

VIOLENCE AGAINST CHILDREN IN FAMILY SETTINGS DURING THE COVID-19 OUTBREAK IN CROATIA: LESSONS LEARNED FROM THE (IN)VISIBLE PANDEMIC

Rittossa, Dalida

Source / Izvornik: **Zbornik Pravnog fakulteta Sveučilišta u Rijeci, 2022, 43, 303 - 328**

Journal article, Published version

Rad u časopisu, Objavljena verzija rada (izdavačev PDF)

<https://doi.org/10.30925/zpfsr.43.2.2>

Permanent link / Trajna poveznica: <https://um.nsk.hr/um:nbn:hr:118:769388>

Rights / Prava: [In copyright](#) / [Zaštićeno autorskim pravom.](#)

Download date / Datum preuzimanja: **2024-12-21**

PRAVI

Pravni fakultet Faculty of Law



Sveučilište u Rijeci
University of Rijeka

Repository / Repozitorij:

[Repository of the University of Rijeka, Faculty of Law](#)
[- Repository University of Rijeka, Faculty of Law](#)

uniri DIGITALNA
KNJIŽNICA

DIGITALNI AKADEMSKI ARHIVI I REPOZITORIJI

VIOLENCE AGAINST CHILDREN IN FAMILY SETTINGS DURING THE COVID-19 OUTBREAK IN CROATIA: LESSONS LEARNED FROM THE (IN)VISIBLE PANDEMIC

*Izv. prof. dr. sc. Dalida Rittossa**

UDK 616.92::343.62-053.2

<https://doi.org/10.30925/zpfsr.43.2.2>

Ur.: 3. svibnja 2022.

Pr.: 9. svibnja 2022.

Izvorni znanstveni rad

Summary

In recent times, humanity has experienced the devastating effects of the COVID-19 crisis, which has caused sharp ruptures in different spheres of social life. Detrimental effects of the almost unprecedented crisis have triggered an avalanche of research to explore the phenomenon in focus while conducting scientific investigation that matters. Despite the rapid influx of scholarly articles, recent literature has shown that there is still a remarkable lack of scholarly attention on disasters and their impact on children. While trying to contribute to and address the noted research gap, to the best of the author's knowledge, this is the first study that explores pathways to violence against children in the time of the COVID-19 pandemic in Croatia with a focus on the national lockdown. The sample consisted of 63 randomly selected police files involving 65 suspects of criminal offences with elements of violence against 108 closely related children at the five police departments centred in Pula, Rijeka, Zagreb, Split and Osijek. In order to "capture" the violence that emerged during the lockdown and was reported after restrictive measures were lifted, a seven-month time frame (March–September, 2020) was implemented as an additional sampling parameter. The study has revealed that most children repeatedly experience multiple forms of violence within the family that are damaging to their health and wellbeing. Infringement of child's rights was the most prevalent principal offence allegedly committed to the detriment of both boys and girls who were mostly primary-schoolers. Similarly, consistent with previous findings, the study demonstrated that in most cases, alleged abusers are first-time suspected fathers in their 30s with high school education and average financial assets. This calls

* Dalida Rittossa, Ph.D., Associate Professor, University of Rijeka, Faculty of Law; dalida.rittossa@pravni.uniri.hr. ORCID: <https://orcid.org/0000-0002-1452-0838>.

This work has been supported in part by Croatian Science Foundation under the project IP-CORONA-04-2086.

for future research and the implementation of effective preventive measures to improve family resilience in the face of disasters yet to come.

Keywords: *violence; children; COVID-19; phenomenological oscillations; etiological causes; empirical research.*

1 INTRODUCTORY REMARKS – THE COVID-19 PANDEMIC AS A “BROADER CHILD RIGHTS CRISIS”

Human history has been marked with periods of great catastrophes and the constant struggle to ameliorate negative effects on social structures and community members' wellbeing. Natural disasters, such as volcanic eruptions, earthquakes, hurricanes and tsunamis, have taught us that they can change the course of humanity, causing widespread devastation and even the fall of entire civilizations.¹ Man-made hazards continue to pose a significant risk for society, the environment, and individual and social development, and they may in fact have an overall societal impact.² The list of negative occurrences associated with catastrophic consequences is surprisingly long, and it is hard to contest Jake Frederick's statement that disasters are almost necessarily a part of human history. According to Frederick, we are living in a dramatic historic moment caused by the spread of COVID-19, a unique disaster which is present everywhere and with very familiar, already apparent consequences that continue to unfold.³ These very true words well describe the devastating effects of the novel Coronavirus disease that emerged at the end of 2019, and due to its alarming levels of contagiousness and severity, on 11 March 2020, the WHO declared COVID-19 to be a pandemic.⁴ While the virus has continued to spread around the world, official government policies to contain the virus implemented a restrictive approach in an increasing number of countries. Social distancing measures, stay-at-home orders, isolation, and similar tactics were seen as suitable means to curb the pandemic, and as early as the next month, a third of the world's population was under some form of a lockdown.⁵

The virus paradigm has caused an avalanche of research activities to understand the pandemic and its impact in a political, social, economic, and cultural context.

- 1 Jean Ripert, Marla Lacayo-Emery, and Stephen Rattien, "Outsmarting the Forces of Nature", *Issues in Science and Technology* 6, no. 1 (1989): 75.
- 2 Beth Barnes, Sarah Dunn, and Sean Wilkinson, "Natural Hazards, Disaster Management and Simulation: A Bibliometric Analysis of Keyword Searches", *Natural Hazards* 97, no. 2 (2019): 813.
- 3 Ed Berthiaume, "In Midst of Pandemic, Disasters Class Draws Poignant Lessons from History", *Lawrence University News*, 19th November 2020, <https://blogs.lawrence.edu/news/2020/11/in-midst-of-pandemic-disasters-class-draws-poignant-lessons-from-history.html>.
- 4 WHO, *WHO Director-General's Opening Remarks at the Media Briefing on COVID-19 - 11 March 2020*, Access 12th February 2022, <https://www.who.int/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020>.
- 5 Laura Iesue, Felicia O. Casanova, and Alex R. Piquero, "Domestic Violence During a Global Pandemic: Lockdown Policies and Their Impacts Across Guatemala", *Journal of Contemporary Criminal Justice* 37, no. 4 (2021): 589-590.

Even though the Coronavirus is a communicable disease with physical health implications, a broad body of research tends to link it to various ruptures in society, systematic disturbances, and their impact on public and individual behaviour. The rapid influx of scholarly articles and preprint papers soon followed, and Reinge Gonzales and colleagues explained that in fewer than five months, the number of indexed publications in Scopus exceeded 12,000 with expectations of increasing. In the interest of conducting research that matters in unprecedented times, the scientific community has addressed COVID-19 as a research priority, overwhelming the journals with submissions.⁶ Although scientific attention remains focused on the subject matter, the research is almost silent on the impact of such disasters on children. According to Todres, the persistent inadequate scholarly attention to children's position during and in the post-disaster period corresponds to their inadequate status in society and the lack of policymakers' support and planning in the disaster response initiatives.⁷ This stands in sharp contrast to our knowledge about the harmful outcomes on children brought by the pandemic. The severity of the problem was recognised by UN Secretary-General António Guterres, who clearly warned that the Coronavirus disease pandemic was quickly turning into a "broader child rights crisis".⁸ The magnitude of the pandemic's negative effects on children is tremendously severe, and according to UNICEF Executive Director Henrietta Fore, the pandemic is the biggest threat to child progress in UNICEF's 75-year history. The report issued ahead of UNICEF's landmark anniversary sent a clear warning that pandemic circumstances have pushed more children into poverty, hunger, school closure, forced marriage, and abuse.⁹ Throughout the pandemic, children's rights, such as the right to co-parenting, the right to be informed and heard, and the right to equal access to education, have been seriously jeopardised, along with the right to live a life free from any form of violence. According to Winkler, "domestic walls have seen far too much domestic violence",¹⁰ and as the COVID-19 crisis continues, it is highly unlikely that we will witness significant reductions in child victimisation cases. Given that the said pandemic is seen as a key roadblock to improvement in lowering the prevalence of abuse in the family ambit, for violence researchers, we are faced with the "invisible"¹¹ or "shadow pandemic".¹² The negative scenario foresees children being both victims

6 Jennifer M. Reingle Gonzalez *et al.*, "Trends in Family Violence Are Not Causally Associated with COVID-19 Stay-at-Home Orders: a Commentary on Piquero *et al.*", *American Journal of Criminal Justice* 45, (2020): 1101.

7 Jonathan Todres, "Children and Disasters: The Essential Role of Children's Rights Law", *Yearbook of International Disaster Law* 2, (2021): 177.

8 António Guterres, "Protect Our Children", Access 21st March 2022, <https://www.un.org/en/un-coronavirus-communications-team/protect-our-children>.

9 UNICEF, *Preventing a Lost Decade: Urgent Action to Reverse the Devastating Impact of COVID-19 on Children and Young People* (New York: UNICEF, 2021), 2.

10 Sandra Winkler, "The Impact of COVID-19 on Children's Rights", *ECLIC* 5, (2021): 591.

11 Aluette Merenda, Maria Garro, and Massimiliano Schirinzi, "The Invisible Pandemic: Domestic Violence and Health and Welfare Services in Italy and in the United Kingdom during Covid-19", *International Journal of Humanities Social Sciences and Education* 8, no. 10 (2021): 11-20.

12 Jennifer Koshan, Janet Mosher, and Wanda Wieggers, "COVID-19, the Shadow Pandemic, and Access to Justice for Survivors of Domestic Violence", *Osgoode Hall Law Journal* 57, no. 3

and witnesses of violence within a family and exposes them to a growing risk of online deviant behaviours.

