

The family of a delinquent child

D. Kvetenska

Institute of Social Work, University of Hradec Králové, Czech Republic

Abstract. The issues of violence and aggression are discussed very often in contemporary society. According to some surmises, the amount of violence in our society increases, threatening mainly the children, who become either victims or offenders. Therefore, possible influence on aggression and violence among children is also a focus of discussions. One of the influences is the education in families. The fundamental question is – what is family’s influence on the aggressive or violent behaviour of children? This article concentrates on violent criminal activity of children in the Czech Republic. It defines the basic terms related to violent criminal activity and it presents the analysis of statistical data concerning criminal activity of children guilty of an act of violence. It is concerned with the search for common features of families of children who have committed a serious violent crime. It defines the criteria for comparing the families, education and personal characteristics of the delinquent children. Furthermore, there is an analysis of selected case studies from the last five years. The article focuses on the possibilities of work with the families involved.

1. Introduction

The issue of our time is aggression in society. Does it concern children as well? Is aggression of children rising? Is there an observable increase in the incidence of the most serious crime committed by children? This paper deals with children who have committed the violent crime of murder and their family context. It examines statistical data and uses case studies to identify family influence on the delinquent behaviour of the child. The final part presents the possibilities of working with delinquent child in order to prevent their relapse into crime.

2. Definition of basic terms

In the Czech Republic, the term ‘child’ refers to a person under 18 – this is the legal definition to be found mainly in the civil code. Criminal law uses the term “a child under 15” since these children do not have criminal responsibility and commit only an act that is otherwise a criminal offense. Another age category from the perspective of criminal law is young offenders, i.e. children aged 15–18.

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. It is important to note the terminological point which relates to the fact that the commonly used WHO definition of health defines health not only as an absence of illness but also a complex state of physical, mental and social wellbeing, the updated definition from 2000 further states that health is the capability to lead a socially and economically productive life [1], The term *threatened child* is also used in the documents of the Ministry of Labour and Social Affairs of the Czech Republic. The document *Analýza současného stavu institucionálního*

zajištění péče o ohrožené děti (The Analysis of the present Situation of Institutional Care for Threatened Children) defines the target group of threatened children so that it “covers all groups of children who are clients of the individual departments concerned. This means that a threatened child is any child whose needs are not sufficiently satisfied. The sufficiency here is always assessed individually and in agreement with the basic principles of the *Convention on the Rights of the Child*. . .”.

Law No. 359/1999 Sb. (Law collection), about socio-legal protection of children, as subsequently amended, defines *socio-legal protection of children* as the protection of the children’s right to positive development and proper education as well as the protection of the children’s rightful interests, including their property, and as a the actions intended to restore the disrupted family functions. The foremost vantage point of socio-legal protection is the interest and wellbeing of the child. The above explanation makes it clear that children are not regarded as responsible persons for their own development, and the protection focuses on the influences affecting proper development and education. Socio-legal protection of children focuses on children whose parents or families fail to fulfil their roles, children who do not lead orderly life in accordance with legal and moral social norms and children – victims of a violent crime or children treated with violence in the part of other persons [2]. Moreover, socio-legal protection also pays attention to children who have committed murder, its task being to prevent them from relapse into crime, making them able to perceive their actions as inconsistent with social norms. Furthermore, the purpose of socio-legal protection of children is to protect the society from further pathological behaviour of the children, using various measures.

This paper focuses on the family of a delinquent child who has committed murder, putting herself/himself into a difficult situation and has problems threatening his/her further development. I am going to use the term *risk youth* for the purpose of this article since I find it more informative in the given context than the term *threatened child*, which is currently used in professional literature. According to Labáth [3], the label “risk” is used in connection with social adaptation problems concerning the youth. “Risk” in the context means increased susceptibility and danger to the psycho-social development in comparison with the rest of the population. Risk youth refers to young people who are more likely to fail in the social and mental area because of the influence of various factors.

