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Women Bearing Arms: Committing Armed Robbery in Hungary²

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Abstract

The crimes of armed robbery and robbery with a deadly weapon have always been the most pervasive, harmful crime against property in Hungary and are mostly associated with male perpetrators since. However, there are also female perpetrators committing the crimes of armed robbery or robbery committed with a deadly weapon. Despite the availability of the judicial decisions in the public judicial database, the characteristics of these female perpetrators – including their motivations and the judicial procedures – have never been analysed. This paper will look into how female perpetrators mostly act together with male perpetrators and mostly motivated by financial difficulties. The females in question are almost exclusively adults outside of a domestic relationship and are not parents. They typically have a low-level education, and as a result have lower-paying blue-collar jobs.

Keywords: armed robbery, robbery with a deadly weapon, female, Hungary.

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Kobiety noszące ze sobą broń. Dopuszczenie się napadu z bronią w rękę na Węgrzech³

Streszczenie

Przestępstwa rozboju i rozboju z użyciem śmiertelności narzędzia zawsze były najbardziej szkodliwymi i rozpowszechnionymi przestępstwami przeciwko własności na Węgrzech i są głównie kojarzone z mężczyznami. Zdarzają się jednak także sprawczynie kobiety, które dopuszczają się przestępstw rozboju dokonanego z użyciem śmiertelności narzędzia. Pomimo dostępności orzeczeń sądowych w publicznej bazie danych sądowych, charakterystyka tych sprawczyń – w tym ich motywacje i procedury sądowe – nigdy nie została zbadana dokładnie. W tym artykule przyjrzymy się, jak kobiety sprawczynie działają najczęściej wspólnie z mężczyznami, a ich motywacją są głównie problemy finansowe. Te kobiety są prawie wyłącznie dorosłymi osobami spoza związku domowego i nie są rodzicami. Mają generalnie niskie wykształcenie i dlatego wykonują tylko gorzej płatne prace fizyczne.

Słowa kluczowe: napad z bronią w rękę, napad z użyciem śmiertelności narzędzia, kobieta, Węgry.

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Introduction

When it comes to women and crimes, the most common public opinion is that women⁴ – in general – do not commit crimes or that they commit just the milder offences or misdemeanours, but usually not violent crimes. However, this opinion – based on current literature⁵ and on the available criminal statistics of Hungary⁶ – is not true, as many women commit various types of crimes. This also applies to the crime of robbery which is one of the most pervasive, harmful crimes in Hungary.

The crime of robbery is even more dangerous if committed by armed perpetrators or those with a deadly weapon because of the associated risk of injury or death to anyone involved. The crime of robbery was introduced into and addressed by Hungarian criminal law rather early, the qualifying conditions of ‘armed’ and ‘committed with deadly weapons’ were only presented in the Criminal Code of 1978⁷ and since then they can still be found in the currently effective Criminal Code of 2012.⁸ Even though both criminal codes included the crime of armed robbery or robbery committed with a deadly weapon, the judicial practice has never been unified and not solely because there were mild differences between the regulation of the two criminal codes.

The aim of the present article is to consider and analyse the female perpetrators committing the crimes of armed robbery in Hungary since 2000, establish their profile, their motivation when committing the above-mentioned crimes and their backgrounds, and the judicial decisions they later faced. Firstly, a legal background and the previous research results will be presented and then the personal and

⁴ For the present article, the term *female* means all people who were born as females or had a gender reassignment surgery and proceeded with all legal changes up until 28 May 2020. After 29 May 2020 – based on 33 of Act XXX of 2020 on the Amendment of Certain Administrative Laws and on the Free Asset Allocation – it is no longer possible to enact such legal changes (name and gender) in the personal identification documents and if a person had a gender reassignment surgery after that date, the name and gender of that person in the personal identification documents would still remain untouched.

⁵ L. Gerginé Horgos, I. Csorba, *A női bűnözés jellemzői és okai*, “Belügyi Szemle” 1990, 4, pp. 19–23; Á. Kövér, *Női bűnözés a rendszerváltás előtt és után*, “Belügyi Szemle” 1998, 3, pp. 5–13; Á. Fail, *Erőszakos női bűnözés a szakirodalomban*, [in:] M. Fazekas (ed.), *Jogi tanulmányok: Előadások az Eötvös Loránd Tudományegyetem Állam – és Jogtudományi Kar Doktori Iskoláinak Konferenciáján*, Budapest 2018, pp. 379–388.

