

28. CRIMINALITY AND JUSTICE

Methodological notes

Data on **criminality** are obtained from the Registration Statistical System of Criminality kept by the Police Force of the SR. Data on crime incidents and data on known perpetrators (persons under investigation) are registered in the system. Data on crime include both completed criminal offences and attempted criminal offences.

The statistical tables also contain data registered by the Railway Police, the Military Police, the Corps of Prison and Court Guard, and the Customs Directorate.

Data about proceedings and court decisions are obtained from the Ministry of Justice of the SR.

Definitions

Criminal offence is a wrongful act with characteristics defined in the Penal Code.

Murder is a criminal offence in which the perpetrator intentionally kills another person.

Robbery is a criminal offence of taking or attempting to take something owned by another person with violence or threat of immediate violence.

Battery is a criminal offence which occurs when the perpetrator intentionally causes bodily harm to other person, and, as a result, the harmed person is disabled to work or his harm requires healing time of at least 7 calendar days.

Rape is a criminal offence which occurs when the perpetrator, by using violence or threat of imminent violence, forces a victim (female) to have sexual intercourse with him, or takes advantage of the victim's helplessness for such act.

Burglary is a criminal offence which occurs when the perpetrator appropriates a thing belonging to other by seizing it, after having entered enclosed premises by unauthorised forcing of a lock, or by forcible overcoming of a different security device, or by deception.

Motor vehicle theft represents thefts of four-wheeled (multi-wheeled) and two-wheeled motor vehicles.

Criminal offenders are persons who were prosecuted and investigated by police. Statistical data on criminal offenders is the aggregated information on perpetrators, which the police managed to detect and recorded during the investigation.

Habitual offender is a person who has repeatedly committed the same criminal offence. From the justice statistics point of view habitual offender is a person on whom a sentence was passed by the court taking into account his/her previous conviction as an exacerbating circumstance.

Children and juveniles are persons aged from 0 to 18, while the term "juvenile" is used for persons over the age of criminal responsibility, which is 14 years of age.

Property crimes are mainly thefts (from person, burglary, motor vehicle theft etc.), but also acts of damaging property.

Violent crimes include criminal offences such as murder, robbery, battery, making threats, kidnapping, maltreatment etc.

Moral crimes are offences such as rape, sexual abuse, child pornography and procuring.

Other crimes are for example riot, production of illicit drugs, obstruction of official decisions, etc.

Economic criminality is a specific kind of criminality, which causes economic damage to the

country, to legal and natural persons. Crimes such as embezzlement, fraud, credit card fraud, consumer fraud, and bribery, but also pollution of environment and poaching fall between economic crimes.

Remaining crimes include for example avoidance of alimony payments, medical malpractice, traffic accidents, cruelty to animals etc.

Military crimes are related to crimes such as disobeying order or avoiding service duties, but they also include crimes against peace, national security and republic.

Cases mean cases registered in a particular register and being on the agenda at courts. One case may involve more persons.

Criminal cases are cases being on the agenda at courts on the basis of charges ceded to the courts by the prosecutor's office, within which the decisions on guilt, punishment, protective measures and compensation of damages caused by the criminal activity are made.

Fill is the total number of criminal cases that entered the courts during the calendar year; or cases registered in a particular register as a consequence of application of revisions. In civil cases and in cases of care for minor children, fill represents the number of proposals that were recommended to the court to be dealt with, and were registered by the court.

The main part of **civil cases** consists of cases regulated by the Civil Code, the Act on Family, the Act on Land and by the Labour Code.

Settled is the total number of cases completed within the calendar year by legal decision on conviction, acquittal, abolition of the criminal prosecution, or by conveying to another body.

Unsettled is the number of cases that were not legally completed for some reason in the course of the calendar year. The data always refer to December 31 of the given year.

Accused person is a person accused of a specific crime, if competent bodies started criminal charge. On the prosecutor's motion a written order of a judge may be issued to detain the accused person in **custody** for the purposes of criminal proceedings. The total duration of pretrial detention cannot exceed a specific period, which depends on the seriousness of the offence.

Defendant is a person against whom a legal action was brought by the prosecutor.

Convict is a person on whom a sentence was passed that came into force.

Sentence without suspension is sentence to imprisonment in penitentiary institutions administered by the Ministry of Justice of the Slovak Republic.

Suspended sentence is sentence to imprisonment that is suspended for a specific period of probation, which may last up to 5 years. Imprisonment may be suspended only if the sentence does not exceed 2 years.

Banned profession means forbidding a person to operate in a certain occupation, profession, function or activity. The duration of this sentence is limited to the period of 1 to 10 years.

In addition to the duration of a sentence to imprisonment without suspension the court imposes also the **rank of patrol**. Convicts enter correctional groups from I. to III. according to the seriousness of the committed crime. The higher is the rank of the reformatory and correctional group, the smaller is the extent of the rights of the convicts and the larger is the extent of their limitation. The first group represents the minimal degree of guarding, the second group medium level of guarding and the third group maximal degree of guarding.

Sources

The source of statistical data on crime is the administrative system of the Ministry of Interior of the SR. Data on justice and imprisonment are acquired from the statistical outputs of the Ministry of Justice of the SR.

More detailed information can be obtained on the Statistical Office of the SR website in the

section Statistics – Demography and social statistics – Justice and crime as well as in the public database of the Statistical Office of the SR DATAcube.