3. The influence of family on delinquent behaviour of the child

Family is the primary factor influencing the child in early childhood, and it does not cease to have an important influence on the development and self-concept of the individual later. Family is a traditional community, which exists in every known culture in some forms. The basic characteristics of our mental life emerge in the family environment. The family functions as a mediator connecting the individual and the society. It is the primary social group where people meet face to face and develop mutual emotional relationships. Outer influences, including social influences on the individual, are transformed and radically adjusted in the family. The primary function of every family comprises the influence on the development of the individual since his/her birth and the creation of emotional bonds, which have long-term effect and remain in the mental life of the child for the rest of his/her life. The individual acquires a certain concept of emotions and models of behaviour which s/he takes for his/her own. Moreover, s/he constructs a scale of values, based on which s/he prepares himself/herself for future life in the society [4].

Vágnerová [5] claims that the intellectual development depends not only on hereditary dispositions and the immediate state of the central nervous system, but also on the quality

of educational environment and adequate conditions for the development of the dispositions. Insufficient stimulation or limited possibilities to learn may slow down the overall mental development, mainly in the area of rational socialization abilities. The author further states that the affected children are usually slower to socialize as well. Their behaviour is conspicuous compared to social standard and they choose unusual strategies to deal with interpersonal contact and difficult situations. Their actions are spontaneous and they do not conform to social norms since they lacked the opportunity to know them. They encounter similar problems when identifying social roles. They lack the experience with certain model of human behaviour because they have never encountered them. The author stresses that the behaviour of neglected children is motivated mostly by the tendency to satisfy their immediate needs. As the neglect in the area of education also complicates the development of the needs themselves, in the most serious cases, the development of the child stagnates in the level of mere self-preservation (in the material as well as mental area). The child acquires forms of behaviour that are purposeful from its own perspective because they lead to the satisfaction of his/her needs, however, they can be regarded as undesirable from the perspective of the society. Vágnerová literally says that "...certain difficulties can result from the fact that [children] often employ strategies, which are socially unacceptable (e.g., they steal food or beg)...". She suggests [5] that social deprivation can be connected with emotional one and the affected children often do not receive all the care that they need. The consequences of complex deprivation include the refusal of any contact with strangers, reacting generally by fear or apathy and auto stimulation of various kinds (e.g. swinging). Another possible reaction to situations which the children are unable to deal with is an aggressive fit. This explains that the aggression and pathological behaviour of children may be reactions to complex (i.e. social and emotional) deprivation.

4. Violent criminal activity of children in the Czech Republic

By *violent criminal activity* we understand crimes against life, health, freedom and human dignity according to the respective chapters of criminal law. The term covers mainly murders and also deliberate bodily harm, affray as well as robbery, abuse of a ward and other crimes. After 1989, there was a general steep increase of violent criminal activity, which concerned the violent criminal activity of children and youth. This increase is not continuous, the situation stabilized approximately four years ago.

Violent criminal activity of youth has certain specific features. Chmelík [6] points out that there is a high degree of brutality in it. Other specific features include the influence of alcohol, the offenders' acting in groups and the compensation of the lack of physical strength in the form of the use of weapons. Sadly, these theoretical assumptions are confirmed by reality.

The most common violent crimes committed by youth are bodily harm and affray. However, robberies and murders are not exceptional.

Figure 1 shows the numbers of murders committed by children in the territory of the Czech Republic. The number of murders committed by children under 15 remains almost constant, except that in 2004 there were 4 child murderers and in 2001 and 2008 there were 3. In the last 4 years, there were 2 child murderers every year. The number of murders committed by children slightly oscillates but there is no constant increase.

In the case of juvenile murderers (15–18 years, see Fig. 1) we may even identify a decrease. The number of murders was the highest in 2004 (12 juvenile murderers) and in 2007 (10 juvenile murderers). We speak about the number of murderers, since in some cases there were more murderers for one murder. The figures for 2013 cover January–September only.

