

Police responses to child sexual abuse 2010–14

An analysis of administrative data for the Royal Commission into Institutional Responses to Child Sexual Abuse

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Project team

The Royal Commission into Institutional Responses to Child Sexual Abuse commissioned and funded this research project. It was carried out by the following researchers: Associate Professor Anna Ferrante, Dr Joe Clare, Mr Sean Randall and Associate Professor James Boyd

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Royal Commission
into Institutional Responses
to Child Sexual Abuse

Preface

On Friday 11 January 2013, the Governor-General appointed a six-member Royal Commission to inquire into how institutions with a responsibility for children have managed and responded to allegations and instances of child sexual abuse.

The Royal Commission is tasked with investigating where systems have failed to protect children, and making recommendations on how to improve laws, policies and practices to prevent and better respond to child sexual abuse in institutions.

The Royal Commission has developed a comprehensive research program to support its work and to inform its findings and recommendations. The program focuses on eight themes:

1. Why does child sexual abuse occur in institutions?
2. How can child sexual abuse in institutions be prevented?
3. How can child sexual abuse be better identified?
4. How should institutions respond where child sexual abuse has occurred?
5. How should government and statutory authorities respond?
6. What are the treatment and support needs of victims/survivors and their families?
7. What is the history of particular institutions of interest?
8. How do we ensure the Royal Commission has a positive impact?

This research report falls within theme six.

The research program means the Royal Commission can:

- obtain relevant background information
- fill key evidence gaps
- explore what is known and what works
- develop recommendations that are informed by evidence, can be implemented and respond to contemporary issues.

For more on this program, please visit www.childabuseroyalcommission.gov.au/research

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EXECUTIVE SUMMARY

Background and purpose

This quantitative study was commissioned by the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) and undertaken by researchers at the Centre for Population Health Research, Curtin University.

The purpose of the research was two-fold. Firstly, researchers undertook a systematic statistical review of police reports relating to child sexual abuse across Australia to gain a better understanding of how police in all jurisdictions respond to and process reports of child sexual abuse. The study examined finalisation rates and methods of finalisation, using police administrative data from each of the eight Australian jurisdictions. For each jurisdiction, the study:

- identified how many reported cases were finalised¹ by police
- determined how these cases were finalised (how many proceeded to court)
- estimated the time taken to report, record and finalise reports of child sexual abuse (median days).

Secondly, researchers undertook a more detailed statistical analysis of the extent and nature of child-to-child² sexual abuse reported to police. This part of the study determined:

- the prevalence in each Australian state and territory
- the nature, including the demographic breakdown of alleged victims and offenders (gender, age and Indigenous status where available), location of incidents (institutional settings and other locations) and severity of alleged offences
- police finalisation status (within 180 days of reporting) and finalisation methods
- trends in the reporting of child-to-child cases over time (from 2010 to 2014).

Data

Administrative data was obtained on all actual and alleged incidents of child sexual abuse reported to police in each Australian state and territory from 1 January 2010 to 31 December 2014. The data included the time and place of each incident, the nature of the actual or alleged offence, the victim and their relationship to the offender, information about the offender(s) or alleged offender(s), and details about the processing and outcome of each incident or case (for example, reporting, recording and finalisation times; finalisation status and methods).

Terminology, counting rules applied to the data, and definitions used to classify data or derive new variables are described in detail in Section 2. Limitations of the data are also described in Section 2.10. These include not all crimes being reported to police, not all reports to police being crimes, a large amount of missing data (mostly in relation to offender characteristics), and the inter-jurisdictional comparability of data. Some of the tables in the report have been

¹ By 'finalised', we mean that the incident or case was either cleared, closed or classified inactive (see Section 2.7 and Appendix C for more details).

² Child-to-child sexual abuse is defined as incidents where both the victim and the alleged offender are aged under 18 and the nature of the offence falls within ANZSOC Division 03 (Australian Bureau of Statistics, *Australian and New Zealand Standard Offence Classification (ANZOC), 2011*, cat no 1234.0, ABS, Canberra).

‘confidentialised’ to reduce the risk of identifying an individual from the data. The process is described in Section 2.11.

Findings

The research found large inter-jurisdictional variations in the volume and characteristics of reported child sexual abuse and in the outcome of police investigations.

The following variations were of most interest:

- Police in New South Wales and Queensland receive, record and respond to more incidents of child sexual abuse per 1,000 persons than other police jurisdictions.
- Historical cases, which were defined as those where the reporting date was 12 months or more after the date of the incident, constitute a significant proportion of reports in Victoria (45 per cent), Tasmania (37 per cent) and South Australia (36 per cent), while comprising just 7 per cent of child sexual abuse cases reported to police in Western Australia.
- Offence severity varies between jurisdictions: less serious offences (non-assaultive sex offences) comprise almost one-quarter of all cases reported to police in New South Wales, South Australia and Queensland, while they constitute fewer than one in 10 cases reported in other jurisdictions.

Inter-jurisdictional variations in reported crime are a recognised issue in Australia and thus some level of heterogeneity in findings was expected [1]. Differing reporting rates, counting rules, recording practices, policing methods, and legislative and regulatory frameworks – including different protocols on whether reports are made directly to police or other agencies (such as child protection agencies) – all play a role in accounting for variations that exist between jurisdictions in relation to the numbers of reports received, finalisation outcomes and the time taken for reports to be finalised.

Finalisation rates

Our examination of police outcomes for reported cases of child sexual abuse found that:

- Australia-wide, 91 per cent of child sexual abuse cases reported between 2010 and 2014 were finalised by police. Jurisdictional rates varied from a maximum of 94 per cent (South Australia) to a minimum of 84 per cent (Australian Capital Territory)
- the proportion of cases finalised within 180 days of reporting was, understandably, less. The national rate was 69 per cent, with jurisdictional variations that ranged from a maximum of 80 per cent (South Australia) to a minimum of 59 per cent (Victoria and Western Australia).

Method of finalisation

- Nationally, about 30 per cent of cases were finalised by police through the initiation of court proceedings, while another 7 per cent were dealt with by other actions against the offender (for example, juvenile diversionary options). Just under half (45 per cent) of all finalised cases were resolved by methods that did not involve legal actions against the offender.
- Tasmania and South Australia had the highest proportion of reported child sexual abuse cases finalised through the initiation of court proceedings against the offender (71 per cent and 56 per cent respectively). The Australian Capital Territory and

New South Wales had the lowest proportion (18 per cent and 19 per cent respectively). Some of this difference can be attributed to differing implementations of juvenile diversionary schemes and associated eligibility criteria. In other research completed for the Royal Commission, it was noted that South Australia tends to have a higher rate of charging of offenders, and a higher rate of subsequent withdrawal or dismissal of charges than other jurisdictions.³

- In terms of attrition levels (that is, the proportion of cases that progress from initial report to the initiation of court proceedings), the study found that just over one-quarter (28 per cent) of all reported cases of child sexual abuse across Australia resulted in the initiation of criminal proceedings against the offender. More than one-third (35 per cent) of all reported cases of child sexual abuse resulted in some form of legal action against the offender.

Time taken to finalise a case

- The time taken to finalise reported child sexual abuse cases varied from one jurisdiction to another. The Australian Capital Territory took the least amount of time to finalise cases (median of 15 days), while Victoria and Western Australia took the longest (median of 81 and 86 days respectively).
- The time taken to finalise a case correlated with the time taken to report an incident. Generally, incidents that were reported earlier were more likely to be finalised sooner. The time taken was also influenced by the method of finalisation, with matters finalised through the initiation of court proceedings generally taking longer.

Factors associated with finalisation within 180 days

For each jurisdiction, the study examined whether various factors – such as incident, victim, offender and policing – were associated with cases being finalised within 180 days. No one factor emerged as having a singular influence on a case being finalised within 180 days; rather, a combination of factors were associated with this outcome. Several of these factors were found to be significant in a number of jurisdictions. Common factors included:

- *Incident was reported sooner.* Cases that were reported soon after the incident were more likely to be finalised within 180 days.
- *Victim was older (at the time of the incident).* In several jurisdictions, cases involving older victims were more likely to be finalised within 180 days.
- *Offender was a child.* In several jurisdictions, cases involving offenders aged under 18 were more likely to be finalised within 180 days.
- *Victim was unwilling to proceed.* Cases were more likely to be finalised within 180 days where the case was finalised because the victim was unwilling to proceed. This likely reflects police policy and procedures where, in accordance with the wishes of the victim, matters are not pursued. This finding accords with evidence from other studies that cite withdrawal of complaints by victims as a key factor in the early attrition of sexual assault cases. Some exploratory analysis of victim characteristics and their unwillingness to proceed was undertaken (see below and Section 4.4 for details).

³ See J Cashmore, A Taylor, R Shackel and P Parkinson, *The impact of delayed reporting on prosecution and outcomes of child sexual abuse cases*, Royal Commission into Institutional Responses to Child Sexual Abuse, 2016, p 28.

- *Incident was historical.* In almost all jurisdictions, historical cases (that is, where the time between incident and report exceeded 12 months) were least likely to be finalised within 180 days. This finding accords with earlier evidence that incidents reported to police earlier are likely to be finalised sooner.
- *Victim was older (at the time of reporting).* In six jurisdictions (New South Wales, Victoria, South Australia, Tasmania, the Australian Capital Territory and the Northern Territory), cases involving older victims (at the time of reporting) were less likely to be finalised within 180 days; however, in Western Australia, such cases were more likely to be finalised within 180 days.
- *Offender was stranger/not family member.* In several jurisdictions (New South Wales, Western Australia and South Australia), cases where the relationship between the victim and the offender was more distant were more likely to be finalised within 180 days, while those involving family members were less likely to be finalised within 180 days.

Factors associated with cases proceeding to court

The study also investigated influences on whether a matter was finalised through the initiation of court proceedings. As with finalisations at 180 days, a combination of factors was found to be associated with the initiation of court proceedings. Once again, many of these factors were common to more than one jurisdiction and included:

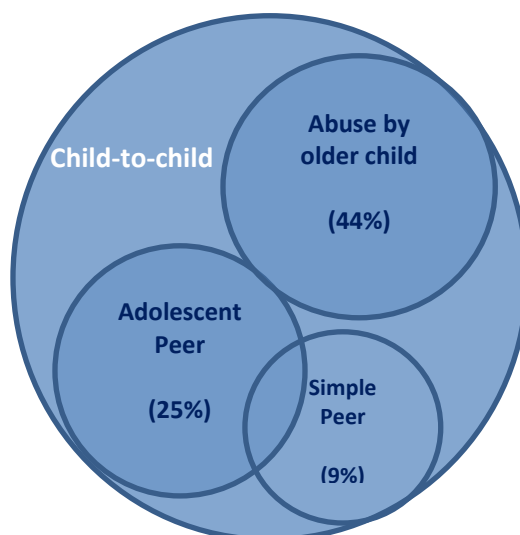
- *Incident was historical.* Overwhelmingly, historical cases (that is, where the time between incident and report exceeded 12 months) were more likely to proceed to court.
- *Offence severity.* In some jurisdictions, cases where the offence was classified as more serious (sexual assault or aggravated sexual assault) were more likely to proceed to court (New South Wales, Western Australia and the Northern Territory); however, the opposite effect was observed in other jurisdictions (Victoria, Queensland, South Australia and the Australian Capital Territory); and no effect was detected in Tasmania.
- *Offender was stranger/not family member.* In several jurisdictions, cases where the relationship between the victim and the offender was extrafamilial were more likely to proceed to court, while those involving family members were less likely to proceed to court.
- *Offender was also a child.* In all jurisdictions, cases involving offenders aged under 18 were less likely to proceed to court. This may be due to the availability of alternative processing options for juvenile offenders (that is, diversionary mechanisms), which are not available for adult offenders. Other factors such as the relationship between the victim and the offender (that is, whether the incident involved peer-to-peer or adolescent-to-peer interactions) may also influence how a case is finalised, and the time taken to finalise.
- *Victim was very young.* In almost all jurisdictions, cases involving victims who were very young (aged 0–4) at the time of the incident were less likely to proceed to court.
- *Victim was unwilling to proceed.* In all jurisdictions, the unwillingness of victims to proceed emerged as a significant factor in determining whether cases were finalised through the initiation of court proceedings. The data clearly shows that police do not initiate court proceedings against the offender when the victim does not wish it to occur, or when the victim withdraws a complaint. Some exploratory analysis of victim

characteristics and their unwillingness to proceed was undertaken – see below and Section 4.4.)

Reported child-to-child sexual abuse

- A total of 19,461 incidents of child sexual abuse reported to police across Australia between 1 January 2010 and 31 December 2014 were identified as involving a victim and an offender who were both aged under 18 at the time of incident. This accounts for one in five cases of child sexual abuse reported to police.
- However, as age information on the offender was missing in more than 40 per cent of reports of child sexual abuse (see below and Section 4.5), it would be inappropriate to treat this as an estimate of the true incidence of child-to-child sexual abuse. Nevertheless, the data provides useful information about the characteristics of the identified cases.
- In a significant proportion of child sexual abuse cases (41 per cent), the status of the incident as either a child-to-child case or adult-to-child case could not be ascertained, owing to the low recording of offender details in some jurisdictions. The offender's age was missing in 23–85 per cent of cases, depending on the state or territory involved. Most police jurisdictions only enter offender details into their systems if and when criminal proceedings are initiated. Reports finalised by other means or unfinalised cases will typically not include such information. Thus, our ability to fully describe reported child-to-child sexual abuse (or, indeed, reported adult-to-child sexual abuse) is limited.

Subcategories of reported child-to-child sexual abuse



The following are the main features of reported cases that we could identify as being child-to-child sexual abuse:

- Abuse by an older child⁴ comprises a significant proportion (44 per cent) of reported child-to-child sexual abuse (shown in the figure above). This was consistent across most states and territories (except in South Australia and the Australian Capital Territory).
- Adolescent peer sexual abuse comprises another 25 per cent of identifiable reported cases of child-to-child sexual abuse.
- Identifiable reported child-to-child sexual abuse in an institutional setting, and that is extrafamilial, accounts for a relatively small proportion of child-to-child sexual abuse (8 per cent of all identifiable reported child-to-child sexual abuse cases, and 2 per cent of all child sexual abuse incidents reported to police).
- Overall, the rate of reporting of child-to-child sexual abuse increased between 2010 and 2014 by an average of 6 per cent per year. This increase was greatest in the adolescent peer category.
- Finalisations: Compared with reported adult-to-child cases, a higher proportion of reported child-to-child cases were finalised within 180 days.
- Compared with cases of adult-to-child sexual abuse, the proportion of child-to-child sexual abuse cases finalised by the initiation of court proceedings was lower.
- *Abuse by an older child* emerged as a large subcategory of child-to-child sexual abuse, with distinctive characteristics. Compared with other forms of child-to-child sexual abuse, a greater proportion of sexual abuse by an older child was male to male (though the majority of victims were still female), was located in the home, was committed by a family member, comprised more serious offences (three-quarters comprised offences classified as aggravated sexual assault) and was finalised through the initiation of court proceedings.
- *Adolescent peer abuse*, by contrast, has very different features. Adolescent peer abuse can be characterised as being predominantly male on female, more likely to occur on institutional premises, be extrafamilial, comprise less serious offences (including pornography offences) and be less likely to be finalised by the initiation of court proceedings.

Victim unwillingness to proceed

- The study found that approximately 15 per cent of reported child sexual abuse cases Australia-wide were finalised based on the victim being unwilling to proceed.⁵ This rate varied from one jurisdiction to another. New South Wales had the highest rate

⁴ For the purposes of this report, ‘abuse by an older child’ refers to reported cases of child-to-child sexual abuse where the offender is three or more years older than the victim; ‘adolescent peer sexual abuse’ refers to cases of child sexual abuse where both the offender and the victim were known to be aged under 18 at the time of the incident – either the offender or the victim was aged over 12, and the difference in age between the offender and the victim was two years or less; ‘simple peer sexual abuse’ refers to incidents where both the victim and the offender were known to be aged under 18 at the time of the incident, the age difference between the two was one year or less, and the victim and the offender were friends or otherwise known to each other. These subcategories of child-to-child sexual abuse were developed during the course of the project in consultation with the Royal Commission. The groupings arose from explorations of the data and are not intended to capture or classify all forms of child-to-child sexual abuse.

⁵ This proportion is likely to be an underestimate of the true proportion of cases where the victim was unwilling to proceed, as it only describes those cases where this was the stipulated reason for finalisation.

(18 per cent), while the smaller jurisdictions of Tasmania and the Northern Territory had the lowest rates (4 per cent).

- The data relating to victim unwillingness to proceed was limited. No information was available on either the reason for, or the timing of, any complaint withdrawal.
- We examined how finalisation based on the victim being unwilling to proceed might relate to the personal characteristics of victims and selected incident characteristics and found that:
 - Incidents involving female victims were more likely than those involving male victims to be finalised based on the victim being unwilling to proceed
 - Incidents involving teenage victims (aged 15–17 at the time of the incident) were more likely than cases involving younger victims to be finalised based on the victim being unwilling to proceed. In Queensland and New South Wales, more than one-quarter of cases involving teenage victims were finalised on this basis
- There was an association between Indigenous status and the victim being unwilling to proceed, and between the victim–offender relationship and the victim being unwilling to proceed; however, results varied between jurisdictions.

1 Project definition

1.1. Background

During 2015, the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) engaged a research team based at Curtin University to undertake data analysis to gain an understanding of how police across Australia respond to and process reports of child sexual abuse, and specifically reports of institutional child sexual abuse (ICSA).

1.2. Aims and objectives

The primary focus of this research was to identify and understand police responses to, rather than the reporting of, child sexual abuse.⁶ Through analysis of administrative data, the project sought to:

- *identify how police proceed when they receive notifications or reports of child sexual abuse (that is, by what channels and how quickly do police assess, investigate and finalise cases of child sexual abuse?)*
- *determine what level of attrition occurs between notifications or reports of child sexual abuse and final disposition of cases by police*
- *identify if and where police may be applying discretion during the response process.*

By analysing data on police activity, the project aimed to gain a better understanding of current police practices, determining their impact on outcomes and, potentially, identifying those practices that lead to better outcomes for victims of reported child sexual abuse.

Many studies have reported high attrition rates⁷ in the processing of sexual offences [2-5]. Some studies have attributed attrition during the investigative phase to general differences in the reporting and the recording of crimes by police, to ‘no criming’ of some incidents, to the characteristics of victims (that is, cases with younger victims and those with injuries were more likely to proceed to prosecution) and to the withdrawal of complaints by victims. However, there are also many instances where cases are finalised without the laying of charges and with file notations indicating ‘no formal action’. As researchers have noted [2], these descriptors provide little insight into why offences are finalised without criminal proceedings. Consequently, there is little understanding of the reasons and decision-making that led to such outcomes.

The form and nature of police responses to reports of child sexual abuse vary from case to case, and are associated with many factors. These include the age of the victim, the nature and seriousness of the incident, and the timing of the incident (for example, whether it was a

⁶ We use the term ‘reporting to police’ to refer to incidents becoming known to police. This can occur through reporting by victims or witnesses, notification by third parties or through police discovery (for example, illegal drug activity). Not all crimes are reported to police and not all matters that are reported to police constitute a crime. The police generally record incidents reported to them in electronic systems. For more on the data used in this report, its limitations and the terminology, see Section 2.

⁷ Attrition refers to the loss of cases within the criminal justice chain. Police attrition refers to the proportion of reported cases that do not progress to formal proceedings against an offender.

recent or a historical event), as well as the amount and quality of information collected by police, both in the first instance (for example, whether sourced directly from victims or obtained from other channels) and during a subsequent investigation. Police responses may also vary from jurisdiction to jurisdiction, and are influenced by the legal, regulatory and procedural frameworks in place jurisdiction. The level and timeliness of police responses is also influenced by the resources available to the police.⁸

1.2.1. Secondary aims and objectives – child-to-child sexual abuse

During the study, the Royal Commission requested some additional statistical analysis of the nature of cases of child-to-child⁹ sexual abuse reported to police.

Therefore, the scope of the study was extended to include an investigation of:

- the prevalence of police reported child-to-child sexual abuse in each Australian state and territory
- the nature of reported child-to-child sexual abuse, including the demographic breakdown of alleged victims and offenders (gender, age and Indigenous status where available), the location of incidents (institutional settings and other locations) and the severity of the alleged offences
- police finalisation status (within 180 days of reporting) and finalisation methods for reported cases of child-to-child sexual abuse
- trends in the reporting of child-to-child cases over time (from 2010 to 2014).

⁸ The issue of comparability of police crime data is discussed in 'Data limitations' in Section 2. The Australian Bureau of Statistics investigated the subject in 2005. For further information, refer to www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4510.0Explanatory%20Notes12014?OpenDocument#DATACOMPARABILITY

⁹ Child-to-child sexual abuse is defined as incidents where both the victim and the alleged offender are aged under 18 and the nature of the (alleged) offence falls within ANZSOC Division 03 (Australian Bureau of Statistics, *Australian and New Zealand Standard Offence Classification (ANZSOC), 2011*, cat no 1234.0, ABS, Canberra).

2 Methods

Police administrative data was sought on any actual or alleged incident of child sexual abuse that had either been:

- *reported* to police between 1 January 2010 and 31 December 2014 (the study period)
- *'finalised'*¹⁰ by police during the study period, or
- *responded to* by police in the period, even if the matter had been reported in an earlier period.

Note that incidents of child sexual abuse that occurred before the study period were still in scope if the reporting of the incident or any police activity relating to the incident occurred during the period.

The project sought administrative information on a broad range of factors that were considered relevant to the progression of reported cases. These related to:

- *initial notification or reporting of incidents*¹¹ – notification and/or reporting date, complainant type (who reports and by what method – for example, phone report, at station, via mandatory reporting system or via specialist unit) and attending policing unit (division, unit, locality and postcode)
- *victim characteristics* – gender, Indigenous status, age at incident or report, relationship to suspect/offender, other (for example, injury or disability)
- *incident characteristics* – incident date(s), incident location(s), offence description, offence seriousness, attempted or actual offence
- *suspect and/or offender characteristics* – gender, Indigenous status, age at incident or report, relationship to victim, offender status (initial status and any changes over time; that is, suspect/person of interest progressing to processed person)
- *final outcome(s)* such as whether it is:
 - *incident-based* (that is, case finalised or not, date finalised, finalisation rationale)
 - *victim-based* (type of services provided; rationale, if available)
 - *offender-based* (processing information; for example, date of charge or other disposition, charging police unit, charging location, etc.).

To assess the likely impact of these factors, information was requested about the different stages of police response and investigation, including:

- *verification/validation* – verification/validation of initial report, verification date, verification person/authority¹²

¹⁰ By 'finalised', we mean that the incident or case was either cleared, closed or made inactive (see Section 2.7 and Appendix C for more details).

¹¹ Each year, the police received many reports of actual or suspected crimes. These incidents come to the attention of the police in several ways, including:

- directly – through reports by victims
- indirectly – through reports made by other individuals; for example, parents, witnesses, bystanders or other authorities, such as other government agencies, mandatory reporting systems, NGOs, etc.

¹² This step has been identified as a point of attrition in the police processing of sexual assault cases (Lea et al., 2003).

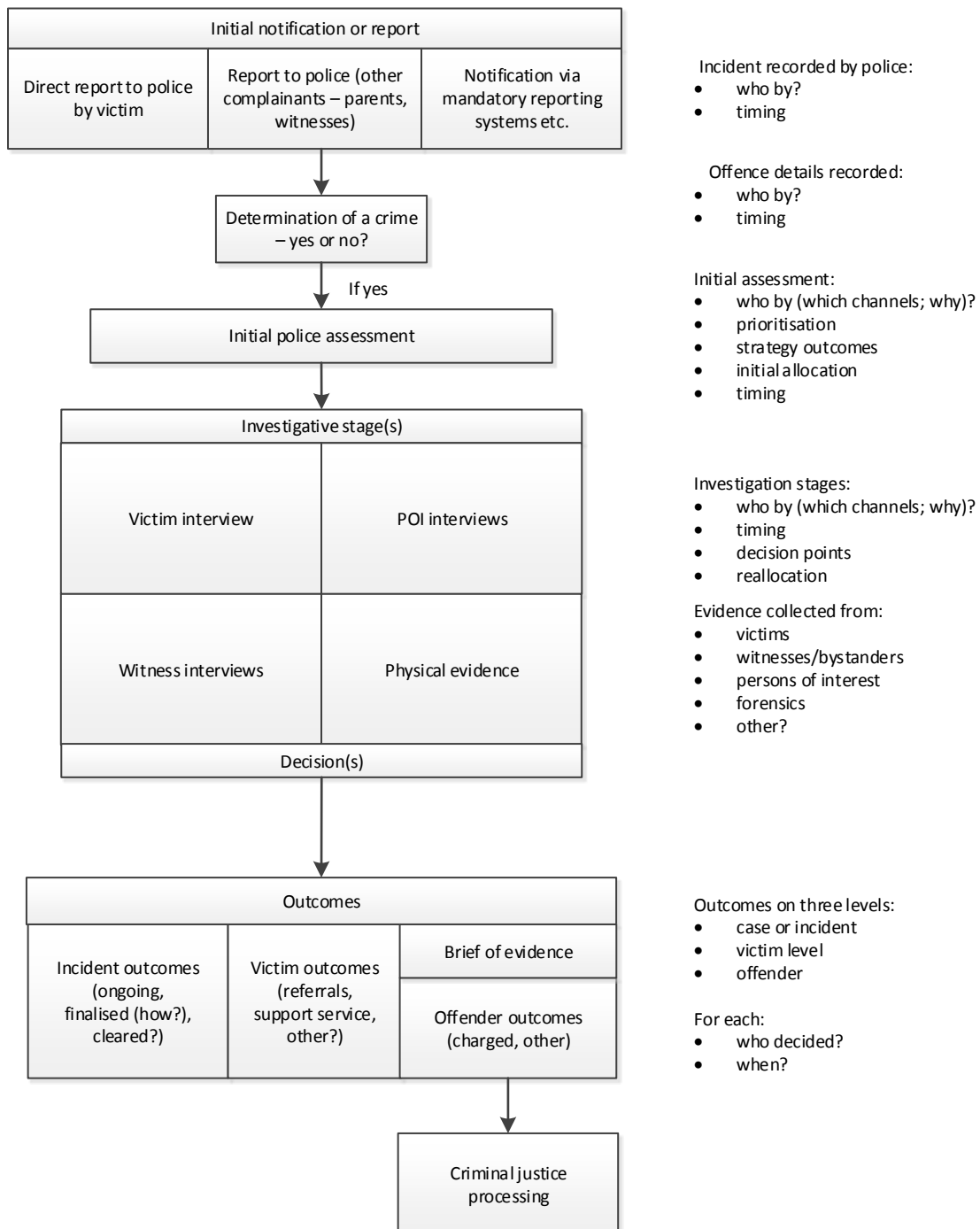
- *determination of a crime ('criming')* – criming date, criming person/authority¹³
- *initial assessment/inquiries* – date of initial assessment, who performed the assessment, and assessment decisions; for example, prioritisation, strategy outcomes, initial allocation, etc.
- *investigative stage, including:*
 - *investigation start date, unit and location*
 - *victim interview – date, location, interviewer type and disclosure*
 - *witness statements (date only)*
 - *suspect or 'person of interest' (POI) interviews (date, location)*
 - *physical material collection (date only).*
- *Investigation redirection* – if the investigation is reallocated to another policing area.

2.1. Data discovery and detailed specification

A process of consultation and data discovery was undertaken with policing agencies in each jurisdiction. This started with the preparation and confirmation of a simple process flow diagram (see Figure 1), followed by the development of a customised data specification with jurisdiction-specific information (see Appendix A). An agreed jurisdiction-specific data specification was incorporated into the production notice for each jurisdiction.

¹³ This step has also been identified as a point of attrition in the police processing of sexual assault cases (Lea et al, 2003).

Figure 1: Generalised process flow for reported incidents of child sexual abuse



2.2. Data

The sample frame of the report originally included all reports of child sexual abuse made between 2010 and 2014, as well as any finalisations or cases that were dealt with in any other way during the same period (whether they were reported during the period or not).

All jurisdictions provided data for the project; however, some jurisdictions (New South Wales, Victoria, Queensland, Western Australia and South Australia) were only able to provide information on reports made from 2010 to 2014. The remaining jurisdictions (Tasmania, the Australian Capital Territory and the Northern Territory) included information on cases finalised (but not necessarily reported) during the period. To make more accurate comparisons between jurisdictions, we *did not* include in our analyses any cases from Tasmania, the Northern Territory and the Australian Capital Territory that were finalised but not reported between 2010 and 2014. Only cases reported between 2010 and 2014 are included in the tables in Section 3.

The level of data complexity and detail also varied between jurisdictions (see Table 2.1). Few jurisdictions could supply information about the investigative stages of cases.

Table 2.1: Summary of data availability and depth, by jurisdiction

| | Incident | Victim | Offender/POI | Reporting channels | Investigative stages | Statements, forensics | Case outcomes | Offender outcomes |
|-----|----------|--------|--------------|--------------------|----------------------|-----------------------|---------------|-------------------|
| NSW | ✓ | ✓ | ✓ | S | X | X | ✓ | ✓ |
| Vic | ✓ | ✓ | ✓ | X | X | X | ✓ | ✓ |
| Qld | ✓ | ✓ | ✓ | X | X | X | ✓ | ✓ |
| WA | ✓ | ✓ | ✓ | ✓ | S | X | ✓ | ✓ |
| SA | ✓ | ✓ | S | X | X | X | ✓ | ✓ |
| Tas | ✓ | ✓ | ✓ | X | X | X | ✓ | ✓ |
| ACT | ✓ | ✓ | ✓ | ✓ | X | X | ✓ | ✓ |
| NT | ✓ | ✓ | ✓ | ✓ | S | S | ✓ | ✓ |

Legend: ✓ = available and supplied; X = not available or not supplied; S = some (limited) information was supplied

2.3. Defining the research questions

To achieve the primary aims of the study, the following research questions were defined:

1. What are the *outcomes* of police investigations of notifications or reports of child sexual abuse? Specifically, how many incidents are *finalised* and, of these, how many proceed to the *laying of charges* or *initiation of criminal proceedings* against the offender(s)?
2. What is the *speed* of these police investigations?
3. To what extent are the outcomes and speed of police investigations *associated with factors* such as:
 - reporting mechanisms; for example, complainant type, attending police unit

- victim characteristics; for example, gender, age, Indigenous status, unwillingness to proceed
- incident characteristics; for example, historical versus current case (<12 months/1 year+); offence severity (as determined by the Australian Bureau of Statistics (ABS) Australian and New Zealand Standard Offence Classification (ANZSOC) classification of offence seriousness: ANZSOC 031 Sexual Assault versus 032 Non-Assaultive Sexual Offences)
- offender characteristics (for example, age, Indigenous status, relationship to victim)
- processing options (for example, attending unit, any other available policing variable)
- other (regional variations, reporting year).

To address the secondary aim of providing a better understanding of the nature of child-to-child sexual abuse, the study sought answers to the following questions:

1. What *proportion* of all reported cases of child sexual abuse are child-to-child incidents?¹⁴ And has this changed over the five-year period of the study?
2. What are the *demographic characteristics* of the victims and offenders involved in reported incidents of child-to-child sexual abuse? And how do these compare with adult-to-child cases and between different types of child-to-child cases?
3. What is the *nature of the relationship* between victims and offenders involved in reported incidents of child-to-child sexual abuse (gender and age differences and form of relationship)? And how does this compare with adult-to-child cases and between different types of child-to-child cases?
4. *Where* do reported incidents of child-to-child sexual abuse occur (institutional settings or other)? And how does this compare with adult-to-child cases and between different types of child-to-child cases?
5. How *serious* are reported incidents of child-to-child sexual abuse (based on offence severity and as compared with other forms of reported child sexual abuse)? And how does this compare with adult-to-child cases and between different types of child-to-child cases?
6. What proportion of reported incidents of child-to-child sexual abuse are *finalised* by police? How quickly and by what methods? And how does this compare with adult-to-child cases and between different types of child-to-child cases?

2.3.1. Outcome(s) of interest

- The case was finalised within 180 days of the reporting date.¹⁵
- How was the case finalised: proceeded to criminal court versus other forms of processing versus no action taken?
- What was the time taken to finalise the case?

¹⁴ Different types or forms of child-to-child sexual abuse are identified in the literature. Following discussions with the Royal Commission, it was decided that several subcategories of child-to-child sexual abuse would be included in the analyses. These included (simple) peer abuse, adolescent peer abuse, abuse by older child and child-to-child sexual abuse occurring in institutional settings. See Section 2 for more information.

¹⁵ A cut-off point is required to provide a meaningful variable to evaluate the timeliness of finalisations. Selecting 180 days as the cut-off point for finalisations maintains consistency with other research; for example, Fitzgerald, [6].

2.3.2. Independent variables

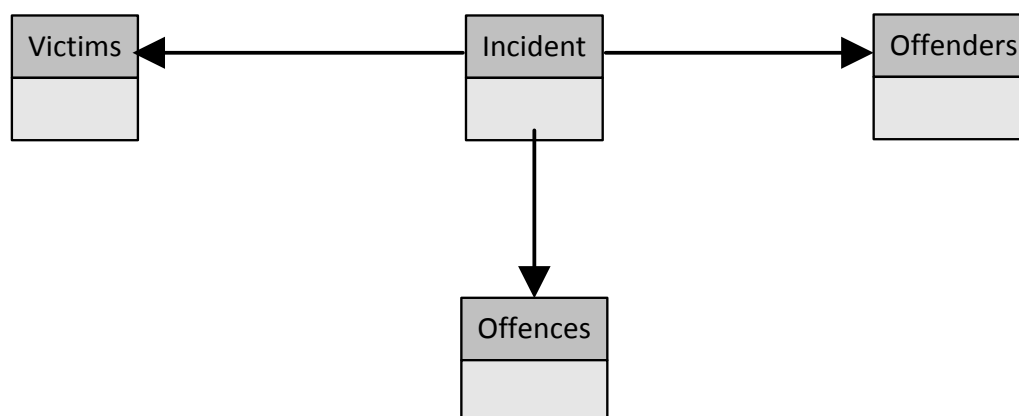
Independent variables were drawn from the field items supplied through production notices (see variables listed in Appendix A).

2.4. Data formats and structures

Each jurisdiction supplied data in comma-separated (.csv) format; however, the structure of the data varied between jurisdictions and depended on the complexity of the police system from which the data was drawn and the availability of certain data items. Data extracted from more modern systems tended to be more structured, and included complex relationships between entities. One incident may have many victims (though usually it was just one), many offences and potentially many offenders and/or persons of interest (see Figure 2). Different systems handle these relationships in different ways. Moreover, the way in which cases are processed also varies. For example, a case may be finalised in its entirety or individual offences may be finalised. One or more offenders may be processed for each offence, and processing actions taken against individual offenders may vary (for example, the age of the offender may be a factor in determining whether a person is arrested and charged, or dealt with via youth conferencing).

To handle the complexities associated with data structures, counting rules were developed that both simplified the data for subsequent analyses and provided a consistent unit of analysis across all jurisdictions involved in the study. The counting rules are described more fully in Section 2.6.

Figure 2: Reported crime entity relationship diagram



2.5. Definitions/classifications

Several definitions and classifications were used throughout the study. These included groupings for offences, victim and offender characteristics (age breakdowns, relationship details) and incident characteristics (premise types). For more detail about each of the classifications, see Appendix B.

Offences were classified using ANZSOC [7]. Offences were categorised and reported at both ANZSOC subdivision and group level.

All offences that fell into ANZSOC Division 03 were included in the study. This division includes acts, or intent of acts, of a sexual nature against another person, which are non-consensual or where consent is proscribed (that is, the person is legally deemed incapable of giving consent because of youth, temporary/permanent (mental) incapacity or there is a familial relationship). The division is further disaggregated into subdivisions based on whether the sexual act involved physical contact with the person. The subdivisions are:

- 031 Sexual assault
- 032 Non-assaultive sexual offences.

Subdivision 031 comprises offences involving physical contact, or intent of contact, of a sexual nature directed toward another person where that person does not give consent, gives consent as a result of intimidation or deception, or consent is proscribed (that is, the person is legally deemed incapable of giving consent because of youth, temporary/permanent mental incapacity or there is a familial relationship). This subdivision is further disaggregated based on whether the sexual assault involved aggravating circumstances¹⁶. It includes:

- 0311 Aggravated sexual assault
- 0312 Non-aggravated sexual assault.

Subdivision 032 comprises offences of a sexual nature, or intent thereof, against another person that do not involve physical contact with the person and where the person does not give consent, gives consent as a result of intimidation or deception, or consent is proscribed (that is, the person is legally deemed incapable of giving consent because of youth, temporary/permanent (mental) incapacity or there is a familial relationship). This subdivision is further disaggregated based on the age of the victim and the type of non-assaultive sexual offence. It includes:

- 0321 Non-assaultive sexual offences against a child
- 0322 Child pornography offences
- 0323 Sexual servitude offences
- 0329 Non-assaultive sexual offences, nec.¹⁷

Offences were also classified based on whether they were *historical*. Historical offences were defined as those where the date of reporting exceeded the date of the incident by more than 12 months. We note that this definition of historical cases may differ from that used in literature and that used operationally by police.¹⁸ There does not appear to be a standard definition for historical child sexual abuse, although the notion of delayed reporting is central.

¹⁶ Note that ANZSOC stipulates that committing an offence against a child is an aggravating factor; thus, conceptually all cases of child sexual abuse are aggravated. However, we have been advised that a number of factors can affect whether an offence is identified as 'aggravated' in police systems. For example, the coding of sexual assault offences occurs at a local level, after an initial report is received, and not all factors are known at the time of coding. As an investigation develops and more details are established, the coding may be updated, particularly at the point of charge. Moreover, laws regarding sexual offences vary between jurisdictions, and some jurisdictions will record whether an offence is aggravated based on specific aggravating factors contained in their own legislation. Some jurisdictions noted (and we have also identified) that the data for this report was provided without editing, which may have an impact on offence classification.

¹⁷ 'nec' stands for 'not elsewhere classified'. This is effectively a 'miscellaneous' category in ANZSOC.

¹⁸ In Western Australia, for example, the police adopt a technical counting rule where matters reported 90 days after the incident are classified as 'historical'. However, at an operational level, an historical child abuse matter generally relates to an offence that occurred many years ago when the complainant, now an adult, was a child.

The *age of victims* was classified using the standard ABS age groupings. Ages were computed for victims at both the time of the incident and the time of reporting.

The *age of offenders* was classified slightly differently, as the distribution of offender ages differed from that of victims. See Appendix B for more information.

Victim–offender relationship was grouped into one of the following four categories, consistent with classifications used elsewhere:

- Familial/spouse
- Boyfriend/girlfriend
- Other known
- Stranger.

Any reported child sexual abuse incident where both the victim and the offender were known to be aged under 18 at the time of the incident was classified as *child-to-child sexual abuse*. In consultation with the Royal Commission, the following subcategories or classes of child-to-child sexual abuse were developed during the project:

- *Adolescent peer* – instances where both the victim and the offender were known to be aged under 18 at the time of the incident; either the victim or the offender was aged over 12 at time of incident; and the age difference between them was less than two years.
- *Simple peer* – instances where both the victim and the offender were known to be aged under 18 at the time of the incident; the age difference between them was less than one year; and they were friends or otherwise known to each other.
- *Abuse by older child* – instances where the offender was at least three years older than the victim. The subcategory was developed later in the study and was used in the more detailed investigation of reported child-to-child sexual abuse. This category does not appear in all tables.

The relationships between subcategories of child-to-child sexual abuse are denoted in Figure 3. The definitional syntax for each is provided in Appendix B. Note that the *peer abuse* categories are narrower constructs than the broader child-to-child grouping and there is some overlap between them. There is no overlap between the *abuse by older children* category and either of the *peer abuse* categories. These subcategories were developed following explorations of the available data; they are not intended to be an exhaustive typology of child-to-child sexual abuse.

Figure 3: The relationship between subcategories of child-to-child sexual abuse



The location of offences (*premise types*) were coded to identify potential instances of institutional child sexual abuse (ICSA).

Premises were grouped into four categories, consistent with ABS classifications, which are:

- institutional setting (if it could be identified from the available data), such as educational, religious, corrections, etc.
- residential: dwelling – private; dwelling – non-private; outbuilding/residential land
- community: transport; terminal; conveyance in transit; car park; other transport; open space; street/footpath; other community location
- retail/other: administrative/professional; retail; service station; other retail; recreational; other.

Mapping of individual jurisdictional locations/premise types to each of these categories was undertaken separately.

We note that using offence location alone to identify institutional child sexual abuse is likely to understate such abuse as defined by the Royal Commission’s Terms of Reference, as it only captures abuse committed on institutional premises. This compares with the Royal Commission’s Terms of Reference, which include any child sexual abuse committed by an employee or volunteer of an institution where the institution has contributed to the risk of child sexual abuse occurring. Noting this limitation, and the absence of a settled definition of institutional child sexual abuse within the recognised offence classes, the study developed and used several proxy *measures of institutional child sexual abuse*. The following measures of institutional child sexual abuse were developed in consultation with the Royal Commission:

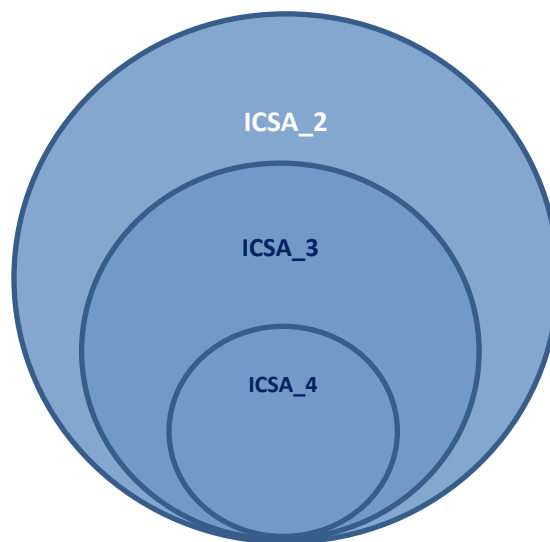
- ICSA_1 is the broadest definition and is based on the victim–offender relationship only. If the child sexual abuse was extrafamilial (that is, the offender is known to the victim but not a family member), then it was categorised as ICSA_1.
- ICSA_2 was used if the child sexual abuse occurred in an institution (as per the premise type definitions specified above).

- ICSA_3 was used if the child sexual abuse occurred in an institution and was extrafamilial.
- ICSA_4 was used if the child sexual abuse occurred in an institution, was extrafamilial, and the relationship between victim and offender was not child-to-child (as defined earlier).

The definitional syntax for these measures is provided in Appendix B.

Note that, as with some of the definitions used for victim–offender relationships, some of the institutional child sexual abuse measures are subsets of others, providing a narrower alternate definition of the notion (demonstrated in Figure 4).

Figure 4: The nested nature of some of the institutional child sexual abuse measures



Information about cases that were finalised due to the *victim's unwillingness to proceed with an investigation* was derived from case status variables that were supplied for each child sexual abuse report. See Appendix B for more details. However, note that no further information was available in relation to the reasons for a person's decision to withdraw a complaint or regarding the timing of that decision.

2.6. Counting rules

Owing to the complexity and variety of formats in which the data was supplied, a standard counting rule was developed and applied across all jurisdictions. A study 'case' was defined

as being a single, unique combination of incident, victim and offender, where incident was defined according to the ABS National Crime Recording Standard (NCRS 1) [1].^{19,20}

An incident involving two victims and three offenders, each of whom committed one or more offences against each victim, would therefore result in six study cases. If no offender or person of interest was recorded, then a study case comprised the victim only. For example, if an incident involved two victims but no offender was recorded, it would result in two study cases.

Further, where an offender was processed for multiple offences relating to the same incident and victim, then only the most serious offence was described. The following rule was applied when ranking and selecting offences:

- First, select the offence with the most serious outcome. Outcomes were ranked based on finalisation status (finalised offences were ranked above unfinalised offences) and then finalisation method. In the case of finalisation methods, court proceedings were ranked above non-court proceedings, which were ranked above other resolution methods. These in turn were ranked above unresolved cases.
- If there was more than one offence with the same outcome, then select the most serious offence. This was based on the lowest ANZSOC category (for sex offences, this order corresponds with the ABS offence severity index (*National Offence Index*, cat no 1234.0.55.001, ABS).
- If there was more than one offence with the same outcome *and* offence severity, then select the offence with the lowest offence_ID (this ensured consistency).

2.7. Finalisation status and finalisation methods

The status of cases reported to police was categorised using the ABS National Crime Recording Standard for finalisations [1]. This method was preferred over using 'clear-up' rates (see Appendix C for a more detailed discussion of this). The ABS categorises the status of crimes into the following classes:

- *Investigation finalised – no offender proceeded against.* Cases where the investigation was finalised but no action was taken against the offender, either due to the circumstances of the alleged offender(s) or because the offence could not be verified. These cases are unlikely to be reopened.
- *Investigation finalised – offender proceeded against.* Cases where the investigation was finalised with the offender(s) facing proceedings, either the initiation of court proceedings (for example, charging the offender) or via non-court proceedings (for

¹⁹ NCRS 1: A criminal incident consists of one or more offences (and their related victims and offenders), which are grouped into the same unique occurrence if they are committed by the same person or group of persons and if:

- They are part of actions committed simultaneously or in sequence over a short period of time at the same place; or
- They are part of interrelated actions, that is, where one action leads to the other or where one is the consequence of the other(s); or
- They involve the same action(s) repeated over a long period of time against the same victim(s) and only come to the attention of the police at the one point in time.

²⁰ Note: In NSW, the police have an additional concept known as an 'event', which consists of one or more incidents that are related to the same unique occurrence (that is, course of conduct).

example, youth conferencing). Note that finalisation by the initiation of court proceedings does not mean that a finding of guilt was made, or a trial even occurred. For example, charges may be withdrawn or discontinued after court proceedings are initiated. These outcomes may not be recorded by police.

- *Investigation not finalised.* Cases where the investigation was not finalised and no offender faced proceedings at the time of recording the outcome. This includes cases where the investigation was ongoing or pending/suspended.

For the purposes of this report, we adopted a modified version of the ABS classification. Incidents reported to police were classified as either being *finalised* or *unfinalised* (*finalisation status*). In the case of incidents that were finalised, we further identified a *finalisation method*. We distinguished between cases where an offender faced court proceedings (that is, was arrested or charged) and those where an offender was processed by other legal options (for example, formal juvenile cautioning). Cases where police were no longer investigating an incident and where an offender was unlikely to be processed (for example, the offender had died or was underage) were classified separately. Cases that were no longer being actively investigated by police but which might be reopened at a later date (for example, cases finalised because of insufficient evidence) were classified as ‘finalised – unresolved’.²¹ Table 2.2 below describes the categories used.

