



DANDENONG RANGES STEINER SCHOOL

# Child Abuse Key Indicators

## Sexual Offences

A sexual offence occurs when a person involves a child (under 18) in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to the child's age and development. Children may be bribed or threatened physically or psychologically to make them participate in the activity. Sexual offences are outlined in section 35 of the Crimes Act 1958 (Vic).

Sexual abuse can involve a wide range of sexual activity and may include fondling, masturbation, oral sex, penetration, voyeurism and exhibitionism. It can also include exploitation through pornography or prostitution.

This Program addresses in more detail certain sexual offences which involve behaviour that is intended to prepare or facilitate a child's involvement in sexual activity or conduct. These are [grooming behaviour](#) and the [encouragement of a child](#) to engage in, or be involved in, sexual activity. This is because the breadth of these offences and the nature of professional boundaries between School staff and students means that staff must be aware that certain behaviours will not only breach [staff and student professional boundaries](#), but may also amount to a criminal offence.

### **Possible Physical Indicators that a Sexual Offence Has Occurred**

- injury to the genital or rectal areas, such as bruising or bleeding
- vaginal or anal bleeding or discharge
- discomfort in urinating or defecating
- presence of foreign bodies in the vagina and/or the rectum
- inflammation or infection of genital area
- sexually transmitted diseases
- pregnancy, especially in very young adolescents
- bruising and other injury to breasts, buttocks or thighs
- anxiety related illnesses such as anorexia or bulimia
- frequent urinary tract infections

### **Possible Behavioural Indicators that a Sexual Offence Has Occurred**

- the student discloses sexual abuse

- persistent and age-inappropriate sexual activity, including excessive masturbation, masturbation with objects, rubbing genitals against adults, playing games that act out a sexually abusive event
- drawings or descriptions in stories that are sexually explicit and not age appropriate
- a fear of home, a specific place, a particular adult, or excessive fear of men or of women
- poor or deteriorating relationships with adults and peers
- poor self-care/personal hygiene
- regularly arriving early at school and leaving late
- complaining of headaches, stomach pains or nausea without physiological basis
- frequent rocking, sucking or biting
- sleeping difficulties
- reluctance to participate in physical or recreational activities
- regressive behaviour, such as bedwetting or speech loss
- the sudden accumulation of money or gifts
- unplanned absences or running away from home
- delinquent or aggressive behaviour
- depression
- self-injurious behaviour, including drug/alcohol abuse, prostitution, self-mutilation, or attempted suicide
- the sudden decline in academic performance, poor memory and concentration
- wearing of provocative clothing, or layers of clothes to hide injuries
- promiscuity

### **Student Sexual Offending**

Unwanted sexual behaviour towards a student by a child 10 years or over can constitute a sexual offence and is referred to as student sexual offending. All incidents, suspicions and disclosures of student sexual offending must be responded to in accordance with the School's [Student Sexual Offending](#) procedures.

### **Encouragement to Engage in Sexual Activity**

It is a criminal offence for an adult to encourage a child to engage in, or to be involved in, sexual activity where the adult seeks or gets sexual arousal or sexual gratification from the encouragement or the sexual activity.

There are two "encouragement" offences in the Crimes Act 1958 (Vic):

- section 49K: encouraging a child under the age of 16 to engage in, or be involved in, sexual activity
- section 49L: encouraging a child aged 16 or 17 under care, supervision or authority to engage in, or be involved in, sexual activity

A section 49K offence carries a maximum 10 year term of imprisonment. A section 49L offence carries a maximum five year term of imprisonment.

The Crimes Act 1958 (Vic) defines "**encourage**" to include suggest, request, urge and demand. Examples of encouragement include offering money or gifts or threatening harm. It can be done in person or by electronic communication. An example of conduct prohibited by these

offences is an adult asking a child to watch inappropriate material. Conduct which occurred outside Victoria or while the child was outside Victoria can still constitute an offence.

