

# Advocates for Survivors of Child Abuse

Submission to the Parliamentary Joint Committee on the Australian Crime Commission, Inquiry into the future impact of serious and organised crime on Australian society



## Introduction

Advocates for Survivors of Child Abuse (ASCA) is an Australian non-government organisation dedicated to promoting the health and wellbeing of men and women who have experienced the trauma of childhood abuse. In ameliorating the complex needs of survivors of child abuse, ASCA undertakes a range of activities, including support groups, retreats, workshops, community education and public advocacy.

We have provided care and support to tens of thousands of Australians since our founding in 1995. In that time, we have heard from many Australians whose life histories include child pornography, child prostitution and organised forms of child sexual abuse. People with histories of organised abuse constitute a small proportion of our membership base, however, they are amongst the most profoundly traumatised and challenging members that ASCA has supported.

In light of the seriousness of their disclosures, and the extent of their physical and psychological injuries, we are concerned by the invisibility of survivors of organised abuse to law enforcement and policy-makers. In drafting this submission, we have drawn on our collective expertise in providing support and care to survivors of organised abuse as well as emerging evidence that organised forms of child sexual abuse are a serious problem in Australia.

## Background

Public acknowledgement of the extent and severity of child sexual abuse is a relatively recent phenomenon. The issue emerged in the 1980s following years of activism by the women's movement, and publication of the first research studies on child sexual abuse, which indicated that a significant minority of adults in the community had been sexually abused in childhood (Fritz, Stoll et al. 1981; Russell 1983; Finkelhor 1984). Concomitant to the consolidation of the evidence base for child sexual abuse were unexpected claims of organised and sadistic child abuse in daycare centres, cults and families (Finkelhor and Williams 1988; Waterman, Kelly et al. 1993; Sinason 1994).

In Australia, allegations of organised child abuse were the subject of sustained media and political attention throughout the 1990s. The *Kimmins Report*, *The Report by the Parliamentary Joint Committee on the National Crime Authority on Organised Criminal Paedophile Activity* and *The Paedophile Inquiry of the Wood Royal Commission* represent a significant investment of time and money into the investigation of allegations of organised paedophile activity. These inquiries concluded that Australia is not host to systemic forms of child sexual exploitation, a position reflected in the Federal Government's policy statement *Tomorrow's*

*Children: Australia's National Plan of Action against the Commercial Sexual Exploitation of Children.*

Through our members, ASCA is aware of the heterogeneity of perpetrators of child sexual abuse. This position is affirmed by a significant body of research demonstrating that people who sexually abuse children are diverse in terms of their personal characteristics, sexual interests, life experiences, and criminal histories. (Williams 1990; Hollin and Howells 1991; Marshall 1997). In contrast, Australian law enforcement agencies and policy-makers have preferred to demarcate serious child sexual abuse as the province of 'paedophiles' who are extra-familial, obsessive, and preferentially attracted to young boys (see Miller 1997). This definition has been subject to sustained criticism as it is based on unrepresentative samples of incarcerated offenders, and its strict distinctions between intra-familial/extra-familial and heterosexual/homosexual offenders is contested by research (Abel, Becker et al. 1981; Murphy, Haynes et al. 1986; Barsetti, LaLumiere et al. 1998; Cossins 1999; Cossins 2000; Bickley and Beech 2001).

Despite the absence of a firm evidence base, this formulation of the 'paedophile' has been a feature of all government inquiries into allegations of organised abuse. ASCA does not believe that, in targeting extra-familial networks of gay men who abuse young boys and teenagers, these inquiries have addressed the full array of possible configurations of organised child sexual abuse. We feel that the hegemony of a biomedical definition of 'paedophilia' has created a disabling environment for the serious consideration of organised child sexual abuse. The life histories of survivors of organised abuse are not characterised by networks of obsessive 'fixated' male offenders, but rather, by the convergence of multiple forms and sites of abuse and neglect, including both intra-familial and extra-familial abuse (Itzen 1997; Lorena and Levy 1998; Itzen 2001; Scott 2001) and abuse by female perpetrators (Finkelhor and Williams 1988; Waterman, Kelly et al. 1993; Faller 1995). It seems that policy-makers in Australia have formulated a speculative model of 'organised paedophilia' that marry the homosexual pederast of 'paedophile' discourse with Mafia-like stereotypes of organised crime, although such a formulation of organised child sexual abuse finds little support in victim report studies.

