

***Managing the Risk of
Sexual Assault and Other
Child Maltreatment
in Organisations***

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Managing the Risk of Sexual Assault and other forms of Child Maltreatment in Organisations

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Presentation on 2 June 2009 at LegalWise Seminar (Sydney):

“Dealing with sexual assault cases in schools, churches & youth organisations”



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Presentation Overview

Identifying risk factors - and developing strategies for prevention of child maltreatment in organisations relies on understanding:

- ◆ Child protection policy in Australian
- ◆ Sexual assault in Australia
- ◆ Organisational Responses
 - Screening
 - Managing situational risks
 - Creating positive cultures
- ◆ Case study: Child Sexual Abuse and Church Organisations (Higgins, 2001)



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What does sexual assault include?

Sexual violence / unwanted sexual behaviour:

- Sexual harassment
- Sexualised bullying
- Unwanted kissing and sexual touching
- Sexual pressure and coercion
- Sexual assault (including rape, indecent assault, forced sexual activity)
- Sexual abuse (refers to activity between a child and an older or more powerful person)



Prevalence of sexual assault among young people

Rates of sexual assault vary, depending on the sample and methodology of the studies, but show it is frequent:

- ◆ National Crime Prevention (2001) study *Young People and Domestic Violence* showed that 14% of females and 3% of males aged 12-20 experienced rape/sexual assault.
- ◆ Nationally, the *Personal Safety Survey* (ABS, 2006) showed that nearly 1 million adult women reported that they had experienced sexual abuse before the age of 15 (= 19.1% of women and 5.5% of men).
- ◆ The 2002 International Violence Against Women Survey included Australian data showing that 18% of women reported having experienced sexual abuse before the age of 16.



Who are the perpetrators of sexual assault?

Beyond “stranger danger”:

- Personal Safety Survey shows that strangers were identified as the perpetrator by 8.6% of females and 18.3% of males who experienced sexual assault:

	Female	Male
Father / step-father	16.5%	5%
Other relative	35.1%	16.4%
Family friend	16.5%	15.6%
Acquaintance / neighbour	15.4%	16.2%
Other known person	11%	27.3%
Stranger	8.6%	18.3%



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PSS (ABS, 2006)



Child Protection in Australia:
A national snapshot of abuse

Child Protection Policy in Australia

Investigating and responding to allegations of harm to children:

- responsibility of each of the 8 states/territories
- massive increases in the workload of departments over the past decade (notifications have tripled)
- has been largely focused on risk-assessments, and forensically driven
- emerging trends towards differential approaches to family support
- child sexual abuse only a small part of the work



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Child abuse and neglect data

- No prevalence data in Australia
- A UK study surveyed a national random probability sample of 2,869 young people aged 18-24 years and found that, of this sample of the population:
 - ◆ 21% had experienced physical abuse;
 - ◆ 11% had experienced sexual abuse (prior to the age of 16 years);
 - ◆ 6% had experienced neglect; and
 - ◆ 6% had experienced emotional abuse

Source: "Child maltreatment in the family: The experience of a national sample of young people"



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Cawson (2002)

A national snapshot of abuse

Child Protection Service Activities (AIHW 2009)

- 317,265 reports in 2007-08: (up from 107,134 in 1999-2000)
- 55,100 reports were subsequently found to involve children in need of protection (i.e., 17.4% of notifications 'substantiated')
- 31,116 children in out-of-home care (at 30 June 2008)
- Indigenous children over-represented
- Sexual abuse comprises 11.4% of substantiations in NSW (varies by jurisdiction)

These numbers have increased, whether they are considered:

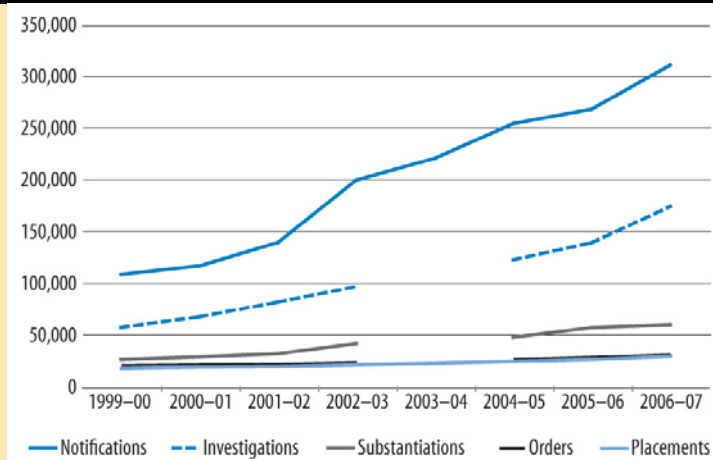
- in absolute terms, or
- in rates per 1000



