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**PROFILING AUSTRALIAN JUVENILE SEX OFFENDERS:
OFFENDERS AND OFFENCE CHARACTERISTICS**



**COLLABORATIVE
RESEARCH UNIT**

**PROFILING AUSTRALIAN JUVENILE SEX OFFENDERS: OFFENDER AND OFFENCE
CHARACTERISTICS**

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Affiliated Organizations of the Collaborative Research Unit

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St James Centre for Ethics

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Collaborative Research Unit

The Collaborative Research Unit (CRU) is a Department of Juvenile Justice initiative arising from the Burdekin Report into the Rights of the Mentally Ill. The unit is run in collaboration with major universities and research institutions in New South Wales.

The establishment of the unit underscores the importance of researching the impact of various sentencing options on violent and sexual offending. In so doing, it accords with the recommendations of the report of the NSW Legislative Council Standing Committee on Social Issues into Youth Violence.

The primary objectives of the CRU are:

- to foster the development of a body of knowledge about clinical service programs for young offenders that is informed by current research findings;
- to promote services based on these findings that are culturally appropriate for the Australian client population; and
- to evaluate and modify such programs in the light of the ongoing research findings.

These objectives are operationalised through the CRU Steering Committee whose membership consists of two departmental representatives and senior academics from twelve major universities and research institutions in New South Wales. Members of the Committee and departmental staff (the Department employs a research psychologist) work in partnership to research the area of adolescent offending.

The Department of Juvenile Justice currently runs a series of eight specialist clinical programs for young offenders whose offending behaviour is located towards the more serious end of the offending continuum. These programs consist of the Sex Offender Program, the Violent Offender Program, the Forensic (Assessment) Program, the Alcohol and Other Drugs Program, the Detention Centre Based Psychological Program, the Young Women in Custody Program, the Robinson Program (for boys under 16 who become very difficult to manage while in detention), and community based counseling program called the Intensive Programs Units. Data gathering, program monitoring and evaluating these programs constitutes the core of the CRU research agenda. Other research, which informs the provision of clinical services to young offenders, goes to make up the remainder of the agenda.

The CRU, through its association with various universities, also provides research opportunities for postgraduate students both from Australia and overseas, who are interested in the area of adolescent offending. The CRU constitutes the professional resource centre for the department. It is the site of the professional development program for psychologists and counsellors, it maintains the clinical library and its staff assist in research and resource inquiries from both within the department and from outside.

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Abstract

All of the available studies describing the demographic and offence characteristics of juvenile sex offenders have been derived from studies conducted outside Australia. Consequently, it remains to be established whether Australian samples are comparable to their overseas counterparts with respect to these characteristics. Accordingly, this study evaluated a series of pre-sentence reports with the aim of identifying relevant characteristics of juvenile sex offenders.

The contents of 70 reports representing juvenile sex offenders in contact with the New South Wales Juvenile Justice Department for the period 1996 to 1998 were analysed according to a structured protocol developed by the authors. The protocol assessed demographic and offence characteristics of offenders. All offenders were male. The majority were Anglo-Celtic but twenty percent were Aboriginal, Pacific Islander or Asian. Indecent assault and aggravated indecent assault were the most common offences, generally perpetrated against a single victim. Forty-three percent of the sample had committed the same offence on a prior occasion and therefore almost half of the young sex offenders involved in this study were recidivists. One fifth of the offenders in the current study had also committed a non-sexual offence prior to or during the commission of the sexual offence. Methodological issues, particularly related to the under-estimation of the frequency and seriousness of offending, are discussed. Comparisons of the current sample to those reported in overseas research and the legal implications are described. Finally, suggestions are made for improving the reporting format to ensure the collection of accurate and detailed information on juvenile sex offenders in future research.

