is important not only to prevent the spread of criminogenic acts, but also to curb and prevent all forms of deviance that come within the law enforcer’s view (MacKenzie, 2006). The so-called Erikson thesis helps in this respect. In his psychosocial theory of development, Erikson divided the process of socialization into eight stages of human life, each with its own crisis. In his concept, if overcoming crises is not successful, the personality is distorted and deformed until the crisis is resolved (N. Kollár-Szabó, 2004). Crises are preceded by a crisis of values, which inevitably leads to deviant behaviour (Antalóczy, 2014).

Figure 5: Erikson’s psychosocial development model



Source: based on N. Kollár-Szabó, 2004, edited by the author

In the process of personality development, Erikson differentiated the criteria essential for the development of a healthy personality (confidence, the ability to be independent, i.e. autonomy, initiative, etc.) by defining the optimal outcomes for each stage of life (sense of security, ability to detach, willingness to take risks, etc.). Failure to achieve the model outcomes can lead to a personality crisis. These crises can be considered as potential intervention points in the reintegration of inmates. The need to identify these intervention points is supported by Gendreau’s research, which records a strong association between antisocial attitudes, deviant social relationships, previous antisocial behaviour and poor family and parental relationships

with offending behaviour. Consequently, reintegration programs should also take these areas of personality into account (Gendreau, et al., 1992). Thus, the effectiveness of programs to promote social reintegration and reduce recidivism requires programs tailored to the circumstances, personality and individual needs of the prisoner in the domestic prison system. This justifies the need for sociological, psychological and other interdisciplinary social sciences, as well as the practice of faith in prisons (Dowden-Andrews, 1999).

Domestic Reintegration Challenges of the COVID-19 Pandemic

The emergence of the COVID-19 virus, and the prevention of its spread within the prison service institutions has presented them with a number of technical and health challenges. The development of a concept to mitigate the epidemiological security risks, the adaptation of the prevention strategy and the implementation of effective mechanisms have undoubtedly required extraordinary resources. In addition, the changed environment has also led the institutions to rethink their reintegration tools (e.g. contact management). In order to achieve this, it is particularly important to ensure the possibility of social contact, since by depriving inmates of social ties, prisons can reinforce the very behavioral, mental and emotional patterns in inmates that hinder their subsequent reintegration into society. COVID-19 has therefore called for the use of new technical tools that can simultaneously ensure the containment of an epidemic that is increasingly spreading in a closed space and in the community, and the long-term effectiveness of social reintegration (Somogyvári, 2021).

From March 2020, Hungary suspended the visits to institutions and the permission to leave institutions temporarily. The initial austerity measures were followed by gradual easing from summer 2021 onwards. However, from November 2021, on the recommendation of the Operational Staff of the National Command of the Prison Service visits to penitentiary institutions were again suspended (Czenczer, 2021). However, the prison service institutes provide alternative means of communication, which are smoothly implemented, and communication via Skype is now available free of charge for all inmates. The innovation of contact is of utmost importance, as good quality family relationships can reduce the likelihood of re-offending, with the complex effect of improving recidivism rates, which ultimately benefits society as a whole.

Although the pandemic and the extraordinary challenges posed by the risk of the epidemic and its spread have challenged the National Command of the Prison Service, the relevant domestic empirical research (including the National Command of the Prison Service's own study) suggests that the National Command of the Prison Service management of the epidemic is effective in terms of measures to support reintegration.

BROADENING THE PRACTICAL APPLICATION OF MEDIATION – THE NEED FOR A PARADIGM SHIFT IN THE DOMESTIC PRISON SYSTEM

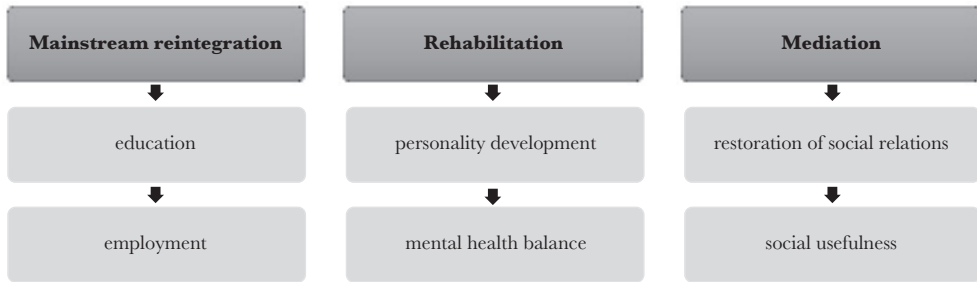
In Hungary, the law enforcement authorities have had the possibility of mediation in criminal matters since 1 January 2007, and since 1 January 2014 mediation has also been available

for less socially dangerous offences, i.e. for misdemeanours. Certainly, the use of mediation is not limited to criminal cases, as it was already possible in civil cases (Barabás, 2020). It is important to note, however, that mediators primarily focus on the victim, helping him or her to deal with his or her grievances. Although victim support is an essential element of postmodern criminal procedure, it cannot be ignored that mediation can be just as helpful for the offender's social reintegration, as it can contribute to the development of a sense of responsibility, responsibility and moral judgement.

