

Understandings and responses to paedophilia



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The concept of paedophilia started to formulate as an object of scientific study in the mid – ninetieth century, as a part of the broader context of sexual deviations. It was first noticed as a phenomenon in the sex “ industry” of the time that provided young children to satisfy certain appetites. Later on, child prostitution took place in post – war big cities also as a means of livelihood. Mentions of this kind of prostitution were found even in literature by novelists such as Dostoevsky and Malaparte (Schinaia, 2010).

However, paedophilia became a matter of great concern and study during the second half of the twentieth century. Until then it was considered to be a “ sporadic aberration” as Freud put it (Angelides, 2005) while the paedophile didn’t seem to pose a threat to society. During the last few decades paedophilia has emerged from the background. Now more than ever paedophiles are being marked and judged as sexual offenders and not as people with alternative sexual orientation. Certain cases, like the Sarah Payne case, received extensive media coverage resulting to augmented public attention and, at times, mass panic. Paedophilia has subsequently been classified in the public’s mind to raise all the alarms as far as protecting the young children and the well being of the society goes. This attention has resulted in paedophilia receiving accordingly attention from the social studies that examine the aetiology, the ways it manifests and the possible treatments for those who exhibit such deviances (McCartan, 2010).

The current paper is a critical review of the literature that deals with the issue of paedophilia. As a first step the definitions of paedophilia will be given, as they are formed under the spectrum of various sciences such as medicine and social studies. It is not strange that regarding the definition of

paedophilia there is not the consensus among the scientists as one would though there would be. The ethical standards, what is and what is not a deviance or even when pubescence begins, are concepts that are undergoing changes simultaneously with society (Schinaia, 2010). Moreover, what is being considered as paedophilia in a western culture could be perceived as a way to facilitate the passage to adulthood depending on the culture (Harrison et al, 2010). At this point paedophilia will be compared to other aspects of sexual deviations and its relation to them.

The next step is to examine how paedophilia and paedophiles are being comprehended by the public. This paper will provide, through the current literature, an overview of how the public, the press and the law have changed their understanding of the matter. Subsequent to the change in perception is the change in reaction and the emergence of pro - action. New laws are being implemented and parental awareness seems to be at its peak. But are these steps being taken due the acknowledgement of real danger or because of mass panic deriving from extensive media coverage? As the weight has shifted from homosexuality to paedophilia (Angelides, 2005), is it right to assume that people look at the matter while it's exploding out of proportion, or is it safe to say that finally they see thing as they really are? Reviewing the studies that have been published and the conclusions that theorists of the matter came to, will provide a better understanding of the issue at hand.

The last part of this paper provides the assessment of the risk that paedophiles pose to society and whether they can be treated. Regardless of the existence, or rather the lack of it, of a unanimous definition of

paedophilia, what is the right way to proceed with convicted paedophiles?

The question of importance that is being addressed at this point is if a paedophile should be treated as a criminal or as a mentally unstable patient that can be treated and reintegrated to society.

This particular subject is rather sensitive to address. It involves prepubescent children that have been traumatized by actions of sexual offenders. It also involves convicted offenders, people that modern western society abhors. In order to approach this one should proceed with caution. A primary research on the matter would need participants from both categories. The questions that are raised on the subject of paedophilia are extensive and, if they are to be researched properly, only an in depth experiment would suffice.

Moreover, a solid theoretical background, which as will be discussed later in this paper is still being constructed, that can provide the needed boost to the right direction would be required. Instead, a secondary based research can provide the desired overview of the subject, simultaneously giving the essential information on the topic and helping the reader to form an educated opinion. However, the practical aspects and difficulties of the endeavor are of lesser importance. That which carries the most weight is that with a desk based research the danger of re - victimizing young children is nonexistent. It is the safest way to approach the matter, doing so by reviewing the literature.

Chapter 1

Defining paedophilia

Sexual behavior

Sex, in a strict definition, is the means of procreation for humans. However, sex can happen for a great many deal of reasons (Rye; Meaney, 2007), mainly pleasure. From this perspective it can be defined as the stimulation of the genitals resulting in a pleasurable reflex that is orgasm (Rye; Meaney, 2007). Although, peoples' definitions regarding sex vary, there is a consistency between what they perceive as sex and their sexual attitudes (Peterson & Muehlenhard, 2007).

