

Research Documents



"Protecting children against sexual assault"

Facts and Stats

Bravehearts Inc.

Protecting Children through Prevention and Therapy

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Table of Contents

INTRODUCTION	1
PREVALENCE	3
REALITIES OF CHILD SEXUAL ASSAULT	7
DISCLOSURE ISSUES	8
THE OFFENDERS	10
CONVICING, TREATING AND MANAGING PAEDOPHILES	13
CHURCHES	17
THE EFFECTS OF CHILD SEXUAL ASSAULT	18
1. LINKS TO MENTAL HEALTH ISSUES AND SUICIDE	18
2. LINKS TO GENERAL HEALTH ISSUES	20
3. LINK TO DRUG/ALCOHOL MISUSE	20
4. LINKS TO CRIME	20
5. PROSTITUTION	21
THE COSTS	22
PREVENTION AND EDUCATION	23
COMMUNITY VIEWS	24
ON-LINE EXPLOITATION AND GROOMING	25
CHILD PROTECTION SYSTEMS	30
STATEMENTS AND OTHER FACTS	31
(a) "A.P.A. Publishes a New Study Opening the Way to the Normalization of Pedophilia"	31
(b) Excerpt by US Congress Resolution May 12, 1999 ‘Sense of Congress rejecting (above) Notion that sex between Adults and Children is Positive.....	31
(c) Australian Treaty Series – Convention on the Rights of the Child.....	32
REFERENCES	34

Introduction

Determining a definitive estimate of the prevalence of child sexual assault in our society is difficult. Available figures are rare. Goldman and Padayachi (1997) suggest that aside from “anecdotal evidence from fragmented sources” there are no National, or State data available on child sexual assault in Australia. However, research over the past decade have provided us with an indication of the prevalence and effects of child sexual assault.

This document contains statistics and facts on child sexual assault that have been compiled by Bravehearts. Every effort has been made to ensure complete references have been provided.

UN Convention on the Rights of the Child

On 20th November 1989, the United Nations General Assembly adopted the UN Convention on the Rights of the Child. Within a year, 141 countries had either signed the Convention or had become State Parties to it by ratification or accession. Australia became a State Party by ratification. New Zealand, Canada and the United Kingdom became signatories without ratification and the United States became neither (as of end 2005, only the United States and Somalia have not signed).

By signing the Convention, countries agreed that “the child shall be protected against all form of neglect, cruelty and exploitation. He shall not be the subject of traffic in any form” (Principle 9).

Furthermore, under Article 19 it was agreed that:

1. State Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse or negligent treatment, maltreatment or exploitation, including sexual abuse while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.
2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for the identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment, described heretofore, and as appropriate, for judicial involvement.

Article 34 requires that:

Children shall be protected from all forms of sexual exploitation and sexual abuse. Governments shall take appropriate measures to prevent:

- (a) the inducement or coercion of a child to engage in any sexual activity;
- (b) the exploitative use of children in prostitution or other unlawful sexual practices;
- (c) the exploitative use of children in pornographic performances and materials

Article 39 states that:

Governments shall take all appropriate measures to promote physical and psychological recovery and social reintegration of child victims of any form of neglect, exploitation, abuse, torture or any other forms of cruel, inhuman or degrading treatment or punishment.

Source: *Excerpt from Briggs & Hawkins (1997)*

Paedophilia: The health problem of the decade – Dr Bill Glaser

Imagine a society afflicted by a scourge which struck down a quarter of its daughters and up to one in eight of its sons.

Imagine also that this plague, while not immediately fatal, lurked in the bodies and minds of these young children for decades, making them up to sixteen times more likely to experience its disastrous long-term effects.

Finally, imagine the nature of these effects: life-threatening starvation, suicide, persistent nightmares, drug and alcohol abuse and a whole host of intractable psychiatric disorders requiring life-long treatment. What would the society's response be?

The scourge that we are speaking of is child sexual abuse. It has accounted for probably more misery and suffering than any of the great plagues of history, including the bubonic plague, tuberculosis and syphilis. Its effects are certainly more devastating and widespread than those of the modern-day epidemics which currently take up so much community attention and resources: motor vehicle accidents, heart disease and, now, AIDS. Yet the public response to child sexual abuse, even now, is fragmented, poorly coordinated and generally ill-informed.

Its victims have no National AIDS Council to advise governments on policy and research issues; They have no National Heart Foundation to promote public education as to the risks of smoking and unhealthy lifestyles; They do not have a Transport Accident Commission to provide comprehensive treatment and rehabilitation services for them.

A massive public health problem like child sexual abuse demands a massive societal response. But firstly, we need to acknowledge and understand the problem itself, and this is, sadly enough, a task which both professionals and the community have been reluctant to undertake despite glaringly obvious evidence in front of us.

Source: *Excerpt from "Paedophilia: The Public Health Problem of the Decade" – Australian Institute of Criminology Conference on Paedophilia, Sydney April 1997.*

Prevalence

One in three girls and one in six boys will be sexually abused in some way before the age of 18 years. (*Australian Institute of Criminology, 1993*)

A 1994 survey of 453 pedophiles, revealed they were collectively responsible for the molestation of over 67,000 children. That's an average of 148 children per individual pedophile. (*Abel, 1994*)

Internationally, epidemiological studies estimate prevalence rates of 7 to 36 per cent for females and 3 to 29 per cent for males. (*Finkelhor, 1994*)

During 1996 in Queensland alone, 340 boys and 1009 girls aged between 0-14 years reported sexual abuse. In most cases, the relationship of the offender to the victim was a non-family member known to the victim (Qld 1996 – 499 victims) while (Qld 1996 - 220 victims) were assaulted by a family member know to them. In Qld 1996, of the total 2095 child sexual abuse victims, 94% of all cases took place in private dwellings. (*Australian Bureau of Statistics, 24 July 1997*)

There is widespread agreement in the literature that child sexual abuse spans all races, economic classes and ethnic groups. (*Goldman & Padayachi 1997; Finkelhor, 1993, 1994; Oates, 1990; Peters, Wyatt & Finkelhor, 1986; O'Donnell & Craney, 1982*)

20 per cent of women had experienced childhood sexual abuse, with the age of onset of abuse being under the age of 12 years for 71 per cent of these women. (*Fleming, 1997*)

45 per cent of females and 19 per cent of males have been the victim of 'non-contact inclusive' child sexual abuse and 39 per cent of females and 13 per cent of males have been the victim of 'non-contact exclusive' child sexual abuse. (*Goldman and Padayachi 1997*)

Girls were two to three times more likely to be abused than boys. (*Johnston & Saenz, 1997*)

There are an estimated 300 hard core paedophiles in Queensland. Each one of those may have sexually abused up to 150 children in their lifetime. Consequently, an estimated 45,000 Queensland children are expected to have been abused by this group. (*Queensland Children's Commission, 1997*)

Extrapolating ABS population statistics in combination with universally accepted CSA prevalence figures, it is estimated that more than 150,000 children under the age of 17 years in Queensland have been sexually abused and an estimated 420,000 Queenslanders over the age of 18 are survivors of sexual abuse. (*Queensland Children's Commission, 1997*)

A 1996 *Australian Bureau of Statistics* study found that one in four women and one in seven men experiences some form of sexual abuse, not limited to family members, by the time they are adults. A 1999 survey found that only 38 per cent of those who experienced sexual assault reported it, mainly because they were too young, wished to protect the offender, or worried they would not be believed.

On average, approximately 6,500 sexual offences were reported to the Queensland Police Service annually between the years of 1996 and 1998. The majority of reported offences were committed against children younger than 16 years of age (58%). Most of the offenders were male (71%) and most were known to their victim in some way (60%); many were identified as relatives (26%). (*Queensland Criminal Justice Commission, 1999*)

There are about 14,000 preferential paedophiles in Australia. *(Smith and Chapman, 1999)*

The age profile sexual assault victims varied with the nature of the crime. Juveniles were the large majority of the victims of forcible fondling (84%), forcible sodomy (79%) and sexual assault with an object (75%). In contrast juveniles were the victims in less than half (46%) of forcible rapes. In each sexual assault category except forcible rape, children below the age of 12 were about half of all victims. *(Bureau of Justice Statistics, 2000)*

During the 1990's, Australian courts dealt with nearly 450 individual child sexual assaults by priests. *(Eros Foundation, 2000)*

It is estimated that 1 in 4 girls and between 1 in 7 and 1 in 12 boys are victims of sexual abuse. *(James, 2000)*

Girls and boys of all ages are sexually abused and victims are sometimes toddlers, young children and even babies. *(NSW Child Protection Council, 2000)*

Research has estimated that between 7 and 45 per cent of females and between 3 and 19 per cent of males have been victims of sexual abuse during their childhood. *(Queensland Crime Commission, 2000)*

169 child sex offenders who admitted having committed at least one sexual offence against a child later disclosed offences concerning 1010 children (748 boys and 262 girls) of which only 393 (38.9%) were reported to have been associated with official convictions. *(Smallbone & Wortley, 2000)*