⁶ <https://bsr.bm.hu/Document> (access: 27.08.2023).

⁷ Act IV of 1978 on the Criminal Code (‘Criminal Code of 1978’).

⁸ Act C of 2012 on the Criminal Code (‘Criminal Code of 2012’).

judicial characteristics of the female perpetrators committing the crimes of armed robbery and a robbery with a deadly weapon will be shown with a quantitative method. Finally, the results are revealed and discussed, focusing on the anomalies in the judicial decisions.

Legal Background and Previous Research

As mentioned earlier the crime of armed⁹ robbery and the crime of robbery committed with a deadly weapon¹⁰ was introduced into the Hungarian criminal law rather late¹¹ and the detailed legislation on these crimes was only established in the second half of the 20th century, first in the Criminal Code of 1978.

The Criminal Code of 1978

The Criminal Code of 1978 also covered – even in its original form¹² that entered into force on 1 July 1979 – the crime of armed robbery, according to which the term of imprisonment was between 5–15 years for the crime of armed robbery or robbery committed with a deadly weapon, depending on the exact qualification. Originally, from 1 July 1979 to 28 February 1999, the crime of armed robbery was punishable with 5–10 years of imprisonment (this just for armed robbery) and when the actual robbery value reached a certain substantial value,¹³ the punishment may have risen to 5–15 years of imprisonment.¹⁴ Up until 8 August 2009, the punishment

⁹ The definition of *armed* has changed several times since the Criminal Code of 1978 entered into force. Originally, a crime was committed ‘armed’ when carrying a firearm or an explosive. This definition was effective until 31 March 2002 when it was amended and according to that definition a crime is committed armed when carrying a firearm, explosives, detonating equipment, a device used for explosives or detonating equipment or when threatening with the replica of these tools. Since 1 January 2021, the definition of *armed* was amended only a little, with the extra term of *functioning* placed before firearms. After that no change was made and cannot be expected currently. 137 4 of the Criminal Code of 1978, 137 4(a) of the Criminal Code of 1978, 459(1) 5 of the Criminal Code of 2012.

¹⁰ The definition of ‘committed with a deadly weapon’ has not changed at all since the Criminal Code of 1978 entered into force: a crime is committed with a deadly weapon when carrying a tool suitable for causing death in order to overcome or prevent resistance. 137 4 of the Criminal Code of 1978, 137 4 b) of the Criminal Code of 1978, 459(1) 6 of the Criminal Code of 2012.

¹¹ For the modern history and rules on the crimes of armed robbery and robbery committed with a deadly weapon see M. Miskovics, *A fegyveres rablás bűncselekményének változásai a joggyakorlat és a kriminálstatisztika tükrében*, “JURA” 2015, 1, pp. 244–250.

¹² 321 (1)–(2) and (4)–(5) of the Criminal Code of 1978.

¹³ The amount of substantial value has always changed during the effect of the Criminal Code of 1978, but originally it was above 100,000 Hungarian forints based on the Principal Decision II of the Supreme Court of Hungary.

¹⁴ 321(3)(a) and (4)(b) of the Criminal Code of 1978.

was 5–10 years in cases of a single armed robbery, 5–15 years when it reached a certain substantial value and also 5–15 years if the armed robbery was committed against a public official, a foreign public official or against a person performing public duties.¹⁵ Later on, the qualifications connected to the crime of robbery were expanded and the qualification ‘with a deadly weapon’ appeared, which then amended the whole qualification system of the crime of robbery: 5–10 years of imprisonment if the crime of robbery was committed with a deadly weapon or armed; 5–15 years when committed with a deadly weapon reaching a substantial value or with a deadly weapon against a public official, a foreign public official or against a person performing public duties; furthermore, 10–15 years when committed ‘armed’ and also reaching a substantial value, or ‘armed’ against a public official, a foreign public official or against a person performing public duties.¹⁶

In recent years, there have been several judicial decisions made about crimes of armed robbery and robbery committed with a deadly weapon, but no decision has ever addressed the gender of the perpetrators at all.

