CHILD SEXUAL ABUSE IN INSTITUTIONAL CONTEXTS:

THE RELIABILITY OF POLICE DATA, NATURE OF ALLEGATIONS REPORTED TO POLICE, AND FACTORS DRIVING REPORTING RATES

A REPORT TO THE ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE

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ADDENDUM

This report is the second of a series of three reports of research undertaken for the Royal Commission into Institutional Responses to Child Sexual Abuse which included analyses of data of reports of child sexual abuse made to police in Australia. These projects were undertaken sequentially and each project informed subsequent projects. This series of projects includes:

- Child sexual abuse in Australian institutional contexts 2008 –13: Findings from administrative data
- Child sexual abuse in institutional contexts: The reliability of police data, nature of allegations reported to police, and factors driving reporting rates
- Police responses to child sexual abuse 2010-14: An analysis of administrative data for the Royal Commission into Institutional Responses to Child sexual Abuse

This research was undertaken and completed during the period November 2014 – September 2016. This research was undertaken subsequent to and informed by the research project Child sexual abuse in Australian institutional contexts 2008-13: Findings from administrative data (the administrative data report). It draws on the police data extracted for and analysed in that report.

Subsequent to the completion of the administrative data report, the Queensland Police Service identified that the data extracted by Queensland and received by the Royal Commission for the purpose of the project did not include all reports to police as there was a misinterpretation of the Royal Commission's initial notice to produce. In particular, Queensland did not include reports which were made to and investigated by police and where a determination was made that the incident or offence did not occur.

It is likely that a large number of reports to Queensland police during the relevant period which were within the scope of the research were not extracted by Queensland police and were therefore not included in the data analysed in the administrative data report. Research undertaken for the Royal Commission subsequent to this research project suggests that when these additional reports are included that Queensland has a similar rate of reports of child sexual abuse per 1000 persons as New South Wales.

This has implications for the findings and conclusions drawn in this report.

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EXECUTIVE SUMMARY

In 2014, the Australian Centre for Child Protection (University of South Australia), Social Policy Research Centre (University of NSW) and the Australian Institute of Criminology completed the research project *Child sexual abuse in Australian institutional contexts: Findings from administrative data 2008–13* (hereby referred to as the 'administrative data report'; Bromfield, Hirte, Octoman & Katz, 2017). The report used administrative data to estimate the incidence of child sexual abuse (CSA) in institutional and other contexts, focusing on 'recent allegations' reported to police between 2008 and 2013 and that occurred within five years of reporting. Rates of CSA differed considerably, with NSW having a much higher rate than other jurisdictions.

The administrative data report raised questions about data reliability and quality that required further exploration. For example, there was a considerable difference between the nature of contemporary institutional CSA and historical trends (Katz, Jones, Newton & Reimer, 2017).

The nature of, and circumstances surrounding, allegations were not discernible from the administrative data. Therefore, other fields (proxy indicators) had to be used to differentiate between CSA in institutional contexts and CSA in other contexts. These fields included 'location of abuse' and 'relationship of victim to person of interest (POI)'.

Accordingly, the administrative data report concluded:

> A follow-up study subjecting a small sample of allegations to a case file review, to determine additional details; address some of the questions pertaining to data quality; and provide greater certainty to the Royal Commission regarding the estimates provided in the [administrative data report] study. (Bromfield et al., 2017, p 215)

The purpose of the current report was to determine:

- the accuracy and reliability of the data and proxy indicators used to categorise reports as institutional child sexual abuse (ICSA) or non-institutional child sexual abuse (NICSA) in the administrative data report
- the nature of, and circumstances surrounding, reports to police concerning ICSA compared to NICSA
- the factors that drive different reporting rates for CSA in Australian jurisdictions.

The project comprised three phases:

1. *a literature review* to ascertain what is already known about why the number of reported allegations of CSA may vary across Australian police jurisdictions
2. *consultations (qualitative interviews)* with data custodians and operational police across the eight Australian jurisdictions to determine if there are any differences in police recording practices and whether these could account for the variation across jurisdictions in rates of CSA reported to police; identify the information held by police that was most relevant for analysis in the project's final phase; and determine the feasibility of extracting this data from the jurisdictions

3. *a case file review* of a random sample of ICSA and NICSA reports to police in two large jurisdictions to establish:
    a. the accuracy and reliability of the dataset used in the administrative data report
    b. the nature of, and circumstances surrounding, reports to police concerning CSA in an institutional context compared with other contexts
    c. the factors that drive different reporting rates for CSA in Australian jurisdictions.

METHODOLOGY

LITERATURE REVIEW

A snowballing search strategy that included grey literature was used in the literature review process. Key words were entered into Google's advanced search engine. A similar strategy was used to search PsycINFO and CINCH, the Australian Institute of Criminology's database.

POLICE CONSULTATIONS

Thirteen consultations with police were conducted, which consisted of:

- a consultation in ACT, NT, Queensland and WA
- two consultations in SA, Tasmania and Victoria
- three consultations in NSW.

All interviews were taped with the consent of the participants and securely transcribed. Transcripts were verified by participants and amended as required. Flow charts of police recording processes were also constructed and sent to each jurisdiction for verification along with any questions that arose from the interviews. Not all jurisdictions provided verification and feedback. While the scope of the project was limited to police consultations, a brief desktop analysis was undertaken to identify potential confounding factors that may influence the reporting of CSA to police.

Interview responses relate to procedures in place at the time of the interviews in February and March 2015. The administrative data report encompassed the timeframe 2008–13. It is important to note that there may have been procedural changes over that time.

POLICE CASE FILE REVIEW

Case files from NSW and WA were selected for review. These states were chosen based on the extent to which proxy indicators enabled the extraction of unit record files with a unique child identifier. Two hundred cases randomly selected from data on recent allegations included in the administrative data report were requested from each state (100 ICSA and 100 non-ICSA cases, based on proxy indicators). The data received varied by jurisdiction but each case file included a case summary, or narrative or investigation activity log, or a combination of any of the three. This provided a comprehensive overview of each case but did not necessarily include all information held by police. Data was extracted using a standard coding framework and checked by two researchers. Logic checks were performed to ensure data quality.

The findings do not represent a stand-alone analysis of administrative police case file data on reported ICSA and NICSA, and must be read within the context of the overall project and the larger

administrative data report. The main purpose of the case file review was to validate the administrative data report's findings and provide deeper insight into the nature of, and circumstances surrounding, allegations of ICSA and NICSA reported to Australian police. As the case file data examined in this review only represents a small proportion of the cases included in the administrative data report, the findings presented here should be extrapolated with caution to the larger dataset used in administrative data report.

The data comprised four small samples taken from two large databases and are not representative of all CSA cases reported in WA and NSW or those reported in other jurisdictions. Findings of statistical significance should be treated with caution and as indicative rather than definitive. Combined values comprising data from both jurisdictions must be interpreted carefully due to the large variability between states. As the data does not account for unreported CSA, only allegations of CSA reported to police are reflected in the findings. Additionally, as missing data was excluded, the findings only represent information that was known to researchers and able to be coded from the available data. As data comprised allegations of CSA (not necessarily substantiated cases), the terms 'case' and 'incident' should be interpreted in this light.

SUMMARY OF FINDINGS

A key purpose of this project was to verify the reliability of the data and proxy indicators used to categorise reports of CSA to police as institutional or non-institutional in the administrative data report. These findings are discussed below, along with those regarding the nature of, and circumstances surrounding, CSA in institutional contexts compared to non-institutional contexts, and factors that could influence reporting rates of CSA in Australian jurisdictions.

ARE THE DATA AND PROXY INDICATORS USED IN THE ADMINISTRATIVE DATA REPORT RELIABLE AND ACCURATE?

When comparing the administrative dataset with data analysed in the case file review, the majority of allegations in WA and NSW were accurately categorised as ICSA or NICSA using proxy indicators. This supports the general reliability and accuracy of the indicators used in the administrative data report to determine whether a CSA allegation reported to police was institutional or non-institutional.

However, a small number of errors were identified in each jurisdiction, which may have an impact on the findings of the administrative data report. In NSW, 12 (7%) errors were identified, of which six were false positive (classification of a case as ICSA when it was not) and six were false negative (classification of an ICSA case as something else). In WA, 12 (6%) false positive errors were identified but no false negative errors. The nature of the errors indicates that while generally accurate, the proxy indicators are partly limited by the accuracy of data recorded by police. It was unable to be determined if these errors were due to human error during data entry or variations in data entry methods among jurisdictions (for example, recording the location where the report was made as the location of abuse when that was not where the incident occurred). If these errors reflect variable data entry methods, they may have a small impact on the reliability of the data and indicators.

Due to constraints in WA data, location of abuse was the best indicator for determining if an incident was ICSA or NICSA in the administrative data report. However, this indicator is limited as it includes incidents where the location of abuse was an institution but it was not institutional CSA (that is, the

POI's access to the victim was not facilitated by the institution, or the incident did not occur when the institution was in *loco parentis*). This is likely to explain the high number of false positives in the WA data.

Additional errors were identified that may have also impacted the findings of the administrative data report. Nine of the 192 case files received from NSW police (5%) involved cases where the incident occurred more than five years prior to the date of reporting (this is classified as 'historical' abuse) and were removed from analysis. Of these, seven were coded as NICSA in the administrative dataset, one as ICSA, and one as unknown. As only one case was ICSA, this is unlikely to influence findings relating to recent ICSA in the administrative data report; however, the data may have captured historical NICSA cases among the recent allegations. Additionally, in NSW, a number of errors were identified in the coding of the victim's or POI's gender in the administrative dataset.

In WA, the administrative data report identified the age of the majority of POIs as 'unknown' in both ICSA and NICSA cases, but age was able to be identified for the majority of POIs from the case file data. WA police consistently did not record the age of child POIs in the administrative dataset and therefore the estimated number of child POIs for ICSA and NICSA cases in Table 13.1.6 of the administrative data report may underestimate the number and proportion of child POIs.

Despite these errors, the administrative dataset provided a generally accurate indication of whether an allegation was ICSA or NICSA. Therefore, the proportion of CSA allegations involving ICSA in the administrative data report is reasonably accurate. The case file review findings also indicate that future analyses of police datasets can be depended on to provide reliable findings regarding the nature of current ICSA and NICSA reports in Australia (noting the above caveats).

WHAT IS THE NATURE OF, AND CIRCUMSTANCES SURROUNDING, REPORTS TO POLICE CONCERNING CHILD SEXUAL ABUSE IN INSTITUTIONAL CONTEXTS COMPARED TO NON-INSTITUTIONAL CONTEXTS?

The case file review provided a unique insight into the nature of, and circumstances surrounding, allegations of CSA reported to police in two jurisdictions: NSW and WA. Combined data (comprising both NSW and WA data) indicated that allegations of ICSA primarily involved non-penetrative inappropriate physical contact (60%), followed by penetrative abuse (29%). In contrast, allegations of NICSA involved penetrative abuse (54%) followed by inappropriate physical contact (31%). In both ICSA and NICSA cases, the highest proportion of victims comprised females aged 10 to 14. While combined data indicated that the proportion of male victims in allegations of ICSA (28%) was more than double that of male victims in allegations of NICSA, this was only statistically significant in WA. POIs in allegations of ICSA were primarily male children aged 10 to 17 who attended the same school as the victim. In contrast, POIs involved in allegations of NICSA were either adult family members (30%) or another child (31%). Allegations of ICSA primarily occurred on school grounds during school hours whereas those of NICSA primarily occurred in a residence (that is, the residence of the POI, victim, the POI and the victim, or an unknown or other residence).

When ICSA and NICSA allegations were compared within each state, ICSA allegations appeared to involve greater proportions of non-penetrative contact abuse, child POIs, disclosure to a person in

authority in an institution, and the school as the primary reporter of the allegations to authorities. NICSA allegations involved greater proportions of adult POIs and disclosure to a parent.

Two patterns were identified regarding ICSA allegations involving child POIs compared to adult POIs. ICSA allegations involving child POIs primarily occurred on school grounds, were perpetrated by male students during school hours, and involved the inappropriate physical contact of female school students and, to a lesser extent, male school students in the context of bullying. The school was the primary reporter of CSA to police, followed by the victim and/or their parent(s). ICSA allegations involving adult POIs also primarily occurred in a school setting were primarily perpetrated by male staff members and involved inappropriate physical contact with female school students aged 14 to 15. Among the case files reviewed for this project, very few ICSA allegations involved sports clubs or other organisations providing activities for children. No other clear patterns emerged.

While the number of female POIs was very small in each state, there were a greater proportion of female POIs in ICSA allegations compared to NICSA allegations in NSW (but not WA). Females were more likely to be victims than males in both ICSA and NICSA allegations in each state. In WA (but not NSW), a significantly greater proportion of NICSA cases involved multiple incidents compared with ICSA cases.

While the case file analysis shed some light on jurisdictional differences, it could not fully explain them. Overall, the nature of CSA as reported in NSW and WA was similar. However, one jurisdictional difference was that the nature of ICSA allegations reported to NSW police appeared to be more complex than those reported to WA police. This is because NSW had a greater proportion of ICSA cases than WA that involved more than one victim, multiple incidents, penetrative abuse, longer abuse duration, an adult POI and co-occurrence with other forms of abuse.

These findings do not indicate why reporting rates are much higher in NSW. The greater complexity of allegations in NSW does not support the potential explanation that the higher rate of reporting is due to more 'trivial' cases being reported in NSW compared to WA. Further investigation is required to fully understand the differences between jurisdictions and why NSW has higher rates of reporting compared to other jurisdictions. Possible explanations are discussed below.

In summary, the case file analysis provided more information about the nature of, and circumstances surrounding, allegations of CSA in institutional as opposed to non-institutional contexts, including that:

- POIs were more likely to be minors in ICSA cases compared to NICSA cases, and males made up a greater proportion of ICSA victims than NICSA victims in WA
- a greater proportion of victims were female in both ICSA and NICSA cases, but in WA more female victims experienced NICSA than ICSA
- when compared to NICSA cases, ICSA cases involved greater proportions of non-penetrative contact abuse (for example, inappropriate touching).

The case file review supports the main findings from the administrative data report and provides some insight into the nature of, and circumstances surrounding, reports of ICSA and NICSA in NSW and WA.

Nevertheless, there are still outstanding questions around the nature of ICSA and NICSA reports in different Australian jurisdictions.

WHAT FACTORS DRIVE DIFFERENT REPORTING RATES FOR CHILD SEXUAL ABUSE IN AUSTRALIAN JURISDICTIONS?

Each phase of this project identified a variety of factors that could influence rates of CSA reporting. The literature review identified three potentially influential factors:

1. legislation and legal reform (for example, child protection inquiries and reforms, and differing legislation or legal definitions)
2. police recording processes
3. the extent of unreported crime (which could be influenced by the relationship between police and the communities they serve as well as by how effectively police manage allegations of sexual abuse).

No evidence was identified on whether differing mandatory reporting requirements influenced reporting rates. Further research is required in this area.

Support for the influence of legislation and legal reform on reporting rates was found in the brief desktop review conducted alongside the police consultations. This review identified that statutory child protection data often showed increases in the number of substantiated cases of CSA following child protection inquiries and reforms. It was beyond the scope of this project to conduct a more detailed analysis of these factors. Such analysis may help further illuminate any jurisdictional differences in rates of CSA reporting.

No support for the influence of police recording processes was found in the police consultations. The research revealed very few differences between jurisdictions in police recording processes and concluded that this was unlikely to influence rates of reporting.

Support for the influence of relationships between police and the communities they serve, including how effectively police manage allegations of sexual abuse, was found in the desktop review. Improved relationships may increase the likelihood that community members or institutions will report allegations of CSA directly to police. Further, multi-disciplinary or specialist CSA investigation teams can help improve relationships between police and communities by providing appropriately trained officers to manage and investigate reports of CSA.

This project sought to identify potential explanations as to why rates of reported CSA were significantly higher in NSW than other jurisdictions, as found in the administrative data report. The rate of substantiated CSA in national child protection data was also higher in NSW, thus it appeared that NSW police were identifying and investigating larger numbers of CSA cases. Case file review findings indicated this was not likely a result of more 'trivial' or 'less complex' cases of CSA being reported to NSW police. Instead, it may in part be due to the existence of well-established multi-disciplinary or specialist CSA investigation teams. Out of all the teams in operation across jurisdictions, the NSW Joint Investigation Response Teams (JIRTs) have been operational for the longest period (JIRTs were established in 1997 in NSW compared to similar teams established in 2008 in Victoria, for instance, or 2009 in WA).

Where multi-disciplinary teams have been established, the rates of substantiated CSA have increased, although it is not always clear whether this is a result of the teams' establishment or other factors (for example, the Intervention in the NT, mandatory reporting in WA, or child protection inquiries). It is most likely to be due to a combination of factors. It may be that the NSW JIRTs have significantly influenced reporting rates in NSW because they have had enough time to develop a well-trained workforce that can handle allegations of sexual abuse appropriately and respectfully, encourage effective collaboration between NSW police and other departments, and cement a favourable reputation in the community. This may facilitate an increased likelihood of CSA being reported to police and the identification of multiple victims in more complex cases. This is supported by the findings of the case file review, which found that ICSA cases in NSW appeared more complex than those in WA. Tracking reports and substantiations of CSA in states with more recently established multi-disciplinary investigation teams (for example, Victoria) may provide further support for this explanation. A detailed analysis of headline indicators of trends in CSA rates, similar to that undertaken by Holzer and Bromfield (2008), may also help to explain jurisdictional differences.

While further examination is required to determine the direct impact of the above factors on reporting rates, these findings indicate that rates of reporting between jurisdictions are not likely to differ due to internal police processes. Instead, they are likely to differ due to differences in the community. Two possible reasons were identified for the high rates of reporting in NSW compared to other jurisdictions: a higher incidence of CSA within the NSW community or more detection and reporting of CSA by the NSW community. The authors believe the most likely explanation to be higher rates of detection and reporting of CSA within NSW compared to other jurisdictions due to additional systemic structures (for example, well-established JIRTs, the Reportable Conduct Scheme and 24-hour support hotlines for schools).

GLOSSARY OF TERMS

Aboriginal	Refers to both Aboriginal and Torres Strait Islander people
ACSAT	Aboriginal Child Sexual Assault Taskforce
CAIT	Child Assessment and Interview Team
CAT	Child Abuse Taskforce (NT) or Child Abuse Team (ACT)
CSA	Child sexual abuse
DCF	Department of Children and Families (NT)
ICSA	Institutional child sexual abuse
JIRT	Joint Investigation Response Team
MDC	Multi-Disciplinary Centre
NICSA	Non-institutional child sexual abuse
POI	Person of interest
SOCIT	Sexual Offences and Child Abuse Investigations Team

CHAPTER 1: PROJECT INTRODUCTION

1.1 BACKGROUND

In 2014, the Australian Centre for Child Protection (University of South Australia), Social Policy Research Centre (University of NSW) and the Australian Institute of Criminology completed the research project *Child sexual abuse in Australian institutional contexts: Findings from administrative data 2008–13* (hereby referred to as the 'administrative data report'; Bromfield, Hirte, Octoman & Katz, 2017). The report used administrative data gathered from a range of institutions to estimate the incidence of child sexual abuse (CSA) in institutional and non-institutional contexts.

Police data was reported to be the most useful source of data for estimating the extent of CSA in institutional contexts as it was fairly consistent in each jurisdiction and relatively reliable and complete compared to other datasets. Data for all reports of CSA made to police in all Australian jurisdictions was extracted for analysis; however, as the focus was on developing contemporary incidence estimates, the report primarily examined incidents of CSA that were reported to police between 2008 and 2013 and that occurred within five years of the date of reporting. The rates of reported CSA differed considerably between jurisdictions, with NSW having a much higher rate than other jurisdictions. No explanation for these discrepancies was identifiable in the data.

The main findings of the administrative data report were:

- Around four-fifths of all CSA reported to police in this period had occurred within five years of the report being made and, of these, the majority were reported within six months of the incident.
- Institutional child sexual abuse (ICSA) was estimated to account for approximately 5% of all CSA in all jurisdictions, for male and female victims.
- The vast majority of all allegations of CSA (both institutional and non-institutional) involved female victims.
- Most persons of interest (POIs) were male.
- Schools were by far the most common institutional context for reported ICSA in those cases that could be identified from the available indicators.
- Key locations and relationships, as reflected by the available indicators, excluded residential, foster and kinship care; youth detention; domiciliary disability care; and sport and recreational facilities.
- The majority of POIs in incidents of ICSA were minors (aged under 18).
- The proportion of ICSA cases compared to non-institutional CSA (NICSA) cases was similar across jurisdictions.

While these findings were relevant to the Royal Commission, the report raised additional questions about the reliability and quality of the data that required further exploration. In particular, some findings indicated that the nature of current ICSA differed considerably from historical trends in regards to time to disclosure, victim gender, and POI age patterns (Katz, Jones, Newton & Reimer, 2017).

The report also found that the nature and circumstances of allegations made to police were not discernible from the data available. The authors noted significant differences in the rates of reported CSA recorded by police across the eight Australian jurisdictions. Specifically, the report found that the rate of reported CSA in NSW was 31.2 per 10,000 children over the period July 2008 – June 2013, compared with 18.0 in SA and 14.2 in Victoria. The authors noted that rates were not calculable for the remaining states.

Additionally, the administrative data report identified that no Australian dataset (including police data) contained a specific field that classified allegations as ICSA or NICSA. Thus, other fields had to be used to differentiate between the two, such as the location of the abuse and the relationship of the victim to the POI. This created uncertainty regarding the completeness and reliability of police datasets and the definition of ICSA across the datasets.

The administrative data report concluded with:

> A follow-up study subjecting a small sample of allegations to a case file review, to determine additional details; address some of the questions pertaining to data quality; and provide greater certainty to the Royal Commission regarding the estimates provided in the [administrative data report] study. (Bromfield et al., 2017, p 215)

1.2 PURPOSE

The purpose of the current project was to determine:

- the accuracy and reliability of the data and proxy indicators used to categorise reports as ICSA or NICSA in the administrative data report
- the nature of, and circumstances surrounding, reports to police concerning ICSA compared to NICSA
- the factors that drive different reporting rates for CSA in Australian jurisdictions.

The project comprised three phases:

1. *a literature review* to ascertain what is already known about why the number of reported allegations of CSA may vary across Australian police jurisdictions

2. *consultations (qualitative interviews)* with data custodians and operational police across the eight Australian jurisdictions to determine if there are any differences in police recording practices and whether these could account for the variation across jurisdictions in rates of CSA reported to police; identify the information held by police that was most relevant for analysis in the project's final phase; and determine the feasibility of extracting this data from jurisdictions

3. *a case file review* of a random sample of ICSA and NICSA reports to police in two large jurisdictions, to establish:

    a) the accuracy and reliability of the dataset used in the administrative data report
    b) the nature of, and circumstances surrounding, reports to police concerning CSA in an institutional context compared with other contexts
    c) factors that drive different reporting rates for CSA in Australian jurisdictions.

The case file review was guided by the following research questions:

- Are there cases of ICSA that are recorded in police reports as NICSA and vice versa (that is, false positive or negative errors), and what are the characteristics of these cases?
- What is the nature of ICSA reported to police (that is, type of allegation, victim, POI characteristics and relationship to victim, location of abuse, and context of abuse) and how does this differ from reports of NICSA?
- What are the contexts surrounding reports of ICSA?

This report presents the findings of the three phases and discusses them in the context of the overall purpose of the project. The first chapter introduces the project by outlining the background information, definitions and aims of the project. The methodologies and findings from each phase are then presented in chapters 2 to 4 before being summarised and discussed in relation to the purpose of the project in chapter 5.

1.3 Defining institutional child sexual abuse

The current project uses the definition of ICSA as outlined in the administrative data report (Bromfield et al., 2017, p 7):

> **Child sexual abuse in institutional contexts:** refers to abuse where the perpetrators' access to children was facilitated through the organisation. The abuse may occur in the premises of the organisation or elsewhere. It includes, but is not limited to, sexual abuse perpetrated by:
>
> - institutional staff or volunteers who work directly with children, that is, "a person in authority" (e.g., teacher, scout leader);
> - institutional staff, volunteers, and contractors in an ancillary role (e.g., cleaner, bus driver); and
> - other minors in circumstances where the institution is in *loco parentis* (eg, classmate during a school camp, child in a residential care facility).

CHAPTER 2: LITERATURE REVIEW

2.1 METHODOLOGY

A snowballing search strategy that included grey literature was used in the literature review. Key words entered into Google's advanced search engine included 'child sexual abuse', 'child sexual assault', 'crime statistics', 'police reports' and 'police records'. A similar search strategy was used to search PsycINFO and CINCH, the Australian Institute of Criminology's database.

The scope of the literature review was to ascertain what is already known about why the number of CSA allegations reported to police, or similar agencies and organisations that address this issue, may vary across jurisdictions. The review drew on literature deemed relevant to differences in reports of allegations of CSA, sexual assault, and physical assault made to, and recorded by, police. While important, it was beyond the scope of the literature review to synthesise primary sources of data such as statistics on crime reports and criminal legislation for each jurisdiction.

2.2 SUMMARY OF FINDINGS

The literature review identified several possible explanations for varying rates of CSA, or sexual assault generally, among the different states and territories of Australia. These are briefly outlined below and include the possible influence of:

1. various legislative and legal reforms
2. procedural differences in reports made to and recorded by police (including counting rules and classifications)
3. the extent of unreported crime across the jurisdictions.

See appendix 1 for the complete findings of the literature review.

2.2.1 LEGISLATION AND LEGAL REFORMS

In Australia, there is no single piece of legislation to regulate responses to CSA (Butner & Harris, 2014). Instead, each state or territory has the constitutional power to enact its own child protection legislation. In addition to having different approaches and priorities, each state or territory has different mandatory reporting legislation (Mathews, 2014). The absence of a nationally coordinated approach means that each state or territory diverges on criminal codes and offences of CSA and/or assault, which can influence the number of offences recorded in any particular jurisdiction.