At 30 June 2001 there were 4.2 children per 1,000 on care and protection orders and 3.9 per 1,000 in out-of home care. *(Australian Institute of Health and Welfare, 2002)*

In spite of the high non-disclosure rates and the difficulty in substantiating abuse, during 2000-01, a total of 3794 cases of sexual abuse against children were substantiated. *(Australian Institute of Health and Welfare, 2002)*

A three year study by Family Planning Queensland and Queensland University of Technology found that 55.5% of respondents had an unwanted sexual experience before the age of 16 and nearly half had experienced some form of sexual abuse as a child and as an adult. *(Courier Mail, 22nd April 2001, p. 35).*

The Director General of the Department of Community Services, Carmel Niland, admitted that only half the reported cases of child abuse in NSW were investigated by the government welfare agency responsible. In 2001, DOCS took 140,806 telephone reports of suspected child abuse (up sevenfold from 20,000 at the beginning of the 1990's). Of the 21 child abuse and neglect deaths in NSW in 2001, 13 of the victims were known to DOCS and eight were current clients. *(Australian newspaper May 21, 2002 Pg 3)*

In Queensland in 2000-01, there were 12,675 child protection notifications involving 22,069 children. This indicates the rate at which children aged 0-16 years were the subject of a child protection notification in 2000-01 in Queensland to be 18.8 per thousand. The National average for such notifications is 19.5 per thousand. The substantiation rate for 2000-01 in Qld was 68% representing the highest in the country while NSW at 37.7% recorded the lowest. The average rate of substantiation across the country was 38-48%. *(QCOSS, 2002)*

Child abuse and neglect reports are on the rise. For the 2002-2003 year, there were 198,000 notifications, which amounts to one report for every 25 children in Australia, and one report of child abuse and neglect every two minutes. Even more alarming is the substantiation figure,

which indicates that one child was confirmed by child protection services as having been harmed every 13 minutes – 40,000 children for the one year period. Of these, 10% are sexual assault. (*Australian Institute of Health and Welfare 2004*) That means that one child every 2 hours is the substantiated victim of child sexual assault in Australia. Add to this that most cases of child sexual assault are not reported.

In Australia in the year 2002-2003, there were 198,355 child protection notifications to government authorities. Of these, there were 40 416 substantiated cases involving 30 953 children. In Queensland in 2002-03 there were 31 068 notifications of child abuse and neglect to State authorities, involving 22 027 children. Of these, there were 12 203 substantiated cases involving 9032 children. (*Australian Institute of Health and Welfare, 2004*)

Over three years to the middle of 2004 suspected child abuse in Qld increased 26.9%. Investigations revealing abuse increased 74.1%. Children subject to protection orders increased 31.5%. Children placed in out of home care increased 35.5%. Since then demand for services has increased even more. (*QCOSS, 2005*)

Of recorded sexual assault crimes... the highest rate of sexual assault was recorded for girls 10-14 years if age at 516 per 100,000 females in that age group. For males, rates were highest for those aged 10-14 (88 per 100,000) and under 10 (70 per 100,000). Males made up 30% of sexual assault victims aged less than 10 years and 15% or less in older age groups. (*Australian Institute of Criminology, 2006*)

13% of calls to the New South Wales Rape Crisis Centre were related to child sexual assault. (*Sun Herald, 8th January 2006. p.7*)

Research shows a staggering 45% of women aged 18-41 were sexually abused as children by family members (30%), friends or family friends (50%) or strangers (14%). 75% of the abuse involved some contact, most of which was shockingly severe. (*Watson, B., Griffith University, Herald Sun, 9th October, 2007*)

A University of Queensland study found that 10.5% of males and 20.6% of females reported non-penetrative child sexual assault before the age of 16 and 7.5% of males and 7.9% of females reported penetrative child sexual assault before the age of 16. (*Mamun, Lawlor, O'Callaghan, Bor, Williams. & Najman, 2007*)

Between 1999 and 2003 the increase among the 0–14 year age group was more than double that of people aged 15 years and more (37% compared with 17%). Rates of sexual assault increased for both males and females aged 0–14 years, but the increase was greater for females (27% compared with 19% for males) (*Bricknell, 2008*)

The period from July to December 2007 saw the total number of sexual offences increase by 3%. This year the clear up rate for sexual offences improved by 2% to 68%. Given the historical nature of many sexual offences this is an excellent result for police. (*Qld Minister for Police Press Release "Queensland Crime Rates Continue to Fall", 16th April 2008*)

Queensland Office of the Director of Public Prosecutions handled about 3,000 sexual offence matters in Queensland Superior Courts in the last 3 years. More than half of the sexual matters handled involved children (1,753). (*Opposition Press Release "Data on Discontinued Child Abuse cases Missing", 8th July 2008*)

The number of child sexual offences handled by the Queensland Office of the Director of Public Prosecutions increased from 555 in 2005-2006 to 612 in 2007-2008. (*Opposition Press Release "Data on Discontinued Child Abuse cases Missing", 8th July 2008*)

Data from the Queensland Police Service Annual Statistical Review 2007-2008 show that of all sexual offence matters dealt with, 67% involved victims under the age of 18, 56% under the age of 16 and 46% between the ages of 0-14years. (*Queensland Police Service, 2008*)

Data from the Queensland Police Service Annual Statistical Review 2007-2008 show that 82% of sexual assault victims under the age of 18 were female (18% male). (*Queensland Police Service, 2008*)

Number of notifications in Queensland have been steadily decreasing since 2004-05, from 40,829 (2004-05) – 33,612 (2005-06) – 28,511 (2006-07) – 25,003 (2007-08). (*Australian Institute of Health and Welfare, 2009*)

In Queensland during 2007-2008, 7.9% of notifications to child protection authorities were of concerns around child sexual assault. (*Australian Institute of Health and Welfare, 2009*)

Based on a review of research conducted on child abuse between 2000 and June 2008, researchers estimate that... between 5 and 10% of girls and up to 5% of boys are exposed to penetrative sexual abuse, and up to three times this number are exposed to any type of sexual abuse. (*Gilbert, Spatz-Widom, Browne, Fergusson, Webb & Janson, 2009*)

Realities of Child Sexual Assault

Children rarely lie about or imagine sexual assault. In 98% of cases their statements are found to be true. (*Dympna House, 1990*)

Children who have experienced child sex abuse are also more likely have experienced some other type of abuse. (*Fergusson, Horwood & Lynskey, 1997; Mullen, Martin, Anderson, Romans & Herbison, 1996*)

Because the offender is often a person well known and trusted to the child and their family, they usually can easily arrange to be alone with the child - therefore the abuse is commonly repeated. This abuse rarely involves violence because instead of force, these offenders use promises, threats and bribes to take advantage of their trusted relationship with the child's family and the subsequent powerlessness of the child. In some cases, this can go on for years. (*NSW Child Protection Council, 2000*)

The strategies employed by offenders to gain the compliance of children more often involve giving gifts, lavishing attention and attempting to form emotional bonds than making threats or engaging in physical coercion. Many sexual encounters with children were preceded by some form of non-sexual physical contact. (*Smallbone & Wortley, 2000*)

Disclosure Issues

Acceptance and validation are crucial to the psychological survival of the victim” (p 179). Disclosure to family, friends, and the justice system can often exacerbate the effects of abuse. Too frequently, disbelief and blame result in secondary assault to the child and compound the already negative effects of the original abuse. (*Summit, 1983*)

Across all studies it is clear that only about half of the young victims disclosed the abuse to anyone. (*Finkelhor, 1991*)

For every child who does report to authorities, three to five cases are not being reported. (*Finkelhor, 1991*)

Case History: Brisbane Court and Hansard reporter Clarence Henry Osborne who gassed himself in his car on September 12, 1979, was found to have committed sexual assaults against 2,500 under age boys – not one of them had reported him to the police. (*Queensland Children’s Commission, 1997*)

Two studies cited by ICAC (Independent Commission Against Corruption NSW), suggest respectively that only 2% of familial and only 6% of extra-familial child sexual abuse were ever reported to police, and that only 10% of all child sexual abuse are notified (*Woods, 1997b*)

In 98% of all child abuse cases reported to officials, children’s statements were found to be true. (*NSW Child Protection Council, cited in Dymyna House 1998*)

A 1998 study involving 400 clients of Family Planning Qld, found 55% of all the women in the sample had experienced childhood sexual abuse before the age of 16. Only 36% of those who had experienced abuse had *ever* told anyone of those events prior to their disclosure during the study interview. Only 8 victims (3.5% all victims) had taken legal action against their offenders and only five were aware of the outcome of those actions (two offenders were convicted, two had no further action taken and one resulted in a criminal record only.) (*Queensland Criminal Justice Commission, 1999*)

About half of the victims of child sexual abuse never report the abuse to another person and many do not disclose until they reach adulthood. (*Queensland Crime Commission & Queensland Police Service, 2000*)

Project Axis sought information from 66 non-government schools about their policies for dealing with suspected child sexual abuse - only six had a specific policy in place. Of the 51 community groups contacted only three had established any policy for handling suspicions or disclosures of child sexual abuse. (*Queensland Crime Commission and Queensland Police Service, 2000*)