The Criminal Code of 2012

As the new Criminal Code of 2012 entered into force on 1 July 2013, no relevant change has been made concerning the crime of armed robbery and currently there are no plans for any amendments in this area. According to the effective regulation, the crime of robbery may be performed – among others – armed and with a deadly weapon separately as single qualifications¹⁷ which may be punished between 5–10 years of imprisonment or as a multiple qualification¹⁸ altogether¹⁹ with other qualifications, so the term of imprisonment can reach between 5–15 years.

Since the Criminal Code of 2012 entered into force ten years ago, the Supreme Court of Hungary (Curia) has already made some relevant decisions regarding the crime of armed robbery and robbery committed with a deadly weapon. However,

¹⁵ s 321(3)(a) and (4)(b)–(c) of the Criminal Code of 1978 based on 77(2) of Act LXXXVII of 1998 on the Amendment of Criminal Laws.

¹⁶ s 321(3)(a) and (4)(a), (c)–(d), (5)(a)–(b) of the Criminal Code of 1978 based on 51(1)–(2) of Act LXXX of 2009 on the Amendment of Act IV of 1978 on the Criminal Code.

¹⁷ A single qualification means that the individual qualifying circumstances are listed next to each other in the Criminal Code of 2012 relative to the crime of robbery and no other qualifying circumstance connect to them.

¹⁸ Multiple qualification means that the qualifying circumstance further qualifies another qualifying circumstance. In the crime of robbery, the qualifying circumstances ‘armed’ and ‘with a deadly weapon’ qualify further other qualifying circumstances.

¹⁹ Single and multiple qualifications do not exclude the parallel qualifications, especially when it comes to the crime of armed robbery or robbery committed with a deadly weapon. In such cases, the qualifications of ‘armed’ and ‘with a deadly weapon’ appear alongside other qualifications.

of these decisions, only one has become referable/published in the collection of the judicial decisions and 10 decisions were precedential judgements.²⁰ Furthermore, there were other judicial decisions in connection with the investigated crimes, but without the possibility of reference. The decisions, however, do not contain any specific or further information relating to the gender of the perpetrators.

Previous research on females committing the crimes of armed robbery or robbery with a deadly weapon

Until the present study, no research has ever been conducted in Hungary in connection with women committing the crimes of armed robbery or robbery committed with a deadly weapon; the earlier studies focused on perpetrators in general without making any difference between genders²¹ or violent crimes or violent crimes against property in general (robbery, plundering, extortion, private justice together).²²

There were several studies on armed robberies on the population in general, however they either covered only the judicial practice of the Criminal Code of 2012 or just the general characteristics of these crimes²³ and did not focus at all on the gender of the perpetrators, their personal characteristics or motivations.

Research Methods

For the present research, the main method was the collection and review of all criminal cases available at the publicly available judicial database operated by the National Office for the Judiciary²⁴ which contains all anonymized decisions in all criminal case types. The research was conducted with the key words ‘armed robbery’

²⁰ Currently, Hungary has a limited precedent system which is based on practices from both the continental legal system and the Anglo-Saxon judicial system; Z. Dobos, *Mit jelent a korlátozott precedensrendszer bevezetése?*, „Jogászvilág”, <https://jogaszvilag.hu/szakma/mit-jelent-a-korlatozott-precedensrendszer-bevezetese/> (access: 19.05.2023).

²¹ The general numbers on violent crimes against property – without the gender-based ratio – are published every year by the Prosecution Service of Hungary. *Tájékoztató a Bűnözés 2021. évi adatairól*, 2022, <http://ugyesszeg.hu/wp-content/uploads/2023/01/tajekoztato-a-bunozes-2021.-evi-adatairol.pdf>, Table 4 (access: 10.07.2023).

²² The numbers of robberies including all qualifications are also published yearly by the Prosecution Service of Hungary. *Tájékoztató a Bűnözés 2021. évi adatairól*, op. cit.

²³ M. Minkó-Miskovics, *A fegyveres rablás bírósági gyakorlatának területi megoszlása a 2012-es Btk. hatályba lépése óta Magyarországon*, „Bűnözésföldrajzi Közlemények” 2023, 3–4, pp. 49–66.