The introduction of the new legal institution was made possible by the fact that Act LI of 2006 introduced active repentance into the Criminal Procedure Code as a ground for decriminalization, which is an integral part of the mediation procedure (Barabás, 2020). The broadening of the mediation process is represented by its inclusion in the Penal Code, Article 171 of the Code extended the use of mediation to the settlement of grievances between inmates. According to this provision, the disciplinary authority may terminate proceedings for misconduct committed by a prisoner against another prisoner or suspend the execution of the sentence if the prisoner participates in mediation.

It should be noted that the use of treatment ideology and pedagogical optimism still does not guarantee the avoidance of re-offending, but it can help (Lőrincz, 2018). It can reshape wrongly fixed mindsets and help reintegration into society, all without complex, well-structured corrective behavioral therapy, and it can also "penetrate to the depths of the personality", but it can also contribute to reducing pro-criminal attitudes. The need for a paradigm shift in the reintegration paradigm in the domestic penitentiary system, i.e. the introduction of mediation as a reintegration tool, is further justified by the many advantages of mediation. One such advantage is that the parties can spend as much time as they really need to resolve the conflict. The parties therefore have the opportunity to address the conflict of interest through innovative solutions. The flexibility of the procedure helps to address all dimensions of the conflict and reinforces the sustainability of the agreement to be reached between the parties. Mediation also paves the way for individual rehabilitation, i.e. the restoration of the offender's personality and patterns of misbehavior, and ultimately for successful social reintegration (Colson, 2021). A paradigm shift in the domestic penitentiary system would thus make possible what the formal justice system is unable to do, by creating the possibility of resolving the conflict between the offender and the victim, and the joint processing of the crime experienced can undoubtedly contribute to reintegration (Resch, 2014). It is precisely these positive effects that demonstrate that the use of mediation during imprisonment could bring about a new turnaround in recidivism statistics. Social reintegration requires a multi-directional effort, so that the right attitude of the person released from prison is important (desire to avoid re-offending, repentance, etc.), but also the supportive and forgiving reaction of the environment (Kerezi, 2011). However, by removing the conflict between the parties, which has been brought within the purview of the penal system, from the reach of society, the state has also removed the possibility for the community to restore the disordered legal order itself, and the victim has lost the opportunity to participate in resolving the conflict (Christie, 1991). Herein lies the preventive function of the prison system, which is to protect society not only from crimes that have already occurred, but also from future crimes (Koósne, 2015).

Figure 6: Factors guaranteeing social reintegration in prison service institutions

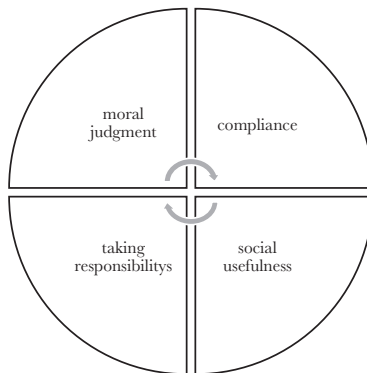


Source: edited by the author

Social reintegration programs are necessarily multifaceted, focusing on individual qualities, the personality of the offender and the restoration of social relations. It is important to note, therefore, that the measures advocated in Figure 6 must work in tandem and in parallel to promote social rehabilitation. However, the process can only be successful in the long term if the principles learnt are taken out of the ideological field and internalized into internal convictions. The mediation process is quite diversified and could therefore support the reintegration of inmates into society in a number of remarkable ways (Vári, 2008).

According to the Ministry of Justice’s statistical bulletin, mediation was ordered in nearly 60,000 criminal cases in Hungary between 2007 and 2018, with the parties reaching an agreement in an average of 85% of the cases concluded, while nearly 90% of the agreements concluded were fulfilled. In infringement cases, mediation was ordered in around 11,000 cases between 2014 and 2018. In infringement mediation, the parties reach agreements in 50-60% of completed cases and more than 85% of agreements are fulfilled. The statistical results presented demonstrate the widespread justification for the use of mediation in criminal matters, and their effectiveness can be predicted for the prison sector.

