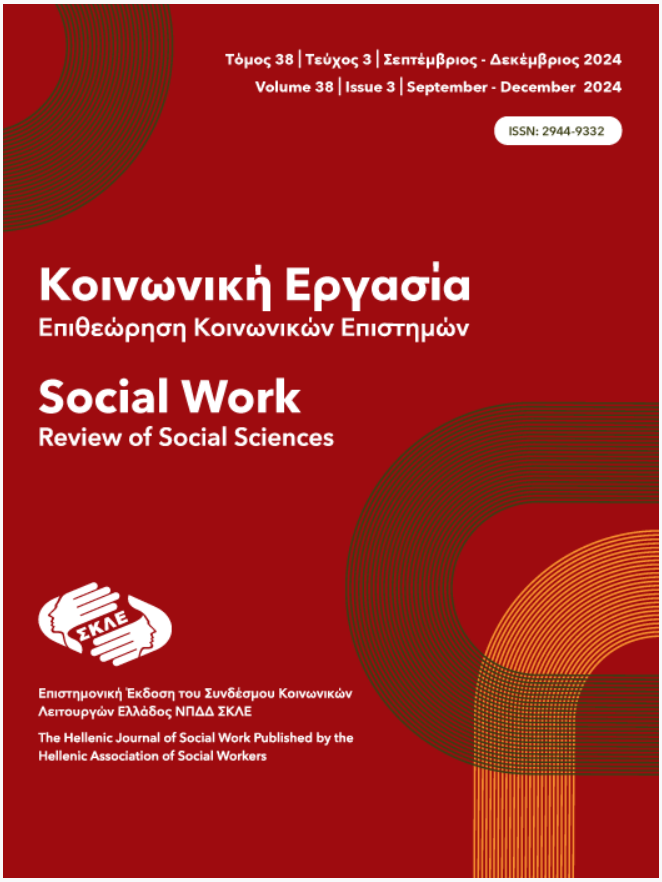
ePublishing

ΕΘΝΙΚΟ ΚΕΝΤΡΟ ΤΕΚΜΗΡΙΩΣΗΣ
EKT
NATIONAL DOCUMENTATION CENTRE

Κοινωνική Εργασία. Επιθεώρηση Κοινωνικών Επιστημών

Τόμ. 38, Αρ. 3 (2024)

3/2024



Πέρα από τα σίδερα: εξετάζοντας την επίδραση του εγκλήματος στους συγγενείς σοβαρών παραβατών

Φίλιππος Κουράκης

doi: 10.12681/socialwork-rss.38377

Copyright © 2024, Φίλιππος Κουράκης

Άδεια χρήσης ##plugins.generic.pdfFrontPageGenerator.front.license.cc.by-nc-sa4##.

Βιβλιογραφική αναφορά:

Κουράκης Φ. (2024). Πέρα από τα σίδερα: εξετάζοντας την επίδραση του εγκλήματος στους συγγενείς σοβαρών παραβατών. *Κοινωνική Εργασία. Επιθεώρηση Κοινωνικών Επιστημών*, *38*(3), 51–67. https://doi.org/10.12681/socialwork-rss.38377

SOCIAL WORK • VOLUME 38, ISSUE 3, YEAR 2024
© HELLENIC ASSOCIATION OF SOCIAL WORKERS
License CC-BY-SA 4.0
ISSN: 2944-9332

Beyond the bars: examining the impact of crime on relatives of serious offenders

Kourakis Filippos [1]

[1] Jugde at Court of First Instance, Corfu, Greece, PhD Researcher at Panteion University

ABSTRACT

The paper studies the question of whether families of serious criminal offenders could be considered "secondary victims" of crime. In doing so, it draws on a qualitative meta-analysis focusing on the financial, social, and emotional hardships these families endure. The aim of the paper is to explore the cumulative disadvantages, institutional practices, and stigma these families face, using Arditti's (2012) framework, in order to find out if they qualify as secondary victims of crime. More precisely, the research questions include: How do families of serious offenders experience financial strain? What forms of social stigma do they encounter? What emotional distress do they undergo? Utilizing Christie's (1986) concept of "ideal victims," the study underscores the conflict between acknowledging the suffering of these families and societal views of their "culpability" in their relatives' wrongdoing. The paper argues for the formal acknowledgment of these families as secondary victims of crime, advocating for both normative and practical reforms. Normatively, it emphasizes the need for societal recognition and support for this vulnerable group. Practically, it suggests reforms such as changes in the penal process, humanizing prison visits and promoting restorative justice principles.

Key-words: Secondary victims, Crime and the family, Restorative justice, Stigma, Crime's social consequences

Correspondence: Filippos Kourakis, fkourakis@gmail.com

Introduction

The criminal justice system increasingly impacts a larger number of individuals, with 11.5 million people currently imprisoned worldwide— a historical high (Global Prison Trends, 2024). Families of offenders are often seen as key supporters in facilitating reintegration upon the offender's release (Taylor, 2016). However, they are frequently impacted by their kin's wrongdoing in various ways.

The concept of offenders' relatives as secondary victims draws from literature that characterizes them as "the innocent, and often 'forgotten' victims within the criminal justice system" (Howard League, 1994, in Condry, 2010b: 228). This paper aims to contribute to an emerging body of scholarship conceptualizing the effects of punishment on prisoners' families. Specifically, although the suffering of prisoners' families is acknowledged, there has been less academic focus on their conceptualization as secondary victims of crime. The paper seeks to bridge this gap by examining how the various burdens faced by prisoners' families justify their recognition as secondary victims. It expands the victimization framework by challenging conventional boundaries of victimhood and contributing to discussions on the scope of criminal punishment.