However, when interpreting the gravity of these results, one has to bear in mind that the violence against children is a pervasive and persistent social phenomenon that has affected lives of many children across the world even prior to the pandemic. The analysis of 38 reports of representative surveys estimating the prevalence of violence against children showed that globally, 1 billion children aged 2-17 years are subjected to some form of violence in a year.¹³ Violence in the form of disciplinary measures is repeatedly used by caregivers of almost 1 in 7 of the world's children aged 2 - 4 years.¹⁴ Although it is difficult to measure exactly how many children experience emotional abuse, available evidence shows that worldwide, 1 in 3 children are estimated to have suffered some form of nonphysical degrading behaviour or attitude.¹⁵ Moreover, examinations of global patterns of violence against children have demonstrated that 1 in 4 children live with a mother who is in an abusive relationship.¹⁶ The devastating impact of child abuse is actively discussed in scientific discourse, and there is a mutual understanding that subjecting children to violent treatments of any degree is a cause of immediate and long-lasting adverse consequences. A child who has experienced violence is at increased risk of developing psychological issues like low self-esteem, and consequently, this could lead to substance use and high-risk sexual behaviour. Certain studies link exposure to childhood violence to a range of mental health problems, i.e. anxiety, depression, post-traumatic stress disorder, sleep and eating disorders, and suicide. Research confirms that the onset of the COVID-19 pandemic has augmented these challenges.¹⁷

2 THE TWO FACES OF THE COVID-19 OUTBREAK – THE PANDEMIC AS A SOCIAL STRESSOR AND CRIMINOLOGICAL CONSTRUCT

A growing body of research firmly showed that the impact of COVID-19 extends far beyond that of a contagious disease expressed in numbers of infected cases and deaths. The unprecedented healthcare demand has almost driven the health care systems to the point of collapsing. Moreover, the government-mandated restrictions

(2020): 739-799.

- 13 Susan Hillis *et al.*, "Global Prevalence of Past-Year Violence Against Children: A Systematic Review and Minimum Estimates", *Pediatrics* 137, no. 3 (2016): 1.
- 14 Dave Hancock, "Banning Physical Punishment of Children in the UK", *Journal of Health Visiting* 9, no. 9 (2021): 374.
- 15 World Health Organization, *Global Status Report on Preventing Violence Against Children 2020* (Geneva: WHO, 2020), 1.
- 16 Lynette M. Renner, Molly C. Driessen, and Angela Lewis-Dmello, "An Evaluation of a Parent Group for Survivors of Intimate Partner Violence", *Journal of Family Violence* 37, no. 2 (2022): 247.
- 17 Najat Maalla M'jid, "Hidden Scars: The Impact of Violence and the COVID-19 Pandemic on Children's Mental Health", *Child and Adolescent Psychiatry and Mental Health* 14, no. 1 (2020): 1.

designed to suppress the pandemic have forced everyone into a period of uncertainty and started a chain of reactions in a negative direction, causing economic and social blows and huge budget deficits in addition to substantially increased public debts, job loss, long spells of unemployment, and low pay.¹⁸ The rates of risk of falling into extreme poverty and the number of people experiencing chronic hunger have never been more alarming.¹⁹ Two years after the onset of the COVID-19 pandemic, the negative outcomes caused by this disaster of global proportions unfortunately continue to evolve. While the world is immersed in a social crisis never seen before, a number of secondary effects in society confirm previous grim predictions that the pandemic is a sort of “social tsunami”, a “social nuclear bomb”, and to traverse this uncharted territory, we need the state lifeboats, strategic planning, and coordinated action.²⁰ As the pandemic unfolds, the emerging of new information and evidence on the pandemic’s consequences has revealed that there is an urgent need to prepare and put into practice a comprehensive plan for maintaining and upgrading social services and reinforcing the already over-stretched systems that provide them. The lessons from past highly disruptive events and epidemics caused by infectious diseases show that without such a plan, violence might increase during and in the aftermath of disease breakout.²¹ In the time of crisis, special attention has to be given to vulnerable members of society as they are the ones who suffer the most social turbulence. As to the unique nature of childhood, children are among the most vulnerable to disasters.²² Their susceptibility of being harmed in disaster settings springs from their young age and psycho-social development as well as from their dependence on others to exercise their rights and achieve well-being. It is therefore no surprise that past research has already linked children to a higher risk of being exposed to violence during emergency situations.²³

Although data on violence against children during the COVID-19 pandemic are scarce, recent research studies confirm that the pandemic might act as a criminological construct. From the criminological perspective, the novel Coronavirus carries a criminogenic potential as a global phenomenon that causes a series of factors which are directly associated with violent behaviour. Given that home is the place where a child’s exposure to violence is most likely to occur, the risk factors for family violence

- 18 Dalida Rittossa, “The Institute of Vulnerability in the Time of Covid-19 Pandemic - All Shades of the Human Rights Spectrum”, *ECLIC* 5, (2021): 821-822.
- 19 Hilal Elver, and Melissa Shapiro, “Violating Food System Workers’ Rights in the Time of COVID-19: The Quest for State Accountability”, *State Crime* 10, no. 1 (2021): 81, 86-87.
- 20 Dalida Rittossa, and Dejana Golenko, “Information Needs of Vulnerable Groups in the Time of COVID-19: The Theoretical Framework”, in: *Exploring the Social Dimension of Europe: Essays in Honour of Prof. Nada Bodiroga Vukobrat*, eds. Gerald G. Sander, Ana Pošćić, and Adrijana Martinović (Hamburg: Verlag Dr. Kovač, 2021), 410.
- 21 Mia Roje Đapić, Gordana Buljan Flander, and Krešimir Prijatelj, “Children Behind Closed Doors Due to COVID-19 Isolation: Abuse, Neglect and Domestic Violence”, *Archives of Psychiatry Research* 56, (2020): 184.
- 22 Jonathan Todres, “Children and Disasters: The Essential Role of Children’s Rights Law”, *Yearbook of International Disaster Law* 2, (2021): 178.
- 23 Ilan Cerna-Turoff *et al.*, “The Pathways Between Natural Disasters and Violence Against Children: A Systematic Review”, *BMC Public Health* 21, no. 1249 (2021): 1.

may be considered to be a driving force for the violent victimisation of children. The pandemic has compounded a range of economic and social justice concerns, and families have to struggle with financial uncertainty, low income, job losses and a sudden increase in poverty. For those who managed to maintain their work, the pandemic brought additional stress and pressure due to working in extremely unusual circumstances. Previous studies also reveal that remote work could be related to higher levels of stress²⁴ and that the complete change in working environment has led to an increased care burden on parents, adding even more stress.²⁵ Alcohol misuse by a family member was another general risk factor for family violence linked to a growth of stressful life events and a lack of social support.²⁶ Except as a social stressor in many households, the COVID-19 pandemic can exacerbate risks of violence for children through unintended effects of state responses to stop the spread of the virus.

The unprecedented health emergency has caused the unprecedented state measures to contain the novel Coronavirus. While primarily focusing on the protection of public health, governments in numerous countries have acted swiftly and made decisions about restricting individual rights and liberties as well as reorganising the delivery of public services. Mandatory lockdowns, stay-at-home orders, social distancing recommendations, travel bans, quarantines, and curfews are some of the forms of exceptional restrictions on freedom of movement and association that led to the potential increase of child abuse offences. Some scholars hypothesise that policy interventions designed to mitigate COVID-19 transmission could force children to live with their abusive parents and put them at even greater risk of violence.²⁷ It also seems that the likelihood of exposing children to violence could increase due to intensive childcare facilities and school closure.²⁸ The pandemic is a perilous juncture for public services, and the notable interruption of social support networks may prevent children from reporting abuse and seeking help. An additional aggravating factor is the fact that during the COVID-19 pandemic, the social care sector and criminal justice system slowed down their work in order to protect their employees and users from infection. Furthermore, confining children within four walls has caused a serious disruption in informal protective support networks, loosening their ties with friends, relatives,

24 Juan Sandoval-Reyes, Sandra Idrovo-Carlier, and Edison Jair Duque-Oliva "Remote Work, Work Stress, and Work–Life during Pandemic Times: A Latin America Situation", *International Journal of Environmental Research and Public Health* 18, no. 13 (2021): 7070.

25 Cara Eberta, and Janina I. Steinert, "Prevalence and Risk Factors of Violence Against Women and Children During COVID-19, Germany", *Bulletin of the World Health Organization* 99, no. 6 (2021): 430.

26 Andrew M. Campbell, "An Increasing Risk of Family Violence During the Covid-19 Pandemic: Strengthening Community Collaborations to Save Lives", *Forensic Science International: Reports* 2, (2020): 1, <https://www.sciencedirect.com/science/article/pii/S2665910720300384>.

27 Noemí Pereda, and Diego A. Díaz-Faes, "Family Violence Against Children in the Wake of COVID-19 Pandemic: A Review of Current Perspectives and Risk Factors", *Child and Adolescent Psychiatry and Mental Health* 14, (2020): 1.

28 Cirenía Chavez Villegas, Silvia Peirola, and Matilde Rocca, "Impacts of Health-Related School Closures on Child Protection Outcomes: A Review of Evidence from Past Pandemics and Epidemics and Lessons Learned for COVID-19", *International Journal of Educational Development* 84, (2021): 7-8.

broader family and neighbours during mobility restrictions.²⁹ Thus, the situational circumstances of the pandemic have reshaped children's socio-ecological systems, creating a potentially hostile environment in which children's wellbeing is seriously put at risk. However, we did not anticipate such a causal development of events. In the 2030 Agenda, the world's governments already expressed their determination to "end abuse, exploitation, trafficking and all forms of violence against and torture of children",³⁰ and in order to achieve this, we first have to focus our attention on child maltreatment and map pathways to violence during the Coronavirus outbreak through empirical research. Although COVID-19 has few precedents, it is vital to assess patterns of the violent victimisation of children in order to prepare comprehensive future plans for child protection in disaster settings and beyond.