Figure 7: Expected social impact of prison mediation



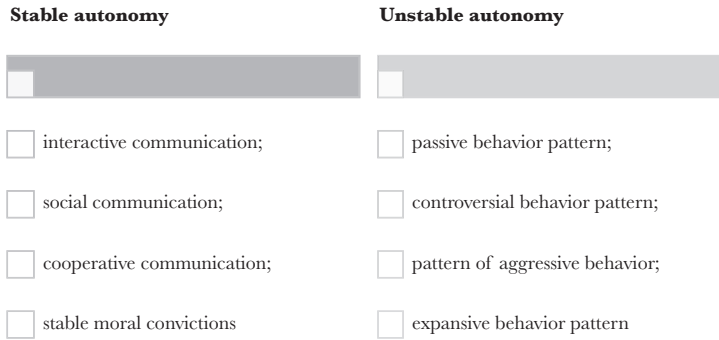
Source: edited by the author

Róbert Hecker-Réz, a prominent Hungarian representative of the Christian-based field of leadership theory, pastoral psychology and mediation, highlights the practical usefulness of the so-called “autochirical” therapeutic method in his works published in 2021. The autochirical therapeutic method, based on a Christian approach, is a psycho-pedagogical vision in which the abandonment of an incorrectly fixed communication pattern is necessary in order to start an interaction that helps the parties to achieve their common goal. Interpreted in the context of the autocirical method of mediation, mediation is a healthy self-analysis and the ability to understand the other party through the development of a communication toolbox. The autocirical method is thus a transposition of already dedicated social science ideas into a new multidisciplinary context, aiming at identifying points of intervention within the framework of a communicative coordinate system between the parties, where the parties’ disengagement is transformed into cooperation. Consequently, a key issue in mediation is to structurally revise poorly anchored communication traditions, i.e. to identify areas where the parties involved in the process follow patterns of behavior that are not the result of individual, i.e. internal, beliefs, but of a learned role or of the circumstances that shape it (Hecker-Réz, 2021).

Internal conviction is a phenomenon that is present in individual decisions and, as an integral part of the personality, it expresses the way the person concerned thinks, considers and communicates in a given situation. By shaping decision-making mechanisms based on such conscience, communication between the parties can be improved and the mediation process can be made more effective. Consequently, mediation in the prison sector can be effective not only in the short term, as it helps to repair the harm between the parties, but also in the long term, as it helps to alleviate the anxiety and fear of the parties caused by the violation of the law. It also helps the prisoner to develop conscientious decision-making based on social values, which ultimately contributes to law-abiding behavior (Hecker-Réz, 2021). Furthermore, mediation helps the prisoner’s reintegration efforts by developing the prisoner’s willingness to cooperate, empathy and problem-solving skills, which are crucial components of successful social reintegration, in a process that requires cooperative and disciplined behavior (Feuer, 2008). It follows from the above that mediation in prison can be seen not only as a corrective but also as a preventive method. However, it is also important to mention the beneficial effects of mediation for the victim, beyond the compensation of material damage and the processing of the damage caused by non-material damage. *Erikson*, the originator of social development theory, divided human development into eight stages and identified the so-called basic conflicts that characterize each stage of life. According to his thesis, an individual emerges from the developmental process in a healthy state in which his individual values and judgement are strengthened. A well-resolved conflict can result in the development of confidence, autonomy, initiative and competence, which can be put to good use in resolving future conflicts. Although *Erikson* writes about personality, his findings are equally applicable to interpersonal relationships (Lovas-Herczog, 2019). Mediation can shed light on precisely these stumbling blocks in the process of social development. The effectiveness of the communication channel is therefore of crucial

importance in a mediation process that also has a reintegration effect. It is important to note, however, that the success of the latter can be determined to a considerable extent by the personalities of the parties involved, i.e. the autonomy of the individuals involved in the process. An autonomous person is guided in his or her dialogue by a set of values, on the basis of which he or she takes a stand and assumes responsibility for his or her decisions (Maier–Wrana, 2008).

Figure 8: Communication characteristics of personality types that determine the effectiveness of mediation



Source: Hecker-Réz, 2021 based on author's editing

While a person with stable autonomy has the communication competences necessary for effective mediation (i.e. mediation that results in an agreement and resolution of the conflict), a person with unstable autonomy faces a number of difficulties in the communication process. A person with unstable autonomy is an interactive, cooperative and increasingly socially disengaged individual.

Individuals with unstable autonomy involved in mediation typically have a communication pattern that can be described in four models. In the passive behavioral model, the person concerned has self-deprecating behavioral traits, foregoing individual initiative, and consequently tolerating the other party's behavior and foregoing the possibility of cooperation. In contrast, the person following the controversial pattern of behavior has a disagreement-seeking, provocative communication, seeking to widen the gap between the approaches of the parties. The aggressive behavior pattern of a person with a similar pattern to the controversial behavior is characterized by hostile and violent communication, as he sees his counterparts as rivals and is therefore not only unable to cooperate but also unable to understand the other's point of view. Finally, the expansive-type communicative strategy is characterized by a tendency to incorporate the other person into one's relationships and by so-called communicative autocracy (Hecker-Réz, 2021). Given that the nature of grievances in the prison system means that the resolution of grievances requires not only the intervention of an outside third party, the mediator, but also a particular focus on communication and the pattern of behaviour of the parties, as these are the determinants of the success of mediation, identifying and developing communication competences as necessary is a crucial task. For this reason, mediation with a broader scope, i.e. social science methods supported by multidisciplinary disciplines (including the development of communication), could increase the effectiveness of the process.