Several areas relating to legislation were identified that might help to explain differences in the rates of recorded sexual assaults across jurisdictions. These include, but are not limited to:

1. varying definitions of sexual assault or abuse
2. the impetus of legal inquiries and reforms
3. differences in mandatory reporting practices.

Definitions of sexual abuse and assault stipulate whether or not acts are seen as sexual offences (Finkelhor et al., 2001). It has been suggested that jurisdictions have broadened the range of behaviours that constitute sexual assault (Ringland & Baker, 2009). Various researchers and academics

have noted differences in definitions of what constitutes sexual assault across the states and territories of Australia (Boxall et al., 2014; Murphy, 1988). For example, there are differences in the definition of incest and whether it includes extra-familial abuse (that is, a stepparent abusing a step-child) or intra-familial abuse only (that is, a stepparent abusing a stepchild is not included in the definition). Definitions of consent also vary across the states and territories, with a number of states (for example, Victoria, Tasmania, SA and WA) passing legislation that stipulates exceptions for when consent can be used as a defence. Differing definitions of consent or what constitutes sexual assault may influence rates of reporting due to the variability in the type and number of alleged offences that can be categorised as sexual assault or abuse.

In reaction to systemic failures concerning responses to CSA, numerous state-based and national inquiries have attempted to rectify and elicit a deeper understanding of such problems (Cashmore & Shackel, 2014). The intensity and scope of these commissioned inquiries have varied among states and territories (Daly, 2011). Similarly, government responses to these inquiries, including changes to child protection systems and legislation, have also varied across jurisdictions (Boxall et al., 2014). Systemic changes (for example, expanding the categories of mandated notifiers) and heightened media focus, along with the subsequent heightened social awareness of, child protection issues following these inquiries may influence the rates of CSA reported to police as more abuse may be reported or more victims may come forward.

Examination of mandatory reporting laws for reporting CSA have demonstrated that Victoria and NSW use different definitions of 'child' to other jurisdictions, which affects when reporters are obliged to notify authorities of suspected abuse (Mathews, 2014). These inconsistencies might account for differences in rates of recorded CSA – however, no evidence has been found to support this claim and further research would be required to determine whether this explanation has any traction.

2.2.2 Differences in police procedures and counting rules

There is a small body of literature describing or assessing the procedures Australian police follow when they record crimes. There is some evidence to suggest that differences in recording processes and counting rules could explain variations in recorded sexual abuse or assault across jurisdictions. Counting rules can be victim-based or incident-based and, accordingly, different rates of crime would be captured by each approach. For example, the findings of a Statistical Comparability Evaluation Team report in 1987 (as cited in Murphy, 1988) indicated that Victoria police stringently applied the 'one victim one count' rule (e.g. a count of one was recorded for a case of abuse with multiple separate incidents over time). In contrast, NSW police recorded a count for each separate incident. However, this practice has since changed as police consultations conducted in phase two of this project found no differences in counting rules across jurisdictions (see chapter 3).

Differences in reporting rates could also be attributed to different recording processes, especially as whether or not an event is a 'reportable incident' is subject to individual police discretion (Brouwer, 2006). Different recording practices have also been noted when a victim expresses at the time of making the report that they do not wish to proceed further. In these instances, some jurisdictions record the offence while others do not (National Crime Statistics Unit, 2005). This may have changed since 2005 as police consultations conducted in phase two of this project found no differences in recording processes across jurisdictions (see following chapters). It has also been suggested that reporting rates could be influenced by the different ways jurisdictions prioritise certain crimes.

Further, the presence, size and training of specialist squads assigned to manage sexual assault and CSA may also influence the number of offences reported or known to police (Murphy, 1988).

Procedural differences for responding to assault have also been noted in schools, and there is evidence that these differences may affect the number of reports made to police in different jurisdictions (Trimboli, 2010). For example, increased rates of reporting in NSW may be the result of closer collaboration between police and schools, including the creation of a 24-hour School Safety and Response Unit telephone hotline. This was implemented to assist school principals in effectively managing crime-related incidents and provide them with easy-to-access advice and support about whether incidents should be reported to police. The hotline may increase the likelihood that principals and teachers in NSW will report incidents of child maltreatment not only to the relevant child protection department, but also to police.

2.2.3 UNREPORTED CRIME

Child sexual abuse, and sexual assault in general, is under-reported and difficult to detect, thus reporting rates for these crimes do not reflect the actual incidence. There is evidence to suggest that police attitudes and beliefs, and the level of support they provide during investigations, all play an influential role in reporting rates and in predicting attrition of cases (see Felson & Pare, 2008). As victim decision-making is often influenced by the nature of their interaction with the police, case outcomes might be determined by how police respond to allegations (Murray & Heenan, 2012). Some jurisdictions have recommended and prioritised police training in sexual assault investigation and assisting and providing support for victims (Daly, 2011; Wood, 2008). Existing research suggests that jurisdictions that feature supportive environments and have specialist teams or investigators dealing with cases of sexual assault could encourage victims to report their experiences.

CHAPTER 3: POLICE CONSULTATIONS

3.1 METHODOLOGY

3.1.1 RATIONALE

The methodology for the police consultations was based on the assumption that differing police methodologies may be the cause of, or significantly contribute to, different CSA reporting rates across jurisdictions. This assumption was supported by the *Differences in Recorded Crime Statistics* paper released in 2005 by the National Crime Statistics Unit. The paper highlighted inconsistent recording of crime within and across jurisdictions as a result of variation in the initial processes used by police when a crime is reported.

3.1.2 ETHICS

Ethical review was sought from the University of South Australia's Human Research Ethics Committee. The committee concluded that ethics approval was not required with respect to work undertaken within the legal provisions of the Royal Commissions Acts as these provisions override Human Research Ethics provisions. The National Statement on Ethical Conduct in Human Research (2007) along with the Royal Commissions Acts guided protocols regarding data security, storage and reporting. Particular attention was given to ensuring the rights of the recorded subjects to confidentiality were maintained.

3.1.3 INSTRUMENTS

An interview schedule was created comprising two sections (appendix 2). The items in the first section were informed both by key factors identified in the literature review and hypothesised 'grey' areas that might influence if and how an allegation is recorded. 'Grey' areas may include, for example, cases of 'consensual sex' between a 15-year-old and an individual not more than two years over the age of consent, or cases of cyber sexual abuse such as sexting.[1] This section also asked for participants' opinions on why there may be different rates of recorded CSA across jurisdictions.

The second section of the interview schedule addressed the processes and recording practices relating to the investigation of CSA allegations. The section asked the participant to outline relevant processes step by step, including details such as who made the report, the nature of the allegation and the outcomes of the case. This section was designed to inform case file data requests and jurisdiction selection for phase three of the project.

3.1.4 PROCEDURES

The project information and invitation to participate was prepared in the form of a letter and provided to the Royal Commission, which then forwarded these details to their contact for each of the eight jurisdictions. These contacts gave the letter to the jurisdictional police departments. The Royal Commission subsequently provided the interviewers with the contact details of one operational

[1] The transmission of nude, sexual or indecent images or recordings to another party (or parties) through internet or mobile telephone communication.

contact and one data custodian contact for five police jurisdictions each (NSW, Queensland, Victoria, SA and Tasmania) and one contact person each for the remaining jurisdictions (ACT, NT and WA).

The researchers contacted each jurisdiction within one to two weeks following their receipt of the letter to arrange telephone interview times. Thirteen consultations were conducted, as shown in table 3.1 below. All interviews were taped with the consent of the participants and securely transcribed. Transcripts were verified by participants and amended as required. Flow charts of police recording processes were also constructed from the interview data and sent to each jurisdiction for verification along with additional questions that arose from the interviews. Not all jurisdictions provided this verification and feedback.

Table 3.1. Number of consultations conducted in each jurisdiction

Jurisdiction	Number of consultations
ACT	1
NSW	3
NT	1
Queensland	1 (3 interviewees)
SA	2
Tasmania	2
Victoria	2
WA	1

3.1.5 Analysis

Each jurisdiction's transcript was analysed against the interview questions. The transcript data was also used to construct a flow chart of actions and recording processes that relate to a CSA report. It followed a CSA report through the police system from initial recording to investigation. This was done to establish the most relevant information and correct terminology to guide the potential extraction of police case file data required for phase three of the project.

3.1.6 Scope and limitations

It is important to emphasise that the responses provided by police related to procedures that were current at the time of the interviews, which were conducted in February and March 2015. The administrative data report encompassed the timeframe 2008–13 and there may have been changes in police recording processes over that time. Additionally, not all information was available for every jurisdiction as some did not provide responses to additional questions following the interviews. This is noted in the individual findings for each jurisdiction.

The scope of the project was limited to police consultations only. However, to provide some contextual background, a brief desktop analysis was undertaken with the aim of identifying potential confounding factors that may influence reporting of CSA to police. This included additional information about specialist child abuse and multi-disciplinary teams identified during the interviews; the identification of child protection systems reviews and inquiries conducted in each jurisdiction; and a brief examination of statutory child protection data.

As identified in the literature review, inquiries and reviews of child protection systems have the potential to increase the reporting of CSA. A brief summary of coronial inquires, child protection inquiries and reviews of child protection systems undertaken in each of the eight jurisdictions during the period 2003–13 was developed as such events serve to attract media attention, and any increase in public awareness and reporting of child protection issues often leads to changes in child protection practice.

Statutory child protection data was also briefly examined to determine if the variation in recorded police reports of CSA noted in the administrative data report was also reflected in the rate of substantiated CSA in each jurisdiction. This was based on the argument that if the rate of substantiated CSA is higher in jurisdictions with significantly higher rates of recorded police reports of CSA, this would suggest that either rates of CSA are higher, reporting rates are higher, or more reports of CSA are being investigated in these jurisdictions.

3.2 Overall findings

The overall findings across all jurisdictions are presented below.

3.2.1 How do reporting procedures pertaining to child sexual abuse differ across jurisdictions?

Consultations with police officers from the eight jurisdictions indicate that there were very few procedural differences in how reports of CSA were recorded at the time the interviews were conducted. The only differences identified across jurisdictions were that the Tasmanian police did not record all reports of sexting, unlike other jurisdictions; and NT police may not always notify child protection authorities when receiving a report of CSA. Additionally, some jurisdictions used several systems and databases to record reports of CSA, while others used only one database.

As shown in table 3.2, all jurisdictions reported that they recorded all reports that they received of CSA and that there is no officer discretion regarding the recording of a report of CSA. When questioned further, officers confirmed that they recorded all reports of CSA regardless of the severity of the offence; the context of the abuse or where it takes place (for example, non-institutional or institutional contexts); the characteristics of the victim or the POI (for example, the age of the victim or POI, or if the POI is involved in a paedophile ring); or the relationship of the POI to the victim (for example, siblings, peers of a similar age, or an adult in a position of power over the victim). In the ACT, NSW, Queensland, Tasmania and Victoria, reports of offences are recorded even if the victim does not wish to proceed. This information was unable to be obtained for the NT, SA and WA. Reports of sexting are recorded in all jurisdictions except Tasmania (noting information was unavailable for the ACT). However, the process for further investigating these reports may vary depending on whether there is evidence of intent to cause harm or if the incident is between an adult and a child. All jurisdictions that provided details of how they record reports of historical abuse (ACT, NSW, Tasmania and Victoria) indicated that they record the date the incident is alleged to have occurred as well as the date that it was reported.

Table 3.2. Police responses to allegations of child sexual abuse

Recording Practices	ACT	NSW	NT	Qld	SA	Tas	Vic	WA
Police discretion	N	N	N	N	N	N	N	N
All cases of CSA recorded regardless of:	Y	Y	Y	Y	Y	Y	Y	Y
• context (e.g., out-of-home care)	Y	Y	Y	Y	Y	Y	Y	Y
• severity of offence	Y	Y	NA	Y	NA	Y	Y	NA
• victim does not wish to proceed	Y	Y	NA	Y	NA	Y	Y	NA
• characteristics of the victim	Y	Y	Y	Y	Y	Y	Y	Y
• characteristics of the perpetrator	Y	Y	Y	Y	Y	Y	Y	Y
• relationship between perpetrator and victim	Y	Y	NA	Y	NA	Y	Y	NA
Historical abuse	Y	Y	NA	NA	NA	Y	Y	NA
All reports of sexting	NA	Y	Y	Y	Y	N	Y	Y

Note: Jurisdictions did not provide details for the items labelled 'NA' in time for submission of this report.

These findings contrast to the findings reported in the *Differences in Recorded Crime Statistics* paper (National Crime Statistics Unit, 2005), which highlighted inconsistent recording of crime within and across jurisdictions as a result of variation in the initial processes used by police when a crime is reported. For example, it was noted that police discretion around recording an assault offence in domestic or family situations differed across jurisdictions depending on whether the victim was injured and whether the victim and POI knew each other. Although sexual assault was excluded in this analysis, the authors suggested that similar recording issues affect the estimation of the incidence of sexual assault.

3.2.2 To what extent can differences in reporting procedures account for the different rates in each jurisdiction?

As no major differences in police recording of reports of CSA were identified in consultations with police, it can be concluded that police recording practices are unlikely to account for the different reporting rates noted in the administrative data report.

A comparison of statutory child protection statistics across jurisdictions showed that substantiated cases of CSA (table 3.3) reflect a similar pattern to allegations of CSA recorded by police as found in the administrative data report (table 3.4). As shown in table 3.3, the rate of substantiated CSA for children in NSW was considerably higher than all other states and territories from July 2008 to June 2013, and more than double that of Victoria.

It is possible therefore that there is a higher rate of CSA in NSW, that more cases of CSA are being investigated in NSW or that CSA is significantly under-reported in the remaining states and territories.

Table 3.3. Rates of substantiated child sexual abuse by jurisdiction for the period July 2008 – June 2013 (per 1,000 children)

	ACT	NSW	NT	Qld	SA	Tas	Vic	WA
Rate per 1,000	0.4	1.6	1.1	0.4	0.4	0.5	0.6	0.7

Data Source: *Australian Institute of Health and Welfare*, *2010, 2011, 2012, 2013, 2014*

Table 3.4. Rates of recent allegations of CSA by jurisdiction for the period July 2008 – June 2013 (per 1,000 recent allegations)

	ACT	NSW	NT	Qld	SA	Tas	Vic	WA
Rate per 1,000	NA	3.1	NA	NA	1.8	NA	1.4	NA

Data Source: *Bromfield, Hirte, Octoman & Katz, 2017, p 199.*

Note: Queensland data is not entered as it was extracted differently and is not comparable

Rate per 1,000 was only calculable in NSW, Queensland, SA and Victoria; NA refers to not available

It was beyond the scope of the police consultations and literature review to explore in detail the factors that may influence reporting rates of CSA generally or may account for differences in reporting rates across jurisdictions. However, findings from the consultations, the literature review and a brief desktop analysis highlight two factors that may potentially contribute to reporting differences: the existence of multi-disciplinary or specialist CSA investigation teams, and the impact of previous inquiries or reforms. Both are discussed briefly in the following section in relation to statutory child protection data regarding substantiations of CSA (for which there is more detailed data to examine changes in trends over time than that provided in the administrative data report).

3.2.3 Potential contextual influences

Multi-disciplinary and specialist child sexual abuse investigation teams

All jurisdictions except SA and Tasmania have a specialist police CSA investigation team (table 3.5).

Table 3.5. Police responses to allegations of child sexual abuse

Investigation	ACT	NSW	NT	Qld	SA	Tas	Vic	WA
Specialist child abuse teams	Y	Y	Y	Y	N	N	Y	Y
Multi-agency child abuse teams	N	Y	Y	N	N	N	Y	Y
Protocols/codes of practice regarding child protection	N	Y	N	N	Y	N	Y	N

Since four out of six of the specialist CSA teams operate as part of a multi-agency response, it was not possible to ascertain if simply having a specialised CSA investigation team influences rates of CSA reporting. However, analysis of trends in statutory data recording substantiated CSA tentatively suggests that the presence of these teams may have some influence on the rate of substantiated CSA.

For example, the rate of substantiated CSA in Victoria has risen steadily since 2008 when Multi-Disciplinary Centres (MDCs) – comprising specialist CSA teams including police Sexual Offences and Child Abuse Investigation Teams (SOCITs), child protection workers and sexual assault counsellors – was introduced by the Victorian Government as part of its sexual assault reform strategy. Multi-disciplinary CSA teams (Joint Investigation Response Teams, or JIRTs) have been in operation in NSW since 1997–98. It was not possible to determine if rates of reported CSA increased as a result of the implementation of JIRTs because statutory child protection statistics were calculated differently prior

to this date. However, it is interesting to observe that the rate of substantiated CSA has climbed steadily since JIRTs were established in NSW, and MDCs in Victoria.

Multi-disciplinary Child Assessment and Interview Teams (CAITs) were established in 2009 in WA in response to the introduction of mandatory reporting legislation. The rate of substantiated CSA for Aboriginal children has risen in WA since 2009 although it has fallen for non-Aboriginal children. It was not possible to determine how much of the rate increase is attributable to the introduction of mandatory reporting and how much may be attributed to the establishment of CAITs or police engagement with the community. The Child Abuse Taskforce (CAT) – a joint initiative between NT police and the Department of Children and Families (DCF), which includes an Aboriginal Community Resource Team – was established in 2006, a year prior to the Northern Territory Intervention. Substantiations of Aboriginal and non-Aboriginal CSA increased sharply in 2007–08 during the intervention; however, rates for both groups of children have since declined. More police were based in remote communities in 2007–08 as part of the intervention.

Over the past nine years, Victoria, NSW, WA and NT have had, on average, a higher rate of substantiated CSA than the ACT, Tasmania and SA. It is therefore possible that multi-disciplinary approaches may increase the disclosure of CSA. They may also increase the capacity for the investigation of CSA allegations and identification of multiple victims in more complex cases.

CHILD PROTECTION INQUIRIES AND REFORMS

All states and territories have undergone some form of child protection inquiry and/or reform between 2003–04 and 2012–13 (see table 3.6). Coronial inquiries, child protection inquiries and reviews of child protection systems have the potential to increase the reporting of CSA by attracting media attention and increasing public awareness of child protection issues. Further, inquiries and reviews of child protection systems often lead to changes in child protection practice. For example, the Northern Territory Emergency Response coincided with a 70% rise in substantiations of CSA for the period 2007–08 (from 71 to 120), though the rate has subsequently declined. The introduction of mandatory reporting in WA coincided with an upward trend in the rate of substantiated CSA for Aboriginal children but not for non-Aboriginal children. A more detailed analysis of the effects of child protection inquiries and reforms on child protection systems and practices, and public awareness was beyond the scope of this project. However, such an analysis may help to shed more light on differences in reporting rates of CSA across jurisdictions.

Table 3.6. Child protection inquiries and reforms of child protection systems in Australian states and territories for the period 2003–04 to 2012–13

	Inquiries/reforms	Year
ACT	Sexual Assault Reform Program	2007
NSW	Aboriginal Child Sexual Assault Taskforce	2008
	The Special Commission of Inquiry into Child Protection Services in NSW	2009
NT	*Ampe Akelyernemane Meke Mekarle: "Little Children are Sacred"* report	2007
	Northern Territory Emergency Response ('the intervention')	2007
	Growing them strong, together report	2010
Qld	Crime and Misconduct Commission of Inquiry	2004
	Queensland Child Protection Commission of Inquiry	2012
SA	Review of Child Protection in South Australia (Layton Review)	2003
	Children in State Care Commission of Inquiry (CISC Inquiry)	2008
	Children on Anangu Pitjantjatjara Yankunytjatjara (APY) lands (Mullighan Inquiry)	2008
	Independent Education Inquiry (Debelle Inquiry)	2013
Tas	Report on child protection services in Tasmania	2006
	Select Committee on Child Protection report	2011
Vic	Protecting Victoria's Vulnerable Children Inquiry	2011
	Inquiry into the Handling of Child Abuse by Religious and Other Organisations	2012
	The Protecting Children Protocol	2012
WA	*Putting the picture together* (Gordon Inquiry)	2002
	Review of the Department for Community Development	2007
	Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act	2008

CHAPTER 4: POLICE CASE FILE REVIEW

4.1 METHODOLOGY

4.1.1 RATIONALE

The police case file review examined a random sample of 374 case files pertaining to institutional and non-institutional CSA in two jurisdictions: NSW and WA. This sample size was considered to provide a balance between allowing a reasonable time frame for data extraction and analyses, and obtaining sufficient data from which to draw tentative conclusions about ICSA. It was important that ICSA was compared with NICSA for two reasons. First, it is probable that through this comparison it may be identified that cases reported as NICSA in the administrative data report may be ICSA cases and vice versa. For example, the following police data indicators were identified in the administrative data report as potential indicators of ICSA: 'extra-familial' and 'person in authority' (relationship indicators), and 'institutional location'. These indicators may not identify ICSA cases where a relationship was not included in the report; the abuse was perpetrated by a minor in an institutional location; or a POI known through an institution, for example a teacher, perpetrated abuse in an alternative setting, such as a car, private home or camping ground.

Further, the qualitative information contained in case files and case summaries may yield different information about a case and provide more detail about the institutional nature of abuse than is available from quantitative fields extracted from electronic databases.[2] Finally, the characteristics of institutional abuse may differ from non-institutional abuse. For example, there may be a greater or lesser proportion of cases in which minors – compared with adults – are persons of interest in institutional settings compared with non-institutional settings. This is important to note as it will inform how prevention and response efforts need to be suitably tailored for ICSA compared to NICSA.

4.1.2 DESIGN

The study design was a retrospective case file analysis.

4.1.3 ETHICS

Ethical review was sought from the University of South Australia's Human Research Ethics Committee. The committee concluded that ethics approval was not required with respect to work undertaken on data obtained through the legal provisions of the Royal Commissions Acts as these provisions override Human Research Ethics provisions. The National Statement on Ethical Conduct in Human Research along with the Royal Commissions Acts guided protocols regarding data security, storage and reporting. Particular attention was given to ensuring the rights of the recorded case file subjects to confidentiality were maintained.

[2] For example, in a study by Jeffreys, Hirte, Rogers and Wilson (2006) of parental substance misuse and children's entry into out-of-home care in SA, case files were extracted for two samples: those where parental alcohol and other drug misuse was noted in electronic files and those where it was not. It was found that in half of those cases where parental alcohol and other drug misuse was not noted in the electronic system, it was identified in the case files and so the electronic files significantly underestimated parental alcohol and other drug misuse in out-of-home care cases.

4.1.4 Sampling

The states chosen to be included in the case file review were determined by the extent to which the indicators previously identified in the administrative data report enabled the extraction of unit record files with a unique child identifier. Based on the findings from the police consultations in phase two, NSW and WA were chosen for phase three. NSW was also selected as it was hoped this case file review could help explain why rates of ICSA and NICSA were higher in NSW than other jurisdictions. Two hundred cases randomly selected from data on 'recent allegations'[3] included in the administrative data report (100 pertaining to ICSA and 100 to NICSA based on the proxy indicators used in that report) were requested from each of the two states for the period 2008–13.

4.1.5 Procedures

Information gathered from consultations with data custodians and police operational personnel in phase two of this project, together with input from the Manager of the Royal Commission's Assessment and Investigations team, was used to develop an itemised list detailing the data required from the two states (appendix 3). Next, the case file identification numbers of 200 randomly selected ICSA and 200 randomly selected NICSA cases were drawn from the NSW (200 cases) and WA (200 cases) police administrative dataset (referred to in the remainder of this report as the 'administrative dataset') used in the administrative data report. Police case file requests were developed for NSW and WA, containing the itemised list and the case file identification numbers.

Notices requesting the case file data were then issued to the jurisdictions by the Royal Commission in accordance with the relevant acts. The jurisdictions had been previously made aware in phase two of the project that they may be asked to provide case file data for this review. The jurisdictions were asked to deliver the data to the Royal Commission within eight weeks from receipt of the notice. De-identified data, when received, was made available to the research team by the Royal Commission through a secure network. The data varied by jurisdiction but each case file comprised one or a combination of case summary, narrative and investigation activity log. The data provided a comprehensive overview of each case but did not necessarily include all information held by police for each case.

4.1.6 Data extraction and coding

A standard coding framework was used for data extraction and included data relating to the nature and circumstances of the allegation; the characteristics of the victim, the POI and, where relevant, the organisation; and the characteristics of the abuse (appendix 4). Data was also extracted about links to other institutional contexts to ascertain the origin of reports (for example, a report may first be made by school personnel to police) and involvement of other institutional contexts that arise because of the allegation (for example, police may alert a school regarding concerns about an employee as a result of an investigation). A case file summary field enabling text to be entered was created to assist in constructing case examples of ICSA.

The coding framework was created using categories developed by the Royal Commission as part of its information collection processes as well as additional information required to answer the research

[3] 'Recent allegation' refers to allegations reported between 1 July 2008 and 30 June 2013 and regarding incidents that took place no more than five years prior to the date of reporting (Bromfield et al., 2017).

questions in the current case file analysis. Royal Commission categories were used to develop a detailed list of institution types and victim–POI relationships, with a particular focus on persons in authority inside institutions – as well as broad categories for the type of abuse alleged and the person to whom the victim first disclosed the alleged incident. Due to the lack of depth in these broad categories and the non-institutional victim–POI relationship categories, the research team created additional categories to provide further detail. The results section provides data relating to these categories.

Three researchers initially coded the case files. Data was extracted from the case files directly into a Microsoft Excel spreadsheet. Any additions to the coding framework were discussed by all researchers. The case file narrative was used to determine if a case was institutional or non-institutional when there was insufficient evidence in the summary case details. Due to the complexity of the case files, two researchers re-checked all data extracted against the 374 case files, discussing and resolving any discrepancies as they arose as well as cleaning the data and checking for coding errors. The spreadsheet data file was then converted into an SPSS file for analysis.