One in five parents who were aware that their child had been sexually abused did not report the abuse. (*Smallbone & Wortley, 2000*)

A total of 17% of disclosures of sexual assault result in a conviction. (*Queensland Crime and Misconduct Commission, 2003*)

28% disclose sexual assault to the authorities. (*Queensland Crime and Misconduct Commission, 2003*)

One in three people in NSW suspect a child they know has been abused but 43% of those did not report the abuse to authorities. (*Department of Community Services, 2006*)

One third of people surveyed felt they only had a minor role to play in protecting children
(Department of Community Services, 2006)

78% of people surveyed had some hesitation about whether they would be able to identify abuse
of neglect if they came across it. *(Department of Community Services, 2006)*

The Offenders

It is estimated that approximately 71% of child sex offenders are under 35 and knew the victim at least casually. About 80% of these individuals fall within normal intelligence ranges; 59% gain sexual access to their victims through, seduction or enticement. (Burgess & Groth, 1984)

Females do sexually abuse in a small proportion of cases, approximately 5% of female victims and 20% of male victims experience sexual abuse perpetrated by a female. (Finkelhor & Russell, 1984)

A study on convicted child sex offenders found that responses to questions on the offender's personal history were impacted on when polygraph testing was introduced. Offenders were required to write a detailed sexual history, including information on whether they were abused as children. When the polygraph was introduced as part of this study, child sex offenders reporting childhood victimisation dropped from 67% to just 29%. (Hindman, 1988)

The typical child sex offender molests an average of 117 children, most of who do not report the offence. (National Institute of Mental Health, 1988)

About 95% of victims know their perpetrators. (CCPCA, 1992)

In 95% of cases, the sexual abuse offender is known to the child; that is they are a relative or trusted friend. Only 5% of child sexual assault cases are 'stranger danger'. (Child Protection Council, 1993)

One in three child sexual offenders are adolescents. (Bagley, 1995)

The majority of perpetrators are male (in excess of 95 per cent) against male and female children. (Bagley, 1995)

Around 80 per cent of the time, the offender is known to the child. (Bagley, 1995)

About 60% of the male survivors sampled report at least one of their perpetrators to be female. (Mendel, 1995)

By claiming to have been abused themselves as children, some adult offenders seek to justify or minimise their offending behaviour. A study by Hindman (1988) involving two groups of sex offenders has demonstrated the unreliability of the self-reported claims of sexual abuse in childhood. In the first group, 67 percent of offenders claimed to have been abused as children. In the second group, when the offenders were advised that their statements would be checked by a lie detector test and, if found to be false, they would be returned to prison, only 29 percent claimed to have been abused as children. On the basis of therapeutic experience Ross (1995) suggests that only approximately 5 percent of victims go on to become abusers. (NSW Child Protection Council, 1996)

There are an estimated 300 hard core paedophiles in Queensland. Each one of those may have sexually abused up to 150 children in their lifetime. Consequently, an estimated 45,000 Queensland children are expected to have been abused by this group. (Queensland Children's Commission, 1997)

Juvenile offenders can be just as predatory as adult offenders. Their abuse is often well-planned and thought out. Protected by the silence that has been characteristic of sexual abuse generally,

juvenile offenders learn they can get away with it, and have time to fine tune the manipulative techniques which are characteristic of the recidivist offender. Unlike other young offenders who grow out of their offending behaviour, juvenile sex offenders tend to grow into it. Most sexual offender behaviour escalates over a period of time – it does not suddenly just happen. (Woods, 1997b)

There are about 14,000 preferential paedophiles in Australia. (Smith and Chapman, 1999)

The age profile of offenders in sexual assault varied with the nature of the crime. Overall 23% of sexual assault offenders were under age 18 and 77% were adults. Juveniles were a substantially smaller proportion of the offenders in forcible rape (17%) than in sexual assaults with an object (23%), forcible fondling (27%) and incidents of forced sodomy (36%). (Bureau of Justice Statistics, 2000)

169 child sex offenders who admitted having committed at least one sexual offence against a child later disclosed offences concerning 1010 children (748 boys and 262 girls) of which only 393 (38.9%) were reported to have been associated with official convictions. (Smallbone & Wortley, 2000)

Only 1 in 100 (1%) sex offenders in a given year ends up convicted of sexual assault. Each year in NSW, about 40,000 women will be sexually assaulted. About 1000 men will be brought to court for sexual assault and about 400 of those men will either plead guilty or get found guilty. (Weatherburn, D, NSW Bureau of Crime Statistics, Chan 9 TV Sunday Program, 3.7.2001)

Prelates who had protected priests or other church workers accused of sexual assault headed at least 111 of the 178 major Catholic dioceses in the United States. (Australian newspaper 14 June 2002)

In the United States, 2,000 Catholic priests have been disgraced because of their abusive behaviour, with many facing prosecution in the criminal courts. (Hansard, 2002a)

International research suggests that sex offenders are generally older than most other types of offenders. Hanson et al found the mean age of over 9,000 sex offenders to be approximately 36 years. (Hanson, Gordon, Harris, Marques, Murphy, Quinsey & Seto, 2002)

Only about 17% of reported sexual offences result in a conviction, a figure consistent with data from other States and overseas. (Queensland Crime and Misconduct Commission, 2003)

Most children know the perpetrator with studies estimating between 10-30% of offenders were strangers (National Child Protection Clearinghouse, 2005)

Non-biological family members (stepfather or mother's defacto) are disproportionately represented as sex offenders. For example, Russell (1989) reported that girls living with stepfathers were at a markedly increased risk: 17% had been sexually abused compared with 2.3% of girls living with biological fathers (National Child Protection Clearinghouse, 2005)

European researchers (COPINE)... also found that 78% of offenders charged with downloading or possessing abusive images had abused children prior to, or soon after viewing images. On average, each offender had abused up to 30 different children. (Personal correspondence with Briggs 5th January 2006)

Female sex offenders are responsible for 6 % of all reported cases of sexual abuse against children (Child Wise study) (The Australian newspaper, 7th March 2006)

Men were by far the greatest perpetrators of sexual abuse, responsible for 663 cases compared to only 63 by women, or (8.7%). (Department of Child Safety, 2007)

For the offence of sexual assault 34% of defendants were aged 45 and over. (*Australian Bureau of Statistics, 2007*)

Craissati, McClurg & Browne (2002) in a study of 178 sex offenders (using psychometric tests) found that 46% indicated sexual victimisation in childhood and a further 36% reported histories of physical abuse or emotional neglect. (*cited in Choo, 2009*)

Craissati, McClurg & Browne (2002) reported that in a review of North American studies on proportion of child sexual abusers who were themselves sexually victimised as children, there was an overall rate of 28% (ranging from between 0%-67%). (*cited in Choo, 2009*)

Convicting, Treating and Managing Paedophiles

In relation to measuring recidivism, a Canadian study found that when ‘unofficial’ data relating to sexual reoffending such as re-arrests and probation/parole records were combined with reconvictions, the recidivism rate was increased by 170%. (*Barbaree & Marshall, 1988*)

On the basis of therapeutic experience, Ross (1995) suggests that only approximately 5% of victims go on to become abusers. (*NSW Child Protection Council, 1996*)

Family Law Court cases in Melbourne and Canberra between January 1994 and June 1995 found that one half of all the cases which went to pre-hearing conference involved allegations of some form of abuse. In Melbourne, 24.1% of those involved allegations of sexual abuse and 48.6% in Canberra. (*Brown, Frederico, Hewitt and Sheehan, 1998*)

In 98% of all child abuse cases reported to officials, children’s statements were found to be true. (*NSW Child Protection Council, cited in Dymyna House 1998*)

The majority of appearances for ‘indecent dealing with a child under 16 years’ before the higher courts which did not result in a conviction were due to withdrawal of the case (‘nolle prosequi’ - withdrawal by the prosecution 64.5% - and 19% withdrawal ‘no true bill’ by prosecution -and 4% ‘admonish and discharge’ dismissal of charge by the court), rather than a finding of ‘not guilty’ (16.5%) by the jury. (%). (*Queensland Criminal Justice Commission, 1999*)

The court data shows that between 700 and 900 persons accused of sexual offences come before the Magistrates Court annually. The majority of those people charged with rape (83%) and other sexual offences (57%) are committed by a Magistrate for trial or sentence in a higher court. Approximately 45% of appearances for rape and 67% of appearances for other sexual offences result in a conviction. By comparison, the conviction rate for other types of offences is about 75%. About half of the defendants between 1994 and 1998 pleaded guilty, although significantly fewer of those accused of rape chose to do so (28%). (*Queensland Criminal Justice Commission, 1999*)

Data indicates that an arrest was made in 27% of all sexual assault victimisations. There were only minor offence related differences in arrest probability: forcible rape (25%), forcible sodomy (30%), sexual assault with an object (28%) and forcible fondling (27%).... Crimes were also cleared by means other than arrest... in 7% of sexual assault victimisations the victim refused to cooperate, prosecution was declined in 6% of sexual assaults. (*Bureau of Justice Statistics, 2000*)

