



## Not My Fault, But Still My Punishment

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*‘On this earthly journey’, that certain ash-baked scone:  
the Good Word of the family, its Spirit are the patron  
saint of the fabled hero.*

*He who departs without it: will find himself in greater  
perils, more vulnerable in every way.<sup>1</sup>*

**Abstract.** The aim of this study is to draw attention to the repercussions of parental detention on other family members, particularly children – whose development is a shared responsibility of both their parents and the state. Such impulses, whether arising from within the family or from the external world, exert both direct and indirect influences on the path to adulthood of children left to fend for themselves, imposing burdens they may carry throughout their lives. The family constitutes the primary arena for socialisation, and it is within this most intimate setting – intended to provide emotional security – that such minors often endure the greatest trauma. For many years, research has shown that depression, anxiety disorders in children, unrealistic fears of losing their parents, self-deprecation, stigmatisation, total isolation, or aggressive behaviour are closely correlated with parental imprisonment. Moreover, the mere experience of a parent’s arrest can itself cause emotional shock, profound confusion, fear, and distress. Although the Convention on the Rights of the Child provides broad and complex guarantees for safeguarding the best interests of the child – among which a healthy, harmonious, and supportive family environment is paramount –, there remains a lack of effective solutions and institutionalised forms of intervention that address the specific circumstances and needs of this vulnerable group. This shortfall persists despite the explicit prioritisation of the child’s best interests in several international instruments, such as the European Prison Rules. Even where personal contact is maintained, the processes of entering prison, as well as the prevailing conditions and control mechanisms, remain daunting. Consequently, in practice, many innocent minors suffer the negative consequences associated with the execution of a

1 Földes, 1978, pp. 48–52. Unless otherwise specified in the footnotes, all translations quoted from non-English sources were made by the author.

criminal sentence, although their only ‘sin’ is to have been born the children of such parents.

**Keywords:** children rights, Convention on the Rights of the Child, family relations, parental imprisonment, negative consequences, child socialization, trauma, mental health, resilience, human ecological system, aggression, ACE

## 1. Introduction

A happy childhood, a healthy, harmonious, and supportive family environment is an important prerequisite for entering adulthood with inner balance, self-esteem, and empathy for others and for facing the challenges and struggles of adulthood. The central concept of the Convention on the Rights of the Child<sup>2</sup> (CRC) is the *best interest of the child*. Ensuring this is not only the responsibility of the state or other authorities but especially of parents: Article 18(1) states that both parents have primary responsibility for the upbringing of their children and that they ‘shall be guided in their actions by the best interests of the child’. Of course, in addition to the parents, the State, the various public authorities and adult society as a whole have a major responsibility. ‘Public and private social protection institutions, the courts, administrative authorities and the legislature shall, in all decisions concerning children, have the best interests of the child as a primary consideration’ (Article 3(1) CRC).

The State Parties to the Convention also undertake a number of obligations to safeguard the best interests of the child. Among other things, they

shall ensure to the child, having regard to the rights and duties of his or her parents, guardians and other persons legally responsible for him or her, the protection and care necessary for his or her well-being, and to this end shall take the necessary legislative and administrative measures (Article 3(2) CRC).

## 2. Trapped by Doubts and Questions

What this means in practice is that adult society around the child, whether professionals or other actors, must be guided in their actions by the best interests of the child in their activities. However, in everyday life, there are many situations which impose obligations on public bodies and authorities, acting in the interests of society as a whole – and whose fulfilment can have serious

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2 United Nations, 1989.

negative consequences, both directly and indirectly, for the lives of children who are related to the adults involved.

The criminal lifestyle of the parents, or even the fact that they have committed a single offence, may have legal consequences which negatively affect the children in the family. The fact that the parent has to provide for the maintenance of his or her child may be taken into account as a mitigating circumstance when imposing the sentence, in accordance with the Criminal Chamber Opinion No. 56: ‘a mitigating circumstance is when the offender has relatives who need to be maintained or educated.’<sup>3</sup>

This is therefore an option for the court seized of the case, so the actual impact of this fact in a particular case depends on the individual discretion of the judge concerned. The best interests of the child are a peripheral issue in the process; the focus, in our view, is on the importance of ensuring the exercise of parental responsibility and the ability to fulfil it. This is referred to in the Criminal Chamber Opinion when it excludes the application of a mitigating circumstance in cases where a person has not previously fulfilled his or her duty of care.