4.1.7 Analysis

IBM SPSS Statistics version 22 was used to conduct descriptive analyses as well as cross-tabulation analyses (for example, a chi-square test) to identify any differences between institutional and non-institutional CSA in total and in NSW and WA. Logic checks were also performed to ensure data quality. Due to the amount of missing data (unknown information that was not recorded in the case file data analysed for this review) for some variables, analyses only included cases where the information was known to researchers and excluded missing data. As such, findings only represent cases where researchers were able to extract the information from the case file data and total 'n' values presented in the tables reported in the results section will not necessarily equal the total number of cases analysed in this review.

4.1.8 Interpreting the findings and limitations

Two of the main aims of this project were to ensure that findings from the administrative data report were robust and to provide more fine-grained analysis of the differences and similarities between Australian jurisdictions and between cases of ICSA and NICSA. When interpreting the findings of the case file review, it should be kept in mind that the findings are not intended to represent a standalone analysis of administrative police case file data of reported ICSA and NICSA but must be read within the context of the overall project and the larger administrative data report from which this project originated. The main purpose of the case file review was to validate the earlier findings of the administrative data report and provide deeper insight into the nature of, and circumstances surrounding, allegations of ICSA and NICSA reported to Australian police.

This data, and the subsequent analysis, are based on four relatively small samples taken from two large databases and therefore are not representative of all WA and NSW CSA cases, even though the sampling was random. The findings are also not representative of the remaining states and territories. Therefore, findings of statistical significance should be treated with caution and as indicative rather than definitive. Combined 'total' values comprising data from both jurisdictions reported in the comparison tables presented throughout this report must also be interpreted carefully due to the large amount of variability between the states.

It must be acknowledged that data in this case file review and the administrative data report only reflect allegations of CSA that have been reported to police. Unreported CSA is not accounted for in the data. Additionally, as missing data was excluded from analyses, findings presented in the case file review only represent information that was known to researchers and able to be coded from the available case file data. As the case file data analysed in this review comprised allegations of CSA (and were not necessarily substantiated cases that led to prosecution) the terms 'case' and 'incident' as used in this report should be interpreted in this light.

4.2 Findings

A total of 374 case files pertaining to CSA reported to police in NSW and WA between 2008 and 2013 (inclusive) were included for analysis in this review. These case files comprised 176 ICSA and 198 NICSA cases (refer to table 4.1). Cases reported to NSW police comprise 90 ICSA cases and 91 NICSA cases. Cases reported to WA police comprise 86 ICSA cases and 107 NICSA cases.

Table 4.1. Number of cases of institutional and non-institutional child sexual abuse reported to police examined in the case file review

Type of abuse	Total	NSW	WA
Institutional	176	90	86
Non-institutional	198	91	107
Total	**374**	**181**	**193**

4.2.1 Reliability of the data

A primary objective of this case file review was to examine a sample of cases from two Australian police jurisdictions to assess the accuracy of the indicators used to classify cases into institutional and non-institutional CSA categories in the administrative dataset. The indicators used in the dataset are described below. The purpose of this section is to determine if there were any false positive or false negative errors in the administrative dataset that may impact the validity of the indicators used. In this context, a false positive error is the classification of a case as ICSA when it is not and a false negative error is the classification of an ICSA case as something else (for example, NICSA, unknown or not CSA). This was achieved by comparing data extracted from the case files examined in this review with the details of the administrative dataset from which they were sampled.

4.2.1.1 Coding reliability of the administrative dataset

There was a discrepancy between the number of case files requested from each jurisdiction (100 ICSA and 100 NICSA cases each) and the number of case files included for analysis (NSW: 90 ICSA, 91 NICSA; WA: 86 ICSA, 107 NICSA).

This occurred for five reasons (illustrated in figure 1):

1. only 192 case files were received from NSW and 197 from WA
2. three cases from WA did not relate to CSA and were excluded from analysis (one related to elder abuse and two related to victims aged over 18)
3. nine cases from NSW and one case from WA described allegations of CSA that occurred more than five years prior to the time of reporting (and thus were not 'recent') and were excluded from analysis
4. two NSW cases could not be categorised as ICSA or NICSA based on the limited case file data and were excluded from analysis
5. a number of cases were incorrectly categorised (false positive and negative errors) due to both limitations of the indicators used and errors in the data provided by police for the administrative data report (more detail is provided below).

The errors identified were re-categorised in the case file review based on the information provided in the case file summaries and narratives. The re-categorisations and reasons behind them are provided below. It must be noted that, from hereon in, references to the total number of ICSA and NICSA cases included for analyses reflect these re-categorisations.

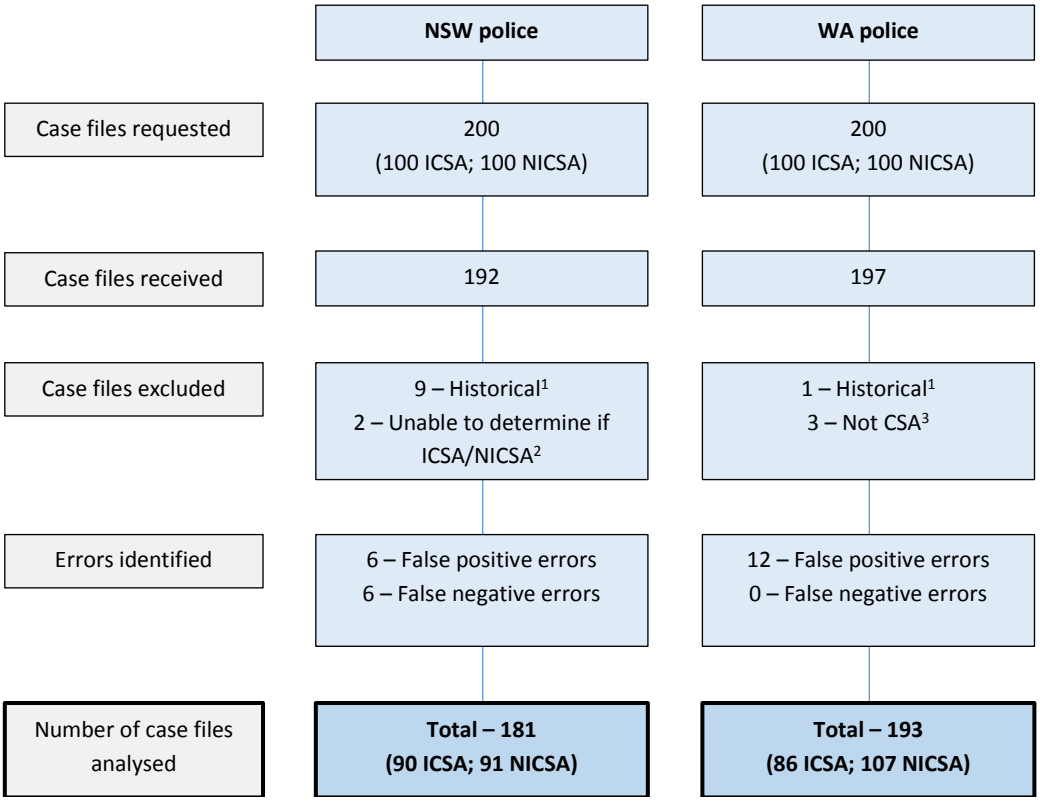

Figure 4.1. Explanation of discrepancy between number of case files requested and case files analysed.

Note: CSA refers to child sexual abuse; ICSA refers to institutional CSA; NICSA refers to non-institutional CSA; false positive error refers to a case file coded as ICSA in the administrative data report when it is not; false negative error refers to a case file coded as NICSA in the administrative data report when it is ICSA.

[1] Allegations of CSA reported in 2008–2013 but regarding incidents that occurred more than five years prior to reporting

[2] Case file data did not provide enough information to determine if the case was ICSA or NICSA

[3] One case of elder abuse and two cases involving victims over 18 years

NEW SOUTH WALES

The indicators used in the administrative data report to identify ICSA for NSW using police data were:

- extra-familial known abuse by location of abuse
- person in authority
- extra-familial known abuse by location of abuse by person in authority.

The indicator 'person in authority' was identified as the most conservative indicator of ICSA in the administrative data report. It was therefore decided to use the indicator 'extra-familial known abuse by location of abuse' when comparing case file data with the administrative data report in the present report. Further, the latter indicator was the only indicator available for WA in the data provided for the administrative data report (Bromfield et al., 2017).

When comparing the administrative dataset with the case file data, it was found that the majority of NSW recent allegation data in the case file review (93%) was accurate based on the indicators used; however, 12 (7%) errors were identified. Of these errors, six were false positive and six were false negative classifications.

Of the false positive errors, six cases (3%) categorised as ICSA in the administrative dataset were classified as NICSA in the current case file review. Three cases (2%) in which a grandparent or babysitter was coded in the administrative dataset as a person in authority were reported as ICSA when the case file review identified them as NICSA cases. Two cases (1%) were coded as ICSA in the administrative dataset due to the location of abuse being recorded as an institution but were re-categorised in the case file review because the alleged abuse occurred between two children from different schools or on school grounds during the school holidays. A further case (0.5%) was identified where the location that the report was made (for example, a doctor's surgery) was recorded by police as the location of abuse and categorised as ICSA in the administrative dataset when it was a NICSA case.

Of the false negative errors, five cases (3%) categorised as NICSA and one case (0.5%) categorised as 'unknown' in the administrative dataset were classified as ICSA in the current case file review after examination of the case files. Four cases (2%) involving sexual abuse of children in an out-of-home care setting (foster or kinship) were categorised as NICSA in the administrative dataset but were classified as ICSA in the current case file review. One case (0.5%) was classified as NICSA in the administrative dataset, but was coded as ICSA for the case file review as the allegation took place in the workplace of the victims.

While neither false positive or negative errors, nine of the 192 case files received from NSW police (5%) related to cases where the incident that was reported to police occurred more than five years prior to the date of reporting (that is, they were cases of historical abuse). These were removed from analysis as the focus of this review was on recent allegations. Seven of these cases had been categorised as NICSA in the administrative dataset, one as ICSA, and one as unknown. As only one of these was an ICSA case, this is unlikely to influence the findings relating to recent ICSA in the administrative data report; however, NICSA data may have captured a number of historical cases among the data categorised as 'recent'.

Additionally, a number of errors were identified in the categorisation of the victim or POI gender in the administrative dataset. Errors in victim gender categorisations included 12 cases (7%) where the case file data identified the victim/s as female but they were coded as male (n=6), both (n=5), or unknown (n=1) in the administrative dataset; and one case (0.5%) where the victim was coded as male in the previous study but whose gender could not be determined from the case file data. Errors in POI gender included two cases (1%) where the POI was coded as male in the administrative dataset but was identified as female in the case file data; one case (0.5%) where the POI was coded as 'both' in the previous study but identified as male in the case file; and one (0.5%) where the POI was coded as male in the previous study but whose gender could not be determined based on the case file data.

WESTERN AUSTRALIA

The indicators used in the administrative data report to identify ICSA for WA using police data were:

- extra-familial abuse by location of abuse.

When comparing the administrative dataset with the case file data, it was found that the majority of WA data in the case file review (94%) was accurate based on the indicators used; however, 12 (6%) false positive errors were identified and there were no false negative classifications.

Of the false positive errors, 12 cases (6%) categorised as ICSA in the administrative dataset were classified as NICSA in the case file review. These included cases where:

- the abuse had occurred on school grounds but was not institutional. That is, neither the POI nor the victim were associated with the school (n=4 (2%), case file data)
- the location where the report was made (for example, a health clinic, school or police station) was recorded as the location of abuse but was not institutional (n=5 (3%), case file data)
- the incident occurred on camping grounds but was not related to a school or youth camp (n=2 (1%), case file data)
- the incident occurred at an abandoned child care centre (n=1 (0.5%), case file data).

Therefore, estimates of reported ICSA from the administrative data in WA may be over-estimated due to the indicators used when determining ICSA in the administrative data report and the indicators may be limited by police recording practices.

Further, the administrative data report, as it related to WA, has reported an unknown age for the majority of POIs in ICSA (n=164, 61.4%) and NICSA (n=2686, 60%) cases. WA police consistently did not record the age of child POIs in the electronic dataset provided for the administrative data report. Therefore, estimates of the number of child POIs for ICSA and NICSA reported in table 13.1.6 of the administrative data report may underestimate the number and proportion of child POIs.

4.2.1.2 REPRESENTATIVENESS OF THE CASE FILE SAMPLE

Table 4.2 shows the total number of ICSA cases that were included in the datasets for NSW police and WA police and used in the administrative data report. The table also identifies the percentage of this data that was checked against each jurisdiction's case file data used in the present review.

Results from the case file review and the administrative data report for NSW and WA were compared for the following variables: victim and POI gender, age, and background (tables 4.3 and 4.4). Overall,

no differences were noted between the case file results and the results in the administrative data report for these variables except for the large amount of missing data for POI age and gender reported for WA in the administrative data report. It can therefore be concluded that the case file data is generally representative of the larger administrative data report data regarding ICSA except WA data may underestimate the proportion of POIs aged under 18.

Table 4.2. Case file sample as a percentage of cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse included in the administrative data report

	NSW[1]	WA[2]
Total number of ICSA cases in administrative data report	936	267
Total number of ICSA cases in current case file review	90	86
Percentage of administrative data checked against case files	9.6%	32.2%
Total number of NICSA cases in administrative data report	23,598	5,637
Total number of NICSA cases in current case file review	91	107
Percentage of administrative data checked against case files	0.4%	1.9%

[1] Administrative data source: table 7.1.17. Indicator variable: location of abuse and extra-familial (other known) relationship. Number of ICSA and NICSA cases in administrative data report is the number of unique victims identified using the above indicators for recent allegations (allegations reported in the period 2008–13 for incidents that occurred no more than five years prior to the date of reporting).

[2] Administrative data source (ICSA cases): table 13.3. Indicator variable: location of abuse. Number of ICSA and NICSA cases in administrative data report is the number of recent allegations (allegations reported in the period 2008–13 for incidents that occurred no more than five years prior to the date of reporting).

Table 4.3. Comparison of data from the administrative data report and the current case file review: Victim characteristics in cases of institutional child sexual abuse

	Case file data		Administrative data	
	NSW (N=90)	**WA** (N=86)	**NSW[1]** (N=936)	**WA[2]** (N=267)
Victim characteristics	%	%	%	%
Gender				
Female	70	65	71	70
Male	21	35	29	29
Both	9	0	0	0
Not recorded	0	0	0	1
Ethnic background				
Aboriginal	7	12	7	14
Non-Aboriginal	NR	NR	85	54
CALD	4	7	NR	NR
Caucasian	0	42	NR	NR
Multiple victims and ethnicities	1	5	NR	NR
Not recorded	88	35	9	32
Age[3]				
< 2 years	0	0	<1	<1
2–4 years	8	5	4	6
5–9 years	22	23	16	23
10– 4 years	44	56	55	50
15–17 years	24	16	24	18
Not recorded	1	0	0	2

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers. NR refers to data not reported in the administrative data report or case file review.

[1] Source: table 7.1.17, administrative data report. Indicator variable: location of abuse and extra-familial (other known) relationship. N value is the number of unique victims identified using the above indicators for recent allegations (allegations reported in the period 2008–13 for incidents that occurred no more than five years prior to the date of reporting).

[2] Source: table 13.4, administrative data report. Indicator variable: location of abuse. N value is the number of recent allegations of ICSA using the above indicator (allegations reported in the period 2008–13 for incidents that occurred no more than five years prior to the date of reporting).

[3] Victim age for case file data is age of youngest victim at time of last incident. Victim age for administrative data is age at start of allegation (earliest allegation if multiple).

Table 4.4. Comparison of data from the administrative data report and the current case file review: Person of interest characteristics in cases of institutional child sexual abuse

	Case file data		Administrative data	
	NSW (N=90)	**WA** (N=86)	**NSW[1]** (N=590)	**WA[2]** (N=267)
POI characteristics	%	%	%	%
Gender				
Female	9	8	7	2
Male	86	91	93	37
Both	4	0	0	0
Not recorded	1	1	0	61
Ethnic background				
Aboriginal	4	13	8	NR
Non-Aboriginal	NR	NR	81	NR
CALD	4	11	NR	NR
Caucasian	0	21	NR	NR
Multiple POIs and ethnicities	0	2	NR	NR
Not recorded	91	54	11	NR
Adult or child				
Adult	30	19	18	15
Child	64	81	81	24
Both	2	0	NR	NR
Not recorded (unknown)	3	0	1	61
Age[3]				
2–4 years	0	1	NR	NR
5–9 years	5	12	NR	NR
10–14 years	23	36	NR	NR
Total 14 and under	**28**	**49**	**52**	**15**
15–17 years	25	21	29	9
18–24 years	2	1	5	2
25–34 years	4	2	3	4
35–44 years	1	1	3	1
45–54 years	4	4	4	5
55–64 years	1	4	2	2
65+ years	3		1	2
Unknown	30	19	1	61

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers. NR refers to data not reported in the administrative data report or case file review; POIs refers to persons of interest.

[1] Source: table 7.1.19, administrative data report. Indicator variable: location of abuse and extra-familial (other known) relationship. N value is the number of unique POIs identified using the above indicators for recent allegations (allegations reported in the period 2008–13 for incidents that occurred no more than five years prior to the date of reporting).

[2] Source: table 13.1.6, administrative data report. Indicator variable: institutional location of abuse. N value is the number of recent allegations of institutional child sexual abuse using the above indicator (allegations reported in the period 2008–13 for incidents that occurred no more than five years prior to the date of reporting). Data represents percentages of allegations that recorded perpetrators and excludes those where no perpetrator was recorded.

[3] POI age for case file data is age at time of last incident. POI age for administrative data is age at start of allegation (earliest allegation if multiple).

4.2.2 THE NATURE AND CONTEXT OF INSTITUTIONAL AND NON-INSTITUTIONAL CSA REPORTS

This section details the nature of, and circumstances surrounding, incidents of ICSA and NICSA. As the case files examined in this review only represent a small proportion of the cases included in the administrative data report, the findings presented here should be extrapolated with caution in regard to the cases in the larger administrative dataset.

Additionally, findings presented in this section only represent information that was known to the researchers and able to be coded from the available case file data, as instances where specific information was not recorded in the case file (that is, missing data) were excluded from the tables and analyses. As a result, total 'n' values in each table differ.

4.2.2.1 TYPE OF ALLEGATION

TYPE OF ABUSE REPORTED

Table 4.5 illustrates the difference between the types of abuse alleged in cases of ICSA and NICSA.

Table 4.5. Types of abuse reported (where known) in cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse (Royal Commission categories)

Type of abuse	Total[1]		NSW		WA	
	ICSA	NICSA	ICSA	NICSA	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Contact: non-penetration	107 (62)	55 (30)	50 (58)	26 (33)	57 (66)	29 (28)
Contact: penetration	46 (27)	95 (52)	29 (33)	38 (49)	17 (20)	57 (55)
Contact: penetration unknown	7 (4)	9 (5)	6 (7)	1 (1)	1 (1)	8 (8)
Non-contact: exposing to adult sexuality	2 (1)	2 (1)	0	1 (1)	2 (2)	1 (1)
Non-contact: grooming for sexual contact	2 (1)	2 (1)	2 (2)	2 (3)	0	0
Non-contact: exploitation	2 (1)	10 (6)	0	2 (3)	2 (2)	8 (8)
Non-contact: violations of privacy	1 (1)	1 (1)	0	1 (1)	1 (1)	0
Non-contact: other	6 (4)	8 (4)	0	7 (9)	6 (7)	1 (1)
Total	173	182	87	78	86	104

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers. While victims may have experienced more than one type of sexual abuse, each case only received a single code based on the most severe form experienced (for example, if a victim experienced penetrative contact abuse as well as non-penetrative contact abuse or non-contact abuse, they were coded under the penetrative contact abuse type).

[1] Total values must be interpreted with caution due to the large variability between states.

In the WA dataset, alleged offences relating to penetration were significantly higher ($X^2(1)=28.9$, $p<.001$) in cases of NICSA (n=57, 55%) than of ICSA (n=17, 20%). Physical contact without penetration was significantly higher ($X^2(1)=24.5$, $p<.001$) in cases of ICSA (n=57, 66%) than of NICSA (n=29, 28%). Physical contact (irrespective of whether penetration occurred) was involved in approximately 90% of ICSA and NICSA cases. No physical contact was involved in 12% of cases of ICSA and 10% of NICSA.

In the NSW dataset, there was no significant difference in the proportion of cases of NICSA (49%) and ICSA (33%) that involved penetration. However, as was the case in WA, the number of alleged offences relating to physical contact without penetration was significantly higher ($X^2(1)=12.4$, $p<.001$) in ICSA (n=50, 58%) cases than NICSA cases (n=26, 33%). Physical contact (irrespective of whether penetration occurred) was involved in 98% of ICSA cases and 83% of NICSA cases. No reported physical contact was involved in 2% of ICSA cases and 17% of NICSA cases.

There was no significant difference between the types of abuse and whether the POI was an adult or a child, except for NSW NICSA cases in which a significantly greater proportion ($X^2(1)=7.2$, $p<.01$) of child POIs were involved in cases with alleged penetrative abuse (n=17, 68% of child POIs) than other types of abuse (n=8, 32% of child POIs). Adult POIs were involved in a smaller proportion of cases with penetrative abuse (n=16, 35% of adult POIs) than other types of abuse (n=30, 65% of adult POIs).

SPECIFIC TYPES OF ABUSE REPORTED

Table 4.6 provides details of the specific types of alleged abuse identified in the case files. As shown in table 4.6, the difference in the proportion of cases with reported inappropriate physical contact was similar in NSW (ICSA: 55%, NICSA: 31%) to WA (ICSA: 65%, NICSA: 30%). Inappropriate physical contact includes instances of inappropriate touching, fondling, groping, kissing and masturbating. In both NSW and WA there were more reported NICSA cases than ICSA cases of penetration in the form of vaginal or anal sex (NSW: 31% and 132% respectively; WA: 40% and 9% respectively). There were also slightly more reported NICSA cases than ICSA cases of penetration in the form of oral sex/penetration (NSW: 9% NICSA, 5% ICSA; WA: 3% NICSA, 2% ICSA). Reported cases of digital penetration were similar in NICSA and ICSA cases in NSW (NICSA: 8%, ICSA: 13%) and WA (NICSA: 11%, ICSA: 8%). Other penetration was reported in 4% of NSW ICSA cases and 1% of NSW NICSA cases compared to 0% of WA ICSA cases and 3% of WA NICSA cases. Unknown penetration (that is, where penetration occurred but type is unknown) was reported in 2% of ICSA cases in WA. Proportions of other types of sexual abuse reported ranged from 1–4% of NICSA cases and 0–4% of ICSA cases in NSW, and from 0–7% of NICSA cases and 0–5% of ICSA in WA.

Table 4.6. Specific types of abuse reported (where known) in cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse

Type of abuse	Total[1]		NSW		WA	
	ICSA	NICSA	ICSA	NICSA	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Inappropriate physical contact	102 (60)	54 (31)	46 (55)	24 (31)	56 (65)	30 (30)
Penetration: vaginal/anal sex	19 (11)	64 (36)	11 (13)	24 (31)	8 (9)	40 (40)
Penetration: digital	18 (11)	17 (10)	11 (13)	6 (8)	7 (8)	11 (11)
Penetration: oral sex/penetration	6 (4)	10 (6)	4 (5)	7 (9)	2 (2)	3 (3)
Exposing genitals	4 (3)	4 (2)	0	3 (4)	4 (5)	1 (1)
Penetration: other	3 (2)	4 (2)	3 (4)	1 (1)	0	3 (3)
Penetration: type unknown	2 (1)	0	0	0	2 (2)	0
Adult pornography	1 (1)	1 (1)	0	1 (1)	1 (1)	0
Attempted sexual assault	2 (1)	1 (1)	2 (2)	1 (1)	0	0
Child pornography (including sexting)	3 (2)	10 (6)	0	3 (4)	3 (4)	7 (7)
Grooming	2 (1)	2 (1)	2 (2)	2 (3)	0	0
Propositioning sex/sexual acts	1 (1)	4 (2)	0	3 (4)	1 (1)	1 (1)
Sexually harassing	3 (2)	2 (1)	3 (4)	1 (1)	0	1 (1)
Other[2]	3 (2)	3 (2)	1 (1)	1 (1)	2 (2)	2 (2)
Total	169	176	83	77	86	99

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers. While victims may have experienced more than one type of sexual abuse, each case only received a single code based on the most severe form experienced (for example, if a victim experienced penetrative contact abuse as well as non-penetrative contact abuse or non-contact abuse, they were coded under the penetrative contact abuse type).

[1] Total values must be interpreted with caution due to the large amount of variability between states.

[2] This includes incidents where victims were coerced to engage in inappropriate physical contact with the POI's genitals.

Co-occurrence of maltreatment

Investigation into other forms of abuse reported as co-occurring with sexual abuse identified that up to 42% of reported victims of CSA also experienced other forms of abuse (table 4.7). Data in table 4.7 only represents cases where other forms of abuse were reported to police in conjunction with the reported CSA and were recorded in the case file. It does not represent cases where a victim also experienced other forms of abuse but did not report this to police or where this was not recorded in the case file.

In NSW, victims of CSA reported they also experienced other forms of abuse in 42% of ICSA and 31% of NICSA cases compared to WA where victims reported that they also experienced other forms of abuse in 26% of ICSA and 21% of NICSA cases. Physical abuse was the most commonly reported type in addition to CSA in both states (NSW: 22% ICSA, 19% NICSA; WA: 15% ICSA, 10% NICSA). This was followed by reports of threats (NSW: 9% ICSA, 7% NICSA; WA: 7% ICSA, 7% NICSA) and multiple other forms (NSW: 6% ICSA, 5% NICSA; WA: 3% ICSA, 4% NICSA). Emotional abuse occurred in 5% of NSW ICSA cases and 1% of WA ICSA cases.