The study's purpose is twofold: to examine the financial, social, and emotional challenges these families face, and to evaluate whether they can be considered secondary victims of crime. To achieve this, the paper uses mainly qualitative data from studies on the experiences of prisoners' families, setting the stage for a more in-depth analysis. The paper is structured as follows: it begins by providing a conceptualization of victims and victimization. Subsequently, the paper employs Arditti's (2012) framework to systematically investigate the implications of being a relative of a serious offender, focusing on three main aspects: cumulative disadvantage, institutional practices, and the sociopolitical stigma they encounter. Arditti's framework was chosen for its comprehensive approach to understanding the challenges faced by offenders' families. Unlike models that focus on single aspects, Arditti's framework captures the complexity of secondary victimization, with its empirical grounding adding reliability for analyzing these families' nuanced experiences. By applying this framework, the study aims to disentangle and critically assess the normative and empirical questions surrounding the recognition of these families as secondary victims. The paper concludes by advocating for a more comprehensive understanding and formal acknowledgment of these families as secondary victims, emphasizing the need for societal and practical reforms. Normatively, it underscores the need for societal recognition and support for this vulnerable group. Practically, it recommends reforms such as changes in the penal process, humanizing prison visits, and promoting restorative justice principles.

Methodology

This study employs a qualitative meta-analysis, synthesizing existing research to argue that families of serious offenders should be recognized as secondary victims of crime. This methodology was chosen because it explores nuanced, subjective experiences and focuses on patterns of meaning across multiple qualitative studies. By identifying themes and trends in various research contexts, it enables a comparison of findings and the construction of a robust conceptual framework. Additionally, this method maintains sensitivity to the context of the studies being analyzed, allowing researchers to generalize insights while remaining mindful of the specific contexts of individual studies (e.g. Levitt, 2018).

The methodology includes a focused review of qualitative and quantitative studies selected for their relevance and rigor. Google Scholar was the primary source, with studies covering various aspects of secondary victimization, such as emotional distress, social stigma, and economic challenges. The selection criteria included: (1) studies focused on families of serious offenders, and (2) peer-reviewed publications. Relevance was evaluated based on core themes such as emotional distress, social stigma, and economic hardship, which could be interpreted through Arditti's framework, while rigor was assessed based on research design, sample size, and data transparency.

Qualitative studies offered in-depth narratives with smaller samples (19-50 participants), while quantitative studies provided broader empirical data with larger samples (over 100 participants). The studies spanned North America, Europe, and other regions, highlighting the global nature of secondary victimization. The synthesis process integrated qualitative and quantitative data for balanced findings. Key themes such as financial strain, social stigma, and emotional distress were identified through thematic analysis of qualitative studies, involving close reading to extract recurring patterns and coding to highlight common experiences among families. Quantitative data from larger samples reinforced these patterns and provided broader empirical evidence.

While relying on Google Scholar may introduce biases, such as language bias, mainly focusing on the Western world can also lead to cultural bias. I mitigated these issues by incorporating diverse methodologies and cross-referencing findings with other literature to ensure balanced conclusions. Specifically, once individual studies were reviewed, I identified common themes and compared them with patterns in existing research on the victimization of prisoners' families, as well as relevant literature reviews on the topic, to better contextualize the challenges these families face. By analyzing these studies, the paper identifies common themes of financial strain, social stigma, and emotional distress faced by these families. It critiques how institutional practices exacerbate these issues and explores societal perceptions that hinder the recognition of these families as secondary victims. The argumentation is enriched by a critical dialogue with criminological theories, as well as relevant literature on punishment brought on by legal philosophers. The synthesis of empirical findings with theoretical insights forms a vigorous argument for policy reforms.

Victims and victimization

Until the 1970s, victims were largely overlooked in criminology, with crime and deviance studied through different frameworks (Rock, 1998:1). Over the past thirty years, however, factors such as the victims' movement have led to a renewed focus on victims (ibid: 2-11). According to the 1985 United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, victims are defined as those who have suffered harm, including their families or those aiding them. Of course, a definition alone cannot fully capture the nuanced nature of the "victim" label. As Rock (1998) argues, "victim" is a socially constructed identity shaped by interactions between criminal justice actors and the public within a broader interpretive context.

Holstein and Miller (1990: 105, in Condry, 2010a) describe "victimization" as a "descriptive practice" that helps assign or remove responsibility, identify the source of harm, and suggest solutions like compensation claims (1990: 107, in Condry, 2010b). This concept not only clarifies how society should treat its members but also carries both normative and descriptive significance. On the other side, claims to the status of "secondary victim" are ubiquitous in the contemporary world. This can be the case, for example, when people interpersonally connected to drug users seek help from voluntary organizations which aid them as "secondary victims" (Busch et al., 2020).

However, claims can be more contentious when the stake is for the label of secondary victim of crime. Having powerful implications of harm and suffering, to claim the status of the secondary victim suggests that someone belongs to the same side with the "primary" victim, even though (s)he may have never seen the perpetrator or experienced the offense physically. In the realms of crime and close relationships, where responsibility can shift sides, such claims can be contested. The concept of "secondary victimization" has been defined in three distinct ways, as enumerated by Condry (2010b: 219-220): first, secondary victimization can result from the implications of victimization which extend to

another party, thus there can be primary, secondary, tertiary victims and so on; another way in which victims of crime can experience secondary victimization, especially rape or sexual assault victims (Laing, 2017), is through processes which inflict further harm to them after the initial traumatizing event; finally, secondary victimization can be interpreted as a new status, created by the social reaction to the primary victim, who now has this new ‘‘identity'' entrenched into his personality.

The current paper addresses the first category. As to the definition of “serious offences”, it contains: murder, attempted murder; rape or attempted rape; robbery with firearm; unlawful intercourse with a girl under 13; soliciting murder; wounding or grievous bodily harm with intent; participation on a criminal or terrorist organization.

