

# Contributory factors to child on child sexual abuse: Perceptions of diverted female youth sex offenders

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The purpose of this article is to focus on the contributory factors to child on child sexual abuse with specific emphasis on the perceptions of diverted female youth sex offenders regarding the factors that contributed to their offending. A comprehensive literature review indicated that there is a dearth of research focusing on female youth sex offenders and even less is known about the perceptions of female youth sex offenders regarding the factors that contributed to their offending. The empirical findings of a recent study conducted by Da Costa (2014) confirmed that female youth sex offenders are of the opinion that certain problems within their families possibly contributed to their offending behaviour. Some of these characteristics include factors such as divorce, poor parenting skills, domestic violence, substance abuse and lack of basic care and safety, just to mention a few. In order to curb female youth sex offending, one would need to address these factors in a multidisciplinary and holistic manner.

## INTRODUCTION

Youth sex offending in South Africa is a fairly new field of study, especially the sub-field of female youth who sexually offend. Furthermore, the extent of female youth sex offending is difficult to ascertain (Moore, Franey & Geffner 2005:3). Hunter, Becker and Lexier (2006:148) elaborate that due to the low incidence or the under-reporting of female sex offending, the prevalence of this offending is difficult to assess. Subsequently, sex offending committed by females is a phenomenon that has been under-recognised, as there is a dearth in research regarding females that sexually offend (Denov 2004:9). In addition, Denov (2004:10) explains that although early work on sex offending suggested that female sex offending was rare, more recent research in this field found that female perpetration is occurring more frequently. According to research conducted at Chapin Hall at the University of Chicago (2012:1), “[c]hildren make up thirty percent of the world’s population but are a silent constituency in the world of social policies and research.” An appropriate response to this might be to listen to children’s views and to take it into consideration when implementing policies and legislation. In this article an exposition of the views of female youth sex offenders regarding the reasons for

their offending will be given. The importance of listening to what the youth have to say about why they offend and then to report this information to the broader community of experts in this field of study is vital. Section 10 of the Children’s Act (Act 38 of 2005) states that

“every child that is of such an age, maturity and stage of development as to be able to participate in any matter concerning that child has the right to participate in an appropriate way and views expressed by the child must be given due consideration”.

This section of the Act forms the basis for Lombard’s response below. Mulder (2013:1) reports that the Department of Social Work and Criminology at the University of Pretoria participated in the Child Protection Week, where Prof Lombard articulated:

However, children should not be asked what their views are on matters that concern them just so that we can claim that they have been consulted but when it comes to implementation or action, their views are ignored. This too, is exploitation and disregard of their right to opportunities for participation and having a voice. We should not pride ourselves as a society listening to children but then silence their voice by not acting on their views. We should never forget the role that children played in changing the unjust history of South Africa. Their role in a democratic society should be respected – including vulnerable and orphaned children and their choices and wishes for their protection, survival and having a future.

This article will focus on the voices of female youth sex offenders by exploring their perceptions regarding the reasons for their offending.

Sex abuse and sex offending have detrimental long-term effects on the victims and offenders alike (Cernkovich, Lanctôt & Giordano 2008:3; Omar, Steenkamp & Errington 2012:8-17). Furthermore, Finkelhor and Ormrod (2000:1), Siegel (2003:320) and Hesselink-Louw and Schoeman (2003:165) argue that the influence of crimes on young victims can be devastating and this violent or sexual victimisation of youth can often lead to an intergenerational cycle of violence and abuse. Many lives are destroyed when a sexual offence takes place and society's first reaction is to demand the worst possible punishment for the offender. However, this is not always the best way forward for these offenders, as some of them are victims of sexual abuse and some are victims of their circumstances. Instead of punishment, some of these offenders need intervention. Earlier and more effective intervention could curb future offending (Berger, McBreen & Rifkin 1996:28-32; Grant 2000:1; Righthand & Welch 2005:1). Practitioners in the field need to do everything in their power to help the youth who sexually offend and at the same time ensure that the best interest of the child stays paramount (Children's Act No. 38 of 2005; Maree & Prinsloo 2001:6).

Non-custodial sentences are important in fighting crime in a meaningful way. It is futile to simply punish children without addressing the root causes of their criminal behaviour and thinking patterns. The National Institute for Crime Prevention and the Reintegration of Offenders (NICRO) accurately states that prison is often not the best option for offenders and that it can actually worsen their behavioural problems. Bezuidenhout (2007:34) stresses that if society ignores youth who rape and pre-sexualised children (who do not have the psychological and emotional ability to contextualise their behaviour), and if nothing is done to assist these youth, society will be guilty of encouraging future adult sexual offenders.

## DEFINING CONCEPTS

There are a few concepts that would need to be defined in order for the reader to understand the focus of this article. According to the South African Constitution of 1996, section 28(3), a child is a person younger than 18 years. The term adolescence is referred to as a developmental phase in the human life cycle, namely the

trajectory between childhood and adulthood, and is also equated to both the terms "teenage years" and "puberty" (Bartollas 1993:70; Berndt 1997:525; Gouws & Kruger 1994:3; OAPP[sa]). As children grow older, their self-concept and their ideas in relation to their physical skills, mental abilities, personality traits, characteristics and views about themselves become more complex (Berndt 1997:525). During the adolescent stage, children form their own identity which allows them to work through the complex aspects of this developmental stage and this identity then forms a sense of continuity that provides a link to their past and a direction for their future (Berndt 1997:534). Bezuidenhout (2013:3) rightfully states that adolescence is a difficult life trajectory with various problems that could impact considerably on a youth's life. Furthermore, he explains that during the adolescent stage, the adolescent's personality is being formed and their bodies are also changing remarkably. Bartollas (1993:70) considers adolescence to encompass the period between 12 and 18 years and Berk (2009:18) refers to Erikson's psychosocial stages which indicate that the adolescent stage commences from 12 years. In addition it was confirmed in a Constitutional Court case that South African children reach physiological sexual maturity during adolescence and it was confirmed that this developmental period refers to youth between the ages of 12 and 16 years (Khampepe 2013:21). Consequently the researcher ensured that the participants for the study were between 12 and 18 years at the time of the offence.