3 VIOLENCE AGAINST CHILDREN IN THE WAKE OF COVID-19 PANDEMIC: A RESEARCH STUDY

3.1 Methodological Framework and Data Collection

According to Arnout, scientific research is a journey of discovery from the unknown to the known; due to the acceleration of challenges caused by the COVID-19 pandemic, he argues, there is an urgent need for scientific research and planning.³¹ Yet, it is worth nothing that although desirable and needed, the research in different fields of study may pose different levels of hazards for participants' wellbeing. Involving children in such a scientific research endeavour raises a number of ethical issues related to their vulnerability, autonomy, and ability to give informed consent.³² Lott stresses that child participation in research deserves a special consideration because of a troubling paradox. On the one hand, children belong to a group of already disadvantaged individuals susceptible to harm and exploitation, and on the other, they are attractive for research purposes precisely because of their vulnerability.³³ To conduct research on violent child victimisation is even more problematic. There is an inherent difficulty in involving children previously exposed to violence in any kind of research activity designed to assess their victimisation experience. While retelling their story for research purposes, children can be traumatised a second time. Awareness of this raises a number of ethical, safety and methodological questions, and therefore, it is no surprise that UNICEF advises avoiding evidence generation

29 World Health Organization, *Addressing Violence Against Children, Women and Older People During the COVID-19 Pandemic: Key Actions* (Geneva: WHO, 2020), 2.

30 Target 16.2 of the 2030 Agenda for Sustainable Development, Transforming our World: The 2030 Agenda for Sustainable Development A/RES/70/1, United Nations, 2015.

31 Boshra A. Arnout, "Investing Scientific Research in Light of Crises and Disasters: COVID-19 Crisis as a Model", in: *Psychology and COVID-19: Quantitative and Qualitative Studies*, eds. Boshra A. Arnout, and Abdalla S. Abdelmotelab (Beau Bassin: Scholars' Press, 2020), 57, 59.

32 Jo Aldridge, *Participatory Research, Working with Vulnerable Groups in Research and Practice* (Bristol: Policy Press University of Bristol, 2016), 36.

33 Jason Pl. Lott, "Module Three: Vulnerable/Special Participant Populations", *Bioethics Developing World* 5, no. 1 (2005): 31.

involving children, unless their safety and protection can be ensured.³⁴ Alternative data collection should have a precedence over collecting primary data from children because substantial risks associated with the latter are likely to be increased amidst the COVID-19 pandemic, and “no data are worth risking a child’s safety”.³⁵

Bearing all this in mind, it is thus decided to build a research sample on secondary data sources. The data for the study were obtained from police files of criminal offences with elements of violence, abuse and/or neglect as a form of psychological violence, allegedly committed against or in the presence of children, i.e. persons below the age of 18, under the criteria that the victim and the offender are tied by a relationship of closeness.^{36,37} According to the specific letter of the Criminal Code, such a relationship exists between family members, former spouses or cohabitants, former life partner or informal life partner, persons having a child together and persons living in a common household.³⁸ The normative concept of “closely related person” is further settled by a special normative definition of family members that acknowledges family ties between the spouse or cohabitant, life partner or informal life partner, their children and the children of either of them, lineal blood relatives, collateral blood relatives up to the third degree of kinship, in-laws up to the second degree as well as adopter and adoptee.³⁹ The grammatical analysis of the concept in question shows that the child is a string that bonds constructive elements of the term “cohabitation” together. Pursuant to Art. 87, Para. 10, a cohabitant is a person living in a cohabiting union of a more permanent character or for a shorter time if a child is born to cohabiting parents.⁴⁰ In certain countries, cohabitation is one of the fastest rising family living arrangements,

34 UNICEF Office of Research – Innocenti, *Ethical Considerations for Evidence Generation Involving Children on the COVID-19 Pandemic* (Firenze: UNICEF, 2020), 9.

35 UNICEF, *Research on Violence Against Children During the COVID-19 Pandemic: Guidance to Inform Ethical Data Collection and Evidence Generation* (New York: UNICEF, 2020), 17.

36 Art. 111, Subpara 2 and 3; Art. 116., Para. 3; Art. 117, Para. 2; Art. 118, Para. 2; Art. 119, Para. 2; Art. 136, Para. 3; Art. 137, Para. 2; Art. 139, Para. 3; Art. 140, Para. 2; Art. 156; Art. 166, Para. 2 and 3; Art. 171; Art. 174, Para. 2, 4 and 5; Art. 176; Art. 177; Art. 179.a of the Criminal Code, Official Gazette no. 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19, 84/21 (hereinafter, the CC/11).

37 The criteria presented above are carefully chosen in order to capture the whole spectrum of abusive and negligent behaviours that children may experience in a close family circle. They also correspond to the WHO definition of violence against children in the interpersonal context that, *inter alia*, includes child maltreatment, “an abuse and neglect of children by parents and caregivers, most often in the home but also in settings such as schools and orphanages.” (World Health Organization, *Global Status Report on Preventing Violence Against Children 2020*, 11) Furthermore, it is important to note that strict guidelines defining child abuse were laid down by the same organisation in 1999; according to its precise wording, child abuse encompasses “... all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power.” (World Health Organization, *Report of the Consultation on Child Abuse Prevention* (Geneva: WHO, 1999), 15)

38 Art. 87, Para 7 and 9 of the CC/11.

39 Art. 87, Para 8 of the CC/11.

40 Art. 87, Para 10 of the CC/11.

and empirical evidence shows that child abuse cases also occur in cohabiting-parent families.⁴¹ It is quite obvious that very little is left to be determined in a courtroom. In fact, a precise normative definition is also provided for the notion of “informal life partner”, and therefore, the relationship of closeness is acknowledged between persons living in a same-sex partnership of a more lasting character and their partner’s children.⁴² Child maltreatment literature has long been focused on various family structures as determinants of child victimisation experiences, and the expected level of prohibited behaviour may vary depending on a number of factors.⁴³ Indeed, precise legislative wording for the relationship of closeness was set out in order to strengthen state protection and react to significant harm resulting from child abuse and neglect within a (broadly defined) family.

In view of the above, the key objective of this study is to empirically assess concrete implications of the COVID-19 crisis on violence against children within the family circle. In order to reach this aim and overcome obstacles in police records archiving and retrieving policies, a sample building strategy was implemented through a few crucial steps. First, in collaboration with the Police Academy - High Police School, 190 original police files were collected blindly from five police departments, centred in Pula, Rijeka, Zagreb, Split and Osijek. The geographical distribution of cases was carefully chosen to properly map family violence data for the most populated regions in the country. These files were randomly drawn from police records by police officers who employed sampling parameters that included a crime report of a violent offence against closely related persons submitted during the three months of national lockdown (March–May 2020) and subsequent period (June–September 2020). A seven-month time frame focusing on the said police reports within a defined area was applied to capture both the lockdown cases and the reopening cases, leaving open the possibility that some victims may report the offence immediately to law enforcement while others may wait until the COVID-19 restrictions are lifted. After victim- and suspect-specific data were anonymised by a police officer, files were checked to see whether the sample inclusion criteria had been adequately applied. The current study is part of a larger empirical study based on police files analysis, and in the next research phase, police files for violent offences solely committed against an adult family member were excluded, as were files focusing on the identification of suspects who share family ties with a child victim that do not fall under the definition of a “closely related person” (e.g., the suspect is a grandfather’s brother or victim’s cousin). A separate research sample was also created for sexual offenses against children, due to their criminological and victimological specificity and excluded from the present study. After all inclusion and exclusion criteria were successfully applied, the final research sample consisted of 63 police files that registered violent offences against children allegedly inflicted by closely related offenders.

41 Wendy D. Manning, “The Implications of Cohabitation for Children’s Well-Being”, in: *Just Living Together – Implications of Cohabitation on Families, Children, and Social Policy*, eds. Alan Booth, and Ann C. Crouter (London: Routledge, 2013), 124.

42 Art. 87, Para 11 of the CC/11.

43 William Schneider, “Relationship Transitions and the Risk for Child Maltreatment”, *Demography* 53, no. 6 (2016): 1774-1775.

3.2 Phenomenological Description of Patterns of Violence

The analysis of police files has revealed that from March through August 2020, a significant number of cases was opened at the police departments in Split (n=15) and Zagreb (n=15), whilst police officers archived 13 cases in Osijek and 10 cases in Rijeka as well as in Pula. There were 65 closely related offenders charged with different violent (n=118) and nonviolent (N=2) offences to the detriment of 108 underage family members. In 11 cases, the criminal complaint contained charges alleging that suspects had committed multiple (more than one) offences against a single child victim. All the random sample cases are still pending, and due to the fact that the public prosecutor did not desist from prosecution, there is a significant probability that the cases will have an epilogue in the form of a final court judgement. We should keep in mind, though, that the pending status of the case might impact the extent to which research conclusions can be generalised. The sample size being relatively small and the use of the random sampling method additionally call for caution. This is a considerable limitation to the study; however, the results of the research are a good starting point in understanding different layers of abuse and neglect of children in times of crises and perceiving the future development of its etiological threads.

A review of existing research and published work has shown that exposing children to violence within a family is a highly complex, multidimensional phenomenon that occurs in different forms and contexts, and due to its sociocultural complexity, it might last for a long time. Single incidents of childhood violence are highly rare. Rather, child violence researchers find that the phenomenon in focus has a repeated pattern of prohibited behaviour and that children are caught in a climate of violence together with other family members. In fact, violent attacks against children are part of a wider phenomenological mosaic depicting offenders' abusive attitudes and behaviours.⁴⁴ The data from Table 1 confirm these findings.

