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Research article

Similarities in *modi operandi* of institutional and non-institutional child sexual offending: Systematic case comparisons



Natalie Martschuk^{a,*}, Jane Goodman-Delahunty^a, Martine B. Powell^b,
Nina J. Westera^{b,1}

^a Faculty of Business, Justice, and Behavioural Sciences, Charles Sturt University, Manly, Australia

^b Centre for Investigative Interviewing, Griffith Criminology Institute, Griffith University, Brisbane, Australia

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ABSTRACT

Little is known about the extent to which institutional child sex offending differs from non-institutional offending. Strategies to secure the compliance of child victims were systematically compared to compare the *modi operandi* (prior to, during and following abuse), and the type of power (intimate, aggressive, coercive) applied by child sexual offenders in institutional versus non-institutional settings. A sample of 59 of the most recent child sexual abuse cases referred for prosecution in three Australian states was manually reviewed and coded. Of these, six were cases of institutional abuse, one of which involved crossover offending. Based on complainant age and gender and patterns in offending behaviors, institutional cases were matched with cases of non-institutional abuse. Complainants of both genders ranged in age from 5 to 16 years at abuse onset. Offenders were male family members or friends, priests, an employer and one female school teacher. Results demonstrated commonalities in the *modi operandi* and grooming methods applied in institutional and non-institutional contexts. Implications for abuse prevention are summarized.

1. Introduction

Sexual abuse of children within institutions (e.g., schools, churches, orphanages, and sport clubs) has become a major concern over the past few decades, with survivors disclosing both recent and historical experiences (Independent Inquiry into Child Sexual Abuse, 2016; Royal Commission into Institutional Responses to Child Sexual Abuse, 2017a; Terry, 2008). An institution is a “public or private body, agency, association, club, institution organisation or other entity or group of entities of any kind (whether incorporated or unincorporated), [...] that provides, or has any time provided activities, facilities, programs or services of any kind that provide a means through which adults have contact with children” (Royal Commission into Institutional Responses to Child Sexual Abuse, 2016, p. 573).

In 2013, the Australian RCIRCSA was established to investigate how institutions have responded to allegations and instances of child sexual abuse (CSA). Since then, more than 8000 complainants have shared their stories (Royal Commission into Institutional Responses to Child Sexual Abuse, 2017a).

Several types of cases of CSA have been distinguished on the basis of the setting or context in which offending occurred, for example, parental, intrafamilial, extrafamilial, institutional and non-institutional offending (Finkelhor, 2009; Goodman-Delahunty,

* Corresponding author.

E-mail address: nmartschuk@csu.edu.au (N. Martschuk).

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2014; Parkinson et al., 2017; Sullivan & Beech, 2004). All have in common that offenders are “in a position of responsibility, trust or power over the victim” (World Health Organisation & International Society for Prevention of Child Sexual Abuse & Neglect, 2006, p. 10). The negative impact of CSA on children’s overall health is similar regardless of type of setting. Research indicates CSA induces chronic stress, negatively influences development, and can result in overdevelopment of neurological responses to anxiety and fear (World Health Organisation & International Society for Prevention of Child Sexual Abuse & Neglect, 2006). Studies found correlations between CSA victimization and brain development, such as underdevelopment of complex thoughts and learning processes (World Health Organisation & International Society for Prevention of Child Sexual Abuse & Neglect, 2006). Thus, investigating behavioral patterns and strategies of CSA perpetrators is critical to child protection research.

Offenders’ formal position of authority over children within an institution gives them ready access to children. The potential for offences committed within an institution to differ significantly from other child sexual offences is implicit in the establishment in many countries and jurisdictions of specific commissions to investigate institutional offending, such as the Commission to Inquire into Child Abuse in Ireland, the RCIRCSEA in Australia, the Independent Inquiry into CSA in the United Kingdom and the Royal Commission of Inquiry in New Zealand. Yet little is known about the *modus operandi* of institutional offenders (McAlinden, 2012) and the extent to which their offending patterns differ from or are similar to those of non-institutional offenders.