Pre-existing social exclusion

Social exclusion refers to a combination of linked problems such as unemployment, poor skills, low incomes, poor housing, high crime, bad health and family breakdown (Brown et al., 2023). Prisoners and their families often belong to the most disadvantaged layers of society, even before imprisonment takes place (Bixby et al., 2022). Existing research shows that, comparing to the general population, prisoners are more likely to have been unemployed, to be of low social class and have personal experiences of neglect and abuse (e.g. Australian Institute of Health and Welfare, 2019).

These hardships quite often run in the family: as Kury (2021) indicates, families who had one of their members incarcerated encountered severe financial difficulties, even before the imprisonment of their relative. As these data show, it is difficult to disentangle the impact of penal policy from pre-existing social disadvantage and the problems associated with it to the relatives of serious offenders.

Before imprisonment – Initial Experiences

Criminal justice officials focus on identifying, managing, and prosecuting perpetrators through actions like handcuffing suspects, monitoring behavior, and administering drug tests. Often, family members are present during these events, which can cause significant emotional distress, including fear, confusion, and, in some cases, stress-related health crises like asthma or heart attacks (Hadait, Bibi, & Hadait, 2023). Certain events which can occur during the initial arrest, such as violent struggles between the suspect and the police or search for evidence inside the suspect's residence, are experienced not only by the suspect but also by his/her relatives (Hood & Gaston, 2022).

In Condry's study, family members found out in different ways that one of their relatives had committed a serious offense, but the underpinning notion of their reactions was disbelief and a feeling of unreality (Condry, 2018). Their psychological state could be further impaired from the anticipated implications of their relative's actions: “. . . but you're in a situation where you've all had this terrific shock, you’re having to deal with ultimately the sentences that they get, you're having to deal with actually what they've done, which is significant” (George, father, homicide group) (in Condry, 2004: 77). The phrase “a loss of the assumptive world” (Murray-Parkes 1975 in Condry, 2004) epitomizes their attitudes regarding the discovery of the offense.

Based on these findings, it can be seen that these events caused emotional suffering and physical and mental harm, which are also experienced by primary victims of crime. Indeed, the negative consequences of family member incarceration extend to health issues, which have been studied in quantitative research as well. It has been found that family member incarceration has profound implications for women's cardiovascular healt (Lee et al., 2014).

Experiences during Imprisonment

Cumulative Disadvantage

As Condry & Minson have shown (2021), incarceration can amalgamate and intensify several problems for offenders and their families, such as economic loss and educational, health and mental health problems. In their study, interviewed families described a plethora of new financial burdens they had to cope with in order to support their loved one in prison: these included sending cash to the prisoner for basic toiletries, writing materials and phone cards. Also, when the prison regulations permitted it, they would send new clothing, electronic items and newspapers. In a nutshell, most of the families described shortfalls in income, which were strongly correlated with the expenditures for maintaining their loved ones. Furthermore, families of serious offenders are separated from them, and these are usually ordinary families, consisted of women who have to try to move on despite the hardships (McLeod, 2021).

The gendered issue that imprisonment connotes has another significant aspect. Women's status is more likely to depend on their imprisoned male relative's status; hence their identities are contaminated more easily when these men are incarcerated (Kotova, 2014). Also, children may enter the foster care system solely because their parents are unable to care for them due to incarceration (Gifford, Golonka & Evans, 2021). These "gendered pains of imprisonment" are barely known, even by judges, as Minson found in her research (2013).

Christian (2005) found that prison visitation creates barriers between offenders and their relatives due to the exhausting and resource-intensive process. The time, energy, and money required to visit pose significant challenges, forcing families to choose between maintaining connections with the prisoner and managing other aspects of their lives. As one family member noted, the costs can be prohibitive, stating, "A lot of people cannot afford to come up here on these buses...That $50 breaks people's backs. That's bill money" (Christian, 2005: 45). Thus, families face a dilemma: maintain the bond with the inmate at a high cost or cease visits altogether.

This can avowedly lead to emotional burden and feelings of helplessness, which are akin to the feelings of powerlessness which "primary" victimization breeds. Regarding the mothers of serious offenders, studies have found that there is a significant correlation between having a son who has been recently imprisoned and facing psychological problems (Gueta & Condry, 2024: 3). This has also been verified in large quantitative studies, such as the one by Green et al. (2006), which examined the impact of sons' incarceration on psychological distress in 615 African American mothers over thirty years. Overall, imprisonment is one of the most severe family crises (e.g., Benisty, Bensimon & Ronel, 2021). Children often face severe mental health issues, including depression, anxiety, aggression, and PTSD, following their parents' conviction for a serious crime (Kjellstrand et al., 2020).

Institutional Practices

As Condry and Smith (2019) have argued, prison visiting procedures are designed in a way to make it difficult for prisoner's families to keep contact with their loved ones. Myriad aspects of visitor processing, the authors argue, from the display of pertinent information and the commencement of visiting hours to the implementation of the dress code, are subject to change without further notice. Comfort has observed that the prison environment extends its control to women visiting their inmate partners, regulating their time and bodies (Comfort, 2003: 82). Features like the prison's architecture, unpredictable visitor processing, regulation of apparel and belongings, and derogatory visiting rules led Comfort to describe this as "secondary prisonization" (Comfort, 2009: 29).

Visitors are treated as “quasi-inmates,” experiencing stigmatization and humiliation in a “liminal space”, being treated as complicit in their relatives' offending (Evans et al., 2023: 89; Hutton, 2018): “When I would visit him, I would get extremely stressed out because the guards are not nice people. They treat people coming into the prison to visit an inmate almost as if they are inmates themselves” (wife of a convicted sex offender in Evans et al., 2023: 89). This could be ameliorated through humanising prison regulations of visit (van Zyl Smit, 2006) and by advancing legal pathways to reintegrate offenders into society instead of “othering” them and their kin.