For the purpose of this article the concept child sexual abuse will be defined by utilising the definition provided in Omar *et al.* (2012:6), which reads as follows:

Child sexual abuse is the involvement of a child in sexual activity that the child does not fully comprehend, is unable to give informed consent, or for which the child is not developmentally prepared and cannot give consent, or that violate the laws or social taboos of society. Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person.

For the purpose of this article the authors refer to sexual activities as activities that include both contact and non-contact activities. Contact activities include the following: "sexualised kissing, fondling, masturbation, digital and/or object penetration of the vagina and/or anus, as well as oral-genital, genital-genital and anal-

genital contact.” On the other hand, non-contact activities comprise of exhibitionism, inappropriate observation of a child and the production or viewing of pornography (Campher 2006:25). Furthermore, Omar *et al.* (2012:6) divide sexual activities into the following categories: penetration, fondling, violation of privacy, exposing of children to adult sexuality, and exploitation.

### **PROBLEM STATEMENT**

The fact that research over the years has only concentrated on male youth sex offenders leaves a gap in research and therefore a costly shortage in relevant information with regard to assisting female youth sex offenders. The problems pertaining to research focusing on female youth sex offending will be discussed in more detail.

#### **Problems pertaining to research focusing on female youth sex offending**

Although international research has been conducted for the past 30 years (Moore *et al.* 2005:12) regarding youth who sexually offend, not much research has been done with regard to female youth who sexually offend, especially in South Africa. More recent research has found that although most perpetrators are males, females are also likely to engage in sex offending. It was found that girls have forced sex with other girls or that a group of girls forced themselves on a boy (Booyens, Beukman & Bezuidenhout 2013:42). Some early researchers proposed that female offenders committed crimes that mostly had a sexual connotation and mentioned that the causes for these crimes were due to emotional or family problems. Furthermore, there is a scarcity in research and theories to explain female offending as researchers merely borrow concepts that explain male offending in order to try and make sense of and explain female offending (Klopper 2013:145). Male and female offenders are different. Their biological and emotional differences must be appreciated in order to understand them better. Early theorists emphasised that biological factors and the girl’s anatomy and sexuality played a role in causing female offending. More recent theories have however shown that there are various factors that contribute to female offending and more research in this area is critical (Klopper 2013:157). The researcher is aware of two recent South African studies conducted by Harris (2010) and Omar (2010) regarding male youth sex offenders and the risk factors contributing to their offending. Thus, a study focusing specifically on female youth who

sexually offend will add to the body of knowledge in this field.

### **NATURE AND EXTENT OF FEMALE YOUTH SEX OFFENDING**

Sex offences committed by youth have been occurring since the beginning of time. However, effective ways of dealing with these youth are still a grave concern for societies. An international study conducted by Finkelhor, Ormrod and Chaffin (2009:1) confirmed that more than one third of sex abusers of children are other children. Mashaba (2009:2) reported in the *Sowetan* that an alarming 12 000 children were raped in Gauteng during 2008 and that this figure is incomplete, as it is estimated that 88% of child rapes were never reported. Statistics pertaining to the sexual abuse of children are difficult to ascertain as many of the sexual crimes against children are seldom reported and some of those that are reported to the SAPS are not recorded (Van Niekerk 2003:1). Crime statistics obtained from the South African Police Service (SAPS) showed a 2.6% increase in sexual offences against children (The South African Police Service [SAPS] 2011). When compared to the period 2009/2010, a 2.6% increase in sexual offences against children occurred in the period 2010/2011. In addition, a recent report indicated a decrease in total sexual offences from 69 117 to 66 387 from April 2004/2005 to March 2012/2013 (The South African Police Service [SAPS] 2014). One must however also note that the population size increased from 50 586 757 people in 2011/2012 to 52 274 945 in 2012/2013, thus one should take into account that the population size was 46.5 million in 2004/2005 and that it increased to more than 52 million in 2012/2013. Furthermore, reported cases of sexual violence have reduced by 10.9% over the last nine years (2004/2005-2012/2013), 12.3% during the past four years (2009/2010-2012/2013) and 0.4% during the past financial year (An analysis of the national crime statistics 2013). Even though these reports show a decrease in the total amount of sexual offences it cannot confirm the true statistics of sex offences against children. Research findings have approximated the incidence of youth sex offending by female youth to be between 2% and 11% (Finkelhor *et al.* 2009:2; Righthand & Welch 2005:25). These reports on youth sex offenders might underestimate the degree of the problem for female youth even more so than for males. According to Righthand and Welch

(2005:25) sex offending in childcare situations might be more difficult to detect, due to the fact that young victims might not have the abilities, language skills or knowledge-base to disclose sexual abuse.