Introduction

This study represents the first Australian research describing demographic and offence characteristics of a cohort of convicted juvenile sex offenders in New South Wales (NSW), Australia. Retrospective data from adult sex offenders indicates that many offenders began their offending behaviour in early adolescence or late childhood (Borduin, Henggeler, Blaske, & Stein, 1990; Brannon & Troyer, 1995; Davis & Leitenberg, 1987; McConaghy, Blaszczyński, Armstrong & Kidson, 1989; Ryan, Miyoshi, Metzner, Krugman, & Fryer, 1996). Without treatment, many adolescents who offend sexually will continue to do so in adulthood. Sexual offenders are usually multiple offenders so a large number of victims will be affected by a single perpetrator. Further, the nature of the offending becomes more serious and harmful over time (Borduin et al, 1990; Groth, Longo, & McFadin 1982; Lab, Shields & Schondel, 1993). Therefore, early identification and treatment of juvenile sexual offenders is of the utmost importance.

Adult sexual offenders are a heterogeneous group, who may be from any race, socio-economic group, religion and location (Blackburn, 1995; Ryan, 1997). Research on the demographic characteristics of juvenile sex offenders suggests that they are also a heterogeneous group of young people (Awad & Saunders, 1989; Davis & Leitenberg, 1987; Hsu & Starzynski, 1990). However, this research refers to samples of juvenile sex offenders outside of Australia, namely, in America and the United Kingdom. At present, it is still unclear whether the Australian sample of juvenile sex offenders is comparable to those studied overseas.

It is important to investigate whether the adolescent sexual offenders in Australia are different from those in other locations, as the framework within which we adjudicate and offer treatment to these young people needs to be contingent upon their characteristics. For example, it is currently unknown the extent to which Aboriginal youth make up the population of adolescent sex offenders in this country and how their needs differ from other groups who may be represented. The present study represents a first attempt to examine the demographic and offence characteristics of juvenile sex offenders in New South Wales, Australia.

Methodology

Seventy pre-sentence reports written by NSW Department of Juvenile Justice Sex Offender Program (SOP) counsellors between January 1996 and January 1998 formed the primary data source for this study. These reports are provided to assist magistrates to deal with juveniles presenting before the Courts on criminal charges of a sexual nature. The selection of reports was limited to this period because substantial changes were made to the report format and content prior to this period as a result of a series of departmental reviews. Reports were drawn from all 20 Juvenile Justice Community Services centres in New South Wales where SOP counsellors are located. Data contained in the reports for each offender were coded according to a structured protocol developed by the senior author in collaboration with the co-authors. The major coding categories were considered of theoretical and/or clinical significance and covered detailed demographic information, offence characteristics, family background, education and/or employment history, psychosexual development.

Only data pertaining to demographic and offence characteristics will be presented in this paper. Data reporting on developmental and family history characteristics can be found in Kenny, Seidler, Blaszczyński, & Keogh (1999).

Reports were coded and evaluated by an experienced research psychologist (second author) from the Department of Juvenile Justice. The coding task required the categorical rating of the presence or specific characteristics contained in the report. To ensure reliability of analysis, 30 reports were randomly selected, coded independently by two raters and inter-rater reliability using Cronbach's alpha was calculated at .85. The second author (KS) subsequently coded all remaining reports.

Information contained in the counsellors' reports was drawn from multiple sources, including the offender (98.6%), his mother (71.4%), police reports (60.0%), court depositions (58.6%), and his father (45.7%). Additional sources included school personnel/school records (33.0%), psychologist/psychiatrist (23.0%), and the Department of Community Services (19.0%). The majority of reports (n=62; 88.6%) included data derived from three to six informant sources. Four reports (5.7%) had fewer than three, and four greater than six, informants.

Results

Demographics

The mean age of the all male sample of 70 was 15.67 years (SD=1.53 years; mode=16.0 years; range 13-21 years). Although 50 profiles were not coded for ethnicity, eight (11.5%) were known to be aboriginal, three (4.3%) Pacific Islanders, and three (4.3%) Asian. It is assumed that those not coded were of Anglo-Celtic origin, but this will need to be verified in subsequent studies.

Offence Characteristics

The sample was charged with 138 sexual offences. (Note: the number of offences was determined by the current charges described in the index report). Forty young people (57.1%) were charged with one sexual offence, while the remaining 30 (42.8%) were charged with between two and seven offences. Table 1 provides frequencies and percentages of charges for all offences for single and multiple offenders and for the total group. For both single and multiple offenders, indecent assault and aggravated indecent assault were the most common offences. There was a non-significant trend for single offenders to be less likely to be charged with the offence of sexual intercourse involving a child less than 10 years of age, or of aggravated sexual assault.

