

# PARENTING AND CRIME: AN EVIDENCE-BASED REVIEW WITH IMPLICATIONS FOR THE NEW ZEALAND FAMILY AND YOUTH COURT

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This article explores the effect parenting can have on child development. It considers child attachment theory, various parenting styles, and specific child and family factors that contribute to a child's social and emotional development. The article concludes that good parenting and good outcomes for children do not happen by chance. The foundation must be planned and made secure.

**Keywords:** *parenting; New Zealand; child attachment theory; parenting style; interparental conflict*

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## INTRODUCTION

On April 1, 2010, the New Zealand Police released crime statistics for the 2009 calendar year, providing a potent reminder that the betterment of our community is a task that can never be shied away from. In the last year recorded crime within New Zealand rose 4.6% with a total of 451,405 offenses recorded and recorded violent offending increased by 9.2%, driven largely by recorded family violence which increased by 18.6%.<sup>1</sup> Actual levels of offending would have been even higher than recorded offenses. In response to those disturbing statistics we must ask the question—what can be done to reduce crime in New Zealand, especially violent crime? From my perspective as a judge and head of the New Zealand Family Court, and from my experience in dealing with families, I firmly believe that parenting is at the core. I am convinced that, if New Zealand children receive the parenting they need, they are much more likely to become successful, well-adjusted, contributing members of society, and not add to the dismal statistics of criminal offending.

My experience of work in the New Zealand Family and Youth Courts has reinforced my perception of the importance of parenting. I have often asked myself the question, why are so many of our children in need of orders for care and protection, then subsequently offend and appear in the Youth Court?

Last year the New Zealand government announced its policy on young offenders and set out a number of proposed reforms under what is called “Fresh Start for Young Offenders.” Included in the Youth Court orders and programs are “700 new parenting programme placements.”<sup>2</sup> The fact sheet backgrounding these reforms<sup>3</sup> notes that parents will be required to attend a training program to improve their skills and that where a young offender is a parent—or is about to become one—they too may be required to attend a parenting education course.<sup>4</sup> There is a clear concern in this initiative that we need to improve parenting. But are we doing enough?

I approach this question with appropriate caution. Politicians are elected to make policy and law. Judges are in the business of interpreting the law. Yet judges also occupy a unique position. They see the dynamics of families in action and observe how families function—or do not function. They do so from a position of objective involvement. As the Principal Judge of the Family Court, I believe I can

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offer some constructive thoughts. The judges of the Family Court have the considerable advantage of seeing it all happen before us every day.

To prepare for this article I consulted the Centre for Research on Children and Families based at the University of Otago. I asked for the best possible evidence and research to be put into a briefing paper for me so that I could look objectively at the data, as well as value-test my own thinking. I am enormously grateful to the Centre and its director, the eminent academic and researcher Professor Gordon Harold, for the assistance he has given me. I also acknowledge Dr Jan Pryor, New Zealand's Chief Families Commissioner, and Dr Joan Kelly of California, one of the world's leading authorities in this area, for their willingness to help shape my thinking.

I am conscious that there are organizations and lobby groups which have a particular point of view about families. All of them are representative of part of the community, but they are not always objective. Some, for example, have a particular viewpoint about the role of physical discipline in child rearing. Their views, as I say, may be shared by members of our community, but I would counsel against any position that is not research based and supported by relevant evidence.

The New Zealand Families Commission, established in 2004, is one of the state sector organizations created to respond to issues concerning families. It was given the task of researching and advising upon the place of families in our society and the appropriate goals of social policy.<sup>5</sup> The Families Commission has produced some wonderful research but perhaps has yet to make its mark in shaping our attitudes toward families and parenting.

So the fundamental question is, why is it that some children succeed in life and rise to become top sportsmen and women, contribute to business and cultural activities, become community leaders and, as well as all that, are thoroughly nice people who care about others? By contrast, why is it that some children head in the opposite direction—perpetrating violence, behaving in antisocial ways and, far from contributing to our community, taking from others while visiting on themselves and the world around them the destructive patterns of their lives?

The research on children and families and the influences that shape our children are illuminating. I make an analogy with the plans of a building. A functional, stable building does not happen by chance. The design is well conceived and its construction meticulous in its attention to detail. From my reading of the research, the position is exactly the same in relation to our families and our children. We have to get it right at the very outset, as to how we raise children.

