

State of Art in Crime and Criminology in Turkey

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Outline

- Criminal law reforms in Turkey within the past decade
- Criminological education and research
- Crime trends and problems
- An overview of the criminal justice system
 - Investigation: Public prosecutors
 - Prosecution: Criminal courts
 - Execution: Prisons



Criminological education in Turkey

- A full-fledged education in criminology in terms of theory, research and practice is absent in Turkey.
- First Institute of Criminology established in 1943 at the Law Faculty of Istanbul University. For the first time, criminology has been taught as an elective undergraduate course in 1953.
- Today, criminological education is partly provided through undergraduate and graduate elective courses taught within the departments of criminal law and criminal procedure law (Faculty of Law), departments of sociology (Faculty of Arts and Sciences), and within the institutes of legal medicine and forensic sciences.
- No taught undergraduate and postgraduate degree programme in criminology in Turkey (except the Turkish National Police Academy in Ankara).



Criminological research in Turkey

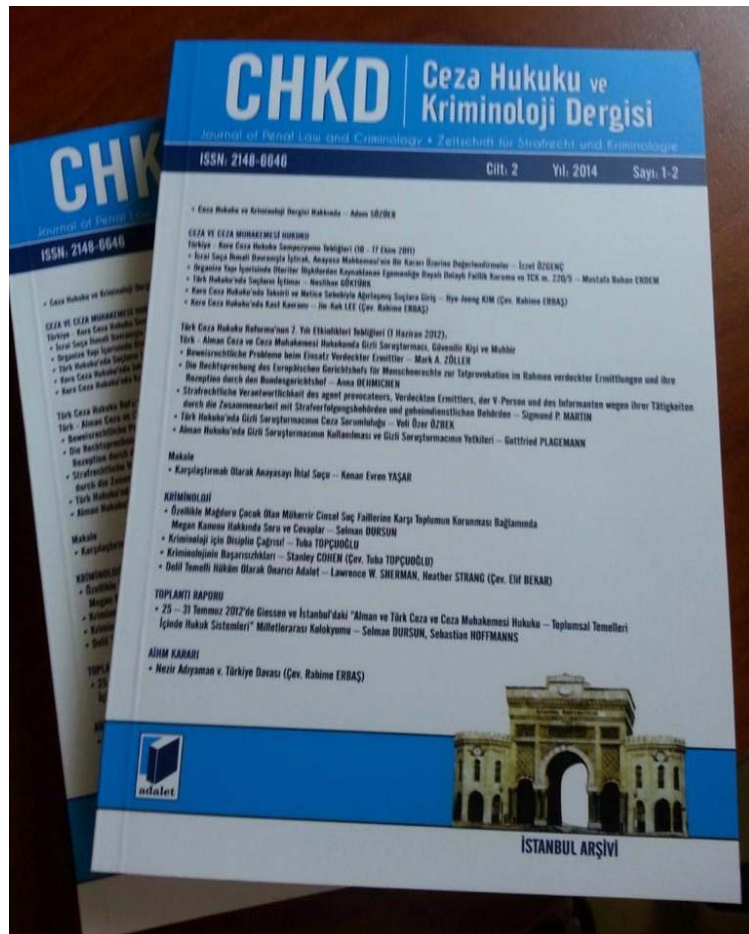
- Despite the fact that methodologically sounder studies are being conducted over the recent years, extant criminological research in Turkey is flawed in various ways due to issues related to sampling, measurement, data collection, etc; hence sound policies cannot be recommended based on the results of these research findings.
- Quite a large number of areas in criminology have not yet attracted scholarly attention in Turkey, including developmental issues, scientific evaluation of the effectiveness of the correctional programs and rehabilitation for criminals, randomized experiments and evidence-based crime prevention.