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AIHW, 2009

Headline statutory child protection activity for 1999-00 to 2006-07



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Holzer (2008), based on AIHW (2008)
NB: Data for NSW missing for 2003-04

Child sexual abuse underreporting

- Differences between prevalence data and admin data from child protection departments:
 - ◆ Recent review of prevalence studies in the *Lancet* showed that sexual abuse is experienced by 15-30% of girls and 5-15% of boys (Gilbert et al., 2009)
 - ◆ 0.7% of the population of Australian children aged 0-16 have a concern about child abuse/neglect made to the department that is substantiated (Hayes, 2008)
 - ◆ Of these substantiations, the most serious abuse type was sexual abuse for each jurisdiction ranged from 3.2% (ACT) to 18.4% (WA), with NSW (10.6%), VIC (6.9%) and Qld (6.3%) in the middle (i.e., about 1 in 10 notifications are about sexual abuse)



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What's the discrepancy?

Child Protection Service Activities (AIHW 2009)

- 317,265 notifications (for all types of suspected harm)
- 55,100 substantiations, involving 32,585 children
- 0.7% of the populations aged 0-16 years

Retrospective reports:

- Between 6-21% experience each type of child maltreatment (remember overlap)
- Up to 1 in 6 males (16%), and 1 in 4 (25%) females report a childhood experience of sexual abuse

Why the discrepancy?



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Hayes, 2008

Under-reporting and barriers to disclosure

Many instances of harm do not come to the attention of authorities

- Parents/caregivers are often the source of harm, and the abuse remains hidden within the family
- Where the abuse is extrafamilial (particularly sexual abuse), parents may be unaware that the child has been abused

Barriers to disclosure (particularly for sexual abuse):

- Relationship between victim and perpetrator
- Fear of not being believed / expected response from authorities
- Shame; cultural/religious factors and other values of families and communities
- Concerns about impact of disclosure on significant others
- Lack of recognition of the experience as abuse
- Gender stereotypes



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Historical context of the extent of child maltreatment in organisations

- Bringing Them Home - focused on Aboriginal and Torres Strait Islander Children - the *Stolen Generations* (HREOC, 1997)
- Lost Innocents - focused on child migrants (Senate Community Affairs Committee, 2001)
- Forgotten Australians - children in Institutional or foster Care from the 1920s to the 1970s (Senate Inquiry, 2004)
- Protecting Vulnerable Children (Senate Community Affairs Committee, 2005)



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PSS (ABS, 2006)



Overview

1. **Screening for known perpetrators**
 - ◆ Preventing infiltration - national overview of working with children checks
2. **Managing situational risks**
 - ◆ Overview of research on risk factors, and strategies for prevention
3. **Creating positive cultures**
 - ◆ Clarifying unacceptable behaviour
 - ◆ Encouraging disclosures
 - ◆ Involving police and child protection authorities



Working with Children Checks

Pre-employment screening issues are addressed in the National Child Protection Clearinghouse's Resource Sheet 13 (Berlyn, Holzer, & Higgins, 2009):

<http://www.aifs.gov.au/nch/pubs/sheets/rs13/rs13.html>

- Understanding your obligations (e.g., in NSW, employers are prohibited from employing someone in a child-related occupation who does not have a "Working with Children Check")
- Understanding what a WWCC covers
- Recognising the limitations of police checks and WWCC - most child sex offenders do not have criminal records. Having all staff vetted through a WWCC is the first chapter in the book, not the final chapter.
- Next steps: Creating child safe organisations through policies, monitoring and ongoing actions.

(Berlyn et al., 2009)



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Mandatory reporting: child sexual abuse

Mandatory reporting is the legal requirement to report suspected cases of abuse/neglect to the relevant child protection department (and/or police)

Mandatory Reporting laws differ depending on which state/territory you live, and about what type of abuse/harm/risk of harm there is a concern.

- ◆ in all Australian state/territories, sexual abuse (along with physical abuse) is the abuse type about which it is mandatory for some people to report concerns but...
- ◆ the categories of people who are so required varies (e.g., in QLD: a doctor, nurse, departmental employee, or the Commissioner for Children and Young People)
- ◆ the situations in which the sexual abuse occurred also determines whether or not a notification is mandatory (e.g., in WA, sexual abuse has to be reported by child care or after-hours school workers, but it is limited to abuse occurring in the care setting).