Table 2.2: Method of finalisation

| Finalisation grouping | Description |
|--------------------------|--|
| Court | Investigation has been finalised by an <i>offender(s) being charged</i> (that is, <i>initiation of court proceedings</i>). Investigative outcomes such as ‘arrest’, ‘summons’ or ‘court attendance notice (CAN)’ are included in this category. |
| Other proceedings | Investigation has been finalised by <i>offender(s) being processed via other non-court options</i> ; for example, ‘formal caution’, ‘juvenile (written)’, ‘referred to juvenile justice team (JJT)’, ‘behavioural counselling (under 10 years)’, ‘caution’, ‘community conference’, ‘infringement notice issued’, ‘offender dealt with by another agency’. |
| Resolved | Investigation has been finalised but no offender has been proceeded against, either due to the circumstances of the alleged offender(s) or because the offence could not be verified or the complaint was withdrawn. <i>These cases are unable to proceed and are unlikely to be reopened.</i> Examples include ‘offender deceased’, ‘juvenile victim offence not disclosed at interview’, ‘juvenile victim offences cannot be particularised’, ‘juvenile victim too young without corroboration’, ‘lapsed’, ‘offender bar to prosecution’, ‘offender not in public interest’. |
| Unresolved | <i>Investigation has ceased; however, the case may be reopened at a later date</i> ; for example, ‘insufficient evidence’, ‘no further action’ (unspecified detail). |

²¹ Note that this classification differs from the ABS National Crime Recording Standard. The standard classifies cases with an outcome of ‘insufficient evidence’ as ‘unfinalised’; however, for this report, we have placed them in the ‘finalised – unresolved’ category.

2.7.1. Operationalising finalisation status and methods

As there is significant variation in the systems and classification methods used in the different jurisdictions, some mapping of case/incident outcomes to finalisation status and finalisation method was required. The section below describes how the data from each jurisdiction was mapped to the categories described in Table 2.2.

NEW SOUTH WALES

New South Wales Police classify incidents as being in one of four states: 'cleared', 'partially cleared', 'no further investigation' or 'under investigation'. For this report, incidents classified as cleared or partially cleared were mapped to 'finalised', while those classified as 'under investigation' were mapped to 'not finalised'. Incidents classified as 'no further investigation' were mapped according to the reasoning provided in the data (see Table 2.3).

Table 2.3 New South Wales data: Reasons for classification of 'no further investigation'

| Reason | Assigned finalisation method |
|---|------------------------------|
| Awaiting advice from victim/witness | Not finalised |
| Cost-benefit analysis applied ²² | Resolved |
| Insufficient evidence to proceed | Unresolved |
| No offence disclosed/detected | Resolved |
| Offender/s unidentifiable | Resolved |
| Victim/person reporting declines police | Resolved |
| Waiting for forensic results | Not finalised |
| Warrant issued for wanted (CAN) | Court |

Finalised records were further examined to determine how offenders were processed. Incidents where offenders were processed via a court attendance notice (CAN) were mapped to court. Others were mapped to the finalisation methods described in Table 2.4. Any cleared or partially cleared incident that did not have complete 'offender involvement status' or 'no formal action' reasoning was classified as an unresolved finalisation.

²² 'Cost-benefit analysis applied' refers to risk assessments undertaken by investigators. A risk matrix is applied to determine whether benefits to the victim and the community outweigh the costs associated with continuing an investigation.

Table 2.4 New South Wales data: Classification of ‘offender involvement status’ and ‘no formal action’ reasoning

| Offender involvement status/no formal action reasoning | Assigned finalisation method |
|---|------------------------------|
| Court attendance notice (CAN) | Court |
| Deceased | Resolved |
| Legal process | Other proceedings |
| No formal action/child – <i>doli incapax</i> (aged 10–14) | Other proceedings |
| No formal action/informal caution given | Other proceedings |
| No formal action/not in public interest ²³ | Resolved |
| No formal action/statute barred | Resolved |
| No formal action/attended Your Choice Program | Other proceedings |

VICTORIA

Finalisations for Victoria were derived from two fields supplied by Victoria Police: `clearance_method` and `processing_type`. These were classified into two groups (finalised and not finalised) and, for those finalised, four further finalisation method categories were used. The mapping used for Victorian data is provided in Table 2.5.

Victoria Police deemed an offence to be finalised if one of the following took place:

- One or more offenders had been processed for the offence.
- An investigation revealed that no offence had occurred.
- The complaint was withdrawn.
- The perpetrator was known but for legal and/or other reasons could not be charged (for example, they were underage or deceased).

²³ NSW Police decide not to proceed based on the public interest when an offender has been identified but it is deemed inappropriate to proceed because the offender is either already serving a custodial sentence, has been deemed mentally incompetent, or has been charged with another offence relating to the same matter. The advice of the prosecuting authority also influences the decision not to proceed. NSW Police has adopted the Prosecution Guidelines of the NSW Office of the Director of Public Prosecutions, which include a number of factors that need to be considered when determining whether it is in the public interest to prosecute.

Table 2.5: Categorisation of police finalisation methods, Victoria

| Finalisation status | Finalisation method | Clearance_method + (processing_type) |
|---------------------|---------------------|---|
| Not finalised | - | Unsolved, other |
| Finalised | Court | Offender processed + (arrest, summons applied for/issued) |
| Finalised | Other proceedings | Offender processed + (caution, warrant issued, other) |
| Finalised | Resolved | Complaint withdrawn Offender processed + (offender deceased, under age, other) No offence disclosed |
| Finalised | Unresolved | Offender processed + not authorised ²⁴ Other + not authorised Unsolved + not authorised |

QUEENSLAND

The data from Queensland was flagged with a finalisation variable that indicated whether the matter was deemed to be finalised by the Queensland Police Service. According to the police, an offence is deemed to be finalised when police have acted against at least one offender; for example, through arrest, issuing a summons or a notice to appear in court, or where an offender admits the offence but there are obstacles to proceedings (for example, diplomatic immunity), or where an offender is known and sufficient evidence has been obtained but the complainant refuses to prosecute.

For this study, the method of finalisation was derived from two supplied data items: `Offence_solved_status` (Table 2.6) and `Action_taken_against_offender`. These were categorised into four broad finalisation groupings (the mapping used for Queensland is provided in Table 2.7).

²⁴ 'Not authorised' refers to instances where an investigating member submits a brief to an officer in charge for authorisation to lay charges, but the brief is not authorised. One possible reason for this result is insufficient evidence despite the investigator making all possible inquiries. Other reasons for not authorising charges include 'insanity' and 'no identity' on the part of the offender.

Table 2.6 Queensland data: Offence_solved_status

| Offence_solved_status | Description |
|-------------------------|--|
| Crime: unsolved | When the incident is reported or detected, the incident and its related offences are recorded on a <i>prima facie</i> basis with the outcome status of 'crime: unsolved'. |
| Crime: solved | When action (arrested, cautioned, etc.) is taken against an offender for an offence within an incident the outcome status is changed from 'crime: unsolved' to 'crime: solved'. |
| Crime: withdrawn | When a victim decides not to proceed with a complaint and the outcome of the investigation shows there was a crime defined by law, the outcome status is changed from 'crime: unsolved' to 'crime: withdrawn'. |
| Crime: lapsed | For some crimes, there is a statute of limitations (a period of time in which action can be taken against an offender) and if the time allowed to act against an offender has lapsed, the outcome status is changed from 'crime: unsolved' to 'crime: lapsed'. |
| Crime: unfounded | During the investigation of an incident, evidence may be found that the incident or offence did not occur (not substantiated), and in these cases the outcome status is changed from 'crime: unsolved' to 'crime: unfounded'. |

Table 2.7: Categorisation of police finalisation methods, Queensland

| Finalisation group | Action_taken_against_offender/Offence_solved_status |
|--------------------------|--|
| Court | 'Arrested', 'notice to appear', 'offender currently in prison', 'summons issued' |
| Other proceedings | 'Behavioural counselling' (for children aged under 10), 'caution', 'community conference', 'infringement notice issued', 'offender dealt with by another agency', 'offender is a juvenile', 'warrant issued' |
| Resolved | 'Juvenile victim offence not disclosed at interview', 'juvenile victim offences cannot be particularised', 'juvenile victim too young without corroboration', 'lapsed', 'offender bar to prosecution', 'offender died', 'offender ex officio indictment', 'offender not in public interest', 'withdrawn' |
| Unresolved | 'Unsolved' |

WESTERN AUSTRALIA

For the study, finalisation status and methods for Western Australian Police data were derived from two data items: Result_code and Offender_processed. As with other jurisdictions, these data items were categorised into four broad finalisation methods as shown in Table 2.8.

Table 2.8: Categorisation of police finalisation methods, Western Australia

| Finalisation group | Offender processed/Result code |
|--------------------------|---|
| Court | 'Notice to attend', 'arrest', 'summons' |
| Other proceedings | 'Cautioned – juvenile (oral)', 'cautioned – juvenile (written)', 'referred to juvenile justice team (JJT)' |
| Resolved | 'Offender deceased', 'statute barred', 'not in public interest', 'not criminally responsible', 'withdrawn', 'civil/other' |
| Unresolved | 'Insufficient evidence' |

SOUTH AUSTRALIA

For the study, the finalisation status and methods were derived from the Clearup_status_desc field supplied by South Australia Police. As with other jurisdictions, these data items were categorised into four broad finalisation groupings as described in Table 2.9.

Table 2.9: Categorisation of police finalisation methods, South Australia

| Finalisation group | Clearup_status_desc |
|--------------------------|---|
| Court | 'Arrest', 'arrest and application', 'report', 'report and application' |
| Other proceedings | 'Caution', 'warrant' ²⁵ |
| Resolved | 'Filed suspect flagged', 'accused died', 'no offence revealed', 'lapsed', 'no further action' ²⁶ |
| Unresolved | 'Filed after investigation', 'unknown report clear-up status' |

TASMANIA

The data from Tasmania included a finalisation flag (yes/no) placed against each offence record, indicating whether the offence was finalised. This variable was supplied directly by Tasmania Police (Cleared_yn) and was based on the ABS National Crime Recording Standard. The manner in which police processed finalised offences was derived from the Offence_status field. Table 2.10 describes the mappings used.

Table 2.10: Categorisation of police finalisation methods, Tasmania

| Finalisation status | Finalisation method | Offence_status |
|----------------------|--------------------------|---|
| Not finalised | — | 'Not resolved' ²⁷ |
| Finalised | Court | 'Court proceedings' |
| Finalised | Other proceedings | 'Community conference', 'formal caution', 'informal caution' |
| Finalised | Resolved | 'Instruction of the prosecuting authority', 'lapsed', 'unable to proceed', 'unfounded', 'withdrawn' |
| Finalised | Unresolved | 'Insufficient evidence' |

AUSTRALIAN CAPITAL TERRITORY

As with other jurisdictions, the method by which offences were finalised was derived from a 'cleared' field, which was supplied by ACT Policing. This data item was categorised into four broad finalisation groupings as described in Table 2.11.

Table 2.11: Categorisation of police finalisation methods, Australian Capital Territory

²⁵ It should be noted that finalising a report by submitting a warrant file is similar to flagging a suspect. This does not automatically mean that the suspect will be charged or progress to the court process.

²⁶ 'No further action' refers to a withdrawal by the victim, resulting in no further action by police. Under the finalisation method, withdrawals are classified as 'resolved'.

²⁷ Refers to instances where the police believe that an offence has occurred and investigators have not yet decided to finalise the case.

| Finalisation status | Finalisation method | Cleared |
|---------------------|---------------------|---|
| Not finalised | – | 'Not cleared' |
| Finalised | Court | 'Arrest', 'charged before court', 'summons' |
| Finalised | Other proceedings | 'Caution', 'civil reconciliation between offender/victim', 'offence passed to another agency' |
| Finalised | Resolved | 'Charge withdrawn', 'complaint withdrawn by victim', 'offender identified – child under 10 years old', 'offender identified – deceased', 'unfounded', 'cleared otherwise' |
| Finalised | Unresolved | 'Insufficient evidence' |

NORTHERN TERRITORY

For the Northern Territory, a finalisation indicator (yes/no flag) was derived from the `Offence_cleared_by` field, which was supplied by Northern Territory Police. Table 2.12 summarises how other `Offence_cleared_by` values were coded to finalisation status or finalisation methods.

Table 2.12: Categorisation of police finalisation methods, Northern Territory

| Finalisation status | Finalisation method | Offence_cleared_by |
|---------------------|---------------------|--|
| Not finalised | – | 'Not cleared', 'not cleared – offender known', 'not cleared – offender not known', 'not entered' |
| Finalised | Court | 'Arrest', 'other court proceedings', 'summons', 'notice to appear issued', 'arrest – dna', 'summons – dna' |
| Finalised | Other proceedings | 'Caution', 'infringement notice issued', 'Youth diversion service – family conference', 'Youth diversion service – referral', 'warrant' |
| Finalised | Resolved | 'Charge withdrawn', 'complaint withdrawn', 'deceased – offender', 'no criminal responsibility', 'no offence this jurisdiction', 'no complaint forthcoming' |
| Finalised | Unresolved | 'Insufficient evidence', 'offender still outstanding', 'not entered' |

2.8. Data analysis

Data analyses for the study included the production of summary tables and a series of descriptive statistical tables, with some chi-square tests of several categorical items. Separate analyses were performed for each jurisdiction. Multivariate analysis was not undertaken.

2.9. Data limitations

The study uses administrative data to understand how police respond to reported cases of child sexual abuse across Australia and to provide a more detailed understanding of the nature and extent of child-to-child sexual abuse. Although such data is routinely used to describe the nature and distribution of reported crimes, the following limitations to its use should be noted:

- *Not all crimes are reported to police.* The true extent of child sexual abuse, and even the extent of reporting of child sexual abuse, in Australia is not known. Victimization surveys, which usually provide insight into the prevalence of a crime and the level of reporting to authorities, do not routinely collect data on sexual assaults committed against or by children. For example, the ABS national crime victimisation survey only asks questions about sexual offences relating to respondents who are aged 18 or over [8]. The data in this study therefore reflects reported child sexual abuse, not all child sexual abuse, and we do not know how much child sexual abuse is not reported.²⁸
- *Data is collected for administrative purposes, not statistical purposes.* The data that police have provided comes directly from their systems and is for police administrative purposes. Therefore, it is not entirely suited to the purpose of this study. Analyses are limited to examining only those factors that are collected by police and exclude any details that may be relevant to understanding the reasons behind finalisation outcomes for reported incidents of child sexual abuse. Moreover, the data has not been audited and some inaccuracies and anomalies are known to exist.
- *Limited data on policing factors.* Very little data on police investigative processes and channels was available from the jurisdictions, as much of this data is stored in systems that are not integrated with incident reporting systems, and is of a textual or narrative nature. Consequently, it was not possible to assess if, and to what extent, operational factors affect police finalisation rates and decisions to initiate court proceedings.
- *Some data is missing.* For example, offender details can be missing because, in most jurisdictions, they are only entered into police systems if a matter is finalised by way of the initiation of court proceedings, and are entered at the time of finalisation. In most jurisdictions, if a matter is unfinalised or is finalised in a way that does not involve any legal action against the offender, then the details of the offender are unlikely to be recorded. For the data used here, there was limited recording of offender details in several jurisdictions (details were missing in 23–85 per cent of cases). Without offender details, particularly offender age, we were unable to determine whether a reported incident was related to child-to-child sexual abuse. The true rate of reported child-to-child sexual abuse may, therefore, vary from that described in this report.
- *Lack of comparability of police data across jurisdictions.* This places limits on its use. The issue of inter-jurisdictional comparability of police crime data arises in many settings and was the subject of an investigation by the ABS in 2005 [9, 10]. The ABS study found significant differences in the way that crime in general was reported to and recorded by police across Australia. Following a two-year inquiry, the ABS attributed differences to ‘state and territory legislation, different recording practices, different policies across jurisdictions to combat particular types of crime, and limitations of the various administrative databases that are used to extract the data’.²⁹

²⁸ There are a number of things about the reporting of child sexual abuse that we do not know, such as how much is reported, by whom, and whether reporting rates have changed over time. It is likely that a number of factors, including the introduction of mandatory reporting regimes, the activities of the Royal Commission, and changing community attitudes towards sexual abuse against children will have contributed to changes in reporting rates over time. There is little available data to help measure or understand these changes. Information on the prevalence of child sexual assault and on who does/does not report abuse to police is scant.

²⁹ Extracted from www.abs.gov.au/Ausstats/abs@.nsf/0/3D20A2E47AB546ECCA257623001C7CF0?OpenDocument. Last updated on 23 February 2016, accessed 26 April 2016.

The ABS noted that there was no material difference in the way police jurisdictions managed the information once it had been recorded.³⁰ It should be made clear, however, that the ABS study did not specifically examine the matter of child sexual abuse, rather it investigated the broader category of sexual assault (which included offences against adults and children). Mitigation strategies, such as using standard classifications and project-specific counting rules, have been adopted to deal with this issue and provide as clear a picture as possible from the available data. However, the nature of the data provided and the differences between jurisdictions outlined above mean that it is not possible to use the data in this report to make comparisons between jurisdictions about the respective levels of child sexual abuse occurring within those jurisdictions, whether one jurisdiction is achieving better final outcomes than another, or whether one jurisdiction is performing more efficiently than another.

- *Low counts in the smaller jurisdictions.* Low counts of reported child sexual abuse, particularly in relation to reported child-to-child sexual abuse, made inferences and the drawing of conclusions problematic for the smaller jurisdictions (Tasmania, the Australian Capital Territory and the Northern Territory). Caution should be exercised in the interpretation of some findings for these jurisdictions, and further impedes the availability of inter-jurisdictional comparisons.

2.10. Terminology

Some of the terminology in this report has been simplified to assist readability. For example, ‘an incident’ refers to an incident that has been reported to police and can refer to an actual or alleged incident of child sexual abuse. Similarly, the term ‘victim’ refers to an actual or alleged victim of abuse, while the term ‘offender’ is used to describe the alleged or actual perpetrator of an incident, as recorded by the police. Persons of interest and/or suspects are also included in this group and referred to as offenders.

An incident that is reported to the police may, or may not, comprise one or more criminal offences (or alleged offences). Where the police have recorded one or more offences (or alleged offences) within an incident, these have been classified according to the ANZSOC standard [7] and counting rules have been applied (see sections 2.5 and 2.6 for details). The counting rules reduce the complexity of incidents that may, or may not, have multiple victims, multiple offences and/or multiple offenders, and maintain comparability across the jurisdictions. The term ‘case’ is sometimes used to describe reported incidents where the study counting rule has been applied. Thus, the terms ‘case’ and ‘incident’ are interchangeable. (‘Case’ does not refer to a legal case or investigation.)

Note also that the severity of an incident, where described in this report, refers to the severity of the offence classification of the most serious offence in the incident (as per the ANZSOC classification). It does not refer to the severity of the impact of the sexual abuse on the victim.

Finally, the term ‘proceeding to court’ is used throughout this report to mean ‘police actions that lead to the initiation of court proceedings’. Police actions usually refer to the laying of

³⁰ For further information, refer to www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4510.0Explanatory%20Notes12014?OpenDocument#DATACOMPARABILITY. Last updated on 23 February 2016, accessed 26 April 2016.

charges against the offender, either through arrest or via summons. In some jurisdictions (for example, South Australia), juvenile offenders may initially proceed to court but then be diverted to conferencing alternatives. Note, too, that finalisation by the initiation of court proceedings does not mean that a finding of guilt was made, or a trial even occurred. For example, charges may have been withdrawn or discontinued after court proceedings began. These outcomes are not recorded by police. Court activities and outcomes lie outside the scope of this report, which focuses exclusively on reports made to police and subsequent police outcomes.

2.11. Statistical disclosure controls

All data used in this report was de-identified (released by police without personal information such as names or addresses) and then presented in aggregate form through statistical tables. This approach ensures privacy and maintains confidentiality while maximising the usefulness of the data. Although there is nothing in the report that leads directly to the identification of any individual (victim or alleged offender), standard statistical practices have been used to mitigate the risk of re-identification. These steps, often referred to as statistical disclosure controls, follow convention and are used widely.³¹

The following disclosure controls have been applied:

- In all tables, cells with small numbers (counts of 1, 2 or 3) have been replaced with the value '≤ 3' (see, for example, Table 3.10).³²
- There were some instances where this level of confidentialisation was insufficient (that is, it was possible to recalculate the original cell). In these instances, some additional small alterations were made to other larger cells in the table (that is, increasing or decreasing another value by 1). These alterations have a negligible impact on table findings.
- Where entire columns, rows or tables contained only small numbers, these were entirely suppressed (see, for example, Table 3.18).

Differencing between tables

Statistical disclosure controls applied to individual tables significantly reduce the possibility of re-identification of individuals. However, under some circumstances, it may be possible to use information from multiple tables to reverse calculate some table values from the observed differences between values across confidentialised tables [11]. This type of cross-referencing or differencing between tables is a challenge to conventional confidentialisation techniques. The authors of this report have taken due care in applying confidentiality procedures and while the risk of re-identification is still low, we cannot completely control for all possibilities of differencing.

³¹ See www.nss.gov.au/nss/home.NSF/pages/Confidentiality+Information+Sheets; for an example, see <https://www.crimestatistics.vic.gov.au/about-the-data/explanatory-notes>.

³² This method, known as frequency confidentialisation, was not applied to cells that referred to the number of individuals with missing data. In such instances, the risk of re-identification was considered sufficiently low (owing to the missing information) that further confidentialisation was not warranted (see, for example, missing rows in Table 3.6).

3 Results for each jurisdiction

3.1. New South Wales

New South Wales Police supplied data from the COPS database. It included all incidents of child sexual abuse reported directly to police, as well as incidents reported to the NSW Department of Family and Community Services through the Child Protection Helpline and referred to the Joint Investigation Response Team (JIRT) Referral Unit. These referrals were recorded on COPS during the study period (1 January 2010 to 31 December 2014).³³

3.1.1. All reported child sexual abuse

A total of 40,987 incidents of child sexual abuse were reported to New South Wales Police between 1 January 2010 and 31 December 2014 (see Table 3.1). Of these, 32,339 (79 per cent) were finalised within 180 days of the reporting date, another 5,447 (13 per cent) were finalised after 180 days, and 3,201 (8 per cent) remained unfinalised (as at December 2015). (See Section 2.7 for definition of finalisation.) Of those incidents finalised within 180 days, 5,284 (16.3 per cent) were finalised by the initiation of court proceedings (for example, through charging the offender).

Table 3.1: Summary of child sexual abuse incidents reported to police in 2010–14, New South Wales

| Summary statistics (Incidents reported between 2010 and 2014 only) | NSW | | | Total |
|---|---------------|---------------------|---------------------|---------------|
| | Not finalised | Finalised <180 days | Finalised >180 days | |
| Count | 3,201 | 32,339 | 5,447 | 40,987 |
| Proportion | 8% | 79% | 13% | 100% |
| Time taken to report (median days since incident) | 21 | 1 | 333 | 1 |
| Time taken to record (median days since report to police) | 5 | 1 | 12 | 1 |
| Time taken to finalise case (median days) | – | 27 | 330 | 37 |
| Time taken to finalise, by finalisation method (median days) | | | | |
| <i>Criminal proceedings</i> | – | | | 50 |
| <i>Other procedures</i> | – | | | 37 |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | – | | | 32 |
| <i>Unresolved (e.g. insufficient evidence)</i> | – | | | 52 |
| Finalisation method | | Finalised <180 days | Finalised >180 days | Total |
| | | N (%) | N (%) | N (%) |
| <i>Criminal proceedings</i> | | 5,284 (16.3) | 1,830 (33.6) | 7,114 (18.8) |
| <i>Other procedures</i> | | 951 (2.9) | 147 (2.7) | 1,098 (2.9) |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | | 20,053 (62.0) | 1,923 (35.3) | 21,976 (58.2) |
| <i>Unresolved (e.g. insufficient evidence)</i> | | 6,051 (18.7) | 1,547 (28.4) | 7,598 (20.1) |

³³ NSW Police was unable to extract data for incidents of child sexual abuse that were reported before the study period but finalised in the period.

Table 3.1 also describes the time taken to report an incident, the time lag between the reporting and the recording of an incident, and the time taken by police to finalise a case. The median time to report an incident was one day (given the distortion produced by outliers, only the median value is presented). The median time to record an incident was also one day. The median time taken to finalise a case was 37 days. Note that the median time taken to finalise a matter varied with case disposition. Cases proceeding to court and those that remained unresolved generally took longer to finalise (the median was more than 50 days), while those resolved through other non-court actions were finalised within shorter time frames (the median was 37 days or less).

Finalisation times and the time taken to report a case also appear to be correlated. For cases finalised within 180 days, the median reporting time was one day; however, for cases finalised in more than 180 days, the median reporting time was almost one year.

Table 3.2 further describes the incident, victim and offender attributes of three different categories of cases – those finalised within 180 days, those finalised in more than 180 days and those that were unfinalised at the time of this study. For example, the table shows that historical incidents make up almost half (49 per cent) of all cases finalised after 180 days, while comprising fewer than 15 per cent of cases finalised within 180 days.

Table 3.2: Incident, victim and offender characteristics of reported child sexual abuse, New South Wales

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| Historical offence | 38.1% | 14.6% | 49.2% | 21.1% |
| Offence group (ANZSOC) | | | | |
| <i>Aggravated sexual assault</i> | 54.2% | 44.5% | 54.8% | 46.7% |
| <i>Non-aggravated sexual assault</i> | 27.6% | 31.6% | 29.3% | 31.0% |
| <i>Non-assaultive sex offences</i> | 18.2% | 23.9% | 15.9% | 22.4% |
| Attempted offence (rather than actual) | 0.6% | 0.6% | 0.5% | 0.6% |
| Victim male | 25.6% | 21.7% | 25.4% | 22.5% |
| Victim age at incident | | | | |
| 0–4 | 8.5% | 9.6% | 10.5% | 9.6% |
| 5–9 | 24.1% | 19.4% | 26.4% | 20.7% |
| 10–14 | 42.1% | 43.0% | 42.2% | 42.8% |
| 15–17 | 25.3% | 27.9% | 21.0% | 26.8% |
| Victim age at report | | | | |
| 0–9 | 14.9% | 23.0% | 13.4% | 21.1% |
| 10–14 | 29.4% | 39.5% | 26.7% | 37.0% |
| 15–19 | 28.9% | 31.3% | 24.8% | 30.2% |
| 20+ years | 26.9% | 6.3% | 35.1% | 11.7% |
| Victim Indigenous | 18.3% | 18.5% | 16.4% | 18.2% |
| Victim unwilling to proceed | 0.0% | 21.3% | 12.0% | 18.4% |
| Offender male | 95.1% | 92.4% | 95.7% | 93.0% |
| <i>(missing N = 13,386)</i> | | | | |
| Offender age at incident | | | | |

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| <i><18 years</i> | 24.1% | 35.1% | 21.3% | 32.1% |
| <i>18–34</i> | 37.6% | 30.5% | 38.8% | 32.3% |
| <i>35+ years</i> | 38.3% | 34.4% | 39.9% | 35.6% |
| <i>(missing N = 13,770)</i> | | | | |
| Offender age at report | | | | |
| <i><18 years</i> | 14.7% | 31.8% | 13.3% | 28.0% |
| <i>18–34</i> | 24.4% | 28.3% | 23.7% | 27.4% |
| <i>35+ years</i> | 60.9% | 39.9% | 63.1% | 44.6% |
| <i>(missing N = 13868)</i> | | | | |
| Offender Indigenous | 14.6% | 18.8% | 16.7% | 18.2% |
| <i>(missing N = 13355)</i> | | | | |
| ICSA_3 proxy | 4.0% | 3.7% | 3.8% | 3.8% |
| Child-to-child sexual abuse | 24.1% | 35.1% | 21.3% | 32.1% |
| <i>(missing N= 13770)</i> | | | | |
| Reporting year | | | | |
| <i>2010</i> | 9.8% | 18.5% | 18.2% | 17.8% |
| <i>2011</i> | 11.4% | 19.7% | 19.7% | 19.0% |
| <i>2012</i> | 13.5% | 20.2% | 20.7% | 19.7% |
| <i>2013</i> | 26.2% | 21.0% | 23.1% | 21.7% |
| <i>2014</i> | 39.0% | 20.7% | 18.3% | 21.8% |
| Submitting region | | | | |
| <i>Central Metro</i> | 4.5% | 4.1% | 4.9% | 4.2% |
| <i>North West Metro</i> | 10.5% | 9.4% | 14.3% | 10.1% |
| <i>Northern</i> | 15.9% | 12.7% | 19.0% | 13.8% |
| <i>South West Metro</i> | 7.4% | 8.1% | 9.9% | 8.3% |
| <i>Southern</i> | 8.1% | 7.5% | 10.2% | 7.9% |
| <i>State Crime Command</i> | 47.8% | 51.9% | 34.9% | 49.3% |
| <i>Western</i> | 5.6% | 5.9% | 6.6% | 5.9% |
| Responsible region | | | | |
| <i>Central Metro</i> | 8.0% | 6.9% | 6.7% | 6.9% |
| <i>North West Metro</i> | 21.6% | 18.1% | 20.8% | 18.8% |
| <i>Northern</i> | 27.8% | 29.0% | 28.6% | 28.9% |
| <i>South West Metro</i> | 13.3% | 15.8% | 14.1% | 15.4% |
| <i>Southern</i> | 17.1% | 16.1% | 17.1% | 16.3% |
| <i>Western</i> | 11.9% | 13.8% | 12.5% | 13.5% |

In this section, we look more closely at cases finalised within 180 days and examine some of the factors that may be associated with this outcome. Table 3.3 summarises our findings on incident, victim, offender and policing characteristics that may influence whether finalisation takes place within 180 days of report. The findings show that:

- finalisation within 180 days was more likely to occur when the offence was less serious (that is, non-assaultive sex offences); when the victim was female, older (aged 10 and over) and/or unwilling to proceed; when the offender was not known to the victim (stranger); and when the offender was younger (aged under 18)

- incidents involving child-to-child offences or other peer interactions were more likely to be finalised within 180 days
- incidents that were initially submitted via State Crime Command (SCC) were more likely to be finalised within 180 days
- finalisation within 180 days was least likely for incidents that were historical (that is, reported more than 12 months after the event) and for ICSA_4 incidents (that is, offences occurred in an institution and were extrafamilial and the relationship between victim and offender was not child-to-child, as defined earlier)
- several factors did not appear to be associated with finalisation within 180 days. These included whether the incident was an attempted offence and various institutional child sexual abuse definitions.

Finalisation rates also appeared to vary with reporting year. The rate declined from 82 per cent to 75 per cent between 2010 and 2014. (See Section 4 for further discussion).

Table 3.3: Child sexual abuse incidents reported to New South Wales police in 2010–14, by whether finalised within 180 days of reporting date

| Jurisdiction – NEW SOUTH WALES (N = 40,987) | | | | |
|---|--|--------|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| Incident characteristics | | | | |
| <i>Historical incident (reported >12 months)</i> | | | | |
| | Yes | 8,633 | 54.9% | * |
| | No | 32,354 | 85.3% | * |
| <i>Offence subdivision (ANZSOC)</i> | | | | |
| | Sexual assault | 31,822 | 77.3% | * |
| | Non-assaultive | 9,165 | 84.2% | * |
| <i>Offence grouping (ANZSOC)</i> | | | | |
| | Aggravated sexual assault | 19,125 | 75.3% | * |
| | Non-aggravated sexual assault | 12,697 | 80.5% | * |
| | Non-assaultive sexual offences against a child | 1,282 | 74.8% | * |
| | Child pornography offences | 1,286 | 81.2% | * |
| | Non-assaultive sexual offences, nec | 6,597 | 86.6% | * |
| <i>Attempted offence</i> | | | | |
| | Yes | 253 | 81.0% | |
| | No | 40,734 | 78.9% | |
| <i>ICSA_proxy_1</i> | | | | |
| | Yes | 14,149 | 76.8% | |
| | No | 26,838 | 71.1% | |
| <i>ICSA_proxy_2</i> | | | | |
| | Yes | 2,770 | 78.3% | |
| | No | 38,217 | 78.9% | |
| <i>ICSA_proxy_3</i> | | | | |
| | Yes | 1,543 | 78.2% | |

| Jurisdiction – NEW SOUTH WALES (N = 40,987) | | | | |
|---|----------------------|--------|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| | No | 39,444 | 78.9% | |
| ICSA_proxy_4 | | | | |
| | Yes | 485 | 60.0% | * |
| | No | 40,502 | 79.1% | * |
| Victim characteristics | | | | |
| Gender | | | | |
| | Male | 9,231 | 76.1% | * |
| | Female | 31,729 | 79.7% | * |
| | (missing N = 27) | | | |
| Age at incident | | | | |
| | 0–4 | 3,955 | 78.7% | * |
| | 5–9 | 8,488 | 74.0% | * |
| | 10–14 | 17,555 | 79.2% | * |
| | 15–19 | 10,989 | 82.2% | |
| Age at report | | | | |
| | 0–9 | 8,631 | 86.0% | * |
| | 10–14 | 15,166 | 84.2% | * |
| | 15–19 | 12,396 | 81.6% | * |
| | 20–29 | 1,322 | 46.0% | * |
| | 30–39 | 1,272 | 40.6% | * |
| | 40+ | 2,200 | 40.9% | * |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 11,875 | 77.7% | * |
| | Other known | 14,149 | 79.2% | * |
| | Stranger | 1,981 | 82.3% | * |
| | Not stated | 12,982 | 79.2% | * |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 8,733 | 84.1% | * |
| | Adult-to-child | 18,484 | 73.6% | * |
| | (missing N = 13,770) | | | |
| Relationship (adolescent peer) | | | | |
| | Peer | 2,757 | 87.3% | * |
| | Not peer | 24,460 | 75.8% | * |
| | (missing N = 13,770) | | | |
| Relationship (simple peer) | | | | |
| | Peer | 856 | 88.1% | * |
| | Not peer | 26,361 | 76.6% | * |
| | (missing N = 13,770) | | | |
| Indigenous status | | | | |
| | Indigenous | 7,446 | 80.1% | * |

| Jurisdiction – NEW SOUTH WALES (N = 40,987) | | | | |
|---|-----------------------------|--------|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| | Non-Indigenous | 33,541 | 78.6% | * |
| Unwilling to proceed | | | | |
| | Yes | 7,532 | 91.3% | * |
| | No | 33,455 | 76.1% | * |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 25,694 | 83.9% | * |
| | Female | 1,907 | 71.4% | * |
| | <i>(missing N = 13,386)</i> | | | |
| Age at incident | | | | |
| | <18 | 8,733 | 84.1% | * |
| | 18–34 | 8,799 | 72.6% | * |
| | 35+ | 9,685 | 74.5% | |
| | <i>(missing N = 13,770)</i> | | | |
| Indigenous status | | | | |
| | Indigenous | 5,027 | 79.7% | * |
| | Non-Indigenous | 22,605 | 76.4% | * |
| | <i>(missing N = 13,355)</i> | | | |
| Policing characteristics | | | | |
| Reporting year | | | | |
| | 2010 | 7,276 | 82.1% | * |
| | 2011 | 7,795 | 81.5% | * |
| | 2012 | 8,081 | 80.7% | * |
| | 2013 | 8,903 | 76.4% | * |
| | 2014 | 8,932 | 74.8% | * |
| Complainant type | n/a | | | |
| Submitting region | | | | |
| | Central Metro | 1,723 | 76.0% | * |
| | North West Metro | 4,159 | 73.2% | * |
| | Northern | 5,638 | 72.7% | * |
| | South West Metro | 3,397 | 77.2% | * |
| | Southern | 3,229 | 74.7% | * |
| | State Crime Command | 20,220 | 83.0% | * |
| | Western | 2,429 | 77.9% | * |
| | Other | 192 | 88.0% | * |
| Responsible region | | | | |
| | Central Metro | 2,847 | 78.2% | * |
| | North West Metro | 7,693 | 76.3% | * |
| | Northern | 11,828 | 79.3% | * |

| Jurisdiction – NEW SOUTH WALES (N = 40,987) | | | |
|---|-------|--------------------------------------|--------------|
| Characteristics | N | Proportion finalised within 180 days | Significance |
| South West Metro | 6,303 | 81.1% | * |
| Southern | 6,687 | 77.9% | * |
| Western | 5,517 | 80.8% | * |
| Other | 112 | 79.5% | * |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

Factors associated with case outcomes

In this section, we examine why some cases were more likely than others to proceed to court. Table 3.4 summarises incident, victim, offender and policing characteristics that were associated with whether a case proceeded to court. The findings indicate that:

- a case was more likely to proceed to court when it was historical, when there was no relationship between victim and offender (that is, stranger-related abuse), or when the offence was committed by an adult
- a case was more likely to proceed to court when the offender was male, when the offender was older, or when the incident could be defined as an ICSA_4 case
- a case was least likely to proceed to court when the incident involved child-to-child offences or peer interactions
- a case was least likely to proceed to court when the incident was initially submitted via the State Crime Command.

The likelihood of proceeding to court also appeared to vary with reporting year. Between 2010 and 2014, the proportion of reported child sexual abuse cases proceeding to court increased from 15 per cent to 20 per cent.

Table 3.4: Child sexual abuse incidents reported to New South Wales police in 2010–14 and finalised within 180 days, by whether matter proceeded to court

| Jurisdiction – NSW (N = 32,339) | | | |
|---|--------|--------------------------------|--------------|
| Characteristics | N | Proportion proceeding to court | Significance |
| Incident characteristics | | | |
| <i>Historical incident (reported >12 months)</i> | | | |
| Yes | 4,736 | 29.9% | * |
| No | 27,603 | 14.0% | * |
| <i>Offence subdivision (ANZSOC)</i> | | | |
| Sexual assault | 24,621 | 16.7% | * |
| Non-assaultive | 7,718 | 15.1% | * |
| <i>Offence Grouping (ANZSOC)</i> | | | |
| Aggravated sexual assault | 14,405 | 14.6% | * |
| Non-aggravated sexual assault | 10,216 | 19.7% | * |

| Jurisdiction – NSW (N = 32,339) | | | |
|--|--------|--------------------------------|--------------|
| Characteristics | N | Proportion proceeding to court | Significance |
| Non-assaultive sexual offences against a child | 959 | 24.6% | * |
| Child pornography offences | 1,044 | 18.9% | * |
| Non-assaultive sexual offences, nec | 5,715 | 12.9% | * |
| Attempted offence | | | |
| Yes | 205 | 16.1% | |
| No | 32,134 | 16.3% | |
| ICSA_proxy_1 | | | |
| Yes | 11,208 | 14.3% | * |
| No | 21,131 | 17.4% | * |
| ICSA_proxy_2 | | | |
| Yes | 2,170 | 12.4% | * |
| No | 30,169 | 16.6% | * |
| ICSA_proxy_3 | | | |
| Yes | 1,207 | 14.5% | |
| No | 31,132 | 16.4% | |
| ICSA_proxy_4 | | | |
| Yes | 291 | 49.5% | * |
| No | 32,048 | 16.1% | * |
| Victim characteristics | | | |
| Gender | | | |
| Male | 7,028 | 16.5% | |
| Female | 25,293 | 16.3% | |
| <i>(missing N = 18)</i> | | | |
| Age at incident | | | |
| 0-4 | 3,114 | 9.4% | * |
| 5-9 | 6,279 | 19.9% | * |
| 10-14 | 13,909 | 16.9% | * |
| 15-19 | 9,037 | 15.4% | * |
| Age at report | | | |
| 0-9 | 7,425 | 13.8% | * |
| 10-14 | 12,772 | 15.5% | * |
| 15-19 | 10,118 | 17.3% | * |
| 20-29 | 608 | 35.2% | * |
| 30-39 | 517 | 23.2% | * |
| 40+ | 899 | 23.2% | * |
| Relationship (victim-to-offender) | | | |
| Family/intimate | 9,221 | 13.8% | * |
| Other known | 11,208 | 14.3% | * |
| Stranger | 1,631 | 20.7% | * |
| Not stated | 10,279 | 20.1% | * |
| Relationship (child-to-child) | | | |
| Child-to-child | 7,340 | 10.5% | * |
| Adult-to-child | 13,597 | 33.2% | * |

| Jurisdiction – NSW (N = 32,339) | | | | |
|---------------------------------------|------------------|--------|--------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| <i>(missing N = 11,402)</i> | | | | |
| Relationship (adolescent_peer) | | | | |
| | Peer | 2,408 | 8.5% | * |
| | Not peer | 18,529 | 27.4% | * |
| <i>(missing N = 11,402)</i> | | | | |
| Relationship (simple_peer) | | | | |
| | Peer | 754 | 7.8% | * |
| | Not peer | 20,183 | 25.9% | * |
| <i>(missing N = 11,402)</i> | | | | |
| Indigenous status | | | | |
| | Yes | 5,966 | 12.4% | * |
| | No | 26,373 | 17.2% | * |
| Unwilling to proceed | | | | |
| | Yes | 6,879 | 0.0% | * |
| | No | 25,460 | 20.8% | * |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 19,625 | 26.4% | * |
| | Female | 1,621 | 6.1% | * |
| <i>(missing N = 11,093)</i> | | | | |
| Age at incident | | | | |
| | <18 | 7,340 | 10.5% | * |
| | 18-34 | 6,387 | 29.6% | * |
| | 35+ | 7,210 | 36.4% | * |
| <i>(missing N = 11,408)</i> | | | | |
| Indigenous status | | | | |
| | Yes | 4,004 | 23.2% | * |
| | No | 17,263 | 25.2% | * |
| <i>(missing N = 11,072)</i> | | | | |
| Policing characteristics | | | | |
| Reporting year | | | | |
| | 2010 | 5,972 | 15.1% | * |
| | 2011 | 6,354 | 14.4% | * |
| | 2012 | 6,524 | 14.0% | * |
| | 2013 | 6,804 | 17.8% | * |
| | 2014 | 6,685 | 20.1% | * |
| Complainant type | | | | |
| | | n/a | | |
| Submitting region | | | | |
| | Central Metro | 1,310 | 21.5% | * |
| | North West Metro | 3,046 | 21.4% | * |
| | Northern | 4,097 | 22.5% | * |
| | South West Metro | 2,624 | 26.6% | * |
| | Southern | 2,413 | 20.4% | * |

| Jurisdiction – NSW (N = 32,339) | | | |
|---------------------------------|--------|--------------------------------|--------------|
| Characteristics | N | Proportion proceeding to court | Significance |
| State Crime Command | 16,789 | 10.9% | * |
| Western | 1,891 | 19.2% | * |
| Other | 169 | 26.6% | * |
| <i>Responsible region</i> | | | |
| Central Metro | 2,227 | 18.9% | * |
| North West Metro | 5,867 | 16.5% | * |
| Northern | 9,377 | 16.2% | * |
| South West Metro | 5,110 | 17.7% | * |
| Southern | 5,212 | 16.3% | * |
| Western | 4,457 | 13.7% | * |
| ther | 89 | 12.4% | * |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

3.1.2. Child-to-child sexual abuse

A total of 8,733 incidents of child sexual abuse involving an offender aged under 18 were reported to New South Wales Police between 1 January 2010 and 31 December 2014 (21 per cent of all child sexual abuse reports). In another 13,770 reports (34 per cent of all reports), the offender's age was missing. Many of these reports may also relate to child-to-child sexual abuse; however, their status as child-to-child sexual abuse cases cannot be accurately determined because of the missing information (see Section 4.5 for further discussion).

The prevalence and characteristics of child-to-child sexual abuse in New South Wales are found in tables 3.5–3.11.