Table 1 Dispersion of Criminal Activity Involving Violence Against Children at the Time of Filing a Criminal Complaint

CRIMINAL OFFENCES AGAINST A CHILD		CRIMINAL OFFENCES AGAINST ANOTHER CLOSE PERSON		CRIMINAL OFFENCES AGAINST A THIRD PERSON, PUBLIC ORDER OR OTHER OFFENCES	
DURING THE NATIONAL LOCKDOWN					
Bodily Injury, Art. 117, § 1 and 2	3	Serious Bodily Injury, Art. 118, § 1 and 2	1		
Threat, Art. 139, § 2 and 3	2	Threat, Art. 139, § 2 and 3	5		
Child Desertion, Art. 176	2	Family Violence, Art. 179.a	11		

⁴⁴ Božica Cvjetko, and Mladen Singer, *Kaznenopravna zaštita djece* (Zagreb: Nakladni zavod Globus, 2013), 337, 344.

Infringement of a Child's Rights, Art. 177, § 1	2				
Infringement of a Child's Rights, Art. 177, § 2	29				
Family Violence, Art. 179.a	2				
Enabling the Use of Drugs, Art. 191, § 1 and 2	1				
IN THE POST-LOCKDOWN PERIOD					
Bodily Injury, Art. 117, § 1 and 2	3	Bodily Injury, Art. 117, § 1 and 2	9	Threat, Art. 139, § 2	2
Threat, Art. 139, § 2 and 3	5	Serious Bodily Injury, Art. 118, § 1 and 2	1	Unauthorised Manufacture of and Trade in Drugs, Art. 190, § 1	1
Violation of Duty of Maintenance, Art. 172, § 1 and 2	1	Threat, Art. 139, § 2 and 3	23	Unlawful Possession, Making and Procurement of Weapons and Explosive Devices, Art. 331, § 1	2
Infringement of a Child's Rights, Art. 177, § 2	69	Family Violence, 179.a	30		
Family Violence, Art. 179.a	1	Stalking, Art. 140, § 1 and 2	1		

The in-depth analysis of police files demonstrates that violent victimisation of children is not an isolated incident. The facts of scrutinised cases show that we are faced with the plurality of diverse forms of criminal activity. Child abusers and neglecters are charged with a number of violent offences or with offences that indicate a propensity to commit violent crime (e.g., the offences of unlawful possession, making and procurement of weapons and explosive devices). This suggests that being faced with obstacles or an unwillingness to suppress or misdirect their aggression, the suspects express it through physical, psychological or economic violence directed towards their children, other close family members or third persons. Even if abusers are only violent to the youngest family members, their abusive techniques yet again involve multiple variants of violence. The analysis has shown that 25,4% of all opened cases only involved violence to the detriment of children; however, the abusive and neglecting behaviours included the whole spectrum of prohibited actions that are detrimental to children's physical, psychological, and emotional development or wellbeing. Certain cases are examples of the vivid metamorphosis of violence as abuse mutates into different forms and almost daily articulates its presence, creating a web of abusive, critical, and manipulative behaviours. For example, a nine-year old girl has lived through a year of abuse and emotional deprivation since she moved into her grandmother's home. Acts of psychological violence such as verbal insults, humiliations, and toxic criticism alternated with hair pulling, kicking, and

slapping, and subsequently, the abuse was manifested in death threats and threats of eviction.⁴⁵ Interestingly, the analysis has revealed that violence against children was also manifested in its passive form. Children's rights were infringed by serious parental neglect and economic deprivation, and there have been cases where parents refuse to pay or delay paying their child support, show a lack of interest in or desert their children. The detected phenomenon might be related to economic stressors that emerged during the mandatory confinement due to COVID-19. Restraining measures have caused a wave of economic crisis, and studies confirm that the said consequences might lead to or favour family violence behaviours.⁴⁶

As noted in previously published studies, during the national lockdown period, the police files primarily recorded violent offences involving family relations. Most children were subjected to abuse that was contrary to their fundamental rights (70,7 % of all lockdown reported cases), whilst others experienced violence that resulted in bodily injury or threat or was categorised as one of the prohibited behaviours under the more broadly defined offence of family violence.⁴⁷ The said offence was the most common form of abuse of persons who are tied to both the child and the abuser by a relationship of closeness (64,7 %). This study confirms the grim prediction that, while mobility was considerably reduced by the lockdown measures, children and their family members were exposed to violence in their homes. An example of serious victimisation within family walls is the Rijeka case that well represents the gravity of violence and atmosphere of intimidation and fear that few victims can escape. According to police records, verbal insults and name calling were the abuser's regular psychological tactics used to degrade and humiliate his cohabiting partner and her son from a previously dissolved marriage. The eight-year old child was psychologically wounded by his stepfather's yelling, insults labelling him as stupid, and being forced to leave the apartment while not being dressed properly. Family life during the lockdown was also permeated by physical violence in the form of pushing, slapping and hitting. While his mother suffered a twisted ankle after being grabbed and pushed to the floor, the boy was subjected to whips by a thick rod that was casually placed on the kitchen counter as a warning of the inevitability of corporal punishment yet to come.⁴⁸ It seems that even after more than seven decades of intensive research and political debate on corporal punishment of children, Croatian families do not accept the fundamental fact that inflicting physical violence on children for disciplinary purposes fails to respect their intrinsic human dignity and constitutes a violation of the right to bodily integrity.

As it was predicted, violent behaviours that have detrimental effects on children's wellbeing and family relationships were more frequently reported after the

45 Ri-23, Record of Criminal Complaint of 25th August 2020.

46 Eberta, Steinert, *Prevalence and Risk Factors of Violence Against Women and Children*, 429.

47 Pursuant to Art. 179.a. of the CC/11, a family violence offender is a person who commits a serious breach of the regulations on protection from family violence, thus, causing a family member or another close person to feel fear for their safety or the safety of persons closely related to them or bringing them into a humiliating position or a state of long-term suffering under the condition that no more serious offence has been committed with actions of the offender.

48 Ri-12, Record of Criminal Complaint of 9th April 2020.

lockdown measures were eased in May. The most persisting form of violence against children were infringements of children's rights due to their exposure to abuse and maltreatment (87,3 % of all post-lockdown reported cases), while other close family members were subjected to family violence (46,9 %) or exposed to serious life threats (35,9 %). In terms of their frequency, emerging evidence on child victimisation and family violence confirm that criminal offences under Article 177 and 179.a are the most commonly committed crimes in family settings.⁴⁹ In the second research period, as the circle of violence extended, suspects' abusive actions included threats towards third persons, unlawful possession of live ammunition and unlawful marihuana production.

3.3 Etiological Findings on Violence Against Children

3.3.1 Causes Related to Victims

Violence against children in the immediate family context is one of the most deviant social occurrences universally recognised as highly complex and multifaceted. The extensive criminological literature on family violence has given a considerable amount of attention to the etiological complexity of the phenomenon in question, and there continues to be debate about the factors and possible causes that increase the risk of violence, especially towards children.⁵⁰ No matter the noted causal multiplicity, the common pattern related to gender characteristics of children, their age, family environment, types of abuse suffered, and attitudes towards violence can be distinguished as a thread that ties together our knowledge of child victimisation in times of uncertainty and crisis such as the COVID-19 pandemic. An excessive focus on multiple variables that contribute to child abuse and maltreatment has showed that the victims are both boys and girls from infants up to age 18.⁵¹ The analysis of the present study strongly supports this conclusion. Research results reveal that abuse and neglect was experienced by 54 girls and 51 boys. In the remaining two cases, the police files did not contain the gender details for three child victims. Furthermore, stratification regarding age showed that at the time of filing a criminal complaint, most children were primary-schoolers between 6 and 12 years (44,4 %). Empirical evidence has revealed that the primary school age is the age range of greatest risk for abuse.⁵² The second most frequent age group includes teenagers aged 13 to 17 (35,2 %). There was no difference in victimisation frequency between toddlers (9,3 %) and preschool children (9,3 %), and police records were silent about the exact age of two child victims. Even though the results are in line with previously published

49 Cvjetko, Singer, *Kaznenopravna zaštita djece*, 260-261.

50 Lora Briški, and Mojca Mihelj Plesničar, "Intimate Partner Homicide in the Times of Covid-19 in Slovenia", *Lex Localis - Journal of Local Self-Government* 20, no. 2 (2022): 456; Pereda, Díaz-Faes, *Family Violence Against Children*, 2.

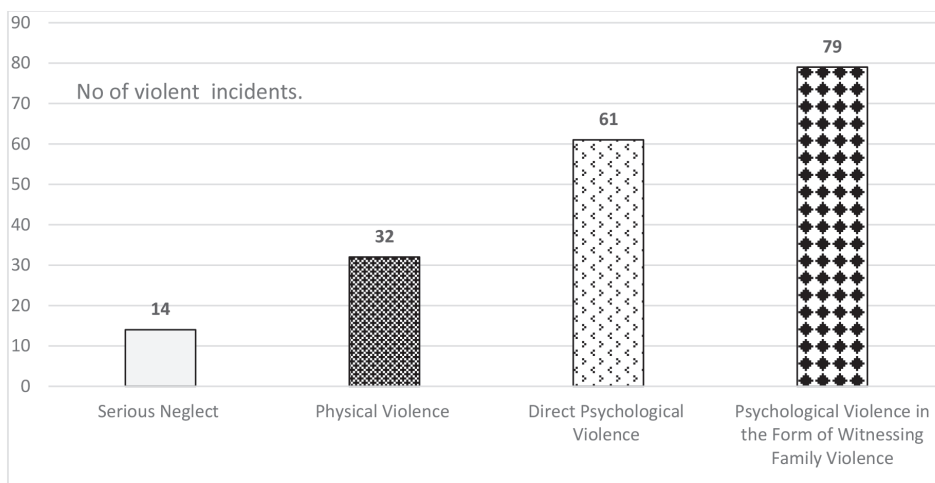
51 Cvjetko, Singer, *Kaznenopravna zaštita djece*, 394; Dunja Marinović *et al.*, "Kazneno djelo zapuštanja i zlostavljanja djeteta ili maloljetne osobe u praksi Općinskog suda u Rijeci", *Policija i sigurnost* 19, no. 4 (2010): 437.