One way to explore this question is to systematically examine a sample of CSA cases in each respective context to assess their commonalities and differences. Similar to intrafamilial offenders, institutional offenders have a caretaking role involving some degree of physical or emotional intimacy with children and commit their crimes from a position of authority *in loco parentis* (Smallbone & McKillop, 2016) following routine interactions with children (McAlinden, 2012). The thesis of this article is that responsibility over children and abuse of that authority are features in common among both sets of child sexual abusers. However, prior contextual studies have not compared the *modi operandi* of offenders in institutional versus non-institutional contexts, nor have they provided an in-depth analysis of their offending behaviors. The present study examined these issues.

1.1. Offending strategies with child sexual abuse victims

The *modus operandi* of an offender includes several different aspects, such as victim characteristics, behavior prior to, during and post abuse, and methods to avoid detection (Smallbone & Wortley, 2001). These aspects were subject to analyses in the present paper in order to identify similarities and dissimilarities between and within child sex offenders in an institutional versus non-institutional context and to provide a comprehensive picture of their behavioral offending patterns. Notably, the *modus operandi* can be considered a stable dynamic factor, implying a slow change over months or years (Bartol & Bartol, 2008). A particular offending pattern may evolve over time as an offender gains experience or identifies strategies that are more and less effective. In addition, offenders may alter their behavior in response to a victim’s behavior, to situational variations, and to developmental changes in a child in cases of protracted abuse.

Strategies applied by child sexual offenders are complex and have been analyzed at different temporal stages in the offending process and from different perspectives. These analyses have shown that offending strategies can include grooming of children and their caregivers, a particular sequence or pattern of behaviors (*modus operandi*), and types of authority exerted over victims (McAlinden, 2012).

Grooming “refers to a preparatory stage of CSA, where an adult gains the trust of a child (and, perhaps, other people of influence in the child’s life) in order to take sexual advantage of the child” (Royal Commission into Institutional Responses to Child Sexual Abuse, 2016, p. 23). Grooming of child victims is difficult to discern in part because these behaviors can appear well-intentioned and their purpose can be unclear to observers (Munro & Fish, 2015). The complexity of the grooming process as described by McAlinden (2012) includes (a) different manipulative and controlling techniques (b) targeting a vulnerable subject (c) in different interpersonal settings (d) with the aim to establish trust, normalize sexual harmful behavior and facilitate exploitation or prohibit exposure (p. 11).

Various models of grooming distinguish discrete stages (a) victim selection, gaining access, developing trust, desensitizing to touch, ensuring compliance; followed by (b) abuse and maintenance of secrecy (Craven, Brown, & Gilchrist, 2006; McAlinden, 2012; Winters & Jeglic, 2017); (c) rapport-building and disclosure (Elliott, 2017); and (d) tactics such as seduction and testing, catching by surprise, verbal/physical coercion, masking sex in a game (McAlinden, 2012; Pryor, 1996). Common to all models is the view that grooming is a process which assists in strengthening abusive patterns of offending (Craven et al., 2006).

Grooming can entail both psychological and/or physical strategies (i.e., slow progression of touching, stopping when child is distressed, and retreating to a safe point) (Leberg, 1997), and can be directed at children, their environment and/or significant others (Craven et al., 2006). Thus, grooming can be described from the perspective of the context (intra-/extrafamilial), the subject (child, family, community, self), and the mode or strategy (McAlinden, 2012). Grooming and sexual offending appear to be cyclical processes or a sequential progression through various stages, in which some of the earlier elements may recur to ensure compliance of the child (Howitt, 1995; McAlinden, 2012). Therefore, the strategies applied can precede, follow, or be a part of sexual offending itself.

For example, some practitioners who work with sexual offenders have observed that grooming does not always precede offending (McAlinden, 2012) when the first offence is opportunistic rather than pre-planned. Institutional offenders have less need to groom children or their families, because their position often affords them trust, power and ready access to children (McAlinden, 2012). Pre-planning may not precede offending when an intense relationship becomes sexual due to an offender’s misinterpretation of the child’s feelings or actions (cognitive distortions; Terry, 2006). In these instances, the offender’s affirmative decision to abuse the child satisfies the legal element of intent (Terry, 2006), and sexual offending thereafter is pre-planned.

An analysis of over 300 institutional sexual abuse cases in the sports industry revealed three behavioral strategies applied by

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