

## OUTLINE OF EVIDENCE

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### 1. DEFINITIONS: CHILD SEXUAL ABUSE AND CHILD SEXUAL EXPLOITATION

- There is a distinction between sexual abuse and sexual assault, but it is more of a legal distinction.
- The World Health Organization defines child sexual abuse as “the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violates the laws or social taboos of society. Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person.” (WHO Report of the Consultation on Child Abuse Prevention (1999), p. 15-16)
- This may include but is not limited to the inducement or coercion of a child to engage in any unlawful sexual activity, the exploitative use of a child in prostitution or other sexual practices, and the exploitative use of children in pornographic performances and materials.
- The term “sexual abuse” is often used to emphasize the emotional relationship between the child victim and the sexual exploiter, often within the context of families or someone close to the child in the community.
- Intra-familial abuse refers to the situation in which the sexual exploiter has a familial relationship with the child victim, whether or not the sexual exploiter lives with the child victim or is a member of the child victim’s extended family. Extra-familial abuse refers to the situation in which the sexual exploiter is not related to the victim. Typically, however, in cases of extra-familial abuse, the child victim knows the sexual exploiter.
- Child sexual exploitation is a more generic term, which also includes sex trade and commercial exploitation.
- Physical forms of sexual exploitation include touching and fondling of the sexual parts of the child's body, or the child's touching the sexual parts of a partner's body; sexual kissing embraces; penetration, which includes penile, digital, and object penetration of the vagina, mouth, or anus; masturbating a child or forcing the child to masturbate the perpetrator.

- Verbal sexual abuse may include sexual language that is inappropriate for the child, including making lewd comments about the child's body making obscene phone calls.
  - Exhibitionism and voyeurism include having a child pose, undress, or perform in a sexual fashion on film or in person; peeking in bathrooms or bedrooms to spy on the child; exposing children to adults sexual activity or pornographic movies and photographs.
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## **2. TYPES AND PREVALENCE OF CHILD SEXUAL ABUSE**

### **i) Hebephilia and pedophilia**

- Hebephilia: attraction to children who have reached puberty or are in the early stages of adolescence.
- Pedophilia: attraction to children who have not reached puberty (DSM-IV-TR; American Psychiatric Association, 2000)
- *Exclusive* pedophiles are men who can have sex only with children
- *Nonexclusive* pedophiles comprise those men who are capable of having age-appropriate sexual relations, but fantasize about sexual contact with children.
- Homosexuality: refers to sexual orientation, i.e., attraction to someone of same sex. No causal relationship to pedophilia/hebephilia.
- Pedophiles and hebephiles are comprised of both hetero- and homosexual individuals, with no distortion in prevalence.
- The attraction is often the fact that it is a child and the child is accessible, not whether the person has sexual attraction to one sex or the other.

### **ii) Characteristics of child sexual abuse**

- On average: 1 in 5 women, 1 in 10 to 1 in 20 men report retrospectively that they experienced some form of sexual abuse as children. (Finkelhor, 1994; Freyd et al., 2005).
- There is little evidence of a dramatic increase.
- Most sexual abuse (about 90% or greater) is committed by men, and by persons known to the child (70 to 90%).
- The peak age of vulnerability is between 7 and 13 years.

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### 3. HOW OUR UNDERSTANDING AND AWARENESS OF SEXUAL ABUSE HAS EVOLVED