In 57 (81.4%) cases, charges related to offences against one victim. For the remaining 13 (18.6%) cases, eight involved two victims, and one each involved three and four victims. In over half (59.0%) the total number of cases, victims were found to be younger than the offenders, and in 13.0% and 7.0%, the same age or older respectively.

In the total sample, there were 30 (21.7%) offences involving incest, all of which were committed in the family home. This is in contrast to the other offences of which 29.0% were committed in the victim's, and 10 (7.3%) in the offender's, home. There were 19 (13.9%) cases of offences categorised as situational or opportunistic that occurred in locations other than the victim's or offender's home.

Table 1: Types and Frequencies of Sex Offences Committed by Juveniles Charged with Single and Multiple Sex Offences

Type of Sexual Assault	Offenders charged with one offence (n=40)		Offenders charged with multiple offences (n=30)		Total (n=70)	
	Number	%	Number	%	Number	%
Indecent Assault	9	22.5	29	29.59	38	27.55
Aggravated Indecent Assault	10	25	17	17.35	27	19.58
Sexual Intercourse with a child <10	2	5	16	16.33	18	13.04
Aggravated Sexual Assault	3	7.5	13	13.27	16	11.59
Act of Indecency to a child <10	2	5	7	7.14	9	6.53
Obscene Exposure	3	7.5	3	3.06	6	4.35
Sexual Intercourse with a person 10-16	3	7.5	2	2.04	5	3.62
Aggravated Sexual Assault with person 10-16			3	3.06	3	2.16
Sexual Intercourse without Consent	1	2.5			1	.72
Aggravated Sexual Assault with child <10	1	2.5			1	.72
Act of Indecency to a person 10-16	1	2.5			1	.72
Stalking/ Intimidation with intent to cause fear			1	1.02	1	.72
Unknown	1	2.5			1	.72
Sex Offences – Other	4	10	7	7.14	11	7.98
Total	40	100	98	100	138	100

Of the 130 sexual offences for which data were available, 47 (36.1%) involved full sexual intercourse. Sixty-one (46.9%) were described as hands-on but without penetration. There were 10 (7.7%) reports of oral sex, three (2.3%) episodes of penetration with a foreign object, and nine (6.9%) reports of voyeurism.

The nature of the coercive force used in the offence could be ascertained for 71 offences. Of these, a serious level of coercive threat was used in 23.9% instances; a subset involved physical coercion, including the use of a knife (4.2%), a gun (2.8%) or a blunt implement (1.4%). The presence of verbal threats occurred in 22.5%, with no apparent coercion in the remaining 53.5% offences.

The reports commented on the presence of cognitive and perceptual distortions associated with the commission of the offence. Distortions were classified into the following categories: a misunderstanding of the meaning of social and offending behaviours, for example, misinterpreting friendliness as a sexual invitation; the perception of the self as victim; limited capacity for empathy; deviant fantasies; and overwhelming impulses related to sexual impulses, thrill seeking, risk taking, and relief of negative internal states. These variables were ranked on a five point Likert scale using the following anchor points; 1=not at all present; 5=distortion, fantasy, or impulse a major feature. A rank score of four or five qualified the attribute as a major feature in the offending behaviour.

Perceptual and cognitive distortions were a major feature in half (53.0%) of the offences, with a further 34.0% obtaining a scale score of three. Deviant sexual fantasies were a major feature in 38.0% of cases, with a further 41.0% obtaining a score of three. Overwhelming impulses were found to be a major feature in 13.0%, with a further 34.0% of cases obtaining a score of three.

The extent of denial in the young person's account of his offence was assessed in five areas; motivation, sexual behaviour, planning, feelings, and past offences. These were coded on a five point Likert scale (1=Total denial, 3=Partial admission, 5=Full admission). Table 2 indicates the overall level of denial apparent in the offence, and Table 3 indicates the nature of the denial.