The loss, through the incarceration of a parent, can be a traumatic experience for the child and can raise a number of serious questions for the parent, relative, or the person who will care for the child in this situation.

Many fears and doubts may arise in the mind of the adult who is faced with this situation – and he or she has to make a decision. What should you say to the child if he or she is looking for his or her mother or father? Do you dare tell them that the parent the child loves and adores has committed a crime and is currently in prison? How will he or she understand this without being ashamed of his or her parents or emotionally breaking his or her trust in the imprisoned parent? Name the parent as a good or as a bad person? After all, what that parent has done is morally reprehensible; it is his or her job and aim in bringing up the child to ensure that such things do not happen. Should the caregiver take the child with him or her to prison so that the child may see his or her father or mother? How will the child experience the conditions (queuing, waiting, being searched, strict guards) that he or she will face? Will it do him or her any good to see his or her mother or father in prison clothes, behind bars or behind a plexiglas screen? Or how much does it help if you tell the child about the situation, that they are actually going to visit the parent’s place of work and that the prisoner’s uniform is part of the work attire?

Many people choose either to justify the parent’s absence with this workplace story or to give some other explanation such as a job abroad. However, this solution presents several risks. Although the parent or the adult raising the child is primarily motivated by the need to maintain the child’s psychological well-being, to protect him or her from the stigma of the community, and to take his or her interests into

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3 Kúria, 2023.

account, as questions steadily arise, a false world is built, where one lie is followed by many more. But it can also be traumatic for a child to realize that the place where he or she has been visiting his or her parents for years was not their workplace but a prison. Thus, trust in the adult who raised such a child is also shaken, triggering emotional reactions ranging from disappointment to anger.

Families receive little or no help in working through these dilemmas. Although well-intentioned bad choices can run counter to the child's interests and needs.

### 3. Changes in Contact as a Possible Risk Factor

In itself, a dysfunctional or conflictual family or a parent who is 'just' stressed out about everyday tasks or emotionally neglectful of their child can also have a negative impact on the child for life. However, the imprisonment of a parent creates a number of specific risk factors that can multiply the potential for emotional and psychological harm to children. There are direct and indirect, internal and external characteristics that emerge in these situations, which are often not successfully managed or resolved without external support.

The direct impact on the child is the loss of the possibility of daily contact with the parent. This is not only a serious problem when there is a balanced, loving, and caring relationship between parent and child. Ágnes Solt's research<sup>4</sup> on juvenile offenders' typical life histories has shown, among other things, that even the loss of an authoritarian, strict father who does not refrain from physical punishments can create a serious emotional vacuum in the child and ultimately lead to deviant or delinquent behaviour. This is true even though research shows that these children typically have strong negative feelings towards their strict, rule-abiding, educationally attentive, and often violent fathers.

In the context of adolescence and childhood socialization in general, the role of parents is of paramount importance – although research shows that the negative impact of the absence of a parent on a child also depends on whether the mother or father is in prison.<sup>5</sup> (Restricted contact with the child is also a more traumatic experience for mothers.)

Even when limited contact with the incarcerated parent is possible,<sup>6</sup> the child may experience severe emotional loss, and the strength of the emotional bond may be significantly weakened, especially in the case of prolonged incarceration. Although telephone conversations are important for a new generation used to

<sup>4</sup> For more details, see: Solt, 2018.

<sup>5</sup> For more details, see, for example: Juhász, 2011, pp. 281–300.

<sup>6</sup> 'In the beginning, yes [they came to talk], but then it cost too much to drive to pick them up, or I don't want to put them through the few kilometres of walking between the bus stop and the prison. Because I would call the two little girls and my partner, because I don't want them to suffer. And that little bit of time can be taken.' Prison interview, excerpt in: Biró, 2015, p. 86.

information and communication technologies (ICTs), these cannot replace the experience of meeting in person. Thus, even if a child can establish regular video contact with the inmate, he or she is forced to forego the parent's touch and the experience of the parent's non-verbal messages – these are channels of parents' emotions to which children are very receptive.

