CRIMINOLOGICAL ASPECTS OF FAMILY RELATIONS

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Abstract. *The dynamic variability of the modern world determines not only the need to adapt but also the ability to preserve and maintain the values of separate culture. Over the centuries, family is considered to be one of the core values. Family interaction with the society is undeniable. The family is the foundation of any society and the future of the state. Today's new socio-economic situation has an impact on the emotional atmosphere, quality and relationships within the family. Criminological research in family relationships is a complex problem, its environment and circumstances are an important factor in the individual's socialization. The role of the family is equally important both in the process of proper behavioural shaping and in the production of directed behaviour. The article provides an insight into the content of the studies of family criminology.*
The aim of the article is to describe the criminological framework of family relations based on special literature, research and practice showing the framework of family criminology. Theoretical guidelines, special literature, views and opinions of Latvian and foreign specialists have been analysed in order to assess the criminological aspects of the phenomenon.
The author concludes that the knowledge of family criminology is useful, effective, concrete and practically feasible for the criminological studies of the family institute. This approach has a multi-sectoral nature.
Keywords: family, family criminology, role of family.

Introduction

Family is important because the human personality is developed in it. It is a particular objectively determined environment where its own value and education system exists. Healthy functional family can effectively prevent possible violations, but disadvantaged family can promote criminal offences. It is necessary to explore the impact of this social institute on the process of formation and development of crime and crime itself. Many family factors are predictors and possible causes of children's delinquency. And many family-based interventions are effective in preventing and reducing children's delinquency (Farrington & Welsh, 2007, 4).

Nowadays, a new socio – economic situation affects emotional atmosphere, family quality and relations. Family is considered to be one of the key institutes of the society. According to the Article 26 of Law on the Protection of Children`s

Rights, the family is the natural environment for the development and growth of a child (Bērnu tiesību aizsardzības likums, 1998). This social institute is worth the study. Family relations, social everyday relations, formation of personality, deviation and criminal offences are analysed in the studies of several branches: sociology, pedagogy, psychology and criminology. Victimological studies confirm that a person often becomes a victim of a criminal offence in close relations. The research shows that families at social risk are characterized by a variety of problems - poverty, alcohol abuse, violence, unemployment, poor housing and other. Most of the problems are related to poor basic skills or lack of them, also to lack of motivation to change (Dobelniece, Millere, & Salmane-Kulikovska, 2015).

The results of several studies allow the author to make a conclusion that the number of victims of domestic violence in Latvia is increasing. The results gained in the research "Safety and security of persons in Latvia" allow concluding that the particular and essential problem of a person's safety and security is domestic emotional and physical violence. It most commonly affects women – approximately a quarter of them indicate that they are afraid of domestic emotional violence". Domestic violence is the violence area od violence which is taking place "behind closed doors", – it is hidden from everyone's sight (Ball, Culler, & Lilly, 2015, 10). Violence in the family can happen regardless of the wealth or education level, there is no great difference between violence in the cities and rural areas, between the poor and the rich. Not only children, women, old people and people with disabilities suffer from violence, but also men. Criminal offences are mainly stated to occur in family relations with a low level of morality because family morality is closely linked with the level of education and culture, with other factors. Of course, one cannot deny that common social and moral degradation is of great importance. One of the problems is violence in financially supported families. Violence of such type stays hidden from others. Domestic violence is the offence of special type, it is 1) repeated violence; 2) there are special relations (relationship intimacy) between victims and perpetrators; 3) both share an emotional and often financial dependence (Kipāne, 2015, 101).

There is a special criminological research field abroad – family criminology.

The aim of the article is to describe the criminological framework of family relations based on special literature, research and practice showing the framework of family criminology. The analysis of special literature, studies and practice will allow for proper knowledge and understanding of the framework of family criminology. The following scientific research methods were used in the studies: content analysis, analytical, inductive and deductive approach.