The encouragement offences cover conduct that is similar to [grooming](#) but are broader. Both the encouragement and grooming offences are 'preparatory' offences, but encouragement behaviour occurs at a later stage to grooming, or closer to the substantive sexual offence. The encouragement offence applies to sexual activity that would otherwise not be a criminal offence. For example, if a student was encouraged to watch inappropriate material in contravention of sections 49K or 49L, the act of watching is not a sexual offence, but the encouragement would amount to an offence.

**Note:** Both offences of grooming and encouragement to engage in sexual activity are sexual offences reportable under every adult's [Obligation to Report a Sexual Offence \(Failure to Disclose\)](#).

Possible indicators of adult encouragement behaviour would include those that may indicate grooming however the pattern of behaviours would not be required. The encouragement would normally be more sexualised.

## Grooming

Grooming is defined by the Royal Commission into Institutional Responses to Child Sexual Abuse as behaviours that manipulate and control a child, their family and other support networks, or institutions with the intent of gaining access to the child, obtaining the child's compliance, maintaining the child's silence and avoiding discovery of the sexual abuse.

Grooming by an adult of a child under 16, as well as grooming by an adult of a person who has the [care, supervision or authority](#) of a child aged under 16, are sexual offences under section 49M of the Crimes Act 1958 (Vic). They are therefore "child abuse" as defined in Ministerial Order No. 870

Grooming does not necessarily involve any sexual activity or even discussion of sexual activity. For example, it may only involve establishing a relationship with a child or a person who has care, supervision or authority for a child for the purpose of facilitating sexual activity at a later time. Conduct which occurred outside Victoria or while the child was outside Victoria can still constitute an offence.

Certain behaviours or acts will not in isolation constitute grooming behaviour. However, where there is a repeating pattern of indicative behaviour, or several incidents of indicative behaviour, it may constitute grooming behaviour.

### Online Grooming

The sexual offence of grooming under section 49M includes online grooming which occurs when an adult (18 years or over) uses electronic means to communicate with a child under the age of 16, or a person who has the [care, supervision or authority](#) of a child aged under 16, in a predatory fashion to try and lower the child's inhibitions, or heighten their curiosity regarding sexual behaviour or activity, with the aim of eventually meeting them in person for

the purposes of sexual activity. This can include communications through social media, online chat rooms, sexting or emails.

### **Encouraging a Child to Engage in Sexual Activity**

Sections 49K and 49L of the Crimes Act 1958 (Vic) outline offences relating to the encouragement of a child (under 18) to engage in, or be involved in, sexual activity. "Encourage" is defined in the Act to include suggest, request, urge and demand. The type of sexual activity a child may be encouraged to engage in, or be involved in, does not necessarily have to be sexual offence in its own right to be captured by these offences, for example encouraging a child to masturbate or watch pornography.

Section 49K does overlap with the grooming offence as both are preparatory offences against children, however not all grooming behaviour may be covered by the encouraging offence. Grooming goes further than the encouragement offence as it covers conduct that doesn't include active encouragement but assists in the cultivation of a relationship where sexual offending is more likely. For example, building a relationship with a child's parent or carer to gain trust may be an act of grooming, but is not an act of encouragement for the child to engage in, or be involved in, a sexual activity under sections 49K and 49L.

Additionally, the encouragement offences differ from the grooming offence as they do not require proof that the perpetrator intended to encourage the child to engage in, or be involved in, a sexual activity (in that the perpetrator meant to encourage the child in that way), or that they intended the child to engage in, or be involved in, a sexual activity.

While the encouragement and grooming offences are distinct and separate, due to the possibility for overlap, the following possible risk indicators apply to both types of offending.

