

Should parents shiver?

Chris Goddard

According to at least one author, our lives are increasingly dominated by a 'culture of fear', in which possible adverse outcomes dominate our world views. Throughout the Western world, awareness of child sexual abuse has led to action by members of the public to draw attention to horrific crimes against children. This article reviews some of the media reports and seeks to explain why so many are concerned by those that prey on children.

I read somewhere that, a thousand years ago, to celebrate the passing of a millennium, the inspiring cathedrals of Europe were planned. Is this true, I wondered at the time, or are we re-writing history, explaining the behaviour of others using our own view of the world? Whatever the truth, to celebrate another thousand years, a Millennium Dome is under construction in South London. I wonder if this memorial will be considered remarkable in another thousand years, such is the pace of change and the transience of so much of what we create. Whatever form this Millennium Dome takes, it is hard to image that, in the year 2997, there will be organisations raising money to preserve it as we now raise money to preserve European cathedrals.

Frank Furedi (1997) starts a provocative piece in *The Guardian Weekly* with an examination of the Millennium Dome from a rather different perspective. Greenpeace, he writes, is threatening to disrupt its construction claiming that it will be poisonous. Exactly how it will be unhealthy, and to whom, he doesn't make clear. The message that Furedi is relaying is that we now live in societies that are 'addicted to fear':

Hardly a week goes by without some new danger to the individual being reported, and another safety measure proposed.
(Furedi 1997)

Furedi, a sociologist at the University of Kent, has used his article entitled 'Why do we live in terror?' to introduce his new book *Culture of Fear: Risk Taking and the Morality of Low Expectation* (a book, I admit, I have yet to read). Furedi claims that:

We seem incapable of embracing innovation or new experience without recasting it as risk.
(Furedi 1997)

He further argues that:

Every new product, from the mobile phone to computer games, is invariably put through an anxious calculus of risk. There is a compulsion to anticipate and pre-empt adverse outcomes.
(Furedi 1997)

Although he barely mentions child abuse, Furedi claims that the media is full of stories 'to make every parent shiver'.

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Furedi takes the reader through a lengthy appraisal of how this 'anxious calculus of risk' is applied and to what. The Internet, he reports, has been portrayed as a major threat to society's equilibrium. Enjoying the sun is now seen as a risk to health. Other activities, such as climbing mountains, enjoyed by some because they are risky, are now being re-appraised from a new 'perspective of safety consciousness'. Panics (a word much favoured in such debates) about health risks have an effect on our lives out of all proportion to the real dangers involved, Furedi suggests. He is particularly critical of the preoccupations with cot death (or Sudden Infant Death Syndrome) and Toxic Shock Syndrome, proposing that they are subject to 'an inflated sense of danger'.

Furedi suggests that these changes in our perceptions have resulted from 'fundamental changes in human relations'. Traditional anchors in society that have provided a sense of safety and belonging, such as family, have been subject to increased scrutiny as well as to changes that have also created a sense of uncertainty.

Furedi also points out that commercial interest plays a part in creating this 'climate of fear':

Products and services that are linked to risk avoidance are doing well....bottled water has been the fastest growth sector in the drinks market.
(Furedi 1997)

Furedi argues that many new products are advertised not for what they actually do but for the sense of security that they may offer:

So car phones are sold as safety devices to protect women who fear violent attacks driving home.
(Furedi 1997)

Towards the end of his *Guardian Weekly* piece, Furedi proposes that this 'culture of fear':

.... is a defining feature of modern Britain – and it particularly affects the young.
(Furedi 1997)

This point is very hard to argue against wherever one lives. While I was in the UK recently, every newspaper carried articles on the dangers created for children when convicted child molesters are released from prison.

The tabloid newspapers, as one would expect, carried graphic stories. *The Liverpool Echo* on 17 June, for example, devoted almost the entire front page to an 'exclusive' by Jason Teasdale (1997) that a 'convicted paedophile' would soon be released. Broadsheet newspapers, for example *The Guardian*, also carried such stories. Interestingly *The Guardian*, exactly one week earlier, had carried the news that this particular man was to be released under the headlines 'In a few days this man, a convicted child rapist, will be released. Police say he is 'incredibly dangerous'. Should you be told if he moves in next door?' and 'Nightmare on any street' (Bowcott & Clouston 1997).

The story in *The Guardian* was accompanied by a photograph of the man who had been detained earlier after

being found carrying a bag of books and toys. He admitted to the police that he was searching for a child (Bowcott & Clouston 1997).

The Guardian story summarised the issues in its opening:

Newspapers are outing paedophiles and their homes are consequently being firebombed. Do child molesters deserve a second chance after they have served their sentences? Or has the public the right to know when such a menace moves in next door?
(Bowcott & Clouston 1997, p. 2).

