

# POSITION PAPER

## Child Sexual Assault vs Child Abuse and Neglect



Originally published: 2012

Last updated: November 2017

## About the Authors

**Carol Ronken** worked as a researcher and Associate Lecturer at Griffith University in the School of Criminology and Criminal Justice before joining Bravehearts in May 2003. With a BA(Psych) and Masters Applied Sociology(Social Research), Carol is the Director of Research for Bravehearts and is passionate about ensuring the organisation's active involvement in research, policy and legislative development that aims to prevent, respond to, and ultimately reduce the incidence of child sexual assault in the community. In 2011 she received an award from the Queensland Police Service Child Protection and Investigation Unit for her contribution to child protection. Carol has also co-authored *The Bravehearts Toolbox for Practitioners working with Child Sexual Assault* (Australian Academic Press, 2011).

Carol is a member of the Australian and New Zealand Society of Criminology, the International Society for the Prevention of Child Abuse and Neglect, and the Child Protection Practitioners Association of Queensland. She sits on the Federal e-Safety Commissioner's Online Safety Consultative Working Group, the Queensland Victim Services Interagency Organisation Network, the Queensland Child Protection Advocates Group and Twitter's Trust and Safety Council.

In January 2017, Carol accepted a three year position as a Visiting Fellow in the School of Justice, Faculty of Law, at Queensland University of Technology.

**Hetty Johnston AM, GAICD** is Founder and Executive Chair of Bravehearts Foundation Ltd, established in 1997, Australia's leading child protection advocate. A born lobbyist, Hetty is a woman of passion and determination who has succeeded in highlighting the crime of paedophilia and child sexual assault to media, families, schools and the general community both nationally and internationally.

Hetty's most recent accolades include: 2016 inducted into Australian Businesswomen's '*Hall of Fame*'; 2015 Queensland Australian of the Year; and 2014 Awarded Member of the Order of Australia (AM).

Hetty has been recognised for her outstanding contributions to child protection with numerous awards and nominations over her career since 1996. In 2013 Hetty was awarded Ernst & Young Northern Australia's *Social Entrepreneur of the year*, Westpac's 2013 '*100 Women of Influence*' and YWCA Queensland's '*125 Leading Women*'. She was awarded a *Paul Harris Fellowship* in 2010 and is a *Fellow of the Australian Institute of Community Practice and Governance* (March 2010). In early 2009, Hetty was recognised as one of approximately 70 outstanding leaders worldwide, receiving the prestigious annual *Toastmasters International Communication and Leadership Award*. Hetty is the recipient of two *Australian Lawyers Alliance Civil Justice Awards* (2003, 2004).

Hetty works with government and non-government agencies on legislative reform, submissions, lobbying and research to improve child protection and political accountability in Australia.

Bravehearts Foundation Limited  
ABN: 41 496 913 890 ACN: 607 315 917  
PO Box 575, Arundel BC, Qld 4214  
Phone 07 5552 3000 Email [research@bravehearts.org.au](mailto:research@bravehearts.org.au)  
Information & Support Line 1800 272 831  
[bravehearts.org.au](http://bravehearts.org.au)

© 2017 Bravehearts Foundation Ltd

# About Bravehearts

Bravehearts has been actively contributing to the provision of child sexual assault services throughout Australia since 1997. As the first and largest registered charity specifically and holistically dedicated to addressing this issue in Australia, Bravehearts exists to protect Australian children against sexual harm.

## Our Mission

To prevent child sexual assault in our society.

## Our Vision

To make Australia the safest place in the world to raise a child.

## Our Guiding Principles

To, at all times, tenaciously pursue our Mission without fear, favour or compromise and to continually ensure that the best interests, human rights and protection of the child are placed before all other considerations.

## Our Guiding Values

To at all times, do all things to serve our Mission with uncompromising integrity, respect, energy and empathy ensuring fairness, justice, and hope for all children and those who protect them.

## The 3 Piers to Prevention

The work of Bravehearts is based on *3 Piers to Prevention: Educate, Empower, Protect* - Solid Foundations to Make Australia the safest place in the world to raise a child. The 3 Piers are:

**Educate** Education for children and young people

**Empower** Specialist counselling and support

Training for adults, professionals, business and community

Risk Management 'ChildPlace Health & Safety' Services

Community engagement and awareness

**Protect** Lobbying & Legislative Reform

Research

# Abstract

Bravehearts believes that the offences of child abuse and neglect are different in nature, motivation and victimisation than offences of child sexual assault and that while both are incredibly traumatic for children, their differences dictate they should be addressed separately.

# Table of Contents

Taking Child Sexual Assault ‘Out of the Pot’ ..... 7

Terminology..... 7

Differences in Offending ..... 7

Definitions..... 8

Other Relevant Facts..... 9



# Taking Child Sexual Assault ‘Out of the Pot’

Bravehearts believes that the issue of child sexual assault and those of child abuse and neglect are discernibly different and require discernibly different responses. This view is borne out by the increasing number of reports, conferences and studies that deal exclusively with the issue child sexual assault in isolation of ‘child abuse and neglect’.

We do recognise the equally damaging effects of child abuse and neglect but we believe that bundling ‘child sexual assault’ in the suite of matters referred to collectively as ‘child abuse and neglect’ is actually harming efforts to prevent child sexual assault. We believe this occurs in many areas including that of ‘child abuse’ data collection. This in turn thwarts the development of clear understanding and therefore appropriate responses to the issue.