52 Jelena Ogresta *et al.*, "Analiza obilježja prijavljenih događaja nasilja nad djecom u obitelji evidentiranih u centrima za socijalnu skrb", *Ljetopis socijalnog rada* 19, no. 3 (2012): 449.

knowledge, the fact that the youngest maltreated child was only 6 months old raises a serious concern. According to the factual substrate recorded in the police file, the child and her six-year-old sister, on numerous occasions, witnessed brutal assaults against their mother by her partner. They both were exposed to cohabiting physical and psychological violence in the home, witnessing the offender's insults, rage, and punches that, at one occasion, injured their mother enough to require medical care.⁵³

Exposure to repeated or more severe family violence combined with the child victim's young age might increase the likelihood of experiencing future negative outcomes: the younger the age and the harsher the assaults are, the greater is the victimisation impact. Such correlative relations call for careful scrutiny to assess and evaluate the level, type and severity of reported violence against children.

Graph 1 Different Manifestations of Violence against Children



In line with relevant research, the results of the present study confirm that victimised children in families experience the least psychological abuse in the form of serious neglect (13 %). The majority of children, more precisely 86,1 %, are the direct victims of physical or psychological abuse. Further stratification of the data by the frequency of certain types of abuse showed that 29,6 % child victims were subjected to physical violence, and 56,5 % of them were subjected to psychological assaults. In most of these cases, physical abuse as a form of maltreatment involved pushing; slapping; hitting with the hand, stick, belt, silicon brush, cell phone, frozen meat, wooden spoon, plastic hanger or book; punching, hair pulling, neck grabbing, kicking in the buttocks, pushing into doors and walls, and dragging on the floor. The attacks of physical aggression frequently resulted in red marks and bruising, yet police records also show that in certain cases, physical violence caused blurred vision⁵⁴ and

53 Ri-25, Record of Criminal Complaint of 25th June 2020.

54 Zg-29, Record of Criminal Complaint of 12th March 2020.

nosebleed⁵⁵ as well as facial⁵⁶ and multiple bodily contusions.⁵⁷ Although physical violence was the third most frequent type of experienced violence, the results call for concern since such adverse experiences can greatly affect the lives of children and cause them to cope with both physical and mental health problems including emotional disruptive behaviour, depression, and PTSD symptoms.⁵⁸

Recent findings suggest that direct victimisation in the form of psychological abuse can have similar devastating effects on the child. Children who fall victim to abuse at the hands of their caregivers struggle with low self-esteem and sense of unsafety, social isolation, attachment problems, intellectual deficits, affective-behaviour problems, anxiety, depression, PTSD and suicidality; according to experts, psychological childhood abuse is the most damaging category of child maltreatment.⁵⁹ Therefore, the fact that direct psychological violence is almost two times more common than physical abuse raises a serious concern. The analysis has discovered that children were psychologically abused when suspects yelled at them or subjected them to constant criticism,⁶⁰ deliberately woke them up by shouting in their ear,⁶¹ forced them to do their homework till midnight,⁶² gave them “long lectures” under the guise of upbringing,⁶³ or threatened to kill them⁶⁴ and put them on the street.⁶⁵ Direct psychological violence caused children considerable psychological harm as close family members called them “stupid” and “retarded”,⁶⁶ “uneducated”,⁶⁷ “incompetent”,⁶⁸ “lazy”,⁶⁹ “monkeys”,⁷⁰ “cows”,⁷¹ “whores”,⁷² “ugly and fat”,⁷³

55 Ri-24, Record of Criminal Complaint of 29th May 2020; Os-25, Record of Criminal Complaint of 30th April 2020;

56 Os-25; Zg-21, Record of Criminal Complaint of 15th March 2020.

57 Zg-24, Record of Criminal Complaint of 15th February 2020.

58 Adele M. Laye, and David B. Mykota, “Rural Canadian Youth Exposed to Physical Violence”, *Canadian Journal of School Psychology* 29, no. 1 (2014): 27.

59 Haya Sakakini, “Psychological Abuse Claims in Family Law Courts in BC: Legal Applications and Gaps”, *Canadian Journal of Family Law* 34, no. 1 (2021): 28.

60 Ri-2, Record of Criminal Complaint of 27th June 2020.

61 Ri-20, Record of Criminal Complaint of 10th June 2020.

62 Zg-21.

63 St-1, Record of Criminal Complaint of 22nd March 2020.

64 Ri-27, Record of Criminal Complaint of 17th August 2020; St-37, Record of Criminal Complaint of 27th May 2020; St-38, Record of Criminal Complaint of 3rd July 2020; St-40, Record of Criminal Complaint of 3rd May 2020; Os-20, Record of Criminal Complaint of 5th March 2020; Os-28, Record of Criminal Complaint of 27th April 2020; Os-31, Record of Criminal Complaint of 28th May 2020; Zg-40, Record of Criminal Complaint of 23rd April 2020.

65 Zg-7, Record of Criminal Complaint of 3rd April 2020.

66 Os-24, Record of Criminal Complaint of 24th June 2020.

67 Ri-12.

68 Ri-19, Record of Criminal Complaint of 12th August 2020.

69 Zg-2, Record of Criminal Complaint of 6th April 2020.

70 St-5, Record of Criminal Complaint of 18th May 2020.

71 St-26, Record of Criminal Complaint of 12th May 2020.

72 Os-25; Os-26, Record of Criminal Complaint of 29th April 2020.

73 Zg-22, Record of Criminal Complaint of 1st September 2020.

“trash” and “shit”⁷⁴, and “idiots”.⁷⁵ There were also cases in which the suspects threatened their children with suicide, and due to parental manipulative behaviour, children began displaying more anxiety and concern.⁷⁶

The current study has confirmed previous findings that different forms of family violence frequently co-occur.⁷⁷ Experts explain that witnessing family violence might be a common experience among children whose family environment is marked by coercion and threats.⁷⁸ The results indicate a significant prevalence of the said pattern of abuse since 73,1 % of all children have witnessed family violence by observing a violent interaction between two closely related persons, in most cases between their parents and / or other caregivers. The detected frequency of witnessing violence at home as a child is consistent with Dodaj’s findings that the prevalence of the indirect psychological abuse of children by their exposure to family violence is fairly high and, consequently, of great concern.⁷⁹ Moreover, numerous studies have demonstrated that children living in homes where there is a presence of abuse are subjected to direct violence and substantially exposed to a high risk of neglect.⁸⁰ After the additional stratification of indirect psychological abuse cases, this study has shown that 63,3 % of these children also experienced physical attacks and verbal violence resulting in psychological suffering. In addition, the results indicated that, overall, only 39,8 % of all child victims suffered one form of violence, and as it was expected, in 72 % of cases, they were witnesses of family violence.

There is a great probability that the coexistence of different forms of violence is associated with a poor family environment corroded by alcohol or drug misuse, economic burdens and poor parental skills. A number of studies that examined the overall association between these variables and child abuse have demonstrated a tight link pointing at low family cohesion, poor operationalisation of family quality, inadequate family support and inter-parental conflict.⁸¹ Along these lines, this study confirms that family-related variables are a considerable predictor of child exposure to different, coexisting forms of violence in family settings. For example, in the Osijek case, for over a year, the family dynamics were characterised by the father’s excessive drinking and physical and psychological abuse directed towards the children’s mother. Three underage boys were witnesses of the suspect’s ruthless attacks as he grabbed his spouse by the throat and pushed her to the floor while attempting to strangle her. Family violence included the children observing threats by knife and an array of verbal insults (“whore”, “stupid”, “...she runs after men and needs to be taught a lesson”),

74 St-40.

75 Os-23, Record of Criminal Complaint of 18th June 2020; Zg-29.

76 Pu-1, Record of Criminal Complaint of 7th August 2020.

77 Marina Ajduković *et al.*, “Epidemiološko istraživanje prevalencije i incidencije nasilja nad djecom u obitelji u Hrvatskoj”, *Ljetopis socijalnog rada* 19, no. 3 (2012): 394-395.

78 Marinović *et al.*, *Kazneno djelo zapuštanja i zlostavljanja djeteta ili maloljetne osobe*, 435.

79 Arta Dodaj, “Children Witnessing Domestic Violence”, *Journal of Children’s Services* 15, no. 3 (2020): 168.

80 Ogresta *et al.*, *Analiza obilježja prijavljenih događaja nasilja nad djecom*, 455.

81 Gianluca Serafini *et al.*, “Life Adversities and Suicidal Behaviour in Young Individuals: A Systematic Review”, *European Child & Adolescent Psychiatry* 24, no. 12 (2015): 1432.

and on numerous occasions, they also experienced verbal aggression while being called stupid and retarded. The police records show that their screams of “He’ll kill our mom” did not stop the suspect from violent behaviour.⁸² Another case reveals the facts of a highly dysfunctional family with the elements of father’s alcohol abuse and constant parental conflict. As far as he remembers, the child has witnessed frequent marital fighting and has experienced violence at the hands of both parents.⁸³

Although the path from spousal violent victimization to child abuse perpetration is not quite clear, a growing body of research confirms that such adverse experiences may cause immediate and long-lasting negative outcomes. Growing up in an abusive family and experiencing direct violence has brought trauma expressed in myriad ways such as persistent fears, crying, anxiety,⁸⁴ motor tics, head-shaking,⁸⁵ bedwetting, and more complex psychological outcomes that require psychiatric and psychological intervention.⁸⁶ Exposing children to violence contributed to their low self-confidence, poor assertiveness and self-control, poor educational outcomes (lower grades and skipping classes),⁸⁷ and thinking about running away from home.⁸⁸ Being helplessly caught in the net of violence that spreads tensions and stress within the family system, the child victims cope with the abuse they have suffered in a variety of ways. The applied coping strategies regularly included efforts to reduce the gravity of the situation and to offer explanations to justify the abuser’s behaviour. For example, while trying to provide a rational explanation for her grandmother’s death threats, a nine-year old child victim said that “Grandma wouldn’t do that. She just said that because she was nervous. Later she calmed down and it was all okay. Grandma is *a little weird in the head*.”⁸⁹ Children also believed that when parents yell at their children, they “take care of them” and “do it for their own good”.⁹⁰ The coping strategies are a potential mechanism in the pathway between child abuse and neglect and the severity of the consequences, and in order to understand the dynamics of violence against children, it seems quite important to investigate the victim’s relationship with the suspect and other suspect-related variables.