In general, the assaults of juvenile victims were more likely to result in an arrest (29%) than were adult victimisations (22%). Assaults against the youngest victims were the least likely of juvenile victimisations to result in an arrest. An offender was arrested in just 19% of the sexual assaults of children under age 6, compared to 33% of victims aged 6 through 11 and 32% of the victims ages 12 through 17. (*Bureau of Justice Statistics, 2000*)

The factors that had the largest influence on the probability of arrest (in order of their odds ratio) were: (1) the number of victims in the incident – with more than one victim increasing arrest probability, (2) the number of offenders in the incident – with incidents with just one offender increasing arrest probability, (3) the age of the victim – with juvenile victims increasing the arrest probability, (4) the sex of the victim – with male victims decreasing arrest probability. (*Bureau of Justice Statistics, 2000*)

Two thirds of the offenders in the present study had previous convictions of which (82.2%) had first been convicted of a non-sexual offence.....With respect to treatment, the findings challenge the tendency in many programs to emphasise the deviant sexual preferences of child sexual

offenders, that is, to treat the child sexual offending as a specialised and distinct crime problem. The current findings reveal that a substantial majority of child sexual offenders are involved more generally in criminal activity and could therefore be explained as extensions of more general antisocial patterns of behaviour, perhaps involving opportunism, the exploitation of interpersonal relationships, or the disregard of socially accepted codes of behaviour. *(Smallbone & Wortley, 2000)*

“Courts are required to enforce law rather than dispense justice. We hide such fundamental truths by sometimes describing the legal system as the justice system.....as though law necessarily has some intrinsic relationships to the qualities of fairness and justice - it does not. It is the marginalized and the underprivileged members of the community who are in most need of an untouchable guarantee of protection against misuse of power. *(Courier Mail 2001, Justice Tony Fitzgerald – former Qld corruption Commissioner and NSW Court of Appeal judge)*

Evidence to the Inquiry indicated that, whatever the jurisdiction, the structures, procedures and attitudes to child witnesses within all these legal processes frequently discount, inhibit and silence children as witnesses. In cases where the child is very young or has or had a close relationship with one of the parties or where the subject of the evidence is particularly sensitive, children often become so intimidated or distressed by the process that they are unable to give evidence satisfactorily or at all. *(Davies, 2001)*

The extensive examination of recent research into children’s evidence found nothing to support the belief that children’s evidence is inherently less reliable than the evidence of adults. *(Davies, 2001)*

Finkelhor et al (1990) in their American national survey of adults reporting a history of CSA, demonstrated the median age of abuse to be 9.9 for male CSA and 9.6 years for female CSA. Baker and Duncan (1985) reported 12.0 for males versus 10.7 for females, and Faller (1989) using validated cases of sexual abuse, reported the mean age of onset of sexual abuse to be 6.3 and 5.5 years for male and females sexual abuse, respectively. *(Spataro, Moss & Wells, 2001)*

Only 1 in 100 (1%) sex offenders in a given year ends up convicted of sexual assault. Each year in NSW, about 40,000 women will be sexually assaulted. About 1000 men will be brought to court for sexual assault and about 400 of those men will either plead guilty or get found guilty. *(Weatherburn, D., NSW Bureau of Crime Statistics, Chan 9 TV Sunday Program 3.7.2001)*

A Case Study - In 1988 Katie, then aged 14, makes an official complaint of sexual assault to Qld police against her father. On 29th September 2001, after 13 years unsuccessfully fighting for her day in court and justice, she gave up. In February 2002, Katie, now mother of five, hung herself in despair. Five months after her death, her father pleaded guilty to offences against Katie and 4 others stretching between the mid 1950’s to the early 1980’s. He was sentenced to a total of 54 years – BUT to be served concurrently, making him eligible for parole in 18 months. *(Courier Mail Sat July 6, 2002)*

A study comparing court systems in Queensland with NSW and WA found the Queensland court system traumatised and “re-abused children”. Less than half the 27 lawyers interviewed said they would want their own child involved in the criminal justice system even if a victim of serious sexual assault. *(Eastwood, 2002)*

In one Queensland case, a girl, 14, was asked 30 times by defence counsel to describe the defendant’s penis. *(Eastwood, 2002)*

A Queensland Barrister is quoted as saying – “If I’m defending a bloke I want to make life difficult for their witnesses.....I’m not there to find the truth – no one’s there to find the truth”.
(*Eastwood , 2002*)

The study found that 9.9% of treated sex offenders reoffended sexually, compared with 17.3% of non-treated sex offenders. (*Hanson, Gordon, Harris, Marques, Murphy, Quinsey & Seto, 2002*)

Only about 17% of reported sexual offences result in a conviction, a figure consistent with data from other States and overseas. (*Queensland Crime and Misconduct Commission, 2003*)

Many offences involve long delays between commission and prosecution. In 37.9% of cases the offence was committed over 10 years before sentencing; 28.9% were committed over 15 years before sentencing; 18.2% were committed over 20 years before sentencing; 9.4% were committed over 25 years before sentencing. (*Hazlitt, Poletti & Donnelly, 2004*).

Of those convicted and sentenced in NSW 2000-2002 (*Hazlitt, Poletti & Donnelly, 2004*):

Prison: 65.1%; Suspended sentence with supervision: 7.1%; Good behaviour bond with supervision: 7.1%; Periodic detention: 5.6%; Suspended sentence: 5.4%; Good behaviour bond: 4.5%; Community service order: 3.4%; Dismissal without conviction: 1.1%; Good behaviour bond without conviction: 0.6%; Rise of court: 0.2%

The median prison term was 48 months for sexual intercourse/penetration offences, 30 months for indecent assault and 9 months for acts of indecency. The median aggregate sentence was six and a half years and ranged from two and half years to 30 years imprisonment. (*Hazlitt, Poletti & Donnelly, 2004*).

Results from 69 different studies found that treated se offenders reoffended sexually 37% less than untreated offenders. (*Losel & Schmucker, 2005*).

Less than 2% of cases reported to police, where the offender is a female, result in a jail term, compared with 16.5% of cases involving men. (Child Wise study) (*Australian, 7th March 2006*)

90% of reported sex assaults do not end up in convictions (*Fitzgerald, 2006*)

Only 17% of reported sex assaults end up in court (*Fitzgerald, 2006*)

56% of defendants in sexual assault cases are found not guilty (*Fitzgerald, 2006*)

8000 cases of sexual and indecent assault are reported in NSW each year (*Fitzgerald, 2006*)

Figures from the NSW Bureau of Crime Statistics and Research show the proportion of convictions in the District and Supreme Courts rose form 48% in 2004 to 59% in 2006. In local courts the conviction rate rose from 41% to 49% in the same period. (*Bureau of Crime Statistics and Research, 2006*)

Although the total number of defendants adjudicated has decreased since 2001-2001, the number of defendants adjudicated has increased for those with an offence of illicit drugs or sexual assault (19% and 21% respectively). (*Australian Bureau of Statistics, 2007*)

Defendants adjudicated with a principal offence of weapons and explosive offences (92%), unlawful entry with intent (89%). Or deception (88%) were more likely to be finalised with a guilty pleas than for homicide (50%) and sexual assault (60%). (*Australian Bureau of Statistics, 2007*)

Defendants with a principal offence of sexual assault or acts intended to cause injury were more likely to be acquitted at trial (58% & 47% respectively). (*Australian Bureau of Statistics, 2007*)

Of those defendants proven guilty the highest proportion of custodial orders were for defendants that had principal offences of homicide (99%), robbery (92%) and sexual assault (89%). (*Australian Bureau of Statistics, 2007*)

The authors found that: 4% of SOP treatment completers reoffended sexually; 20% of those who withdrew from SOP reoffended sexually; 10% of those who were removed from SOP reoffended sexually. (*Owen, Coates, Wickham, Jellet, Teuma & Noakes, 2008*)

The Community Development and Justice Committee's Inquiry in Western Australia found that only 1% of **all** alleged sexual assaults committed in the State resulted in a conviction. (*Perth Now, 10 April 2008*)

The Community Development and Justice Committee's Inquiry in Western Australia found that only 9% of **reported** sexual assault cases secured in a conviction. (*Perth Now, 10 April 2008*)

The study found that 8.5% of sex offenders who were treated at the CUBIT programs committed a further sexual offence in the follow-up period (3.75 years) compared with the predicted sexual recidivism rate of 26%. (*Hoy & Bright, in press*)

Only 1% of alleged sexual assaults in Western Australia result in a conviction. (*Perpitch, N. AAP, 10th April 2008*)

The period from July to December 2007 saw the total number of sexual offences increase by 3%. This year the clear up rate for sexual offences improved by 2% to 68%. Given the historical nature of many sexual offences this is an excellent result for police. (*Qld Minister for Police Press Release "Queensland Crime Rates Continue to Fall", 16th April 2008*)

Queensland Office of the Director of Public Prosecutions handled about 3,000 sexual offence matters in Queensland Superior Courts in the last 3 years. More than half of the sexual matters handled involved children (1,753). (*Opposition Press Release "Data on Discontinued Child Abuse cases Missing", 8th July 2008*)