Table 3.5: Prevalence of reported child-to-child sexual abuse in 2010–14, New South Wales

| | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings ^c |
|---|------------------------|-------------|-----------------|----------------------|---|
| Total number of reports (2010–14) | 8,733 ^a | 856 | 2,757 | 3,959 | 665 |
| As a proportion of all reported CSA | 21% | 2% | 7% | 10% | 2% |
| Reports per 1,000 children^b | 5.3 | 0.5 | 1.7 | 2.4 | 0.4 |
| <i>By year</i> | | | | | |
| 2010 | 1,614 | 176 | 488 | 750 | 142 |
| 2011 | 1,624 | 158 | 496 | 746 | 148 |
| 2012 | 1,800 | 165 | 541 | 833 | 117 |
| 2013 | 1,859 | 185 | 587 | 840 | 116 |
| 2014 | 1,836 | 172 | 645 | 790 | 142 |
| Annual percentage change^d | +4.0% | +1.1% | +7.5% | +2.3% | -2.4% |

- a) *In 13,770 reports (34 per cent), either the victim's or offender's age was missing.*
- b) *Rates were estimated using state-based population data for persons aged under 18. It was taken from ABS Australian Demographic Statistics, June 2012, cat no 3101.0.*
- c) *Institutional child sexual abuse was defined as abuse occurring in an institution and where the relationship between victim and offender was extrafamilial (ICSA_3; see Appendix B.4 for details).*
- d) *Annual percentage change refers to the average percentage change per year (estimated by fitting a line to the natural log of counts and calculating the gradient).*

Table 3.6: Demographic characteristics of reported child-to-child sexual abuse in New South Wales

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|-----------------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Victim | | | | | | |
| Total number | 18,484 | 8,733 | 856 | 2,757 | 3,959 | 665 |
| Gender | | | | | | |
| Male | 4,309 (23%) | 2,065 (24%) | 149 (17%) | 371 (13%) | 1,226 (31%) | 159 (24%) |
| Female | 14,155 (77%) | 6,665 (76%) | 707 (83%) | 2,386 (87%) | 2,731 (69%) | 506 (76%) |
| Missing | 20 (0%) | 3 (0%) | 0 | 0 | 2 (0%) | 0 |
| Age at incident | | | | | | |
| Under 10 | 6,605 (36%) | 2,844 (33%) | 51 (6%) | 0 | 2,504 (63%) | 102 (15%) |
| 10–14 | 7,298 (39%) | 4,100 (47%) | 424 (50%) | 1,448 (53%) | 1,455 (37%) | 417 (63%) |
| 15–17 | 4,581 (25%) | 1,789 (20%) | 381 (45%) | 1,309 (47%) | 0 | 146 (22%) |
| Missing | 0 | 0 | 0 | 0 | 0 | 0 |
| Age at report | | | | | | |
| 0–9 | 4,217 (23%) | 2,054 (24%) | 41 (5%) | 0 | 1,787 (45%) | 93 (14%) |
| 10–14 | 5,597 (30%) | 3,837 (44%) | 405 (47%) | 1,351 (49%) | 1,400 (35%) | 398 (60%) |
| 15–19 | 5,374 (29%) | 2,142 (25%) | 386 (45%) | 1,364 (49%) | 229 (6%) | 160 (24%) |
| 20+ | 3,296 (18%) | 700 (8%) | 24 (3%) | 42 (2%) | 543 (14%) | 14 (2%) |
| Missing | 0 | 0 | 0 | 0 | 0 | 0 |
| Indigenous status | | | | | | |
| Indigenous | 3,056 (17%) | 1,643 (19%) | 142 (17%) | 456 (17%) | 804 (20%) | 76 (11%) |
| Non-Indigenous | 15,428 (83%) | 7,090 (81%) | 714 (83%) | 2,301 (83%) | 3,155 (80%) | 589 (89%) |
| Missing | 0 | 0 | 0 | 0 | 0 | 0 |
| Offender | | | | | | |
| Total number | 18,484 | 8,733 | 856 | 2,757 | 3,959 | 665 |
| Gender | | | | | | |
| Male | 17,531 (95%) | 7,797 (89%) | 766 (89%) | 2,402 (87%) | 3,620 (91%) | 622 (94%) |
| Female | 944 (5%) | 933 (11%) | 90 (11%) | 355 (13%) | 337 (9%) | 43 (6%) |
| Missing | 9 (0%) | 3 (0%) | 0 | 0 | 2 (0%) | 0 |
| Age | | | | | | |
| Under 10^a | – | 453 (5%) | 51 (6%) | 0 | 155 (4%) | 57 (9%) |
| 10–14 | – | 4,092 (47%) | 424 (50%) | 1,280 (46%) | 1,897 (48%) | 374 (57%) |
| 15–17 | – | 4,181 (48%) | 381 (45%) | 1,477 (54%) | 1,907 (48%) | 230 (35%) |
| Indigenous status | | | | | | |
| Indigenous | 2,981 (16%) | 2,039 (23%) | 176 (21%) | 567 (21%) | 958 (24%) | 98 (15%) |
| Non-Indigenous | 15,503 (84%) | 6,694 (77%) | 680 (79%) | 2,190 (79%) | 3,001 (76%) | 567 (85%) |
| Missing | 0 | 0 | 0 | 0 | 0 | 0 |

a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

Table 3.7: Characteristics of association between victim and offender, reported child-to-child sexual abuse, New South Wales

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------------------|---------------------------|--------------------------|-------------|-----------------|--------------------------|--|
| Age | | | | | | |
| Average age difference | Offender aged 26 or older | Offender aged 3 or older | Same age | Same age | Offender aged 6 or older | Offender aged 1 or older |
| Sex | | | | | | |
| Male offender – male victim | 3,885 (21%) | 1,786 (20%) | 139 (16%) | 307 (11%) | 1,078 (27%) | 152 (23%) |
| Male offender – female victim | 13,628 (74%) | 6,008 (69%) | 627 (73%) | 2,095 (76%) | 2,540 (64%) | 470 (71%) |
| Female offender – male victim | 423 (2%) | 278 (3%) | 10 (1%) | 64 (2%) | 147 (4%) | 7 (16%) |
| Female offender – female victim | 519 (3%) | 655 (8%) | 80 (9%) | 291 (11%) | 190 (5%) | 36 (7%) |
| Missing | 29 (0%) | 6 (0%) | 0 | 0 | 4 (0%) | 0 |
| Relationship | | | | | | |
| Family | 6,019 (33%) | 1,884 (22%) | 0 | 88 (3%) | 1,478 ^b (37%) | 0 |
| Boyfriend/girlfriend | 654 (4%) | 521 (6%) | 105 (12%) | 253 (9%) | 120 ^b (3%) | 0 |
| Other known | 5,532 (30%) | 3,674 (42%) | 751 (88%) | 1,274 (46%) | 1,477 ^b (37%) | 665 (100%) |
| Stranger | 671 (4%) | 215 (2%) | 0 | 100 (4%) | 60 ^b (2%) | 0 |
| Missing | 5,608 (30%) | 2,439 (28%) | 0 | 1,042 (38%) | 824 (21%) | 0 |

Table 3.8: Victim–offender age distribution, reported child-to-child sexual abuse, New South Wales

| | | Victim | | | |
|----------|------------------|----------|----------|----------|----------|
| Age | | 0–4 | 5–9 | 10–14 | 15–17 |
| Offender | 0–9 ^a | 148 (2%) | 252 (3%) | 44 (1%) | 9 (0%) |
| | 10 | 78 (1%) | 173 (2%) | 55 (1%) | 0 |
| | 11 | 104 (1%) | 219 (3%) | 135 (2%) | 7 (0%) |
| | 12 | 109 (1%) | 303 (3%) | 318 (4%) | 30 (0%) |
| | 13 | 101 (1%) | 330 (4%) | 645 (7%) | 83 (1%) |
| | 14 | 88 (1%) | 303 (3%) | 826 (9%) | 185 (2%) |
| | 15 | 87 (1%) | 196 (2%) | 765 (9%) | 427 (5%) |
| | 16 | 48 (1%) | 149 (2%) | 687 (8%) | 555 (6%) |
| | 17 | 36 (0%) | 118 (1%) | 620 (7%) | 493 (6%) |

a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

Table 3.9: Location of reported child-to-child sexual abuse, New South Wales

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Premise Type | | | | | | |
| Residential | 13,994 (76%) | 5,626 (64%) | 396 (46%) | 1,336 (48%) | 3,088 (78%) | 0 |
| Institutional | 794 (4%) | 1,299 (15%) | 251 (29%) | 762 (28%) | 183 (5%) | 665 (100%) |
| Community | 1,779 (10%) | 933 (11%) | 115 (13%) | 388 (14%) | 278 (7%) | 0 |
| Retail/other | 757 (4%) | 227 (3%) | 24 (3%) | 83 (3%) | 91 (2%) | 0 |

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Missing | 1,160 (6%) | 648 (7%) | 70 (8%) | 188 (7%) | 319 (8%) | 0 |

Table 3.10: Breakdown of offence type of reported child-to-child sexual abuse compared with reported adult-to-child sexual abuse, New South Wales

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|--|----------------|------------------------|-------------|-----------------|----------------------|--|
| Sexual Assault | | | | | | |
| Aggravated sexual assault | 8,379 (45%) | 4,189 (48%) | 443 (52%) | 1,050 (38%) | 2,186 (55%) | 161 (24%) |
| Non-aggravated sexual assault | 6,579 (36%) | 2,704 (31%) | 413 (48%) | 792 (29%) | 1,267 (32%) | 504 (76%) |
| Non-assaultive sexual offences | | | | | | |
| Non-assaultive sexual offences against a child | 800 (4%) | 83 (1%) | 0 | 11 (0%) | 56 (1%) | 0 |
| Child pornography | 420 (2%) | 687 (8%) | 0 | 469 (17%) | 67 (2%) | 0 |
| Non-assaultive sexual offences, nec | 2,306 (12%) | 1,070 (12%) | 0 | 435 (16%) | 383 (10%) | 0 |
| Percentage of offences that were 'attempted' | 124 (1%) | 51 (1%) | ≤3 | 14 (1%) | 28 (1%) | 4 (1%) |

Table 3.11: 180-day finalisation status and outcome of reported child-to-child sexual abuse, New South Wales

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---|----------------|------------------------|-------------|-----------------|----------------------|--|
| Number of cases | 18,484 | 8,733 | 856 | 2,757 | 3,959 | 665 |
| Number finalised within 180 days (%) | 13,597 (74%) | 7,340 (84%) | 754 (88%) | 2,408 (87%) | 3,188 (81%) | 606 (91%) |
| Median days taken to finalise | 26 | 25 | 24 | 23 | 27 | 25 |
| Outcome of cases finalised within 180 days | | | | | | |
| To court | 4,512 (33%) | 772 (11%) | 59 (8%) | 204 (8%) | 442 (14%) | 60 (10%) |
| Other legal action | 210 (2%) | 676 (9%) | 45 (6%) | 266 (11%) | 239 (8%) | 56 (9%) |
| Resolved/no action | 5,859 (43%) | 4,251 (58%) | 488 (65%) | 1,403 (58%) | 1,749 (55%) | 383 (63%) |
| Unresolved | 2,591 (19%) | 1,319 (18%) | 118 (16%) | 392 (16%) | 675 (21%) | 90 (15%) |
| Median days taken to finalise, by outcome | | | | | | |
| To court | 19 | 28.5 | 15 | 20 | 36 | 22 |
| Other legal action | 39.5 | 20.5 | 19 | 19 | 25 | 29.5 |
| Resolved/no action | 27 | 24 | 23 | 21 | 27 | 24 |
| Unresolved | 35 | 29 | 32.5 | 32.5 | 27 | 33 |

3.2. Victoria

Victoria Police supplied data from the LEAP system, which included all incidents of child sexual abuse reported to police during the study period (1 January 2010 to 31 December 2014). Victoria Police provided additional comments in relation to the data (see Section 3.2.3).

3.2.1. All reported child sexual abuse

In all, 18,048 cases of child sexual abuse were reported to Victoria Police between 1 January 2010 and 31 December 2014 (see Table 3.12). Of these, 10,582 (59 per cent) were finalised within 180 days of the reporting date, another 29 per cent were finalised after 180 days, while 12 per cent remained unfinalised (as at June 2016). (Please refer to Section 2.7 for the definition of finalisation.) Of those incidents finalised within 180 days, 4,896 (46 per cent) were finalised by the initiation of court proceedings. It is notable that only 1.5 per cent of incidents finalised within 180 days were finalised via other legal procedures (non-court). The rate is lower in Victoria than in most other states and partly relates to the way the juvenile justice system operates – specifically, Victoria Police cannot refer youth offenders to conferencing/restorative programs. This can only occur through the courts.

Table 3.12: Summary of child sexual abuse incidents reported to police in 2010–14, Victoria

| Summary statistics (Incidents reported between 2010 and 2014 only) | VICTORIA | | | Total |
|---|---------------|-------------------------------|-------------------------------|--------------|
| | Not finalised | Finalised <180 days | Finalised >180 days | |
| Count | 2,179 | 10,582 | 5,287 | 18,048 |
| Proportion | 12% | 59% | 29% | 100% |
| Time taken to report (median days since incident) | 154 | 156 | 751 | 243 |
| Time taken to record (median days since report to police) | 1 | 1 | 2 | 1 |
| Time taken to finalise case (median days) | – | 17 | 342 | 81 |
| Time taken to finalise, by finalisation method (median days) | | | | |
| <i>Criminal proceedings</i> | – | | | 90 |
| <i>Other procedures</i> | – | | | 150 |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | – | | | 7 |
| <i>Unresolved (e.g. insufficient evidence)</i> | – | | | 208 |
| Finalisation method | | Finalised <180 days | Finalised >180 days | Total |
| | | N (%) | N (%) | N (%) |
| <i>Criminal proceedings</i> | | 4,896 (46.3) | 2,732 (51.7) | 7,628 (48.1) |
| <i>Other procedures</i> | | 163 (1.5) | 127 (2.4) | 290 (1.8) |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | | 4,013 (37.9) | 455 (8.6) | 4,468 (28.2) |
| <i>Unresolved (e.g. insufficient evidence)</i> | | 1,510 (14.3) | 1,973 (37.3) | 3,483 (21.9) |

Table 3.12 also describes the time taken to report an incident, the time interval between the reporting and the recording of an incident, and the time taken by police to finalise a case. The median time to report a case was 243 days. The median time to record a case was one day. The median time taken to finalise a case was 81 days (given the distortion produced by outliers, only the median value is presented). Note that the median time taken to finalise a case varied with disposition. Unresolved cases (that is, where there was insufficient evidence to proceed) generally took longer to finalise (median of more than 200 days), while those resolved through court or other legal actions against offenders tended to be finalised sooner (median of 90 and 150 days respectively).

As with New South Wales, the time taken to report a case and to finalise it in Victoria appear to be correlated. Cases finalised within 180 days tended to be reported earlier (median of 156 days), while those finalised in more than 180 days were reported after a longer period (median of 751 days).

Table 3.13 describes the incident, victim and offender attributes of three different categories of cases – those finalised within 180 days, those finalised in more than 180 days and those that were unfinalised at the time of this study. For example, the table shows that historical incidents make up more than half (57 per cent) of all cases finalised after 180 days, while comprising two-fifths (40 per cent) of cases finalised within 180 days. Compared with most other states, Victoria Police deals with a relatively large proportion of historical cases. This is also reflected in the longer median time to report an incident of child sexual abuse in Victoria (see Section 4 for further discussion). Victoria Police provided further commentary on why it has a higher proportion of reports of historical child sexual abuse.

Table 3.13: Incident, victim and offender characteristics of reported child sexual abuse, Victoria

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| Historical offence | 42.7% | 39.9% | 56.9% | 45.2% |
| Offence group (ANZSOC) | | | | |
| <i>Aggravated sexual assault</i> | 63.9% | 74.3% | 77.3% | 73.9% |
| <i>Non-aggravated sexual assault</i> | 20.6% | 16.0% | 14.7% | 16.2% |
| <i>Non-assaultive sex offences</i> | 15.5% | 9.7% | 8.0% | 9.9% |
| Attempted offence (rather than actual) | n/a | n/a | n/a | n/a |
| Victim male | 22.4% | 21.3% | 21.9% | 21.6% |
| Victim age at incident | | | | |
| 0–4 | 11.2% | 11.3% | 10.8% | 11.1% |
| 5–9 | 21.4% | 25.1% | 25.7% | 24.8% |
| 10–14 | 42.4% | 40.8% | 42.4% | 41.5% |
| 15–17 | 25.0% | 22.8% | 21.1% | 22.6% |
| <i>(missing N = 411)</i> | | | | |
| Victim age at report | | | | |
| 0–9 | 12.9% | 20.1% | 11.6% | 16.8% |
| 10–14 | 28.9% | 30.5% | 27.0% | 29.3% |
| 15–19 | 31.0% | 31.4% | 28.5% | 30.5% |
| 20+ years | 27.3% | 18.1% | 32.8% | 23.5% |
| <i>(missing N = 386)</i> | | | | |
| Victim Indigenous | n/a | n/a | n/a | n/a |
| Victim unwilling to proceed | 0.0% | 17.4% | 6.0% | 12.0% |
| Offender male | n/a | 96.7% | 96.1% | n/a |
| <i>(missing N = 6,298)</i> | | | | |
| Offender age at incident | | | | |
| <18 years | n/a | 23.6% | 24.8% | n/a |
| 18–34 | n/a | 39.4% | 39.7% | n/a |
| 35+ years | n/a | 37.0% | 35.5% | n/a |

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| <i>(missing N = 6,316)</i> | | | | |
| Offender age at report | | | | |
| <18 years | n/a | 17.1% | 15.4% | n/a |
| 18–34 | n/a | 30.2% | 25.6% | n/a |
| 35+ years | n/a | 52.7% | 59.0% | n/a |
| <i>(missing N = 6,343)</i> | | | | |
| Offender Indigenous | n/a | n/a | n/a | n/a |
| ICSA_3 proxy | 4.9% | 4.8% | 4.9% | 4.8% |
| Child-to-child sexual abuse | n/a | 23.6% | 24.8% | n/a |
| <i>(missing N = 6,316)</i> | | | | |
| Reporting year | | | | |
| 2010 | 12.2% | 13.4% | 22.6% | 15.9% |
| 2011 | 16.1% | 16.2% | 21.9% | 17.8% |
| 2012 | 20.8% | 21.1% | 18.2% | 20.2% |
| 2013 | 25.5% | 23.2% | 18.8% | 22.2% |
| 2014 | 25.5% | 26.2% | 18.6% | 23.9% |

Factors associated with 180-day finalisations

In this section, we summarise our findings on incident, victim, offender and policing characteristics that were associated with whether finalisation took place within 180 days of the reporting date.

Table 3.14 summarises the findings, which show that:

- finalisation within 180 days was more likely to occur for child pornography offences when the offender was male, when the offender was a family member, or when the offender was known to the victim
- finalisation within 180 days was also more likely to occur when the incident was reported more recently (2014)
- finalisation within 180 days was also more likely to occur when the victim was unwilling to proceed
- finalisation within 180 days was least likely to occur for historical incidents, when the victim was older (aged at least 40) at the time of reporting, or for ICSA_4 incidents
- several factors did not appear to be associated with finalisation within 180 days, including the victim's gender, the offender's age, whether the incident involved child-to-child and other forms of peer interaction.

Table 3.14: Child sexual abuse incidents reported to Victoria Police in 2010–14, by whether finalised within 180 days of reporting date

| Jurisdiction – VICTORIA (N = 18,048) | | | | |
|---|--|--------|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| Incident characteristics | | | | |
| <i>Historical incident (reported >12 months)</i> | | | | |
| | Yes | 8,155 | 51.7% | * |
| | No | 9,893 | 64.3% | * |
| <i>Offence subdivision (ANZSOC)</i> | | | | |
| | Sexual assault | 16,266 | 58.8% | |
| | Non-assaultive | 1,782 | 57.3% | |
| <i>Offence grouping (ANZSOC)</i> | | | | |
| | Aggravated sexual assault | 13,344 | 58.9% | * |
| | Non-aggravated sexual assault | 2,922 | 58.1% | * |
| | Non-assaultive sexual offences against a child | 1,575 | 59.4% | * |
| | Child pornography offences | 42 | 69.1% | * |
| | Non-assaultive sexual offences, nec | 165 | 34.9% | * |
| <i>Attempted offence</i> | | | | |
| | | n/a | | |
| <i>ICSA_proxy_1</i> | | | | |
| | Yes | 7,940 | 59.6% | |
| | No | 10,108 | 57.9% | |
| <i>ICSA_proxy_2</i> | | | | |
| | Yes | 1,144 | 57.1% | |
| | No | 16,904 | 58.7% | |
| <i>ICSA_proxy_3</i> | | | | |
| | Yes | 870 | 57.9% | |
| | No | 17,178 | 58.7% | |
| <i>ICSA_proxy_4</i> | | | | |
| | Yes | 237 | 43.0% | * |
| | No | 17,811 | 58.8% | * |
| Victim characteristics | | | | |
| <i>Gender</i> | | | | |
| | Male | 3,878 | 57.7% | |
| | Female | 14,081 | 58.9% | |
| | <i>(missing N = 89)</i> | | | |
| <i>Age at incident</i> | | | | |
| | 0–4 | 1,962 | 59.3% | |
| | 5–9 | 4,378 | 59.1% | |
| | 10–14 | 7,316 | 57.6% | |
| | 15–17 | 3,981 | 59.2% | |
| | <i>(missing N = 411)</i> | | | |
| <i>Age at report</i> | | | | |
| | 0–9 | 2,956 | 70.2% | * |
| | 10–14 | 5,167 | 60.9% | * |
| | 15–19 | 5,386 | 60.2% | * |

| | | | | |
|--|----------------------------|--------|-------|---|
| | 20–29 | 1,217 | 52.1% | * |
| | 30–39 | 1,052 | 45.8% | * |
| | 40+ | 1,884 | 39.8% | * |
| | <i>(missing N = 386)</i> | | | |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 6,590 | 58.5% | * |
| | Other known | 7,940 | 59.6% | * |
| | Stranger | 2,037 | 55.3% | * |
| | Not stated | 1,331 | 58.8% | * |
| | <i>(missing N = 150)</i> | | | |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 2,828 | 56.3% | |
| | Adult-to-child | 8,904 | 57.9% | |
| | <i>(missing N = 6,316)</i> | | | |
| Relationship (adolescent peer) | | | | |
| | Peer | 585 | 57.8% | |
| | Not peer | 10,899 | 57.3% | |
| | <i>(missing N = 6,598)</i> | | | |
| Relationship (simple peer) | | | | |
| | Peer | 231 | 55.0% | |
| | Not peer | 11,253 | 57.4% | |
| | <i>(missing N = 6,598)</i> | | | |
| Indigenous status | | n/a | | |
| Unwilling to proceed | | | | |
| | Yes | 2,163 | 85.3% | * |
| | No | 15,885 | 55.0% | * |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 11,333 | 57.6% | * |
| | Female | 417 | 53.7% | * |
| | <i>(missing N = 6,298)</i> | | | |
| Age at incident | | | | |
| | <18 | 2,828 | 56.3% | |
| | 18–34 | 4,636 | 57.3% | |
| | 35+ | 4,268 | 58.5% | |
| | <i>(missing N = 6,316)</i> | | | |
| Indigenous status | | n/a | | |
| Policing characteristics | | | | |
| Reporting year | | | | |
| | 2010 | 2,872 | 49.2% | * |
| | 2011 | 3,216 | 53.2% | * |
| | 2012 | 3,643 | 61.1% | * |
| | 2013 | 4,007 | 61.3% | * |
| | 2014 | 4,310 | 64.4% | * |
| Complainant type | | n/a | | |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

Factors associated with case outcomes

In this section, we summarise why some cases were more likely than others to proceed to court. Table 3.15 summarises our findings on incident, victim, offender and policing characteristics that were associated with whether a case proceeded to court. The findings indicate that:

- a case was more likely to proceed to court when the offence was historical, when it was non-assaultive, or when it *did not* involve child-to-child offences (that is, child offenders)
- a case was more likely to proceed to court when the offender was male or when the offender was older (not a child)
- a case was more likely to proceed to court when the incident was reported in 2010
- a case was less likely to proceed to court when the victim was very young (aged 0–4) or the offender was also a child
- some measures of institutional child sexual abuse appeared to be associated with cases proceeding to court; however, the results were not consistent across all definitions of institutional child sexual abuse
- victim gender did not appear to be associated with the likelihood of criminal proceedings, nor did the relationship between victim and offender.

Table 3.15: Child sexual abuse incidents reported in 2010–14 and finalised within 180 days, by whether matter proceeded to court

| Jurisdiction – VICTORIA (N = 10,582) | | | | |
|---|--|-------|--------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| Incident characteristics | | | | |
| <i>Historical incident (reported >12 months)</i> | | | | |
| | Yes | 4,217 | 62.8% | * |
| | No | 6,365 | 35.3% | * |
| <i>Offence subdivision (ANZSOC)</i> | | | | |
| | Sexual assault | 9,561 | 44.9% | * |
| | Non-assaultive | 1,021 | 59.6% | * |
| <i>Offence grouping (ANZSOC)</i> | | | | |
| | Aggravated sexual assault | 7,864 | 45.3% | * |
| | Non-aggravated sexual assault | 1,697 | 42.6% | * |
| | Non-assaultive sexual offences against a child | 935 | 60.1% | * |
| | Child pornography offences | 29 | 27.6% | * |
| | Non-assaultive sexual offences, nec | 57 | 66.7% | * |
| <i>Attempted offence</i> | | | | |
| | | n/a | | |
| <i>ICSA_proxy_1</i> | | | | |
| | Yes | 4,734 | 46.8% | |
| | No | 5,848 | 45.8% | |
| <i>ICSA_proxy_2</i> | | | | |

| Jurisdiction – VICTORIA (N = 10,582) | | | | |
|--|----------------------------|--------|--------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| | Yes | 653 | 24.8% | * |
| | No | 9,929 | 47.7% | * |
| ICSA_proxy_3 | | | | |
| | Yes | 504 | 24.4% | * |
| | No | 10,078 | 47.4% | * |
| ICSA_proxy_4 | | | | |
| | Yes | 102 | 74.5% | * |
| | No | 10,480 | 46.0% | * |
| Victim characteristics | | | | |
| Gender | | | | |
| | Male | 2,239 | 45.7% | |
| | Female | 8,293 | 46.5% | |
| | <i>(missing N = 50)</i> | | | |
| Age at incident | | | | |
| | 0–4 | 1,164 | 25.3% | * |
| | 5–9 | 2,589 | 48.8% | * |
| | 10–14 | 4,213 | 52.2% | * |
| | 15–19 | 2,355 | 43.4% | * |
| | <i>(missing N = 261)</i> | | | |
| Age at report | | | | |
| | 0–9 | 2,075 | 25.3% | * |
| | 10–14 | 3,147 | 43.9% | * |
| | 15–19 | 3,242 | 47.8% | * |
| | 20–29 | 634 | 75.7% | * |
| | 30–39 | 482 | 69.9% | * |
| | 40+ | 749 | 67.0% | * |
| | <i>(missing N = 253)</i> | | | |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 3,856 | 47.3% | |
| | Other known | 4,734 | 46.8% | |
| | Stranger | 1,126 | 50.4% | |
| | Not stated | 783 | 32.2% | |
| | <i>(missing N = 83)</i> | | | |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 1,592 | 55.7% | * |
| | Adult-to-child | 5,152 | 77.3% | * |
| | <i>(missing N = 3,838)</i> | | | |
| Relationship (adolescent peer) | | | | |
| | Peer | 338 | 39.4% | * |
| | Not peer | 6,227 | 73.9% | * |
| | <i>(missing N = 4,017)</i> | | | |
| Relationship (simple peer) | | | | |
| | Peer | 127 | 33.9% | * |

| Jurisdiction – VICTORIA (N = 10,582) | | | | |
|--------------------------------------|----------------------------|-------|--------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| | Not peer | 6,438 | 72.9% | * |
| | <i>(missing N = 4,017)</i> | | | |
| Indigenous status | | n/a | | |
| Unwilling to proceed | | | | |
| | Yes | 1,845 | 0.0% | * |
| | No | 8,737 | 56.1% | * |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 6,533 | 72.7% | * |
| | Female | 224 | 56.3% | * |
| | <i>(missing N = 3,825)</i> | | | |
| Age at incident | | | | |
| | <18 | 1,592 | 55.7% | * |
| | 18–34 | 2,655 | 77.9% | * |
| | 35+ | 2,497 | 76.7% | * |
| | <i>(missing N = 3,838)</i> | | | |
| Indigenous status | | n/a | | |
| Policing characteristics | | | | |
| Reporting year | | | | |
| | 2010 | 1,413 | 56.8% | * |
| | 2011 | 1,711 | 40.9% | * |
| | 2012 | 2,227 | 41.9% | * |
| | 2013 | 2,457 | 42.5% | * |
| | 2014 | 2,774 | 51.0% | * |
| Complainant type | | n/a | | |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

3.2.2. Child-to-child sexual abuse

A total of 2,828 incidents of child sexual abuse involving an offender aged under 18 were reported to Victoria Police between 1 January 2010 and 31 December 2014 (16 per cent of all reports of child sexual abuse). In another 6,564 reports (36 per cent of all reports), the offender's age was missing; many of these reports may also relate to child-to-child sexual abuse; however, their status as child-to-child cases cannot be accurately determined because of the missing information (see Section 4.5 for further discussion).

The prevalence and characteristics of child-to-child sexual abuse in Victoria are found in tables 3.16–3.22. It should be noted that in Victoria, offender details were only recorded where a case was finalised; as offender details are required to identify child-to-child cases, we have no information on child-to-child sexual abuse cases that were not finalised.

Table 3.16: Prevalence of reported child-to-child sexual abuse in 2010–14, Victoria

| | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings ^c |
|---|------------------------|-------------|-----------------|----------------------|---|
| Total number of reports (2010–14) | 2,828 ^a | 231 | 585 | 1,728 | 237 |
| As a proportion of all reported CSA | 16% | 1% | 3% | 10% | 1% |
| Reports per 1,000 children^b | 2.3 | 0.2 | 0.5 | 1.4 | 0.2 |
| By year | | | | | |
| 2010 | 559 | 43 | 123 | 345 | 38 |
| 2011 | 540 | 53 | 116 | 314 | 76 |
| 2012 | 534 | 35 | 103 | 352 | 39 |
| 2013 | 558 | 45 | 114 | 339 | 40 |
| 2014 | 627 | 55 | 129 | 378 | 44 |
| Annual percentage change^d | +2.7% | +3.3% | +0.8% | +2.6% | -3.4% |

- a) In 6,564 reports (36 per cent), either the victim's or offender's age was missing.
- b) Rates were estimated using state-based population data for persons aged under 18. It was taken from ABS Australian Demographic Statistics, June 2012, cat no 3101.0.
- c) Institutional child sexual abuse was defined as abuse occurring in an institution and where the relationship between victim and offender was extrafamilial (ICSA_3; see Appendix B.4 for details).
- d) Annual percentage change refers to the average percentage change per year (estimated by fitting a line to the natural log of counts and calculating the gradient).

Table 3.17: Demographic characteristics of reported child-to-child sexual abuse, Victoria

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|--------------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Victim | | | | | | |
| Total number | 8,904 | 2,828 | 231 | 585 | 1,728 | 237 |
| Gender | | | | | | |
| Male | 1,787 (20%) | 693 (25%) | 32 (14%) | 67 (11%) | 502 (29%) | 59 (25%) |
| Female | 7,084 (80%) | 2,116 (75%) | 198 (86%) | 512 (88%) | 1,218 (70%) | 175 (74%) |
| Missing | 33 (0%) | 19 (1%) | 1 (0%) | 6 (1%) | 8 (0%) | 3 (1%) |
| Age at incident | | | | | | |
| Under 10 | 2,869 (33%) | 1,207 (44%) | 4 (2%) | 0 | 1,151 (67%) | 49 (21%) |
| 10–14 | 3,844 (44%) | 1,102 (40%) | 102 (44%) | 245 (42%) | 577 (33%) | 125 (54%) |
| 15–17 | 2,011 (23%) | 451 (16%) | 125 (54%) | 340 (58%) | – | 57 (24%) |
| Missing | 180 (2%) | 68 (2%) | 0 | 0 | 0 | 6 (3%) |
| Age at report | | | | | | |
| 0–9 | 952 (11%) | 605 (21%) | * | 0 | 579 (34%) | 29 (12%) |
| 10–14 | 2,336 (26%) | 944 (33%) | 92 (40%) | 201 (34%) | 508 (29%) | 116 (49%) |
| 15–19 | 2,822 (32%) | 676 (24%) | 131 (57%) | 360 (62%) | 177 (10%) | 65 (27%) |
| 20+ | 2,623 (29%) | 540 (19%) | * | 24 (4%) | 464 (27%) | 21 (9%) |
| Missing | 171 (2%) | 63 (2%) | 0 | 0 | 0 | 6 (3%) |
| Number Indigenous | – | – | – | – | – | – |
| Offender | | | | | | |
| Total number | 8,904 | 2,828 | 231 | 585 | 1,728 | 237 |
| Gender | | | | | | |
| Male | 8,553 (96%) | 2,699 (95%) | 221 (96%) | 556 (95%) | 1,645 (95%) | 231 (97%) |

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|-----------------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Female | 293 (3%) | 123 (4%) | 10 (4%) | 29 (5%) | 77 (4%) | 6 (3%) |
| Missing | 58 (1%) | 6 (0%) | 0 | 0 | 6 (0%) | 0 |
| Age | | | | | | |
| Under 10^a | – | 89 (3%) | 4 (2%) | 0 | 59 (3%) | 6 (3%) |
| 10–14 | – | 1,361 (48%) | 102 (44%) | 237 (41%) | 851 (49%) | 153 (65%) |
| 15–17 | – | 1,378 (49%) | 125 (54%) | 348 (59%) | 818 (47%) | 78 (33%) |
| Number Indigenous | – | – | – | – | – | – |

a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

* Indicates that data was suppressed due to small counts.

Table 3.18: Characteristics of association between victim and offender, reported child-to-child sexual abuse, Victoria

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|--|---------------------------|--------------------------|-------------|-----------------|--------------------------|--|
| Age | | | | | | |
| Average age difference | Offender aged 25 or older | Offender aged 4 or older | Same age | Same age | Offender aged 7 or older | Offender aged 1 or older |
| Sex | | | | | | |
| Male offender – male victim | 1,652 (19%) | 637 (23%) | 32 (14%) | 65 (11%) | 457 (26%) | 58 (25%) |
| Male offender – female victim | 6,868 (77%) | 2,043 (72%) | 188 (81%) | 485 (83%) | 1,180 (68%) | 170 (71%) |
| Female offender – male victim | 129 (1%) | 55 (2%) | 0 | * | 44 (3%) | * |
| Female offender – female victim | 164 (2%) | 68 (2%) | 10 (4%) | 27 (5%) | 33 (2%) | 5 (2%) |
| Missing | 91 (1%) | 25 (1%) | 1 (0%) | * | 14 (1%) | * |
| Relationship | | | | | | |
| Family | 3,241 (36%) | 882 (31%) | 0 | 24 (4%) | 755 (44%) | 0 |
| Boyfriend/girlfriend | 281 (3%) | 183 (6%) | 20 (9%) | 46 (8%) | 101 (6%) | 0 |
| Other known | 3,931 (44%) | 1,451 (51%) | 211 (91%) | 422 (72%) | 716 (41%) | 237 (100%) |
| Stranger | 947 (11%) | 185 (7%) | 0 | 51 (9%) | 100 (6%) | 0 |
| Missing | 504 (6%) | 127 (4%) | 0 | 42 (7%) | 56 (3%) | 0 |

* Indicates that data was suppressed due to small counts.

Table 3.19: Victim–offender age distribution, reported child-to-child sexual abuse, Victoria

| | | Victim | | | |
|----------|------------------|---------|----------|-----------|----------|
| Age | | 0–4 | 5–9 | 10–14 | 15–17 |
| Offender | 0–9 ^a | 45 (2%) | 38 (1%) | ≤3 | ≤3 |
| | 10 | 34 (1%) | 72 (3%) | 10 (0%) | ≤3 |
| | 11 | 27 (1%) | 80 (3%) | 37 (1%) | ≤3 |
| | 12 | 55 (2%) | 132 (5%) | 76 (3%) | 8 (0%) |
| | 13 | 55 (2%) | 165 (6%) | 152 (6%) | 12 (0%) |
| | 14 | 51 (2%) | 140 (5%) | 153 (6%) | 61 (2%) |
| | 15 | 27 (1%) | 132 (5%) | 176 (6%) | 97 (4%) |
| | 16 | 19 (1%) | 76 (3%) | 214 (8%) | 124 (4%) |
| | 17 | 15 (1%) | 44 (2%) | 280 (10%) | 146 (5%) |

a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

Table 3.20: Location of reported child-to-child sexual abuse, Victoria

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Premise type | | | | | | |
| Residential | 6,082 (68%) | 1,907 (67%) | 96 (42%) | 267 (46%) | 1,329 (77%) | 0 |
| Institutional | 313 (4%) | 286 (10%) | 73 (32%) | 133 (23%) | 66 (4%) | 237 (100%) |
| Community | 1,260 (14%) | 391 (14%) | 48 (21%) | 132 (23%) | 180 (10%) | 0 |
| Retail/other | 345 (4%) | 74 (3%) | 9 (4%) | 28 (5%) | 31 (2%) | 0 |
| Missing | 904 (10%) | 170 (6%) | 5 (2%) | 25 (4%) | 122 (7%) | 0 |

Table 3.21: Breakdown of offence type for reported child-to-child sexual abuse compared with reported adult-to-child sexual abuse, Victoria

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|--|----------------|------------------------|-------------|-----------------|----------------------|--|
| Sexual assault | | | | | | |
| Aggravated sexual assault | 6,566 (74%) | 2,222 (79%) | 157 (68%) | 387 (66%) | 1,445 (84%) | 139 (59%) |
| Non-aggravated sexual assault | 1,371 (15%) | 405 (14%) | 67 (29%) | 170 (29%) | 131 (8%) | 79 (34%) |
| Non-assaultive sexual offences | | | | | | |
| Non-assaultive sexual offences against a child | 883 (10%) | 171 (6%) | 4 (2%) | 23 (4%) | 130 (8%) | 18 (8%) |
| Child pornography | 13 (0%) | 5 (0%) | ≤3 | ≤3 | ≤3 | ≤3 |
| Non-assaultive sexual offences, nec | 71 (1%) | 25 (1%) | ≤3 | ≤3 | 22 (1%) | ≤3 |

Note: Information on attempted offences not available

Table 3.22: 180-day finalisation status and outcome of reported child-to-child sexual abuse, Victoria

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---|----------------|------------------------|-------------|-----------------|----------------------|--|
| Number of cases | 8,904 | 2,828 | 231 | 585 | 1,728 | 237 |
| Number finalised within 180 days (%) | 5,152 (58%) | 1,592 (56%) | 127 (55%) | 338 (58%) | 973 (56%) | 128 (54%) |
| Median days taken to finalise | 34 | 63.5 | 76 | 71 | 55 | 70 |
| Outcome of cases finalised within 180 days | | | | | | |
| To court | 3,984 (77%) | 887 (56%) | 43 (34%) | 133 (39%) | 633 (65%) | 43 (34%) |
| Other legal action | 40 (1%) | 121 (8%) | 19 (15%) | 44 (13%) | 54 (6%) | 23 (18%) |
| Resolved/no action | 126 (2%) | 97 (6%) | 11 (9%) | 28 (8%) | 36 (4%) | 4 (3%) |
| Unresolved | 1,002 (19%) | 487 (31%) | 54 (43%) | 133 (39%) | 250 (26%) | 58 (45%) |
| Median days taken to finalise, by outcome | | | | | | |
| To court | 14 | 35 | 56 | 45 | 32 | 56 |
| Other legal action | 108 | 33 | 22 | 21 | 34 | 22 |
| Resolved/no action | 94.5 | 86 | 119 | 92 | 94 | 84 |
| Unresolved | 91 | 95 | 89 | 89 | 94 | 83 |

3.2.3. Jurisdictional comments

Victoria Police provided the following comments in relation to the data:

Victoria Police (Vicpol) welcomes the opportunity to respond to the draft report titled 'Police Responses to Child Sexual Abuse 2010-2014: An Analysis of Administrative Data for the Royal Commission into Institutional Responses to Child Sexual Abuse' (RCIRCSA) and to provide comment on the findings made in the report. The research provides a valuable insight into the volume of reports of Child Sexual Abuse (CSA) handled by Vicpol and our ability to provide a timely and satisfactory outcome to victims.

High Proportion of historic incidents of child sexual abuse

The report found that 45% of the child sexual abuse incidents recorded by Vicpol were of a historic nature, and this was the highest proportion across all police jurisdictions. Vicpol has considered why the proportion of historic child sexual abuse incidents was significantly higher in Victoria and believes it is attributable to a number of important factors, these being:

The creation of a dedicated taskforce to investigate allegations of historical child sexual abuse which have been committed in an institutional setting – The SANO taskforce was originally established in 2012 to investigate reports of historical child sexual abuse which stemmed from the Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations. The taskforce now investigates reports of child sexual abuse received from the RCIRCSA as well as taking reports directly from victims. Advice and the contact details for the taskforce are available on the websites of both Vicpol and the Department of Justice and Regulation.

The taskforce proactively encourages victims to come forward and speak with investigators, with media appeals being made in relation to particular institutions, and possible victims being identified through institutional records. Vicpol is the only jurisdiction to have a team which is dedicated to only investigating historical allegations of child sexual abuse in institutional settings and to encouraging victims of this type of abuse to come forward.

The creation of six Multidisciplinary Centres in Victoria – Between 2007 and 2015, Multidisciplinary Centres (MDC) have opened in Geelong, Bendigo, Dandenong, Mildura, Morwell, and Seaford, with a seventh MDC due to open in Wyndham in 2017. The centres co-locate Sexual Offences and Child Abuse Investigation Teams from Vicpol, Child Protection practitioners from the Department of Health and Human Services (DHHS), and workers from Centres Against Sexual Assault (CASA).

The purpose of the centres is to enable the efficient and thorough investigation of allegations of sexual abuse by facilitating information sharing between agencies. The centres provide an alternative 'channel' for the reporting of sexual abuse by victim, outside of the traditional methods of contact with the police such as by telephone or by attending a police station. Victims may instead engage with the police through a CASA worker, or possible victims of abuse may be identified by DHHS Child Protection staff.

The opening of the MDCs, and the holistic approach which is taken to the investigation of reported sexual offences, including the onsite availability of counsellors and access to other support services for victims, means victims of abuse, including historical abuse, who may not have otherwise come forward may instead feel able to contact and engage with the police through the MDC. Data provided by the Crime Statistics Agency shows that all MDC sites have a rate of reporting sexual offences per 1,000 population higher than the state-wide rate for Victoria.

Whilst MDCs are designed to handle and investigate reports of all forms of sexual abuse, it is likely their existence, and the services they provide, facilitates the reporting of historical abuse by victims who may not otherwise have directly contacted the police.

The effect of the establishment of the RCIRCSA – The referral of reports of child sexual abuse to police jurisdictions by the RCIRCSA provides another channel for the reporting of child sexual abuse by victims, including the option for ‘blind reporting’. This is likely to encourage victims, who may not feel able to contact the police directly, to instead make a report through the commission. Vicpol assesses each of the referrals for investigative opportunities, contacting the victim where possible to obtain more information if needed and to provide an update on the progress of the investigation. As of October 2016, Vicpol has received 342 referrals from the commission, many of which are likely to have resulted in a number of incidents being recorded on Vicpol’s crime recording database (LEAP) or subsequent victims being identified.

Lowest percentage of child sexual abuse incidents finalised within 180 days

59% of incidents of child sexual abuse recorded by Vicpol were finalised within 180 days; this was the lowest percentage across all police jurisdictions and notably lower than the national rate of 69%. Conscious of the importance of timely and effective investigations, Vicpol sought to identify processes or policies within the organisation which might account for the lower percentage of incidents finalised within 180 days. The following possible causes were identified:

Incidents resulting in court proceedings taking longer to finalise – the report notes that incidents which result in the initiation of court proceedings generally take longer to be finalised. In Victoria 48.1% of recorded incidents of child sexual abuse were finalised through court proceedings, higher than the national rate of 30%. So the impact of a high rate of incidents resulting in court proceedings, which is a positive result for the victim, is the likely increase in the average number of days it takes to finalise an incident.

Higher proportion of historical abuse incidents in Victoria – The report found that reports of historical abuse were least likely to be finalised within 180 days, therefore the proportion of incidents of child sexual abuse finalised within 180 days (59%, the lowest across all police jurisdictions) is highly likely to be linked to the proportion of incidents of child sexual abuse in Victoria which are of a historical nature (45%, the highest across all police jurisdictions).

Collating and reviewing all available evidence before submitting the brief to a supervisor for an authorising decision – Vicpol policy states a key factor in determining whether a brief of evidence is ready for an authorisation decision (whether or not to lay charges) to be made by a supervisor, is whether all available evidence has been collated, reviewed and the brief is complete with all evidence attached. In practice, although in some cases authorisation decisions are made pending further evidence, this may mean waiting on the results of tests such as DNA or fingerprint analysis before there is sufficient evidence on which to make a decision. This is likely to have a considerable effect on the number of days it takes to finalise an incident.

Incidents where the victim reports an incident of child sexual abuse and the investigation is then reopened at a later date as the victim initially does not want to engage with the police – There are circumstances where a victim may approach the police to report an incident of child sexual abuse and then for their own reasons feel unable to provide further information or to assist the police with their investigations. A record of the incident will already have been created on LEAP and if the victim later decides to continue with the investigation, to avoid duplication, the existing incident record is located on LEAP and then continues to be updated. Therefore, the date on which the incident is reported and recorded is likely to be far earlier than the date at which the incident is actually investigated and finalised. These circumstances are likely to be particularly relevant to child sexual abuse investigations and will create incidents with a high number of days to finalisation. This process ensures the wishes of the victim are respected in terms of proceeding with an investigation.

3.3. Queensland

The Queensland Police Service supplied data from the QPRIME system and included all incidents of child sexual abuse reported to police within the study period (1 January 2010 to 31 December 2014).³⁴

3.3.1. All reported child sexual abuse

Table 3.23 summarises the data on cases reported to Queensland police between 2010 and - 2014. There were 25,234 reported cases of child sexual abuse. Of these, 15,077 (60 per cent) were finalised within 180 days of the reporting date, another 34 per cent were finalised after 180 days, while 7 per cent remained unfinalised (as at December 2015). (Please refer to Section 2.7 for definition of finalisation.) Of those incidents finalised within 180 days, 5,668 (38 per cent) were finalised by the initiation of court proceedings.

Table 3.23: Summary of child sexual abuse incidents reported to police in 2010–14, Queensland

| Summary statistics (Incidents reported between 2010 and 2014 only) | QUEENSLAND | | | Total |
|---|---------------|---------------------|---------------------|--------|
| | Not finalised | Finalised <180 days | Finalised >180 days | |
| Count | 1,703 | 15,077 | 8,454 | 25,234 |
| Proportion | 7% | 60% | 34% | 100% |
| Time taken to report (median days since incident) | 59 | 43 | 81 | 55 |
| Time taken to record (median days since report to police) | – | – | – | – |
| Time taken to finalise case (median days) | – | 11 | 350 | 17 |
| Time taken to finalise, by finalisation method (median days) | | | | |
| <i>Criminal proceedings</i> | – | | | 11 |

³⁴ Queensland Police was not able to extract data for any child sexual abuse incidents that were reported in an *earlier* period and were either finalised *during* or *after* the study period. Unfounded cases were also not extracted or supplied.

| Summary statistics (Incidents reported between 2010 and 2014 only) | QUEENSLAND | | | Total |
|---|---------------|---------------------|---------------------|---------------|
| | Not finalised | Finalised <180 days | Finalised >180 days | |
| <i>Other procedures</i> | – | | | 12 |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | – | | | 28 |
| <i>Unresolved (e.g. insufficient evidence)</i> | – | | | 27 |
| Finalisation method | | Finalised <180 days | Finalised >180 days | Total |
| | | N (%) | N (%) | N (%) |
| <i>Criminal proceedings</i> | | 5,668 (37.6) | 929 (11.0) | 6,597 (28.0) |
| <i>Other procedures</i> | | 3,576 (23.7) | 306 (3.6) | 3,882 (16.5) |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | | 4,271 (28.3) | 6,980 (82.6) | 11,251 (47.8) |
| <i>Unresolved (e.g. insufficient evidence)</i> | | 1,562 (10.4) | 237 (2.8) | 1,799 (7.7) |

Table 3.23 also describes the time taken to report an incident and the time taken by police to finalise a case.³⁵ The median time taken to report a case was 55 days. The median time taken to finalise a case was 17 days (given the distortion produced by outliers, only the median value is presented). Note that the median time taken to finalise a case varied with disposition. Cases proceeding to court appeared to be finalised within a shorter time frame (median of 11 days), while those resolved through legal processes that did not involve going to court took longer (median of 12, 28 and 27 days respectively).

As with New South Wales and Victoria, the time taken to report a case and to finalise it in Queensland appear to be correlated. Cases finalised within 180 days tend to be reported earlier (median of 43 days), while those finalised in more than 180 days were reported after a longer delay (median of 81 days).

Table 3.24 describes the incident, victim and offender attributes of three different categories of cases – those finalised within 180 days, those finalised in more than 180 days and those that were unfinalised at the time of this study. For example, the table shows that historical incidents make up 28 per cent of all cases finalised after 180 days, while comprising 23 per cent of cases finalised within 180 days.

³⁵ Data on the time interval between the reporting and recording of an incident was not available.