In addition to correcting the individual communication strategy, the correct positioning of the people involved in the negotiation process is also a key factor. The legitimacy of the positioning process is demonstrated by the fact that during mediation the parties use their communication strategies and methods, which are already familiar at the individual level and are typically controversial. However, innovative mediation transforms positional negotiation into interest-based and value-based negotiation. The mediator has a crucial role to play in this process. If the interests and needs of the parties are clarified in the process of interest-based and value-based communication, the quality of communication between the parties may change, with the parties' efforts towards a solution coming to the fore. The interests and emotional needs expressed by the parties in mediation can then be used as a basis for working together towards resolving the conflict and jointly working through the trauma (Deák, 2020).

The Basic Pillars for the Practical Application of Mediation in Prison Settings

A society, a community, and the people living in it are well characterized by how they resolve their disputes and crises, and by the conflict management procedures they use (Lovas–Herczog, 2019). Mediation is precisely a tool for describing the crisis management state of a society, and even for developing conflict management mechanisms once appropriate intervention points have been identified. *Thomas* and *Kilmann* differentiated between methods of dealing with interpersonal conflicts on the basis of the causes of the crisis, while at the same time highlighting the dual dimension of self-assertion and attention to the needs of the other party that is co-existent in the conflict management process (Thomas–Kilmann, 1974). Accordingly, the first pillar of mediation in prison settings, in addition to the review of the communication strategy and the individual correction of communication mechanisms described above, is to identify the causes of the conflict, i.e. the motives behind the violation.

Figure 9: Types of conflict

Value conflict	<ul style="list-style-type: none"> • Rationalization; • emotional independence in communicatio;
Conflict of interest	<ul style="list-style-type: none"> • exploring individual interests; • cooperative interest reconciliation;
Relationship conflict	<ul style="list-style-type: none"> • resolving the conflict over previous statements; • application of empathic skills;
Resources-conflict	<ul style="list-style-type: none"> • exploration of resources; • sharing resources according to the expressed individual needs and requirements;
Information-conflict	<ul style="list-style-type: none"> • clarification of the information leading to the solution; • recording relevant information as required.

Source: Lovas–Herczog, 2019 based on author's editing

The second pillar of the mediation process is to find the common interest of the parties, which has the positive effect of developing in the parties the cooperative skills needed to resolve the conflict. Although the different interests of the parties involved often imply an apparent conflict of interest that points towards the irresolvability of the conflict between them, in many cases it is the impartial third party, the mediator, who can move the parties out of their positions and help them find common interests (Lovas–Herczog, 2019).

SUMMARY

Traditional reintegration programs based on education and employment are necessary but not sufficient components of social reintegration, as they are not in themselves capable of addressing the criminogenic factors critical for reintegration. In the latter case, mediation can be an effective tool during the period of serving the sentence, as it can help the offender to confront his/her own actions, and dialogue keeps the offender in the social system, thus reducing the isolating effects. Remorse and reparation can only be expected from those who still belong to something, which is why it is crucial to keep the offender within society (Gönczöl, 2005).

Successful social reintegration requires a multi-faceted approach. At present, the domestic penitentiary institutions are characterized by the maintenance of traditional reintegration lines and the constant need for innovation in these directives, with innovations being increasingly integrated into the reintegration methodology. This welcome process is to a large extent due to those professionals who are calling for a paradigm shift, but also to the church organizations which firmly believe in the malleability of the individual. Consequently, reintegration can only be effective in the future if the prisons are prepared to look beyond the current practices and to examine the practical advantages of broadening mediation, while maintaining the mainstream tools used so far. This will of course require training of the staff involved.

NOTES

- ¹ https://prison.servicegov.hu/sites/default/files/Bortonstatisztikai_Szemle_2020.pdf
- ² <https://prison.servicegov.hu/sites/default/files/Bortonstatisztikai%20Szemle%202018%201.pdf>
- ³ <https://igazsagugyiinformaciok.kormany.hu/kozvetitoi-eljaras-bunteto-es-szabalyertesi-ugyekben>
- ⁴ <https://www.euro.who.int/en/health-topics/health-determinants/prisons-and-health/news/news/2020/3/preventing-covid-19-outbreak-in-prisons-a-challenging-but-essential-task-for-authorities>

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