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The Prohibition of Approach in Child-To-Parent Violence: Between the Protection of the Victim and the Preservation of the Family Bond

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ABSTRACT

This research analyses the legal and emotional tension that emerges when the measure of prohibition of approach is applied in cases of child-to-parent violence (CPV). Through a bibliographic review and a qualitative case-study analysis, the paradox between the protection of victimised parents and the preservation of the family bond is examined. The results show that this measure generates significant difficulties: therapeutic paralysis by making joint family intervention impossible, uprooting of the minor, and the risk of a rebound effect after reunification. A clash is also identified with the fundamental right to the re-education and social reintegration of the offending minor. The study concludes that there is a need for a more flexible judicial approach that integrates restorative alternatives and psychosocial support, ensuring effective protection of victims without sacrificing the reconstruction of the family unit.

1 | By Way of Introduction to Child-To-Parent Violence

Child-to-parent violence constitutes a phenomenon of a complex, multifactorial and polyhedral nature, the study of which has gained notable intensity in Spain since 2006, as it is from this year onwards that the annual reports of the Office of the Attorney General begin to identify this problem in a differentiated manner.[1] Understanding this reality requires going beyond simplistic explanations and entering the intricate network of factors that converge in its genesis and development. Its complexity lies in the fact that it does not respond to a single identifiable cause, nor does it manifest itself uniformly.[2] Unlike other expressions of intrafamily violence, child-to-parent violence subverts the relational order traditionally assumed, placing the child in the position of aggressor and the parent in the condition of victim. This role reversal generates dynamics that are difficult to grasp both for those involved and for legal practitioners and professionals who intervene in addressing it. The affective bond underlying aggressor and victim gives this phenomenon a singularity that distinguishes it from other forms

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of violence and profoundly conditions institutional responses. Yet the complexity increases when it is observed that the positions of aggressor and victim are not as clear-cut as they might seem at first approach.[3]

The minor who uses violence against his or her parents becomes, in turn, a victim of the consequences triggered by his or her own conduct: a victim of the deterioration of the family bond, of the social stigma that accompanies those who attack those who gave them life, of the forced removal from the home when protective measures are adopted, and, in not a few cases, also a victim of prior circumstances that contributed to shaping the aggressive behaviour. This aggressor–victim duality introduces an additional dimension that makes it difficult to fit child-to-parent violence into classical intervention schemes and calls for responses capable of attending simultaneously to the protection of parents and to the minor's comprehensive recovery.

The multifactorial nature of child-to-parent violence is evident in the convergence of variables of different kinds that interact dynamically.[4] At the minor's individual level, factors of vulnerability such as conduct disorders, difficulties in impulse control, substance use or prior experiences of victimization can be identified.[5] In the family sphere, elements such as inadequate parenting styles—whether through excessive permissiveness or inconsistency in setting limits—as well as exposure to violent models of conflict resolution or the presence of disorganisation within the household, exert influence.[6] Added to these are social and contextual factors, including the influence of certain socialisation environments, deficits in prosocial skills, or the normalisation of aggressive conduct in certain relational contexts. This confluence prevents attributing child-to-parent violence to a single determining factor and compels the adoption of an integrative perspective in its analysis.

The polyhedral dimension of the phenomenon refers to the multiple facets from which it can and should be examined.[7] From a legal standpoint, it raises substantive questions regarding the minor's criminal responsibility, the applicable measures and the rights in tension. From the psychological perspective, it calls for attention both to the minor aggressor's internal processes and to the emotional consequences that victimization produces in parents. The sociological prism invites reflection on transformations in child-rearing models, family structures and authority patterns characteristic of contemporary societies. The educational lens questions training deficits and the possibilities of preventive intervention. This plurality of approaches, far from fragmenting the object of study, is indispensable to achieve a sound understanding of a phenomenon that resists being grasped from a single discipline.

When child-to-parent violence reaches unbearable levels and overwhelms the family unit's capacity to manage it, when all preventive mechanisms and interventions from educational, health or social protection domains have failed, the justice system emerges as the last resource.[8] This is a point that, in an ideal scenario, should never have been reached, but which sometimes becomes inevitable given the seriousness of the conduct and the impossibility of containing it through other means.

Filing a complaint against one's own child is a harrowing decision that entails immense pain for families. Parents resist taking this step until the situation becomes truly untenable, until the assaults reach such intensity that there is no other alternative.[9] The shame, a sense of failure as parents, fear of consequences and the hope that the situation can be redirected without external intervention act as brakes that delay the request for institutional help. Studies show that most complaints are filed only when all previous alternatives have been exhausted, when the abuse has become chronic and cohabitation is unviable.

Going to the judicial system gives rise, in victimised parents, to a host of fears and uncertainties that worsen an already precarious emotional situation. Lack of knowledge about how juvenile justice operates, uncertainty as to the consequences that the complaint will bring for the child, and the fear that judicial intervention will cause a definitive rupture of the family bond create a scenario of profound disorientation and anguish. Questions such as “what will happen to my child?,” “will they lock him up?” or “will he love me again?” hammer at the minds of parents who, immersed in suffering, turn in desperation to a system they do not fully understand.[10]

CPV also presents a singular problem that distinguishes it from other criminal manifestations: the parents who are victims do not seek harsh punishment, as might be expected in any other offence, but rather what they demand from the judicial system is, fundamentally, help. They do not seek their child to be punished rigorously, but that someone will help them to redirect a situation that has completely overwhelmed them. The complaint does not stem from a desire for revenge or retribution, but from a desperate cry for help, from the realization that their own resources have been exhausted and they need the protection of institutions to restore peace at home and, above all, to recover their child.[11]

But the suffering is not confined to parents. The minors involved, who simultaneously hold the condition of aggressors and victims, also experience the traumatic consequences of the judicialization of the conflict. The criminal process, even when the legislation on juvenile criminal responsibility is primarily oriented towards re-education and reintegration, confronts the adolescent with a system that points at him, separates him from the family environment and imposes measures which, however much they pursue his best interests, carry a stigmatising burden that is difficult to avoid. The minor aggressor thus becomes a victim of the deterioration of affective bonds, forced removal from the home, institutionalisation and the very labelling process that the juvenile justice system inevitably produces.[12]

The fear of breaking the bond with the aggressive child is, indeed, one of parents' most pressing fears. Some studies have documented cases in which, after the complaint and the minor's admission to a reform centre, the child has punished the parents with indifference, refusing to receive their visits for long periods of time, thereby perpetuating psychological abuse from within custody. This possibility—that judicial intervention may fail in its restorative purpose and, rather than fostering family reconciliation, consolidate an irreparable fracture— grips parents and explains their reluctance to resort to the criminal route.

This double victimization explains the reluctance of many families to resort to criminal proceedings and highlights the need to articulate more effective prior responses. Judicial intervention, although it may be essential to guarantee victims' safety and to bring about a turning point in the violent dynamic, is not the most suitable response to address a conflict rooted in the relational complexity of the family system. Its subsidiary, ultima ratio character requires reflection on systemic deficits in prevention, early detection and early intervention—areas in which it is imperative to invest greater efforts to prevent families from being driven into a scenario as painful as reporting their own children.

2 | The "Judicialisation of the Conflict"

When the situation becomes unbearable and tension reaches its highest point, when shouting, slamming doors, crying and assaults overflow the walls of the home, it may happen that someone—an alarmed neighbour, a family member present, or the parents themselves in a moment of desperation—requests the intervention of the State Security Forces and Corps. This is a critical moment in which the situation has definitively escaped family control and the conflict, until then kept in the private sphere, transcends into the public sphere and becomes a matter of institutional relevance.[13]

The emergency call marks an irreversible turning point. What for months or even years remained hidden behind the doors of the family home, sustained by shame, the hope of redirection or fear of consequences, is suddenly exposed to the authorities. The arrival of officers at the home entails the implicit recognition that internal management mechanisms have failed and that the State's assistance is required to restore a coexistence that the family, on its own, has not been able to guarantee.

The Office of the Attorney General, in Circular 1/2010 of 23 July on the treatment, within the juvenile justice system, of minors' ill-treatment of their ascendants, already warned of the proliferation of this phenomenon, describing it, at a minimum, as worrying.[14] CPV thus moves from the private sphere to the public sphere when the authorities, through a police or judicial complaint, become aware of child-to-parent assaults, initiating a process which, as AGUSTINA and ROMERO point out, rather than responding to a novel phenomenon, evidences a significant cultural evolution in parent–child relations which, together with other factors, had until recently fostered the invisibility of this problem.[15]

Police intervention in the family home constitutes, on many occasions, the forced trigger for the judicialization of the conflict. Although the parents' intention when requesting help is not necessarily to file a formal complaint, but simply to end a specific violent episode, the presence of the Security Forces activates a series of action protocols that may lead to the formalisation of a police report and, consequently, to the opening of proceedings before the juvenile courts. Specialised units, such as the Family and Women's Assistance Units (UFAM) of the National Police or the Women–Minor Teams (EMUME) of the Guardia Civil, are empowered to take the complaint, draft the report and adopt the protective measures deemed appropriate, bringing the facts to the attention of the competent judicial authority.[16]

It may also occur that it is the parents themselves who, once all possibility of containment has been exhausted, deliberately go to file a complaint with the authorities. This moment constitutes one of the most painful transitions a family can experience. Conflicted feelings emerge with hardly describable intensity: unconditional love for the child collides head-on with the imperative need to protect oneself; hope that the situation can be redirected is interwoven with the certainty of having failed in the exercise of parenthood; the protective instinct struggles with the awareness of pointing one's own child out to the justice system. As Pereira notes, child-to-parent violence unfolds "between secrecy and shame",[17] two emotional coordinates that define these families' experience and explain why the complaint represents such a difficult threshold to cross.

Specialised literature has extensively documented the emotional consequences suffered by victimised parents: feelings of helplessness, depression, guilt and defeat shape a picture of profound psychological distress.[18] COTTRELL warns that parents' reluctance to report their desperate situation may be a consequence of depression or shame at having failed as educators.[19] This perception of educational, and even personal, failure constitutes a barrier that inhibits seeking professional help and, even more strongly, filing a complaint. Going to the police station or the court means, for these parents, publicly acknowledging what for months or years they have hidden even from close relatives and friends.