A person's sexuality is the way one perceives of oneself as a sexual being (Bay-Cheng, 2003) and pursues sexual pleasure. Normal sexual behavior includes bringing pleasure to oneself and his or hers partner. The procedure involves the stimulation of the genitals and usually includes intercourse (Rye & Meaney, 2007).

Sexual Dysfunctions

Sexual dysfunctions are a series of problematic symptoms to the normal sexual function of a person. These kinds of symptoms can vary from erectile dysfunction or premature or delayed ejaculation for men, vaginal dryness, and pain during sex - dyspareunia- or difficulty coming to an orgasm - anorgasmia- for women.

The causes of sexual dysfunction are as multiple as the symptoms. The psychological state of a person such as depression, intense stress or other psychological factors can easily result in sexual problems in performance.

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Drug abuse is another factor that can contribute dramatically to the dysfunction of a person on the particular subject.

Overall condition of a person's health is another aspect of the cause of sexual dysfunction. Diseases such as diabetes or hormonal imbalances can deteriorate dramatically someone's sexual desire or impair his or hers capability.

Even when all the above reasons are absent, age alone can lead to sexual dysfunctions.

Mental disorders and paraphilias

Defining sexual disorders can be a hazy situation. The American Psychiatric Association defines "mental disorder" as: "a clinically significant behavioral or psychological syndrome or pattern that occurs in an individual and that is associated with present distress (e. g., a painful symptom) or disability (i. e., impairment in one of more important areas of functioning) or with a significantly increased risk of suffering death, pain, disability, or an important loss of freedom. In addition, this syndrome or pattern must not be merely an expectable and culturally sanctioned response to a particular event, for example, the death of a loved one. Whatever its original causes, it must currently be considered a manifestation of a behavioral, psychological, or biological dysfunction in the individual. Neither deviant behavior (e. g., political, religious, or sexual) nor conflicts that are primarily between the individual and society are mental disorders unless the deviance or conflict is a symptom of a dysfunction in the individual, as described above"

(Diagnostic and Statistical Manual of Mental Disorders, 2000, p. xxxi).

All forms of paraphilias are considered to be mental disorders. Paraphilia is the recurrent sexual behavior, urges or fantasies that involve non - human objects, non - consenting adults or children and suffering or humiliation (Laws & O'Donohue, 2008). Paraphilias tend to be considered as such when they are recurrent for a period longer than six months and they are a reason for difficulties in everyday functioning.

Paraphilia includes apart from paedophilia, voyeurism, exhibitionism, fetishism, transvestic fetishism, frotteurism, masochism, sadism (Pursell & Arrigo, 2006) and necrophilia (Laws & O'Donohue, 2008).

Paedophilia

Clinical definition

The etymology of the word " paedophilia" leads to the Greek words pais (παις), which means child and philia (φιλία) which means friendly love (Riegel, 2005). However, the current meaning of the word as is perceived far exceeds any kind of friendly love. The current definition of paedophilia is, as it is in DSM-IV, under the broader context of paraphilias. The understanding is that paedophilia is a form of mental disorder and as such is treated. Given the definition of DSM-IV the offender has to have sexual urges or fantasies that has either acted upon or cause him distress for a period over six months. The offender has to be at least 16 years of age or at least 5 years older than the child and the child is up to 13 years old (DSM-IV, p. 571). Points of this definition cause more debate than give grounds for further theorizing. It is not clearly stated what is meant by " acted upon" or what is actually meant by " child" given that childhood can differ from society to

society (Harrison et al, 2010). Such vague concepts lead to a new definition of paedophilia to the new DSM-V that is expected in May 2013. The leading opinion is that the change in the paedophilic definition will be substantial, as it is expected to be named Peadophebephilic disorder, which refers to both sexual attraction of pubescent children (hebephilic) and prepubescent children (paedophilic) (Harrison et al, 2010).