International research findings showed that although most sexual assaults are committed by adults, approximately 20% of sexual assaults are committed by youth offenders (Barbaree & Marshall 2006:3). It is important to note that young offenders constitute 41% of the prison population, while they only form 26% of the general South African population (Peacock 2008:63). Du Plessis (2006) reported that youth misbehaviour is on the increase and that practitioners in the field admit that they are ill equipped to appropriately deal with juvenile offenders. Furthermore it is imperative that professionals dealing with youth who misbehave should understand why the youth have misbehaved and what motivated them to offend. The authors are of the opinion that once professionals are equipped with the necessary information they will be in a better position to assist these youth more effectively and as a result minimise child on child sexual abuse.

A study by Ward (2000:3) indicates that various distorted thought patterns play an important role in motivating sexual offending. Studying the cognitive thought processes of youth who sexually offend could contribute to the field of literature for other professions. If professionals working with youth actually understood how and why youth who sexually offend struggle with maladaptive beliefs and distorted thinking, this breakthrough would assist professionals to use more effective methods of dealing with troubled youth and thereby curb youth sex offending (Moore *et al.* 2005:7). As most research focuses on male youth who sexually offend, collecting empirical data regarding female youth sex offending is crucial. This article aims to shed light on this neglected field in research. There is still much to learn, especially in the South African context, as diverse cultures, heterogeneous groups, family environments, social skills and cognitive functioning all play a role in youth who sexually offend. The stigma that these youth are faced with, coupled with the strong feelings of shame, guilt and mistrust add to the complication of this phenomenon (Moore *et al.* 2005:8-9).

Moore *et al.* (2005:3) confirm that whereas literature and statistics focusing on adolescent males who sexually offend indicate the

seriousness of their crimes, there is a dearth of research focussing on females who sexually offend. Most studies focusing on youth sex offenders simply mention the percentage of females that offended, but then go on to discuss the male sex offender (Moore *et al.* 2005:4). The authors intended to break this trend by providing a holistic view of female youth sex offenders and focusing on their characteristics as human beings, risk factors that may motivate their offending, and the type of offence they committed.

### **FACTORS THAT AFFECT UNDER-RECOGNITION OF FEMALE YOUTH SEX OFFENDING**

One of the reasons provided for the under-recognition of female youth sex offenders is that girls represent the minority of sex offenders. However, the question that remains is whether this data is a true reflection of an under-occurrence of female sex offending, or if female sex offending is simply under-reported (Denov 2004:16). Sex offending is often viewed as a male-only crime. This could be related to the universal gender role stereotypes that portray females as nurturing individuals. Furthermore, sexist beliefs portray males as being in control of sexual encounters while females are seen as passive and submissive. Misconceptions pertaining to the "ability" of females to sexually victimise or abuse males could contribute to the under-recognition of female sex offenders (Denov 2004:19; Righthand & Welch 2005:25). In addition, another factor that contributes to society's under-awareness of female youth sex offenders is the total number of cases and the imbalance of cases that are reported to the criminal justice officials. Beliefs can influence perspectives and responses, as there is evidence that broader cultural bias affect female sex offending (Denov 2004:22; Righthand & Welch 2005:16). During training sessions for law enforcement officers, it was found that the focus was placed on men as sex offenders and women as victims. These biases give rise to the under-reporting of sexual offences committed by female youth offenders and, if these cases are reported, they may not receive the necessary attention within the criminal justice system (Denov 2004:21; Hunter *et al.* 2006:148; Righthand & Welch 2005:25). Furthermore, the lack of professional and public awareness pertaining to female sex offending and its damaging effects deprives both the victims and

the females who offend against them of essential support services (Denov 2004:20, Hunter *et al.* 2006:148; Righthand & Welch 2005:25).

### **ADOLESCENCE AS A DEVELOPMENTAL STAGE OF CHILDHOOD**

Adolescent development refers to growth, adjustment and changes which children experience during the developmental stages in childhood (Omar *et al.* 2012:8). The typical developmental stages of childhood, for the purpose of this article, are early adolescence (11-13 years) and middle adolescence (14-18 years). The growth acceleration that occurs during adolescence is typical of the onset of puberty (Gouws & Kruger 1994:17). The various changes that occur in the adolescent's body contribute to reproductive maturity. Early adolescence is a complex stage of development during which the adolescent experiences turmoil and rapid changes in behaviour which could lead to aggressive tendencies or deviant behaviour (Najman, Hayatbakhsh, McGee, Bor, O'Callaghan, & Williams 2009:369). Zilney and Zilney (2009: 63) assert that this developmental stage is not only a biological event, but also occurs within a social context and its reality is experienced differently depending on the youth's culture, religion, ethnicity, class and family origin. During middle adolescence, physical and cognitive development starts to slow down, but the social-emotional development is more intense. As youth approach puberty, they develop their own understanding of sexual behaviour (Harris & Bezuidenhout 2010:38). This understanding is based on the youth's past and present sexual experiences. Harris and Bezuidenhout (2010:38) list these experiences as school sex education, family attitudes towards sex, viewing sex and violence as normalised behaviours, past physical and sexual abuse, exposure to pornography, and how they are introduced to sex by their peer group.

### **THE CHARACTERISTICS OF THE FEMALE YOUTH SEX OFFENDER**

Female youth sex offending is a complex and sensitive issue and very little is known about female youth sex offenders (Cortoni & Gannon 2011:1; Hendriks & Bijleveld 2006:31; Kubik, Hecker & Righthand 2003:64; Vess 2011:77; Wijkman, Bijleveld & Hendriks 2011:34; Zilney & Zilney 2009:103). Because of this, researchers and practitioners run the risk of generalising characteristics from male or adult female sex

offenders and applying it directly to female youth sex offenders (Cortoni & Gannon 2011:1; Wijkman *et al.* 2011:35). Recent research shows that although male and female sex offenders share some common characteristics, differences do exist. The myth that factors that lead to criminal behaviour is universal is slowly being dispelled by emerging empirical evidence (Cortoni & Gannon 2011:1).