The sense that "everything is already lost" permeates the moment of the complaint. It is not only the recognition of a past failure, but the anticipation of an uncertain future in which the relationship with the child will be irrevocably shaped by the intervention of the judicial system. Parents experience what some authors have called the "loss of the parental role"[20]: the certainty that, from that moment on, authority over the minor will be exercised by third parties—judges, prosecutors, centre educators—and that they themselves have been stripped of the capacity to redirect the situation through their own resources. This experience of dispossession is compounded by the fear that the complaint may trigger future retaliation or, paradoxically, aggravate the spiral of violence at home.[21]

In this context, it is unavoidable to underscore the need for the State Security Forces and Corps to have specific training on the phenomenon of child-to-parent violence. We are not dealing with one more manifestation of domestic or intrafamily violence in a generic sense, but with a singular reality with its own characteristics and a complexity that demands specialised knowledge. Police intervention in these cases requires understanding the role reversal that occurs within the family—where the perpetrator is the child and the victims are those who hold parental authority—as well as the emotional ambivalence experienced by parents, the prior relational context, escalation dynamics and the specific risk factors that converge in this type of violence.

The Spanish Society for the Study of Child-to-Parent Violence (SEVIFIP) has repeatedly highlighted the importance of establishing a specific police protocol for the detection and handling of this problem.[22] Specific training for officers is crucial to manage these cases adequately, avoiding standardized responses

that do not contemplate the particularities of the phenomenon.[23] An officer unfamiliar with the dynamics of CPV may act in ways that aggravate the family situation, either by minimising the seriousness of the facts—considering them "problems between parents and children"—or by adopting an exclusively punitive response that does not consider the minor's best interests or the possibilities of therapeutic intervention.

Organic Law 8/2021 of 4 June on the comprehensive protection of children and adolescents against violence (LOPIVI) has represented a significant advance in this area by dedicating Chapter X specifically to the sphere of the Security Forces and Corps. Article 49 of this law establishes that all Security Forces, at all levels—state, regional and local—must have specialised units for the investigation, prevention, detection and action in situations of violence against minors, and likewise requires that all members of police bodies receive specific training for dealing with this type of situation.[24] For its part, Article 50 of the same law sets out the criteria for police action, which must be guided by respect for the rights of children and adolescents and by consideration of their best interests.

Nevertheless, reality is far from meeting the regulatory standards. As the Ombudsman noted in his 2024 resolution on training for the implementation of Protocolo Cero in police premises, police officers receive only generic training on violence during their training period at the National Police School, without there being a complete subject dedicated to these issues.[25] This training gap is transferred, with even greater intensity, to the specific field of CPV, where the absence of tailored action protocols and specialised training can lead to inadequate interventions. The first police intervention with victims of intrafamily violence is often complex and requires specific knowledge and skills to assist people in situations of stress and personal crisis; in the case of CPV, this complexity multiplies exponentially due to the peculiar position of all parties involved.

It is therefore urgent that specific action protocols be developed for cases of child-to-parent violence, differentiated from those existing for other forms of domestic or gender-based violence. These protocols should include, among other aspects, guidelines for receiving the complaint that minimise secondary victimization of parents, criteria for risk assessment adapted to the characteristics of this phenomenon, guidance on information to be provided to families regarding available assistance resources, and directives for coordination with social, health and educational services. Ongoing training of officers in this area constitutes an indispensable investment to guarantee a sensitive, effective and rights-respecting police response for all persons involved, especially the minor.

The draughting of specific protocols for receiving complaints constitutes an unavoidable need in the police approach to child-to-parent violence. These instruments should allow officers to discern, from the first contact with the family, whether the reported facts truly constitute CPV or whether, on the contrary, we are dealing with what Anglo-Saxon doctrine calls status offences—behaviours that are only problematic due to the subject's minority, such as disobedience, running away from home, school absenteeism or breaches of curfew.[26] This distinction, which may appear subtle at first, is of capital importance both from a criminal-law perspective and from the standpoint of the most appropriate intervention for each case.

Specialised literature has warned that mild and sporadic disruptive behaviours are typical of the developmental stage of adolescence and, as such, can be interpreted as manifestations of rebellion and questioning of authority figures[27] An isolated insult, a heated argument or a slammed door, although reprehensible from an educational point of view, should not automatically be considered CPV, since they are not perceived as forms of abuse in our society and, normatively in terms of frequency, have come to be socially acceptable.[28] CPV, by contrast, is characterised by the repetition of violent behaviours, by their intent to obtain power and control over parents, and by the creation of a climate of fear and subjugation in the family home.[29]

Detecting and resolving this issue from the moment of receiving the complaint is fundamental for several reasons. First, from a perspective of proportionality of the legal response: activating the juvenile court apparatus for behaviours that do not reach the threshold of CPV may be disproportionate and counterproductive, criminalising demeanors that would require educational or therapeutic intervention rather than judicial action. Second, from the standpoint of the minor's best interests: an incorrect classification of the facts may lead to measures that, far from contributing to redirecting the family situation, generate labelling of the minor as "violent" or "delinquent", hindering personal and social development. Third, from the perspective of effective victim protection: minimising situations of genuine CPV by confusing them with mere intergenerational conflicts may leave unprotected parents who are suffering real and continued abuse.

The complaint intake protocol should include, at minimum, the following assessment elements: the existence of a structured and continuous pattern of violent behaviour over time—not isolated episodes; the minor's intention to cause harm, prejudice or subjugation to parents; the presence of different forms of violence—physical, psychological, economic; the prior relational context and family dynamics; the possible concurrence of psychopathological disorders or toxic substance use; and the existence of bidirectional violence that might configure a scene of mutual aggression.[30] Likewise, it would be advisable for the protocol to include indicators to detect situations in which the minor aggressor has previously been a victim of maltreatment by the very parents reporting the case, a circumstance that would require a radically different approach.

Training officers in the application of these protocols should enable them to carry out an initial assessment that, without prejudging the definitive legal classification of the facts—competence that corresponds to the Public Prosecutor's Office and the Juvenile Court—allows the initial intervention to be properly oriented. A trained officer will be able to inform parents about available assistance resources outside the judicial route, refer to social services those cases that do not present criminal characteristics, and reserve the draughting of a police report for those situations that truly show indications of CPV. This initial filtering function, exercised with rigour and sensitivity, would help avoid both over-judicialization of family conflicts and underprotection of real victims of child-to-parent violence.

3 | Organic Law 5/2000 of 12 January in the Face of the Reality of Child-To-Parent Violence

Organic Law 5/2000 of 12 January regulating the criminal responsibility of minors (hereinafter, the LORPM) reaches 25 years in 2025 since its enactment, a quarter of a century that already allows a measured evaluation of its results and of the adequacy of its guiding principles to the reality of juvenile delinquency in our country. Since its entry into force on 13 January 2001, the law has shaped a juvenile justice model that, despite the successive reforms to which it has been subject—particularly those introduced by Organic Law 7/2000, 9/2000, 15/2003, 8/2006 and 26/2015—has maintained its essential postulates unchanged: recognition of the minor's criminal responsibility as a prerequisite for intervention, primacy of the minor's best interests as the guiding criterion, and the fundamentally educational nature of the measures that may be imposed.[31]

In view of the available data after more than 2 decades of application, it can be stated that the LORPM has yielded globally satisfactory results in addressing juvenile delinquency. The most recent meta-analytical studies place the average post-measure recidivism rate at around 32.58%, with a range from 8% to 66.9% depending on variables such as the type of measure imposed, the minor's age, sex, prior involvement in the juvenile justice system, and the presence of violence in the original offence.[32] These data, while open to improvement, compare favourably with recidivism rates observed in adult justice systems and support the effectiveness of the educational–responsible model enshrined in the LORPM.

Criminological research has shown that the re-educational principles that underpin the LORPM constitute a beneficial legal framework for intervention with juvenile offenders, since scientific evidence consistently indicates that the more restrictive a measure is, the poorer the success rates are in terms of reintegration and prevention of recidivism.[33] This empirical finding supports the Spanish legislator's choice of a model that prioritises community-based measures over deprivation of liberty, reserving custodial measures for the most serious cases and as the intervention's ultima ratio. The episodic and often transitory nature of juvenile delinquency—linked to developmental processes of adolescence—justifies this less punitive and more responsibility-oriented approach that offers educational opportunities.[34]

The relative success of the Spanish model must also be framed within its consonance with guidelines emanating from international child rights law. The LORPM incorporated the standards established by the 1989 Convention on the Rights of the Child, the 1985 United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), the 1990 United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines), and the 1990 United Nations Rules for the Protection of Juveniles Deprived of their Liberty.[35] This alignment with the international normative framework has made it possible to configure a rights-guaranteeing system that, without renouncing the requirement of responsibility for the minor offender, preserves fundamental rights and orients intervention towards effective social reintegration.

Nevertheless, despite the globally positive results of the application of the LORPM and its implementing Regulation—approved by Royal Decree 1774/2004 of 30 July—it is evident that, a quarter of a century after the law's enactment, social circumstances and the landscape of juvenile delinquency have undergone transformations of very considerable magnitude. Spanish society in 2026 differs substantially from that in which the legislator conceived the original text, and these changes have directly affected both the ways in which juvenile criminality manifests and the risk factors associated with it.

The emergence and generalisation of information and communication technologies is, without doubt, the most decisive factor of change. When the LORPM was enacted, the internet was still an incipient phenomenon and social networks did not exist; today, minors develop a large part of their life activity in virtual environments that entail real risks.[36] The Office of the Attorney General has noted the direct relationship between juvenile delinquency and access via the internet to inappropriate content, stating that the world in which today's young people live bears no resemblance whatsoever to that of previous generations: "the change has been absolute".[37] Digital offences committed by minors—cyberbullying, sexting, sextortion, identity impersonation, threats through social networks—have grown exponentially, configuring criminal modalities that the LORPM could not have foreseen in its original draughting.

In parallel, a worrying increase has been detected in offences against sexual freedom and indemnity committed by minors, a phenomenon that doctrine links to early and unsupervised consumption of pornography, which affects the normalisation of abusive behaviours and the distortion of relational patterns. The instrumentalization of minors by drug-trafficking networks for local distribution tasks, the emergence of violent youth gangs and gender-based violence exercised by adolescents likewise constitute criminal manifestations that have acquired a relevance they did not present 25 years ago.[38]

In this context of transformation, child-to-parent violence has undergone a particularly significant evolution. Although complaints have stabilised at around 4000–5000 files annually in recent years—4332 proceedings initiated in 2022, 4740 in 2021—these figures represent only the tip of the iceberg of a phenomenon that remains largely hidden, with estimates that only 10%–15% of real cases are reported.[39] CPV has gone from being a practically invisible problem to constituting, according to the Attorney General's own annual reports, one of the most worrying criminal manifestations within juvenile justice. It is not an autonomous criminal offence, but a criminological problem that is channelled through various offences in the Criminal Code—assault, threats, coercion, habitual abuse, property damage—which hinders precise quantification and requires a comprehensive approach that goes beyond mere typological subsumption.[40]

The growing visibility of CPV in recent decades has not only fostered greater academic and institutional interest but has also required a progressive adaptation of the regulatory framework to respond to a problem that, although previously existing, had

remained largely hidden in the domestic sphere. This visibility found a singular media boost in the television programme Hermano Mayor, broadcast by Cuatro between 2009 and 2017 over 10 seasons. The format, which showed professional interventions with young people displaying violent and conflictive behaviours within the family, achieved extraordinary audiences for a secondary Mediaset channel, with averages close to two million viewers and peaks exceeding two and a half million share in certain episodes.[41] Beyond any criticism of televising such delicate situations, it is undeniable that the programme decisively contributed to placing CPV in the public debate, generating social awareness that until then had been very limited.[42]

From a normative perspective, the response of the legal system to CPV has undergone significant evolution. The reform introduced by Organic Law 8/2006 of 4 December regarding the LORPM introduced relevant modifications that, although not specifically directed at CPV, were directly applicable to these cases: it incorporated, as a ground for adopting precautionary measures, the risk of attacking the victim's legally protected interests, and established a new precautionary measure consisting of the victim's or the victim's family's separation from the minor.[43] This provision was especially pertinent in CPV cases, where cohabitation between aggressor and victim constitutes a permanent risk factor.