The number of child sexual offences handled by the Queensland Office of the Director of Public Prosecutions increased from 555 in 2005-2006 to 612 in 2007-2008. (*Opposition Press Release "Data on Discontinued Child Abuse cases Missing", 8th July 2008*)

The period from July to December 2007 saw the total number of sexual offences increase by 3%. This year the clear up rate for sexual offences improved by 2% to 68%. Given the historical nature of many sexual offences this is an excellent result for police. (*Qld Minister for Police Press Release "Queensland Crime Rates Continue to Fall", 16th April 2008*)

Churches

Prelates who had protected priests or other church workers accused of sexual assault headed at least 111 of the 178 major Catholic dioceses in the United States. *(Australian newspaper 14 June 2002)*

In the Boston diocese alone, the Catholic Church has set aside \$US30 million for victims of just one jailed priest who was accused of molesting 130 children over 30 years. *(Hansard , 2002a)*

In Ireland early in 2002, the Catholic Church reached an agreement with the government to provide \$A213 million in compensation to some 3,000 victims of assault in 18 church institutions. *(Hansard , 2002a)*

In Canada, the Anglican diocese of Caribou went bust because it literally ran out of resources to pay compensation to victims of sexual assault. *(Hansard , 2002a)*

During the last five years, more than 100 clergy from the Catholic and Anglican churches have been convicted of child sexual assault. *(Hansard , 2002a)*

In the United States, 2,000 Catholic priests have been disgraced because of their abusive behaviour, with many facing prosecution in the criminal courts. *(Hansard , 2002a)*

The Effects of Child Sexual Assault

Child sexual abuse could trigger the development of future violent behaviour resulting in criminal convictions psychosomatic responses, psychiatric disorders, long-lasting emotional problems; youth suicide, regression, sleeping and eating disorders, lack of self-esteem; nightmares, mutilation, self-hatred, promiscuous behaviour, aggression. A wide variety of later effects had been pointed out, including sexual difficulties, inability to form lasting relationships, a serious lack of self-confidence, marital problems and poor parenting skills. *(Waters & Kelk, 1991; Oates & Tong 1987)*

Physical effects which may result from abuse include headaches, stomach-aches and sleep disturbances. *(Peters, 1988)*

Emotional effects include depression, fear, anxiety, anger and shame. *(Beitchman, Zucker, Hood, DaCosta, Akman & Cassavia, 1992; Conte & Schuerman, 1987; Fromuth 1986; Peters, 1988)*

A clear relationship has been shown between child sexual abuse and lowered self-esteem. *(Romans, Martin and Mullen 1996)*

Behavioural problems include withdrawal, aggression and inappropriate sexual behaviour and increased sexual risk-taking. *(Fergusson, Horwood & Lynsky, 1997; McLeer, Deblinger, Henry & Orvaschel, 1992)*

Marital dysfunction and domestic violence are associated with higher risks of child sexual abuse *(Fleming 1997; Fergusson, Horwood & Lynskey 1996; Mullen, Martn, Anderson, Romans & Herbison, 1996)* and; on the impact of child abuse on a child's depression, self-esteem and behaviour problems. *(Tebbutt, Swanston, Oates, and O'Toole, 1997)*

The effect of increased sexual risk-taking also makes victims of child sexual abuse more vulnerable to sexually transmitted diseases, HIV/AIDS, and teenage pregnancy. *(Fergusson, Horwood & Lynsky, 1997; Mullen, Martn, Anderson, Romans & Herbison, 1996; Thompson, Potter, Sanderson, & Maibach, 1997)*

Effects include extreme distrust of others, self-blame, stigma, self-hatred and self-harming behaviours such as substance abuse, eating disorders, suicide and a subconscious attraction to and revictimisation by abusive partners. *(Harrison, Fulkerson, & Beebe, 1997; Browne & Finkelhor, 1986; Chandy, Blum, & Resnick, 1996; Coffey, Leitenberg, Henning, Turner, & Bennett, 1996; Mullen, Martn, Anderson, Romans & Herbison, 1996; Welch & Fairburn, 1996)*

1. Links to Mental Health Issues and Suicide

As high as 81% of men and women in psychiatric hospitals with a variety of major mental illness diagnoses, have experienced physical and/or sexual abuse. 67% of these men and women were abused as children. *(Jacobson & Richardson, 1987)*

Most self-injurers have childhood histories of physical or sexual abuse. 40% of persons who self-injure are men. *(Briere & Runtz, 1988)*

50 to 70% of all women and a substantial number of men treated in psychiatric settings have histories of sexual or physical abuse, or both. *(Craine, Henson & Colliver 1988)*

71% to 90% of adolescent and teenage girls and 23% to 42% of adolescent and teenage boys in a Maine inpatient substance-abuse treatment program reported histories of childhood-sexual abuse. (Rohsenow, Corbett & Devine, 1988)

Adults abused during childhood are:

- more than twice as likely to have at least one lifetime psychiatric diagnosis
- almost three times as likely to have an affective disorder
- almost three times as likely to have an anxiety disorder
- almost 2 ½ times as likely to have phobias
- over ten times as likely to have a panic disorder
- almost four times as likely to have an antisocial personality disorder (Stein, Golding, Siegel, Burnam & Sorenson, 1988)

Women molested as children are four times more at risk for Major Depression as those with no such history. They are significantly more likely to develop bulimia and chronic PTSD. (Craine, 1990)

Women molested as children are four times more at risk for Major Depression as those with no such history. They are significantly more likely to develop bulimia and chronic PTSD. (Craine, 1990)

The majority of adults diagnosed with Borderline Personality Disorder (81%) or Dissociative Identity Disorder (90%) were sexually and/or physically abused as children. (Ross, Miller, Reagor, Bjornson, Fraser & Anderson, 1990)

UNICEF has reported that in 1991, Australia had the sixth highest rate of adolescent suicide: 10.5 per 100,000 among males aged 15-19. (UNICEF, 1991)

Some sexual abuse may result in psychiatric illnesses and can be a factor in youth suicide. (Burdekin 1993)

Depression is the most common effect of child sexual abuse. (Koverola, Pound, Heger and Lytle 1993)

In a study on New Zealand women, positive correlations between a history of child sexual abuse and mental health problems were found. (Mullen, Martn, Anderson, Romans & Herbison, 1996)

Teenagers with alcohol problems are 21 times more likely to have been sexually abused than those without such problems. (Clark, McClanahan & Sees, 1997)

97% of mentally ill homeless women have experienced severe physical and/or sexual abuse. 87% experienced this abuse both as children and as adults. (Goodman, Johnson, Dutton & Harris 1997)

Some 70% of psychiatric patients are known to have been sexually abused as children. 40 to 60% of women in care suffering depression, phobias, obsessive compulsive disorders, personality disorders and schizophrenia had been the victims of significant sexual abuse as children. (Queensland Children's Commission, 1997)

For adults and adolescents with childhood abuse histories, the risk of suicide is increased 4 to 12-fold. (Felitti, Anda, Nordenberg, Williamson, Spitz, Edwards, Koss & Marks, 1998)

Young people who had experienced child sexual abuse had a suicide rate that was 10.7 to 13.0 times the national Australian Rates. A recent study of child sexual abuse victims found 32% had attempted suicide and 43% had thought about suicide. (Plunkett, Shrimpton & Parkinson, 2001)

A recent study indicates that an increasing number of youngsters in the 4-17 age group are suffering mental health problems – half a million all up, and nearly one in five believes there is no hope for the future. (Sunday Mail, July 8th 2001 – Professor Joseph Ray, University of Sydney)

90% of suicidal persons do not want to die! They simply want to escape their emotional pain. Each day, an average of 7 people in Australia complete suicide. Each day, an average, 210 people in Australia attempt suicide. (*LifeForce Suicide Prevention Program – 12 Aug 2002*)

2. Links to General Health Issues

A University of Queensland study found that women who experienced penetrative child sexual assault had on average, a significantly higher body mass index (*Mamun, Lawlor, O'Callaghan, Bor, Williams, & Najman, 2007*)

Compared to those with no history of abuse, annual health care costs were 16% higher for women who reported childhood sexual assault. (*Bonomi, 2008*)

Women with a history of sexual abuse were more likely to use mental health services, pharmacy services, primary care services and speciality care. (*Bonomi, 2008*)

3. Link to Drug/Alcohol Misuse

Teenagers with alcohol problems are 21 times more likely to have been sexually abused than those without such problems. (*Clark, McClanahan & Sees, 1997*)

71% to 90% of adolescent and teenage girls and 23% to 42% of adolescent and teenage boys in a Maine inpatient substance-abuse treatment program reported histories of childhood-sexual abuse. (*Rohsenow, Corbett & Devine, 1988*)

Victims of child sexual abuse report more substance abuse problems. 70-80% of sexual abuse survivors report excessive drug and alcohol use. (*Brown & Finkelhor, 1986; Day, Thurlow, & Woolliscroft, 2003; Kendler, Bulik, Silberg, Hettema, Myers, & Prescott, 2000*)