Legal definition of paedophilia

The legal definition of paedophilia is another entirely problematic aspect of the matter. Beginning with the appropriate definition of age for a child to the age of criminal responsibility or the age of consent for sexual activity, there are variations. Different countries with different cultures define as “ child” someone at very different ages, from 14 in Uzbekistan to 21 in Argentina (Harrison, 2010). Moreover, within the law itself in the United Kingdom, there are discrepancies about the age that someone is consider to be a child. Different acts and schemes have different age limits, so there is confusion on the matter (McCartan, 2008). Another implication is in regards to what is considered to be a criminal act. In the UK as sex offences are considered apart from having sexual relations to a child, also grooming, making a child watch pornography or sexual intercourse of others or forcing a child to have sexual intercourse with someone (Sex Offenders Act 2003).

The UK law concerning paedophilia states that as paedophilia is assumed any sexual relationship between someone over 18 years and someone else under 16 years of age. In the event of the younger participant is less than 13

years old and as such cannot give consent, the sexual relationship is considered to be statutory rape (McCartan, 2008).

Paedophilia in modern society

Paedophilia has become an issue in the UK during the last decade. High profile cases have come to be widely known, and in many cases, the public outcry has caused the government to take action (McCartan, 2008). Not only the media, but also researchers and other professionals have been immensely consumed with the topic. Paedophilia up to some decades ago was not a distinct case of paraphilia. It was referred to as “sodomy”, without any differentiation at the age.

The growth in paedophilia references over the past few years in Western society was enormous. It has become an issue of public discourse emerging from non - existence (Goode, 2011). The public has formed opinions as the governments have implemented laws. However, it's a highly emotive issue and at this stage is based more on opinions than facts. The media coverage explosion (McCartan, 2008) has led to that direction misleading the public not as to the severity of the issue but as to its real dimensions and proportions. If anything else, the times are characterized of an overflow in information to and from all directions.

Other types of sexual abuse

Hebephilia

Hebephilia is defined to be the sexual attraction and sexual relations to someone pubescent (Green, 2005). Pubescent or early pubescent can be characterized someone at the ages of 11 to 14 years (Blanchard, 2010). The <https://assignbuster.com/understandings-and-responses-to-paedophilia/>

use of the term is very rare and diagnostic tools such as the DSM-IV or the International Classification of Diseases do not mention it (Franklin, 2010).

Hebephelia, when concerning heterosexual men and young girls can be attributed to the primary instinct for better chances in breeding (Franklin, 2010). Research however, has stated (Blanchard, 2010) that this does not actually increase fertility. Actually, hebephelia is not considered to be normal sexual behavior but, at the same time, does not fall into the category of sexual deviations due to mental disorders (Frances & First, 2011).

Incest

Incest is called the sexual relation between two members of the same family, who by law cannot get married. There is much debate on whether there are or not neurocognitive functions of the human brain that avoid incest (Lieberman et al, 2003). Moreover, the theory that human can identify their own kin has been put to the test more than once.

Incest is considered to be even more damaging to a child than sexual molestation. As it is provoked by a family member, the child loses its most fundamental basis (Becker et al, 1986) of the support system anyone has. The actual numbers of incest are unknown, even more than in other cases, because of the nature of the offence.

Chapter 2

Public Perceptions of Paedophilia

Formation of public attitudes towards paedophilia

The public perceives the society as being of great risk for the children (Cavanagh, 2007). The reasons of this belief are multiple. The constant change in human society due to technological advances results in changes that cannot be measured and, most importantly, cannot be determined in a strict cause – effect manner (McCartan, 2008). Paedophilia is one of these issues that have been imprinted into the public's mind as deriving from the modernization of life. The main concern of the public is the defense of the weak, such as the children, and the moral structure of family and society.

Although the issue is not entirely unknown to the public, the last two decades it has resulted in the formation of strong, however emotive, attitudes. Based more on stories than facts (Marsh & Melville, 2011), media fuelled discourses keep shaping the public's beliefs. High profile cases add each time a new piece of information that contains revelations about paedophilia.

There is a lack of evidence based information reaching the public as academics, health professionals and policy makers are not in agreement. Theorists do not contribute as they should in forming the public's opinion regarding paedophilia.