The role of family in the development and formation of an individual's personality is undeniable. It is important to specify that criminal behaviour

involves the interaction of a complex of several elements at the micro-level and macro-level, as well as life-long individual, social and ecological factors life-long (Taylor, 2013, 101).

The scientific novelty of the studies is linked to the fact that the problems of family relations in criminology have not been widely analysed in Latvia so far. By collecting the materials from special literature, studies and practice the author will mark the framework of family criminology.

Concepts of family

Family as a part of a larger system is the cultural element and state basis. The Constitution stipulates that the state protects and supports marriage – a union between a man and a woman, family, rights of parents and children (Latvijas Republikas Satversme, 1993). It is stated that only family is the pledge of each nation's existence. It promotes the functioning of society as a whole. The idea of this social institution is linked to human existence, to the biological, social, psychological, mental and cultural dimensions. The needs of the family are divided into the following levels of satisfaction: 1) existence needs; 2) needs for security and safety; 3) social needs; 4) needs for dignity and honour; 5) needs for development (Škapars, 2010).

Different explanations of the concept "family" can be found in specialized literature. Family is considered to be one of the core institutions in a person's socialisation process. In the sociology, family is evaluated as a historically specific system of mutual relations among spouses, parents and children. This is a small group, the members of which are linked by marriage or other relationship, a common mode of life and mutual moral responsibility, whose which social necessity is determined by the community need to reproduce physically and mentally able-bodied people. The professor of the University of Latvia, Arija Karpova (*Ārija Karpova*), writes that family is a historically changing institution, a subject of mutual relations and uniqueness, a system, a social group, a social cell. In the family psychology, family is systematically researched as a historically social institution, a social group, a subject of mutual relations and a system (Karpova, 2006, 27). Family traditionally consists of spouses and their child or children in an undivided household. The dominant form of the family is a nuclear family of two adults and one or more children who may be or may not be the offspring of the adults. Social anthropologist Klavs Sedlenieks (*Klāvs Sedlenieks*) indicated in the discussions about the modern family that if there are particular economic conditions, families make the alliances – an extended family is formed where several generations are living together because it is easier to survive and there is economic justification of it (TVNET, 2016). The extended family consists of two or more basic families that are unified by the parents,

children or brother and sister relations (Girgensone & Mihailovs, 2016, 147). A parent who is bringing up his/her child or children is also to be considered as family. Data about social processes in Latvia indicate that almost every third family is incomplete, with where only one of the parents and a child or children is (Bērni Latvijā, 2013). However, a transnational family is a family separated for a certain period of time and of divorced from welfare and/or upbringing of children across national borders (Broka, Kūle, & Kūla, 2014, 28).

In the Latvian legal system, the concept of family, its reference, explanations and interpretation depend on the legal branch. The Family state policy guidelines for the years 2011-2017 acknowledge that the lack of understanding of the uniform concept "family" makes application of uniform laws and regulation by different specialists difficult and is a subject of various interpretations (Ģimenes valsts politikas…, 2011). The author believes that the biological, psychological, social and legal component, for example, a common household, common family life, financial and psychological connections, should be united in the concept of family. The author emphasises that family is a biological, economic, legal and social unit. The author explains the family institution in a wider legal sense – an officially registered marriage (registered relations), unregistered partner relations – the actual marriage; sometimes family relations that ended, but threats are going on and they are linked to former relations; guardianship and care of a child by one parent; of the child; a common household of adult relatives.

Family as a research direction of criminology

Criminalization of family relationships (formation of an offender) and victimization (formation of a victim) can be described as an interaction process where the conflicts take the central place. A scientifically right the statement is that the role of family is of importance both in the formation process of behaviour and in production of changed behaviour. In the family relationships, an offender and a victim are closely connected to each other, they have a lot in common; their relationships can be named as "mutually complementary relationships" (Криминология – XX век, 2000, глава 9).