²⁴ The research database is operated by the National Office for the Judiciary. *Anonimizált határozatok*, 2023, <https://eakta.birosag.hu/anonimizalt-hatarozatok> (access: 10.07.2023).

in the area of criminal law and in the field of criminal law courts (narrowing), and was closed on 30 May 2023. The collected data was analysed with descriptive statistics and the analysis was performed manually, since the case numbers ($n = 29$) concerning female perpetrators ($n = 27$) were rather low.²⁵

Based on the structure of the judicial decisions in Hungary,²⁶ the name and personal data (full name, birth name, date and place of birth, mother's maiden name, address, place of residence, personal identification number and citizenship from which only the citizenship is public in the judicial database) and personal conditions and previous criminal records should always be included in the decisions.

The judicial decisions also contained the motivation and description of the role of female perpetrators in the crimes of armed robberies and robberies committed with a deadly weapon, however these issues were just detailed in the description of the crimes and in the facts of the verdict. The characteristics of the committed crimes and the outcomes of the criminal procedures were included in the operative provisions in the judicial decisions.

Results

The research resulted in the analysis of 331 identified cases of armed robberies or robberies committed with a deadly weapon from which only those cases ($n = 27$) were selected where the perpetrators were female ($n = 29$)²⁷ which means that only 8.1% of the crimes of armed robberies or robberies committed with a deadly weapon in Hungary in the timeframe were female.

As there were only 29 female perpetrators across the 27 cases, it means that in general 1.07 female perpetrators committed each female-led crime of armed robbery in the mentioned period. This is further exacerbated when reviewing the cases as there were only two cases where two female perpetrators enacted the crime of

²⁵ Based on the low case number and low number of perpetrators, it was not possible to use Chi-square or Welch or Welch ANOVA for significance calculations.

²⁶ 257–258 of Act XIX of 1998 on the Criminal Procedure Code, 363 and 451 of Act XC of 2017 on the Criminal Procedure Code.

²⁷ The judicial decisions do not contain the gender of the perpetrator; however, based on the content of the decision (in connection with the Hungarian language) not married is different for males and for females, married is also different for males and females, furthermore based on some conditions (e.g. stay at home, receiving child care allowance or child care benefit) the gender of the perpetrator was clear. However, there were a few cases when the gender of the perpetrator was not included in the judicial decision, or it was not possible to make any conclusions about the gender. As a result, these cases were not included in the present research and only those were analysed where it was clear that the perpetrator was female.

armed robbery; in the other cases, there was only one female perpetrator participating in the crime, mostly acting with another – male – perpetrator.

Personal characteristics of the perpetrators

Citizenship is the only condition always included in the judicial decisions, the other personal characteristics are more or less included there. Another specific exception is the age category, as in case a perpetrator would be a minor then a different judge would decide upon the case, as these cases need to be handled differently.

Table 1. Personal characteristics of the perpetrators

Nationality	
Hungarian	29
Non-Hungarian	0
Age*	
Under 12	0
Between 12–18	4
Above 18	25
Marital status	
Single	15
In a domestic relationship	9
Married	5
Parental status	
0	15
1	5
2	3
3	4
4	2
Relationship with the perpetrator	
In a relationship with someone else	5
Married to a perpetrator	0

In a domestic relationship with a perpetrator	10
In a romantic/sexual relationship with a perpetrator	5
Friend with a perpetrator	3
Aquintance of a perpetrator	2
Known by a perpetrator	4
Education	
Under grade school	2
Grade school	16
High school or equivalent	9
University or equivalent	1
Not provided	1
Employment	
Blue-collar**	10
White-collar***	3
Unemployed or casually employed	9
Pensioner	2
Student	1
Other****	1
Not provided	3
Assets	
No assets	18
Property	4
Car	4
Property and car	2
Property and bank account	1
Health	
Healthy	23
Has an illness or a disease	5
Mentally or physically disabled	1

Criminal record	
Has a criminal record	6
Has a criminal record and ongoing criminal procedure	0
Ongoing criminal procedure	4
No criminal record	19

* The judicial decisions do not contain the exact age of the perpetrators, they just contain the main categories of perpetrators presented in the Criminal Code of 1978 and in the Criminal Code of 2012. As a result, there are just two categories presented: minors and adults. The Criminal Code of 2012 contains specific rules on the crimes committed by minors who are people between 12 and 18 and who commit a crime after turning 12 and before turning 18. It is to be noted that in the Hungarian legal system no one can be punished under the age of 14 except when committing special crimes listed in the Criminal Code of 2012 such as homicide, battery, robbery, plundering, etc. s 16 of the Criminal Code of 2012.