Sociopolitical stigma

Condry (2004) has analyzed “Stigma” as a useful device in order to understand the way in which society perceives the identities of the relatives of serious offenders. Stigma has been related to poor mental health, physical illness, academic underachievement, low social status, poverty and reduced access to housing, education, and jobs (Feingold, 2021). In this case, it stems from the kinship between the perpetrator and his/her relatives (Condry, 2004: 117). As Goffman has described it (in Condry, ibid), the stigma to which we are referred in these cases is courtesy stigma: the one which results from the fact of an existing relationship between two persons, in which one of them is stigmatized and, therefore, both are treated as one person by the broader society.

“Constructing individuals or groups as ‘others’ marks the normative boundaries of society, where the ‘other’ is mostly excluded, serving to create distinct boundaries between ‘us’ and ‘them’” (Barlow, 2015). As soon as the offense takes place, the relatives of serious offenders instantly acquire this new status; regardless of their personal traits and differential characteristics, they all constitute “a relative of a serious offender” (ibid). The degree of shaming and stigmatization is intensified in some social contexts, where the community is small and the circumstances cannot provide for anonymity (ibid). There, the information is transmitted through informal networks, and the defamed relatives can do little to disentangle themselves from it.

Two important concepts to better understand the perceived stigma of the kin of serious offenders, are those of responsibility and blame (Condry 2004: 119). According to Condry (ibid: 123), there are several mechanisms through which blame is inflicted upon them. First, “association” implies that relatives are contaminated by sharing the same background with the offender, solely through their personal relationship. As Stephanie, the wife of a convicted murderer said, “because you’re a wife of a murderer or rapist of whatever you're classed in the same category as them”. As Nussbaum argues (2004: 250), shame towards an individual can be quickly transformed into stigmatization of the group (s)he belongs. Moreover, the assignment of “collective responsibility” depends on the degree of perceived association between a wrongdoer and others (Lickel & Onuki, 2015). Second, the relatives are ashamed at the level of “omission”, because they did not proceed to an attempt to prevent the offense, even though they were supposed to know about it or at least about its likelihood. Furthermore, relatives might also be stigmatized for “creating” the offender (especially his/her parents), or even sharing biology with him/her. Finally, “continuation” denotes the shift of responsibility towards the kin who, despite their initial stigmatization, maintain their relationship with the offender, thus contributing to the further public blaming upon them. Relatives are regarded as causally connected to the offenders' violence, not only by the others but also by themselves (e.g. Tadros et al., 2024).

Research shows that the stigma experienced by offenders' families varies by crime type and severity. Families of sex offenders and those with drug dependencies face greater stigma, while families of those involved in political conflicts experience less (Holt, 2021: 71). Location matters too. In tight-knit

communities, families of serious offenders face less social disruption after their loved one's criminal exposure, despite the general shame of a criminal identity (Condry, 2004).

Qualitative research also suggests that, amongst the relatives of offenders who can experience stigma, children are not excluded. Studies show that shaming is distilled through the parents to their children, which were sometimes bullied by their peers. This could take the form of verbal or physical abuse, which in turn lead to suffering and eventually school change (Kirk & Wakefield, 2018: 176). In the UK, responsibility has been emphasized through "Parenting Orders," introduced in the 1998 Crime and Disorder Act. This legislation requires parents of antisocial youths to attend counseling or guidance sessions on "good parenting," with prosecution as a consequence for non-compliance.

Except for an overarching form of state intervention into private matters, the Parenting Order expresses the idea that parents *are* responsible for the deviant acts of their children, therefore “responsibility” either runs in the family or not. Actually, mothers have long been blamed for juvenile delinquency (e.g. Pickett, 2017). In fact, it is another manifestation of what Garland calls “responsibilisation” (2001), i.e. that the Neo-Liberal State holds offenders responsible for making choices to reduce their own offending. In sum, through this shifting of responsibility towards the parents for the upbringing of their children, blaming perceives a legitimate status, as it has authoritative origin.

There are quite a few illustrative examples of these attitudes towards the families of the serious offenders, like the criticism against Primrose Shipman, who was awarded a widow's pension after her husband, serial killer Harold Shipman hung himself in his cell in 2004 (in Condry, 2010b). There is also the incident of Virginia Tech Campus killer Cho Seung-Hui, whose house was flooded by the media, investigating every aspect of his family's life in 2007 (ibid). Furthermore, actress Catherine Tydesley received intense public disapproval after making a donation to charity for prisoners' families, with many members of the public expressing the view that such families were undeserving of her donation (York Press, 2013, in Kotova, 2014).

Practically, this suggests a need for community-based interventions that focus on education and awareness, aimed at reducing stigma and fostering a more supportive environment for these families. For instance, public campaigns and support groups could be developed to challenge negative stereotypes and provide families with safe spaces to share their experiences and receive emotional support.

Should the relatives of serious offenders be given secondary victims status?

Building on the previous discussion about the interpretive power of the ‘'victim'' label, and having addressed the severe hardships that relatives of serious offenders encounter, it is time to examine whether their claim for secondary victim status is sound. Condry (2010b: 228) states the main lines of argumentation from both sides. A primary argument against the legitimacy of this claim goes like this: punishment has to be severe and have consequences, perhaps collateral or unavoidable if it is to have any force and promote deterrence. In fact, according to this argument, these implications may constitute part of the punishment per se. The profound flaw of this line of reasoning is that it views secondary harm, caused by the punishment to innocent bystanders, as legitimate. Criminalization and punishment though, despite their stabilization purpose, (should) serve only as last resort (Melissaris, 2012). A society which extends punishment towards non-offenders in order to “teach them a lesson” and thus deter them from committing crime (Farrel, 1985), does not treat citizens as free and equal moral agents with the capacity for self-respect (Rawls, 1971: 440), but only as potential targets for the implementation of its paternalistic agenda.