The professor of Liverpool University Sandra Walklate, writes that alongside the changes of the family institution, the role of family in criminological studies has become greater. Four problematic family groups can be distinguished from the point of view of criminology regarding the affect on promoting factors of deviant behaviour: 1) divorced or disruptive family; 2) families with strains and pressure; 3) families with care problems of parents; 4) families with a person with the tendencies to be violent (Walklate, 2007, 50). Russian professor Dmitry Shestakov (*Дмитрий Анатольевич Шестаков*) indicates that „family criminology or criminal family science is the branch of

criminology that studies the impact of the family on criminal behaviour and crime. The great attention is devoted to internal family problems and it distinguishes a particular offence – domestic violence" (Шестаков, 2003, 94).

Family is the first and main example for the moral development of a child, forming its value system and behaviour models: it means that the development of social norms starts in the family. The impact of the type of family (at the simple level, a complete and incomplete family) on the psychological and socially psychological climate of the development environment of formation of a child's (later a teenager's) personality is important in the family (Kristapsone, 2005, 148-149.) In addition, the link between violence experienced and criminal records should be taken into consideration in the future. The studies reveal that "a great deal of adults, who were imprisoned because of committing violent criminal offences grew up in the families where violence happened. The same, mothers of some children who suffer from violence, have also suffered from cruelty. It approves that domestic violence against a woman promotes cruelty against children (Ja tu ciet no partnera…, 2007, 6). Relationships in the family can affect conditions at school; they are connected with the psychologically emotional condition of a pupil. Of course, the single-parent family status and the resulting consequences can impair it. Relationships with parents affect the emotional state of young people. Thus, the specifics of behaviour are also affected by their relationships with their parents. For example, the following results of a study can be mentioned:

- Their relationships with parents 81.8% of pupils evaluated as good, 10.6% as neutral, 7.6% as bad.
- Comparing the responses of young people from complete and incomplete families regarding this question, it can be concluded that there are essential differences in the evaluation given by pupils.
- Relationships with the parents children of complete families evaluated as good in 84.1% of cases; children from incomplete families – 75.4%; as bad 6.8% and 9.1%; as neutral – 8.6% and 19.9%. It indicates that the environment of an incomplete family badly influences relationships with the parents. There are statistically significant differences between pupils of complete families and incomplete families regarding the experience of using narcotic substances. The children of incomplete families are often using drugs (Kristapsone, 2005, 160).

To some extent the family is the model of an individual's relationships with society because the family fulfils the socialization function, it means the human adaption to the life in the society.

Taking into considerations the data obtained in Latvia, it can be concluded that the children have different attitudes to the conflicts in the family – 45% of

children take them very hard, 23 % just take them hard, but 32% got used to them and became indifferent to them (Ceplis, Liepiņa, Prišpetjeva, Sūniņa, & Vilks, 2001, 37). Multidisciplinary studies approve that the origins of delinquent behaviour are always to be searched for in the family, in the conditions a child is grown up. Several studies approve the link between criminal experience of the parents and its impact on a child. In the family where the parents have a criminal past, there is a higher probability for criminal behaviour of a child in comparison with the family without a criminal past. Analysing the past of 4271 convicted men and of their 6992 children and of 717 non-convicted persons and their 1133 children, the Dutch researchers Marieke van der Rakt, Paul Nieuwbeerta, Nan Dirk De Graaf stated that children, whose fathers had a continuous criminal past and criminal records often became criminals (Van de Rakt, Nieuwbeerta, & de Graaf, 2008).

In a study report on young people's bad experience gained in the childhood, it has been acknowledged that directly or indirectly deficiencies in the household/family and dysfunction can cause negative psychologically social consequences and negative health consequences in a long term. The life of a child in the family where one member of the family is an alcoholic, addicted to drugs, mentally ill or is or was in imprisonment, negatively affects the life of the child. For example, children who live in the families that are addicted to usage of any substances, have a higher level of aggression; they are hyperactive, impulsive, not calm, and as well as there is a higher rate of juvenile crime. These children have difficulties in self-determination in comparison with those children who have not had such a family history. It is similar in the situations where a child is growing up in the family where violation is spread, or his/her parents do not live together or are in divorced. The studies show that there is a high risk for such children to get involved in offences, in usage of addictive substances, not attending the school and there are problems in mutual relationships (Pētījums par Latvijas jauniešu…, 2012).

