

The Hungarian State's Approach to Homelessness

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Streetlawyer Association

- Founded in 2010 by 2 volunteer lawyers
- Vision: just & inclusive society, social rights & decent housing are ensure to all by law and in practice
- Target groups: poor people (homeless ppl and ppl in housing poverty)
- Activities: legal counselling, submission writing, litigation, legal empowerment & training
- Currently there 23 lawyers + 3 volunteers with other background



Timeline

2011: statutory law on criminalisation

2012: Decision No. 38/2012. (XI. 14.) of the HCC

2013: 4th Amendment of the Fundamental Law - municipalities' competence

2013-2018: legal disputes on the implementation

2018: 7th Amendment of the Fundamental Law - general ban on rough sleeping

- Hostile representation in the government owned media
- Commissioner for FR remained silent
- lawyers sign petition, defence attorney consider a 'strike'
- Courts suspend cases and send them to the HCC

Two waves of criminalisation: 2018 fall and 2019 summer

2019: Decision No 19/2019. (VI. 18.) of HCC - law is compatible with the FL

2020 - 2021: new level of criminalisation / pandemic / curfew breaches / fines

Procedural circumstances

Detention up
to 72 hours -
no discretion

Source:
<https://merce.hu/2019/06/20/a-budapestiek-elsopro-tobbsege-tudja-hogy-a-hajlektalan-emberek-vegzalasa-nem-megoldas/>



Procedural circumstances

Defendant is
not allowed to
enter the
courtroom



Source:
https://index.hu/belfold/2018/10/19/hajektalanok_pere/

Procedural circumstances

Handcuffed



Source:
https://hvg.hu/itthon/20190725_Figyelmeztetesben_r eszesitettek_az_orizetbe_vett_hajlektalant

Criminalization as a justification for violence against the homeless in Hungary / An empirical research

- Hypo: 'criminalization of homelessness can become a source of justifying violence against homeless people in the Hungarian context.'
- representative sample of the population of Budapest
- both right-wing authoritarianism and social dominance orientation predicted support for violence, and this connection was mediated by the 2018 amendment of the Fundamental Law
- justification was influenced by educational level, as the association between SDO and violence increased with higher levels of education.

Laura Faragó, Dávid Ferenczy-Nyúl, Anna Kende, Péter Krekó & Zoltán Gurály (2021): Criminalization as a justification for violence against the homeless in Hungary, The Journal of Social Psychology, DOI: 10.1080/00224545.2021.1874257

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