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**Exploring the role of
opportunity in recidivist
child sexual offending**

Anthony Morgan

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Contents

v Acknowledgements

v Disclaimer

vi Abstract

vii Executive summary

viii Offender, victim and incident characteristics

ix Transitions

x Implications

1 Introduction

4 Method

4 Inclusion criteria

4 Data and definitions

7 Analytic approach

7 Limitations

9 Results

9 Offender, victim and incident characteristics

20 Transitions

27 Discussion

31 References

Figures

14 Figure 1: Time (years) between most recent prior incident of child sexual offending (any kind) and first repeat incident of child sexual assault, by jurisdiction

15 Figure 2: Prevalence of multiple victims of child sexual assault in the reference period, by offence type and jurisdiction

15 Figure 3: Prevalence of multiple incidents of child sexual assault in the reference period, by offence type and jurisdiction

18 Figure 4: Victim age at time of first repeat incident, by jurisdiction

23 Figure 5: Age difference between most recent prior victim and first repeat victim, by jurisdiction

26 Figure 6: Offending transitions, by jurisdiction

Tables

- 6 Table 1: Main features of data provided by police
- 11 Table 2: Characteristics of recidivist child sexual assault offenders
- 13 Table 3: Offending patterns among recidivist child sexual assault offenders
- 16 Table 4: Characteristics of child sexual assault incidents involving recidivist child sexual assault offenders
- 17 Table 5: Characteristics of victims of recidivist child sexual assault offenders
- 19 Table 6: Offender–victim relationship and locations of child sexual assault incidents in reference period, New South Wales
- 19 Table 7: Offender–victim relationship and locations of child sexual assault incidents in reference period, Queensland
- 19 Table 8: Offender–victim relationship and locations of child sexual assault incidents in reference period, Victoria
- 20 Table 9: Offender–victim relationship and incident location, Western Australia
- 21 Table 10: Prior and repeat offence types, New South Wales
- 21 Table 11: Prior and repeat offence types, Queensland
- 21 Table 12: Prior and repeat offence types, Victoria
- 21 Table 13: Prior and repeat offence types, Western Australia
- 22 Table 14: Gender of most recent prior victim and first repeat victim, New South Wales
- 22 Table 15: Gender of most recent prior victim and first repeat victim, Queensland
- 22 Table 16: Gender of most recent prior victim and first repeat victim, Victoria
- 23 Table 17: Gender of most recent prior victim and first repeat victim, Western Australia
- 24 Table 18: Offender–victim relationship in most recent prior incident and first repeat incident, New South Wales
- 25 Table 19: Offender–victim relationship in most recent prior incident and first repeat incident, Queensland
- 25 Table 20: Offender–victim relationship in most recent prior incident and first repeat incident, Victoria
- 25 Table 21: Offender–victim relationship in most recent prior incident and first repeat incident, Western Australia

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Abstract

Using data from four states—New South Wales, Queensland, Victoria and Western Australia—we explore the characteristics of contact child sexual offences involving an alleged offender who has a prior recorded history of alleged child sexual offences of any kind.

These offenders accounted for a very small proportion of alleged child sexual assault offenders known to police. Almost all were male. A significant minority engaged in both contact and non-contact offences, and these offenders were more likely to target multiple victims and be involved in multiple incidents. Most offenders targeted new victims—acquaintances and family members—in residential settings. Transitions between victims of different ages and genders were relatively common among alleged offenders following their contact with the criminal justice system, as were transitions between intra-familial and extra-familial victims. Overall, by transitioning between victims of different genders or ages, or from family members to acquaintances or strangers, two-thirds exhibited some degree of versatility in their sexual offending against children.

Results suggest these offenders represent a small group of motivated, persistent offenders who are willing to adapt their offending to target new and different victims in different contexts. Understanding the role that opportunity plays in incidents that occur following contact with the criminal justice system, and considering the potential intervention options for recidivist offenders, offers a promising avenue of investigation.

Executive summary

The aim of this study was to improve our understanding of the role of opportunity in the offences against children perpetrated by alleged offenders who have already had contact with the criminal justice system. We used police recorded offence data from four states—New South Wales, Queensland, Victoria and Western Australia—to explore the characteristics of contact child sexual offences involving an alleged offender who has a prior recorded history of alleged child sexual offences.

Alleged offenders were included in the study sample if they had a recorded child sexual assault offence in the five-year period from January 2015 to December 2019 (the reference period) and at least one prior child sexual offence in the 10-year period from January 2005 to December 2014 (the prior history period). These prior offences must have been reported to police, or resulted in the alleged offender being proceeded against by police, prior to the offence recorded in the reference period. Police agencies in Queensland, Victoria and Western Australia provided data on alleged offenders who met the selection criteria and had been proceeded against by police by way of legal action. The New South Wales Police Force provided data on incidents involving the alleged offenders recorded by police.

The final sample in each state accounted for a very small proportion of alleged child sexual assault offenders known to police. In Queensland, only 3.3 percent of offenders proceeded against for child sexual offences between January 2005 and December 2014 were proceeded against for a further child sexual offence in the reference period, and only 2.1 percent for a child sexual assault offence. In Victoria, only 3.0 percent of alleged offenders proceeded against for a child sexual assault offence in the reference period (including for historical offences) had a contemporary offence and a recorded history of child sexual offending resulting in police action.

Offender, victim and incident characteristics

The final sample included 1,321 alleged offenders who were responsible for 1,780 incidents of child sexual assault in the reference period involving 1,772 victims aged 15 years or younger. Findings with respect to offender, victim and incident characteristics were largely consistent across the four states, with most of the differences explained by differences between samples (recorded incident or apprehension data), counting rules and data availability (especially data on offender–victim relationships).

Almost all of the alleged offenders in the sample in each state were male. As many as one in five alleged offenders was a juvenile at the time of their first child sexual assault offence in the reference period. Between 32 and 45 percent of alleged offenders in Queensland, New South Wales and Western Australia were Indigenous, while only six percent of alleged offenders in the Victorian sample were Indigenous.

The majority of alleged offenders in the sample had a prior history of child sexual assault offences (ie contact offences; between 83% and 96%). Between six and 18 percent of alleged offenders had a prior history of possessing or disseminating child sexual abuse material. Between three and 11 percent of alleged offenders had a prior history of procurement and grooming offences.

Importantly, almost all of the alleged offenders—between 96 and 100 percent—perpetrated offences against new victims, meaning the victims in the reference period were not the same as the victims in the 10-year prior history period. Between 16 and 28 percent of alleged offenders were involved in more than one incident of child sexual assault in the reference period, and between 20 and 28 percent offended against multiple victims. Consistent with prior research indicating they are a higher risk cohort, offenders who were alleged to have committed both contact and non-contact offences were more likely to target multiple victims and be involved in multiple incidents of child sexual assault.

A very similar proportion of alleged offenders in each jurisdiction had also committed sexual offences against victims 16 years and over in the reference period (8%–20% of alleged offenders). Non-sexual offending in the reference period was also common (63%–85% of alleged offenders). This may suggest a more general disposition towards crime, rather than a specific disposition towards sexual offences, but it reflects an antisocial orientation that characterises persistent sexual offenders. While the proportion of alleged offenders with reporting conditions was unknown, between 25 and 46 percent of offenders proceeded against for child sexual assault offences in the reference period were also proceeded against for failing to comply with their reporting conditions.

A similar proportion of alleged offenders in each jurisdiction had committed an offence against a non-family member (between 39% and 49%). In contrast, the proportion of alleged offenders who had committed an offence against a family member ranged from 19 to 51 percent. The proportion of alleged offenders who had victimised a stranger was three percent in New South Wales (where there was a large proportion of unknown relationships), but 18 and 28 percent in Queensland and Victoria, respectively. Further analysis revealed that the most common victim-offender relationship across all states was acquaintance, a broad category that is best defined as someone who is known to the victim but with whom there is no other relationship (eg a family member, partner, neighbour, or someone in a professional role such as a teacher).

Irrespective of the relationship with the victim, the vast majority of incidents involving recidivist offenders occurred in or around a place of residence. Residential locations accounted for between 66 and 82 percent of all repeat child sexual assault incidents. The most common non-residential locations were parks, reserves and other open spaces. Overall, between 51 and 61 percent of incidents with a unique combination of offender and victim involved a family member or known person (primarily an acquaintance) and occurred in or around someone's home.

Between 11 and 15 percent of victims were five years old or younger, between 23 and 26 percent were aged six to 10 years, and between 59 and 67 percent of victims were aged 11 to 15. This age distribution is not unique to repeat offenders. Victims who were a family member of the alleged offender were, on average, younger than other victims. Similar to offenders, the proportion of victims who were Indigenous was lowest in Victoria (6%), while between one-quarter and one-third of victims in the other three jurisdictions were Indigenous (26% to 35%).

Transitions

A significant minority of offenders (between 12 and 42 percent) transitioned between offence types, meaning they committed both contact and non-contact offences in either the prior or reference period or both. Between four and 17 percent of alleged offenders transitioned from non-contact to contact offences, indicating some level of escalation in their offending—a finding consistent with previous research.

