

CHILDREN AS 'RISK'

This book critically examines sociopolitical constructions of risk related to sexual offending behaviour by and among children and young people and charts the rise of harmful sexual or exploitative behaviour among peers, drawing on a range of theoretical frameworks and primary research. Discussion of these behaviours is exhibited against a backdrop of the premature cultural sexualisation of contemporary childhood, which challenges traditional conceptions of childhood, victimhood and gendered sexual identities more broadly.

The book examines the complexities of peer-based sexual behaviours in a range of settings, including within organisational contexts such as schools and care homes, within families and peer-based relationships, as well as online contexts, including sexting and cyberbullying.

It draws out the myriad legal, practical and policy challenges of negotiating the boundaries between normal/experimental, risky/problematic and harmful sexual behaviour, and in particular the demarcation between coercion and consent, for professionals as well as children and young people themselves.

ANNE-MARIE MCALINDEN is Professor of Law and Criminal Justice at Queen's University Belfast. She is an internationally recognised expert on sexual offending against children and the author/editor of more than 50 publications, including two previous sole-authored monographs, the first of which (*The Shaming of Sexual Offenders*) was awarded the British Society of Criminology Book Prize 2008. She has been Principal Investigator on a number of ESRC funded projects including a recently completed three-year study on 'Sex Offender Desistance'; and currently 'Apologies, Abuses and Dealing with the Past', where one of the case studies is institutional child abuse.



CAMBRIDGE STUDIES IN LAW AND SOCIETY

Founded in 1997, Cambridge Studies in Law and Society is a hub for leading scholarship in socio-legal studies. Located at the intersection of law, the humanities, and the social sciences, it publishes empirically innovative and theoretically sophisticated work on law's manifestations in everyday life: from discourses to practices, and from institutions to cultures. The series editors have longstanding expertise in the interdisciplinary study of law, and welcome contributions that place legal phenomena in national, comparative, or international perspective. Series authors come from a range of disciplines, including anthropology, history, law, literature, political science, and sociology.

Series Editors

Mark Fathi Massoud, *University of California*, *Santa Cruz*Jens Meierhenrich, *London School of Economics and Political Science*Rachel E. Stern, *University of California*, *Berkeley*

A list of books in the series can be found at the back of this book.



CHILDREN AS 'RISK'

Sexual Exploitation and Abuse by Children and Young People

Anne-Marie McAlinden

Queen's University Belfast





CAMBRIDGEUNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India

79 Anson Road, #06-04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781107144842

DOI: 10.1017/9781316534847

© Anne-Marie McAlinden 2018

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2018

Printed and bound in Great Britain by Clays Ltd, Elcograf S.p.A.

A catalogue record for this publication is available from the British Library.

ISBN 978-1-107-14484-2 Hardback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.



CONTENTS

Acknowledgements	page viii
PART I THE THEORETICAL AND POLICY CONTEXT	
1 Conceptualising Children as 'Risk': An Introduction Defining Terms Public and Official Discourses on Sexual Offending Concerning Ch Framing the Debates A Brief Note on the Primary Research Recurrent Themes Structure of the Book	3 5 nildren 11 17 19 20 23
2 Child Sexual Exploitation and Abuse: A Contemporary History of Concerns The Early Emergence of Child Abuse: Intra-Familial Abuse Extrafamilial Abuse: The Predatory Stranger Institutional Child Abuse Online Grooming and Abuse Child Sexual Exploitation Conclusion	y 27 29 36 40 43 48 53
3 The Social and Political Construction of Sexual Offend Concerning Children Conceptualising Childhood Sex, Sexuality and the Sexualisation of Children and Young People Hierarchies of Blame: Sexual Offending and Victimisation Concern Children Children at 'Risk' and the Relevance of Children's Rights Conclusion	55 57 e 63
PART II CHILDREN AS 'RISK': CHILDREN AND YOUN PEOPLE WHO DISPLAY HARMFUL SEXUAL O EXPLOITATIVE BEHAVIOUR	
4 The Emergence of Harmful Sexual Behaviour The Emergence of the Problem The Media and a 'Culture of Sex'	87 88 91

© in this web service Cambridge University Press



CONTENTS

	'New Media': Social Media, Mobile Phones and Changing Modes of Communication	93
	Changes in Dating and Courting Rituals: The 'Third Hand Removal of	
	Emotion'	98 101
	Access to Pornography: 'Two or Three Clicks Away' 'Corporate Paedophilia': Video Games and Music Videos as	101
	'Pornography'	105
	'Gang' or 'Partying Culture'	108
	The Experiential Sexualisation of Children	112
	Gender and Sexual Identity	113
	Resilience	119
	Normalisation and the 'New Normal'	121
	Conclusion	126
5	Peer-to-Peer Grooming: A Reappraisal	128
	Contextualising Peer-to-Peer Grooming	131
	Similarities: Problems in Defining Scope and Pinpointing Intention	131
	Differences: Proximity and Speed	133
	Power and Control	137
	Vulnerability The Fig. 1. (P. 1.1.) 1.0. (1.1.)	144
	The Exploitation of Personal and Social Contexts Trust and Normalisation	152 157
	Entrapment	161
	Conclusion	164
6	The Nature and Scope of Peer-to-Peer Exploitation and	
U	Abuse: Towards a Typology of 'Harm'	166
	The Nature and Extent of Peer Abuse	167
	Age	171
	Gender	174
	The 'Dark Figure' of Peer-Based Abuse	181
	A Taxonomy of Peer-to-Peer Abuse	184
	Sibling Abuse	191
	Peer-to-Peer Forms of Institutional Abuse	195
	Peer-to-Peer Online Abuse: Sexting and Cyberbullying	201
	Peer-Based Child Sexual Exploitation: 'Line Ups'	210
	Partying Culture: 'Chemsex Parties'	215
	Conclusion	218
7	Legal and Societal Responses to 'Risk'	220
	Legislative and Policy Responses	221
	The (De)Criminalisation of Sexting	222
	The 'Confusion of Years': Age-Based Anomalies Within Legislative	222
	Frameworks	230
	Evidential and Practical Difficulties in Investigating and Prosecuting HSB: Intention and Consent	235
	System Tensions	235 246
	Cystem Tensions	270

vi



	CONTENTS
Societal and Familial Responses to Risk Cultural Dimensions of HSB	250 250
Familial Responses	254
Conclusion	257
PART III FUTURE APPROACHES	
8 Conclusion: Reimagining 'Risk'	261
Moving Beyond 'Risk'	263
Agency, Resilience and Citizenship	268
Bridging the 'Normalisation Gap'	273
Appendix: Research Methodology	279
Bibliography	281
Index	348



ACKNOWLEDGEMENTS

This book could not have been completed without the assistance and support of a number of people. I gratefully acknowledge the support of the National Organisation for the Treatment of Abusers (NOTA) and the award of a small research grant to allow me to complete the primary research. Thanks in particular are due to the professionals who gave so generously of their time and shared their invaluable knowledge and expertise with me during the interviews. Thanks also to my colleagues and friends at Queen's who offered support and encouragement as this book was being completed and in particular Professors Phil Scraton and Kieran McEvoy for providing constructive feedback on draft chapters. Finally, thanks above all to my family for their continued love and support: mum, dad, Trina, Stephen and Katie. To my parents-in-law, Mary and Brendan, for giving me peace of mind in working every day knowing that my children were being well cared for, and, above all, to my husband Stephen for keeping our home and family going in the final months of this book's completion. My greatest thanks are due to him and our two boys, Ben and Luke, for reminding me that there is a lot more to life.

viii