Table 3.24: Incident, victim and offender characteristics of reported child sexual abuse, Queensland

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| Historical offence | 34.8% | 22.8% | 28.2% | 25.4% |
| Offence group (ANZSOC) | | | | |
| <i>Aggravated sexual assault</i> | 62.0% | 75.0% | 84.7% | 77.4% |
| <i>Non-aggravated sexual assault</i> | 3.5% | 2.4% | 1.6% | 2.2% |
| <i>Non-assaultive sex offences</i> | 34.6% | 22.7% | 13.8% | 20.5% |
| Attempted offence (rather than actual) | 0.9% | 0.8% | 0.7% | 0.8% |
| Victim male | 20.5% | 21.1% | 23.7% | 22.0% |
| <i>(missing N = 3,147)</i> | | | | |
| Victim age at incident | | | | |
| 0–4 | 12.2% | 9.3% | 18.8% | 12.8% |
| 5–9 | 23.4% | 24.0% | 29.8% | 26.0% |
| 10–14 | 45.9% | 45.2% | 37.4% | 42.5% |
| 15–17 | 18.5% | 21.5% | 14.1% | 18.7% |
| <i>(missing N = 3,237)</i> | | | | |
| Victim age at report | | | | |
| 0–9 | 18.7% | 23.9% | 35.8% | 27.8% |
| 10–14 | 40.9% | 40.7% | 34.7% | 38.6% |
| 15–19 | 23.8% | 29.7% | 21.0% | 26.5% |
| 20+ years | 16.6% | 5.7% | 8.4% | 7.4% |
| <i>(missing N = 3,200)</i> | | | | |
| Victim Indigenous | 11.7% | 14.4% | 15.8% | 10.0% |
| <i>(missing N = 8,247)</i> | | | | |
| Victim unwilling to proceed | 0.0% | 19.8% | 7.1% | 14.2% |
| Offender male | n/a | 88.7% | 93.8% | n/a |
| <i>(missing N = 11,998)</i> | | | | |
| Offender age at incident | | | | |
| <18 years | n/a | 46.3% | 27.0% | n/a |
| 18–34 | n/a | 25.1% | 36.7% | n/a |
| 35+ years | n/a | 28.6% | 36.3% | n/a |
| <i>(missing N = 12,041)</i> | | | | |
| Offender age at report | | | | |
| <18 years | n/a | 43.5% | 17.7% | n/a |
| 18–34 | n/a | 24.2% | 24.4% | n/a |
| 35+ years | n/a | 32.3% | 57.9% | n/a |
| <i>(missing N = 12,047)</i> | | | | |
| Offender Indigenous | n/a | 15.3% | 12.2% | n/a |
| <i>(missing N = 13,869)</i> | | | | |
| ICSA_3 proxy | 1.6% | 5.2% | 3.4% | 4.3% |
| Child-to-child sexual abuse | n/a | 46.3% | 27.0% | n/a |

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| <i>(missing N = 12,041)</i> | | | | |
| Reporting year | | | | |
| 2010 | 20.9% | 20.0% | 25.3% | 21.8% |
| 2011 | 19.6% | 17.7% | 23.1% | 19.6% |
| 2012 | 19.4% | 18.6% | 22.7% | 20.0% |
| 2013 | 18.1% | 21.5% | 19.3% | 20.5% |
| 2014 | 22.1% | 22.3% | 9.7% | 18.0% |

Factors associated with 180-day finalisations

In this section, we report on incident, victim, offender and policing characteristics that were found to be associated with whether finalisation took place within 180 days of the reporting date. Table 3.25 summarises our findings, which indicate that:

- finalisation within 180 days was more likely to occur when the victim was female or was older at time of the incident (aged 15–17)
- finalisation within 180 days was more likely to occur when the offender was known to the victim (was a friend, not family)
- finalisation within 180 days was also more likely to occur when the offender was a child (aged under 18), or when the incident was reported within 12 months of taking place
- instances of institutional child sexual abuse (as measured through all institutional child sexual abuse proxies) appeared to have higher rates of finalisation within 180 days
- finalisation within 180 days was less likely to occur when the incident was historical or when the offence was more serious (that is, involving sexual assault)
- several factors did not appear to be associated with finalisation within 180 days. These included the victim’s Indigenous status and whether the offences were attempted (versus completed).

Table 3.25: Child sexual abuse reported to Queensland Police in 2010–14, by whether finalised within 180 days of reporting date

| Jurisdiction – QUEENSLAND (N = 25,234) | | | | |
|--|--|--------|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| Incident characteristics | | | | |
| <i>Historical offence (reported >12 months)</i> | | | | |
| | Yes | 6,416 | 53.6% | * |
| | No | 18,818 | 61.9% | * |
| <i>Offence subdivision (ANZSOC)</i> | | | | |
| | Sexual assault | 20,063 | 58.1% | * |
| | Non-assaultive | 5,171 | 66.1% | * |
| <i>Offence grouping (ANZSOC)</i> | | | | |
| | Aggravated sexual assault | 19,518 | 57.9% | * |
| | Non-aggravated sexual assault | 545 | 65.1% | * |
| | Non-assaultive sexual offences against a child | 731 | 62.9% | * |
| | Child pornography offences | 3,339 | 70.4% | * |
| | Non-assaultive sexual offences, nec | 1,101 | 55.3% | * |
| <i>Attempted offence</i> | | | | |
| | Yes | 193 | 63.2% | |
| | No | 25,041 | 59.7% | |
| <i>ICSA_proxy_1</i> | | | | |
| | Yes | 10,382 | 63.5% | * |
| | No | 14,855 | 57.1% | * |
| <i>ICSA_proxy_2</i> | | | | |
| | Yes | 1,823 | 72.6% | * |
| | No | 23,411 | 58.8% | * |
| <i>ICSA_proxy_3</i> | | | | |
| | Yes | 1,095 | 71.2% | * |
| | No | 24,139 | 59.2% | * |
| <i>ICSA_proxy_4</i> | | | | |
| | Yes | 80 | 75.0% | * |
| | No | 25,154 | 59.7% | * |
| Victim characteristics | | | | |
| <i>Gender</i> | | | | |
| | Male | 4,851 | 56.0% | * |
| | Female | 17,236 | 59.0% | * |
| <i>(missing N = 3,147)</i> | | | | |
| <i>Age at incident</i> | | | | |
| | 0–4 | 2,824 | 42.4% | * |
| | 5–9 | 5,712 | 53.8% | * |
| | 10–14 | 9,345 | 62.1% | * |
| | 15–17 | 4,116 | 67.2% | * |
| <i>(missing N = 3,237)</i> | | | | |

| Jurisdiction – QUEENSLAND (N = 25,234) | | | | |
|--|-----------------------------|--------|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| Age at report | | | | |
| | 0–9 | 6,115 | 50.3% | * |
| | 10–14 | 8,511 | 61.5% | * |
| | 15–19 | 5,789 | 66.0% | * |
| | 20–29 | 669 | 51.0% | * |
| | 30–39 | 420 | 45.5% | * |
| | 40+ | 530 | 37.0% | * |
| | <i>(missing N = 3,200)</i> | | | |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 7,868 | 53.3% | * |
| | Other known | 10,382 | 63.5% | * |
| | Stranger | 29 | 58.6% | * |
| | Not stated | 6,955 | 61.5% | * |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 5,784 | 92.3% | * |
| | Adult-to-child | 7,409 | 83.7% | * |
| | <i>(missing N = 12,041)</i> | | | |
| Relationship (adolescent peer) | | | | |
| | Peer | 1,035 | 93.5% | * |
| | Not peer | 9,735 | 85.9% | * |
| | <i>(missing N = 15,077)</i> | | | |
| Relationship (simple peer) | | | | |
| | Peer | 511 | 95.3% | * |
| | Not peer | 10,259 | 86.2% | * |
| | <i>(missing N = 14,464)</i> | | | |
| Indigenous status | | | | |
| | Indigenous | 2,528 | 58.9% | |
| | Non-Indigenous | 14,459 | 59.7% | |
| | Not stated | 8,247 | 60.1% | |
| Unwilling to proceed | | | | |
| | Yes | 3,577 | 83.3% | * |
| | No | 21,657 | 55.9% | * |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 11,822 | 86.8% | * |
| | Female | 1,414 | 92.7% | * |
| | <i>(missing N = 11,998)</i> | | | |
| Age at incident | | | | |
| | <18 | 5,784 | 92.3% | * |
| | 18–34 | 3,508 | 82.7% | * |
| | 35+ | 3,901 | 84.6% | * |

| Jurisdiction – QUEENSLAND (N = 25,234) | | | | |
|--|------|-------|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| <i>(missing N = 12,041)</i> | | | | |
| Indigenous status | | | | |
| | Yes | 1,689 | 89.5% | * |
| | No | 9,676 | 86.8% | * |
| <i>(missing N = 13,869)</i> | | | | |
| Policing characteristics | | | | |
| Reporting year | | | | |
| | 2010 | 5,500 | 54.7% | * |
| | 2011 | 4,952 | 53.9% | * |
| | 2012 | 5,043 | 55.4% | * |
| | 2013 | 5,180 | 62.6% | * |
| | 2014 | 4,559 | 73.8% | * |
| Complainant type | | n/a | | |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

Factors associated with case outcomes

Table 3.26 summarises our examination of incident, victim, offender and (limited) policing characteristics that were associated with whether a case proceeded to court. The findings indicate that:

- a case was more likely to proceed to court when it was historical or when it involved a non-assaultive offence against a child
- a case was also more likely to proceed to court when the victim was female or older (either at the time of the incident or at the time of reporting)
- a case was also more likely to proceed to court when the offender was male, when the offender was older or was a stranger, or when the incident did not involve child-to-child offences (peer interactions)
- cases of institutional child sexual abuse (ICSA_1, ICSA_2 and ICSA_3) were generally less likely to proceed to court.

Table 3.26: Child sexual abuse incidents reported to Queensland Police in 2010–14 and finalised within 180 days, by whether matter proceeded to court

| Jurisdiction – Queensland (N = 15,077) | | | | |
|---|--|--------|--------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| Incident characteristics | | | | |
| <i>Historical incident (reported >12 months)</i> | | | | |
| | Yes | 3,439 | 50.7% | * |
| | No | 11,638 | 33.7% | * |
| <i>Offence subdivision (ANZSOC)</i> | | | | |
| | Sexual assault | 11,658 | 36.0% | * |
| | Non-assaultive | 3,419 | 43.1% | * |
| <i>Offence grouping (ANZSOC)</i> | | | | |
| | Aggravated sexual assault | 11,303 | 36.0% | * |
| | Non-aggravated sexual assault | 355 | 35.8% | * |
| | Non-assaultive sexual offences against a child | 460 | 65.9% | * |
| | Child pornography offences | 2,350 | 37.0% | * |
| | Non-assaultive sexual offences, nec | 609 | 49.3% | * |
| <i>Attempted offence</i> | | | | |
| | Yes | 122 | 51.6% | * |
| | No | 14,955 | 37.5% | * |
| <i>ICSA_proxy_1</i> | | | | |
| | Yes | 6,591 | 35.0% | * |
| | No | 8,486 | 39.6% | * |
| <i>ICSA_proxy_2</i> | | | | |
| | Yes | 1,323 | 9.1% | * |
| | No | 13,754 | 40.3% | * |
| <i>ICSA_proxy_3</i> | | | | |
| | Yes | 780 | 10.5% | * |
| | No | 14,297 | 39.1% | * |
| <i>ICSA_proxy_4</i> | | | | |
| | Yes | 52 | 86.7% | * |
| | No | 15,017 | 37.4% | * |
| Victim characteristics | | | | |
| <i>Gender</i> | | | | |
| | Male | 2,717 | 29.9% | * |
| | Female | 10,168 | 38.5% | * |
| | <i>(missing N = 2,192)</i> | | | |
| <i>Age at incident</i> | | | | |
| | 0–4 | 1,197 | 24.2% | * |
| | 5–9 | 3,075 | 38.1% | * |
| | 10–14 | 5,799 | 39.4% | * |
| | 15–17 | 2,764 | 35.2% | * |
| | <i>(missing N = 2,242)</i> | | | |
| <i>Age at report</i> | | | | |
| | 0–9 | 3,073 | 28.2% | * |

| Jurisdiction – Queensland (N = 15,077) | | | | |
|--|----------------------------|--------|--------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| | 10–14 | 5,233 | 38.2% | * |
| | 15–19 | 3,818 | 37.3% | * |
| | 20–29 | 341 | 66.3% | * |
| | 30–39 | 191 | 51.3% | * |
| | 40+ | 196 | 57.1% | * |
| | <i>(missing N = 2,225)</i> | | | |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 4,194 | 41.9% | * |
| | Other known | 6,591 | 35.0% | * |
| | Stranger | 17 | 82.4% | * |
| | Not stated | 4,275 | 37.2% | * |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 5,338 | 15.4% | * |
| | Adult-to-child | 6,203 | 78.1% | * |
| | <i>(missing N = 3,536)</i> | | | |
| Relationship (adolescent peer) | | | | |
| | Peer | 968 | 11.0% | * |
| | Not peer | 8,366 | 55.2% | * |
| | <i>(missing N = 4,875)</i> | | | |
| Relationship (simple peer) | | | | |
| | Peer | 487 | 4.1% | * |
| | Not peer | 8,847 | 53.2% | * |
| | <i>(missing N = 5,743)</i> | | | |
| Indigenous status | | | | |
| | Indigenous | 1,488 | 34.2% | |
| | Non-Indigenous | 8,636 | 39.4% | |
| | Not stated | 4,953 | 35.5% | |
| Unwilling to proceed | | | | |
| | Yes | 2,978 | 0.0% | * |
| | No | 12,099 | 46.9% | * |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 10,263 | 53.6% | * |
| | Female | 1,311 | 12.7% | * |
| | <i>(missing N = 3,503)</i> | | | |
| Age at incident | | | | |
| | <18 | 5,338 | 15.4% | * |
| | 18–34 | 2,901 | 75.1% | * |
| | 35+ | 3,302 | 80.8% | * |
| | <i>(missing N = 3,536)</i> | | | |
| Indigenous status | | | | |
| | Indigenous | 1,511 | 48.5% | * |

| Jurisdiction – Queensland (N = 15,077) | | | | |
|--|---------------------|-------|--------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| | Non-Indigenous | 8,396 | 53.1% | * |
| | (missing N = 5,170) | | | |
| Policing characteristics | | | | |
| <i>Reporting year</i> | | | | |
| | 2010 | 3,009 | 37.9% | |
| | 2011 | 2,667 | 36.9% | |
| | 2012 | 2,795 | 37.1% | |
| | 2013 | 3,242 | 37.6% | |
| | 2014 | 3,364 | 38.2% | |
| <i>Complainant type</i> | | n/a | | |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

3.3.2. Child-to-child sexual abuse

A total of 5,784 incidents of child sexual abuse involving an offender aged under 18 were reported to Queensland Police between 1 January 2010 and 31 December 2014 (23 per cent of all reports of child sexual abuse). In another 12,041 reports (47 per cent of all reports), the offender's age was missing. Many of these reports may also relate to child-to-child sexual abuse; however, their status as child-to-child cases cannot be accurately determined because of the missing information (see Section 4.5 for further discussion).

The prevalence and characteristics of child-to-child sexual abuse in Queensland are found in tables 3.27–3.33. It should be noted that in Queensland, offender details were only recorded where a case was finalised. As offender details are required to identify child-to-child cases, we have no information on child-to-child sexual abuse that were not finalised.

Table 3.27: Prevalence of reported child-to-child sexual abuse in 2010–14, Queensland

| | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings ^c |
|---|------------------------|-------------|-----------------|----------------------|---|
| Total number of reports (2010–14) | 5,784 ^a | 511 | 1,035 | 1,968 | 584 |
| As a proportion of all reported CSA | 23% | 2% | 4% | 8% | 2% |
| Reports per 1,000 children^b | 5.3 | 0.5 | 1.0 | 1.8 | 0.5 |
| <i>By year</i> | | | | | |
| 2010 | 1,008 | 124 | 196 | 372 | 145 |
| 2011 | 970 | 101 | 166 | 393 | 121 |
| 2012 | 1,041 | 99 | 187 | 383 | 124 |
| 2013 | 1,226 | 87 | 223 | 373 | 93 |
| 2014 | 1,539 | 100 | 263 | 447 | 101 |
| Annual percentage change^d | +11.4% | -5.6% | +9.2% | +12.0% | -9.4% |

a) In 12,041 reports (47 per cent), either the victim's or offender's age was missing.

- b) Rates were estimated using state-based population data for persons aged under 18. It was taken from ABS Australian Demographic Statistics, June 2012, cat no 3101.0.
- c) Institutional child sexual abuse was defined as abuse occurring in an institution and where the relationship between victim and offender was extrafamilial (ICSA_3; see Appendix B.4 for details).
- d) Annual percentage change refers to the average percentage change per year (estimated by fitting a line to the natural log of counts and calculating the gradient).

Table 3.28: Demographic characteristics of reported child-to-child sexual abuse, Queensland

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|-----------------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Victim | | | | | | |
| Total number | 7,409 | 5,784 | 511 | 1,035 | 1,968 | 584 |
| Gender | | | | | | |
| Male | 1,128 (15%) | 1,488 (26%) | 190 (37%) | 255 (25%) | 669 (34%) | 209 (36%) |
| Female | 5,193 (70%) | 2,989 (52%) | 321 (63%) | 779 (75%) | 1,295 (66%) | 375 (64%) |
| Missing | 1,088 (15%) | 1,307 (23%) | 0 | 1 (0%) | 4 (0%) | 0 |
| Age at incident | | | | | | |
| Under 10 | 2,314 (31%) | 1,778 (31%) | 129 (25%) | 0 | 1,277 (65%) | 213 (37%) |
| 10–14 | 2,783 (38%) | 2,084 (36%) | 299 (59%) | 680 (66%) | 690 (35%) | 298 (52%) |
| 15–17 | 1,210 (16%) | 592 (10%) | 83 (16%) | 355 (34%) | - | 66 (11%) |
| Missing | 1,102 (15%) | 1,330 (23%) | 0 | 0 | 1 (0%) | 7 (1%) |
| Age at report | | | | | | |
| 0–9 | 1,347 (18%) | 1,517 (26%) | 125 (24%) | 0 | 1,067 (54%) | 202 (35%) |
| 10–14 | 2,326 (31%) | 2,006 (35%) | 279 (55%) | 581 (56%) | 719 (37%) | 290 (50%) |
| 15–19 | 1,813 (24%) | 837 (14%) | 105 (21%) | 450 (43%) | 100 (5%) | 84 (14%) |
| 20+ | 829 (11%) | 95 (2%) | ≤3 | ≤3 | 82 (4%) | ≤3 |
| Missing | 1,094 (15%) | 1,329 (23%) | 0 | 0 | 0 | 7 (1%) |
| Indigenous Status | | | | | | |
| Indigenous | 613 (8%) | 647 (11%) | 63 (12%) | 147 (14%) | 275 (14%) | 87 (15%) |
| Non-Indigenous | 4,428 (60%) | 2,759 (48%) | 303 (59%) | 670 (65%) | 1,222 (62%) | 332 (57%) |
| Missing | 2,368 (32%) | 2,378 (41%) | 145 (28%) | 218 (21%) | 471 (24%) | 165 (28%) |
| Offender | | | | | | |
| Total number | 7,409 | 5,784 | 511 | 1,035 | 1,968 | 584 |
| Gender | | | | | | |
| Male | 7,159 (97%) | 4,621 (80%) | 408 (80%) | 801 (77%) | 1,854 (94%) | 513 (88%) |
| Female | 247 (3%) | 1,158 (20%) | 103 (20%) | 232 (22%) | 113 (6%) | 70 (12%) |
| Missing | 3 (0%) | 5 (0%) | 0 | 2 (0%) | 1 (0%) | 1 (0%) |
| Age | | | | | | |
| Under 10^a | – | 703 (12%) | 129 (25%) | 0 | 158 (8%) | 190 (33%) |
| 10–14 | – | 2,966 (51%) | 299 (59%) | 625 (60%) | 936 (48%) | 287 (49%) |
| 15–17 | – | 2,115 (37%) | 83 (16%) | 410 (40%) | 874 (44%) | 107 (18%) |
| Indigenous status | | | | | | |
| Indigenous | 751 (10%) | 936 (16%) | 82 (16%) | 202 (23%) | 347 (21%) | 104 (23%) |
| Non-Indigenous | 5,689 (77%) | 3,961 (68%) | 336 (66%) | 683 (66%) | 1,315 (67%) | 386 (66%) |
| Missing | 969 (13%) | 887 (15%) | 93 (18%) | 150 (14%) | 306 (16%) | 94 (16%) |

- a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

Table 3.29: Characteristics of association between victim and offender, reported child-to-child sexual abuse, Queensland

| | Adult-to-child ^d | Child-to-child (Total) | Simple Peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------------------|-----------------------------|--------------------------|-------------|-----------------|--------------------------|--|
| Age | | | | | | |
| Average age difference | Offender aged 25 or older | Offender aged 3 or older | Same age | Same age | Offender aged 6 or older | Offender aged 1 or older |
| Sex | | | | | | |
| Male offender – male victim | 1,018 (14%) | 1,167 (20%) | 144 (28%) | 121 (12%) | 606 (31%) | 181 (31%) |
| Male offender – female victim | 5,072 (68%) | 2,758 (48%) | 264 (52%) | 680 (66%) | 1,244 (63%) | 332 (57%) |
| Female offender – male victim | 110 (2%) | 321 (6%) | 46 (9%) | 134 (13%) | 63 (3%) | 28 (5%) |
| Female offender – Female victim | 118 (1%) | 226 (4%) | 57 (11%) | 97 (9%) | 50 (3%) | 42 (7%) |
| Missing | 1,091 (15%) | 1,312 (23%) | 0 | 3 (0%) | 5 (0%) | 1 (0%) |
| Relationship | | | | | | |
| Family | 2,640 (36%) | 1,169 (20%) | 0 | 143 (14%) | 766 (39%) | 0 |
| Boyfriend/girlfriend | 0 | 0 | 0 | 0 | 0 | 0 |
| Other known | 2,780 (38%) | 2,532 (44%) | 511 (100%) | 645 (62%) | 914 (46%) | 584 (100%) |
| Stranger | 17 (0%) | 0 | 0 | 0 | 0 | 0 |
| Missing | 1,972 (27%) | 2,083 (36%) | 0 | 247 (24%) | 288 (15%) | 0 |

Table 3.30: Victim–offender age distribution, reported child-to-child sexual abuse, Queensland

| | | Victim | | | |
|----------|------------------|----------|-----------|----------|----------|
| Age | | 0–4 | 5–9 | 10–14 | 15–17 |
| Offender | 0–9 ^a | 154 (3%) | 455 (10%) | 50 (1%) | 5 (0%) |
| | 10 | 32 (1%) | 95 (2%) | 41 (1%) | 4 (0%) |
| | 11 | 43 (1%) | 103 (2%) | 95 (2%) | 5 (0%) |
| | 12 | 46 (1%) | 143 (3%) | 223 (5%) | 17 (0%) |
| | 13 | 54 (1%) | 162 (4%) | 310 (7%) | 76 (2%) |
| | 14 | 51 (1%) | 152 (3%) | 411 (9%) | 68 (2%) |
| | 15 | 29 (1%) | 97 (2%) | 335 (8%) | 136 (3%) |
| | 16 | 25 (1%) | 64 (1%) | 289 (6%) | 146 (3%) |
| | 17 | 20 (0%) | 53 (1%) | 330 (7%) | 135 (3%) |

- a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

Table 3.31: Location of reported child-to-child sexual abuse, Queensland

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| <i>Premise type</i> | | | | | | |
| Residential | 5,812 (78%) | 3,832 (66%) | 231 (45%) | 571 (55%) | 1,595 (81%) | 0 |
| Institutional | 128 (2%) | 1,088 (19%) | 194 (38%) | 250 (24%) | 85 (4%) | 584 (100%) |
| Community | 904 (12%) | 515 (9%) | 60 (12%) | 125 (12%) | 178 (9%) | 0 |
| Retail/other | 258 (3%) | 52 (1%) | ≤3 | 12 (1%) | 17 (1%) | 0 |
| Missing | 307 (4%) | 297 (5%) | 24 (5%) | 77 (7%) | 93 (5%) | 0 |

Table 3.32: Breakdown of offence type of reported child-to-child sexual abuse compared with reported adult-to-child sexual abuse, Queensland

| | Adult-to-child | Child-to-child (Total) | Simple Peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|--|----------------|------------------------|-------------|-----------------|----------------------|--|
| <i>Sexual assault</i> | | | | | | |
| Aggravated sexual assault | 5,570 (75%) | 3,927 (68%) | 396 (78%) | 734 (71%) | 1,869 (95%) | 505 (87%) |
| Non-aggravated sexual assault | 143 (2%) | 77 (1%) | 11 (2%) | 30 (3%) | 9 (0%) | 13 (2%) |
| <i>Non-assaultive sexual offences</i> | | | | | | |
| Non-assaultive sexual offences against a child | 338 (5%) | 124 (2%) | 14 (3%) | 36 (3%) | 32 (2%) | 3 (1%) |
| Child pornography | 1,005 (14%) | 1,529 (26%) | 69 (14%) | 194 (19%) | 23 (1%) | 33 (6%) |
| Non-assaultive sexual offences, nec | 353 (5%) | 127 (2%) | 21 (4%) | 41 (4%) | 35 (2%) | 30 (5%) |
| Percentage of offences that were 'attempted' | 59 (1%) | 34 (1%) | 2 (0%) | 9 (1%) | 13 (1%) | 5 (1%) |

Table 3.33: 180-day finalisation status and outcome of reported child-to-child sexual abuse, Queensland

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---|----------------|------------------------|-------------|-----------------|----------------------|--|
| Number of cases | 7,409 | 5,784 | 511 | 1,035 | 1,968 | 584 |
| Number finalised within 180 days (%) | 6,203 (84%) | 5,338 (92%) | 487 (95%) | 968 (94%) | 1,750 (89%) | 564 (97%) |
| Median days taken to finalise | 8 | 10 | 7.5 | 12 | 11 | 9 |
| <i>Outcome of cases finalised within 180 days</i> | | | | | | |
| To court | 4,845 (78%) | 822 (15%) | 20 (4%) | 106 (11%) | 502 (29%) | 30 (5%) |
| Other legal action | 152 (2%) | 3,406 (64%) | 372 (76%) | 591 (61%) | 766 (44%) | 453 (80%) |
| Resolved/no action | 517 (8%) | 760 (14%) | 79 (16%) | 254 (26%) | 216 (12%) | 61 (11%) |
| Unresolved | 689 (11%) | 350 (7%) | 16 (3%) | 17 (2%) | 266 (15%) | 20 (4%) |
| <i>Median days taken to finalise, by outcome</i> | | | | | | |
| To court | 5 | 10 | 4 | 7 | 12 | 15 |
| Other legal action | 49 | 9 | 7 | 12 | 7 | 7 |
| Resolved/no action | 25 | 15 | 7 | 13 | 20 | 5 |
| Unresolved | 17 | 21 | 20.5 | 29 | 19 | 28.5 |

3.4. Western Australia

Western Australia Police supplied data extracted from its IMS system, which included all incidents of child sexual abuse reported within the study period (1 January 2010 to 31 December 2014).³⁶

3.4.1. All reported child sexual abuse

A total of 8,034 cases of child sexual abuse were reported to Western Australia Police between 1 January 2010 and 31 December 2014 (see Table 3.34). Of these, 5,618 (70 per cent) were finalised within 180 days of the reporting date, another 1,431 (18 per cent) were finalised after 180 days, while 12 per cent remained unfinalised (at August 2016). (See Section 2.7 for the definition of finalisation.) Of those cases finalised within 180 days, 2,411 (43 per cent) were concluded by the initiation of court proceedings (as per the process codes described in Table 3.34).

Table 3.34: Summary of child sexual abuse incidents reported to police in 2010–14, Western Australia

| Summary statistics (Incidents reported between 2010 and 2014 only) | WESTERN AUSTRALIA | | | Total |
|---|-------------------|---------------------|---------------------|-----------------|
| | Not finalised | Finalised <180 days | Finalised >180 days | |
| Count | 985 | 5,618 | 1,431 | 8,034 |
| Proportion | 12% | 70% | 18% | 100% |
| Time taken to report (median days since incident) | 14 | 10 | 230 | 18 |
| Time taken to record (median days since report to police) | – | – | – | – |
| Time taken to finalise case (median days) | – | 34 | 336 | 53 |
| Time taken to finalise, by finalisation method (median days) | | | | |
| <i>Criminal proceedings</i> | – | | | 44 |
| <i>Other procedures</i> | – | | | 36 |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | – | | | 39 |
| <i>Unresolved (e.g. insufficient evidence)</i> | – | | | 102 |
| Finalisation method | | Finalised <180 days | Finalised >180 days | Total |
| | | N (%) | N (%) | N (%) |
| <i>Criminal proceedings</i> | | 2,411 (42.9) | 628 (43.9) | 3,039 (43.1) |
| <i>Other procedures</i> | | 375 (6.7) | 35 (2.5) | 410 (5.8) |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | | 1,718 (30.6) | 315 (22.0) | 2,033 (28.8) |
| <i>Unresolved (e.g. insufficient evidence)</i> | | 1,114 (19.8) | 453 (31.7) | 1,567 (22.2) |

Table 3.34 also describes the time taken to report an incident and the time taken by police to finalise a case.³⁷ The median time taken to report a case was 18 days (given the distortion

³⁶ Western Australia Police was not able to extract data for any incidents of child sexual abuse that were reported in an earlier period and either finalised *during* or *after* the study period.

³⁷ Data on the time interval between the reporting and the recording of an incident was not available for Western Australia.

produced by outliers, only median values are presented). The median time taken to finalise a case was 53 days. Note that the median time taken to finalise a case varied with disposition. Cases proceeding to court were finalised within 44 days, while those that were classified as unresolved were finalised within 102 days.

The time taken to report a case and to finalise it also appear to be correlated. Cases finalised within 180 days tended to be reported earlier (median of 10 days), while those finalised in more than 180 days, were reported after a longer time gap (median of 230 days).

Table 3.35 describes the incident, victim and offender attributes of three different categories of cases – those finalised within 180 days, those finalised in more than 180 days and those that were unfinalised at the time of this study. For example, the table shows that historical incidents make up more than one-third (35 per cent) of all cases finalised after 180 days, while comprising less than one in five (20 per cent) of cases finalised within 180 days of report.

Table 3.35: Incident, victim and offender characteristics of reported child sexual abuse, Western Australia

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| Historical offence | 22.1% | 19.9% | 35.3% | 22.9% |
| Offence group (ANZSOC) | | | | |
| <i>Aggravated sexual assault</i> | 74.4% | 77.1% | 72.1% | 75.8% |
| <i>Non-aggravated sexual assault</i> | 10.1% | 8.4% | 6.5% | 8.3% |
| <i>Non-assaultive sex offences</i> | 15.5% | 14.5% | 21.4% | 15.9% |
| Attempted offence (rather than actual) | 0.6% | 1.1% | 0.5% | 0.9% |
| Victim male | 17.4% | 18.2% | 21.2% | 18.5% |
| <i>(missing N = 1,543)</i> | | | | |
| Victim age at incident | | | | |
| 0–4 | 10.1% | 9.7% | 11.8% | 10.0% |
| 5–9 | 19.4% | 23.9% | 32.6% | 24.5% |
| 10–14 | 49.7% | 44.6% | 39.3% | 44.5% |
| 15–17 | 20.9% | 21.8% | 16.4% | 20.9% |
| <i>(missing N = 1,956)</i> | | | | |
| Victim age at report | | | | |
| 0–9 | 16.4% | 22.3% | 18.3% | 21.0% |
| 10–14 | 44.6% | 41.6% | 30.5% | 40.5% |
| 15–19 | 25.6% | 28.9% | 25.0% | 28.0% |
| 20+ years | 13.5% | 7.2% | 26.2% | 10.6% |
| <i>(missing N = 1,526)</i> | | | | |
| Victim Indigenous | 25.1% | 19.3% | 20.9% | 20.3% |
| <i>(missing N = 3,306)</i> | | | | |
| Victim unwilling to proceed | 0.0% | 12.8% | 5.0% | 9.8% |
| Offender male | n/a | 95.7% | 96.4% | n/a |
| <i>(missing N = 3,005)</i> | | | | |
| Offender age at incident | | | | |

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| <i><18 years</i> | n/a | 31.5% | 24.2% | n/a |
| <i>18–34</i> | n/a | 33.9% | 37.6% | n/a |
| <i>35+ years</i> | n/a | 34.7% | 38.3% | n/a |
| <i>(missing N = 4,728)</i> | | | | |
| Offender age at report | | | | |
| <i><18 years</i> | n/a | 28.8% | 12.9% | n/a |
| <i>18–34</i> | n/a | 31.6% | 26.7% | n/a |
| <i>35+ years</i> | n/a | 39.6% | 60.4% | n/a |
| <i>(missing N = 4,528)</i> | | | | |
| Offender Indigenous | n/a | 15.6% | 13.0% | n/a |
| <i>(missing N = 4,754)</i> | | | | |
| ICSA_3 proxy | n/a | 0.8% | 0.4% | n/a |
| Child-to-child sexual abuse | n/a | 31.5% | 24.2% | n/a |
| <i>(missing N = 4,728)</i> | | | | |
| Reporting year | | | | |
| <i>2010</i> | 16.1% | 19.1% | 15.4% | 18.1% |
| <i>2011</i> | 18.3% | 16.4% | 24.9% | 18.2% |
| <i>2012</i> | 24.1% | 18.6% | 20.3% | 19.6% |
| <i>2013</i> | 21.0% | 21.8% | 19.6% | 21.3% |
| <i>2014</i> | 20.5% | 24.1% | 19.8% | 22.9% |

Factors associated with 180-day finalisations

In this section, we summarise our findings on incident, victim, offender and policing characteristics that were associated with whether finalisation took place within 180 days of the reporting date. Table 3.36 summarises our findings, which show that:

- finalisation within 180 days was more likely to occur when the incident was reported within 12 months of the offence taking place, when the incident was more serious (that is, involving sexual assault), when the victim was older (aged 10 and over), or when the offender was known to the victim (friend or acquaintance but not family)
- finalisation within 180 days was also more likely to occur when the offender was also a child (aged under 18), or when the offender was non-Indigenous
- incidents of institutional child sexual abuse (as measured using proxies) appeared to have higher rates of finalisation within 180 days
- incidents reported in 2010 and 2014 had higher 180-day finalisation rates compared with incidents reported in other years
- the victim's gender did not appear to be associated with finalisation within 180 days of report.

Table 3.36: Child sexual abuse reported to Western Australia Police in 2010–14, by whether finalised within 180 days of reporting date

| Jurisdiction – WESTERN AUSTRALIA (N = 8,034) | | | | |
|---|--|-------|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| Incident characteristics | | | | |
| <i>Historical incident (reported >12 months)</i> | | | | |
| | Yes | 1,840 | 60.7% | * |
| | No | 6,194 | 72.7% | * |
| <i>Offence subdivision (ANZSOC)</i> | | | | |
| | Sexual assault | 6,093 | 71.1% | * |
| | Non-assaultive | 1,941 | 66.4% | * |
| <i>Offence grouping (ANZSOC)</i> | | | | |
| | Aggravated sexual assault | 5,563 | 71.4% | * |
| | Non-aggravated sexual assault | 530 | 67.9% | * |
| | Non-assaultive sexual offences against a child | 643 | 71.5% | * |
| | Child pornography offences | 1,278 | 64.0% | * |
| | Non-assaultive sexual offences, nec | 20 | 55.0% | * |
| <i>Attempted offence</i> | | | | |
| | Yes | 72 | 81.9% | * |
| | No | 7,962 | 69.8% | * |
| <i>ICSA_proxy_1</i> | | | | |
| | Yes | 459 | 85.4% | * |
| | No | 7,575 | 69.0% | * |
| <i>ICSA_proxy_2</i> | | | | |
| | Yes | 448 | 81.7% | * |
| | No | 7,586 | 69.2% | * |
| <i>ICSA_proxy_3</i> | | | | |
| | Yes | 49 | 89.8% | * |
| | No | 7,985 | 69.8% | * |
| <i>ICSA_proxy_4</i> | | | | |
| | Yes | 12 | 91.7% | |
| | No | 8,022 | 69.9% | |
| Victim characteristics | | | | |
| <i>Gender</i> | | | | |
| | Male | 1,202 | 72.3% | |
| | Female | 5,289 | 73.7% | |
| | <i>(missing N = 1,543)</i> | | | |
| <i>Age at incident</i> | | | | |
| | 0–4 | 608 | 71.1% | * |
| | 5–9 | 1,491 | 71.8% | * |
| | 10–14 | 2,706 | 73.6% | * |
| | 15–17 | 1,273 | 76.5% | * |
| | <i>(missing N = 1,956)</i> | | | |
| <i>Age at report</i> | | | | |

| Jurisdiction – WESTERN AUSTRALIA (N = 8,034) | | | | |
|--|----------------------------|-------|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| | 0–9 | 1,364 | 78.0% | * |
| | 10–14 | 2,633 | 75.5% | * |
| | 15–19 | 1,819 | 76.0% | * |
| | 20–29 | 276 | 58.7% | * |
| | 30–39 | 203 | 44.8% | * |
| | 40+ | 213 | 43.7% | * |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 773 | 71.8% | * |
| | Other known | 459 | 85.4% | * |
| | Stranger | 502 | 76.5% | * |
| | Not stated | 14 | 78.6% | * |
| | <i>(missing N = 6,300)</i> | | | |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 1,005 | 88.7% | * |
| | Adult-to-child | 2,301 | 84.4% | * |
| | <i>(missing N = 4,728)</i> | | | |
| Relationship (adolescent peer) | | | | |
| | Peer | 145 | 86.9% | |
| | Not peer | 2,405 | 84.8% | |
| | <i>(missing N = 5,484)</i> | | | |
| Relationship (simple peer) | | | | |
| | Peer | 28 | 89.3% | |
| | Not peer | 2,522 | 84.9% | |
| | <i>(missing N = 5,484)</i> | | | |
| Indigenous status | | | | |
| | Indigenous | 961 | 68.1% | * |
| | Non-Indigenous | 3,767 | 72.8% | * |
| | <i>(missing N = 3,306)</i> | | | |
| Unwilling to proceed | | | | |
| | Yes | 789 | 91.0% | * |
| | No | 7,245 | 67.6% | * |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 3,349 | 80.7% | * |
| | Female | 145 | 83.6% | * |
| | <i>(missing N = 4,539)</i> | | | |
| Age at incident | | | | |
| | <18 | 1,005 | 88.6% | * |
| | 18–34 | 1,137 | 84.3% | * |
| | 35+ | 1,164 | 84.5% | * |
| | <i>(missing N = 4,728)</i> | | | |
| Indigenous status | | | | |

| Jurisdiction – WESTERN AUSTRALIA (N = 8,034) | | | | |
|--|----------------------------|-------|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| | Indigenous | 497 | 83.7% | * |
| | Non-Indigenous | 2,783 | 80.4% | * |
| | <i>(missing N = 4,754)</i> | | | |
| Policing characteristics | | | | |
| <i>Reporting year</i> | | | | |
| | 2010 | 1,452 | 73.8% | * |
| | 2011 | 1,458 | 63.2% | * |
| | 2012 | 1,571 | 66.5% | * |
| | 2013 | 1,712 | 71.5% | * |
| | 2014 | 1,841 | 73.7% | * |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

Factors associated with case outcomes

Table 3.37 summarises our examination of incident, victim, offender and (limited) policing characteristics that were associated with whether a case proceeded to court. The findings indicate that:

- a case was more likely to proceed to court when it was a historical matter
- a case was also more likely to proceed to court when the offender was male or aged over 18, or when the incident did not involve child-to-child or peer interactions
- a case was less likely to proceed to court when the incident was recent (that is, reported in 2014, compared with incidents reported between 2010 and 2013)
- victim willingness to proceed had a significant influence on whether the matter progressed to criminal proceedings.

Table 3.37: Child sexual abuse incidents reported to Western Australia Police in 2010–14 and finalised within 180 days, by whether matter proceeded to court

| Jurisdiction – WESTERN AUSTRALIA (N = 5,618) | | | | |
|--|--|-------|--------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| Incident characteristics | | | | |
| <i>Historical offence (reported >12 months)</i> | | | | |
| | Yes | 1,117 | 54.3% | * |
| | No | 4,501 | 40.1% | * |
| <i>Offence subdivision (ANZSOC)</i> | | | | |
| | Sexual assault | 4,329 | 43.4% | |
| | Non-assaultive | 471 | 39.7% | |
| <i>Offence grouping (ANZSOC)</i> | | | | |
| | Aggravated sexual assault | 3,969 | 43.9% | * |
| | Non-aggravated sexual assault | 360 | 38.1% | * |
| | Non-assaultive sexual offences against a child | 460 | 38.9% | * |
| | Child pornography offences | 818 | 42.1% | * |
| | Non-assaultive sexual offences, nec | 11 | 72.7% | * |
| <i>Attempted offence</i> | | | | |
| | Yes | 59 | 52.5% | |
| | No | 5,559 | 42.8% | |
| <i>ICSA_proxy_1</i> | | | | |
| | Yes | 392 | 81.4% | * |
| | No | 5,226 | 40.0% | * |
| <i>ICSA_proxy_2</i> | | | | |
| | Yes | 366 | 24.3% | * |
| | No | 5,252 | 44.2% | * |
| <i>ICSA_proxy_3</i> | | | | |
| | Yes | 44 | 52.3% | |
| | No | 5,574 | 42.8% | |
| <i>ICSA_proxy_4</i> | | | | |
| | Yes | 11 | 100.0% | * |
| | No | 5,607 | 42.8% | * |
| Victim characteristics | | | | |
| <i>Gender</i> | | | | |
| | Male | 869 | 41.5% | |
| | Female | 3,898 | 42.9% | |
| | <i>(missing N = 851)</i> | | | |
| <i>Age at incident</i> | | | | |
| | 0–4 | 432 | 36.1% | * |
| | 5–9 | 1,070 | 51.8% | * |
| | 10–14 | 1,992 | 41.9% | * |
| | 15–17 | 974 | 38.1% | * |
| | <i>(missing N = 1,150)</i> | | | |
| <i>Age at report</i> | | | | |
| | 0-9 | 1,064 | 42.6% | * |

| Jurisdiction – WESTERN AUSTRALIA (N = 5,618) | | | | |
|--|----------------------------|--------------------------------------|--------------|---|
| Characteristics | N | Proportion proceeding to court | Significance | |
| | 10–14 | 1,987 | 41.9% | * |
| | 15–19 | 1,382 | 41.0% | * |
| | 20–29 | 162 | 48.2% | * |
| | 30–39 | 91 | 61.5% | * |
| | 40+ | 93 | 54.8% | * |
| | <i>(missing N = 839)</i> | | | |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 560 | 92.3% | * |
| | Other known | 392 | 81.4% | * |
| | Stranger | 343 | 89.3% | * |
| | Not stated | 11 | 100.0% | * |
| | <i>(missing N = 4,271)</i> | | | |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 891 | 53.2% | * |
| | Adult-to-child | 1,942 | 99.7% | * |
| | <i>(missing N = 3,452)</i> | | | |
| Relationship (adolescent peer) | | | | |
| | Peer | 126 | 46.0% | * |
| | Not peer | 2,040 | 91.4% | * |
| | <i>(missing N = 3,452)</i> | | | |
| Relationship (simple peer) | | | | |
| | Peer | 25 | 36.0% | * |
| | Not peer | 2,141 | 89.4% | * |
| | <i>(missing N = 3,452)</i> | | | |
| Indigenous status | | | | |
| | Indigenous | 654 | 45.9% | |
| | Non-Indigenous | 2,742 | 45.4% | |
| | <i>(missing N = 764)</i> | | | |
| Unwilling to proceed | | | | |
| | Yes | 718 | 0.0% | * |
| | No | 4,900 | 49.2% | * |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 2,704 | 87.3% | * |
| | Female | 122 | 36.9% | * |
| | <i>(missing N = 1,548)</i> | | | |
| Age at incident | | | | |
| | <18 | 891 | 53.2% | * |
| | 18–34 | 959 | 99.8% | * |
| | 35+ | 983 | 99.6% | * |
| | <i>(missing N = 2,785)</i> | | | |
| Indigenous status | | | | |
| | Indigenous | 416 | 90.9% | * |

| Jurisdiction – WESTERN AUSTRALIA (N = 5,618) | | | | |
|--|-------|--------------------------------------|--------------|--|
| Characteristics | N | Proportion proceeding to court | Significance | |
| Non-Indigenous (missing N = 2,965) | 2,237 | 85.4% | * | |
| Policing characteristics | | | | |
| <i>Reporting year</i> | | | | |
| 2010 | 1,072 | 57.7% | * | |
| 2011 | 922 | 51.1% | * | |
| 2012 | 1,044 | 38.0% | * | |
| 2013 | 1,224 | 38.0% | * | |
| 2014 | 1,356 | 33.9% | * | |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

3.4.2. Child-to-child sexual abuse

A total of 1,005 incidents of child sexual abuse involving an offender aged under 18 were reported to Western Australia Police between 1 January 2010 and 31 December 2014 (13 per cent of all reports). In another 4,728 reports (59 per cent of all reports), the offender's age was missing. Many of these reports may also relate to child-to-child sexual abuse; however, their status as child-to-child sexual abuse cases cannot be accurately determined because of the missing information (see Section 4.5 for further discussion).

The prevalence and characteristics of child-to-child sexual abuse in Western Australia are found in tables 3.38–3.44. It should be noted that in Western Australia, offender details were only recorded where a case was finalised; as offender details are required to identify child-to-child cases, we have no information on child-to-child sexual abuse cases that were not finalised.

Table 3.38: Prevalence of reported child-to-child sexual abuse in 2010–14, Western Australia

| | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings ^c |
|---|---------------------------|----------------|--------------------|-------------------------|---|
| Total number of reports (2010–14) | 1,005 ^a | 28 | 145 | 462 | 37 |
| As a proportion of all reported CSA | 13% | 0% | 2% | 6% | 0% |
| Reports per 1,000 children^b | 1.8 | 0.0 | 0.3 | 0.8 | 0.1 |
| <i>By year</i> | | | | | |
| 2010 | 226 | 5 | 28 | 102 | 10 |
| 2011 | 189 | 3 | 18 | 97 | 5 |
| 2012 | 193 | 10 | 41 | 95 | 8 |
| 2013 | 215 | 5 | 37 | 79 | 6 |
| 2014 | 182 | 5 | 21 | 89 | 8 |
| Annual percentage change^d | –3.0% | – | +1.5% | –4.7% | – |

a) In 4,728 reports (59 per cent), either the victim's or offender's age was missing.

- b) Rates were estimated using state-based population data for persons aged under 18. It was taken from ABS Australian Demographic Statistics, June 2012, cat no 3101.0.
- c) Institutional child sexual abuse was defined as abuse occurring in an institution and where the relationship between victim and offender was extrafamilial (ICSA_3; see Appendix B.4 for details).
- d) Annual percentage change refers to the average percentage change per year (estimated by fitting a line to the natural log of counts and calculating the gradient).