The role of newspapers in 'outing' convicted child molesters is examined in another piece in the same paper by Gary Younge (1997). Paul Horrocks, acting editor of the *Manchester Evening News*, a paper described as exposing several child molesters, is quoted as saying that a newspaper takes risks when it does so:

The paper must balance children's safety with the threat of mob rule; it pits the chance that a paedophile may reoffend against the fact that he has served his time and may be denied the right to resume a normal life. There is a risk that people will take the law into their own hands. But there is a greater risk that children will be hurt. If you can't take risks to protect children then when can you? [Paul Horrocks] says.
(Younge 1997, p. 3)

Risks there certainly are:

One of those 'outed' by the *Manchester Evening News* suffered physical and verbal abuse from his neighbours and moved away as a result. Horrocks describes as 'regrettable' a case of mistaken identity in which an innocent man was attacked by an angry mob.
(Younge 1997)

The anger and the potential for awful disaster are described in the piece by Bowcott and Clouston:

In May 1994, a girl aged 14 called Samantha Penell died after the house in which she had been staying was burnt down. Those who set fire to the building were looking for a paedophile.
(Bowcott & Clouston 1997, p. 3)

They recount other stories: a convicted child molester stabbed to death in Edinburgh, and a man in Manchester badly beaten by a gang who believed wrongly that he was a child rapist (Bowcott & Clouston 1997).

In the USA, and elsewhere, a great deal of attention has been focused on what has come to be known as Megan's Law. Megan Kanka, seven years old, was murdered by a thrice-convicted sex offender Jesse Timmendequas. The man was living across the street from Megan and invited her into his house to see a puppy. She was not seen alive again. Megan Kanka's mother has devoted herself to a campaign that has led to Megan's Law being passed at State and Federal levels in the USA. These laws require local communities to be told when a potentially dangerous sex offender is living nearby.

In the UK, under the Sex Offenders Act (which I understand is still to come into force), a register of all convicted child molesters is to be established. This will require those

convicted to inform the police of their addresses when they are released, and to notify the police when they move. Exactly how these provisions will operate is unclear, but a recent test case has given some indication. Although the overwhelming majority of those convicted of sex offences against children are male, this case involves a man and a woman.

Two people (known as AB and CD) convicted of sex offences against children took action against the police in an attempt to secure privacy rights for those convicted of such offences (Jackson 1997). The man was convicted of raping a 16 year-old girl, in addition to many other offences against children. The woman was also convicted of aiding the rape and other sex offences. The couple are attempting to prevent the police informing others of their criminal records (Jackson 1997).

According to Jackson's story in *The Sunday Telegraph*:

The couple.... moved to a holiday resort in North Wales last summer but had to move on after their identity was discovered. It is understood that police tipped off the manager of a caravan site.... They had been forced to flee from other parts of Britain after being 'outed' three times.

(Jackson 1997)

The subsequent High Court ruling declares that the police were right to inform the public:

.... the Lord Chief Justice said a blanket policy of revealing the identities and past of all paedophiles would be objectionable. But in exceptional circumstances, where there was a risk of further crimes, the public had a right to know.

(Lee & Jenkins 1997)

The couple were given leave to appeal.

The Lord Chief Justice stated that the applicants had drawn attention to 'a pressing social problem'. The couple's solicitor also avowed that this was a case 'with immense social implications' (Lee & Jenkins 1997, p. 9). In coverage of the same decision in *The Daily Telegraph* (*Daily Telegraph* Correspondent 1997, p. 12), the principal officer of the National Association for the Care and Resettlement of Offenders drew attention to one of the issues:

When paedophiles become homeless and itinerant, it is harder for the police to exercise surveillance, for the probation service to carry out supervision and to involve offenders in treatment programmes designed to control their deviant sexual tendencies.

(*Daily Telegraph* Correspondent 1997)

A quote raising another issue was also given by the founder of an organisation called Mothers Against Murder and Aggression:

The law is weighted in favour of these perverts at the expense of the safety of the community.... I can't imagine that the judge would want to have his children living next door to a sex offender and not be told about it.

(*Daily Telegraph* Correspondent 1997)

The tension between children's right to protection and the 'right' of those who abuse children to reform after serving their sentences is at the heart of this matter. This is assessed by Caroline Lewis (1996) in a recent paper in the *Harvard*

Civil Rights - Civil Liberties Law Review. Lewis (1996, p. 92) suggesting that 'growing feelings of frustration and powerlessness' have been expressed by communities as media coverage has brought home the realisation that sex offenders are living in their neighbourhoods. High rates of recidivism and lack of success in rehabilitation have been quoted in support of legislation such as Megan's Law and the Jacob Wetterling Act in the USA (Lewis 1996).

Opponents of such laws, according to Lewis (1996), argue that such laws infringe the released offenders' civil liberties, and limit the chances they have to rebuild their lives. These opponents also question the data on high recidivism rates and argue that most sex offences against children take place in the family or in child care (Lewis 1996).