Between 17 and 25 percent of offenders transitioned between male and female victims between their most recent incident in the prior history period and their first repeat incident in the reference period. Between 13 and 17 percent sexually offended against a child who was more than three years younger than their most recent victim, and between 22 and 30 percent sexually offended against a child who was more than three years older. There was a noticeable trend towards recidivist offenders sexually offending against older victims.

In New South Wales, Queensland and Victoria, between 33 and 49 percent of alleged offenders transitioned between relationship types between the most recent incident in the prior history period and the first repeat incident in the reference period. A significant proportion of transitions were between intra-familial and extra-familial relationships. The most common offender–victim relationship transition was between family members and non-family members who were known to the victim.

Overall, in New South Wales, Queensland and Victoria, two-thirds of alleged offenders exhibited some degree of versatility in their sexual offending against children. This means they transitioned from male to female victims or vice versa, transitioned to a victim at least three years older or younger than their previous victim, or transitioned between the major offender–victim relationship categories (including intra-familial and extra-familial offending). This proportion was lower in Western Australia (49%); however, the significant amount of missing data on victim gender and offender–victim relationship likely underestimates the extent of offence transitions.

Implications

Results from this study suggest recidivist child sexual assault offenders comprise a small group of motivated, persistent offenders who are willing to adapt their offending to target new and different victims in different contexts. Understanding the role that opportunity plays in incidents that occur following contact with the criminal justice system, and considering the potential intervention options for recidivist offenders, offers a promising avenue of investigation. That these offenders are highly adaptive reflects the significant challenge of preventing their offending, but also demonstrates the potential of applying situational prevention strategies, which aim to restrict the opportunity to offend.

The majority of child sexual assault incidents involving an alleged recidivist offender occurred in a residential setting and involved someone known to the offender, most often an acquaintance or relative. This was true even among those offenders who had been proceeded against by police. This is a somewhat surprising finding, as it suggests that—even after contact with the criminal justice system—these alleged offenders had access to children known to them. Almost all the victims in the reference period were new victims, suggesting the alleged offenders did not have access to their prior victims.

We know that offenders and victims who knew each other were most often acquaintances, implying that there was a limited relationship between them or that the victim (or the parents or guardians of the child victim) were quite possibly unaware of the alleged offender’s prior history. The targeting of acquaintances and more distant relatives may be a consequence of having limited access to immediate family in the aftermath of contact with the criminal justice system.

Many of the alleged offenders who were included in this study—potentially the majority—are unlikely to have been charged with *and* convicted of the offences in their prior history (or indeed in the reference period). This attrition has important implications for the types of measures that might be effective in preventing repeat child sexual offences among the alleged offenders in this study.

Further, while we were able to obtain data from multiple police agencies, and these data provided new insights into the characteristics of offences by recidivist child sexual assault offenders, there are limitations. We know relatively little about the specific circumstances of the incidents involving recidivist offenders. There is a need for more detailed analysis focused specifically on recidivist offenders, including how they adapt their offending in response to contact with the criminal justice system, the steps they take to avoid monitoring and evade detection, and how they target new victims. This will help inform the development of more effective, nuanced responses to this high-risk group.

Introduction

There has been intense media, policy and research interest in how to prevent and respond to child sexual abuse, especially following the Royal Commission into Institutional Responses to Child Sexual Abuse (2017). It is estimated that nearly eight percent of Australian adults experienced sexual abuse before the age of 15 (Australian Bureau of Statistics (ABS) 2017). Nationally, there has been an 18 percent increase in the recorded sexual assault victimisation rate among children aged 10 to 14 years over the past decade (ABS 2021), while in New South Wales the number of officially reported incidents of non-historical child sexual assault increased by as much as 45 percent over the same period (Bureau of Crime Statistics and Research 2021a). Child sexual abuse causes significant harm to victims, particularly to their mental health (Hailes et al. 2019). The need to improve criminal justice responses to child sexual abuse is recognised as part of contemporary efforts to reform and improve the response to sexual violence more generally.

Though official recidivism rates for child sexual offenders are relatively low (Dowling et al. 2021; Dowling, Morgan & Pooley 2021), under-reporting and delayed reporting by victims (Priebe & Svedin 2008; Royal Commission into Institutional Responses to Child Sexual Abuse 2017) and high rates of attrition in the criminal justice system (Bright et al. 2021; Cashmore, Taylor & Parkinson 2020) means this likely underestimates the true rate of repeat offending. Given the risk to children posed by those who do reoffend and the potential harm to victims of repeat offences—coupled with the potential to intervene and prevent further offending—criminal justice responses to prevent recidivism remain an important focus. Indeed, the effective post-sentence management of child sex offenders has been an area of ‘frenetic’ policy and legislative reform (Bartels, Walvisch & Richards 2019).

A large body of contemporary Australian research has examined child sexual offending, including child sexual assault, procuring and grooming behaviour and the distribution or possession of child exploitation material, which can help to inform efforts to reduce recidivism. This research has focused on the characteristics of offenders (Brown and Bricknell 2018; Smallbone & Wortley 2001), patterns of offending (Goodman-Delahunty 2014), risk factors for offending (McKillop et al. 2018), risk and prevalence of reoffending (Dowling et al. 2021; Dowling, Morgan & Pooley 2021; Molnar et al. 2021), transition between offence types (Krone & Smith 2017), the long-term impact on victims (Ogloff et al. 2012) and the efficacy of criminal justice responses (Napier et al. 2018). This evidence is important in helping to inform responses to child sexual offending inside and outside of the criminal justice system.

We know that child sexual offending involves the convergence of individual and situational factors (Brown 2019). Most research into recidivism has focused on the role of individual-level risk factors. Persistent sexual offenders have been shown to be more likely to exhibit deviant sexual preferences, including a sexual preference for children and an abnormal preoccupation with sex, and also antisocial orientation (ie impulsivity, aggression and a lack of empathy; Hanson & Bussière 1998; Hanson & Morton-Bourgon 2005; Seto & Lalumière 2010). While these sexual preferences underpin the desire to sexually offend against children, antisocial orientation increases the likelihood that an individual will act upon this desire (Pullman, Stephens & Seto 2016).

There has been less focus on the role of opportunity in recidivism. This is despite a growing body of research exploring the role of opportunity in child sexual offending more broadly (Leclerc & Felson 2014; Leclerc, Smallbone & Wortley 2013; Leclerc, Wortley & Smallbone 2010; McKillop et al. 2015; Wortley & Smallbone 2006). Crime script analysis, for example, has been used to understand the crime commission process for child sexual offences and identify possible intervention points (Leclerc, Wortley & Smallbone 2011). This has been expanded to offenders who engage in non-contact offending (Leclerc et al. 2021). While child sexual assault offenders and child abuse material offenders have been shown to differ in psychological and demographic profiles (Babchishin, Hanson & Hermann 2010), they have also been shown to differ in their access to children and the internet (Babchishin, Hanson & VanZuylen 2015).

While research has examined the role of opportunity among persistent offenders who offend over an extended period before any criminal justice involvement (Wortley & Smallbone 2006), less is known about the circumstances of offences committed by recidivist child sexual assault offenders who offend after they have been in contact with the criminal justice system. Opportunity is likely to play a significant role in these offences. According to Cohen and Felson's (1979) routine activity theory, crime occurs when three critical elements converge: a motivated offender, a suitable target and the absence of a capable guardian. Crime is more common in places where these three things come together regularly.

While recidivist offenders are more likely to exhibit certain personality characteristics that increase their motivation to offend (Hanson & Bussière 1998; Hanson & Morton-Bourgon 2005; Seto & Lalumière 2010), they may also be more likely to have restricted opportunity to commit offences compared to first-time offenders, or offenders who have not yet come into contact with the criminal justice system. Opportunistic contact with children—potential targets of further offending—may be significantly diminished, whether as a consequence of some lawful direction (eg not being able to reside within a certain distance from areas frequented by children), because of the actions taken by those who know the offender (eg partners or family members who restrict access to children), or because of the offender's self-imposed restrictions.

Changes in opportunity will also occur because of formal surveillance, possibly as a feature of a sentence or post-sentence supervision order, or as a requirement of being placed on an offender register. But informal surveillance will also be conducted by the people in an offender's familial or social network who are aware of the person's previous offending history and, as a result, are likely to act as capable guardians. Conversely, predatory persistent offenders may be more motivated to and capable of exploiting situations and individuals to create opportunities to offend (Wortley & Smallbone 2006).

In an area as emotionally charged as the safety of children, there are strong opinions about the most effective way to ensure the safety of potential future victims of known offenders. When an individual has contact with the criminal justice system for child sexual offences—whether it results in sanctions or otherwise—it presents a chance to implement measures that can reduce the motivation to continue to offend or reduce the opportunity to sexually offend against children.

Method

The aim of this study was to develop a better understanding of the characteristics of offences perpetrated by recidivist child sexual assault offenders. This included examining the role that opportunity may play in the repeat offences of alleged offenders who have already had contact with the criminal justice system for child sexual offences. Using data from police, we analysed information on child sexual offences perpetrated by alleged offenders who had a prior recorded history of child sexual offending.

