



Mandatory reporting information sheet 2: harmful sexual behaviour

Findings from the [Royal Commission into Institutional Responses to Child Sexual Abuse \(2017\)](#) (Royal Commission) highlight a need for more education to assist practitioners working with children and their families to deal specifically with issues relating to harmful sexual behaviours. The Royal Commission defined 'children with harmful sexual behaviours' as children and young people under 18 years of age who have sexual behaviours that fall outside the range typically accepted as normal for a child/young person's age and level of development. Mandatory reporting of child sexual abuse drives some of the responsibilities of professionals; however, it is important to upskill professionals to enable them to differentiate developmentally appropriate sexual behaviour from harmful sexual behaviours and understand why children may engage in these behaviours (Ey, McInnes, Rigney, 2017).

It is important to note that all behaviours must be considered within the context in which they occur, including the social and cultural values and developmental age and stage (physically, psychologically, socially and cognitively) of the child or young person involved. When thinking about the level of concern sexual behaviours may warrant, it is widely accepted that these behaviours are best considered to exist upon a continuum ranging from developmentally appropriate sexual expression or exploration to serious harmful sexual behaviour.

Children who engage in harmful sexual behaviour are a diverse group. There is no one specific profile or set of characteristics of children who develop and engage in harmful sexual behaviour (Quadara et al., 2020; Royal Commission, 2017). However, research has shown that there are some trends common in children who have received interventions for harmful sexual behaviour (Royal Commission, 2017). Most children engaging in harmful sexual behaviour:

- are male
- have a history of complex trauma including child sexual abuse, physical and/or emotional abuse, or exposure to domestic violence; or have experienced family breakdown, conflict or dysfunction
- have been exposed to pornography
- have learning, cognitive and intellectual disabilities (Quadara et al., 2020; Royal Commission, 2017).

Engaging in harmful sexual behaviours can also lead to criminal charges and legal consequences for children and young people who are above the age of criminal responsibility. The age of criminal responsibility is the age at which a child is considered by law to have understood that their actions were wrong and can face criminal charges. All Australian states and territories, including Western Australia currently have this age set at 10 years old.

Children who demonstrate harmful sexual behaviours have historically been and can often be described as 'sex offenders', 'perpetrators', or 'abusers'. Such language is labelling, stigmatising and unhelpful (Royal Commission, 2017). It is important to keep the focus on the individual's behaviour as the area of concern rather than the individual. In this way, you are acknowledging that the behaviour is the problem, rather than the person, and the behaviour may be addressed through proportionate responses to the behaviour including universal education through to targeted therapeutic intervention. Children who exhibit concerning sexual behaviours are 'likely to be victims of trauma with a series of complex and intersecting therapeutic needs' (O'Brien, 2010, p. 12).

Harmful sexual behaviour prevalence

It is difficult to measure the prevalence of harmful sexual behaviours in the Australian population. This is partly due to varying definitions of what constitutes harmful sexual behaviours, but also due to the secrecy within which child sexual abuse occurs regardless of who is causing the harm. Data collection issues also make it difficult to determine how often harmful sexual behaviour occurs.

Most of the Australian data available only refer to children aged 10 years and older, as children under 10 are below the age of criminal responsibility. As a result, there is very little known about the prevalence of harmful sexual behaviours in children under 10 years of age. This is true for other countries as well. Other barriers to the collection of accurate prevalence data include a lack of:

- empirical studies
- national data
- awareness about the 'topic'
- low levels of reporting by professionals and caregivers.

Existing prevalence data indicates the occurrence of harmful sexual behaviours in the general population of children and young people is relatively rare, occurring in roughly five per cent of the Australian adolescent population. An even smaller proportion face criminal charges for sexual offences (around one per cent of the general adolescent population; Richards 2011). However, certain populations show increased rates of harmful sexual behaviours (refer Table 1).

It is unclear if the frequency of harmful sexual behaviours is increasing within Australian contexts due to the difficulty with prevalence data collection. However, the number of young people convicted of sexual assault and related offences has increased by 18 per

cent in the last decade from 1,158 convictions in 2009-10 to 1,399 convictions 2019-20 (Australian Bureau of Statistics 2021).

The Royal Commission found that 1,642 reports to police between 2010 and 2014 involved children assaulting other children with harmful sexual behaviours in institutional contexts. This figure underestimates the total number of children sexually abused by a child in institutional settings in Australia because of the high number of reports which did not record information on the age of the person carrying out the abuse.

Furthermore, one-sixth of survivors who provided information in private sessions for the Royal Commission reported child sexual abuse by another child. These survivor reports further indicate that harmful sexual behaviours may be more prevalent than the statistics show.

National data sources indicate children with harmful sexual behaviours are most often male (Royal Commission). In 2017 the University of South Australia's Australian Centre for Child Protection examined child sexual abuse in Australian institutional contexts. The Centre found that where sexual abuse had been reported to police, and the age of the perpetrator was recorded, a substantial proportion of perpetrators of institutional child sexual abuse were children or young people (ranging from 32 per cent in the Australian Capital Territory to 93 per cent in Queensland). Most victims were female, and most perpetrators were male, and abuse mostly occurred at school (Bromfield, Hirte, Octoman & Katz, 2017).