Table 4.7. Other types of abuse reported (where known) in cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse

Type of abuse	Total[1]		NSW		WA	
	ICSA	NICSA	ICSA	NICSA	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Physical	26 (18)	20 (14)	14 (22)	11 (19)	12 (15)	9 (10)
Emotional	4 (3)	0	3 (5)	0	1 (1)	0
Threats	12 (8)	9 (6)	6 (9)	4 (7)	6 (7)	5 (7)
None	97 (67)	112 (76)	37 (58)	40 (69)	60 (74)	72 (80)
Multiple forms (in addition to CSA)	6 (4)	7 (5)	4 (6)	3 (5)	2 (3)	4 (4)
Total	145	148	64	58	81	90

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers. Data in this table only represents cases where other forms of abuse were reported to police in conjunction with the CSA experienced and were recorded in the case file. It does not represent cases where a victim also experienced other forms of abuse but did not report this to police or where this was not recorded in the case file.

[1] Total values must be interpreted with caution due to the large amount of variability between states.

Number of incidents reported

The percentage of cases of single incidents of abuse differed between states, comprising 37% and 48% of ICSA and NICSA cases respectively in NSW, and 73% and 56% of ICSA and NICSA cases respectively in WA (table 4.8). The percentage of cases of multiple incidents (>1) of ICSA abuse differed between states, with NSW reporting 63% of cases where this had occurred and WA reporting 27% of cases where multiple incidents had occurred. WA also had a higher number of cases of NICSA where multiple incidences were reported (44%) than were reported in cases of ICSA (27%).

Table 4.8. Number of incidents reported (where known) in cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse

Number of incidents	Total[1]		NSW		WA	
	ICSA	NICSA	ICSA	NICSA	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Single	90 (55)	91 (52)	29 (37)	36 (48)	61 (73)	55 (56)
Multiple[2]	73 (45)	83 (48)	50 (63)	39 (52)	23 (27)	44 (44)
Total	163	174	79	75	84	99

[1] Total values must be interpreted with caution due to the large amount of variability between states.

[2] The proportion of multiple incidents comprise cases where a single reported victim experienced more than one incident of CSA as well as cases where multiple reported victims experienced one or more incidents of CSA as this could not be separated in the case file review dataset.

Duration of abuse

As shown in table 4.9, the proportion of cases that included allegations of abuse that occurred over a 1 – < 6-month period in NSW and WA respectively, comprised 27% and 6% of ICSA cases and 7% and 12% of NICSA cases. The proportion of cases that included allegations of abuse that occurred over a 1 week – < 1-month period in NSW and WA respectively, comprised 6% and 7% of ICSA cases and 4% and 8% of NICSA cases. The proportion of cases that included allegations of abuse that occurred over a 6 – < 12-month period in NSW and WA respectively, comprised 6% and 9% of ICSA cases and 5% and 7% of NICSA cases.

Table 4.9. Duration of abuse reported (where known) in cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse

Duration	Total[1]		NSW		WA	
	ICSA	NICSA	ICSA	NICSA	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
1 day	91 (63)	93 (64)	31 (49)	36 (64)	60 (73)	57 (64)
< 1 week	4 (3)	5 (3)	3 (5)	4 (7)	1 (1)	1 (1)
1 week – < 1 month	10 (7)	9 (6)	4 (6)	2 (4)	6 (7)	7 (8)
1 – < 6 months	22 (15)	15 (10)	17 (27)	4 (7)	5 (6)	11 (12)
6 – < 12 months	11 (8)	9 (6)	4 (6)	3 (5)	7 (9)	6 (7)
1 – < 2 years	2 (1)	5 (3)	0	2 (4)	2 (2)	3 (3)
2 – < 5 years	5 (4)	7 (5)	4 (6)	4 (7)	1 (1)	3 (3)
5 – < 10 years	0	1 (1)	0	0	0	1 (1)
10 – < 15 years	0	1 (1)	0	1 (2)	0	0
Total	145	145	63	56	82	89

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers.
[1] Total values must be interpreted with caution due to the large amount of variability between states.

4.2.2.2 VICTIM CHARACTERISTICS

In cases of ICSA and NICSA, the majority of allegations involved a single female victim with no known disability (table 4.10). However, this may not be representative as there were instances where multiple victims were connected to a case but police generated separate case files and conducted separate investigations.

In NSW, the proportions of male and female victims were similar in reported cases of ICSA (21% male, 70% female) and NICSA cases (17% male, 78% female). However, in WA a significantly higher proportion ($X^2(1) = 20.4$, $p<.001$) of females were victims of NICSA (91%) compared with ICSA (65%).

Data regarding age of the youngest and oldest victims at the time of the last incident in each case were extracted from the case files (note: the same age was recorded for both of these variables if there was only one victim). The majority of victims were older than 10, with the highest proportion aged 10–14. The youngest and oldest victims aged 10-14 at last incident comprised 45% and 51% of ICSA cases in NSW, around 55% of ICSA cases in WA, 39% of NICSA cases in NSW and 44% of NICSA cases in WA.

As with the administrative data report, the reliability of information regarding the ethnic background of victims and POIs is limited. Researchers were unable to determine the ethnic background of victims for the majority of cases in NSW based on the information in the police case files. In NSW, ethnicity could not be determined unless it was specifically recorded in the case file narrative. In WA, ethnic appearance was provided in the summary description of the victim(s) and POIs in police case files, resulting in a small proportion of missing data. However, ethnic appearance is not a reliable indicator of ethnicity.

Table 4.10. Victim characteristics reported (where known) in cases of institutional (ICSA) and non-institutional (ICSA) child sexual abuse

Victim characteristics	Total[1]		NSW		WA	
	ICSA	NICSA	ICSA	NICSA	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Number of victims						
1	145 (82)	167 (84)	66 (73)	67 (74)	79 (92)	100 (94)
2	14 (8)	25 (13)	11 (12)	19 (21)	3 (4)	6 (6)
3	4 (2)	4 (2)	3 (3)	3 (3)	1 (1)	1 (1)
4	5 (3)	2 (1)	5 (6)	2 (2)	0	0
5–9	6 (4)	0	3 (3)	0	3 (3)	0
10+	2 (2)	0	2 (2)	0	0	0
Total	176	198	90	91	86	107
Gender						
Female	119 (68)	168 (85)	63 (70)	71 (78)	56 (65)	97 (91)
Male	49 (28)	24 (12)	19 (21)	15 (17)	30 (35)	9 (8)
Both	8 (5)	6 (3)	8 (9)	5 (6)	0	1 (1)
Total	176	198	90	91	86	107
Ethnic background[2]						
Aboriginal	16 (9)	26 (13)	6 (7)	7 (8)	10 (12)	19 (18)
CALD	10 (6)	7 (4)	4 (4)	3 (3)	6 (7)	4 (4)
Caucasian	36 (21)	57 (29)	0	0	36 (42)	57 (53)
Multiple victims and ethnicities[3]	5 (3)	1 (1)	1 (1)	0	4 (5)	1 (1)
Not recorded	109 (62)	107 (54)	79 (88)	81 (89)	30 (35)	26 (24)
Total	176	198	90	91	86	107
Known disability[2]						
Yes	19 (11)	9 (5)	12 (13)	6 (7)	7 (8)	3 (3)
Not recorded	157 (89)	189 (96)	78 (87)	85 (93)	79 (92)	104 (97)
Total	176	198	90	91	86	107
Age of youngest victim						
2–4 years	11 (6)	21 (11)	7 (8)	13 (15)	4 (5)	8 (8)
5–9 years	40 (23)	40 (20)	20 (23)	22 (25)	20 (23)	18 (17)
10–14 years	88 (50)	82 (42)	40 (45)	35 (39)	48 (56)	47 (44)
15–17 years	36 (21)	53 (27)	22 (25)	19 (21)	14 (16)	34 (32)
Total	175	196	89	89	86	107
Age of oldest victim						
2–4 years	11 (6)	14 (7)	7 (8)	7 (8)	4 (5)	7 (7)
5–9 years	34 (19)	40 (20)	14 (16)	22 (25)	20 (23)	18 (17)
10–14 years	92 (53)	82 (41)	45 (51)	35 (39)	47 (55)	47 (44)
15–17 years	38 (22)	60 (31)	23 (26)	25 (28)	15 (17)	35 (33)
Total	175	196	89	89	86	107

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers.

[1] Total values must be interpreted with caution due to the large variability between states.

[2] Must be interpreted with caution as data for this characteristic was not recorded in a large number of case files.

[3] Includes cases with multiple reported victims and multiple ethnicities, and cases where ethnicity was known for one or more victim/s but not for others.

Similarly, the absence or presence of disability was not recorded in a large number of case files in each state for victims and POIs. As such, the reliability of this data is limited as the lack of recording of disability does not necessarily indicate the absence of disability.

4.2.2.3 CHARACTERISTICS OF PERSONS OF INTEREST

The majority of ICSA and NICSA cases in each state involved a single male POI with no known disability (see table 4.11). Small differences in the proportions for gender were noted between the states in cases of ICSA (87% male in NSW; 92% male in WA) but not NICSA (93% male in NSW; 92% male in WA). The ethnicity of reported POIs could not be reliably determined from the case file data; therefore, it is not discussed further in this report.

In WA, children were significantly more likely ($X^2(1) = 46.4$, $p<.001$) than adults to be the POI in cases of ICSA (81% versus 19%) and significantly less likely than adults to be the POI in cases of NICSA (31% versus 69%). Adults were significantly more likely to be the POI in cases of NICSA (n=65, 69%) compared with cases of ICSA (n=16, 19%).

In NSW, children were significantly more likely ($X^2(1) = 19.6$, $p<.001$) than adults to be the POI in cases of ICSA (68% versus 32%) and significantly less likely than adults to be the POI in cases of NICSA (34% versus 66%)[4]. Adults were significantly more likely to be the POI in cases of NICSA (n=53, 66%) compared with cases of ICSA (n=27, 32%) and children were more likely to be the POI in cases of ICSA (n=58, 68%) compared with cases of NICSA (n=27, 34%).

Table 4.12 details the age of POIs (where known) reported in cases of institutional and non-institutional CSA. In a number of cases, researchers were unable to determine the age of child or adult POIs based on the information in the police case files (not recorded in table 4.12). The age of child POIs remained unknown in 11 cases of ICSA in NSW (but in zero cases of NICSA in NSW), 10 cases of ICSA in WA and in one case of NICSA in WA. The age of adult POIs was unknown in 14 cases of ICSA and 18 cases of NICSA in NSW, and in six cases of ICSA and 13 cases of NICSA in WA. Additionally, researchers were unable to determine the age of the POI or whether the POI was an adult or child in three cases of ICSA and nine cases of NICSA in NSW, and in 13 cases of NICSA in WA.

As shown in table 4.12, in cases of ICSA, 69% of POIs were aged 10–17 in NSW, and 70% in WA. In cases of NICSA, 42% of POIs were aged 10–17 in NSW, and 35% in WA. In contrast, due to the very small proportion of adult POIs in each age bracket, no specific age range in cases of ICSA or NICSA could be identified for either state.

[4] Cases involving both child and adult POIs were excluded from this analysis (NSW: ICSA n=2, NICSA n=2), so percentages may differ slightly from table 4.11.

Table 4.11. Characteristics of persons of interest reported (where known) in cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse

POI characteristics	Total[1]		NSW		WA	
	ICSA	NICSA	ICSA	NICSA	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Number of POIs						
1	147 (84)	171 (88)	74 (82)	77 (87)	73 (86)	94 (90)
2	13 (7)	18 (9)	6 (7)	9 (10)	7 (8)	9 (9)
3	8 (5)	4 (2)	4 (4)	3 (3)	4 (5)	1 (1)
4	5 (3)	1 (1)	4 (4)	0	1 (1)	1 (1)
5–9	2 (1)	0	2 (2)	0	0	0
Total	175	194	90	89	85	105
Gender						
Female	15 (9)	7 (4)	8 (9)	1 (1)	7 (8)	6 (6)
Male	155 (89)	180 (93)	77 (87)	83 (93)	78 (92)	97 (92)
Both	4(2)	7(4)	4 (4)	5 (6)	0	2 (2)
Total	174	194	89	89	85	105
Ethnic background[2]						
Aboriginal	15 (9)	29 (15)	4 (4)	7 (8)	11 (13)	22 (21)
CALD	13 (7)	17 (9)	4 (4)	7 (8)	9 (11)	10 (9)
Caucasian	18 (10)	29 (15)	0	2 (2)	18 (21)	27 (25)
Multiple POIs and ethnicities[3]	2 (1)	1 (1)	0	0	2 (2)	1 (1)
Not recorded	128 (73)	122 (62)	82 (91)	75 (82)	46 (54)	47 (44)
Total	176	198	90	91	86	107
Known disability[2]						
Yes	16 (9)	7 (4)	13 (14)	4 (4)	3 (4)	3 (3)
Not recorded	160 (91)	191 (97)	77 (86)	87 (96)	83 (97)	104 (97)
Total	176	198	90	91	86	107
POI offended previously[2]						
Yes	18 (10)	12 (6)	8 (9)	3 (3)	10 (12)	9 (8)
No	10 (6)	6 (3)	2 (2)	1 (1)	8 (9)	5 (5)
Not recorded	148 (84)	180 (91)	80 (89)	87 (96)	68 (79)	93 (87)
Total	176	198	90	91	86	107
Adult or child (under 18)						
Adult	43 (25)	118 (67)	27 (31)	53 (65)	16 (19)	65 (69)
Child	128 (74)	56 (32)	58 (67)	27 (33)	70 (81)	29 (31)
Both	2 (1)	2 (1)	2 (2)	2 (2)	0	0
Total	173	176	87	82	86	94

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers.

[1] Total values must be interpreted with caution due to the large variability between states.

[2] Must be interpreted with caution as data for this characteristic was not recorded in a large number of case files.[3] This category includes cases with multiple reported POIs and multiple ethnicities, and cases where the ethnicity was known for one or more POIs but not for others.

Table 4.12. Age of person of interest reported (where known) in cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse

Age	Total[1]		NSW		WA	
	ICSA[2]	NICSA[2]	ICSA[2]	NICSA[2]	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
2–4 years[3]	1 (1)	0	0	0	1 (1)	0
5–9 years[3]	15 (11)	1 (1)	5 (8)	1 (2)	10 (14)	0
10–14 years	52 (39)	27 (18)	21 (33)	14 (21)	31 (44)	13 (16)
15–17 years	41 (31)	29 (20)	23 (36)	14 (21)	18 (26)	15 (19)
18–24 years	3 (2)	26 (18)	2 (3)	8 (12)	1 (1)	18 (23)
25–34 years	6 (4)	25 (17)	4 (6)	11 (17)	2 (3)	14 (18)
35–44 years	2 (1)	20 (14)	1 (2)	10 (15)	1 (1)	10 (13)
45–54 years	7 (5)	14 (10)	4 (6)	7 (11)	3 (4)	7 (9)
55–64 years	4 (3)	1 (1)	1 (2)	1 (2)	3 (4)	0
65+ years	3 (2)	3 (2)	3 (5)	0	0	3 (4)
Total	134	146	64	66	70	80

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers.

[1] Total values must be interpreted with caution due to the large variability between states.

[2] As there were two cases of ICSA and two of NICSA in NSW with both a child and an adult POI, these cases are represented twice in the data. As such, the total 'n' values (including unknowns) for NSW and the total for the data equal the total number of cases plus two 'additional' POIs.

[3] The age of criminal responsibility in NSW and WA is 10 years. Data regarding children aged under 10 should be treated with caution as, while in some cases children aged under 10 are recorded as POIs, others who have come to the attention of police or statutory child protection services may not have been recorded as such.

Using the Royal Commission's categories, a large difference was noted between ICSA and NICSA for the relationship of the victim to the POI in both NSW and WA (see table 4.13). A child was reported as the POI in 66% of cases of ICSA compared with 32% for NICSA in NSW, and in 81% of cases of ICSA compared with 30% for NICSA in WA. The POI was an adult family member in 37% of cases of NICSA in NSW and in 25% for NICSA in WA. Other relationships for the victim and the POI were reported in 18% of cases of NICSA compared with 7% of cases of ICSA in NSW, and in 35% of cases of NICSA compared with no cases of ICSA in WA. Strangers were reported to be involved in 12% of cases of NICSA compared with only 1% of cases of ICSA in NSW, and in 11% of cases of NICSA compared with only 1% of cases of ICSA in WA.

Table 4.13. Relationship of person of interest to victim reported (where known) in cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse (Royal Commission categories)

Relationship	Total[1]		NSW		WA	
	ICSA	NICSA	ICSA	NICSA	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Child[2]	128 (74)	56 (31)	59 (66)	27 (32)	69 (81)	29 (30)
Family member	1 (1)	55 (30)	1 (1)	31 (37)	0	24 (25)
Stranger	2 (1)	21 (12)	1 (1)	10 (12)	1 (1)	11 (11)
Residential care worker/ cottage/house parent	2 (1)	0	2 (2)	0	0	0
Case worker	1 (1)	0	1 (1)	0	0	0
Teacher	21 (12)	0	10 (11)	0	11 (13)	0
Sporting coach	1 (1)	0	1 (1)	0	0	0
Medical practitioner/nurse	2 (1)	0	1 (1)	0	1 (1)	0
After-school-hours carer	1 (1)	0	1 (1)	0	0	0
Long-day carer/pre-school carer	3 (2)	0	3 (3)	0	0	0
Institution's ancillary staff	0	1 (1)	0	1 (1)	0	0
Volunteer at institution	1 (1)	0	0	0	1 (1)	0
Adult attending institution	5 (3)	0	3 (3)	0	2 (2)	0
Other	6 (3)	49 (27)	6 (7)	15 (18)	0	34 (35)
Total	174	182	89	84	85	98

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers.

[1] Total values must be interpreted with caution due to the large variability between states.

[2] Includes POIs aged under 18 where relationship to victim was known, regardless of whether the relationship was intra-familial or extra-familial.

The majority of victims and POIs in cases of ICSA were children in an educational setting (for example, school, childcare or kindergarten), comprising 60% of NSW cases and 74% of WA cases (see table 4.14). The next most commonly reported relationship was that of student and a member of staff in an educational setting, comprising 15% of NSW cases and 13% of WA cases. A broader range of relationships were recorded in cases of NICSA, with the proportion of intra-familial cases accounting for 46% of NSW cases and 36% of WA cases. The proportion of extra-familial cases where the POI was known to the victim accounted for 37% of NSW cases and 51% of WA cases. The proportion of extra-familial cases of NICSA where the POI was a stranger accounted for 15% of cases in both NSW and WA. Researchers were unable to determine the relationship between the victim and the POI in eight cases of NICSA in NSW and in 19 cases of NICSA in WA (not represented in table 4.14).

Table 4.14. Specific relationships of person of interest to victim reported (where known) in cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse

Relationship	Total[1]		NSW		WA	
	ICSA	NICSA	ICSA	NICSA	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Parent	1 (1)	17 (11)	1 (1)	11 (14)	0	6 (7)
Grandparent	0	9 (6)	0	6 (6)	0	3 (4)
Sibling	5 (3)	7 (5)	3 (3)	3 (4)	2 (2)	4 (5)
Aunt/uncle	0	5 (4)	0	2 (3)	0	3 (4)
Cousin	0	2 (1)	0	1 (1)	0	1 (1)
Step-parent	0	7 (4)	0	4 (5)	0	3 (4)
Step-relative (child)	1 (1)	4 (3)	1 (1)	3 (4)	0	1 (1)
Step-relative (adult)	0	2 (1)	0	1 (1)	0	1 (1)
Unknown relative	0	5 (3)	0	1 (1)	0	4 (5)
Partner/ex-partner of parent	0	7 (4)	0	5 (6)	0	2 (3)
Partner/ex-partner of other relative	0	2 (1)	0	1 (1)	0	1 (1)
Partner of victim	3 (2)	18 (11)	1 (1)	7 (9)	2 (2)	11 (14)
Ex-partner of victim	3 (2)	3 (2)	1 (1)	1 (1)	2 (2)	2 (3)
Peer/friend	3 (2)	17 (11)	2 (2)	8 (10)	1 (1)	9 (11)
Educational setting – student	114 (66)	4 (3)	53 (60)	0	61 (74)	4 (5)
Educational setting – staff	24 (14)	0	13 (15)	0	11 (13)	0
Educational setting – volunteer / independent tutor/teacher	4 (2)	0	2 (2)	0	2 (2)	0
Employer/work colleague	5 (3)	1 (1)	4 (5)	1 (1)	1 (1)	0
Child protection worker	3 (2)	0	3 (3)	0	0	0
Medical personnel/healthcare worker	2 (1)	0	1 (1)	0	1 (1)	0
Sport coach	1 (1)	0	1 (1)	0	0	0
Neighbour	0	8 (5)	0	5 (6)	0	3 (4)
Family friend/friend of parent/carer (adult)	1 (1)	9 (6)	1 (1)	2 (3)	0	7 (9)
Other known adult	0	6 (4)	0	2 (3)	0	4 (5)
Stranger – unknown to victim	1 (1)	17 (11)	1 (1)	9 (11)	0	8 (10)
Stranger – online association[2]	0	7 (4)	0	3 (4)	0	4 (5)
Other	1 (1)	3 (2)	1 (1)	3 (4)	0	0
Total	172	160	89	79	83	81

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers.

[1] Total values must be interpreted with caution due to the large variability between states.

[2] This includes instances where the victim and the POI met face-to-face after their initial ongoing online interaction and contact abuse occurred.

4.2.2.4 LOCATION OF ABUSE

Reported cases of ICSA predominantly occurred in educational settings, comprising 76% of cases in NSW and 92% of cases in WA (see table 4.15). Fewer proportions of cases of ICSA occurred in out-of-home care (OOHC) settings, childcare, health and allied services or other settings (see table 4.16).

Table 4.15. Institutions involved in allegations of institutional child sexual abuse

Institution	Total[1]	NSW	WA
	n (%)	n (%)	n (%)
OOHC	7 (4)	7 (8)	0 (0)
Education	147 (84)	68 (76)	79 (92)
Childcare	8 (5)	5 (6)	3 (4)
Health and allied services	4 (2)	1 (1)	3 (4)
Other	10 (6)	9 (10)	1 (1)
Total	176	90	86

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers.
[1] Total values must be interpreted with caution due to the large variability between states.

Table 4.16. Specific institutions involved in allegations of institutional child sexual abuse (Royal Commission categories)

Institution	Total[1]	NSW	WA
	n (%)	n (%)	n (%)
OOHC: residential	2 (1)	2 (2)	0
OOHC: in-family care	5 (3)	5 (6)	0
Education: day	143 (82)	67 (74)	76 (88)
Education: boarding	4 (2)	1 (1)	3 (4)
Childcare: centre-based care	6 (3)	4 (4)	2 (2)
Out-of-school-hours care	2 (1)	1 (1)	1 (1)
Religious activities: other	1 (1)	1 (1)	0
Recreation, sports and clubs: sporting	1 (1)	1 (1)	0
Health and allied: hospital	1 (1)	1 (1)	0
Health and allied: allied health	1 (1)	0	1 (1)
Health and allied: other	2 (1)	0	2 (2)
Arts and cultural: drama/music/dance	1 (1)	1 (1)	0
Armed forces and cadets	1 (1)	1 (1)	0
Youth employment	5 (3)	5 (6)	0
Other: other not elsewhere	1 (1)	0	1 (1)
Total	176	90	86

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers.
[1] Total values must be interpreted with caution due to the large variability between each state.

Specifically (see table 4.17) in cases of ICSA, 68% in NSW and 82% in WA reportedly took place in a school, childcare centre or kindergarten; 1% in NSW and 2% in WA occurred in a boarding school/dorm; 4% in NSW occurred on a school bus; and a further 3% in NSW and 1% in WA occurred in a university, TAFE or other educational centre. Six percent of cases of ICSA in NSW and 1% in WA reportedly took place in a residence (of the POI, victim, both, other or unknown). Fifty-one percent of cases of NICSA in NSW and 54% in WA reportedly took place in a residence (of the POI, victim or both). The location of the incident could not be determined based on the information in the police case files in nine cases of ICSA and 25 cases of NICSA in NSW, and in two cases of ICSA and 16 cases of NICSA in WA (not represented in table 4.17).

While in both jurisdictions the majority of cases occurred in an educational institution, WA recorded a significantly greater proportion ($X^2(1) = 8.5$, $p<.01$) of cases in this setting than NSW (WA: 95% (n=82);

NSW: 81% (n=73)). The literature review conducted in phase one of this project identified potential reasons why rates of reported CSA, including ICSA, in the administrative data report were higher in NSW than other states. One possibility was that procedural changes by NSW police facilitated closer collaboration between the police and school staff, which may have increased reporting by schools of alleged child maltreatment (including CSA) to child protection authorities and the police. Based on this, it could be expected that NSW would have a greater proportion of cases that occurred in an educational institution than WA. However, the finding that the proportion of cases in educational institutions was significantly lower in NSW than WA, particularly for cases of ICSA, does not support this.