ASCA seeks to draw the Inquiry's attention to international research over the last ten years which has demonstrated the relationship between intra-familial abuse, extra-familial abuse, child prostitution and the production of child pornography (Itzen 1997; Itzen 2001; Scott 2001). This research resonates sharply with the life histories of some of our members who have recounted how their parents, and/or other family members, were active within larger networks of abusers (Mulliner and Hunt 1997). They recount incest, violence and neglect in the home, abuse by extended family members and family 'friends', as well as commercial forms of abuse such as child pornography and prostitution. Their stories collapsing the distinction between intra-familial and extra-familial abuse and belie the policy positions of strategic law enforcement agencies. They suggest instead that organised child sexual abuse in Australia is driven by parents and families who prepare and supply young children for sexual abuse by larger networks of abusers.

In public policy, sexual abuse is often considered a matter for welfare agencies and social services rather than the police. Prevailing definitions of 'organised crime'

privilege financially motivated forms of crime, such as drug trafficking, or those which violate the boundaries of the nation-state, such as people smuggling. ASCA contests the marginalisation of sexual abuse in the discussion of serious and organised crime in light of evidence which finds that policy-makers and law enforcement have failed to recognise the significant contribution of intra-familial offenders to the organisation of child sexual exploitation, and so have failed to recognise the prevalence and harm of the practice of organised child abuse as a whole.

## **The terms of reference of the Inquiry**

### **Future trends in serious and organised crime activities, practices and methods and their impact on Australian society**

#### *Trends, practices and methods in organised abuse*

In his discussion of the organised abuse of children, Bibby (1996) directs our attention to 'organisation' as a process rather than a description per se. Rather than focusing on identifying static criminal organisations, he emphasises the importance of analysing the systems and organising processes that may be constructed or misappropriated by child sexual offenders. The primary systems used by child sexual abusers in organising and coordinating their crimes are:

**The family:** Despite the emphasis of public policy and law enforcement on extra-familial 'paedophile rings', the primary system through which child sexual offences are organised is the family. Policy makers have often struggled to accommodate notions of sadistic sexual violence within their frames of reference for parenting and family life, however, many, if not, most, survivors of organised child abuse report that their primary sexual abuser was a parent or family member who procured them for exploitation by a larger network of perpetrators.

**Ideology and ritual:** Subculture, ideology and ritual are potent organising forces within networks of perpetrators with a shared interest in child abuse and non-consensual sex (Lanning 1992). The association between ritualistic forms of child sexual abuse and organised child abuse have been substantiated in a number of cases overseas (Bulte and de Conick 1998; Eichelbaum 2001; Lyman, Johnson et al. 2005; Press Association 2007) and in Australia (Humphries 1991; Hughes 2006). In research with survivors, ritual abuse is closely associated with other rarely acknowledged forms of abuse, such as the production of child pornography, child prostitution, and non-consensual sadomasochism (Hudson 1991; Smith 1993).

**Symbolic apparatuses:** Organised abusers engage in a number of symbolic practices designed to terrify young children into silence, such as wearing police uniforms during sexual assault. This strategy is designed to disenfranchise child victims and adult survivors from law enforcement agencies, and it has been noted amongst organised abusers in Victoria (Hughes 2004b), and overseas (Hudson 1991).

**Existing institutions:** Existing institutions, such as residential children's homes and preschools, have long been the target of sexual abusers. These institutions can function as sites of organisation for child sexual abuse (Finkelhor and Williams 1988; Waterman, Kelly et al. 1993). Whilst reviewing police investigations into allegations of organised abuse in Australian day-care centres, both the Paedophile Inquiry of the Wood Royal Commission (see Hills 1997) and the Victorian Ombudsman (see Hughes 2004a) identified serious and systemic inadequacies.

**Profit and exchange:** Child abuse can also be organised through systems of exchange, barter and financial benefit. Many survivors of organised abuse report that, as children, they were trafficked within a black economy that relied on informal modes of exchange in which children were 'pooled' by families and groups. Some survivors also report more 'traditional' experiences of prostitution as children, including regular clients and the exchange of money.

### *The issue of child pornography*

The investigation of child pornography on the internet has emerged in the last ten years as the dominant concern of strategic law enforcement bodies in relation to organised child abuse (Calcetas-Santos 2001; Ferraro, Casey et al. 2005). Whilst these efforts are laudable, ASCA is concerned that this shift in focus is more a function of accessibility than any other factor; that is, the internet represents a mode of organisation of child abuse that is, for the first time, broadly accessible to law enforcement agents, provided they have the necessary computer skills.