### **Possible Indicators of Grooming Behaviour in Adults**

- persuading a child or group of children that they have a special relationship
- asking a child to keep the relationship to themselves
- inappropriately allowing a child to overstep the rules
- testing boundaries, for example by undressing in front of a child
- manoeuvring to get or insisting on uninterrupted time alone with a student
- buying a student gifts
- insisting on physical affection such as hugging, wrestling or tickling even when the student clearly does not want it
- being overly interested in the sexual development of a student
- taking a lot of photos of a student
- engaging in inappropriate or excessive physical contact with a student
- sharing alcohol or drugs with a student
- making inappropriate comments about a student's appearance or excessive flattery
- using inappropriate pet names
- making jokes or innuendo of a sexual nature
- making obscene gestures or using obscene language
- sending correspondence of a personal nature via any medium
- inviting, allowing, or encouraging students to attend a staff member's home without parental/carers permission

- entering change rooms or toilets occupied by students when supervision is not required or appropriate
- communicating with a child's parent/step parent, legal guardian, teacher, religious official or spiritual leader with the intention of facilitating the child's involvement in sexual conduct
- inappropriately extending a relationship outside of work
- photographing, audio recording, or filming students via any medium without authorisation or having parental consent to do so.

#### **Indicators That a Child May Be Subject to Grooming**

- developing an unusually close relationship with an adult
- displaying significant mood changes, including hyperactive, sensitive, hostile, aggressive, impatient, resentful, anxious, withdrawn or depressed behaviour
- using 'street' or different language they learned from a new or older 'friend'
- having new jewellery, clothing, expensive items or large amounts of money that were gifts from a new or older 'friend'
- using a new mobile phone excessively to make calls, videos or send text messages to a new or older 'friend'
- being excessively secretive about their use of social media or online communications
- frequently staying out late or overnight with a new or older 'friend'
- being dishonest about where they have been or who they were with
- drug and alcohol use
- being picked up in a car by a new or older 'friend' from home or school or 'down the street'.

#### **Indicators That a Child May Be Subject to Online Grooming**

- discovery of pornography on their computer or device
- receiving or making calls to unrecognised numbers
- increasing or excessive amount of time spent online
- increased secrecy in what they are doing online and efforts to try and hide what they are doing online
- evidence of people on their 'friends' list that are unknown and they have never met them offline.

#### **What is not grooming?**

Not all physical contact between a student and a staff member or any person engaged by the School to provide services to children, including a Volunteer, will be inappropriate and/or an indicator of possible grooming behaviour.

#### **The following physical contact with students is not grooming behaviour:**

- administration of first aid
- supporting students who have hurt themselves
- non-intrusive gestures to comfort a student who is experiencing grief, loss or distress, such as a hand on the upper arm or upper back
- non-intrusive touching i.e. shaking a student's hand or a pat on the back to congratulate a student

# Physical Violence

Physical violence occurs when a child (under 18) suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways including beating, shaking, burning or using weapons (such as belts and paddles).

Physical abuse does not mean reasonable discipline, though it may result from excessive or inappropriate discipline.

## **Possible Physical Indicators of Physical Violence**

- unexplained bruises
- bruises or welts on facial areas and other areas of the body, including back, bottom, legs, arms or inner thighs
- any bruises or welts in unusual configurations, or those that look like the object used to make the injury, for example, fingerprints, handprints, buckles, iron or teeth
- burns that show the shape of the object used to make them, such as an iron, grill, cigarette, or burns from boiling water, oil or flames
- fractures of the skull, jaw, nose or limbs, especially those not consistent with the explanation offered or with the type of injury probable/possible at the child's age and development
- cuts and grazes to the mouth, lips, gums, eye area, ears or external genitalia
- human bite marks
- bald patches where hair has been pulled out
- multiple injuries, old and new