For the sake of the argument, however, let us suppose that punishment extending beyond the legal culprit to his/her family does indeed have deterrent effects. This perspective shifts the responsibility, for the consequences of the crime experienced by the relatives, from the state to the offender (Condry, 2010b: 228); according to this view, the individual decided to break the law, so now (s)he must take full responsibility (Codd, 2008: 41-42 in Condry, 2010b: 229), having in mind that his/her illegal actions will have "collateral consequences". The counterargument against this proposition states that defendants who are incarcerated do not have the practical ability to exercise the burdens of this "responsibility": with no actual wages, limited family contact and the dismal surroundings of prison, there is almost nothing they can do (ibid). More importantly, the aforementioned argument rests on a notion of strict rationality which encompasses individual action, i.e. that the perpetrator actually chose to commit an offence after a cost-benefit analysis (Cornish and Clarke, 1985: 1). As with Rational Choice Theory in general, this argument cannot take into account many cases where the element of "rational decision" is problematic: do intoxicated, mentally ill people and those acting out of recklessness actually choose to offend? Furthermore, how would this argument respond to the issue of juvenile offenders' differentiated rationality? Do these categories of offenders weigh their interests before committing an offence, deciding that their family may also experience the cost of their behavior?

Another argument against conceptualizing the experiences of serious offenders' families under the label of "secondary victimization" resonates with the view that these families are causally responsible for the offending behavior of their members and its aftermath (Condry, 2010b: 229); they contributed to the offense, either by profiting from crime, or by "creating" a criminal in the first place (ibid). The first claim is utterly speculative and its validity can only be examined by actual research. The second claim, on the other hand, discussed in the previous section in terms of its descriptive value, lies in a deterministic conception of deviant behavior which has its roots in Self-Control Theory (Gottfredson & Hirschi, 1990). According to it, weak family bonds and inaccurate upbringing lead mathematically to low self control, which, "once established, by the ages of six to eight, is proposed to remain a stable dimension of one's personality" (ibid: 272) and is the prominent cause of delinquency. This view undermines not only the impact of significant events on the lives of offenders' (Laub & Sampson, 1995), but also the moral value of education.

Another perspective challenges the idea that families of serious offenders are secondary victims, arguing that prisons are inherently designed to break up families and create constant strain (No More Prison, 2006: 4, in Condry, 2010b: 229). This view suggests that the root of the problem lies within the penal institutions themselves. As demonstrated, families of serious offenders endure significant suffering, partly due to societal stigmatization, with prison being a fundamentally stigmatizing environment. To address this, policy shifts should prioritize reducing incarceration for non-violent offenses and expanding alternatives such as probation, early release measures, and community service. Decarceration can help dismantle prison structures that perpetuate stigma and secondary victimization. Moreover, long-term abolitionist strategies should focus on transforming the criminal justice system toward restorative practices that emphasize healing and reconciliation rather than punishment. This approach includes developing community accountability frameworks and reallocating resources from prisons to community-based support.

Discussion

Though this paper has only touched on some experiences of serious offenders' families, it is clear these struggles significantly impact them. They face financial and social deprivation, stigmatization, emotional distress, and a "profound sense of bereavement and loss" (Howarth and Rock, 2000: 70); in other words, their stories run parallel to primary victims' narratives. From the above analysis, it is rather clear that these people should avowedly be considered the secondary victims of penal policy (this is the normative question).

What would be the implications of conveying secondary victim status to the relatives of serious offenders? First and foremost, as it also applies to primary victims, these people should be finally heard in the criminal process and symbolically recognized as a vulnerable social group affected by the multiple consequences of crime. Crime is a social phenomenon; therefore, both theory and practice (i.e., criminology and criminal procedure) should be better equipped to explore the social context in which it operates and the multivariate nature of the relationships it affects. This addition to the roster of victims of crime, according to Howarth and Rock (2000: 59), would be crucial in order to better understand the "complexity of crime, the abundance of the groups which it creates and affects, and the concomitant intricacy and scale of the social structures it generates". However, there remains the descriptive question of whether relatives of serious offenders are perceived as secondary victims by the wider community. As it has been found (Gueta & Condry, 2024) and stated in this paper, the effect of shaming and indirect blaming on these families results in their stigmatization as "contaminated".

These findings lead to the conclusion that the relatives of serious offenders are not "ideal victims" (Christie, 1986). As it was discussed above, society perceives them as partially culpable for their suffering, therefore they are not "blameless" (ibid: 19). In addition, they are certainly not "powerful enough to make [their] case known and successfully claim the status of an ideal victim" (ibid: 21). Examples of these attitudes include Aftermath's closure in 2005 and the public outrage over the proposal to compensate relatives of Northern Ireland's Troubles with £12,000, leading to the government's dismissal of the plan (Condry, 2010a).

While this study offers insights into the secondary victimization of offenders' families through a qualitative meta-analysis, several limitations should be acknowledged. First, the study's reliance on existing literature, primarily from Western countries, may introduce a geographical and cultural bias. Second, the study does not include first-person narratives, which limits its exploration of the emotional and subjective dimensions of secondary victimization. Lastly, the study does not fully account for the intersectional factors—such as class, race, and gender—that shape the experiences of offenders' families.

Even if the claim for secondary victim status for the families of serious offenders is valid, social reality suggests it will take time to gain acceptance. To address this, public awareness campaigns should educate society about the harms of criminal labeling, and support programs for families, including counselling and peer support groups, should be established. Educational initiatives for law enforcement and social service providers can also help reduce stigma.