There may be many other – objective<sup>7</sup> – reasons for the breakdown or loosening of contact with the detained parent – for example, the deteriorating social situation of the family, which is negatively affected by the loss of a father's income, which provides the family's financial base. However, it is not only financial obstacles that can lead to fewer or not face-to-face meetings. For a parent living further away from the place of detention – for example, if he or she is raising young children alone or a parent who has to work multiple jobs –, the mere organization of travel can be a burden. In these cases, the difficulties caused by the absence of the parent are based on factors and circumstances over which the child has no meaningful control. These obstacles can lead to a loosening or a breakdown in the emotional relationship, even if the adult who remains with the child speaks only in positive terms about the detainee.

It is a fact that contact is also extremely important for the imprisoned parent, and it has a major reintegration effect.<sup>8</sup> It is precisely the weakening – especially the breaking – of family ties that is the most difficult for prisoners<sup>9</sup> to bear, but which often occurs, especially in the case of longer prison sentences.<sup>10</sup> (It is parents, especially prisoners' mothers, who remain with their children during many years of absence.)

A change in the emotional and psychological state of the parent who is the sole caregiver of the child, or the consequences of a poorly chosen coping strategy, may be an indirect risk factor for the child's immediate environment. Coping with the new life situation and the increasing burden can be a serious psychological challenge even for an adult. How the adult who stays at home with the child – typically the mother – can find appropriate solutions to the family's changed daily life management can be a major challenge.

7 'Well, if I look at it from the point of view of the children, it's psychologically calming for them, so even today, if we can talk on the phone, that's great, but we can't really use this option because the minute charges are very expensive. So, it's bad. We haven't had a speaker for over a year. I could get [a package], but it would be silly for me to take the money out of my children's mouths to make my life better here. I have what I need within the prison, and because I work, sometimes I send money home.' Interview in prison, excerpt in: Biró, 2015, p. 87.

8 For more details, see Biró, 2015.

9 'Well, when I broke up with my partner, we broke up... so we put aside the relationship a little bit, so a lot of things were broken. I was a bit confused, then I got two disciplinary cards, then I moved here, then I found out about my son, that was my low point, which led to another disciplinary card.' Prison interview, excerpt in Biró, 2015, p. 90.

10 'So, exactly here we also talked to other prisoners, and it's true to say that – and this is not my fiction – it's a statistic in prison that a lot of relationships and marriages end. So, it's precisely because of the lack of a home, in all areas.' Prison interview, excerpt in Biró, 2015, p. 90.

In the majority of cases, the other party is not aware that his or her partner had committed a crime, and it is a shock for them when this fact comes to light. To find out that the person you know and love is a convicted criminal is a huge disappointment.

The shame brought on the family – and personally on the partner – can trigger anger, and the sudden change in the family's financial situation, the burden of running the family can cause frustration and despair.

The two main groups of coping strategies<sup>11</sup> in such situations are emotion-focused and problem-focused. In the latter, the person takes a hard look at the situation, the challenges and problems that arise, taking stock of their own capabilities, weaknesses, and burdens. He or she then takes the decisions that are best suited to deal with the situation in the best possible way – and seeks help if necessary. However, in the event of a particularly bad or broken emotional state, it is difficult to see things clearly, to face them honestly, to confront problems, to acknowledge shortcomings and limitations. Therefore, a significant proportion of people are more prone to choose emotion-focused coping strategies. These may include, for example, the use of alcohol, drugs, or other substances that can temporarily lift a person out of a stressful emotional state that seems unmanageable.

## **4. The Consequences of Detention: A Systems-Based Approach**

If we want to describe a family as a human ecological system, we can use, among others, Urie Bronfenbrenner's<sup>12</sup> systems theory. According to this theory, a person's socialization background, the groups that influence him or her, are decisive because cultural patterns and roles are being acquired through them – especially in the case of children. The quality of social relations, however, may not only be a socialization factor but also a risk factor for the child's physical, mental, and intellectual development.

The model<sup>13</sup> breaks down the broader and narrower environment surrounding a person into micro-, meso-, exo-, and macrosystems, thus making it possible to describe the complex interaction with the child and with each other.