3.3.2 Causes Related to Suspects

Gender is one of the most consistent sociodemographic characteristics associated with crime, and a growing body of evidence indicates that female caregivers commit a sizeable portion of violent crime against children. For example, a recent study has associated caregivers violence with a significantly higher rate of female offenders (61,19 %).⁹¹ Similarly, Cvjetko and Singer discovered that the prevalence of women

82 Os-24.

83 Zg-24.

84 Ri-23; St-40.

85 Ri-21, Record of Criminal Complaint of 10th June 2020.

86 Os-25.

87 Pu-5, Record of Criminal Complaint of 11th August 2020.

88 Zg-24.

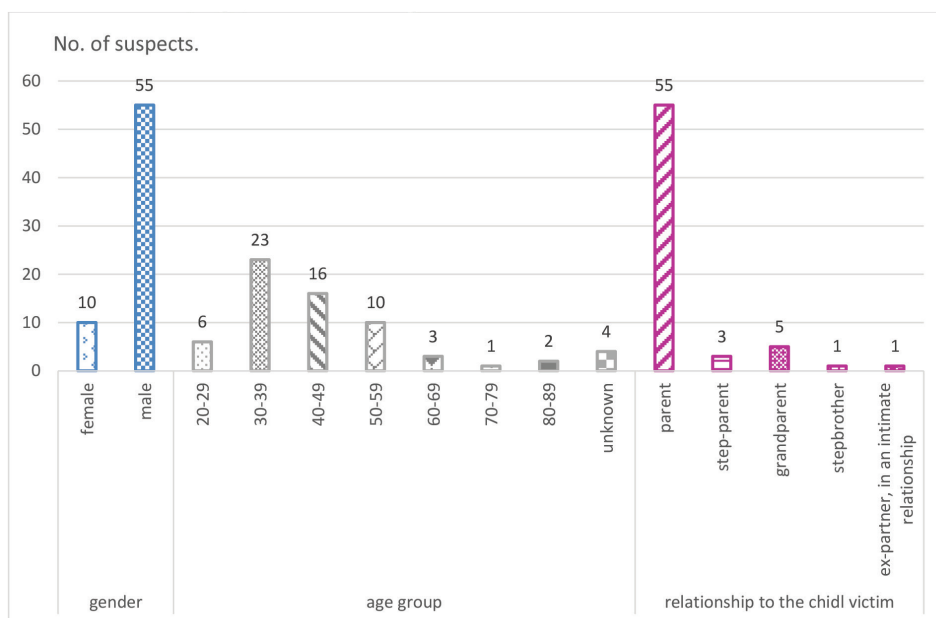
89 Ri-23.

90 Os-23.

91 Catherine Carlson *et al.*, “Violence Against Children and Intimate Partner Violence Against

who abuse their children and cause them serious consequences may account for 50 % of all aggravated child abuse cases.⁹² On the other hand, some studies have shown that child maltreatment predominantly involves male offenders. According to Martinović and colleagues, the percentage of female neglecters and abusers among the offender population sample was modest (29 %) compared to the 71 % of men pronounced guilty for identical criminal acts. Focusing on female offenders of violent crimes against children in the family circle, Ogresta and a group of researchers reached conclusions pointing to an even lower prevalence rate (21,2 %). Data from Graph 2 stand in line with the latter mentioned research results.

Graph 2 Suspect Sociodemographic Characteristics Associated with Violence Against Children - Gender, Age, and Relationship to the Victim



The findings of the current assessment confirm that 15,4 % of all suspects are of female gender. However, a probable reason for such a low prevalence might be the phenomenological construct of underreporting. Given what we know of women offending within the family, the violent victimisation of children might be less likely to be reported than male violence. The invisibility of female crime against children in the family surroundings might likewise be caused by the fact that due to the random sampling strategy, the analysed police records did not contain any information revealing that the abused mothers also use violence against their children. Although female victimisation and offending behaviours may co-occur within a context of the

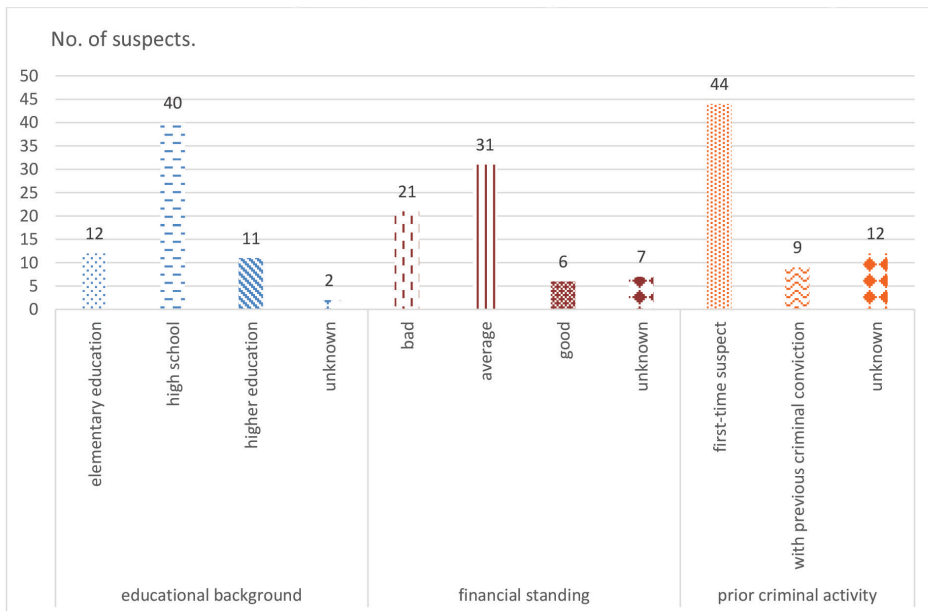
Women: Overlap and Common Contributing Factors Among Caregiver-Adolescent Dyads”, *BMC Public Health* 20, (2020): 5.

92 Cvjetko, Singer, *Kaznenopravna zaštita djece*, 271.

women's exposure to family violence,⁹³ the noted phenomenon was not detected in the present study, leading to their under-representation as suspected persons in violent incidents involving children.

In the cases in which the suspect's age was known, the youngest suspect was 23 years old, and the oldest was 82 years old, the average age being approximately 40 years. The majority of the offenders are in their 30s (35,4 %) or 40s (24,6 %). From the beginning of adulthood, offender criminal activity tends to increase with age, and therefore, it seems reasonable that the empirical evidence confirms that most alleged maltreaters belong to the most active age groups. Moreover, the specified age groups are associated with the highest number of persons who are married or living with a partner in legally recognised family units. Related to this hypothesis is the fact that most suspects are parents of the abused child (84,6 %). This study shows that children also experience violence inflicted by grandparents (7,7 %) as well as by step-parents (4,6 %). In a separate case, two underage boys were exposed to insults, threats and destruction of property, which their stepbrother used as a powerful weapon against them and their mother. A somewhat different case concerned a fifteen-year old girl who suffered psychological blows in the form of death threats from her ex-intimate partner. Similar to the findings of previous studies, sociodemographic characteristics like the suspect's gender, age, and relationship to the child victim seem to be quite strong predictors of family violence incidents against children.

Graph 3 Suspect Sociodemographic Characteristics Associated with Violence Against Children – Educational Background, Financial Standing, and Prior Criminal Activity



93 Carlson et al., *Violence Against Children and Intimate Partner Violence Against Women*, 2.

Research findings on suspects' educational background and financial standing support previous empirical conclusions that child maltreatment through physical and psychological violence occurs in families of all socioeconomic levels.⁹⁴ Although the predominant public belief connects violent incidents with lower-class homes, it is important to stress that child abusers tend to be well-educated and financially stable. The significant majority completed high school (61,5 %), while 16,9 % of them achieved higher education. When asked about their financial standing, the suspects mostly reported an average financial state (47,7 %). In spite of these seemingly good financial conditions, 32,3 % stated that they were struggling with severe financial difficulties. Bearing in mind that in a considerable number of police files (n=7) there were no data on the suspects' financial status, in reality, the socioeconomic stratum could have been marked with a higher prevalence of bad financial standing. The theoretical and empirical approaches to family violence have well established that economic deprivation and financial hardship can add stress to the family environment, leading to conflict; such conflict is perceived as a substantial risk factor for a broad spectrum of violent behaviours towards family members.⁹⁵ Starting from these premises, it seems safe to conclude that the COVID-19 economic maladies that recently dealt a blow to the financial stability and safety of Croatian families have probably increased the likelihood of childhood exposure to family violence. Police records do not systematically provide information on what led to a suspect's violent actions, yet a glimpse of indications of COVID-19 criminogenic influence was found in a few analysed criminal complaints.