Inclusion criteria

In this report, 'child sexual offences' refers broadly to any form of sexual offence in which the victim, or intended victim, was under the age of 16 years. This includes child sexual assault offences (contact offences), and procurement and grooming offences and child sexual abuse material offences (non-contact offences).

We defined recidivist child sexual assault offenders as individuals who were the person of interest in a child sexual assault offence that occurred between January 2015 and December 2019 and who had a prior recorded history of child sexual offences (including child sexual assault, child sexual abuse material and child procurement or grooming offences). 'Prior recorded history' refers to offences occurring between January 2005 and December 2014 for which they were identified as the person of interest. The selection of individuals, and of offences, was determined on the basis of the recorded date of the offence. These are alleged offenders and may not have been charged with or convicted of any offence (though in most jurisdictions they were the subject of action taken by police).

Data and definitions

Data were requested from all state and territory policing agencies on persons of interest who met the definition of recidivist offender. Data were requested on all incidents involving these persons of interest during the five-year reference period and the 10-year prior history period. For each incident, information on the offender, victim and incident was requested. Given the focus of this study on the role of opportunity in offences by recidivist offenders, we requested police agencies provide as much information as possible about the offender–victim relationship and incident location.

Five jurisdictions were able to provide data—New South Wales, Victoria, Queensland, Western Australia, and the Australian Capital Territory. Results are reported in this paper for four of the five jurisdictions. The number of offenders in the ACT sample ($n=5$) was too small for any meaningful analyses.

Consistent counting rules were applied to the data from each jurisdiction (based on the definitions above). The type of data provided by each agency differed. Police agencies in Queensland, Victoria and Western Australia provided data on alleged offenders who met the selection criteria and had been proceeded against by police by way of some legal action. This could include actions such as being summonsed, arrested, cautioned, issued an infringement notice or some other action. Data from New South Wales included details of incidents reported to and recorded by police that involved alleged offenders who met the selection criteria. These alleged offenders were the person of interest in the offences recorded by police, but may not have been proceeded against by police. Further, some police agencies provided data on all persons of interest with recorded child sexual offences in the reference period (Victoria) or prior history period (Queensland). Although jurisdictions have different age thresholds for certain sexual offences (Boxall & Fuller 2016), a consistent rule was applied to all states and all offence types, such that child sexual assault offences were limited to offences against victims under the age of 16 years. Offence descriptions provided by each state, which varied in detail, along with the recorded age of the victim (where applicable), were used to identify child sexual assault offences, procurement and grooming offences, and child sexual abuse material offences. Sexual offences against other victims refers to offences against victims aged 16 years and over.

The final sample for each jurisdiction was limited to alleged offenders who had at least one recorded contact child sexual offence in the reference period, and at least one child sexual offence (contact or non-contact) in the prior history period. Offences in the reference period were reclassified as prior child sexual offences if they were committed before the date action was taken by police (or, in the case of NSW, the date the offence was recorded) for offences from the prior history period, on the basis that they may have been detected during an investigation (especially if they were against the same victim) and because we could not establish whether they were committed after police action against the offender. This reclassification process further reduced the final sample for each jurisdiction because some offenders did not have any offences in the reference period that did not have overlapping dates with prior history offences (Table 1).

Finally, we distinguished between alleged offenders, victims and incidents. In this paper, an incident is defined as one or more offences perpetrated by the same alleged offender(s) on the same date in the same location type (disaggregated to the lowest level possible, since identifiable information was not provided). An incident may involve one or more offences, one or more offenders and one or more victims. We counted each alleged offender, victim and incident once; however, when examining relationships between offenders and victims, we counted offender–victim dyads (unique pairs of individuals) or offender–victim–location triads.

The final sample included 1,321 alleged offenders who were responsible for 1,780 incidents of child sexual assault in the reference period involving 1,772 victims aged 15 years or younger.

	NSW	Qld	Vic	WA
Inclusion criteria	Recorded incidents ^a	Proceeded against ^{b,c}	Proceeded against ^{b,c}	Proceeded against ^b
Process date	Recorded	Action taken	Action taken	Action taken
Pre-classification sample (<i>n</i>) ^d	1,209	563	342	129
Final sample (<i>n</i>) ^e	791	283	163	84
Victims (<i>n</i>)	1,085	359	206	122
Incidents (<i>n</i>)	1,054	365	257	104

a: Each alleged offender was the person of interest in at least one child sexual offence in the prior history period and a child sexual assault offence in the reference period, which were reported to and recorded by police

b: Each alleged offender was the subject of action taken by police, including a summons, arrest, caution, infringement notice or some other action for at least one child sexual offence in the prior history period and a child sexual assault offence in the reference period

c: May include offences in which the complaint was withdrawn or no further action was taken

d: Refers to the sample of alleged offenders with child sexual offences in each period. The application of consistent definitions for child sexual offence means this sample is smaller than the original sample supplied by each police agency

e: The reclassification sample for Queensland was 329 offenders; however, 36 individuals were excluded because they were less than 10 years old at the time of child sexual offences recorded during the prior history period. The reclassification sample for New South Wales was 822 offenders; however, 31 individuals were excluded because they were less than 10 years old at the time of child sexual offences recorded during the prior history period. Similarly, one individual was excluded from the Victorian sample for the same reason. This is because the criminal justice response to problematic sexual behaviours by an individual below the age of criminal responsibility is significantly different. It is also possible that for some offenders an erroneous date of birth was recorded

Source: New South Wales Police Force, Queensland Police Service, Victoria Police and Western Australia Police Force [data file]

Information provided by police about the offender–victim relationship and the location of incidents was categorised into the same groupings used by the ABS (2021). The ABS (2021) distinguishes between family members, non-family members known to the victim and strangers. Family includes parents, siblings, grandparents, other relatives, and partners. Non-family members are known to the victim and include ex-partners (except in New South Wales, where ex-partners are not distinguishable from current partners), friends, professionals (eg a teacher), work colleagues and acquaintances. Strangers includes anyone not known to the victim. The unknown relationship category includes all strangers in Western Australia and some strangers in New South Wales because these were not distinguishable from situations in which the offender–victim relationship was unknown.

As per the ABS (2021) definition, incident locations were categorised as residential, community and other locations. Residential locations include any location containing a permanent or semi-permanent dwelling used for private or commercial residential purposes, which includes surrounding yards and structures. Community locations include any location where the primary activity is the provision of services or facilities for public use including educational facilities, health facilities, religious establishments, public transport facilities, justice facilities, streets and footpaths, and open spaces (not attached to some other facility). Other locations include any location where the primary function does not fit into either the residential or community categories and includes, among other things, professional offices, retail locations and recreational facilities.

Analytic approach

We began by describing the sample of alleged offenders in each jurisdiction and then described the repeat incidents of child sexual offending and the victims of these repeat incidents. The analyses then moved to examining transitions between prior and repeat incidents of child sexual offending. We did not aggregate the data across jurisdictions, because of differences in legislation with respect to child sexual offences, differences in counting rules and differences in sample selection, and for these reasons we are cautious when making direct comparisons. This is especially true where differences are most likely due to the different information provided or missing data.

Limitations

There are several main limitations to this study that need to be acknowledged. The first, and most obvious, is that the reliance on recorded criminal histories (and especially data on police proceedings) provides only a partial picture of offending by child sexual offenders. We know that only a small proportion of child sexual offences will ever be reported to police (Priebe & Svedin 2008) and, if they are reported, it can take many years for victims to come forward (Royal Commission into Institutional Responses to Child Sexual Abuse 2017). Further, research has shown that attrition rates among reported offences are persistently high (Bright et al. 2021; Cashmore, Taylor & Parkinson 2020) and vary by case characteristics (Christensen, Sharman & Powell 2016), meaning that not all offender, victim and incident characteristics will be equally represented in recorded offence data, especially data on police proceedings.

This is, of course, likely to be amplified with repeat child sexual offenders, where the effect of under-reporting may be a cumulative. Persistent sexual offenders may also be more likely to take steps to minimise the risk of detection by other parties or authorities. However, it is also plausible that repeat offences by child sexual offenders who have had prior contact with the criminal justice system are more likely to come to the attention of police due to increased supervision and monitoring. In any case, the 'dark figure' of unrecorded, repeat child sexual abuse offending is likely to be substantial.

There are also drawbacks to including in the sample offenders who had not been convicted of child sexual offences. Though it may have been preferable to limit the study to convicted offenders (and offences resulting in a conviction), doing so would have substantially diminished the sample available for analysis. Significant delays in court proceedings, coupled with the high attrition rates for sexual offences, including those involving children (Bright et al. 2021), would have resulted in a much smaller sample. Further, the data needed for this study would not have been available in all jurisdictions. It is important to note that the main reasons for attrition are factors such as decisions by the victim or their parents to withdraw the complaint, limited physical evidence to support a prosecution (especially for delayed reports) and the efficacy of the criminal justice response to victims of sexual violence (Christensen, Sharman & Powell 2016; Daly & Bouhours 2010), rather than false allegations, which are relatively rare (Mikkelsen, Gutheil & Emens 1992). It has been argued that arrest and charge data from police provide a more reliable measure of the true extent of recidivism (Richards 2011). It is noteworthy that 61 percent of alleged offenders in the Victorian sample were charged with at least one child sexual offence in the prior history period, and 64 percent with at least one child sexual assault offence in the reference period. Nevertheless, this should be considered when interpreting the findings, especially in the context of repeat offences following criminal justice sanctions (vs criminal justice contact, which is the focus of this study).