Criminological research in Turkey

- Turkey recently involved in some of the major international European studies.
- **International Crime Victims Survey** in 2005 with a city-based sample (Istanbul) (conducted by *G. Jahic* and *A. Akdas*).
- Turkey has also contributed to the publication of the **European Sourcebook of Crime and Criminal Justice Statistics** in 2000 (*F. Yenisey*), 2003 (*Y.S. Özcan*) and in 2010 (*G. Jahic*).
- The Faculty of Law at Istanbul University is planning to take part at the **ISRD 3** in 2014-5 with a city-based sample drawn from Istanbul and Ankara.

Criminological research in Turkey



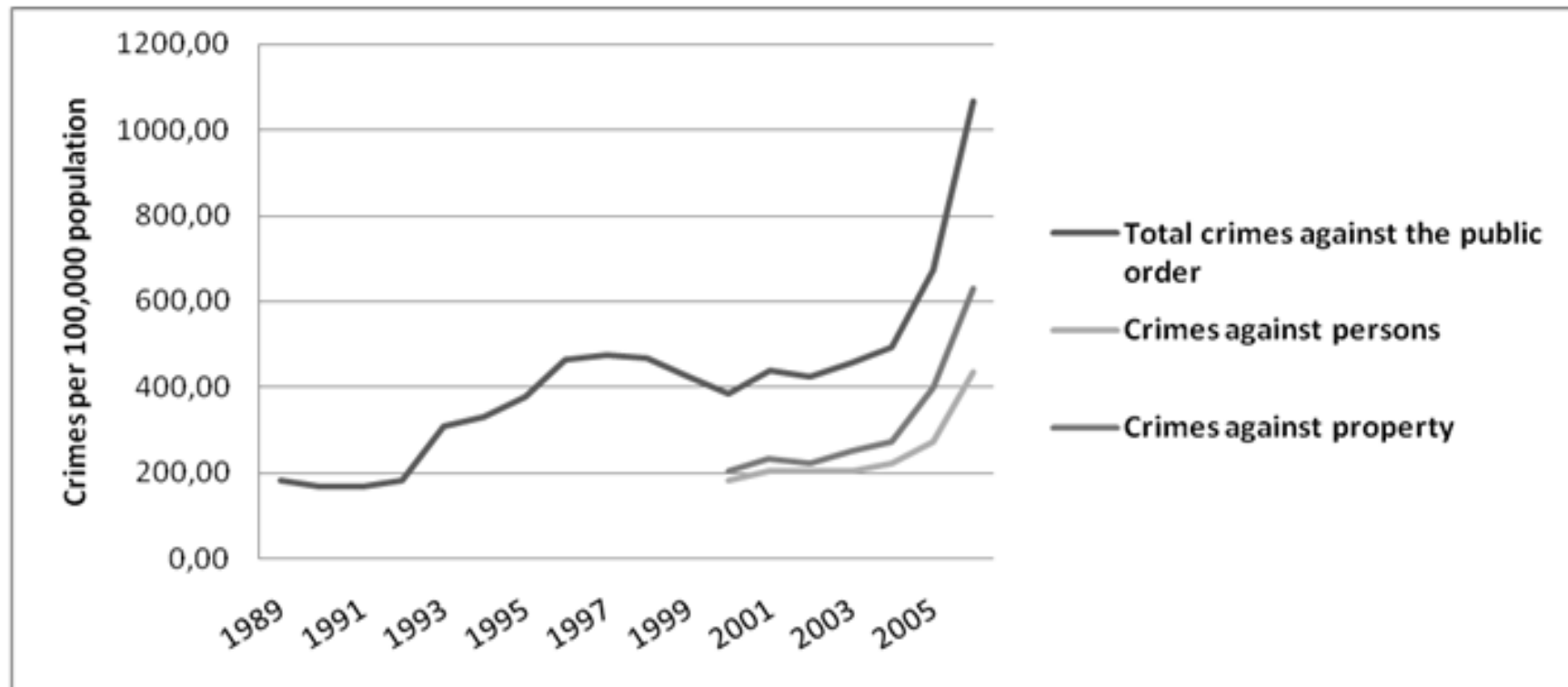
*The Turkish Journal of
Penal Law and Criminology
is back after 35 years...*



Crime trends and problems in Turkey

- Police statistics are being collected by the General Directorate of Public Security (GDS) and until 2003 they were being published annually on their website.
- The GDS is responsible for the maintenance of public security in provincial and district centres, and hence crimes recorded by the police cover crimes committed in urban areas only.
- The Turkish Gendarmerie is responsible for recording those crimes committed in sub districts and villages, but statistics referring to crimes committed in rural areas (where almost 23 per cent of the total population and even more during the summer reside) are not being published.