The Office of the Attorney General, aware of the specificity of the phenomenon, issued Circular 1/2010 of 23 July on the treatment, within the juvenile justice system, of minors' ill-treatment of their ascendants. This document constituted a milestone in the institutional recognition of CPV as a differentiated problem, setting uniform criteria for action for juvenile prosecutors and highlighting peculiarities such as the need for speed in processing cases, the importance of extrajudicial intervention viewing, and the desirability of specific resources for these minors that allow individualised treatment focused on the singular problem they present.[44] The Circular emphasised that, although there are abusive minors who commit other offences, most confine their criminal activity to violence within the domestic sphere against family members.

Subsequently, Organic Law 8/2021 of 4 June on the comprehensive protection of children and adolescents against violence (known as the "Rhodes Law"), although primarily oriented towards protecting minors as victims, introduced amendments to the LORPM that indirectly affect the handling of CPV, such as the prohibition of mechanical restraint consisting of fastening the minor to fixed objects during the execution of custodial measures.[45] Similarly, Organic Law 10/2022 of 6 September on the comprehensive guarantee of sexual freedom reformed several provisions of the LORPM, establishing limitations on extrajudicial solutions in certain offences, although these restrictions do not specifically affect CPV cases.[46]

The institutional relevance acquired by CPV has also manifested in the parliamentary sphere, where the Spanish legislator has attempted on two occasions to address this problem specifically through legislative initiatives that, for different reasons, did not materialise.

The Popular Parliamentary Group presented a first non-legislative motion relating to measures to fight CPV during the XII Legislature, prior to the COVID-19 pandemic. This initiative, which proposed a set of coordinated actions in prevention, detection and treatment of CPV, could not be debated due to the early dissolution of the Cortes Generales after the fall of the Government.

Later, in the XIV Legislature and after the health crisis caused by the pandemic, the Popular Parliamentary Group presented a new non-legislative motion "on measures aimed at combating Child-to-Parent Violence" (file no. 161/001873), debated in the Committee on the Rights of Children and Adolescents on 17 March 2021. The initiative proposed, among other measures, the creation of a National initiative with uniform data for the whole territory, the establishment of an interdisciplinary conference with the Autonomous Communities, the creation of early detection tools, the implementation of to restore coexistence, specific training in the educational field, and the creation of a free telephone line for advice and assistance.[47]

The motion was rejected by a margin of a single vote.

Most significant in this result is that the rejection was not due to disagreements on the substance—every parliamentary group became aware of the seriousness of the problem and the need to address it—but to issues of competence and technical draughting. The Socialist Group, the Confederal Group of Unidas Podemos and the Plural Group voted against it, arguing non-acceptance of their technical amendments or claiming that the proposed measures were already being implemented through the draft Organic Law on the comprehensive protection of children and adolescents against violence that was then being processed in Parliament.[48] This episode shows that, despite the existing consensus on the need to act against CPV, political dynamics and procedural disagreements can frustrate initiatives on which there is substantial agreement.

4 | The Prohibition of Approaching or Communicating With the Victim or With Such of Their Relatives or Other Persons as the Judge May Determine

Organic Law 5/2000 of 12 January regulating the criminal responsibility of minors' structures, in Article 7, an extensive catalogue of measures that may be imposed on juvenile offenders, which constitutes one of the most relevant contributions of the Spanish juvenile justice system. This list, currently composed of 15 measures of diverse nature and seriousness,[49] reflects the legislator's intention to provide Juvenile Judges with a wide range of instruments to respond adequately to the heterogeneity of situations that arise in forensic practice.[50] This breadth does not respond to a mere accumulation of punitive options, but to the need to adapt judicial intervention to the specific circumstances of each minor and each act, as required by the principle of flexibility that inspires the entire system.[51] As the most authoritative doctrine has noted, Article 7 LORPM implemented in our legal system an advanced juvenile justice system that seeks to combine goals of social and educational integration, configuring a model of responsibility that, without

renouncing reproach for the act committed, orients intervention towards the minor's re-education.[52]

The diversity of measures provided for ranges from those with the greatest degree of restriction of rights, such as placement in a closed regime, to those of an ambulatory nature or even merely admonitory, such as a reprimand, including a broad spectrum of intermediate measures that allow the intensity of the response to be graduated according to the best interests of the minor and the seriousness of the offence.[53]

The Explanatory Memorandum of the LORPM establishes that the juvenile criminal justice system is based on the general principle of the "formally criminal but materially sanctioning-educational nature of the procedure and of the measures applicable to underage offenders." In accordance with this programmatic declaration, the legal response directed at the minor offender essentially constitutes an intervention of an educational nature, albeit undoubtedly of special intensity, expressly rejecting other purposes characteristic of adult criminal law, such as proportionality between the offence and the sanction or the intimidation of the addressees of the norm.[54]

As GARCÍA PÉREZ has pointed out, this formulation seeks to prevent anything that might have a counterproductive effect on the minor.[55] Nevertheless, it should be noted that this is not a novel idea. The earlier tutelary or protective model already denied the criminal nature of interventions applied to minors who had committed offences, emphasising that such interventions were not repressive in character but rather tutelary. The idea of tutela, as BACIGALUPO early on observed, "seeks to express the exclusively educational, socialising or, where appropriate, resocialising character of the legal consequences provided for in juvenile legislation. Consequently, the measures would constitute a 'good', as opposed to penalties, which would constitute an 'evil'".[56] The overcoming of the tutelary model has therefore not entailed the abandonment of one of its fundamental theses: just as the Explanatory Memorandum itself does, a qualified sector of legal scholarship, while recognising that the measures provided for in juvenile legislation are sanctions, denies them a criminal nature stricto sensu, insofar as they are oriented towards education rather than towards fulfiling retributive or general preventive functions.[57]

Within this broad catalogue of measures, Article 7.1.i) of the LORPM provides for the "prohibition on approaching or communicating with the victim or with such of the victim's relatives or other persons as the Judge may determine".[58] This measure, incorporated into the legal text through the reform introduced by Organic Law 8/2006 of 4 December, constitutes a specific response by the legislator to certain types of offences characterised by the existence of a prior relationship between the minor offender and the victim, a circumstance that is particularly frequent in cases of child-to-parent violence.[59]

The LORPM itself, in Article 7.1.i), defines the content of this measure by stating that it "shall prevent the minor from approaching them, in any place where they may be, as well as their home, educational centre, places of work and any other places they may frequent". Likewise, the prohibition on communicating with the victim "shall prevent the minor from establishing with them, by any means of communication or by any computer-based or telematic means, written, verbal or visual contact". The measure is thus configured as one of an essentially protective nature, aimed at safeguarding the physical and psychological integrity of the victim and their family environment against possible repetitions of the criminal conduct or risk situations arising from physical or communicative proximity to the minor offender.[60]

This measure has a dual dimension. On the one hand, a spatial or physical dimension, which prohibits the minor from approaching certain places connected with the victim: their home, educational centre, place of work or any other space they habitually frequent. On the other hand, a communicative dimension, which bars any contact with the victim, whether through traditional means or via new information and communication technologies.[61] The express inclusion of computer-based and telematic means is particularly relevant in the current context, characterised by the omnipresence of social networks and instant communication devices, which can become instruments of harassment, control or intimidation.[62]

The Juvenile Judge enjoys a broad margin of discretion to define the specific scope of this measure, being able to determine the protected persons—which are not necessarily limited to the direct victim, but may be extended to family members or other persons—the specific places from which approach is prohibited, and the minimum distance that must be maintained.[63] This flexibility allows the measure to be adapted to the exceptional circumstances of each case, while at the same time giving rise to the need for enhanced reasoning to justify the specific restrictions imposed on the minor.

In the most serious cases of child-to-parent violence, the prohibition on approaching or communicating with the victim may constitute an "inevitable outcome" when the intensity and repetition of the aggressive conduct make the maintenance of family cohabitation under safe conditions unviable.[64] These are cases in which the minor has displayed a pattern of violent behaviour of such magnitude that the parents—direct victims of the assaults—are compelled to request a protective measure which, paradoxically, entails the rupture of the cohabitation bond with their own child.

Nevertheless, the imposition of this measure also entails positive effects that cannot be overlooked. First, the prohibition on approach makes it possible to interrupt the cycle of violence, breaking the dynamic of repeated aggression that would otherwise tend to perpetuate itself and even progressively intensify.[65] The disruption of this pattern is essential to enable any subsequent therapeutic intervention, both with the minor and with the family system as a whole, because it is scarcely feasible to undertake a process of reconstruction of affective bonds while the situation of risk persists.[66]

Second, the measure provides parents with a space of physical and emotional safety that they lacked during the period of cohabitation with the aggressive minor.[67] This protective space is essential for victims to recover from the traumatic impact of the violence suffered, to rebuild their self-esteem—often eroded after months or years of aggression—and to prepare adequately

for a possible family reintegration under conditions radically different from those that gave rise to the judicial intervention.[68]

Third, removal from the family home offers the offending minor a therapeutically oriented "time-out", a period of distancing that may encourage reflection on their behaviour and awareness of the consequences of their actions.[69] This pause in cohabitation, far from being conceived as a mere punishment, should be structured as an opportunity for intensive educational and psychotherapeutic work, aimed at equipping the adolescent with alternative strategies for emotional regulation and conflict resolution.[70]

Finally, it should not be overlooked that the prohibition on approach has a protective effect that extends beyond the parents who were directly assaulted, reaching other members of the family unit who share the household.[71] The siblings of the offending minor—often witnesses to the aggression, if not collateral victims of it—as well as grandparents or other persons who may reside in the family home, likewise benefit from the adoption of this measure, which ensures the pacification of the domestic environment and prevents the spread of violence to other vulnerable individuals.[72]

It is common for the imposition of a removal measure to generate a genuine "clash of emotions" between parents and children, an emotional crossroads of extraordinary complexity.[73] Parents simultaneously experience the relief brought about by the cessation of violence and the guilt arising from having resorted to the criminal justice system against their own child; the satisfaction of regaining a space of safety within the home and the pain of forced separation; the hope that judicial intervention will help redirect the situation and the fear that the separation will irreversibly damage the parent–child bond.

