

**Supporting Families Of Prisoners In Context Of Growth-Oriented Prevention;
Emphasizing China's Criminal Policy Approach**

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Abstract

Family is a social unit, which can be created as a result of marriage of a man and a woman and children complete the social unit. Family as the most important social institution has determinant role in training and social growth and sociability of its members and turbulence in family such as delinquency can be regarded as crime creation factors. If parents as bases of a family commit crime and become imprisoned, family would face a crisis and some problems would be created with it. Imprisonment can prevent prisoner from playing his/her role in the family, in addition to depriving freedom of the prisoners. This can necessarily have some results, which can result in disorganization in family and its functions? In addition, main problems created for children in these families include social maladjustment and children in this field are more vulnerable than others against committing crimes. Accordingly, supporting families of *prisoners* is an important issue and the support should be conducted from various aspects. Economic-financial support, emotional, mental support and also preventive measures for family members of prisoners, especially their children, means that the Criminal Justice System should take measure to decrease damaging effect of crimes in regard with supporting their children at the same time with imprisoning parents.

Key words: preventive criminology, growth-oriented prevention, endangered children

Introduction

Delinquency is a human-social phenomenon, on which several individual and environmental factors can affect its occurrence and prevention. In individual aspect, neural, mental and behavioral disorders can be effective in committing crimes. Treating the disorders can decrease probability of committing crime (Dadsetan, 2003). In environmental aspect, different environments can be effective in motivating individuals to commit crimes and prevent it. Inevitable environment, selective, natural and accidental environments are main types of the environment that play key role in regard with committing or preventing crimes. In this regard, family is the clearest example of inevitable environment, in which presence of individuals is not depended on their will and they would be placed in this environment as a result of birth.

The environment named family has significant role in training individuals and their growth (Gosen, 1991). If the environment faces some turbulences such as absence of parents because of being imprisoned, their functions as growing environment and sociability of children would be distorted and as a result, the probability of committing crimes by children in these families is high. Hence, preventive actions should be taken to prevent occurrence of such issues. Here, using growth-oriented prevention as a kind of social prevention can be effective.

Literally, prevention has clear and highly usable meaning. In literary literature, prevention means preventing occurrence of something, preventing occurrence of an important event, and fighting danger and preventing its occurrence. Philologists have also confirmed the general perception and have considered prevention as meting, preventing, prohibiting, preserving, preventing prevalence of diseases, closing, making barrier against flood like dam (Dehkhoda, 1949), priority to maintain and prevent someone to do something (Moien, 1983).

Growth-oriented prevention is a kind of prevention that tends to improve situation of those children, who are exposed to delinquency danger. Such crime prevention can be regarded as a process, which its contexts would be merged in the growth age of individuals from the moment of spermatogenesis to their adulthood. The approach is based on this assumption that having moderate character, being in consistence with accepted norms and values in the society and growth and rapid sociability are depended on spending growth age normally and any kind of deviation and disorder may conduct individuals toward world of crime. Hence, growth-oriented prevention identifies risk factors in first sociability environments of children and adolescents, especially family, to recover the situation that can be regarded as a factor for crime from birth to their adulthood through supportive factors.

As children of prisoners have abundant emotional and material problems because of absence of their parents in addition to have problems with sociability and adaptability with social norms and this can be risk factor for these children, various supportive factors should be applied for purpose of preventing entrance of these children to the world of crimes. It seems that these supporting factors can be divided to several groups of psychological, social and economic factors. It seems that in order to act successfully in regard with growth-oriented prevention of crime of children, these children exposed to danger should be supported

through different social and economic manners. At the present study, supporting children of prisoners in context of growth-oriented prevention has been investigated. In addition, performance of authorized institutions for supporting these children damaged socially has been also analyzed.

Today, crime prevention is present more than before as one of the main components of national projects in regard with order and security. Concept of prevention is on this basis that many factors are effective in emergence of crime and delinquency. Range of these factors is wide spread: conditions, under which people grew, local conditions and opportunities for facilitating crime commitment are involved in creation of crime. After determining role of different factors in different crimes, one can adapt suitable solutions and strategies to change these factors and decrease or prevent commitment of crimes (Javan Jafari & Seyyed zadeh Sani, 2012).