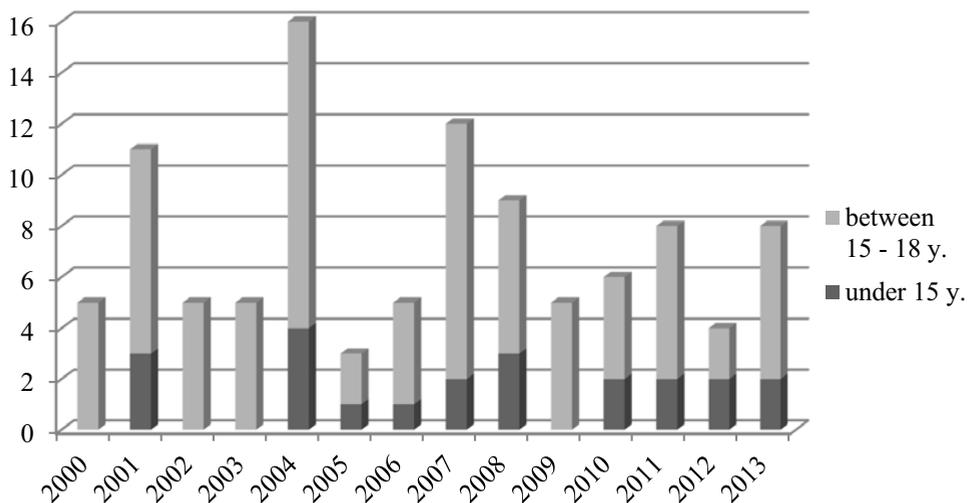


Figure 1. The numbers of child murderers in the Czech Republic [9].

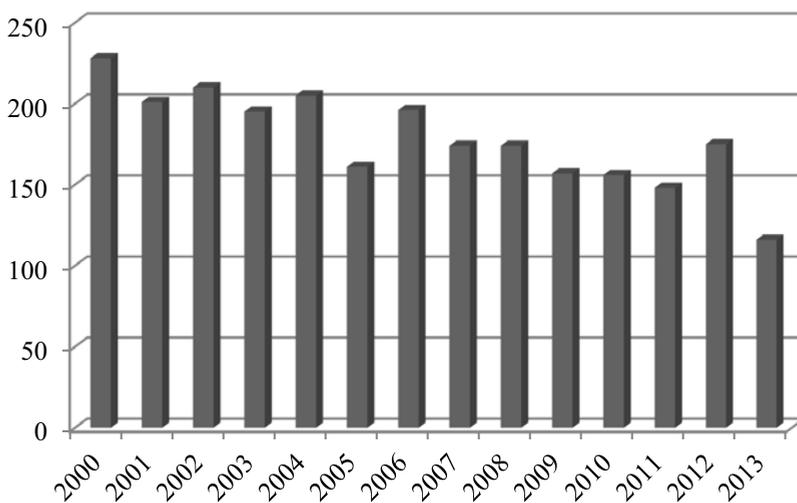


Figure 2. The numbers of adult murderers in the Czech Republic [9].

Comparing the data with the numbers of adult murderers in the Czech Republic (see Fig. 2), we can see that all numbers have a slight downward tendency. The number of adult murderers was the highest in 2000 (228 murderers) and 2002 (210 murderers). The lowest numbers were in the years 2011 (148) and 2010 (156). The difference between the highest and the lowest number is 80. Again, we speak about the numbers of murderers, there can be more murderers for one murder. The figures for 2013 cover January–September only.

We may state that the number of murders in the Czech Republic does not have an upward tendency. In the cases of juvenile and adult murderers, the numbers slightly oscillate, while in the case of children it remains stable except for negligible fluctuation.

5. Selected case studies

The following part presents two case studies from the Czech Republic. In the first case, a 12 year old boy and his friends murdered an elderly woman, but in the second case a 14 year old boy killed his mother.

Case study No. 1

In 2004 an elderly woman was stabbed in her house in the region of Rychnov nad Kněžnou. She succumbed to her wounds. Several days later, the police found out that the murder had been committed by two boys aged 13 and two more aged 12 and 15. Two of them lived in a nearby town and the other two in a children's home in the same town. For our purposes, it is sufficient to present the case from the viewpoint of one of the boys. It is appropriate to note that the stories of the four boys and the accounts of the act given by them did not differ much. The two boys who grew up in families had a regime similar to that in the children's home, because their father spent most of his time in prison and the mother had to look after many younger children, so she had little time left for the eldest ones.