So what are the factors that influence our children's development and ultimately the community and how it functions? A wealth of resources and skills go into raising a happy and healthy child. From birth, children begin to form a bond with their caregiver. This bond—the child's "attachment" to the caregiver—sets the stage for the child's cognitive, emotional, and social development. Throughout childhood and adolescence, development is shaped by parenting style—the structure and warmth a parent provides—which influences development into adulthood. Over a child's life, individual child and family factors are strong influences on the child's attachment and how the caregiver provides structured and sensitive parenting.<sup>6</sup>

It is a combination then of child attachment, parenting style, and specific child and family factors that contribute to a child's social and emotional development.<sup>7</sup>

## ATTACHMENT THEORY

Early in life children seek closeness to their caregivers. It is this bond to the primary caregiver that serves as a model for future relationships, based on responses for emotional comfort from their primary caregiver.<sup>8</sup> If we do not get attachment right at the very beginning, we are going to have problems in the future.

The literature<sup>9</sup> describes attachment as varying between secure—which is positive and responsive, insecure—which results in a negative or absent bond between child and parent, and finally disorganized or disorientated states of attachment. It is this disorganized or disoriented attachment bond which leads to significant problems.<sup>10</sup> It is often found in situations where parents are violent and

children perceive their caregiver as either fearful or dangerous.<sup>11</sup> The child does not know how to respond and, later on, children who have experienced this type of poor attachment fail to form a coherent behavioral strategy for forming relationships and interacting with others.<sup>12</sup> Caregiver responsiveness to a child's needs is where it all begins.<sup>13</sup>

Much is said these days about the respective roles of mothers and fathers, and certainly in the New Zealand Family Court, fathers have sought an increasing voice and role in caring for their children. All of this is encouraging but the research is clear that positive early mothering and a positive mother/child interaction is vital in establishing child attachment.<sup>14</sup> The role of mothers in the development of young children is unmistakeable. However, recent evidence also indicates that father responsiveness to child distress is an important factor in predicting a secure attachment.<sup>15</sup> Fathers play a complementary role to mothers by providing more support in child exploration and play, as compared to the direct care provided by mothers.<sup>16</sup> Furthermore, fathers appear to play a stronger role in helping to establish early child confidence.<sup>17</sup>

When family life is stable, the kind of attachment a child experiences appears to be consistent throughout infancy,<sup>18</sup> early childhood,<sup>19</sup> middle childhood,<sup>20</sup> and adulthood,<sup>21</sup> with approximately 75% of children remaining in one attachment category.<sup>22</sup> Changes in parenting and other family factors, especially those that influence caregiver responsiveness, have the greatest impact on change in child attachment classification.<sup>23</sup>

Child attachments form early in life and become a basis for later development. This early relationship has an influence on a wide range of factors later in a child's life.<sup>24</sup> Antisocial behavior<sup>25</sup> and emotional<sup>26</sup> problems have been linked to insecure attachment. It is not just attachment to parents that matters, but often a wider attachment network. An extended support system can provide a child with additional security and comfort.<sup>27</sup>

The more robust and secure the attachment, the higher the chance of functional development for a child. Parents who do not care enough about their children and those who allow bad attachments to form are setting up their children to fail in life.

## PARENTING STYLE

In addition to the significance of attachment is the importance of parenting style. Parenting plays an increasing role in child rearing as the child matures. Beginning at birth, parents are responsible for determining the day-to-day activities and influencing the long-term goals in which a child engages.<sup>28</sup> There are four types of parenting styles: authoritative, authoritarian, permissive, and neglectful.<sup>29</sup> These styles vary with the amount of control and responsiveness the parent exhibits.<sup>30</sup> The authoritative style is characterized by high control and high responsiveness; it is a child-centred approach where the parent sets high expectations for the child's behavior and maturity, accompanied by high amounts of responsiveness to the child's needs.<sup>31</sup> Authoritarian parenting, on the other hand, is a style characterized by strictness; it has a high level of control that is restrictive and allows for little negotiation and is accompanied by a low level of responsiveness to the child.<sup>32</sup>

The third style, permissive, is characterized by low control and high responsiveness. This is a child-indulgent approach, where there is little parental control but there is a high level of responsiveness.<sup>33</sup>

Finally, there is the neglectful style, which exhibits low control and low responsiveness. This hands-off approach reflects little involvement by the parent in setting boundaries for the child or in responding sensitively. Children subjected to this type of parenting exhibit the worst behavioral and lifestyle outcomes, such as misconduct, drug use, psychological problems, and generally low self-esteem and competence.<sup>34</sup>

When one combines parenting style and attachment, outcomes for children become increasingly predictable.<sup>35</sup> Secure attachment accompanied by parental warmth predicts the best outcomes. Conversely, an insecure attachment and negative parenting leads to poorer results,<sup>36</sup> and these factors continue through adolescence. Research indicates that those parents who practice authoritative

parenting maintain high levels of positive child behaviour in all areas across adolescence, while neglectful parenting is associated with an increasing decline in all areas.<sup>37</sup> In addition, at adolescence children become the subject of heavy peer pressure. All of this requires an increased need for parental supervision and monitoring of the adolescent's activities and whereabouts. Parents who successfully balance the supervision aspects of parenting while maintaining an authoritative parenting style tend to produce adolescents with the best adjustment<sup>38</sup> and thus young adults that are more likely to perform as functioning members of society.