** Blue-collar workers are those who perform jobs that require physical strength or manual labour. Blue-collar. 2023. <https://dictionary.cambridge.org/dictionary/english/blue-collar> Accessed 10 July 2023. Within the present research, the blue-collar jobs were bartender, waitress, trader, cashier, dancer, etc.

*** White-collar employees are those whose work does not require manual labour and who earn higher salaries. White-collar. <https://dictionary.cambridge.org/dictionary/english/white-collar> Accessed 10 July 2023. Within the present research, the white-collar jobs were administrative jobs and financial advising.

**** There was one perpetrator who was a stay-at-home mother at the time of committing the crime of armed robbery and since there was no other category in which this could have been placed, the introduction of the 'other' category was necessary.

Source: own elaboration.

Personal characteristics of the perpetrators

When reviewing all cases with female perpetrators, it can be declared that there were only Hungarian citizens involved, which is not surprising at all and the vast majority of them were adults (at least 18 years old when committing the crime). Only a few of them were, however, youths between the age of 12–14,²⁸ which shows that the crime of armed robbery is not as common between youths as in the case of other crimes.²⁹

All judicial decisions contain and detail the marital status of the perpetrators and – when applicable – also their relationship with the other perpetrators. Hence

²⁸ The Criminal Code of 2012 contains specific rules on the crimes committed by minors who are people between 12 and 18 years of age and who commit a crime after turning 12 and before turning 18. It is to be noted that in the Hungarian legal system, no one can be punished under the age of 14 except when committing special crimes listed in the Criminal Code of 2012, such as homicide, battery, robbery, plundering etc. 16 of the Criminal Code of 2012.

²⁹ There is a comparison made for underaged perpetrators of these crimes which however contained only a rather general description on this area. N. Halász, K. Janecskó, *Gyerekek a bíróság előtt. Politikai vagy szakmai döntés volt a korhatár csökkentése?*, <https://telex.hu/komplex/2023/07/01/buntethetoseg-korhatar-leszallitas-kovetkezmenyek-gyerekkoru-elkoveto-14-ev-javitointezet-1> (access: 1.07.2023).

it can be declared that more than half of the perpetrators were single,³⁰ one-third of them were in a domestic partnership and only one-sixth were married. Of those who were married or lived in a relationship (altogether 14 perpetrators), the majority were a family member or a partner of the other (male) perpetrators. No female perpetrator had a female spouse or partner in the investigated cases.

The female perpetrators – in case of not acting alone – have always had a relationship towards the other perpetrators and in some cases to other participants of the cases, such as witnesses when acting alone. When the perpetrators were not acting alone and had other perpetrators included in the case, one-third of them were in a domestic relationship with the other or another perpetrator and few were in a simple romantic and/or sexual relationship with the other perpetrators, and in several cases, the other perpetrators were relatives of the female perpetrator.

Along with the marital status of the perpetrators, the judicial decisions also detail the number of children a perpetrator has, including underage and non-underage children, and in some cases, the number of grandchildren.³¹

Comparing the number of children to the marital status, it is to be noted that the numbers correlate to each other well: i.e. the single perpetrators should have no children at all. This should mean – according to just these numbers – no female perpetrator should have children if she is single, however, when looking at the cases in details, it can be said that this is not always the case as two-thirds of the single female perpetrators had no children at all; one-third of them had at least one child even though they were single. When a female perpetrator has children, she has typically 1 child and no female perpetrator had more than 4 children according to the judicial data.

Another relevant characteristic of the perpetrators is their educational qualification level and in connection with the qualifications, the type of employment and/or labour they undertake at the time. Since robbery is the most serious and violent crime against property, it is not surprising that most perpetrators did not have a higher-level education; in several cases, the perpetrators were barely literate or numerate. As a result, their employment was non-existent (they were unemployed) or they were performing low-ranking jobs or just casual work.

