

FOCUSING ON SITUATIONAL FACTORS RATHER THAN INDIVIDUAL PATHOLOGY

Increased attention to problem sexual behaviour in children presents the risk that dominant definitions and understandings regarding *adult* sex offender behaviour might simply be mapped onto children. Were this to occur the important arguments about the heterogeneity of children displaying problem sexual behaviour would be overlooked, and childhood sexuality, in general, would be homogenised and pathologised (akin to the fears expressed by Scott and Swain, 2002). To transpose terminology, conceptual models, or response recommendations in this way would be to conflate childhood acts of problem sexual behaviour with adult sexual offences against children. A move such as this would also risk neglecting the developments that have occurred in theorising and responding to instances of adult sexual offending against children. Given the development of this scholarship has been slow and hard-won it is crucial that the same misconceptions that characterised early responses to adult sex offenders do not characterise early responses to children displaying problem sexual behaviours.

Among the important lessons to be taken from the scholarship on adults who sexually offend against children are the reservations that many scholars now have about employing previously popular typologies adult offender behaviour as paedophilic. To conceptualise sexual offences against children as heterogenous is not to understate the effects of child sexual abuse or to diminish the culpability of those who offend against children. Rather, differentiating between the various types of behaviour allows for a more accurate and nuanced understanding of possible causes and correlatives for these behaviours.

In their Australian study of 182 adult males serving custodial sentences for sex offences against children Smallbone and Wortley (2001) argue that paedophilia is a pathologising term, the overuse of which misrepresents the circumstances contributing to the sexual abuse of children. This argument also pervades the U.S. scholarship on child sexual assault and Catherine Itzin (2000) and Liz Kelly (2000), in particular, suggest that the inappropriate application of the term 'paedophile' medicalises behaviour as only being evident in a "certain type of person" (Kelly and Regan, 2000, p. 78). This results in diverting much needed attention from social issues of power, control and the construction of gender roles (Kelly and Regan, 2000; Itzin, 2000). The empirical work conducted by Smallbone and Wortley (2001) affirms this and they suggest that the representation of paedophilia as paraphilic is undermined by data that reveal the diversity of criminal activity that is likely to both precede and follow the offence/s against children. Smallbone and Wortley (2001) contend that prior and subsequent offending patterns for child sex offenders are more likely to be non-sexual than sexual. The argument here is that rather than being a discrete crime type sexual offences against children are symptomatic of broader dysfunction or "extensions of more general antisocial patterns of behaviour" (p. 6).

Signaling a departure from the pathologised typology of the “sex offender” this line of argument resonates with Lovell’s suggestion that in juveniles the risk of sexual re-offending is far less than the risk of violent non-sexual re-offending (2002, p. 4). A possible explanation for this might be found in the work of Veneziano and Veneziano who contend that children who engage in sexually harmful behaviours with (or against) other children are *situationally* rather than preferentially motivated. There is general agreement amongst scholars that the vast majority of children engaging in problematic sexual behaviors are not motivated by a pre-existing sexual predilection for children but that their behaviour results from the particularities of their context or situation. To consider the impetus for offending behaviour as situational casts light on the environment that gives rise to this behaviour. Issues of context and cultures of behaviour recur in the literature as causes and correlatives for problem sexual behaviour amongst children (Boyd and Bromfield; Veneziano and Veneziano; Staiger, et al., 2005a).

This attention to culture, context and correlatives rather than individual aberrance is crucial for three main reasons. Firstly, attention to environmental and situational aspects acknowledges that the harmful behaviour is not innate to the young person, rather, the influences to which the child has been exposed play a role in shaping both the options and the decision-making processes that lead to the problematic behaviour. Secondly, emphasis on individual pathology attributes entire culpability to the child. This amounts to a form of blaming the victim given Lovell’s argument that these children are also victims of their environment. Thirdly, by shifting attention to the power dynamics, gender roles, and social and cultural trends there is scope to challenge the processes by which harmful behaviours are enabled and/or normalised.¹⁷ What all of this indicates is that a long-term reduction in the prevalence of problem sexual behaviour in children will require systemic intervention to address the contexts and consequences of structural disadvantage.

CIRCUMSTANCES OF INDIGENOUS DISADVANTAGE AND THE NEED FOR CONTEXTUALISED RESPONSE

To shift focus from the individual and on to the community context requires a careful analysis of the familial¹⁸, social, cultural, economic, material and educational aspects of the lives of children who engage in problem sexual behaviour. The situational factors contributing to these behaviours in children are evident in Staiger’s account of the kind of background experienced by children that have been referred to the ACF for therapeutic treatment. “For these children, their early life experiences are filled with anger, confusion, sadness and fear. Their relationships with significant adults in their lives are plagued with loss, violence and most of all a sense of alienation and lack of attunement” (Staiger et al., 2005a, p. 53). More specifically, the ACF report that children with problem sexual behaviour are more likely to also be experiencing the following:

¹⁷ There are a number of compelling feminist arguments regarding the means by which the dominant social and cultural ideas about male sexuality are left unchallenged when rape or assault victims are blamed for the assault (see Carrington, 1997) The crucial point in this is that if the victim is blamed then the power structures that give rise to the assault are not only left intact, they are validated. The recent case of the 10 year-old girl in Arukun who was judged to have “probably agreed” to sex with her nine rapists is an exemplification of this.

¹⁸ Any discussion of family structures needs to be mindful that Indigenous conceptualisations of family, kinship and familial obligations differ vastly from Anglo-Australian definitions. Judy Atkinson writes that family refers not only to “blood relationships or extended kin networks” but also to relationships forged by other means where “people care for and support each other” (2002, p. ix-x). Family networks and familial responsibilities cannot be assumed to be uniform for all Indigenous peoples, and Anglo-Australian definitions of neglect and parental care need to be attuned to this.

- Experiences of trauma, loss and alienation
- Physical and/or sexual abuse
- Witnessing incidents of family violence
- Illicit drug use or alcohol abuse by parents or caregivers (Staiger et al., 2005a, pp. 22-23)

These aspects are repeatedly cited as precursors and correlatives to problem sexual behaviours in children. By casting these factors against what we know of the situation in certain Indigenous communities it becomes apparent that not only are these precursors and correlatives evident, they are often *characteristic* of life in some communities. Attention to these “conditions” and the cyclical dynamism by which they are perpetuated offers a means of addressing and destabilising the culture whereby aggression and harmful sexual behaviours are now normalised. In this sense the proposed response to problem sexual behaviour amongst children in Indigenous communities is less about focusing on individual behaviour, and more about addressing the contextual factors of systemic disadvantage that constitute risk pathways to problem sexual behaviours.

This is a move that fits with the current thinking on addressing violence and child sexual abuse in Indigenous communities. The importance of addressing contextual factors in response to violence and child sexual abuse is now broadly agreed within the literature with an increasing recognition that “programs focused solely on the individual seem destined to fail if they do not take into account community context” (Reppucci et al., 1999, p. 411, qtd. in Stanley et al., 2003, p. 4). As Chris Cunneen and Terry Libesman write “[a]s long as the problem is viewed as the problem of an individual, it may be that little progress will be made towards preventing child abuse and neglect in Indigenous communities” (2002, qtd. in Stanley et al., 2003, p. 16). “It is contended that the abuse and neglect of Indigenous children needs to be understood within a framework that acknowledges the contribution of multiple societal, community, family and individual factors” (Stanley et al., 2003 p. 14).