Table 4.17. Specific incident locations reported (where known) in cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse

Incident location	Total[1]		NSW		WA	
	ICSA	NICSA	ICSA	NICSA	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Residence of POI	3 (2)	47 (30)	3 (4)	16 (24)	0	31 (34)
Residence of victim	1 (1)	13 (8)	1 (1)	6 (9)	0	7 (8)
Residence of both POI and victim	1 (1)	23 (15)	1 (1)	12 (18)	0	11 (12)
Other residence	0	9 (6)	0	1 (2)	0	8 (9)
Unknown residence	1 (1)	4 (3)	0	2 (3)	1 (1)	2 (2)
School/childcare/kindergarten	124 (75)	6 (4)	55 (68)	1 (2)	69 (82)	5 (6)
Boarding school/dorm	3 (2)	0	1 (1)	0	2 (2)	0
University/TAFE/other educational centre	3 (2)	0	2 (3)	0	1 (1)	0
School bus	3 (2)	0	3 (4)	0	0	0
Public transport/ transport station	0	6 (4)	0	3 (5)	0	3 (3)
Public space	2 (1)	19 (12)	1 (1)	12 (18)	1 (1)	7 (8)
Hotel/motel	0	3 (2)	0	1 (2)	0	2 (2)
Camp-ground	3 (2)	2 (1)	0	0	3 (4)	2 (2)
Youth employment/ work experience	6 (4)	0	5 (6)	0	1 (1)	0
Hospital/other medical centre	3 (2)	1 (1)	1 (1)	1 (2)	2 (2)	0
Abandoned childcare centre	0	1 (1)	0	0	0	1 (1)
Online	1 (1)	10 (6)	0	5 (8)	1 (1)	5 (6)
Multiple locations	10 (6)	11 (7)	7 (9)	6 (9)	3 (4)	5 (6)
Other	1 (1)	2 (1)	1 (1)	0	0	2 (2)
Total	165	157	81	66	84	91

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers.
[1] Total values must be interpreted with caution due to the large variability between states.

4.2.2.5 Disclosure and reporting of abuse

Disclosure of abuse

As shown in table 4.18, victims first disclosed the alleged abuse to a person in authority in an institution in 39% of cases of ICSA in WA and in 36% of cases of ICSA in NSW compared to 6–7% of

cases of NICSA in each state. Victims first disclosed the alleged abuse to a parent in just over one-quarter of cases of ICSA (NSW: 36%; WA: 31%). In cases of NICSA, victims first disclosed to a parent in 45% of cases in NSW and in 34% of cases in WA. In a relatively small proportion of cases of ICSA and NICSA cases in each state, the alleged incident was first disclosed by a POI or witness. Additionally, more cases of NICSA than ICSA involved 'no disclosure' in both states (see table 4.18). Examples of cases where a report was made without any disclosure include cases where the child's mother found conversations and explicit photos of her child on the child's laptop computer; medical staff detected signs of a sexually transmitted disease; and a father was concerned about an inappropriate relationship between his 14-year-old son and a 19-year-old woman. In a number of cases, researchers were unable to determine from police case file data whether a victim, POI or witness disclosed the alleged abuse to another person (20 cases of ICSA and 20 of NICSA in NSW; 15 cases of ICSA and nine of NICSA in WA) (not represented in table 4.18).

Further investigation (see table 4.19) identified that disclosures of alleged abuse in cases of ICSA in NSW were primarily made to a staff member of an educational institution (35%) or to a parent (35%). In WA, these reports accounted for 49% and 32% of cases, respectively. The highest proportion of allegations of NICSA were reported to a parent (NSW: 49%; WA: 44%). In both states, for ICSA and NICSA cases, disclosures were primarily made to female relatives (for example, mother, grandmother or sister). Additionally, in both states, allegations of NICSA were first reported to a broader range of people, including family members, friends or peers of the victim/s, employers, colleagues, members of medical or health staff, child protection workers, police and others (see table 4.19).

Table 4.18. People to whom victims first disclosed allegations (where known) in reported cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse (Royal Commission categories)

	Total[1]		NSW		WA	
Person to whom abuse first disclosed	**ICSA**	**NICSA**	**ICSA**	**NICSA**	**ICSA**	**NICSA**
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Parent	47 (33)	65 (39)	25 (36)	32 (45)	22 (31)	33 (34)
Sibling	3 (2)	7 (4)	1 (1)	2 (3)	2 (3)	5 (5)
Other relative	1 (1)	11 (7)	0	2 (3)	1 (1)	9 (9)
Adult friend	3 (2)	1 (1)	1 (1)	0	2 (3)	1 (1)
Other child	9 (6)	6 (4)	7 (10)	3 (4)	2 (3)	3 (3)
Therapist/counsellor	1 (1)	1 (1)	1 (1)	1 (1)	0	0
Medical personnel/ healthcare worker	1 (1)	1 (1)	0	0	1 (1)	1 (1)
Police/criminal justice representative/JIRT	4 (3)	11 (7)	2 (3)	5 (7)	2 (3)	6 (6)
Person in authority in institution	53 (38)	11 (7)	25 (36)	5 (7)	28 (39)	6 (6)
Welfare/child protection officer/ social worker	0	4 (2)	0	2 (3)	0	2 (2)
No disclosure	5 (4)	20 (12)	1 (1)	7 (10)	4 (6)	13 (13)
Disclosed by POI	4 (3)	4 (2)	3 (4)	2 (3)	1 (1)	2 (2)
Disclosed by witness	6 (4)	16 (10)	1 (1)	6 (9)	5 (7)	10 (10)
Other	4 (3)	11 (7)	3 (4)	4 (6)	1 (1)	7 (7)
Total	141	169	70	71	71	98

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers.

[1] Total values must be interpreted with caution due to the large variability between states.

Table 4.19. Details of people to whom allegations were first disclosed (where known) in reported cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse

Person to whom abuse first disclosed*	Total[1]		NSW		WA	
	ICSA	NICSA	ICSA	NICSA	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Mother	38 (28)	58 (39)	20 (29)	28 (44)	18 (27)	30 (36)
Father	7 (5)	10 (7)	4 (6)	3 (5)	3 (5)	7 (8)
Grandmother	1 (1)	2 (1)	0	0	1 (2)	2 (2)
Sister	3 (2)	5 (3)	1 (2)	1 (2)	2 (3)	4 (5)
Brother	0	2 (1)	0	1 (2)	0	1 (1)
Aunt	0	6 (4)	0	0	0	6 (7)
Uncle	0	2 (1)	0	2 (3)	0	0
Cousin	0	1 (1)	0	0	0	1 (1)
Stepmother/stepfather	1 (1)	1 (1)	0	1 (2)	1 (2)	0
Foster mother/father	2 (2)	1 (1)	2 (3)	1 (2)	0	0
Foster family member (adult)	1 (1)	0	1 (2)	0	0	0
Partner/ex-partner of mother/father	0	1 (1)	0	1 (2)	0	0
Partner of victim	0	1 (1)	0	0	0	1 (1)
Peer/friend	6 (5)	13 (9)	4 (6)	4 (6)	2 (3)	9 (11)
Educational setting – student	5 (4)	0	3 (4)	0	2 (2)	0
Educational setting – staff	56 (42)	10 (7)	24 (35)	5 (8)	32 (49)	5 (6)
Educational setting – volunteer/independent tutor/teacher	0	1 (1)	0	0	0	1 (1)
Employer/work colleague	0	1 (1)	0	0	0	1 (1)
Child protection worker	1 (1)	3 (2)	1 (2)	1 (2)	0	2 (2)
Medical personnel/ healthcare worker	1 (1)	2 (1)	0	1 (2)	1 (2)	1 (1)
Therapist/counsellor/social or youth worker	1 (1)	5 (3)	1 (2)	3 (5)	0	2 (2)
Police	4 (3)	12 (8)	2 (3)	5 (8)	2 (3)	7 (8)
Family friend/friend of parent/carer (adult)	3 (2)	1 (1)	1 (2)	1 (2)	2 (3)	0
Other known adult	1 (1)	1 (1)	1 (2)	0	0	1 (1)
POI's mother (biological/step/foster)	1 (1)	3 (2)	1 (2)	3 (5)	0	0
Other[2]	2 (2)	4 (3)	2 (3)	2 (3)	0	2 (2)
Total	134	148	68	64	66	84

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers. Data in this table represents cases where disclosure occurred.

* By victim, POI or witness.

[1] Total values must be interpreted with caution due to the large amount of variability between states.

[2] This includes two remand centre workers and one of each in the following: employment agency worker, babysitter, security officer and army cadet leader.

REPORTING OF ABUSE

The majority of abuse allegations in both states were first reported to police and/or child protection authorities by a school, parent or victim in cases of ICSA, or a parent, victim or professional in cases of NICSA (see table 4.20). In WA, almost half (49%) of cases of ICSA were reported by a school compared with only 5% of cases of NICSA. This contrasts with NSW, where schools reported 39% of cases of ICSA and 4% of NICSA. At least one parent reported cases of NICSA in 38% of cases in NSW and in 30% in WA. At least one parent reported 21% of cases of ICSA in NSW and 28% in WA. In NSW, the proportion of victims who first reported abuse was similar for cases of ICSA and NICSA (25% and 22%, respectively), whereas, victims in WA first reported more cases of NICSA (27%) than ICSA (17%). In a large number of NSW cases, researchers were unable to determine from police case files who first reported allegations of ICSA (29 cases) and NICSA (23 cases) (not reported in table 4.20). In contrast, the first reporter was unknown in only four cases of ICSA and five of NICSA in WA (not reported in table 4.20).

Based on the potential explanation identified in the literature review (phase one) that the close relationship between police and schools accounted for the higher reported rates of CSA in NSW than in other states, it could be expected that NSW would have a greater proportion than WA of cases where schools first reported allegations to authorities. However, the finding that there were no significant differences between the jurisdictions in the proportion of cases first reported to authorities by schools does not support this.

Table 4.20. People who first reported allegations (where known) in cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse

Reporter	Total[1]		NSW		WA	
	ICSA	NICSA	ICSA	NICSA	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Victim	29 (20)	42 (25)	15 (25)	15 (22)	14 (17)	27 (27)
Parent	36 (25)	57 (33)	13 (21)	26 (38)	23 (28)	31 (30)
Professional	7 (5)	38 (22)	4 (7)	13 (19)	3 (4)	25 (25)
School	64 (45)	8 (5)	24 (39)	3 (4)	40 (49)	5 (5)
Another known adult	2 (1)	4 (2)	2 (3)	3 (4)	0	1 (1)
Other relative	0	8 (5)	0	2 (3)	0	6 (6)
Police	2 (1)	9 (5)	1 (2)	2 (3)	1 (1)	7 (7)
POI parent	1 (1)	2 (1)	1 (2)	2 (3)	0	0
Other	2 (1)	2 (1)	1 (2)	2 (3)	1 (1)	0
Total	143	170	61	68	82	107

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers.
[1] Total values must be interpreted with caution due to the large variability between states.

In each jurisdiction, the majority of both institutional and non-institutional cases of CSA (92% NSW ICSA, 86% NSW NICSA, 92% WA ICSA, 90% WA NICSA; see table 4.21) were reported to police within six months of the date of the alleged incident (or last incident if there was more than one). Specifically, 52–62% were reported immediately or in the first week after the incident. In NSW, the highest proportion of cases of ICSA and NICSA were reported immediately after the incident (37% and 33%, respectively). In WA, the highest proportion of cases of NICSA were also reported immediately after

the incident (32%) but the highest proportion of cases of ICSA were reported within the first week (38%).

A higher proportion of cases of ICSA in NSW (37%) compared to WA (24%) were reported immediately after the incident, whereas similar proportions of NICSA cases in each state were reported immediately (33% and 32%, respectively).

Table 4.21. Time between last incident and reporting to police (where known) in cases of institutional (ICSA) and non-institutional (NICSA) child sexual abuse

Duration	Total[1]		NSW		WA	
	ICSA	NICSA	ICSA	NICSA	ICSA	NICSA
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
immediate	42 (30)	47 (32)	22 (37)	18 (33)	20 (24)	29 (32)
< 1 week	40 (28)	33 (22)	9 (15)	12 (22)	31 (38)	21 (23)
1 week – < 1 month	31 (22)	33 (22)	12 (20)	9 (16)	19 (23)	24 (26)
1 – < 6 months	18 (13)	16 (11)	12 (20)	8 (15)	6 (7)	8 (9)
6 – < 12 months	6 (4)	8 (5)	3 (5)	5 (9)	3 (4)	3 (3)
1 – < 2 years	2 (1)	5 (3)	0	1 (2)	2 (2)	4 (4)
2 – < 5 years	3 (2)	5 (3)	2 (3)	2 (4)	1 (1)	3 (3)
Total	142	147	60	55	82	92

Note: Some percentage totals may not equal 100% due to the rounding of values to whole numbers.
[1] Total values must be interpreted with caution due to the large variability between states.

4.2.2.6 Differences between NSW and WA

The nature and characteristics of cases of ICSA and NICSA in NSW and WA were fairly similar, but some differences were identified. It is important to note when interpreting these differences that the percentage of case files drawn from the administrative data set is very small, especially for NICSA.

Institutional child sexual abuse

Significant differences in the following variables were identified between cases of ICSA in NSW and WA:

- NSW had a significantly greater proportion ($X^2(1) = 10.4$, p=.001) of incidents involving more than one victim (NSW: 27 % (n=24); WA: 8% (n=7)), whereas WA had more incidents involving a single victim (WA: 92% (n=79); NSW: 73% (n=66)).
- NSW had a significantly greater proportion ($X^2(1) = 21.2$, p<.001) of cases involving multiple incidents (NSW: 63% (n=50); WA: 27% (n=23)), whereas WA had more cases involving a single incident (WA: 73% (n=61); NSW: 37% (n=29)).
- NSW had a significantly greater proportion ($X^2(1) = 3.9$, p<.05) of cases involving an adult POI (NSW: 32% (n=27); WA: 19% (n=16)), whereas WA had a greater proportion of cases involving a child POI (WA: 81% (n=70); NSW: 68% (n=58)), although children were the majority of POIs in both jurisdictions.[5]

[5] Cases involving both a child and an adult POI were excluded from this analysis (ICSA: NSW, n=2; WA, n=0), so percentages may differ slightly from table 4.11.

- NSW cases had a significantly greater proportion ($X^2(1) = 5.2$, p<.05) of cases involving penetrative CSA (NSW: 36% (n=29); WA: 20% (n=17)), whereas WA had a significantly greater proportion ($X^2(1) = 6.9$, p<.01) of cases involving non-contact abuse (WA: 13% (n=11); NSW: 2% (n=2)).[6]
- While in the majority of cases in both jurisdictions no other type of abuse was identified as co-occurring with ICSA, a significantly greater proportion ($X^2(1) = 4.3$, p<.05) of NSW cases identified other forms of abuse as co-occurring with ICSA (NSW: 42% (n=27); WA: 26% (n=21)).
- While in both jurisdictions the majority of cases occurred in educational institutions, a significantly greater proportion ($X^2(1) = 8.5$, p<.01) of WA cases occurred in an educational institution (WA: 95% (n=82); NSW: 81% (n=73)).[7]
- NSW cases had a significantly greater proportion ($X^2(1) = 6.6$, p=.01) of cases involving abuse that occurred over the course of one or more weeks (NSW: 46% (n=29); WA: 26% (n=21)), whereas WA had a greater proportion of cases involving abuse that took place over less than one week (WA: 74% (n=61); NSW: 54% (n=34)).

No significant differences were identified between NSW and WA in the proportions of all other variables, including age and gender of the victim; gender of the POI; number of POIs; relationship of the victim to the POI; people to whom the abuse was disclosed; time to reporting; and people who made the report to authorities.

Based on these findings, it appears that the nature of the cases of ICSA reported to NSW police were more complex than those reported to WA police. NSW cases involved a greater proportion of cases that included more than one victim, multiple incidents, penetrative abuse, longer duration, an adult POI and co-occurrence with other forms of abuse.

NON-INSTITUTIONAL CHILD SEXUAL ABUSE

Significant differences in the following variables were identified between cases of NICSA in NSW and WA:

- NSW cases had a significantly greater proportion ($X^2(1) = 14.6$, p<.001) of incidents involving more than one victim (NSW: 26% (n=24); WA: 7% (n=7)), whereas WA had more incidents involving a single victim (WA: 94% (n=100); NSW: 74% (n=67)).
- In both jurisdictions, the majority of cases involved victims aged 10–17; however, NSW had a significantly higher proportion ($X^2(1) = 5.1$, p<.05) than WA of cases of NICSA where the victim was aged under 10 (NSW: 39% (n=35); WA: 24% (n=26)).

No significant differences between NSW and WA were identified in the proportions of all other variables.

Based on these findings, cases of NICSA in NSW comprised a greater proportion of incidents of CSA involving more than one victim and victims aged under 10.

[6] Excludes cases where contact occurred but it was unable to be determined whether penetration occurred (ICSA: NSW, n=6; WA, n=1) so percentages may differ slightly from table 4.5.
[7] Includes cases that occurred in childcare settings (ICSA: NSW, n=5 (6%); WA, n=3 (4%)).

4.2.2.7 COMPARISON WITH NON-INSTITUTIONAL CHILD SEXUAL ABUSE

NEW SOUTH WALES

Significant differences in the following variables were identified between cases of ICSA and NICSA in NSW:

- A significantly greater proportion ($X^2(1) = 19.6$, p<.001) of cases of ICSA involved child POIs (68%, n=58) than adult POIs (32%, n=27) compared to cases of NICSA, of which a significantly greater proportion of cases involved adult POIs (66%, n=53) than child POIs (34%, n=27) .[8]
- While the majority of cases of ICSA and NICSA involved male POIs (ICSA: 91% (n=77) and NICSA: 99% (n=83)) than female POIs (ICSA: 9% (n=8) and NICSA: 1% (n=1)), a significantly greater proportion (likelihood ratio 6.4, p<.05) of ICSA cases involved a female POI (ICSA: 9% (n=8); NICSA: 1% (n=1)).[9]
- A significantly greater proportion ($X^2(1) = 12.4$, p<.001) of cases of ICSA involved contact but no penetration (ICSA: 62% (n=50); NICSA: 34% (n=26)), whereas a significantly greater proportion ($X^2(1) = 10.3$, p=.001) of NICSA cases involved non-contact abuse (NICSA: 17% (n=13); ICSA: 2% (n=2)).[10]
- A significantly greater proportion ($X^2(2) = 13.7$, p<.001) of cases of ICSA than NICSA were disclosed by a victim to a person in authority in an institution (ICSA: 39% (n=25); NICSA: 9% (n=5)), whereas a greater proportion of NICSA cases were disclosed by a victim to a parent than ICSA cases (NICSA: 59% (n=32); ICSA: 39% (n=25)).[11]
- A significantly greater proportion ($X^2(1) = 23.7$, p<.001) of cases of ICSA than NICSA were reported to authorities by schools (ICSA: 39% (n=24); NICSA: 4% (n=3)).
- In a significantly greater proportion ($X^2(2) = 40.1$, p<.001) of cases of ICSA than NICSA, the POI was a child (ICSA: 66% (n=59); NICSA: 32% (n=27)), whereas NICSA cases involved a greater proportion of POIs who were an adult family member than ICSA cases (NICSA: 37% (n=31); ICSA: 1% (n=1)).

No significant differences were identified between cases of ICSA and NICSA in the proportions of all other variables in NSW.

WESTERN AUSTRALIA

Significant differences in the following variables were identified between cases of ICSA and NICSA in WA:

[8] Cases involving both child and adult POIs were excluded from this analysis (NSW: ICSA n=2, NICSA n=2), so percentages may differ slightly from table 4.11.
[9] Cases involving both male and female POIs were excluded from this analysis (NSW: ICSA n=4, NICSA n=5), so percentages may differ slightly from Table 4.11.
[10] Excludes cases where contact occurred but it was not possible to determine whether penetration occurred (ICSA: NSW, n=6; WA, n=1) so percentages may differ slightly from table 4.5.
[11] Excludes cases where no disclosure was made (NSW: ICSA n=1, NICSA n=7) or the victim did not disclose (POI disclosed ICSA n=3, NICSA n=2; witness disclosed ICSA n=1, NICSA n=6), so percentages may differ slightly from Table 4.18.

- A significantly greater proportion ($X^2(1) = 46.4$, p<.001) of cases of ICSA involved a child POI (ICSA: 81% (n=70); NICSA: 31% (n=29)), whereas a greater proportion of cases of NICSA involved an adult POI (NICSA: 69% (n=65); ICSA: 19% (n=16)).
- A significantly greater proportion ($X^2(1) = 20.4$, p<.001) of cases of ICSA involved a male victim (ICSA: 35% (n=30); NICSA: 9% (n=9)), whereas a greater proportion of cases of NICSA involved a female victim (NICSA: 92% (n=97); ICSA: 65% (n=56)).[12]
- A significantly greater proportion ($X^2(1) = 5.7$, p<.05) of cases of NICSA involved multiple incidents (NICSA: 44% (n=44); ICSA: 27% (n=23)), whereas more cases of ICSA involved a single incident (ICSA: 73% (n=61); NICSA: 56% (n=55)).
- A significantly greater proportion ($X^2(1) = 24.5$, p<.001) of cases of ICSA involved contact but no penetration (ICSA: 67% (n=57); NICSA: 30% (n=29)), whereas a significantly greater proportion ($X^2(1) = 28.9$, p<.001) of cases of NICSA involved penetrative abuse (NICSA: 59% (n=57); ICSA: 20% (n=17)).[13]
- In a significantly greater proportion ($X^2(2) = 26.5$, p<.001) of cases of ICSA than NICSA, the victim disclosed to a person in authority in an institution (ICSA: 48% (n=28); NICSA: 9% (n=6)), whereas in a greater proportion of NICSA cases than ICSA cases, victims disclosed to a parent (NICSA: 49% (n=33); ICSA: 37% (n=22).[14]
- A significantly greater proportion($X^2(1) = 47.4$, p<.001) of cases of ICSA than NICSA were reported to authorities by schools (ICSA: 49% (n=40); NICSA: 5% (n=5)).
- In a significantly greater proportion ($X^2(2) = 53.5$, p<.001) of cases of ICSA than NICSA, the POI was a child (ICSA: 81% (n=69); NICSA: 30% (n=29)), whereas in a greater proportion of NICSA cases than ICSA cases, POIs were an adult family member (NICSA: 25% (n=24); ICSA: 0% (n=0)).

No significant differences were identified between cases of ICSA and NICSA cases in the proportions of all other variables in NSW.

In summary, in both states, when compared with cases of NICSA, ICSA appeared to involve greater proportions of non-penetrative contact abuse, a child as the POI, disclosure to a person in authority in an institution, and schools reporting allegations to authorities. Cases of NICSA in both states appeared to involve greater proportions of adult POIs (including adult family members) and disclosures to a parent.

In NSW (but not WA), a greater proportion of POIs in cases of ICSA as compared with NICSA were female, although the numbers were very small in this comparison (less than 10% of POIs were female). In both states, females were more likely than males to be victims in institutional and non-institutional contexts. However, when examining differences in victim gender in allegations of ICSA and NICSA in WA, it was found that a greater proportion of male victims were involved in allegations of ICSA than of NICSA compared to female victims, of whom a greater proportion were involved in allegations of

[12] Cases involving both male and female POIs were excluded from this analysis (WA: ICSA n=0, NICSA n=2), so percentages may differ slightly from table 4.11.
[13] Excludes cases where contact occurred but it was not possible to determine whether penetration occurred (WA: ICSA n=1, NICSA n=8), so percentages may differ slightly from table 4.5.
[14] Excludes cases where no disclosure was made (WA: ICSA n=4, NICSA n=13) or where a disclosure was made but not by the victim (POI disclosed ICSA n=1, NICSA n=2; witness disclosed ICSA n=5, NICSA n=10), so percentages may differ slightly from table 4.18.

NICSA than ICSA. This was not significant in NSW. Also in WA (but not in NSW), a significantly greater proportion of cases of NICSA than ICSA involved multiple incidents.

These findings are consistent with, and add credence to, the findings in the administrative data report. They confirm that the overall pattern is similar in both states.

4.2.3 Circumstances surrounding reports of institutional child sexual abuse

Two patterns of ICSA emerged from the case files. The first involved male child POIs who comprised 70% (n=116) of POIs in cases of ICSA. Male child POIs were commonly aged 13–16 (57% (n=60) of child POIs, and 60.7% of male child POIs where age was known) and were most likely to abuse female school students aged 13–15 (41% (n=46) of all victims) in a school setting. The types of alleged abuse by male child POIs were primarily non-penetrative (68%, n=78) and included fondling, groping and inappropriate touching.

The second pattern involved adult male POIs who comprised 21% (n=34) of POIs in cases of ICSA. Adult male POIs were most likely to be members of school staff (49%, n=16) and to abuse females (88%, n=14) in a school setting. The types of alleged abuse by adult male POIs were primarily non-penetrative (70%, n=11) and included fondling, groping and inappropriate touching.

There were no other clear patterns among the remaining adult and child POIs in cases of ICSA. Further research with larger samples would be required to determine this.

The following case examples were developed from the police case files to illustrate the types of incidents and circumstances of cases of ICSA reported to the police. Each of these examples do not represent any one case investigated, but are amalgamations of cases examined in this case file review. They include details that have been altered to protect confidentiality and characteristics that were common across the allegations examined (e.g. type of abuse, relationship of POI to victim, disclosure, and reporting). While allegations that involved penetration were reported, these did not represent a majority pattern, and are not reflected in the examples below. The first two examples illustrate incidents where the POI was a male teacher and the third and fourth examples illustrate incidents where the POI was a child.

Case example 1. Adult POI

During a small group discussion in class, a teacher overheard a group of girls (aged 13–14) talking about a male teacher who was ‘creepy’ and made them feel uncomfortable. When she asked them for more details, the girls became shy, but said he hugged and touched some of the female students. They did not disclose where on the body he touched them. One girl said she had once had trouble zipping up her jacket and he helped her, touching her private area on the outside of her clothes as he did so. The teacher reported this to the school principal, who reported the allegation to the appropriate authorities.

Case example 2. Adult POI

Sally is 15 years old and loves hanging out with her friends at school. On Monday, she told her mum that one of her teachers, Mr Johnson, touched her inappropriately while in class. Sally reported that she had asked him for help on a task so he came over and knelt beside her chair. His left leg brushed up against hers and he leant in very close when looking at her workbook to help her solve the problem. Sally also reported that Mr Johnson placed his left hand on her upper back, then moved it behind the

seat of her chair, where he stroked the top of her buttocks several times. This made Sally feel uncomfortable, so she told her mum, who took her to the principal's office to report what happened. Sally was worried he was also doing this to other girls in the class. The principal reported the allegation to the appropriate authorities. Sally's mum also reported the allegation to the police.