Media impact on the formation of public attitudes

The public's reaction to paedophilia is reaching from one end, complete indifference, passes through the notion that if we ignore it it will vanish

(Cloud, 2002), to the other end, vigilante attacks to known paedophiles (Allison, 2000). This is not independent from media coverage. There are shows on TV that demonstrate relationships that could be characterized as hebephilic, yet they do not bring about public outcry. That is because, as no one is getting hurt – not obviously at least, it all seems plausible and logical (Cloud, 2002).

Of course, this is not the case for the majority of the media. Their headlines full of imminent threats feed on pre – existing anxieties (Cavanagh, 2007) of the public. On a sensitive subject, such as paedophilia, the media works as the public's basic information giver. Since, there are very few academic or other sources on paedophilia, the public relies heavily on the media to know and understand what is happening (Marsh & Melville, 2011).

The media coverage of cases like Sarah Payne's in the UK or Megan Kanka's in the US was unprecedented. The public had the media as sole informative on the situations. The headlines in the newspapers grew stronger and angrier, leading the concerned citizens to similar reactions (Marsh & Melville, 2011). Official acts and media coverage have been intertwined, both to satisfy the needs of the public (Cavanagh, 2007).

The media, via public pressure, have also forced the government to take action. Following each high profile paedophile case there is a new law (McAlinden, 2010). This is not, of course, the result of a well constructed scheme in order to really deal with the issue, than it is more of a responsive action due to pressure.

Validity of media representations

However strongly presented the media information regarding paedophilia is not based on facts. They are more of an interpretation of a situation, presenting each time the new enemy – paedophile (Marsh & Melville, 2011). The explosion on reports of sexual offences leads to the assumption that there is a sudden increase in sex crime, leaving those who are vulnerable defenseless (McAlinden, 2006).

Since the stories in the media are not actual scientific studies, facts and assumptions get confused. One of the grave misconceptions that derive from the media is that all paedophiles act on their urges. A diagnosis from a psychiatrist of paedophilic tendencies doesn't always ensure that they will be acted upon (Cloud, 2002). On the other hand, it is not necessary for someone to be a diagnosed paedophile to sexually abuse a child. Internet pornographic rings have often proved to function as means of exploitation.

The ambiguity of the definitions of paedophilia has its fair share of the misinterpreted data by the media. The academics tend to confine the subject within by limited research and continuous alterations. The risk assessment, also, is based on rather speculative assumptions than on scientific and objective methods (McAlinden, 2010).

Characteristics of paedophiles according to the public

The paedophile is considered to be an obscure figure, stranger to the child and the family, waiting for the opportunity to arise. The children are constantly being reminded of never talking to strangers, receiving gifts, getting in their cars or even walking with them. However, this “stranger

danger” is an exaggeration when paedophilia is concerned. Statistics show that the vast majority of sex offenders in general and paedophiles in particular are from within the family or the close environment of the child. Almost half of the child sexual abusers are the parents and almost 20% other relatives (Cloud, 2002).

The public in reality does not have much information on paedophiles to form an educated opinion. The research on the issue is limited and restricted to the academic circles. The inconsistency between academic, clinical and legal viewpoints (McCartan, 2008) of paedophilia leave the public open to suggestions, usually by the media.

The internet is not free of blame for paedophilia cases. With the increased use of the World Wide Web by continuously younger people, new cases of children being victimized come to light. The public perceives the internet sex offender as someone who is lurking in the shadows to fool the youngest (Marsh & Melville, 2011). The whole of Internet is being blamed, service providers and websites, for harboring such offenders. The subject of responsibilities of the vast children pornography that can be found on line has yet to be addressed by the proper authorities (Cavanagh, 2007).

Moral panic and paedophiles

A usual reaction of the public to people or situations it believes to be threatening is moral panic. It's a term widely used since the late 1970's, though it had been first used in the late 1800's, to describe the exaggerated reaction of the public or the authorities, such as the government, aiming to control that which poses a danger to everyday life, safety or values (Marsh &

Melville, 2011). It's a coping mechanism to situations that seem to be unreasonable and with no solution (McCartan, 2008).

