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## Detection and Reporting of Child Sexual Abuse (Specifically Paedophilia): A Law Enforcement Perspective

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This paper discusses the detection and reporting of child sexual abuse, specifically paedophilia, from a law enforcement perspective. In doing so, it will first briefly touch on the National Crime Authority (NCA) and the reasons for their current assessment of this area. It will then discuss the NCA's definition of the term *paedophile*, the characteristics of paedophiles and the extent, reporting and detection of child sexual abuse and paedophilia.

The NCA is a national law enforcement agency established in 1984 under Commonwealth, State and Territory legislation. Its mission is "to counteract organised crime and reduce its impact on the Australian community by working in co-operation and partnership with other agencies". The NCA investigates organised criminal activity of national importance by using a multi-disciplinary team approach which utilises the expertise of specialists such as financial investigators, intelligence analysts, police investigators and lawyers in conjunction with its special powers to summon documents and witnesses.

In 1994, following a review of Commonwealth law enforcement arrangements, the NCA was tasked by the Federal, State and Territory Governments to complete strategic intelligence assessments on a range of organised crime groups. These groups were identified by the review as either currently or potentially active in organised crime in Australia. One of the areas

the review identified was paedophile networks and organised paedophile activity.

The NCA's national strategic assessment of organised paedophile activity has been completed and was distributed to Australian law enforcement agencies in July 1997. It is important to note that while all Australian law enforcement agencies provided information for the assessment, the NCA's role was not to conduct active investigations in this area, but simply to assess the current situation. While the assessment focuses on "*organised paedophilia*", this paper refers primarily to child sexual abuse in general and the *individual* paedophile.

### **Definition of Paedophile/Paedophilia**

Any conclusions reached in the discussion of paedophilia rely heavily on the way certain terms are defined. Use of the term paedophile can be very problematic as it is rarely used with any consistency and it means different things to people from different disciplines. The clinical definition of paedophile is very different from its application in law enforcement, which is

different again to its interpretation by the general public.

The definition of paedophile adopted for the NCA's strategic assessment was determined following a review of relevant literature, and after extensive consultation with all Australian law enforcement agencies. It is not a law enforcement definition per se, as the term paedophile has no basis in legislation, but is a working definition for the purpose of the assessment.

The NCA refers to paedophiles as *adults who act on their sexual preference for children*. In other words, paedophiles are those who prefer and seek sexual activity with children rather than adults.

What is a child in this context? While clinically a paedophile is defined as someone with a sexual preference for *prepubescent* children, the NCA definition uses a sociolegal interpretation of child and makes no distinction between sexual activity with pre-pubescent and post-pubescent children. In this context, the term "child" refers to anyone below the statutory age of consent in each Australian jurisdiction, an age which varies from State to State.

It is very important to understand that not all child sex offenders are paedophiles — paedophiles are a sub-set of child sex offenders. One of the most useful typologies of child sex offenders for law enforcement purposes (but not, perhaps, for other disciplines) is the division between preferential and situational child sex offenders.<sup>1</sup> Preferential offenders are paedophiles and situational offenders are those who prefer adult sexual partners but who, at times of stress, convenience or curiosity, may engage in sexual activity with children. It can, however, be difficult to determine unequivocally whether a child sex offender is a paedophile unless their entire offending history

<sup>1</sup> For further details of the situational/preferential dichotomy, refer to P.E. Dietz, 'Sex Offenses: Behavioural Aspects', *Encyclopedia of Crime and Justice*, S.H. Kadish (ed.) New York 1983, vol. 4, pp. 1489-90; K. Lanning, *Child Molesters: A Behavioural Analysis for Law Enforcement Officers Investigating Cases of Child Sexual Exploitation*, 3rd edn, National Centre for Missing and Exploited Children, Arlington 1992; and A. Burgess & M. Clark, *Child Pornography and Sex Rings*, Lexington Books, Toronto 1984.

and their true sexual preference is known. Some professionals consider that all child sex offenders should be regarded as paedophiles until it can be shown otherwise. When using the term "child sex offender" in this paper, I am referring to paedophiles and situational offenders in combination.