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Mandatory reporting: child sexual abuse

In NSW:

- ◆ All paid workers providing services to children (e.g., health, education, welfare, law enforcement, residential or children's services, etc.) must report sexual abuse where:
 - there are reasonable grounds to suspect that a child is at risk of harm; and
 - those grounds arise during the course of or from the person's work



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Risk Factors for Child Sexual Abuse

Characteristics of children may increase their vulnerability to sexual abuse:

- Age (middle childhood and around puberty: 8-13)
- Gender (female)
- Previous experience of child maltreatment (physical or emotional abuse, neglect, family violence)
- Child disability
- Level of assertiveness
- Social and structural disadvantage (can include single parents; some Indigenous communities)
- Family dysfunction and parent characteristics (parenting skills, mental health, drug/alcohol issues)

Characteristics of Offenders:

- Gender (male) - but women can also offend sexually
- Problems such as substance abuse
- Prior history of abuse (though 'victim-to-offender' cycle is not determinative, and problematic)
- Personality characteristics (charming, but deviant attitudes)
- Engage in 'grooming' behaviour - desensitising a child/young person

(social status and sexual orientation of offenders are myths that are not supported by the research)

(Irenyi, Bromfield, Beyer & Higgins, 2006)



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Creating Safe Environments

Safe environments = positive organisational cultures:

1. Clarifying unacceptable behaviour
2. Encouraging disclosure
3. Involving police and child protection authorities



Situational Crime Prevention

Based on the premise that under the right circumstances, anyone could offend (e.g., Stanley Milgram's social psychology experiments on obedience to authority published in 1963 emphasised the power of the situation). Situational crime prevention approaches:

- Address the limits of both pre-employment and ongoing screening/suitability assessments
- Focus on creating safe *environments* rather than safe *individuals*
- Have been successfully applied to reducing a range of criminal behaviours

Key focus is on *opportunity reduction*.

- Making crime more risky
- Making crime more effortful
- Reducing rewards
- Removing excuses
- Preventing - and not tolerating - potential 'grooming' behaviour

(Irenyi, Bromfield, Beyer & Higgins, 2006)



Whole-of-organisation approaches

Schools, churches and youth organisations can best prevent and respond to sexual assault of young people by:

- Promoting respectful relationships
- Creating physically safe environment
- Creating emotionally safe environment that facilitates disclosures, responds appropriately to disclosures, and provides a supportive/therapeutic context for victim/survivors

Taking a whole-of-organisation approach not only that individual disclosures are responded to appropriately, and that there is effective leadership across the organisation on these issues. It is also aided by:

- Agreed definitions of sexual assault
- Statement about the consequences of offending
- Clear, published policies and procedures that are victim-centred (with regular training, review, monitoring & evaluation)
- Prevention programs for students, teachers & families
- Education on the long-term impacts of sexual assault

(Quadara, 2008)



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National Safe Schools Framework

- Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA) - Student Learning and Support Services Taskforce:

"Promoting and providing a supportive learning environment in which all students can expect to feel safe"

Specific focus on whole-of-school approaches to:

- minimising bullying, harassment and violence; and
- providing support students on issues related to child abuse and neglect.

www.mceetya.edu.au/verve/_resources/natsafeschools_file.pdf

(MCEETYA, 2003)



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National Safe Schools Framework

As with bullying, effective strategies for school responses to child abuse include:

- Professional development training and resources for staff
- Specific policies based on consultation with parents and students
- Use of curriculum activities to develop knowledge, attitudes and skills
- Empowering students/young people
- Clarifying roles for teachers/carers (e.g., re: responsibility for supervision; reporting concerns or disclosures, etc.)
- Addressing cases that arise
- Documenting and evaluating responses to cases that have arisen
- Effective counselling and social support for victims
- Collaboration with relevant external agencies

www.mceetya.edu.au/verve/_resources/natsafeschools_file.pdf



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Resources for Creating Child-Safe Organisations

Two help sheets on organisational issues:

<http://www.aifs.gov.au/nch/pubs/newsletters/nl2005/winter.html#tr>

<http://www.aifs.gov.au/nch/pubs/newsletters/nl2006/summer.html#tr>

- Induction programs - defining acceptable behaviour
- Reinforced by ongoing Professional development for staff
- Supervision, mentoring and accountability for staff
- Understanding mandatory reporting obligations
- Develop/update your child abuse policies, procedures and standards (see The Australian Council for Children and Youth Organisations - ACCYO)



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Facilitating Disclosure

Disclosure is the *process* of telling someone about an incident of sexual assault. Could be referring to disclosure of a range of offences such as:

- Between peers at school/organisation
- Between peers outside of school/organisation
- At home - by a family member (sibling/parent/other); neighbour; acquaintance
- In another context - by a known or unknown offender
- Physical sexual assault, unwanted requests, as well as a range of offences online or using digital media (including images, 'sexting', bullying, etc.)