## **Possible Behavioural Indicators of Physical Violence**

- inconsistent or unlikely explanation for an injury
- inability to remember the cause of an injury
- fear of specific people
- wearing clothes unsuitable for weather conditions (such as long-sleeved tops) to hide injuries
- wariness or fear of a parent/carer and reluctance to go home
- no reaction or little emotion displayed when hurt
- little or no fear when threatened
- habitual absences from school without explanations (the parent/carer may be keeping the child away until signs of injury have disappeared)
- overly compliant, shy, withdrawn, passive and uncommunicative
- fearfulness when other children cry or shout
- unusually nervous or hyperactive, aggressive, disruptive and destructive to self and/or others
- excessively friendly with strangers
- regressive behaviour, such as bed wetting or soiling
- poor sleeping patterns, fear of dark, nightmares
- sadness and frequent crying
- drug or alcohol misuse
- poor memory and concentration

- suicide attempts
- academic problems

## Serious Emotional or Psychological Harm

Serious emotional or psychological abuse may occur when a child (under 18) is repeatedly rejected, isolated or frightened by threats or the witnessing of family violence. It also includes hostility, derogatory name-calling and put-downs, or persistent coldness from a person, to the extent where the behaviour of the child is disturbed, or their emotional development is at serious risk of being impaired. Serious emotional or psychological harm could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.

Psychological or emotional abuse may occur with or without other forms of abuse.

### **Possible Physical Indicators of Serious Emotional or Psychological Harm**

- speech disorders
- delays in emotional, mental or even physical development
- physical signs of self-harming

### **Possible Behavioural Indicators of Serious Emotional or Psychological Harm**

- exhibiting low self-esteem
- exhibiting high anxiety
- overly compliant, passive or undemanding behaviour
- extremely demanding, aggressive, or attention-seeking behaviour
- anti-social, destructive behaviour
- low tolerance or frustration
- unexplained mood swings
- self-harming
- behaviours that are not age appropriate, for example, overly adult (parenting of other children), or overly infantile (thumb sucking, rocking, wetting or soiling)
- fear of failure, overly high standards and excessive neatness
- depression, or suicidal thoughts
- running away
- violent drawings or writing
- contact with other students forbidden

## Serious Neglect

Serious neglect is the continued failure to provide a child (under 18) with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life-threatening situations.

### **Possible Physical Indicators of Serious Neglect**

- consistently dirty and unwashed
- consistently inappropriately dressed for weather conditions
- consistently without adequate supervision and at risk of injury or harm
- consistently hungry, tired and listless, falling asleep in class, or malnourished
- unattended health problems and lack of routine medical care
- inadequate shelter and unsafe or unsanitary conditions
- abandonment by parents
- poor hygiene

### **Possible Behavioural Indicators of Serious Neglect**

- begging or stealing food
- gorging when food is available
- inability to eat when extremely hungry
- alienated from peers, withdrawn, listless, pale, and thin
- aggressive behaviour
- delinquent acts, for example, vandalism, drug or alcohol abuse
- little positive interaction with parent/carer
- appearing miserable or irritable
- poor socialising habits
- poor evidence of bonding, or little stranger anxiety
- indiscriminate with affection
- poor, irregular or non-attendance at school or kindergarten/child care
- staying at school for longer hours
- self-destructive
- dropping out of school
- taking on an adult role of caring for a parent
- misusing alcohol or drugs
- academic issues

## **Family Violence**

In Victoria "family violence" is a defined term under section 5 of the Family Violence Protection Act 2008 (Vic). It is a criminal offence.

Family violence is behaviour towards a family member that may include:

- physical violence or threats of violence
- verbal abuse, including threats
- emotional or psychological abuse
- sexual abuse
- financial and social abuse.

It is important to remember that "family violence" extends to behaviour that causes a child (under 18) to hear, witness, or be exposed to the effects of "family violence". A child's exposure to family violence constitutes child abuse.



As family violence can result in one or more forms of child abuse (being sexual offences, physical violence, serious emotional or psychological harm or serious neglect) the physical and behavioural indicators of these types of abuse may also be indicative of a family violence situation.

**Behavioural Indicators for Older Children and Young People**

- moving away or running away from the family home
- entering a relationship early to escape the family home
- experiencing violence in their own dating relationships
- involvement in criminal activity
- alcohol and substance abuse