The facts of the Osijek case reveal that during the COVID-19 pandemic, violence against children in the form of corporal punishment intensified. As homeschooling and online education have become a new standard, some children have experienced difficulties adjusting to the new educational environment. A 13-year old boy was following online classes with his mother's assistance; however, this required far more effort and studying on his part, and he was unable to follow through. As the child was put under increased educational pressure and time demands, his father's verbal abuse and physical punishment intensified.⁹⁶ Similarly, the method of corporal punishment was used as a correctional measure against an elementary schooler for low grades. The boy's father did not refrain from using physical violence and psychological aggression, invoking fear in his son to learn better and become more successful at school. However, according to the explanation provided by the boy, during the distance learning period, he simply could not get out of bed and accumulated a number of low grades.⁹⁷ In another case, efforts were made to justify a four-year old boy's facial injury, causing a nosebleed, by his father's three-month absence from work due to COVID-19 restrictions and over-tense nerves.⁹⁸ The COVID-19 economic pressures, e.g., the loss of livelihood and child benefits during the national lockdown, might have been criminological factors that pushed a female spouse to physically assault

94 Ogresta *et al.*, *Analiza obilježja prijavljenih događaja nasilja nad djecom*, 462.

95 Cvjetko, Singer, *Kaznenopravna zaštita djece*, 387.

96 Os-23.

97 Pu-5.

98 Ri-24.

her husband in the presence of their children. Having no financial resources, she had made a long list of household essentials, and after her husband refused to execute her commission, she resorted to violence in a spousal conflict and inflicted psychological harm on the children exposed to such scenes.⁹⁹

This study indicates that it is quite possible that high levels of tension within the family, among other COVID-19 negative outcomes, have created an unsafe environment for children, exposing them to an increased risk of family violence. It seems that the challenges posed by the pandemic could have created a web of etiological factors associated with violence even in families not affected by suspects' previous criminal histories. It appears that violent parents from the four cases mentioned above were first-time offenders with no prior criminal record. Overall, 67,6% of all suspects included in the sample have never faced an investigation resulting in a conviction and criminal sentencing, as opposed to just over one-tenth of the recidivist suspects. Among these, two suspects were previously pronounced guilty for the offence of family violence.¹⁰⁰ There is a great probability that odds for prior criminal history of violence involving family members could have been significantly higher as nearly 1 in 6 criminal records did not contain any information on suspects' prior criminal offending. However, the records show that two suspects had never been charged with a criminal offence but had been found guilty for misdemeanours connected to family violence.¹⁰¹ This raises a serious concern since the weakness of the misdemeanour justice system might result in subsequent violent offending that more seriously crosses the threshold of criminal behaviour.

4 CONCLUSION

The phenomenon of exposing children to different forms of violence in family settings is a highly complex, multifaceted, persistent and pervasive reality that affects the lives of countless children and families. Previous research and global reports have already revealed grim statistics confirming the existence of 1 billion child victims between 2 and 17 years of age who experience some form of violence yearly. In the wake of the COVID-19 crisis, the intensity and frequency of child abuse and maltreatment could have been exacerbated. To the author's knowledge, this study is the first to examine the phenomenological outline and etiological narratives related to violence against children that emerged or worsened during COVID-19 in Croatia and to explain the criminogenic potential of the novel Coronavirus. The study confirms that during the national lockdown (March–May 2020) and in four subsequent months, criminal complaints were filed against 65 close family members for a variety of violent criminal offences to the detriment of 108 underage family members. In almost unprecedented circumstances during the pandemic crisis, the risk of child victimisation in the family has revealed its full potential.

Police files contain substantial information about problematic, dysfunctional,

99 St-25, Record of Criminal Complaint of 25th March 2020.

100 Os-31; Zg-25, Record of Criminal Complaint of 7th July 2020.

101 St-1; Zg-6, Record of Criminal Complaint of 9th March 2020.

and deviant family dynamics that create an atmosphere of fear and helplessness in which children are directly physically (29,6%) and psychologically abused (56,5%) and exposed to serious neglect as a form of psychological maltreatment (13%). Children who live with physical abuse are pushed, slapped, hit, punched, pulled by the hair, grabbed by the neck and thrown onto the ground. Threats of violence, insults and name calling were the most common psychological assaults experienced at home. Despite the clear condemnation of corporal punishment, the study reveals that this method has still been used for the purpose of correcting or punishing a child in Croatian families. Violence against children within a family has many faces, and a serious concern is raised by the fact that more than two thirds of children have witnessed violent interactions between their parents and/or other caregivers. The metamorphosis of violence was rapid, intensive and dynamic, and in certain cases, the child victim was exposed to physical and psychological attacks and pulled into highly conflictual and violent family scenes. The noted poor family environment already corroded by poor parental skills and disturbed family relationships has been additionally aggravated by the challenges brought by the lockdown measures and other relevant societal responses. The study shows that online education and distance learning have intensified the use of corporal punishment, and the economic hardship has led to new violent incidents involving children. Further stratification of etiological characteristics explains that the common victimological profile refers to both boys and girls, primary-schoolers aged 6-12 years, who experienced multiple forms of abuse at home. The alleged suspects were predominantly male in their 30s with secondary school education, an average financial situation, and no criminal record.

The obtained research findings confirm already published knowledge about the violence against children; however, the study has also shed light on the new pathways to abuse in the family context under the influence of exogenous causes related to disasters. The research insight into the impact of the COVID-19 pandemic on abusive behaviours and the victimisation of children should further focus on efficient preventive measures and strategies to improve family resilience in the face of disasters yet to come. A much greater focus should be directed towards the protection of particularly vulnerable children from abusive or “at-risk” families monitored and supervised by child protective services. More research is needed to increase the efficiency of the social security and criminal justice systems and reshape official policies with a child-centred approach.

BIBLIOGRAPHY

1. 2030 Agenda for Sustainable Development, Transforming our World: The 2030 Agenda for Sustainable Development A/RES/70/1, United Nations, 2015.
2. Ajduković, Marina, Ivan Rimac, Miroslav Rajter, and Nika Sušac. “Epidemiološko istraživanje prevalencije i incidencije nasilja nad djecom u obitelji u Hrvatskoj”. *Ljetopis socijalnog rada* 19, no. 3 (2012): 367-412.
3. Aldridge, Jo. *Participatory Research, Working with Vulnerable Groups in Research and Practice*. Bristol: Policy Press University of Bristol, 2016.

4. Arnout, Boshra A. "Investing Scientific Research in Light of Crises and Disasters: COVID-19 Crisis as a Model". In: *Psychology and COVID-19: Quantitative and Qualitative Studies*, eds. Boshra A. Arnout, and Abdalla S. Abdelmotelab, 56-84. Beau Bassin: Scholars' Press, 2020.
5. Barnes, Beth, Sarah Dunn, and Sean Wilkinson. "Natural Hazards, Disaster Management and Simulation: A Bibliometric Analysis of Keyword Searches". *Natural Hazards* 97, no. 2 (2019): 813-840.
6. Berthiaume, Ed. "In Midst of Pandemic, Disasters Class Draws Poignant Lessons from History", *Lawrence University News*, 19th November 2020. <https://blogs.lawrence.edu/news/2020/11/in-midst-of-pandemic-disasters-class-draws-poignant-lessons-from-history.html>.
7. Briški, Lora, and Mojca Mihelj Plesničar. "Intimate Partner Homicide in the Times of Covid-19 in Slovenia". *Lex Localis - Journal of Local Self-Government* 20, no. 2 (2022): 455-478.
8. Campbell, Andrew M. "An Increasing Risk of Family Violence During the Covid-19 Pandemic: Strengthening Community Collaborations to Save Lives". *Forensic Science International: Reports* 2, (2020): 1-3. <https://www.sciencedirect.com/science/article/pii/S2665910720300384>.
9. Carlson, Catherine, Sophie Namy, Andrea Norcini Pala, Milton L. Wainberg, Lori Michau, Janet Nakuti, Louise Knight, Elizabeth Allen, Carin Ikenberg, Dipak Naker, and Karen Devries. "Violence Against Children and Intimate Partner Violence Against Women: Overlap and Common Contributing Factors Among Caregiver-Adolescent Dyads". *BMC Public Health* 20, (2020): 1-13.
10. Cerna-Turoff, Ilan, Hanna-Tina Fischer, Hani Mansourian, and Susannah Mayhew. "The Pathways Between Natural Disasters and Violence Against Children: A Systematic Review". *BMC Public Health* 21, no. 1249 (2021): 1-17.
11. Chavez Villegas, Cirenia, Silvia Peirola, Matilde Rocca, Alessandra Ipinice, and Shivit Bakrania. "Impacts of Health-Related School Closures on Child Protection Outcomes: A Review of Evidence from Past Pandemics and Epidemics and Lessons Learned for COVID-19". *International Journal of Educational Development* 84, (2021): 1-9.
12. Criminal Code, Official Gazette no. 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19, 84/21.
13. Cvjetko, Božica, and Mladen Singer. *Kaznenopravna zaštita djece*. Zagreb: Nakladni zavod Globus, 2013.
14. Dodaj, Arta. "Children Witnessing Domestic Violence". *Journal of Children's Services* 15, no. 3 (2020): 161-174.
15. Eberta, Cara, and Janina I Steinert. "Prevalence and Risk Factors of Violence Against Women and Children During COVID-19, Germany". *Bulletin of the World Health Organization* 99, no. 6 (2021): 429-438.
16. Elver, Hilal, and Melissa Shapiro. "Violating Food System Workers' Rights in the Time of COVID-19: The Quest for State Accountability". *State Crime* 10, no. 1 (2021): 80-103.
17. Hancock, Dave. "Banning Physical Punishment of Children in the UK". *Journal of Health Visiting* 9, no. 9 (2021): 374-378.
18. Hillis, Susan, James Mercy, Adaugo Amobi, and Howard Kress. "Global Prevalence of Past-year Violence Against Children: A Systematic Review and Minimum Estimates". *Pediatrics* 137, no. 3 (2016): 1-13.
19. Iesue, Laura, Felicia O. Casanova, and Alex R. Piquero. "Domestic Violence During a Global Pandemic: Lockdown Policies and Their Impacts Across Guatemala". *Journal of Contemporary Criminal Justice* 37, no. 4 (2021): 589-614.
20. Koshan, Jennifer, Janet Mosher, and Wanda Wieggers. "COVID-19, the Shadow Pandemic, and Access to Justice for Survivors of Domestic Violence". *Osgoode Hall Law Journal* 57, no. 3 (2020): 739-799.