## **DO CHILDREN REQUIRE A TWO-PARENT, HETEROSEXUAL UPBRINGING IN ORDER TO THRIVE?**

Successful bonding between a child and his or her parents, along with an appropriate parenting style, can play an enormous role in determining the type of adult they become. But I am not suggesting that children can only have the best outcomes if they have a stable, two-parent, family upbringing. What matters most is the presence of at least one parent with high expectations for the child's behavior and high responsiveness that fosters positive development across adolescence.<sup>39</sup> In the case of a single parent or a reblended family, what seems to matter is consistency and high responsiveness from one parent.<sup>40</sup>

## **INTERPARENTAL CONFLICT**

In New Zealand about one third of marriages end in divorce.<sup>41</sup> During 2008 43% of divorces in New Zealand involved children,<sup>42</sup> 7,600 children in total.<sup>43</sup> In our Family Court our most difficult cases are those where interparental conflict is so heightened that the parents have often completely lost sight of the welfare of the children.

We have to accept that conflict happens between parents. Indeed it is common between parents when resolving important child-rearing differences and financial disputes, and some parents and ethnic groups have a family style of vigorous and argumentative discussion.<sup>44</sup> Periodic conflict is a natural and normal part of family life and it is expected that most children will be exposed to conflict between their parents at some point in their lives without experiencing adverse effects.<sup>45</sup> However, it is the conflict between parents that is frequent, intense, and poorly resolved that causes the most problems.<sup>46</sup> Adults who are embroiled in a hostile and distressed couple relationship, whether they are still living together or separated, are typically more hostile and aggressive toward their children and less sensitive and emotionally responsive to their children's needs.<sup>47</sup>

It seems that, if low-level conflict within a relationship is managed, children can cope with it. How a child sees its parents' conflicts, and interprets these, may explain why some children respond very negatively to parental fights and yet others show little or no adverse effects.<sup>48</sup> Indeed, several major longitudinal studies found that as many as half of the behavioural and academic problems of children in marriages whose parents later divorced were observed 4 to 12 years *prior* to the separation.<sup>49</sup> What we need to take from this is that marital conflict is a more important predictor of child adjustment than either divorce or postdivorce conflict.<sup>50</sup> Chronic and unresolved conflict is associated with greater emotional insecurity in children. Fear, distress, and other symptoms in children are diminished when parents resolve their significant conflicts, as opposed to no resolution, and when parents use compromise and negotiation methods rather than verbal or physical attacks.<sup>51</sup>

Where there is unresolved conflict and violence, the adverse effects on children are disturbingly palpable. Whether parents stay living together or separate, conflict between them is shown to be one of the most influential factors on parenting, hugely influencing child development.<sup>52</sup> Understanding conflict and managing it properly is utterly crucial. When parents are in conflict and decide to separate, we carry an enormous responsibility to their children to help them to reduce

their conflict. If we do not, it seems that we have again set the child on the path to failure in life, for continued conflict<sup>53</sup> is harmful to the child and linked to emotional distress and decreased child self-esteem.<sup>54</sup>

It should also be acknowledged that stepfamilies can introduce new challenges and benefits into parenting and child adjustment. While the reduction of conflict and the formation of a warm stepparent relationship can be beneficial,<sup>55</sup> conflict and strained stepparent relationships can negatively impact the child. Furthermore, where a child experiences multiple family structure changes, it is more likely the child will have psychological, social, and learning problems.