When comparing the characteristics of female youth sex offenders to the females with non sex offending behaviour, it was found that female youth sex offenders (Kubik *et al.* 2003:64):

- displayed less antisocial behaviour such as alcohol abuse, drug abuse, fighting or problems at school; and
- began offending from a younger age.

When compared to adolescent males of the same age:

- The two sex offending groups were found to be similar.
- There were less differences in relation to criminal and psychosocial histories and antisocial behaviour.
- They were similar with respect to specific sex offence behaviour.
- The females experienced more severe abuse compared to their male counterparts.

Although the majority of research focuses on men as sexual offenders, an increased cognisance of females as sex offenders has surfaced recently (Wijkman *et al.* 2011:34). It must, however, be emphasised that research on female sex offenders is restricted by minute clinical samples. As the existing literature is merely descriptive of adolescent females in clinical environments it is unfeasible to draw dependable deductions about any significant characteristics and risk factors of female youth sex offenders. Furthermore, little is known about female youth sex offenders' characteristics and female offenders are not a homogeneous group. In a South African study of 20 youth sex offenders conducted by Wood, Welman & Netto (2000:45), the researchers found the following characteristics of young male sex offenders between the ages of 7 and 15 years:

- High exposure to deviant peers.
- History of prior sexual or non-sexual offences.
- History of consensual sexual interactions.
- Deviant patterns of sexual interests.
- History of poor academic achievement.
- Behaviour problems.

- History of physical or sexual victimization.
- History of social isolation and limited social skills.

These researchers confirmed that their study focusing on youth sex offenders in South Africa revealed data regarding the kind of young person that is most likely to commit a sex offence in the South African context (Wood *et al.* 2000:48). Furthermore, Harris and Bezuidenhout (2010:33) propose that the motivations for youth sex offenders committing their offences are related to the risk factors that these offenders are exposed to.

On the other hand, even though most studies focusing on female youth sex offenders are restricted by tiny samples, they are fairly consistent. Finkelhor *et al.* (2009:6) established that compared to males, females are inclined to choose younger victims, make use of less force, are less often caught up in the legal system, and are involved in incidents with multiple victims. Furthermore, females typically evidence elevated and harsh child maltreatment histories when compared to male sex offenders. In addition, female offenders were considered by investigators to be victims at the same time they were offenders (Finkelhor *et al.* 2009:6). In addition to research findings confirming the evidence of high rates of trauma and abuse, Righthand and Welch (2005:25) reported that these females came from families who had elevated levels of family dysfunction and poor parental support. Their family settings were often explained as damaging to the development of positive self-images and healthy attachments. Like male sex offenders, female sex offenders frequently engage in other forms of deviant behaviour consisting of a variety of general behaviour and sexual behaviour problems (Righthand & Welch 2005: 25). However, studies that were conducted so far have revealed the following universal characteristics (Hunter *et al.* 2006:148-149):

- High prevalence of sexual victimisation;
- instability and dysfunction within the family and home;
- co-occurring psychiatric disorders, including Post-Traumatic Stress Disorder;
- victimising young children within the family or with whom they are familiar;
- targeting victims of either gender; and
- acting alone, often offending within the context of care-giving activities.

When noting the available research, it seems like most of the characteristics of the female youth

sex offender are based on those of the male youth sex offender and female adult sex offender. Thus, this made it crucial for additional research to explore the distinctive developmental circumstances of the female youth sex offender.

## **RISK FACTORS CONTRIBUTING TO FEMALE YOUTH SEX OFFENDING**

Bischof, Stith and Withney (1995:1-3) and Hesselink-Louw and Schoeman (2003:165) state that professionals specialising in researching or dealing with sex offending should take cognisance of the fact that adolescent sex offenders are unique and should be distinguished from other delinquent and non-delinquent adolescents. Taking this, as well as the complexity of human behaviour into account, a few important points had to be taken into consideration before embarking on the study that this article is based on. A human being, and more specifically a youth, is part of a much bigger system. "Juveniles do not appear one day as fully developed offenders; rather they grow up in family systems and social ecologies that shape their personalities and course of development over time" (Baker, Tabacoff, Tornusciolo & Eisenstadt 2003:105). In addition research has indicated that most families of sex offenders are deceitful and are likely to be involved in deviant behaviour. The majority of family members of sexual offenders were victims of sexual or physical abuse themselves (Baker *et al.* 2003: 106; Hesselink-Louw & Schoeman 2003:165-166). Family secrecy was also found to be a common characteristic of sexual offenders and the consequences are threefold, namely lack of intimacy, distorted reality and feelings of powerlessness. Therefore youth sex offenders felt that they could enhance their feelings of power and control by offending (Baker *et al.* 2003:107; Righthand & Welch 2005:20-21). Youth who displayed sexual offending behaviour were also involved in prior youth misbehaviour, were older than other youth offenders and were more likely to be subjected to childhood maltreatment. These adolescents had caregivers with more extensive criminal histories, as well as substance abuse problems. These findings have a number of practical implications, especially when working with females who present with sexually abusive behaviour. Some researchers (Hunter *et al.* 2006:148-151; Righthand & Welch 2005:20-25) emphasise the developmental perspectives and characteristics of the female youth sex offender. They mentioned that females

who had histories of sexual or physical maltreatment showed a greater risk of identity confusion and emotional maladjustment (Hunter *et al.* 2006:148-151; Righthand & Welch 2005: 20-25). These issues were investigated and explored during the interviews that were conducted with the female youth who have sexually offended. The authors are of the opinion that in order for criminologists to understand female youth sex offending and to facilitate the rehabilitation of youth sex offenders; they would need to first understand the perceptions of female youth sex offenders regarding the factors that contributed to their offending.