Role of criminal policy institutions in supporting families of prisoners

Future of children is one of the most important challenges for human societies, since these children are mothers and fathers of next generations that their behavior and identity can have effective role in orientation of a society. Hence, how to train and form personality of the children can be basis for behavioral system in a society. Thus, education and training of human societies should pay attention to growth and education of the generation that can be crucial for future of the society. Behavioral pattern of children is mainly under effect of family. The environment can determine behavioral orientations of these children through interacting them and can also determine their lifestyle and life way as main founder of training system. When the environment implements its training and educating plans properly, behavioral system of children would be based desirably and the group would be changed into normative citizens. This is because; the group has become familiar to social rules in this environment and has learnt how to respect them. However, sometimes the mentioned environment can't perform their training responsibility and as a result, the children involved in the mentioned environment would be conducted toward committing crimes. Under such conditions, interference of different social institutes for purpose of filling training gaps of these children, who have not spent growth process properly, can play key role in motivating

them for obeying basic social values and having suitable behavioral status. This is because; presence of children in inadequate family environments can be a sign for a risk that provides conditions for continuing crime in these children.

Different institutions can determine role of China's criminal policy in supporting children of prisoners. Main institute that has key role in supporting the children can be prison. Prison is responsible for supporting prisoners and their families in different fields not only as a punishment institution, but also as a supporting institute. In addition to prison, other institutes can be also named that take some actions for purpose of supporting the social class in relation with prison, so that probability of committing crime in this group can be prevented.

Role of prison in supporting families of prisoners

In range of China's criminal policy, prison has accepted some responsibilities for supporting families of prisoners as a place for imposing punishment for deprivation of freedom. The criminological responsibilities in regard with training and supplementary regulations have been recognized officially for the first time in act of changing Supervision Council of Prisons and training actions of China to "Chinaian Prisons' Organization and Training Actions" (1967). According to paragraph "c" of article 2 of the Act, helping families of prisoners to solve their spiritual and material needs has been included in responsibilities of the organization. Accordingly, the mentioned organization is responsible for taking suitable material and spiritual actions to provide required supports for family of prisoners and especially their children. This is because; imprisonment of father or mother of these children can cause financial and economic problems for them and can also make them facing emotional and mental gaps and they may be conducted toward committing crimes. In addition, in bureau of Chinaian Prisons' Organization and Training Actions (2005), supporting children of prisoners has been considered too (Niazpour, 2011).

According to article 182 of the mentioned act (2005), spouse, father, mother, brother, sister, children of prisoners and even father in law and mother in law of prisoners can visit prisoners through presenting identity cards. Apparently, this kind of visit needs no permission and is

possible through visual reference. Public visit for prisoners would be provided once a week according to programs.

Moreover, well-behaved prisoners with good performance can have face to face visit with their spouse, children, parents, sisters, brothers and their mother and father in law under discretion of head of prison. Additionally, head of prison can also provide visit time for those prisoners in hospital that can't move under control of physician. In addition to the mentioned visits, private visit of prisoner with spouse and children can be also possible under supervision and confirmation of head of prison or judge. This kind of visit can have considerable effect on meeting physical and emotional needs of prisoner and stability of family intimacy and live. Hence, it should be spread and systemized desirably.

According to paragraph "n" of article 18 of the mentioned act, helping families of prisoners is one of the main responsibilities of the mentioned organization. Clearly, such support is not limited to financial and economic needs, but also the organization should use a desirable policy making and programming to provide suitable contexts for presenting consultation to their families and specially their children. The policy has been also referred in article 237 of the said act. According to the article, social workers of prisons have become responsible for presenting suitable psychological advices and required supports to prisoners in order to solve problems and meet spiritual needs of families of prisoners. This is because; their family members are under danger of remaining in this abyss and committing crimes more than others. Hence, the probability should be declined through providing suitable supporting actions.

Hence, it could be observed that for purpose of decreasing damaging effects of imprisonment, proper implementation of principles and privacy of answers and providing conditions for proper educating and training children of prisoners have been considered among basic responsibilities of Prisons' Organization. Through this, the process of growth and training of the group would be spend more desirably and would go toward obeying social necessities. Clearly, this kind of support has preventive aspect and as children of prisoners are under danger of committing crime more than others, Prisons' Organization is responsible for providing requirements to implement these supports. Hence, in China's criminal policy

context, prison is not only responsible for punishing and training prisoned criminals, but also it is responsible for training and supporting children of prisoners. Assignment of such responsibility is also clear. However, parents of these children are in prison and authorities in this organization are also informed of behavioral status of imprisoned persons and can have realistic behavior with their children and make them to go toward desirable sociability (ibid).