The data that could be provided by police were also limited by recording practices and privacy and ethical concerns. Analysis of the role of opportunity in offences of any type is improved by more granular data on criminal events. We would have preferred access to detailed police narratives, but this was not possible due to ethical and time constraints.

Finally, there were differences between jurisdictions in the data provided, while local counting and recording practices also vary. Differences in the selection of offenders for inclusion in this study (those with recorded offences in New South Wales versus those proceeded against in Queensland, Victoria and Western Australia) largely explains the differences in sample size (relative to the population in these states), but likely also explains other differences reported in this paper. Where possible, we used similar categories for variables (eg location type) so that we can describe results consistently. However, the results for each state should not be directly compared. It was also impossible to produce aggregate findings for all jurisdictions included in the study. Care should therefore be taken in extrapolating results to other non-participating jurisdictions or time periods.

Results

The final sample represents a small proportion of all child sexual assault offenders reported to and proceeded against by police. Queensland Police Service provided data on all offenders proceeded against for child sexual offences during the prior history period (January 2005 to December 2014; $n=15,496$). Of these, 3.3 percent ($n=511$) were proceeded against for further child sexual offences in the reference period (January 2015 to December 2019). An even smaller group ($n=329$, 2.1%) were proceeded against for contact child sexual offences in the reference period.

Victoria Police provided data on all alleged offenders proceeded against during the five-year reference period for a contact child sexual offence ($n=5,524$). A large proportion of these offenders (46.5%) were proceeded against for historical offences (ie offences that occurred prior to the reference period). Of those remaining ($n=2,954$), only 5.6 percent ($n=163$) had a prior history of child sexual offending—just 3.0 percent of all offenders proceeded against for child sexual assault offences.

Offender, victim and incident characteristics

Offender characteristics

Almost all of the alleged offenders in the sample were male (Table 2). The mean age of alleged recidivist offenders at the time of their first child sexual assault offence in the reference period ranged from 26 to 36 years. Alleged offenders ranged from 11 to 84 years of age. While fewer than one in 10 alleged offenders in Western Australia were juveniles at their first repeat child sexual assault offence during the reference period (7%), the equivalent proportion was 17 percent in Victoria, 19 percent in Queensland and 22 percent in New South Wales. Six percent of alleged offenders in the Victorian sample were Indigenous, compared to between 32 and 45 percent of alleged offenders in the other three states. It is worth noting that Victoria has a much smaller population of Aboriginal and Torres Strait Islander people as a proportion of overall population, though Aboriginal and Torres Strait Islander people are over-represented as offenders and victims (see below) in all states (ABS 2018).

The majority of alleged offenders in the sample had a prior history of child sexual assault offences (ie contact offences; between 83% and 96%). Prior procurement and grooming offences were relatively rare, except in the Western Australian sample (11%), while between six and 18 percent of alleged offenders had a prior history of possessing or disseminating child sexual abuse material. The prevalence of child sexual abuse material offences was similar in the reference period; however, a notably larger proportion of alleged offenders in Victoria (17%) had procurement and grooming offences in the reference period compared with the prior history period.

The proportion of alleged offenders with offences related to the failure to comply with reporting conditions was very low in New South Wales in both the prior and reference periods, possibly because the data were based on reported offences. In the remaining three jurisdictions between nine and 17 percent of alleged offenders had a prior history of failing to report. The prevalence was much higher in the reference period (between 25% and 46%), which is not surprising given these were individuals who had been proceeded against for repeat offences.

A similar proportion of alleged offenders had prior sexual offences against victims aged 16 years and over (between 9% and 12%), while between eight and 20 percent had sexual offences against victims aged 16 years and over in the reference period. There was also a high proportion of generalist offenders in the sample, meaning alleged offenders involved in non-sexual offences. The proportion of alleged offenders with non-sexual offences in the prior history period ranged from 68 to 87 percent, while the proportion of alleged offenders with non-sexual offences in the reference period ranged from 63 to 85 percent.

Table 2: Characteristics of recidivist child sexual assault offenders (% unless stated otherwise)				
	NSW (n=791)	Qld (n=283)	Vic (n=163)	WA (n=84)
Offender characteristics				
Male ^a	96.7	99.7	98.8	95.2
Female ^a	3.3	0.4	1.2	0.0
Mean age in years (range) ^b	32.5 (11–84)	30.9 (12–72)	25.6 (13–83)	35.8 (14–74)
Juvenile (<18 years) at time of first child sexual assault offence during reference period	22.0	18.7	16.6	7.1
Non-Indigenous ^c	60.3	54.8	94.5	63.1
Indigenous ^c	39.7	45.2	5.5	32.1
Prior offences (January 2005 to December 2014)				
Child sexual assault	95.7	89.0	89.6	83.3
Procurement and grooming	3.7	2.9	4.3	10.7
Child sexual abuse material	5.6	15.6	12.3	17.9
<i>Non-contact offences</i>	8.3	17.3	15.3	26.2
Failure to comply with reporting conditions ^d	0.1	12.7	9.2	16.7
Sexual offences against victims aged 16 years and over	11.0	8.5	11.0	11.9
Non-sexual offences	87.4	74.6	67.5	71.4
Additional offences during the reference period (January 2015 to December 2019)				
Procurement and grooming	2.4	3.5	23.9	15.5
Child sexual abuse material	2.4	11.7	16.6	13.1
<i>Non-contact offences</i>	4.4	12.7	30.0	27.4
Failure to comply with reporting conditions ^d	3.7	24.7	28.2	46.4
Sexual offences against victims aged 16 years and over	10.9	7.8	20.3	9.5
Non-sexual offences	85.2	76.7	66.9	63.1

a: Denominator includes 4 alleged offenders from Western Australia of unknown gender

b: Age at time of first repeat child sexual offence during the reference period. Excludes 1 alleged offender from Victoria and 4 alleged offenders in Western Australia with missing data

c: Denominator includes 4 offenders from Western Australia of unknown Indigenous status

d: Total number of offenders in the sample placed on a register is not known, but will not apply to entire sample as not limited to convicted offenders. In Victoria, this refers to failing to report (ie does not specifically refer to register)

Note: Percentages may not total 100 due to rounding

Source: New South Wales Police Force, Queensland Police Service, Victoria Police and Western Australia Police Force [data file]

Offending patterns among recidivist child sexual assault offenders are presented in Table 3. The average length of time between the last prior child sexual offence and the first child sexual assault offence in the reference period ranged from 4.7 to 6.6 years. The average time between child sexual assault offences was slightly longer (4.8 to 6.8 years). These figures include periods in custody for those offenders who were previously imprisoned for a child sexual offence. As shown in Figure 1, the largest proportion of repeat incidents occurred within a few years of the most recent prior incident (with the exception of Western Australia).

Between 16 and 28 percent of alleged offenders were involved in more than one incident of child sexual assault in the reference period, while between 20 and 28 percent of offenders were alleged to have offended against more than one victim. Importantly, almost all of the alleged offenders—between 96 and 100 percent—perpetrated offences against new victims, meaning the victims in the reference period were not the same as the victims in the 10-year prior history period.

In the three states other than Western Australia, where there was a large amount of missing information on offender–victim relationships, similar proportions of alleged offenders committed an offence against family members (between 36% and 51%) and non-family members (between 39% and 49%). The proportion of alleged offenders who had committed an offence against a stranger was three percent in New South Wales (where there was a large proportion of unknown relationships), but 18 and 28 percent in Queensland and Victoria, respectively.

Offender–victim relationships can also be examined as a proportion of all offender–victim dyads. Importantly, subcategories of relationships were not consistent between states. In New South Wales, the most common offender–victim relationship was an acquaintance (37%), followed by a parent or guardian (18%) and a relative other than a parent or sibling (18%). In Queensland, the most common offender–victim relationship was an acquaintance (32%), followed by a stranger (16%) and a relative other than a parent (13%). In Victoria, the most common offender–victim relationship was an acquaintance (30%), followed by a stranger (25%) and a relative other than a parent or sibling (11%). In Western Australia, the most common offender–victim relationship was acquaintance (34%), followed by parents and guardians (8%), but the relationship was unknown in nearly half of all dyads. ‘Acquaintance’ is a broad category that is best defined as someone who is known to the victim, but with whom there is no other relationship (such as family member, partner, neighbour, or someone in a professional role such as a teacher). This might include, for example, a family friend, or a friend of the victim’s parent.

We also examined whether any alleged offenders were ‘mixed offenders’ (Smallbone & Wortley 2001), meaning they committed offences against both intra-familial victims (family members) and extra-familial victims (non-family members and strangers) during the reference period. (Transitions between victim types between the prior history and reference period are examined later.) There were similar proportions of mixed offenders in New South Wales, Queensland and Victoria (between 6% and 7%), but fewer known mixed offenders in Western Australia (again due to missing data; 2%). Among alleged offenders in New South Wales, Queensland and Victoria who committed child sexual offences against multiple victims, between 26 and 30 percent were mixed offenders (and 9% of alleged offenders in Western Australia).