### **Child sexual abuse**

Childhood experiences of sexual abuse have been linked with youth sex offending (Artz & Nicholson 2009:3; Barbaree & Langton 2006:58; Finkelhor *et al.* 2009:3; Kubik & Hecker 2005: 45; Omar *et al.* 2012:8; Righthand & Welch 2005:19; Siegel & Williams 2003:71; Widom 1995:2; Zilney & Zilney 2009:102). Many researchers are concluding that most youth sex offenders might possibly be victims of sexual abuse themselves. Childhood experiences of physical abuse, neglect and witnessing family violence are factors that were prevalent in the lives of many youth sex offenders (Lamont 2010:1-4; Siegel & Williams 2003:71; Righthand & Welch 2005:19; Widom 1995:1). The impact of these crimes has devastating effects on both the victim and the offender (Finkelhor *et al.* 2009:1). The role of child maltreatment in the etiology of sex offending appears to be multifaceted (Righthand & Welch 2005:20). Righthand and Welch (2005:20) state that studies confirmed the following: compared to other youths, the ones who sexually offended were younger during the time of their victimisation, experienced higher rates of abusive episodes, suffered longer periods between abuse and disclosure, and experienced a lower level of family support after the disclosure of the abuse. Righthand and Welch (2005:20) found that compared to youth offenders who committed other offences, those that sexually offended most likely had a male perpetrator, most probably had closer relationships with their perpetrators, endured longer durations of victimisation, and most likely endured more force and penetration. Righthand and Welch (2005:20) report that other studies which focus on youth sex offending, found that childhood experiences of sexual abuse were linked to constant sexual offending from childhood into adolescence and findings

confirmed that the abused youth offenders began their sex offending 1.6 years earlier than the other youth and had twice the amount of victims. The findings concluded that youth offenders with histories of abuse often began their offending at earlier ages than the offenders who did not suffer abuse (Barbaree & Langton 2006:58-59; Righthand & Welch 2005:19; Wyatt 1988:111). Furthermore, Wyatt (1988:111) proposes that the most common problems in relation to child victimisation are sexual dysfunction, dissatisfaction and promiscuity. Research confirmed that abused women generally embark on intercourse at earlier ages, engage in various types of sexual behaviour, and have higher numbers of partners (Barbaree & Langton 2006:58-60; Wyatt 1988:111). Barbaree and Marshall (2006:10) confirm that children are neither knowledgeable nor autonomous beings and therefore they are unable to make their own decisions regarding sexual relations. The recent Constitutional Court case matter between the applicants, Teddy Bear Clinic for Abused Children and Resources Aimed at the Prevention of Child Abuse and Neglect (RAPCAN) and the respondents, Minister of Justice and Constitutional Development and National Director of Public Prosecutions, found that Section 15 and 16 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 was declared “inconsistent with the Constitution and invalid to the extent that it imposes criminal liability on children under the age of 16 years” (Khampepe 2013:55). This finding confirms that children between the ages of 12 and 16 years can no longer be held criminally liable for consensual sexual interaction and in addition, their names will not be entered into the National Register for Sex Offenders. Furthermore, it must be emphasised that although a child might be willing to engage in sexual interactions, the child might not have the psychological capacity to give consent (Skelton & Courtenay 2013:220).

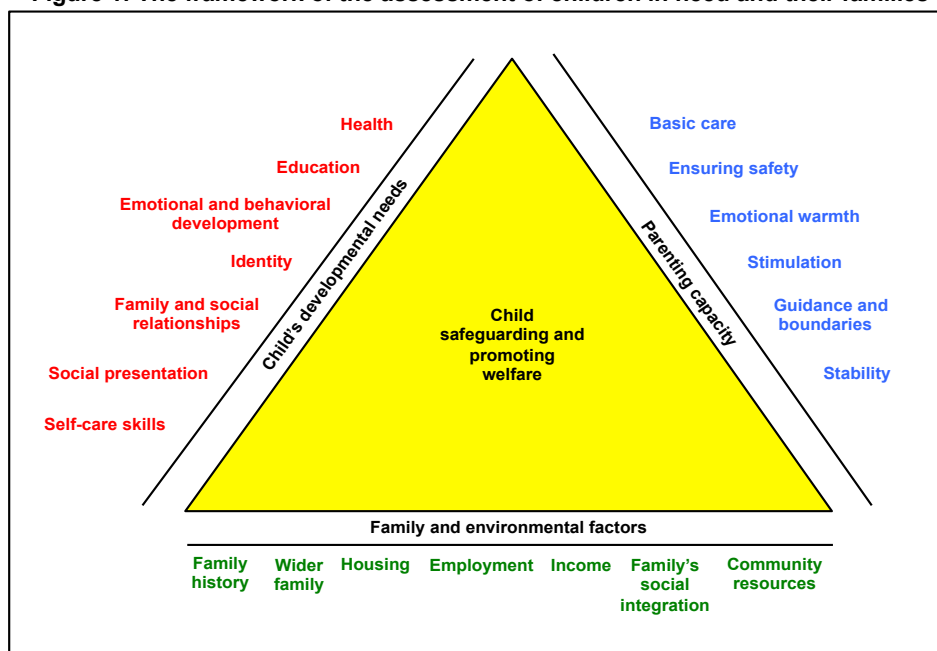
### **THEORETICAL FRAMEWORK OF THE STUDY**