Case example 3. Child POI

Rose is 11 years old and is usually a happy, cheerful child. One day, when she came home from school her mother could tell that she was upset and had been crying. When her mother asked what was wrong, Rose disclosed that a boy in her class kept touching her and would not leave her alone. He would run up to her and squeeze her chest and genital area on the outside of her clothes, poke her in different places, or try to tickle her. When he did this he would laugh and make fun of her. Rose said this had been happening over the last couple of months and she had asked him to stop many times, but he always ran away laughing then did it again. Rose and her mother met the school principal the next day to report what had been happening. The principal advised them that she would have to report the allegations to the appropriate authorities. An investigation began and Rose and her mother gave a statement to the police.

Case example 4. Child POI

Taliyah and James are both 16 years old, attend the same high school and are in many of the same classes. One day, while the students were watching a movie during English class, James stole Taliyah's bag and took it to a nearby storeroom. Taliyah followed him into the storeroom to retrieve her bag. When she entered, James slapped her buttocks and closed the door. He asked Taliyah for sex in exchange for getting her bag back and tried to kiss her when she refused. Taliyah attempted to leave but James grabbed her waist and would not let go. The pair struggled for a short time, during which James grabbed Taliyah's breast – attempting to get his hand beneath her shirt – and Taliyah began to shout at him and yell out for help. Drawn by the shouting, a friend of Taliyah's opened the door, saw the struggle and helped Taliyah get James off her, retrieve her bag and leave the room. Taliyah was distressed when she attended the school office with her friend to report the incident. She also reported that James had previously harassed her by yelling out sexual taunts and simulating lewd behaviours when near her. The school reported the incident to the appropriate authorities and police attended the school to obtain statements from Taliyah and her friend.

CHAPTER 5: DISCUSSION

The purpose of this project was to determine:

- the accuracy and reliability of the data and the proxy indicators used to categorise reports of CSA as institutional or non-institutional in the administrative data report
- the nature of, and circumstances surrounding, reports to police concerning CSA in an institutional context compared to other non-institutional contexts
- the factors that drive different reporting rates for CSA in different Australian jurisdictions.

The project comprised three phases: a literature review, police consultations and a police case file review. The key findings from each phase are presented below before a discussion of the overall findings relating to the overall purpose of this project.

5.1 KEY FINDINGS: LITERATURE REVIEW

The aim of the literature review was to find out what is known about why the number of reported allegations of CSA varies across Australian police jurisdictions. Several possible explanations were identified that may account for varying rates of CSA in particular or sexual assault in general. These included the influence of:

1. various legislative and legal reforms (including state and national child protection inquiries, legislation and legal definitions)
2. procedural differences in reports made to, and recorded by, police (including counting rules and classifications)
3. the extent of unreported crime across the jurisdictions.

In Australia, each state or territory has the constitutional power to enact child protection legislation. As such, each jurisdiction has its own priorities and uses its own approach, based on its mandatory reporting legislation (Mathews, 2014). The absence of a nationally coordinated approach means that jurisdictions have different criminal codes and offences of CSA and/or assault, which can influence the number of offences recorded in each jurisdiction. The review identified differences in the three main legislative areas that might help explain why the rates of recorded sexual assaults vary across jurisdictions. These were:

1. definitions of sexual assault or abuse
2. the impetus provided by legal inquiries and reforms
3. mandatory reporting practices.

Different definitions across jurisdictions for what does or does not constitute sexual assault or abuse have been noted, and these differences may influence rates of reporting. The intensity and scope of child protection inquiries and subsequent government responses have varied across jurisdictions. Systemic change and heightened media focus on, and social awareness of, child protection issues following such inquiries may influence rates of CSA reported to police. Differences in mandatory reporting legislation (for example, the definition of ‘child’ that affects when reporters must notify authorities of suspected abuse) may influence rates of reporting to police; however, no evidence for

this was found and further research is required to determine whether these differences influence rates of reporting.

A small and outdated body of literature specifically examines the reporting procedures of police and their similarities or differences across jurisdictions. While the literature review identified evidence that operational recording differences exist between the states and territories, these may have since changed as no differences were identified in the phase two police consultations. The lack of literature examining variations in reporting procedures by police across jurisdictions warrants further exploration. It is important that recording and operational factors that contribute to differences in jurisdictional data are identified to be confident that varying rates of reported sexual abuse do not reflect real increases in the incidence of this type of crime.

CSA, and sexual assault in general, is underreported and difficult to detect; thus, reporting rates do not reflect actual incidence. Research evidence suggests that police attitudes, beliefs and the level of support provided during investigations influence rates of reporting and attrition of cases (for example, see Felson & Pare, 2008). As a victim's decision-making is often influenced by the nature of their interaction with the police, case outcomes might be determined by the manner in which the police respond to allegations (Murray & Heenan, 2012). Some jurisdictions have recommended and prioritised police training in investigating sexual assault, and assisting and supporting victims (Daly, 2011; Wood, 2008). Evidence suggests that supportive environments, including having specialist teams or investigators dealing with cases of sexual assault, might encourage victims to report their experiences. This was also explored in the consultation phase of this project.

5.2 Key findings: Police consultations

The aim of the police consultations was to identify any differences across Australian jurisdictions in police recording of reports of CSA at the time of the interviews. Consultations in eight jurisdictions identified very few differences in recording practices and revealed that police in all jurisdictions record all reports of CSA, regardless of the nature of the abuse, the characteristics of the POI and the victim, the relationship between the POI and the victim, the context in which the abuse took place and the historical nature of the abuse. However, not all reports are investigated or prosecuted. The only differences noted across jurisdictions were the lack of recording of all reports of sexting by Tasmanian police compared with other jurisdictions, and that NT police may not always notify child protection when they receive a report of CSA. Additionally, some jurisdictions used several systems and databases to record reports of CSA, while others used only one database. Given the above, it appears that police recording practices are unlikely to explain differences in rates of CSA across jurisdictions.

A brief desktop review was also conducted to identify factors that may influence rates of reporting of CSA. The project was particularly interested in identifying why rates of reported CSA identified in the administrative data report were so much higher in NSW compared with other jurisdictions. Two factors were identified: the existence of multi-disciplinary and specialist CSA investigation teams; and child protection inquiries and reforms.

The existence of a multi-disciplinary or specialist CSA investigation team may lead to an increase in the number of substantiated cases of CSA. Where these teams have been established, national child protection data showed increased rates of substantiated CSA. It was not always clear if this was due to the introduction of the teams or to other factors (for example, the NT intervention, mandatory

reporting in WA, or child protection inquiries), but it is likely to be due to a combination of factors. For example, NSW has the highest rates of CSA and the longest-running multi-disciplinary teams, which were established in 1997. Victoria, on the other hand, only introduced multi-disciplinary CSA teams in 2008, with a corresponding rise in substantiations of CSA observed. Tracking rates of substantiated cases of CSA in Victoria over the next few years may support this potential explanation. A detailed analysis of headline indicators of trends in rates of CSA – similar to that undertaken by Holzer and Bromfield (2008) in their *NCPASS* (National Child Protection and Support Services) *comparability of child protection data* project report – may help to explain jurisdictional differences.

All states and territories have had some form of child protection inquiry and/or reform during the period 2003–13. These may increase the reporting of CSA by attracting media attention and increasing public awareness of child protection issues, as well as through subsequent changes in child protection practices. For example, the NT intervention coincided with a 70% increase in substantiations of CSA for the period 2007–08 (from 71 to 120 substantiations), however the rate subsequently declined. A more detailed analysis of the effects of child protection inquiries and reforms on child protection systems, practices and public awareness was beyond the scope of this project. However, such an analysis may shed more light on any differences in reporting of CSA across jurisdictions.

The results of the second phase of the project indicated that the phase three case file review may help clarify why NSW has a significantly higher rate of recorded allegations of CSA compared with other jurisdictions.

5.3 Key findings: Police case file review

A total of 374 cases of CSA reported to police in NSW and WA between 2008 and 2013 were included in the case file review. These comprised 176 cases of ICSA and 198 cases of NICSA. In NSW, 90 cases of ICSA and 91 cases of NICSA were reported to the police. In WA, 86 cases of ICSA and 107 of NICSA were reported to the police.

As the case files examined in this review represent a small proportion of the cases included in the administrative data report, the findings presented here should be extrapolated with caution to the cases in the larger administrative dataset.

5.3.1 Are cases of institutional child sexual abuse recorded in police reports as non-institutional child sexual abuse, and what are the characteristics of these cases?

In NSW, six false negative errors were identified: five cases were categorised as NICSA and one as ‘unknown’ in the administrative dataset, but were categorised as ICSA based on the case file data reviewed. Of the cases incorrectly categorised as NICSA, four involved the sexual abuse of children in out-of-home care (foster or kinship) and one involved the sexual abuse of young people in their workplace. In WA, no false negative errors were identified in the data, but police consistently omitted to include the age of POIs in electronic reporting.

5.3.2 What is the nature of institutional child sexual abuse reported to police and how does this differ from reports of non-institutional child sexual abuse?

The predominant allegations of ICSA involved inappropriate physical contact (60%), including fondling, groping, inappropriate touching and unwanted kissing, followed by penetrative abuse (29%), primarily comprising equal proportions of digital and vaginal or anal sex. This contrasts with NICSA, where penetrative abuse (54%), primarily vaginal or anal sex, was the main form of abuse reported, followed by inappropriate physical contact (31%). In cases of ICSA and NICSA, the highest proportion of victims were females aged 10–14. Overall, the proportion of male victims in allegations of ICSA (28%) was more than double that of male victims in allegations of NICSA (12%); however, this difference was only significant in WA. This difference is due to a larger number of allegations of CSA occurring in school settings and involving male child victims and male child POIs – often in the context of bullying. The POIs of ICSA were predominantly children aged 10–17 (70%), male (89%) and students attending the same school as the victim (66%). In contrast, POIs of NICSA were either adult family members (30%) or another child (31%). ICSA occurred primarily on school grounds during school hours (84%). In contrast, just under one-third (30%) of NICSA occurred at the POI's residence or at the shared residence of the POI and the victim (15%). However, in 41 of the NICSA cases examined, the location of the alleged offence was unknown.

These findings are similar to those of the administrative data report, which found that:

- the vast majority of all allegations of ICSA and NICSA involved female victims
- most POIs were male
- schools were by far the most common institutional context for reported ICSA in cases of ICSA able to be identified from the available indicators.
- the majority of POIs in incidents of ICSA were minors (aged under 18).

When each jurisdiction was examined independently, it appeared that the nature of ICSA allegations reported to NSW police were more complex than those reported to WA police. Allegations of ICSA reported to NSW police involved a greater proportion of cases with more than one victim, multiple incidents, penetrative abuse, a longer duration of abuse, an adult POI, and co-occurrence with other reported forms of abuse.

In both states, when comparing allegations of NICSA and ICSA, the cases of ICSA appeared to involve greater proportions of non-penetrative contact abuse, a child as the POI, disclosure to a person in authority in an institution, and the school reporting the allegations to authorities. NICSA cases in both states appeared to involve greater proportions of adult POIs (including adult family members) and disclosures made to a parent.

In NSW (but not in WA), a greater proportion of POIs in cases of ICSA, compared with cases of NICSA, were female, although the numbers were very small (less than 10% of POIs in either state was female). In both states, females were more likely than males to be victims in allegations of ICSA and NICSA. However, when examining differences in victim gender in allegations of ICSA and NICSA in WA, it was found that a greater proportion of male victims were involved in allegations of ICSA than of NICSA compared to female victims, of whom a greater proportion were involved in allegations of NICSA than

ICSA. This difference was not significant in NSW. Also in WA (but not in NSW), a significantly greater proportion of cases of NICSA involved multiple incidents, compared with cases of ICSA.

5.3.3 What are the circumstances surrounding reports of institutional child sexual abuse?

Two patterns of ICSA emerged from the police case file review. The first related to abuse by child POIs (74%). The case file analyses found that incidents of ICSA primarily occurred in school grounds, were perpetrated by male students during school hours and involved inappropriate physical contact of female school students – and, to a lesser extent, male school students in the context of bullying. The school was the primary reporter of CSA to police. The victim and/or the victim's parents also reported incidents of CSA to police in around 45% of cases.

The second pattern involved adult male POIs (25%). Adult male POIs were most likely to be members of staff in an educational setting and to abuse females aged 14–15. The alleged abuse for this group of POIs was primarily non-penetrative and included inappropriate physical contact in 80% of cases. Further, there were very few allegations of ICSA involving sports clubs or other groups providing activities for children.

No other clear patterns emerged from the case file analysis of the remaining adult and child POIs in cases of ICSA.

5.3.4 Conclusion

The case file review findings support the findings of the administrative data report, such that:

- the administrative dataset provided a generally accurate indication of whether an allegation was ICSA or NICSA; therefore, the proportion of CSA allegations in the administrative data report that involve ICSA is reasonably accurate
- a high proportion of cases of CSA, especially of ICSA, reported to the police involved POIs who were children aged under 18. In addition, children aged under 18 were more likely to be POIs in cases of ICSA than in NICSA
- females are more likely to be victims of CSA, although male victims were significantly more likely to be abused in an institutional rather than a non-institutional context in WA but not in NSW.

Overall, the case file review supports the main findings of the administrative data report and provides some insight into the nature of, and circumstances surrounding, reports of ICSA and NICSA in two Australian states. Nevertheless, there are questions outstanding about the nature of reports of ICSA and NICSA in different Australian jurisdictions.

5.4 Summary of findings

A key purpose of this project was to verify the reliability of the administrative dataset and the proxy indicators used to categorise reports of CSA to police as institutional or non-institutional. These findings are discussed below, along with those relating to the nature of, and circumstances

surrounding, CSA in institutional compared with non-institutional contexts, and the factors that could potentially influence reporting rates of CSA in Australian jurisdictions.

5.4.1 Are the data and proxy indicators used in the administrative data report reliable and accurate?

When comparing the administrative dataset with data analysed in the case file review, the majority of allegations in both states were accurately categorised as ICSA or NICSA, using proxy indicators. This provides support for the general reliability and accuracy of the proxy indicators used in the administrative data report to determine whether an allegation reported to police was ICSA or NICSA.

However, a small number of errors were identified in each jurisdiction that may affect the findings of the administrative data report. These are detailed below. In NSW, 12 (7%) errors were identified, of which six were false positive and six were false negative classifications. In WA, 12 (6%) false positive errors were identified but there were no false negative errors.

Of the NSW false positive errors, six cases (3%) coded as ICSA in the administrative dataset were coded as NICSA in the case file review. These included cases where:

- a grandparent or babysitter was coded in the administrative dataset as a 'person in authority' (n=3, 2% in the case file review)
- the abuse took place at an institution but the institution did not facilitate the circumstances in which the incident took place; that is, the abuse occurred between two children from different schools or on school grounds during the school holidays (n=2, 1% in the case file review)
- the location that the report was made (for example, a doctor's surgery) was recorded by police as the location of the abuse, which was not institutional (n=1, 0.5% in the case file review).

Of the NSW false negative errors, five cases (3%) coded as NICSA and one case (0.5%) coded as 'unknown' in the administrative dataset were coded as ICSA in the case file review. The cases originally coded as NICSA included:

- four cases (2%) of sexual abuse of children in out-of-home care (foster or kinship) that were coded as ICSA in the case file review as the circumstances in which the alleged incidents occurred were facilitated by their placement
- one case (0.5%) that was coded as ICSA in the case file review as the alleged incident occurred in the young people's workplace.

Of the WA false positive errors, 12 cases (6%) categorised as ICSA in the administrative dataset were classified as NICSA in the case file review. These included cases coded as ICSA where:

- the abuse occurred on school grounds but was not institutional; that is, neither the POI nor the victim was associated with the school (n=4, 2% in the case file review)
- the location the report was made (for example, health clinic, school or police station) was recorded as the location of abuse, which was not institutional (n=5, 3% in the case file review)
- the incident occurred on camping grounds but was not related to a school or youth camp (n=2, 1% in the case file review)

- the incident occurred at an abandoned childcare centre (n=1, 0.5% in the case file review).

The nature of the errors identified above show that while generally accurate, the proxy indicators are partly limited by the accuracy of data police recorded in these fields. It was impossible to find out whether mistakes in data recording were due to human error during data entry or reflected variations in data entry methods among jurisdictions (for example, recording the location of reporting as the location of abuse when it did not occur there). If these errors reflect variable data entry methods, this may have a small impact on the reliability of the data and proxy indicators.

Findings suggest that estimates of reported ICSA in the administrative data report, particularly in WA, may be slightly overestimated due to using 'location of abuse' as a proxy indicator. This indicator is limited as it includes incidents where the abuse took place in an institution but was not ICSA (that is, the POI's access to the victim was not facilitated by the institution or the incident did not occur when the institution was *in loco parentis*).

Additional errors were also identified that, while being neither false positives or false negatives, may affect the findings of the administrative data report.

Nine of the 192 case files received from the NSW police (5%) related to incidents that occurred more than five years before the date of reporting (that is, they were cases of historical abuse). These were removed from the analysis as this review focused on recent allegations. Seven of these cases were coded as NICSA in the administrative dataset, one as ICSA and one as unknown. As only one of these was a case of ICSA, this is unlikely to influence the findings in the administrative data report relating to recent ICSA; however, NICSA data may have captured a number of historical cases that were coded as 'recent'.

Additionally, in NSW, errors were identified in the coding of victim or POI gender in the administrative dataset. In 12 cases (7%), the victims' gender was identified in the case file data as female but was coded in the administrative dataset as male (n=6), both (n=5) or unknown (n=1); and in one case (0.5%), the victim was coded as male but their gender could not be determined from the case file data. Errors identified in the coding the POI's gender in the administrative dataset included two cases (1%) in which the POI was coded as male but was identified as female in the case file data; one case (0.5%) in which the POI was coded as both but was identified as male in the case file; and one (0.5%) in which the POI was coded as male but their gender could not be determined from the case file data.

In WA, the administrative data report identified the age of POIs in the majority of cases of both ICSA and NICSA as unknown, while they could be identified from the case file data. WA police consistently did not record the age of child POIs in the administrative dataset; therefore, figures for the number of child POIs in cases of ICSA and NICSA reported in table 13.1.6 of the administrative data report may underestimate their number and proportion.

Despite these errors, the administrative dataset provided a generally accurate indication of whether an allegation was ICSA or NICSA. Therefore, the proportion of allegations identified in the administrative data report as involving ICSA is reasonably accurate. The case file review findings indicate that future analyses of police datasets can be relied on to provide reliable findings on the nature of reports of ICSA and NICSA in Australia, noting the caveats above.

5.4.2 WHAT IS THE NATURE OF, AND CIRCUMSTANCES SURROUNDING, REPORTS TO POLICE ABOUT CHILD SEXUAL ABUSE IN INSTITUTIONAL COMPARED TO NON-INSTITUTIONAL CONTEXTS?

The case file review provided a unique insight into the nature of, and circumstances surrounding, allegations of CSA reported to police in two jurisdictions. As the case file data examined in this review represents only a small proportion of the cases included in the administrative data report, the findings presented here should be extrapolated with caution to the cases in the larger administrative dataset.

Overall, allegations of ICSA primarily involved non-penetrative inappropriate physical contact (60%), followed by penetrative abuse (29%). In contrast, allegations of NICSA primarily involved penetrative abuse (54%), followed by inappropriate physical contact (31%). In cases of ICSA and NICSA, the highest proportion of victims were females aged 10–14. While overall the proportion of male victims involved in allegations of ICSA (28%) was more than double that of male victims of allegations of NICSA, this difference was only statistically significant in WA.

POIs involved in allegations of ICSA were primarily male children aged 10–17 who attended the same school as the victim. In contrast, POIs involved in allegations of NICSA were either adult family members (30%) or another child (31%). ICSA primarily occurred on school grounds during school hours, whereas NICSA primarily occurred in a residence (of the POI, victim, both the POI and victim, and other or unknown residence).

In each state, when compared with NICSA, allegations of ICSA appeared to involve greater proportions of non-penetrative contact abuse, a child POI, disclosure to a person in authority in an institution, and the school as the reporter of the allegation to authorities. Allegations of NICSA in each state appeared to involve more adult POIs and disclosures were made to a parent.

Two patterns were identified relating to allegations of ICSA involving child POIs compared to adult POIs. ICSA involving child POIs primarily occurred on school grounds, were perpetrated by male students during school hours, and involved the inappropriate physical contact of female school students – and to a lesser extent, male school students in the context of bullying. The school was the primary reporter of CSA to police, followed by the victim/s and/or their parents. ICSA involving adult POIs primarily occurred in a school setting, were perpetrated by male staff and involved inappropriate physical contact with female students aged 14–15. Among the case files reviewed for this project, very few allegations of ICSA involved sports clubs or other groups providing activities for children. No other clear patterns emerged.

While the number of female POIs was very small in each state, females made up a greater proportion of POIs involved in ICSA cases compared to NICSA cases in NSW (but not WA). Females were more likely than males to be victims in both cases of ICSA and NICSA in each state. In WA (but not in NSW), a significantly greater proportion of NICSA cases involved multiple incidents, compared with cases of ICSA.

The case file analysis shed some light on the jurisdictional differences but was not able to fully explain the discrepancies. Although the overall nature of CSA reported in NSW and WA was similar, it appeared that ICSA allegations reported to NSW police were more complex in nature than those reported to WA police. NSW had a greater proportion of cases that included more than one victim,

multiple incidents, penetrative abuse, longer abuse duration, an adult POI and co-occurrence with other forms of abuse. These findings do not reveal why reporting rates are so much higher in NSW as they are not consistent with the possible explanation that the higher rate of reporting in NSW is due to more 'trivial' cases being reported. Further investigation is required to fully understand the differences between jurisdictions and, in particular, why NSW has higher rates of reporting compared with other jurisdictions. Possible explanations for this difference are discussed in the next section.

Finally, the case file analysis provided more information about the nature of, and circumstances surrounding, allegations of CSA in institutional compared with non-institutional contexts, including:

- POIs were more likely to be minors in cases of ICSA compared with NICSA
- in WA, there was a greater proportion of male victims of ICSA than of NICSA
- a greater proportion of victims were female than male in cases of ICSA and NICSA, but in WA, more female victims experienced NICSA than ICSA
- ICSA cases involved greater proportions of non-penetrative contact abuse (for example, inappropriate touching) than NICSA cases.

Overall, the case file review supports the main findings from the administrative data report and provides some insight into the nature of, and circumstances surrounding, reports of ICSA and NICSA in two Australian states. Nevertheless, there are still outstanding questions around the nature of reports of ICSA and NICSA in different Australian jurisdictions.

5.4.3 What factors drive different reporting rates for child sexual abuse in Australian jurisdictions?

Each phase of this project identified factors that could influence reporting rates of CSA in each jurisdiction.

Initially, the literature review identified three factors that may influence reporting rates, which were: 1) legislation and legal reform (for example, child protection inquiries and reforms, and differing legislation or legal definitions); 2) police recording processes; and 3) the extent of unreported crime (which could be influenced by the relationship between police and the communities they serve, as well as how well the police manage allegations of sexual abuse). The review did not identify any evidence supporting whether differing mandatory reporting requirements influenced reporting rates and recommended this be examined in future research.

The brief desktop review conducted in conjunction with the police consultations found supporting evidence that legislation and legal reform may influence reporting rates. It found that child protection inquiries and reforms were often followed by increases in substantiations of CSA in national child protection data. It was beyond the scope of this project to conduct a more detailed analysis of these factors. Such analysis may also shed more light on any differences in reporting of CSA across jurisdictions.

No supporting evidence was found during the police consultations that police recording processes influence reporting rates. Very few variations in police recording processes between jurisdictions were identified, and it was concluded that differences were unlikely to influence rates of reporting.

The desktop review found supporting evidence that the relationship between police and the communities they serve, including how well police manage allegations of sexual abuse, may influence reporting rates. Improved relationships between police and communities, as well as police who are well-trained in managing allegations of sexual abuse, may increase the likelihood that members of the community or institutions will report allegations of CSA directly to police. Multi-disciplinary or specialist CSA investigation teams can help improve relationships between police and communities by having appropriately trained officers manage and investigate reports of CSA.

This project was particularly interested in identifying potential reasons for rates of reported CSA being so much higher in NSW than in other jurisdictions in the administrative data report. As rates of substantiated CSA in national child protection data were also higher in NSW than in other jurisdictions, it appeared that NSW police were identifying and investigating more cases of CSA. Findings of the case file review indicated that this did not appear to be a result of more 'trivial' or 'less complex' cases of CSA being reported to the police in NSW. Instead, it may be partly due to the existence of well-established multi-disciplinary or specialist CSA investigation teams. The Joint Investigation Response Teams (JIRTs) in NSW have been operating since 1997, which is longer than similar teams established more recently in other jurisdictions (for example, in 2008 in Victoria and 2009 in WA).

Where multi-disciplinary teams have been established, rates of substantiated CSA have increased. It is not always clear whether this was due to the presence of the teams or other elements (for example, the NT intervention, mandatory reporting in WA or child protection inquiries), but it is likely due to a combination of factors. Reporting rates in NSW may have been substantially influenced by the JIRTs, which have had the time to develop a well-trained workforce skilled in handling allegations of sexual abuse appropriately and respectfully, develop effective collaboration pathways between NSW police and other departments, and cement a good reputation in the community. This may increase the likelihood of instances of CSA being reported to the police and the identification of multiple victims in more complex cases. The case file review supported this view, finding that ICSA cases in NSW appeared to be more complex than those in WA.