The subject of employment of prisoners and training suitable professions to them has gained many attentions since last times. This can cause prisoners not to waster their time and have an income and train a suitable profession for their living after their release, since unemployment and lack of suitable income rate can be the main reasons for committing crimes. Hence, employment and training skills can be suitable factor effective in crime prevention on one hand. On the other hand, it can be also significantly effective in meeting material and financial problems of families of prisoners. Hence, prisons' organization is also responsible for providing preparations for employment of prisoners as much as possible according to bureau under investigation of explaining duties and responsibilities of prisons. According to article 122 of Prisons' Organization Bureau, the organization aimed at spreading training and educating to meet financial and spiritual problems of prisoners and their families. For this purpose, prisons supply required credit through places for attracting donations and industrial, agricultural and service institutions.

In addition, the organization is authorized to use existing facilities or governmental supports for purpose of supplying employment of prisoners. In addition, the organization can also get loans and credits from governmental systems and cooperatives of private sector to achieve the mentioned goal.

Naturally, the responsibility of centers for supporting after release can be achieved through several sectors such as department of consultation services and the department for presenting facilities and loans. However, the mentioned centers can provide financial and economic supports for prisoners to improve their living quality of their families and especially in early years after their release. The centers can also provide a desirable context for sociability and good training of these children (ibid).

Role of relevant institutes of prison for supporting families of prisoners

In context of China's criminal policy, the responsibility of training and caring after children of prisoners has been also imposed to other institutes in addition to prisons. These institutes are known as relevant institutes of prisons, which support these socially vulnerable children. Main relevant institutes to prisons is Education Institution that plays key role in training people and making them sociable as a governmental institute and can have significant effect in crime prevention and reduction. Hence, Ministry of education as an institute with preventive function supports those children, whose parents are imprisoned. In addition to Ministry of Education, another institute named Ministry of Cooperatives, Labor and Social Welfare takes action in regard with supporting socially damaged classes like children of prisoners according to act of Comprehensive Welfare System and Social Security. In this regard, Social Welfare Organization has also some responsibilities under supervision of the Ministry. Following, one should refer to role of Imam Khomeini Relief Committee in this filed.

One of the most important, effective and wide social organizations that are responsible for choosing and transferring cultural elements to emerging generation of the society is Ministry of Education of each society. The ministry is responsible for training citizens from low to high ages. The organization is a system that can be considered as the general pattern of official institutes and organizations of the society and has played basic and fundamental role for survival of human civilization since last times. Accordingly, features of Ministry of Education and its role in growth and sociability of children and adolescents makes a position for the ministry, through which it can be considered as one of the most important organizations for growth-oriented prevention.

As human in terms of culture and personality is a creator and artist living thing that is perfect through knowing and being able to do things and is also full of talents, tendencies and motivations and high rates of energy and is able to create from the smallest to the biggest artistic works, he/she can be expression of talents and can also present human creativity in the natural environment in form of art and industry. Hence, evolution and perfection of people is depended on their knowledge and self-constructions that can be achieved through training

and educating systems of the society. In other words, as social behavior of people is acquisitive, continuity of relationship among members is depended on this issue that the society can train its desirable values and norms to newcomers and existence of these values and norms can be a guarantee for the individuals and healthy society. Maybe this is the cause that training and learning social norms and values has aspect of right and obligation for new members to an extent that has been emphasized by international documents and local regulations.

In view of sociologists, Ministry of Education is an instrument for running and controlling the society and the survival factor for the civilizations. Hence, Ministry of Education is significant socially, ethically and economically and in terms of providing evolution and growth of human.

Today, majority of legislators and policy makers have considered training function of educational environment in addition to consider its pedagogical function. Chinaian legislator and some legislative rules have attempted to conduct policy makers of Ministry of Education to adapt policies and implement training programs such as preventive policies and plans. These regulations are as follows: articles 1 and 2 of Act of Rights and Obligations of Ministry of Education (1987); article 8 of Act for Establishing Education Councils in Provinces, Cities and Districts (1989); article 1 of Bureau of Teacher-Parent Meeting (2006); article 2 of Bureau of Special Education (1991) and Bureau of Training Pedagogic Research Center (1996).

Ministry of Education established an office for preventing drug abuse under supervision of training assistance for purpose of implementing these policies by 1998 and implemented several plans and projects such as plan for teaching life skills, project of School Source of Health and project of School-based Cooperative Prevention to decrease tendency of students for drug abuse. Although the office was tended to decrease amount of one of the most important types of crimes of students (addiction) using an active approach, it had no significant emphasize and focus on other types of crime such as violence and destruction. Hence, the mentioned ministry established center for Management of Preventing Social Damages and Facing Natural Disasters under supervision of physical training assistant for

purpose of increasing information and knowledge of students, teachers, personnel and parents in regard with social damages, drug abuse and manner of preventing them. Such management for purpose of implementing the mentioned goals included several parts such as planning for decreasing demand for drugs and planning for affairs of encountering natural disasters, social working and supportive services and prevention of addiction and social damages (Niazpour, 2008).