Not to be overlooked is the participation of the newspaper News of the World and its affiliates, like the Sun, to the moral panic of paedophilia (Marsh & Melville, 2011). Following the Sarah Payne's murder case News of the World began a campaign against all known or suspected paedophiles. The newspaper, using the Sex Offender Act of 1997, published about 200 names, locations and photographs of convicted sex offenders. This resulted to a frenzy reaction by the public as well as disappearances and suicides of certain offenders.

Instigating moral panic is the result of groups aiming to do the exact opposite. Physical or internet organizations have been created with the intention of informing and protecting the public. However, this has resulted in an abundance of "watchers" that are the new spokespeople for the fight against paedophilia (Marsh & Melville, 2011). Moreover, these "moral entrepreneurs" (Marsh & Melville, 2011) promote the solution that each one favors, with the outcome of leaving the public at a loss and without the ability to divert its thoughts.

Other explanations for moral panic that they are either orchestrated by those who have interest in diverting the public's attention from something else or they are a result of pre-existing anxieties of the public (McCartan, 2008). So, according to these theories the moral panic of paedophilia is a constructed situation, sustained by the media and government, based on the public's fears for the children's safety.

Change in public perceptions

It is a difficult task to put the public's mind at ease regarding paedophilia.

The moral panic is at each peak so far and the majority of the people are already set on a path of punitive response to the problem. However, the measurement of trust to the justice system bares disappointing results. In the UK, and other countries as well, the confidence in the system keeps declining. This can happen for a variety of reasons (Van de Walle, 2010). The leading concerns of the UK citizens are the slow movement of the system and its inefficiency, leniency even, towards paedophiles (McAlinden, 2010).

Also, the pre - emptive approach of the government is not actually offering much to this direction (Kemshall & Weaver, 2012). The public waits for a feeling of security that is not inspired by the schemes, as is proven by the low participation (Lipscombe, 2012).

The change in public perceptions on the issue of paedophilia is currently for the most part controlled by the media. However, research shows that what is being interpreted by the government as need for full disclosure is actually mistaken (Kemshall & Weaver, 2012). There is a discrepancy of what is being presented as true and what the public really wants. This marks a shift of the public's disposition to a more organized effort than disclosure can offer.

Chapter 3

Understanding paedophilia in a broader Social and Political context

Policy makers

During the last two decades a large number of cases concerning paedophilia have come to light in England and Wales. The publicity they received was unprecedented and caused strong public reactions. Public awareness over paedophilia has resulted in taking steps in the direction of assessing and treating individuals who have or are at risk of sexually abusing children. However, as the public is pushing towards a punitive response, the officials are trapped taking actions of risk reduction often not combined with treatment and reintegration of the offenders (McCartan, 2012).

These past two decades were marked by the overwhelming emergence of new laws that move to the direction of preventing crime by posing an abundance of sanctions (McAlinden, 2010). Instead of risk assessing government uses implementing of new legislation as a pre - emptive means of averting sex offenders acts. This sudden growth of new policies, deriving from the emotive nature of the issue of paedophilia, has resulted in an uncertain, or even unsafe, legislation environment (McAlinden, 2010). However, there are those who advocate for such a system since there actually is a decrease, almost one third from 1992 to 1998 in the US (Cloud, 2002), that can be attributed to the increase in conviction of sex offenders.

The question is that if indeed the official policy making is driven by the media and their extensive coverage of the paedophilia stories (Kemsall & Weaver, 2012). It's a vicious circle that the more public and media are

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abhorred by paedophiles cases becoming public the more the Home Office reacts by implementing schemes that alter again the public's standpoint by giving new possible actions. The most known example of such a co-dependent relation is the "name and shame" campaign that was an initiative from the newspaper News of the World, following the Sara Payne murder.

Academic society

In the academic circles there is no real consensus on the subject of paedophilia. The usual response of them is to be dismissive of the subject and treat paedophilia as a subject of little consequence (Smith, 2010). Much like the public their views are either formulated like the public's, considering at the back of their heads paedophiles as monsters but distant from them, or they are of a mild disposition to the subject, sometimes to the point of approval (Smith, 2010).

The academics viewpoint is diametrically opposed to the one of those who work with children that suffered sexual abuse. There are those who make the distinction between the harmful and the innocent aspect of paedophilia. Theorists have tried to define when and if contact with a child is actually harmful. Moreover, they support that most paedophiles are actually gentle and well-mannered, and not the monsters the public fears.