The Ecological Systems Approach was chosen as the theoretical framework of this study and was used as a guide while conducting the research. The ecological systems perspective is a holistic approach that views people in the context of their environments and emphasises the continuous interactions and reciprocal influence with their environments (Maguire 2002:90). Kruger and Spies (2006:160) highlight the fact

that ecological thinking appears to be on the verge of gripping the imagination of those who are involved with youth. They also acknowledge that one of the benefits for professionals is that such a model enables them to see their research participants (adolescents) in the widest possible

social contexts. The inter-action between these adolescents and their environment is a synergistic cycle of influence between the changing individual and the changing environment. The interrelatedness of these components is illustrated in the following figure:

**Figure 1: The framework of the assessment of children in need and their families**



Source: Adapted from: *The Framework of the Assessment of Children in Need and their Families*, Department of Health in Wilson, Ruch, Lymbery & Cooper (2008:480)

The above-mentioned framework indicates the interplay between the different aspects that form part of a person’s environment, which will influence their behaviour in a reciprocal way. Consequently the research focused on the situational factors which are constantly in interaction with each other and which may have contributed to the offending behaviour of the female youth and some of these factors were explored during the semi-structured interviews.

**The structure of the environment in the ecological systems theory**

Benokraitis (2011:35) explains that the ecological perspective has four interlocking systems that mould developmental growth. Interlocking systems are referred to as systems that range from the most immediate, such as family or peers, to other contexts in which the youth are not directly involved in, such as technological changes or ideological beliefs. The systems are described as follows:

- The microsystem consists of the interconnected behaviours, roles and relationships that influence the youth’s daily life (for example their parents and peers).

- The mesosystem comprise the relationships existing in different settings (for example the home and school).
- The exosystem is made up of settings or events that the youth does not experience directly, but that can affect their development (for example a parent’s employment).
- The macrosystem consists of the broader society and culture that embraces all other systems.

These interlocking systems are important factors to consider as each system assists in viewing the female youth sex offender as a holistic entity made up of different parts. The researcher therefore examined the female youth sex offender in a holistic manner, consisting of the context of her environment and the continuous interactions and reciprocal influence with her environments.

**RESEARCH METHODOLOGY AND ETHICAL CONSIDERATIONS**

Researchers across disciplines agree that a thorough research approach, design and data collection method serve as a blueprint or map of



the study. In this study the authors explored the perceptions of female youth sex offenders regarding the factors that contributed to their offending. A qualitative research approach was followed to explore the intricate problem of female youth who sexually offend in order to understand their perceptions regarding the factors that might have contributed to their offending. The authors chose to embark on a qualitative research approach, since the study of youth who sexually offend is a complex issue that would need a holistic understanding. The authors were guided by the ecological systems perspective to aid in researching this problem. Furthermore, the authors ensured that the purpose, question and methods of research were all interconnected so that the study appears as a cohesive whole, rather than isolated parts (Creswell 2007:41). The population of the study was all the female youth sex offenders who were diverted to the Teddy Bear Clinic. The sample consisted of 12 participants that comply with the following sampling criteria and confirmed appointments for the interviews:

- The participants were between the ages of 12 and 18 years at the time of the offence.
- The participants were female.
- The participants committed a sexual offence.
- The participants were diverted to the Teddy Bear Clinic for therapeutical intervention.

Semi-structured interviews were conducted by means of a semi-structured interview schedule (Greeff 2011:351-353). The collected data was analysed in order to bring structure, order and meaning to the themes and sub-themes that emerged. These themes and sub-themes were further analysed to interpret the empirical evidence.

All ethical aspects were adhered to in this study as the authors are aware that the best interest of the child is of paramount importance. A brief overview of some of the ethical aspects that were applicable to the study follows:

- The right to anonymity and confidentiality: Although anonymity cannot be ensured as the research consisted of face-to-face interviews, all data and information obtained was treated confidentially (Babbie, 2007:64).
- The right to freedom of choice and full disclosure – informed consent and assent: The research participants were ensured that their participation is voluntary and that they are free to terminate the interview or to withdraw their responses at any stage without fear of prejudice. Permission was obtained

from the Teddy Bear Clinic's offices in Parktown and Soweto and informed consent was obtained from the parents/guardians of the research participants. In addition, informed assent was obtained from the research participants.

- Debriefing of participants: The researcher debriefed the participants by summarising and concluding the interviews. Furthermore, the researcher ensured that a therapist from the Teddy Bear clinic was available to offer debriefing services to the participants, if they required it after partaking in the interviews.

## FINDINGS OF THE STUDY

After completing the literature review and taking the ecological systems framework into consideration certain themes and sub-themes were identified and, based on this knowledge, the interview schedule was drawn up. After the transcription of the interviews, the data derived from the interviews was organised and sorted into the themes and sub-themes as illustrated in Table 1.

In conjunction with Giguere and Bumby (2007:9) the empirical findings of the study corroborate that the following aspects might have had an influence on the occurrence of female youth sex offending:

### **Theme 1: Family and environmental factors**

There were various family and environmental factors that most likely played a role in contributing to female youth sex offending, such as basic care and safety of the youth, the socio-economic status of the youth, their family structure, stability in their family, their parents' capacity, certain family dynamics and history of family criminality, as well as the quality of relationships with family members. Below is an example of one of the quotes in the empirical findings of the study in regard to family and environmental factors.