In regards to child pornography, a number of factors are worth noting:

- Research overseas raises the possibility that the manufacture of child pornography in the context of organised abuse may serve qualitatively different functions than the manufacture of child pornography by individual offenders (Scott 2001). Survivors of organised abuse consistently report the use of pornographic images of themselves within the pedagogical processes of perpetrating groups. In organised abuse, children are forced to view the material that is made of them with the apparent intention of reinforcing their subservient role and sexualised identity within the perpetrating group. The pornographic material is also used explicitly as blackmail to prevent victims speaking about their abuse as either children or adults.
- This testimony also challenges the presumption that all forms of child pornography function in a parallel fashion to adult pornography – that is, for the purposes of the sexual gratification of adults. In organised abuse, child pornography features in the processes of coercive socialisation, 'training' and silencing. It is possible that child pornography manufactured by perpetrating groups is not circulating online, primarily because it is not manufactured for the purposes of sexual stimulation. Instead, it serves to integrate the victim further into the culture of the perpetrating network.

- Online and offline, the primary routes of access to sexually abusive groups require prospective members to commit a crime before they are admitted. A potential member of an offline perpetrating group may be required to provide a child or young woman for sexual assault by existing members, or to submit to being videotaped whilst committing a crime. Online, a potential member may be asked to provide identifying details to the webmaster alongside images of child pornography. In his content analysis of violent images on the net, Bjørnebekk (2001) was able to access images of young children being raped and tortured, as well as images of mutilated and dead infants and embryos, without offering payment or being required to exchange illegal material in return. The extremity of this freely available material raises the question of what may be being hosted on hidden or protected servers beyond the reach of law enforcement agents.

### *The impact of organised abuse on Australian society*

Organised abuse is at the intersection of the two profoundly secretive enterprises of organised crime and child sexual abuse, and so the full social impact of organised abuse eludes quantitative measurement. The available evidence suggests that organised abuse represents a significant burden on healthcare services and on the Australian community more generally. One study in Melbourne found that 153 clients had approached the Centre Against Sexual Assault from 1985 to 1995 seeking care and support regarding their history of ritual abuse (Schmuttermaier and Veno 1999). Recent research in South Australia has found that women escaping from organised abuse, including ritual abuse, constituted 15% of the case load of a local domestic violence service (Cooper 2004; Cooper, Anaf et al. 2006).

Surveys of healthcare workers in Australia, America and Britain have found that between a quarter and a third of social workers, counsellors and therapists encounter at least one case of organised and ritualistic abuse in their professional career, and the vast majority believe their clients disclosures to be indicative of genuine trauma (Creighton 1993; Andrews, Morton et al. 1995; Bottoms, Shaver et al. 1996; Schmuttermaier and Veno 1999). Further evidence for the frequency of organised abuse, and the subsequent burden on healthcare services, can be found in studies which have identified a 4% - 6% prevalence rate of Dissociative Identity Disorder (a trauma-related psychopathology closely associated with a history of sadistic sexual abuse) in populations of psychiatric inpatients (Horen, Leichner et al. 1995; Ross, Duffy et al. 2002).

The degree of psychological disability associated with a history of organised abuse has been compared to Holocaust survivors (Bloom 1994). They are amongst the most severely traumatised of all client groups presenting to clinical and social services, exhibiting difficulties eating, sleeping, learning, working, regulating mood and affect and relating to others (Cozolino 1989; Noblitt 1995; Cairns 2000; Noblitt and Perskin 2000). The personal cost to survivors, and to those who provide care and support to them, is very high (Kelley 1990; Ehrensaft 1992; Youngson 1994). At both an individual and a community level, the cost of organised abuse to the Australian community should not be underestimated.

## Strategies for countering future serious and organised crime

### *Interdisciplinary investigative teams*

The investigation of allegations of organised abuse is fraught for a number of reasons:

- **Multiple victims, multiple perpetrators:** Agencies may not be aware of the extent of relationships between individuals or between abusive incidents that have occurred over different periods in different locations.
- **Family relationships:** When organised abuse involves abusive family networks, as it often does, many agencies categorise it as 'incest' and fail to identify the organised element in which children are also abused by extra-familial perpetrators (Creighton 1993).
- **Trauma and manipulation:** Victims of organised abuse have endured profound trauma for a long period of time. They may be too psychologically fragile to speak about their abuse. They may also seek to protect their abusers from detection in the belief that their abusers love them, or to prevent the shame of their abuse from coming to light.
- **Multiple locations:** Individuals involved in the case (victims and perpetrators) may reside in different locations, under the jurisdiction of different branches of agencies with different information available, different staff and different working practices.
- **Opposition:** Organised perpetrators can instigate effective legal resistance and media campaigns against investigating agencies. The media has proven particularly sympathetic to alleged perpetrators in cases where children are removed from their care (Tate 1994).