International studies support the assertion that harmful sexual behaviours in children and young people is a poorly understood issue. Despite the low frequency of these behaviours across the general population, harmful sexual behaviours by children and young people is a growing area of concern, accounting for a much higher proportion of child sexual abuse cases than those committed by adults.

Harmful sexual behaviours between siblings has devastating impacts upon family units. Unfortunately, sibling-initiated harmful sexual behaviour is the most common type of sexual abuse that occurs within families; it is twice as common as sexual abuse perpetrated by a father or stepfather. Research indicates that teenage boys (around 14-15 years) are responsible for 30 to 50 per cent of child sexual offences (ABS, 2021), with 40 per cent of these involving a biological relative. Krienert and Walsh (2011) found that the child responsible is often older than the abused child and the peak age for harmful sexual behaviours is the early teens. Sibling-initiated harmful sexual behaviours may also occur between siblings who are not biologically related, such as between step siblings, or foster siblings, or in cases of adoption.

However, harmful sexual behaviours may occur between children of any age, similar or not, and all harmful sexual behaviours requires a response proportionate to the behaviour that occurred. Stathopoulos (2012) found that sibling-initiated harmful sexual behaviours is more often described as involving coercion, violence, and sexual penetration than other

intrafamilial sexual abuse; however, it is difficult to know if these cases are simply more likely to be noticed and reported as they are unable to be ignored or denied.

Despite its prevalence, harmful sexual behaviours between siblings can be more hidden and unnoticed than other types of sexual abuse. Parents may dismiss the behaviour as normal sexual exploration, actively ignore the behaviour for fear of ramifications for the family unit and the child displaying the harmful sexual behaviour or may feel overwhelmed by the behaviour and unable to respond. The behaviours are frequently opportunistic given the proximity of siblings and chances for unsupervised moments within the family home.

Sibling-initiated harmful sexual behaviours is less likely to be disclosed than sexual abuse perpetrated by an adult (which is also often unreported, under-reported or disclosed after a significant period has passed). Many children who experience sibling sexual abuse do not tell anyone about the behaviours at the time it is occurring.

There is concern about children's harmful sexual behaviours progressing to adult sexual offending; however, evidence suggests that children who display harmful sexual behaviours (for which they are charged) are at very low risk to commit future sex offences. This is especially true if they are provided with appropriate therapeutic support (Allard et al., 2016; Chaffin et al., 2008; Laing et al., 2014; Royal Commission 2017). Australian studies exploring young people's recidivism rates for sexual offending have found that after therapeutic support, fewer than 10 per cent of people go on to display further harmful sexual behaviours (Allard et al., 2016; Laing et al., 2014).

Factors that increase the risk of harmful sexual behaviour

Harmful sexual behaviours are often influenced by a variety of risk and protective factors occurring at the individual child, family, peer, school, neighbourhood, and community levels. There is certainly no single explanation for harmful sexual behaviour; each child or young person has travelled a unique pathway of experiences and contexts to lead to their engagement in these developmentally inappropriate behaviours (Quadara et al., 2020).

Despite there being unique paths leading to the development of harmful sexual behaviours for each child, there are a range of characteristics and circumstances which heighten children and young people's vulnerability for this. These risk factors are illustrated in table 1.

Like child sexual abuse, the impacts of harmful sexual behaviours are individualised and may exist across different functional domains including behavioural, social, cognitive, emotional and physical. There are few physical indicators of sexual abuse, given that most child sexual abuse is not penetrative (Adams, Farst, & Kellogg, 2018). Review 'Mandatory Reporting Information Sheet 3' to understand the impacts of child sexual abuse.

Table 1: Factors associated with harmful sexual behaviours across socio-ecological domains

Individual	Familial	Peer Group	Institutional/ Settings	Community Level
<ul style="list-style-type: none"> • Developmental delays • Intellectual impairment • Gender • History of complex trauma • Poor impulse control • Social difficulties • Poor empathy • Substance abuse • Exposure or use of pornography 	<ul style="list-style-type: none"> • Family dysfunction • Family abandonment • Highly sexualised home environment • Parental/care giver mental health, alcohol/drug issues • Controlling behaviours by caregivers and/or unequal family roles • Secrecy as a norm in the home • Pervasive neglect • Social isolation • Exposure to abuse and violence, including domestic and family 	<ul style="list-style-type: none"> • Poor peer relationships 	<ul style="list-style-type: none"> • Poor supervision • Inadequate understanding of children's sexual development and harmful sexual behaviours • Poor education around healthy relationships and sexual relationships • Hierarchies of power between children • Culture of physical and emotional abuse and neglect 	<ul style="list-style-type: none"> • Poverty • Historical and/or intergenerational • Geographical disadvantage and/or • Lack of community supports/agencies • Social exclusion • Alcohol and/or substance abuse that has been normalised by the community

Source: Quadara, O'Brien, Ball, Douglas & Vu (2020)

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