The youngest boy (aged 12) lived in the children's home since the age of 3, he knew his family and he knew that he had parents, siblings, one grandmother and one grandfather. He was in contact with his parents – according to his words, they phoned him once a month. He said that he was in the children's home because his parents had a small flat. He did not know the exact number of his siblings. All he knew was that some of them were at home and that some were born while he was in the children's home. The family was economically insecure. He liked action movies, which he watched in secret till late night because there was a TV in his room. He admired policemen and wanted to become one of them. He was convinced that every policeman had training in jumping from one helicopter to another. He knew that he could run away on the way from school, but he would not have enjoyed that since it would have been too easy. He preferred to run away with other boys by “the risky way”, which means climbing down the lightning conductor from the first floor. Their usual entertainment was to steal chewing gums and cigarettes in the shop. They regularly met the two local boys, with whom they later assaulted the old lady. They always returned to the children's home in the evening in order to be able to get food and sleep in their beds.

The boy was unable to explain the reasons for assaulting and stabbing the old lady. They supposedly went to her house for money. An adult person had told them that the lady had some at home. When they were caught red-handed by the elderly woman, they decided to “rub her out”. Everyone had to stab her so that all would be “mixed up in it”.

An expert in the field of child psychology described the boy as “deprived” and emotionally flat.

Case study No. 2

In 2013, a 14 year old boy killed his mother. She was stabbed to death with a knife. At first, the son denied the act, lying during the first statement. He claimed that his mother had been killed by two strangers. He confessed his crime later.

The boy was adopted at the age of 1. The relationships in the family were described as good by the neighbours and friends of the family. The family was economically secure. The education of the boy consisted mainly of protection. The parents tried to protect him from his surroundings, from problems. For example, they excused his absences at school when played truant.

An expert in the field of child psychology described the boy as emotionally flat.

Analysis of the case studies

In the first case study, there are visible traces of the negative influence caused by the absence of family environment. The boy failed to form emotional bonds, which damaged his concept of emotions. He was used to seek quick satisfaction of his immediate needs, opting for unusual strategies in difficult situations. A form of defence in an unusual situation might have been an outburst of aggression, which ultimately resulted in the death of the old lady. The gradation in the given crisis situation (being surprised by the elderly woman while stealing from her in her house) was intensified by the fact that all of the boys had similar (i.e. little) experience from their primary families. Another influence was the need to be accepted by one's reference group, in this case a group of boys who identified themselves with delinquent models.

The second case study shows that economic situation is not important, as the boy lived in good material conditions. He was loved by both parents. His father did not resent him even after the murder of his wife and is still fond of him. The common feature is the emotional flatness, which, in this case, is not a result of inappropriate family environment. It may be caused by a personality disorder. One of the factors causing the aggressive behaviour might be the protective education. The excessive level of protection from natural frustration caused by social environment might have made the boy unable to cope with the feelings of frustration in his relationship with the mother.

6. The possibilities of working with the family of a delinquent child

Social work with threatened child from the perspective of delinquency (risk youth) is the domain of the youth curator. This profession has a long tradition in the Czech Republic. This work is currently performed by the employees of the department of socio-legal protection of children in the municipalities of the first and third type. The content of their job is to take care of children under 15 who have committed a crime or offense or youths who have committed an offence. Moreover, they attend to youths, who repeatedly manifest serious personality disorders (e.g. running away from home, drug abuse, and addiction to gaming machines, unexcused absence from school). Apart from other tasks, they propose the *preliminary measures of institutional and protective education*. Another task is to look after children and youths discharged from institutional education. According to the law on family from 1963, which is still valid, a youth curator can *caution* a youth, put him/her under *supervision*, or set some *limitations*, moreover, s/he can caution the parents of the youth or other persons who disrupt his/her education. Supervision should be carried out in cooperation with the school. The limitations should concern mainly visiting inappropriate establishments. The competence norm of these measures is provided by the law No. 359/1999 Sb., on socio-legal protection of children, while the law on family regulates the factual perspective [7].