Tracking reports and substantiations of CSA in states with newer multi-disciplinary investigation teams (for example, Victoria) over the next few years may provide support for this explanation. A detailed analysis of headline indicators of trends in rates of CSA, similar to that undertaken by Holzer and Bromfield (2008), may help explain jurisdictional differences.

While further examination is required to determine the direct impact of these potentially influential factors on reporting rates, these findings indicate that internal police processes are unlikely to affect rates of reporting. Instead, rates of reporting are likely to differ due to differences in communities. Two possible reasons were identified for the high rates of reporting in NSW compared with other jurisdictions: there are more incidents of CSA in NSW or there is more detection and reporting of CSA by the NSW community. The authors believe the latter is more likely, and that this is due to the existence of additional systemic structures that facilitate detection and reporting (for example, well-established JIRTs, the Reportable Conduct Scheme and 24-hour support hotlines for schools).

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APPENDIX 1: LITERATURE REVIEW

Literature review: Possible explanations for why Australian jurisdictions might differ in the rates of child sexual abuse reported by police.

GLOSSARY

Assault: Physical assault or type of assault not specified.

Sexual Assault: Sexual assault of an adult.

Sexual Abuse: Sexual abuse of a child.

BACKGROUND

In 2013, the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) contracted the Australian Centre for Child Protection (University of South Australia), in collaboration with the Social Policy Research Centre (University of New South Wales) and the Australian Institute of Criminology (AIC), to undertake the research project *Child sexual abuse in Australian institutional contexts: Findings from administrative data 2008–13* (subsequently referred to as the 'administrative data report'; Bromfield, Hirte, Octoman & Katz, 2017). The report used administrative data gathered from a range of institutions to estimate the incidence of child sexual abuse (CSA) in institutional and non-institutional contexts. Analysis of this data showed differences in the reporting rates of CSA to police across the eight Australian jurisdictions, which the authors believed were unlikely to be explained by differing prevalence rates of CSA. To confidently estimate the prevalence of institutional child sexual abuse (ICSA) in Australia, it is important to identify possible reasons for these discrepancies. An additional project using more detailed analysis of police data, which included this literature review, was conducted. The aim of this review was to ascertain what is already known about why the number of CSA allegations reported to police, or similar agencies and organisations that address this issue, may vary across jurisdictions.

LIMITATIONS

This review drew on literature deemed relevant to differences in reports of allegations of CSA, sexual assault and physical assault more generally made to, and recorded by, police. While it is important, it was beyond the scope of this review to synthesise primary sources of data such as statistics on crime reports and criminal legislation for each jurisdiction.

LITERATURE SEARCH STRATEGY

A snowballing search strategy that included grey literature was used. Key words entered into Google's advanced search included 'child sexual abuse', 'child sexual assault', 'crime statistics', 'police reports' and 'police records'. A similar search strategy was used to search PsycINFO and the AIC's CINCH database.

INTRODUCTION

In Australia, there is no single piece of legislation to regulate responses to CSA (Harris & Butner, 2014). Instead, each state or territory has the constitutional power to enact its own child protection legislation. In addition to using different approaches and having different priorities, each state or territory has its own mandatory reporting legislation (Mathews, 2014). All jurisdictions share common features, in that a range of people working in different professions – or in some cases, the whole community – are required by law to notify the relevant child protection department, or the police, of suspected CSA (Boxall, Tomison & Hulme, 2014). However, each jurisdiction may be subject to different influences on reporting rates, including factors such as barriers to disclosure, low reporting rates to police, varying definitions and responses to sexual abuse, and the difficulty of recording, classifying and counting such information (Tarczon & Quadra, 2012).

CRIME STATISTICS IN AUSTRALIA

Crime statistics are collected in two main ways: through data retrieved from recorded crime (for example, police reports) and national crime victimisation surveys. Both approaches have inherent limitations. For example, data compiled from recorded crime does not capture crimes not reported to the police (Australian Institute of Criminology, 2013). This is problematic in cases of sexual assault, which is predominantly a hidden type of violence. In 2013, the AIC estimated that only 20% of sexual assaults are reported to police – a poor reporting rate compared to that of motor vehicle thefts, which is at nearly 100%. Accordingly, it is conceivable that CSA is similarly under-reported, potentially even more so given the vulnerability of its victims and the barriers to disclosure, especially for very young children. It is known that many children will never disclose their experience of sexual abuse in childhood, although survivors sometimes make reports much later in life. Victimisation survey data, on the other hand, can capture instances of sexual abuse not reported to authorities. However, this data is commonly collected from people aged over 15; therefore, it does not encapsulate the victimisation experiences of children (Bricknell, 2008).

TRENDS IN RATES OF ASSAULT

Inconsistencies among jurisdictions in the recording of assault have made it difficult to compile national trends. The Australian Bureau of Statistics (ABS) has not released aggregated data on assault since 2003 due to these inconsistencies, although it has released data for individual jurisdictions (AIC, 2013). In 2013, the AIC used ABS crime statistics to compile Australian total figures for assault. Because ABS data from 2011 onwards does not include Queensland, Tasmania and Victoria, it was not possible to compare 2011 and 2012 figures with those from previous years (AIC, 2013). The AIC reported a statistically small increase of 3% in assaults between 2011 and 2012; however, it was noted that this increase could be due to increases in the population over time as opposed to an actual increase in sexual assault (AIC, 2013).

Bricknell (2008) used ABS data to examine national trends in violent crime over the previous decade and found that sexual assault had increased by 22%. Bricknell concluded that this increase was not due to population changes. In addition, when comparing older age groups with sexual assault victims aged under 15, it was found that the rate of sexual assault recorded by police has almost doubled for young people (Bricknell, 2008).

In studies examining individual jurisdictions, it appears that rates of assault recorded by police are increasing (Ringland & Baker, 2009; Trimboli, 2010). Looking at rates of assault recorded by police in NSW, Ringland and Baker (2009) found they had doubled between 1990 and 2007. However, this study did not differentiate between types of assault; therefore, the specific rates of sexual assault could not be determined. The upward trend for assault in NSW has been corroborated by Goh and Holmes (2014), who examined rates up until 2013. Goh and Holmes examined trends in sexual assault and other sexual offences separately from assault more broadly. They found that assault in general had increased by 74% from 1990 to 2013, while other sexual offences and sexual assault had increased by 95% and 125%, respectively.

Similarly, Trimboli (2010) found that assaults between school-aged children on school premises followed a statistically significant upward trend in the rate of incidents recorded by police in NSW between 2005 and 2009. Again, this study examined assaults recorded by police more broadly and did not distinguish incidents that were of a sexual nature. However, this finding is consistent with the broader trends of increases in assaults in both NSW and nationally. There has been considerable speculation about whether the rises reflect a genuine increase in sexual assault, or whether more incidents are being reported to police, or police are accounting for them differently. This will be discussed in the following section, together with the factors that may broadly influence the reporting of sexual assaults to the police.

POTENTIAL REASONS FOR INCREASES IN SEXUAL ASSAULT

There are differing opinions about whether the upward statistical trends, in assault in general and sexual assault in particular, are due to genuine increases in instances of these types of crime or whether other factors are having an influence (AIC, 2013; Bricknell, 2008; Ringland & Baker 2009; Trimboli, 2010). Factors that may explain the upward trend in sexual assault include greater reporting influenced by increased public awareness, or understanding of, sexual assault and child protection issues; diminishing social taboos around such crimes; an increased willingness of female victims to report assaults to police; improved police and judicial responses; and greater attention from political and justice systems and the media.

Ringland and Baker (2009) used data from three sources in NSW – police, hospitalisation and victim survey data – to examine the evidence relating to an increase in assaults, and increased police attention to the amount and/or type of this behaviour. The researchers found evidence to support both suppositions. In support of an increase in assaults, higher rates were found in all three independent sources of data. Increases were consistent for more serious crimes and less serious, or petty, crimes. Furthermore, there was no apparent increase in assaults reported to police, according to victimisation survey data. On the other hand, several factors indicated that members of the public had grown more willing to report assaults and police had become more willing to record them.

First, compared with hospitalisation records, assaults recorded by police and victimisation rates appeared to be more frequent, although not all cases may have required hospitalisation. Second, a greater increase was recorded in less serious assaults compared with more serious matters. Third, there was a greater proportion of less serious assaults in more recent police records. Fourth, in line with mandatory reporting laws for child abuse, there were large increases in recorded assaults of young people. Finally, in locations or on premises with either updated surveillance measures or reporting protocols (for example, increased security on the rail network or stricter school policies), there was an increase in reported assaults. In relation to this final point, Trimboli (2010) described how NSW police's procedural and organisational changes since 2003 have not only created closer working relationships between the police and government and non-government schools, but might have contributed to the rise of reported assaults. These changes included a 24-hour telephone hotline, established in 2003, to assist school principals in decision-making and reporting of assaults on school grounds; a mandatory requirement, introduced in 2005, that principals report all criminal activities to the hotline; and a new incident-reporting policy, introduced in 2007, which requires principals to report to the Department of Education and Training, and encourages them to report all crime-related events to the police.

Together with Ringland and Baker (2009), other researchers concur that over the past decade, increased public and political awareness about assault, whether it is domestic violence or CSA, has influenced the number of reports made to police by people other than the victims themselves (Bricknell, 2008). The mandatory reporting of child abuse, by teachers and others responsible for the care of young people, has likely had a similar influence on reporting rates (Ringland & Baker, 2009). Indeed, the Australian Institute of Health and Welfare (2006) stated that increased public awareness, and hence reporting, of child abuse in part accounted for rises in child protection notifications and substantiations.

In the United States, juvenile and adolescent sex offences are increasingly reported to police (Finkelhor, 2001). This rise has been attributed to educational and public awareness initiatives exposing the seriousness of crime and physical or sexual victimisation. It is argued that these initiatives are changing what people believe constitutes assault, and a broader range of behaviours are perceived to fit the definition of this crime. These changing perceptions affect the rates of reported assaults and the number of assault victims who indicate on victimisation surveys that they have experienced assault (Ringland & Baker, 2009).

In summary, it appears that a rise in recorded assaults can partly be attributed to factors other than a real increase in the incidence of assault. Although the above research assists in explaining general crime trends, further information is required to explain variations in recorded rates of assault in different jurisdictions. Possible explanations are explored in the following section.

REASONS FOR VARIABLE RATES OF SEXUAL ASSAULT IN AUSTRALIAN JURISDICTIONS

The literature offers several possible explanations for the varying rates of CSA in particular, or sexual assault in general, among the different states and territories in Australia. These include the influence of: (1) various legislative and legal reforms; (2) procedural differences in reports made to police (including counting rules and classifications); and (3) the extent of unreported crime across

jurisdictions. These explanations derive mainly from government and legislative documents and from reports on police data and crime statistics, and are discussed in the following section. There is some peer-reviewed literature about the possible influence of schools and teachers on the number of assaults reported to police, which will also be discussed. This literature is important as it may help to explain the high rates of alleged juvenile perpetrators found in the report by Bromfield et al. (2017).

Differences in legislation

There are several areas relating to legislation that might help to explain differences in the rates of recorded sexual assaults across jurisdictions. These include, but are not limited to, varying definitions of sexual assault or abuse, the impetus provided by legal inquiries and reforms, and differences in mandatory reporting practices. As mentioned previously, the absence of a nationally coordinated approach means that states and territories have divergent criminal codes and definitions of CSA and/or assault, which can influence the number of offences recorded in any particular jurisdiction.

Definitions

Definitions of sexual abuse and assault stipulate whether acts are treated as sexual offences (Finkelhor, Wolak & Berliner, 2001). It has been suggested that jurisdictions have broadened the range of behaviours that constitute sexual assault (Ringland & Baker, 2009). It is believed that, due to the broadening of these definitions, there has been an increase in the number of respondents to victimisation surveys who indicated that they experienced assault, and an increase in the percentage of assault incidents recorded by the police. However, there is evidence that people are reluctant to report sexual assault if they believe their experience was not serious enough to warrant reporting it to authorities. For example, Finkelhor et al. (2001) suggested that assaults committed by juveniles against other juveniles are less likely to fall within police jurisdiction because victims, parents, teachers or police do not define them as crimes. It has been found in victimisation surveys that young people aged 12–17 were less likely to report to the police than adult victims. The reasons for this lack of reporting were commonly coded by interviewers as ‘not important enough’. Although this research comes from the United States, similar beliefs may guide responses or reports captured in Australian data, leading to an underestimation of the prevalence of assault in this age group compared with older victims. It also points to the subjectivity of victimisation survey data and the broad categories that may not accurately capture the individual experiences of victims.

Researchers and academics have noted different definitions of what constitutes sexual assault across Australian states and territories. In an early report conducted by Murphy (1988) for the Australasian Centre for Policing Research, an example of the definition of ‘incest’ was used to illustrate definitional variability across jurisdictions. It was identified that in some states and territories, a step-parent cannot be considered to commit incest with a step-child because the offence is defined as involving a lineal relationship between the victim and the offender. Although this report was produced more than two decades ago, there is still evidence of possible inconsistencies in defining incest. Boxall et al. (2014) provided an example in a historical review of CSA legislation in place in Australia until 2013. Although this review primarily focused on non-familial offences, references were made to incest throughout the examination of legislative changes in all Australian jurisdictions over time. Interestingly, legislation in some states (for example, Queensland) stipulates that step-parents are included as potential perpetrators of incest. In contrast, an amendment to South Australian legislation in 2008 expanded the definition of incest to include half-siblings but stipulated that the offence does

not include family members related through marriage or adoption. This suggests that CSA perpetrated by a step-relative would not count as incest. Therefore, this variation in the definition of incest could lead to different numbers of intra-familial versus extra-familial instances of sexual assault against children. Differing definitions may influence rates of reporting due to the variability in the type and number of alleged offences that may be categorised as sexual assault or abuse.

Another example of a definitional issue comes from an examination of the mandatory laws for reporting CSA in each state and territory. Mathews (2014) demonstrated that two states, Victoria and NSW, have differing definitions of 'child' that affects when reporters are obliged to notify authorities of suspected abuse. Initially, a child was defined as a person of varying age (sometimes as young as under 12), but this was amended across jurisdictions to include all children aged under 18 in all but two states. Victoria limits the duty to children aged under 17 and NSW to children under 16. These inconsistencies might account for differences in rates of recorded CSA; however, no evidence has been found to support this claim and further research would be required to show whether this explanation has merit.

Another definitional issue concerns the notion of consent. Most jurisdictions maintain that consent cannot be used as a defence if, at the time of the offence, the victim was below the age of consent (Boxall, 2014). However, definitions of consent vary across the states and territories, with a number of states (for example, Victoria, Tasmania, SA and WA) passing legislation that stipulates exceptions for when consent can be used as a defence. For example, consent may be used as a defence if the child is over a certain age (10 or 15 years, depending on the jurisdiction), they consented to the activity, and the perpetrator and the victim were close in age (defined as a one-, two-, three- or five-year age gap, depending on the jurisdiction). These instances may not come before the police if they are not considered to constitute an assault, especially in cases of peer-to-peer victimisation (Finkelhor et al. 2001). Furthermore, some jurisdictions have enacted legislation that criminalises sexual activity between a young person and someone responsible for their care, or in a position of authority relative to them, even if the young person was over the age of consent at the time of the offence (Boxall, 2014). Queensland, Tasmania and the ACT do not have this legislation in place, although these jurisdictions (and NSW) have introduced legislation that negates consent in these circumstances.

The above literature demonstrates there is significant variation in definitions of sexual assault. However, what is enshrined in legislation or stipulated by definitions does not necessarily reflect what occurs in practice. Therefore, there is a need for further research to clarify practices in the different states and territories. This will enable the identification of similarities and, more importantly, points of difference across jurisdictions and how these may affect reported rates of sexual assault.

GOVERNMENT INQUIRIES AND LEGAL REFORMS

In reaction to systemic failures in responses to CSA, a number of state-based and national inquiries have been held to try to rectify problems and develop a deeper understanding of such problems (Cashmore & Shackel, 2014). The intensity and scope of these inquiries have varied among states and territories (Daly, 2011). Similarly, government responses to these inquiries, through changes to child protection systems and legislation, have also varied across jurisdictions (Boxall et al., 2014). The NSW Aboriginal Child Sexual Assault Taskforce report *Breaking the silence, creating the future: Addressing child sexual assault in Aboriginal communities in New South Wales* (2006), the NT's *Ampe Akelyernemane Meke Mekarle "Little Children are Sacred"* report (2007) and SA's *Children on Anangu*

Pitjantjatjara Yankunytjatjara (APY) Lands Commission of Inquiry report (2008) are examples of inquiries and responses that vary in intensity and scope. It is therefore possible that these inquiries influenced legal reform and raised public awareness of CSA, in turn influencing the rates of reporting of sexual abuse or assault. Boxall et al. (2014) has suggested that increases in awareness of CSA are accompanied by increases in reporting. Furthermore, legal reforms have produced changes to administrative procedures and policies (Daly, 2011).

Various states have introduced reforms to facilitate changes to the way investigations of sexual assault take place. For example, in 2003 the Crime and Misconduct Commission (now known as the Crime and Corruption Commission) in Queensland recommended that police officers dealing with sexual offences should receive specialist training. Although this recommendation has been implemented, an evaluation of the outcome is yet to be published (Darwinkel, 2014). In 2004, NSW's Criminal Justice Sexual Offences Taskforce recommended 70 legislative and practical reforms after reviewing reports identifying a range of issues regarding sexual offences (Darwinkel, 2014). Recommendations for the NSW police force promoted inter-agency collaboration, increased information for victims reporting sexual assault, and best-practice time frames for CSA cases. In response, NSW implemented and evaluated specialist courts for CSA cases (Darwinkel, 2014). It was found that, compared with normal courts, specialist courts had higher conviction rates, reduced delays between arrest and conviction, and children spent significantly less time in court throughout the process (Cashmore & Trimboli, 2005). Although there was evidence the specialist courts were still plagued by some problems and delays, and further evaluations were needed, Cashmore and Trimboli's (2005) study indicated that there were potential benefits for complainants.

NSW also operates Joint Investigation Response Teams (JIRTs), which use a tailored approach when responding to child protection cases. JIRTs comprise members from three government departments – NSW police, NSW Health, and NSW Family and Community Services – and investigate cases of child abuse and neglect that could lead to criminal prosecution if substantiated (Lamont, Price-Robertson & Bromfield, 2010). Cases referred to a JIRT usually involve CSA or serious physical abuse. An evaluation of the JIRT approach found that it achieved its aim of better inter-agency collaboration and resulted in more successful investigations and prosecutions (Cashmore, 2002). However, there was no evidence of any improvement in interventions or services for victims. The 2008 Wood inquiry into child protection services in NSW proposed making a number of changes to reporting requirements relating to child abuse, including additional training for mandated reporters, trialling e-reporting and encouraging members of the community to report. An assessment of NSW reforms by Dobinson and Townsley (2008) indicated that legislative changes could remedy the low levels of reporting of sexual assault. Therefore, it is plausible that legal reforms have resulted in an increase in the number of reports of sexual assault made to the police in NSW in recent years.

Victoria has also established specialised teams and investigators. The state's new model for investigating sexual assault has two core components: specialist teams of investigators called Sexual Offences and Child Abuse Investigation Teams and Multi-Disciplinary Centres where victims can receive services and support in a location that is not a police station. This model was inspired by the Victorian Law Reform Commission report in 2004, which stipulated that poor police decision-making was at least partly responsible for poor legal outcomes and victim reporting rates (Powell & Cauchi, 2011). The new model aimed to influence cultural change and improve police responses to sexual assault victims, as well as increase reporting rates and improve case outcomes. Victoria has also

introduced specialist courts for cases involving child victims, where delays have been reduced and guilty pleas increased (Daly, 2011).

Other states and territories have also established specialised inter-agency teams such as the NT's Child Abuse Task Force and WA's Child Assessment and Interview Team. The NT has implemented changes in response to the *Little Children are Sacred* report that specifically relate to Aboriginal and Torres Strait Islander children, raising awareness and reporting in these communities.

The examples given above demonstrate that legislative and practical reforms, together with increased community awareness through state-based royal commissions and inquiries, may contribute to higher reporting rates of abuse as more abuse may be reported or more victims may come forward.

MANDATORY REPORTING

It was noted previously that definitions in mandatory reporting legislation across jurisdictions vary and might contribute to discrepancies in the number of CSA cases reported in different states and territories. In 2014, Mathews reviewed legislation relating to mandatory reporting for CSA in Australia. Several important differences across jurisdictions were found, including differences in:

- who is mandated to report
- reporting duties
- scope of reporting
- level of harm
- different penalties for not reporting.

Mathews's (2014) findings are described in greater detail below.

First, it was noted that different jurisdictions use different approaches to who is required to report CSA. The NT places the responsibility on all citizens, whether or not they work with, or are responsible for, caring for children and young people. In SA, NSW and Tasmania, members of a large range of occupations that involve working with children are mandated reporters, including police officers, teachers, doctors and nurses. Furthermore, members of the clergy are mandated reporters in SA only. In Queensland, teachers, nurses and doctors are mandated, but police are not.

Second, Mathews (2014) proposed that the wording of legislation in some jurisdictions may cause confusion about whether a report should be made. For example, mandated reporters are not required to be certain that abuse has occurred, nor are they required to report on mere suspicions. In terms of legislation, two concepts are commonly used for when reporting should occur: 'belief on reasonable grounds' and 'suspicion on reasonable grounds'. Whether or not *belief* elicits a higher level of confidence that abuse has occurred as compared with *suspicion*, is not determined.

Third, all jurisdictions require past or current abuse to be reported. However, whether or not reporting extends to abuse that is likely to occur in the future differs between the states and territories. The ACT and WA restrict reporting duties to cases of past or current abuse. In NSW, Victoria, Tasmania and the NT, the duty to report is extended to cases where there is a reasonable belief that a child is at risk of being abused in the future, regardless of whether or not a perpetrator has been identified. Similar duties are extended in SA and Tasmania, but reporting is only required in cases where the suspected future perpetrator lives with the child.

Fourth, reporting laws apply to all forms of maltreatment that pose significant harm to the development, health, safety and wellbeing of a young person. Some jurisdictions consider that any instance of sexual abuse constitutes significant harm, and it is made clear that these cases are to be reported without further consideration. Whether these provisions result in discrepancies in reporting sexual abuse across jurisdictions is debatable. However, it may be problematic in terms of other grey areas such as the extent of harm associated with exposure to pornography.

Finally, jurisdictions differ in the amount of money mandated reporters must pay as a penalty for failing to report abuse. In NSW, the penalty was omitted after the Wood inquiry handed down its findings in 2008.

It is possible that the above differences contribute to variations in reporting rates of CSA. Further research is required to clarify which factors might account for variations in the number of cases recorded by the police.

A further example of how differing mandatory reporting duties reflect over- and under-reporting of CSA has been demonstrated by Mathews, Walsh, Rassafiani, Butler and Farrell (2009), who compared the rates of CSA reported by teachers in NSW, Queensland and WA. Legislative reporting duties differed significantly across the states at the time of the study. In NSW, teachers were mandated to report past, present and potential future sexual abuse, while teachers in Queensland were only required to report suspected abuse perpetrated by an employee of the school. It was found that there was a higher standard of reporting in NSW, the jurisdiction with the broadest reporting duty. In contrast, there was a failure to report in WA, which was attributed to the fact that it had no reporting obligation at the time.

At the date of writing this review, teachers and others working in educational settings are mandated to report CSA in all jurisdictions. A brief review of child protection and sexual misconduct policies across the jurisdictions revealed that, while all school policies relate to any circumstances where there is reasonable belief that a child has experienced, or is at risk of experiencing, significant harm (including sexual abuse), not all specifically identify peers or children as potential perpetrators of abuse.

The NT Department of Education's Student Wellbeing – Allegations of Sexual Misconduct Policy (2015) defines CSA as 'any sexual act or threat imposed on a child or young person by an adult, adolescent, or another child'. The WA Department of Education's Child Protection Policy (2009) applies to all circumstances where 'abuse is suspected or allegations of child abuse are made against staff, children or other people in the community'. In addition to its Child Protection and Reporting Child Abuse and Neglect Policy, the ACT Department of Education and Training has a policy for countering sexual harassment in its public schools (2007). This policy specifically recognises that sexual harassment may occur between student peers, along with others (e.g. between students and teachers).

It is possible that differences in mandatory reporting laws between jurisdictions affect reports made to the police, especially relating to sexual abuse perpetrated by same-age peers in the school setting. This possibility, which has not been addressed by research, requires further investigation to determine the differences between jurisdictions, with broad versus restrictive mandatory reporting standards relating to child perpetrators, as well as more generally.

PROCEDURAL DIFFERENCES IN POLICE RECORDING, COUNTING RULES AND CLASSIFICATIONS

A small body of literature describes or assesses the procedures police follow in Australia when they record crimes. Drawing on this literature, there is some evidence to suggest that there are differences in recording processes and counting rules that could explain variations in rates of recorded sexual abuse or sexual assault across jurisdictions.

In 1988, the Australasian Centre for Policing Research introduced the notion that jurisdictions might record or report crime based on diverse counting rules (Murphy, 1988). Counting rules can be victim-based or incident-based, and each approach captures different rates of crime. For example, if a victim reports a number of sexual assaults by the same offender over time, a victim-based approach would reflect a count of one, while an incident-based approach would reflect numerous counts. Findings of a Statistical Comparability Evaluation Team report in 1987 (as cited in Murphy, 1988) indicated that Victoria stringently applied the one-victim one-count rule. In contrast, NSW recorded a count for each separate incident. This has since changed as interviews conducted with police as part of this study found no differences in counting rules across jurisdictions.