"Disclosure was not always a conscious decision or planned action and not all survivors had a clear objective in disclosing. Those who did were primarily motivated by the need for safety, protection and support; not wanting to be along; or were seeking information to help them clarify their understandings about the nature of the assault." (Lievore, 2003, p. v; cited in Quadara, 2008, p. 3)



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Barriers to Disclosure

Disclosure is a complex issue.

Factors that can act as a barrier to young person disclosing sexual assault:

- Relationship between victim and perpetrator
- Fear of not being believed or being blamed for the assault
- Cultural factors and values
- Concerns about how disclosure will impact on significant others
- Expectations and attitudes about what is "normal" for young men and women in heterosexual relationships
- Being a male victim/survivor - clash with gendered expectations of masculinity, and fear of being labelled "gay"

Quadara, 2008



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Case Study: Child Sexual Abuse and the Church

Analysis by Higgins (2001) of case characteristics of child sexual abuse that occurred in the context of a church congregation highlighted the following organisational factors:

- Minimisation and denial of initial allegation (misunderstanding of difference between consensual peer sex and child sexual abuse)
- Failure to encourage victim to report to police (absence of policy)
- Inappropriate response to legal actions (again, absence of policy)
- Patriarchal sex-role beliefs, doctrines and practices
- Failure to provide appropriate and separate support for both the victim and alleged perpetrator (including accountability)
- Poor (polarised) leadership

Higgins, 2001



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Summary: Key strategies for managing risk

- Pre-employment screening and ongoing suitability assessment
- Minimising situational risks by limiting opportunities (recognising that any person can perpetrate child abuse, though some people are higher risk)
- Appropriate, articulated, and supported policies and procedures regarding:
 - Signs of abuse (recognise risk factors/vulnerability of some children; grooming behaviours of perpetrators, etc.)
 - Responding to disclosures
 - Training
 - Ongoing support
- Positive organisational culture (child-friendly; transparent; respectful)
- Implement specific prevention programs

Irenyi et al., 2006



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Relevant Clearinghouses at AIFS

National Child Protection Clearinghouse (NCPC)

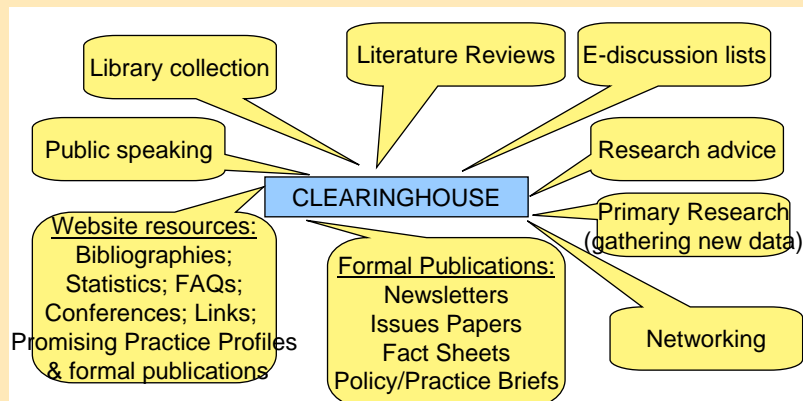
- Preventing and responding to child abuse and neglect
- www.aifs.gov.au/nch

Australian Centre for the Study of Sexual Assault (ACSSA)

- Preventing and responding to sexual assault of adults
- www.aifs.gov.au/acssa



What does a Clearinghouse do?



Clearinghouse publications



Working with Indigenous survivors of sexual assault

DIANNE COLE

When I was approached to write this, I had intended to be able to write to an audience that would not only have the personal history of the past three and a half years, those worked closely with Indigenous and of colour women in the Aboriginal Legal Office for the first 10 years of the National Women's Health and Counselling Centre, a specialist service for Indigenous women, and initially in the partnership with the Project Runway of the National Women's Health and Counselling Centre, a specialist service for Indigenous women, and initially in the partnership with the Project Runway of the National Women's Health and Counselling Centre, a specialist service for Indigenous women...



Enhancing family and relationship service accessibility and delivery to culturally and linguistically diverse families in Australia

Priscilla Sawler and Ben Katz

I. Introduction and background

For the past decade, we have seen a steady increase in the number of culturally and linguistically diverse (CALD) families in Australia. This increase is due to a combination of factors, including migration, international trade, and the globalisation of the economy. As a result, there is a growing need for family and relationship services that are accessible and effective for these families. This paper discusses the challenges faced by CALD families in accessing these services and offers recommendations for service providers to improve accessibility and delivery.



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