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11 For more details, see Csemáné Váradi and Gilányi, 2011.

12 Glauber, 2011, p. 82.

13 Id., p. 83.



**Figure 1.** *Bronfenbrenner's human ecological system (own ed.)*

The microsystem, in the case of a child, is primarily the living space defined by the actors in the immediate environment. It is the adults (e.g. parents, foster parents, grandparents) and, of course, children (e.g. siblings) who provide the most immediate human contact in their daily lives, including the human environment they create. Their behaviour, personality, habits, the cohesiveness of the family, the relationships between the people living together, etc. affect the child even when he or she is not involved in the interaction directly.

But it also includes the more immediate physical environment; the physical environment in which the child spends a significant part of his or her time. In other words, a neglected or well-kept home, books, toys, plants, or even the availability of information and communication technologies also have an impact on the minors living there – although the quality of these is not or is only partially influenced by him or her.

The mesosystem assumes a looser (relational) relationship structure, with human actors that expand as the child ages. In early childhood, the role of childcare and education institutions – and the adults who work there – is dominant, but this role is increasingly taken over by the peer group and the home environment. The circle of people with whom the child interacts is becoming wider and wider as he or she ages. The new circle of persons that emerges depends to a large extent on the characteristics of the previous one. Thus, depending on the nature of the leisure activities, the mesoscale may be extended to include the human environment of sports clubs, entertainment venues, or various playful communities. The relationship between the actors in the micro- and mesosystem also has an impact on the development of the child's human environment. For example, if a parent prohibits certain activities (e.g. dance club) or social relationships (e.g. peer-groups or schoolmates), this will also affect the child's interactions circle at the meso-level.

The connection to the exosystem is the most distant and indirect for children. It is the social structure that influences the nature of the mesosystems; the smaller the child, the less the child perceives its supportive or even discouraging nature.

For example, the accessibility of local schools is important at several points. How much time is spent travelling? How can the family arrange transport to school? Should an adult accompany the child to the educational establishment, or can he or she go alone? Does this mean moving away from the familiar environment where friends live? Or does the parent have to change jobs because he or she is only able to start work later? Will the children he or she knew from nursery school be the child's classmates, or will they be strangers from another municipality? How will he or she (in a typically larger city) fit in with his or her differently socialized pupils? How difficult is it for him or her to adapt to the different school subculture and teacher expectations?

At this level, in addition to personal interaction experiences, there are also indirect (referral) mechanisms of action. For example, the social network surrounding the family, the parents' workplace, or their social relationships may affect children.

The most transversal relationship is at the broadest (last) level – although its role may be particularly important, for example, in the case of the children studied. The macrosystem is not only the economic, social, and societal environment in which the actors at the previous levels operate. It also includes the culture, customs, beliefs, as well as generally accepted and adhered-to norms of the country concerned. Of particular importance is the set of expected value – what is positively judged, rejected, or stigmatized by public perception.

The human ecology model provides an opportunity to set the main features of the situation of the child of a detained parent within a specific research framework. It can be concluded that practically all elements of this human ecological system are characterized by risk factors, some of which are specific, but at the same time by a small number of protective factors as well.

Although the impact of the different levels is increasingly distant in relation to the microsystem, the macrosystem characteristics and their consequences may be amplified in the case of children in this particular situation. The fact that a society is culturally attuned to a child with a criminal family background (e.g. the belief in the genetic roots of criminality), the strength of negative value judgements or the acceptance of relevant stereotypes in society can be a determining factor. Particular attention should be paid to the equally high number of negative elements at other levels and to the heightened vulnerability of children (and this target group in particular) *per se*.

With regard to the exosystem, the attitude of the spouse or partner of the detained parent or person who is responsible for the child's upbringing towards the workplace and the local living environment, and the extent to which he or she can obtain meaningful support, either because of social difficulties in the new living situation or because of other problems, also plays an important role. The stigmatization of the parent by his or her own staff, the assumption by neighbours



that he or she has a similar criminal attitude to that of his or her detained partner, is a huge psychological burden on the person. This can have a greater power to break down his or her self-esteem, increase his or her shame, his or her sense of abandonment and hopelessness. This often leads to isolation and introspection, which further increases the power of negative psychological processes that are already more easily generated.