Young girls who are sexually abused are 3 times more likely to develop psychiatric disorders or alcohol and drug abuse in adulthood, than girls who are not sexually abused. (*Brown & Finkelhor, 1986; Day, Thurlow, & Woolliscroft, 2003; Kendler, Bulik, Silberg, Hettema, Myers, & Prescott, 2000*)

Among male survivors, more than 70% seek psychological treatment for issues such as substance abuse, suicidal thoughts and attempted suicide. Males who have been sexually abused are more likely to violently victimize others. (*Walrath, Ybarra, Holden, Liao, Santiago, & Leaf, 2003*)

4. Links to Crime

70% of prisoners were abused as children. (*Queensland Children's Commission, 1997*)

80 to 85 per cent of women in Australian prisons have been victims of incest or other forms of abuse; a study of 27 correctional centres in New South Wales found that 65 per cent of male and female prisoners were victims of child sexual and physical assault; and the New South Wales Child Protection Council reported in 1992 that the probability of future delinquency, adult criminality and arrest for a violent crime increased by around 40 percent for people assaulted and neglected as children. (*Hansard, 2002a*)

5. Prostitution

Hundreds of homeless children become prostitutes to survive on the streets. The Federal Human Rights Commission (Courier Mail Jan 1987) during a hearing in Cairns, was told by Cairns Anglican Youth Service Director Rev. Gordon King, (previously and subsequently convicted child sex offender) that 60 boys aged under 14 had been involved with prostitution in Cairns over 3 years. He estimated that of the 500 homeless children in Cairns, 300 had been involved in some degree of prostitution. (*Queensland Children's Commission, 1997*)

A 1997 Australian Federal survey showed that 25 percent (of prostitutes) had been sexually assaulted as children. (*Knight Ridder Newspapers; Mark McDonald AAP News 29.9.00*)

The Costs

The child may experience difficulties at school and with friendships. These experiences at school are likely to affect the future academic progress of the child and reduce the likelihood of the child becoming equipped to participate in further study therefore limiting the child's future employment prospects. *(Friedrich 1990)*

The US Government Accounting Office has identified studies which suggest that the estimated cost in future lost productivity of severely abused children in the USA was between \$658 million and \$1.3 billion annually, based on the assumption that the children's impairments caused by the abuse would limit their potential earnings by just 5 to 10 per cent. *(Calvert, 1993)*

In 1995/96, the total fiscal expenditure on child abuse by the South Australian Government was conservatively estimated at \$41.4 million..... Of this, it is estimated that over \$10.3 million is currently spent in direct response to child sexual abuse. *(Briggs, 1999)*

A recent Australian study funded by a Criminology Research Council Grant, conservatively estimates the (tangibles) cost to society of child sexual assault to be in excess of \$180,000 per child. *(Briggs, 1999)* At a national level, the ABCI conservatively estimates 40,000 Australian children will be sexually abused each year. That's \$7.2 Billion dollars worth of damage.

In South Australia, the Department of Human Services conservatively estimated the cost of child abuse and neglect in 1995-96 to be \$354 million. Over the same period, that figure is more than the State earned from the sale of both its wine (\$318 million) or its wool and sheepskins (\$239 million). *(Hansard, 2002a)*

The cost of child abuse and neglect has been calculated at a total of \$4,929million. This is broken down to \$1,048m for human cost (fatal abuse, suicide, medical costs, injury, medical services, psychological trauma), \$1,944m for long term human and social costs (medical service usage, health problems, loss of productivity, delinquency, criminality, homelessness, substance misuse, intergenerational abuse), \$1,821m for public sector intervention (child protection services, prevention & intervention programs, law enforcement, judicial system, incarceration & treatment of offenders, victim support, and \$114m for community sector responses (services provided by community services). *(Kids First, 2004)*

Earlier this year, Access Economics released the results of a study that estimated the cost of domestic violence to the Australian community at a staggering \$8.1million each year. *(Bradford, M., Qld Centre for Domestic and Family Violence Research, CDFVR Newsletter, Dec 2005)*

More than half of the annual \$8.1billion costs are carried by the victims of domestic violence (\$4.1billion), followed by the community (\$1.2billion), Federal Government (\$848million), children (\$769million) and perpetrators of domestic violence (\$555million). *(Bradford, M., Qld Centre for Domestic and Family Violence Research, CDFVR Newsletter, Dec 2005)*

The study identified the total health costs for victims at \$362million, followed by \$17million for children and \$9.1million for perpetrators of domestic violence. Again, children carry more of the health cost burden for domestic violence than the perpetrators. *(Bradford, M., Qld Centre for Domestic and Family Violence Research, CDFVR Newsletter, Dec 2005)*

Prevention and Education

In relation to growing public awareness, the NSW Child Sexual Abuse Task Force concluded that ignorance of child sexual abuse was one of the principal factors inhibiting its prevention and prolonging the suffering and distress of its many victims. The Task Force recommended broad community education programs including information on children's rights, empowering children to speak out, to say NO to adults, to understand their bodies and their rights around the touching of their bodies. (*Woods Royal Commission, 1997a*)

The NSW Child Sexual Abuse Task Force recognised that the role of the media, both in forming belief systems and attitudes to sexuality and sexual practices generally, and in raising community awareness of the problem of child sexual abuse, could not be overestimated and recommended the production of pamphlets, posters, displays, film and video collections, TV and Radio community service announcements and production of films. (*Woods, 1997a*)

International research demonstrates that well designed, focused and managed crime prevention strategies do work. Prevention of child sexual abuse is perhaps the most important response to the problem, and several important ways of achieving this include education of parents and children and using public television as a medium for intervention, especially in light of Smallbone and Wortley's finding that watching television with potential victims is a common feature of grooming. (*Queensland Crime Commission, 2000*)

Increasing the community's awareness of child sexual abuse is important. Mass media campaigns, such as those in NSW and Victoria, and other media coverage of the sexual assault of children have performed a significant role in placing this issue on the public and political agenda. Media coverage of child sexual assault has contributed to demystifying it and reducing the secrecy that has characteristically surrounded its occurrence. (*Queensland Crime Commission, 2000*)

In concluding their report on child sex offending for the Qld Crime Commission, the authors noted that in particular, they hoped their findings would draw attention to the potential for reducing the incidence of child sexual abuse through primary, secondary and tertiary prevention.....Public education programs can be employed to reduce the opportunities for child sexual offending by challenging the sex offenders often neutralising belief systems, increasing the risks of their apprehension, increasing feelings of guilt for offenders and also by, alerting parents and guardians to the threats, increasing awareness in children. (*Smallbone & Wortley, 2000*)

Community Views

A substantial majority of parents believed that child abuse was both a serious problem in Australia (77%) and an issue which the community needed to better understand (93%). *(Tucci, Goddard & Mitchell, 2004).*

A third of respondents (33%) believed that children make up stories about being abused. A further 23% of respondents could not make up their minds whether or not to believe children's stories about being abused. Paradoxically, 87% of respondents believed that children would be negatively affected if adults did not believe them when they disclosed abuse. *(Australian Childhood Foundation, 2004).*

Australians rank child abuse 13th on a list of community issues, behind rising petrol prices and problems with public transport. *(Australian Childhood Foundation, 2006)*

1 in 6 (16%) of respondents were unclear about whether or not sex between a 14 year old and an adult would constitute sexual abuse. *(Australian Childhood Foundation, 2006)*

31% of Australians would not believe children if they reported that they were being abused. *(Australian Childhood Foundation, 2006)*

1/5 of Australians believed that well-educated parents did not abuse their children. *(Australian Childhood Foundation, 2006)*

80% of respondents believed prison sentences for convicted sex offenders were too lenient. Nearly 95% said treatment programs should be mandatory. *(Australian Childhood Foundation, 2006)*

On-Line Exploitation and Grooming

Studies in 2000 revealed that of teenagers between 10 and 17 years old who regularly use the Internet, 20% received a sexual solicitation or approach over the Internet in the last year; one in thirty-three received an aggressive sexual solicitation (i.e. a solicitor who asked to meet them somewhere; called them on the telephone; sent them regular mail, money or gifts); and 25% had an unwanted exposure to pictures of naked people or people having sex. (*National Center for Missing and Exploited Children, Crimes Against Children Research Center and Office of Juvenile Justice and Delinquency Prevention, 2000*)

During 1998, the FBI opened up approximately 700 cases dealing with online pedophilia (i.e. posting child pornography or online predators trying to get children under 18 to meet with them). By 2000, that figure had risen to 2,856 cases. (*Newsweek, 18th March 2001, "The Web's Dark Secret"*)

Over half the parents (54%) with children old enough to use the internet were worried that the internet could be used to abuse or exploit their children. (*Tucci, Goddard & Mitchell, 2004*).

56% of parents spoke to their children about the dangers of the Internet. (*Tucci, Goddard & Mitchell, 2004*).

Less than half, 47%, of parents directly supervise their child's use of the Internet. (*Tucci, Goddard & Mitchell, 2004*).

Only 25% loaded specific software to protect their children. (*Tucci, Goddard & Mitchell, 2004*).