#### i) Historically

- Society's historical attitude about the sexual victimization of children can be summed up in one word: **denial** (Cooper et al., 2005; Chapter 23).
- When the sexual abuse of children first became public knowledge in the 1950s and 1960s, the primary focus was on "stranger danger." This view allowed the issue of sexual abuse of children to be described simplistically in terms of good and evil.
- Posters that epitomized this attitude were circulated, joining little girls walking home from school alone, with pictures of dirty old man hiding in the bushes. The advice to the child was simple and clear: say no, yell, and tell.
- Counter-efforts to value the rights and needs of children, and to recognize their exploitation and abuse, began to take root during the latter part of the 20<sup>th</sup> century in many developed countries, spurred by the *Convention on the Rights of the Child*
- Child abuse by family members has received the most scientific and professional attention, whereas knowledge on the impact of abuse committed by perpetrators in (non-familial) community organizations and institutions is less known.
- Prior to 1980, knowledge of such events and their aftermath was limited primarily to clinical description and experience, rather than scientifically rigorous studies.
- Over the last 25 years there have been numerous empirical studies published on this particular topic (about 20% of which specifically address the effects of sexual abuse on adult males).
- We now know that this view of the typical child molester is a myth. Child molesters can look like anyone else and are often persons we know and like.

#### ii) The difficulty in believing that persons in positions of trust or authority might be abusers

- One of the most difficult manifestations of child sexual abuse for society and professionals to face is the notion of *acquaintance molestation*.
- The fact that children are easy to lure is often used as an excuse or justification of the exploitation.
- Among other things, child sexual abuse is a *breach of trust*.

- Sexual exploitation of children may not necessarily involve any use of violence or coercion.
- Child sexual abuse typically occurs within ongoing relationships that are expected to be protective, supportive, nurturing, and trustworthy.
- Child may have close ties and/or feelings toward offender.
- Because victims have usually been carefully seduced, and often do not realize that they are victims, they repeatedly and voluntarily return to the offender.
- Child molesters sometimes use their adult authority to give them an edge in the seduction process.
- Adults with added authority, such as teachers, camp counselors, coaches, religious leaders, law enforcement officers, doctors, and judges present even greater problems in the investigation of these cases.
- Such offenders are in a better position to seduce and manipulate victims
- Historically, authority figures have been more readily believed when they deny any allegations. There is a tendency to disregard or downplay such allegations.
- The offender capitalizes on the confusion felt by the children.
- Cases involving one or more offenders and multiple child victims may be referred to as child sex rings (Cooper et al., 2005; Chapter 23).
- We are still fighting the notion that child sexual abuse can be easily distinguished between good and bad. Many of the offenders are not "bad" in all ways, and some of the child victims are not always "good" (although they are always the victim when adults and children have sex).

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#### **4. INSTITUTIONS, PROTOCOLS AND STANDARDS, AND COMMUNITY RESPONSES**

- The police are the usual investigators when the alleged perpetrator is outside the family.
- There are also a number of situations where child welfare authorities might become involved.
- It is only relatively recently that agencies, police and institutions within which abuse is alleged to have occurred, e.g. churches, residential settings, developed protocols and standards to address sexual abuse.
- The protocols and standards developed in the 1970s and 1980s by social service agencies, for example, were focused on abuse within family.

- The response of institutions such as the Church, for example, has been, until very recently, to manage these cases internally and to move the alleged offender.
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## **5. THE IMPACT OF CHILD SEXUAL ABUSE ON CHILDREN AND ADULTS**

- Sexual abuse does not affect each child in a predictable or consistent fashion, either during childhood or across the lifespan (Wekerle & Wolfe, 2003).
  - To the contrary, the psychological impact of sexual abuse depends not only on the severity and chronicity of the events themselves, but also on how such events interact with the child's individual, family, and situational characteristics.
  - Child sexual abuse increases the likelihood for subsequent interpersonal difficulties (such as relationship failures, behavioural problems, and failure in the development of self-esteem and competence), in the absence of other compensatory factors such as supportive relationships, family stability, and personal coping resources.
  - Child sexual abuse also increases the likelihood of lifetime psychopathology (MacMillan et. al. 2001).
  - The initial impact of child sexual abuse on child behaviour and development has been studied, as well as the long-term impact. Studies have also examined the particular impact of child sexual abuse on men (Wolfe, Francis, & Straatman, in press).
  - Four factors that contribute to the long-term impact of child sexual abuse (Wolfe, Jaffe, Jette, & Poisson, 2003).
    - Significance of the Institution to Society
    - Role of the Perpetrator within the Institution
    - Extent of Child Involvement/Voluntariness (e.g., Opportunities for grooming; unable to escape an abusive situation; likelihood to disclose)
    - Abuse and Post-Abuse Events
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## **6. THE DISCLOSURE PROCESS AND FALSE ALLEGATIONS**

- Challenges face children with regard to disclosure, delayed disclosure, recantations, and false allegations.
- Younger children may believe they did something wrong or bad and are afraid of getting into trouble.