While self-help initiatives are valuable, formalized support for offenders' families is crucial to provide information and assistance throughout the criminal justice process (Tubex & Gately, 2024: 18). Reforming the penal process by incorporating values like remorse and apology into criminal procedure (Gude & Papic, 2020) is essential for reducing victim-blaming attitudes and promoting reintegration. However, these changes alone may not be sufficient. Addressing predatory media sensationalism of

crime and implementing transformative reforms are necessary. Decarceration efforts and abolitionist strategies could facilitate reallocating resources from prisons to community-based support. To this end, evaluating the effectiveness of restorative justice and abolitionist practices in reducing stigma and supporting families through case studies and impact assessments is crucial. Until then, many people whose lives are forever changed by the “collateral” consequences of crime will be invisible and marginalized. If we do not stop to see offenders as “others”, it is highly unlikely that we will do so regarding their relatives.

Future research should aim to include a wider range of sources, particularly from non-Western regions, to provide a more comprehensive and globally relevant understanding. Expanding the scope to diverse cultural contexts could lead to more nuanced and robust findings. Also, future research should incorporate novel qualitative data, such as interviews or participatory research, to capture the lived experiences of offenders’ families more deeply. Finally, future studies should explore how intersectional factors influence secondary victimization, offering a more layered analysis of how different social identities affect the burdens faced by these families.

References

Arditti, J. A. (2012). Parental incarceration and the family: psychological and social effects of imprisonment on children, parents, and caregivers. NYU press.

Australian Institute of Health and Welfare. (2019). The health of Australia's prisoners. https://www.aihw.gov.au/getmedia/2e92f007-453d-48a1-9c6b-4c9531cf0371/aihw-phe-246.pdf?v=20230605184234&inline=true

Barlow, C. (2015). Silencing the other: Gendered representations of co-accused women offenders. The Howard Journal of Criminal Justice, 54(5), 469-488. https://doi.org/10.1111/hojo.12142

Bennett, J., Knight, V., Bennett, J., & Knight, V. (2021). Everyday: Families of prisoners and the collateral harms of imprisonment. In Prisoners on prison films (pp. 97-115).

Benisty, M., Bensimon, M., & Ronel, N. (2021). Familial pains of imprisonment: The experience of parents and siblings of incarcerated men. Victims & Offenders, 16(2), 247-265. https://doi.org/10.1080/15564886.2020.1829227

Bixby, L., Bevan, S., & Boen, C. (2022). The links between disability, incarceration, and social exclusion: Study examines the links between disability, incarceration, and social exclusion. Health Affairs, 41(10), 1460-1469. https://doi.org/10.1377/hlthaff.2022.00347

Boswell, G., Wedge, P., & Paylor, I. (2002). Imprisoned fathers and their children. Child & Family Social Work, 7(4), 324-325. https://doi.org/10.1046/j.1365-2206.2002.00254.x

Brown, J., Acey, C. S., Anthonj, C., Barrington, D. J., Beal, C. D., Capone, D., ... & Winkler, I. T. (2023). The effects of racism, social exclusion, and discrimination on achieving universal safe water and sanitation in high-income countries. The Lancet Global Health, 11(4), e606-e614. https://doi.org/10.1016/S2214-109X(23)00020-7

Burney, E., & Gelsthorpe, L. (2008). Do we need a 'naughty step'? Rethinking the parenting order after ten years. The Howard Journal of Criminal Justice, 47(5), 470-485. https://doi.org/10.1111/j.1468-2311.2008.00532.x

Busch, I. M., Moretti, F., Purgato, M., Barbui, C., Wu, A. W., & Rimondini, M. (2020). Dealing with adverse events: A meta-analysis on second victims' coping strategies. Journal of Patient Safety, 16(2), e51-e60. https://doi.org/10.1097/PTS.0000000000000319

Christian, J. (2005). Riding the bus: Barriers to prison visitation and family management strategies. Journal of Contemporary Criminal Justice, 21(1), 31-48. https://doi.org/10.1177/1043986204271700

Christie, N. (1986). The ideal victim. In From crime policy to victim policy (pp. 17-30). London: Palgrave Macmillan UK.

Clarke, R. V., & Cornish, D. B. (1985). Modeling offenders' decisions: A framework for research and policy. Crime and Justice, 147-185. https://doi.org/10.1086/449106

Codd, H. (2007). Prisoners' families and resettlement: A critical analysis. The Howard Journal of Criminal Justice, 46(3), 255-263. https://doi.org/10.1111/j.1468-2311.2007.00478.x

Comfort, M. (2003). In the tube at San Quentin: The “secondary prisonization” of women visiting inmates. Journal of Contemporary Ethnography, 32(1), 77-107. https://doi.org/10.1177/0891241602238939

Comfort, M. (2007). Punishment beyond the legal offender. Annual Review of Law and Social Science, 3, 271-296. https://doi.org/10.1146/annurev.lawsocsci.3.081806.112829

Comfort, M. (2009). Doing time together: Love and family in the shadow of the prison. University of Chicago Press.

Condry, R., & Minson, S. (2021). Conceptualizing the effects of imprisonment on families: Collateral consequences, secondary punishment, or symbiotic harms? Theoretical Criminology, 25(4), 540-558. https://doi.org/10.1177/1362480619894207

Condry, R., & Smith, P. S. (2019). A holistic approach to prisoners’ families—from arrest to release. In The Palgrave handbook of prison and the family (pp. 99-118).

Condry, R. (2018). Prisoners’ families and the problem of social justice. In Prisons, punishment, and the family: Towards a new sociology of punishment (pp. 27-40).