This amalgam of contradictory emotions is intensified by the persistence of love for the aggressive child, a feeling that does not disappear—and need not disappear—despite the seriousness of the violent behaviour endured.[74] Parents who are victims of CPV do not cease to be parents and, as such, continue to be concerned about their child's well-being, the conditions under which the measure will be served, their personal development and their future.[75] This circumstance sharply distinguishes CPV from other manifestations of interpersonal violence:[76] whereas in gender-based violence or assaults between strangers the victim may—and in many cases wishes to—sever all ties with the aggressor permanently, in child-to-parent violence parents aspire, in the vast majority of cases, to restore the relationship with their child within a framework of mutual respect and absence of violence.[77]

For their part, the minor may feel abandoned by those who should protect them, perceiving the complaint as a betrayal that breaks the principle of family loyalty.[78] The adolescent, still immersed in an incomplete process of maturational development, may lack the necessary perspective to understand that their parents' actions in fact constitute an act of parental responsibility aimed at their own long-term benefit.[79] This perception of abandonment may generate feelings of anger, resentment and hostility that, at least initially, hinder therapeutic work and the assumption of responsibility for the acts committed.[80]

Nevertheless, in cases where therapeutic intervention proves effective, the minor gradually begins to become aware of the harm inflicted on their parents and to experience feelings of shame, guilt and remorse.[81] This process of awareness, although painful, constitutes an indispensable step on the path towards responsibility-taking and the modification of violent behavioural patterns.[82] Shame, when appropriately channelled within the therapeutic context, can be transformed into a driving force for change that encourages the adolescent to repair the harm caused and to develop healthier forms of relating to their family environment.[83]

This emotional ambivalence, far from constituting an anomaly or a dysfunction, is inherent to the very nature of child-to-parent conflict and must be specifically addressed in the intervention process, both with parents and with the minor.[84] Professionals working with families affected by CPV—technical teams, educators, psychologists and social workers—must be prepared to acknowledge and validate these contradictory feelings, avoiding Manichaean simplifications that portray parents and children as irreconcilable victims and perpetrators.[85] Only through a profound understanding of this emotional complexity can a truly reparative intervention be articulated, one that goes beyond the mere interruption of violence and lays the foundations for the reconstruction of the family bond.[86]

However, the imposition of a prohibition-of-approach measure in the context of child-to-parent violence is not without difficulties and problematic effects that warrant careful reflection. Unlike what occurs in other types of criminal behaviour, CPV involves a singular feature that decisively conditions the effectiveness of any intervention: the scene of the offence is the family home itself, and the object of the conflict is none other than the parent–child bond.[87] This particularity means that physical separation between aggressor and victim—a measure generally appropriate in other contexts of interpersonal violence—may prove counterproductive when applied to a relationship that, by its very nature, is meant to endure[88] and that constitutes precisely the core around which the entire process of therapeutic intervention must pivot.[89]

In this regard, one of the main risks associated with the removal measure is the generation of a genuine therapeutic paralysis.[90] The prohibition of contact between the minor and their parents may make the development of family therapy impossible or seriously hinder it, even though this form of intervention is identified by the specialised literature as one of the most effective in addressing CPV.[91] Therapeutic work with families affected by this problem requires, at a certain stage of the process, the joint participation of all family members in a safe space where dysfunctional relational patterns can be addressed, new forms of communication can be tested, and damaged bonds can be progressively rebuilt.[92] By preventing such encounters, the removal measure may freeze the conflict at the stage of mere physical separation, without producing significant progress in resolving the deep-rooted causes that gave rise to the violence.[93]

Likewise, prolonged distancing between the minor and their family may interrupt relational learning processes that are essential at this stage of developmental growth.[94] The adolescent, deprived of daily contact with their parental figures, loses

opportunities to observe and practice healthy interaction models within the family context—precisely the environment in which such learning acquires greater significance and permanence.[95] This circumstance is particularly concerning when one considers that many minors who engage in CPV present deficits in social skills, emotional regulation and conflict resolution, the acquisition of which requires sustained training over time and contextualisation within the individual's significant relationships.[96]

Moreover, the removal measure may cause collateral harm to the extended family that should not be minimised.[97] The prohibition on approaching the family home inevitably affects the minor's relationship with other relatives who may reside there or habitually frequent it—grandparents, uncles and aunts, cousins—individuals who in many cases constitute significant sources of emotional support for the adolescent and who could play a relevant role in their recovery process.[98] The rupture of these secondary bonds, even if not directly sought by the judicial measure, represents an additional loss that impoverishes the minor's social support network and may hinder their subsequent reintegration into the family system.[99]

The second significant problem that may derive from the imposition of the removal measure is the uprooting experienced by the minor. Forced separation from the family home inevitably entails a loss of the everyday environment that goes beyond the merely spatial and affects essential dimensions of adolescent development.[100] The minor is deprived not only of a physical place, but of an entire ecosystem of relationships, routines and reference points that shape their daily lived experience: their bedroom, personal belongings, domestic rhythms, the presence of pets or siblings, the neighbourhood, and friends from the surrounding area.[101] This abrupt rupture with the familiar environment may generate feelings of dislocation and estrangement that hinder adaptation to the new circumstances and obstruct therapeutic work.[102]

Particularly concerning is the weakening of identity that may result from prolonged separation. During adolescence, identity construction takes place in constant dialogue with the family nucleus, even when this dialogue adopts conflictual or oppositional forms.[103] The adolescent defines themselves, in part, through their family belonging, through identification with or differentiation from parental figures, and through the position they occupy within the sibling constellation[104]. Forced separation abruptly interrupts this process of identity construction, leaving the minor in a kind of affective limbo, deprived of the usual reference points needed to develop a sense of belonging and their own personal narrative.[105]

This situation of uprooting may be further aggravated by a phenomenon of stigmatisation arising from the judicial intervention itself. The imposition of a removal measure inevitably entails a label that the minor internalises and that may condition their self-perception and their relationship with the surrounding environment.[106] From the perspective of labelling theory, passage through the juvenile justice system and the assignment of the role of "juvenile offender" may generate a modification of the individual's identity that becomes assimilated to the assigned label, consolidating a negative self-image that hinders processes of change.[107] In the specific context of CPV, the minor may perceive the complaint and subsequent separation as a total abandonment by their parents, a rupture of the primary bond experienced as definitive and irreversible.[108] This perception of abandonment generates feelings of resentment and hostility that significantly hinder any work aimed at subsequent reconciliation.[109]

A third set of problems stems from the contradictions inherent in the system itself and its potential counterproductive effects. One of the most frequently highlighted is the secondary victimization that parents may suffer because of the judicialization of the conflict.[110] Numerous studies show that parents who report their children usually do so in search of help, not of a radical separation or a punitive response.[111] They turn to the justice system as a last resort, when other avenues have been exhausted, with the expectation of finding support to redirect a situation that has overwhelmed them.[112] However, when the judicial response takes the form of a removal measure, it may be experienced as disproportionate, contrary to their real needs, and as generating additional suffering that turns them into victims of the very system to which they turned in search of assistance.[113]

Another problematic effect is what might be termed the perceived cessation of parental responsibility. Separation may be interpreted by the minor as a release from filial duties and as the disappearance of the parental authority previously exercised over them.[114] This interpretation, far from fostering reflection and behavioural change, may paradoxically reinforce disruptive behaviours by removing the immediate consequences of their actions within the domestic context.[115] The adolescent, no longer having to confront the daily gaze of their parents, may experience a sense of impunity or emotional disconnection that hinders the assumption of responsibility for their violent behaviours.[116]

Finally, one of the most concerning risks is the so-called rebound effect upon return. If, during the period in which the measure is in force, adequate therapeutic work has not been carried out with the minor and their family, and especially if a process of progressive and controlled re-approach has not been implemented, the moment the measure comes to an end may constitute a critical point of maximum vulnerability.[117] Recent studies on recidivism in juvenile justice show that dynamic variables assessed after the intervention—such as relational problems, substance use, and educational or employment status—have greater predictive weight than prior static variables.[118] When the minor returns to the family home without the underlying causes of the conflict having been properly addressed, patterns of violence may re-emerge with the same or even greater intensity, frustrating parents' expectations and generating a spiral of failure that may lead to further complaints and to the chronification of the problem.[119]

In light of the foregoing considerations, it is reasonable to maintain that the measure of prohibition of approach in the context of child-to-parent violence should be configured as a measure of ultima ratio, reserved for the most serious cases and adopted with extraordinary caution.[120] This conception aligns with the guiding principles of the Spanish juvenile justice system, which proclaims the educational nature of the measures and the best interests of the minor as the fundamental criterion

for any intervention.[121] As specialised doctrine has pointed out, in juvenile criminal law the best interests of the minor[122] must prevail as the determining element of the procedure and of the measures adopted, and must be assessed based on technical, rather than formalistic, criteria by teams of specialised professionals.[123]

The very architecture of the LORPM provides a legal framework that makes it possible—and even advisable—to adopt the prohibition of approach in combination with other complementary measures, particularly supervised liberty. Article 7.4 of the LORPM establishes that the Judge may impose on the minor one or more of the measures provided for in the Law, regardless of whether one or several acts are involved, opting consistently with the system's underlying philosophy for rules of maximum flexibility.[124] This legal provision opens the possibility of designing complex judicial responses that combine the protective function of separation with the educational and supervisory content that characterises supervised liberty.[125]

Indeed, supervised liberty constitutes the measure with the greatest potential to provide therapeutic content to intervention with minors who have engaged in CPV. According to the Explanatory Memorandum of the LORPM, for the duration of this measure the minor is subject to monitoring and supervision by specialised personnel, with the aim of acquiring the skills, capacities and attitudes necessary for proper personal and social development.[126] Article 7.1.h) of the LORPM sets out in detail the obligations that may be imposed on the minor within the framework of this measure, among which stand out the obligation to undergo programs of a training, cultural, educational, vocational, employment-related, sexual education, road safety education or similar nature, as well as participation in treatment programs for alcohol consumption, toxic drugs or psychotropic substances, or therapeutic programs.[127]