Practice revealed the need for closer multidisciplinary collaboration in dealing with the individual cases, which are treated by several establishments together (e.g., the Department of Socio-legal Protection of Children, the centres of educational care, the school, low-threshold facilities for children and youth). This need raised the effort to introduce various forms of multidisciplinary cooperation, such as multidisciplinary teams, case management, case conferences or the *System of timely intervention*.¹

¹ *System of timely intervention* is a label for the systematic interconnection of institutions dealing with criminal activity of children and youth. It is based on computer network which enables the cooperation of all subjects on the territory of a given city.

One of the means which has been little used so far is the *social activation services for families with children* (see law No. 108/2006 Sb.), i.e. social services which could be regarded as healing of a family (see below). This kind of social services is usually provided by non-governmental non-profit organizations, usually in cooperation with the organs of socio-legal protection. Healing of the family can be also provided by a special worker of the organ of socio-legal protection, the so-called field social worker. From the perspective of the prevention of delinquent behaviour of the child, the use of this service is appropriate mainly at the time of the occurrence of hints of delinquent development of the child (e.g. unexcused absences from school), when putting the child in institutional education is considered. In the case of the above case studies, the use of the service would have been appropriate.

Matoušek [1] defines *healing of a family* as a *support of the family*, the procedures supporting the functioning of the family being the counterforce to the procedures of excluding a family members because of his/her being a threat to someone or his/her being threatened by another family member. In this context, we may speak about the needs of an endangered child. Bechyňová and Konvičková [8] regard *healing of the family* as a complex of socio-legal protection measures, social services and other measures and programmes, which concern mostly parents of a child and the child, whose biological and psychological development is threatened. A neglected or acute situation may require moving the child away from his/her family. The fundamental principle of healing of the family is the support to the child through the help to his/her family.

7. Conclusion

The number of murders in the Czech Republic shows that the number of murderers does not increase. Therefore this criterion should not be understood as the only indicator of aggression in society. It is appropriate to take more indicators into account. The above case studies of murders committed by children under 15 reveal the crucial influence of family on the pro-social development in early childhood. The family enables the child to learn about emotional bonds and develop his/her emotions. Therefore, it is important for the child in his/her early childhood to learn the emotional and social relationships in an environment which is as stable as possible and close to family environment. However, emotional support preventing emotional deprivation is not completely sufficient. The child should also experience an adequate degree of frustration, so that s/he is able to cope with it. This should be taken into account by social workers and social pedagogues working with the so-called mono-problem families, i.e., risk families from the perspective of inappropriate education and insufficient emotional support of the child.

A piece of Chinese folk wisdom says: If you care for the wellbeing of your children, let them taste a bit of cold and hunger. A Czech proverb says: You will harvest what you seed.

The research study was supported by the European Social Fund grant number CZ.1.07/2.3.00/20.0209 Development and Support of Multidisciplinary Scientific Research Team for the Study of Contemporary Family at Univerzity of Hradec Králové.

References

- [1] Matoušek, Oldřich. *Slovník sociální práce* (Praha: Portál, 2003).
- [2] *Zákon č. 359/1999 Sb. ze dne 9. prosince o sociálně-právní ochraně dětí*. In *Sbírka zákonů České republiky*. 1999, částka 111. Dostupný také z WWW: http://portal.gov.cz/wps/portal/_s.155/6966/_s.155/699/place

- [3] Labáth, Vladimír. *Riziková mládež* (Praha: Sociologické nakladatelství, 2001).
- [4] Kearney, Chistopher A. *Casebook in Child Behavior Disorders*. 5th edition (Wadsworth, Cengage Learning, 2013).
- [5] Vágnerová, Marie. *Psychopatologie pro pomáhající profese*. Vyd. 3., rozš. a přeprac. (Praha: Portál, 2004).
- [6] Chmelík, Jan. *Trestná činnost mládeže a páchaná na mládeži* (Praha: Policie ČR, MV ČR, 1998).
- [7] Matoušek, Oldřich a Kroftová, Andrea. *Mládež a delikvence* (Praha: Portál, 1998).
- [8] Bechyňová, Věra; Konvičková, Marta. *Sanace rodiny* (Praha: Portál, 2008).
- [9] *Statistické přehledy* (Praha: MV ČR, 2013).