Evaluating the modern negatives, it can be concluded that more than usual a clear and open understanding in the family and support of the parents is needed. The importance of the role of the family, especially regarding to the minors, is obvious. If children do not feel understood in the family, they tend to refuse the awareness of their values to be recognized among peers, they commit deviant actions. Undoubtedly, by increasing the role of the family in the society, it is also possible to promote it in the society and stimulate its independence and stability.

Modern theories about relationships between disruptive families and offences can be divided into three categories:

Trauma theory acknowledges that the lack of interaction and care of the parents has a negative impact on a child mostly because there has not been sufficient parental attention and support.

The Life course theories pays attention to the consequences of the divorce of parents, impact of negative events, consequences of negative experiences and stress, for example, the conflict of the parents, loss of the parents, unfavourable economic conditions, and changes in the parental upbringing etc.

Selection theory says that family risk factors, for example, the conflicts of the parents, criminal or antisocial parents, low family incomes or bad educational methods, have a bad impact on a child (Dressler, 2002).

The following issues are studied in the framework of family criminology: 1) Criminal offences against family members where the violent offences against the spouses and child murders are mostly studied; 2) The impact of the family on juvenile crime; 3) The impact of the family on the development of an offender who commits the crimes because of mercenary motives; 4) The impact of the family on the formation of a violent offender; 5) The impact of the family on crime relapses; 6) The family causes that affect masses – crime; 7) Prevention of crime affecting directly the structure of the family (Криминология – XX век, 2000, 354).

In addition, family criminology provides making the feedback between family and crime open, for example, how it affects family relationships. The author considers that family criminology could be the branch of criminology that studies the impact of the family institution on criminal behaviour and on crime. Family criminology includes the scientific characterization of the family institution and explanation of crime that is linked to the family environment. It is the study of criminological nature of the family and the impact of the family on evaluation of criminal behaviours, as well as the impact of the family as one of the basic social institutions impact on the crime prevention (Shestakov, 1999, 157-158).

The author indicates that multidisciplinary studies (criminology, psychology, pedagogy etc.) allow exploring the phenomenon of the family, studying relationships, diversity, conflicts and giving proposals for organising activities and events aimed at offering the rehabilitation of victims and violators and offering various assistance and any information in the field of prevention. For example, experience built up over 20 years confirms theoretical knowledge about the transfer of behavioural models from generation to generation and the impact of experience in the childhood on behaviour, action and further choices. In this context, early level interference programmes are of importance.

The important movements of theoretical family research are:

Interactionism – the family is considered as relatively closed system that is weakly linked to other institutions. The interaction of family members with different statuses is researched, as well as the performance of the role of the family and family conflicts.

Structural functionalism – the family is considered as a specific system that

consists of individuals with certain statuses and roles. The family structure, its functions are analysed.

Situational – the main attention is paid to the norms and values in the system of family relationships. They (norms and values) are considered as a family situation that determines the functioning of the different types of families.

Institutional – the family is considered as one of the fundamental institutions of the society. It is stated that the role of social institution is declining. Several functions are getting more and more delegated to the society (education and upbringing, social control etc.).

Evolutionary – the family is viewed from the point of view of its development. Particular attention is paid to the evolution of family life needs and aims, samples of behaviour, social roles of family members (Mūrnieks, 2003, 42).

On the basis of the levels of family relationship functions, the author can distinguish several types of family:

1. Healthy family. Family psychotherapist Florence W. Kaslow pointed out the following features of a healthy family: clear and particular structure; distributed roles and responsibility; respect for private life and needs of each family member; openness and readiness for development and changes; clear and appropriate boundaries between generations (Kaslow, 1981).