From a law enforcement perspective, an understanding of the preferences and methods of operation of paedophiles may assist in their detection and in the detection of further victims. While they come from a diverse range of age groups, occupations and socioeconomic groups, the most common characteristics of paedophiles are that they:

- are overwhelmingly males;
- have multiple victims;
- usually know their victims (Angus & Woodward 1995, p. 28);
- have a long-term and persistent pattern of behaviour;
- offend against more boys than girls — male victims of paedophiles outnumber female victims by a ratio of two to one. It is important to note, however, that while boys are more likely to be the victims of *paedophiles*, girls are more likely to be victims in *reported* child sexual abuse cases overall (Angus & Woodward 1995, p. 12);
- have sophisticated methods and well planned techniques to access, groom and sexually abuse victims; and
- have a tendency to collect extensive quantities of paedophile-related material, including child pornography and child erotica.

### *Repeat Offending*

Paedophiles are usually long-term, repeat offenders. They tend to engage in predictable sexual activity, and their past history is likely to be a good indicator of future behaviour.

Studies of offenders have shown that a small number of men are responsible for a large number of offences and that the reoffending rate for paedophiles who prefer boys is much higher than for those who prefer girls (APA 1994, p. 527). In 1987, Abel et al. conducted a study of 232 “child molesters”. This study revealed that over their lifetime, these offenders abused an average of 76 child victims each (Abel et al. 1987).

At the extreme, some Australian offenders have admitted to individually abusing thousands of children. For example:

- Clarence Osborne, a Queensland paedophile, claimed to have abused and kept records of, over 2500 boys in a period of 20 years. Not one of these alleged victims reported the abuse (Wilson 1981).
- William Allen, a teacher and former member of the Australian Paedophile Support Group, boasted in the early 1980s that he had participated in sexual activity with approximately 2000 boys (Comrie 1985, p. 126).

### **Extent of child sexual abuse**

In recent years, there has been a significant increase in the attention being focussed on paedophilia and over the last decade law enforcement knowledge regarding paedophiles has also increased dramatically. Nevertheless, only a fraction of child sex offenders come to the notice of law enforcement, and an even smaller proportion are convicted for their crimes.

One of the most often asked questions is, how big is this problem? Because it is not possible to estimate the number of paedophiles in Australia, in the following discussion of extent I refer to all child sexual abuse, not just abuse committed by paedophiles.

It is extremely difficult to gain a national perspective on the extent of child sexual abuse in Australia, because it is such a hidden phenomenon. Two types of data are collected regarding child sexual abuse:

- the number of child sexual abuse cases *reported* to authorities; and
- research into the *prevalence* of child sexual abuse in the population.

### *Reported Incidence of Child Sexual Abuse*

On a national level, even data on the *reported* incidence of substantiated child sexual abuse is fragmented and cannot be reliably compared across States and Territories or between agencies. This is because data collection is based upon different definitions of child sexual abuse, different ages of consent, differing interpretation of legislation, and differing methodologies of reporting and collection. As a result, it is not possible to determine with any accuracy the total number of child sex offences reported to police services and welfare authorities in combination on a national basis.

Therefore, statistics of reported incidence should be viewed with caution, and as a significant *underestimation* not only of the incidence of child sexual abuse, but also of the number of child sexual abuse cases that are actually reported to authorities. This caution is particularly warranted when independent research indicates that only 1 to 10 per cent of child sexual abuse incidents are ever reported (*see*, for example, Naylor 1984; Russell 1983; Fuller 1989).

### *Reasons For Under-Reporting*

The reasons for this significant level of under-reporting are complex and varied. The following are reasons why sexual abuse by *paedophiles* is unlikely to be reported (ICAC 1994; Watkins & Bentovim 1992; Campagna & Poffenberger 1988; Lanning & Burgess 1984):

- Firstly, reporting of child sexual abuse may be low because of the “grooming” and seduction techniques that paedophiles commonly use to engage in sexual activity with children. Contrary to public opinion, child victims are not usually raped or physically forced into sexual activity with paedophiles.

According to the NSW Department of Community Services, the predominant mode of sexual abuse is fondling. Paedophiles are often reluctant to physically hurt the child, since any injury to the child would risk the termination of their relationship. In fact, Australian law enforcement agencies have reported relatively few known instances of violence associated with paedophile activity. Rather, the child is typically coerced into participating over a long period of time. This grooming process not only wears down the inhibitions of the victim, but also reduces the likelihood that the child will report the sexual activity. It is important for those who are involved in the detection, investigation or prosecution of child sexual abuse to recognise that a bond can develop between the victim and the paedophile. The child may therefore be unlikely to report the offence, be interviewed, or testify against the offender.