Table 3: Offending patterns among recidivist child sexual assault offenders (% unless stated otherwise)

	NSW (n=791)	Qld (n=283)	Vic (n=163)	WA (n=84)
Time between offences (years)				
Between last prior child sexual offence of any kind and child sexual assault offence (SD)	4.7 (3.2)	5.4 (3.3)	5.2 (3.1)	6.6 (3.4)
Between child sexual assault offences	4.8 (3.2)	5.6 (3.4)	5.2 (3.1)	6.8 (3.4)
Number of incidents				
One	76.5	82.3	72.4	84.5
Two or more	23.5	17.7	27.6	15.5
Mean (SD)	1.3 (0.7)	1.3 (0.8)	1.6 (1.3)	1.2 (0.7)
Number of victims				
One	72.2	80.2	78.5	73.8
Two or more	27.8	19.8	21.5	26.2
Mean (SD)	1.4 (0.9)	1.3 (0.7)	1.3 (0.7)	1.5 (1.1)
New victims (offenders with prior contact offences only) ^a	99.6	95.6	100.0	97.1
Relationships with victims (all repeat offences)				
Family (intra-familial)	51.0	36.4	38.0	19.1
Non-family member (extra-familial)	49.4	41.7	39.3	45.2
Stranger (extra-familial)	2.8	17.7	28.2	–
Unknown	15.2	12.4	8.6	47.6
Mixed offending				
Intra-familial and extra-familial victims	7.3	6.0	6.1	2.4
Intra-familial and extra-familial victims (>1 victim)	26.4	30.4	28.6	9.1

a: Ideally, each offender and victim will have a single unique identifier in the data. It is possible that a small number of victims have more than one identifier across records

Note: Percentages may not total 100 due to rounding

Source: New South Wales Police Force, Queensland Police Service, Victoria Police and Western Australia Police Force [data file]

Figure 1: Time (years) between most recent prior incident of child sexual offending (any kind) and first repeat incident of child sexual assault, by jurisdiction (%)



Source: New South Wales Police Force, Queensland Police Service, Victoria Police and Western Australia Police Force [data file]

Given the evidence that offenders who engage in both contact and non-contact offences are a higher risk group and the most likely to have a sexual interest in children (Babchishin, Hanson & VanZuylen 2015), we then examined the relationship between offence type and seriousness of offending during the reference period. We limited this analysis to alleged offenders with a prior history of child sexual assault. There was a significant relationship between offence type and the prevalence of multiple victims (Figure 2). Alleged offenders with both contact and non-contact offences were significantly more likely to commit offences against multiple victims in New South Wales (42% vs 27%, $\chi^2(1)=6.17, p<0.05$), Queensland (33% vs 17%, $\chi^2(1)=5.28, p<0.05$) and Victoria (35% vs 17%, $\chi^2(1)=5.25, p<0.05$) during the reference period. The results for Western Australia were not statistically significant.

Figure 2: Prevalence of multiple victims of child sexual assault in the reference period, by offence type and jurisdiction (%)

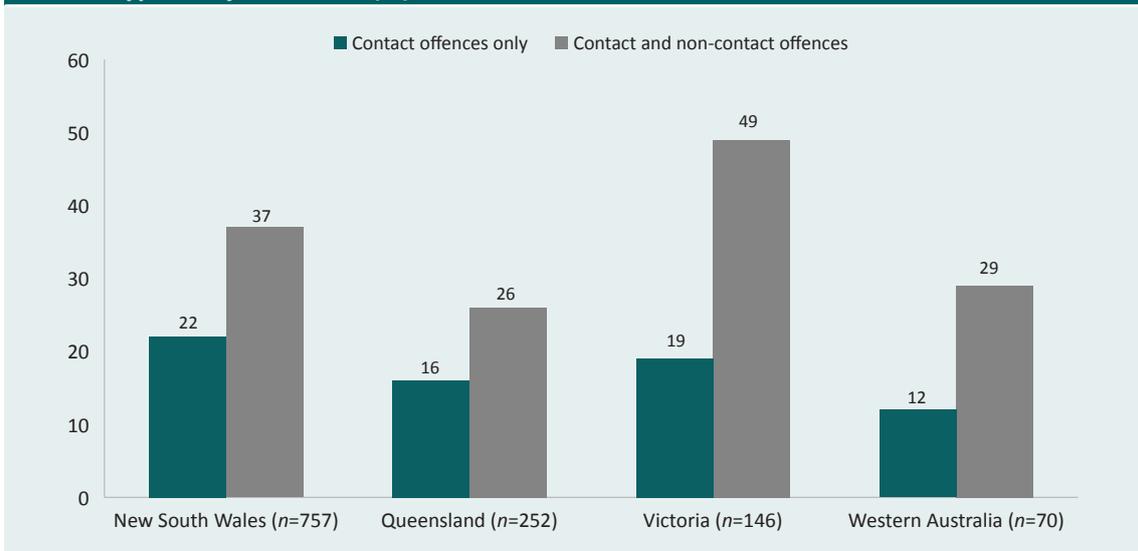


Note: Limited to alleged offenders with a prior history of child sexual assault

Source: New South Wales Police Force, Queensland Police Service, Victoria Police and Western Australia Police Force [data file]

There was also a significant association between offence type and committing multiple incidents of child sexual assault during the reference period (Figure 3). Alleged offenders who had contact and non-contact offences were significantly more likely to have committed multiple incidents in New South Wales (37% vs 22%, $\chi^2(1)=6.42, p<0.05$) and Victoria (49% vs 19%, $\chi^2(1)=13.00, p<0.001$).

Figure 3: Prevalence of multiple incidents of child sexual assault in the reference period, by offence type and jurisdiction (%)



Note: Limited to alleged offenders with a prior history of child sexual assault

Source: New South Wales Police Force, Queensland Police Service, Victoria Police and Western Australia Police Force [data file]

Incident characteristics

Characteristics of incidents of child sexual assault in the reference period are presented in Table 4. Locations were classified according to the major categories reported by the ABS (2021). The vast majority of incidents involving recidivist offenders occurred in or around a residence. Residential locations accounted for between 66 and 82 percent of all repeat child sexual assault incidents.

In New South Wales, the most common non-residential locations (where known) were outdoor areas and public places ($n=44$) and education facilities ($n=20$). In Queensland, the most common non-residential locations included parks, open spaces or recreation grounds ($n=23$), shopping centres ($n=11$), streets ($n=9$) and public transport ($n=6$). In Victoria, the most common non-residential locations were parklands, reserves and other open spaces ($n=16$), public transport ($n=14$), shopping centres ($n=9$) and streets and footpaths ($n=9$). In Western Australia, incidents outside of residential locations were relatively rare, with the most common non-residential locations a street or footpath ($n=8$) and a park or oval ($n=3$). Given these occurred over a five-year period, this highlights the rarity of child sexual assault offences involving a recidivist offender occurring in a public setting.

Most incidents perpetrated by a recidivist offender involved one victim; however, between six and 16 percent involved more than one victim, meaning the offender simultaneously abused multiple victims.

Table 4: Characteristics of child sexual assault incidents involving recidivist child sexual assault offenders (%)

	NSW ($n=1,054$)	Qld ($n=365$)	Vic ($n=257$)	WA ($n=104$)
Incident location				
Residential	67.7	79.0	66.2	81.7
Community	7.2	15.1	21.4	13.5
Other	1.5	4.7	12.5	4.8
Unknown	23.5	0.8	–	–
Number of victims				
One	87.5	93.7	92.6	83.7
Two or more	12.5	6.3	7.4	16.3

Note: Percentages may not total 100 due to rounding

Source: New South Wales Police Force, Queensland Police Service, Victoria Police and Western Australia Police Force [data file]

Victim characteristics

Characteristics of the victims of incidents perpetrated by the alleged offenders during the reference period are presented in Table 5. Between 70 and 83 percent of victims of recidivist child sexual assault offenders were female, while the mean age of victims ranged from 10.6 to 11.4 years. The victims who were a family member of the alleged offender were younger on average than other victims, which is consistent with other research on familial victims of child sexual assault (Fischer & McDonald 1998). Similarly, victims involved in incidents in residential settings tended to be younger than other victims (not shown). As with offenders, the proportion of victims who were Indigenous was lowest in Victoria (6%), while between one-quarter and one-third of victims in the other three jurisdictions were Indigenous (26% to 35%).

Most victims were involved in one incident of child sexual assault during the reference period, though this varied between jurisdictions. Between three and 18 percent of victims were involved in two or more incidents during the reference period. Some of this difference may be explained by the level of detail in the data provided, which affected our capacity to distinguish specific incidents. A small proportion of victims—between one and three percent—were the victim of child sexual assault perpetrated by more than one alleged recidivist offender during the reference period. In these rare incidents, recidivist child sexual assault offenders co-offended against the victim.