2. Functional family – acting as a whole and in accordance with its social meaning. The actions of each family member focus on the family as a uniform social system where each member of the family agrees with implementing a particular function to achieve common aims (Sociālā darba…, 2000, 61).

3. Midrange family;

4. Dysfunctional family – a weakly functioning family that is not able to satisfy the basic needs of a particular individual concerning both the individualisation and separation, and intimacy. Three types of family dysfunctions are distinguished in social work – the lack of functions needed, a wrong function and a conflict of functions (Alternatīvas cietumam: darbs…, 2003, 52).

5. Criminogenic family. The causes of the conflict are general and individual. The concept of criminogenic family includes: at the general social level – contradiction of the marriage institution; at the level of direct interaction – family dissocialization and family conflicts; at an individual level – a criminogenic situation in the family (Шестаков, 1980, 63-64).

Families at social risk are different, because there are a lot of social risks factors, which might cause undesirable effects on human health, the social environmental, activities (Vaitiekus & Šakalyte 2016, 403). Unsolved and

unattended family problems are sharpening the existent problems and create multispectral problems. In the criminological study where the legal and social protection of child victims is explored, it is concluded that the "number of children – victims increases with the number of disadvantageous families, but society, as the respondents of the survey state, does not understand the seriousness of the situation and often blames the victims or stay indifferent. The children, however, develop more rapidly, try to learn the new, even dangerous for them (especially – drugs), in addition, aggressive behaviour style, which has become the trend" (Bērnu–noziedzīgo nodarījumu…, 2002, 14). Stress factors for the family can be poverty; violence; family conflicts; divorce; shattered families etc. Economic security is of importance, the life in poverty is often linked to the so-called risk behaviour – consumption of psychoactive substances (tobacco, alcohol), depression, antisocial behaviour and crime -, to the risk of consuming of unsafe food and a spectrum of somatic health problems (Par Sabiedrības veselības…, 2011).

According to incomes, families is divided into poor families and families with low incomes. Giving the characteristics of poor families, the experts divide them according to the causes of poverty:

a) Positive" poor families that became poor because of the illness, disability, unemployment of the parents or other negative circumstances. Children from such families are mainly hardworking ones; try to study well, work in their spare time.

b) Socially disadvantageous families where the parents are alcoholics, drug addicted or engaged in prostitution. Such families are degrading, with expressed anti-social behaviour. Disadvantageous children from such families are mainly rude and aggressive (dirty, untidy). Children, especially girls, early show the sexual activity, try to differ from others wearing challenging adult clothes that is similar to the clothes of the mother – a prostitute (Riska faktoru novērtēšanas…, 2005).

Family at risk is a family where the favourable environment for a child's development is not being provided; emotional needs and basic needs of the child are not satisfied. There are with difficulties with solving problems in the families at social risk, the possibilities to provide a favourable environment for proper development of all family members are limited. Mostly families at social risk do not take care about families' social mobility and public opinion about them due their incorrect behaviour. They have the only problem in their life - money, which is usually spend on drugs, smoking (Vaitiekus & Šakalyte, 2016).

In the author's view, an important element is social support. Social support is daily interpersonal interaction or a communication process – verbal or nonverbal contact between a person being supported and the supporter, when the feeling of insecurity in the situations or relationships is reduced and functions to

improve the perception of personal control (Albercht & Adelman, 1987, 101). Different social support forms are mentioned in specific literature: *emotional support* is characterized by empathy, listening to a person, care, love; *evaluating support* consists of approval, feedback and social comparison that can be used by an individual for self-evaluation; informative – advice, recommendation that helps an individual to react to requirements and instrumental support – necessary means, services that help an individual, for example, money, food and other means. Social support helps an individual to develop successfully, to realize himself/herself and to socialize. The positive direction of the relations shows the positive feedback of social support, positive support, awareness, perception – the unity of dignity and health with social support. In the negative direction, the relation between dignity and health is not provided. According to the World Health Organization definition, health is complete physical, mental and social well-being, and not only the condition of not being ill or disabled (World Health…). The author emphasises that family problems show that a positive attention deficit has been distributed to all social strata within the family.