The combination of both measures—the prohibition of approach and supervised liberty—makes it possible to structure an intervention that, while maintaining the physical separation necessary to guarantee the safety of victimised parents, does not renounce actively addressing the causes of the minor's violent behaviours.[128] The community-based professional responsible for the execution of supervised liberty can monitor the minor's progress, ensure compliance with the prohibition of approach, and at the same time implement or refer the minor to specific CPV intervention programs such as the MIRALL Programme developed in Catalonia or the "Conviviendo" Programme run by Fundación Amigó.[129] These programs, specifically designed for adolescents subject to judicial measures for CPV and their families, have shown promising results in reducing violent behaviours and improving family relational dynamics.[130]

Likewise, the joint imposition of both measures allows for a more flexible and adaptive management of the family reintegration process. The Juvenile Judge, pursuant to Article 13 of the LORPM, may revoke, reduce the duration of, or substitute the measures imposed in light of the minor's progress.[131] This power of modification is particularly relevant in cases of CPV, where the ultimate objective is not permanent separation but rather the reconstruction of the family bond under conditions of safety and mutual respect.[132] As therapeutic work produces progress—both in the minor and in the parents—the Judge may gradually modulate the intensity of the prohibition of approach, allowing for progressive and controlled contact that prepares the ground for a potential family reunification.[133]

In this regard, various authors have emphasised the advisability of establishing protocols for progressive re-approach that make it possible to assess, under safe conditions, the response of the minor and the family to the resumption of contact.[134] These protocols, supervised by technical teams and by the professionals responsible for implementing the measures, constitute an essential element for avoiding the feared "rebound effect" referred to above and for ensuring that the return to the home takes place when objective conditions of viability exist.[135]

Moreover, the combination of measures may also include referral of the minor to an outpatient treatment programme—where psychological disorders or addictions requiring specialised attention are present—the imposition of socio-educational tasks aimed at developing social and emotional competences, or even cohabitation with another person, family or educational group for as long as is necessary to stabilise the minor and prepare their reintegration. This plurality of options, which may be combined in accordance with the principle of flexibility that underpins the LORPM, makes it possible to design truly individualised responses that address the specific needs of each minor and each family.[136]

In short, the prohibition of approach should not be conceived as an isolated measure whose purpose is exhausted by mere physical separation, but rather as one element within a broader intervention strategy ultimately aimed at redirecting the family situation and rehabilitating the minor.[137] Only from this instrumental and complementary conception of the measure can it be prevented from becoming an end in itself that perpetuates the rupture of the parent–child bond instead of laying the foundations for its reconstruction.[138]

5 | Conclusions

Child-to-parent violence constitutes one of the most complex and painful manifestations of contemporary family conflict. Throughout the preceding pages, its polyhedral and multifactorial nature, deeply rooted in relational dynamics that go beyond the mere individual behaviours of the aggressive minor, has been made clear. We are not dealing with a problem of an exclusively criminal nature, nor with a simple behavioural disorder amenable to correction through isolated interventions, but rather with a phenomenon that is rooted in individual, family, social and contextual factors that interact dynamically and therefore requires a comprehensive, interdisciplinary and sustained approach over time. CPV cannot be explained by recourse to a single causal factor, nor reduced to simplistic categories that place responsibility exclusively on the minor—portraying them as a "little tyrant" or a "domestic emperor"—or exclusively on the parents—blaming them for an alleged abdication of their educational functions. The reality is considerably more complex: the genesis and maintenance of these violent behaviours involve the convergence of temperamental and personality variables of the minor, inadequate parenting styles, dysfunctional communication patterns, prior

exposure to intrafamily violence, peer group influence, substance use, psychopathological disorders, and a sociocultural context that has, at times, contributed to the erosion of parental authority without providing families with alternative tools for the exercise of positive and effective parenting. This multicausality requires that any approach to the phenomenon—whether from the clinical, educational, social or legal field—abandon reductionist explanations and assume the need to intervene simultaneously at the different levels of the ecosystem in which the life of the minor and their family unfold.

Recourse to the juvenile justice system should be configured as the ultima ratio of intervention in these cases. Parents who report their children do not seek, in most cases, a punitive response or a radical and definitive separation, but rather professional help to redirect a situation that has overwhelmed them. The judicialization of child-to-parent conflict entails significant risks both for the minor and for the family itself: stigmatisation, secondary victimization, rupture of bonds and, paradoxically, difficulties in implementing the therapeutic interventions that scientific evidence has shown to be most effective. For this reason, it is imperative to strengthen preventive resources, early intervention programs and family support mechanisms that make it possible to address CPV before it reaches levels of severity that render judicial intervention inevitable.

When such intervention proves necessary, the LORPM provides a sufficiently flexible legal framework to articulate responses adapted to the singularity of each case. The 25 years of application of this legislation have shown that the educational–sanctioning model that underpins it is, in general terms, effective for the resocialisation of juvenile offenders. However, child-to-parent violence presents particular features that strain some of the system's underlying assumptions: the scene of the offence is the family home itself, the victim is the person who holds parental responsibility over the aggressor, and the objective of the intervention cannot be the definitive rupture of the bond but, rather, its reconstruction under conditions of safety and mutual respect.

The measure prohibiting approach to or communication with the victim and their family members has, in the specific context of CPV, a profoundly ambivalent nature that requires careful reflection on the part of the legal practitioners called upon to apply it. On the one hand, it may prove essential to interrupt the cycle of violence that has become established within the family home, providing parents with a space of physical and emotional safety that they previously lacked and allowing them to regain a minimum level of personal equilibrium after months or even years of cohabitation marked by constant fear, tension and uncertainty. Separation may also facilitate a "time-out" that enables the minor to distance themselves from the situation, reflect on the seriousness of their actions and their consequences, and initiate a process of awareness that could scarcely take place within the context of daily cohabitation dominated by confrontation. Likewise, physical separation protects other vulnerable members of the family unit—minor siblings, grandparents living in the household, and other relatives—who frequently suffer the direct or indirect consequences of the violence exercised by the minor, whether as collateral victims of the assaults or as helpless witnesses to a climate of domestic terror that profoundly affects their emotional well-being and development.

On the other hand, the removal measure entails specific risks that cannot be ignored and that substantially distinguish it from its application in other contexts of interpersonal violence, such as gender-based violence or assaults between strangers. First, it may generate a genuine therapeutic paralysis by making joint family work impossible, which the specialised literature has consistently identified as the most effective mode of intervention in addressing CPV. Evidence-based treatment programs—Functional Family Therapy, Multisystemic Therapy, and Non-Violent Resistance programs—require the active participation of all members of the family system, working together on dysfunctional relational patterns, testing new forms of communication, and progressively rebuilding damaged bonds. When the prohibition of contact prevents these therapeutic encounters, the conflict may become frozen at the stage of mere physical separation, without significant progress being made in resolving the deep-rooted causes that gave rise to the violence.

Second, separation produces a form of uprooting for the minor that goes beyond the merely spatial and affects essential dimensions of adolescent development. The young person not only loses their physical place of residence, but also an entire ecosystem of relationships, routines and reference points that shaped their everyday lived experience: their bedroom, personal belongings, domestic rhythms, the presence of pets or siblings, the neighbourhood and local friends. This abrupt rupture with the familiar environment generates feelings of disorientation and estrangement that hinder adaptation to the new circumstances and obstruct the therapeutic process itself. Even more concerning is the weakening of identity that may result from prolonged separation: during adolescence, identity construction takes place in constant dialogue with the family nucleus, and the minor who is deprived of this frame of reference may experience a kind of affective limbo that seriously compromises their personal development.

Third, intervention by the juvenile justice system and the imposition of a removal measure may intensify processes of stigmatisation that criminology has extensively examined. The label of "juvenile offender" may be internalized by the adolescent, shaping their self-perception and their relationship with the surrounding environment, and consolidating a negative self-image that, far from facilitating change processes, may paradoxically reinforce deviant behaviour. In the specific context of CPV, the minor may perceive the complaint and subsequent separation as a definitive abandonment by those who should protect them, experiencing their parents' actions as a betrayal that breaks the principle of family loyalty. This perception of abandonment generates resentment and hostility that significantly hinder work aimed at subsequent reconciliation.

Fourth, the phenomenon of secondary victimization experienced by parents themselves because of the judicialization of the conflict cannot be overlooked. Parents who report their children do so, in most cases, seeking professional help to redirect a situation that has overwhelmed them, not a radical separation or a punitive response. When the system responds with a removal measure that may be experienced as disproportionate or contrary to their real needs, parents may suffer additional harm that turns them into victims of the very system to which they turned in search of assistance. Added to this is the paradox

of the perceived cessation of parental responsibility: separation may be interpreted by the minor as a release from filial duties and the disappearance of all parental authority over them, which, far from fostering reflection and behavioural change, may reinforce disruptive behaviour by eliminating the immediate consequences of their actions within the domestic context.

Finally, the most concerning risk is the so-called rebound effect that may occur at the moment of return to the family home. If, during the period in which the measure is in force, adequate therapeutic work has not been carried out with the minor and the family, and especially if a process of progressive and controlled re-approach has not been implemented to prepare the ground for reunification, the moment the measure comes to an end may constitute a critical point of maximum vulnerability. Studies on recidivism in juvenile justice show that dynamic variables assessed after the intervention have greater predictive weight than prior static variables: when the minor returns home without the underlying causes of the conflict having been properly addressed, without dysfunctional relational patterns having been modified, and without family members having been provided with tools to manage conflict in a non-violent manner, episodes of violence may reappear with the same or even greater intensity, frustrating parents' expectations and generating a spiral of failure that may lead to new complaints and the chronicity of the problem.

For all these reasons, the prohibition of approach in cases of CPV should be configured as an exceptional measure, reserved for the most serious situations, adopted with extraordinary caution and always within the framework of a broader intervention strategy that combines the protective function of separation with the educational and therapeutic content provided by other measures such as supervised liberty. The LORPM allows for this combination of measures and offers the Juvenile Judge the necessary flexibility to adapt the judicial response to the circumstances of each case and to the minor's progress. Likewise, the powers to modify, substitute or bring measures to an early end allow for dynamic management of the intervention process, making it possible to establish protocols for progressive re-approach that adequately prepare family reintegration.

Ultimately, the success of intervention in cases of CPV cannot be measured solely by the cessation of violent behaviour during the period in which the measure is in force, but by the capacity to restore healthy family functioning that endures once judicial intervention has concluded. This requires that the response of the juvenile justice system be articulated in close coordination with specialised therapeutic resources, with social services and with the families themselves, who must be regarded not as mere passive recipients of intervention, but as active agents in their own process of change. Only from this comprehensive perspective, which transcends a purely sanctioning logic without renouncing firmness when it is necessary, can juvenile criminal law offer a truly effective response to one of the most challenging phenomena facing contemporary juvenile justice.