Table 2: Degree to Which Denial was Present in the Young Person's Account of his Offence

Level of Denial	Number	%
1. Total Denial	9	12.9
2. Mostly Denied	21	30
3. Partial denial/ admission	25	35.7
4. Mostly admitted	13	18.6
5. Full admission	2	2.9

n=70

Table 3: Frequencies and percentages of areas in which denial occurred

Area of Denial	*Number	%Sample
Feelings	62	88.6
Motivation	59	84.3
Planning	54	77.1
Sexual Behaviour	30	42.9
Past Offences	7	10.0
Use of a Weapon	1	1.4

*Multiple response data n=70

The motivation or precipitant described in the assessment reports by counsellors as the main factor leading to the offence was investigated. Of the 114 sexual offences for which such information was available, poor conflict resolution was cited most often (n=39; 34.2%), followed by misogyny/sadism (n=17; 14.9%), alcohol (n=12; 10.5%), anger/rage (n=11; 9.6%), and isolation (n=7; 6.1%). Other precipitants identified included sexual exploration/curiosity, cognitive distortions, unresolved issues related to sexual abuse, deviant sexual arousal and peer pressure.

Thirty juveniles (43.0%) had previously committed a similar offence to the one recorded in the index report. Of these, nine (13.0%) had been previously charged with the offence, with three (4.0%) of these receiving a custodial sentence. A similar proportion of juveniles, ten (14.0%), received a custodial sentence for non-sexual offences.

Fifteen juveniles (21.4%) had committed other non-sexual offences either previously to, or concurrently with, the sexual offence listed in the index report. Table 4 displays the frequencies and percentages of all non-sexual charges for single and multiple sex offenders and for the total group. Of the 39 related offences committed, the sample of eight single sex offenders accounted for nine (23.1%), and the seven multiple sex offenders accounted for 30 (76.9%) of the related offences.

Table 4: Types and Frequencies of Related (Non-Sexual) Offences Committed by Juveniles Charged with Single and Multiple Sex Offences

Type of Related Offence	Offenders charged with one offence (n=8)		Offenders charged with multiple offences (n=7)		Total (n=70)	
	Number	%	Number	%	Number	%
Common assault			9	30	9	23.0
					8	
Break, enter and steal/break, enter	1	11	5	16.6	6	15.3
					8	
Assault occasioning actual bodily harm	2	22	2	6.7	4	10.2
					6	
Assault other			2	6.7	2	5.13
Kidnap / abduct			1	3.3	1	2.56
Other	6	67	11	36.7	17	43.5
					9	
Total	9	100	30	100	39	100

Discussion

The juvenile sex offender profile that has emerged from this study concurs in the essential elements with profiles developed in other countries. However, differences were also apparent. Each of the major findings will be summarised, followed by brief discussion of how these findings fit with the results of other studies.

In this study, all of the sexual offenders sampled in NSW were male, with an average age of 15.7 years. The majority were Anglo-Celtic, although one fifth of the sample were Aboriginal, or from other minority groups, such as Pacific Islander and Asian. Profiles developed in overseas studies indicate that the majority (91-93%) of juvenile sex offenders are males with a modal age of first offence of 14 years (Becker & Kaplan, 1993; Richardson, Graham, Bhate, & Kelly, 1995). They are likely to be Caucasian (Ryan, 1997), but a number of American (Hsu & Starzynski, 1990) and Australian studies (Atkinson, 1990a, 1990b; Muirhead, 1988) have found a higher prevalence, arrest and conviction rate among minority youths (Davis & Leitenberg, 1987). In the present study, 20% of the sample were known to be Aboriginal, Asian, or Pacific Islander, supporting previous studies that have reported an over-representation of minority groups among apprehended juvenile sex offenders. However, whilst it is established that minority groups and, within Australia in particular, aboriginal youth are over-represented in the arrest and conviction rates for offending in general, this trend has not been previously examined with respect to sexual offending. It should be noted that information on ethnicity was not available for 51 out of 70 cases. This is likely to be the result of Court report writing practices. A pre-sentence report within the Sex Offender Program, such as the reports utilised in this research, are written following a young person having been found guilty of a sexual

offence; that is, after the young person has already appeared before the Court and/or gone to trial for their offences. This means that by the time the pre-sentence report is tabled before the Court, various other documentation has also already been tabled. It is therefore assumed that demographic details and information regarding their offending behaviours are already known to the Court. Information such as ethnicity is often not explicitly stated in a Sex Offender Program pre-sentence report unless it is of particular significance to the offending behaviour. We have assumed the young person to be Anglo-Celtic if ethnicity was not specifically stated. Consequently, collection of further data on the demographic characteristics of adolescent sexual offenders in this country is warranted.