All judicial decisions contained the assets of the perpetrators as being relevant for the confiscation of property as a measurement when deciding upon the case. According to the reviewed decisions, almost two-thirds of the female perpetrators

³⁰ *Single* means for the present research: not married or not in a domestic partnership, or widowed and not (re)married, or living in a domestic partnership.

³¹ It is to be noted that even though the judicial decisions contain the information of the parent status of the perpetrators, it does not mean that in all cases the perpetrators have parental rights; their children might be in custody by the authorities or by the divorced other parent.

had no assets at all and only several of them had even low-grade property or a car, or both, which could actually mean that the motivation of the perpetrators was to gain money via the crime of armed robbery.

Another relevant issue was health: the judicial decisions always detailed the health issues of the perpetrators, declaring when they or their children had any illnesses, even though most perpetrators (23) were nominally healthy or did not have any known health defects. However, several perpetrators (5) were not healthy and had several types of illnesses, mostly skin defects. There was only one female perpetrator who had a mental or intellectual disability, but the court decided that the disability did not reach such a level that would make it impossible for the perpetrator to understand the consequences of the crimes she was committing so that imposing a jail sentence would be fair.

The perpetrators – in connection with their health – typically committed those crimes without being under the influence of alcohol or drugs; there was only one perpetrator under the influence of drugs and another one under the influence of alcohol and drugs at the same time when committing the crimes of armed robbery or robbery with a deadly weapon.

The final personal characteristic of the female perpetrators on committing the crime of armed robbery was their criminal record and the repeat offender status. In accordance with the general tendencies of female perpetrators, the majority of these perpetrators had not committed a crime before committing the crime of armed robbery, several of them had been punished earlier and a few of them had been involved in an ongoing criminal procedure, including the one case where the perpetrators committed the crime of armed robbery. Surprisingly, no repeat offenders were present in the research results.

The typical female committing armed robbery or robbery with a deadly weapon

When reviewing all personal characteristics of the perpetrators, it could be declared that the crime of armed robbery is most commonly committed by a female perpetrator who is

- a Hungarian citizen,
- an adult,
- single,
- has no children,
- is in a domestic relationship with one of the male perpetrators or with the sole male perpetrator participating in the crime of armed robbery,
- has only finished grade/primary school,

- ❑ works as a blue-collar worker,
- ❑ has no assets,
- ❑ is healthy and
- ❑ was never punished before.

It could be assumed that at least half of the female perpetrators committing the crimes of armed robbery apply and fit the above-listed characteristics. However, putting them all together, it can be declared that there was no female perpetrator committing the crime of armed robbery who would belong to all the mentioned categories, as there were only 3–4 categories applying to most of the perpetrators and there was only one perpetrator where nine of the mentioned characteristics applied at the same time (the one characteristic missing was the ‘no assets’ one, as this perpetrator had a car). As a result, it is not possible to create a general profile for female perpetrators committing the examined crimes, which means that every case with a female perpetrator has to be investigated differently and later on decided upon differently.

Motivations and roles of the female perpetrators

Based on theories connected to female perpetrators in Hungary,³² violent crimes are not typical for females to commit. This is exacerbated by the present research which has shown that there were only several female perpetrators committing the crime of armed robbery or robbery with a deadly weapon (8.1%), as robbery being a violent crime against property and the tools used during the crime are typically physically dangerous, which makes the whole crime even more threatening.

Based on this research, the main reason for female perpetrators to commit the crime is connected to financial difficulties or to providing for themselves, but only several cases were present when the motivation for committing the crime of armed robbery or robbery with a deadly weapon seems to have been different. It is to be noted, though, that in many cases, the perpetrators had no specific motivation at all; they participated in the crime for no reason, and as a result, they mostly played an inactive role.