All in all, there are solid grounds for optimism. Over the past 2 decades, Spain has consolidated its position as a genuine research powerhouse in the field of child-to-parent violence, placing itself at the international forefront of scientific production on this phenomenon. The creation of the Spanish Society for the Study of Child-to-Parent Violence (SEVIFIP) in 2013, the proliferation of specialised research groups at universities throughout the country, the development of home-grown intervention programs that have received international recognition, and the growing awareness among professionals in the judicial, educational, healthcare and social spheres together configure an ecosystem increasingly prepared to face this challenge. The pioneering work of Spanish researchers has contributed decisively to the conceptualisation of the phenomenon, the identification of its risk and protective factors, and the design of effective intervention strategies that are now being adopted in other countries. Likewise, the experience accumulated by technical teams within the juvenile jurisdiction, by professionals in reform centres and community-based programs, and by third-sector organisations specialising in work with families constitutes a human capital of extraordinary value that must be preserved and strengthened. CPV is a complex problem, but not an insoluble one. Each family that manages to overcome this crisis, each minor who learns to relate to their parents with respect and empathy, and each parent who regains their role as a figure of authority and emotional reference represents a success that transcends the individual and extends to whole society. The path is arduous, but the direction is the right one, and we have the knowledge, the resources and the will necessary to walk it.

Data Availability Statement

The data that support the findings of this study are available from the corresponding author upon reasonable request.

Endnotes

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[20] Cf. ARIAS RIVERA, S.J., LORENCE LARA, B., JUNCO GUERRERO, M. and LAGO-URBANO, R., "Violencia de hijos hacia padres o madres: cómo detectarla y pedir ayuda sin culpa," *The Conversation*, 28 July 2025.

[21] COTTRELL, B. and MONK, P., "Adolescent-to-parent abuse: A qualitative overview of common themes," *Journal of Family Issues*, vol. 25, no. 8, 2004, pp. 1072–1095.

[22] SEVIFIP, "Violencia filio-parental: cómo reconocerla y qué hacer para frenarla," available at: https://sevifip.org/, accessed 5 January 2026. In the same vein, see ARIAS RIVERA, S.J., LORENCE LARA, B., JUNCO GUERRERO, M. and ABADÍAS SELMA, A., "Cuando los hijos e hijas tratan con violencia a sus padres: pautas psicológicas y legales," *The Conversation*, 24 January 2025.

[23] Cf. ARIAS RIVERA, S.J. et al., "Cuando los hijos e hijas tratan con violencia a sus padres...," cit. Those who maintain that "specialized training in violence-related matters for law enforcement agencies is crucial for properly managing these cases."

[24] Organic Law 8/2021, of 4 June, on the comprehensive protection of children and adolescents against violence, art. 49. Official State Gazette (BOE) no. 134, of 5 June 2021.

[25] DEFENSOR DEL PUEBLO, Recommendation on "Formación para la aplicación del Protocolo 0 en comisarías y dependencias policiales," of 20 March 2024 (Complaint no. 22029330), which concludes that "there is no specific, compulsory and assessable training on the treatment of victims of gender-based violence in police stations, nor adequate training on the application of Protocol 0". Although this decision refers specifically to gender-based violence, its conclusions are transferable, mutatis mutandis, to the field of child-to-parent violence, where the lack of training is even more pronounced.

[26] The concept of "status offenses" originates in the United States legal system and refers to conduct that is punishable or sanctionable only when committed by a minor, including restrictions relating to school attendance, compliance with curfews, or obedience to parents. Cf. *Juvenile Justice and Delinquency Prevention Act* of 1974 (United States). The United Nations Committee on the Rights of the Child has recommended that States Parties abolish this type of rule, which criminalizes behavioral problems inherent to adolescence.

[27] Cf. SIMMONS, M., McEWAN, T.E., PURCELL, R. and OGLOFF, J.R. P., "60 years of child-to-parent abuse research: what we know and where to go," *Aggression and Violent Behavior*, vol. 47, 2018, pp. 120–132. In the same vein, see COOGAN, D., "Marking the boundaries: when troublesome becomes abusive and children cross the line in family violence," *Journal of the Family Therapy Association of Ireland*, July 2011, pp. 74–86.

[28] A paradigmatic example of CPV can be found in the Judgment of the Provincial Court of Ourense no. 122/2014, of 24 March 2014, in which the minor was convicted of the offence of habitual ill-treatment within the family (art. 173.2 of the Criminal Code) for failing to comply with family rules, running away from the family home, insulting his parents with expressions such as "assholes, sons of bitches," and threatening them by stating "I may end up in a center, but you are going to end up among the flowers," thereby expressing an intention to kill them.

[29] See SEVIFIP, "Proposed definition of child-to-parent violence," available at: https://sevifip.org/. The definition agreed upon by the Spanish Society for the Study of Child-to-Parent Violence requires the repetition of violent conduct and expressly excludes isolated acts of violence. In this regard, the Judgment of the Provincial Court of Biscay (Section 1), of 24 September 2014, held that "the element of habituality required by the criminal offence is present, insofar as the assessment of the evidence shows that the situation created by the minor is one of chronic hostility towards her mother, creating a violent climate within the home that causes the victim to fear suffering an assault".

[30] Cf. the document "Detection of and response to violence exercised by children and adolescents," Fundación Márgenes y Vínculos, 2021, which proposes criteria for distinguishing between normative disruptive behaviour and violence proper, taking into account factors such as the existence of a structured pattern, links to psychopathological disorders, or substance use. See FUNDACIÓN MÁRGENES Y VÍNCULOS, *Detección y actuación ante la violencia ejercida por niños, niñas y adolescentes. Guía para profesionales*, Fundación Márgenes y Vínculos, Andalusia, 2021. Drafting: BUITRAGO BORRÁS, A.M., GASCA CANTO, A., RUIZ CABALLERO, I., RUIZ GARCÍA, M.J. and NEVADO FERNÁNDEZ, C. (Dir.). Available at: https://fmyv.es/wp-content/uploads/2021/12/Deteccion-y-actuacion-ante-la-violencia-ejercida-por-ninos-y-adolescentes.pdf.

[31] Organic Law 5/2000, of 12 January, regulating the criminal responsibility of minors. Official State Gazette (BOE) no. 11, of 13 January 2000. As stated in the Explanatory Memorandum of the Act, "the criminal responsibility of minors, as compared with that of adults, has a primarily educational character of intervention that permeates all aspects of its legal regulation".

[32] Cf. GSELL, K.F., *Meta-análisis de la reincidencia posmedida en menores infractores en el Sistema de Justicia Juvenil español*, Master's Thesis, University of Almería, 2023. Subsequently published in the Ibero-American Journal of Psychology and Public Policy, 2025. The study analyses 17 research works published between 2005 and 2021, with data from 24,513 juvenile offenders. See also CAPDEVILA CAPDEVILA, M., FERRER PUIG, M. and LUQUE REINA, E., Recidivism in juvenile justice, Centre d'Estudis Jurídics i Formació Especialitzada, Government of Catalonia, Barcelona, 2006; and GRAÑA GÓMEZ, J.L., GARRIDO GENOVÉS, V. and GONZÁLEZ CIEZA, L., *Reincidencia delictiva en menores infractores de la Comunidad de Madrid: evaluación, características delictivas y modelos de predicción*, Agency to the Reeducación y Reinserción del Menor Infractor, Madrid, 2008.

[33] See DESBROW, J., FERNÁNDEZ, E., GRAN, M., LOZANO, F. and CÁRDABA, L., "La efectividad de las medidas judiciales con menores infractores," *Boletín Criminológico*, no. 149, 2014. In the same vein, REDONDO ILLESCAS, S., MARTÍNEZ CATENA, A. and ANDRÉS PUEYO, A., Factores de éxito asociados a los programas de intervención con menores infractores," Ministerio de Sanidad, Política Social e Igualdad, Madrid, 2011.

[34] Cf. FERNÁNDEZ MOLINA, E. and RECHEA ALBEROLA, C., "¿Un sistema con vocación de reforma?: La Ley de Responsabilidad Penal de los Menores," *Revista Española de Investigación Criminológica*, no. 4, 2006. The authors highlight the episodic nature of much juvenile delinquency and the inadequacy of excessively punitive responses.

[35] See GÓMEZ BARRERA, A.M., *La medida de internamiento impuesta en el nuevo sistema de justicia penal para adolescentes en México. Estudio comparado con el internamiento en España*, Doctoral dissertation, Universidad de Vigo, 2018.

[36] Cf. FERNÁNDEZ MOLINA, E., BARTOLOMÉ GUTIÉRREZ, R., RECHEA ALBEROLA, C. and MEGÍAS BORÓ, A., "Evolución y tendencias de la delincuencia juvenil en España," *Revista Española de Investigación Criminológica*, no. 7, 2009, pp. 1–30.

[37] Annual Report of the Provincial Public Prosecutor's Office of Pontevedra, 2024 (consolidated data for 2023). The Chief Prosecutor, Pablo Varela, states verbatim: "There is a differentiating element in the development of the vital activity of minors and adolescents, namely their relationships within a virtual environment of real risk (...) The world in which young people live today bears no resemblance to the world in which those generations closer to them in age lived. The change has been absolute".

[38] Cf. REDONDO ILLESCAS, S. and GARRIDO GENOVÉS, V., *Principios de Criminología*, fourth ed., Tirant lo Blanch, Valencia, 2013, passim. See also BERNUZ BENEITEZ, M.J. and FERNÁNDEZ MOLINA, E., "La gestión de la delincuencia juvenil como riesgo. Indicadores de un nuevo modelo," *Revista Electrónica de Ciencia Penal y Criminología*, no. 10, 2008.

[39] FUNDACIÓN AMIGÓ, *Violencia filio-parental en España*. 2022 data, Madrid, 2023. The report highlights that "child-to-parent violence continues to be a silenced phenomenon" and that "the cases that are reported tend to be those involving the highest levels of violence".

[40] Cf. ABADÍAS SELMA, A., "La violencia filio-parental: padres y madres como colectivos vulnerables en los tiempos de la COVID-19," in BENITO SÁNCHEZ, D. and GIL NOBAJAS, M.S. (Eds.), *Alternativas Político-Criminales frente al Derecho Penal de la Aporofobia*, Tirant lo Blanch, Valencia, 2022, p. 239: "there is no specific criminal offence per se for child-to-parent violence, and this is not a settled matter. We understand that a certain degree of legal uncertainty also arises".

[41] The television program "Hermano Mayor," broadcast on Cuatro between 2009 and 2017, reached average audiences close to two million viewers, with peaks exceeding 2,685,000 viewers and a 14.7% audience share. Cf. GARCÍA AGUADO, P. and CERVANTES, S., *Aprender a educar*, Grijalbo, Barcelona, 2014; see also CERVANTES, S., *Vivir con un adolescente*, Oniro, Barcelona, 2015.