- Older children may experience shame and embarrassment. Many victims not only do not disclose but also, when confronted, strongly deny it happened, even defending the offender.
  - The most common reasons that victims do not disclose are (Colton, Vanstone, & Walby, 2002; Kendall-Tackett, Williams, & Finkelhor, 1993):
    - stigma of homosexuality;
    - lack of societal understanding;
    - presence of positive feelings for the offender;
    - embarrassment or fear over the victimization; or
    - the belief that they were not really victims. *For example, if a boy does disclose abuse by a male offender, he risks significant ridicule by his peers and lack of acceptance by his family.*
  - The number of false denials is greater than the number of false allegations (Freyd et al., 2005).
  - False allegations are believed to be rare, but no official figures exist. When they do arise, they are more likely to be in the context of child custody disputes. It is important to distinguish between false allegations made by children, and false allegations made by adults. (Bow et al., 2002).
  - The number of false allegations made by adults in historical abuse cases is not known but is believed to be very low; allegations not proven in court or deemed false or inaccurate may be a result of incomplete memory or distortions and errors in memory. Although believed to be rare, allegations (true and false) may be influenced by monetary or other incentives, or poor recall of historical events (Middleton, Cromer, & Freyd, 2005).
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## **7. DIFFICULTY FOR PERSONS WORKING WITH CHILDREN**

- Social workers, health care providers, child care agencies, and other service providers have difficulty in responding to these cases.
- There may be issues of understaffing, insufficient training, or lack of resources.
- More difficult in smaller agencies and communities where the possibilities of specialization in these cases are less.
- There is no litmus test for child sexual abuse. Persons working with children must seek a careful balance between healthy awareness and caution, and

drawing over-zealous conclusions about relationships between adults and children.

- When working with adult survivors of child sexual abuse, on-going criminal or civil litigation may hinder treatment.

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## 8. IMPORTANT CONSIDERATIONS

- The preponderance of lawsuits arising from the alleged negligence of many prominent organizations that has forced the public and the criminal justice system to confront the problem of child sexual abuse in all its many forms (e.g., family member, acquaintance)
- Looking at how public institutions have responded in the past, now respond, and could better respond in the future, would be very valuable both for Cornwall and on a much broader level.
- Those working in the field need to recognize and learn to address widespread ignorance and denial, by encouraging society to address, report, and prevent the sexual victimization of children.
- The public also needs to know about the nature of abuse so that they too know how to respond.
- Sexual abuse and exploitation are less frequent in countries with the following qualities (Cooper et al., 2005, Chapter 15):
  - lack of societal understanding
  - a tradition of education for both girls and boys
  - free access to sex education
  - a high level of social control in the community
  - equality between genders
  - political and economic stability
  - a high level of social and health care services
  - efficient legislation regarding child protection
  - efficient legislation to prosecute perpetrators
  - efficient law enforcement
  - a cultural mainstream emphasizing the principles of rights of children
- Thus, broad scale efforts to reduce child sexual abuse are intertwined with efforts to improve education, resources, laws, and protection at all levels, from those directly affecting children and families, to our public and private community organizations.
- Advising children how to prevent sexual exploitation by adult acquaintances, as opposed to “strangers,” is much more complex and more difficult to implement.

- Due to the unfortunate persistence of society's preference for a stranger danger concept, and the accompanying attitudes the focus only on "unwanted" sexual activity, many children who are seduced and actively participate in the victimization feel guilty and blame themselves because they did not do what they were "supposed to do," i.e. tell and stop the abuse.
- An inquiry could be helpful to those who have already been affected and may help with awareness and prevention in the future.