As mentioned earlier, there were altogether 29 female perpetrators committing the crime of armed robbery or robbery with a deadly weapon in the cases available and researchable in the judicial system, of whom more than half had financial difficulties (55%) and committed the crime to buy something (groceries or a car)

³² A detailed study in Hungary was published in the late 1970s, however since then no comprehensive study has been published in the area. The study was conducted by a criminologist, Gabriella Raskó, and published in 1978. G. Raskó, *A női bűnözés*, Budapest 1978, pp. 253–356.

or just to receive some money. Almost a third (26%) had or stated, however, no specific reason for committing the crime, they just participated in it without any pre-meditated reason and received goods or payment for helping. There were only several perpetrators (7%) who committed the crime because they had been blackmailed by someone else who had threatened them to release naked photos or videos of them unless the blackmailer received a certain payment. In a really small number of cases (5.3%), the judicial decision did not contain anything about the motivation of the perpetrators.

The motivation was always in accordance with the level of participation in the crime: when female perpetrators committed the crime of armed robbery or robbery with a deadly weapon because of financial difficulties, they played an active role (acting alone or providing relatively more help to the other perpetrators, e.g. making phone calls, talking with/distracting the victims, driving other perpetrators, giving them ideas/information about the victims etc.). There were, however, only several female perpetrators who were rather passive during the crime, as they provided only a small amount of help to the other perpetrators (such as looking after the car used etc.).

The level of participation was also visible when it came to the degree of involvement, as most perpetrators acted as aiders (83%) and a few of them acted as principals or accessories (24%), whereas the number of abettors was rather low (7%).³³ When reviewing the confession ratio of the perpetrators, it can be declared that over half of them (52%) confessed to committing the crime and less than half of them either did not confess to it or even denied their participation or their performance of the crime.

Table 2. Connection between the confessions and the degree of involvement

	Principal	Accessory	Aider	Abettor
Confessed (fully or partially)	5	7	14	0
Not confessed but not denied	0	0	1	0
Denied (fully or partially)	1	0	4	3
Not provided	1	2	2	0

Source: own elaboration.

Surprisingly, almost all perpetrators acting as aiders confessed to their crimes and all abettors denied it which is probably explainable in the light of the legal

³³ For the definitions, see 12–14 of the Criminal Code of 1978.

definitions of these degrees of involvement in connection with the evidencing: abettors intentionally influence someone else to do something, but it is more difficult to prove this type of activity than the other – more active – types of activities during the criminal procedures. Almost all principals confessed, and typically they were acting alone and the crime was committed and dealt with by the police or similar forces, so there would be no point in denying it. For the aiders, the confessions were rather important during the criminal procedures, as the courts considered most confessions as a means to mitigation.

Characteristics of the committed crimes

In most cases, the female perpetrators committing the crimes of armed robbery and robbery with a deadly weapon committed other types of crimes along with or around the time of the 'main' crimes of armed robbery and robbery with a deadly weapon. Of the female perpetrators only several of them (7%) committed the crime of robbery with a deadly weapon and the others committed the crime of armed robbery which is surprising, as the tools used for committing a crime with deadly weapons are more available. Even in a smaller household, very many tools or items could be used as a deadly weapon when committing such a crime. This difference probably comes from the role of the female perpetrators. It is because in many cases, they were not the ones holding the arms or other tools belonging to the definition of *armed*, they just knew about the weapon(s), and based on the judicial practice, in these cases, they also committed the crime of armed robbery.

A little over half of the female perpetrators (55%) committed the crime of armed robbery or robbery with a deadly weapon and no other crime around that time. The other perpetrators committed at least one other crime along with it. In several cases (14%), they had committed other crimes of armed robberies or robberies with a deadly weapon around the same time. When it comes to the other crimes, it may be noted that in most cases, the other crimes were thefts, as crimes against property and in other – really rare – cases, the women had committed various types of crimes such as endangerment of an underaged individual, kidnapping, robbery or murder.

Most perpetrators committed the crimes of armed robbery or robbery with a deadly weapon without any further qualifying condition, but in many cases, these crimes were committed as part of a gang's activity³⁴ or for a substantial value.³⁵

³⁴ A gang is formed when at least three perpetrators commit the crime together. 459(1) 3 of the Criminal Code of 2012.

³⁵ A substantial value is between 5,000,001 and 50,000,000 forints. 459(5)(c) of the Criminal Code of 2012.

Furthermore, it can be declared that the vast majority of the crimes were undertaken to a successful conclusion and, separately, only several attempts were made where absolutely no preparation was made at all.