There is in fact a disagreement on whether paedophilia is a mental disorder, like other paraphilias, or in fact is a sexual orientation, that has not been accepted yet (Smith, 2010). The B4U - AC is a combined effort between

people who are attracted to minors and professionals who support their claim for legalizing such relationships (B4U-ACT. org).

Health professionals

Paedophilia falls under the category of mental disorders according to the DSM definition and as such is of great concern to health professionals. The framework now applied gives them the opportunity to work in combination with the authorities to prevent recidivism (Perkins et al, 1998) as well as support for the children who are victimized.

The contribution of Child Protection Advisors (CPA) from NHS Highland to the matter at hand is enormous. They monitor the majority of case discussions and provide a valuable contribution to the process of risk assessment and management (MAPPA, 2009/2010). Shared information across all MAPPA agencies improves the care of the patients, since the paedophiles are being seen as such, as a wide variety of tools is being given to them.

The majority of sex offenders do not actually have a mental illness. However, they do present a variety of personality disorders that may result in paraphilias. The establishment of multi - agency practices can lead to better assessment and treatment than small clusters of professionals can provide (Gordon & Grubin, 2004). Moreover, most practitioners feel strongly that the government is addressing the subject from a punitive point. They believe that the government, instead of exploring ways to treat and re - integrate paedophiles into the society, has the sole concern of reducing recidivism by means of punishment.

The law

Law making regarding paedophilia is a task with many obstacles and considerations. Since paedophilia is considered to be a mental disorder, if an act is actually criminal or not depends on the age of the perpetrator (Harrison et al, 2010). In England and Wales the age at which someone can be seen as criminally responsible is 10 years old. The definition of paedophilia considers the paedophile as an adult, who is at least 18 years old. Of course, the conundrum is apparent. Someone under 10 can be engaged in activities that can be characterized as child sexual abuse but will not face punishment and on the other hand, someone can be over 10 but his actions do not fall into the DSM definitions of paedophilia.

The path in legislating for sex offenders and risk management was set by the Sex Offenders Act 1997 and the Crime Sentences Act 1997. These marked a shift towards a more strict management of the offenders as well as a way for the public to protect itself through information (McCartan, 2008).

The act that works as a blanket for all issues of sexual offences, not only paedophilia - while the term is actually not used- but also rape, or sexual assault is the Sexual Offences Act (SOA) 2003. It is an improvement on the Sexual Offences Act 1956 (Home Office, 2002). The Act concerns anyone who

“ Is convicted of an offense listed in Schedule 3,

Is found not to be guilty of such an offence because of insanity,

Is found to have a disability and to have done the act charged against him in respect of such an offence; or

In England and Wales or Northern Ireland, he is cautioned in respect of such an offence". (SOA 2003, part 2)

Anyone who falls into the previous categories needs to notify the police once every year about his full name and date of birth, his current address and national insurance number, and about any travel outside the UK for a period of 3 days or more. Other details such as if the offender is living in a house with a minor or details about his bank accounts would prove to be helpful to the police in managing successfully the offenders. The offender needs also to notify the police whenever there are changes in the previously mentioned data (SOA 2003, part 2). At the moment the offenders notify the police locally. There is currently a development in a national database that will include the information of all registered sex offenders all over the UK (Home Office, 2002).

In addition to the existing legislation there is the Criminal Justice and Court Services Act 2000. The aim of the Act is to help the protection of the public, ensure the reduction of re - offending, see to the proper punishment of the offenders and also, help their rehabilitation. The Act has set the basis of inter - agency collaboration in regards of effectively managing the risk a known sex offender poses to the community (Home Office, 2002).

Policies regarding paedophilia

The public's desire, and the subsequent government action (McCartan, 2010), for better monitoring and control of sex offenders have led to a

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number of implemented policies. The UK government published in June 2007 the Review of the Protection of Children from Sex Offenders. The Disclosure Scheme aimed in providing a new means of information about potential risks involving certain individuals. The Disclosure Scheme began a process where anyone with interest in a ch