21. Laye, Adele M., and David B. Mykota. "Rural Canadian Youth Exposed to Physical Violence". *Canadian Journal of School Psychology* 29, no. 1 (2014): 21-39.
22. Lott, Jason Pl. "Module Three: Vulnerable/Special Participant Populations". *Bioethics Developing World* 5, No. 1 (2005): 30-54.
23. Maalla M'jid, Najat. "Hidden Scars: The Impact of Violence and the COVID-19 Pandemic on Children's Mental Health". *Child and Adolescent Psychiatry and Mental Health* 14, no. 1 (2020): 1-3.
24. Manning, Wendy D. "The Implications of Cohabitation for Children's Well-Being". In: *Just Living Together, Implications of Cohabitation on Families, Children, and Social Policy*, eds. Alan Booth, and Ann C. Crouter, 110-136. London: Routledge, 2013.
25. Marinović, Dunja, Tija Žarković Palijan, Dražen Kovačević, and Marina Kovač. "Kazneno djelo zapuštanja i zlostavljanja djeteta ili maloljetne osobe u praksi Općinskog suda u Rijeci". *Policija i sigurnost* 19, no. 4 (2010): 431-446.
26. Merenda, Aluette, Maria Garro, and Massimiliano Schirinzi. "The Invisible Pandemic: Domestic Violence and Health and Welfare Services in Italy and in the United Kingdom during Covid-19". *International Journal of Humanities Social Sciences and Education* 8, no. 10 (2021): 11-20.
27. Ogresta, Jelena, Ivan Rimac, Marina Ajduković, and Lea Skokandić. "Analiza obilježja prijavljenih događaja nasilja nad djecom u obitelji evidentiranih u centrima za socijalnu skrb". *Ljetopis socijalnog rada* 19, no. 3 (2012): 439-477.
28. Pereda, Noemí, and Diego A. Díaz-Faes. "Family Violence Against Children in the Wake of COVID-19 Pandemic: A Review of Current Perspectives and Risk Factors". *Child and Adolescent Psychiatry and Mental Health* 14, (2020): 1-7.
29. Reingle Gonzalez, Jennifer M., Rebecca Molsberry, Jonathan Maskaly, and Katelyn K. Jetelina. "Trends in Family Violence Are Not Causally Associated with COVID-19 Stay-at-Home Orders: A Commentary on Piquero et al.". *American Journal of Criminal Justice* 45, (2020): 1100-1110.
30. Renner, Lynette M., Molly C. Driessen, and Angela Lewis-Dmello. "An Evaluation of a Parent Group for Survivors of Intimate Partner Violence". *Journal of Family Violence* 37, no. 2 (2022): 247-259.
31. Ripert, Jean, Marla Lacayo-Emery, and Stephen Rattien. "Outsmarting the Forces of Nature". *Issues in Science and Technology* 6, no. 1 (1989): 75-79.
32. Rittossa, Dalida. "The Institute of Vulnerability in the Time of Covid-19 Pandemic - All Shades of the Human Rights Spectrum". *ECLIC* 5, (2021): 820-852.
33. Rittossa, Dalida, and Dejana Golenko. "Information Needs of Vulnerable Groups in the Time of COVID-19: The Theoretical Framework". In: *Exploring the Social Dimension of Europe: Essays in Honour of Prof. Nada Bodiroga Vukobrat*, eds. Gerald G. Sander, Ana Pošćić, and Adrijana Martinović, 407-419. Hamburg: Verlag Dr. Kovač, 2021.
34. Roje Đapić, Mia, Gordana Buljan Flander, and Krešimir Prijatelj. "Children Behind Closed Doors Due to COVID-19 Isolation: Abuse, Neglect and Domestic Violence". *Archives of Psychiatry Research* 56, (2020): 181-192.
35. Sakakini, Haya. "Psychological Abuse Claims in Family Law Courts in BC: Legal Applications and Gaps". *Canadian Journal of Family Law* 34, no. 1 (2021): 1-43.
36. Sandoval-Reyes, Juan, Sandra Idrovo-Carlier, and Edison Jair Duque-Oliva. "Remote Work, Work Stress, and Work-Life during Pandemic Times: A Latin America Situation". *International Journal of Environmental Research and Public Health* 18, no. 13 (2021), 7069-7081.
37. Schneider, William. "Relationship Transitions and the Risk for Child Maltreatment". *Demography* 53, no. 6 (2016): 1771-1800.
38. Serafini, Gianluca, Caterina Muzio, Giulia Piccinini, Eirini Flouri, Gabriella Ferrigno, Maurizio Pompili, Paolo Girardi, and Mario Amore. "Life Adversities and Suicidal Behaviour in Young Individuals: A Systematic Review". *European Child & Adolescent*

-
- Psychiatry* 24, no. 12 (2015): 1423-1446.
39. Todres, Jonathan. "Children and Disasters: The Essential Role of Children's Rights Law". *Yearbook of International Disaster Law* 2, (2021): 177-203.
 40. UNICEF Office of Research – Innocenti. *Ethical Considerations for Evidence Generation Involving Children on the COVID-19 Pandemic*. Firenze: UNICEF, 2020.
 41. UNICEF. *Preventing a Lost Decade: Urgent Action to Reverse the Devastating Impact of COVID-19 on Children and Young People*. New York: UNICEF, 2021.
 42. UNICEF. *Research on Violence Against Children During the COVID-19 Pandemic: Guidance to Inform Ethical Data Collection and Evidence Generation*. New York: UNICEF, 2020.
 43. Winkler, Sandra. "The Impact of COVID-19 on Children's Rights". *ECLIC* 5, (2021): 580-600.
 44. World Health Organization. *Addressing Violence Against Children, Women and Older People During the COVID-19 Pandemic: Key Actions*. Geneva: WHO, 2020.
 45. World Health Organization. *Global Status Report on Preventing Violence Against Children 2020*. Geneva: WHO, 2020.
 46. World Health Organization. *Report of the Consultation on Child Abuse Prevention*. Geneva: WHO, 1999.

Dalida Rittossa*

Sažetak

NASILJE NAD DJECOM U OBITELJI U DOBA BOLESTI COVID-19 U HRVATSKOJ: LEKCIJE (NE)VIDLJIVE PANDEMIJE

U zadnje vrijeme, suočeni smo s razornim posljedicama COVID-19 krize koje su prouzročile oštre rupture u različitim sferama društvenoga života. Negativni učinci jedne od kriza kojoj se teško može pronaći pandan u prošlosti pokrenuli su lavinu znanstvenih istraživanja kako bi se rasvijetlio fenomen u fokusu, a sve u nastojanju ostvarivanja ideje da znanost mora služiti boljitku zajednice. Unatoč iznimno brzom priljevu velikog broja znanstvenih radova, nedavno objavljene studije pokazale su kako još uvijek postoji zamjetan izostanak istraživačkog interesa za problematiku vezanu uz nepogode i njihov utjecaj na djecu. U nastojanju da se odgovori na i premosti uočen istraživački procjep, nastala je, prema znanju autora, prva empirijska studija koja istražuje nasilje nad djecom u doba COVID-19 bolesti u Hrvatskoj s posebnim fokusom na razdoblje *lockdowna*. Istraživački uzorak obuhvatio je 63 nasumice odabrana policijska spisa koji su otvoreni zbog počinjenja nasilnih kaznenih djela 65 osumnjičenika na štetu 108 dječaka i djevojčica s kojima ih veže odnos bliskosti u pet policijskih uprava (primorsko-goranska, istarska, zagrebačka, splitsko-dalmatinska, osječko-baranjska). Kako bi se u uzorak uvrstili slučajevi nasilnih kaznenih djela koji su prijavljeni tijekom *lockdowna* i neposredno nakon popuštanja restriktivnih mjera, istraživanje je obuhvatilo policijske predmete u kojima su kaznene prijave podnesene u razdoblju od sedam mjeseci (ožujak - rujan 2020.). Analiza je pokazala kako je većina djece stalno izložena višestrukim oblicima nasilja u obitelji koji narušavaju njihovo zdravlje i dobrobit. Povreda djetetovih prava najčešće je prijavljivano kazneno djelo počinjeno na štetu i dječaka i djevojčica koji većinom pohađaju osnovnu školu. Kao i većina prethodno objavljenih radova, ova je studija pokazala kako su najveći broj prijavljenih osumnjičenika očevi u tridesetim godinama sa završenom srednjom školom i srednjeg imovnog stanja, a koji do sada nisu evidentirani kao počinitelji kaznenih djela. Dobiveni istraživački rezultati zovu na provođenje daljnjih istraživanja i primjenu učinkovitih preventivnih mjera kako bi se pojačala otpornost obitelji u vrijeme nepogoda koje će tek nastupiti.

Ključne riječi: *nasilje; djeca; COVID-19; fenomenološko kretanje; etiološki uzroci; empirijsko istraživanje.*

* Dr. sc. Dalida Rittossa, izvanredna profesorica, Sveučilište u Rijeci, Pravni fakultet; dalida.rittossa@pravni.uniri.hr. ORCID: <https://orcid.org/0000-0002-1452-0838>.

Ovaj rad je sufinancirala Hrvatska zaklada za znanost projektom IP-CORONA-04-2086.