



Fact Sheet 6 - INDICATORS OF CHILD SEXUAL ABUSE

It is important to remember that evidence of abuse is not required, just a belief formed on reasonable grounds. Mandatory reporters do not need to have proof that a child or young person is being abused in order to make a report. The Department for Child Protection and Western Australia Police will conduct the necessary investigation.

Reasonable grounds

Professional judgment and objective observation which identifies warning signs or possible indicators of child sexual abuse informs and contributes to 'reasonable grounds'. Knowledge of child development and consultation with colleagues or other professionals can also contribute to 'reasonable grounds'.

Note that this legislation is not intended to capture all sexual activity involving children and young people. Reference should be made to age of consent laws in Western Australia.

Definition of 'child'

A child is defined in the *Children and Community Services Act 2004* as 'under 18 years of age, and in the absence of positive evidence of age, means a person apparently under 18 years of age'.

Definition of child sexual abuse

'Sexual abuse', in relation to a child, includes sexual behaviour in circumstances where:

- the child is the subject of bribery, coercion, a threat, exploitation or violence; or
- the child has less power than another person involved in the behaviour; or
- there is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.

Sexual abuse occurs when a child has been exposed or subjected to sexual behaviours that are exploitative and/or inappropriate to his/her age and developmental level.

Examples include sexual penetration, inappropriate touching, and exposure to sexual acts or pornographic materials.

Possible indicators of child sexual abuse include, but are not limited to:

- sexualised behaviours inappropriate to their age (including sexually touching other children and themselves)
- knowledge of sexual behaviour inappropriate to their age
- disclosure of sexual abuse either directly or indirectly through drawings, play or writing that describes abuse
- pain or bleeding in the anal or genital area with redness or swelling
- fear of being alone with a particular person
- if the child or young person implies that he/she is required to keep secrets
- presence of a sexually transmitted infection
- sudden unexplained fears
- enuresis and/or encopresis (bedwetting and bed soiling).

Each situation needs to be considered on its own merits. It's possible that none of these indicators may be present, yet a reporter still has the basis for a reasonable belief. Similarly, one indicator may be sufficient, or on other occasions it may be more than one.

Mandatory reporters should consider contextual elements in determining if a situation is abusive, such as the role of coercion or unequal power in a relationship that is claimed to be consensual or socially sanctioned. This is particularly important in relation to sexual behaviour between children. The respective ages of the children, developmental level and the nature of the relationship are important considerations.

What next?

Once a reporter has formed a belief, on reasonable grounds, that a child is being or has been sexually abused, a report must be made as soon as practicable. A verbal report must be followed by a written report.