These specific features of the macro- and exosystem can in themselves have a negative impact on the child's microlevel family interaction if their mechanism of action is mediated. The effects of this, i.e. changes in parental behaviour, cannot be overridden by those directly experienced by the child in the mesosystem – for example, the fact that he himself or she herself never directly encounters the stigmatizing, condemning opinions of the people in his or her living environment. Increased tension is a major drain on the energy and coping skills of a parent who is already struggling to cope with problems without support. This means that the quality of the work with the child, the patience towards the child, and the deterioration of the atmosphere in the home are perceived as being more severe.

The child can also be directly confronted with the negative effects of the micro- and mesosystem. For example, when his or her classmates are distanced from him or her, or when classmates' parents forbid them to be friends with him or her for that reason, because his or her parent has been imprisoned. Professionals working in education or childcare settings may also have negative value judgements or misconceptions about the heritability of criminal tendencies. Thus, a child's behaviour in breach of school rules and possible maladjustment may be seen as a sign of future criminal tendencies, even if it does not differ from the typical behaviour of his or her peers.

Of course, the strongest negative experience may be triggered by a change in the most intimate family relationships, as has already been mentioned in several points. A serious crisis may also arise if the parent's detention leads to a change in the family composition (e.g. the child moves away to live with grandparents or relatives) or the child is institutionalized in the absence of other solutions.

As couple relationships may be disrupted, especially in the case of a long sentence, the emergence of a new actor (e.g. surrogate father) in the microsystem can create new problems. The loss of the beloved but now abandoned father, the sight of the mother's happiness versus the father's suffering, the experience of being left alone in longing for the father triggers complex, multi-layered disturbances in the emotional life of the child, leading, among other things, to a breakdown in his or her microsystemic interactions (e.g. disappointment at the loss of the shared destiny experience with the mother; changes in the relationship of trust with the mother; deteriorating behaviour at school due to increased internal stress; increasingly conflictual peer relationships, etc.).

These drastic changes and negative trends have a much stronger and longer-lasting impact on the target group of this study than on children with a well-functioning family background and strong emotional ties.

## 5. Lifetime Burdens

The impulses that can affect a child under the ecological model have or can have a myriad of short- and long-term effects, even on the child's adult life.

In particular, parental imprisonment is a traumatic experience that can trigger anxiety, stress, fear, isolation from the environment, or auto- or hetero-aggression in general.

Recent research suggests that trauma alone is a non-specific vulnerability factor. In other words, as a transdiagnostic factor,<sup>14</sup> it may play a role in the development of multiple pathologies rather than a single specific one. In cases where the trauma is caused by prolonged emotional abuse from a person close to the child, it can have long-lasting consequences over many years. It can also affect the child's personality development, cognitive abilities, neurodevelopment, relationship patterns, and emotion regulation. The ability to trust others is reduced, and this underlying fear makes it difficult to form secure attachments to others based on mutual emotions.

Other research has highlighted that relationship trauma as a child is associated with a number of serious psychopathologies, self-harm behaviours (e.g. anorexia), dissociative or post-traumatic stress disorder. The sudden and prolonged disappearance of a significant person from the child's life may be one main form of the relationship trauma. This can trigger psychological processes that correspond to the content of relational traumatization. It is important to underline that the power of the effects is further enhanced, and the range of risk factors is extended by self-blame, which typically appears at a younger age. The child believes that his or her misbehaviour and disobedience was the reason for the important parent's withdrawal from his or her life.

The ability to cope with problems<sup>15</sup> depends on a number of circumstances. In cases where a) the child is either dependent on the object of the negative emotions he or she is experiencing, or b) the object is out of reach for him or her, the aggressive impulse often shifts towards the self.<sup>16</sup>

When he or she loses a father or mother who is important to him or her, for reasons unknown or only partly known to him or her, or when he or she feels anger or rage against the parent because of his or her irresponsible behaviour leading to

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14 Lénárd, 2020, p. 421.