Participant E mentioned the following when asked if she was well-cared for: *"I would say... I had good support from my parents, but now I feel that I am on my own... from 2011 downwards I would say they cared for me... I am cared for but not financially... I am feeling left alone... I have a shelter and I have something to eat... no moral support now."* When the researcher probed further about her safety at home, her response was as follows: *"Mmmm... No... to be quite honest no... when something happens outside I can't open up to my parents..."*

*cause they don't believe me... or cause its of my pride... I don't know... Ya that's how I got beaten*

*up badly outside... in the past I would tell my dad and my dad would fight, but now..."*

**Table 1: List of themes and sub-themes**

SECTION A	
Demographic background information	<ul style="list-style-type: none"> <li>• Age</li> <li>• Gender</li> <li>• Race</li> </ul>
SECTION B	
Themes	Sub-themes
Theme 1: Family and environmental factors	<ul style="list-style-type: none"> <li>• Basic care and safety</li> <li>• Low socio-economic status</li> <li>• Family structure, stability and parenting capacity</li> <li>• Family dynamics and history of family criminality</li> <li>• Quality of relationships with family members</li> </ul>
Theme 2: Developmental needs and emotional status	<ul style="list-style-type: none"> <li>• Health and self-care skills</li> <li>• Self-esteem and identity</li> <li>• Assertion skills and social presentation</li> <li>• History of personal and family substance abuse</li> </ul>
Theme 3: School structure and community resources	<ul style="list-style-type: none"> <li>• Education and school performance</li> <li>• Extramural activities</li> <li>• Relationship with peers and teachers, and the availability of role models</li> <li>• Availability of resources in the community</li> <li>• Exposure to gangsterism</li> </ul>
Theme 4: Sexual abuse and knowledge about sex	<ul style="list-style-type: none"> <li>• Exposure to pornography and sexting</li> <li>• Influence of the media (television, music and internet)</li> <li>• Exposure to any form of sexual abuse</li> <li>• Exposure to sex education</li> </ul>

Researchers conclude that youth are exposed to various forms of emotional violence and neglect, with one study confirming that 35-45% of youth witnessed domestic violence (Seedat, Van Niekerk, Jewkes, Suffla & Ratele 2009:1013). In addition, the empirical findings of the study and the literature review confirmed that female youth sex offenders' families were more likely to be unstable, were more likely from lower socio-economic backgrounds, and their parents were more likely to be unable to protect them (Booyens *et al.* 2013:41; Hendriks & Bijleveld 2006:35; Tardif, Auclair, Jacob & Carpentier 2005:162). A recent newspaper article (Wagner 2014:5) confirms that the 17 year old female youth who was convicted for manufacturing and distributing child pornography was from an unstable home where parents were unable to protect and care for her. Another theme that emerged from the study was the developmental needs and emotional status of the female youth sex offender.

**Theme 2: Developmental needs and emotional status**

In conjunction with the literature review and the empirical findings of the study the authors found that factors such as health and self-care skills, self-esteem and identity, assertion skills and social presentation, as well as history of personal

and family substance abuse most likely played a role in contributing to female youth sex offending. Below is an example of one of the quotes in the empirical findings of the study in regard to developmental needs and emotional status.

Participant E reported specifically about her menstruation experience as follows: *“About 12 years... at school... I was crying thought I was dying...”* When the researcher probed further she found that the participant’s friend helped her, but that nobody explained the menstruation process to her. *“No one explained it to me... no one... I told my mother when I got back from school... she gave me a pad and told me to wash myself three times a day and said ‘here comes trouble’. She never told me that when you have your period you don’t go sit with the boys... no one told me anything...”*

Seedat *et al.* (2009:1015) mention that “South Africa has one of the highest alcohol consumptions in the world per head for all individuals who drink alcohol.” In conjunction with Benoikraitis (2011:395, 405), the empirical findings of the study indicate that alcohol abuse is one of the serious factors that most likely contributed to rape and female youth sex offending. Furthermore, the newspaper report highlights the fact that the 17 year old female’s

mother “was often drunk and never had time to be with her daughter” (Wagner, 2014:5). In conjunction with Booyens *et al.* (2013:42); Kubik *et al.* (2003:67); Hunter *et al.* (2006:153-155) and Righthand and Welch (2005:21), the empirical findings of the study also confirm that female youth sex offenders suffered more symptoms of anxiety and depression, experienced difficulties with assertiveness, and had lower self-images. In the authors’ opinion developmental needs and emotional status were factors that most likely contributed to the sex offending of the female youth sex offender. This leads the authors to discuss the following theme which focuses on school structure and community resources.

### **Theme 3: School structure and community resources**

The authors found that factors such as education and school performance; extramural activities; relationship with peers and teachers; the availability of role models; availability of resources in the community; and exposure to gangsterism might have an influence on the female youth sex offender’s behaviour problems. Below is an example of one of the quotes in the empirical findings of the study in regard to school structure and community resources.

Participant H articulated: *“I failed so it was my second year in grade 10... my second year in grade 10 that’s when I was pregnant... they actually thought I was going to fail... but I pulled myself up and I did pass... and the next year in Grade 11 and 12 I went to another school... I completed my matric... my academic performance... it wasn’t so good because of my family... but in my second year of grade 10 when I was pregnant... my marks were actually good and then Grade 11 to 12 I was average and passed my matric...”*

In conjunction with Artz and Nicholson (2009:3-4); Hendriks and Bijleveld (2006:35) and Righthand and Welch (2005:23), the empirical findings of the study corroborate the findings in other studies that female youth sex offenders performed poorly at school. Booyens *et al.* (2013:34-35) rightly state that lack of motivation, attention deficit disorder, dyslexia and the like could contribute to poor performance in school. Furthermore, the authors concluded after the empirical findings were analysed that factors such as lack of participation in extramural activities and lack of availability of positive role models in the community possibly contributed to the female youth sex offender’s

behaviour. It was found that most of the participants were not involved in extramural activities. One of the participants mentioned that she did not have any role models and that there were no good role models in her community. This leads the authors to discuss the last theme and sub-themes that emerged from the study.