As mentioned before, Ministry of Education has attempted to take some actions for purpose of crime prevention. However, it seems that due to role of the organization in sociability of individuals and crime prevention, more exact plans should be provided by the organization for crime prevention and to support children in this field. In addition, paying specific attention to children of prisoners as damages social class should be also achieved and clear duties should be considered for Ministry of Education in this field.

In addition to Ministry of Education, Social welfare Organization under supervision of Ministry of Cooperatives, Labor and Social Welfare plays key role in regard with supporting children of prisoners. In this framework, China's legislator (1992) has assigned responsibility of supporting orphan females and children to the mentioned organization according to Act for Social welfare of Females and Children. According to paragraph 4 of article 12 of the said act, orphan children are those children, who have lost their parents for any reason temporarily or permanently. Clearly, one example of these children can be children of prisoners, who lose their parents through imprisonment of them. Accordingly, article 2 of executive bureau of Security of Orphan Women and Children Act (1995) has predicted Prisons' Organization and security actions of China as one of the relevant institutes for introducing these children to Social Welfare Organization. The institution has become also charged for supporting these children in different manners according to article 4 of the said act. Financial supports, cultural and social supports or maintenance of these children can be regarded as clear types of these supports, which should be provided by the mentioned organization. Hence, in scope of China's criminal policy, the mentioned organization that is one of the main sources for providing conditions for welfare of citizens should move toward supporting children of prisoners through a valuable plan. Even based on articles of the mentioned act, it has been

mentioned that annual budget should be considered for purpose of performing this mission (Niazpour, 2011).

Supporting children is one of the main issues that have been mentioned generally in an article of Social Welfare Organization Bureau. It seems that due to general policies of the organization and dominance of supporting approaches and also duty of the organization based on supporting socially disadvantaged people and people exposed to social damages talented for committing crime, it could be interpreted that when child or adolescent is under such conditions, Social Welfare Organization can provide services for purpose of training children. The organization trains also norms and presents essential services and can also empower sense of sociability and personality evolution in them and prevent them from committing crimes and going toward abnormalities. Hence, Social Welfare Organization can have effective role in growth-oriented prevention of juvenile delinquency and especially children of prisoners.

In regard with crime prevention, Social Welfare Organization has supplied a series of services that would be provided for individuals through Office of Affairs of Socially Disadvantaged People and Office of Preventing Social Damages and Office of Women and Family's Affairs. The organization provides the services for those individuals, who are exposed to social damages. Main group of these people are children of prisoners, who may commit crimes because of absence of their parents and also existence of economic problems. Here, actions of Social Welfare Organization in this field should be investigated in frame of various services of each office in the organization separately.

One of the activities of Office for Affairs of Damaged People is Social Emergency Plan. Main groups that would be target of this plan are those groups under critical conditions. The general objective of the plan is controlling and decreasing individual, family and social crises. Also, specific goals of the plan can be enhancing knowledge and information level of individuals exposed to social damages and socially disadvantaged people in regard with social problems and helping them to perceive their conditions in critical situation and improving abilities of these individuals for purpose of fighting social problems under critical situation through presenting specific and on time services.

Office for Quasi-family Affairs is active under supervision of Office of Women and Family Affairs and is responsible for taking some actions such as training and caring after children beside their alternative families in frame of provisions of adoption and caring after them in governmental and non-governmental homes for children and adolescents.

Orphan children would be deprived of all rights and equipment recognized for a child. Orphan children are deprived of min and basic needs for growth of children such as food, clothes, house, and education and also family that is the first and the most important institute effective in growth of children. Orphanage of children can place them under worst possible conditions and it can be called as the most dangerous situation among children exposed to danger.as it was mentioned before, children, who have lost their parents because of imprisonment, are among those children that are under danger of committing crime. Hence, necessity of providing comprehensive support for these children is an issue that should be conducted in shortest time, so that they can be protected from different types of crimes and deviations that may be occurred for them any time (Pashayi Vahid, 2007). In this regard, Social Welfare Organization in form of alternative family seeks supporting orphan children.