15 Kamneva *et al.*, 2020, pp. 1398–1403.

16 Skegg, 2005, pp. 1471–1483.

conviction are all specific life situations in which the object of aggression becomes inaccessible to him or her. A change in the parent's behaviour (e.g. tightening discipline, impatience), an increase of the parent's stress, or a negative change in the emotional relationship with the child cover the second situation, where the child is dependent on the object of aggression. The aggressive urge towards the self is a typical reaction because the child still experiences less psychological suffering from having to put up with self-harm than from having to confront openly the behaviour of the father or mother. But a similar auto-aggressive urge may be triggered by the sense of shame that a child feels, for example, at the image of a parent in detention as a criminal.

These traumatic experiences are typically left untreated and can eventually trigger the child's impairment or even loss of the ability to adapt positively.<sup>17</sup> If the deteriorating social situation associated with the already indicated feelings of shame is accompanied by a lack of self-confidence or a sense of insecurity, the desire to self-harm is further heightened.

Self-harm behaviours are a solution for the child because they localize the pain, make it clearly identifiable, and, whether they are used to relieve self-hatred or to overcome anxiety, they do so under the false impression that the child is in control.<sup>18</sup> Auto-aggressive urges often manifest themselves with a combination of mood swings, sleep disturbances, learning or adjustment problems, or loss of impulse control.

If parental incarceration occurs during the child's adolescence,<sup>19</sup> the range of negative consequences can be extended to a lifetime. Adolescence is a particularly sensitive period of life,<sup>20</sup> with many functions. It can also be a challenging time for young people with a healthy personality structure living in a safe environment.

One important task is the development of full self-awareness. This includes not only emotional awareness but also accurate self-assessment, self-confidence, and a correct awareness of weaknesses and strengths. In any case, children are characterized by

[P]oor self-awareness, incomplete self-communication, low self-esteem, lack of self-confidence, lack of objectivity in self-awareness judgements, lack of nuance in the self-image (social image) attributed to others, conflicting self-states, etc.<sup>21</sup>

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17 Yates, 2004, p. 35.

18 See, for example, Csemáné Váradi, 2021, pp. 95–112.

19 For more details, see Bernáth and Solymosi, 1997.

20 Tókos, 2005, pp. 10, 59.

21 Id., p. 59.

The role of micro-contextual interactions, especially of the peer group, is greatly enhanced. As the principle of the ‘Looking Glass Self Hypothesis (LGSH)’<sup>22</sup> suggests, the young person’s self-image is shaped by the reactions of others.

This ultimately leads to the prominence of negative value judgements at the other three levels: meso-, exo-, and macrolevel – for example, if the child is stigmatized by his or her human ecological environment, merely on the basis of his or her identification with a father or mother as a criminal. This, based on LGSH’s mechanism of action, can significantly break down his or her self-esteem, sometimes triggering self-loathing and self-deprecation.

Mental health problems are already more likely to occur at this stage of life<sup>23</sup> due to a range of circumstances. To solve the child’s psychological pain and anxiety, the young person may turn to the use of various stimulants, drugs, or other risk-seeking behaviours, partly as a result of poor peer patterns or peer pressure.

When negative impulses are cumulative, the child’s behaviour changes for the worse. If those in the institutional environment (e.g. school) around the child lack (or have insufficient) expertise or information about what is happening in the family, the problematic behaviour is treated symptomatically – typically by sanctioning. The actual identification of the underlying problems is not addressed.

At home, the child’s problems can also be left unresolved for other reasons. The burden of one parent’s absence from family life falls on the parent who remains at home, who may already be in a serious emotional crisis as a result of what is happening, often unable to pay sufficient attention to the child’s changing behaviour or to identify it as an alarm signal. (It is also generally agreed that a lack of a sensitive – and consistent – parental response, especially when attachment to the parent is also insecure, can more easily lead to the development of a child’s emotion regulation disorder.)<sup>24</sup>

Whatever the cause, the fact is that often the child is left alone, and his or her psychological symptoms can accompany that young person for the rest of his or her life, if not diagnosed or treated, and may even develop into severe disorders and illnesses. Among the numerous negative consequences, there are several which, because of their long-term mechanism of action, can affect the development of the child’s personality structure, causing damage to certain regions. For example, an important criterion for a successful adult life is the development or strengthening of one’s resistance to stress. The resilience of an individual can be defined along three parallel processes.<sup>25</sup> It encompasses the ability of a person – in our case the child – to function competently despite negative life situations, negative life

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22 For more details, see Silva *et al.*, 2022.