Table 5: Characteristics of victims of recidivist child sexual assault offenders (%)

	NSW (n=1,085)	Qld (n=359)	Vic (n=206)	WA (n=122)
Victim characteristics				
Male ^a	22.3	16.7	23.3	22.1
Female ^a	77.3	83.0	74.8	69.7
Mean age in years (range) ^b	10.6 (0–15)	11.0 (1–15)	11.4 (0–15)	10.6 (3–15)
Non-Indigenous ^c	65.0	64.6	93.7	48.4
Indigenous ^c	35.0	32.6	6.3	26.2
Number of incidents involving the same victim in the reference period				
One	89.3	93.0	81.6	96.7
Two or more	10.7	7.0	18.4	3.3
Multiple offenders	3.0	1.1	1.4	0.8
Mean victim age in years by offender–victim relationship (median, first repeat incident)				
Family (intra-familial)	9.8 (11)	10.5 (11)	9.7 (11)	9.7 (11)
Non-family member (extra-familial)	11.2 (13)	11.8 (13)	12.1 (14)	11.5 (12)
Stranger (extra-familial)	11.1 (12)	10.6 (12)	12.2 (14)	–
Unknown	11.6 (13)	10.3 (12)	12.8 (14)	10.3 (11)

a: There were 4 victims of unknown gender in New South Wales, 1 victim of unknown gender in Queensland, 1 non-binary victim and 3 victims of unknown gender in Victoria, and 10 victims of unknown gender in Western Australia

b: At time of first repeat incident during the reference period. The age of 11 victims in New South Wales, 8 victims in Victoria and 7 victims in Western Australia was unknown.

c: There were 10 victims in Queensland and 31 victims in Western Australia of unknown Indigenous status

Note: Percentages may not total 100 due to rounding

Source: New South Wales Police Force, Queensland Police Service, Victoria Police and Western Australia Police Force [data file]

The age of victims at the first repeat incident is represented in Figure 4. Between 11 and 15 percent of victims were five years old or younger, between 23 and 26 percent were age six to 10 years, and between 59 and 67 percent of victims were aged 11 to 15. This age distribution is not unique to repeat offenders—according to the ABS, recorded rates of sexual assault are higher for children aged 10–14 than for children under the age of 10 (ABS 2021). Similarly, 63 percent of victims of child sexual assaults reported in New South Wales in 2020 were aged 11 to 15 years (Bureau of Crime Statistics and Research 2021a).

Figure 4: Victim age at time of first repeat incident, by jurisdiction (%)



Note: Excludes victims of unknown age. Percentages may not total 100 due to rounding

Source: New South Wales Police Force, Queensland Police Service, Victoria Police and Western Australia Police Force [data file]

We also examined the combination of offender–victim relationship and location type (Tables 6 to 9). In all states, offences against family members or other known persons accounted for the majority of repeat incidents. Most of these occurred in residential settings. Overall, between 51 and 61 percent of incidents with a unique offender and victim involved a family member or known person (primarily an acquaintance) in or around someone’s home. Incidents involving a family member in a residential location were the most common. The pattern was different in Western Australia, though there was a significant amount of missing data. No clear pattern emerged with respect to incidents involving a stranger.

Table 6: Offender–victim relationship and locations of child sexual assault incidents in reference period, New South Wales (% offender–victim–incident triads)

		Location				(n)
		Residential	Community	Other	Unknown	
Relationship	Family member	35.8	0.9	0.2	8.2	556
	Non-family member	22.1	4.1	0.4	14.0	501
	Stranger	0.7	1.0	0.6	–	28
	Unknown	9.3	1.4	0.2	1.2	148
	(n)	836	91	17	289	1,233

Note: Percentages may not total 100 due to rounding

Source: New South Wales Police Force [data file]

Table 7: Offender–victim relationship and locations of child sexual assault incidents in reference period, Queensland (% offender–victim–incident triads)

		Location				(n)
		Residential	Community	Other	Unknown	
Relationship	Family member	30.6	2.0	–	0.3	129
	Non-family member	30.1	5.6	1.0	0.3	145
	Stranger	7.7	5.1	2.6	–	60
	Unknown	11.2	2.3	1.0	0.3	58
	(n)	312	59	18	3	389

Note: Percentages may not total 100 due to rounding

Source: Queensland Police Service [data file]

Table 8: Offender–victim relationship and locations of child sexual assault incidents in reference period, Victoria (% offender–victim–incident triads)

		Location			(n)
		Residential	Community	Other	
Relationship	Family member	34.7	3.3	0.7	107
	Non-family member	25.3	5.4	4.0	96
	Stranger	5.1	9.8	5.1	55
	Unknown	1.1	2.2	3.6	19
	(n)	183	57	37	277

Note: Percentages may not total 100 due to rounding

Source: Victoria Police [data file]

Table 9: Offender–victim relationship and incident location, Western Australia (% offender–victim–incident triads)

		Location			(n)
		Residential	Community	Other	
Relationship	Family member	14.3	0.0	0.0	18
	Non-family member	36.5	3.2	0.0	50
	Stranger	–	–	–	–
	Unknown	26.2	15.1	4.8	58
	(n)	97	23	6	126

Note: Percentages may not total 100 due to rounding
Source: Western Australia Police Force [data file]

Transitions

Given the focus of this report on the role of opportunity in recidivist child sexual offending, this section explores the extent to which alleged offenders exhibited signs of versatility in their offending behavior. Versatility can include transitions in the types of offences that were committed, as well as transitions between victims with different characteristics. These transitions may indicate a degree of opportunism in offending, whereby motivated offenders vary in their offending patterns according to the opportunities that are presented to or created by them. With the exception of offence type, this section is particularly focused on the transitions between the most recent incident in the prior history period and the first repeat child sexual assault incident in the reference period. This is particularly relevant to this study because it provides some insight into how offending changes following contact with the criminal justice system, how opportunities for child sexual offending might change and how offenders adapt in response.

Offence type

The results in Tables 10 to 13 show the relationship between prior and repeat offences for alleged offenders in each jurisdiction. The majority of alleged offenders in each jurisdiction—between 58 and 88 percent—were contact-only offenders. A significant minority of offenders transitioned between offence types, meaning they committed both contact and non-contact offences in either the prior or reference period or both. Between four and 17 percent of alleged offenders transitioned from non-contact to contact offences, indicating some level of escalation in their offending (noting that non-contact offences are still harmful to victims). Between four and 22 percent of alleged offenders committed both contact and non-contact offences in the reference period, having previously committed only contact offences in the prior history period.

Table 10: Prior and repeat offence types, New South Wales (%)

		Repeat offences		
		Contact only	Contact & non-contact	(n)
Prior offences	Non-contact only	3.8	0.5	34
	Contact only	88.1	3.5	725
	Contact & non-contact	3.7	0.4	32
	(n)	756	35	791

Note: Shaded cells indicate there was no change in offence type between incidents. Percentages may not total 100 due to rounding

Source: New South Wales Police Force [data file]

Table 11: Prior and repeat offence types, Queensland (%)

		Repeat offences		
		Contact only	Contact & non-contact	(n)
Prior offences	Non-contact only	8.8	2.1	31
	Contact only	75.3	7.4	234
	Contact & non-contact	3.2	3.2	18
	(n)	247	36	283

Note: Shaded cells indicate there was no change in offence type between incidents. Percentages may not total 100 due to rounding

Source: Queensland Police Service [data file]

Table 12: Prior and repeat offence types, Victoria (%)

		Repeat offences		
		Contact only	Contact & non-contact	(n)
Prior offences	Non-contact only	4.9	5.5	17
	Contact only	63.2	21.5	138
	Contact & non-contact	1.8	3.1	8
	(n)	114	49	163

Note: Shaded cells indicate there was no change in offence type between incidents. Percentages may not total 100 due to rounding

Source: Victoria Police [data file]

Table 13: Prior and repeat offence types, Western Australia (%)

		Repeat offences		
		Contact only	Contact & non-contact	(n)
Prior offences	Non-contact only	9.5	7.1	14
	Contact only	58.3	15.5	62
	Contact & non-contact	4.8	4.8	8
	(n)	61	23	84

Note: Shaded cells indicate there was no change in offence type between incidents. Percentages may not total 100 due to rounding

Source: Western Australia Police Force [data file]

Victim gender, age and relationship

Tables 14 to 17 display the gender of the victim (or victims, where there was more than one victim of the same gender) in the most recent incident in the prior history period and first incident in the reference period. Between two-thirds and three-quarters of alleged offenders (65% to 75%) committed a child sexual assault against a female victim in both incidents. Other than in Queensland, there was an equal likelihood of transitioning between male and female victims and vice versa. Overall, between 17 and 25 percent of offenders transitioned between male and female victims between their most recent prior incident and their first repeat incident.