Police-recorded crimes against public order 1989-2006



Source. General Directorate of Public Security.

Figure 1. Thefts per 100,000 city population (GDS, 2004; 2006)

Police-recorded thefts



Thefts per 100,000 city population (GDS, 2004; 2006)

Figure 1. Thefts per 100,000 city population (GDS, 2004; 2006)

Police-recorded assaults



Assaults per 100,000 city population (GDS, 2004; 2006)

Figure 1. Thefts per 100,000 city population (GDS, 2004; 2006)

Police-recorded homicide



Homicides per 100,000 city population (GDS, 2004; 2006)

Juvenile suspects brought into security units, 1997-2006 (27 provinces only)

Year	Juvenile suspects brought into security units			Juvenile suspects sent to judicial organs
	Male	Female	Total	Total
1997	20,850	1,455	22,305	21,546
1998	24,613	1,854	26,467	25,547
1999	22,967	1,832	24,799	24,224
2000	23,337	1,857	25,194	24,576
2001	24,080	2,102	26,182	25,557
2002	29,585	3,031	32,616	31,656
2003	34,428	3,673	38,101	37,077
2004	41,130	4,195	45,325	44,109
2005	40,574	3,925	44,499	43,033
2006	42,393	4,398	46,791	44,685

Note: 27 provinces covered by the data are: Adana, Ankara, Antalya, Bursa, Çorum, Denizli, Diyarbakır, Elazığ, Erzurum, Gaziantep, Isparta, İçel, İstanbul, İzmir, Kars, Kayseri, Kocaeli, Konya, Malatya, Manisa, Muğla, Sakarya, Tekirdağ, Samsun, Trabzon, Şanlıurfa, Zonguldak. *Source:* TurkStat. Juveniles Received into Security Units (various years).

Juvenile suspects brought into security units, 2007-2012 (all provinces)

Year*	Juvenile suspects brought into security units			Juvenile suspects sent to judicial organs
	Male	Female	Total	Total
2007	25,470	2,716	28,186	24,076
2008	56,465	5,965	62,430	54,592
2009	61,151	7,193	68,344	57,859
2010	74,251	9,142	83,393	72,087
2011	76,396	8,520	84,916	74,215
2012	89,667	11,164	100,831	87,036


*Data in 2007 cover the six months between July and December only. *Source: TurkStat. Juveniles Received into Security Units (various years).*



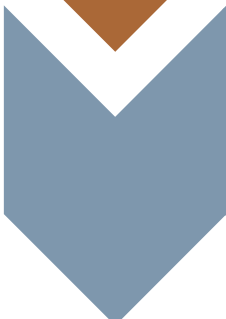
Crime trends and problems in Turkey

- Other sources of data on crime can be obtained from the General Directorate of Criminal Records and Statistics of the Turkish Ministry of Justice. These data are published in Judicial Statistics yearbooks by the Turkish Statistical Institute.
- Several points should be highlighted with regards to the interpretation of the available official crime statistics in Turkey.
- First, a new Criminal Code was enacted on the 26th September 2004 and has been in force since 1 June 2005. There have been a number of important changes under the new code (e.g., the age of criminal responsibility was raised from 11 to 12 years, changes in the provisions and the definitions of certain crimes).
- Second, the counting rule employed by the General Directorate of Criminal Records and Statistics has been changed in 2009.