Table 3.39: Demographic characteristics of reported child-to-child sexual abuse, Western Australia

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|-----------------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Victim | | | | | | |
| Total number | 2,301 | 1,005 | 28 | 145 | 462 | 37 |
| Gender | | | | | | |
| Male | 325 (14%) | 169 (17%) | 5 (18%) | 19 (13%) | 116 (25%) | 10 (27%) |
| Female | 1,578 (69%) | 618 (61%) | 23 (82%) | 125 (86%) | 343 (74%) | 27 (73%) |
| Missing | 398 (17%) | 218 (22%) | 0 | 1 (1%) | 3 (1%) | 0 |
| Age at incident | | | | | | |
| Under 10 | 631 (35%) | 322 (43%) | 0 | 0 | 308 (67%) | 0 |
| 10–14 | 804 (45%) | 328 (44%) | 17 (61%) | 77 (53%) | 153 (33%) | 29 (78%) |
| 15–17 | 352 (20%) | 103 (14%) | 11 (39%) | 68 (47%) | 0 | 8 (22%) |
| Missing | 514 (22%) | 252 (25%) | 0 | 0 | 1 (0%) | 0 |
| Age at report | | | | | | |
| 0–9 | 348 (15%) | 233 (23%) | 0 | 0 | 218 (47%) | 0 |
| 10–14 | 751 (33%) | 359 (36%) | 15 (54%) | 70 (48%) | 173 (37%) | 27 (73%) |
| 15–19 | 545 (24%) | 149 (15%) | 13 (46%) | 73 (50%) | 28 (6%) | 10 (27%) |
| 20+ | 269 (12%) | 46 (5%) | 0 | ≤3 | 43 (9%) | 0 |
| Missing | 388 (17%) | 218 (22%) | 0 | 0 | 0 | 0 |
| Indigenous status | | | | | | |
| Indigenous | 272 (12%) | 106 (11%) | ≤3 | 14 (10%) | 65 (14%) | 6 (16%) |
| Non-Indigenous | 1,221 (53%) | 419 (42%) | 14 (50%) | 82 (57%) | 231 (50%) | 15 (41%) |
| Missing | 808 (35%) | 480 (48%) | 11 (39%) | 49 (34%) | 166 (36%) | 16 (43%) |
| Offender | | | | | | |
| Total number | 2,301 | 1,005 | 28 | 145 | 462 | 37 |
| Gender | | | | | | |
| Male | 2,248 (98%) | 905 (90%) | 26 (93%) | 135 (93%) | 448 (97%) | 35 (95%) |
| Female | 44 (2%) | 98 (10%) | ≤3 | 9 (6%) | 14 (3%) | ≤3 |
| Missing | 9 (0%) | 2 (0%) | 0 | 1 (1%) | 0 | 0 |
| Age | | | | | | |
| Under 10^a | – | 23 (2%) | 0 | 0 | ≤3 | 0 |
| 10–14 | – | 508 (51%) | 17 (61%) | 76 (52%) | 238 (52%) | 16 (43%) |
| 15–17 | – | 474 (47%) | 11 (39%) | 69 (48%) | 222 (48%) | 21 (57%) |
| Indigenous status | | | | | | |
| Indigenous | 313 (14%) | 168 (17%) | ≤3 | 28 (19%) | 81 (18%) | 10 (27%) |
| Non-Indigenous | 1,891 (82%) | 725 (72%) | 24 (86%) | 101 (70%) | 321 (69%) | 21 (57%) |
| Missing | 97 (4%) | 112 (11%) | 3 (11%) | 16 (11%) | 60 (13%) | 6 (16%) |

- a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

Table 3.40: Characteristics of association between victim and offender, reported child-to-child sexual abuse, Western Australia

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------------------|---------------------------|--------------------------|-------------|-----------------|--------------------------|--|
| Age | | | | | | |
| Average age difference | Offender aged 26 or older | Offender aged 3 or older | Same age | Same age | Offender aged 6 or older | Offender aged 2 or older |
| Sex | | | | | | |
| Male offender – male victim | 308 (13%) | 159 (16%) | 5 (18%) | 16 (11%) | 113 (24%) | 10 (27%) |
| Male offender – female victim | 1,554 (68%) | 591 (59%) | 22 (79%) | 118 (81%) | 332 (72%) | 25 (68%) |
| Female offender – male victim | 16 (1%) | 10 (1%) | ≤3 | ≤3 | ≤3 | 0 |
| Female offender – female victim | 18 (1%) | 26 (3%) | ≤3 | 6 (4%) | 11 (2%) | ≤3 |
| Missing | 405 (18%) | 219 (22%) | 0 | ≤3 | ≤3 | 0 |
| Relationship | | | | | | |
| Family | 490 (21%) | 176 (18%) | 0 | 12 (8%) | 152 (33%) | 0 |
| Boyfriend/girlfriend | 18 (1%) | 10 (1%) | ≤3 | 5 (3%) | 3 (1%) | 0 |
| Other known | 280 (17%) | 168 (17%) | 26 (93%) | 37 (26%) | 94 (20%) | 36 (97%) |
| Stranger | 354 (17%) | 113 (11%) | 0 | 25 (17%) | 53 (11%) | 0 |
| Missing | 1,159 (50%) | 538 (54%) | 0 | 66 (46%) | 160 (35%) | 1 (3%) |

Table 3.41: Victim–offender age distribution, reported child-to-child sexual abuse, Western Australia

| | | Victim | | | |
|----------|------------------|---------|---------|----------|---------|
| Age | | 0–4 | 5–9 | 10–14 | 15–17 |
| Offender | 0–9 ^a | ≤3 | 9 (1%) | 10 (1%) | ≤3 |
| | 10 | 6 (1%) | 7 (1%) | 7 (1%) | ≤3 |
| | 11 | 5 (1%) | 17 (2%) | 13 (2%) | ≤3 |
| | 12 | 11 (1%) | 43 (6%) | 17 (2%) | ≤3 |
| | 13 | 18 (2%) | 67 (9%) | 42 (6%) | 7 (1%) |
| | 14 | 9 (1%) | 46 (6%) | 54 (7%) | 13 (2%) |
| | 15 | 5 (1%) | 29 (4%) | 57 (8%) | 30 (4%) |
| | 16 | 5 (1%) | 21 (3%) | 74 (10%) | 19 (3%) |
| | 17 | 4 (1%) | 17 (2%) | 54 (7%) | 28 (4%) |

a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

Table 3.42: Location of reported child-to-child sexual abuse, Western Australia

| | Adult-to-child | Child-to-child (Total) | Simple Peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Premise type | | | | | | |
| Residential | 1,788 (78%) | 702 (70%) | 14 (50%) | 66 (46%) | 388 (84%) | 0 |
| Institutional | 62 (3%) | 142 (14%) | 8 (29%) | 47 (32%) | 18 (4%) | 37 (100%) |
| Community | 307 (13%) | 133 (13%) | 4 (14%) | 25 (17%) | 45 (10%) | 0 |
| Retail/other | 136 (6%) | 28 (3%) | ≤3 | 7 (5%) | 11 (2%) | 0 |

| | Adult-to-child | Child-to-child (Total) | Simple Peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Missing | 8 (0%) | 0 | 0 | 0 | 0 | 37 |

Table 3.43: Breakdown of offence type of reported child-to-child sexual abuse compared with reported adult-to-child sexual abuse, Western Australia

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|--|----------------|------------------------|-------------|-----------------|----------------------|--|
| Sexual assault | | | | | | |
| Aggravated sexual assault | 1,625 (71%) | 653 (65%) | 17 (61%) | 93 (64%) | 422 (12%) | 29 (78%) |
| Non-aggravated sexual assault | 113 (5%) | 46 (5%) | 6 (21%) | 20 (14%) | 4 (1%) | ≤3 |
| Non-assaultive sexual offences | | | | | | |
| Non-assaultive sexual offences against a child | 186 (8%) | 79 (8%) | ≤3 | 27 (19%) | 30 (6%) | ≤3 |
| Child pornography | 368 (16%) | 227 (23%) | ≤3 | 5 (3%) | 6 (1%) | ≤3 |
| Non-assaultive sexual offences, nec | 9 (0%) | 0 | 0 | 0 | 0 | 0 |
| Percentage of offences that were 'attempted' | 23 (1%) | 14 (1%) | 0 | 4 (3%) | 8 (2%) | ≤3 |

Table 3.44: 180-day finalisation status and outcome of reported child-to-child sexual abuse, Western Australia

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---|----------------|------------------------|-------------|-----------------|----------------------|--|
| Number of cases | 2,301 | 1,005 | 28 | 145 | 462 | 37 |
| Number finalised within 180 days (%) | 1,942 (84%) | 891 (89%) | 25 (89%) | 126 (87%) | 397 (86%) | 33 (89%) |
| Median days taken to finalise | 25.5 | 26 | 31 | 24 | 32 | 25 |
| Outcome of cases finalised within 180 days | | | | | | |
| To court | 1,935 (100%) | 474 (53%) | 8 (29%) | 58 (46%) | 293 (74%) | 12 (36%) |
| Other legal action | ≤3 | 374 (42%) | 13 (52%) | 54 (43%) | 99 (25%) | 19 (58%) |
| Resolved/no action | 5 (0%) | 43 (5%) | ≤3 | 14 (11%) | 5 (1%) | ≤3 |
| Unresolved | – | – | – | – | – | – |
| Median days taken to finalise, by outcome | | | | | | |
| To court | 25.5 | 22 | 28 | 13.5 | 28 | 23 |
| Other legal action | 47 | 33 | 31 | 33 | 36 | 33 |
| Resolved/no action | 21 | 8 | 41 | 2 | 10 | 21.5 |
| Unresolved | – | – | – | – | – | – |

3.5. South Australia

South Australia Police supplied the data, which included all incidents of child sexual abuse reported to police within the study period (1 January 2010 to 31 December 2014).

3.5.1. All reported child sexual abuse

A total of 5,441 cases of child sexual abuse were reported to South Australia Police between 1 January 2010 and 31 December 2014 (see Table 3.45). Of these, 4,377 (80 per cent) were finalised within 180 days of the reporting date, another 13 per cent were finalised after 180 days, while just 6 per cent remained unfinalised (as at June 2016). (Please refer to Section 2.7 for the definition of finalisation.) Of those incidents finalised within 180 days, 2,593 (59 per cent) were finalised by the initiation of court proceedings (as per the codes in Table 2.9).

Table 3.45 also describes the time victims took to report child sexual abuse and the time police took to finalise cases of child sexual abuse. The median time taken to report a case was 99 days. The median time taken to finalise a case was 17 days. Note that the time taken to report a case varied with finalisation status. Note that the median time taken to finalise a case varied with its disposition. Cases proceeding to court took just three days to finalise, while those processed via other legal actions took 35 days. Unresolved cases (for example, where there was insufficient evidence to proceed) were marked as finalised by police after a median of 73 days.

Table 3.45: Summary of child sexual abuse incidents reported to police in 2010–14, South Australia

| Summary statistics (Incidents reported between 2010 and 2014 only) | SOUTH AUSTRALIA | | | Total |
|---|-----------------|-------------------------------|-------------------------------|--------------|
| | Not finalised | Finalised <180 days | Finalised >180 days | |
| Count | 333 | 4,377 | 731 | 5,441 |
| Proportion | 6% | 80% | 13% | 100% |
| Time taken to report (median days since incident) | 315 | 64 | 1,463 | 99 |
| Time taken to finalise case (median days) | – | 9 | 324 | 17 |
| Time taken to finalise, by finalisation method (median days) | | | | |
| <i>Criminal proceedings#</i> | – | | | 3 |
| <i>Other procedures</i> | – | | | 35 |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | – | | | 25 |
| <i>Unresolved (e.g. insufficient evidence)</i> | – | | | 73 |
| Finalisation method | | Finalised <180 days | Finalised >180 days | Total |
| | | N (%) | N (%) | N (%) |
| <i>Criminal proceedings</i> | | 2,593 (59.2) | 293 (40.1) | 2,886 (56.5) |
| <i>Other procedures</i> | | 38 (0.9) | 15 (2.1) | 53 (1.0) |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | | 942 (21.5) | 129 (17.7) | 1,071 (21.0) |
| <i>Unresolved (e.g. insufficient evidence)</i> | | 804 (18.4) | 294 (40.2) | 1,098 (21.5) |

For these cases, we note that the median time to finalise was relatively low. This was partly due to the existence of many reports that have no direct victim (such as child pornography offences). In these instances, first recorded information was typically the arrest of the offender (which always proceeds to court), thus time to finalise was zero days.

As with other jurisdictions, the time taken to report a case and to finalise it in South Australia were correlated. Cases finalised within 180 days tended to be reported earlier (median of 64 days), while those finalised in more than 180 days were reported after a longer period

(median of 1,463 days). Unfinalised cases also had a long reporting time gap (median of 315 days).

Table 3.46 describes the incident, victim and offender attributes of three different categories of cases – those finalised within 180 days, those finalised in more than 180 days, and those that were unfinalised at the time of this study. For example, the table shows that historical incidents (that is, those reported to police more than 12 months after the event) make up almost one-third (31 per cent) of cases finalised within 180 days, while comprising three-fifths (61 per cent) of cases finalised after 180 days.

Table 3.46: Incident, victim and offender characteristics of reported cases of child sexual abuse, South Australia

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| Historical offence | 48.7% | 30.9% | 60.9% | 36.0% |
| Offence group (ANZSOC) | | | | |
| <i>Aggravated sexual assault</i> | 63.4% | 62.9% | 70.9% | 64.0% |
| <i>Non-aggravated sexual assault</i> | 15.3% | 11.8% | 17.0% | 12.7% |
| <i>Non-assaultive sex offences</i> | 21.3% | 25.3% | 12.2% | 23.3% |
| Victim male | 31.2% | 18.8% | 21.3% | 20.0% |
| Victim age at incident | | | | |
| 0–4 | 15.1% | 8.6% | 13.9% | 9.8% |
| 5–9 | 28.4% | 20.2% | 25.6% | 21.6% |
| 10–14 | 34.7% | 40.6% | 40.5% | 40.2% |
| 15–17 | 21.8% | 30.6% | 20.1% | 28.4% |
| Victim age at report | | | | |
| 0–9 | 15.0% | 15.3% | 10.1% | 14.5% |
| 10–14 | 27.0% | 34.9% | 27.1% | 33.2% |
| 15–19 | 26.7% | 37.1% | 27.6% | 34.9% |
| 20+ years | 31.2% | 12.7% | 35.2% | 17.3% |
| Victim Indigenous | 8.8% | 8.4% | 10.5% | 8.7% |
| Victim unwilling to proceed | 0% | 16.4% | 14.0% | 15.1% |
| Offender male | n/a | 92.5% | 97.2% | n/a |
| <i>(missing N = 2,707)</i> | | | | |
| Offender age at incident | | | | |
| <18 years | n/a | 30.6% | 30.9% | n/a |
| 18–34 | n/a | 33.9% | 35.2% | n/a |
| 35+ years | n/a | 35.6% | 34.0% | n/a |
| <i>(missing N = 3,081)</i> | | | | |
| Offender age at report | | | | |
| <18 years | n/a | 25.2% | 12.2% | n/a |
| 18–34 | n/a | 31.8% | 27.2% | n/a |
| 35+ years | n/a | 43.0% | 60.6% | n/a |
| <i>(missing N = 2,707)</i> | | | | |
| Offender Indigenous | n/a | 6.9% | 10.3% | n/a |
| <i>(missing N = 2,733)</i> | | | | |

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| ICSA_3 proxy | 4.8% | 5.3% | 3.7% | 5.1% |
| Child-to-child sexual abuse | n/a | 30.6% | 30.9% | n/a |
| <i>(missing N =3,081)</i> | | | | |
| Reporting year | | | | |
| 2010 | 20.1% | 17.4% | 17.7% | 17.8% |
| 2011 | 18.6% | 18.1% | 20.7% | 19.0% |
| 2012 | 18.0% | 18.1% | 17.0% | 19.7% |
| 2013 | 19.2% | 20.7% | 20.0% | 21.7% |
| 2014 | 24.0% | 25.6% | 24.8% | 21.8% |

Factors associated with 180-day finalisations

In this section, we examine whether some reports of child sexual abuse were more likely than others to result in finalisation within 180 days of the reporting date. The findings in Table 3.47 indicate that:

- finalisation within 180 days was more likely to occur when the incident was reported within 12 months of the offence taking place, when the offence was less serious (that is, non-assaultive), when the victim was female, or when the offender was a peer of the victim
- finalisation within 180 days was less likely to occur when the victim was very young at the time of the incident (aged under five) or when the victim was older (an adult) at the time of reporting
- finalisation within 180 days was also less likely to occur when the offender was a family member
- several factors did not appear to be associated with finalisation within 180 days. These included victim and offender Indigenous status, reporting year and whether the offence was institutional child sexual abuse (as measured using various institutional child sexual abuse indicators).

Table 3.47: Child sexual abuse reported to South Australia Police in 2010–14, by whether finalised within 180 days of reporting date

| Jurisdiction – South Australia (N = 5,441) | | | | |
|---|---------------------------|-------|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| Incident characteristics | | | | |
| <i>Historical incident (reported >12 months)</i> | | | | |
| | Yes | 1,961 | 69.1% | * |
| | No | 3,480 | 86.9% | * |
| <i>Offence subdivision (ANZSOC)</i> | | | | |
| | Sexual assault | 4,174 | 78.4% | * |
| | Non-assaultive | 1,267 | 87.2% | * |
| <i>Offence grouping (ANZSOC)</i> | | | | |
| | Aggravated sexual assault | 3,483 | 79.1% | * |

| Jurisdiction – South Australia (N = 5,441) | | | | |
|--|--------------------------------|-------|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| | Non-aggravated sexual assault | 691 | 74.7% | * |
| | Non-assaultive sexual offences | 1,267 | 87.2% | * |
| ICSA_proxy_1 | | | | |
| | Yes | 2,263 | 80.7% | |
| | No | 3,178 | 80.2% | |
| ICSA_proxy_2 | | | | |
| | Yes | 345 | 83.2% | |
| | No | 5,096 | 80.3% | |
| ICSA_proxy_3 | | | | |
| | Yes | 276 | 84.4% | |
| | No | 5,165 | 80.2% | |
| ICSA_proxy_4 | | | | |
| | Yes | 22 | 86.4% | |
| | No | 5,419 | 80.4% | |
| Victim characteristics | | | | |
| Gender | | | | |
| | Male | 975 | 73.3% | * |
| | Female | 3,891 | 79.3% | * |
| | <i>(missing N = 575)</i> | | | |
| Age at incident | | | | |
| | 0–4 | 476 | 68.3% | * |
| | 5–9 | 1,047 | 73.3% | * |
| | 10–14 | 1,951 | 79.0% | * |
| | 15–19 | 1,378 | 84.2% | * |
| | <i>(missing N = 589)</i> | | | |
| Age at report | | | | |
| | 0–9 | 707 | 82.5% | * |
| | 10–14 | 1,615 | 82.2% | * |
| | 15–19 | 1,700 | 82.9% | * |
| | 20–29 | 310 | 56.8% | * |
| | 30–39 | 228 | 61.0% | * |
| | 40+ | 306 | 54.9% | * |
| | <i>(missing N = 575)</i> | | | |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 1,767 | 74.5% | * |
| | Other known | 2,263 | 80.7% | * |
| | Stranger | 427 | 79.6% | * |
| | Not stated | 386 | 78.0% | * |
| | <i>(missing N = 598)</i> | | | |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 722 | 93.1% | |
| | Adult-to-child | 1,638 | 93.2% | |

| Jurisdiction – South Australia (N = 5,441) | | | | |
|--|----------------|-------|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| <i>(missing N = 3,081)</i> | | | | |
| Relationship (adolescent peer) | | | | |
| | Peer | 230 | 93.5% | * |
| | Not peer | 1,568 | 90.6% | * |
| <i>(missing N = 3,643)</i> | | | | |
| Relationship (simple peer) | | | | |
| | Peer | 112 | 95.5% | * |
| | Not peer | 1,686 | 90.7% | * |
| <i>(missing N = 3,643)</i> | | | | |
| Indigenous status | | | | |
| | Indigenous | 410 | 75.4% | |
| | Non-Indigenous | 4,284 | 78.7% | |
| <i>(missing N = 578)</i> | | | | |
| Unwilling to proceed | | | | |
| | Yes | 821 | 87.6% | * |
| | No | 4,620 | 79.2% | * |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 2,539 | 91.9% | * |
| | Female | 195 | 96.9% | * |
| <i>(missing N = 2,707)</i> | | | | |
| Age at incident | | | | |
| | <18 | 722 | 93.1% | |
| | 18–34 | 801 | 92.9% | |
| | 35+ | 837 | 93.4% | |
| <i>(missing N = 3,081)</i> | | | | |
| Indigenous status | | | | |
| | Indigenous | 193 | 89.1% | |
| | Non-Indigenous | 2,494 | 92.7% | |
| <i>(missing N = 2,733)</i> | | | | |
| Policing characteristics | | | | |
| Reporting year | | | | |
| | 2010 | 959 | 79.6% | |
| | 2011 | 1,004 | 78.8% | |
| | 2012 | 978 | 81.2% | |
| | 2013 | 1,118 | 81.2% | |
| | 2014 | 1,382 | 81.1% | |
| Complainant type | | n/a | | |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

Factors associated with case outcomes

Table 3.48 summarises our findings on incident, victim, offender and policing characteristics that were associated with whether a case proceeded to court in South Australia. The findings indicate that:

- a case was more likely to proceed to court when the offence was less serious (non-assaultive), when the victim was female, or when the offender was a family member
- a case was also more likely to proceed to court when the victim was aged between five and nine at the time of the incident or between 20 and 29 at the time of reporting
- a case was less likely to proceed to court when the victim was aged under five at the time of the incident or was 40 or older at the time of reporting
- all indicators of institutional child sexual abuse were associated with a case proceeding to court; however, the pattern of association was not consistent across all measures of institutional child sexual abuse
- several factors did not appear to be associated with the likelihood of criminal proceedings. These included whether the case was historical, the Indigenous status of the victim and offender and the reporting year
- offender characteristics did not appear to be associated with whether a case proceeded to court. All cases with offender details recorded were found to have been processed by the courts. This is atypical but likely to be an artefact of two issues, which are:
 - the existence of many child pornography incidents. Such cases tend to be recorded at point/time of arrest; thus, by definition, all offenders proceed to court
 - juvenile diversionary mechanisms, such as youth conferencing and restorative programs, which fall under the umbrella of South Australia’s Youth Court. Thus, young offenders must proceed to court before they can be diverted to alternative administrative options.

Table 3.48: Child sexual abuse incidents reported to South Australia Police in 2010–14 and finalised within 180 days, by whether the matter proceeded to court

| Jurisdiction – SOUTH AUSTRALIA (N = 4,377) | | | |
|---|-------|--------------------------------|--------------|
| Characteristics | N | Proportion proceeding to court | Significance |
| Incident characteristics | | | |
| <i>Historical incident (reported >12 months)</i> | | | |
| Yes | 1,354 | 54.1% | |
| No | 3,023 | 51.3% | |
| <i>Offence subdivision (ANZSOC)</i> | | | |
| Sexual assault | 3,272 | 53.4% | * |
| Non-assaultive | 1,105 | 76.5% | * |
| <i>Offence Grouping (ANZSOC)</i> | | | |
| Aggravated sexual assault | 2,754 | 55.1% | * |
| Non-aggravated sexual assault | 516 | 44.2% | * |
| Non-assaultive sexual offences | 1,107 | 76.5% | * |
| <i>ICSA_proxy_1</i> | | | |

| Jurisdiction – SOUTH AUSTRALIA (N = 4,377) | | | | |
|--|----------------------------|-------|--------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| | Yes | 1,827 | 54.7% | * |
| | No | 2,550 | 62.5% | * |
| ICSA_proxy_2 | | | | |
| | Yes | 287 | 44.6% | * |
| | No | 4,090 | 60.3% | * |
| ICSA_proxy_3 | | | | |
| | Yes | 233 | 47.6% | * |
| | No | 4,144 | 59.9% | * |
| ICSA_proxy_4 | | | | |
| | Yes | 19 | 100% | * |
| | No | 4,358 | 59.1% | * |
| Victim characteristics | | | | |
| Gender | | | | |
| | Male | 715 | 49.7% | * |
| | Female | 3,087 | 53.9% | * |
| | <i>(missing N = 575)</i> | | | |
| Age at incident | | | | |
| | 0–4 | 325 | 44.3% | * |
| | 5–9 | 767 | 57.9% | * |
| | 10–14 | 1,541 | 55.0% | * |
| | 15–19 | 1,160 | 49.7% | * |
| | <i>(missing N = 584)</i> | | | |
| Age at report | | | | |
| | 0–9 | 583 | 53.0% | * |
| | 10–14 | 1,327 | 57.1% | * |
| | 15–19 | 1,409 | 50.9% | * |
| | 20–29 | 176 | 59.7% | * |
| | 30–39 | 139 | 51.1% | * |
| | 40+ | 168 | 35.1% | * |
| | <i>(missing N = 575)</i> | | | |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 1,317 | 58.2% | * |
| | Other known | 1,827 | 54.7% | * |
| | Stranger | 340 | 36.8% | * |
| | Not stated | 301 | 39.9% | * |
| | <i>(missing N = 582)</i> | | | |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 672 | 100% | |
| | Adult-to-child | 1,526 | 100% | |
| | <i>(missing N = 2,179)</i> | | | |
| Relationship (adolescent peer) | | | | |
| | Peer | 215 | 100% | |
| | Not peer | 1,421 | 100% | |

| Jurisdiction – SOUTH AUSTRALIA (N = 4,377) | | | | |
|--|----------------|-------|--------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| <i>(missing N = 2,741)</i> | | | | |
| Relationship (simple peer) | | | | |
| | Peer | 107 | 100% | |
| | Not peer | 1,529 | 100% | |
| <i>(missing N = 2,741)</i> | | | | |
| Indigenous status | | | | |
| | Indigenous | 309 | 57.6% | |
| | Non-Indigenous | 3,372 | 52.3% | |
| <i>(missing N = 576)</i> | | | | |
| Unwilling to proceed | | | | |
| | Yes | 719 | 0.0% | * |
| | No | 3,658 | 70.9% | * |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 2,332 | 100% | |
| | Female | 189 | 100% | |
| <i>(missing N = 1,856)</i> | | | | |
| Age at incident | | | | |
| | <18 | 672 | 100% | |
| | 18–34 | 744 | 100% | |
| | 35+ | 782 | 100% | |
| <i>(missing N = 2,179)</i> | | | | |
| Indigenous status | | | | |
| | Indigenous | 172 | 100% | |
| | Non-Indigenous | 2,311 | 100% | |
| <i>(missing N = 1,877)</i> | | | | |
| Policing characteristics | | | | |
| Reporting year | | | | |
| | 2010 | 763 | 57.1% | |
| | 2011 | 791 | 56.4% | |
| | 2012 | 794 | 59.1% | |
| | 2013 | 908 | 62.1% | |
| | 2014 | 1,121 | 60.5% | |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

3.5.2. Child-to-child sexual abuse

A total of 722 incidents of child sexual abuse involving an offender aged under 18 were reported to South Australia Police between 1 January 2010 and 31 December 2014 (13 per cent of all reports of child sexual abuse). In another 3,081 reports (57 per cent of all reports), the offender's age was missing; many of these reports may also involve child-to-child sexual abuse (see Section 4.5 for further discussion).

The prevalence and characteristics of child-to-child sexual abuse in South Australia are found in tables 3.49–3.55. It should be noted that in South Australia, offender details were only recorded where a case was finalised. For cases that were not finalised, we have no information about the offender and thus are unable to determine if the incident was child-to-child sexual abuse.

Table 3.49: Prevalence of reported child-to-child sexual abuse in 2010–14, South Australia

| | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings ^c |
|---|------------------------|-------------|-----------------|----------------------|---|
| Total number of reports (2010–14) | 722 ^a | 112 | 230 | 212 | 83 |
| As a proportion of all reported CSA | 13% | 2% | 4% | 3.9% | 1.5% |
| Reports per 1,000 children^b | 2.0 | 0.3 | 1.1 | 0.6 | 0.2 |
| By year | | | | | |
| 2010 | 90 | 9 | 24 | 50 | 6 |
| 2011 | 135 | 17 | 45 | 43 | 15 |
| 2012 | 136 | 23 | 43 | 46 | 11 |
| 2013 | 159 | 14 | 49 | 30 | 18 |
| 2014 | 202 | 49 | 69 | 43 | 33 |
| Annual percentage change^d | +19.5% | +37.6% | +24.6% | -6.4% | +43.2% |

a) In 3,081 reports (57 per cent), either the victim's or offender's age was missing.

b) Rates were estimated using state-based population data for persons aged under 18. It was taken from ABS Australian Demographic Statistics, June 2012, cat no 3101.0.

c) Institutional child sexual abuse was defined as abuse occurring in an institution and where the relationship between victim and offender was extrafamilial (ICSA_3; see Appendix B.4 for details).

d) Annual percentage change refers to the average percentage change per year (estimated by fitting a line to the natural log of counts and calculating the gradient).

Also note that in South Australia, police are unable to refer juveniles directly to restorative conferences; instead, they must be referred by the courts.³⁸ This operational detail explains why all finalised child-to-child cases in South Australia proceed to court (as can be seen in Table 3.55).

Table 3.50: Demographic characteristics of reported child-to-child sexual abuse, South Australia

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Victim | | | | | | |
| Total number | 1,638 | 722 | 112 | 230 | 212 | 83 |
| Gender | | | | | | |
| Male | 210 (13%) | 111 (15%) | 21 (19%) | 44 (19%) | 42 (20%) | 19 (23%) |
| Female | 1,040 (63%) | 442 (61%) | 91 (81%) | 186 (81%) | 170 (80%) | 64 (77%) |

³⁸ Youth conferencing and restorative programs in South Australia fall under the umbrella of the Youth Court. Young offenders must proceed to court *before* they can be diverted to alternative administrative options.

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|-----------------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Missing | 388 (24%) | 169 (23%) | 0 | 0 | 0 | 0 |
| Age at incident | | | | | | |
| Under 10 | 402 (32%) | 135 (25%) | 0 | 0 | 132 (62%) | 6 (7%) |
| 10–14 | 497 (40%) | 263 (48%) | 65 (58%) | 121 (53%) | 80 (38%) | 49 (59%) |
| 15–17 | 349 (28%) | 152 (28%) | 47 (42%) | 109 (47%) | 0 | 28 (34%) |
| Missing | 390 (24%) | 172 (24%) | 0 | 0 | 0 | 0 |
| Age at report | | | | | | |
| 0–9 | 182 (15%) | 92 (17%) | 0 | 0 | 90 (42%) | 6 (7%) |
| 10–14 | 422 (34%) | 245 (44%) | 61 (54%) | 111 (48%) | 82 (39%) | 48 (58%) |
| 15–19 | 443 (35%) | 176 (32%) | 51 (46%) | 119 (52%) | 11 (5%) | 29 (35%) |
| 20+ | 203 (16%) | 40 (7%) | 0 | 0 | 29 (14%) | 0 |
| Missing | 388 (24%) | 169 (23%) | 0 | 0 | 0 | 0 |
| Indigenous status | | | | | | |
| Indigenous | 108 (7%) | 44 (6%) | 7 (6%) | 13 (6%) | 24 (11%) | 9 (11%) |
| Non-Indigenous | 1,101 (67%) | 476 (66%) | 103 (92%) | 200 (87%) | 177 (83%) | 67 (81%) |
| Missing | 429 (26%) | 202 (28%) | 2 (2%) | 17 (7%) | 11 (5%) | 7 (8%) |
| Offender | | | | | | |
| Total number | 1638 | 722 | 112 | 230 | 212 | 83 |
| Gender | | | | | | |
| Male | 1,600 (98%) | 578 (80%) | 90 (80%) | 193 (84%) | 207 (98%) | 71 (86%) |
| Female | 38 (2%) | 144 (20%) | 22 (20%) | 37 (16%) | 5 (2%) | 12 (14%) |
| Missing | 0 | 0 | 0 | 0 | 0 | 0 |
| Age | | | | | | |
| Under 10^a | – | 6 (1%) | 0 | 0 | ≤3 | 0 |
| 10–14 | – | 366 (51%) | 65 (58%) | 118 (51%) | 102 (48%) | 45 (54%) |
| 15–17 | – | 350 (48%) | 47 (42%) | 112 (49%) | 108 (51%) | 38 (46%) |
| Indigenous status | | | | | | |
| Indigenous | 109 (7%) | 52 (7%) | 8 (7%) | 16 (7%) | 21 (10%) | 8 (10%) |
| Non-Indigenous | 1,500 (92%) | 663 (92%) | 104 (93%) | 211 (92%) | 189 (89%) | 74 (89%) |
| Missing | 29 (2%) | 7 (1%) | 0 | 3 (1%) | 2 (1%) | 1 (1%) |

a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

Table 3.51: Characteristics of association between victim and offender, reported child-to-child sexual abuse, South Australia

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|------------------------------------|---------------------------|--------------------------|-------------|-----------------|--------------------------|--|
| Age | | | | | | |
| Average age difference | Offender aged 26 or older | Offender aged 3 or older | Same age | Same age | Offender aged 6 or older | Offender aged 2 or older |
| Sex | | | | | | |
| Male offender – male victim | 197 (12%) | 88 (12%) | 15 (13%) | 31 (13%) | 42 (20%) | 16 (19%) |

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|--|----------------|------------------------|-------------|-----------------|----------------------|--|
| Male offender – female victim | 1,021 (62%) | 403 (56%) | 75 (67%) | 162 (70%) | 165 (78%) | 55 (66%) |
| Female offender – male victim | 13 (1%) | 23 (3%) | 6 (5%) | 13 (6%) | 0 | ≤3 |
| Female offender – Female victim | 19 (1%) | 39 (5%) | 16 (14%) | 24 (10%) | 5 (2%) | 9 (11%) |
| Missing | 388 (24%) | 169 (23%) | 0 | 0 | 0 | 0 |
| Relationship | | | | | | |
| Family | 440 (27%) | 97 (13%) | 0 | ≤3 | 88 (42%) | 0 |
| Boyfriend/girlfriend | 70 (4%) | 81 (11%) | 13 (12%) | 35 (15%) | 22 (10%) | 0 |
| Other known | 560 (34%) | 335 (46%) | 99 (88%) | 178 (77%) | 90 (42%) | 83 (100%) |
| Stranger | 94 (6%) | 14 (2%) | 0 | 5 (2%) | ≤3 | 0 |
| Missing | 474 (29%) | 195 (27%) | 0 | 10 (4%) | 11 (5%) | 0 |

Table 3.52: Victim–offender age distribution, reported child-to-child sexual abuse, South Australia

| | | Victim | | | |
|----------|------------------|--------|---------|----------|---------|
| Age | | 0–4 | 5–9 | 10–14 | 15–17 |
| Offender | 0–9 ^a | ≤3 | ≤3 | ≤3 | 0 |
| | 10 | ≤3 | 5 (1%) | ≤3 | 0 |
| | 11 | 5 (1%) | 5 (1%) | 5 (1%) | 0 |
| | 12 | 4 (1%) | 14 (3%) | 21 (4%) | 5 (1%) |
| | 13 | 8 (1%) | 23 (4%) | 51 (9%) | 8 (1%) |
| | 14 | ≤3 | 22 (4%) | 67 (12%) | 19 (3%) |
| | 15 | 4 (1%) | 11 (2%) | 40 (7%) | 43 (8%) |
| | 16 | ≤3 | 12 (2%) | 35 (6%) | 35 (6%) |
| | 17 | ≤3 | 8 (1%) | 40 (7%) | 42 (8%) |

a) Any child under 10 years of age is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged below 10 years are dealt with by other means (for example, through welfare organisations).

Table 3.53: Location of reported child-to-child sexual abuse, South Australia

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|----------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Premise type | | | | | | |
| Residential | 970 (59%) | 359 (50%) | 61 (54%) | 116 (50%) | 174 (82%) | 0 |
| Institutional | 25 (2%) | 90 (12%) | 30 (27%) | 64 (28%) | 9 (4%) | 83 (100%) |
| Community | 172 (11%) | 71 (10%) | 16 (14%) | 35 (15%) | 16 (8%) | 0 |
| Retail/Other | 65 (4%) | 25 (3%) | 5 (4%) | 13 (6%) | 10 (5%) | 0 |
| Missing | 406 (25%) | 177 (25%) | 0 | 2 (1%) | 3 (1%) | 0 |

Table 3.54: Breakdown of offence type of reported child-to-child sexual abuse compared with reported adult-to-child sexual abuse, South Australia

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|-----------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Sexual assault | | | | | | |

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|--|----------------|------------------------|-------------|-----------------|----------------------|--|
| Aggravated sexual assault | 967 (59%) | 379 (52%) | 46 (41%) | 110 (48%) | 193 (91%) | 34 (41%) |
| Non-aggravated sexual assault | 172 (11%) | 41 (6%) | 10 (9%) | 27 (12%) | ≤3 | 16 (19%) |
| <i>Non-assaultive sexual offences</i> | | | | | | |
| Non-assaultive sexual offences against a child | 171 (10%) | 69 (10%) | 22 (20%) | 27 (12%) | 13 (6%) | 16 (19%) |
| Child pornography | 328 (20%) | 233 (32%) | 34 (30%) | 66 (29%) | ≤3 | 17 (20%) |
| Non-assaultive sexual offences, nec | - | - | - | - | - | - |

Note: Information on attempted offences not available

Table 3.55: 180-day finalisation status and outcome of reported child-to-child sexual abuse, South Australia

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---|----------------|------------------------|-------------|-----------------|----------------------|--|
| Number of cases | 1638 | 722 | 112 | 230 | 212 | 83 |
| Number finalised within 180 days (%) | 1,526 (93%) | 672 (93%) | 107 (96%) | 215 (93%) | 188 (89%) | 80 (96%) |
| Median days taken to finalise | 1 | 1 | 7 | 3 | 15.5 | 4 |
| <i>Outcome of cases finalised within 180 days</i> | | | | | | |
| To court | 1,526 (100%) | 672 (100%) | 107 (100%) | 215 (100%) | 188 (100%) | 80 (100%) |
| Other legal action | 0 | 0 | 0 | 0 | 0 | 0 |
| Resolved/no action | 0 | 0 | 0 | 0 | 0 | 0 |
| Unresolved | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Median days taken to finalise, by outcome</i> | | | | | | |
| To court | 1 | 1 | 7 | 3 | 15.5 | 4 |
| Other legal action | - | - | - | - | - | - |
| Resolved/no action | - | - | - | - | - | - |
| Unresolved | - | - | - | - | - | - |

3.6. Tasmania

Tasmania Police supplied the data, which included all incidents of child sexual abuse reported to police and/or finalised by police within the study period (1 January 2010 to 31 December 2014).

3.6.1. All reported child sexual abuse

A total of 683 cases of child sexual abuse were reported to or finalised by Tasmania Police between 1 January 2010 and 31 December 2014 (see Table 3.56). Of these, 664 (97.2 per cent) were cases reported in the period; the remaining 19 cases were from earlier reports that were finalised during the study period. Of cases reported in the period, 490 (74 per cent) were finalised within 180 days of the reporting date, another 118 cases (18 per cent) were finalised after 180 days, while 8 per cent remained unfinalised (as at December 2015). Of those cases finalised within 180 days, 364 (74 per cent) were finalised by the initiation of court

proceedings. (For a more detailed description of finalisation methods and the mappings applied to Tasmanian data, see Section 2.7 and Table 2.10.)

Table 3.56: Summary of child sexual abuse incidents reported to police in 2010–14, Tasmania

| Summary statistics (Incidents reported between 2010 and 2014 only) | TASMANIA | | | Total |
|---|---------------|-------------------------------|-------------------------------|--------------|
| | Not finalised | Finalised <180 days | Finalised >180 days | |
| Count | 56 | 490 | 118 | 664 |
| Proportion | 8% | 74% | 18% | 100% |
| Time taken to report (median days since incident) | 2 | 76 | 819 | 97 |
| Time taken to record (median days since report to police)* | 0 | 1 | 143.5 | 1 |
| Time taken to finalise case (median days) | – | 9 | 291 | 29 |
| Time taken to finalise, by finalisation method (median days) | | | | |
| <i>Criminal proceedings</i> | – | | | 10 |
| <i>Other procedures</i> | – | | | 6 |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | – | | | 113 |
| <i>Unresolved (e.g. insufficient evidence)</i> | – | | | 183 |
| Finalisation method | | Finalised <180 days | Finalised >180 days | Total |
| | | N (%) | N (%) | N (%) |
| <i>Criminal proceedings</i> | | 364 (74.3) | 68 (57.6) | 432 (71.1) |
| <i>Other procedures</i> | | 29 (5.9) | ≤3 | 30 (4.9) |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | | 94 (19.1) | 46 (39.0) | 141 (23.2) |
| <i>Unresolved (e.g. insufficient evidence)</i> | | ≤3 | ≤3 | 5 (0.8) |

Table 3.56 also includes timing statistics; specifically, the time taken to report an incident, the time interval between reporting and recording a case, and the time taken by police to finalise a case.³⁹ The median time taken to *report* a case was 97 days (given the distortion produced by outliers, only the median values are presented). The median time between reporting and recording a case was one day. The median time taken to finalise a case was 29.5 days. Note that the median time taken to finalise a case varied with disposition. Cases that proceeded to court or were resolved through other non-court actions against offenders took less time to finalise (median of 10 days and 6.5 days respectively).

As with other states, the time taken to report a case and to finalise it in Tasmania appear to be correlated. Cases finalised within 180 days tended to be reported earlier (median of 76 days), while those finalised in more than 180 days, were reported after a longer time gap (median of 819 days).

Table 3.57 describes the incident, victim and offender attributes of three different categories of cases – those finalised within 180 days, those finalised in more than 180 days and those that were unfinalised at the time of this study. For example, the table shows that historical

³⁹ Tasmania Police also supplied information on the time taken for police to verify or validate reports (this is usually performed by a senior officer at the end of a shift and ensures data integrity). This information was not available from other jurisdictions. The median time taken to validate a report was 0.5 days.

incidents make up more than half (59 per cent) of all cases finalised after 180 days, while comprising less than one-third (32 per cent) of cases finalised within 180 days.

Table 3.57: Incident, victim and offender characteristics of reported cases of child sexual abuse, Tasmania

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| Historical offence | 26.8% | 32.2% | 59.3% | 36.6% |
| Offence group (ANZSOC) | | | | |
| <i>Aggravated sexual assault</i> | 44.6% | 59.8% | 78.0% | 61.8% |
| <i>Non-aggravated sexual assault</i> | 33.9% | 29.8% | 14.4% | 27.4% |
| <i>Non-assaultive sex offences</i> | 21.4% | 10.4% | 7.6% | 10.8% |
| Attempted offence (rather than actual) | 1.8% | 1.4% | 0.9% | 1.4% |
| Victim male | 22.2% | 20.3% | 22.6% | 20.9% |
| Victim age at incident | | | | |
| 0–4 | 3.7% | 8.9% | 16.8% | 9.9% |
| 5–9 | 14.8% | 26.9% | 21.5% | 24.9% |
| 10–14 | 25.9% | 35.1% | 36.5% | 34.6% |
| 15–17 | 55.6% | 29.1% | 25.2% | 30.6% |
| <i>(missing N = 42)</i> | | | | |
| Victim age at report | | | | |
| 0–9 | 7.4% | 20.8% | 15.2% | 18.7% |
| 10–14 | 18.5% | 29.1% | 22.3% | 27.0% |
| 15–19 | 59.3% | 34.3% | 33.0% | 36.2% |
| 20+ years | 14.8% | 15.8% | 29.5% | 18.2% |
| Victim Indigenous | 0.0% | 5.3% | 12.5% | 5.9% |
| <i>(missing N = 546)</i> | | | | |
| Victim unwilling to proceed | 0.0% | 5.5% | 1.7% | 4.4% |
| Offender male | n/a | 97.5% | 94.7% | n/a |
| <i>(missing N = 184)</i> | | | | |
| Offender age at incident | | | | |
| <18 years | n/a | 20.5% | 8.0% | n/a |
| 18–34 | n/a | 38.4% | 49.3% | |
| 35+ years | n/a | 41.2% | 42.7% | n/a |
| <i>(missing N = 187)</i> | | | | |
| Offender age at report | | | | |
| <18 years | n/a | 17.0% | 6.6% | n/a |
| 18–34 | n/a | 33.2% | 32.9% | n/a |
| 35+ years | n/a | 49.9% | 60.5% | n/a |
| <i>(missing N = 187)</i> | | | | |
| Offender Indigenous | n/a | n/a | n/a | n/a |
| ICSA_3 proxy | 3.6% | 1.8% | 0.9% | 1.8% |
| Child-to-child sexual abuse | n/a | 20.5% | 8.0% | n/a |
| <i>(missing N = 187)</i> | | | | |
| Reporting year | | | | |

| Incident, victim and offender characteristics | | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|--------------------------|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| | 2010 | 14.3% | 24.3% | 21.2% | 22.9% |
| | 2011 | 10.7% | 23.3% | 12.7% | 20.3% |
| | 2012 | 12.5% | 13.5% | 17.0% | 14.0% |
| | 2013 | 35.7% | 18.6% | 22.0% | 20.6% |
| | 2014 | 26.8% | 20.4% | 27.1% | 22.1% |
| Attending group | | | | | |
| | North | 10.7% | 22.7% | 15.3% | 20.3% |
| | South | 69.6% | 60.2% | 68.6% | 62.5% |
| | West | 16.1% | 14.5% | 15.3% | 14.8% |
| | Other/ops Support | 3.6% | 2.2% | 0.9% | 2.1% |

Factors associated with 180-day finalisations

In this section, we examine whether some reports of child sexual abuse in Tasmania were more likely than others to result in finalisation within 180 days of the reporting date. Table 3.58 summarises our findings, which indicate that:

- finalisation within 180 days was more likely to occur when the incident was reported within 12 months of the offence taking place, when the victim was older at the time of reporting, or when the incident involved child-to-child sexual abuse
- finalisation within 180 days was also more likely to occur when the offender was younger or was known to the victim (friend or acquaintance but not family)
- instances of institutional child sexual abuse (as measured through ICSA_2 only) appeared to have higher rates of finalisation within 180 days; however, this effect was not observed across other measures of institutional child sexual abuse
- several factors were not associated with the likelihood of finalisation within 180 days. These included offence seriousness, victim's gender and Indigenous status.