23 See, for example, Csemáné Váradi, 2013, pp. 5–42.

24 Lakatos, 2011, p. 163.

25 Danis and Kalmár, 2020, p. 117.

experiences, or traumas, which are accompanied by stress and anxiety. It refers to the capacity to adapt successfully and resist stress.

Examples of such traumatic triggers include adverse childhood experiences (ACE),<sup>26</sup> poverty, a family with conflict or dysfunction, neglect, or inappropriate community responses.

All of these are events that the child of a detained parent may face in their daily life. For resilience to develop, it is important that supportive or protective factors<sup>27</sup> be put in place. These may include a good family background, a strong emotional connection to a person, a safe environment, successful school performance, or, for example, the child's mental health. However, for children with special family situations, these promotive or protective factors are often not present.

Adverse childhood experiences are important not only because they identify living with a person with a prison history or the loss/death of a parent as specific instances of adverse factors but also because our mental state, well-being, and psychological status, in addition to the quality of our attachment relationships, are determined by our experiences of ACE.

Research has shown that these risk factors have the potential to negatively affect health and psychosocial well-being in general.<sup>28</sup> The more cumulative these risk factors are, and the more intense or persistent, the more severe their consequences.

The sensitivity of the child's neurobiological development to these impulses during the phases of neurobiological development is also important. During the so-called 'sensitive periods', the functioning of specific brain regions is more intense and sensitive. But they also become more receptive to negative experiences, the effects of which can be amplified.<sup>29</sup> Thus, during these phases of life – typically in early childhood –, the person becomes more vulnerable, more fragile mentally and psychologically. (Adolescence is a similarly important sensitive period, but for different reasons.) Police intrusion into the home at night, handcuffing, and removal of the parent can be a particular risk factor in this respect, as can be the inability to maintain contact over a long period of time.

The degree of shock of these experiences may vary considerably depending on the specific stage of neurobiological and neuropsychological development.

However, differences in individual developmental pathways constitute a natural phenomenon. It is also influenced by the specific form that the negative effects listed take. Experiencing the same trauma within the same family can

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26 The literature identifies 'living with someone who has gone to prison' and 'losing a parent through divorce, death or abandonment' as priority cases. MU, 2024.

27 Danis and Kalmár, 2020, p. 118.

28 Id., p. 121.

29 Danis *et al.*, 2011, pp. 54–55.

also trigger different degrees and types of negative effects, simply because of the different psychological characteristics of the individuals.

It is important to note that the negative early childhood experiences discussed do not necessarily have a direct impact on later life course periods such as adolescence or adulthood. Such a spillover mechanism of action may be present where the ACE experience influences the functional efficacy of risk or protective factors that emerge later in life. Their importance is indicated by the fact that they can also lead to the development of psychopathological pathologies in the presence of adverse interactions.

Yet these are not predetermined fates! The choices and decisions that take place at different times and in different contexts are the (relatively) free choices and decisions of the individual and, as such, mark out different developmental paths. Whether the traumatic experience will have lifelong effects, and whether or not it leads to the development of post-traumatic stress disorder (PTSD), depends to a large extent on the child's ability to mobilize his or her internal and external resources, i.e. those found in his or her own human ecological environment.<sup>30</sup> In this respect, the target group is characterized by more disadvantaged conditions (features). For example, external resources are often only available to a limited extent, or completely unavailable due to the changed life situation of the family, as the other parent may also be in a serious emotional crisis.

The ability to cope with the problems experienced, and thus to prevent, for example, the development of post-traumatic stress disorder, depends on three major factors:<sup>31</sup>

1. the dose effect: exposure to the number and degree of risk factors, i.e. the length of time, the degree and number of risk factors present in a person's life;
2. the presence and comprehensiveness of promotive and protective factors:<sup>32</sup> whereas according to the previous point children are typically characterized by a high dose effect due to the fact and consequences of detention, this group of factors is characterized by the absence or limited nature of the factors that the child will face;
3. the age and stage of psychological development: the age at which the traumatic experiences and the supporting factors occur is very important. Negative experiences in early childhood have a greater impact precisely because they occur during a sensitive period of neurodevelopment, as already mentioned. Similarly, adolescence and early adulthood are more vulnerable periods.