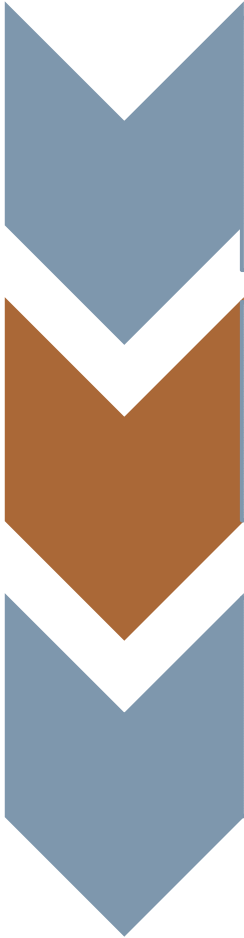
Criminal justice system: Investigation phase

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- 6,285,102 cases brought in 2012
 - (more than doubled between 2002-2012)

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- 2,989,939 cases judged in 2012
 - Judged cases included 4,191,265 suspects (13 % women, 0.6% foreign nationals)

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- 5,754,219 decisions rendered for these suspects
 - 2,871,615 decisions rendered to file a public case


Cases with unknown offenders


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- 3,059,735 cases (48.7% of all the cases) brought in 2012 had unknown offenders
 - (more than trippled between 2002-2012)
 - Only 417,216 cases (13,6 %) have been judged
 - Offenders were found in 5,110 cases (1,2 %)

Criminal justice system: Prosecution phase

Type of court	Total cases brought	Cases judged	Sentence decision
High criminal court (assigned by Art. 10 of Law on fight against terrorism)	16,701	11,225	52,044
High criminal court	152,261	85,811	180,307
Basic criminal court	1,340,207	814,726	668,844
Criminal court of peace	1,245,960	819,883	420,404
Court of criminal enforcement	312,695	251,417	150,898
Criminal court of literary and industrial rights	12,249	6,991	4,034
Traffic court	0	0	0
Juvenile high criminal court	5,118	3,032	3,020
Juvenile criminal court	95,003	49,590	29,274
Total	3,180,194	2,042,675	1,514,825

Criminal justice system: Prosecution phase

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- 3,180,194 cases brought to the criminal courts in 2012
 - (100,121 (3 %) filed at the juvenile criminal courts)

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- 2,042,675 cases (64 %) were judged within the year
 - 2,744,157 accused persons (90% male, 0.6% foreign nationals, 5.7% juveniles aged 12-17)

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- 1,514,825 sentence decisions rendered: 18% imprisonment, 19% judicial and administrative fine, 6% suspension of imprisonment, 18% security measures