Condry, R. (2010a). Appreciating the broad reach of serious crime and the interpretive power of claims to secondary victimization. In D. Downes, D. Hobbs, & T. Newburn (Eds.), The eternal recurrence of crime and control: Essays in honour of Paul Rock. Oxford: Clarendon.

Condry, R. (2010b). Secondary victims and secondary victimization. In International handbook of victimology (pp. 219-249).

Condry, R. (2004). After the offence: The construction of crime and its consequences by families of serious offenders, Doctoral dissertation, London School of Economics and Political Science, UK.

Díaz Gude, A., & Navarro Papic, I. (2020). Restorative justice and legal culture. Criminology & Criminal Justice, 20(1), 57-75. https://doi.org/10.1177/1748895818818000

Evans, D., Trahan, A., & Laird, K. (2023). Shame and blame: Secondary stigma among families of convicted sex offenders. Criminology & Criminal Justice, 23(1), 78-97. https://doi.org/10.1177/17488958221090910

Farrell, D. M. (1985). The justification of general deterrence. The Philosophical Review, 367-394. https://doi.org/10.2307/2185095

Feingold, Z. R. (2021). The stigma of incarceration experience: A systematic review. Psychology, Public Policy, and Law, 27(4), 550. https://doi.org/10.1037/law0000303

Garland, D. (2001). The culture of control: Crime and social order in contemporary society. Oxford University Press.

Gifford, E. J., Golonka, M., & Evans, K. E. (2021). Maternal imprisonment and the timing of children's foster care involvement. In Children with incarcerated mothers: Separation, loss, and reunification (pp. 75-90). Cham: Springer International Publishing. https://doi.org/10.1007/978-3-030-52831-1_5

Global Prison Trends (2024). https://www.penalreform.org/global-prison-trends-2024/

Gottfredson, M. R., & Hirschi, T. (1990). A general theory of crime. Stanford University Press.

Green, K. M., Ensminger, M. E., Robertson, J. A., & Juon, H. S. (2006). Impact of adult sons' incarceration on African American mothers' psychological distress. Journal of Marriage and Family, 68(2), 430–441. https://doi.org/10.1111/j.1741-3737.2006.00261.x

Gueta, K., & Condry, R. (2024). Centering mothers in feminist criminology: A critical review of literature on mothers of victims and offenders. Feminist Criminology, 0(0). https://doi.org/10.1177/1557085123120000

Hadait, Z., Bibi, S. R., & Hadait, R. T. (2023). Silent victims: Uncovering the realities of the criminal justice system for families of prisoners. In Experiences of punishment, abuse and justice by women and families (pp. 48-68). Policy Press.

Hollingsworth, K. (2007). Responsibility and rights: Children and their parents in the youth justice system. International Journal of Law, Policy and the Family, 21(2), 190-219. https://doi.org/10.1093/lawfam/ebm003

Holt, A. (2021). The stigmatised family: The impact of offending on families. In Family Criminology: An Introduction (pp. 63-93).

Hood, B. J., & Gaston, S. (2022). How families respond to the collateral consequences of incarceration and prisoner reentry. Family Relations, 71(3), 1175-1190. https://doi.org/10.1111/fare.12555

Howarth, G., & Rock, P. (2000). Aftermath and the construction of victimisation: 'The other victims of crime'. The Howard Journal of Criminal Justice, 39(1), 58-77. https://doi.org/10.1111/1468-2311.00151

Hutton, M. (2018). The legally sanctioned stigmatization of prisoners' families. In R. Condry & P. S. Smith (Eds.), Prisons, punishment, and the family: Towards a new sociology of punishment (pp. 230–243). Oxford University Press.

Kjellstrand, J., Yu, G., Eddy, J. M., & Clark, M. (2020). Children with incarcerated parents and developmental trajectories of internalizing problems across adolescence. American Journal of Criminal Justice, 45(1), 48–69. https://doi.org/10.1007/s12103-019-09505-0

Kotova, A. (2014). Justice and prisoners' families. Howard League What is Justice? Working Papers, 5/2014. https://howardleague.org/wp-content/uploads/2016/04/HLWP_5_2014_2.pdf

Kirk, D. S., & Wakefield, S. (2018). Collateral consequences of punishment: A critical review and path forward. Annual Review of Criminology, 1(1), 171-194. https://doi.org/10.1146/annurev-criminol-032317-092045

Kury, H. (2021). Prisoners and their families: The effects of imprisonment on the family. In Crime prevention and justice in 2030: The UN and the universal declaration of human rights (pp. 125-153).

Laing, L. (2017). Secondary victimization: Domestic violence survivors navigating the family law system. Violence Against Women, 23(11), 1314-1335. https://doi.org/10.1177/1077801216659942

Laub, J. H., & Sampson, R. J. (1995). The long-term effect of punitive discipline. In Revised from a paper presented at the Life History Research Society Meeting, May 1992. Cambridge University Press.

Lee, H., Wildeman, C., Wang, E. A., Matusko, N., & Jackson, J. S. (2014). A heavy burden: The cardiovascular health consequences of having a family member incarcerated. American Journal of Public Health, 104(3), 421–427. https://doi.org/10.2105/AJPH.2013.301504

Levitt, H. M. (2018). How to conduct a qualitative meta-analysis: Tailoring methods to enhance methodological integrity. Psychotherapy Research, 28(3), 367-378. https://doi.org/10.1080/10503307.2016.1208363

Lickel, B., & Onuki, M. (2015). Generalization processes in collective responsibility and intergroup conflict. In Social perception from individuals to groups (pp. 197-212). Psychology Press.