## Terminology

- The term ‘abuse’ portrays an extension of a given right or privilege ie: discipline gone too far.
- Neglect suggests the failure to provide basic care and protection.
- Sexual assault is commonly neither of these. The only thing they have in common is that they both involve the harming of children.
- It is interesting to note that an attack against an adult is commonly referred to as an ‘assault’ but an attack against a child is more commonly referred to as ‘abuse’;
- The criminal law refers to attacks against both children and adults as ‘assaults’. It is telling to note that the Queensland Criminal Code does not include the term ‘abuse’ in its Code and does not list the term ‘abuse’ within Schedule 5 – The Codes Dictionary. Child sexual assault is the crime – not child sexual abuse.

## Differences in Offending

- 1 (a) Acts of child abuse and neglect are generally unplanned, re-active and are generally aligned with socio-economic and family dysfunction issues and are comparatively predominant in areas of social disadvantage.
- (b) Sexual assaults against children are almost always pre-meditated, involving predatory acts of grooming, manipulation, self-gratification and exploitation, and occur widely across the various socio-economic areas.
- 2 (a) Child abuse and neglect more commonly involve the infliction of pain, violence and aggressive force.

- (b) Child sexual assault more commonly involves manipulation, intimidation and unwanted sexual contact.
- 3
- (a) Child abuse and neglect are generally always perpetrated by a parent, more commonly the female, (parent is the offender in an estimated 90% of cases).
  - (b) Child sexual assault is generally:
    - Perpetrated by a male (in excess of 95% of cases).
    - More likely to be perpetrated by someone known to the child or their family (research varies but commonly finds between 80 and 85% of the time) BUT
    - Of those offenders known to the child, most commonly the offender is NOT living with the child (between 70 and 75%).
- 4
- (a) Child abuse and neglect offences are almost always intra-familial.
  - (b) Child sex assault offences are commonly extra familial as well as intra-familial.
- 5
- (a) Child abuse and neglect is a domestic issue that can involve criminality.
  - (b) Child sexual assault always involves criminality and further, involves potential for networking, official corruption and monetary motivations (as per drugs).

## Definitions

**Assault** An unlawful threat or attempt to do bodily injury to another.

The act or an instance of unlawfully threatening or attempting to injure

Eymology: Old French *assaut*, literally, attack, ultimately from Latin *assultus*, from *assilire* to leap (on), attack. **1:** the crime or tort of threatening or attempting to inflict immediate offensive physical contact or bodily harm that one has the present ability to inflict and that puts the victim in fear of such harm or contact another.

**Abuse** To use wrongly or improperly; misuse: *abuse alcohol; abuse a privilege.*

To hurt or injure by maltreatment; ill-use.

*Source: The American Heritage® Dictionary of the English Language, Fourth Edition. Copyright ©2000 by Houghton Mifflin Company. Published by Houghton Mifflin Company. All rights reserved.*

While most offenders are known to the victim and their family, most do not live in the house with the child. The father or step father being identified as the perpetrator only 13.5% of the time, other male relative 30.2% of occasions.

In matters of child abuse and neglect the offender almost always lives in the same house as the child.



Government child sexual assault prevalence statistics are heavily distorted (in the negative) by the realities of the ‘Statutory Intervention’ complexities. In most cases, child sexual assault does not attract the attention (or statistical recording) of child protection authorities because there is a parent willing and able to protect the child.

## Other Relevant Facts

Most children are abused by someone they know and trust, although boys are more likely than girls to be abused outside of the family. A study in three states found 96% of reported rape survivors under age 12 knew the attacker. Four percent of the offenders were strangers, 20% were fathers 16% were relatives and 50% were acquaintances or friends. Among women 18 or older, 12% were raped by a family member, 33% by a stranger and 55% by an acquaintance (Langan & Wolf Harlow, 1994).

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

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

Most sexual abuse of children occurs in a residence, typically that of the victim or perpetrator. 84% of sexual victimization of children under age 12 occurs in a residence. Even older children are most likely to be assaulted in a residence. 71% of sexual assaults on children age 12-17 occur in a residence (Snyder, 2000).

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

Most children are abused by someone they know and trust, although boys are more likely than girls to be abused outside of the family. A study in three states found 96 percent of reported rape survivors under age 12 knew the attacker. Four percent of the offenders were strangers, 20 percent were fathers 16 percent were relatives and 50 percent were acquaintances or friends. Among women 18 or older, 12 percent were raped by a family member, 33 percent by a stranger and 55 percent by an acquaintance (Langan & Wolf Harlow, 1994).

According to the Australian Bureau of Statistics’ (2005) Personal Safety Survey of all those who reported having been victimised sexually before the age of 15 years:

- 11.1 percent were victimised by a stranger. More commonly, child sexual abuse was perpetrated by a male relative (other than the victim's father or stepfather; 30.2%), a family friend (16.3%), an acquaintance or neighbour (15.6%), another known person (15.3%), or the father or stepfather (13.5%)
- Small proportions of victims were sexually abused by a female relative (other than the mother or stepmother; 0.9%) or by their mother or stepmother (0.8%)
- Female victims were most likely to have been abused by another male relative (35.1%), followed by their father or stepfather (16.5%), a family friend (also 16.5%), an acquaintance or neighbour (15.4%), another known person (11%) or a stranger (8.6%). Very small proportions were sexually abused by another female relative (1%) or their mother or stepmother (0.6%)
- Male victims were most likely to be sexually abused by another known person (27.3%), followed by a stranger (18.3%), another male relative (16.4%), an acquaintance or neighbour (16.2%), or a family friend (15.6%). Small proportions were sexually abused by their father or stepfather (5%)

Bravehearts believes that the offences of child abuse and neglect are different in nature, motivation and victimisation than offences of child sexual assault and that while both are incredibly traumatic for children, their differences dictate they should be addressed separately.