<sup>30</sup> Danis and Kalmár, 2020, p. 126.

<sup>31</sup> Id., 2020, p. 129.

<sup>32</sup> 'The promotive factor is a positive effect that supports the achievement of successful and competent functioning in all life situations, while the protective factor acts in the presence of harmful and damaging factors.' Kóródi *et al.*, 2022, p. 484.

In the absence of supportive factors, when the traumatic period falls within this sensitive period, the spectacle of the arrest (retention) of a parent, a prolonged heightened stress during the criminal justice process, the experience of imprisonment or when later contact with the parent is interrupted or limited can cause severe and permanent psychosocial and health damage.

## 6. Final Thoughts

The family, as the most crucial human ecological system for the child, is a complex, sensitive, constantly changing, living, pulsating organism, a web of interdependent personal relationships influenced by many factors.

According to the so-called triadic family approach,<sup>33</sup> family relationships are interdependent and influence each other. In other words, a breakdown or damage to the functioning of one diadic subsystem (e.g. father–mother relationship) in itself affects the functioning of the other two diads (mother–child; father–child).

Crime statistics show that men typically are significantly over-represented in crime. It is precisely because of the difference in criminal activity that incarceration generally connects to the father. The initiation of criminal proceedings, the arrest and subsequent conviction of the father is in a significant number of cases unexpected – and shocking – for the mother, who was previously unaware of her partner’s lifestyle. Because of the negative emotions and feelings (such as anger, frustration, blaming the other party, bitterness, etc.) that can arise, the breakdown in the relationship between the parents can in itself have a significant impact on the relationship between the mother and the child who remains at home.

As a result of transactional processes, all three of the groups of possible protective factors – individual characteristics, family composition, processes in the wider social environment – can be identified as having negative attitudes that ultimately interact in a circular way to amplify their destructive effects on all diads. Due to the crisis situation of the family – one parent caring for the child –, there is a lack (or limited presence) of a caring family environment, emotional and spiritual attention; school environment or peer groups (especially social media and the Internet) stigmatize and prejudice; but there are also very few real supportive (legal) institutions in the social security system.

The third protective factor relates to the characteristics of the individual. Examples include self-esteem, self-respect, a positive vision of the future, or even a belief in the meaning of life. However, it is precisely in this respect that these children may be poorer. The lack of self-confidence and feelings of insecurity associated with a deteriorating social situation and a sense of shame can lead to a loss of the ability to adapt positively, or even to a loss of this

33 Danis, 2020, p. 167.

ability.<sup>34</sup> Despair, isolation, and frustration can lead to a desire to self-harm as a means of problem-solving.

It is also important to point out that changes in the child's human ecological system associated with parental detention or with limited or interrupted contact with parents always<sup>35</sup> trigger negative processes. This is true even if the child appears to be coping well with the absence of the parent and changes in his or her family. It is an important fact that the consequences of trauma, its timing, and the way in which it manifests itself can vary widely.<sup>36</sup> The psychological symptomatology of the so-called delayed reaction describes precisely the situation where negative psychological effects manifest themselves only slowly (even after a considerable time has passed), and sometimes gradually. Because of the distance in time from the underlying event, it is thus more difficult for the external environment to link them to the previous trauma suffered by the child. Left untreated, signs of distress deepen, the dysfunction may become permanent, and recovery is typically very slow and prolonged. In other cases, recovery may not occur at all. Indeed, if the child has no external support and no internal resources to mobilize, the unprocessed trauma will be permanent, and personality functioning will become permanently impaired.

These children did not get 'ash-baked scones' as a roadmap, but (they got) health and mental health problems, traumatic experiences, post-traumatic stress syndrome, and a lack of skills (e.g. resilience, ability to happiness) without which adulthood is likely to be difficult. Yet their only 'sin' is that they were born as children of such parents.

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34 Yates, 2004, p. 35.

35 Of course, certain psychiatric pathologies and psychological disorders may influence this.

36 Danis and Kalmár, 2020, p. 128.



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