Differences in reporting rates could also be attributed to differences in recording processes, which are subject to individual police discretion about whether an event is a 'reportable incident' (Brouwer, 2006). Operational recording differences have been found previously. An example comes from the *Differences in Recorded Crime Statistics* paper released in 2005 by the National Crime Statistics Unit. This paper reported that the comparability of statistics across jurisdictions was compromised by the fact that some jurisdictions included reports of historical sexual abuse as reports of sexual assault that occurred in the year of reporting. It was also noted that police discretion around recording assaults in domestic or family situations differed across jurisdictions. For example, if the victim was injured or wanted to press charges, the assault was more likely to be recorded. In contrast, an assault was almost always recorded when the victim(s) and perpetrator(s) were unknown to each other. Although sexual assault was excluded from this analysis, the authors suggested that similar recording issues affect the estimation of the incidence of sexual assault.

Differences in recording practices have also been noted when, at the time of making the report, the victim has said they do not wish to proceed further. In these instances, it has been found that some jurisdictions still record the offence, while others do not (National Crime Statistics Unit, 2005). For example, in the mid-late 2000s, Victoria Police were required to formally record details of sexual assault regardless of whether the victim wished to proceed; however, this stipulation depended on the severity of the crime (Brouwer, 2006; Murray & Heenan, 2012). In comparison, all sexual assaults were recorded in NSW and SA regardless of severity, while in Queensland no report was made if the victim does not want to proceed. Jurisdictions that record instances of sexual assault irrespective of the victim's wishes are believed to allow for greater police accountability and transparency (Murray & Heenan, 2012). It has also been suggested that certain crimes are given different priorities across jurisdictions, and the presence, size and training of specialist squads to deal with sexual assault and CSA influence the number of offences that are reported or become known to the police (Murphy, 1988). If some states and territories commit more resources and policy efforts to dealing with CSA, it is plausible that those jurisdictions would have higher rates of reporting than jurisdictions that commit fewer resources and efforts. This could be due to more reports being made in those jurisdictions, but could also be influenced by the availability of resources that better equip specialised police officers to

make detailed and accurate reports of CSA and sexual assault. For example, a study in SA found that teachers who had received recent training in mandatory reporting had better knowledge of their reporting duties, were more likely to have greater awareness of the severity of incidents of child abuse, and displayed enhanced anticipated responses to abuse disclosed by children (Hawkins & McCallum, 2001). It is possible that differences in training reflect substantive differences in accounts of sexual assault recorded by police officers.

Procedural differences for responding to assaults in schools have also been noted, and there is evidence that these differences may impact reports made to the police. As discussed previously, Trimboli (2010) found that the number of assaults recorded by the police that involve school-aged children on school premises has increased significantly in NSW. This is likely due to the establishment of a 24-hour School Safety and Response Unit telephone hotline introduced to help school principals manage crime-related events, and provide them with advice and support about whether incidents should be reported to the police. In addition, principals are mandated to report all criminal activities or injuries to the hotline, and they are encouraged to report crime-related incidents to the police. These procedural changes have enabled closer collaboration between the police and schools, which may increase the likelihood that principals and teachers in NSW will report incidents of child maltreatment not only to the relevant child protection department, but also to the police.

THE ISSUE OF UNREPORTED CRIME ACROSS JURISDICTIONS

CSA (and sexual assault in general) is under-reported and difficult to detect. Therefore, reports of these types of crimes do not necessarily reflect the actual incidence of sexual abuse or assault. It has been argued that environments in which women, young people, mandated reporters and members of the public are encouraged to divulge sexual assault, and these disclosures are met with appropriate and supportive responses, especially when reporting it to the police, can result in increased willingness to report such incidents in the future (Murphy, 1988). The states and territories that have introduced specialist branches or squads to deal with sexual assault have made it a priority to provide a supportive environment for victims. Research evidence suggests that police attitudes and beliefs, and the level of support provided during investigations, all play an influential role in reporting rates and in predicting attrition of cases (for example, see Felson & Pare, 2008). As the nature of interactions with the police often influence victim decision-making, case outcomes could be determined by the manner in which police respond to allegations (Murray & Heenan, 2012).

In 2005, the Australian Government's Office for Women commissioned the AIC to conduct a qualitative study of victim decision-making and responses to sexual assault. This study identified helpful aspects of interactions with police, which included being believed and receiving reassurance and respect. Other aspects included police officers showing patience; providing information; communicating and explaining matters clearly; acting quickly; allowing time for victims to consider their options; and receiving realistic and honest responses about the prospects of their case. Many victim-centred initiatives across the jurisdictions have included such factors in their police codes of conduct for responding to sexual assault (Murray & Heenan, 2012). Some jurisdictions have recommended and prioritised police training in investigating sexual assaults, and in assisting and providing support for victims (Daly, 2011; Wood, 2008). As mentioned previously, training is important for reporting outcomes (Hawkins & McCallum, 2001).

Another example of how vital victims' perceptions of the police are for reporting and attrition of sexual assault cases is provided by Powell and Cauchi (2011). In evaluating Victoria's implementation of the SOCIT model for investigating sexual assault, these researchers examined victims' perceptions of the service. SOCIT was developed out of a need for a more specialised and victim-centred service and focused on instilling confidence among victims by improving the responsiveness of police (Murray & Heenan, 2012). The researchers found that the SOCIT model produced a major positive shift in police attitudes towards victims, and that police gave sexual offences greater priority (Powell & Cauchi, 2011). All victims who experienced the new model stated that they would recommend that other victims report their experiences of sexual assault. The researchers concluded that reporting rates would increase and case attrition rates would decrease under SOCIT.

It has also been shown that factors such as race, ethnicity and socio-economic status play a role in community attitudes toward police more generally. A recent Australian study of the views of members of racial minorities towards police found that perceiving oneself firstly as a member of a racial or ethnic group above that of being a member of the Australian community was associated with holding less favourable views of the police. Members of minority groups with higher levels of education were also more likely to see police as distributing their services unfairly in the community. They were also less likely to believe that police use procedural justice. Similar findings have been observed in international literature, highlighting that factors such as living in economically disadvantaged neighbourhoods, low socio-economic status, age and negative contact with police contribute to negative views of police (Avdija, 2010; Brown & Benedict, 2002).

An Australian report that reviewed family and domestic violence in culturally and linguistically diverse communities throughout Australia found that women experiencing domestic violence were less likely to seek assistance or report to police than women in the mainstream population. This was due to fears about involving the police, anticipating a racist or unhelpful response, or experiencing a backlash from their community (Bonar & Roberts, 2006). Significant variations in these factors across jurisdictions, or specific police interventions targeted at overcoming negative community attitudes toward police, may explain some of the variability in the rates of reporting for crimes including sexual assault.

In summary, evidence suggests that victims are encouraged to report their experiences in jurisdictions with supportive environments and specialist teams or investigators dealing with cases of sexual assault. Intuitively, this could lead to an increase in the rate of sexual assaults recorded by police in these states and territories.

CONCLUSION

It is clear that more accurate comparative data is needed on crime statistics in general across Australian jurisdictions. Further research is required to determine whether the upward trend found in state, territory and national data on sexual assault reflects a true increase in the prevalence of the crime, or if it indicates growing public knowledge and awareness of, and a stronger intention to report, sexual assault. This is particularly important in cases of sexual assault and CSA because, by nature, these are hidden crimes that are challenging to detect. A small and outdated body of literature examines the differences and similarities in police reporting procedures across jurisdictions. However, there is evidence of operational differences in recording among the states and territories. Further, there are discrepancies in legislation and variations in the resources devoted to sexual assault and the priority it receives across jurisdictions. Even so, what is translated into practice does not always reflect

legislative outlines or stipulations in policy, raising the need for more research to clarify practices across jurisdictions.

Another question for future research concerns the impetus provided by legal reforms and inquiries, not only in terms of legislative and practical changes but also in increasing the general public's awareness of CSA (or sexual assault more generally) using political, justice and media outlets. This research could assess who is reporting CSA in different jurisdictions (that is, professionals who are mandated to report, or neighbours, family friends or strangers with no mandatory obligations). States such as NSW appear to have introduced more progressive policy initiatives, training programs for police and mandated reporters, funding for programs for victims – including sexual assault support services – and prevention programs (Keel, 2005). It is important that these factors are also considered when investigating patterns or trends in crime data. Similarly, it has been demonstrated that supportive reporting environments, better collaboration between police and other sectors involved with caring for and working with children and young people, increased police training, and specialist squads and courts intended to deal with sexual offences may all bolster the number of such crimes being reported to the authorities.

The lack of literature examining variations in police reporting procedures across jurisdictions in Australia warrants further exploration. It is vital that recording and operational factors contributing to differences in jurisdictional data are identified to be confident that varying rates of reported sexual abuse do not reflect real increases in the incidence of this type of crime. It has been demonstrated that the initial process police use when a crime is reported can either hinder or encourage victims or mandated reporters to notify police of instances of sexual abuse or assault. To ensure that victims feel safe in divulging their experiences of sexual abuse, it is vital police understand and use best practice. Similarly, it has been demonstrated that the way allegations are handled has a strong influence on case outcomes. Therefore, identifying police reporting practices and procedures is not only important for ensuring reports are made, but also for improving case outcomes for victims in a timely and positive manner.

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APPENDIX 2: INTERVIEW SCHEDULE

Introduction

As was outlined in the information sheet the recent study, commissioned by the Royal Commission determining the prevalence of child sexual abuse in Australian institutional contexts, identified differences in the rates of reports of child sexual abuse recorded by police across jurisdictions. The first part of today's interview is to ascertain if these differences were due to reporting and/or recording practices in the different jurisdictions. This will help us to understand if the first report has correctly estimated prevalence rates or if certain types of ICSA have been omitted.

In addition, the prevalence study did not examine the outcomes of reports of CSA or the nature and circumstances of these reports. As the police data was the most comprehensive data obtained from the various agencies and organisations that were included in the earlier prevalence study, it is proposed, as outlined in the information sheet, to undertake a case file data review of a random sample of 100 institutional and 100 NICSA reports made to police in two jurisdictions, one of which will be NSW, to draw conclusions about the nature, circumstances and disposal of reports of institutional child sexual abuse made to police. The second set of questions will address the processes and recording practices relating to investigation and disposal.

FIRST QUESTION SET:

The first set of questions relate to recording a report of child sexual abuse.

1. Do you record all reports of a sexual nature that involve minors?
2. **[If no:]**
    a. What types of reports of a sexual nature do you record?
    b. What types of reports of a sexual nature are not recorded? For example:
        i. Would a report of a sexual nature where the alleged perpetrator is under the age of 13 years be recorded?
        ii. Would a report of a sexual nature that wouldn't be considered child sexual abuse under the law be reported?
        iii. Do the characteristics of the victim (eg, age) or perpetrator (eg, paedophile ring) determine whether a report is recorded or not?
        iv. Does the context of where the act takes place – for instance in an out-of-home care context – determine whether a report is recorded or not?
        v. Does the relationship between the perpetrator and the victim determine whether a report is recorded or not? For example, where an act of a sexual nature occurs between two siblings in out-of-home care.
        vi. Are incidents of sexting reported?
3. What happens to those reports that are not recorded?
4. Who is responsible for recording the initial report, what data is contained in the record and where is that record kept?
5. As mentioned earlier, the prevalence study noted differences in rates of reports of child sexual abuse recorded by police across jurisdictions. This may be because of reporting or recording differences. For example:

a. Reporting differences maybe because of an agreement or protocol between police and schools in a particular jurisdiction.
b. Are there any relationships or arrangements with agencies in your jurisdiction that may affect the numbers of reports that you receive of allegations of a sexual nature involving a minor or minors?

6. Do you have any views on why there might be differences in reports across jurisdictions?

SECOND QUESTION SET

The second set of questions relate to actions and recording processes as a recorded report of child sexual abuse progresses through the police system from initial recording through to investigation and disposal. As I mentioned earlier, we require this information to gain a more detailed understanding of institutional child sexual abuse and also identify those cases that may be institutional child sexual abuse but have been recorded as non-institutional child sexual abuse as this will have affected the prevalence results arrived at in the first study.

As outlined in the information sheet, we will be requesting 100 case files pertaining to institutional child sexual abuse and 100 case files pertaining to non-institutional child sexual abuse from police in two jurisdictions.

We are particularly interested in case file information stored either electronically or in hard copy for that will provide details about:

- who made the report
- the nature of the allegation
- the outcomes of the case; for example, the action taken by police, including outcome or disposal of the report (eg, charges laid or the report closed with no action).

We would like to ascertain from you, how we would make a formal request for this data. First can I ask you:

1. What information is kept regarding the person who made the report?
    a. Where is it kept?
    b. What form is it in?
    c. How would we request it (eg, appropriate terminology and record type)?

2. What information is kept regarding the nature of the allegation (for example, the type of sexual abuse; the context in which the abuse took place; involvement of other institutional contexts (eg, schools) that arise as a consequence of the allegation)?
    a. Where is it kept?
    b. What form is it in?
    c. How would we request it (eg, appropriate terminology and record type)?

3. What information is kept regarding the outcomes of the case (eg, charges laid or the report closed with no action)?
    a. Where is it kept?

b. What form is it in?
c. How would we request it (eg, appropriate terminology and record type)?

4. In the previous prevalence study your jurisdiction provided us with the information that is shown in the table we sent to you along with the information sheet and consultation questions. We will be requesting similar data for the 200 case files. Can I go through the table with you now to identify if any of the data listed is obtainable in more detail than what is listed in the table and if so:
    a. Where is it kept?
    b. What form is it in?
    c. How would we request it?

Thank you very much for your time. We will send you a transcript of this consultation within the next two weeks for you to verify or make amendments to if you wish. We will also forward a draft data request document based on the consultation for your feedback.

APPENDIX 3: DATA REQUEST LIST

We require 100 randomly selected (eg. every 5 cases) reported cases of Institutional child sexual abuse and 100 randomly selected (eg. every 5 cases) reported cases non-institutional child sexual abuse.

Definitions:

- An institution is defined as any organisation looking after children, and may include day care centres, schools, boarding schools, foster parents living on site, correctional facilities, sporting clubs, scouting schools, churches.
- Institutional child sexual abuse is defined as occurring when the POI is a person in authority, for example a teacher, scout leader, swimming coach or when the abuse occurs on the grounds of an institution including abuse that occurs between peers.
- Non-institutional child sexual abuse is defined as all other incidents of child sexual abuse excluding cases where the POI is a family member.
- Case refers to a child.
- Where an incident involves multiple children and one POI, only one of the children is to be included in case selection.

This data should include all relevant electronic field data, 'narrative' data, and Fact sheets.

The 200 cases are to be de-identified and drawn from incidents reported during the period 1 July 2008 to 30 June 2013 where:

1. The victim was aged below the age of 18 years at the time of the offence; and
2. The alleged offence type was sexual assault.

Note:

a) For incidents involving more than one offence occurring at different times, or offences occurring over a period of time, incidents are considered in scope if the victim was below the age of 18 years at the time of the first offence or first date of the offence period.
b) 'Sexual assault' means all offences falling within Division 03 (Sexual Assault and Related Offences) of the Australian and New Zealand Standard Offence Classification (ANZSOC).

All data are required to be provided in excel format and labelled 'un-classified'.

For each case (child) the following data items are to be provided as part of the case file:

- Date incident reported
- Incident start date
- Incident end date
- Local Area Command
- Offence category (by ANZSOC Division and Sub-division)
- Incident veracity
- Incident clear-up status
- Reason for no further investigation
- Incident location
    - Location type (‘premise’)
    - Location sub-type (‘premise sub-type’)
    - Location further sub-type (‘premise sub-type’)
    - Postcode
    - GPS coordinates (non-confounded)
- Demographics for each victim involved in the incident:
    - Sex/Gender
    - Age at time of reporting
    - Age at time of incident
    - Indigenous status
- Demographics for each person of interest involved in the incident:
    - Sex/Gender
    - Age at time of incident
    - Relationship to victim
    - Indigenous status
    - Organisation of interest / organisational affiliation of POI

- Details of the person who made the report [maybe in narrative]
- Nature of the allegation
    - type of sexual abuse;
- The context in which the abuse took place; e.g. any narrative data describing the details of the incident;
- Involvement of other institutional contexts (e.g. schools) that arose as a consequence of the allegation)
- Charge
- Outcomes of case
    - Investigation complete [has been some prosecution]
    - Finalised [outcome of court matter]
    - Current [still being investigated]
    - Case closed [no further investigation to take place and hasn’t been an outcome resulting in prosecution]
- Outcomes of prosecution of all incidents for each child.

APPENDIX 4: DATA CODING FRAMEWORK

Victim/ Person of Interest (POI) Characteristics

Number of Victims/ POIs
- Continuous variable

Victim/ POI gender
1 Female
2 Male
3 Both
4 Unknown

Victim/ POI background
1 Indigenous
2 CALD
3 Caucasian

Does the victim/ POI have any known disability?
1 Yes
2 No

Was the POI an adult or a child?
1 Adult
2 Child
3 Both
4 Unknown

Has the POI offended previously?
1 Yes
2 No
3 Unknown

Age of youngest/oldest victim and child POI at last incident/ Age of adult POI at last incident
- Continuous variables – later grouped into:
1 <2 years
2 2 – 4 years
3 5 – 9 years
4 10 – 14 years
5 15 – 17 years
6 18 – 24 years
7 25 – 34 years
8 35 – 44 years
9 45 – 54 years
10 55 – 64 years
11 65+ years
12 Unknown
13 N/A

Relationship of POI to victim *(Royal Commission categories)* / Relationship of Main POI to victim *(Royal Commission categories)* – *Only if more than one POI or different relationships to each victim*
1 Child
2 Family member
3 Stranger
4 Residential care worker/ Cottage parent/ House parent
5 Foster carer/ Foster carer household member (adult)
6 Caseworker
7 Teacher
8 Dormitory/ House master
9 Clergy or religious church lay leader
10 Scout master/ Guide leader
11 Sporting Coach
12 Youth group leader
13 Medical practitioner/ Nurse
14 Police officer
15 Corrective service personnel
16 After school hours carer
17 Long day carer/ Pre-school carer
18 Institution's ancillary staff
19 Volunteer at institution
20 Adult attending institution
21 Other (specify)
22 Unknown
88 Not applicable –

Details of the Relationship of POI to victim / Details of the relationship of <u>Main POI</u> to victim – *Only if more than one POI or different relationships to each victim*

1 Mother
2 Father
3 Grandmother
4 Grandfather
5 Brother
6 Sister
7 Aunt
8 Uncle
9 Cousin
10 Step-mother
11 Step-father
12 School/ Childcare/ Kindergarten staff
13 Unknown relative
14 Unknown relationship
15 Boyfriend/ Girlfriend/ Intimate partner
16 Ex-boyfriend/girlfriend/intimate partner
17 School/ Childcare/ Kindergarten peer
18 Peer/ Friend
19 Employer/ Work colleague
20 Volunteer at school/childcare / Independent tutor/teacher
21 Child protection worker
22 Medical/ Health worker
23 Stranger – unknown to victim
24 Stranger – online association
25 Mother's partner/ ex-partner
26 Father's partner/ ex-partner
27 Partner/ Ex-partner of other relative
28 Foster mother
29 Foster father
30 Foster family member (child)
31 Foster family member (adult)
32 Neighbour
33 Family friend / Friend of parent/carer (adult)
34 Other known adult
35 Police
36 Therapist/ Counsellor/ Social/Youth worker
37 POI's mother (biological/step/foster)
38 Step-relative (adult)
39 Step-relative (child)
40 POI
49 Sport coach
50 Other
88 Not applicable
89 Unknown

<u>Location and Context of the Allegation of Abuse</u>

Police Jurisdiction

1 NSW
2 WA

Is this a case of institutional CSA? / Was this case categorised as institutional CSA in the original study's dataset?

1 Yes
2 No
3 Unknown

What type of institution was involved *(broader groupings)*? *(Item range from institution type Royal Commission categories)*

1 OOHC *(items 1 – 2)*
2 Education *(items 3 – 5)*
3 Childcare *(items 6 – 8)*
4 Health & Allied *(items 16 – 20)*
5 Other *(items 9 – 15 and 21 – 37)*
6 Unknown *(item 38)*
7 Not applicable

What type of institution was involved *(Royal Commission categories)*?

1 OOHC: Residential
2 OOHC: In-family care
3 Education: Day
4 Education: Boarding
5 Education: Tutoring
6 Childcare: Centre-based care
7 Childcare: Family-based care
8 Out of school hours care
9 Religious Activities: Places of worship
10 Religious Activities: Clergy training facility
11 Religious Activities: Other
12 Recreation, Sports & Clubs: Scouting
13 Recreation, Sports & Clubs: Sporting
14 Recreation, Sports & Clubs: Hobby/recreational/cultural group
15 Recreation, Sports & Clubs: Other
16 Health & Allied: Hospital
17 Health & Allied: Medical practitioners
18 Health & Allied: Allied health
19 Health & Allied: Rehabilitation
20 Health & Allied: Other
21 Juvenile Justice: Police
22 Juvenile Justice: Juvenile justice/ corrective
23 Juvenile Justice: Immigration detention
24 Supported Accommodation: Refuge (24/7)
25 Supported Accommodation: Semi-supported youth housing
26 Arts & Cultural: Drama/Music/Dance
27 Arts & Cultural: Tutoring
28 Arts & Cultural: Theatre/Television
29 Arts & Cultural: Language school
30 Arts & Cultural: Other
31 Social Support Service: Family support
32 Social Support Service: Youth support
33 Social Support Service: Other
34 Armed forces and cadets
35 Youth employment
36 Other government agency
37 Other not elsewhere
38 Unknown
39 Not applicable –

Where did the alleged incident occur?

1 POI residence
2 Victim residence
3 Residence of both POI and victim
4 School/ Childcare/ Kindergarten
5 Boarding school/ dorm
6 School bus
7 University/ TAFE/ Other educational centre
8 Public space
9 Online
10 Abandoned childcare centre
11 Public transport/ transport station
12 Other residence
13 Unknown residence
14 Police station
15 Hotel/motel
16 Camp-ground
17 Multiple locations
18 Unknown
19 Other
20 Youth employment/ Work experience
21 Hospital/ Medical centre

Type of abuse alleged *(Royal Commission categories)*

1 Contact: Penetration
2 Contact: Non-penetration
3 Contact: Unknown
4 Non-contact: Violation of privacy
5 Non-contact: Exposing children to adult sexuality
6 Non-contact: Grooming for the purposes of sexual contact
7 Non-contact: Exploitation
8 Non-contact: Other (specify)
9 Non-contact: Unknown
10 Unknown CSA

Details of the type of abuse alleged

1 Penetration: Vaginal/Anal sex
2 Penetration: Digital
3 Penetration: Oral sex/ penetration
4 Penetration: Other
5 Inappropriate touching/ fondling/ groping/ kissing/ masturbating
6 Exposing genitals
7 Attempted sexual assault
8 Propositioning sex/ sexual acts
9 Grooming
10 Child pornography (creating/ procuring/ disseminating/ showing to child/ sexting)
11 Sexually harassing
12 Unknown
13 Other abuse
14 Adult pornography (creating/ procuring/ disseminating/ showing to child/ sexting)
15 Penetration: Unknown

Other forms of abuse also alleged

1 Physical
2 Emotional
3 Neglect
4 Intimate Partner Violence
5 Threats
6 Unknown
7 None
8 Multiple other forms

Number of incidents

1 Single
2 Multiple
3 Unknown

Duration of abuse

1 1 day
2 <1 week
3 1 week - <1 month
4 1 - <6 months
5 6 - <12 months
6 1 - <2 years
7 2 - <5 years
8 5 - <10 years
9 10 - <15 years
10 15 - <18 years
11 18+ years
12 Unknown

Time to reporting from the last incident

1 Immediate
2 <1 week
3 1 week - <1 month
4 1 - <6 months
5 6 - <12 months
6 1 - <2 years
7 2 - <5 years
8 5 - <10 years
9 10 - <15 years
10 15 - <18 years
11 18+ years
12 Unknown

To whom was the allegation first disclosed by victim *(Royal Commission categories)*?

1 Parent
2 Sibling
3 Other relative
4 Adult friend
5 Other child
6 Therapist/counsellor
7 Medical personnel/healthcare worker
8 Lawyer
9 Police/criminal justice representative/JIRT
10 Person in authority inside institution
11 Welfare/ child protection officer/ social worker
12 Survivor/ advocacy group member
17 Other (specify)
13 No disclosure –
14 Offender disclosed –
15 Witness disclosed –
16 Unknown –

Who reported the allegation to Police or child protection services?

1 Victim
2 Parent
3 Professional
4 School
5 Peer
6 Another known adult
7 Other relative
8 Police
10 Other
11 Unknown
12 POI Parent

Details of to whom the allegation was first disclosed (by victim, POI, or witness) / Details of who reported the allegation to Police or child protection services

1 Mother
2 Father
3 Grandmother
4 Grandfather
5 Brother
6 Sister
7 Aunt
8 Uncle
9 Cousin
10 Step-mother
11 Step-father
12 School/ Childcare/ Kindergarten staff
13 Unknown relative
14 Unknown relationship
15 Boyfriend/ Girlfriend/ Intimate partner
16 Ex-boyfriend/girlfriend/intimate partner
17 School/ Childcare/ Kindergarten peer
18 Peer/ Friend
19 Employer/ Work colleague
20 Volunteer at school/childcare / Independent tutor/teacher
21 Child protection worker
22 Medical/ Health worker
23 Stranger – unknown to victim
24 Stranger – online association
25 Mother's partner/ ex-partner
26 Father's partner/ ex-partner
27 Partner/ Ex-partner of other relative
28 Foster mother
29 Foster father
30 Foster family member (child)
31 Foster family member (adult)
32 Neighbour
33 Family friend / Friend of parent/carer (adult)
34 Other known adult
35 Police
36 Therapist/ Counsellor/ Social/Youth worker
37 POI's mother (biological/step/foster)
38 Step-relative (adult)
39 Step-relative (child)
40 POI
49 Sport coach
50 Other

88 Not applicable
89 Unknown