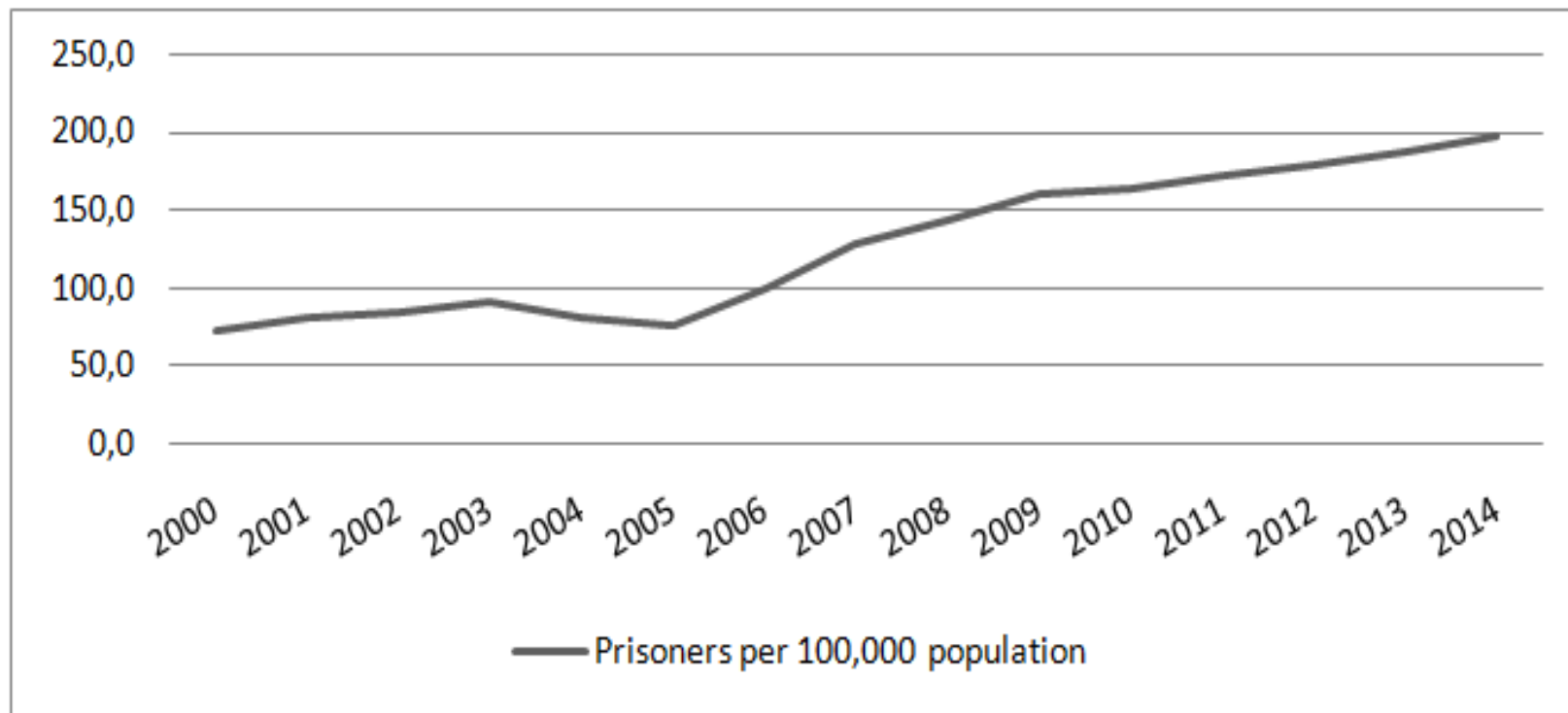
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- 1,514,825 sentence decisions rendered: 19% offences against property, 9% offences against physical integrity, 9% offences against public health, 7% offences against liberty

Criminal justice system: Prosecution phase

- In 2012, 63,243 sentence decisions rendered for juveniles but only 32,294 were rendered at the juvenile courts.

	Age 12-14	Age 15-17	Total
Type of sentence			
Imprisonment	5,706	10,812	16,518
Judicial and administrative fine	10,896	15,476	26,372
Suspension of imprisonment	2,401	3,367	5,768
Security measure imposed	1,071	1,145	2,216
Other sentence decisions	4,080	8,289	12,369
Total	24,154	39,089	63,243