Just over half of the group had been charged with one offence, most commonly indecent assault or aggravated indecent assault, that was perpetrated on one victim. There was no apparent coercion in the majority of offences and over one-third of the offences involved full penetrative intercourse. Frequency of penile penetration (36%) was lower than the 60% quoted elsewhere (Ryan, 1997). Forty-three percent of the sample had committed the same offence on a prior occasion and therefore almost half of the young sex offenders involved in this study were recidivists. One fifth of the offenders in the current study had also committed a non-sexual offence prior to or during the commission of the sexual offence. The most common offences committed by this sample were indecent assault and aggravated indecent assault. The preponderance of indecent assaults in the offence statistics may be the result of negotiation to avoid being charged with the more serious offences of aggravated sexual assault or sexual intercourse without consent. In any case, the result is that the more serious offences are often under-estimated in any statistics on offending.

Consistent with other findings (Fehrenbach, Smith, Monastersky, & Deisher, 1986) is the frequent co-occurrence of non-sexual and sexual offences. Although our sample was also more likely than other studies (Ryan, 1997; Ryan, Miyoshi, Metzner, Krugman, & Fryer, 1996) to have a previous conviction for sexual assault, reports of past non-sexual offences were higher in other studies. For example, in one study, 30% - 40% had been convicted of non-sexual delinquent behaviour prior to the current sexual offence (Fehrenbach, et al, 1986), compared to 21% in this study. It is likely, however, that this proportion under-represents the true extent of non-sexual offending as perpetrated by the adolescent sexual offenders in this sample. This is due to variations in reporting, rates of conviction, and the reluctance of authorities to prosecute younger adolescents and children.

No apparent coercion was present in the majority of sexual offences perpetrated by this sample. However, pre-sentence reports may omit such information especially if it is detailed in the Police facts, record of interviews, or victim statements that are all provided to the Court when a young person is charged. Therefore, it cannot be concluded that the absence of documented coercion in the majority of reports assessed for this study indicates that coercion did not occur. Further, the type of coercion exercised by offenders over their victims may be subtle, and unlikely to be reported in victim statements as coercion. When offences are perpetrated on child victims, overt physical force is often not required for victim submission. Coercion can take the form of 'grooming' behaviours designed to gain the trust of the victim.

Over half of the cases in the present study showed significant evidence of perceptual and cognitive distortions related to their offending. Some were influenced by deviant sexual interests and a proportion had claimed that their offending was the result of an overwhelming urge or impulse. This is a common explanation given by offenders for their abusive behaviour (Salter, 1988). Consistent with previous research (Bumby, 1996), the majority of offenders either mostly or partly denied aspects of their offending behaviour and this denial was mostly associated with the offender's feelings, motivation for, and planning of the offence. Over half of the sample also denied some aspect of the sexual behaviour involved in the offence. Poor conflict resolution, and related to issues such as unresolved victimisation experiences, were the most frequently cited motivations for offending. There is often guilt and shame associated with offender's motivations for abuse and many offenders may also have the perception that they will be regarded as 'sick' or 'crazy' by others if they disclose their true thoughts about or motivations for their offending. Further, motivations are very difficult to ascertain in discussions with offenders, especially at the pre-sentencing stage in the Court process. At this stage, offenders are often seeking to minimise the extent of their deviancy in order to obtain a reduced sentence. They may be afraid of the process and what could happen to them if incarcerated. Further, they are often subject to repeated interviewing by professionals they do not know or trust. These factors make it difficult for offenders to self-disclose openly and honestly. Only the primary motivation was coded in this study. As a result, some of the intricacies and details of the motivations that contributed to the offending of these adolescents may not have been captured in the present study. This is an area for further research.

This study should be replicated in the other states of Australia to determine whether the offence and offender characteristics reported for this New South Wales cohort are representative of all juvenile sex offenders nationally.

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