Table 14: Gender of most recent prior victim and first repeat victim, New South Wales (%)

		First repeat incident		
		Female	Male	(n)
Most recent prior incident	Female	64.9	11.3	575
	Male	13.3	10.6	180
	(n)	590	165	755

Note: Shaded cells indicate there was no change in victim gender between incidents. Excludes cases with multiple victims of different gender. Percentages may not total 100 due to rounding

Source: New South Wales Police Force [data file]

Table 15: Gender of most recent prior victim and first repeat victim, Queensland (%)

		First repeat incident		
		Female	Male	(n)
Most recent prior incident	Female	70.6	7.5	197
	Male	15.9	6.0	55
	(n)	218	34	252

Note: Shaded cells indicate there was no change in victim gender between incidents. Excludes cases with multiple victims of different gender. Percentages may not total 100 due to rounding

Source: Queensland Police Service [data file]

Table 16: Gender of most recent prior victim and first repeat victim, Victoria (%)

		First repeat incident		
		Female	Male	(n)
Most recent prior incident	Female	65.2	12.3	107
	Male	12.3	10.1	31
	(n)	107	31	138

Note: Shaded cells indicate there was no change in victim gender between incidents. Excludes 8 offenders with victims of unknown gender. Excludes cases with multiple victims with different gender. Percentages may not total 100 due to rounding

Source: Victoria Police [data file]

Table 17: Gender of most recent prior victim and first repeat victim, Western Australia (%)

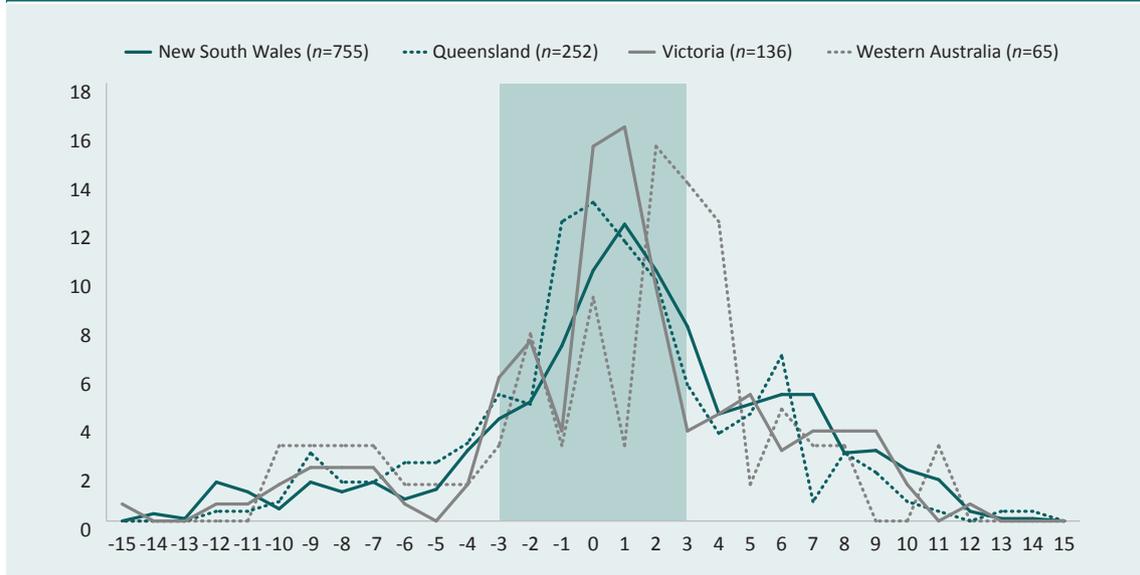
		First repeat incident		(n)
		Female	Male	
Most recent prior incident	Female	74.5	8.5	39
	Male	8.5	8.5	8
	(n)	39	8	47

Note: Shaded cells indicate there was no change in victim gender between incidents. Excludes 23 offenders with victims of unknown gender. Excludes cases with multiple victims of different gender. Percentages may not total 100 due to rounding

Source: Western Australia Police Force [data file]

In their first repeat incident, the majority of recidivist offenders (between 55% and 62%) sexually offended against a child not more than three years younger or older than their most recent prior victim (Figure 5, highlighted section). Three years was used as a cut-off because moving outside of this age range would likely mean offending against a child at a different developmental stage. Between 13 and 17 percent sexually offended against a child who was more than three years younger than their most recent victim, and between 22 and 30 percent sexually offended against a child who was more than three years older. There was a noticeable trend towards recidivist offenders sexually offending against older victims, with between 49 and 60 percent of alleged offenders sexually offending against an older victim, compared with 29 to 38 percent of recidivist offenders offending against a younger victim.

Figure 5: Age difference between most recent prior victim and first repeat victim, by jurisdiction (%)



Note: Excludes 10 offenders from Victoria and 5 offenders from Western Australia with missing data on age
 Source: New South Wales Police Force, Queensland Police Service, Victoria Police and Western Australia Police Force [data file]

For the most part, alleged recidivist offenders often offended against a child with the same relationship type in the most recent prior incident and first repeat incident of child sexual assault (Tables 18 to 21). Nevertheless, transitions between relationship types were relatively common among recidivist child sexual assault offenders in the sample. In New South Wales, Queensland and Victoria, between 33 and 49 percent of alleged offenders transitioned between relationship types between the most recent prior incident and the first repeat incident. Results are also presented for Western Australia, but there was considerable missing data due to strangers being included within ‘unknown relationships’.

A significant proportion of transitions were between intra-familial and extra-familial relationships. The most common offender–victim relationship transition was between family members and non-family members who had another type of relationship (ie the offender and victim knew one another). Between 14 and 20 percent of alleged offenders (in states other than Western Australia) committed their first repeat offence against a family member, having previously offended against someone who was not a family member but was known to them. Between 10 and 16 percent of alleged offenders (excluding Western Australia) committed their first repeat offence against a non-family member who was known to them, having previously offended against a family member. Eight percent of alleged offenders in Queensland and 14 percent of alleged offenders in Victoria committed a sexual offence against a stranger after previously offending against someone they knew. Conversely, eight percent of alleged offenders in Queensland and four percent of alleged offenders in Victoria committed a sexual offence against a family member or someone else known to them after previously offending against a stranger.

Table 18: Offender–victim relationship in most recent prior incident and first repeat incident, New South Wales (%)

		First repeat incident				(n)
		Family member	Non-family member	Stranger	Unknown	
Most recent prior incident	Family member	27.1	16.3	0.5	3.8	361
	Non-family member	13.7	20.6	0.5	4.2	296
	Stranger	0.8	1.1	0.8	0.1	21
	Unknown	5.7	3.6	0.5	0.7	79
	(n)	358	314	18	67	757

Note: Shaded cells indicate there was no change in the offender–victim relationship between incidents. Percentages may not total 100 due to rounding

Source: New South Wales Police Force [data file]

Table 19: Offender–victim relationship in most recent prior incident and first repeat incident, Queensland (%)

		First repeat incident				
		Family member	Non-family member	Stranger	Unknown	(n)
Most recent prior incident	Family member	13.9	9.9	2.8	5.6	81
	Non-family member	15.1	17.5	5.6	6.0	111
	Stranger	1.2	6.4	3.6	2.0	33
	Unknown	4.4	3.6	2.0	0.8	27
	(n)	87	94	35	36	252

Note: Shaded cells indicate there was no change in the offender–victim relationship between incidents. Percentages may not total 100 due to rounding

Source: Queensland Police Service [data file]

Table 20: Offender–victim relationship in most recent prior incident and first repeat incident, Victoria (%)

		First repeat incident				
		Family member	Non-family member	Stranger	Unknown	(n)
Most recent prior incident	Family member	12.3	11.6	2.1	0.7	39
	Non-family member	19.9	18.5	11.6	2.1	76
	Stranger	2.1	2.1	6.9	3.4	21
	Unknown	–	1.4	5.5	–	10
	(n)	50	49	38	9	146

Note: Shaded cells indicate there was no change in the offender–victim relationship between incidents. Percentages may not total 100 due to rounding

Source: Victoria Police [data file]

Table 21: Offender–victim relationship in most recent prior incident and first repeat incident, Western Australia (%)

		First repeat incident				
		Family member	Non-family member	Stranger	Unknown	(n)
Most recent prior incident	Family member	7.1	2.9	–	7.1	12
	Non-family member	7.1	20.0	–	8.6	25
	Stranger	–	–	–	–	–
	Unknown	1.4	17.1	–	28.6	33
	(n)	11	28	–	31	70

Note: Shaded cells indicate there was no change in the offender–victim relationship between incidents. Percentages may not total 100 due to rounding

Source: Western Australia Police Force [data file]

Overall versatility

Our final measure aims to present an overall measure of versatility in child sexual assault offending among alleged recidivist offenders. We do this by drawing together multiple indicators of offending transitions between the most recent prior incident and the first repeat incident for alleged offenders with a prior history of child sexual assault offending:

- transitions from male to female victims, or vice versa;
- transitions to a victim more than three years older or younger than their previous victim; and
- transitions between the major relationship categories (family member, non-family member and stranger).

Individuals were excluded if they were missing data on all three indicators.

In New South Wales, Queensland and Victoria, the results were remarkably consistent. Between 39 and 42 percent of alleged offenders had one transition, between 20 and 23 percent had two transitions, and between six and nine percent transitioned on all three indicators (Figure 6). Overall, between 68 and 70 percent of alleged offenders transitioned on at least one indicator, indicating a high degree of overall versatility. In Western Australia, around half of all alleged offenders had at least one transition (49%); however, the significant amount of missing data on victim gender and offender–victim relationship likely underestimates the extent of offence transitions.