Outcomes of the criminal procedures

Out of the reviewed 27 cases, only 17% ended in the Supreme Court of Hungary, 76% of the cases were heard at a second instance court and only 7% of the cases was handled in the court of first instance without any appeal procedures. When analysing these decisions, none of the third-instance decisions affected the female perpetrators at all. Furthermore, the cases got to third instance without any female perpetrator requesting it. Regarding the second instances, in most cases, the courts of appeal amended something smaller in the case (e.g. interpreting the Criminal Code of 2012 instead of the Criminal Code of 1978) or they changed some focus point of the case (e.g. the type of involvement or the other qualifications) and hence were more lenient with the imprisonment/punishment. There were also several cases when the court of appeal upheld the decision of the first instance and made no changes at all. There were only a few cases when the court of appeal increased the punishment of imprisonment or was more lenient with the punishment, or changed the qualification, or overruled the decision of the court of first instance and requested a new procedure.

When reviewing the territorial distribution of the cases in which a female perpetrator participated, the capital of Hungary, Budapest, was the most frequent location, but there were also several in Pest County or in Bács-Kiskun County for the first-instance cases. The dominance of Budapest is also shown in the court of second instance, since out of the five courts of appeal in Hungary,³⁶ most second-instance cases were decided in the Budapest Court of Appeal; surprisingly, several cases were also decided in the Szeged Court of Appeal and the Győr Court of Appeal.

Since all cases were different regarding the qualifications and the crimes committed of all the crimes of armed robberies or robberies committed with a deadly weapon, it was not possible to compare them when it came to the term of imprisonment or in terms of aggravating and/or mitigating conditions, or subsequent court leniency or otherwise, especially on the basis of the small numbers of cases.

³⁶ The judicial system has four tiers but three levels in criminal cases in Hungary: district courts, regional courts, courts of appeals and the Supreme Court of Hungary. The cases – depending on the term of imprisonment punishment – may start at the district courts or at the regional courts as first instance courts, then go to regional courts or courts of appeals as second instance and to the courts of appeal or to the Supreme Court of Hungary as a third instance.

Conclusions

Based on the above, it can be said that women also commit the crimes of armed robbery and robbery with a deadly weapon. However, they do not do it as often as men do. They often do not play any active, initiative role in many cases, either. Women – according to the judicial practice – mostly just participate in these crimes, even though they always know about the arms with which the crime is being committed. These women are almost exclusively burdened with financial difficulties and in order to solve these problems, they participate in committing these crimes, but in several cases, they just commit them alone as a sole perpetrator in order to buy/afford something important or just to help their families financially.

When making a profile of these female perpetrators committing the crimes of armed robberies and robberies committed with a deadly weapon in Hungary in this timeframe, it can be declared that they are typically adults, single and living alone with no children at all, that they are probably dependent on the male perpetrators. These women finished their education at a level no higher than grade/primary school and they do not have a higher education which might have facilitated them to work to earn a normal income providing an average livelihood for them. Based on their declared or deemed motivation, they have no assets – so participating in these crimes or committing them would mean a little more financial security. They, however, had typically never been punished in court before and by committing those crimes; they were taking the risk that their criminal records would then be tarnished, blocking them from studying more or working more to solve their problems.

The courts do see these problems and try to acknowledge them when deciding upon these crimes: these women tend to receive shorter terms of imprisonment or even suspended imprisonment in order to help them better their lives by providing a regular control with parole. However, the courts still cannot and may not forget that the crimes committed by these women were armed crimes, frequently committed with rather dangerous tools or with deadly weapons which may also be used to terminate the life of a victim.

As a result, it would definitely be important to review all these cases of crimes of armed robbery or robbery with a deadly weapon carefully and come to some conclusions, and prepare the investigative authorities and the judicial system for the handling of female perpetrators who, even though they may have committed serious and violent crimes, they are frequently victims as well and have committed these crimes, in most cases, for reasons for which society may be held responsible...

Availability of data and materials: The data used was collected from the website of the National Office of the Judiciary (Országos Bírósági Hivatal), available at <https://eakta.birosag.hu/anonimizalt-hatarozatok> until 31 May 2023. The judicial

decisions covered included all judicial decisions available at that website with the keywords of „armed robbery” and „robbery committed with a deadly weapon” in the field of criminal law and in the area of criminal courts. The collected data was analysed manually.

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