Australia has not escaped this new concern about those who sexually assault children. Deborah Coddington's (1997) book, *The Australian Paedophile and Sex Offender Index*, was published this year (Coddington published a similar New Zealand index the year before.) My view on this publication is that, while I understand the sense of frustration that many have with the inadequacies of the criminal justice system (a frustration I share), I have some concerns about the *private* publication of such an index. The possibility of vigilante-type responses (described above) is one of those concerns.

One of the most important points that Coddington makes in her introduction is that the public do not believe that the sentences given to those found guilty of sex offences against children are sufficiently lengthy. A lack of confidence in the courts pervades many discussions. In the case AB and CD described above, they were released from prison after serving seven years and four months of 11-year sentences imposed for a series of sexual assaults on their own children as well as the rape of a 16-year-old girl (*Daily Telegraph* Correspondent 1997). Most of us, I suspect, view such a penalty as too lenient, a point that I have made in this journal (and elsewhere) before (see, for example, Goddard 1993).

This lack of confidence appears to be greater than I realised, judging by the recent case of Said Morgan in New South Wales. On 1 August 1997, a jury took little more than half-an-hour to find Morgan not guilty of murder or manslaughter. Morgan, a former detective, claimed that it was 'instinct' that caused him to shoot an alleged child molester six times in the head with his police-issue revolver (Balogh 1997).

The un-named, alleged offender was killed two days after Morgan learned that the man was charged with sexual assaults on three girls, aged six, 11 and 14. Two of the victims were related to Morgan and the girls claimed that they had suffered four years of abuse including anal intercourse and digital penetration (medical evidence confirmed abuse). The alleged perpetrator had threatened to kill the girls if they disclosed the abuse (Balogh 1997).

The *Sydney Morning Herald*, in an editorial describing the verdict as 'astonishing', suggested that the fact that 'juries simply do not like paedophiles' might have contributed to the decision. Speculating about other factors, the editorial suggested that:

Perhaps the explanation for the outright acquittal was the jury's unwillingness to leave the question of punishment to the court, as would have occurred had the jury found Mr Morgan guilty of manslaughter.

(*Sydney Morning Herald*, Editorial, 4 August 1997)

Thus the issue of a lack of confidence arises again.

There are many developments to come in this area. At the time of writing, a report on 'paedophilia' is due to be released in Queensland as is the Royal Commission Report on the same subject in New South Wales. Detailed guidelines on the UK register will also be published shortly.

In the meantime, there are a number of issues to ponder. It is easy to use terms such as 'moral panic' when examining the response of some members of the public to information about convicted sex offenders living in close proximity. The reality is that throughout the western world, in Belgium, in Dunblane, in the USA, in New South Wales and elsewhere, authorities are seen to have taken a less-than-careful approach to the problems posed by those who sexually abuse children. The lack of confidence in the system (referred to above) is not confined to the legal process. It appears that every organisation subjected to close scrutiny (churches, education departments, police, or social welfare departments) has often devoted more care and energy to protecting itself than to protecting vulnerable children. As David Mitchell (1997) suggests in the latest issue of *Community Care*, deference to professionals has been eroded. Organisation after organisation, institution after institution has been found to be criminally negligent.

It is also easy to dismiss public responses as emotional and ill-informed. There would be something wrong if events in Dunblane and Belgium did not provoke an emotional response in all of us. And who is well-informed? We know, from research, that only a small minority of cases ever reach the courts. We know, from research, that many of those who sexually assault children do so for years before being caught. While in professional circles there is a great deal of talk of 'therapy' and 'treatment' for those who offend, there is little evidence that such programs work. The public perception is that they do not work well enough.

There is clearly a great deal we do not know. Many professionals that I have spoken to suggest that, while child sexual assault by so-called 'paedophiles' is the current focus of media and public attention, child abuse in the family remains the 'real' problem. Leaving aside arguments about what is 'real' and what is not, figures from the UK might challenge this perception. In planning the register of serious offenders, the UK Home Office undertook research that suggested that there are over 100,000 offenders (presumably nearly all men) who have been convicted of serious sex offences living in the community (Lee & Jenkins 1997). I am

certain that I am not the only person to be astounded by such figures.

While I have yet to see the research, the size of the problem (and, of course, the resultant register) is mind-boggling. It doesn't require a fine degree of prescience to imagine the media response to a register that attempts to monitor a problem of such a size and the resultant (and inevitable) errors. What will be the equivalent figures for Australia?

It is interesting to note that the media coverage given to these astonishing figures was comparatively low-key. Child abuse in our own families we feel we have some control over. Those that prey on children in the community, whether they are searching for children armed with books and toys, whether they are working with children as teachers, priests, doctors, child care workers and social workers, or whether they are living in the same neighbourhood, we have less control over. Perhaps, in Frank Furedi's terms, parents have every reason to 'shiver'. □

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