Criminal justice system: Execution phase

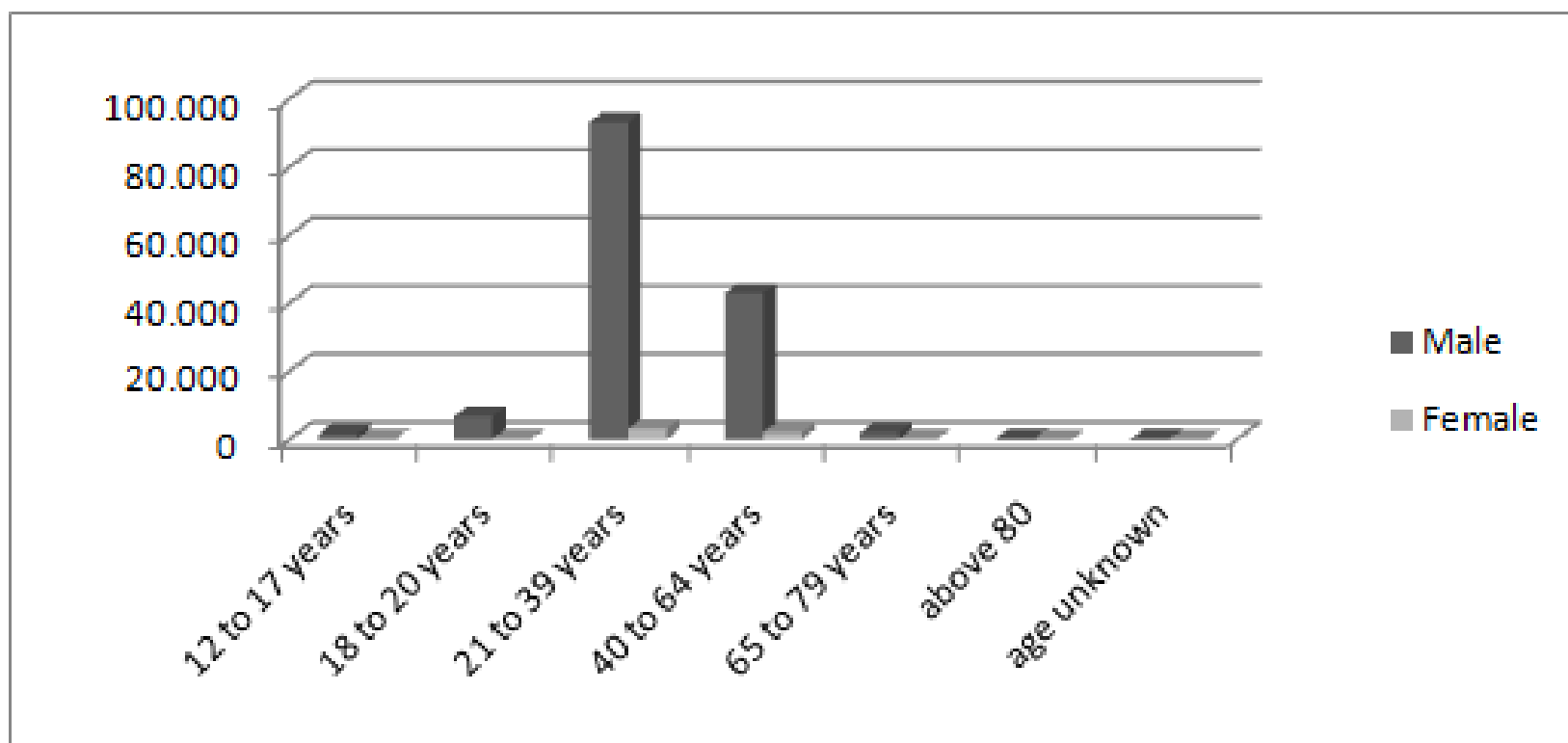




Criminal justice system: Execution phase

- As of today, there are **366 prisons** in Turkey with a total capacity of 157,063 prisoners.
- As of 30 May 2014, there are **151,841 prisoners** in prisons (86.4% convicts, 13.6% on remand).
- Of the total prisoners, 144,850 (95.4%) were adult male, 5,352 (3.5%) were adult female, 1,639 (1.1%) were juveniles aged 12-17.

Age structure of the prison population in 2014



Educational level of the prisoners in 2014

Education level	Juvenile	Adult	Total
Illiterate	58	5,072	5,130
Literate, not completed a school	234	6,432	6,666
Primary school	861	80,308	81,169
Secondary school	401	26,706	27,107
High school	65	22,014	22,079
University and higher	0	4,085	4,085
Unknown	20	5,585	5,605
Total	1,639	150,202	151,841



Summary

- Criminological education and research, though developing, is in infancy in Turkey.
- Measurement of crime mainly based on unreliable sources of official data produced by the police; no victimization study at the national level.
- Available data on both adult and juvenile crime suggests significant increases over the last decades.



Summary

- The working trend of the Chief Public Prosecutors' Offices and the criminal courts points to significant case overload at both the investigation and the prosecution phases.
- Prison population also points to a significant increase over the last decade.



Thank you for listening.