Table 3.58: Child sexual abuse reported to Tasmania Police in 2010–14, by whether finalised within 180 days of reporting date

| Jurisdiction – TASMANIA (N = 664) | | | | |
|---|---|-----|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| Incident characteristics | | | | |
| <i>Historical incident (reported >12 months)</i> | | | | |
| | Yes | 243 | 65.0% | * |
| | No | 421 | 78.9% | * |
| <i>Offence subdivision (ANZSOC)</i> | | | | |
| | Sexual assault | 592 | 74.2% | |
| | Non-assaultive | 72 | 70.8% | |
| <i>Offence grouping (ANZSOC)</i> | | | | |
| | Aggravated sexual assault | 410 | 71.5% | |
| | Non-aggravated sexual assault | 182 | 80.2% | |
| | Non-assaultive sexual offences against a child | 24 | 78.3% | |
| | Child pornography offences | 48 | 66.7% | |

| Jurisdiction – TASMANIA (N = 664) | | | | |
|--|-------------------------|-----|--|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| Attempted offence | | | | |
| | Yes | 9 | 77.8% | |
| | No | 655 | 73.7% | |
| ICSA_proxy_1 | | | | |
| | Yes | 297 | 76.8% | |
| | No | 367 | 71.4% | |
| ICSA_proxy_2 | | | | |
| | Yes | 28 | 57.1% | * |
| | No | 636 | 74.5% | * |
| ICSA_proxy_3 | | | | |
| | Yes | 12 | 75.0% | |
| | No | 652 | 73.8% | |
| ICSA_proxy_4 | | | | |
| | Yes | 5 | 80.0% | |
| | No | 659 | 73.8% | |
| Victim characteristics | | | | |
| Gender | | | | |
| | Male | 133 | 71.4% | |
| | Female | 503 | 74.0% | |
| | <i>(missing N = 28)</i> | | | |
| Age at incident | | | | |
| | 0–4 | 61 | 67.2% | |
| | 5–9 | 155 | 80.0% | |
| | 10–14 | 215 | 75.4% | |
| | 15–19 | 191 | 70.2% | |
| | <i>(missing N = 42)</i> | | | |
| Age at report | | | | |
| | 0–9 | 117 | 82.1% | * |
| | 10–14 | 169 | 79.3% | * |
| | 15–19 | 227 | 69.6% | * |
| | 20–29 | 39 | 79.5% | * |
| | 30–39 | 30 | 53.3% | * |
| | 40+ | 45 | 57.8% | * |
| | <i>(missing N = 37)</i> | | | |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 263 | 71.9% | |
| | Other known | 297 | 76.8% | |
| | Stranger | 51 | 72.6% | |
| | Not stated | 31 | 83.9% | |
| | <i>(missing N = 22)</i> | | | |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 88 | 93.2% | * |
| | Adult-to-child | 389 | 81.8% | * |

| Jurisdiction – TASMANIA (N = 664) | | | | |
|---------------------------------------|-------------------|-----|--|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| <i>(missing N = 187)</i> | | | | |
| Relationship (adolescent peer) | | | | |
| | Peer | 15 | 80.0% | |
| | Not peer | 430 | 84.1% | |
| <i>(missing N = 219)</i> | | | | |
| Relationship (simple peer) | | | | |
| | Peer | 4 | 75.0% | |
| | Not peer | 441 | 83.7% | |
| <i>(missing N = 187)</i> | | | | |
| Indigenous status | | | | |
| | Indigenous | 7 | 71.4% | |
| | Non-Indigenous | 111 | 80.2% | |
| <i>(missing N = 546)</i> | | | | |
| Unwilling to proceed | | | | |
| | Yes | 29 | 93.1% | * |
| | No | 635 | 72.9% | * |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 466 | 84.1% | |
| | Female | 14 | 71.4% | |
| <i>(missing N = 184)</i> | | | | |
| Age at incident | | | | |
| | <18 | 88 | 93.2% | * |
| | 18–34 | 192 | 80.2% | * |
| | 35+ | 197 | 83.8% | * |
| <i>(missing N = 187)</i> | | | | |
| Indigenous status | | | | |
| | | n/a | | |
| Policing characteristics | | | | |
| Reporting year | | | | |
| | 2010 | 152 | 78.3% | * |
| | 2011 | 135 | 84.4% | * |
| | 2012 | 93 | 71.0% | * |
| | 2013 | 137 | 66.4% | * |
| | 2014 | 147 | 68.0% | * |
| Complainant type | | | | |
| | | n/a | | |
| Attending group | | | | |
| | North | 135 | 82.2% | |
| | South | 415 | 71.1% | |
| | West | 98 | 72.5% | |
| | Other/ops Support | 14 | 78.6% | |
| <i>(missing N = 2)</i> | | | | |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

Factors associated with case outcomes

Table 3.59 summarises our findings on incident, victim, offender and policing characteristics that were associated with whether a case proceeded to court in Tasmania. The findings indicate that:

- a case was more likely to proceed to court when the offender was male or was older
- a case was also more likely to proceed to court when the incident was reported in 2010 or when Northern district police attended
- a case was less likely to proceed to court when the incident involved child-to-child offences (and peer interactions) or when the victim was unwilling to proceed.

Table 3.59: Child sexual abuse incidents reported to Tasmania Police in 2010–14 and finalised within 180 days, by whether matter proceeded to court

| Jurisdiction = TASMANIA (N = 490) | | | |
|---|--|-----|--------------------------------|
| Characteristics | | N | Proportion proceeding to court |
| Incident characteristics | | | |
| <i>Historical incident (reported >12 months)</i> | | | |
| | Yes | 158 | 77.9% |
| | No | 332 | 72.6% |
| <i>Offence subdivision (ANZSOC)</i> | | | |
| | Sexual assault | 439 | 73.6% |
| | Non-assaultive | 51 | 80.4% |
| <i>Offence Grouping (ANZSOC)</i> | | | |
| | Aggravated sexual assault | 293 | 76.9% |
| | Non-aggravated sexual assault | 146 | 67.6% |
| | Non-assaultive sexual offences against a child | 19 | 84.2% |
| | Child pornography offences | 32 | 78.8% |
| <i>Attempted offence</i> | | | |
| | Yes | 7 | 71.4% |
| | No | 483 | 74.3% |
| <i>ICSA_proxy_1</i> | | | |
| | Yes | 228 | 72.4% |
| | Yes | 262 | 76.0% |
| <i>ICSA_proxy_2</i> | | | |
| | Yes | 16 | 56.3% |
| | No | 474 | 74.9% |
| <i>ICSA_proxy_3</i> | | | |
| | Yes | 9 | 55.6% |
| | No | 481 | 74.6% |
| <i>ICSA_proxy_4</i> | | | |
| | Yes | 4 | 100.0% |
| | No | 486 | 74.1% |
| Victim characteristics | | | |

| Jurisdiction = TASMANIA (N = 490) | | | | |
|--|--------------------------|-----|-----------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| Gender | | | | |
| | Male | 95 | 74.0% | |
| | Female | 372 | 73.3% | |
| | <i>(missing N = 23)</i> | | | |
| Age at incident | | | | |
| | 0–4 | 41 | 70.7% | |
| | 5–9 | 124 | 72.6% | |
| | 10–14 | 162 | 74.1% | |
| | 15–19 | 134 | 73.1% | |
| | <i>(missing N = 29)</i> | | | |
| Age at report | | | | |
| | 0–9 | 96 | 66.7% | |
| | 10–14 | 134 | 75.4% | |
| | 15–19 | 158 | 74.7% | |
| | 20–29 | 31 | 77.4% | |
| | 30–39 | 16 | 68.8% | |
| | 40+ | 26 | 73.1% | |
| | <i>(missing N = 29)</i> | | | |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 189 | 75.1% | |
| | Other known | 228 | 72.4% | |
| | Stranger | 37 | 81.1% | |
| | Not stated | 26 | 88.5% | |
| | <i>(missing N = 10)</i> | | | |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 82 | 62.2% | * |
| | Adult-to-child | 318 | 98.1% | * |
| | <i>(missing N = 89)</i> | | | |
| Relationship (adolescent peer) | | | | |
| | Peer | 12 | 25.0% | * |
| | Not peer | 360 | 92.5% | * |
| | <i>(missing N = 89)</i> | | | |
| Relationship (simple peer) | | | | |
| | Peer | ≤3 | | * |
| | Not peer | 369 | 90.8% | * |
| | <i>(missing n= 118)</i> | | | |
| Indigenous status | | | | |
| | Indigenous | 5 | 100.0% | |
| | Non-Indigenous | 89 | 67.4% | |
| | <i>(missing N = 396)</i> | | | |
| Unwilling to proceed | | | | |
| | Yes | 27 | 0.0% | * |
| | No | 463 | 78.6% | * |

| Jurisdiction = TASMANIA (N = 490) | | | | |
|-----------------------------------|-------------------------|-----|-----------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 392 | 91.3% | * |
| | Female | 10 | 60.0% | * |
| | <i>(missing N = 88)</i> | | | |
| Age at incident | | | | |
| | <18 | 82 | 62.2% | * |
| | 18–34 | 154 | 98.7% | * |
| | 35+ | 165 | 97.0% | * |
| | <i>(missing N = 89)</i> | | | |
| Indigenous status | | n/a | | |
| Policing characteristics | | | | |
| Reporting year | | | | |
| | 2010 | 119 | 86.5% | * |
| | 2011 | 114 | 82.5% | * |
| | 2012 | 66 | 68.2% | * |
| | 2013 | 91 | 64.8% | * |
| | 2014 | 100 | 63.0% | * |
| Complainant type | | n/a | | |
| Attending group | | | | |
| | North | 111 | 90.1% | * |
| | South | 295 | 67.8% | * |
| | West | 71 | 78.9% | * |
| | Other/ops Support | 11 | 63.6% | * |
| | <i>(missing N = 2)</i> | | | |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

3.6.2. Child-to-child sexual abuse

A total of 88 incidents (13 per cent of all reports) of child sexual abuse involving an offender aged under 18 were reported to Tasmania Police between 1 January 2010 and 31 December 2014. In another 187 reports (28 per cent of all reports), the offender's age was missing. Many of these reports may also involve child-to-child sexual abuse (see Section 4.5 for further discussion).

The prevalence and characteristics of child-to-child sexual abuse in Tasmania are found in tables 3.60–3.65. It should be noted that in Tasmania, offender details were only recorded where a case was finalised. Because offender details are required to identify child-to-child sexual abuse cases, we have no information on child-to-child sexual abuse cases that were not finalised. In addition, some cells were suppressed due to small numbers. The table describing the victim–offender age distribution (found for other jurisdictions) has also been suppressed due to small numbers.

Table 3.60: Prevalence of reported child-to-child sexual abuse in 2010–14, Tasmania

| | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings ^c |
|---|------------------------|-------------|-----------------|----------------------|---|
| Total number of reports (2010–14) | 88 ^a | 4 | 15 | 54 | ≤3 |
| As a proportion of all reported CSA | 13% | 1% | 3% | 8% | 0% |
| Reports per 1,000 children^b | 0.8 | 0.0 | 0.2 | 0.5 | 0.0 |
| By year | | | | | |
| 2010 | 21 | * | 3 | 12 | * |
| 2011 | 20 | * | 3 | 16 | * |
| 2012 | 20 | * | 6 | 13 | * |
| 2013 | 18 | * | 5 | 8 | * |
| 2014 | 9 | * | 1 | 5 | * |
| Annual percentage change^d | -16.5% | – | -15.5% | -3.4% | – |

a) In 187 reports (28 per cent), either the victim's or offender's age was missing.

b) Rates were estimated using state-based population data for persons aged under 18. It was taken from ABS Australian Demographic Statistics, June 2012, cat no 3101.0.

c) Institutional child sexual abuse was defined as abuse occurring in an institution and where the relationship between victim and offender was extrafamilial (ICSA_3; see Appendix B.4 for details).

d) Annual percentage change refers to the average percentage change per year (estimated by fitting a line to the natural log of counts and calculating the gradient).

* Indicates that data was suppressed due to small counts.

Table 3.61: Demographic characteristics of reported child-to-child sexual abuse, Tasmania

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|--------------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Victim | | | | | | |
| Total number | 389 | 88 | 4 | 15 | 54 | ≤3 |
| Gender | | | | | | |
| Male | 66 (17%) | 28 (32%) | 4 (100%) | ≤3 | 19 (35%) | * |
| Female | 300 (77%) | 58 (66%) | 0 | 12 (80%) | 35 (65%) | * |
| Missing | 23 (6%) | 2 (2%) | 0 | 0 | 0 | * |
| Age at incident | | | | | | |
| Under 10 | 107 (53%) | 45 (53%) | * | 0 | 41 (76%) | * |
| 10–14 | 138 (39%) | 26 (31%) | * | 6 (40%) | 13 (24%) | * |
| 15–17 | 112 (31%) | 14 (16%) | * | 9 (60%) | 0 | * |
| Missing | 32 (8%) | 3 (3%) | * | 0 | 0 | * |
| Age at report | | | | | | |
| 0–9 | 54 (15%) | 27 (32%) | * | 0 | 27 (50%) | * |
| 10–14 | 101 (28%) | 33 (39%) | * | 6 (40%) | 16 (30%) | * |
| 15–19 | 137 (38%) | 18 (21%) | * | 9 (60%) | 4 (7%) | * |
| 20+ | 68 (19%) | 7 (8%) | * | 0 | 7 (13%) | * |
| Missing | 29 (7%) | 3 (3%) | * | 0 | 0 | * |
| Number Indigenous | – | – | – | – | – | – |
| Offender | | | | | | |
| Total number | 389 | 88 | 4 | 15 | 54 | ≤3 |
| Gender | | | | | | |

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|-----------------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Male | 383 (98%) | 80 (91%) | 4 (100%) | 10 (67%) | 52 (96%) | * |
| Female | 6 (2%) | 8 (9%) | 0 | 5 (33%) | ≤3 | * |
| Missing | 0 | 0 | 0 | 0 | 0 | * |
| Age | | | | | | |
| Under 10^a | 0 | 6 (7%) | * | 0 | ≤3 | * |
| 10–14 | 0 | 35 (40%) | * | 5 (33%) | 25 (46%) | * |
| 15–17 | 0 | 47 (53%) | * | 10 (67%) | 27 (50%) | * |
| Number Indigenous | – | – | – | – | – | – |

a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

* Indicates that data was suppressed due to small counts.

Table 3.62: Characteristics of association between victim and offender, reported child-to-child sexual abuse, Tasmania

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|--|---------------------------|--------------------------|-------------|-----------------|--------------------------|--|
| Age | | | | | | |
| Average age difference | Offender aged 26 or older | Offender aged 5 or older | Same age | Same age | Offender aged 7 or older | Offender aged 2 or older |
| Sex | | | | | | |
| Male offender – male victim | 65 (17%) | 25 (28%) | 0 | ≤3 | 18 (33%) | * |
| Male offender – female victim | 295 (76%) | 54 (61%) | 4 (100%) | 9 (60%) | 34 (63%) | * |
| Female offender – male victim | ≤3 | ≤3 | 0 | ≤3 | ≤3 | * |
| Female offender – female victim | 5 (1%) | 5 (6%) | 0 | 4 (27%) | 0 | * |
| Missing | 23 (6%) | 2 (2%) | 0 | 0 | 0 | * |
| Relationship | | | | | | |
| Family | 128 (33%) | 28 (32%) | * | ≤3 | 26 (48%) | * |
| Boyfriend/girlfriend | 27 (7%) | 10 (11%) | * | 4 (27%) | 6 (11%) | * |
| Other known | 177 (46%) | 34 (39%) | * | 5 (33%) | 17 (31%) | * |
| Stranger | 29 (7%) | 7 (8%) | * | 0 | 5 (9%) | * |
| Missing | 28 (7%) | 9 (10%) | * | 4 (27%) | 0 | * |

* Indicates that data was suppressed due to small counts.

Table 3.63: Location of reported child-to-child sexual abuse, Tasmania

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Premise type | | | | | | |
| Residential | 286 (74%) | 65 (74%) | * | 8 (53%) | 46 (85%) | * |
| Institutional | 9 (2%) | 6 (21%) | * | ≤3 | ≤3 | * |
| Community | 44 (11%) | 9 (10%) | * | ≤3 | ≤3 | * |
| Retail/Other | 50 (13%) | 8 (9%) | * | 4 (27%) | 4 (7%) | * |
| Missing | 0 | 0 | * | 0 | 0 | * |

* Indicates that data was suppressed due to small counts.

Table 3.64: Breakdown of offence type of reported child-to-child sexual abuse compared with reported adult-to-child sexual abuse, Tasmania

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|--|----------------|------------------------|-------------|-----------------|----------------------|--|
| Sexual assault | | | | | | |
| Aggravated sexual assault | 246 (63%) | 46 (52%) | * | 5 (33%) | 34 (63%) | * |
| Non-aggravated sexual assault | 98 (25%) | 32 (36%) | * | 4 (27%) | 19 (35%) | * |
| Non-assaultive sexual offences | | | | | | |
| Non-assaultive sexual offences against a child | 18 (5%) | ≤3 | * | 0 | ≤3 | * |
| Child pornography | 25 (6%) | 8 (9%) | * | 6 (40%) | 0 | * |
| Non-assaultive sexual offences, nec | ≤3 | 0 | * | 0 | 0 | * |
| Percentage of offences that were 'attempted' | 5 (1%) | ≤3 | * | 0 | ≤3 | * |

* Indicates that data was suppressed due to small counts.

Table 3.65: 180-day finalisation status and outcome of reported child-to-child sexual abuse, Tasmania

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---|----------------|------------------------|-------------|-----------------|----------------------|--|
| Number of cases | 389 | 88 | 4 | 15 | 54 | ≤3 |
| Number finalised within 180 days (%) | 318 (82%) | 82 (93%) | ≤3 | 12 (80%) | 51 (94%) | * |
| Median days taken to finalise | 4 | 6 | 37 | 3.5 | 4 | 4 |
| Outcome of cases finalised within 180 days | | | | | | |
| To court | 312 (98%) | 51 (62%) | * | ≤3 | 39 (76%) | * |
| Other legal action | 0 | 30 (34%) | * | 7 (58%) | 12 (24%) | * |
| Resolved/no action | ≤3 | ≤3 | * | ≤3 | 0 | * |
| Unresolved | 4 (1%) | 0 | * | 0 | 0 | * |
| Median days taken to finalise, by outcome | | | | | | |
| To court | 5 | 2 | * | 37 | 2 | * |
| Other legal action | – | 6 | * | 1 | 18 | * |
| Resolved/no action | 130 | 63 | * | 63 | – | * |
| Unresolved | 41 | – | * | – | – | * |

* Indicates that data was suppressed due to small counts.

3.7. Australian Capital Territory

ACT Policing supplied data for the Australian Capital Territory, which included all incidents of child sexual abuse reported or finalised within the study period (1 January 2010 to 31 December 2014). ACT Policing provided additional comments in relation to the data (see section 3.7.3).

3.7.1. All reported child sexual abuse

A total of 1,096 cases of child sexual abuse were reported to or finalised by ACT Policing between 1 January 2010 and 31 December 2014 (see Table 3.66). Of these, 1,077 (98.3 per cent) cases were reported in the study period and 19 (1.7 per cent) were reported earlier but finalised within the period. Of cases reported in the period, 833 (77 per cent) were finalised within 180 days of the reporting date, another 71 cases (7 per cent) were finalised after 180 days, while 173 cases (16 per cent) remained unfinalised at November 2015.

Of those cases finalised within 180 days, 127 (15.3 per cent) were finalised through the initiation of court proceedings. Another 43.7 per cent were finalised by other (non-court) actions against the offender (for example, youth cautioning or conferencing).

Table 3.66: Summary of child sexual abuse incidents reported to police in 2010–14, Australian Capital Territory

| Summary statistics (Incidents reported between 2010 and 2014 only) | ACT | | | Total |
|---|---------------|-------------------------------|-------------------------------|--------------|
| | Not finalised | Finalised <180 days | Finalised >180 days | |
| Count | 173 | 833 | 71 | 1,077 |
| Proportion | 16% | 77% | 7% | 100% |
| Time taken to report (median days since incident) | 2 | 1 | 23 | 1 |
| Time taken to record (median days since report to police) | – | – | – | – |
| Time taken to finalise case (median days) | – | 14 | 337 | 15 |
| Time taken to finalise, by finalisation method (median days) | | | | |
| <i>Criminal proceedings</i> | – | | | 38 |
| <i>Other procedures</i> | – | | | 15 |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | – | | | 14 |
| <i>Unresolved (e.g. insufficient evidence)</i> | – | | | 15 |
| Finalisation method | | Finalised <180 days | Finalised >180 days | Total |
| | | N (%) | N (%) | N (%) |
| <i>Criminal proceedings</i> | | 127 (15.3) | 38 (53.5) | 165 (18.3) |
| <i>Other procedures</i> | | 364 (43.7) | 6 (8.5) | 370 (40.9) |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | | 212 (25.5) | 17 (23.9) | 229 (25.3) |
| <i>Unresolved (e.g. insufficient evidence)</i> | | 130 (15.6) | 10 (14.1) | 140 (15.5) |

The median time taken to report an incident was one day (see Table 3.66). Incidents that were finalised earlier also tended to be reported earlier. For example, the median time taken to report an incident was 23 days for cases finalised in more than 180 days, but only one day for cases finalised within 180 days.

The median time taken to finalise a case was 15 days. Note that the median time taken to finalise a case also varied with its disposition. Cases proceeding to court took longer to finalise (median of 38 days), while those resolved through non-court procedures or that remained unresolved took less time (median of 14–15 days). No other timing statistics were available from the Australian Capital Territory.

Table 3.67 describes the incident, victim and offender attributes of the three different categories of cases – those finalised within 180 days, those finalised in more than 180 days and those that were unfinalised at the time of this study. For example, the table shows that historical incidents make up two-fifths (40.9 per cent) of cases finalised after 180 days, but fewer than one in 10 (8.2 per cent) cases were finalised within 180 days.

Table 3.67: Incident, victim and offender characteristics of reported cases of child sexual abuse, Australian Capital Territory

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| Historical offence | 15.0% | 8.2% | 40.9% | 11.4% |
| Offence group (ANZSOC) | | | | |
| <i>Aggravated sexual assault</i> | 39.9% | 56.5% | 43.7% | 53.0% |
| <i>Non-aggravated sexual assault</i> | 45.1% | 37.5% | 50.7% | 39.6% |
| <i>Non-assaultive sex offences</i> | 15.0% | 6.0% | 5.6% | 7.4% |
| Attempted offence (rather than actual) | – | – | – | – |
| Victim male | 14.5% | 26.2% | 22.2% | 24.0% |
| Victim age at incident | | | | |
| 0–4 | 8.7% | 14.9% | 4.2% | 13.2% |
| 5–9 | 16.3% | 24.6% | 32.4% | 23.7% |
| 10–14 | 44.2% | 36.9% | 36.6% | 38.0% |
| 15–17 | 30.8% | 23.7% | 26.8% | 25.0% |
| <i>(missing N = 7)</i> | | | | |
| Victim age at report | | | | |
| 0–9 | 16.2% | 34.6% | 12.7% | 30.2% |
| 10–14 | 40.5% | 36.4% | 29.6% | 36.6% |
| 15–19 | 30.6% | 25.1% | 28.2% | 26.2% |
| 20+ years | 12.7% | 4.0% | 29.6% | 7.1% |
| Victim Indigenous | 5.6% | 3.9% | 2.2% | 4.1% |
| <i>(missing/not stated N = 377)</i> | | | | |
| Victim unwilling to proceed | 0.0% | 13.6% | 15.5% | 11.5% |
| Offender male | n/a | 99.2% | 91.4% | n/a |
| <i>(missing N = 911)</i> | | | | |
| Offender age at incident | | | | |
| <18 years | n/a | 25.2% | 5.7% | n/a |
| 18–34 | n/a | 39.7% | 48.6% | n/a |
| 35+ years | n/a | 35.1% | 45.7% | n/a |
| <i>(missing N = 911)</i> | | | | |
| Offender age at report | | | | |

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| <18 years | n/a | 16.8% | 5.7% | n/a |
| 18–34 | n/a | 41.2% | 34.3% | n/a |
| 35+ years | n/a | 42.0% | 60.0% | n/a |
| <i>(missing N = 911)</i> | | | | |
| Offender Indigenous | n/a | n/a | n/a | n/a |
| ICSA_3 proxy | 3.5% | 3.1% | 1.4% | 3.1% |
| Child-to-child sexual abuse | n/a | 25.2% | 5.7% | n/a |
| <i>(missing N = 911)</i> | | | | |
| Reporting year | | | | |
| 2010 | 7.5% | 9.2% | 28.2% | 10.2% |
| 2011 | 13.3% | 23.5% | 12.7% | 21.2% |
| 2012 | 17.9% | 23.9% | 18.3% | 22.6% |
| 2013 | 35.3% | 30.1% | 28.2% | 30.8% |
| 2014 | 26.0% | 13.2% | 12.7% | 15.2% |

Factors associated with 180-day finalisations

In this section, we identified incident, victim, offender and policing characteristics that were associated with whether finalisation took place within 180 days of the reporting date. Table 3.68 summarises our findings, which indicate that:

- finalisation within 180 days was more likely to occur when the incident was reported within 12 months of the offence taking place or when the offence was more serious (aggravated sexual assault)
- finalisation within 180 days was also more likely to occur when the victim was younger (either at age of incident or at age of reporting)
- finalisation within 180 days was also more likely to occur when the offender was male, was older, or was known to the victim, or when the incident involved child-to-child sexual abuse
- instances of institutional child sexual abuse (as measured through ICSA_1 only) appeared to have lower rates of finalisation within 180 days; however, this effect was not observed across other measures of institutional child sexual abuse.

Table 3.68: Child sexual abuse reported to ACT Policing in 2010–14, by whether finalised within 180 days of reporting date

| Jurisdiction – AUSTRALIAN CAPITAL TERRITORY (N = 1,077) | | | |
|---|-------|--------------------------------------|--------------|
| Characteristics | N | Proportion finalised within 180 days | Significance |
| Incident characteristics | | | |
| <i>Historical incident (reported >12 months)</i> | | | |
| Yes | 123 | 55.3% | * |
| No | 954 | 80.2% | * |
| <i>Offence subdivision (ANZSOC)</i> | | | |
| Sexual assault | 997 | 78.5% | * |
| Non-assaultive | 80 | 62.5% | * |
| <i>Offence grouping (ANZSOC)</i> | | | |
| Aggravated sexual assault | 571 | 82.5% | * |
| Non-aggravated sexual assault | 426 | 73.2% | * |
| Non-assaultive sexual offences against a child | 28 | 71.4% | * |
| Child pornography offences | 50 | 56.0% | * |
| Non-assaultive sexual offences, nec | ≤3 | 100.0% | * |
| <i>Attempted offence</i> | n/a | | |
| <i>ICSA_proxy_1</i> | | | |
| Yes | 448 | 73.2% | * |
| No | 629 | 80.3% | * |
| <i>ICSA_proxy_2</i> | | | |
| Yes | 60 | 83.3% | |
| No | 1,017 | 77.0% | |
| <i>ICSA_proxy_3</i> | | | |
| Yes | 33 | 78.8% | |
| No | 1,044 | 77.3% | |
| <i>ICSA_proxy_4</i> | | | |
| Yes | 0 | | |
| No | 1,077 | 77.3% | |
| Victim characteristics | | | |
| <i>Gender</i> | | | |
| Male | 249 | 84.3% | * |
| Female | 789 | 75.0% | * |
| <i>(missing N = 39)</i> | | | |
| <i>Age at incident</i> | | | |
| 0–4 | 141 | 87.2% | * |
| 5–9 | 254 | 79.9% | * |
| 10–14 | 407 | 74.9% | * |
| 15–17 | 268 | 73.1% | * |
| <i>(missing N = 7)</i> | | | |
| <i>Age at report</i> | | | |
| 0–9 | 324 | 88.6% | * |
| 10–14 | 393 | 76.8% | * |

| Jurisdiction – AUSTRALIAN CAPITAL TERRITORY (N = 1,077) | | | | |
|---|--------------------------|-----|--------------------------------------|--------------|
| Characteristics | | N | Proportion finalised within 180 days | Significance |
| | 15–19 | 281 | 74.0% | * |
| | 20–29 | 30 | 50.0% | * |
| | 30–39 | 15 | 26.7% | * |
| | 40+ | 31 | 45.2% | * |
| | <i>(missing N = 3)</i> | | | |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 433 | 85.0% | * |
| | Other known | 448 | 73.2% | * |
| | Stranger | 70 | 55.7% | * |
| | Not stated | 70 | 74.3% | * |
| | <i>(missing N = 56)</i> | | | |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 35 | 94.3% | * |
| | Adult-to-child | 131 | 74.8% | * |
| | <i>(missing N = 911)</i> | | | |
| Relationship (adolescent peer) | | | | |
| | Peer | 6 | 100.0% | |
| | Not peer | 160 | 78.1% | |
| | <i>(missing N = 911)</i> | | | |
| Relationship (simple peer) | | | | |
| | Peer | 5 | 100.0% | |
| | Not peer | 161 | 78.3% | |
| | <i>(missing N = 911)</i> | | | |
| Indigenous status | | | | |
| | Indigenous | 27 | 74.1% | |
| | Non-Indigenous | 634 | 77.1% | |
| | Not stated | 377 | 77.7% | |
| | <i>(missing N = 39)</i> | | | |
| Unwilling to proceed | | | | |
| | Yes | 124 | 91.1% | * |
| | No | 953 | 75.6% | * |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 162 | 80.3% | * |
| | Female | 4 | 25.0% | * |
| | <i>(missing N = 911)</i> | | | |
| Age at incident | | | | |
| | <18 | 35 | 94.3% | * |
| | 18–34 | 69 | 75.4% | * |
| | 35+ | 62 | 74.2% | * |
| | <i>(missing N = 911)</i> | | | |
| Indigenous status | | | | |
| | | n/a | | |

| Jurisdiction – AUSTRALIAN CAPITAL TERRITORY (N = 1,077) | | | | |
|---|------|--------------------------------------|--------------|---|
| Characteristics | N | Proportion finalised within 180 days | Significance | |
| Policing characteristics | | | | |
| <i>Reporting year</i> | | | | |
| | 2010 | 110 | 70.0% | * |
| | 2011 | 228 | 86.0% | * |
| | 2012 | 243 | 81.9% | * |
| | 2013 | 332 | 75.6% | * |
| | 2014 | 164 | 67.1% | * |
| <i>Complainant type</i> | | n/a | | |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

Factors associated with case outcomes

Table 3.69 summarises our findings on incident, victim, offender and (limited) policing characteristics that were associated with whether a case proceeded to court. The findings indicate that:

- a case was more likely to proceed to court when it was historical, when it involved a non-assaultive offence against a child, or when the victim was female
- a case was more likely to proceed to court when the offender was unrelated to the victim, or when the incident did not involve child-to-child offences (peer interactions)
- a case was also more likely to proceed to court when the offender was older
- a case was also more likely to proceed to court when the incident was reported in 2010.

Table 3.69: Child sexual abuse incidents reported to ACT Policing in 2010–14 and finalised within 180 days, by whether the matter proceeded to court

| Jurisdiction – AUSTRALIAN CAPITAL TERRITORY (N = 833) | | | | |
|---|--|--------------------------------|--------------|---|
| Characteristics | N | Proportion proceeding to court | Significance | |
| Incident characteristics | | | | |
| <i>Historical incident (reported >12 months)</i> | | | | |
| | Yes | 68 | 30.9% | * |
| | No | 765 | 13.9% | * |
| <i>Offence subdivision (ANZSOC)</i> | | | | |
| | Sexual assault | 783 | 14.3% | * |
| | Non-assaultive | 50 | 30.0% | * |
| <i>Offence grouping (ANZSOC)</i> | | | | |
| | Aggravated sexual assault | 471 | 7.9% | * |
| | Non-aggravated sexual assault | 312 | 24.0% | * |
| | Non-assaultive sexual offences against a child | 20 | 45.0% | * |
| | Child pornography offences | 28 | 14.3% | * |
| | Non-assaultive sexual offences, nec | ≤3 | 100.0% | * |

| Jurisdiction – AUSTRALIAN CAPITAL TERRITORY (N = 833) | | | | |
|---|-------------------------|-----|--------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| Attempted offence | | n/a | | |
| ICSA_proxy_1 | | | | |
| | Yes | 328 | 18.6% | * |
| | No | 505 | 13.1% | * |
| ICSA_proxy_2 | | | | |
| | Yes | 50 | 2.0% | * |
| | No | 783 | 16.1% | * |
| ICSA_proxy_3 | | | | |
| | Yes | 26 | 3.9% | |
| | No | 807 | 15.6% | |
| ICSA_proxy_4 | | | | |
| | Yes | 0 | - | |
| | No | 833 | 15.8% | |
| Victim characteristics | | | | |
| Gender | | | | |
| | Male | 210 | 7.1% | * |
| | Female | 592 | 14.0% | * |
| | <i>(missing N = 31)</i> | | | |
| Age at incident | | | | |
| | 0–4 | 123 | 15.5% | |
| | 5–9 | 203 | 12.3% | |
| | 10–14 | 305 | 18.7% | |
| | 15–19 | 196 | 12.2% | |
| | <i>(missing N = 6)</i> | | | |
| Age at report | | | | |
| | 0–9 | 287 | 9.7% | * |
| | 10–14 | 302 | 20.2% | * |
| | 15–19 | 208 | 14.2% | * |
| | 20–29 | 15 | 60.0% | * |
| | 30–39 | 4 | 0.0% | * |
| | 40+ | 14 | 0.0% | * |
| | <i>(missing N = 3)</i> | | | |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 368 | 6.0% | * |
| | Other known | 328 | 18.6% | * |
| | Stranger | 39 | 33.3% | * |
| | Not stated | 52 | 3.8% | * |
| | <i>(missing N = 46)</i> | | | |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 33 | 84.8% | |
| | Adult-to-child | 98 | 94.9% | |
| | <i>(missing n= 702)</i> | | | |
| Relationship (adolescent peer) | | | | |

| Jurisdiction – AUSTRALIAN CAPITAL TERRITORY (N = 833) | | | | |
|---|--------------------------|-----|--------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| | Peer | 6 | 16.7% | * |
| | Not peer | 125 | 96.0% | * |
| | <i>(missing N = 702)</i> | | | |
| Relationship (simple peer) | | | | |
| | Peer | 5 | 0.0% | * |
| | Not peer | 126 | 96.0% | * |
| | <i>(missing N = 702)</i> | | | |
| Indigenous status | | | | |
| | Indigenous | 20 | 10.0% | |
| | Non-Indigenous | 489 | 13.9% | |
| | Not stated | 293 | 9.6% | |
| | <i>(missing N = 31)</i> | | | |
| Unwilling to proceed | | | | |
| | Yes | 113 | 0.0% | * |
| | No | 720 | 17.6% | * |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 130 | 93.1% | * |
| | Female | ≤3 | 0.0% | * |
| | <i>(missing N = 702)</i> | | | |
| Age at incident | | | | |
| | <18 | 33 | 84.9% | |
| | 18–34 | 52 | 96.2% | |
| | 35+ | 46 | 93.5% | |
| | <i>(missing N = 702)</i> | | | |
| Indigenous status | | | | |
| | | n/a | | |
| Policing characteristics | | | | |
| Reporting year | | | | |
| | 2010 | 77 | 36.4% | * |
| | 2011 | 196 | 14.3% | * |
| | 2012 | 199 | 13.1% | * |
| | 2013 | 251 | 10.0% | * |
| | 2014 | 110 | 18.2% | * |
| Complainant type | | | | |
| | | n/a | | |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

3.7.2. Child-to-child sexual abuse

A total of 35 incidents (3 per cent of all reports) of child sexual abuse involving an offender aged under 18 were reported to ACT Policing between 1 January 2010 and 31 December 2014. In another 911 reports (85 per cent of all reports), the offender's age was missing. Many

of these reports may also involve child-to-child sexual abuse (see Section 4.5 for further discussion).

The prevalence and characteristics of child-to-child sexual abuse in the Australian Capital Territory are found in tables 3.70–3.75. It should be noted that offender details were only recorded where a case was finalised. Because offender details are required to identify child-to-child cases, we have no information on child-to-child sexual abuse that was not finalised. Note that some cells in the tables below have been suppressed due to small numbers. The table describing the victim–offender age distribution has also been suppressed due to small numbers.

Table 3.70: Prevalence of reported child-to-child sexual abuse in 2010–14, Australian Capital Territory

| | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings ^c |
|---|------------------------|-------------|-----------------|----------------------|---|
| Total number of reports (2010–14) | 35 ^a | 5 | 6 | 27 | 5 |
| As a proportion of all reported CSA | 3% | 0% | 1% | 3% | 0% |
| Reports per 1,000 children^b | 0.4 | 0.1 | 0.1 | 0.3 | 0.1 |
| <i>By year</i> | | | | | |
| 2010 | 3 | * | * | 2 | * |
| 2011 | 15 | * | * | 12 | * |
| 2012 | 5 | * | * | 5 | * |
| 2013 | 6 | * | * | 5 | * |
| 2014 | 6 | * | * | 3 | * |
| Annual percentage change^d | – | – | – | – | – |

a) In 911 reports (85 per cent), either the victim's or offender's age was missing.

b) Rates were estimated using state-based population data for persons aged under 18. It was taken from ABS Australian Demographic Statistics, June 2012, cat no 3101.0.

c) Institutional child sexual abuse was defined as abuse occurring in an institution and where the relationship between victim and offender was extrafamilial (ICSA_3; see Appendix B.4 for details).

d) Annual percentage change refers to the average percentage change per year (estimated by fitting a line to the natural log of counts and calculating the gradient).

* Indicates that data was suppressed due to small counts.

Table 3.71: Demographic characteristics of reported child-to-child sexual abuse, Australian Capital Territory

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|-----------------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Victim | | | | | | |
| Total number | 131 | 35 | 5 | 6 | 27 | 5 |
| Gender | | | | | | |
| Male | 16 (16%) | 4 (11%) | 0 | 0 | 4 (15%) | * |
| Female | 82 (63%) | 25 (71%) | 5 (100%) | 6 (100%) | 19 (70%) | * |
| Missing | 33 (25%) | 6 (17%) | 0 | 0 | 4 (15%) | * |
| Age at incident | | | | | | |
| Under 10 | 38 (30%) | 19 (58%) | 0 | 0 | 19 (76%) | 0 |
| 10–14 | 62 (47%) | 14 (42%) | 5 (100%) | 6 (100%) | 6 (24%) | 5 (100%) |
| 15–17 | 31 (24%) | 0 | 0 | 0 | 0 | 0 |
| Missing | 0 | 2 (6%) | 0 | 0 | 2 (7%) | 0 |
| Age at report | | | | | | |
| 0–9 | 22 (17%) | 11 (31%) | 0 | 0 | 11 (41%) | 0 |
| 10–14 | 62 (47%) | 15 (43%) | 5 (100%) | 6 (100%) | 8 (30%) | 5 (100%) |
| 15–19 | 36 (27%) | ≤3 | 0 | 0 | ≤3 | 0 |
| 20+ | 11 (8%) | 7 (20%) | 0 | 0 | 7 (26%) | 0 |
| Indigenous status | | | | | | |
| Indigenous | 2 (2%) | 0 | * | * | * | * |
| Non-Indigenous | 67 (51%) | 22 (63%) | * | * | * | * |
| Missing | 62 (47%) | 13 (37%) | * | * | * | * |
| Offender | | | | | | |
| Total number | 131 | 35 | 5 | 6 | 27 | 5 |
| Gender | | | | | | |
| Male | 129 (98%) | 33 (94%) | * | 4 (67%) | 27 (100%) | 5 (100%) |
| Female | ≤3 | ≤3 | * | ≤3 | 0 | 0 |
| Missing | 0 | 0 | * | 0 | 0 | 0 |
| Age | | | | | | |
| Under 10^a | 0 | 0 | 0 | 0 | 0 | * |
| 10–14 | 0 | 22 (63%) | 5 (100%) | 6 (100%) | 16 (59%) | * |
| 15–17 | 0 | 13 (37%) | 0 | 0 | 11 (41%) | * |
| Indigenous status | | | | | | |
| Indigenous | 8 (6%) | * | * | * | * | * |
| Non-Indigenous | 123 (94%) | * | * | * | * | * |
| Missing | 0 | * | * | * | * | * |

a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

* Indicates that data was suppressed due to small counts.

Table 3.72: Characteristics of association between victim and offender, reported child-to-child sexual abuse, Australian Capital Territory

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------------------|---------------------------|--------------------------|-------------|-----------------|--------------------------|--|
| Age | | | | | | |
| Average age difference | Offender aged 23 or older | Offender aged 3 or older | Same age | Same age | Offender aged 9 or older | Offender aged 1 or older |
| Sex | | | | | | |
| Male offender – male victim | 16 (12%) | 3 (9%) | * | * | 4 (15%) | * |
| Male offender – female victim | 80 (61%) | 24 (69%) | * | * | 19 (70%) | * |
| Female offender – male victim | 0 | 0 | * | * | 0 | * |
| Female offender – Female victim | ≤3 | ≤3 | * | * | 0 | * |
| Missing | 33 (25%) | 6 (17%) | * | * | 4 (15%) | * |
| Relationship | | | | | | |
| Family | 25 (19%) | 7 (20%) | 0 | 0 | 7 (26%) | 0 |
| Boyfriend/girlfriend | - | - | - | - | - | - |
| Other known | 60 (46%) | 21 (60%) | 5 (100%) | 5 (83%) | 15 (56%) | 5 (100%) |
| Stranger | 12 (9%) | 0 | 0 | 0 | 0 | 0 |
| Missing | 34 (26%) | 7 (20%) | 0 | ≤3 | 5 (19%) | 0 |

* Indicates that data was suppressed due to small counts.

Table 3.73: Location of reported child-to-child sexual abuse, Australian Capital Territory

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Premise type | | | | | | |
| Residential | 93 (71%) | 29 (83%) | ≤3 | ≤3 | 25 (93%) | 0 |
| Institutional | 0 | 4 (11%) | ≤3 | ≤3 | ≤3 | 5 (100%) |
| Community | 24 (18%) | 0 | 0 | 0 | 0 | 0 |
| Retail/Other | 14 (11%) | ≤3 | 0 | 0 | 0 | 0 |
| Missing | 0 | 0 | 0 | 0 | 0 | 0 |

Table 3.74: Breakdown of offence type of reported child-to-child sexual abuse compared with reported adult-to-child sexual abuse, Australian Capital Territory

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|--|----------------|------------------------|-------------|-----------------|----------------------|--|
| Sexual assault | | | | | | |
| Aggravated sexual assault | 38 (29%) | 10 (29%) | 0 | * | 7 (26%) | 0 |
| Non-aggravated sexual assault | 78 (60%) | 21 (60%) | ≤3 | * | 20 (74%) | ≤3 |
| Non-assaultive sexual offences | | | | | | |
| Non-assaultive sexual offences against a child | 10 (8%) | ≤3 | ≤3 | * | 0 | 0 |
| Child pornography | 0 | ≤3 | ≤3 | * | 0 | ≤3 |

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|-------------------------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Non-assaultive sexual offences, nec | ≤3 | 0 | 0 | * | 0 | 0 |

Note: Information on attempted offences not available.

* Indicates that data was suppressed due to small counts.

Table 3.75: 180-day finalisation status and outcome of reported child-to-child sexual abuse, Australian Capital Territory

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---|----------------|------------------------|-------------|-----------------|----------------------|--|
| Number of cases | 131 | 35 | 5 | 6 | 27 | 5 |
| Number finalised within 180 days (%) | 98 (75%) | 33 (94%) | 5 (100%) | 6 (100%) | 25 (93%) | 5 (100%) |
| Median days taken to finalise | 12 | 38 | 51 | 36 | 38 | 51 |
| Outcome of cases finalised within 180 days | | | | | | |
| To court | 93 (95%) | 28 (85%) | 0 | ≤3 | 25 (100%) | ≤3 |
| Other legal action | 5 (5%) | 5 (15%) | 5 (100%) | 4 (67%) | 0 | 4 (80%) |
| Resolved/no action | 0 | 0 | 0 | 0 | 0 | 0 |
| Unresolved | 0 | 0 | 0 | 0 | 0 | 0 |
| Median days taken to finalise, by outcome | | | | | | |
| To court | 11 | 38 | - | 4 | 38 | 32 |
| Other legal action | 33 | 51 | 51 | 51 | - | 51 |
| Resolved/no action | - | - | - | - | - | - |
| Unresolved | - | - | - | - | - | - |

3.7.3. Jurisdictional comments

ACT Policing provided the following comments in relation to the data:

Crime statistics produced by individual jurisdictions are not always comparable due to the use of different criminal codes, classification systems, counting methodologies, practices and procedures. While it is possible within a jurisdiction to monitor trends over time, it is not possible to accurately look at differences between the various jurisdictions at a single point in time, or to look at recorded crime levels or changes nationally.

For example, ACT Policing uses clearance types for offences, meaning each offence entered in the central recording system (PROMIS), is categorised as either 'cleared' or 'not cleared'. Arrests, summons and charges are all categorised as 'cleared', which are defined as 'finalised' by the Royal Commission into Institutional Responses to Child Sexual Abuse.

Cases where no offender/s have been identified remain open and may not be defined as 'finalised'. ACT Policing keeps a case open until all avenues of investigation have been explored. In some instances, where a suspect is indicated in multiple offences, ACT Policing Crime Targeting team may take carriage of separate investigations from patrol level to manage a series of incidents to further the course of an investigation. Additionally, this allows the court to hear all matters simultaneously. It is important to note ACT Policing changed its recording of clearance codes in 2012. Therefore, caution should be used in making comparisons between jurisdictions due to significant differences in business rules,

procedures, systems, policies and recording practices of police agencies across Australia. Similar to other jurisdictions, methods such as formal cautions have been issued to offenders within the data provided to the Royal Commission. For example, ACT Policing data shows cautions have been issued for lower level sexual related offences where appropriate and based on police discretion rather than having the offender/s processed through courts or other legal options.

3.8. Northern Territory

The Northern Territory Police supplied this data from the PROMIS system. It included all incidents of child sexual abuse reported to police or finalised by police within the study period (1 January 2010 to 31 December 2014). The Northern Territory Police provided additional comments in relation to the data (see Section 3.8.3).

3.8.1. All reported child sexual abuse

A total of 1,338 cases of child sexual abuse were reported to or finalised by Northern Territory Police between 1 January 2010 and 31 December 2014 (see Table 3.76). Of these, 1,003 (75 per cent) were cases reported in the period. The remaining 335 cases (25 per cent) were reported earlier but finalised within the study period.

Of cases reported during the period, 711 (71 per cent) were finalised within 180 days of the reporting date, another 149 (15 per cent) were finalised after 180 days, while 143 cases (14 per cent) remained unfinalised at the time of this study (November 2015). Of cases finalised within 180 days, 351 (49.4 per cent) were finalised by initiating court proceedings (see Table 3.76).

Table 3.76: Summary of child sexual abuse incidents reported to police in 2010–14, Northern Territory

| Summary Statistics (Incidents reported between 2010 and 2014 only) | NORTHERN TERRITORY | | | Total |
|---|--------------------|---------------------|---------------------|------------|
| | Not finalised | Finalised <180 days | Finalised >180 days | |
| Count | 143 | 711 | 149 | 1,003 |
| Proportion | 14% | 71% | 15% | 100% |
| Time taken to report (median days since incident) | 1 | 1 | 5 | 1 |
| Time taken to record (median days since report to police) | – | – | – | – |
| Time taken to finalise case (median days) | – | 15 | 304 | 28 |
| Time taken to finalise, by finalisation method (median days) | | | | |
| <i>Criminal proceedings</i> | – | | | 17 |
| <i>Other procedures</i> | – | | | 42 |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | – | | | 29 |
| <i>Unresolved (e.g. insufficient evidence)</i> | – | | | 76 |
| Finalisation method | | Finalised <180 days | Finalised >180 days | Total |
| | | N (%) | N (%) | N (%) |
| <i>Criminal proceedings</i> | | 351 (49.4) | 63 (42.3) | 414 (48.1) |
| <i>Other procedures</i> | | 33 (4.6) | ≤3 | 34 (4.0) |
| <i>Resolved, no legal action (e.g. unable to proceed)</i> | | 196 (27.6) | 33 (22.2) | 229 (26.6) |

| Summary Statistics (Incidents reported between 2010 and 2014 only) | NORTHERN TERRITORY | | | Total |
|---|--------------------|---------------------|---------------------|------------|
| | Not finalised | Finalised <180 days | Finalised >180 days | |
| <i>Unresolved (e.g. insufficient evidence)</i> | | 131 (18.4) | 52 (34.9) | 183 (21.3) |

Table 3.76 also describes the time taken to report an incident and the time taken by police to finalise a case.⁴⁰ The median time taken to report a case was one day. The median time taken to finalise a case was 28 days (given the distortion produced by outliers, only the median values are presented). Note that the median time taken to finalise a case varied with disposition. Cases proceeding to court appeared to take the least amount of time to finalise (median of 17 days), while those that were classified as unresolved took the longest (median of 76 days).

As with other jurisdictions, the time taken to report a case and to finalise it appear to be correlated in the Northern Territory. Cases finalised within 180 days tend to be reported earlier (median of one day), while those finalised in more than 180 days were reported after a longer gap (median of five days).

Table 3.77 describes the incident, victim and offender attributes of three different categories of cases – those finalised within 180 days, those finalised in more than 180 days and those that were unfinalised at the time of this study. For example, the table shows that historical incidents make up almost one-quarter (23.5 per cent) of all cases finalised after 180 days, while comprising fewer than one in 10 (8.9 per cent) of cases finalised within 180 days.