Features that characterise the social risk families: family at risk; both parents are employed; a little emotional contact with a child; unemployment; lack of necessities; delivery at the apartment; mixed marriages; involvement in sects; lack of education for parents; lack of information; lack of a supportive system; large families with many children; family crisis – loss of a family member; birth of a child; illness etc. High risk family is characterized by: violence of any type in the family; any kind of addictions; deviant and anti-social behaviour; unfavourable conditions for upbringing children; negligence of a child's health and education (Riska faktoru novērtēšanas…, 2005). The issue of multi-problem families is often discussed in connection with the term threatened child, which is a child whose life or health is somehow threatened.

The author indicates that different problems and violence are mainly noticed in poor families because it is easy to observe it. At the same time, the particular problem is violence in wealthy families. "Firstly, it does not comply with the idea about typical violence triggering factors. Secondly, it is difficult to work with such families because they gain particular authority and a violator's intellect is high and he/she can hide his/her violence" (Vardarbība un veselība…, 2007).

The family conflict can emerge between 1) a child and its parents (parents); the spouse or partner; 3) relatives. The cause of the family conflict is needs of family members, their wishes and aims. The basis is unsatisfied wishes of family members (Зеркин, 2007, 202). According to the study results of the Oregon social training centre, there is a close connection between disrupted families and antisocial behaviour of children, including criminal behaviour – the increase of the number of disrupted families is closely linked to the antisocial behaviour of a child (Patterson, De Baryshe, & Ramsey, 1990, 329-335).

The author can conclude that a decrease in the importance and of the role of the marriage institution, a large number of divorces and disruptive families, violence and family conflicts greatly affected the family relations not only in Latvia but also in the foreign countries. The axiom of interaction between the crime phenomenon and family relation institutions establishes the basis of family criminology (Мясникова, 2012, 148). Just like in every social group, there are own family problems, difficulties and conflicts. The task of criminology is to explore the impact of factors on it and thus to have an impact on the family life, mutual relationships to reduce crime (Шестаков, 2006, 561).

Conclusion

According to the author's point of view the aim of the studies to describe the criminological framework of family relations based on special literature, research and practice showing the framework of family criminology has been achieved. In the end of the discussion, the author concludes that criminological studies in family relations are a complex problem. The formation of criminal behaviour is also influenced by parenting, family functioning and mutual relations. Consequently, the role of the family is equally important both in the process of shaping the behaviour and in the production of directed behaviour.

It should also be concluded that the knowledge of family criminology is a useful, effective, concrete and practically feasible strategy for preventing a crime and feeling of threats. This approach has a multidisciplinary direction. The author points out that such criminological studies should be developed and activated in Latvia. The development of family criminology should be promoted. Thus, innovative approaches to crime research will be introduced in the country.

Family criminology as the sub-branch of criminological science studies and analyses:

1) the specifics of domestic violence;
2) factors and promoting conditions of domestic violence;
3) family impact on the criminal action of an individual;
4) family factors that form and promote a particular category of criminal offences of offenders – minors, violent persons; mercenary persons; women;
5) researches the possibilities for an offender to refuse to commit the crime, directly affecting the family environment;
6) complexly analyses and assesses the offences committed in the family environment.

Summary

The author concludes that it is necessary to promote the development of criminology as science and make the process of criminological research active. The author believes that, in Latvia, "family criminology" or "family relationship criminology" as criminology sub-field needs to be developed, which explores the impact of the family institution on criminal behaviour and crime. Therefore, the family criminology would include the issue of family influence on the persons involved in violence (formation of a violent offender and a victim) as one of the research areas.

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