- Secondly, the child may not at the time see themselves as a victim, either because some victims are so young or innocent that they do not realise their treatment is abnormal, or because teenagers can be sexually experimental and therefore some adolescents would not have been ashamed of what had happened to them.
- Thirdly, besides the fact that most sexual activity is of a very personal and private nature, the victim may not report because they feel guilty, embarrassed, ashamed or partly responsible for the sexual activity. Paedophiles can use this to their advantage. For example, David Techter, the organiser of a US-based pro-paedophile organisation, the Lewis Carroll Collectors Guild, used his experiences as an offender to describe one of the reasons behind the low reporting of child sexual abuse. He explained on American television that the child “I first had an affair with for about six months would masturbate me while I was fondling her. If you fondle a child just that one time, he or she may run and tell. But if it is repeated then they accept part of the responsibility because they allowed it to happen again ... [and] ... so they’re guilty too” (cited in Tate 1990, p. 152). In addition, boys may not

report abuse because they may be doubly ashamed by fearing that they are a homosexual, or that they will be seen as such. Furthermore, some paedophiles may supply victims — particularly adolescent boys — with drugs, cigarettes, alcohol or pornography, thereby involving them in other “taboo” activities and victims may consequently be very reluctant to report their sexual abuse.

- A victim may not report the abuse because they are afraid of the offender. While physical violence is uncommon, a paedophile will often threaten victims that they are not to talk to anybody about the relationship they are having with the paedophile.
- The child victim may consider that if they do report the abuse, the adult offender is more likely to be believed than the child. In many instances, the paedophile is in a position of trust or has an occupation involving children and is rarely suspected of abusing these relationships.
- There may be a reluctance by the child or parents to report an offence, in order to avoid subjecting the child to additional trauma through the criminal justice process.
- And finally, some organisations may be reluctant to inquire into child sexual abuse allegations, or report it, for fear of the consequences. For example, the Royal Commission into the NSW Police Service has identified instances in the NSW Education Department and the Catholic Church where the welfare of the child has been neglected to protect the organisation. This tendency towards bureaucratic self-preservation has allowed paedophiles to infiltrate organisations to gain access to children,

and to remain in protected positions for years where they can continue to abuse these children.

Over the last few years, there has been a perception in Australia, as well as internationally, that child sexual abuse is increasing. While in Australia it is not currently possible to determine whether child sexual abuse has increased over time, it is likely that *reporting* of child sexual abuse is increasing, and will continue to increase. This growth, however, is unlikely to be due to an increase in the actual incidence of child sexual abuse and is more probably due to an increase in community awareness of the problem, increased support for victims and the introduction of mandatory reporting for some professional groups.

### *Prevalence of Child Sexual Abuse*

Because only a small proportion of child sex offences are reported to authorities, a more realistic measure of the extent of child sexual abuse can be provided by population *prevalence* research. While numerous studies have been conducted overseas, the first Australian study to measure the extent of child sexual abuse in the community was conducted in 1988 by Goldman and Goldman. This study on a sample of tertiary students found that 28 per cent of women and 9 per cent of men had, as children, experienced sexual activity with a male at least five years older than them. In this study, the term “sexual activity” was used broadly and ranged from an invitation to do something sexual to exhibitionism and fondling, through to actual or attempted sexual intercourse. The children were on average 10 years of age when this activity occurred (Goldman & Goldman 1988). While methodology between studies varies widely, these figures are comparable to many other international prevalence studies. Leventhal examined a number of population-based prevalence studies conducted in a variety of countries (limited to those that defined child sexual abuse as contact cases in children less than 16) and arrived at a very crude mean child sexual victimisation prevalence rate of 21 per cent for women and 6 per cent for men. (J.M. Levanthal, ‘Epidemiology of Child Sexual Abuse’, in: Oates, R.K. (ed.), *Understanding and Managing Child Sexual Abuse*, Harcourt Brace Jovanovich, Sydney 1990.)

Prevalence statistics indicate, therefore, that the number of child sexual abuse cases reported to authorities is only a small fraction of the number disclosed in adulthood surveys of childhood experiences, and that in terms of extent and potential harm, child sexual abuse of both boys and girls constitutes a serious problem in Australia. The ability of researchers to provide current, relevant and reliable prevalence figures can help law enforcement agencies to make a better claim on scarce resources, and can assist in identifying the demographics of those children particularly at risk, so that these resources can be most effectively targeted.