### **Theme 4: Sexual abuse and knowledge about sex**

The authors focused on the following sub-themes which emerged from the literature study: exposure to pornography; the influence of the media; exposure to various forms of sexual abuse; and exposure to sex education. Below is an example of one of the quotes in the empirical findings of the study in regard to sexual abuse and knowledge about sex.

Participant H was taught about sex education at her school by a teacher. She reported the following three concepts:

- *“Firstly I would mention AIDS where you can’t have sexual intercourse without a condom cause AIDS is spreading too fast;*
- *if you want to have sex wait for the right time and the right person; and*
- *lastly... I would actually say that right now the girls in schools that are actually 14, 16 and 18 years old that are actually listening to their friends... and because their friends are having sex with other guys they are actually forced to... so like peer pressure... No is No... if you don’t want to do it or do what your friends are doing... then you have the right to say no... and there is people in the school that you can talk to... the principal, the teachers or you can ask the teachers to send you to professional people so you can go get help... you know... even the police are there... so you don’t have to be forced to do something that you don’t want to do.”*

Although the empirical findings of this study indicate that only two of the eight participants were sexually abused, the researcher is unsure if this is a true reflection due to the sensitive nature of this issue. However, with regard to physical and emotional abuse, six out of the eight participants were abused. The literature review confirmed that severe and extensive sexual victimisation histories were more prevalent in female youth sex offenders than male sex offenders (Giguere & Bumby 2007:7; Hendriks & Bijleveld 2006:35). Research findings also confirmed that 39% of young females reported that they suffered some form of sexual violence,

such as forced sex or unwanted touching before their 18<sup>th</sup> birthday (Kubik & Hecker 2005:45; Seedat *et al.* 2009:1013). Consequently female sexual abuse most likely contributed to female youth sex offending. A study conducted on clients' experiences of services with regard to child sex abuse (Nicolaidis 2012:100) reported that one of the findings was that clients present with various factors such as developmental and cognitive difficulties, childhood trauma and the like. Even though this specific study was conducted on female youth sex offending similar findings were documented. Although the female youth sex offenders who participated in the study were diverted to the Teddy Bear Clinic for therapeutic intervention, it was found that they not only presented with the sex offending behaviour, but also presented with factors such as developmental and cognitive problems, childhood trauma, poverty, and language difficulty. These factors might have also contributed to the female youth's offending. Thus, it is recommended that professionals working with children need to be equipped to deal with female youth sex offenders holistically. This leads the authors to discuss the main findings of the research that was conducted.

### **Main findings of the study**

The empirical findings of the study (Da Costa 2014), upon which this article is based, corroborates existing literature and reveals the following common characteristics amongst female youth sex offenders (Giguere & Bumby 2007:9; Tardif *et al.* 2005:158):

- instability and dysfunction within the family;
- high prevalence of sexual and physical victimisation;
- victimising young children within the family, extended family or with whom they are familiar; and
- targeting mainly female victims, but sometimes male victims.

### **CONCLUSIONS**

At the opening of the Gauteng Legislature, Premier Nomvula Mokonyane stated that "[t]he solution to sexual offences does not lie in the successful arrest, prosecution and incarceration of offenders only, but in more comprehensive, socially embedded solutions, thus sexual offences are fundamentally a social problem" (Republic of South Africa 2013:9). The authors agree that sexual offences are a social problem and a multidisciplinary approach is required to

abate this phenomenon and ultimately curb or reduce further female youth sex offending. There is a paucity of research with regard to female youth sex offending in South Africa and this matter needs to be addressed urgently. Negative attitudes and sexual behaviour are learned from an early age and therefore intervention to assist with positive attitudes and appropriate sexual behaviour should be stressed in multidisciplinary focus areas of every child's life trajectory.

Rich (2011:3) states that several things have changed with regard to how researchers and practitioners view and understand youth offenders. When researchers choose to examine female youth sex offenders according to the ecological systems perspective, where the youth is viewed in the context of their environments, the continuous interactions and reciprocal influence with their environments are emphasised (Maguire 2002:90). This type of view is advantageous and assists professionals working with female youth sex offenders to have a holistic and better understanding of the female youth, her perceptions about her offence, and her social context. In the words of the late former President Nelson Mandela (Saboo 2013:1), "the true character of a society is revealed in how it treats its children." When researchers commit to continued research to assist our youth in South Africa, there is a commitment to advance the character of our society by treating our youth with respect and ensuring their safety and well-being.

### **RECOMMENDATIONS**

Based on the empirical findings of the research study and on the literature review, the following is important for further research in this field:

- A larger study exploring the perceptions of female youth sex offenders regarding the factors that contributed to their offending should be undertaken in South Africa. Such a study can further increase the knowledge base pertaining to this phenomenon and can assist professionals working with female youth sex offenders.
- Criminological theories which could be applied to female youth sex offending should be developed.
- A study focusing on the victims of female youth sex offending. The findings of such a study will contribute to a better understanding of the impact that this type of offence has on the victims of such an offence.

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