[42] Psychologist Sonia Cervantes, a helper on the program for several seasons, has stated that through the work carried out on "Hermano Mayor" three fundamental objectives were achieved: raising public awareness of this increasingly emerging problem, conveying a message of hope to those who suffer from it on a daily basis, and helping those who found themselves immersed in despair in their homes day after day. Cf. CERVANTES, S., statements on her official website (www.soniacervantes.com).

[43] Organic Law 8/2006, of 4 December, amending Organic Law 5/2000 of 12 January regulating the criminal responsibility of minors. Official State Gazette (BOE) no. 290, of 5 December 2006.

[44] Circular 1/2010 of the Office of the Prosecutor General of the State, of 23 July, on the treatment, within the juvenile justice system, of ill-treatment by minors against their ascendants.

[45] Organic Law 8/2021, of 4 June, on the comprehensive protection of children and adolescents against violence. Official State Gazette (BOE) no. 134, of 5 June 2021. Final Provision 16, amending Article 59.3 of the LORPM.

[46] Organic Law 10/2022, of 6 September, on the comprehensive guarantee of sexual freedom. Official State Gazette (BOE) no. 215, of 7 September 2022. Final Provision Seven, amending Articles 7.5, 10.2, 13.1 and 19 of the LORPM.

[47] Congress of Deputies, Non-Legislative Motion on measures aimed at combating child-to-parent violence (161/001873), Committee on the Rights of the Child and Adolescence, Session no. 5, 17 March 2021. Available in the Diario de Sesiones del Congreso de los Diputados, Comisiones, XIV Legislatura, no. 166, pp. 14–36.

[48] Cf. the summary of the parliamentary interventions prepared by ABADÍAS SELMA, A., available on SEVIFIP, "Legislation and legal commentary March 2021," www.sevifip.org (accessed 9 January 2026). During the debate, the deputy of the Popular Group, Carmen Navarro Lacoba, expressly cited data from the Sociedad Española para el Estudio de la Violencia-Parental (SEVIFIP), noting that up to 500,000 young people in Spain could be committing acts of child-to-parent violence if the hidden figures of the phenomenon are considered.

[49] Article 7.1 of the LORPM lists a broad catalogue of measures, including detention in a closed, semi-open or open regime; therapeutic detention in any of these regimes; outpatient treatment; attendance at a day center; weekend stay; supervised liberty; prohibition on approaching or communicating with the victim or with those family members or other persons determined by the Judge; living with another person, family or educational group; community service; performance of socio-educational tasks; reprimand; deprivation of the licence to drive mopeds and motor vehicles, or of the right to obtain it, as well as of administrative licences for hunting or for the use of any type of weapons; and absolute disqualification. In addition, Organic Law 10/2022 introduced Section 5, providing for the measure of sexual education and education for equality.

[50] MONTERO HERNANZ, T., *Derecho penal de menores. Una introducción a la legislación reguladora de la responsabilidad penal de los menores*, Reus, Madrid, 2023, pp. 87 ff. See also VÁZQUEZ GONZÁLEZ, C., "In defence of Spanish juvenile criminal justice on the twentieth anniversary of the entry into force of Organic Law 5/2000 of 12 January," in ABADÍAS SELMA, A., CÁMARA ARROYO, S. and SIMÓN CASTELLANO, P. (Eds.), *Tratado sobre delincuencia juvenil y responsabilidad penal del menor*, Madrid, 2021, pp. 41–64.

[51] Article 7.3 of the LORPM expressly provides that "a flexible approach must be adopted, not only with regard to the evidence and legal assessment of the facts, but especially with regard to the age, family and social circumstances, personality and the best interests of the minor". On the principle of flexibility, cf. ORNOSA FERNÁNDEZ, M. R., *Derecho Penal de Menores. Comentarios a la Ley Orgánica 5/2000, de 12 de enero, reguladora de la responsabilidad penal de los menores, reformada por la Ley Orgánica 8/2006, de 4 de diciembre, y a su Reglamento*, fourth ed., Bosch, Barcelona, 2007, pp. 153 ff.

[52] CÁMARA ARROYO, S., "Imputabilidad e inimputabilidad penal del menor de edad. Interpretaciones dogmáticas del artículo 19 CP y tipologías de delincuentes juveniles conforme a su responsabilidad criminal," Anuario de Derecho Penal y Ciencias Penales, vol. 67, 2014, pp. 239–320.

[53] COLÁS TURÉGANO, A., "Selección y determinación de las medidas en la LORPM: criterios jurisprudenciales y de la FGE tras veinte años de vigencia," in ABADÍAS SELMA, A., CÁMARA ARROYO, S. and SIMÓN CASTELLANO, P. (Eds.), *Tratado sobre delincuencia juvenil y responsabilidad penal del menor*, Wolters Kluwer, Madrid, 2021, pp. 795–830. See also CARDENAL MONTRAVETA, S., *La responsabilidad penal de los menores*, 2nd ed., Tirant lo Blanch, Valencia, 2022.

[54] Section 7 of the Explanatory Memorandum of Organic Law 5/2000, of 12 January, regulating the criminal responsibility of minors.

[55] GARCÍA PÉREZ, O., "Derechos de los menores en centros de internamiento y los instrumentos para su aseguramiento," in ABADÍAS SELMA, A., CÁMARA ARROYO, S. and SIMÓN CASTELLANO, P. (Eds.), *Tratado sobre delincuencia juvenil y responsabilidad penal del menor*, Wolters Kluwer, Madrid, 2021, pp. 1075–1096. By the same author, see more extensively, "Los actuales principios rectores del Derecho penal juvenil: un análisis crítico," *Revista de Derecho Penal y Criminología*, no. 3, 1999, pp. 33–76.

[56] BACIGALUPO, E., "Entwicklung des Jugendstrafrechts und der kriminalrechtlichen Behandlung Jugendlicher in ausgewählten Ländern Lateinamerikas," en DÜNKEL, F. y MEYER, K. (Hrsg.), *Jugendstrafe und Jugendstrafvollzug*," in DÜNKEL, F. and MEYER, K. (Eds.), Juvenile punishment and juvenile prison system, vol. II, Max Planck Institute for Foreign and International Criminal Law, Freiburg im Breisgau, 1986, pp. 775 ff. On the evolution of the welfare-based model in Spain, see COLÁS TURÉGANO, A., "Punitivismo y Justicia de menores: La reforma de la Ley Reguladora de la Responsabilidad Penal de los menores (LO 5/2000) por la Ley del « solo sí es sí» (LO 10/2022 de Garantía integral de la libertad sexual)," *Revista Electrónica de Ciencia Penal y Criminología*, no. 25, 2023.

[57] In this regard, see FEIJOO SÁNCHEZ, B., "Bases dogmáticas de la responsabilidad penal de los menores," in ABADÍAS SELMA, A., CÁMARA ARROYO, S. and SIMÓN CASTELLANO, P. (Eds.), *Tratado sobre delincuencia juvenil...,* cited work, 2021, pp. 573–603.

[58] Article 7.1(i) of Organic Law 5/2000, of 12 January, regulating the criminal responsibility of minors, as amended by Organic Law 8/2006, of 4 December.

[59] CERVELLÓ DONDERIS, V., "El tratamiento legal de la violencia de género entre menores de edad," in ABADÍAS SELMA, A., CÁMARA ARROYO, S. and SIMÓN CASTELLANO, P. (Eds.), *Tratado sobre delincuencia juvenil y responsabilidad penal del menor*, Wolters Kluwer, Madrid, 2021, pp. 851–870. The author highlights how the 2006 reform introduced this measure with particular attention to cases of violence within the family and gender-based violence.

[60] COLÁS TURÉGANO, A., "Selección y determinación de las medidas en la LORPM: criterios jurisprudenciales y de la FGE tras veinte años de vigencia," in ABADÍAS SELMA, A., CÁMARA ARROYO, S. and SIMÓN CASTELLANO, P. (Eds.), *Tratado sobre delincuencia juvenil...*, cited work, pp. 795–830.

[61] ORNOSA FERNÁNDEZ, M.R., *Derecho Penal de Menores. Comentarios a la Ley Orgánica 5/2000*, fourth ed., Bosch, Barcelona, 2007, pp. 185–187.

[62] On the role of ICTs in the commission of offences by minors and the need to adapt measures to this reality, see CÁMARA ARROYO, S. and MONTERO HERNANZ, T., "Menores, ciberdelincuencia y justicia juvenil," in ABADÍAS SELMA, A., CÁMARA ARROYO, S. and SIMÓN CASTELLANO, P. (Eds.), *Tratado sobre delincuencia juvenil...*, cited work, 2021, pp. 689–720.

[63] MONTERO HERNANZ, T., *Derecho penal de menores. Una introducción a la legislación reguladora de la responsabilidad penal de los menores*, Reus, Madrid, 2023, pp. 178–180.

[64] PEREIRA TERCERO, R., "Violencia filio-parental: un fenómeno emergente," *Revista Mosaico*, no. 36, 2006, pp. 8–9. The author already warned of the progressive judicialisation of these family conflicts as an ultima ratio in the face of the failure of other intervention bodies.

[65] CALVETE, E., ORUE, I. and SAMPEDRO, R., "Violencia filio-parental en la adolescencia: características ambientales y personales," Infancia y Aprendizaje, vol. 34, no. 3, 2011, pp. 349–363. The authors describe the cyclical and progressive nature of CPV, which tends to intensify in the absence of external intervention.

[66] PEREIRA TERCERO, R. and BERTINO MENNA, L., "Una comprensión ecológica de la violencia filio-parental," *Redes. Revista de Psicoterapia Relacional e Intervenciones Sociales*, no. 21, 2009, pp. 69–90.

[67] HOWARD, J. and ROTTEM, N., *It all starts at home: Male adolescent violence to mothers*, Inner South Community Health Service and Child Abuse Research Australia, Monash University, Melbourne, 2008, pp. 45–48.

[68] CONDRY, R. and MILES, C., "Adolescent to parent violence: Framing and mapping a hidden problem," *Criminology and Criminal Justice*, vol. 14, no. 3, 2014, pp. 257–275.

[69] OMER, H., *Non-violent resistance: A new approach to violent and self-destructive children*, Cambridge University Press, Cambridge, 2004, pp. 112–115. The author develops the concept of "time-out" as a therapeutic tool in the intervention of violent behaviors in adolescents.

[70] GARCÍA PÉREZ, O., "Los actuales principios rectores del Derecho penal juvenil: un análisis crítico," *Revista de Derecho Penal y Criminología*, no. 3, 1999, pp. 33–76. The author stresses that all measures must be oriented towards the education of the minor and not towards purely retributive aims.

[71] IBABE, I. and JAUREGUIZAR, J., "¿Hasta qué punto la violencia filio-parental es bidireccional?," *Anales de Psicología*, vol. 27, no. 2, 2011, pp. 265–277.

