

The opportunities of PMC in Hungary according to the opinions of the prosecutors

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(JUST/2010/JPEN/AG/1609)

Strategies for Implementing Peacemaking Circles in Europe,
Workshop in Budapest, 29-30 March 2012



Background

- Following the focus group meetings with judges
- 1st March 20 prosecutors
- 3 main part:
 - Literature review, what PMC means, how it works etc.
 - Show the pilot cases, Hungarian way of PMC
 - Responses, new ideas, opinions

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First results

- Openness
- It is very new, different
- The role of prosecutors
- Institutional question (mediation vs. PMC)
- Recidivism rate
- Selection of cases
- Role of facilitator
- Community

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Doubts: how compatible with the principle of legality?

in connection with the role of the prosecutor in the PMC

- Confidentiality of the circle meeting

- The impact of the role of the charge and the observing function

↓↓↓ new fact/damning

evidence comes out???? the prosecutors represent the state

- The position and outcome of the PMC (instead or together with the off. procedure?)

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⇒ Opinions:

- VOM works very well – **needn't** a new one e.g. PMC
- PMC is **a kind of VOM**
- VOM – more cases, more actors ⇒ new regulation
- The prosecutor has not time - It's not the **task** of the prosecutor to take part in the procedure of PMC:

the choose/refer cases and

concrete operating ⇒ the **job of mediator**

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**Thank you for your
attention!**

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