McBrearty, P. (2011). The lived experience of victims of crime. International Emergency Nursing, 19(1), 20-26. https://doi.org/10.1016/j.ienj.2010.04.003

McLeod, B. A. (2021). The effect of multiple forms of father-child contact during imprisonment on fathers' reports of relationship quality. Corrections, 8(4), 309–327. https://doi.org/10.1080/23774657.2020.1763523

Melissaris, E. (2012). Toward a political theory of criminal law: A critical Rawlsian account. New Criminal Law Review, 15(1), 122-155. https://doi.org/10.1525/nclr.2012.15.1.122

Minson, S. (2013). Mitigating motherhood: A study of the impact of motherhood on sentencing decisions in England and Wales. Howard League for Penal Reform. https://howardleague.org/wp-content/uploads/2016/03/mitigating-motherhood.pdf

Nussbaum, M. C. (2009). Hiding from humanity: Disgust, shame, and the law. Princeton University Press.

Pickett, J. T. (2017). Blame their mothers: Public opinion about maternal employment as a cause of juvenile delinquency. Feminist Criminology, 12(4), 361–383. https://doi.org/10.1177/1557085117697412

Rawls, J. (1971). A theory of justice. Harvard University Press.

Rock, P. E. (1998). After homicide: Practical and political responses to bereavement. Oxford University Press.

Sampson, R. J., & Laub, J. H. (1995). Crime in the making: Pathways and turning points through life. Harvard University Press.

Smith, R., Grimshaw, R., Romeo, R., & Knapp, M. (2007). Poverty and disadvantage among prisoners' families. Joseph Rowntree Foundation.

Tadros, E., Dignam, C., Grosholz, J., & Welshhans, E. (2024). We are all sentenced: The lived experience of mothers with an adult incarcerated daughter. Feminist Criminology, 0(0). https://doi.org/10.1177/1557085123120000

Taylor, C. J. (2016). The family's role in the reintegration of formerly incarcerated individuals: The direct effects of emotional support. The Prison Journal, 96(3), 331-354. https://doi.org/10.1177/0032885516635085

Tubex, H., & Gately, N. (2024). "Living with life": Experiences of families of people serving a life sentence in Western Australia. Journal of Criminology, 57(2), 203-220. https://doi.org/10.1177/0004865823120000

van Zyl Smit, D. (2006). Life imprisonment: Recent issues in national and international law. International Journal of Law and Psychiatry, 29(5), 405-421. https://doi.org/10.1016/j.ijlp.2005.10.002

ΚΟΙΝΩΝΙΚΗ ΕΡΓΑΣΙΑ • ΤΟΜΟΣ 38, ΤΕΥΧΟΣ 3, ΕΤΟΣ 2024
©Σύνδεσμος Κοινωνικών Λειτουργών Ελλάδος
Άδεια CC-BY-SA 4.0
ISSN: 2944-9332

Πέρα από τα κάγκελα: εξετάζοντας την επίδραση του εγκλήματος στους συγγενείς σοβαρών παραβατών

Κουράκης Φίλιππος[1],

[1] Δικαστικός λειτουργός, Πρωτοδικείο Κέρκυρας, υποψήφιος διδάκτωρ Εγκληματολογίας, Πάντειο Πανεπιστήμιο

ΠΕΡΙΛΗΨΗ

Η παρούσα εργασία μελετά το ερώτημα κατά πόσον οι οικογένειες των σοβαρών εγκληματιών θα μπορούσαν να θεωρηθούν «δευτερεύοντα θύματα» του εγκλήματος. Με τον τρόπο αυτό, βασίζεται σε μια ποιοτική μετα-ανάλυση που εστιάζει στις οικονομικές, κοινωνικές και συναισθηματικές δοκιμασίες που υφίστανται αυτές οι οικογένειες. Στόχος της εργασίας είναι να διερευνήσει τα σωρευτικά μειονεκτήματα, τις θεσμικές πρακτικές και το στίγμα που αντιμετωπίζουν αυτές οι οικογένειες, χρησιμοποιώντας το πλαίσιο της Arditti (2012), προκειμένου να διαπιστωθεί αν μπορούν να χαρακτηριστούν ως δευτερεύοντα θύματα του εγκλήματος. Πιο συγκεκριμένα, τα ερευνητικά ερωτήματα περιλαμβάνουν: Πώς βιώνουν οι οικογένειες των σοβαρών παραβατών την οικονομική δυσχέρεια; Ποιες μορφές κοινωνικού στιγματισμού αντιμετωπίζουν; Τι συναισθηματικές δυσκολίες υφίστανται; Αξιοποιώντας την έννοια των «ιδανικών θυμάτων» του Christie (1986), η μελέτη υπογραμμίζει τη σύγκρουση μεταξύ της αναγνώρισης του πόνου αυτών των οικογενειών και των κοινωνικών απόψεων για τη «συνενοχή» τους στις παρανομίες των συγγενών τους. Η εργασία καλεί για την επίσημη αναγνώριση αυτών των οικογενειών ως δευτερευόντων θυμάτων του εγκλήματος, προτείνοντας τόσο κανονιστικές όσο και πρακτικές μεταρρυθμίσεις. Σε κανονιστικό επίπεδο, υπογραμμίζει την ανάγκη για κοινωνική αναγνώριση και υποστήριξη αυτής της ευάλωτης ομάδας. Πρακτικά, προτείνει μεταρρυθμίσεις όπως αλλαγές στην ποινική διαδικασία, εξανθρωπισμό των επισκέψεων στις φυλακές και ενίσχυση των αρχών της επανορθωτικής δικαιοσύνης..

Λέξεις-κλειδιά: Δευτερογενή θύματα, Έγκλημα και οικογένεια, Αποκαταστατική δικαιοσύνη, Στίγμα, Κοινωνικές συνέπειες του εγκλήματος

Στοιχεία Επικοινωνίας: Φίλιππος Κουράκης, fkourakis@gmail.com