[72] KENNAIR, N. and MELLOR, D., "Parent abuse: A review," *Child Psychiatry and Human Development*, vol. 38, no. 3, 2007, pp. 203–219. The authors highlight the impact of CPV on the family system, including siblings and other cohabitants.

[73] COTTRELL, B., *Parent abuse: The abuse of parents by their teenage children*, Health Canada, Family Violence Prevention Unit, Ottawa, 2001, pp. 18–22.

[74] ECKSTEIN, N.J., "Emergent issues in families experiencing adolescent-to-parent abuse," *Western Journal of Communication*, vol. 68, no. 4, 2004, pp. 365–388. The author analyses the contradictory emotions experienced by parents who are victims of child-to-parent violence when they are forced to report their own children.

[75] COOGAN, D., "Child-to-parent violence: Challenging perspectives on family violence," *Child Care in Practice,* vol. 17, no. 4, 2011, pp. 347–358.

[76] As noted by the Constitutional Court in its Judgment 176/2008 of 22 December, "in matters concerning parent–child relationships, the criterion that must necessarily guide the decision to be adopted by the judge in each case is the prevailing interest of the minor, weighing it against that of the parents, which, although of a lower rank, is not therefore negligible". The Court further warns that "when the exercise of any of the rights inherent to parents affects the development of their filial relationships and may have a negative impact on the development of the minor child's personality, the interests of the parents must yield to the interest of the child".

[77] HOLT, A., "Adolescent-to-parent abuse as a form of domestic violence: A conceptual review," *Trauma, Violence & Abuse*, vol. 17, no. 5, 2016, pp. 490–499. The author emphasizes the conceptual differences between child-to-parent violence and other forms of domestic violence, highlighting parents' desire to maintain the bond with their children.

[78] GALLAGHER, E., "Parents victimized by their children," *Australian and New Zealand Journal of Family Therapy*, vol. 25, no. 1, 2004, pp. 1–12.

[79] AGNEW, R. and HUGULEY, S., "Adolescent violence towards parents," *Journal of Marriage and the Family,* vol. 51, no. 3, 1989, pp. 699–711.

[80] CONTRERAS, L. and CANO LOZANO, M.C., "Exploring psychological features in adolescents who assault their parents: a different profile of young offenders?," *The Journal of Forensic Psychiatry & Psychology*, vol. 25, no. 1, 2014, pp. 72–93.

[81] PEREIRA TERCERO, R., *Psicoterapia de la violencia filio-parental. Entre el secreto y la vergüenza*, Morata, Madrid, 2011, pp. 134–140.

[82] WEINBLATT, U. and OMER, H., "Nonviolent resistance: A treatment for parents of children with acute behavior problems," *Journal of Marital and Family Therapy*, vol. 34, no. 1, 2008, pp. 75–92.

[83] TANGNEY, J.P. and DEARING, R.L., *Shame and guilt*, Guilford Press, New York, 2002, pp. 112–118. The authors distinguish between destructive shame and constructive shame, highlighting the transformative potential of the latter when it is appropriately addressed in a therapeutic context.

[84] PEREIRA TERCERO, R. and BERTINO MENNA, L., "Una comprensión ecológica de la violencia filio-parental," *Redes. Revista de Psicoterapia Relacional e Intervenciones Sociales*, no. 21, 2009, pp. 69–90.

[85] AROCA MONTOLÍO, C. and ALBA ROBLES, J.L., "La violencia filio-parental en hijos e hijas adolescentes con rasgos de psicopatía," *Criminología y Justicia*, no. 3, 2012, pp. 25–44.

[86] SÁNCHEZ HERAS, J., RIDAURA COSTA, M.J. and ARIAS SALVADOR, C., *Manual de intervención para familias y menores con conductas de maltrato*, Tirant lo Blanch, Valencia, 2010, pp. 178–185. The authors propose a comprehensive intervention model that jointly addresses the needs of all members of families affected by child-to-parent violence.

[87] PEREIRA TERCERO, R., "Violencia filio-parental: un fenómeno emergente," *Revista Mosaico*, no. 36, 2006, pp. 7–8.

[88] The Valencia Provincial Court Judgment (Section 2), of 25 June 2008, held that the offence under Article 173.2 of the Spanish Criminal Code was present, referring to «a pattern of behaviors by the minor in relation to his parents that must be framed within a permanent situation of domination over the victims, to whom he intimidates by preventing the free development of their lives».

[89] COOGAN, D., *Child-to-parent violence and abuse: Family interventions with non-violent resistance*, Jessica Kingsley Publishers, London, 2018, pp. 45–52.

[90] OMER, H., *Non-violent resistance: A new approach to violent and self-destructive children*, Cambridge University Press, Cambridge, 2004, pp. 89–95.

[91] MARCOS SIERRA, J.A. and GARRIDO FERNÁNDEZ, M., "La terapia familiar en el tratamiento de las adicciones," *Apuntes de Psicología,* vol. 27, nos. 2–3, 2009, pp. 339–362.

[92] MICUCCI, J.A., *El adolescente en la terapia familiar. Cómo romper el ciclo del conflicto y el control*, Amorrortu, Buenos Aires, 2005, pp. 156–170.

[93] SÁNCHEZ HERAS, J., RIDAURA COSTA, M.J. and ARIAS SALVADOR, C., *Manual de intervención para familias y menores con conductas de maltrato*, Tirant lo Blanch, Valencia, 2010, pp. 112–118.

[94] ESTÉVEZ, E. and GÓNGORA, J.N., "Adolescent aggression towards parents: Factors associated and intervention proposals," en PEREIRA, R. (Ed.), *Adolescent-to-parent violence*, Springer, Cham, 2021, pp. 143–160.

[95] BANDURA, A., *Social learning theory*, Prentice Hall, Englewood Cliffs, Englewood Cliffs, 1977, pp. 22–29. The author highlights the importance of modelling within the family context for the acquisition of adaptive behavioral repertoires.

[96] CALVETE, E., ORUE, I., BERTINO, L., GONZÁLEZ-DÍEZ, Z., MONTES, Y., PADILLA, P. and PEREIRA, R., "Child-to-parent violence in adolescents: The perspectives of the parents, children, and professionals in a sample of Spanish focus group participants," *Journal of Family Violence*, vol. 29, no. 3, 2014, pp. 343–352.

[97] HOLT, A., *Adolescent-to-parent abuse: Current understandings in research, policy and practice*, Policy Press, Bristol, 2013, pp. 112–118.

[98] IBABE, I., JAUREGUIZAR, J. and BENTLER, P.M., "Protective factors for adolescent violence against authority," *The Spanish Journal of Psychology*, vol. 16, no. E76, 2013, pp. 1–13. The authors emphasize the protective role of the extended family in preventing violent behaviors in adolescents.

[99] COTTRELL, B. and MONK, P., "Adolescent-to-parent abuse: A qualitative overview of common themes," *Journal of Family Issues*, vol. 25, no. 8, 2004, pp. 1072–1095.

[100] BERMÚDEZ TAPIA, M., "Resocialización y reintegración social del adolescente infractor por internación en centro juvenil con desarraigo familiar," *Revista Llapanchikpaq: Justicia*, vol. 5, no. 6, 2023, pp. 19–43.

[101] MONTEJANO TORRES, L., GALÁN JIMÉNEZ, J.S. and DE LA ROSA RODRÍGUEZ, P.L., "Reinserción social de adolescentes en conflicto con la ley. Un estudio conceptual," *Revista Estudios Socio-Jurídicos,* vol. 22, no. 1, 2020, pp. 233–262.

[102] DURÁN, S., *Los factores individuales y del entorno en la exclusión social y la conducta delictiva en la adolescencia*, Doctoral dissertation, 2017.

[103] FERNÁNDEZ CAMPOAMOR, M.C., "Construcción identitaria de jóvenes infractores durante la implementación de medidas 'alternativas' en Argentina," *Estudios Sociológicos de El Colegio de México*, vol. 38, no. 113, 2020, pp. 309–340.

[104] CÁMARA ARROYO, S., "La finalidad educativa de los centros de internamiento de menores: el hospicio como antecedente," *Anuario de la Facultad de Derecho (Universidad de Alcalá)*, no. 3, 2010, pp. 521–554.

[105] AZAOLA GARRIDO, E., "Posibilidades y límites de dos modelos de justicia para menores," *Revista Alegatos*, no. 83, 2013, pp. 225–242.

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[117] SÁNCHEZ SÁNCHEZ, E. and MONTERO GARCÍA, I., "Revisión sistemática de programas de educación correccional y justicia restaurativa dirigidos a menores infractores: efectos en la reeducación, resocialización y reincidencia (2013–2023)," *Educatio Siglo XXI*, vol. 43, no. 3, 2025, pp. 31–54. The authors highlight that the involvement of the family and other community agents is crucial in reducing recidivism.

[118] GRAÑA GÓMEZ, J.L., MORÁN RODRÍGUEZ, N., GONZÁLEZ CIEZA, L. and ANDREU RODRÍGUEZ, J.M., "La reincidencia delictiva en los adolescentes que cometen delitos graves y tienen un consumo de drogas elevado," *Anuario de Psicología Jurídica*, vol. 35, 2025, pp. 1–12. The study found that dynamic variables gain greater predictive weight when assessed after the intervention and release from detention.

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[121] Explanatory Memorandum of Organic Law 5/2000, Section 7. The legislature expressly proclaims that "in juvenile criminal law, the best interests of the minor must prevail as the determining element of the proceedings and of the measures adopted".

[122] In an analogous sense, although referring to gender-based violence, the recent Constitutional Court Judgment 54/2025, of 10 March 2025 (BOE-A-2025–7420), held that "the existence of indications of violence is an aspect to be weighed by the judge" and that sufficient reasoning is required to assess the specific circumstances of the case before imposing restraining measures that may affect the best interests of the minor.

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[126] Explanatory Memorandum of Organic Law 5/2000, Section 18.

[127] Article 7.1(h) of the LORPM, as amended by Organic Law 8/2006 of 4 December.

[128] ROBLES REINA, J.J. and SÁNCHEZ VÁZQUEZ, V., "El alejamiento en la justicia juvenil, una propuesta socioeducativa," *RES. Revista de Educación Social*, no. 28, 2021, pp. 165–180.

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[130] FUNDACIÓN AMIGÓ, *Programa Conviviendo: Manual de intervención con familias en situaciones de violencia filio-parental*, Madrid, 2023, pp. 45–67.

[131] Article 13.1 of the LORPM: "The judge competent for enforcement, ex officio or at the request of the Public Prosecutor or the minor's legal counsel, after hearing them and following a report from the technical team and, where appropriate, from the public body responsible for the protection or reform of minors, may at any time revoke the measure imposed, reduce its duration or replace it with another".

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