To overcome these difficulties, the British Home Office and Department of Health drafted *Working Together* in response to initial reports of organised abuse in the United Kingdom in the late 1980s. *Working Together* was intended to help guide the collaborative work of forensic investigators, police and social workers in complex child abuse cases. Since then, *Working Together* has been further refined (Department of Health and Home Office 1999), and the Home Office has recently released a paper *Complex Child Abuse Investigations: An inter-disciplinary approach* (Home Office and Department of Health 2002).

In the late 1980s, agencies in the Los Angeles area of California also developed special protocols for investigating multiple-abuser or multiple victim cases (National Resource Centre on Child Sexual Abuse 1990). In this approach, law enforcement agencies head the investigation and manage co-ordination with other agencies. The investigation is structured to manage data collection in a fashion that avoids contamination, whilst also liaising effectively with parents and the media.

Australia has yet to develop an interdisciplinary framework to guide the investigation of complex and organised child abuse cases. The Australian Crime Commission

(ACC) is the best agency to develop such a framework as the pre-eminent law enforcement body in Australia, and in light of the fact that organised child abuse is a serious crime that involves interstate coordination between offenders. The likelihood of a successful investigation, and prosecution, of case of organised child abuse is maximised when the competing clinical, legal, welfare and forensic priorities of a multi-agency investigation are properly managed and coordinated.

*A critical appraisal of the definition of 'the paedophile' in law enforcement and public policy*

The typology of the 'fixated' paedophile adopted by Australian law enforcement and public policy was coined in the 1960s and 70s, and it is reflective of the homophobic stereotype of the 'serious' child abuser as a solitary, extra-familial, homosexually-identified man (Cossins 2000). The subsequent development of this offender category by forensic psychologists and other researchers has relied upon studies of unrepresentative samples of incarcerated offenders, and the generalisation of these findings to the broader community is methodologically unsound. The characteristics attributed to 'the paedophile' – in particular, sexual obsessiveness, and large numbers of victims – may be indicative of the vulnerability of chaotic, prolific child sexual abusers to detection, incarceration, and study, rather than being an accurate profile of serious or sadistic child sexual abusers as a whole (Bagley and Thurston 1996).

Responding to the threat of organised child abuse requires an evidence-based reappraisal of the present policy focus on 'the paedophile', a re-prioritisation of the seriousness of sexual offenders who abuse young girls and who abuse their own children, and the consideration of the family as a potential site for the organisation and concealment of organised child sexual abuse.

**The economic cost of countering future organised crime at a national and state and territory level**

ASCA is not in a position to comment on the economic cost of countering organised child abuse, however, it is unlikely that it would require significant financial investment so much as a number of changes to the way that information on child abuse is gathered and multi-agency investigations involving the police are undertaken. Nonetheless, changing the manner in which personnel undertake their jobs, and changing the culture of the agencies involved, will always involves some financial investment.

**The adequacy of legislative and administrative arrangements, including the adequacy of cross-jurisdictional databases, to meet future needs**

ASCA would welcome the development of information gathering mechanisms for the pooling and coordination of data on child abuse cases that involve an organised element. Presently, investigations into child sexual abuse are fundamentally reactive: an allegation is made, and the investigation that follows consequently focuses on the victim and the evidence they may provide. Location-based analysis, in which common patterns in specific areas emerge from a clustering of abuse cases, is fundamental to the identification of organised child abuse (Gaspar 1996), and yet no mechanism exists in Australia to enable this work to take place.

## **Conclusion**

The extremity of the crime of organised abuse, and the severity of victims' psychological and physical distress, belies the commonplace nature of the ties that bind victims of organised abuse to their abusers. These networks may be active in child prostitution and the production of child pornography, however, they are constituted of routine power and control relationships such as those that exist between a parent and a child. The predominance of 'traditional' notions of child abuse in law enforcement have led to an inordinate focus on a minority experience of child abuse – the extra-familial abuse of young boys by obsessive paraphiliacs – at the expense of the many children who are experiencing catastrophic trauma in familial environments at the hands of abusive and exploitative parents. In assessing the future impact of serious and organised crime on Australian society, ASCA urges the ACC to consider organised child abuse as a source of serious and ongoing harm to children and to the Australian community as a whole.

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