The situation can be exacerbated where the conflict extends to physical violence. Research has confirmed that violence is more likely to occur in high-conflict marriages,<sup>56</sup> and investigations involving preschool children traumatised by the earlier battering of their mothers demonstrate long-lasting damage to their development.<sup>57</sup> Witnessing or experiencing particular types of violence also significantly damages child development, in that the use of or threats to use guns and knives in the home is linked to behavioral symptoms in 8–12 year olds that are less evident in children where there was the experience of violence but without such threats or weapons.<sup>58</sup>

Compounding the effects of marital violence is the fact that there are higher rates of both child abuse and sibling violence in violent, compared to nonviolent high-conflict marriages.<sup>59</sup> Estimates ranging from 40 to 60% of children in all marriages with violence are targets of violence from either (or both) of their parents.<sup>60</sup> In a 12-year longitudinal study, marital violence was related in young adults to low life satisfaction, poor self-esteem, less closeness to their mother, more psychological distress, and more violence in their own relationships. Indeed, marital violence increased the odds of offspring relationship violence by a huge 189%.<sup>61</sup>

## THE NEW ZEALAND GOVERNMENT'S RESPONSE

It can be maintained that good parenting is a consciously achieved and deliberate process. We are not good parents by accident—but bad parents may be. It is quite misconceived to believe that any adolescent, or even adult, is automatically equipped to be the kind of parent who can provide the best guidance and outcomes for their children.

The New Zealand government's parenting programs are a useful contribution to raising the bar on good parenting. However, in the wider community we need to take more ownership of the enormous responsibility we have as parents in getting it right, and we need to do much more than we are doing at present toward making this part of our social fabric. If we don't, we will continue to produce dysfunctional individuals and crime in our community. Poor parenting will undoubtedly produce more crime and antisocial behavior. The challenge is before us.

Last year the New Zealand Minister of Social Development, The Honourable Paula Bennett, convened an “Experts Forum on Child Abuse” to look at ways in which earlier intervention could target and help at-risk families. I had the privilege of being one of the members of that forum, which included some real heavyweights such as Dr. Hone Kaa, Dr. Patrick Kelly of Auckland’s Starship Hospital, and Professor David Fergusson from the University of Otago.

We made some recommendations in our paper to the minister,<sup>62</sup> some of which have been well publicized. For instance, we suggested that, from an overall perspective, there should be an integrated, graduated, and increasingly multidisciplinary approach to the prevention and treatment of child abuse and neglect in New Zealand.<sup>63</sup> We suggested specifically that Well-Child Care, which in the old days was really the Plunket Nurse, should be provided to every single family prior to the child’s birth. We suggested that initial contact should take place between 33 and 38 weeks of pregnancy<sup>64</sup> and that the value of this contact is to prepare the family for parenthood, to discuss strategies for coping with crying and distressed babies, and to assess the family’s welfare, using a checklist of factors that contribute to child well-being.<sup>65</sup>

For those families whose needs are identified as requiring more intensive attention, we suggested that the focus should be on providing parenting education and support.<sup>66</sup> We came to the sad

conclusion that 15% of all families will qualify for special home-based support in order to parent properly and to give the child the best chance in their environment.<sup>67</sup>

We also concluded that, when concerns about child abuse and neglect arise and are brought to notice, we must have a better system of tracking and assisting future children who may be born into that social environment.<sup>68</sup> Proven abusive parents are just as likely to abuse any other children they may have, and we have to do more to break that cycle.

## CONCLUSION

The Forum's recommendations are clearly quite interventionist and some people will see this as interference with basic freedoms and the right of parents to bring up children as they wish. The sad truth is that an unfettered right to raise children in any way you please is a luxury that we cannot afford—it is too damaging to children and ultimately the society in which they, and we, live. Good parenting and good outcomes for children do not happen by chance. The foundation must be planned and made secure. We have a duty to examine what we do. Where our foundation is not well understood or secure I join with the other Forum members in saying that we as a community have to give a firm and better lead. This country does not want for its future children who are increasingly abused and neglected. The statistics are a source of shame. For us to change that we need to seriously address what we do as parents and as a community offer direction, guidance, and even intervention that some may not like. To refuse is to see the continued cost of abuse and neglect in our homes, on the streets, and in the courts.

## NOTES

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4. *Id.* at 8.
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64. *Id.* ¶ 30.
65. *Id.* ¶¶ 30-31.
66. *Id.* ¶ 34.
67. *Id.* ¶ 38.
68. *Id.* ¶ 47.

*Judge Peter Boshier was appointed as the Principal Family Court Judge of the New Zealand Family Court in March 2004, after serving on the District Court Bench since 1988. As Principal Family Court Judge, he is committed to working with the government to continue to reform the court to ensure efficient and economic access to justice. In 2006 he was nominated by the New Zealand Listener as being in the top fifty outstanding New Zealanders, and in April 2009 he was made a distinguished alumnus by the Victoria University of Wellington, New Zealand for outstanding contribution to the law.*