European researchers (COPINE) found a 300% increase in the number of new children appearing in porn images posted on the Internet between 1999 and 2001. (*Personal correspondence with Freda Briggs 5th January 2006*)

European researchers (COPINE)... also found that 78% of offenders charged with downloading or possessing abusive images had abused children prior to, or soon after viewing images. On average, each offender had abused up to 30 different children. (*Personal correspondence with Briggs 5th January 2006*)

There has been an increased proportion of youth Internet users were encountering unwanted exposures to sexual material and online harassment. In YISS-2 more than one-third of youth Internet users (34%) saw sexual material online they did not want to see in the past year compared to one quarter (25%) in YISS-1. The increase in exposure to unwanted sexual material occurred despite increased use of filtering, blocking, and monitoring software in households of youth Internet users. More than half of parents and guardians with home Internet access (55%) said there was such software on the computers their children used compared to one-third (33%) in YISS-1 (*National Center for Missing and Exploited Children, Crimes Against Children Research Center and Office of Juvenile Justice and Delinquency Prevention, 2006*)

There has been a decreased proportion were receiving unwanted sexual solicitations. A smaller proportion of youth Internet users received unwanted sexual solicitations in YISS-2 than in YISS-1. Approximately 1 in 7 (13%) was solicited in YISS-2, compared to approximately 1 in 5 (19%) in YISS-1. Four (4) percent of all youth Internet users in YISS-2 said online solicitors asked them for nude or sexually explicit photographs of themselves. (*National Center for Missing and Exploited Children, Crimes Against Children Research Center and Office of Juvenile Justice and Delinquency Prevention, 2006*)

In YISS-2 there were also declines in the proportions of youth Internet users who communicated online with people they did not know in person (34% down from 40% in YISS-1) or who formed close online relationships with people they met online (11% down from 16%). (*National Center for Missing and Exploited Children, Crimes Against Children Research Center and Office of Juvenile Justice and Delinquency Prevention, 2006*)

One in five children who use a computer has been approached over the Internet by pedophiles within the past year! (*United States Department of Justice, cited on Protect Your Children On-Line <http://www.privateclienttechnologies.com/>*)

50% of high school students “talk” in chat rooms or use instant messenger with internet strangers. (*i-SAFE Inc. December 12, 2006 www.isafe.org*)

49 percent of high school students have posted personal information on their Web pages -- such as name, age, or address -- that could assist a stranger to identify or locate them. (*i-SAFE Inc. December 12, 2006 www.isafe.org*)

20 percent of students in middle school as well as high school admit that they have met face-to-face with someone they first met on the Internet (*i-SAFE Inc. December 12, 2006 www.isafe.org*)

38 percent of high school students sometimes hide their online activities from their parents. (*i-SAFE Inc. December 12, 2006 www.isafe.org*)

Only 25% of children will tell a parent about an encounter with a predator who approached or solicited sex while on the Internet., and less than 10% report sexual solicitation to legal authorities. (*i-SAFE Inc. December 12, 2006 www.isafe.org*)

There are 116,000 requests per day for child pornography on file sharing network Gnutella. (*Ropelto, J, 2006, Internet Pornography Statistics, <http://internet-filter-review.toptenreviews.com/internet-pornography-statistics.html>*)

In 2006, 1 in 7 youths received online sexual solicitations, down from 1 in 3 in 2003 (*Ropelto, J, 2006, Internet Pornography Statistics, <http://internet-filter-review.toptenreviews.com/internet-pornography-statistics.html>*)

In 2006, there were 100,000 websites offering illegal child pornography (*Ropelto, J, 2006, Internet Pornography Statistics, <http://internet-filter-review.toptenreviews.com/internet-pornography-statistics.html>*)

The Child Exploitation and Online Protection Centre receives 400 calls a month from children who believe they have been approached by a paedophile on the internet. (Child Exploitation and Online Protection Centre, 2007 <http://www.ceop.gov.uk/>)

Of the eight million children in the UK with internet access, one in 12 admits to having met someone whom they encountered online. (Child Exploitation and Online Protection Centre, 2007 <http://www.ceop.gov.uk/>)

Local profiling by the New Zealand Department of Internal Affairs of more than 200 internet offenders has shown that the most common age group is 30 to 35, that three-quarters of offenders are European and the most common occupations are students or IT workers. 13% of offenders had previous convictions for sexual offences, 9% involving someone under 16. (*Inside the mind of an internet porn addict, Sunday Star Times 26th March 2007*)

In the Growing Up with Media survey, 35% of the 1,588 young people aged between 10 and 15 years who were surveyed reported being the victim of either internet harassment or unwanted sexual solicitation. (*Ybarra, Espelage & Mitchell, 2007*)

People who collect it are more likely than others to molest children, but not all collectors are paedophiles, says David Finkelhor, director of the Crimes Against Children Research Centre at the University of New Hampshire. Finkelhor says 16% of people arrested between July 2000 and June

2001 for possessing child porn were found to have molested children. (*Software Tracks Child Porn Traffickers On-Line, USA Today 16th April 2008*)

Michael Seto, a research psychologist at the University of Toronto's Centre for Addiction and Mental Health, found in several studies that one in four men arrested for possessing child porn had a history of molesting kids. (*Software Tracks Child Porn Traffickers On-Line, USA Today 16th April 2008*)

After sex offender treatment, 80%-85% of inmates convicted of possessing or distributing child porn admitted that they had molested children, according to two studies by Andres Hernandez at the Federal Correctional Institution in Butner, N.C. At the time they were sentenced, 26%-45% acknowledged molestation. (*Software Tracks Child Porn Traffickers On-Line, USA Today 16th April 2008*)

... a telephone survey of 200 young Australians aged 16-17 found... 84% of males were exposed inadvertently to online pornography compared to 60% of females. 38% of males reported deliberate online exposure compared to 2% of females. (*Flood cited in Bryant, 2009*)

Ybarra and Mitchell (2005) found that prevalence of intentional internet (pornography) exposure increased with age, from 8% among 10 to 13 year olds to 20% among 14 to 17 year olds, with younger children favouring more traditional media like magazines and videos. (*Bryant, 2009*)

A recent cybercrime survey in the UK estimated that 850,000 cases of unwanted online sexual approaches were made in chat rooms during 2006 and that 238 offences of meeting a child following sexual grooming were recorded. (*cited in Choo, 2009*)

In the US, the number of annual reports of online child exploitation (including online child grooming) made to the National Centre for Missing and Exploited Children... increased from 4,560 in 1998 to 76,584 by the end of 2006. In 2006, there were 6,384 reports of 'online enticement of children for sexual acts'. (*cited in Choo, 2009*)

Offenders are often known acquaintances or family members of the children whom that abuse and may have known their victims in real life prior to using the internet and other communication technologies to further their grooming activities. One study found that in 85-95% of child sexual abuse cases, the perpetrator was someone the child knew and depended on. (*cited in Choo, 2009*)

A relatively high proportion of online sexual offenders are juvenile and this proportion appears to be increasing. (*cited in Choo, 2009*)

A significant percentage of sexual offenders do not have prior criminal histories involving offences against minors, or even non-sexual offences. (*cited in Choo, 2009*)

On average, the National Centre for Missing and Exploited Children's CyberTipLine in the US received 700 to 1,100 reports per week and reviews 75,000 to 100,000 images/videos a week, which are forwarded to law enforcement agencies. (*cited in Choo, 2009*)

A significant percentage of sexual offenders do not have prior criminal histories involving offences against minors, or even non-sexual offences. (*cited in Choo, 2009*)

Ropelato (2007), for example estimated that 89% of sexual solicitations of youth are made in IRC rooms. (*cited in Choo, 2009*)

A study by the Australian Communications and Media Authority (2007) found that:

- Approximately 70% of girls aged between 14 and 17 years, and 50% of boys of the same age group has a personal profile on MySpace or other similar online sites

- Approximately one in eight respondents aged between 14 and 17 years reportedly posted videos on line. *(cited in Choo, 2009)*

The survey found that almost one-third of the young people aged between 7 and 17 years who responded were willing to disclose their home address, while 14% were willing to disclose their e-mail address online. *(Ropelato 2007 cited in Choo, 2009)*

Average age of first internet exposure to pornography – 11 years

15 to 17 year olds having multiple hard-core exposure – 80%

8-16 year olds having viewed pornography online – 90%

7-17 year olds who would freely give out home address – 29%

7-17 year olds who would freely give out e-mail address – 14% *(Ropelato 2007 cited in Choo, 2009)*

In the Growing Up with Media survey, 15% of 10-15 year olds reported being victims of unwanted sexual solicitation at least once in the past year and 3% reported at least once a month or more often. *(Ybarra, Espelage & Mitchell, 2007, cited in Choo 2009)*

In the Growing Up with Media survey, 3% of 10-15 year olds reported perpetrating unwanted sexual solicitation of others in the past year and 1% reported doing so monthly or more often. 7% reportedly met someone in real life after knowing them on the internet and 24% of these indicated that the person who had introduced themselves as a child on the internet turned out to be an adult. *(cited in Choo, 2009)*

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Profiles of targeted youth and perpetrators:

Youth targeted:

- 70% female; 30% male
- 81% were 14 years or older
- 3% of 11 year olds were solicited

Perpetrators:

- 73% were male; 27% female
- Youth met 86% of those committing solicitation online, but 14% were people youth knew in person before the solicitation *(Wolak, Mitchell & Finkelhor, 2006 cited in Choo, 2009)*

In Australia, there have been over 130 completed prosecutions for online procuring, grooming and exposure offences: 118 cases were prosecuted under Qld provisions; 4 case under Commonwealth provisions; 8 under WA provisions; and 1 under NT provisions *(Griffith & Roth, 2007 cited in Choo 2009)*

In the US National Juvenile Online Victimization survey by Wolak, Mitchell and Finkelhor (2003), it was found that a majority of the offenders arrested for possession of child exploitation materials were men, Most of these offenders possessed images of children who had not yet reached puberty:

- 83% had images of children between the ages of 6 and 12
- 39% had images of 3-5 year old children
- 19% had images of toddlers or infants younger than 3 *(Griffith & Roth, 2007 cited in Choo 2009)*

In Wells and Mitchells study (2007), 61% of (therapeutic) clients aged under 18 years who were victims of online sexual exploitation had a current, and 68% had a lifetime, diagnosis that fulfilled the criteria of various disorders in the DSM:

Females:

- 71% had depression
- 45% anxiety or phobias
- 34% specific life stressors
- 27% suicide ideation or attempted suicide
- 83% parent-child conflict
- 47% disciplinary problems at home
- 35% social withdrawal
- 31% trouble making friends
- 47% failing grades at school
- 30% disciplinary problems at school
- 56% sexual victimisation
- 35% sexual acting out

Males

- 68% had depression
- 55% anxiety or phobias
- 45% specific life stressors
- 10% suicide ideation or attempted suicide
- 81% parent-child conflict
- 58% disciplinary problems at home
- 39% social withdrawal
- 29% trouble making friends
- 35% failing grades at school
- 45% disciplinary problems at school
- 55% sexual victimisation
- 48% sexual acting out (*cited in Choo 2009*)

Wolak, Finkelhor and Mitchell (2007) found the following demographic characteristics of offenders arrested for possession of child exploitation materials:

- 100% male
- 11% aged 18-25; 41% aged 26-39; 45% aged 45 or older
- 41% single or never married; 38% married or living with a partner; 20% separated or divorced; 1% widowed
- 73% employed
- 42% had adult or minor biological children
- 34% were living with a minor child
- 46% had direct access to minors through job, youth activity or in home
- 5% had a diagnosed mental illness
- 3% had a diagnosed sexual disorder
- 12% had evidence of deviant sexual behaviour, not involving minors
- 11% had prior arrests for sexual offences against a minor (*cited in Choo 2009*)

Statistics obtained from Project Auxin (the Australian component of the larger Falcon Operation conducted in the US) indicated that the dominant profile of offenders arrested were male and were over 30 years of age. Female offenders... comprised 3.1% of offenders. (*cited in Choo, 2009*)

Child Protection Systems

The 2006-2007 Annual Report of the Queensland Child Death Review Committee stated that children with a history of contact with child protection agencies are dying at a rate of more than one a week. 22 of these deaths occurred while the Queensland Department of Child Safety was investigating and assessing notifications about those children. (*Commission for Children & Young People and the Child Guardian, 2007*)

Statements and other facts

- (a) "A.P.A. Publishes a New Study Opening the Way to the Normalization of Pedophilia"

"In 1990, the highly respected Journal of Homosexuality produced a special double issue devoted to adult-child sex., which was entitled "Male Intergenerational Intimacy" (1). One article said many pedophiles believe they are "born that way and cannot change" (p.133). Another writer said a man who counselled troubled teenage boys could achieve "miracles ... not by preaching to them, but by sleeping with them." The loving pedophile can offer a "companionship, security and protection" which neither peers nor parents can provide (p. 162). Parents should look upon the pedophile who loves their son "not as a rival or competitor, not as a thief of their property, but as a partner in the boy's upbringing, someone to be welcomed into their home..." (p. 164).

"The American Psychological Association did not denounce the positions advanced within that journal. In fact, just recently, **the A.P.A. published a new, major study (2) written by one of those same Journal of Homosexuality writers.**

This latest article appears in the A.P.A.'s own prestigious Psychological Bulletin.> It provides, overview of all of the research studying the harm resulting from childhood sexual abuse.

The authors' conclusion?

That childhood sexual abuse is on average, only slightly associated with psychological harm – and that the harm may not be due to the sexual experience, but to the negative family factors in the children's backgrounds. When the sexual contact is not coerced, especially when it is experienced by a boy and is enjoyed, it may not be harmful at all.

The article proposes that psychologists stop using judgmental terms like "child-abuse," "molestation," and "victims," using instead neutral, value-free terms like "adult-child sex." Similarly, they say we should not talk about "the severity of the abuse," but instead refer to "the level of sexual intimacy."

The authors conclude that behaviour which psychotherapists commonly term "abuse" may only constitute a violation of social norms. Religion and society, these writers argue, are free to judge behaviour as they wish... but psychiatry should evaluate behaviour by its own set of standards.

In fact, the authors of the Psychological Bulletin article propose another way of understanding Pedophilia: that it may only be "abuse" if the child feels bad about the relationship. They are in effect suggesting a repetition of the steps by which homosexuality was normalized. In its first step toward removing homosexuality from the Diagnostic Manual, the A.P.A. said the condition was normal as long as the person did not feel bad about it.(from Narth fact sheet on the APA Report)

- (b) Excerpt by US Congress Resolution May 12, 1999 'Sense of Congress rejecting (above) Notion that sex between Adults and Children is Positive

No segment of our society is more critical to the future of human survival and society than our children.

Whereas it is the obligation of all public policymakers not only to support but also to defend the health and rights of parents, families, and children;

Whereas all credible studies in this area, including those published by the American Psychological Association, condemn child sexual abuse as criminal and harmful to children;

Whereas the American Psychological Association has recently published a severely flawed study that suggests that sexual relationships between adults and children are less harmful than believed and might even be positive for 'willing' children;

Whereas 'Paidika--the Journal of Pedophilia', a publication advocating the legalization of sex with 'willing' children, has published an article by one of the authors of the study, Robert Bauserman, Ph.D. (see 'Man-Boy Sexual Relationships in a Cross-Cultural Perspective', Issue 5); and

Whereas the United States Supreme Court has recognized that 'sexually exploited children are unable to develop healthy, affectionate relationships in later life, have sexual dysfunction, and have a tendency to become sexual abusers as adults' (**New York v. Ferber, 458 U.S. 747, 759, n.10 (1982)**): Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that--

(1) Congress condemns and denounces all suggestions in the study recently published by the American Psychological Association that indicates sexual relationships between adults and 'willing' children are less harmful than believed and might even be positive for 'willing' children;

(2) **Congress urges the President to likewise reject and condemn**, in the strongest terms possible, **any suggestion that sexual relations between children and adults--regardless of the child's frame of mind--are anything but abusive, destructive, exploitive, reprehensible, and punishable by law**; and

(3) the **Congress encourages competent investigations** to continue to research the effects of child sexual abuse using the best methodology so that the public and public policymakers may act upon accurate information.

(c) Australian Treaty Series – Convention on the Rights of the Child

Australian Treaty Series 1991 No 4

**DEPARTMENT OF FOREIGN AFFAIRS AND TRADE
CANBERRA**

Convention on the Rights of the Child

(New York, 20 November 1989)

Entry into force generally: 2 September 1990

Entry into force for Australia: 16 January 1991

United Nations Convention on the Rights of the Child

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

Implement UN Convention on the Rights of the Child

I call on the Federal Government to implement Article 3.3 and 19.1 of the UN Convention on the Rights of the Child into Australian Domestic law as a matter of national priority.

Implementation into law of Article 3.3 and 19.1 would assist greatly in forcing all State Governments to adhere to their international responsibilities and to provide service that *'conforms with the standards established by competent authorities'*.

It means Australians would be required to take all appropriate legislative measures to protect children from sexual abuse.

Article 3.3. States.....

'States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff,.....'

Article 19.1. States:

States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse.....'.

Australia ratified the UN Convention on the Rights of the Child on 17 December 1990 and declared it an instrument under the Human Rights and Equal Opportunity Act.

In Australia, there is a lack of national consistency in almost all areas of the law which affect children.

States and Territories can't even agree on what constitutes 'child abuse and neglect', they have different definitions of 'the best interests of the child', different criteria for intervention and different levels of resourcing for child protection services.

Common sense dictates that there should be national consistency in child protection laws and policies. Adoption of the UN Convention on the Rights of the Child would provide that opportunity.

On behalf of the tens of thousands of children everywhere who have been the victims of sexual abuse, I would like to reiterate our plea to all government –

We beseech you to set child protection as a national priority.

British Prime Minister Tony Blair made a profound statement this week in reference to international terrorism when he said:

“We must free these women and children from the intimidation and terror that disfigures so many of their lives”

We hope the Australian Government and the Queensland government were listening.

Thank you.

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