Table 3.77: Incident, victim and offender characteristics of reported cases of child sexual abuse, Northern Territory

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| Historical offence | 11.9% | 8.9% | 23.5% | 11.5% |
| Offence group (ANZSOC) | | | | |
| <i>Aggravated sexual assault</i> | 81.8% | 83.5% | 89.3% | 84.1% |
| <i>Non-aggravated sexual assault</i> | 11.9% | 10.7% | 7.4% | 10.4% |
| <i>Non-assaultive sex offences</i> | 6.3% | 5.8% | 3.4% | 5.5% |
| Attempted offence (rather than actual) | 4.2% | 5.2% | 4.0% | 4.9% |
| Victim male | 12.6% | 17.0% | 16.8% | 16.4% |
| Victim age at incident | | | | |
| 0–4 | 9.2% | 6.8% | 3.4% | 6.6% |
| 5–9 | 16.2% | 20.7% | 14.8% | 19.2% |
| 10–14 | 38.7% | 45.6% | 54.4% | 45.9% |
| 15–17 | 35.9% | 27.0% | 27.5% | 28.3% |
| Victim age at report | | | | |
| 0–9 | 18.2% | 22.8% | 10.1% | 20.2% |
| 10–14 | 37.1% | 45.0% | 43.0% | 43.6% |
| 15–19 | 37.8% | 28.3% | 33.6% | 30.4% |

⁴⁰ The time taken to record or validate the crime report was not available from the Northern Territory.

| Incident, victim and offender characteristics | Proportion of not finalised | Proportion of finalised <180 days | Proportion of finalised >180 days | Proportion of total |
|---|-----------------------------|-----------------------------------|-----------------------------------|---------------------|
| 20+ years | 7.0% | 3.9% | 13.4% | 5.8% |
| Victim Indigenous | 52.2% | 52.3% | 62.5% | 53.8% |
| <i>(missing N = 62)</i> | | | | |
| Victim unwilling to proceed | 0.0% | 4.4% | 5.4% | 3.9% |
| Offender male | 100.0% | 95.7% | 94.1% | 95.9% |
| <i>(missing N = 227)</i> | | | | |
| Offender age at incident | | | | |
| <18 years | 44.3% | 35.1% | 26.5% | 35.1% |
| 18–34 | 38.6% | 36.3% | 42.7% | 37.6% |
| 35+ years | 17.1% | 28.6% | 30.8% | 27.3% |
| <i>(missing N = 235)</i> | | | | |
| Offender age at report | | | | |
| <18 years | 38.6% | 33.2% | 23.1% | 32.5% |
| 18–34 | 37.1% | 35.5% | 35.0% | 35.7% |
| 35+ years | 24.3% | 31.3% | 41.9% | 31.9% |
| <i>(missing N = 241)</i> | | | | |
| Offender Indigenous | 66.2% | 58.6% | 53.7% | 58.5% |
| <i>(missing N = 287)</i> | | | | |
| ICSA_3 proxy | 2.1% | 5.5% | 1.3% | 4.4% |
| Child-to-child sexual abuse | 44.3% | 35.1% | 26.5% | 35.1% |
| <i>(missing N = 235)</i> | | | | |
| Reporting year | | | | |
| 2010 | 17.5% | 20.7% | 22.2% | 20.4% |
| 2011 | 25.9% | 16.3% | 22.8% | 18.6% |
| 2012 | 19.6% | 21.0% | 16.8% | 20.1% |
| 2013 | 16.8% | 19.4% | 16.8% | 18.6% |
| 2014 | 20.3% | 22.6% | 21.5% | 22.1% |
| Complainant type | | | | |
| Person | 83.2% | 79.5% | 67.1% | 78.2% |
| Organisation | 16.8% | 20.4% | 32.2% | 21.6% |

Factors associated with 180-day finalisations

In this section, we examine whether some reports of child sexual abuse in the Northern Territory were more likely than others to result in finalisation within 180 days of the reporting date. Table 3.78 summarises our findings, which indicate that:

- finalisation within 180 days was more likely to occur when the incident was reported within 12 months of the offence taking place, when the victim was younger at the age of reporting, or when the offender was known to the victim (friend or acquaintance but not family)

- instances of institutional child sexual abuse (as measured through ICSA_2 and ICSA_3) appeared to have higher rates of finalisation within 180 days. This effect was not observed across other measures of institutional child sexual abuse
- several factors did not appear to be associated with the likelihood of finalisation within 180 days. These included offence seriousness, victim's gender and age, offender's age, and whether the incident involved child-to-child or peer interactions.

Table 3.78: Child sexual abuse reported to Northern Territory Police in 2010–14, by whether finalised within 180 days of reporting date

| Jurisdiction – NORTHERN TERRITORY (N = 1,003) | | | |
|---|-----|--------------------------------------|--------------|
| Characteristics | N | Proportion finalised within 180 days | Significance |
| Incident characteristics | | | |
| <i>Historical incident (reported >12 months)</i> | | | |
| Yes | 115 | 54.8% | * |
| No | 888 | 73.0% | * |
| <i>Offence severity</i> | | | |
| Sexual assault | 948 | 70.7% | |
| Non-assaultive | 55 | 74.6% | |
| <i>Offence Grouping</i> | | | |
| Aggravated sexual assault | 844 | 70.4% | |
| Non-aggravated sexual assault | 104 | 73.1% | |
| Non-assaultive sexual offences against a child | 25 | 72.0% | |
| Child pornography offences | 12 | 75.0% | |
| Non-assaultive sexual offences, nec | 18 | 77.8% | |
| <i>Attempted offence</i> | | | |
| Yes | 49 | 75.5% | |
| No | 954 | 70.6% | |
| <i>ICSA_proxy_1</i> | | | |
| Yes | 496 | 73.0% | |
| No | 507 | 68.8% | |
| <i>ICSA_proxy_2</i> | | | |
| Yes | 68 | 85.3% | * |
| No | 935 | 69.8% | * |
| <i>ICSA_proxy_3</i> | | | |
| Yes | 44 | 88.6% | * |
| No | 959 | 70.1% | * |
| <i>ICSA_proxy_4</i> | | | |
| Yes | 9 | 77.8% | |
| No | 994 | 70.8% | |
| Victim characteristics | | | |
| <i>Gender</i> | | | |
| Male | 164 | 73.8% | |
| Female | 839 | 70.3% | |
| <i>Age at incident</i> | | | |

| Jurisdiction – NORTHERN TERRITORY (N = 1,003) | | | | |
|---|--------------------------|--------------------------------------|--------------|---|
| Characteristics | N | Proportion finalised within 180 days | Significance | |
| | 0–4 | 66 | 72.7% | |
| | 5–9 | 192 | 76.6% | |
| | 10–14 | 460 | 70.4% | |
| | 15–17 | 284 | 67.6% | |
| | <i>(missing N = 1)</i> | | | |
| Age at report | | | | |
| | 0–9 | 203 | 79.8% | * |
| | 10–14 | 437 | 73.2% | * |
| | 15–19 | 305 | 65.9% | * |
| | 20–29 | 17 | 64.7% | * |
| | 30–39 | 18 | 44.4% | * |
| | 40+ | 23 | 39.1% | * |
| Relationship (victim-to-offender) | | | | |
| | Family/intimate | 222 | 68.9% | |
| | Other known | 496 | 73.0% | |
| | Stranger | 147 | 72.1% | |
| | Not stated | 138 | 65.2% | |
| Relationship (child-to-child) | | | | |
| | Child-to-child | 266 | 76.7% | |
| | Adult-to-child | 502 | 75.1% | |
| | <i>(missing N = 235)</i> | | | |
| Relationship (adolescent peer) | | | | |
| | Peer | 72 | 75.0% | |
| | Not peer | 696 | 75.7% | |
| | <i>(missing N = 235)</i> | | | |
| Relationship (simple peer) | | | | |
| | Peer | 19 | 79.0% | |
| | Not peer | 749 | 75.6% | |
| | <i>(missing N = 235)</i> | | | |
| Indigenous status | | | | |
| | Indigenous | 506 | 69.4% | |
| | Non-Indigenous | 435 | 73.6% | |
| | <i>(missing N = 62)</i> | | | |
| Unwilling to proceed | | | | |
| | Yes | 39 | 79.5% | |
| | No | 964 | 70.5% | |
| Offender characteristics | | | | |
| Gender | | | | |
| | Male | 744 | 75.4% | * |
| | Female | 32 | 78.1% | * |
| | <i>(missing N = 227)</i> | | | |
| Age at incident | | | | |

| Jurisdiction – NORTHERN TERRITORY (N = 1,003) | | | |
|---|-----|--------------------------------------|--------------|
| Characteristics | N | Proportion finalised within 180 days | Significance |
| <18 | 266 | 76.7% | |
| 18–34 | 288 | 73.6% | |
| 35+ | 214 | 77.6% | |
| <i>(missing N = 235)</i> | | | |
| Indigenous status | | | |
| Indigenous | 419 | 75.9% | |
| Non-Indigenous | 297 | 75.8% | |
| <i>(missing N = 287)</i> | | | |
| Policing characteristics | | | |
| Reporting year | | | |
| 2010 | 205 | 71.7% | |
| 2011 | 187 | 62.0% | |
| 2012 | 202 | 73.8% | |
| 2013 | 187 | 73.8% | |
| 2014 | 222 | 72.5% | |
| Complainant type | | | |
| Person | 784 | 72.1% | |
| Organisation | 217 | 66.8% | |
| <i>(missing N = 2)</i> | | | |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

Factors associated with case outcomes

Table 3.79 summarises our findings on incident, victim, offender and policing characteristics that were associated with whether a case proceeded to court in the Northern Territory. Our findings indicate that:

- a case was more likely to proceed to court when the incident involved more serious offences (aggravated sexual assault) or where the victim was female
- a case was also more likely to proceed to court when the offender was male or was older
- a case was less likely to proceed to court when the case was historical, or when the incident involved child-to-child offences (or peer interactions)
- cases of institutional child sexual abuse (ICSA_2 and ICSA_3) were also less likely to proceed to court than non-institutional child sexual abuse cases.

Table 3.79: Child sexual abuse incidents reported to Northern Territory Police in 2010–14 and finalised within 180 days, by whether the matter proceeded to court

| Jurisdiction – NORTHERN TERRITORY (N = 711) | | | |
|---|---|--------------------------------|--------------|
| Characteristics | N | Proportion proceeding to court | Significance |
| Incident characteristics | | | |

| Jurisdiction – NORTHERN TERRITORY (N = 711) | | | | |
|---|--|-----|--------------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| <i>Historical incident (reported >12 months)</i> | | | | |
| | Yes | 63 | 28.6% | * |
| | No | 648 | 51.4% | * |
| <i>Offence severity</i> | | | | |
| | Sexual assault | 670 | 48.5% | |
| | Non-assaultive | 41 | 63.4% | |
| <i>Offence Grouping</i> | | | | |
| | Aggravated sexual assault | 594 | 50.7% | * |
| | Non-aggravated sexual assault | 76 | 31.6% | * |
| | Non-assaultive sexual offences against a child | 18 | 83.3% | * |
| | Child pornography offences | 9 | 11.1% | * |
| | Non-assaultive sexual offences, nec | 14 | 71.4% | * |
| <i>Attempted offence</i> | | | | |
| | Yes | 37 | 43.2% | |
| | No | 674 | 52.6% | |
| <i>ICSA_proxy_1</i> | | | | |
| | Yes | 362 | 51.0% | |
| | No | 349 | 47.8% | |
| <i>ICSA_proxy_2</i> | | | | |
| | Yes | 58 | 20.7% | * |
| | No | 653 | 51.9% | |
| <i>ICSA_proxy_3</i> | | | | |
| | Yes | 39 | 23.1% | * |
| | No | 672 | 50.9% | |
| <i>ICSA_proxy_4</i> | | | | |
| | Yes | 7 | 57.1% | |
| | No | 704 | 49.3% | |
| Victim characteristics | | | | |
| <i>Gender</i> | | | | |
| | Male | 121 | 33.1% | * |
| | Female | 590 | 52.7% | * |
| <i>Age at incident</i> | | | | |
| | 0–4 | 48 | 41.7% | |
| | 5–9 | 147 | 46.3% | |
| | 10–14 | 324 | 54.9% | |
| | 15–17 | 192 | 44.3% | |
| <i>Age at report</i> | | | | |
| | 0–9 | 162 | 49.4% | |
| | 10–14 | 320 | 54.7% | |
| | 15–19 | 201 | 43.8% | |
| | 20–29 | 11 | 36.4% | |
| | 30–39 | 8 | 12.5% | |
| | 40+ | 9 | 33.3% | |

| Jurisdiction – NORTHERN TERRITORY (N = 711) | | | | |
|---|-----|--------------------------------------|--------------|--|
| Characteristics | N | Proportion proceeding to court | Significance | |
| Relationship (victim-to-offender) | | | | |
| Family/intimate | 153 | 54.3% | | |
| Other known | 362 | 47.8% | | |
| Stranger | 106 | 57.6% | | |
| Not stated | 90 | 37.8% | | |
| Relationship (child-to-child) | | | | |
| Child-to-child | 204 | 32.4% | * | |
| Adult-to-child | 377 | 72.5% | * | |
| <i>(missing N = 130)</i> | | | | |
| Relationship (adolescent peer) | | | | |
| Peer | 54 | 24.1% | * | |
| Not peer | 527 | 61.7% | * | |
| <i>(missing N = 130)</i> | | | | |
| Relationship (simple peer) | | | | |
| Peer | 15 | 13.3% | * | |
| Not peer | 566 | 59.4% | * | |
| <i>(missing N = 130)</i> | | | | |
| Indigenous status | | | | |
| Indigenous | 351 | 53.2% | | |
| Non-Indigenous | 320 | 54.6% | | |
| <i>(missing N = 40)</i> | | | | |
| Unwilling to proceed | | | | |
| Yes | 680 | 0.0% | * | |
| No | 31 | 51.6% | * | |
| Offender characteristics | | | | |
| Gender | | | | |
| Male | 561 | 58.8% | * | |
| Female | 25 | 32.0% | * | |
| <i>(missing N = 125)</i> | | | | |
| Age at incident | | | | |
| <18 | 204 | 32.4% | * | |
| 18–34 | 211 | 68.7% | * | |
| 35+ | 166 | 76.5% | * | |
| <i>(missing N = 130)</i> | | | | |
| Indigenous status | | | | |
| Indigenous | 318 | 58.5% | | |
| Non-Indigenous | 225 | 62.2% | | |
| <i>(missing N = 168)</i> | | | | |
| Policing characteristics | | | | |
| Reporting year | | | | |
| 2010 | 147 | 44.9% | * | |
| 2011 | 116 | 39.7% | * | |
| 2012 | 149 | 55.7% | * | |

| Jurisdiction – NORTHERN TERRITORY (N = 711) | | | | |
|---|------------------------|-----|--------------------------------|--------------|
| Characteristics | | N | Proportion proceeding to court | Significance |
| | 2013 | 138 | 48.6% | * |
| | 2014 | 161 | 55.3% | * |
| Complainant type | | | | |
| | Person | 565 | 50.1% | |
| | Organisation | 145 | 46.2% | |
| | <i>(missing N = 1)</i> | | | |

* Indicates that a statistically significant difference between levels in this category was found. Chi-square test applied ($p < .001$).

3.8.2. Child-to-child sexual abuse

A total of 266 incidents (27 per cent of all reports) of child sexual abuse involving an offender aged under 18 were reported to Northern Territory Police between 1 January 2010 and 31 December 2014. In another 235 reports (23 per cent of all reports), the offender's age was missing. Many of these reports may also involve child-to-child sexual abuse (see Section 4.5 for further discussion).

The prevalence and characteristics of child-to-child sexual abuse in the Northern Territory are found in tables 3.80–3.85. The table describing the victim–offender age distribution (found for other jurisdictions) has also been suppressed due to small numbers.

Table 3.80: Prevalence of reported child-to-child sexual abuse in 2010–14, Northern Territory

| | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings ^c |
|---|------------------------|-------------|-----------------|----------------------|---|
| Total number of reports (2010–14) | 266 ^a | 19 | 72 | 122 | 28 |
| As a proportion of reported all CSA | 27% | 2% | 7% | 12% | 3% |
| Reports per 1,000 children^b | 4.2 | 0.3 | 1.1 | 2.0 | 0.4 |
| By year | | | | | |
| 2010 | 57 | 3 | 17 | 23 | 3 |
| 2011 | 49 | 4 | 16 | 19 | 6 |
| 2012 | 52 | 7 | 16 | 22 | 5 |
| 2013 | 56 | 3 | 12 | 26 | 13 |
| 2014 | 52 | 2 | 11 | 32 | 1 |
| Annual percentage change^d | -0.5% | -10.4% | -10.9% | +10.2% | -13.3% |

a) In 235 reports (23 per cent), either the victim's or offender's age was missing.

b) Rates were estimated using state-based population data for persons aged under 18. It was taken from ABS Australian Demographic Statistics, June 2012, cat no 3101.0.

c) Institutional child sexual abuse was defined as abuse occurring in an institution and where the relationship between victim and offender was extrafamilial (ICSA_3; see Appendix B.4 for details).

d) Annual percentage change refers to the average percentage change per year (estimated by fitting a line to the natural log of counts and calculating the gradient).

Table 3.81: Demographic characteristics of reported child-to-child sexual abuse, Northern Territory

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|-----------------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Victim | | | | | | |
| Total number | 502 | 266 | 19 | 72 | 122 | 28 |
| Gender | | | | | | |
| Male | 72 (14%) | 59 (22%) | 9 (47%) | 18 (25%) | 24 (20%) | 18 (64%) |
| Female | 430 (86%) | 207 (78%) | 10 (53%) | 54 (75%) | 98 (80%) | 10 (36%) |
| Missing | 0 | 0 | 0 | 0 | 0 | 0 |
| Age at incident | | | | | | |
| Under 10 | 122 (24%) | 85 (32%) | ≤3 | 0 | 73 (60%) | 9 (32%) |
| 10–14 | 237 (47%) | 124 (47%) | 10 (53%) | 37 (51%) | 49 (40%) | 16 (57%) |
| 15–17 | 143 (28%) | 57 (21%) | 8 (42%) | 35 (49%) | 0 | 3 (11%) |
| Missing | 0 | 0 | 0 | 0 | 0 | 0 |
| Age at report | | | | | | |
| 0–9 | 97 (19%) | 70 (26%) | ≤3 | 0 | 59 (48%) | 10 (36%) |
| 10–14 | 216 (43%) | 123 (46%) | 9 (47%) | 37 (51%) | 49 (40%) | 16 (57%) |
| 15–19 | 158 (31%) | 61 (23%) | 8 (42%) | 35 (49%) | ≤3 | ≤3 |
| 20+ | 31 (6%) | 12 (5%) | 0 | 0 | 12 (10%) | 0 |
| Missing | 0 | 0 | 0 | 0 | 0 | 0 |
| Indigenous Status | | | | | | |
| Indigenous | 253 (50%) | 153 (58%) | 9 (47%) | 35 (49%) | 81 (66%) | 7 (25%) |
| Non-Indigenous | 220 (44%) | 96 (36%) | 6 (32%) | 30 (42%) | 36 (30%) | 13 (46%) |
| Missing | 29 (6%) | 17 (6%) | 4 (21%) | 7 (10%) | 5 (4%) | 8 (29%) |
| Offender | | | | | | |
| Total number | 502 | 266 | 19 | 72 | 122 | 28 |
| Gender | | | | | | |
| Male | 488 (97%) | 251 (94%) | 15 (79%) | 66 (92%) | 116 (95%) | 19 (68%) |
| Female | 14 (3%) | 15 (6%) | 4 (21%) | 6 (8%) | 6 (5%) | 9 (32%) |
| Missing | 0 | 0 | 0 | 0 | 0 | 0 |
| Age | | | | | | |
| Under 10^a | – | 21 (8%) | – | 0 | 5 (4%) | 5 (18%) |
| 10–14 | – | 104 (39%) | – | 30 (42%) | 49 (40%) | 16 (57%) |
| 15–17 | – | 141 (53%) | – | 42 (58%) | 68 (56%) | 7 (25%) |
| Indigenous Status | | | | | | |
| Indigenous | 243 (48%) | 175 (66%) | 11 (58%) | 41 (57%) | 87 (71%) | 19 (68%) |
| Non-Indigenous | 220 (44%) | 71 (27%) | 5 (26%) | 24 (33%) | 27 (22%) | 8 (29%) |
| Missing | 39 (8%) | 20 (8%) | 3 (16%) | 7 (10%) | 8 (7%) | 1 (4%) |

a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

Table 3.82: Characteristics of association between victim and offender, reported child-to-child sexual abuse, Northern Territory

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------------------|---------------------------|--------------------------|-------------|-----------------|--------------------------|--|
| Age | | | | | | |
| Average age difference | Offender aged 22 or older | Offender aged 3 or older | Same age | Same age | Offender aged 6 or older | Offender aged 1 or older |
| Sex | | | | | | |
| Male offender – male victim | 63 (13%) | 52 (20%) | 7 (37%) | 16 (22%) | 21 (17%) | 12 (43%) |
| Male offender – female victim | 425 (85%) | 199 (75%) | 8 (42%) | 50 (69%) | 95 (78%) | 7 (25%) |
| Female offender – male victim | 9 (2%) | 7 (3%) | ≤3 | ≤3 | ≤3 | 6 (21%) |
| Female offender – Female victim | 5 (1%) | 8 (3%) | ≤3 | 5 (7%) | ≤3 | ≤3 |
| Missing | 0 | 0 | 0 | 0 | 0 | 0 |
| Relationship | | | | | | |
| Family | 124 (25%) | 33 (12%) | 0 | ≤3 | 26 (21%) | 0 |
| Boyfriend/girlfriend | 27 (5%) | 19 (7%) | ≤3 | 7 (10%) | 7 (6%) | 0 |
| Other known | 253 (50%) | 159 (60%) | 16 (84%) | 46 (64%) | 69 (57%) | 28 (100%) |
| Stranger | 53 (11%) | 26 (10%) | 0 | 7 (10%) | 7 (6%) | 0 |
| Missing | 45 (9%) | 29 (11%) | 0 | 10 (14%) | 13 (11%) | 0 |

Table 3.83: Location of reported child-to-child sexual abuse, Northern Territory

| | Adult-to-child | Child-to-child (Total) | Simple Peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Premise type | | | | | | |
| Residential | 263 (52%) | 118 (16%) | 5 (26%) | 21 (29%) | 70 (57%) | 0 |
| Institutional | 11 (2%) | 43 (44%) | 8 (42%) | 19 (26%) | 8 (7%) | 28 (100%) |
| Community | 142 (28%) | 83 (31%) | 6 (32%) | 30 (42%) | 28 (23%) | 0 |
| Retail/other | 86 (17%) | 22 (8%) | 0 | ≤3 | 16 (13%) | 0 |
| Missing | 0 | 0 | 0 | 0 | 0 | 0 |

Table 3.84: Breakdown of offence type of reported child-to-child sexual abuse compared with reported adult-to-child sexual abuse, Northern Territory

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|--|----------------|------------------------|-------------|-----------------|----------------------|--|
| Sexual assault | | | | | | |
| Aggravated sexual assault | 445 (89%) | 209 (79%) | 13 (68%) | 46 (64%) | 110 (90%) | 13 (46%) |
| Non-aggravated sexual assault | 27 (5%) | 48 (18%) | 5 (26%) | 22 (31%) | 7 (6%) | 14 (50%) |
| Non-assaultive sexual offences | | | | | | |
| Non-assaultive sexual offences against a child | 1 (0%) | 1 (0%) | 0 | 0 | 1 (1%) | 0 |
| Child pornography | 1 (0%) | 5 (2%) | 1 (5%) | 3 (4%) | 2 (2%) | 1 (4%) |
| Non-assaultive sexual offences, nec | 3 (1%) | 3 (1%) | 0 | 1 (1%) | 2 (2%) | 0 |
| Percentage of offences that were 'attempted' | 20 (4%) | 14 (5%) | 1 (5%) | 4 (6%) | 7 (6%) | 1 (4%) |

Table 3.85: 180-day finalisation status and outcome of reported child-to-child

sexual abuse, Northern Territory

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---|----------------|------------------------|-------------|-----------------|----------------------|--|
| Number of cases | 502 | 266 | 19 | 72 | 122 | 28 |
| Number finalised within 180 days (%) | 377 (75%) | 204 (77%) | 15 (79%) | 54 (75%) | 92 (75%) | 26 (93%) |
| Median days taken to finalise | 14 | 17.5 | 6 | 6 | 25 | 23 |
| Outcome of cases finalised within 180 days | | | | | | |
| To court | 268 (71%) | 66 (32%) | 2 (13%) | 13 (24%) | 36 (39%) | 5 (19%) |
| Other legal action | 7 (2%) | 30 (15%) | 6 (40%) | 13 (24%) | 11 (12%) | 7 (27%) |
| Resolved/no action | 32 (8%) | 49 (24%) | 2 (13%) | 8 (15%) | 20 (22%) | 10 (38%) |
| Unresolved | 70 (19%) | 59 (29%) | 5 (33%) | 20 (37%) | 25 (27%) | 4 (15%) |
| Median days taken to finalise, by outcome | | | | | | |
| To court | 8.5 | 10.5 | 0 | 0 | 15 | 1 |
| Other legal action | 9 | 44.5 | 7 | 21 | 46 | 170 |
| Resolved/no action | 39.5 | 24 | 14.5 | 49.5 | 24 | 29 |
| Unresolved | 32 | 21 | 1 | 5.5 | 34 | 1.5 |

3.8.3. Jurisdictional comments

The Northern Territory Police Force provided the following comments in relation to the data:

The Northern Territory Police Force is committed to providing a supportive response and investigation service, particularly to victims of child sexual abuse. Matters can be directly referred to police by victims or involved/aware persons, or can initiate through a report to a child services department and assessed through joint agency team. Matters can be initially assessed by general duties officers for information gathering, assessment, and referral to specialist units, particularly in regional or remote areas. The Child Abuse Taskforce further investigates incidents where the victim is under 16 at the time of report, particularly for child forensic interviewing purposes. The Sex Crimes Unit handles investigations where the victim is over 16 at the time of complaint (therefore including historical cases where the victim reports an incident that occurred when they were under 16).

For the purposes of this report, matters that have been cleared by the 'insufficient evidence' code have been classified into 'finalised' as 'not resolved'. In other publications, this data is recorded as 'investigation not finalised', as the investigation is in a state of suspension until further evidence comes to light.

4 Aggregation of results and discussion

This study systematically reviewed police reports relating to child sexual abuse across Australia. It investigated finalisation rates and methods of finalisation, using police administrative data from the eight Australian jurisdictions. For each jurisdiction, the study identified 1) what proportion of reported cases were finalised by police; 2) how these cases were finalised; and 3) the time taken to finalise reports of child sexual abuse (median days).

The study has also provided a statistical perspective of the nature and extent of reported cases of child-to-child sexual abuse. It examined the characteristics of victims, offenders, offence types, locations and relationships, and described police finalisation rates and methods of finalisation for reported incidents of child-to-child sexual abuse.

The results for each jurisdiction are described in Section 3. In this section, we combine results to provide a national perspective, highlighting common elements, as well as differences, across the jurisdictions.

4.1. Number and nature of reported cases of child sexual abuse

Table 4.1 provides a summary of the number and profile of all cases of child sexual abuse reported to police in each jurisdiction. As the table shows, there are marked differences between the states and territories in terms of the rates of child sexual abuse that are reported to police. Both New South Wales and Queensland police receive, record and respond to a greater number of incidents of child sexual abuse per 1,000 persons than other police jurisdictions.

Table 4.1 also shows that the nature and characteristics of cases of child sexual abuse reported to police vary from one jurisdiction to another. For example, historical cases constitute a significant proportion of reports in Victoria (45 per cent), Tasmania (37 per cent) and South Australia (36 per cent), while accounting for fewer cases in the Northern Territory and the Australian Capital Territory (11 per cent in each). Offence severity, as classified under the ANZSOC standard [7], also varies between jurisdictions: offences classified as less serious (that is, non-assaultive sex offences) comprise almost one-quarter of all cases reported to police in New South Wales, South Australia and Queensland, while constituting fewer than one in 10 cases reported in all other jurisdictions.

The differences seen in Table 4.1 (for example, rates, proportion of historical cases and cases comprising less serious offences) may be attributed to differences in legislative and regulatory frameworks and associated police responses, including varying police recording practices. In New South Wales, for instance, we observe both a higher rate of reporting of child sexual abuse and a higher proportion of cases that fall into the less serious (non-assaultive) sex offence category. These findings may reflect differences in mandatory reporting systems.⁴¹

⁴¹ We attempted to control for some of the differences between the jurisdictions by producing and comparing results for serious sexual assault cases only (that is, excluding any cases that involved non-assaultive offences only). While this reduced counts of child sexual abuse, inter-jurisdictional differences in the number and rate of reporting to police, and in finalisation outcomes, were still evident. For more information, see Appendix D.

Table 4.1: Summary of incident and victim characteristics of cases of child sexual abuse reported to police in 2010–14, all jurisdictions

| | NSW | Vic | Qld | WA | SA | Tas | ACT | NT |
|--|--------|--------|--------|-------|-------|-------|-------|-------|
| Total reported cases of CSA | 40,987 | 18,048 | 25,234 | 8,034 | 5,441 | 664 | 1,077 | 1,003 |
| Rate (per 1,000 persons)^a | 5.6 | 3.2 | 5.5 | 3.3 | 3.3 | 1.3 | 2.9 | 4.3 |
| Historical (%) | 21.1% | 45.2% | 25.4% | 22.9% | 36.0% | 36.6% | 11.4% | 11.5% |
| Offence group (%) | | | | | | | | |
| <i>Aggravated sexual assault</i> | 46.7% | 73.9% | 77.4% | 75.8% | 64.0% | 61.8% | 53.0% | 84.1% |
| <i>Non-aggravated sexual assault</i> | 31.0% | 16.2% | 2.2% | 8.3% | 12.7% | 27.4% | 39.6% | 10.4% |
| <i>Non-assaultive sex offences</i> | 22.4% | 9.9% | 20.5% | 15.9% | 23.3% | 10.8% | 7.4% | 5.5% |
| Victim age at incident (%) | | | | | | | | |
| <i>0–4</i> | 9.6% | 11.1% | 12.8% | 10.0% | 9.8% | 9.9% | 13.2% | 6.6% |
| <i>5–9</i> | 20.7% | 24.8% | 26.0% | 24.5% | 21.6% | 24.9% | 23.7% | 19.2% |
| <i>10–14</i> | 42.8% | 41.5% | 42.5% | 44.5% | 40.2% | 34.6% | 38.0% | 45.9% |
| <i>15–17</i> | 26.8% | 22.6% | 18.7% | 20.9% | 28.4% | 30.6% | 25.0% | 28.3% |
| Victim age at report (%) | | | | | | | | |
| <i>0–9</i> | 21.1% | 16.8% | 27.8% | 21.0% | 14.5% | 18.7% | 30.2% | 20.2% |
| <i>10–14</i> | 37.0% | 29.3% | 38.6% | 40.5% | 33.2% | 27.0% | 36.6% | 43.6% |
| <i>15–19</i> | 30.2% | 30.5% | 26.5% | 28.0% | 34.9% | 36.2% | 26.2% | 30.4% |
| <i>20+ years</i> | 11.7% | 23.5% | 7.4% | 10.6% | 17.3% | 18.2% | 7.1% | 5.8% |
| Finalisation because of victim unwillingness to proceed (%) | 18.45 | 12.0% | 14.2% | 9.8% | 15.1% | 4.4% | 11.5% | 3.9% |
| ICSA_3 proxy (%) | 3.8% | 4.8% | 4.3% | n/a | 5.1% | 1.8% | 3.1% | 4.4% |
| Child-to-child (%) | 21.3% | 15.7% | 22.9% | 12.5% | 13.3% | 13.3% | 3.2% | 26.5% |

a) Rates were estimated using state-based population data for persons aged under 18. It was taken from ABS Australian Demographic Statistics, June 2012, cat no 3101.0.

Results in Table 4.1 also identify several similarities between jurisdictions, however. For example, the age distribution of victims and the proportion of cases of child sexual abuse occurring on institutional premises are similar across all states and territories, despite the variation in reporting rates.

Tables 4.2–4.4 summarise the finalisation results from all states and territories. As with Table 4.1, each shows inter-jurisdictional variations in the outcomes of police investigations which, in part, may relate to differences in the characteristics of cases.

Australia-wide, police finalised 91 per cent of cases of child sexual abuse reported between 2010 and 2014 (Table 4.2). Jurisdictional rates varied from a maximum of 94 per cent (South Australia) to a minimum of 84 per cent (Australian Capital Territory). This proportion was accurate at the time data was received (the timing was different for each jurisdiction). The proportion of cases finalised within 180 days of reporting was lower. The national rate was 70 per cent, with jurisdictional variations ranging from a maximum of 80 per cent (South Australia) to a minimum of 59 per cent (Victoria).

Table 4.2: Proportion of cases reported in the period that were finalised by police, all jurisdictions

| Jurisdiction | Cases reported in period | Proportion finalised | | | Proportion unfinalised | Total |
|--------------|--------------------------|----------------------|------------|------------|------------------------|-----------|
| | | N | < 180 days | > 180 days | | |
| | | | % | % | % | % |
| NSW | 40,987 | | 79% | 13% | 92% | 8% |
| Victoria | 18,048 | | 59% | 29% | 88% | 12% |
| Queensland | 25,234 | | 60% | 34% | 93% | 7% |
| WA | 8,034 | | 70% | 18% | 88% | 12% |
| SA | 5,441 | | 80% | 13% | 94% | 6% |
| Tasmania | 664 | | 74% | 18% | 92% | 8% |
| ACT | 1,077 | | 77% | 7% | 84% | 16% |
| NT | 1,003 | | 71% | 15% | 86% | 14% |
| Total | 100,488 | | 70% | 22% | 91% | 9% |

Table 4.3 shows the method by which cases were finalised. Nationally, about 31 per cent were finalised by charging the offender (that is, initiation of court proceedings), while another 7 per cent were dealt with by other legal actions (for example, juvenile diversionary options). Tasmania and Victoria recorded the highest proportion of cases being finalised through court proceedings (71 per cent and 56 per cent respectively), while the Australian Capital Territory and New South Wales had the lowest (18 per cent and 19 per cent respectively). Just under half (45 per cent) of all finalised cases were resolved by methods that did not involve actions against the offender. Note that the extent to which non-court procedures are used in each jurisdiction, particularly for young offenders, will depend on the juvenile diversion and restorative options that are available [12]. For example, in South Australia and Victoria, the police are unable to refer juveniles directly to restorative conferences; instead, they must be referred by the courts. Thus, these jurisdictions will tend to have a higher proportion of finalised cases proceeding to court. In several jurisdictions (New South Wales, Tasmania, the Australian Capital Territory and the Northern Territory), sexual and/or serious offences are excluded from some diversionary programs. The variations are reflected in Table 4.3. The impact of differences in juvenile diversion and/or restorative options in each jurisdiction can be seen in tables 3.11 (New South Wales), 3.22 (Victoria), 3.33 (Queensland), 3.44 (Western Australia), 3.55 (South Australia), 3.65 (Tasmania), 3.75 (Australian Capital Territory) and 3.85 (Northern Territory). These tables show different finalisation methods for adult-to-child cases compared with child-to-child cases.

The attrition rate can be crudely estimated by multiplying the finalisation rate in Table 4.2 by the court rate in Table 4.3. This provides a lower bound estimate of the proportion of reported cases of child sexual abuse that progress from police report to the initiation of court proceedings.⁴² Thus, nationally, one-quarter (91% x 31% = 28%) of all reported cases of child sexual abuse resulted in the initiation of court proceedings against the offender. If we include

⁴² This is a lower bound estimate because some of the cases that are currently classified as 'Unfinalised' may be finalised in the future.

the proportion of cases that are finalised by ‘Other’ proceedings (see Table 4.3), then nationally, more than one-third (91% x 38% = 35%) of all reported cases of child sexual abuse resulted in some form of legal action against the offender.

Table 4.3: Cases finalised by different method of finalisation, all jurisdictions

| Jurisdiction | Cases finalised | Method of finalisation | | | | Total |
|--------------|-----------------|---------------------------------------|-------------------|------------|------------|------------|
| | | (Proportion finalised by each method) | | | | |
| | N | Court | Other proceedings | Resolved | Unresolved | |
| | | % | % | % | % | % |
| NSW | 37,786 | 19% | 3% | 58% | 20% | 100 |
| Victoria | 15,869 | 48% | 2% | 28% | 22% | 100 |
| Queensland | 23,531 | 28% | 16% | 48% | 8% | 100 |
| WA | 7,049 | 43% | 6% | 29% | 22% | 100 |
| SA | 5,108 | 56% | 1% | 21% | 21% | 100 |
| Tasmania | 608 | 71% | 5% | 23% | 1% | 100 |
| ACT | 904 | 18% | 41% | 25% | 15% | 100 |
| NT | 860 | 48% | 4% | 27% | 21% | 100 |
| Total | 91,715 | 31% | 7% | 45% | 17% | 100 |

Table 4.4 describes the length of time taken to finalise reported cases of child sexual abuse. The Australian Capital Territory took the least amount of time to finalise cases (median of 15 days), while Victoria took the longest (median of 81 days). Recall that Victoria also had the highest proportion of cases that were historical (that is, where the time taken to report an incident exceeded 12 months), while the Australian Capital Territory had the lowest. Victoria also had a higher proportion of cases finalised by way of the court system than the Australian Capital Territory; finalisation by the initiation of court proceedings generally takes longer. As noted throughout Section 4, the time taken to finalise a case was correlated with the time taken to report an incident. Generally, incidents that were reported earlier were also finalised in less time.

Table 4.4: Time taken to finalise cases by different methods of finalisation, all jurisdictions

| Jurisdiction | Method of finalisation | | | | Total |
|--------------|--|-------------------|----------|------------|-------|
| | (Time taken to finalise by each method; median days) | | | | |
| | Court | Other proceedings | Resolved | Unresolved | |
| NSW | 50 | 37 | 32 | 52 | 37 |
| Victoria | 90 | 150 | 7 | 208 | 81 |
| Queensland | 11 | 12 | 28 | 27 | 17 |
| WA | 44 | 36 | 39 | 102 | 53 |
| SA | 3 | 35 | 25 | 73 | 17 |
| Tasmania | 10 | 6 | 113 | 183 | 29 |
| ACT | 38 | 15 | 14 | 15 | 15 |
| NT | 17 | 42 | 29 | 76 | 28 |

4.2. What factors are associated with finalisation within 180 days of report?

The association between various incident, victim, offender and policing characteristics and finalisation rates at 180 days was investigated for each jurisdiction and reported in Section 3. These are brought together for all states and territories in Table 4.5 below. No factor emerged as having a singular influence on cases being finalised within 180 days; rather, the following range of factors were associated with this outcome, several of which were common to several jurisdictions:

- *Incident was reported sooner.* In all jurisdictions, it was found that cases reported soon after the incident were more likely to be finalised within 180 days.
- *Victim was older (at the time of the incident).* Several jurisdictions, cases involving older victims (at the time of the incident) were more likely to be finalised within 180 days.
- *Offender was also a child.* In multiple jurisdictions, cases involving offenders aged under 18 were more likely to be finalised within 180 days.
- *Victim was unwilling to proceed.* Another factor that influenced the rate of case finalisation was the victim's unwillingness to proceed. Cases were more likely to be finalised within 180 days when the case was finalised on the basis that the victim was unwilling to proceed. This likely reflects police policy and procedures where, in accordance with the wishes of the victim, matters are not pursued. This finding is consistent with evidence from other studies. For example, both Wundersitz [3] and Kelly, Lovett and Regan [13] cite withdrawal of complaints by victims as a key factor in the early attrition of sexual assault cases. In the current study, no further information was available from jurisdictions regarding the reason(s) for the complaint withdrawal or the timing of that withdrawal; however, some exploratory analysis was undertaken of victim characteristics in relation to cases being finalised based on the victim being unwilling to proceed (see Section 4.4).
- *Offence severity.* Results were mixed. In some jurisdictions (New South Wales, Queensland and South Australia), reported incidents involving sex offences that were classified as less serious were also more likely to be finalised within 180 days. However, in the Australian Capital Territory, the opposite was found; that is, cases involving less serious offences were less likely to be finalised within 180 days. It is not clear how these results should be interpreted.
- *Incident was historical.* Overwhelmingly, historical cases (that is, where the time between incident and report exceeded 12 months) were least likely to be finalised within 180 days. This finding accords with the earlier results indicating that incidents reported to police earlier are likely to be finalised sooner.
- *Victim was older (at report).* In most jurisdictions (New South Wales, Victoria, South Australia, Tasmania, the Australian Capital Territory and the Northern Territory), it was found that cases involving older victims (at the time of reporting) were less likely to be finalised within 180 days; however, in one jurisdiction (Western Australia), such cases were more likely to be finalised within 180 days.
- *Offender was stranger/not family member.* In several jurisdictions (New South Wales, Western Australia and South Australia), cases where the relationship between victim and offender was more distant were more likely to be finalised within 180 days, while those involving family members were less likely to be finalised within 180 days.

However, note that this factor was not significant in Tasmania or the Northern Territory. This may, in part, be due to the small number of cases reported in the smaller Australian jurisdictions.

In several jurisdictions, some factors were found to have little or no association with finalisations. These included the Indigenous status of the victim and the offender, and some definitions of institutional child sexual abuse. Each of these measures of institutional child sexual abuse yielded different associations with finalisation rates, with no consistent pattern emerging either within a jurisdiction or across the jurisdictions.

4.3. What factors are associated with the initiation of court proceedings in a reported case of child sexual abuse?

The study also investigated whether the same factors were associated with the initiation of court proceedings in a reported case of child sexual abuse. Results for all states and territories are brought together in Table 4.6. As with finalisations at 180 days, a range of factors were found to be associated with case outcomes, many of which were common to several jurisdictions. The factors were the following:

- *Incident was historical.* Overwhelmingly, historical cases that were finalised were more likely to be finalised by the initiation of court proceedings.
- *Offence severity.* In some jurisdictions, cases with more serious offences (sexual assault or aggravated sexual assault) were less likely to proceed to court (Victoria, Queensland, South Australia and the Australian Capital Territory; little or no effect was detected in other jurisdictions).
- *Offender was stranger/not family member.* In several jurisdictions (New South Wales, Queensland and the Australian Capital Territory), cases where the relationship between victim and offender was extrafamilial were more likely to proceed to court, while those involving family members were less likely to proceed to court. However, note that this factor was not significant in Victoria, Tasmania and the Northern Territory. An opposite effect was observed in Western Australia and South Australia.
- *Offender was also a child.* Cases involving offenders aged under 18 were less likely to proceed to court. This is most likely due to the availability of alternative processing options for juvenile offenders (that is, diversionary mechanisms), which are not available to adult offenders. Other factors, such as the relationship between the victim and the offender (that is, whether the incident involved ‘simple peer’ or adolescent peer interactions) may also influence case outcomes. The issue of child-to-child sexual abuse is discussed further in Section 4.5.
- *Victim was very young.* In almost all jurisdictions, cases involving victims who were very young (aged 0–4) at the time of the incident were less likely to proceed to court.
- *Victim was unwilling to proceed.* In all jurisdictions, a victim’s unwillingness to proceed emerged as a significant factor in determining whether a case was finalised by initiating court proceedings. The data clearly shows that police do not initiate court actions against the offender when the victim does not wish to proceed or has withdrawn a complaint. No further information was available from jurisdictions regarding the reason(s) for the victim withdrawal, or the timing of that withdrawal. (Though some exploratory analysis of victim characteristics and being unwilling to proceed was undertaken – see Section 4.4.)

The following additional observations were made from analysing the association between factors and case outcomes:

- There was some variation based on reporting year. However, the effects differed from one jurisdiction to another.
- Different definitions/measures of institutional child sexual abuse yielded different associations. However, numbers were small in some jurisdictions and no clear pattern emerged.