Child care and development by alternative family in form of provisions of adoption as one activity of the center has some objectives that the most important ones include entrance of orphan children to alternative families for purpose of preventing inevitable mental damages and training damages resulted from long-term residence in boarding houses and empowering basis of families that have no child. Main services in regard with objectives of the plan include preventing release of orphan children in the society; social and judicial supports for orphan and irresponsible children; empowering plan of caring orphans in alternative families in frame of legal provisions of adoption in line with Act for Supporting Orphans (1974); empowering plan for caring children with irresponsible parents in families, who request for paying money and other supports monthly to these children according to article 1187 of Civil Code temporarily under parentage of qualified people; amendment of Act of Supporting Orphans (1974); and codifying bureau of adoption in regard with policy of caring children in family.

Results of activities in the mentioned center n regard with crime prevention among orphan children and those with irresponsible parents are presented as follows:

First, establishing centers for board foster care centers including non-governmental houses and also presenting specialized services and life skills can decrease commitment of crime by children in the society.

Second, establishing board foster care center prevents release of children in the society and causing damage for them.

Third, financial support of children in frame of paying tuition, training profession, contributor groups, housing, basic needs and equipment for life that can result in sustainable employment of children after release and preventing creation of false jobs and committing crime and beggary by them.

Fourth, empowering beliefs of children can prevent them from committing crimes (Musavi Chalak, 2009).

It should be mentioned that in China's criminal policy, establishing case for personality is not limited to criminals and their families can be also subject of these cases. However, in case of personality of criminals, the main aim is identifying personality system of criminals for purpose of crime prevention; although in the mentioned cases for personality, the aim is identifying threatening dangers for family and especially children of prisoners.

In addition, as employment and training profession is among unavoidable tasks of prisons, existence of an institution for evolution and training profession can have positive effect on the process. Accordingly and based on article 2 of Act for Changing Supervision Council of Prisons and Security and Training Actions of China to "Prisons and Security and Training Affairs Organization" approved in 1985, Cooperative Association was established for unlimited time. Article 1 of the Bureau of Cooperative Association (approved in 1988) of judicial supreme council has described the main by establishing the association as follows: "in order to run relevant affairs of industrial, agricultural and service institutions associated with prisons and employment of prisoners and training professions and assisting them for

providing basic needs of life and gaining income for prisoners and their families and financial condemnation and receiving loans for helping budget of the organization to improve and renew prisons and cooperative association and industries of prisoner ad also for implementing article 2 of Act for Changing Prison Supervision Council approved in 1985, Islamic Council would be established for unlimited time” (Rajabi, 2003).

As it was mentioned according to article 1 of the bureau, the association plays key role in meeting financial and welfare needs of families of prisoners and can at least decrease economic problems of the families and help them for supplying their daily needs and education expenditures of their children, so that in addition to emotional gaps, economic gaps can't be a barrier against their sociability.

Conclusion

Growth-oriented social prevention encompasses those decisions and actions that tend to decrease probability of orientation of children toward criminal actions. Growth-oriented prevention aims at improving status of children under danger of crime. Such prevention believes that crime is not only an event, but also a process that its contexts can be emerged since childhood to adulthood. The approach is based on the assumption that having balanced character, being consistent with accepted norms and values in the society and rapid sociability are depended on having normal growth and any kind of deviation and defect in relevant institutes effective in growth and sociability of children may cause some dangers for them that they may enter unconsciously to the world of crimes. Hence, this kind of crime prevention is focused on this issue that through identifying risk factors and using supporting policies, children and adolescents under the mentioned dangers would be conducted toward social laws and their crimes would be decreased.

As children of prisoners are exposed to danger of committing crime as a result of numerous factors such as absence of their parents, inappropriate family environment, economic-financial inability, delinquency of both or one of the parents as the most important

individuals for training and forming personality of children, they preventive actions and decisions in context of growth-oriented prevention more than all social classes.

Criminal policy that tends to use preventive reactions against criminal phenomena has taken measure to support children of prisoners through different institutes. Main institution in this field is prison. Prisons' Organization is charged for providing required preparations to implement these supports. Along with the organization, relevant institutes such as Ministry of Education, Cooperative, labor and Social Welfare Ministry, Imam Khomeini Relief Committee have become responsible for supporting these children as governmental institutes. In addition, social institutes have also taken some actions in this field that the most important ones can be Association for Supporting Prisoners, which has stated that helping families of prisoners and empowering them to have a healthy life is main responsibility of the association. Along with the association, cooperative and training association of prisoners have had also effective role in this field.

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