### **Detection**

Child sexual abuse is carefully concealed and among the most difficult of offences to detect. The two major problems facing law enforcement in the detection of child sexual abuse are the significant level of under-reporting by victims, and the secrecy surrounding the commission of the offence. The possible repercussions of being labelled a paedophile makes offenders incredibly cautious. As a result, paedophiles will often have no criminal history, even though they may have been sexually abusing children for years.

Furthermore, child sexual abuse by *paedophiles* is difficult to detect because they have a tendency to obtain employment or voluntary positions in which they have easy access to children. These can include positions such as teachers, scout masters, sports coaches and child care workers, in which they are less likely to arouse suspicion as a result of their interaction with children. Detection is hampered further by lack of physical evidence, the tendency of some paedophiles to move residence on a regular basis, to change their name or use an alias.

As paedophiles are usually long-term repeat offenders, the distinction between situational child sex offenders and paedophiles is an important one for law enforcement in terms of detecting further victims of abuse, and in assessing the offender's potential for future offending. During investigations it is important for law enforcement officers to understand that there is a distinct possibility an alleged offender may be involved in a range of previously unreported offences. In fact, the prospect of multiple victims should always be considered in every child sexual abuse investigation.

### *Current Methods of Detection*

While child sexual abuse is difficult to detect, it can be discovered in a number of ways. Apart from the victim reporting the sexual abuse (even years later), the following are examples of some of the methods by which child sexual abuse, particularly that perpetrated by paedophiles, can be detected.

- Children who have been sexually abused may demonstrate inappropriate or anti-social behaviour in situations where it can be reported by other adults.
- Information can be received from anonymous informants — via means such as Crimestoppers or the annual Operation Paradox telephone hotline into child abuse.
- Upon further investigation, initial reports of child sexual abuse can enable the detection of other victims or even other offenders.
- Paedophiles commonly keep a collection of child pornography and child erotica (which is increasingly being obtained from the Internet and computer bulletin boards) and further investigation into someone who possesses or imports child pornography may reveal whether the offender is also involved in the actual sexual abuse of children.
- Victims and/or offenders may be identified from home-made child pornography. Many paedophiles take photographs or videos of their victims. In some cases, they will take photos or videos of themselves or other adults engaged in sexual activity with the children. For example, a South Australian child sex offender was detected, and has since been convicted, when his mother

found a video tape of him sexually abusing a five-year-old girl, and reported him to authorities (*The Adelaide Advertiser* 20 July 1996, p. 8). In addition, the press has reported that the NSW Police Service Child Protection Enforcement Agency (CPEA) has recently identified, from an examination of home-made child pornography, a number of paedophile victims who were sexually abused and photographed over twenty years ago (*Sunday Telegraph* 1 September 1996 p. 34).

Given the seriousness of child sex offences, and the growing public concern about this area of crime, law enforcement agencies need a committed and coordinated approach to detecting and countering paedophilia. Experience has demonstrated that establishing proactive, intelligence-driven investigative units is the most effective law enforcement response to paedophilia, and this approach is being increasingly implemented by many Australian police services. Using specialist units in this way, offenders are likely to be identified and apprehended far earlier, with less resources, than with the traditional complaints-based approach (which tends to identify one offender per investigation).

### **Conclusion**

In conclusion, the number of child sexual abuse cases reported to authorities is only the “tip of the iceberg” and the true extent of child sexual abuse in Australia cannot be reliably determined. Because of numerous difficulties in the reporting, detection, investigation and prosecution of child sex offences, an offender runs very little risk of being *convicted* for his or her crimes.

Given the very low rehabilitation rate for paedophiles, their tendency towards lifelong offending, and the high number of potential

victims, it is clear that resources expended on the *detection* of child sexual abuse, need to be balanced against resources devoted to the *prevention* of child sexual abuse. Although law enforcement plays an important role in detecting and countering child sexual abuse, the criminal justice system cannot deal with this problem alone: it needs to be tackled holistically. Police, lawyers, the courts, welfare services, teachers, doctors, parents and the media all have a role to play in countering child sexual abuse, and a cooperative and coordinated effort is vital to successfully reducing this problem.

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