Table 4.5: Summary of factors associated with case finalisation within 180 days of report, all jurisdictions

| Finalisation within 180 days | NSW | Vic | Qld | WA |
|------------------------------|---|--|--|--|
| More likely if ... | <p>Offence was less serious offence (non-assaultive)</p> <p>Victim was female Victim was older (at incident) Victim was unwilling to proceed</p> <p>Offender was stranger Offender was also a child</p> <p>Incident report submitted to SCC</p> <p>Incident reported in 2010–11</p> <p>Incident was reported sooner</p> | <p>Offence was less serious offence (non-assaultive or pornography)</p> <p>Victim was unwilling to proceed</p> <p>Offender was male Offender was known (family/friend)</p> <p>Incident reported in 2014 (rather than in 2010–11)</p> <p>Incident was reported sooner</p> | <p>Offence was less serious offence (non-assaultive)</p> <p>Victim was female Victim was older (at incident) Victim was unwilling to proceed</p> <p>Offender was known (not family) Offender was also a child Offender was Indigenous</p> <p>Incident was ICSA</p> <p>Incident reported in 2014 (rather than in 2010–13)</p> <p>Incident was reported sooner</p> | <p>Offence was more serious (sexual assault)</p> <p>Victim was older (at incident) Victim was unwilling to proceed</p> <p>Offender was female Offender was Indigenous Offender was also a child</p> <p>Incident was ICSA</p> <p>Incident was reported sooner</p> <p>Offence was attempted only</p> |
| Less likely if ... | <p>Incident was historical Victim was older (at report) Offender was known (family/friend) Incident was ICSA_4</p> | <p>Incident was historical Victims was older 40+ (at report) Offender was stranger Incident was ICSA_4</p> | <p>Incident was historical</p> | <p>Incident was historical Victim was Indigenous Offender was family Incident reported in 2011–12</p> |
| No effect | <p>Offence was attempted</p> <p>Incident was ICSA_1, ICSA_2 or ICSA_3</p> | <p>Victim gender Victim age at incident Offender age at incident Offender was also a child</p> <p>Incident was ICSA_1, ICSA_2 or ICSA_3</p> | <p>Offence was attempted Victim Indigenous status</p> | <p>Victim gender Peer relationship between victim and offender</p> |

| Finalisation within 180 days | SA | Tas | ACT | NT |
|------------------------------|--|---|--|--|
| More likely if ... | <p>Offence was less serious offence (non-assaultive)</p> <p>Victim was female Victim was older (at incident) Victim was unwilling to proceed</p> | <p>Offence was less serious offence (non-assaultive)</p> <p>Victim was unwilling to proceed</p> <p>Offender was also a child</p> <p>Incident reported in 2010–11</p> <p>Incident was reported sooner</p> | <p>Offence was more serious (aggravated sexual assault)</p> <p>Victim was younger (at incident) Victim was unwilling to proceed</p> <p>Offender was male Offender was also a child Offender was known (family/friend)</p> <p>Incident was ICSA_1 Incident reported in 2011–12 Incident was reported sooner</p> | <p>Offender was female#</p> <p>Incident was ICSA_2 Incident was ICSA_3</p> <p>Incident was reported sooner</p> |
| Less likely if ... | <p>Incident was historical Victim was younger</p> <p>Offender was family</p> | <p>Incident was historical Offence was more serious offence (aggravated sexual assault) Victim was older (at report) Incident was ICSA_2</p> | <p>Incident was historical Victim was female Victim was older (at report)</p> | <p>Incident was historical Victim was older (at report)</p> |
| No effect | <p>Victim Indigenous status</p> <p>Offender age Offender Indigenous status</p> <p>Incident was ICSA Reporting year</p> | <p>Offence was attempted</p> <p>Victim gender Victim age (at incident) Victim Indigenous status Victim–offender relationship</p> <p>Offender gender</p> <p>Incident was ICSA_1, ICSA_3 or ICSA_4 Attending group/area</p> | <p>Victim Indigenous status</p> <p>Incident was ICSA_2 or ICSA_3</p> | <p>Offence severity Offence was attempted Victim gender Victim age (at incident) Victim Indigenous status Victim–offender relationship Victim willingness to proceed Offender age Offender Indigenous status Offender was also a child Incident was ICSA_1 or ICSA_4 Reporting year Complainant type</p> |

Table 4.6: Summary of factors associated with cases proceeding to court, all jurisdictions

| Proceeding to court | NSW | Vic | Qld | WA |
|---------------------------|--|--|---|--|
| More likely if ... | <p>Incident was historical</p> <p>Offence was more serious offence (sexual assault)</p> <p>Victim was aged 5–9 (at incident) Victim was older (at report)</p> <p>Offender was male Offender was stranger Offender was older (35+)</p> <p>Incident was ICSA_4</p> | <p>Incident was historical</p> <p>Offence was less serious offence (non-assaultive)</p> <p>Incident was ICSA_4</p> <p>Victim was aged 10–14 (at incident) Victim was older (at report)</p> <p>Offender was male</p> <p>Incident reported in 2010</p> | <p>Incident was historical</p> <p>Offence was less serious offence (non-assaultive)</p> <p>Victim was female Victim older (at report)</p> <p>Offender was male Offender was stranger Offender was older (35+)</p> | <p>Incident was historical Offence was more serious (aggravated sexual assault)</p> <p>Victim was aged 5–9 at incident</p> <p>Victims was older at report (30+)</p> <p>Offender was male Offender was older (18+) Offender was Indigenous</p> <p>Incident was ICSA_1 or ICSA_4</p> <p>Incident reported in 2010–11</p> |
| Less likely if ... | <p>Victim was unwilling to proceed</p> <p>Offender was also a child Offender was Indigenous Offender was family</p> <p>Incident was ICSA_1 or ICSA_2 Incident reported in 2010–12</p> <p>Incident report submitted to SCC Responsible region was Western</p> | <p>Victim was very young (aged 0–4) at incident</p> <p>Victim was unwilling to proceed</p> <p>Offender was also a child</p> <p>Incident was ICSA_2 or ICSA_3</p> | <p>Victim was very young (aged 0–4) at incident</p> <p>Victim was unwilling to proceed</p> <p>Offender was also a child Offender Indigenous status</p> <p>Incident was ICSA_1, ICSA_2 or ICSA_3</p> | <p>Incident was ICSA_2</p> <p>Victim was unwilling to proceed</p> <p>Offender was also a child Offender was known, not family</p> <p>Incident reported in 2012–14</p> |
| No effect | <p>Victim gender Incident was ICSA_3</p> | <p>Victim gender Incident was ICSA_1 Relationship between victim and offender</p> | <p>Victim Indigenous status Reporting year Incident was ICSA_4</p> | <p>Victim gender Victim Indigenous status Incident was ICSA_3</p> |

| Proceeding to court | SA | TAS | ACT | NT |
|---------------------------|---|---|---|--|
| More likely if ... | <p>Offence was less serious (non-assaultive)</p> <p>Victim was female Victim was aged 5–14 (at incident) Victim was aged 20–29 (at report)</p> <p>Offender was known (family/friend)</p> <p>Incident was ICSA_4</p> | <p>Offender was male Offender was older</p> <p>Incident reported in 2010–11</p> <p>Attending group/area was North</p> | <p>Incident was historical</p> <p>Offence was less serious (non-assaultive)</p> <p>Victim was female</p> <p>Victim was older (at report)</p> <p>Offender was male Offender was stranger</p> <p>Incident was ICSA_1</p> <p>Incident reported in 2010</p> | <p>Offence was more serious (aggravated sexual assault)</p> <p>Victim was female Victim was aged 10–14 (at incident) Victim was aged 10–14 (at report)</p> <p>Offender was male Offender was older (35+)</p> <p>Incident reported in 2012–14</p> |
| Less likely if ... | <p>Offence was more serious (aggravated sexual assault)</p> <p>Victim was very young (aged 0–4) at incident Victim was unwilling to proceed</p> <p>Incident was ICSA_1, ICSA_2 or ICSA_3</p> | <p>Victim was unwilling to proceed</p> <p>Offender was also a child</p> | <p>Offence was more serious (aggravated sexual assault)</p> <p>Victim was very young (at report) Victim was unwilling to proceed</p> <p>Offender was family Offender was also a child</p> <p>Incident was ICSA_2</p> | <p>Incident was historical Victim was very young (aged 0–4) at incident Victim was unwilling to proceed</p> <p>Offender was also a child</p> <p>Incident was ICSA_2 or ICSA_3</p> |
| No effect | <p>Incident was historical</p> <p>Victim Indigenous status</p> <p>Offender characteristics (various)</p> <p>Reporting year</p> | <p>Incident was historical Offence severity</p> <p>Victim gender Victim age (at incident) Victim age (at report) Victim Indigenous status Victim–offender relationship</p> <p>Incident was ICSA_1, ICSA_2 Incident was ICSA_3 or ICSA_4</p> | <p>Victim Indigenous status Victim age (at incident)</p> <p>Incident was ICSA_3</p> | <p>Victim Indigenous status Victim–offender relationship</p> <p>Offender Indigenous status</p> <p>Incident was ICSA_1 or ICSA_4 Complainant type</p> |

4.4. Victim unwillingness to proceed

The issue of reports of child sexual abuse being finalised on the basis that the victim is unwilling to proceed is a complex one that has not received a lot of research attention in Australia. For this reason, we looked more closely at finalisations based on the victim being unwilling to proceed and considered whether these were related to the personal characteristics of victims or by other factor(s). Various case descriptors were used to determine whether a victim was unwilling to proceed (detailed in Appendix B) – any instance of a complaint being withdrawn was interpreted as the victim being unwilling to proceed.

As demonstrated in Table 4.7, the overall proportion of reported cases of child sexual abuse that were finalised based on the victim being unwilling to proceed was approximately 15 per cent Australia-wide. This figure represents a proportion nearly half as large as the national figure for reported cases of child sexual abuse finalised by initiating court proceedings (31 per cent; see Table 4.3). It should also be noted that this figure is likely to underestimate the true proportion of cases where the victim was unwilling to proceed, as it only describes those cases where this was stipulated as the reason for finalisation. It is possible for a case to have been finalised by some other method (for example, no offence disclosed by child), but the victim had not stated they were unwilling to proceed. In such cases, the unwillingness of the victim would not have been recorded by the police, and the issue may not have arisen.

Table 4.7 Relationship between a victim being unwilling to proceed and various victim and incident characteristics, all jurisdictions

| Reported CSA | NSW (1) | Vic (1) | Qld (1) | WA (1) | SA (1) | Tas (2) | NT (2) | ACT (1) |
|---|---------|---------|---------|--------|--------|---------|--------|---------|
| Finalisation due to victim unwilling to proceed (count of incidents) | 7,532 | 2,163 | 3,577 | 789 | 821 | 29 | 39 | 124 |
| Proportion of all reported incidents | 18% | 12% | 14% | 10% | 15% | 4% | 4% | 12% |
| Victim Characteristics | | | | | | | | |
| Gender | | | | | | | | |
| Male | 12% | 8% | 9% | 6% | 11% | 2% | 2% | 8% |
| Female | 20% | 13% | 18% | 13% | 18% | 5% | 4% | 13% |
| By Age at incident | | | | | | | | |
| 0–10 | 9% | 8% | 9% | 5% | 11% | 3% | 2% | 6% |
| 11–14 | 20% | 12% | 18% | 12% | 19% | 4% | 4% | 11% |
| 15–17 | 26% | 18% | 29% | 21% | 21% | 7% | 6% | 21% |
| By Age at report | | | | | | | | |
| 0–9 | 7% | 6% | 4% | 3% | 7% | 3% | 1% | 5% |
| 10–14 | 22% | 13% | 16% | 10% | 16% | 4% | 4% | 10% |
| 15–19 | 25% | 17% | 28% | 20% | 22% | 7% | 5% | 20% |
| 20–29 | 13% | 8% | 21% | 16% | 17% | 0% | 12% | 13% |
| 30–39 | 10% | 10% | 23% | 10% | 14% | 7% | 6% | 20% |
| 40+ | 6% | 7% | 14% | 8% | 17% | 2% | 4% | 16% |
| Victim-offender relationship | | | | | | | | |
| Family/intimate | 16% | 10% | 13% | n/a | 17% | 3% | 4% | 7% |
| Other known | 22% | 13% | 19% | n/a | 18% | 6% | 5% | 17% |
| Stranger | 19% | 11% | 10% | n/a | 13% | 2% | 1% | 17% |

| Reported CSA | NSW (1) | Vic (1) | Qld (1) | WA (1) | SA (1) | Tas (2) | NT (2) | ACT (1) |
|--|---------|---------|---------|--------|--------|---------|--------|---------|
| Not stated | 17% | 14% | 9% | n/a | 13% | 3% | 3% | 7% |
| By Indigenous Status | | | | | | | | |
| Indigenous | 22% | n/a | 14% | 9% | 14% | 0% | 2% | 22% |
| Non-Indigenous | 18% | n/a | 17% | 13% | 17% | 7% | 6% | 13% |
| Incident characteristics (selected) | | | | | | | | |
| Historical | | | | | | | | |
| Yes | 11% | 9% | 16% | 10% | 15% | 2% | 4% | 17% |
| No | 20% | 14% | 13% | 10% | 15% | 6% | 4% | 11% |
| Offence group | | | | | | | | |
| Aggravated sexual assault | 22% | 12% | 16% | 12% | 17% | 5% | 4% | 14% |
| Non-aggravated sexual assault | 13% | 14% | 3% | 16% | 22% | 4% | 5% | 8% |
| Non-assaultive | 19% | 6% | 22% | 3% | 6% | 3% | 2% | 10% |
| Reporting year | | | | | | | | |
| 2010 | 21% | 11% | 14% | 9% | 15% | 1% | 4% | 18% |
| 2011 | 26% | 13% | 14% | 9% | 16% | 3% | 6% | 13% |
| 2012 | 23% | 13% | 15% | 12% | 14% | 3% | 3% | 9% |
| 2013 | 15% | 12% | 14% | 13% | 15% | 4% | 2% | 10% |
| 2014 | 9% | 11% | 14% | 7% | 15% | 10% | 4% | 11% |

(1) The differences between males and females, between age groups, and between Indigenous and Non-Indigenous victims were found to be statistically significant.

(2) The differences between male and female victims, between age groups, and between Indigenous and Non-Indigenous victims were **not** statistically significant.

As Table 4.7 also shows the proportion of reported cases of child sexual abuse that were finalised based on victims being unwilling to proceed varied from one jurisdiction to another. New South Wales had the highest rate of finalisation due to victim unwillingness (18 per cent) while the smaller jurisdictions of Tasmania and the Northern Territory had the lowest rates (4 per cent).

Table 4.7 also shows some similarities across jurisdictions in the proportion of reported cases of child sexual abuse that were finalised based on victims being unwilling to proceed. In particular, cases with female victims were more likely to be finalised based on the victim being unwilling to proceed than cases with male victims. Incidents involving teenage victims (aged 15–17 at the time of the incident) were also more likely to be finalised based on victims being unwilling to proceed. For example, in Queensland and New South Wales, more than one-quarter of reported cases (29 per cent and 26 per cent respectively) involving a teenage victim were finalised on this basis. Of the cases that involved teenage victims (at the time of the incident) or that were reported by victims when they were teenagers, more were finalised because victims were unwilling to proceed than cases involving younger victims.

We tested the connection between the victim's relationship to the offender and finalisation based on the victim being unwilling to proceed. Although some results were statistically significant, the results did not reveal a strong association between these factors. Results also varied from one jurisdiction to another.

We further examined the link between offence severity (under ANZSOC classification) and the victim being unwilling to proceed. Results were inconsistent. Again, we note that the analyses undertaken on finalisation because of victim unwillingness to proceed were exploratory only.

4.5. Reported child-to-child sexual abuse

Results from each of the jurisdictions on reported incidents of child-to-child sexual abuse were combined to produce national estimates. Table 4.8 shows that 19,461 child-to-child incidents were reported to police across Australia between 1 January 2010 and 31 December 2014, comprising one in five (20 per cent) instances of reported child sexual abuse. However, as age information on the offender was missing in more than 40 per cent of child sexual abuse reports (see below), it would be inappropriate to treat this as an estimate of the true incidence of child-to-child sexual abuse. Nevertheless, the data provides useful information about the characteristics of the identified cases.

Missing values and classification of child-to-child cases

A reported incident of child sexual abuse could only be classified as a child-to-child case (or, conversely, as an adult-to-child case) if the age of the offender was known. If the age of the offender was missing, then this determination could not be made. Our study found that offender details were not recorded in 41 per cent of all reports – in most jurisdictions, the police generally only enter offender details into their systems if and when criminal proceedings are initiated. In other words, offender details are not recorded until finalisation, and only if finalisation is by initiating court or other legal proceedings. Unfinalised reports and reports finalised with ‘No further action’ usually do not contain offender details. In these instances, the status of the report as either ‘child-to-child’ or ‘adult-to-child’ cannot be ascertained.

Table 4.8: Prevalence of reported child-to-child sexual abuse in 2010–14, all states and territories

| | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings ^b |
|---|------------------------|-------------|-----------------|----------------------|---|
| Total number of reports (2010–14) | 19,461 | 1,766 | 4,845 | 8,532 | 1,642 |
| As a proportion of all reported CSA | 20% | 2% | 5% | 9% | 2% |
| Reports per 1,000 children^a | 3.8 | 0.3 | 0.9 | 1.7 | 0.3 |
| By year | | | | | |
| 2010 | 3,578 | 361 | 880 | 1,656 | 346 |
| 2011 | 3,542 | 340 | 863 | 1,640 | 375 |
| 2012 | 3,781 | 341 | 937 | 1,749 | 305 |
| 2013 | 4,097 | 340 | 1,027 | 1,700 | 286 |
| 2014 | 4,453 | 384 | 1,141 | 1,787 | 330 |
| Annual percentage change^c | +6.0% | +1.2% | +7.2% | +1.9% | -3.6% |

a) Rates were estimated using state-based population data for persons aged under 18. It was taken from ABS Australian Demographic Statistics, June 2012, cat no 3101.0.

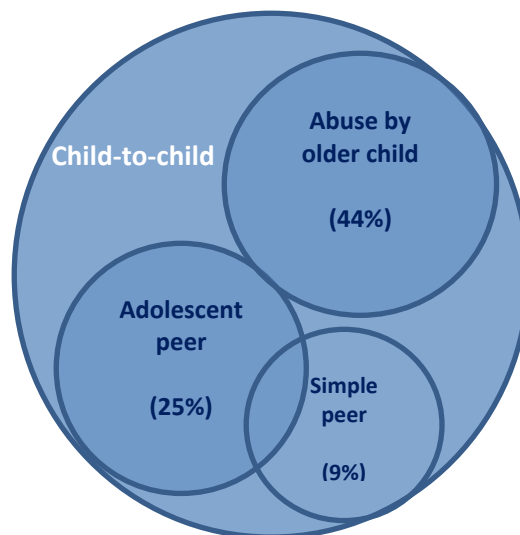
b) Institutional child sexual abuse was defined as abuse occurring in an institution and where the relationship between victim and offender was extrafamilial (ICSA_3; see Appendix B.4 for details).

c) Annual percentage change refers to the average percentage change per year (estimated by fitting a line to the natural log of counts and calculating the gradient).

Findings from Table 4.8 also indicate that:

- abuse by an older child comprises 44 per cent of reported child-to-child sexual abuse cases (also shown in Figure 5). This was consistent across most states (except South Australia and the Australian Capital Territory).
- adolescent peer abuse comprises another 25 per cent of reported child-to-child sexual abuse cases
- child-to-child sexual abuse that occurs on institutional premises and in non-familial relationships (ICSA_3) accounts for 8 per cent of all reported child-to-child sexual abuse cases and 2 per cent of all child sexual abuse incidents reported to police⁴³
- overall, the rate of reporting of child-to-child sexual abuse increased from 2010 to 2014 by an average of 6 per cent per year. This increase was highest in the adolescent peer category, which increased by an average of 7.2 per cent per year.

Figure 5: Subcategories of reported child-to-child sexual abuse



The characteristics of reported cases of child-to-child sexual abuse, across all jurisdictions, are described in tables 4.9–4.13 below. In summary, they indicate the following:

Demographic characteristics (Table 4.9)

- Victims of reported child-to-child sexual abuse are predominately female (67 per cent), while perpetrators of reported child-to-child sexual abuse are mostly male (87 per cent).
- The proportion of reported child-to-child victims who are female is lower than the proportion in adult-to-child cases.
- Within the child-to-child category, male victims account for a slightly larger proportion of sexual abuse by an older child (30 per cent, compared with 24 per cent for all child-to-child cases).
- Conversely, victims of peer abuse are more likely to be female.

⁴³ The proportion of ICSA_3 that is child-to-child can also be estimated from these figures. Australia-wide, 3,922 ICSA_3 cases were reported to police between 2010 and 2014. Of these, 1,642 (42 per cent) could be identified as being child-to-child incidents. Note that this is a minimum calculation, as it only includes matters where the offender was known to be a child.

- By definition, the victims of sexual abuse by an older child were younger than the victims of other forms of reported child-to-child sexual abuse. Nearly two-thirds were aged under 10.
- Where recorded, Indigenous Australians were over-represented as both victims and perpetrators of reported child-to-child sexual abuse.
- In some jurisdictions (for example, Queensland and the Northern Territory), Indigenous Australians accounted for a significant proportion of victims and offenders in the adolescent peer and abuse by older child categories.

Victim–offender relationship (Tables 4.10–4.11)

- On average, offenders involved in reported child-to-child sexual abuse were three years older than their victims.
- Male offender–female victim was the most common gender pattern, accounting for 62 per cent of reported child-to-child cases. Male offender–male victim made up 20 per cent of cases.
- Male offender–male victim made up 27 per cent of cases of reported abuse by an older child.
- Reported child-to-child sexual abuse was most commonly committed by someone who was known to the victim but was not a family member or a boyfriend/girlfriend. Abuse by family members made up 22 per cent of reported child-to-child sexual abuse, compared with 33 per cent of reported adult-to-child sexual abuse.
- Family members made up 39 per cent of reported abuse by an older child.

Location (Table 4.12)

- Reported child-to-child sexual abuse occurs predominantly in the home (65 per cent).
- Reported child-to-child sexual abuse also occurs in institutions (15 per cent) and in community settings (11 per cent).
- However, compared with reported adult-to-child sexual abuse, reported child-to-child sexual abuse occurs more often in institutions (compare 15 per cent with 3 per cent), and less often in residential locations (compare 65 per cent with 74 per cent).
- Reported peer abuse, in particular, occurs in institutions more than one-quarter of the time.
- More than three-quarters (79 per cent) of incidents involving abuse by an older child occur in the home.

Seriousness of offences (Table 4.13)

- As with adult-to-child sexual abuse, about 60 per cent of reported child-to-child sexual abuse comprises offences that are classified as serious (that is, coded to the more serious ANZSOC category of aggravated sexual assault).
- Another 17 per cent of reported child-to-child sexual abuse comprises offences that are classified as non-aggravated assault.
- Abuse by an older child appears to be a more serious form of child-to-child sexual abuse. Almost three-quarters of all reported cases of abuse by an older child were classified as aggravated sexual assault offences. In all, nine out of 10 reported incidents of abuse by an older child involved physical assault.
- Reported adolescent peer abuse is comparatively less serious in nature – only half of such cases involved offences classified as aggravated sexual assault.

- Another 15 per cent of adolescent peer abuse involved child pornography offences.
- Considerable differences between jurisdictions were noted in the severity of child-to-child incidents reported to police. For example, in Victoria, almost 80 per cent of child-to-child cases involved offences that were classified as aggravated sexual assault, whereas in South Australia, just over half (52 per cent) of reported child-to-child sexual abuse cases involved aggravated sexual assault. In some jurisdictions (New South Wales, Queensland, Western Australia and South Australia), a substantial proportion of child-to-child incidents involve non-assaultive offences (including child pornography).

Finalisations

A national table of finalisation results for child-to-child sexual abuse is not presented, as significant inter-jurisdictional variations in finalisation rates and methods of finalisation were observed (see earlier discussion in Section 4.1). However, looking at the tables for each jurisdiction on child-to-child sexual abuse, it was commonly observed that:

- compared with reported adult-to-child cases, a higher proportion of reported child-to-child cases were finalised within 180 days
- compared with reported adult-to-child cases, the proportion of reported child-to-child cases that were finalised by the initiation of court proceedings was lower. This is partly explained by the existence of juvenile diversionary options operating in each jurisdiction
- owing to small counts for some forms of child-to-child cases, caution should be exercised in interpreting finalisation results for the smaller jurisdictions.

Overall, *abuse by an older child* emerged as a large subcategory of child-to-child sexual abuse, with distinctive characteristics. Compared with other forms of reported child-to-child sexual abuse, reported cases of abuse by an older child were more likely to be male to male (noting that female victims still comprise 70 per cent of cases), occur in the home, be committed by a family member, comprise more serious behaviours (three-quarters comprised offences that were classified as aggravated sexual assault), and be dealt with more seriously by police (that is, they were more likely to proceed to court than all other forms of reported child-to-child sexual abuse).

Adolescent peer abuse, on the other hand, emerged as a subcategory with very different features. Reported cases of adolescent peer sexual abuse were characterised as being predominantly male to female, more likely to occur in institutional settings, comprise less serious behaviours (including pornography offences) and be less likely to proceed to court.

Table 4.9: Demographic characteristics of the victims and offenders of reported child-to-child sexual abuse, all states and territories

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|-----------------------------|----------------|------------------------|-------------|-----------------|----------------------|--|
| Victim | | | | | | |
| Total number | 39,758 | 19,461 | 1,766 | 4,845 | 8,532 | 1,642 |
| Gender | | | | | | |
| Male | 7,913 (20%) | 4,617 (24%) | 406 (23%) | 776 (16%) | 2,602 (30%) | 477 (29%) |
| Female | 29,862 (75%) | 13,120 (67%) | 1,359 (77%) | 4,060 (84%) | 5,909 (69%) | 1,162 (71%) |
| Missing | 1,983 (5%) | 1,724 (9%) | 1 (0%) | 9 (0%) | 21 (0%) | 3 (0%) |
| Age at incident | | | | | | |
| Under 10 | 13,088 (32%) | 6,435 (33%) | 186 (11%) | 0 | 5,505 (65%) | 379 (23%) |
| 10–14 | 15,663 (39%) | 8,053 (41%) | 923 (52%) | 2,620 (54%) | 3,023 (35%) | 942 (57%) |
| 15–17 | 8,789 (22%) | 3,170 (16%) | 657 (37%) | 2,225 (46%) | 0 | 308 (19%) |
| Age at report | | | | | | |
| 0–9 | 7,219 (18%) | 4,609 (24%) | 170 (10%) | 0 | 3,838 (45%) | 339 (21%) |
| 10–14 | 11,811 (30%) | 7,563 (39%) | 868 (49%) | 2,364 (49%) | 2,954 (35%) | 903 (55%) |
| 15–19 | 11,328 (28%) | 4,060 (21%) | 696 (39%) | 2,410 (50%) | 553 (6%) | 350 (21%) |
| 20+ | 7,330 (18%) | 1,447 (7%) | 32 (2%) | 71 (1%) | 1,187 (14%) | 37 (2%) |
| Offender | | | | | | |
| Total number | 39,758 | 19,461 | 1,766 | 4,845 | 8,532 | 1,642 |
| Gender | | | | | | |
| Male | 38,090 (96%) | 16,965 (87%) | 1,535 (87%) | 4,168 (86%) | 7,970 (93%) | 1,500 (91%) |
| Female | 1,589 (4%) | 2,480 (13%) | 231 (13%) | 674 (14%) | 553 (6%) | 141 (9%) |
| Missing | 79 (0%) | 16 (0%) | 0 | 3 (0%) | 9 (0%) | 1 (0%) |
| Age | | | | | | |
| Under 10^a | – | 1,301 (7%) | 186 (11%) | 0 | 382 (4%) | 258 (16%) |
| 10–14 | – | 9,454 (49%) | 923 (52%) | 2,377 (49%) | 4,114 (48%) | 895 (55%) |
| 15–17 | – | 8,699 (45%) | 657 (37%) | 2,468 (51%) | 4,036 (47%) | 485 (30%) |

a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

Table 4.10: Characteristics of association between victim and offender, reported child-to-child sexual abuse, all states and territories

| | Adult-to-child | Child-to-child (total) | Simple Peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---------------------------------|---------------------------|--------------------------|-------------|-----------------|--------------------------|--|
| Age | | | | | | |
| Average age difference | Offender aged 26 or older | Offender aged 3 or older | Same age | Same age | Offender aged 6 or older | Offender aged 1 or older |
| Sex | | | | | | |
| Male offender – male victim | 7,204 (18%) | 3,918 (20%) | 342 (19%) | 557 (11%) | 2,339 (27%) | 432 (26%) |
| Male offender – female victim | 28,493 (73%) | 12,079 (62%) | 1,192 (67%) | 3,603 (74%) | 5,610 (66%) | 1,065 (65%) |
| Female offender – male victim | 701 (2%) | 697 (4%) | 64 (4%) | 219 (5%) | 261 (3%) | 45 (3%) |
| Female offender – female victim | 850 (2%) | 1,028 (5%) | 167 (9%) | 454 (9%) | 292 (3%) | 96 (6%) |
| Missing | 2,510 (6%) | 1,739 (9%) | 1 (0%) | 12 (0%) | 30 (0%) | 4 (0%) |
| Relationship | | | | | | |
| Family | 13,016 (33%) | 4,276 (22%) | 0 | 272 (6%) | 3,298 (39%) | 0 |
| Boyfriend/girlfriend | 1,069 (3%) | 824 (4%) | 145 (8%) | 349 (7%) | 257 (3%) | 0 |
| Other known | 13,479 (34%) | 8,374 (43%) | 1,621 (92%) | 2,612 (54%) | 3,392 (40%) | 1,642 (100%) |
| Stranger | 2,150 (5%) | 562 ^b (3%) | 0 | 189 (4%) | 228 (3%) | 0 |
| Missing | 10,044 (25%) | 5,425 (28%) | 0 | 1,423 (29%) | 1,357 (16%) | 0 |

Table 4.11: Victim–offender age distribution, reported child-to-child sexual abuse, all states and territories

| | | Victim | | | |
|----------|------------------|----------|----------|-----------|----------|
| Age | | 0–4 | 5–9 | 10–14 | 15–17 |
| Offender | 0–9 ^a | 357 (2%) | 773 (4%) | 109 (1%) | 19 (0%) |
| | 10 | 158 (1%) | 357 (2%) | 116 (1%) | 4 (0%) |
| | 11 | 185 (1%) | 427 (2%) | 286 (1%) | 18 (0%) |
| | 12 | 231 (1%) | 655 (3%) | 662 (3%) | 67 (0%) |
| | 13 | 242 (1%) | 760 (4%) | 1225 (6%) | 192 (1%) |
| | 14 | 206 (1%) | 678 (3%) | 1539 (8%) | 357 (2%) |
| | 15 | 153 (1%) | 476 (2%) | 1407 (7%) | 755 (4%) |
| | 16 | 101 (1%) | 338 (2%) | 1335 (7%) | 898 (5%) |
| | 17 | 80 (0%) | 248 (1%) | 1353 (7%) | 863 (4%) |

a) Any child aged under 10 is deemed incapable of committing a criminal act (doli incapax) and should not be considered an offender. Accused children aged under 10 are dealt with by other means (for example, through welfare organisations).

Table 4.12: Location of reported child-to-child sexual abuse, all states and territories

| | Adult-to-child | Child-to-child (total) | Simple peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|----------------------|-----------------|------------------------|--------------|-----------------|----------------------|--|
| Premise type | | | | | | |
| Residential | 29,288 (74%) | 12,638 (65%) | 805 (46%) | 2,387 (49%) | 6,716 (79%) | 0 |
| Institutional | 1,342 (3%) | 2,959 (15%) | 569 (32%) | 1,279 (26%) | 372 (4%) | 1,642 (100%) |
| Community | 4,632 (12%) | 2,135 (11%) | 250 (14%) | 739 (15%) | 727 (9%) | 0 |
| Retail/other | 1,711 (4%) | 437 (2%) | 43 (2%) | 148 (3%) | 180 (2%) | 0 |
| Missing | 2,785 (7%) | 1,292 (7%) | 99 (6%) | 292 (6%) | 537 (6%) | 0 |

Table 4.13: Breakdown of offence type of reported child-to-child sexual abuse compared with reported adult-to-child sexual abuse, all states and territories

| | Adult-to-child | Child-to-child (Total) | Simple Peer | Adolescent peer | Abuse by older child | Child-to-child in institutional settings |
|---|-----------------|------------------------|----------------|-----------------|----------------------|--|
| Sexual assault | | | | | | |
| Aggravated sexual assault | 23,836 (60%) | 11,635 (60%) | 1,073 (61%) | 2,426 (50%) | 6,266 (73%) | 882 (54%) |
| Non-aggravated sexual assault | 8,581 (22%) | 3,374 (17%) | 516 (29%) | 1,066 (22%) | 1,460 (17%) | 633 (39%) |
| Non-assaultive sexual offences | | | | | | |
| Non-assaultive sexual offences against a child | 2,408 (6%) | 529 (3%) | 44 (2%) | 125 (3%) | 263 (3%) | 40 (2%) |
| Child pornography | 2,161 (5%) | 2,698 (14%) | 111 (6%) | 749 (15%) | 102 (1%) | 57 (3%) |
| Non-assaultive sexual offences, nec | 2,745 (7%) | 1,225 (6%) | 22 (1%) | 479 (10%) | 441 (5%) | 30 (2%) |

Note: Information on attempted offences not available nationally

Appendices

Appendix A: Example data specification

| DEFINITIONS | |
|--|---|
| Study_period | 1 January 2010 – 31 December 2014 |
| Child sexual abuse | Where the nature of the incident can be classified as falling into ANZSOC Division 3 AND victim_age at time of incident <18 years of age |
| Start_date | Commit date OR report date OR recorded date |
| End_date | result date OR charge date |
| SELECTION CRITERIA | |
| Eligible incidents (main selection criteria) | Select all incidents recorded by police where Incident = child sexual abuse and (Start_date within study_period OR End_date within study_period) |
| <i>ANZSOC = Australian and New Zealand Standard Offence Classification (Australian Bureau of Statistics cat no 1234.0)</i> | |
| RECORDS AND VARIABLES OF INTEREST | |
| Initial report/notification details | <p><i>For each eligible incident, provide the following variables:</i></p> <ul style="list-style-type: none"> • unique_incident_ID • notification_date and/or reporting_date • recording_date (if different to reporting_date) • indicator flag – victim does not wish to proceed flag • reporting locality and postcode • reporting station (as well as division, unit, etc.) • date that the crime investigation unit was notified • date that the incident was assigned to an investigator |
| Additional incident details | <p><i>For each eligible incident, provide the following variables:</i></p> <ul style="list-style-type: none"> • unique_incident_ID • incident_date(s) • incident_location or premise_type e.g., dwelling, park, etc. • incident_locality (suburb and postcode) |
| Offence details | <p><i>A record for each offence associated with the eligible incident.</i></p> <p><i>For each offence, provide the following variables:</i></p> <ul style="list-style-type: none"> • unique_incident_ID |

| | |
|---|--|
| | <ul style="list-style-type: none"> • unique_offence_ID • offence description • offence ANZSOC |
| Victim details | <p><i>A record for each victim associated with the eligible incident.</i></p> <p><i>For each victim, provide the following variables:</i></p> <ul style="list-style-type: none"> • unique_incident_ID • unique_victim_ID <ul style="list-style-type: none"> • gender • Indigenous status • date of birth (or age_at_report) • relationship to suspect/offender |
| Suspect/person of interest details | <p><i>If there is a recorded suspect or person of interest (POI) for this incident, then supply a record for each suspect or person of interest associated with each eligible incident.</i></p> <p><i>For each offender, provide the following variables:</i></p> <ul style="list-style-type: none"> • unique_incident_ID • unique_POI_ID • Gender • Indigenous status • DoB or age_at_report • date that POI details first entered (system create_date, if available) • Person status (offender, suspect, assisting inquiry, etc.) |
| Offender details | <p><i>If there is a charged or processed offender for this incident, then supply a record for each offender associated with each eligible incident.</i></p> <p><i>For each offender, provide the following variables:</i></p> <ul style="list-style-type: none"> • unique_incident_ID • unique_offender_ID • gender • Indigenous status • date of birth or age_at_report • date that offender details were first entered (system create_date, if available) • Person status (offender, suspect or assisting inquiry) |
| Final outcome details | <p><i>If there are recorded outcomes for this incident, then supply the following records:</i></p> <p><i>Incident-based outcomes (if they exist):</i></p> <ul style="list-style-type: none"> • unique_incident_ID <ul style="list-style-type: none"> • incident cleared or not (Y/N) • clearance_date • clearance_method <p><i>Offence-based outcomes (if they exist):</i></p> |

| | |
|--|---|
| | <ul style="list-style-type: none"> • unique_incident_ID <ul style="list-style-type: none"> • unique_offence_ID • offence_finalised or not (Y/N) • date finalised • finalisation_method <p><i>Offender-based outcomes (if they exist):</i></p> <ul style="list-style-type: none"> • unique_incident_ID <ul style="list-style-type: none"> • unique_offender_ID • date_of_processing • processing_type (e.g. charged, referred, summons, not proceeded with; rationale) • processing unit |
| <p>Significant action details</p> | <p><i>Actions occur during the course of assessment and investigation. Please supply a record of any key actions – as per list below.</i></p> <ul style="list-style-type: none"> • investigation start date • result date • charging date • division or unit performing the action; charging unit available • result of action (if exists in a coded form) |

Appendix B: Classification and coding systems used in the report

VICTIM_AGE_GRP_ABS

```
value ageabsfmt
0-4 = '0-4'
5-9 = '5-9'
10-14 = '10-14'
15-19 = '15-19'
20-24 = '20-24'
25-29 = '25-29'
30-34 = '30-34'
35-39 = '35-39'
40-44 = '40-44'
45-49 = '45-49'
50-54 = '50-54'
55-59 = '55-59'
60-64 = '60-64'
65-69 = '65-69'
70-HIGH = '70 & over'
```

OFFENDER_AGE_GRP

```
value RCagefmt
0-17 = '<18'
18-34 = '18-34'
35-HIGH = '35+'
OTHER = 'Unknown'
```

OFFENCE GROUPINGS (ANZSOC Division, Subdivision and Groups)

```
value asoc_grp_fmt
311 = 'Agg sex assault'
312 = 'Non-agg sex assault'
320 = 'Non-assaultive'
321 = 'Non-assaultive child'
322 = 'Child porn'
323 = 'Sex servitude'
329 = 'Non-assaultive, nec'
OTHER = 'Uncoded'
```

```
value asoc_subdiv_fmt
31 = 'Sexual assault'
32 = 'Non-assaultive'
OTHER = 'Uncoded'
```

VICTIM-OFFENDER RELATIONSHIP CATEGORIES

Standard victim-offender relationship categories were:

- 1 = Familial/spouse
- 2 = Boyfriend/girlfriend
- 3 = Other known
- 4 = Stranger

Mappings of individual jurisdictional victim-offender relationship types to each of these categories was undertaken.

Additional victim-offender relationship definitions included child-to-child and peer relationships. The syntax for these is provided below:

CHILD-TO-CHILD

```
/* child-to-child abuse = where both victim and offender both <18 */
if ofnd_age_at_incident = . then child_on_child = 9
else if ofnd_age_at_incident <18 then child_on_child = 1
else if ofnd_age_at_incident >=18 then child_on_child = 0
```

ADOLESCENT_PEER

```
/* added additional defn of simple_peer after RC meeting of 3/12/2015:
adolescent peer reln = either victim or offender is aged 13 years or over and
age_difference between them is <2 years) */

if (child_on_child = 1) and (v_age_at_incident >12 or ofnd_age_at_incident >12) and
(abs(v_age_at_incident - ofnd_age_at_incident) <2.0) then
adol_peer = 1

else adol_peer = 0
```

SIMPLE_PEER

```
/* peer-to-peer relationships = same age and known to each other */
if (child_on_child = 1) and
(abs(v_age_at_incident - ofnd_age_at_incident) <1.0) and
(vor = 2 or vor = 3) then simple_peer = 1
else simple_peer = 0
```

PREMISE_TYPE

The location of offences (premise types) were coded to identify potential instances of institutional child sexual abuse (ICSA). Premises were grouped into the following four categories, consistent with Australian Bureau of Statistics (ABS) classifications [1]:

- institutional settings (if/where this could be identified from the relevant data) – educational, religious, corrections, etc.
- residential: dwelling – private; dwelling – non-private; outbuilding/residential land
- community: transport; terminal; conveyance in transit; car park; other transport; open space; street/footpath; other community location
- retail/other: administrative/professional; retail; service station; other retail; recreational; other.

Mappings of individual jurisdictional locations/premise types to each of these categories was undertaken.

INSTITUTIONAL CHILD SEXUAL ABUSE (ICSA)

Institutional child sexual abuse (ICSA) was identified using four proxy measures. The syntax for these is provided below:

```
/* ICSA definition 1: if abuse is extrafamilial (other known) i.e. vor = 3 */
if (vor = 3) then
icsa_1 = 1
else icsa_1 = 0
/* ICSA definition 2: if abuse occurs in an institution */
if (premise_type = 1) then
icsa_2 = 1
else icsa_2 = 0
/* ICSA definition 3: if abuse occurs in an institution and is extrafamilial (other
known) i.e. vor = 3 */
if (premise_type = 1) and (vor = 3) then
icsa_3 = 1
else icsa_3 = 0
/* ICSA definition 4: if abuse occurs in an institution and is extrafamilial (other
known) i.e. vor = 3 and it's not child-to-child */
if (premise_type = 1) and (vor = 3) and (child_on_child = 0) then
icsa_4 = 1
else icsa_4 = 0
```


VICTIM UNWILLINGNESS TO PROCEED WITH AN INVESTIGATION

| Jurisdiction | Condition (if condition met, then unwilling = 1 else unwilling = 0) |
|--------------|--|
| NSW | Reason_nfi = 'Victim/person reporting declines police' OR reason_nfa = 'Victim/family/carer unwilling' |
| Vic | Clearance_method = 'complaint withdrawn' or processing_type = 'complaint withdrawn' |
| Qld | Offence_solved_status = 'withdrawn' |
| WA | Result_description = 'withdrawn' |
| SA | Clear-up_status_description = 'no further action' |
| Tas | Offence_status = 'withdrawn' |
| ACT | Cleared = 'charge withdrawn' or cleared = 'complaint withdrawn by victim' |
| NT | Offence_cleared_by = 'complaint withdrawn' OR offence_cleared_by = 'no complaint forthcoming' |

Appendix C: Case status – finalisation or clear-up?

There is some ambiguity in the meaning of ‘clear-up’ and broader definitions have been applied. For example, Goh and Moffatt [14] define a cleared criminal incident as one which, in the view of police, has ‘been satisfactorily cleared by the commencement of legal proceedings *or otherwise* ... A criminal incident is cleared other than by commencement of legal proceedings when, under normal circumstances, a charge or information would have been laid against at least one person but, for a variety of reasons, police have been unable to make an arrest.’ (Italics added.)

Fitzgerald [6] also applied a broader definition to the term in her examination of the attrition of sexual offences from the New South Wales criminal justice system. A cleared criminal incident was defined as ‘one that the police are no longer investigating, either because they have commenced criminal proceedings against a suspect *or for another reason, such as withdrawal of the complaint.*’ (Italics added.)

Differences in the definition of what constitutes a ‘cleared’ crime have been noted by others. In a 2008 examination of changes in the clear-up rates of New South Wales sexual assaults, O’Brien and colleagues [15] noted that ‘in some circumstances, however, [police] record a case as having been cleared even if no proceedings are initiated (for example, when the victim requests no action on the part of police). It is possible that the circumstances in which police are willing to record an incident as “cleared” have changed in a way that reduces the proportion cleared.’

Statistical organisations such as the Australian Bureau of Statistics (ABS) have avoided issues relating to the meaning of ‘clear-up’ by introducing and using an alternative notion – finalisations [1]. Following an investigation, a crime may be finalised in one of three ways:

- *Investigation finalised – no offender proceeded against.* Cases where the investigation was finalised but no action was taken against the offender, either due to the circumstances of the alleged offender or because the offence could not be verified. These cases are unlikely to be reopened.
- *Investigation finalised – offender proceeded against.* Cases where the investigation was finalised with action taken against the offender(s), by initiating either court or non-court proceedings.
- *Investigation not finalised.* Cases where the investigation was not finalised and no offender had been proceeded against at the time of recording the outcome. This includes cases where the investigation is ongoing or pending/suspended.

For the purposes of this report, we adopted a modified version of the ABS classification. Incidents reported to police were classified as either *finalised* or *unfinalised (finalisation status)*. For incidents that were finalised, we further identified a *finalisation method*. We distinguished between cases where an offender was charged (thus initiating court proceedings) and those where an offender was processed via other legal options (for example, formal juvenile

cautioning). Cases that were no longer being investigated by police and where an offender was unlikely to be processed (for example, offender deceased or underage) were classified separately. Cases that were no longer being actively investigated but which might be reopened at a later date (for example, cases finalised because of insufficient evidence) were classified as Finalised – unresolved.⁴⁴ The table below describes the categories used.

Table C.1 Finalisation groupings

| Finalisation groupings | Description |
|--|--|
| Court | Investigation has been finalised by an <i>offender(s) being charged (that is, initiation of court proceedings against the offender)</i> . Incidents with an investigative outcome such as ‘arrest’, ‘summons’ or ‘court attendance notice (CAN)’ are included in this category. |
| Other proceedings against offender | Investigation has been finalised by an <i>offender(s) being processed via other non-court options</i> . Incidents with an investigative outcome such as ‘formal caution’, ‘juvenile (written)’, ‘referred to juvenile justice teams (JJT)’, ‘community conference’, ‘infringement notice issued’, and ‘offender dealt with by another agency’ are included in this category. |
| Resolved – No action against offender | Investigation has been finalised but no action has been taken against the offender, either due to the circumstances of the alleged offender(s), because the offence could not be verified or the complaint was withdrawn. <i>These cases are unable to proceed and are unlikely to be reopened</i> . Examples include ‘offender deceased’, ‘juvenile victim offence not disclosed at interview’, ‘juvenile victim offences cannot be particularised’, ‘juvenile victim too young without corroboration’, ‘lapsed’, ‘offender bar to prosecution’, ‘offender not in public interest’. |
| Unresolved | Investigation has ceased; however, the case may be reopened at a later date. Examples include ‘insufficient evidence’, ‘no further action (unspecified detail)’ |

⁴⁴ Note that this classification differs from the ABS National Crime Recording Standard. The standard classifies cases with an outcome of ‘insufficient evidence’ as ‘unfinalised’; however, we have placed them in the ‘finalised – unresolved’ category.

Appendix D: Extended analysis – serious sexual assault cases only

As a way of controlling or adjusting for inter-jurisdictional differences that may be due to differences in the severity of cases of child sexual abuse reported to and investigated by police, we undertook a separate analysis of reported cases of child sexual abuse involving ‘serious’ offences only. Seriousness here refers to the classification of the offences and not the severity or impact of the abuse on the victim. Serious offences were defined as those that fell within the ABS ANZSOC category of sexual assault (ANZSOC Subdivision 031). Any case that involved non-assaultive offences (as defined by ANZSOC Subdivision 032) were excluded. Case characteristics and finalisation outcomes were examined. Table D.1 presents the number of serious cases of child sexual abuse for each jurisdiction (excluding any cases involving non-assaultive offences). A summary of finalisation statistics (that is, the number and proportion finalised within 180 days; method of finalisation; and median days to finalisation) is also presented.

Table D.1 Reported serious child sexual abuse cases (excludes cases involving non-assaultive offences), in 2010–14, all jurisdictions

| | NSW | Vic | Qld | WA | SA | WA | Tas | ACT | NT |
|---|-----------------|----------------|-----------------|----------------|----------------|----------------|--------------|--------------|--------------|
| Number of serious sexual assaults | 31,822 | 16,266 | 20,063 | 4,477 | 4,174 | 4,477 | 592 | 997 | 948 |
| Number of sexual assaults finalised in 180 days (percentage) | 24,621 (77%) | 9,561 (59%) | 11,658 (58%) | 1,232 (28%) | 3,272 (78%) | 1,232 (28%) | 438 (74%) | 783 (79%) | 670 (71%) |
| Median time to finalisation | 40 | 83 | 18 | 66 | 28 | 66 | 29.5 | 15 | 29 |
| Finalisation method | | | | | | | | | |
| Court | 5689 (18%) | 6790 (42%) | 4958 (25%) | 1,545 (35%) | 2,013 (48%) | 1,545 (35%) | 385 (65%) | 148 (15%) | 379 (40%) |
| Other process | 678 (2%) | 252 (2%) | 2282 (11%) | 160 (4%) | 34 (1%) | 160 (4%) | 24 (4%) | 354 (36%) | 38 (4%) |
| Resolved/no action | 16802 (53%) | 4180 (26%) | 9976 (50%) | 2,212 (49%) | 959 (23%) | 2,212 (49%) | 53 (9%) | 209 (21%) | 130 (14%) |
| Unresolved | 8652 (27%) | 5044 (31%) | 2847 (14%) | 560 (13%) | 1168 (28%) | 560 (13%) | 130 (22%) | 286 (29%) | 401 (42%) |
| Median time to finalisation | | | | | | | | | |
| Court | 58 | 93 | 14 | 66 | 13 | 66 | 10 | 38 | 18 |
| Other process | 43 | 150 | 10 | 86 | 37.5 | 86 | 7 | 15 | 44.5 |
| Resolved/no action | 34 | 7 | 25 | 8 | 26 | 8 | 65 | 14 | 32.5 |
| Unresolved | 51 | 210 | 26 | - | 75.5 | - | 147 | 15 | 53 |

As one would expect, the table shows reduced counts of serious cases of child sexual abuse for each state and territory. However, the proportion finalised within 180 days and the median time to finalisation for each jurisdiction do not vary substantially from previous figures (which

included non-assaultive offences). Notwithstanding a small increase in the proportion of cases finalised through court proceedings (and a corresponding fall in the proportion of cases that were unresolved), inter-jurisdictional differences in finalisation outcomes for serious cases of child sexual abuse were still evident. This suggests that differences in the severity of cases investigated by police do not play a large part in explaining inter-jurisdictional differences in case outcomes.

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