Figure 6: Offending transitions, by jurisdiction (%)



Note: Excludes 4 offenders from Victoria and 2 offenders from Western Australia of unknown age

Source: New South Wales Police Force, Queensland Police Service, Victoria Police and Western Australia Police Force [data file]

Discussion

This study has described the offending patterns of a sample of alleged recidivist child sexual assault offenders from four states—New South Wales, Queensland, Victoria and Western Australia. This is a group that attracts a significant amount of attention, including in the media and among policymakers, law makers and law enforcement, both because of the harm caused to multiple victims and also because of the potential to intervene to prevent further offences being committed by offenders already known to the criminal justice system.

The offenders in this study accounted for a small proportion of all offenders reported to or proceeded against by police for child sexual offences. This finding is consistent with (though not directly comparable with) findings from Australian and overseas research with respect to the prevalence of recidivism among child sexual offenders (Dowling et al. 2021; Dowling, Morgan & Pooley 2021; Hanson & Bussière 1998; Hanson & Morton-Bourgon 2005). These studies consistently show a small proportion of child sexual offenders commit further recorded offences. That is not to downplay the harm caused by this small group of offenders. Indeed, it is possible that the true recidivism rate is much higher, on account of the hidden figure of unrecorded child sexual offending. We expect the true number of recidivist child sexual assault offenders, and their victims, to be higher than captured by police data. But the priority should remain trying to prevent child sexual abuse from occurring in the first place, rather than responding to the relatively small proportion of persistent offenders after they have already harmed victims.

Overall, the findings were remarkably consistent across the four states, and most of the differences can be explained by differences between samples, counting rules and data availability. A number of patterns emerged with respect to the characteristics of alleged recidivist offenders and their victims, and incidents of child sexual assault involving recidivist offenders. The variability in these results reflects the heterogeneity that exists among child sexual offenders (Richards 2011; Robertiello & Terry 2007).

Consistent with prior research (Fischer & McDonald 1998; McKillop et al. 2015), extra-familial offenders targeted older victims. It has been suggested that extra-familial child sexual offending may indicate a greater willingness to circumvent legal and practical barriers and a stronger sexual desire for children (Dowling, Morgan & Pooley 2021). The opportunities for offending are also likely to be quite different inside and outside the family (McKillop et al. 2015).

In three states, Aboriginal and Torres Strait Islander people were significantly over-represented among the sample of alleged recidivist offenders. There are important contextual differences between the sexual offences committed by Aboriginal and Torres Strait Islander perpetrators and non-Indigenous perpetrators (Molnar et al. 2021), which may impact on the type of response that is likely to be most effective.

The majority of child sexual assault incidents involving an alleged recidivist offender occurred in a residential setting and involved someone known to the offender, most often an acquaintance or relative. This is someone who is likely known to and trusted by the victim (Smallbone & Wortley 2001). This is true even in among those offenders who had been proceeded against by police (in Queensland, Victoria and Western Australia). This is a somewhat surprising finding, as it suggests that even after contact with the criminal justice system these alleged offenders had access to children known to them. While we know that almost all of the victims were new victims (ie they had not been a victim of the offender in the prior history period), suggesting that alleged offenders no longer had access to their prior victims, we know little about the circumstances of the offences. We do know that offenders and victims who knew each other were most likely to be acquaintances, implying that there was a limited relationship between them and that the victim (and the parents and guardians of the child) were possibly unaware of the alleged offender's prior history.

The number of incidents that occurred outside of residential settings was low. Many of these still involved an offender and victim who knew each other. That a small number of offences occurred over a five-year period highlights the relative rarity of child sexual assault offences involving a recidivist offender occurring in a public setting, particularly offences targeting a stranger. These offences most often occurred in open spaces, on streets and footpaths.

The sample included alleged offenders with a history of any child sexual offending, including contact and non-contact offences. Between four and 17 percent of alleged offenders in the sample had transitioned from non-contact to contact offences, indicating some level of escalation in their offending (though we note that non-contact offences are still harmful to victims). The vast majority had prior child sexual assault offences. The low rate of escalation in offending is consistent with prior research (Dowling et al. 2021; Krone & Smith 2017).

However, offenders with both contact and non-contact offences were associated with more serious offending. There was evidence that offenders with a recent or prior history of contact and non-contact offences were more likely to commit offences against multiple victims and be involved in multiple incidents during the reference period. This is consistent with the findings of past meta-analyses, suggesting that these mixed offenders are a particularly high-risk group, including being the most paedophilic of child sexual offenders (Babchishin, Hanson & VanZuylen 2015).

The results show a willingness among some child sexual offenders to engage in a diverse range of sexual offences. This includes offenders who transition between contact and non-contact offences. There was a very similar proportion of alleged offenders in each jurisdiction who had also committed sexual offences against older victims (16 years and over). Non-sexual offending was also very common in the sample. This finding is consistent with research into the criminal careers of child sexual offenders (Wortley & Smallbone 2014).

The proportion of alleged offenders who had failed to comply with their reporting requirements (whether separate to or in the course of their reoffending) is also notable, especially since not all of the offenders in the sample would have been subject to monitoring and supervision. This, coupled with evidence of diverse offending patterns, reflects a general antisocial disposition and pattern of non-conformist behaviour.

As expected, there was evidence that recidivist offenders responded to their contact with the criminal justice system, and consequent changes in opportunities to offend, by adapting their offending behaviour. Almost all of the offenders targeted a new victim. There was evidence of transition to other victim profiles: between 17 and 25 percent transitioned between male and female victims (or vice versa), and between 38 and 45 percent targeted victims who were more than three years younger or older than their previous victim. Relationship transitions were also relatively common, with between 33 and 49 percent of recidivist offenders moving between one of the major categories—most commonly moving between a family member and another known person (or vice versa). Certainly, there was considerably more switching between extra-familial and intra-familial victims between the most recent prior incident and first repeat incident than there was within the reference period.

Overall, the majority of recidivist child sexual assault offenders in this sample were versatile in their child sexual offending. Drawing on routine activity theory, the high prevalence of versatility indicates that these are persistent, motivated offenders who are willing to adapt in order to find a suitable target to sexually offend against. The apparent trend towards targeting older victims, for example, may be a consequence of the fact that contextual factors change according to the age of the victim (McKillop et al. 2015). Similarly, the targeting of acquaintances and more distant relatives may be a consequence of having limited access to immediate family in the aftermath of contact with the criminal justice system. It is not possible to determine from these data whether these are ‘predatory’ or ‘opportunistic’ offenders, according to Wortley and Smallbone’s (2006) typology, and therefore whether they manipulate situations to create opportunities to offend or exploit opportunities that are presented to them (though it is likely that most of their offending is opportunistic). Nevertheless, that these offenders are highly adaptive reflects the significant challenge associated with preventing their offending behaviour, but also demonstrates the potential application of situational prevention strategies (Wortley & Smallbone 2006). Understanding the role of opportunity, and considering the potential intervention options for recidivist offenders, offers a promising avenue of investigation. The analysis presented in this paper offers new insights to inform discussions on how to respond to recidivist child sexual assault offenders by reducing their opportunity to offend. This may include more conventional options such as supervision and monitoring (Napier et al. 2018), coupled with effective offender-focused interventions such as treatment, particularly community-based options (Clarke, Brown & Völlm 2017; Gannon et al. 2019; Schmucker & Lösel 2015). But it also requires looking beyond court-imposed punitive or rehabilitative responses to prevent repeat offending by recidivist child sexual assault offenders.

Many—potentially the majority—of alleged offenders who were included in this study are unlikely to have been charged with and convicted of the offences in their prior history. We know this from recent data on the attrition of sexual violence cases in Victoria (Bright et al. 2021) and New South Wales (Bureau of Crime Statistics and Research 2021b). Around two-thirds of the alleged offenders in the Victorian sample were charged with at least one offence in each period. Recent Victorian research suggests that only around two-thirds of these incidents would have been proven in court (ie around 40% of all incidents; Bright et al. 2021). The difference in the size of the sample from New South Wales—which was not limited to offenders proceeded against—and those of other states, relative to their population share, reflects the attrition that occurs between incidents being reported and police proceeding against the offender (primarily by way of arrest or summons). This attrition has important implications for the types of measures that might be effective in preventing repeat child sexual offences among the alleged offenders in this study.

Using recorded offence data limits our ability to paint a detailed picture of the role of opportunity in the commission of child sexual offences by individuals who have a prior recorded history of child sexual offending. While there were data on the relationships between offenders and victims, we do not know the precise nature of these relationships, or how the offender came into contact with their victim. We know relatively little about the characteristics of the locations in which offences took place—for example, while a significant proportion of incidents took place in someone’s home, we have no way of knowing whose home it was. Further, there is no information on the presence of other parties at an incident, and what role they may have played, or did not play, as capable guardians. While research has helped us better understand the role of opportunity and context in child sexual offending, there is a need for more detailed analysis focused specifically on recidivist offenders, including how they adapt their offending in response to contact with the criminal justice system, the steps they take to avoid monitoring and evade detection, and how they target new victims. This will help inform the development of more effective, nuanced responses to this high-risk group.

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URLs correct as at March 2022

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